PLEASE ENTER THIS DOCUMENT AND ALL ATTACHMENTS INTO THE OFFICIAL PUBLIC RECORD.

Date: November 8, 2007

To: Members of the Durham City Council

From: Concerned residents of Old North Durham

Re: The proposed resolution authorizing the lease of Old North Durham Park to Central Park School for Children Foundation

I. SUGGESTED ACTIONS

1) Reject proposed lease agreement of Old North Durham Park to Central Park School for Children Foundation on the basis that this agreement is not in the public interest.

Under the provisions of Section 86 and 86.1(a) of the Durham City Charter the city council must deem to be in the public interest any “sale, lease, rent, or exchange” of any property belonging to the city. (See Document 1.) As the facts stand the proposed lease agreement does not rise to this standard. When you consider the information outlined below as city council members charged with the stewardship of our public assets, you will find more than adequate cause to reject this proposal.

2) Renovate and retain Old North Durham Park as a public soccer field and recreational area.

The City should move pursuant to City Council Resolution No. 9281 adopted on September 6, 2005, stating that the athletic field in Old North Durham Park should be “renovated with grading, sod, and irrigation...[and] serve tournament level and adult soccer as well as junior-level games...” (See Document 2.) It is important to note that City Council had approved funding and General Services has already listed $222,879 dollars as appropriated funds for these renovations. (See Documents 3, 4, 5.)

II. RECENT HISTORY

The city council has affirmed time and again that the public interest lies in renovating and maintaining Old North Durham Park as a soccer field, which could also be used for other sports such as football. These decisions were well-informed and supported by the Department of Parks and Recreation, and also reflect the needs and desires of the immediate community that utilizes this park. In fact, City Council meeting minutes from September 6, 2005, reflect the recommendation of the Department of Parks and Recreation that “with the current shortage of athletic fields in Durham, we
cannot afford to reduce or lose one of the existing fields.” (See Document 2.) As administrative and budgetary delays have postponed the City’s plans, neighborhood residents have taken upon themselves the responsibility of maintaining the park. The adult soccer leagues that have used the field have cut the grass, cleaned up garbage and repaired the soccer goals as needed and on any given day the field is used for community-organized games and events and provides one of the only recreational areas for neighborhood kids.

III. APPROVAL OF CENTRAL PARK SCHOOL FOR CHILDREN FOUNDATION LEASE IS NOT IN THE PUBLIC INTEREST

Despite the City’s commitment to renovate the park, the meeting minutes of Old North Durham Neighborhood Association (ONDNA) and the Central Park School’s Parents and Partners Organization (CPS-PPO) show that as early as 2003, the School has been actively planning to undermine the City’s decisions regarding the park, raising monies to support their own intentions for the park, none of which had yet been approved by the City Council. In their own words, the Central Park School “requested... that ONDNA support a motion to stop the current plans for the park.” (See Documents 6-15.)

The proposed lease states that the Foundation will develop the Park as “a child and family-friendly park” in a manner “consistent with the City’s proposed development plans for the Park Property.” (See Document 16.) However, the Foundation has noted that the City’s plans for a soccer field are in fact not compatible with its own intentions, as the CPS-PPO meeting notes from January 18th 2005 make clear:

‘Marcia revealed the wonderful plans for the Old North Durham Park that we would like to see implemented. Dept. of Parks and Rec. have another plan in mind that includes a soccer field that is so big it leaves little room for playground equipment or other recreational area. Their field would accommodate two youth soccer fields. 10 percent of Durham homeowners were surveyed on what they would like more of in public parks. The first seven were walking, childrens play, hanging out, picnicking, outdoor events, wild life viewing, eating lunch – all of these would be accommodated by our proposed plan. Soccer was #13 on the list. We are working to find the best person to deal with for getting our plans implemented.” (See Document 7.)

As of today the School has yet to be forthcoming in detailing exactly what its intentions for the park are. In a public meeting on the issue held March 28 of this year, School personnel claimed that they would plan to retain a smaller soccer field, as there were no exact regulation measurements for a field to be used in tournament play. Yet, on November 15 of 2005, Vicky Patton, the Director of the Board of Central Park School for Children, met with the Old North Durham Association to request its support in opposing the City’s plans, and explained that FIFA’s minimum requirements for adult male fields is 50 yards by 100 yards. (See Document 6.) Regardless, at this same meeting both groups
agreed that they should argue that there is not enough parking to support a soccer field, and that a neighborhood survey indicated that soccer was not a priority for the residents.

However, the supposed parking “problem” has not hampered enthusiasm for the renovation of the old Durham Athletic Park, which is located on an adjacent block. Surely the same public parking that would accommodate DAP would be more than adequate for local league soccer as well. Further, the City had agreed to negotiate with TROSA for the use of the parking lot on the Park’s east end.

The issue of the “neighborhood survey” highlights a significant problem. Old North Durham Park is located at the junction of a predominantly white middle-class neighborhood (north of Trinity Avenue), and a mixed Latino and African-American neighborhood with far fewer economic resources (south of Trinity). Who was polled in this survey? In fact, who has been consulted on this issue at all? The School seems to rely on the approval of the Old North Neighborhood Association as proof of public support for its plans. Yet, Old North Neighborhood Association, like this survey, is extremely racially and economically skewed.

In 2001, a group of students in UNC-Chapel Hill’s School of Public Health completed a study of Old North Durham, "A Community Diagnosis including Secondary Data Analysis and Qualitative Data Collection," and found striking differences in the perspectives between lower and higher income residents. In this comprehensive study, the authors reflected that membership in the neighborhood association was largely based on property ownership, and demonstrated that because renters, low-income community members and Spanish-speakers in Old North Durham tend not to participate in the neighborhood association, "the neighborhood association meetings are not a venue where all neighborhood residents are represented."1 (See Document 17, an excerpt.) In addition, they determined that, "those outside of the association felt inadequately armed with the needed resources, both socially and materially, to effectively combat the issues facing their community."

In light of this reality, the claim that the Foundation wants to develop a "child and family-friendly park" begs another question – which children, and which families? They cite a survey of 10% of Durham homeowners as support for their "multi-use" proposal without delimiting who the respondents were, and wholly discounting the fact that many residents of the surrounding Old North Durham neighborhood – residents who use the Park on a regular basis – are not, in fact, homeowners at all, once again demonstrating a disregard for the residents of the immediate surrounding neighborhood.

The many families in close proximity to the Park who already utilize it on a regular basis, for adult and youth soccer, birthday parties, kids’ activities, and community celebrations, have not been

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consulted in earnest. Thus, it is far from clear whether this proposed lease is in the interest of the neighborhood. What is abundantly clear is the financial interest of private real estate developers who were involved in establishing Central Park School For Children and stand on its board, who have bought a number of properties in the neighborhood, and who stand to gain from the accelerating gentrification of the area.

The UNC report noted that “the themes that emerged from the interviews with community members are all inextricably linked to the economic diversity of the neighborhood,” and in particular to the dynamics of gentrification and their uneven effects on different sectors of the population. It concluded that the predominant concerns of “the middle to upper socioeconomic class, most of whom were white... included aesthetics, beautification, and control of their environment,” and noted that the lower income residents are hesitant to join with their new neighbors “for fear that they will end up advocating for their own displacement as improvements cause property values to rise.” The report goes on to explain that,

The neighborhood association has great difficulty involving lower income residents, due in part to their efforts to gentrify and thereby, without meaning to, displace the poor from their community.

Many of the urban gentry that we interviewed specifically stated that they appreciated OND because of the diversity and did not want it to become gentrified. They seem unaware or at least in denial that they are doing exactly that. No, they are not living in a gated suburban community, instead they glory in the diversity of their urban environment, while effectively organizing themselves to eliminate the very variety they hail as the greatest characteristic of Old North Durham. (See Document 17.)

In sum, the reality that only one sector of the neighborhood has been represented requires at a minimum that the City Council delay consideration of this proposal in order to consult a more representative cross-section of our neighborhood.

IV. INVINVABILITY OF PROPOSED LEASE

Beyond the relationship the School has to the Park and our neighborhood more generally, the current proposed lease has a number of problems.

The language of the lease does not include any details of the Foundation’s plans for the Park, but does convey that the City’s approval of those plans should be virtually guaranteed, “provided these plans are developed in consultation with recognized professional park planners and meet N.C. Public School Safety Standards.” The lease, then, effectively requires a priori sanction of the Foundation’s plans. How can the City Council assure – or be assured – that those plans are in the public interest without reserving the right to examine them beforehand? The lease also states that “the use and improvements to be made by the Nonprofit Agency are sufficient consideration as payment for the
lease." Again, considering the non-disclosure of what “improvements” will be made, how can it be sensibly judged that they are sufficient?

The vague and open provisions of the lease reserve for the Foundation nearly full decision-making power regarding the alteration and use of the park. Paragraph 9(b) states that “at all times during daylight hours, the Premises will be open to the public,” but actually allows the School to monitor and limit use of the park during school hours and whenever the Park is rented. As the School would also have the right to control the subletting or renting of the Park premises, this lease would require the City to relinquish any authority or oversight with regard to this public space. Section 6 provides grounds to ensure the renewal and perpetuation of the lease, further limiting the decision-making power of the City. At the same time, the lease requires that the City – and therefore the citizens whose use of the Park can be restricted at the discretion of the School – "shall pay all taxes and assessments imposed on the Premises."

In sum, all of these constitute an unnecessary secession of control by the City of Durham and leave the residents of our neighborhood without the right of recourse, subject to the decisions and actions of an entity that has no structure of accountability to them.

V. RETENTION AND RENOVATION OF OLD NORTH DURHAM PARK

Finally, before undertaking any contemplation of this lease proposal, the City Council should fully re-examine its own prior commitments to Old North Durham Park. After concluding that the maintenance of the Park as an athletic field would best serve the public interest, public funds for its renovation were earmarked in a 1998 bond and again in a 2005 bond. As of October 2006, according to the General Services Projects Management division, $222,000 was still budgeted for such renovations. (See Documents 4, 5) In September of last year, Stormwater Services determined that there was storm sewer damage beneath the field in the Park., but by November 15, 2006, engineers had submitted a design proposal for the repairs which was to be reviewed by Stormwater Services while funding for the project was confirmed. (See Document 5.) This damage required extending the scheduled completion date for the renovations, but the overall plans for the Park remained unchanged.

According to the City Council meeting minutes of September 6, 2005, the City staff was also charged with “negotiating an agreement with the park’s eastern neighbor (TROSA) for joint use of a City parking lot and TROSA’s entrance into the park site; this agreement will provide a small amount of additional parking but, more importantly, an additional entrance into the park from the residential neighborhoods.” At that time, Parks and Recreation Director Darrell Crittendon said a firm agreement should be in place “within the next two to three months.” (See Document 2.)
It is important to note that Durham Parks and Recreation's recent endorsement of the proposed lease stands in sharp contrast to its long standing position that the City could not afford to lose Old North Durham Park as an athletic field. In addition, the alternative athletic facilities mentioned in their October 16 memo have not even entered into the design stage. Plans for these alternate locations are far from finalized and therefore do not constitute legitimate alternatives. (See Document 18.)

In sum, it is incumbent upon the City Council to fully review and act upon the prior negotiations and commitments the City has made with regard to the Park, which were taken without the pressure of private interests such as the Central Park School for Children Foundation, and in the interest of the public good.

VI. CONCLUSION

Given the charge of the City Council to promote and safeguard the general welfare and convenience of the public, and the potential of this proposed lease to detract from the collective good of the greater Old North Durham neighborhood, we respectfully submit that the RESOLUTION AUTHORIZING THE LEASE OF OLD NORTH DURHAM PARK TO CENTRAL PARK SCHOOL FOR CHILDREN FOUNDATION SHOULD BE REJECTED by the City Council, and that the City's previous pledge to renovate the park be fulfilled.
Sec. 86. Public or private sale of property.
The city council may, upon the affirmative vote of at least four (4) members of
the city council, publicly or privately sell, lease, rent, exchange or otherwise
convey, or cause to be publicly or privately sold, leased, rented, exchanged or
otherwise conveyed, any property, real or personal or any interest in such
property, belonging to the city.
(Laws 1979, 2nd Session, Ch. 1140, § 1; Laws 1987, Ch. 756, § 3; Ord. No.
12281, § 6, 5-7-01)

Sec. 86.1. Sale of property subject to restrictions.
(a) The city council may sell, exchange, or otherwise transfer the fee or any
lesser interest in real property to any purchaser subject to such covenants,
conditions and restrictions as the city council may deem to be in the public
interest. Such sale, exchange or other transfer may be made pursuant to either (i)
Section 86 of this Charter, (ii) Article 12 of Chapter 160A of the North Carolina
General Statutes, (iii) G.S. 160A-514 or (iv) any other applicable provision of
law, and the consideration received by the city, if any, for such sale, exchange or
transfer may reflect the restricted use of the property resulting from such
coventants, conditions and restrictions. The city may invite bids or written
proposals (including detailed development plans and site plans) for the purchase
of any such property or property interest (whether by sale, exchange or other
transfer) pursuant to such specifications as may be approved by the city. A sale,
exchange or other transfer of real property (or interest therein) pursuant to this
section may be made contingent upon any necessary rezoning of such property.
(b) The authority contained in this section is in addition to and not in limitation
of any other authority granted by this charter or any other law.
(Laws 1987, Ch. 232, § 1)

Sec. 86.2. Disposition of property by city manager.
The city council may authorize the city manager to dispose of the following
property without the necessity of approval by the city council of each such
disposition: (1) Wrecked or damaged property without the necessity of
approval by the city for damage to such property;
(2) Water or sewer easements, or similar interests in real property, as part of an
exchange for other water or sewer easements or similar interests in property; and
(3) Water or sewer easements, or similar interests in real property when such
easement or similar interests in real property is no longer needed by the city.
The provisions of Article 12 or Chapter 160A of the North Carolina General
Statutes shall not apply to the disposition of property pursuant to this section.
(Laws 1987, Ch. 756, § 4)
offer and sell the property to the highest bidder. The council may at any time reject any and all offers. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 25.)

(a) Real Property. - When it is proposed to sell real property at public auction, the council shall first adopt a resolution authorizing the sale, describing the property to be sold, specifying the date, time, place, and terms of sale, and stating that any offer or bid must be accepted and confirmed by the council before the sale will be effective. The resolution may, but need not, require the highest bidder at the sale to make a bid deposit in a specified amount. The council shall then publish a notice of the sale at least once and not less than 30 days before the sale. The notice shall contain a general description of the land sufficient to identify it, the terms of the sale, and a reference to the authorizing resolution. After bids have been received, the highest bid shall be reported to the council, and the council shall accept or reject it within 30 days thereafter. If the bid is rejected, the council may readvertise the property for sale.

(b) Personal Property. - When it is proposed to sell personal property at public auction, the council shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property at public auction. The resolution or order shall identify the property to be sold and set out the date, time, place, and terms of the sale. The resolution or order (or a notice summarizing its contents) shall be published at least once and not less than 10 days before the date of the auction.

(c) The council may conduct auctions of real or personal property electronically by authorizing the establishment of an electronic auction procedure or by authorizing the use of existing private or public electronic auction services. Notice of an electronic auction of property shall identify, in addition to the information required in subsections (a) and (b) of this section, the electronic address where information about the property to be sold can be found and the electronic address where electronic bids may be posted. All requirements of subsections (a) and (b) of this section apply to electronic auctions. (1971, c. 698, s. 1; 1973, c. 426, s. 43; 2001-328, s. 5.)

A city may exchange any real or personal property belonging to the city for other real or personal property by private negotiation if the city receives a full and fair consideration in exchange for its property. A city may also exchange facilities of a city-owned enterprise for like facilities located within or outside the corporate limits. Property shall be exchanged only pursuant to a resolution authorizing the exchange adopted at a regular meeting of the council upon 10 days' public notice. Notice shall be given by publication describing the properties to be exchanged, stating the value of the properties and other consideration changing hands, and announcing the council's intent to authorize the exchange at its next regular meeting. (1971, c. 698, s. 1; 1973,
The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Absent: None.

Also present: City Manager Patrick Baker, City Attorney Henry Blinder, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Bell called the meeting to order with a moment of silent meditation and the Pledge of Allegiance led by Council Member Clement.

Mayor Bell read a proclamation designating September as National Prostate Cancer Awareness Month.

Council Member Clement thanked Weaver Street Center Director Virginia Cross-Shahid and her staff along with White Rock Baptist Church for their involvement with the Weaver Street Center Block Party held on September 3.

Mayor Pro Tempore Cole-McFadden congratulated North Carolina Central University Eagles on their win at the Aggie-Eagle Classic.

Mayor Bell made comments on the annual performance evaluations for the City Manager, City Attorney and City Clerk. The Mayor noted evaluations were concluded prior to this meeting.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Catotti to adopt an ordinance setting the annual salaries of the City Manager, the City Attorney and the City Clerk was approved at 7:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Ordinance #13163

Mayor Bell made comments on the Hurricane Katrina efforts. The Mayor expressed concern and sympathy and encouraged individuals to reach out through existing reputable relief organizations – American Red Cross, noted City employees will be modifying the 7 Stars program to allow for hurricane relief donations, various city personnel are available to be deployed as requested, including those with experience in public safety, damage assessment, water utilities, debris removal and emergency communications. No deployments have been requested by local, state or federal authorities. However, one of the 911 Center operators will be working in St. Tammy’s Parish in Louisiana for the next 10 days, working as a representative of the Telecommunicator Emergency Response Taskforce of the N.C. Chapter of the National Emergency Number Association. He made comments on the long-term needs,
letters received from the USCM through the Secretary of HUD asking that the City prepare a list of houses that may be made available for at least six months in the event that persons may relocate to this area, seeking assistance from community organizations, including faith-based organizations, who desire to help by sponsoring one or more families in these houses. Assistance would include orientation to the community, clothing, food, transportation and emotional support and the city’s Economic and Employment Development Office will assist with job services. Durham County’s social and human services agencies will help with their full range of supportive services and will evaluate expanding this offering as needed and as property can be made available.

City Manager Baker noted the City is focusing on the needs of the evacuees who have been recently relocated to the Triangle area. He made comments on the meeting he attended today at Triangle United Way to discuss providing services to evacuees, telephone calls received from individuals wanting to make their houses available to this cause and asked his assistant to make a log and would bring that information to the group on Thursday.

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to approve contracts up to and equal to $30,000 and to bring a list back to the City Council after the fact monthly was approved at 7:27 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Council Member Clement asked the City Manager to provide a report on the City of Durham’s State of Preparedness regarding natural and man-made disasters at the September 8, 2005 City Council Work Session.

City Manager Baker informed Council that a report will be made at the September 22, 2005 City Council Work Session.

Returning to an earlier motion made by Council Member Catotti, she noted for clarification the motion should be for the reinstatement of prior authority to the Office of the City Manager to approve contracts up to $30,000.

Council Member Best asked staff questions relative to the 911 representative that will be helping out for 10 days as a result of Hurricane Katrina. He noted there was a staffing question brought up during the budget and would hope this does not affect the 911 service to the citizens of Durham.

Assistant City Manager Voorhees noted the administration is discouraging employees from self-deploying and, in fact, would not approve leave for anyone who would want to do that, but have told them if people are members of recognized relief agencies that the administration would approve leave subject to the ability to continue to deliver services to our citizens and those employees would take their own personal leave/comp time to do that.
September 6, 2005

As a priority item, City Manager Baker requested that Consent Agenda #20 [Pebble Creek Condominium Association] be deferred to the September 8, 2005 City Council Work Session and that Consent #28 [Southwest Durham Transit Corridor Realignment] be placed on the General Business Agenda due to additional information that staff will present.

MOTION by Council Member Clement seconded by Council Member Catotti to accept the City Manager's priority items was approved at 7:27 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

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

Mayor Bell asked if any citizen(s) or council member(s) wanted to pull any items from the Consent Agenda. Consent Agenda Item # 9 [Business Loans Report for June 2005] was pulled. Consent Agenda Item #20 was deferred to September 9, 2005 City Council Work Session and #28 [Southwest Durham Transit Corridor Realignment] was moved to the General Business Agenda at the request of the City Manager.

MOTION by Council Member Stith seconded by Council Member Catotti to approve the Consent Agenda as amended was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

[CONSENT AGENDA]

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES

MOTION by Council Member Stith seconded by Council Member Catotti to approve the following City Council Minutes; and

May 26, 2005 - Special Meeting
July 21, 2005 - Special Meeting
August 1, 2005 - Regular Meeting

To approve City Council action taken at the July 21, 2005 City Council Work Session was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: CITIZENS ADVISORY COMMITTEE - RECEIPT AND ACCEPTANCE OF APPLICATIONS

MOTION by Council Member Stith seconded by Council Member Catotti to receive and accept applications for citizens to fill nine (9) vacancies with three (3) terms expiring on June 30, 2006,
two (2) terms expiring on June 30, 2007 and four (4) terms expiring on June 30, 2008 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM BICYCLE & PEDESTRIAN ADVISORY COMMISSION – RECEIPT AND ACCEPTANCE OF AN APPLICATION

MOTION by Council Member Stith seconded by Council Member Catotti to receive and accept an application to fill one (1) vacancy with a term expiring on August 31, 2008 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: MULTI-JURISDICTIONAL ADVISORY BOARD – RECEIPT AND ACCEPTANCE OF AN APPLICATION

MOTION by Council Member Stith seconded by Council Member Catotti to receive and accept an application for a citizen to fill one (1) vacancy representing a major employer with a term expiring on April 1, 2006 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: CITY-COUNTY APPEARANCE COMMISSION – RECEIPT AND ACCEPTANCE OF AN APPLICATION

MOTION by Council Member Stith seconded by Council Member Catotti to receive and accept an application for a citizen to fill one (1) vacancy on the City-County Appearance Commission with a term expiring on April 1, 2008 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: CONTRACTS

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to execute the list of contracts; and

To authorize the City Manager to make changes to the list of contracts before execution as long as the changes do not increase the dollar amount and remain consistent with the general intent of the contracts was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.
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**SUBJECT:** BID REPORT - JULY 2005

**MOTION** by Council Member Stith seconded by Council Member Catotti to receive a report and to record into the minutes bids which were acted upon by the City Manager during the
September 6, 2005

month of July 2005 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor
Noes: None. Absent: None.

CITY OF DURHAM NORTH CAROLINA

August 11, 2005

MEMO TO: Patrick Baker, City Manager

THROUGH: Kenneth C. Pennoyer, Finance Director

FROM: Joseph W. Clark, Purchasing Manager

SUBJECT: July 2005 Bid Report

To receive a report and to record into the minutes bids which were acted upon by the City
Manager during the month of July 2005.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. Bid: Remove and Replace two roofs at the Williams WTP

Purpose of Bid: To repair the roofs at the Williams WTP.

Comments: Roof B (Elevator Building) and Roof C (Plant Building)

Opened: June 10, 2005

Bidders:

Curtis Construction Company, Inc. *$59,000.00
Kinston, NC
Owens Roofing, Inc. $64,988.00
Raleigh, NC
CFE, Inc. $79,689.00
Apex, NC
 Guaranteed Systems, Inc. $82,895.00
 Stoneville, NC
 Baker Roofing Company $90,351.00
 Raleigh, NC

*Awarded based on: X Low Bid  ____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce 11  # Black Males 0  0%

6
September 6, 2005

Total # Females  2  18%  # White Males  9  82%
Total # Males   9  82%  # Other Males   0  0%
               # Black Females 0  0%
               # White Females 2  18%
               # Other Females 0  0%

The SDBE Data Base was used in the solicitation of bids for this item.

2. **Bid:** Perkin Elmer Maintenance/Repair Agreement

Purpose of Bid: This maintenance agreement is for the South Durham WRF laboratory equipment to analyze metal in the wastewater. This is a twelve month maintenance agreement.

Comments: Perkin-Elmer is the sole source for parts, sales and service of Perkin-Elmer equipment.

Opened: June 27, 2005

Bidders: Perkin-Elmer Instruments
Norwalk, CT

*Awarded based on:  ____ Low Bid   X Other (See Comments)*

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WORKFORCE STATISTICS
CORPORATION STATISTICS

<table>
<thead>
<tr>
<th></th>
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<td># White Males</td>
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<td># Other Females</td>
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The SDBE Data Base was used in the solicitation of bids for this item.

3. **Bid:** Estimated Annual Requirements for Zinc Orthophosphate

Purpose of Bid: To extend the contract for Zinc Orthophosphate Corrosion Inhibitor (65.8 tons)

Comments: This chemical is used in the water treatment process to help reduce corrosion control. CalciQuest has agreed to extend the contract for an additional twelve months.

Opened: May 14, 2005
September 6, 2005

Bidders: CalciQuest  
Belmont, NC  

*Awarded based on: _____ Low Bid  X Other (See Comments)  

**$24,990.84  
$379.80/ton

WORKFORCE STATISTICS  
CORPORATION STATISTICS

<table>
<thead>
<tr>
<th>Total Workforce</th>
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<th># Black Males</th>
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<td>11</td>
<td># Other Males</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>

The SDBE Data Base was used in the solicitation of bids for this item.

4. Bid: Fitness Equipment for the Fire Department  

Purpose of Bid: To purchase training/fitness equipment for the Fire Department Training  

Comments:  

Opened: July 11, 2005

Bidders: Prosource Fitness Equipment  
Raleigh, NC  
W.R. Barontini, Inc.  
Pittsburgh, PA  
Legend Fitness Systems  
Powell, TN  

*Awarded based on: X Low Bid  _____ Other (See Comments)  

**$13,190.00  
$16,865.00  
$17,320.00

WORKFORCE STATISTICS  
CORPORATION STATISTICS

<table>
<thead>
<tr>
<th>Total Workforce</th>
<th>7</th>
<th># Black Males</th>
<th>2</th>
<th>25%</th>
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<tr>
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<td>1</td>
<td># White Males</td>
<td>3</td>
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<td>6</td>
<td># Other Males</td>
<td>1</td>
<td>15%</td>
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The SDBE Data Base was used in the solicitation of bids for this item.
5. **Bid:** OnBase License and Maintenance Agreement

**Purpose of Bid:** OnBase License and Maintenance Agreement for Technology Solutions

**Comments:** This is a sole source.

**Opened:** N/A

**Bidders:** Information Access Systems
Orlando, Fl

*$19,548.00

*Awarded based on: ___ Low Bid  X Other (See Comments)

**WORKFORCE STATISTICS**

**CORPORATION STATISTICS**

| Total Workforce | 11 | # Black Males | 0 | 0%
|-----------------|----|---------------|---|----
| Total # Females | 2  | # White Males | 9 | 82%
| Total # Males   | 9  | # Other Males | 0 | 0%
|                 |    | # Black Females | 0 | 0%
|                 |    | # White Females | 2 | 18%
|                 |    | # Other Females | 0 | 0%

The SDBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (*).

JWC:Im

**SUBJECT:** MAJOR SITE PLAN AND PRELIMINARY PLAT – KRONHAUS TRACT (D04-858)

**MOTION** by Council Member Stith seconded by Council Member Catotti to approve a major site plan and preliminary plat for the Kronhaus Tract, submitted by the CE Group, Inc, on behalf of David Daniel Construction, to develop 58 single-family lots on 23.658 acres zoned PDR 2.50 and F/J-B, the site is located on the east side of Old Chapel Hill Road, south of Garrett Road. PIN 0709-02-88-2564 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.
SUBJECT: PROPOSED FIVE YEAR LEASE AGREEMENT BETWEEN THE CITY OF DURHAM AND M. M. FOWLER, INC. FOR DISTRICT #1 POLICE SUBSTATION – 2406 HOLLOWAY STREET

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to execute the five-year Lease Agreement with M. M. Fowler, Inc. for the property located at 2406 Holloway Street at a monthly rental fee of $6,908 for the 60 month period of the lease; and

To authorize the City Manager to make changes to the lease prior to execution, provided such changes are consistent with the intent of the lease attached to this agenda item or and do not increase the monthly rental expenses was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: RESOLUTION DESIGNATING CITY MANAGER AS PRINCIPAL FOR RECEIPT OF BELATED OR OVERDUE OFFERS TO PURCHASE SURPLUS REAL ESTATE AND SETTING FORTH THE DEADLINE DATES FOR RECEIVING SUCH OFFERS

MOTION by Council Member Stith seconded by Council Member Catotti to adopt a resolution designating the City Manager as principal for the receipt of belated or overdue offers and setting forth deadline dates for receiving such offers was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Resolution #9279

SUBJECT: AMENDMENT #2 TO THE DURHAM AFFORDABLE HOUSING COALITION SUB-RECIPIENT AGREEMENT FOR FY 2004-2005

MOTION by Council Member Stith seconded by Council Member Catotti to amend the FY 2004-2005 performance based contract with the Durham Affordable Housing Coalition, Inc. (Attachment A – Scope of Services) to allow DAHC the flexibility to provide either homeownership education workshops or one-to-one housing counseling services to at least 540 households with no increase to the total agreement amount of $77,250;

To allow fee for service payments for households served under this agreement to be retroactive effective August 1, 2005; and

To make changes to the agreement which do not increase the agreement amount, lessen DAHC’s duties or extend the term beyond October 1, 2005 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.
September 6, 2005

SUBJECT: CONSERVATION EASEMENT DEED AND PLAT FOR ELLERBEE CREEK STREAM RESTORATION AT HILLANDALE GOLF COURSE

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to execute the Conservation Easement Deed and Plat for the Ellerbee Creek Stream Restoration at Hillandale Golf Course; and

To authorize the City Manager to modify the Conservation Easement Deed and Plat provided the modifications do not increase the dollar amount of the Conservation Easement Deed and Plat and are consistent with the general intent of the version of the Conservation Easement Deed and Plat approved by City Council was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: UNSAFE BUILDINGS

MOTION by Council Member Stith seconded by Council Member Catotti to receive a presentation on Unsafe Buildings was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: NEW EAST DURHAM COMMUNITY ORGANIZATION

MOTION by Council Member Stith seconded by Council Member Catotti to receive comments from Vivian McCoy regarding several issues in their community was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: PEBBLE CREEK CONDOMINIUM ASSOCIATION

To receive comments from Dexter Smith requesting elimination of curbside trash collection in their community.

Note: By a vote of 7/0, the City Council deferred this item to the September 8, 2005 City Council Work Session at the request of the City Manager.

SUBJECT: RACHAEL MURPHEY-BROWN

To receive comments from Rachael Murphey-Brown requesting speed humps on Willowdale Drive.
September 6, 2005

Note: Citizen was not present at the 8/18/05 Work Session.

SUBJECT: SOUTHEAST DURHAM JOINT COMMUNITY COUNCIL

MOTION by Council Member Stith seconded by Council Member Catotti to receive comments from Leverne Harper regarding paving S. Alston Avenue from Capp Street to Riddle Road, a left turn signal at S. Alston & Highway 55, repair road and traffic signal at S. Alston & Riddle Road and a school bus stop at Wintergreen and Baltic Street was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM JUSTICE AND FAIRNESS INTER-NEIGHBORHOOD ASSOCIATION

MOTION by Council Member Stith seconded by Council Member Catotti to receive comments from Anita Keith-Foust regarding fairness and justice for the youth in the community was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: EAST END & ALBRIGHT NEIGHBORHOODS

MOTION by Council Member Stith seconded by Council Member Catotti to receive comments from Thomas Poole regarding City’s hiring policy and zoning was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: MARRIOTT AT THE DURHAM CIVIC CENTER REFINANCING

MOTION by Council Member Stith seconded by Council Member Catotti to receive a report on the refinancing of the Marriott at the Durham Civic Center was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: RADIO SYSTEM UPGRADE CHANGE ORDER REQUEST

To authorize the City Manager to negotiate and execute the current change orders for the Radio System Upgrade project; and
September 6, 2005

To authorize the City Manager to negotiate and execute subsequent change orders for the project as needed, provided the total cost of all changes does not exceed the $707,406 remaining in the contingency.

Note: This item was approved at the 8/18/05 Work Session with a vote of 6/0.

SUBJECT: MAJOR SITE PLAN – PLAY NATION (D04-653)

MOTION by Council Member Stith seconded by Council Member Catotti to approve a major site plan for “Play Nation”, submitted by Credle Engineering Company, on behalf of Ron and Betty Haswell, to construct a 2,200 square foot retail building with ten parking spaces on a 0.42 acre site, zoned NC (D) and F/J-B, the property is located on the west side of NC 54 and across from Parkridge Road, PIN 0718-01-48-3454 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM-CHAPEL HILL-CARRBORO METROPOLITAN PLANNING ORGANIZATION (DCHC MPO) FY 2007-2013 TIP REGIONAL PROJECT PRIORITY LIST

MOTION by Council Member Stith seconded by Council Member Catotti to request that the Transportation Advisory Committee of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization rearrange the ranking of the City of Durham projects in the DCHC MPO Regional Project Priority List for the FY 2007-2013 TIP to generally reflect the relative ranking of the top projects in the City of Durham TIP Project Priority List approved by City Council on March 31, 2005 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: 2006 TRIANGLE MLK DAY OF COMMUNITY SERVICE

To name representatives for the 2006 Triangle MLK Day of Community Service.

Note: By a vote of 6/0, the City Council appointed Victoria Morgan, Erica Starnes and Nikki Starnes to the Regional Planning Committee for the 2006 Triangle MLK Day of Community Service at the 8/18/05 Work Session.

[ITEM PULLED FROM CONSENT AGENDA]

SUBJECT: BUSINESS LOANS REPORT FOR JUNE, 2005 [STATUS REPORT ON SMALL BUSINESS LOANS AND DOWNTOWN AND COMMERCIAL REVITALIZATION LOAN PROGRAM]
September 6, 2005

Council Member Best requested an update on the civil case involving Anita Bennett.

City Attorney Blinder noted the case against Anita Bennett is in pre-trial discovery which is a phase of civil litigation before you get to a full-blown trial, there have been depositions and other forms of discovery that have happened in terms of information gathering and that is still proceeding. He stated the court-ordered mediation, a required step under the rules of civil procedure before you have the trial, is scheduled for December and after that mediation anticipate proceeding to trial in a very short order after that time.

Council Member Best noted that this Council was not responsible for the cause of the small business loan mishap, but is responsible for cleaning it up. He made comments on holding staff and everyone accountable, the guidelines and committee that reviews loans, polices and procedures in place to protect the City from what happened in the past.

MOTION by Clement seconded by Mayor Pro Tempore Cole-McFadden to accept the business loans report for June 2005 was approved at 7:35 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

[GENERAL BUSINESS AGENDA]

SUBJECT: AMENDMENT TO AGREEMENT FOR CITY HALL AND ANNEX RENOVATIONS - ROUGHTON, NICKELSON, DELUCA, ARCHITECTS, PA

Mayor Pro Tempore Cole-McFadden asked staff if the City Clerk has had to give up any of her space for any agency that is not a part of City government.

Assistant Director Nancy Mitchell of General Services replied no. She noted the Sister Cities program has moved into another space to allow more storage and office space for the City Clerk.

Mayor Pro Tempore Cole-McFadden asked the City Clerk if she is satisfied with this arrangement.

City Clerk Gray informed the Mayor Pro Tem that she received a revised plan today from General Services and was satisfied.

Council Member Stith expressed concern that there wasn’t any competitive bidding for the expansion of the scope.

Assistant Director Nancy Mitchell outlined the purpose in doing this item as a contract amendment. She noted it is to get the project done as quickly as possible and take advantage of the economy and scale that we can achieve by doing both buildings simultaneously and
streamlining to a great extent the construction and stated cooperation has to happened among all the departments to get these projects done quickly, efficiently and inexpensively as possible.

Council Member Stith asked staff how would they know if they are not bidding the project and his concern would be they are receiving additional business as opposed to having competition.

Assistant Director Nancy Mitchell noted the purpose in bringing Roughton, Nicholson into the annex project is to improve the coordination that has to take place. She noted it is possible for a bid to come in lower than what is proposed by Roughton, but what would be lost would be the coordination of the construction administration if you have two separate architectural, construction firms or one construction firm with two separate contracts/contract administration firms-- you would loose a level of coordination and collaboration that would ultimately cost the project more in the long run.

Interim Assistant City Manager Julie Brennan made comments on the space planning issue. She noted this is an extension of the space planning that has already happened with departments and a lot of time and understanding would be lost between the departments if there is a new firm.

Anita Keith-Foust, of 323 W. Trinity Avenue, raised a concern with moving the compensation from $165,970 to $589,630 and the bond. Also, she expressed concern with the annex building because she does not know what plans are in place and the community is not being considered when these decisions are being made and no re-bidding has happened.

Mayor Pro Tempore Cole-McFadden asked staff to comment on the M/WBE participation and the representative from Roughton Nicholson what function does Ellen Casilly Architects and Yongue Architects serve on this project.

Lucien Roughton, representing Roughton and Nicholson, replied that Ellen Casilly will perform quality control and Joe Yongue will provide architectural construction administration for the project.

EO/EA Director Deborah Giles explained the process. She noted this project was presented to EO/EA Department as a contract amendment. In the contract amendment process, generally you do not readjust goals because there are no new opportunities for participation. In this case, there were no goals established on the previous contract and as a contract amendment it was originally brought forward in that regard. She stated when the question was raised staff went back and looked at the fact that the contract was being increased to a dollar value on which we would normally set goals and ran a list based on the items presented and in this particular case, the items that were available for potential opportunity were quite small. She noted staff ran a list and the goals came up small and that is not uncommon on professional service contracting and presented goals to the firm and they have met the goals that were set. Also, she discussed the formula used to establish goals.

Council Member Brown made comments in support of this item. He made comments on the building and space needs.
September 6, 2005

Council Member Catotti noted by bringing staff into an existing building and renovating it will increase efficiency of departments. Also, she made comments in support of bonds because they are the most efficient way of funding these items.

Council Member Stith urged staff to improve the database for professional services, made comments in support for a competitive situation, and noted this is not good practice.

Mayor Bell discussed the difference between RFP vs RFQ. He noted the initial item was for a RFQ and you do not look at the dollar amount. The Mayor asked staff why are we talking about the prices and what could have been done differently.

City Attorney Blinder made comments on the resolution exempting City Hall renovations project from GS 143-64.31 and that is the state law provision that in the absence of this exemption would require a RFQ process. He noted the legal option here would have been in theory to start over either with a RFP or RFQ or to do this by amendment and any of those would be legally permissible options.

Relative to the amendment, Council Member Best asked staff if they did a follow-up or comparison with other projects regarding the price, and if a RFP is prepared does staff do research to see how much it would cost.

Assistant Director Nancy Mitchell of General Services noted it was a negotiated number and staff looked at scope of project, percentage of estimated construction costs and staff was satisfied that it was a fair and competitive price. Also, she noted the design phase is estimated 10-15% of the construction cost.

Sam Cravatto, of General Services, noted the best in this current market that the City can expect in architectural services is 10%. He noted if this item was sent back out staff would not know what the price range would be until after the RFQ process was completely gone through, after the award and then staff could find out what they would do the project for and not before.

Assistant Director Nancy Mitchell of General Services noted staff is required by state law to do this as a RFQ because they do not have the option of going out for a bid.

**MOTION** by Council Member Brown seconded by Council Member Catotti to adopt a Resolution Exempting the City Hall Renovations Project from G.S. 143-64.31;

To authorize the City Manager to execute the amendment to the existing contract with Roughton, Nickelson, DeLuca, Architects, PA, to include increase the scope of professional services required for the renovation of the City Hall and to perform professional design services for the City Hall Annex, increasing the compensation to be paid from $165,970 to $589,630; and

To authorize the City Manager to increase the project contingency by $42,370, and to negotiate and execute change orders to the Roughton, Nickelson, DeLuca, Architects, PA, contract provided the total cost of all change orders does not exceed $25,700 and the total cost of the contract does not exceed $615,330 was approved at 7:57 p.m. by the following vote: Ayes:
September 6, 2005


Resolution #9280

SUBJECT: INFORMATION ON OLD NORTH DURHAM PARK AND PROPOSED IMPROVEMENTS – CENTRAL PARK SCHOOL FOR CHILDREN

To approve staff’s recommendation for proposed improvements to the Old North Durham Park; and

To adopt a resolution accepting the donation of playground equipment and its installation in Old North Durham Park by the Central Park School for Children.

Based on conversations at the Work Session, City Manager Baker informed Council of additional information provided to them—proposed memo of understanding between the City of Durham and Central Park School; resolution accepting the donation of playground equipment and installation and letter from Central Park School addressed to the Mayor regarding the donation.

Mayor Pro Tempore Cole-McFadden asked staff if the City is in compliance with all rules and regulations regarding the equipment, ADA accessibility and the US Consumer Product Safety Commission.

Parks & Recreation Director Darrell Crittenden noted yes and stated the playground equipment meets Consumer Product Safety Commission’s recommendations and requirements.

Mayor Pro Tempore Cole-McFadden asked staff if the area is accessible to persons with disabilities.

Parks & Recreation Director Darrell Crittenden commented on a path area that was made ADA accessible by General Services Department a year ago and noted staff is working for more accessibility by working out a deal with TROSA for accessibility on the other end of the park and a firm agreement should be in place within the next two to three months.

Mayor Pro Tempore Cole-McFadden asked staff to address the liability issue if a child is injured.

Parks & Recreation Director Darrell Crittenden noted the City is self-insured and would be governed by the same rules and regulations regarding any city park. The donation of playground equipment means that it is turned over to the City and becomes city property and is in a city park. He noted if there are student groups on the playground supervised by students during the school hour that would be the school’s responsibility, any youth playing on the playground equipment during the school hours and are not associated with the school would be the City’s liability; however, students in the school during school hours are the school’s responsibility.
September 6, 2005

Mayor Pro Tempore Cole-McFadden asked staff if it was clear that everyone understands the equipment will belong to the City and that citizens anytime of the day, all day have access to this facility.

Parks & Recreation Director Darrell Crittendon replied yes.

Mayor Pro Tempore Cole-McFadden asked staff several questions regarding measurements of the soccer field and if there were any plans to install a basketball court in the park.

Beth Timson, of Parks & Recreation, commented on the new field to be installed, noted the existing field is not an adequate measurement, there is not a basketball court in that park and there are no plans for one.

Mayor Pro Tempore Cole-McFadden asked if there is an area that can be designated for that purpose since citizens are complaining about their children playing basketball in the street.

Beth Timson, of Parks & Recreation, noted there is not enough room around the edges for a full-size basketball court.

Mayor Pro Tempore Cole-McFadden asked if basketball goals could be installed.

Beth Timson noted most of the parks where there is room do have basketball facilities.

Mayor Pro Tempore Cole-McFadden informed the Parks & Recreation Director about the need for more basketball courts in the city of Durham.

Darrell Crittendon noted Old North Durham will not permit basketball courts based on space, but staff is reviewing all of the parks to do a master plan where space would permit for basketball facilities.

Mayor Pro Tempore Cole-McFadden asked if there is any space in Old North Durham and Bay Hargrove Street Park.

Parks & Recreation Director Darrell Crittendon replied no, but Rocky Creek Park may have space for basketball.

Richard Mullinax, of 921 N. Mangum Street, noted the YMCA would take kids who might not be financially able to come in and play basketball, swim or other activities. He made comments on the basketball court issue, how the school has been proactive in working with the neighbors and noted this park needs the playground equipment.

Anita Keith-Foust noted the City of Durham is responsible for our children and not the YMCA, urged Council to not approve this item since the plan has changed again for the field and noted the area is not ADA compliant.
September 6, 2005

Elizabeth Paley, of 112 W. Lynch Street/representing the Old N. Durham Neighborhood Association, spoke in support of this item urging Council to approve the playground equipment donation.

Dexter Richardson, representing Central Park School for Children, noted the school wants to give this playground equipment to the City of Durham because they want to have a partnership with Durham and to be a part of this community and to make a difference.

Vicky Patton, of Central Park School for Children, made comments on the master plan, partnership and in support of donation of playground equipment.

Carolyn Kirkland, Director of Central Park School for Children, noted the school would like to have a real partnership with the City of Durham and urged Council to accept the donation as an opportunity to extend a partnership.

Gene Cook, 603 E. Hammond Street, spoke in favor of playground equipment noting it will allow safe areas for children to play in while others are participating in soccer matches.

City Manager Baker stated the second motion should read: To adopt a resolution to accept the donation of playground equipment and the installation of playground at Old North Durham park.

Council Member Stith asked staff if the acceptance/installation of playground equipment would not impede the park’s planning and utilization of the entire site of the park.

Park & Recreation Director Darrell Crittendon replied no.

Council Member Clement made comments in support of this item and urged staff to inform the public on the use of park facilities so there would not be any misunderstanding between the public and management of the park.

Council Member Brown made comments in support of this item.

**MOTION** by Council Member Clement seconded by Council Member Catotti to approve staff’s recommendations as listed below for proposed improvements to the Old North Durham Park;

To adopt a resolution accepting the donation of playground equipment and its installation in Old North Durham Park by the Central Park School for Children; and

To direct the administration to provide signage/information notifying the public regarding the utilization of Old North Durham Park was approved at 8:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

**Resolution #9281**
1. The athletic field in the park (330 ft by 180 ft) will be renovated with grading, sod, and irrigation. This field will serve tournament level and adult soccer as well as junior-level games, several of which can be played simultaneously across the width of the field. A field this size can also accommodate football, lacrosse, and rugby. With the current shortage of athletic fields in Durham, DPR staff feels that we cannot afford to reduce or lose one of the existing fields.

2. The playground will be installed by CPSC and will become the property of the City; the installation will be governed by an approved site plan and will be regulated by a Memorandum of Understanding and the terms of the Durham County grant to ensure full public accessibility to the site. The field and the playground will be separated by 100 ft and by a safety barrier of athletic netting.

3. City staff (from Real Estate) is currently negotiating an agreement with the park’s eastern neighbor (TROSA) for joint use of a City parking lot and TROSA’s entrance into the park site; this agreement will provide a small amount of additional parking but, more importantly, an additional entrance into the park from the residential neighborhoods.

4. The existing park access (from Foster St.) has been made accessible by a compacted screenings pathway; if funding allows, this pathway will be paved as part of bringing a water line for irrigation into the park.

5. DPR staff is exploring options for an aesthetically pleasing portable bathroom on the site. Funding is currently not available for this feature.

[ITEM MOVED TO GENERAL BUSINESS AGENDA]

SUBJECT: SOUTHWEST DURHAM TRANSIT CORRIDOR REALIGNMENT

To request that the Transportation Advisory Committee of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization select C3 as the preferred alignment of a transit corridor in southwest Durham, as described in the Southwest Durham Alignment Evaluation report (dated June 29, 2005).

Transportation Manager Mark Ahrendsen informed Council that the Board of County Commissioners discussed this matter, took the same action that staff is recommending tonight, further directed staff to re-examine the need for the northern Durham station in the vicinity of Farrington Road at Ephesus Church Road and asked that changes to the Comprehensive Plan that support a station in that area also be considered which will be discussed at a Joint City/County Planning Committee Meeting tomorrow -- that is separate from the selection of the corridor and would not change staff’s recommendation.

Council Member Catotti informed her colleagues regarding the e-mail received from the Farrington Homeowners Association outlining the same concerns about the station removal.

Mayor Bell noted Debbie McCarthy and Phillip McGill left the meeting and were not present to speak on this item.
September 6, 2005

Council Member Clement asked that the contents of Debbie McCarthy’s e-mail be entered as a part of the record.

**MOTION** by Council Member Clement seconded by Council Member Catotti to request that the Transportation Advisory Committee of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization select C3 as the preferred alignment of a transit corridor in southwest Durham, as described in the Southwest Durham Alignment Evaluation report (dated June 29, 2005); and

To include the contents of Debbie McCarthy’s email dated September 4, 2005 as a part of the record was approved at 8:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Dear Mayor Bell and Members of City Council,

I am writing on behalf of the Farrington HARP Neighborhood Association which I have headed for 19 years. On Tuesday night you will have on your consent agenda (item 28) the realignment of the SW Durham Transit Corridor.

While we question whether the funding will actually materialize for this corridor and whether the ridership will justify its existence (and while we feel the most appropriate, least expensive and least environmentally damaging alignment would have been George King Rd.) our greatest concern is the land use use density that has been driven up explosively by the mere presence of the corridor on planning maps.

To put this in perspective, 866 dwelling units are under construction or in the pipeline for potential development in this immediate area...in a neighborhood that is still largely rural in character. A neighborhood that is environmentally sensitive and historic (New Hope Creek and Leigh Farm), racially diverse, and offers a soul refreshing greenbelt between Durham and Chapel Hill. The intense development is ironic in light of the UDO's emphasis on the "recognition of the importance of existing neighborhoods by ensuring that new development fits into the character of the area."

Traffic is a major concern as well with the intersection of Farrington Rd. and NC 54 already operating at a level of service F-. (4 changes of the stoplight are needed to get through there at peak times).

We accept the fact that I-40 will be the location for the transit corridor; but we ask that the Northern Station referenced in the TTA - TJCOC evaluation (dated June 29, 2005) be eliminated, thereby lowering the pressure for high density development in the Farrington Rd. / Ephesus Church Rd. area. We understand that the Comprehensive Plan will need to be revisited to reflect this change and will be glad to participate in that process.

At the County Commissioner's Meeting last week, both the Commissioners and Mr. Duke agreed with these recommendations. (I.e. no Northern Station and revisit the Comp. Plan to lower densities) I plan to attend the next TAC meeting to continue to encourage the elimination of the Northern Transit Station.

In light of the transit corridor item on your Tuesday night agenda, I wanted to make you aware of our neighborhood’s concerns about land use issues that are driven by the corridor and particularly by the Northern Station. You should know that we have asked for a
moratorium on development along Farrington Rd. until such time as the Comprehensive Plan can be revisited.

If you would like an "up close and personal" look at the Farrington area, please give me a call and I would love to take you on a tour. You can contact me at 489-6339. And please feel free to call if you have any questions about anything I have said in this email.

Thank you all for your service to Durham.

Sincerely,
Debbie McCarthy
President, Farrington HARP Neighborhood Association

[GENERAL BUSINESS AGENDA – PUBLIC HEARINGS]

SUBJECT: ORDERING IMPROVEMENT UNDER ENABLING ACT AUTHORITY

Lee Murphy, of the Public Works Department, made comments on this item.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor declared the public hearing closed.

MOTION Council Member Stith seconded by Council Member Catotti to receive public comments; and

To adopt a resolution ordering a Sewer Main on Holloway Street from West Property Line of PIN 0841-14-44-3521 to Rummel Street was approved at 8:31 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Beat, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: ZONING MAP CHANGE – CHELSEA MEADOWS - (Z05-13B)

To receive public comment on zoning map change Case Z05-13B (Chelsea Meadows); and

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in zoning map change Case Z05-13B out of RD and placing same in and establishing same as PDR 2.48.

Planning Department Recommendation: Approval
Planning Commission Recommendation and Vote: Approval - 14-0

Assistant Director Steve Medlin, of the City/County Planning Department, briefed Council on the staff report. He noted there is a development plan associated with this request, staff as well as the Planning Commission recommended approval of this item.

Mayor Bell opened the public hearing.
September 6, 2005

Proponent

Chuck Welsh, representing the applicant, noted he was present to answer questions.

No one spoke in opposition to this rezoning request.

The Mayor declared the public hearing closed.

MOTION by Council Member Stith seconded by Mayor Pro Tempore Cole-McPadden to receive public comment on zoning map change Case Z05-13B (Chelsea Meadows); and

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in zoning map change Case Z05-13B out of RD and placing same in and establishing same as PDR 2.48 was approved at 8:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McPadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Inga Willis, of PEACEFIRE Relief Effort/105 E. Chapel Hill Street, informed Council of their direct relief efforts regarding Hurricane Katrina.

Mayor Bell informed Ms. Willis that the City Manager or someone from his staff would contact her and thanked her for the role she has taken in this community.

There being no further business to come before the City Council, the meeting was adjourned at 8:37 p.m.

Linda E. Bratcher
Deputy City Clerk

D. Ann Gray, CMC
City Clerk
### Capital Improvements Program - Bond Funded Projects Listing

**<<Back to CIP Projects Listing>> - [View Mapping of this Project]**

<table>
<thead>
<tr>
<th>Service Area</th>
<th>Department</th>
<th>Proj. Manager</th>
<th>Division/Program Development</th>
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<td>General Services</td>
<td>Beth Emerson</td>
<td>Parks &amp; Recreation Facilities</td>
<td>Master Plan</td>
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</table>

**Project Title**

Athletic Field Renovations

**Pin Number**

0822-17-20-3382

**Project Description**

This project renovates and installs irrigation and sod at the City's six existing multi-purpose athletic fields, including Erwin, Old North Durham, Old Farm, River Forest, Piney Woods, and Valley Springs.

**Total Expenditures**

July 2007

$830,037.00

**Latest Status Report:** *(Oct/11/2007)*

*Project Phase:* Other  
*Percent of Current Phase Complete:* 0%  
*Major Activities This Period:*  
  - Valley Springs - Project is complete. Rock Qi will begin design development in December.  
*Expected Date of Current Phase Completion:* (quarter/year) unknown  

**Projected Dates**

*Beginning:* Jul 2004  
*Original Projected Completion:* Sep 2006

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http://www.durhamnc.gov/cip/ProjectView.cfm?vAcctNo=62

11/6/2007
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### BARNHILL CONSTRUCTION
Park Facility Construction

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<th>Project Title</th>
<th>Appropriated Funds</th>
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<td>2005 GO Bond Project Total</td>
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<td>1 Eno River Greenway</td>
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<td>2 Campus Hills Playground &amp; Weight Room</td>
<td>$3,068,020 $3,068,020</td>
<td>$2,097,200 Design</td>
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<tr>
<td>3 Third Fork Creek</td>
<td>$288,889 $318,907</td>
<td>$309,400 Design</td>
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<td>4 Oval Drive Park Renovation</td>
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<td>5 Field Renovations (Old North Durham)</td>
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<td>$203,500 Design</td>
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<td>7 Northgate Park Renovation</td>
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<td>8 Old Chapel Hill Rd. Park</td>
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<td>9 Old Lyon Park/Community Life Centers Renovation</td>
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<td>12 East Durham Playground</td>
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<td>14 Bethesda Park</td>
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<td>17 Campus Hills/RR Holman Rec Center upgrade</td>
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<td>18 Rock Quarry/Edison Johnson upgrade</td>
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<td>20 CR. Woods Park upgrade</td>
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<td>23 Forest Hills Park upgrade</td>
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<td>26 Lake Mimicu upgrade</td>
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<td>27 Moreen Road Park Renovation</td>
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<td>28 North/South Greenway Upgrade</td>
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<td>31 Shady Oaks upgrade</td>
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<td>32 Sherwood Park upgrade</td>
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<td>34 Twin Lakes upgrade</td>
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<td>35 West Point on the Eno upgrade</td>
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<td>36 White Oak Park upgrade</td>
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<td>37 ADA Upgrades</td>
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**CMAR fees are estimated as follows**:  
Preconstruction Phase Services estimated at approximately 2.4% of Construction Budget: **$658,000**

*These numbers are based on an assumed approximate average preconstruction fee of 2.4%*
---

**SKANSKA BUILDING USA**  
**Downtown Buildings Construction**

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<tr>
<th>Project Title</th>
<th>2005 GO Bond</th>
<th>Other Funding</th>
<th>Project Total</th>
<th>Construction Budget*</th>
<th>Project Phase</th>
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<td>3 Carolina Theatre Retrofit</td>
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<td>4 City Hall Roof/Fire Alarm/Security</td>
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<td>5 Civic Center HVAC upgrade</td>
<td>$1,952,000</td>
<td>$403,500</td>
<td>$2,355,500</td>
<td>$1,918,500 Design</td>
<td>SD</td>
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<tr>
<td>6 Police Headquarters Upgrade</td>
<td>$1,555,000</td>
<td>$2,546,018</td>
<td>$4,101,018</td>
<td>$3,471,100 Design</td>
<td>SD</td>
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<tr>
<td>8 213 Rigabee Street Substation</td>
<td>$2,193,000</td>
<td>$2,407,276</td>
<td>$4,600,276</td>
<td>$2,456,700 Design</td>
<td>CD</td>
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<tr>
<td>TOTAL SKANSKA</td>
<td>$10,480,000</td>
<td>$9,758,578</td>
<td>$20,238,578</td>
<td>$14,484,000</td>
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</table>

**CMAR fees are estimated as follows**

Preconstruction Phase Services estimated at approximately 2.2% of Construction Budget: $324,000

* These numbers are based on an assumed approximate average preconstruction fee of 2.2%
### Appropriated Funds

<table>
<thead>
<tr>
<th>Project Title</th>
<th>2005 GO Bond</th>
<th>Other Funding</th>
<th>Project Total</th>
<th>Construction Budget*</th>
<th>Project Phase</th>
<th>Design Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Durham Station</td>
<td>$17,585,732</td>
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<td>$17,585,732</td>
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<td>Design</td>
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<tr>
<td>TOTAL, CENTEX</td>
<td>$0</td>
<td>$17,585,732</td>
<td>$17,585,732</td>
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</tbody>
</table>

**CMAR fees are estimated as follows**

Preconstruction Phase Services estimated at approximately 1.0% of Construction Budget:

$100,000

* These numbers are based on an assumed approximate average preconstruction fee of 1.0%
### HEERY INTERNATIONAL
General Services Projects Construction

<table>
<thead>
<tr>
<th>Project Title</th>
<th>2005 GO Bond</th>
<th>Other Funding</th>
<th>Project Total</th>
<th>Construction Budget*</th>
<th>Project Phase</th>
<th>Design Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 City Hall &amp; Annex Renovation</td>
<td>$4,582,000</td>
<td>$2,769,814</td>
<td>$7,351,814</td>
<td>$5,609,800 Design</td>
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<tr>
<td>2 Parking CentrO Deck upgrade</td>
<td>$4,650,000</td>
<td>$423,000</td>
<td>$5,073,000</td>
<td>$3,685,200 Design Procurement</td>
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<tr>
<td>3 Parking Chapel Hill Street Deck Retrofit</td>
<td>$1,583,000</td>
<td>$1,593,000</td>
<td>$3,176,000</td>
<td>$1,245,200 Design Procurement</td>
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<td>4 Parking Corcoran Street Deck upgrade</td>
<td>$1,309,000</td>
<td>$1,309,000</td>
<td>$2,618,000</td>
<td>$989,800 Design Procurement</td>
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<td>5 CommerciO Office upgrade</td>
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<td>$380,000</td>
<td>$142,100 Planning</td>
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<td>6 DBAP upgrade</td>
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<td>$1,634,000</td>
<td>$663,500 Planning</td>
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<td>7 Fire Maintenance Building upgrade</td>
<td>$238,000</td>
<td>$238,000</td>
<td>$476,000</td>
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<td>8 Fire Station #12 upgrade</td>
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<td>9 Fire Station Administration Building Retrofit</td>
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<td>$924,000</td>
<td>$345,000 Planning</td>
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<td>10 New Sign &amp; Signal Shop</td>
<td>$1,130,000</td>
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<td>11 Solid Waste Transfer Station</td>
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<td>12 ADA Upgrades</td>
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CMAR fees are estimated as follows:

Preconstruction Phase Services estimated at approximately 2.5% of Construction Budget: $374,000

*These numbers are based on an assumed average preconstruction fee of 2%.*
Capital Improvements Program - Athletic Field Renovations
Status Report Archive

October 11, 2007

Project Phase: Other
Percent of Current Phase Complete: 0%
Major Activities This Period:
Valley Springs - Project is complete. Rock Quarry
Park will begin design development in December.
Expected Date of Substantial Completion:
(qtr/year) unknown

August 10, 2007

Project Phase: Other
Percent of Current Phase Complete: 0%
Major Activities This Period:
Valley Springs - The work was bid and awarded and
approximately 75% complete. Old Farm Park and River
Forest Park will be renovated with remaining funds.
The schedule has not been set.
Expected Date of Substantial Completion:
(qtr/year) unknown
Other Comments:
Valley Springs is scheduled to be complete Q307.

June 13, 2007

Project Phase: Other
Percent of Current Phase Complete: 0%
Expected Date of Substantial Completion:
(qtr/year) unknown
Other Comments:
Valley Springs is scheduled to be complete Q407.

June 11, 2007

Project Phase: Other
Percent of Current Phase Complete: 0%
Major Activities This Period:
Valley Springs - The design phase was completed;
contract for well installation for irrigation system was
awarded; grading and field renovation was advertised
for bid. Old Farm Park and River Forest Park will be
renovated with remaining funds.
Expected Date of Substantial Completion:
(qtr/year) 4/2007

April 10, 2007

Project Phase: Other
Percent of Current Phase Complete: 0%
Major Activities This Period:
Valley Springs - The design phase is 90% complete; contracts for installing wells for the irrigation system were bid. Old Farm Park and River Forest Park will be renovated with remaining funds.
Expected Date of Substantial Completion:
(qtr/year) 4/2007
Other Comments:
Valley Springs is scheduled to be complete Q407.

February 14, 2007

Project Phase: Design
Percent of Current Phase Complete: 20%
Major Activities This Period:
Valley Springs - The design phase is 90% complete; no progress was made this month. Old Farm Park and River forest park will be renovated with remaining funds from the major renovations of Valley Springs and Rock Quarry.
Expected Date of Substantial Completion:
(qtr/year) 3/2007
Other Comments:
Valley Springs is scheduled to be complete Q407. Rock Quarry Fields will also be complete in Q407.

January 16, 2007

Project Phase: Other
Percent of Current Phase Complete: 0%
Major Activities This Period:
Valley Springs - The design phase is 90% complete; no progress was made this month. Old North Durham - no progress was made this month. In October, the engineering design consultant submitted a proposal for the design of a failing sewer pipe beneath the field. The proposal for the repair is being reviewed by Stormwater Services, and Stormwater Services and Parks and Recreation are trying to find funds for this unexpected and potentially costly repair. The field renovation cannot take place until the underlying storm water repair is made. Staff also interviewed and selected a CMAR for the preconstruction and construction services for this project. Staff prepared the agenda item for City Council's consideration in January. During design, CMAR will assist City staff and the Architect throughout the design by providing
construction expertise and market-based estimates of the construction costs. This will help keep the project within budget and on schedule. During construction, the CMAR will lead the construction effort.

**Expected Date of Substantial Completion:**
(qtr/year) unknown

**Other Comments:**
Valley Springs is scheduled to be complete Q407. Old North Durham may not be complete until Q408 because of the storm water system issue.

**December 15, 2006**

**Project Phase:** Other
**Percent of Current Phase Complete:** 0%

**Major Activities This Period:**
Valley Springs - The design phase is 90% complete; no progress was made this month. Old North Durham - In October, the engineering design consultant submitted a proposal for the design of a failing sewer pipe beneath the field. The proposal for the repair is being reviewed by Stormwater Services, and Stormwater Services and Parks and Recreation are trying to find funds for this unexpected and potentially costly repair. The field renovation cannot take place until the underlying storm water repair is made.

**Expected Date of Substantial Completion:**
(qtr/year) unknown

**Other Comments:**
Valley Springs is scheduled to be complete Q407. Old North Durham may not be complete until Q408 because of the storm water system issue.

**November 15, 2006**

**Project Phase:** Other
**Percent of Current Phase Complete:** 0%

**Major Activities This Period:**
Valley Springs - Staff has worked with well contractors to determine well digging costs for irrigation system. The design phase is 90% Complete. Old North Durham - The engineering design consultant submitted a proposal for the design of a failing sewer pipe beneath the field. This is being reviewed by Stormwater Services staff while funding for this repair is confirmed.

**Expected Date of Substantial Completion:**
(qtr/year) unknown

**Other Comments:**
Valley Springs is scheduled to be complete Q407. Old North Durham may not be complete until Q408 because of the storm water system issue.

**October 10, 2006**

http://www.durhamnc.gov/cip/StatusView.cfm?vAcctNo=62
Project Phase: Other
Percent of Current Phase Complete: 0%
Major Activities This Period:
Valley Springs - Staff has worked with well contractors to determine well digging costs for irrigation system. The design phase is 80% Complete. Old North Durham - A consultant designer was identified to design repairs to the stormwater system failure beneath the field. The consultant will provide a proposal in October.
Expected Date of Substantial Completion:
(qtr/year) unknown
Other Comments:
Valley Springs and Rock Quarry are scheduled to be complete Q407. Old North Durham may not be complete until Q408 because of the storm water system issue.

September 15, 2006

Project Phase: Design
Percent of Current Phase Complete: 75%
Major Activities This Period:
Valley Springs - Staff has worked with irrigation designer to determine well requirements. Old North Durham - Stormwater Services found existing storm sewer damage beneath the field. In September, Staff will contract with an engineering consultant for further investigation and design of the repair.
Expected Date of Substantial Completion:
(qtr/year) unknown
Other Comments:
Valley Springs and Rock Quarry are scheduled to be complete Q407. Old North Durham is scheduled to be complete Q408. This schedule has been extended to address damaged storm sewer beneath the field.

August 11, 2006

Project Phase: Design
Percent of Current Phase Complete: 75%
Major Activities This Period:
Valley Springs - Discovered that design of irrigation system requires wells to be installed. Old North Durham - Stormwater Services is investigating condition of storm sewer beneath field.
Expected Date of Substantial Completion:
(qtr/year) unknown
Other Comments:
Valley Springs and Rock Quarry are scheduled to be complete Q407. Old North Durham is scheduled to be complete Q408. This schedule has been extended to address damaged storm sewer beneath the field.

July 24, 2006

http://www.durhamnc.gov/cip/StatusView.cfm?vAcctNo=62

11/6/2007
ONDNA Board meeting, November 15, 2005
Attendees:
Liz Paley, Heather Planagan, Jerry Gershenhorn, Helena Cragg, Shannon
Thornberg, Nancy Kimberly, Liana, Denise, Leslye, John Worley,
Richard Mullinax, Jen Poole, Len Stanley

*Guest: Vicky Patton, director of the board of Central Park School,
re: CPS hopes/DPR plans for soccer field in ONDNA park
- 180'x330' soccer field
- the city is proposing to put $100K in to a sprinkler system,
  and have this in use for leagues, both adult and junior league
- request is that ONDNA support a motion to stop the current
  plans for the park and instead hire a planner to make it more
  broadly useful
  - some points include: not enough parking for large
    soccer field; no bathrooms, tho' they will "try" to
    get portajons; neighborhood survey indicated a request
    for more informal space (tennis in fact came in higher
    than soccer); studies show that informal park space
    encourages safer neighborhoods
  - rationale from city planning is that city-wide, we need
    more soccer fields; one comment from attendees here is
    that there are no athletic fields in any of the nearby
    fields; Beth said they will try to work an agreement
    with TROSA to use their parking
- FIFA minimum guidelines for adult male fields is 50 yards by
  100 yards
- Liz will email Beth asking about how often she thinks the field
  will be booked and what the fee structure is; also find out
  exactly what the $100K is for, what it will cover; Vicky will send
  further info
  - if anything is going to change, the neighborhood has to dig in
    hard to get this changed; it needs to be done with Central Park;
    note that the board did send in a request for a soccer field
    this summer but its unclear if we understood it was going to
    be league soccer; this is 1996 BOND money, it has already gone
    out to bid once and didn't get any response, and now it is
    going out to bid again; nothing is actually final until money
    exchanges hands and construction equipment shows up
  - noting that more families and neighborhood kids are showing up
    to play on the park equipment

*ONDNA budget report
- $5650 balance; total expenses last year was $2700, mostly BOND
- note that we have the home tour coming up this fiscal year; we
  may want to set aside funds for the tour, maybe as a sponsor
  which usually costs $1000; home tour is May 6, 2006; maybe rent
  the trolley
  - could do $200 for Calvary, $1200 for the rest of our half of the
    pillar, and still have about $1000 for the home tour
    - Board has approved $200 to Calvary and $1200 for the
      rest of our half of the pillar

*Auction results/feedback/fallout
- auction raised $3183
- some concern about how the Mystery Box was presented; perhaps

*Farmer's Market Pavilion pillar & other things to put auction funds toward
- up to $1340 today; need $2500 total for our half of a pillar
- Liz will call SelfHelp will still do matching grants; also checking with Duke Park to see if they still want to go in on this

*Possible traffic circle at Trinity and Glendale
- Duke Park people have liked their traffic circle; it does seem to make traffic better, but doesn't seem to slow traffic down more broadly; trucks seem to avoid traffic circle; for the traffic at Markham and Glendale, more signage might help direct traffic
- if the goal is traffic calming, and there is no evidence that it is more broadly slowing traffic down, we need to revisit what our real goal is - make the intersection safer, make the traffic slower, what? Why this particular intersection? Are we looking at a series of them? there was concern about traffic at this specific section of Trinity; note that traffic humps can damage vehicles where traffic circles don't
- has anyone asked the neighbors at that intersection on Trinity and Glendale? Liana to ask folks; Len seems to recall that most of the houses at that corner are rentals
- downsides: people don't know how to use them, not particularly attractive in its temporary form
- is there going to be a scientific method to determine if this works to make it permanent? neighborhood will need to work for it
- could they just use stop signs? not enough cross traffic to make it worthwhile (Glendale traffic in this case)
- will need to find out how many parking spaces will be lost for this
* proposal: Liz, Liana, Jen will get people to survey people on the blocks and see what the majority would support

*Nominations for board positions?

*M&M Mini Mart
- request is to send a letter to Patrick Baker requesting the closure of the M&M; word on the street is this is the place to get bullets and guns in the store; Richard to confirm with the police about activities really going on;
- if crime is statistically down thanks to nuisance abatement, we are not comfortable writing a letter; need actual evidence
  - "nuisance abatement" allows Mr. Baker to take property away from owners who are participating in public endangerment

*N&O The Durham News delivery issues
- Board has approved sending another letter to the N&O

*Luminarias/caroling update
- Leslye has contacted people about sand; scheduled for Dec 11; Duke Park also doing this on Dec 11; rain date a week later

*December potluck update
- how about a boxing day potluck? no one would be here; since we have such a big November event, we're going to cancel potluck
*Membership update
  - currently have 50 members; membership renewal will be on a calendar year.

*BOND update
  - can not get the BOND date without December potluck date; may mind about the date

*HPSDOND tour
  - had first steering committee meeting for the Home Tour; Ellen Cassily is the chair; now just brainstorming ideas on what to do; actual tour is May 6; HPSD is very interested in having the neighborhood be a big partner in this; will need volunteers to help for more than just the docent stuff
  - this is the HPSD's largest fundraiser of the year, and they are worried that they won't raise as much in this neighborhood;
  - some brainstorm ideas: get classic car clubs to park cars on the streets; will be closing some of the streets to make it a better walking tour; maybe have a trolley running up and down; looking for a theme; needs to be more than just 'here are our houses'; need to stress that we are part of downtown, need to take on some of the cheerleading to push this forward; how to market this even bigger???

*UDO
  - Liz will send a letter before City Council meeting on Dec 5 on behalf of neighborhood assoc. supporting UDO
Central Park School For Children PPO

Parents & Partners Organization

Minutes - 18 January 2005

Announcements

- Major theme for all work groups is that we need more volunteers across the board.
- Meeting will be held at the school on Wednesday, January 26th at 2pm to discuss ways of helping families honor their commitment of four volunteer hours per month.

Treasurer

- As of end of 2004, PPO closing balance was $2,189.98.
- Net revenue of $493.42 since September.
- Beanie Babies fundraiser made $476.31 and counting. Half goes to us and half to the Pennies for Change Thrift Store.
- We have a new form to separate PPO fundraisers from general school fundraisers.

School Board Rep

- School board is talking to possible consultants to work on our Capital Campaign for fundraising outside the school. Funds for this consultant will come from outside the school’s operating budget.
- Board is putting together an evaluation process for the school to evaluate school goals, staff positions, etc.
- Sunshine Fund monies in excess of goal will go toward Outdoor Learning and Play.
- We need a volunteerism system for tracking and recruiting volunteers. This becomes important information when we apply for grants.
- Renovations for the second floor are on track or slightly ahead of schedule.
- The school loan closed well.
The Central Park School for Children Foundation now owns the building separate from the school.

We have been invited to apply to work with the research team of Dr. Mel Levine. If chosen, teachers would receive continuing education and work with staff on research.

During intercession the staff will visit a school with a similar philosophy in Charlotte that has been in operation for 25 years.

Teacher Rep

- School is currently working on creating its crisis plan creating a lock down situation in an emergency.
- Carolyn Kirkland's regular meetings, "Conversations with Carolyn," are where all are invited to have discussions about happenings at the school.
- Zee feels we need a better plan for all school recess on rainy days, perhaps setting up zones?
- If a parent does not wish for the educational videos to be an option for their child on rainy day recesses, they should tell the teacher and speak with their child about that not being a choice for them.

- Dress appropriately for weather!! Our children will go outside in all kinds of weather. Extra hats, scarves and gloves will be available in the purple bins in the great room. If you have any extra to donate please put them in the purple bins.

Media Center

- Center has been cleaned up and looks like a real library!
- Teachers, staff, children and families must take care to keep the media center clean and organized.
- Carolyn purchased over $3,000 worth of merchandise for $400 and a few more boxes of good quality book were donated.
- 2 laptop computers will be up and running in the media center soon.
- Carolyn plans to build a loft in the spring for a quiet reading area.
- Volunteers are needed for re-shelving and organizing books
- A proposal was presented for a software program for tracking books. The system was recommended by Carolina Friends School. The total amount is $1,900.00. If anyone would like to see the proposal, contact denise.haviland@duke.edu

Fundraising & Marketing

- Sunshine Fund is up to $10,886.00 less expenses bringing
us a net of $10,464.57. (Our original goal was $5,000.00).
- Glaxo gave an additional $500.00
- Almost 60% of families contributed, 100% of staff and 100% of board.
- We would like to sell school t-shirts and are looking into design possibilities and companies to print them. Any suggestions are welcome.
- We would like to create and sell all-occasion cards as a fundraiser made from children’s art.
- Next year a possible silent auction.

Class Parents
- Contact list is in place for inclement weather early dismissal

Social Events
- February 10th, 6:60 ? 8:00 pm will be the school’s open house. Volunteers needed to help freshen up school, give tours and provide refreshments.
- Media Center Reception to official open our refurbished media center ? TBA
- March 10th next teacher appreciation day. Teachers have voiced that they enjoy the luncheons.
- April 16th is a tentative field day for the school
- May 26th final teacher appreciation day of school year.
- July ? first day of school year ? morning coffee to welcome new and returning families.
- July ? the first Sunday after the new school year begins ? school potluck picnic at Forest Hills Park
- Next Social Events meeting is Thursday, January 27th 11-12.

Curriculum Enrichment
- Discovery boxes are still being created. We currently have one on clouds, one on magnets and one on shells. All are welcome to create a discovery box for the school on whatever subject interests you. Boxes will be stored in media center.
- Last quarter’s turnout for the Tall Tale Tellers was wonderful and we will ask them to return.
- Please be on the lookout for any talented performers we can invite to the school (preferably the free kind).
- Discovery boxes are available for loans at the museum of Life and Science.

Newsletter
Need more volunteers for writing and recruiting art and articles.

In an effort to make the newsletter more relevant to what's going on at school, there will be a once-a-month interview with Carolyn to close any communications gap and keep parent in the loop.

Would like to publish more work from the children? encourage your child to submit creations to newsletter.

Possibility of a self-contained creation center in media center for newsletter submissions by children

Outdoor Learning & Play

Volunteers from Legacy (community service program) installed planter boxes and picnic tables.

Some parents and grandparents came to plant azaleas

Marcia revealed the wonderful plans for the Old North Durham Park that we would like to see implemented. Dept. of Parks and Rec. have another plan in mind that includes a soccer field that is so big it leaves little room for playground equipment or other recreational area. Their field would accommodate two youth soccer fields. 10 percent of Durham homeowners were surveyed on what they would like more of in public parks? The first seven were: walking, children's play, hanging out, picnicking, outdoor events, wildlife viewing, eating lunch- all of these would be accommodated by our proposed plan. Soccer was #13 on the list.

We are working to find the best person to deal with for getting our plans implemented.

It Takes a Village

We are working on organizing parents to take care of each others' kids so they can volunteer in school. Right now there are 4 moms

Only preschoolers please? infants would need more help.

Communication & Technology? no rep present.

Strawberry Day

Saturday, May 14th in Durham Central Park

Event will combine hands on fun with entertainment and cakes (of course)

Each teacher will do some activity with the class on that day

Volunteers needed!!!

*Next PPO School Business Meeting - Tuesday, April 12th at 7pm
in the great room*

Central Park School for Children
724 Foster Street
Durham, NC 27701
919-682-1200
info@centralparkschoolforchildren.org

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ONDNA Board meeting minutes, Dec 13, 2005
Attendees:
Liz Paley, Heather Flanagan, Helena Cragg, Shannon Thornburg, Nancy Kimberly, Denise Schreiner, Jerry Gershenhorn, Jon Worley

Guest:
Jakeema Dawkins, Lloyd Schmeidler, cast of thousands (Abby Kocher, Keith Daniels)

1. 10-Year Plan to End Homelessness in Durham, discussion led by student assistant Jakeema Dawkins w/ Lloyd Schmeidler
- County/city of Durham is trying to est. a strategic plan to end homelessness in Durham in the next 10 years; here to get people's perspective on homelessness, issues perceived, feedback from the community to see what services will be most useful; very close to creating a draft plan
- The 10 year plan has been pushed by the fed govt; some economic studies have shown communities are spending lots of public money providing services to small numbers of chronically homeless people; there is now an interagency council coordinating this effort;
- The focus from the fed perspective is to impact chronic homelessness (individuals who have had 3+ episodes of homelessness in last 3-4 year period, or homeless for 1+ years); focus from Durham's perspective is to coordinate and back this federal push; the Durham group is a group of about 30 fed and non-profit reps, and has already been meeting for about 10 years; one goal is that everyone will have access to safe and affordable housing; steering committee formed late spring/early summer and have been organizing public forum discussions
- Question about if this is a federal push, how does that balance the federal push to cut back on food stamps, health care, etc; thought is that the fed govt wants to push this to local support, local costs, and in turn cut federal costs to match
- Five questions
  - What would motivate your neighborhood to support the development of housing for homeless/transitional people?
  - We have been working on an NPO, and part of that is an emphasis on single family homes to encourage better integration
  - We would want input on how this is going to be done beforehand
  - Emphasis on integrating in to the community
  - Ownership is an important part; ownership seems to go hand-in-hand with involvement
  - There needs to be continued support; if they can't afford or don't know how to keep up their home
  - The Habitat for Humanity model seems to be a good one
  - Communication: if there is something going on, we need to be able to talk to the owners, the residents
  - Noting some people may not be comfortable in having a home, may not be ready/willing/able to handle the full commitment of a house; need to think out of the box on this; maybe smaller places throughout the neighborhoods?
  - There are post-WWII houses which may be perfect for this kind of thing, it just needs to be renovated
  - Use empty homes; that's something that maybe the city can help communicate with the owners
  - Given that there is a strong correlation with mental health/substance abuse issues with homeless folks, emphasize the need for continued support
- other areas in the country have had success in this if support services were included; question is how to pay for this continually
- how much of this support is available now in Durham? the gap the group coordinating this effort has focused on is the permanent housing; there are also not enough services, many services are being contracted out which is proving somewhat successful
- what about city of Durham turnaround homes?
- if housing was moved in to the neighborhood, what services would you be opening to help providing?
  - could probably find people to help with yard work
  - mailing list exists acts now as an oncall network
  - there are people already in place for things like safety concerns, etc
  - there is also a Citizens On Patrol group that offers "infirm checks" to check on older people once a day to make sure they're ok; this could probably be extended
  - would want to see that this is happening in more than one community
  - we could lobby for things like bus pass funding
- parents morning out; sort of a half-day day care at Calgary
- what ideas do you have to encourage the for profit sector to build affordable housing?
  - get the city to foreclose on its lands, and provide those to the community to buy
  - we have a reasonably good relationship with some developers to encourage them to build small homes
  - urban homesteading has been discussed a bit, for example for Katrina victims
- given that we want to end homelessness, do we need more shelters, transitional housing, or permanent housing?
  - want to go to permanent housing
  - question is: is not having a home the underlying cause behind homelessness? when they shut down more and more mental hospitals, less medicare, that's shown a big increase in homelessness; it's not so much the lack of homes, it's the lack of a support structure for people that can't do without it
    - permanent housing can not be successful without supportive services
- how do we create employment opportunities for the homeless in our communities?
  - people need to ask themselves, make it personal
  - tax breaks for for-profit organizations; there are some programs like that out there, but folks don't know how or where to find out about them
  - Americorp, WPA, Peacecorp might be good models
  - there are lots of unskilled gov't jobs, but you have to apply online; how do you get that kind of access to the homeless?
  - pay and train them to help each other
    - TROSA, Habitat models
    - will need money and materials, but it could work
- are we trying to end _all_ homelessness? realistically, that can't be done; the focus is on chronic homelessness; short term, one time
- homeless people are often more working poor
  - http://www.endhomelessnessindurham.org

11/5/2007
- planning is important; it's going to be the implementation that's critical

2. OND Park plans revisited
   - history of discussions revisited; overall, it's fairly confusing whether the city thinks it's a neighborhood park, or an athletic park
   - there is concern that given the board has supported the soccer field in the past, to change our mind now will lose our political capital
   - if it is a neighborhood park, then bathrooms are not necessary, if it is an athletic park, must have bathrooms so people could change clothes, etc.
   - if there is a soccer field, there must be full bathrooms; if there are no bathrooms then the neighborhood will withdraw support for a soccer field
   - the claim that there is plenty of parking doesn't take in to account that people do not want to walk, and will try to park in the school's parking lot
   - what about using other local parks? one draw for this park is that it is surrounded and protected from traffic
   - how do we maximize use of this park? thought is that people will use it no matter what we use this for
   - question as to what will happen after the initial renovation? the City has renovated Belhargrove in the last 5 years, and didn't keep it up, same with other parks around the city; how to get the city to maintain it?
   - an large part of the park, in the soccer picture, is the buffer zone; that does eat up the space
   - Liz will draft a letter stating required bathrooms

3. 2006 HPSD home tour in OND
   - there is a steering committee pulled together; the tour will be the first Saturday in May, same day as the Strawberry Fest
   - focus of the last meeting was finding ads and sponsors; if anyone wants to advertise, Shannon has more info
   - will need nearly 100-150 docents; not sure exactly how many houses are in the tour yet; can't work on the volunteer list until we know what and how many houses there are
   - submitted application to the police dept. to close down mangum for the tour; the PD hasn't said "no" outright, and it isn't final application as they need to talk to more neighbors first; Duke Park Neighborhood Assoc. is ok with the street closure
   - if ONDNA is going to have a sponsorship, we need to make a decision quickly; generally sponsorships are $1000
     - this would get us an ad, good exposure for the marketing;
     - some of the money could be earmarked back for the neighborhood
     - Board votes to sponsor
   - if you know anyone who has lived in the neighborhood for a long time, let Denise Schreiner know; this will be someone that speaks on the panel

4. Looking ahead to 2006
   - will be going with a new Bull in the BOND
   - our BOND coordinator is moving to DC; will need a person for this position
   - in fact, need a nominating committee
   - spruce up: suggestion to do that the week before the home tour; that might not be a good idea - there is always something missed if and when we get a large trash pickup; Shannon is going to follow up with the City on the trash pickup, maybe for Earth Day (April 22)
   - review of the 2006 potential calendar; agreed skipping the december

11/5/2007
potluck was good, suggestion to sell luminarias at the auction in November
- articles for next BOND due by Jan 20; articles will include HPSD home tour, possibly discussing board charter, also need to schedule spring spruce up
ONDNA Board Meeting-7pm, Tuesday July 20, 2004

Present: Mary Anne McDonald, Linda Marchant, Helena Cragg, Richard Mullinax, Leslie Frost, Jerry Gershenhorn, Airlie Rose, Liz Paley, Josh Rose, Jon Worley
Guests: Vicky Patton, Kathy Kirschmann

1. Introducing new board members
The board welcomes Old Five Points Rep Lenora Smith (who will be joining us this fall) and new At-Large member Leslie Frost.

2. North Durham Park & The Central Park School for Children
Vicky Patton talked about the Central Park School and its relationship with the City regarding North Durham Park (the park behind the school). NDP is a city park and is open to the public 24/7. The school hopes to share the park with the city in a mutually beneficial way and has agreed to help raise funds for park equipment (e.g. play equipment, gravel piles, toys, etc., based on approval by the city). CPS has funds for play equipment, while the city has funds for renovating the soccer field. The soccer field will remain, though may be moved closer to TROSA. OND neighbors are welcome to come to meetings to help plan the park. The ONDNA board expressed concerns about maintenance. The city has an "Adopt-a-Park" program (involves commitment to certain # of work & clean-up days), and ND Park has been adopted by a neighbor.

3. NNO Update
National Night Out festivities will be at CPS/NDP this year. Kathy Kirschmann confirmed that electricity will be available from the school and that the school will be our rain location. She will include a blurb on NNO in the next CPS newsletter. We will invite Joe & Jo to be honorary ONDites in parade. See upcoming Summer 2004 BOND for event details.

4. Gold Leaf-letter to council
The board discussed and approved a follow-up letter to Council regarding GLDC's discussion at June's board meeting. The letter thanks the council for facilitating dialog and expresses optimism about GLDC's revised plans for the Roxboro/Shawnee/Lynch/Seeman block. We will check in with GLDC to see how plans are progressing (re zoning process does not seem to have begun yet).

5. Speakers for next potlucks (Central Park School, TROY House, YMCA?)
The board plans to invite James Ellis (TROY House) to speak at the October potluck; Carolyn Kirkland (CPS) to speak at the December potluck (held, hopefully, at CPS); and someone from YMCA for February. Airlie has been working with the membership coordinator at the Y about nontraditional-family memberships (to get bored roaming kids off the streets and into more productive free-time activities; this is unrelated to same-sex partners issues).

6. Child care at potlucks
Child care at October potluck ($6/hr) will be paid for by "passing the hat." ONDNA will contribute funds if collected amount is insufficient.
7. Old Five Points update
Richard reports that Old Five Points NA is very active at present. Three subcommittees are working on issues surrounding Murdoch Place, the M&M Minimart, and area kids. If you are interested in these issues, email Richard and he will put you in touch with the right person.

8. City & private owner maintenance of property
Discussion postponed

9. Graffiti at Trinity & Washington
The board hopes that there will be continued dialog between Arts Integrity, the City, and the community. [The Herald Sun reported on Wednesday about City/AI dialog; graffiti will stay for now.]

10. Additional discussion:
Kathy asked board if it would be possible to have an OND community bulletin board, as a way to get info to people not receiving the BOND and not reading the listserv. Board will discuss this further at future meeting.

Next ONDNA Board Meeting scheduled for Tuesday, August 17, 7pm.

Upcoming topics: Goals/vision for the coming year (after this, plan on monthly chair updates/solicit agenda items?); North Durham-Duke Park Local Historic District; UDO; BOND Articles; Editorials in BOND; Neighborhood kids & summer/after-school activities; YMCA; ONDNA website; Fall fair; basketball courts; BOND article(s) in Spanish; OND bulletin board.
ONDRA Dec 14 meeting minutes
Attendees:
Airlie Rose, Richard Mullinax, Liz Paley, Mary Anne McDonald, Helena Cragg,
Jerry Gershinhorn, Leslye Frost, Shambhavi Kaul, Heather Flanagan

Secretary position
- current secretaries (Josh Gibson, Shambhavi Kaul) can't handle the time
  commitment of the position at this time; would like to remain at large
  members; nominating Heather Flanagan for secretary position, others in
  the at large position
  - all in favor!

Website feedback
- Maryanne looked, looks great; suggesting putting more pictures of
  children on the site; Mary Anne to get copies of those pictures to Heather
- Richard suggests "newest arrivals" page of baby announcements
- possibility of moving website to commercial site? need to find out how
  much that will cost

2005 Planning schedules
- nominations committee
  - elections are in May, at the May Potluck
    - what's involved? first, figure out who's planning on staying on
      the board; idea is to introduce new blood in to the board;
    supposed to be a 5 person committee with no more than 2 board
    members; suggestion that 3 past presidents fill it out, but that
    may not work since they've moved
  - Richard to take on heading the nomination committee; asks that
    folks currently on the board let Richard know if they are still
    interested by the January board meeting; have that committee ready
    by the January board meeting
  - some business people may be interested in being on the
    board (ie, Tienda on geer street, central park school)
  - what happened to the two year staggered terms? continuity is a
    problem; originally it was a two year commitment, now seems to be
    one; two year is in the by-laws
  - can the by-laws only be changed in may? no, you have to put the
    new by-law proposal in to the BOND a certain number of days before
    the board meeting, to let folks know about it; it does not have to
    be at any special meeting
- Airlie has been on some boards where the different positions have
  different terms
- Maryanne to put together a proposal to change the bylaws to a
  staggered set of terms

Potluck speakers
- have a february potluck with no one lined up to speak
- Airlie has been trying to get up with the YMCA, but has not heard back;
  will keep trying
- Linda has suggested Patrick Baker (interim city manager); maybe could talk
  about nuisance abatement and what that means
  * see handout *
  - what is nuisance abatement? takes people from a variety of
    departments in an area, and check to see if the areas are up to
    code (rather than wait for people to complain); plan when they
    started was that it was take 3-4 years to get all the inner-city
    neighborhoods; there has been a horrible staff crunch trying to
    follow up on the code violations
  - thought in other meetings that this doesn't change the neighborhoods
    that requires education of the people living in these areas
  - can the neighborhood follow up on some of these notices? can the
CENAT group notify the board about the notices? there is a community liaison for each district, and she is trying to decide what her job actually is; Toya Merritt (Community Liaison of the Housing Dept) is new and may be ready for us to help define that with her
- how to create a neighborhood? What should a community liaison do? That will be part of the next PAC meeting agenda
- we are in a position now where the Board may be more influential in community building
- someone should contact Toya and ask her how we can follow up; Richard will do the introductions, Leslye to write the letters
- Old West Durham has published houses to be "shamed" on their website; probably not ready to go that far yet
- John Thornburg put together a form letter to send to landlords and owners to give them a chance to respond before the Board harries them

- (Mary Anne) other speaker suggestion - can we get someone to talk about the UDO? (richard) esp. the neighborhood overlay
  - if we can get OND interested, we can move this forward quickly; else we'll be behind by like 2-3 years; also need to have the Board keeping up to date with ordinance changes; Housing committee may need to grow
- Blue Devil ventures has asked to come talk to us during the January board meeting
- Plan is:
  - UDO/neighborhood overlay (Frank Duke?) for February Potluck
  - Patrick Baker for May Potluck
  - YMCA any time

Calendar
* see handout *
- based on last year's calendar
  - do the Potluck's all have to be on Mondays? (Richard) didn't see that changing the days didn't actually increase attendance
  - note that the February 21 conflicts with the city council meeting; that should still be okay
  - should we have the spring cleanup on earthday? there are lots of other things going on that day we can be a part of (ie, stream cleanups, etc); will follow up with Josh on that
  - should we have another picnic with Duke Park? yes, just print flyers (not a whole additional BOND)
  - auction or fall fair? auction easier, more fun

OND Park Update
- we are cosponsoring a meeting with the city to talk about the park
- is there a date set up for that yet? city has requested sometime in the week of Jan 10-14; this will be an evening meeting, with as many community members as possible; location hasn't been decided on, but probably Ag Ext; city does not want Central Park School to be a sponsor, just be a part of the discussion
  - will propose January 11 to the city

Brainstorming
- $50 to definitely go to INC for past dues (done)
- are we making donations to places we have potlucks? Jerry to check
  - Central Park School; we're okay with them, since we are doing in-kind donation (we gave them plants, which brought us up to their "$1000 donation level"
  - Cavalry United Methodist church: give them $100, since we didn't
give them anything
last year
- support website if/when necessary
- can we invite local artists to the potlucks? we have a willing property
owner who has offered the back of his building as a community mural
(gas station/five-and-dime on mangum); just need money for paint
- do we have any plans for maintaining the planters on trinity? one proposal
is to get the planters and use the stones and Central Park and instead
plant grass; some concern that people will just park over that spot again;
this is very hard to maintain; the police can/will ticket, but there is
still concern; maybe more understory plants, dogwood trees? no, the
city won't allow us to put those trees there; every spring cleanup we'll
need to assign some money to this so we can get the mulch, etc, and
clean up; can we get the residents to help? yes, but the turnover is very
high and will need to contact them repeatedly
- Jen Boyer suggested: christmas gift for the squad, maybe lunch or
something; block party potluck grants
- Airlie: a youth labor pool, so that people can ask for help in their
yards, and we would help pay the children to assist
  - this could be a huge project
  - maybe the neighborhood could send the kids to help cleanup
    those properties that can't seem to afford it on their own
  - can we pilot this with the fall/spring spruce-up, to "train"
    the kids and pay them maybe $5 to assist? This sounds more
do-able
  - airlie needs to check the child-labor laws
  - to continue to discuss in further meetings
- major donation to Durham Central Park; they will take any size donation;
maybe we can start with "seed money", and let others know that we are
doing that and others can send it to Durham Central Park directly so to
get the tax credit; let's talk to Alice Alexander to see if she could
spear head this since she's done this before, ask her advice on how much
we should start with
  - Liz to talk to Alice
- maybe bring in some local bands to the picnic with Duke Park? maybe offer
tickets to raise some money from what we put in, or just donations to
the band
  - how much did Mickey Mills charge? he donated his services to NNO
  - how much money? probably about $500 for the evening
- maybe save the money for the OND park opening, fireworks or band or
something
- pay an attorney to get a 501(c3) (non-profit)? that would put us in a
situation to get audited; need to find out what it entails; someone
should ask Perry who has done this recently
  - Maryanne to talk to Perry
* all items to be discussed further at the next meeting *

Misc
- Josh, please post about the empty K-Mart
- Block watch questions
  - block watches are designed to be street by street; ideally the
  safety chair on the board would be coordinating the different
  block watch captains; list serve has been taking advantage of that
- fund raisers
  - start doing yard sales for specific fund raising purposes; i.e.,
yard-sale for spruce up funds; that allows people to choose
where they want to support
- INC
  - trying to determine whether to support Erwin Road neighborhood
groups
- Duke is trying to sell of part of Duke forest
- OND supports the neighborhood group trying to block the sale/developer trying to do a deal with Orange county on this land
Minutes of ONDNA Board meeting, November 16, 2004

Please correct any mistakes and forward to Liz.

Present:
Guest Tanner Weeks, a Durham Parks & Recreation (DPR) landscape architect with plans for Old North Durham Park
Heather, Liz, Mary Anne, Gerry, Jen, Jon, Richard, Josh x2, Leslye, Airlie, Len, Linda

1) At-large position filled by Heather Planagan, who, among other things, will help keep the website up to date

2) OND Park -- Tanner Weeks is meeting with Central Park School, OND, city, others (such as Anita Keith-Foust? who has filed a lawsuit against the city of Durham about the park. This meeting with us was to determine a site and date for a meeting of all parties together. Plans are to renovate filed, add new sod, move playing field to the east, provide a play area for the neighborhood as well as for the school. Under discussion: maintenance probably moving back from General Services to P&R.
   Richard Mullinax and school will work on dates. DPR and ONDNA will co-sponsor a meeting. Will also see if school will co-sponsor.
   We all need to think what we want in the park. Keep soccer? What else? Now plans for a 25 sq ft space outside field. Ask at potluck.

3) Message from Central Park School -- CPS has concerns about the size of the soccer field. Will discuss with us before next Board meeting so that we have info for an informed discussion

4) Old business -- on Elizabeth St: puppies have been trapped, were taken away, are now back. Haven't broken out again as often.
   Antique bricks on Seeman St -- Robin Arcus and others are concerned that they be saved. [Did we decide to do anything about this, or just note it?]

5) Auction debriefing/ brainstorming -- Raised $4100, more money than ever before.
   Plants from auction donated to Central park and $100 in-kind contribution. [Jerry -- is this correct?]
   Need to advertise more widely next year so that more out-of-town attendees: Perhaps flyers to give to each merchant to hand out when we solicit contributions, flyers for each CPS student to take home. Len led discussion and took note of ideas
   Need to discuss where to invest. Think about this for next meeting.
   Bulletin boards, contributions to Central Park, what else? money for new shelter for Farmers Market (possibly to include a pavilion, kitchen, space enough to rent out for functions, push towards year-round market with solar heating?) ONDNA could contribute a column to hold up the roof? Board will discuss ideas further, look at our 3-year plan, then print ideas in Bond and ask neighborhood to vote.

6) Murdoch/ Comm Conner -- Lenore Smith and Richard Mullinax have met with new department head. Want to draft a letter to the city saying that something needs to happen. Property owner is bankrupt, property in awful shape, boarded up. City had been holding out to get all the back interest on owed taxes. May get another property as community center in Old Five Points.
   M&M Mini Mart -- unclear what's going to happen. Developer may back out as a result of arson.

http://oldnorthdurham.org/minutes/2004_11_16
7) Duke Park traffic announcement -- Markham/ Roxboro. Plans are to remove rhino barrier for the long term. We just need to slow traffic down, then discuss making traffic on Roxboro/ Mangum 2-way. Our aim is to make neighborhood walkable, bikeable.

Traffic engineers propose flashing pedestrian sign but no stop sign or light. We suggest stop sign at Markham and Roxboro. Traffic dept has to finish this. Proposal -- to send e-mail explaining that we all use this intersection, walking with dogs and children, and need it to be safer. Possibly curbs to create a square turn not so easy to speed thru. Leslye will write e-mail stating Board's position; sign it as a Board member.

8) Brief discussion of potluck on 12/6 and luminarias/ caroling on 12/12. Both dates left as is. Mary Anne McDonald reminded the Board that the parade for the Virgin of Guadalupe is on 12/12.

9) BOND update -- All articles should now go directly to Jon Worley. Jon & Woody & Richard will be planning for 2005 and will present plan to Board.

Human Relations Award -- nominations due 20Dec for awards for contributions for rural and cultural harmony.

UDO wants feedback on multi-family houses in neighborhood. What do we think about preserving big old houses this way? Decision: we need a clear proposal in order to provide feedback.
Minutes of May 11, 2004 ONDNA Board Meeting

1. Our new president, Liz Paley is calling all ONDNA members to voice their ideas and "visions" for the future of our neighborhood. No idea is too far fetched.

2. The listserv: the listserv is a dynamic tool of communication and all members should encourage their fellow members to use it. It is noted however that there will be those of us who will be unable to access computers and thus, highlights will be posted in The Bond. The editor of The Bond is Jon Worley.

3. Budget—the board acknowledged that as a neighbourhood association, we have a healthy budget but nothing close to neighbourhoods like trinity park ($30,000).

4. Should we base our boundaries on geography or social interaction? The question of including the 5 points area into our neighborhood was raised. Richard Mullinax is going to talk to Lenora Smith to determine if they would like to be included.

5. The meeting date for the board has been changed from the 2nd Tuesday of each month to the 3rd Tuesday of each month. All board members are to acknowledge this change and/or voice their concerns to Liz Paley.

6. Josh who serves as vice president of the Ellerbe Creek board feels that their association and ours could collaborate and help each other on several projects. He mentioned greenways, trails and central park as possibly avenues. Those interested to find out more should contact Josh.

7. The National Night Out parade trail has been tentatively fixed. From the OND sign on Foster and Trinity to Glendale to Geer to Central School Park. All those with comments or concerns should direct them towards Len Stanley.

8. The Central Park School is currently considering a major renovation of the park behind the school. Incidentally, this park which many believe is excusively for school use is actually a Durham County park. The question was raised if ONDNA could somehow involve itself in the process. All those with ideas, or interested in taking part should contact the school or Richard Mullinax or Kathy Kirschmann.

9. Surplus property: the city of Durham is planning on tearing down a number of properties which belong to them. All members are urged to go to the website and take a look at what is going on. On closer study if any member has concerns or ideas please direct them towards our board member for housing—Richard Mullinax.

10. Richard Mullinax was also going to see if he could get members of Gold Leaf properties who are responsible for several renovations and one big development in our area to come to our next meeting and tell us what they are planning. Questions or concerns should be directed to him.

11. Childcare during potluck. The board will give $6/hr towards providing childcare during the potluck. Additionally, a basket will be put out during the potluck. Members, other than the parents themselves, are urged to make contributions.

12. The Bond. The bond will be put together via email. All those who have ideas or would like to volunteer please contact Jon Worley.
Central Park School For Children PPO

Parents Teacher Organization (PTO)

General Assembly Meeting

Minutes - 8 August 2005

PTO Bylaws were adopted by general assembly.

PTO Executive Board Elections were held. Positions are as follows:

- President: Pat Bachman
- Vice-President: Lillian Herrod
- Treasurer: Roger Kaplan
- Secretary: Angela Drezner

The following committees and respective chairs were adopted by the general assembly:

- Class Parents: Shelly Gabriel & Tonya Queen
- Cultural Arts: Kitty Rosati, Missy Daffron & Brennetta Simpson
- Fundraising/Marketing: Dexter Richardson & Claire Jenkins
- Media Center: Christi Krupa & Michael Kelley
- Newsletter: Kerry James & Mary Wible-Brennan
- Outdoor Learning: Marcia Brooks & Denise Haviland
- Social Events: Diana Burris, Tina Ndoh & Gretchen Mathison
- Yearbook: Peggy Force & Jackie Terrell

Deanna Ovenden was elected PTO representative to the CPSC school board.

The CPSC school board meets the second Wednesday of every month at 6pm in the teacher workroom at the school. The next meeting will be Wednesday, August 10th. Meetings are open to anyone who would like to attend and never last more than two hours. If you would like to add an issue to the agenda, contact Vicky Patton by email (vicky@centralparkschoolforchildren.org),

11/5/2007
Marcia Brooks, chairperson for the Outdoor Learning committee, gave a presentation on the importance of the outdoor experience on children and on her group's progress on plans for the Old North Durham Park behind our school building. She explained the process that the park plans have gone through, the obstacles that have come up, and expectations for the future. Contact Marcia if you would like more information, or to view the park plans. Marcia_brooks@ncsu.edu 401-2345

Next PTO meeting: TBA

Prepared on 8/5/05

By Angela Drezner

PTO Secretary

Central Park School for Children
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THE CENTRAL PARK SCHOOL FOR CHILDREN
A Free Public Elementary School in Durham, NC

Thank you to all of our 2007 Strawberry Festival volunteers and sponsors!

Strawberry Festival
Old North Durham Park
724 Foster Street - Behind Central Park School for Children
3 May 2008
11 A.M. to 5 P.M. - Rain or Shine
Free Admission
Music, Dance, Food and Games!
Save the date!

Our Charter

Download our 2007 Strawberry Festival Program Guide in pdf format
Download our 2007 site plan for the Strawberry Festival in pdf format

Central Park School for Children and all those who envision the possibilities for the Old North Durham Park are immensely grateful to 2007 Festival sponsors.

Oh, So Sweet ($1,000+)

- Durham CREDO
- Gugliupf Bakery and Patisserie
- The Herald-Sun
- Struever Bros, Eccles & Rouse
- Trinity Lofts

Berry Nice ($500+)

- Acme Plumbing & Heating
- The Appliance Center
- DLW Storyteller
- Greenfire Development
- Haywood, Denny & Miller, LLP
- Measurement, Inc.
- New Horizons
- Preservation Durham
- The Scrap Exchange
- Stone Bros. & Byrd
- TND Partners, LLC
- TROSA
- Whole Foods Market

All Festival proceeds go toward improvements in the Old North Durham Park. For more information on plans and how you can be involved, call Vicky Patton, 682-1200.

Our Mission

The Central Park School for Children is committed to nurturing and guiding the natural eagerness of each child to explore, grow, and relate to others. The school is founded on three principles: that children are naturally full of life, power and confidence; that the best available research should guide our methods; and that children develop best in a community where curiosity, challenges and learning are valued. The school is creating a community of partners to guide, cherish and be amazed by the children.

Central Park School for Children
724 Foster Street
Durham, NC 27701
919-682-1200
info@centralparkschoolforchildren.org

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Central Park School For Children PPO

Parents & Partners Organization

Minutes - 12 October 2003

Announcements

- Susan Alberts is interested in having an in-house intercession program. All who are interested can contact her at alberts@duke.edu.
- The schools electronic bulletin board system (BBS) is up and running. The web address is www.businessgeographic.com/cps. Once there, you can follow the prompts to register and begin using the program. A big thanks to Sam Kome for setting it up.
- There is still space available at all grade levels - please tell everyone you know and tell them to pass it on.
- Caroline needs volunteers to help in the front office. If you are available for this, please see Caroline.
- When adding information regarding meeting places and times, please remember to make any changes 1) On the physical calendar in the front hall, 2) On the website (give to Caroline), 3) Hard copy of all correspondence must be kept (give to front desk) and 4) On the BBS
- Jackie Terrell is handling the t-shirt sales. You can bring a check, along with a note for quantity and sizes, to the box at the front desk. Contact Jackie at 613-7381 or terrell@duke.edu.
- Communication for the school is best handled via the school newsletter. Please make a point to read through the newsletter when your child brings it home.
- The school would like to have a "business card" section in the next directory. If you would like to let others know about your business, please drop of a copy-friendly version (no dark backgrounds) of your business card for inclusion in the directory.
- The board has added an amendment to the school handbook regarding new ideas and proposals related to the school:

11/5/2007
Please note:

When a parent or parent committee wishes to undertake activities that will affect or represent the larger school community, it is essential that such activities be pre-approved, in writing, by the school Director. Proposals for such activities should include the rationale for the activity, a description of the activity, and of how, when and where it would be carried out. In addition, a specific plan for funding and bookkeeping of each proposed activity should be approved in writing by the school's financial director (Vicky Patton). This policy includes all PPO or individual parent activities within the school as well as any external fundraising or marketing activities the PPO or an individual parent wishes to undertake.

- As a public charter school, Central Park School does not endorse specific commercial enterprises and does not distribute literature advertising them.
- Any information to be placed in teachers mailboxes for distribution to students should first be approved by the Director.

We are excited about our partnership with our parents. Careful coordination of activities with the school staff will allow the right arm to know what the left is doing and optimize parent involvement! Thanks!

(In "Staying Informed" section):

Parents wishing to post announcements relevant to the school community should call the school office for further information. All internal or external parent communications or activities that involve or represent the school community should be pre-approved in writing by the school Director.

Nutrition

Students should bring a snack and lunch to school each day. Please bring nutritious foods and drinks - sandwiches, fruits, vegetables, milk or fruit juices and avoid bringing sweets and sodas. Please bring any food allergies or restrictions to the attention of your child's teacher, in writing. Any ideas for class or grade level food activities must be discussed ahead of time with the teachers involved and be approved by them and by the school Director to ensure compatibility with other class activities or issues. Students who qualify for the Federal Free Lunch Program will be accommodated. Please contact the school office for more information.
Board Rep. Report

Judith Kelley, our PPO board rep. gave a brief summary of the last board meeting:

- reviewed financial budget working - we are in good financial status
- the school would benefit from filling the remaining spots
- school lunch issue - the board reaffirmed its existing position that this is a matter to be handled among the director, the parents and the teachers. Carolyn has decide to disband the program for now.
- next school board meeting is Sunday, October 19 at 4pm in the media center.

Fundraising/Marketing Work Group

- Chanda Jarrett thanked all who participated in the supersaver card and flower bulb fund raiser. If you didn't get a chance to participate, she hopes you will join in the next one.
- Group has some new ideas for fundraisers, including: strawberry day, school dance, panera bread, pecan sales for the holiday season.
- look for the next fund raiser sometime in November

Curriculum Enrichment Work Group

- Working on a survey for parents regarding what talents and resources they have and might like to bring in to the classroom and the school.
- Working on ideas and needs for discovery boxes - boxes with all the materials/equipment needed for a particular lesson/experiment. Can be checked out for use by a classroom and shared throughout the school.

Outdoor Learning & Play

- Submitted all paperwork for the Durham Open Spaces Grant which would be for all our outdoor planting and equipment for the city park behind the school - $60,000. Let's keep our fingers crossed.
- In the process of drafting plans for the school's gardens

Social Events Work Group

- Planning for a school-wide holiday dessert exchange on December 11th - perhaps late afternoon or early evening.
- Planning the next teacher appreciation event (maybe tied in
with the dessert exchange).

**Technology Work Group**

- The school has the DSL hook-up. Group is looking to extend the computers into the classrooms and throughout the school.

**It Takes A Village**

- Emily Cox held a "Giving Tree" ceremony where those who wished could write down there promises of support through volunteerism for the school on slips of paper and attach it to a small tree. The tree will be in the lobby of the school throughout the quarter for anyone who wished to add to it.

******NEXT PPO MEETING******

In keeping with our promise to alternate days and times for maximum availability for attendance, the next meeting will be held on a week night - Tuesday, December 2, 2003 7-8pm (will begin promptly at 7!) in the main hall.

Next Meeting? Tuesday, February 10th, 2004 - 7pm in Main Hall

Central Park School for Children
724 Foster Street
Durham, NC 27701
919-682-1200
info@centralparkschoolforchildren.org

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RESOLUTION AUTHORIZING THE LEASE OF OLD NORTH DURHAM PARK TO CENTRAL PARK SCHOOL FOR CHILDREN FOUNDATION

WHEREAS, the City of Durham, North Carolina (the "City") is a validly existing municipal corporation of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "State");

WHEREAS, the City owns a 3.58-acre tract of land identified as PIN # 0822-20-90-6578 (City Tract # 1750), 310 W. Geer Street, Durham, N. C., referred to as Old North Durham Park, that the City has dedicated for use as a public park facility (the "Park Property");

WHEREAS, the City has the power pursuant to North Carolina General Statute G.S. 160A-279 to lease real property owned by the City to a nonprofit corporation which carries out a public purpose and pursuant to Sections 86 of the City Charter to Lease real property the City Council may deem to be in the public interest;

WHEREAS, the City has dedicated this property for park purposes;

WHEREAS, the City will enter into a 10-year Lease of the Park Property at $10.00 per year with Central Park School for Children Foundation ("Nonprofit Agency"); to make certain improvements to the Park Property that are consistent with the City’s proposed development plans for the Park Property;

WHEREAS, the Park Property will be used by the Nonprofit Agency and the general public as a public park which constitutes a continued public purpose and, therefore, the use and improvements to be made by the Nonprofit Agency are sufficient consideration as payment for the lease;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DURHAM, NORTH CAROLINA AS FOLLOWS:

PIN 0822-20-90-6578 (City Tract # 1750) will be leased to Central Park School for Children Foundation for a 10-year term for $10.00 per year;

A condition of the Lease is that the Park Property shall be used as a public park for the entire term of the Lease, fulfilling the public purpose provision of G.S. 160A-279;

The City will publish a notice summarizing the contents of the resolution and the lease may be executed any time 10 days after the publication of the notice;

The City Manager is authorized to Lease the Park Property, consideration being the public interest of the City being achieved through the efforts of Central Park School for Children Foundation to make certain improvements to Old North Durham Park;

The effective date of the Lease will be the date of execution by the City Manager, which will occur at least 10 days after the publication of the notice.

LEASE BETWEEN THE CITY OF DURHAM AND
CENTRAL PARK SCHOOL FOR CHILDREN FOUNDATION
OF THE OLD NORTH DURHAM PARK

THIS LEASE is made as of the _____ day of _____, 2007 between the CITY
OF DURHAM ("Landlord") and CENTRAL PARK SCHOOL FOR CHILDREN
FOUNDATION ("Tenant").

1. GRANT. The Landlord hereby leases to the Tenant, and the Tenant accepts,
a certain parcel of land together with the improvements thereon known as Old North Durham
Park and described as Parcel C of the Property of Durham Public Schools Board of Education,
Plat Book 129 at Page 137 of the Durham County Registry, ("the Premises"). The Premises are
located in the City of Durham. Tenant takes the Premises "as is."

2. TERM. This Lease is for a period of ten (10) years and shall begin

3. RENT. DEPOSIT. (a) The Tenant shall pay to the Landlord as rent the
sum of Ten Dollars ($10.00) per year of the term. Rent payments are due, in advance, without
set-off, deduction, or demand on or before the 10th day of the lease year. See Section 15 (Late
Payments).

(b) The Tenant shall pay no security deposit.

4. PURPOSE. The Tenant may not use the property for any purpose other than:
See paragraph 9.

5. RETURNED CHECKS. Tenant shall pay Thirty Dollars ($30.00) for each
check returned for insufficient funds or because the drawer had no account at the bank.

6. EXTENSION OF LEASE TERM. At least 90 days prior to the end of the
Lease Term, Tenant shall give Landlord written notice of its desire to extend the Lease Term.
Provided that the Tenant has met all obligations of this Lease during the Lease Term, at the end
of the Lease Term the Landlord shall negotiate in good faith with the Tenant for an extension of
the Lease under similar terms and conditions of this Lease Agreement, subject to applicable state
law procedural provisions and approval of the City Council.

7. TERMINATION OF LEASE TERM. Part "a" of Section 24
(TERMINATION, CASUALTY, and EMINENT DOMAIN ) applies.

8. CONDITION OF PREMISES. (a) The Tenant having inspected the
Premises, it is agreed that they are in good repair and are fit as of the beginning of the term. The
Tenant shall immediately notify the Landlord of all damage to the Premises, and situations that might reasonably be expected to result in damage. If the Landlord makes repairs that are chargeable to the Tenant, such charges shall be added to and included as part of the rent, but shall be paid within fifteen (15) days of billing by the Landlord. This Lease does not give Tenant any authority either to obligate the Landlord to pay any third party for any labor or materials or to suffer liens to be placed on the Premises, nor is the Landlord obligated to repair damages or situations that might result in damages unless in the Landlord’s opinion they pose an imminent safety hazard. (b) The Tenant shall compensate the Landlord for damage to the Premises caused by all negligent, willful, or intentional acts and omissions by the Tenant and any of Tenant’s agents, invitees, licensees, and contractors. The Tenant shall not allow any “Environmental Contamination” (defined in Section 22 (INDEMNIFICATION)) below to be released onto the Premises by itself or its agents, contractors, invitees, or licensees, and the Tenant shall clean up said releases if they occur.

9. USE AND CARE OF THE PREMISES. (a) The Tenant shall plan and develop the Premises as a multi-purpose, child and family-friendly park including open spaces suitable for individual and group athletic activities for children, young people and adults. The park shall include a picnic area for families. The Tenant shall submit a master plan and any major changes thereto to the City Manager, or his designee, for review and approval. Provided these plans are developed in consultation with recognized professional park planners and meet N.C. Public School Safety Standards, such approval will not be unreasonably withheld. Development of the Premises will meet the requirements of CPSC, ASTM and any codes that would normally apply to playgrounds and fields operated by schools. The Tenant shall not use or allow the use of any illegal drugs on the Premises. The Tenant shall not violate any lawful requirements of municipalities regarding use of the Premises, including applicable zoning and building codes.

(b) At all times during daylight hours, the Premises will be open to the public unless the Premises is rented for an event pursuant to paragraph 17. During school hours, and when the Premises is rented, areas of the premises that are being used either by the Tenant or the Tenant’s invitees may be monitored by the Tenant and Tenant’s staff, and any members of the public who are interfering with or causing a detriment to the Tenant’s legitimate educational interests may be asked to leave the Premises.

(c) The Tenant shall be responsible for the regular maintenance of the Premises to include:

(i) mowing grassed areas as needed (typically every two weeks) during the growing season:

(ii) placing trash in easily accessible containers, to be collected by the Landlord weekly:

(iii) daily inspection and removal of broken glass and unsanitary debris;

(iv) periodic “detailing” sessions (typically to occur two or three times a
year) to, among other things, remove glass, fill in holes, trim weeds on stone wall, trim trees encroaching stone wall and maintenance of the outdoor furniture and playground equipment:

(v) maintaining mulch around and under playground equipment, particularly "fall" areas; and

(vi) making improvements to the Premises as may be needed in order to meet the usage and the applicable safety standards defined in subparagraph (a).

10. ALTERATIONS. Provided there is continued compliance with applicable laws and regulations of governmental authorities, the Tenant shall have the right to make additions, modifications and improvements to the Premises, from time to time, the cost of which shall be paid by the Tenant and which shall, when made, become a part of the Premises. During the term of this Lease, such additions, modifications and improvements shall be undertaken only after the Tenant obtains written approval from the City Manager or his designee.

11. LANDLORD’S RESPONSIBILITIES. During the term of this Lease, the Landlord shall:

(a) collect trash from containers weekly or more frequently as required;

(b) through its Urban Forestry Division, maintain the large existing trees along the southern boundary of the Premises;

(c) provide policing of the Premises as is customary for public parks in the City of Durham;

(d) assign to the Tenant usage of TROSA access easements and provide the Tenant with documentation for TROSA’s use of the Geer Street parking lot.

12. KEYS. The Tenant shall not add or change any locks, if any, without the Landlord’s written consent. At the end of the term, the Tenant shall give to the Landlord all keys that Tenant has for the Premises.

13. UTILITIES. The Tenant shall pay all proper charges for utilities provided to the Premises.

14. USE OF SECURITY DEPOSIT. INTENTIONALLY OMITTED.

15. LATE PAYMENTS. If the full rental payment is not received by the Landlord on or before the tenth day of the month due, Tenant shall pay a late fee of five percent (5%) of the rental payment or Fifteen Dollars ($15.00), whichever is greater.

16. POSSESSION. The Landlord shall not be liable for its failure to deliver
17. ASSIGNMENT AND SUBLETTING. The Tenant shall have the right to sublet the Premises to organizations that sponsor cultural, athletic, recreational and/or arts related events. During the rental period, the organization shall have exclusive use of that part of the Premises rented to it. Said rental period shall not exceed twelve (12) hours in any one block of time. Rental policies, procedures and fees shall be consistent with the Landlord’s policies, procedures and fees in effect at the time of such rental governing similar facilities, including but not limited to the procedures and fees used by the City of Durham Department of Parks and Recreation. The Tenant shall remain liable to the Landlord under the terms of this Lease notwithstanding the subletting of a part of or all of the Premises pursuant to this paragraph.

18. TAXES. During the term of this Lease, the Landlord shall pay all taxes and assessments imposed on the Premises.

19. INSURANCE. During the term of this Lease, the Tenant shall maintain insurance as follows:

(a) Commercial General Liability Insurance covering premises/operations, broad form property damage, explosion, collapse and underground hazards (if existing); contractual liability; and independent contractors, if any, used in the performance of Tenant’s obligations under this Lease. The Landlord shall be named an additional insured and an original of the endorsement to effect the coverage shall be attached to the certificate of insurance. The insurance coverage shall have a combined single limit of not less than $1,000,000 per occurrence and an aggregate limit of not less than $3,000,000 per year.

(b) If Tenant utilizes vehicles in the performance of its obligations under this lease, it shall maintain Automobile Liability Insurance covering owned, hired, borrowed or employee vehicles used in its performance under the Lease, with a combined single limit of not less than $1,000,000 per occurrence and an aggregate limit of not less than $1,000,000 per year.

(c) Workers’ Compensation Insurance with statutory benefits covering employees, officers and relatives who may perform services under this Lease. Employer’s liability coverage shall also be maintained with a limit of not less than $500,000 per occurrence.

All insurance required under this paragraph shall be maintained through companies authorized to do business in the State of North Carolina with a Best rating of A or better. Landlord shall be provided not less than thirty (30) days prior notice of any cancellation or reduction of insurance coverage required under this paragraph. All insurance certificates shall be addressed to: City of Durham, North Carolina, Attention: Finance Director, 101 City Hall Plaza, Durham, North Carolina 27701. All insurance certificates or endorsements must be originals.
20. ACCESS AND USE OF PROPERTY. The Landlord and its agents and contractors, may enter the Premises to undertake those responsibilities placed upon it under the terms of this Lease, in the case of emergency or with the consent of the Tenant. In exercising the Landlord’s rights under this Section, Landlord and its agents and contractors, shall exercise such rights in a manner and at such times so as to minimize interference with the Tenant’s use and occupancy of the Premises.

21. VACATING. (a) The Tenant shall surrender possession of the Premises on or before the end of the term. Time is of the essence in complying with the preceding sentence. (b) On vacating the Premises, the Tenant shall see that all utilities are paid in full. So that Landlord may provide security to the Premises after the Premises are vacant and may use the Premises for its purposes, Tenant shall notify Landlord in advance of the expected date that the Premises will become vacant and shall also notify Landlord within one working day after the Premises actually become vacant. This subsection “b” applies even if Tenant vacates before the end of the term. (c) If the Tenant fails to comply with its obligations under this section, Tenant shall be liable for resulting damages suffered by the Landlord, including, if applicable, the inability to use the Premises for the purposes for which the Landlord has provided notice to the Tenant, which notice may be given before or during the term.

22. DEFAULT. WAIVER.

(a) Default. If Tenant fails to pay the rent when due or fails to perform any other material obligation under this Lease, or if a material purported fact in any of the Tenant’s representations to Landlord, including any materials submitted to Landlord and upon which this Lease is based, is substantially false, and such failure, event, or condition continues for thirty days (but ten days in case of rent) after notice of such failure, event, or condition is sent, then Landlord may at any time (i) terminate this Lease and cause the Tenant’s estate to be ceased, or (ii) terminate the Tenant’s right to possession of the Premises without causing the Tenant’s estate to be ceased or termination this Lease. In either event, the Tenant shall deliver possession of the Premises to Landlord. In addition, Landlord may reenter and take possession in accordance with legal procedures. If Landlord terminates this Lease in accordance with the first sentence of this section, the Tenant shall be liable for accrued rent, damages resulting from the Tenant’s breach, and other accrued obligations and liabilities. If the Landlord terminates the Tenant’s right to possession without terminating the Lease, this Lease shall remain in effect, and the Landlord shall make reasonable efforts to re-let the Premises on the Tenant’s behalf, and the Tenant shall compensate the Landlord for the costs and expenses of such efforts.

(b) Waiver. Either party’s waiver of or failure to exercise or enforce any of its rights under this Lease shall not constitute a waiver of any right thereafter. The parties’ respective rights under this section are in addition to other rights under this Lease or as provided by law.

23. INDEMNIFICATION. (a) To the maximum extent allowed by law, the Tenant shall defend, indemnify, and save harmless Indemnitors from and against all charges that arise in any manner from, in connection with, or out of this Lease or out of the use or occupancy of the Premises pursuant to this Lease, including for Environmental Contamination. In
performing its duties under this subsection "a", the Tenant shall at the Tenant's sole expense, defend Indemnities with legal counsel reasonably acceptable to the Landlord. (b) Definitions. As used in subsections "a" and "c" of this section - "Charges" means claims, judgments, costs, damages, losses, demands, liabilities, obligations, fines, penalties, settlement, and expenses (included within "Charges" are interest and reasonable attorneys' fees assessed as part of any such item). "Environmental contamination" means petroleum products (including oil, gasoline, and kerosene)), hazardous wastes, hazardous substances, hazardous materials, toxic substances, toxic wastes, hazardous air pollutants, and toxic pollutants, as those terms are used in any federal, state, or local laws, rules regulations, codes, and ordinances, as amended from time to time. "Indemnitees" means the Landlord and its officers, officials, independent contractors, agents, and employees, and does not include the Tenant. (c) Subsection "a" of this section shall not require Tenant to indemnify or hold harmless Indemnitees against liability for damages arising out of bodily injury to persons or damage to property proximately caused by or resulting from the negligence, in whole or in part, of Indemnitees.

24. ADA. If either party receives any notice or document (i) which alleges any violation of the Americans with Disabilities Act ("ADA") relating to the Premises, or (ii) which pertains to any claim made or threatened relating to the Premises regarding alleged noncompliance with the ADA, or (iii) which pertains to any governmental or regulatory action or investigation instituted or threatened relating to the Premises regarding alleged noncompliance with the ADA, it shall, within ten (10) days after receipt of such notice or document, provide the other party with a copy.

25. TERMINATION, CASUALTY, AND EMINENT DOMAIN. (a) If the term ends early, and if the Tenant has paid rent in advance, it shall be entitled to a prorata refund for the rent attributable to the time after the end of the term. (b) If casualty renders the Premises unusable, and if the casualty is not the fault of the Tenant or any person for whose acts of omissions the Tenant is liable, and if the Landlord cannot or does not make the Premises reasonably usable for the Tenant's purposes within ten days afterwards, the Tenant may, by sending notice to the Landlord within fifteen days of the casualty, terminate the term effective as of the date of casualty. (c) If a casualty substantially damages the Premises, and if the casualty is not the fault of the Tenant or any person for whose acts of omissions the Tenant is liable, and if the Landlord cannot or does not substantially repair the Premises within twenty days afterwards, the Tenant may, by sending notice to the Landlord within twenty-five days of the casualty, terminate the term effective as of the date of the casualty. (d) If a casualty renders the Premises unusable for the Tenant's purposes, the Landlord may, by sending notice to the Tenant within twenty days of the casualty, terminate the terms effective as of the date of the casualty. (e) If an authority with the power of eminent domain acquires an interest in the Premises that substantially affects their use for the Tenant's purposes, the Tenant may, by sending notice to the Landlord within thirty days of the taking of possession by the authority, terminate the term effective as of the date of the taking of possession by the authority. (f) Each subsection of this section is intended to be independent of the other subsections of this section.

26. EFFECTS ON OTHER RIGHTS. The Landlord shall not be liable for any loss or damage occurring to the personal property of the Tenant, except through the intentional act of the Landlord, and except as otherwise provided by law or this Lease. Nothing
27. RENEWAL. INTENTIONALLY OMITTED.

28. ADDRESSES. NOTICES. Notices to the Landlord shall be in writing and such notice and rent payments shall be sent to:

City of Durham  
General Services Department  
Real Estate Division  
101 City Hall Plaza  
Durham, North Carolina 27701  
Office: (919) 560-4197  
Fax: (919) 560-4196

Notices to the Tenant shall be in writing and shall be sent to:

Attention:  
Central Park School for Children  
724 Foster Street  
Durham, North Carolina 27701  
Office (919)  
Fax (919)

By sending a notice stating its new address, either party may change the address to which notices and rent may be sent.

29. INTERPRETATION. Unless the context requires otherwise, the singular includes the plural, and vice versa. "Including" and "included" mean including or included but not limited to. Section headings are not for interpretation of this Lease. If any provision of this Lease shall be determined to be invalid or unenforceable in whole or in part, for any reason, such invalidity or unenforceability shall not affect the validity or enforceability of any of the remaining provisions and such invalid or unenforceable provision shall be revised so that it will be valid and enforceable to the maximum extent legally possible consistent with its intent.

30. COVENANTS. The Landlord warrants that the Landlord has title to the Premises, the right to lease the Premises to the Tenant, and that for as long as the Tenant is not in default under this Lease after notice and the opportunity to cure, the Tenant shall have peaceable possession and quiet enjoyment of the Premises for the Term. Without limiting the Tenant’s rights in accordance with law of this Lease, it is agreed that rent shall be abated for any period during which the Tenant cannot occupy the Premises due to the Landlord’s breach of the covenants in the preceding sentence.

31. MEMORANDUM. At either party’s request, the other party shall execute
and deliver a memorandum of this Lease in the form reasonably requested by the requesting party and as prepared by the requesting party.

32. CITY POLICY. THE CITY OPPOSES DISCRIMINATION ON THE BASIS OF RACE AND SEX AND URGES ALL OF ITS CONTRACTORS TO PROVIDE A FAIR OPPORTUNITY FOR MINORITIES AND WOMEN TO PARTICIPATE IN THEIR WORK FORCE AND AS SUBCONTRACTORS AND VENDORS UNDER THE LANDLORD CONTRACTS.

IN WITNESS WHEREOF, the parties have executed this Lease as of the date written above.

ATTEST:

__________________ Clerk

CITY OF DURHAM

By _______________________
City Manager

ATTEST:

__________________ Secretary

CENTRAL PARK SCHOOL FOR CHILDREN FOUNDATION

By _______________________
NORTH CAROLINA

DURHAM COUNTY

I, ____________________________, a Notary Public in and for said county and state, certify that ____________________________ personally appeared before me this day, and acknowledged that she/he is ___________, City Clerk of the City of Durham, a municipal corporation and that by authority given and as the act of the City, the foregoing instrument was signed in its corporate name by its City Manager, sealed with its corporate seal, and attested by herself/himself as its said City Clerk or Deputy City Clerk.

This, the ______ day of ____________, 2007.

My commission expires:

______________________________

Notary Public

NORTH CAROLINA

DURHAM COUNTY

I, ____________________________, a Notary Public in and for said county and state, certify that ____________________________ personally appeared before me this day, and acknowledged that she/he is ___________, Secretary of Central Park School For Children Foundation, a North Carolina nonprofit corporation, and that by authority duly given and as an act of the corporation, the foregoing instrument with the City of Durham was signed in its name by its ___________, President, whose name is ____________________________, sealed with its corporate seal, and attested by him/herself as its said Secretary or Assistant Secretary, all on behalf of and as an act of the partnership.

This, the ______ day of ____________, 2007.

My commission expires:

______________________________

Notary Public
COMMUNITY PERSPECTIVES

As mentioned in the methodology section, 30 community members in the Old North Durham area were interviewed for this community diagnosis project. The interview guide included questions regarding the geography of the neighborhood, an assessment of the strengths and weaknesses of the community, housing issues, and what changes they would like to see in the community. There were striking differences in the perspectives between lower and higher income residents as well as among those belonging to different racial groups, although they all shared some common concerns.

When asked to define the community using a map, many people pointed out that there are many communities within Old North Durham due to a number of different factors including both physical and social divides.

_The neighborhood is actually cut off from itself because of urban renewal and other types of things, such as these two streets [Roxboro and Mangum], which are one-way streets. So, even though this is our neighborhood, there are small pockets of community wherever you live._

Old North Durham is also sectioned into communities based on social traits such as race, socioeconomic status, and ethnicity. There are defined areas of the neighborhood referred to by some as "unstable" or having a high resident turnover and by others as simply "the bad part of town". The population in these areas is primarily low-income, minority.

Diversity

OND presently has a very diverse population. Many of those we interviewed celebrated the diversity and were proud to belong to such a community where differences are practically "invisible".

_One of the most amazing things about this neighborhood is that, if the crime can subside and the neighborhood actually stabilizes itself, it really is, in some ways, what Durham is all about. It's a racially diverse neighborhood, economically diverse, age diverse, professionally diverse. It's got a wonderful combination of all types of people living together and for the most part the differences are invisible._

_It's the kind of people that want to live in old houses and in diverse neighborhoods close to downtown that I think is a big draw._

_Cool people living in funky old houses._

But others in OND did not share the same regard for their varied fortunes.

_This neighborhood's got two parts - the good part and the bad part. People livin' in the good part chose to live there. They got good social status and know people. People livin' in the bad part are trapped for life. They've been there and they'll be there._

_Go ahead and renovate two houses and put them up for sale to low-income families. Those families will go to bat for the city council and the city of Durham and they'll educate other_

http://www.hsl.unc.edu/phpapers/NorthDurham01/NDCommunityPerspectives.htm

11/7/2007
low-income families. It needs to start with action. Once you educate them, don't take your hands off 'em.

Community members were asked about the activities within the community that they were involved with. Many people discussed the activities sponsored by the Old North Durham Neighborhood Association (ONDNA) as very positive experiences in which a fairly eclectic group of people from the neighborhood could come together. Participating in activities sponsored by the neighborhood association and being an active member of the association were, however, two very different issues. One resident felt the membership in the neighborhood association was, in part, based on property ownership.

_I think it's probably an economic reality that the people that actually own their places tend to be the most involved with the neighborhood association._

Conversely, renters and temporary residents, although aware of the ONDNA, did not mention it as an option for them to become involved with.

_For me to get involved with something, it has to pique an interest in me. There's nothing for me here that I've seen. I haven't given up looking though._

The ONDNA is currently involved in outreach efforts to try and include a more diverse group of people in the association. There are many obstacles to overcome before marginalized groups within OND become actively involved in organizations such as the ONDNA.

Residents of Old North Durham are concerned about a number of neighborhood issues including basic maintenance of the neighborhood, crime, and program housing. The following quotes represent the diversity of Old North Durham in terms of varying perspectives on issues as well as the community's commonalities in that the same issues were identified as areas of needed attention.

**Neighborhood Beautification**

Basic neighborhood upkeep and appearance was a common theme throughout the interviewing process with community members. Whether the person chose to live in the neighborhood or is unable to move out, they are all troubled with its appearance. For some the concern was mainly with aesthetics or convenience, while others interpreted the trash in the streets and low hanging trees as a sign of deeper social ills. Community members drew a strong link between the neighborhood upkeep and safety issues.

_For me it's the trash. The trash that people throw out on the street drives me absolutely batty. People have actual told me, when I've walked by and picked up some trash as they sit on their front porch, that I've missed something. 'Thanks - okay, I'm not the Public Works!'_

_The traffic on Mangum is way too fast. I should preface that by saying I am opposed to speed obstructions... There just needs to be more policing on the street so that people learn, if you're speeding on Mangum, you might well get a ticket._

_One detraction of Old North Durham is the homeless living under the bridge and the horrendous amount of trash they produce. I think we need a litter sign on the bridge._

_One of the greatest needs is basic maintenance, such as tree-trimming and well-lit streets. Those are powerful signals to people that live somewhere about the status of their neighborhood. Also, I think, they are powerful messages to people doing crime because they_

http://www.hsl.unc.edu/phpapers/NorthDurham01/NDCommunityPerspectives.htm

_11/7/2007_
are seeing something unkempt.

Crime

Although most residents openly acknowledged crime as a global urban problem, it was the neighborhood concern voiced most frequently and with the most fervor. Many of the newer residents had moved from neighborhoods not far from OND but nonetheless experienced much less crime. Residential break-ins, drugs, prostitution and gunfire were cited as the most commonly experienced crimes. Many felt the crime had improved drastically, recalling a time when they would scarcely walk outside, but all seemed to be in agreement that there was much room for improvement.

The little dead end street in west Durham didn't have anything like this going on. It's the little things - property crimes in general.

I have to tell any female friends that come to visit me not to leave my house. I wouldn't advise them to walk downtown alone.

You have to approach people on the street, you know, with a bandana on and it's okay. You can kind of blend and go but if you don't look like you fit in with the element that you're going to bump into then there's always going to be questions and that's always hard to deal with.

There must be a sign on my front door. People go door to door looking for money with all kinds of stories and excuses. A woman came selling a shiny, little top the other day - that was a new one. I don't mean to stereotype people that are looking for money but it's going to be drug related. Pretty much you can bet on it.

I don't have a driver's license. I have probably walked around this whole area and seen just about everything there is to see. This is what I would call a drug area, plain and simple. It reminds me of where I come from.

My feeling about this community is that it has been extremely taxed and I think a lot of things that are taxing it are crime related issues.

The coming of spring is not always a pleasure. You open up the windows in the spring and hear gunshots for the first time since you had sealed them shut in the winter. It's a frightening sound.

You might have heard random gunshots if you were living 2 miles to the west. Drug dealers, prostitutes, drug couriers, and the residential break-ins. It's much more epidemic in this neighborhood. That was a bit of a surprise to me, that things could be so different just 2 miles east.

There is a drug dealer on the corner and he's got two prostitutes with him. What do we do?

Ain't nothin' changed. I still hear the gunfire at night.

Program Housing

Old North Durham has a high number of homes owned by programs such as halfway-houses, substance abuse, violent youth, battered women, and weight loss. The neighborhood had many large, old homes that were dilapidated and that sold, for instance, at city auctions for very reasonable prices, making them prime property for program homes. Community members not involved with such programs voiced

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concern about the programs ranging from safety issues to noise control. Some of the program homes were seen as having a positive affect on the neighborhood, and most others as having no effect. The program homes spoken of most frequently by interviewees were those owned by TROSA. They are among the most visible program homes in the neighborhood, scattered throughout OND with signs in the front yard indicating that they represent TROSA. The houses owned by TROSA are newly renovated and home to graduates of its substance abuse recovery program. Most people were overwhelmingly supportive of TROSA's presence in the neighborhood. With other program homes, however, people seemed most concerned with the high number of residents introduced to the area by these programs that were not invested in the neighborhood at all.

If you look at the houses TROSA owns in this neighborhood, many of the times folks in various neighborhood associations begged and pleaded with TROSA to please buy this house, so some of the problem properties have been kind of turned around nicely. TROSA has done a super job on it.

One of the things I'm really proud of in our neighborhood, that feels great, is the diversity. I have a halfway house from prison and a TROSA house on my street. They are really considerate and I think mostly have to be in at a certain hour. It's just felt like they sort of pride themselves on being good neighbors.

We have a really large number of large, run-down properties here in the area that just sit. And the other thing that happens to them is that they are prime opportunities for various program homes. There is no control of the number or the spacing of the program homes. Some of them are incredibly good neighbors and others aren't.

**Voice/Representation in Community Affairs**

Finally, the issue of voice, or power to change the concerns mentioned above, was noted by all as an area of frustration and needed collaboration. Community members belonging to the ONDNA stated that the problems in OND were more than they alone could change and that not only did the neighborhood need to come together, but surrounding neighborhoods as well. Those outside of the association felt inadequately armed with the needed resources, both socially and materially, to effectively combat the issues facing their community.

*The problems [in the neighborhood] are greater than what one neighborhood association can handle.*

*Some of these problems take sustained action for years. A lot of getting something done has to do with staying power.*

*The wheels of justice move real slow and people over here just plain run out of steam.*

*The main concern with this community is the lack of communication. People talk about problems and want change right now, but they aren't willing to do anything about it.*

**Discussion on Community Perspectives**

The themes that emerged from the interviews with community members are all inextricably linked to the economic diversity of the neighborhood. Gentrification is defined as "the residential movement of middle-class people into low-income areas" (Zukin, 1987). The term has, however, grown to encompass a symbolic meaning that includes a new attachment to old buildings and a fundamental break from

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suburbia and child-centered households (Zukin, 1987). Residential patterns in many cities throughout North America and Western Europe have seen a shift since the 70's, as waves of new capital are reinvested in depreciated housing near the central business district (CBD) (Zukin, 1987). Studies have shown that this urban "gentry" includes many with white-collar jobs and, in many cases, had non-traditional households and lifestyles.

There are many theories predicting the onset and effects of gentrification ranging from neo-Marxist to neo-Weberian, and are, in some cases, contradictory. British geographers called it a "chaotic concept" (Rose, 1984), but there have been some common trends identified that bare strong resemblance to the current shifts that are happening in Old North Durham. Brian J. L. Berry interpreted gentrification as a product of several simultaneous conditions: "contagious abandonment" of large inner-city areas; new construction in a dynamic suburban housing market; and corporate redevelopment of the CBD, giving reason for white-collar and professional jobs downtown (Berry, 1985).

The city of Durham fits all of the above-mentioned criteria as it undergoes a massive attempt at revitalization. As the information age swept through the south, it left Durham with old tobacco factories and other blue-collar jobs idle in its wake and created a new, service oriented, professional job market. Suburbs of Durham have grown tremendously and new housing is under construction throughout the area as a result of neighboring Research Triangle Park and other nearby academic, technological, and professional occupational opportunities. A widespread underutilization of inner-city properties resulted from the "contagious abandonment" of much of downtown Durham. The growing middle- to upper class suburbs created a rent gap between the inner city of Durham and its bordering areas. With the revitalization efforts, middle-class people, working mostly in new service-oriented and artistic jobs, are drawn to residential options closer to downtown. Downtown real estate is a buyer's dream for those who are excited about the prospects of do-it-yourself renovations and are ready to invest some "sweat equity".

The previous section of the paper included quotes from community members of Old North Durham. As mentioned in the Methods section, our CD team was able to interview many OND community members from the middle to upper socioeconomic class, most of whom were white. The predominant concerns of that segment of the community included aesthetics, beautification, and control of their environment to prevent unwanted situations such as a high number of rental properties, and inconvenient crimes such as soliciting for money. Like most areas primed for gentrification, the original lower income residents have the same concerns but are hesitant to join with the new neighbors, who, in the case of Old North Durham run the neighborhood association, for fear that they will end up advocating for their own displacement as improvements cause property values to rise. The neighborhood association has great difficulty involving lower income residents, due in part to their efforts to gentrify and thereby, without meaning to, displace the poor from their community.

Many of the urban gentry that we interviewed specifically stated that they appreciated OND because of the diversity and did not want it to become gentrified. They seem unaware or at least in denial that they are doing exactly that. No, they are not living in a gated suburban community, instead they glory in the diversity of their urban environment, while effectively organizing themselves to eliminate the very variety they hail as the greatest characteristic of Old North Durham.

With all of the changes occurring in OND and the diversity of community members, there was a need to get a group of people from the various sub-groups together to discuss the issues and future directions of Old North Durham.
Date: October 16, 2007

To: Patrick W. Baker, City Manager

Through: Wanda S. Page, Deputy City Manager

From: Chris D. Boyer, Interim Director, General Services Department
       Rhonda B. Parker, Director, Parks and Recreation Department

Subject: Proposed Lease of Old North Durham Park (PIN 0822-20-90-6578) to Central Park School for Children Foundation

Executive Summary
The Department of Parks and Recreation (DPR) has been striving to establish more joint use agreements between parks and public schools across the community. The proposed lease of the Old North Durham Park by the Central Park School for Children Foundation (CPSC), a public charter school, will allow the school to develop it with more facilities and uses than the City has funded for the park, while still keeping it open to the public during regular park hours. In return for being allowed to direct the development of the park (with the City's final approval on the site plan and installations), CPSC will maintain and manage the 3.58± acres that make it up. The park is immediately adjacent to the school site as shown on the attached map.

Under the proposed lease, the rental fee CPSC will pay the City will be $10.00 per year. G. S. 160A-279 permits counties or cities to convey (or lease) real or personal property to nonprofit organizations by private sale without monetary consideration so long as the conveyance (lease) contains covenants and conditions that will ensure the continued public use of the property, and G. S. 160A-267 sets forth the procedural requirements. It is these two statutes that will be followed in the lease of this property to CPSC.

Recommendation
DPR staff and the staff of the General Services Department (GSD) recommend that the City Council, under the authority of G.S. 160A-279 and 160A-267, adopt a Resolution authorizing the City Manager to execute a 10-year lease of the Old North Durham Park (PIN 0822-20-90-6578) to Central Park School for Children Foundation, and authorize the City Manager to make changes to the lease prior to execution provided such changes do not materially change the intent of this agenda memo.

Background
In 1993, the City exchanged a portion of the former Edgemont Park property with DPS in return for the 3.58± acres that make up the Old North Durham Park playing field and parking lot behind the closed Old North Durham School. Since the Edgemont Park property had been acquired in 1968 with a Land and Water Conservation Fund grant, the City was required to mitigate its loss as a park with another park/open space site of similar value. The City has managed the site as a playing field only, adding no other facilities. As an athletic field, it is in frequent use; but because of the use it is in poor repair. Much of the playing field is beaten dirt rather than turf.
The Central Park School for Children is a public charter school that operates from the former National Guard Armory building, immediately adjacent to the park site (see map). The school has a playground on its own property, but it also uses the park for school activities and events. In 2005, the Council agreed to let CPSC install a playground in Old North Durham Park with the provision that the playground remain open for public use as well as school use; the school agreed, and that arrangement has worked well. The school maintains the playground equipment and safely surfacing; that playground will be incorporated into the new planned improvements.

In January of 2007, Old North Durham neighbors, CPSC, and DPR began discussions about the future development of the park. DPR had received funding from Council to renovate several City park athletic fields, and this site was one being considered. Because of questions about the adequacy of parking around the site and the lack of on-site restrooms, the school and the Old North Durham Neighborhood Association proposed a different development for the park: more “family-friendly” facilities such as a walking trail and gardens, with a smaller athletic field.

On March 28, 2007, DPR and the Old North Durham Neighborhood Association jointly hosted a public meeting to discuss park development and raised the question of the school’s lease of the park site and the direction of its future development. Concerns raised by the attendees focused on (1) whether or not the park would remain open to the public and (2) whether or not the park would continue to have an athletic field suitable for soccer. The lease agreement proposed for this property specifies that the park will remain public and that it will contain a playing field for athletics, although one smaller than the existing field.

**Issues/Analysis**

**Legal Authority**
The Council has the authority to authorize this agreement under General Statute 160A-279 and General Statute 160A-267 which allow the sale or lease of public property to entities carrying out a public purpose.

**Shared Park/School Facilities**
DPR has been working toward more joint use agreements between parks and public schools across the community. Currently there are several such agreements in place: a shared playground at Fayetteville St. Elementary School and Elmira Park, shared athletic field use agreements with Hillside and Riverside High Schools, shared parking at East Durham Park and Y. E. Smith Elementary School, and a shared playground at CPSC and Old North Durham Park. The City and Durham Public Schools (DPS) are renovating the former Holton Middle School as a shared-use recreation center and vocational education site. The City is negotiating now with DPS on shared use of property for several joint fields at the future Old Chapel Hill Road Park site adjacent to Githens Middle School. All of these facilities operate or will operate under a Council and School Board-approved lease or joint use agreement. On a smaller scale, DPR frequently uses school gyms for its recreational basketball leagues, and DPS uses City indoor pools for its high school swim teams.

**CPSC’s Proposed Improvements in the Park**
CPSC’s proposed improvements to the park are based on community planning meetings that the school held in 2004 and 2005 and the joint community meeting held with the City in 2006. Those improvements include an expanded playground, a walking trail, a garden area, a picnic area, and a smaller athletic field.
Main Provisions of the Lease Agreement
1. The park will remain open to the public under the same terms as any public park—that is, open during day time hours except when the facility is rented to a private entity for a specific event. Just as does DPR program staff, CPSC staff will have the authority to ask an individual to leave the park premises if that person is harassing or interfering with the activities of the program.
2. CPSC will plan and implement what is built in the park to best serve the public and the school in that neighborhood; CPSC has already held several public stakeholder meetings to work on a plan. The City will retain ultimate oversight to make sure all applicable codes and regulations are observed.
3. In return for control of development in the park, CPSC agrees to undertake the park’s maintenance and management. DPR’s park staff will continue to pick up trash containers regularly, and the Urban Forestry staff from General Services will maintain the trees on site.
4. CPSC will be allowed to manage the rentals in the park (under the same terms and conditions as DPR manages park rentals) to generate some funding to help pay for the maintenance costs. This arrangement is the same sort that exists with Durham Central Park, Inc. and the Farmers’ Market at the Central Park site.
5. The City will assign CPSC usage of TROSA access easements and documentation for TROSA’s use of the Geer Street parking lot.

Athletic Facilities in this Area
If Council approves this lease agreement, DPR proposes to use the funding slated to upgrade the large athletic field in this park to renovate a large field at Rock Quarry Park; that site does have adequate parking and restrooms and is close enough to serve the same population for adult games. The proposed purchase of the current Duke Diet and Fitness Center site and the renovation of the athletic field there will also serve the user groups in this neighborhood.

Alternatives
The Council could choose not to approve the lease of this site to the school. However, since the Old North Durham Park site has some storm drainage issues that would make renovations to the large athletic field more costly than other types of site renovation, DPR would recommend that work on the athletic field in this park be postponed as not cost effective. Because the improvements proposed by the school do not require the extensive construction that a competition athletic field would require, CPSC has agreed not to request that the City make the improvements to the storm drainage system.

Financial Impact
There will be no negative financial impact to the City; DPR and GSD maintenance staff will actually reduce their maintenance services to the park site. Funding originally proposed for the field renovation in this park ($200,000) will be moved to the field renovation at Rock Quarry Park.

Total Revenue: $100.00 ($10.00 per year) to the General Fund - Other Facilities account.

SDBE Summary
Not applicable to this agreement.

Attachments: Lease Agreement, Map, Resolution