

PA-PAC Questionnaire for Mayor and City Council Candidates - 2015

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Office for which you have filled for election (circle one): At-large City Council

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Government and the Public Good

1. Of all the issues confronting city government, which single issue is most important to you and why? What would you do about it if elected?

The single most important issue confronting City government right now is how we respond to the pressures and opportunities presented by Durham's rapid growth. As Durham stands on the verge of its Golden Age, we face two critical challenges:

First, we must make sure that the city we love is a city for all. The harsh underside to Durham's recent prosperity is that thousands of people—overwhelmingly African-American and Hispanic—are poor, jobless, and now increasingly priced out of their central-city neighborhoods. To improve their lives, we must keep affordable housing at the top of our agenda, train our residents for good jobs and connect them to those jobs, create a bus and light-rail system that makes employment around our region accessible to all, and ensure that every neighborhood is a safe neighborhood.

Second, we need to grow in such a way that we enhance rather than diminish our wonderful small-city quality of life. We need to preserve open space and parkland, protect our neighborhoods from commercial encroachment, prevent the deterioration of our air quality, provide a plentiful future source of safe, clean drinking water, keep pace with our infrastructure needs, replenish our tree canopy, and construct the sidewalks, ball fields, bike lanes and trails that will make Durham a happier and healthier place to live.

City government has a limited but crucial role to play in facing both of these challenges. If I am re-elected, here is what I will fight for:

- An affordable housing strategy that works. I work on this issue every single day. It is my highest priority. Please see my detailed answer to questions 5 and 7 below.
- Strong council oversight of our police force. I will continue to work towards a police force that actively seeks to win the trust of our entire community, engages in true community policing, enforces the laws free from any racially discriminatory effects, and does the top-notch crime-fighting work that our residents need and demand. During the past year, the

council has done excellent work on this issue in response to community concerns about racial profiling and racially disparate traffic stops and searches. I am proud of this work in which Durham is, in some respects, leading the nation. Please see a more detailed description of the issues we face in my answer below to question 15. In general, Durham cannot prosper unless our police force is both extremely effective in fighting crime and, at the same time, free of any taint of racial discrimination.

- A mobility strategy for the next 50 years. We must provide an inexpensive, efficient bus network for our 22,000 daily riders, and we must push the 17-mile Durham-Orange light rail project over the finish line for federal funding. Since there is no specific question about the light rail system on the questionnaire, I want to address it here. Even as we pressure Wake County to join the regional rail system, we must complete this first leg in the next decade, and we can do it. I hear some rumblings about waiting for Wake to join us before we go through with the current light rail plan. This would be the mistake of a generation. Durham is in line now for federal funding—fighting for our place in line—and we must not get out of line. Voters in Durham and Orange have spoken with resounding majorities to tax themselves for light rail and buses, and this tax will pay for a quarter of the cost of construction. The state of North Carolina has already pledged another ten percent of the cost. If the federal government comes in with its half of the funding, we are almost there. In addition, the successful Charlotte light rail line has an operating funding model very similar to Durham’s, and it is operating successfully both in terms of ridership, which far exceeds original estimates, and in terms of its finances. As light rail projects in Baltimore, suburban Washington and Minneapolis are encountering problems and dropping out of line for the federal dollars, now is the time for us to step up with strong, unanimous support for the light rail plan. GoTriangle has done a terrific job of educating the public about the plan, doing the 15%-engineering, and transparently facing the difficult choices about route and station alternatives. We’ve got to push this forward.
- \$15 million worth of sidewalks. The council has prioritized this spending, and I will work hard to get these sidewalks built over the next five years.
- Improving our trails, bike lanes, parks, ballfields and tree canopy. Durham lags far behind the top cities when it comes to trail miles, bike infrastructure and ballfields, and we must fund and build them all over town. We are also losing our tree canopy to age and development, and we need a public-private effort to replace the canopy and make sure that every neighborhood has the benefit of a vibrant tree canopy. I will detail this answer more in question 4 below.
- Attention to the needs of our Hispanic residents. They now make up 15 percent of our local population. With a spirit of cooperation, we can all prosper together. The City has an important role to play here through effective police protection, excellent police relations with the Hispanic community, continued deprioritization by the police of immigration violations, the appropriate granting of certification for U-Visas, fair housing enforcement, the creation of more affordable housing, and meeting the oft-expressed need of the Hispanic community for more soccer fields.
- Continued attention to basic City services and infrastructure: We are fortunate to have an excellent city manager who has led the City to provide a high level of basic services cost effectively. While we are one of only 34 cities in the nation to have a AAA bond rating from all three rating agencies, we are also providing fire, emergency, solid waste, recreation, stormwater and many other services at a high level of performance and customer satisfaction.

At the same time, through the council's directives, we are making good progress in funding and building out our critical infrastructure. The council has decided to fund street repair at a level that will keep streets at their current high level of paving, and that includes a \$2 million allocation this year. We are committed to significant new funding for sidewalks (see above). We are spending \$80 million per year to upgrade our water and sewer infrastructure and operate the facilities that treat our waste and bring us plentiful, safe, clean drinking water. During the time I have been on council, we have made great strides in these areas. As Durham grows, there is going to be more and more pressure on our infrastructure and services. We've got to keep pace, and that means spending money to do it. If we don't do these basic things extremely well, then nothing else we do will matter.

- Support for the Mayor's anti-poverty initiative in East Durham. Mayor Bell has put poverty at the forefront of our civic work and engaged hundreds of people in this effort, and I commend him for it. As we move from surveying residents and planning to action, let's keep the momentum going in census tract 10.01, the target of this work, and now the poorest census tract in Durham. I have participated actively in this work, conducting 16 of the surveys myself and co-chairing the Finance Committee. I work very hard at this, and I'm excited about our committee's efforts in four areas identified as needs by the community survey. First, we are seeking a full-service ATM in the census tract since there are no banks there and no imminent prospects for a bank. We have identified two banking partners who may provide this service. Second, we are seeking to expand the number of people in 10.01 who avail themselves of the Earned Income Tax Credit through a VITA site, and we are working closely with Reinvestment Partners on this. Third, we are working with the Durham Regional Financial Center (DRFC) to provide financial literacy education to families who want it. With a small grant from the United Way, DRFC is going to begin this training for 25 families in the fall. Fourth, we are working with the East Durham Children's Initiative (EDCI), Durham Public Schools, Self-Help Credit Union and the Corporation for Enterprise Development (CFED) to initiate matched childhood savings accounts for the students at Y.E. Smith Elementary School. This is a particularly exciting initiative, and we will be kicking this off, too, in the fall. With this program, family savings for college will be held in a special account at Self-Help and matched by private donations to encourage additional family saving. I have spent a tremendous amount of time and effort on this over the past six months, and I am excited that the savings accounts are about to become a reality. If it works at Y.E. Smith, I am hopeful we can expand it in Durham, and we have just joined a National League of Cities collaborative on matched childhood savings accounts that is bringing together the first group of 11 cities in the nation who are doing this work.

2. What are the greatest employment needs of Durham's residents? How can city government use its authority and its resources to direct jobs to those who most need them? Be specific.

The employment needs of Durham residents are clear and simple: good jobs at good wages and a way to get to those jobs inexpensively and efficiently. On the latter issue, transportation, please see my responses herein to the questions about affordable housing, about buses, and my brief disquisition above on the need for light rail. If we do our work well, and if we get a little bit lucky with the federal funding stream, in a dozen years light rail is going to be bringing thousands of people daily to the employment centers at UNC-Hospital, Duke University and

Hospital, downtown Durham and points in between. In addition, it is going to be helping create additional dense job nodes around the station areas. As indicated in my answers on housing, we need to make sure there is affordable housing near the stations so the good jobs are accessible to people of limited means.

But the main issue is providing good jobs at good wages, and the City has only limited ability to influence this. The main way we can influence it is to provide superb city services and infrastructure from well paved roads to walking trails to bicycle infrastructure to the deals we make to bring high-speed fiber to Durham. These excellent services and public amenities make Durham attractive to employers paying good wages, and that is a very important City goal.

The City has recently had another tool for good wages untimely ripped from our hands by the General Assembly. We are no longer able to require City contractors to pay a livable wage, and we are not allowed to raise the local minimum wage above the state minimum. The City itself can, and does, pay a livable wage to its own employees in addition to excellent health benefits, but we have only the bully pulpit when it comes to getting local businesses to pay a livable wage.

There is one exception to that. When the City is offering a tax incentive to a business to locate in Durham, we can require many things as prerequisites to a deal. We have recently had hotels locate in Durham which we incentivized, but in those cases we did not require a livable wage as part of the package. Why? The hotels claimed they would not be able to build here if we required the local livable wage rate for their housekeepers. It is hard to know in these negotiations what really is a deal-killer, but we need to keep pressing for incentivized businesses to pay a livable wage.

Among the important requirements we do make of any incentivized business—and I believe there have only been eleven incentives in the past five years—are a Durham-based Business Plan and a Durham-Based Workforce Plan. Both are monitored by the City's Office of Economic and Workforce Development (OEWD). The business plan requires the incentivized business to reach out affirmatively through OEWD's small-, minority- and disadvantaged-business database for contracting work and to meet the City's minority participation targets. The workforce plan requires the incentivized business to post jobs at the Durham Career Center and to interview applicants pre-screened by Career Center staff. It is illegal to require the business to hire only from this pool, but we do require incentivized businesses to provide feedback and statistics on the number of candidates hired from this Durham pool. We have had considerable success with this requirement, as all of these businesses have hired a significant number of Durham residents.

It is important to digress here a moment to the recent issue at the Residence Inn on Main St., a new hotel constructed with help from a tax incentive from the City and County to preserve the historic façade of the old McPherson Hospital. Workers there claim that they have not been paid the wages they have earned from a construction contractor. The contractor disputes this, and I expect that the issue will end up being litigated. It is clear, however, that the workers are convinced that they are owed significant unpaid wages, and given what I have learned in the media coverage, I expect they are right. While this is being settled, I have urged the city manager not to pay out any of the City's incentives to the developer. These incentives are not scheduled to be paid out for some time yet, and I don't think we ought to be paying incentives to a developer

if we have serious doubts about whether construction workers' wages have been honestly calculated and fully paid. Since I wrote the manager about this, several of my colleagues have joined me in this request to the manager, and he has responded positively. The City isn't the right institution to get into mediating this dispute. That is best left to a professional mediator or the courts with a possible assist from public pressure. But the City should withhold funds until this is settled satisfactorily. And we should write safeguards against such situations into future incentive deals to protect workers.

So back from that digression: As I note above, excellent infrastructure and topnotch basic City services are essential to good employers paying good wages. City incentives can play a limited role, as does the City's payment of livable wages and good benefits to its own 2,500 employees.

Another direct action by the City that affects local employment is our series of ordinances setting goals for the hiring of minority, women and local small business contractors for City projects. The council aggressively monitors compliance with these ordinances and has taken recent action to increase the percentage of business awarded to these contractors.

The City also plays a direct programmatic role through our administration, in concert with the state, of the Career Centers where unemployed workers come to get access to jobs. This is crucial work. The center helps potential employees with resumes, screening for skills and aptitudes, and connections to job opportunities. Last year, 10,093 people took advantage of NC Works Career Center services. Every Friday, at the Centers, major employers bring their own human resources staff to interview and hire people previously screened for appropriate skills by the Center staff. It is absolutely critical that these centers do their work well.

Then there are the employment training programs funded by the federal and state government and administered through OEWD. Last year, 3,079 adults went through the dislocated worker program; 160 youth went through the YES program; 150 people went through the former offender program.

In addition, Durham assertively applies for other workforce training grants, and the OEWD is in its fourth year of the federal Brownfields Training grant which trained 78 people now and placed most of them in jobs in cooperation with Durham Tech.

Another specific aspect of the City's employment efforts is its commitment to training ex-offenders at the Career Centers and placing them in jobs. City government itself is setting an important example. Last year, the City employed 154 ex-offenders on its workforce. This is a strong and purposeful achievement. The City has adopted a "Ban the Box" policy and formally urged other local employers to do so as well.

Another important program led by OEWD in coordination with Durham Public Schools, Durham Tech, Made In Durham (see below) and other local employers is the summer Youthworks Internship program. This summer, there are about 480 youth placed in paid internships throughout the city of Durham. While most are placed and paid by the City government itself in Parks and Rec and elsewhere, many are also placed with private employers.

In addition to these programs which have been operated by the City for a number of years, there are two important new employment initiatives in the OEWD orbit. The first is Made In Durham, a recently hatched collaboration originated by local non-profit MDC and funded by the City, County, Durham Public Schools and a consortium of major private employers. Made In Durham's goal is to perfect a school-to-jobs pipeline for those many students who are not going to college, may be in danger of dropping out, or may already have dropped out. Through early work experiences, internships, job shadowing, identification of pathways to skilled jobs, and specific training and certification for these good-paying locally available jobs, Made In Durham aims to make sure every young person has a post-secondary credential and is employed by age 25.

The other new program is Step-Up Ministries. OEWD is signing a memorandum of understanding with Step-Up which is starting operations in Durham after success in other North Carolina cities and extensive community listening in East Durham. Step-Up works with people with significant barriers to employment including newly released ex-offenders, former drug addicts and others to give them brief training in soft skills for entry-level jobs and then places the trained people with companies who have agreed to employ them. Last year in Greensboro, Step-Up helped 250 such people get jobs, and they have a similar goal for Durham.

There are many other job training and readiness programs in Durham, and Durham Public Schools and Durham Tech have much more significant roles to play in this than the City. But through OEWD and its Workforce Development Board, the City does have an important role to play, too.

And none of this matters unless we have a thriving private sector ready to hire.

3. How can the City Council act to lift the wages of the lowest paid workers in Durham and reduce growing income inequality in our community?

I have outlined above many specific things that the City is doing to provide, leverage, train for and encourage good jobs at good wages, and a number of them will have a positive effect on the lowest-paid workers. But bereft of the legal right to require a livable wage of local employers, we are not going to be able to do much to directly lift the wages of the lowest-paid workers. We have the example of the City's own excellent living wage policy. And we have the bully pulpit. But that's not going to be enough.

This brings us to the People's Alliance fabulous Living Wage Campaign which certifies businesses who voluntarily pay their employees a living wage. This is a brilliant tool to increase the number of living wage businesses, and I predict it will enjoy a lot of success. But there is no stick to go along with this crisp and delicious carrot.

4. Describe your interest in and commitment to public amenities such as playing fields, open space, and walking and biking trails. Are you willing to raise property taxes to provide for and maintain these amenities?

In 2014, I was honored to be recognized by the North Carolina Recreation and Parks Association as the state's "Distinguished Legislator" for the year. My guess is that they couldn't find a state legislator in this particular General Assembly who fit the bill, but nevertheless I was really honored to receive the award in recognition of my support for parks and trails—including raising taxes to fund these public amenities, in addition to working for trail safety and park programming.

In particular, I initiated an effort for a "penny for parks," and this evolved into a half-cent increase in the tax rate specifically for the maintenance and renovation of our overused and under-maintained parks. I am thrilled at the results so far, and many of our parks have received significant upgrades. You can now drive up to Spruce Pine Lodge without falling into a giant pothole. Twin Lakes Park—used 363 days per year for soccer—is finally getting a new surface. Herndon Road Park, also used every day, is getting a second turf field so that play can be extended throughout the year. There are dozens of such projects, large and small, going on throughout the city as a result of the new tax.

What we didn't do was pass the other half-penny I wanted for new construction of trails and parks and ball fields. This was disappointing. In addition, other than the Beltline and a couple of significant trails that will be built in the next couple years, there is zero funding in the five-year capital improvement plan (CIP) for trails. Zero! And the Beltline is actually put in a separate category only to be funded with significant private participation. We only have one park south of I-40 in that burgeoning area that is filled with privatized green spaces. We badly need another park there, but it is not funded. I could go on about our funding needs, which are high.

My approach to this has been to pro-actively help to organize the groups that are advocating for more funding for parks, trails, ballfields and—also important—the replenishment of our tree canopy. In support of the tax increase to support parks and trails, I invited a group of advocates to my house for breakfast to meet each other and begin to coordinate their advocacy, and out of that grew a successful organizing effort that culminated in the half-cent for parks.

More recently, with the help of that same group, I asked the council to insert \$25,000 in the budget for a study of the cost and feasibility of our "top ten" trails so that they can be fairly evaluated for inclusion into the CIP. This is crucial work, and I was pleased that my colleagues supported this insertion on the Monday night that the budget was passed. The contract has already been let with Alta, a terrific local company, to do this work along with our volunteer trail advocates and staff of Parks and Rec.

And a group of trail advocates met here for breakfast two weeks ago to begin organizing for a bond issue or other funding to get the work done to pay for the trails identified by Alta.

I have adapted this "breakfast organizing" approach to ballfields as well, inviting a group of soccer advocates here for breakfast, out of which grew the new Durham Soccer Council that

has been effectively advocating for fields at Coffees with Council and elsewhere. This group includes strong representation from the Hispanic leagues. I am very excited that the new CIP contains construction of a much-needed multi-field athletic complex at Twin Lakes. In addition, the Soccer Council has arranged for the leadership of the U.S. Soccer Foundation to make a day-long visit to Durham which will include a community meet-and-greet, meetings with the city manager and parks officials, and a tour of parks that are ripe for upgrade with the assistance of the foundation which has indicated its willingness to help.

Recently, I have taken the same approach to replenishment of the tree canopy. I initiated a request for the Environmental Affairs Board (EAB) to study our tree canopy, and they did a splendid job. The EAB estimated that we need to plant 1650 trees per year to replenish the canopy in public spaces as our older trees die off. We are falling far short of that number of replantings now. The city manager has taken the EAB report under advisement, and he is working with staff to figure out how we can best get a more detailed study done of our public spaces, including rights-of-way. In the meantime, I have scheduled a meeting with several tree-planting advocates who are actively engaged in replenishing the canopy in their neighborhoods, and we are going to invite a group of garden club leaders and others to come together in the fall to begin to publicly advocate for the replenishment of the canopy.

This “breakfast organizing” approach has worked well to advance the cause of parks, trails and ballfields over the past couple years, and I hope it will work as well for the tree canopy.

I’m also involved in another effort which I believe will greatly advance the cause of constructing and programming more public amenities in Durham. During the past year, a small committee of folks from the City, County, Chamber of Commerce, universities, Durham Bulls, the Recreation Advisory Commission, and the DCVB has been meeting to push forward a sports commission for Durham. (I give major credit to County Commissioner Wendy Jacobs for this, by the way. She has really led this initiative.) I represented the City on this group, and along with Wendy and the city and county managers we came up with a funding formula that was included in the current City and County budgets. New hotel revenues will fund the DCVB to staff this effort under an independent sports commission board, and the City and County will pitch in for bid fees and other expenses from which the DCVB is prohibited by state law. Eventually I believe the sports commission will attract private support as it does in other cities. It will bring sports events to Durham. But most important to me is that these events will eventually drive the creation of more public facilities for use by our community. This has happened in many other cities, and I am happy that we will be taking this approach in Durham.

During the past four years, I have also worked on two particular trails: First is the construction of the Ellerbe Creek West Trail. Finally (!) this trail is about to be built and should be ready by 2017. The key recent action on getting this trail built was the council’s decision to condemn the land below Costco and the neighboring shopping centers—land owned by never used by these centers—to build the trail after the creek shifted its route. Informed by Ellerbe Creek folks about the possible use of this condemnation, I introduced the idea to council where it received unanimous support. Faced with the condemnation, the shopping center owners agreed to grant the easements without court proceedings, and this opened the door to construction.

Second, I've been working with a group of people trying to get the Duke Beltline trail built through downtown. So far, the railroad has not consented to sell the City the unused rail bed at a reasonable price, but I am optimistic that this trail will be built in the next few years. It is critical for the neighborhoods near downtown and would be an fabulous addition to our City.

There is a lot more I do on these issues: I'm the council liaison to both the Durham Open Space and Trails Commission (DOST) and the Recreation Advisory Commission (RAC) (which meets at 7:30 am monthly with full attendance every meeting—awesome citizen volunteers). I work on Kaboom playground builds and sponsor an annual City employees' run-walk-bike challenge on the American Tobacco Trail, which challenge is now part of the City's health program.

This question asks about open space. This is mostly a County government function. But we do have some important open space issues in the city, especially downtown. We have a great new downtown open space plan, and it is important as we develop downtown still further that the key open spaces identified in the plan not be sacrificed to development. That would greatly diminish the attractiveness and livability of downtown. There are going to be plenty of private common spaces downtown. We need to make double-sure that we keep and enhance the public common spaces as well.

After affordable housing, I do more work on these issues than any other. I believe deeply that we must improve what we are doing in these areas if we want to be the healthy, happy City we can be. Durham's parks are fortunately easily available to people in every neighborhood of the City except those south of I-40. But we need equal access to trails as well, and we especially need to make sure that our tree canopy, now unevenly distributed, is replenished in every neighborhood and not just in Trinity Park or Watts-Hillandale or Forest Hills. That is an important environmental justice issue that we need to keep constantly in mind.

Housing, City Planning, and Neighborhoods

5. What does "gentrification" mean to you? Where is it happening? What, if anything, should be done about it?

Gentrification is one of the most important issues facing Durham now. I like a simple definition of gentrification that Mel Norton recently presented: "Gentrification is the process by which higher income people capitalize on decades of disinvestment in the inner city by moving into neighborhoods historically occupied by lower income people and displacing them."

The march of gentrification through disinvested neighborhoods is the product of very powerful market forces. It is happening in neighborhoods in all parts of town, but especially in neighborhoods like Walltown, the West End and Lyon Park, Cleveland-Holloway, Old North Durham and areas of East Durham. In Durham, the influx of young people who want to live near downtown, who want to walk and bike to work and to restaurants, is the force driving

gentrification. Many of these same young people are concerned about the results of gentrification identified by the definition above, but they nevertheless are the agents of gentrification as they buy old houses in poor neighborhoods to fix up and inhabit. At the same time, investors sensing opportunity are buying, rehabbing and flipping houses, or renting them out to higher-income tenants, thus displacing more and more of the original neighborhood residents.

These market forces are powerful, and we cannot defeat them. But we can positively and significantly affect the results of change in the gentrifying neighborhoods if we are strategic, determined to exert the necessary political will, and willing to spend the necessary tax dollars. I am going to use this question as an opportunity to spell out an affordable housing strategy for Durham that I believe can work. The community is rife with calls for more affordable housing, and indeed there is already a tremendous amount of good work being done to create this housing. But we need much more, and we need a strategy with broad community support to get us there.

Here, then, is the outline of that strategy:

Towards an Affordable Housing Strategy for Durham

July 2015

by Steve Schewel

What is affordable housing, and what can we hope to achieve?

In my four years on the Durham city council, I have worked more on the issue of affordable housing than any other. It is the highest priority for my council work. I spend time on it almost every day, often simply in support of the many people in our city who are devoting their professional lives or volunteer lives to building more affordable housing. When I was first elected to the council, Mayor Bell appointed me to be the liaison to the Durham Housing Authority. I have served on the board of Urban Ministries. Each year I volunteer for the homelessness point-in-time count and Operation Homeless Connect. I work closely with local non-profits who are thinking about how to develop more affordable housing in Durham. I have made housing issues my special area of emphasis on the council, and I care about them intensely.

I say all of this only to establish my bona fides as I put forward this long-term strategy for affordable housing in Durham.

Right now, I can't go anywhere in Durham without hearing about the need for affordable housing. This issue is now, for the first time, top-of-mind for our community. "Affordable housing," however, means different things to different people. Some people want us to concentrate our efforts on housing the homeless. Others want us to concentrate on building workforce housing so that Durham will remain affordable for young knowledge workers or teachers or police officers. Still others think we ought to emphasize development of affordable housing along the light-rail transit corridor. And there are those who think the efforts to mitigate gentrification of the neighborhoods near downtown should take highest priority. What I am proposing in this strategy deals with all of those concerns. It is a comprehensive strategy.

Neither this strategy nor any other will stop the market forces at work in Durham's housing market. As young people pour into Durham in search of a great city in which to live, work and play, the demand for housing is rising and so are prices. Many people in this young generation want to live close to downtown so they can walk or bike to their jobs or to our wonderful restaurants, to DPAC or to the ball park. These same young people who are looking for affordable places to live downtown are driving up the price of housing in those near-downtown neighborhoods. Even as they are concerned about the effects of gentrification, they are the agents of this gentrification. This is a fact.

It is also a fact that large corporate apartment developers find Durham to be an attractive market and are building expensive multi-family housing. Likewise, individuals see an opportunity for profit in the hot Durham market and are snapping up properties to renovate and rent out or flip to new owners. So the market forces are huge and inescapable. We can't stop them.

But there is much we can do to keep Durham affordable, to house the most vulnerable among us, and to help current residents of gentrifying neighborhoods remain in those neighborhoods. We can't beat the market forces, but we can mitigate their effects in a significant way.

This strategy—developed through conversations with housing advocates, service providers, housing professionals in City government and the Housing Authority, non-profit staff, and many community members who are directly affected—is my attempt to show the way forward. I put it forth in the hopes that it will generate discussion and corrections and modifications and additions as we move forward together to attack this problem.

Even as I write, I am cognizant of the fact that the City of Durham has made the decision to hire a superb national firm with staff right here in Durham—Enterprise Community Partners—to develop an affordable housing strategy for the City. I am thrilled about the choice of this group, and I know that it is going to produce an outstanding plan for a way forward from a much deeper knowledge base than I possess. This is every exciting to me and very good for Durham.

So the plan I am putting forth here certainly isn't the last word. In fact, it's only the first take on a comprehensive affordable housing strategy for Durham. I hope it will also explain some of the many things that Durham's City government and our local non-profits are already doing to bring affordable housing to Durham. I look forward to your comments.

A few important facts

- In Durham, nearly half of all renters and more than a quarter of all homeowners are considered "housing burdened." That is, these households spend more than 30% of their income on housing. Even more important is the fact that one in four renters is "severely burdened," spending more than 50% of their household income just on housing. Finally,

those Durham renters in the lowest income quintile spend, on average, more than 70% of their income to house their families. This leaves very little money for anything else.

- Twenty-five percent of Durham households have incomes of less than \$25,000 per year. Nearly 20% of people in Durham live below the federal poverty level.
- Rent control is outlawed in North Carolina by our state legislature. Courts have interpreted this to mean that municipal governments cannot require developers to include affordable units in their developments. As much as we might want this, it is against the law in North Carolina to require it. I do think there are ways to approach this problem, or to work around it, and I have mentioned them below. But the common outcry that the council simply require affordable units in every development is counter to this reality. We don't have much of an affordable housing "stick," so we've got to come up with other strategies.

The seven big strategies

I have chosen to highlight these strategies and explain them in detail because I believe they are the best ways to have the largest impact in meeting the affordable housing challenge.

Support the Durham Housing Authority (DHA) in its redevelopment efforts:

I believe that every other affordable housing strategy pales in importance when compared to this one. Why? DHA has approximately 1,700 units of deeply subsidized public housing in its 14 housing communities plus another 140 very affordable market-rate units. In addition, DHA issues about 2,700 Section 8 housing vouchers per year to deeply subsidize families renting in the private market. The housing communities and the Section 8 vouchers together offer subsidized housing to 12,000 people in Durham, many of them our neediest residents. That means that one out of every twenty people in Durham depends on the success of the Durham Housing Authority. So it must succeed. Nothing else we do to increase affordable housing in Durham will matter if DHA does not succeed in its renovations and redevelopment.

Several years ago, DHA was labeled a "troubled" agency by HUD. The DHA board hired a new director, Dallas Parks, and he has turned the agency around. It is now high performing on the HUD measurements of vacancy rate, financial management and property maintenance.

At the same time, DHA's properties are old—some of them dating from the 1960's—and they are desperately in need of renovation. Unfortunately, federal funds for simple maintenance and renovation have been squeezed to the bone even as the properties are crumbling. For example, in our largest and oldest housing community, McDougald Terrace, there are 14 units which have been permanently taken out of use because they are uninhabitable.

The DHA board and staff have taken on this challenge by beginning to aggressively redevelop under the federal government's new Rental Assistance Demonstration (RAD) program which for the first time allows housing authorities to borrow against their real estate assets and to

enter the private market to redevelop their properties. In the past three years, DHA has successfully redeveloped the Edgemont Elms community and Preiss-Steele Place for a total of 156 units, and it is now working under the RAD program to redevelop two aging communities—Damar Court and Morreene Road Apartments—totaling 336 units.

Other DHA properties will be redeveloped in this way, and DHA has some properties such as Liberty Street and Oldham Towers, that are ideally located downtown to be redeveloped as mixed-use, mixed-income communities in which the residents of subsidized units would live alongside market-rate renters.

There are two significant challenges for DHA in this critical work. First, the development staff at DHA is very, very small—too small to do all of the necessary work to redevelop the remaining communities. DHA needs added development staff capacity to succeed, and, if necessary, the City should support DHA in this way. DHA has chosen to be its own developer rather than to surrender the development fees to outside developers as it has done in the past. I endorse this decision because it will eventually be an important, non-encumbered source of income for DHA so it can continue to redevelop its communities.

Second, DHA has taken on substantial debt to finance the redevelopment of these communities, and it will take on more in the future. DHA recently came to the city council to ask for a \$500,000 grant to meet its lenders' reserve requirements, and the council voted to fund this expenditure out of the "penny for housing" funds. (See below for more on the penny.) This reserve will make possible the renovation of Damar Court and Morreene Rd. and future communities as well.

Durham Housing Authority is heading in the right direction, and it is doing so speedily and ambitiously. The City can support this work by supporting DHA's development capacity needs, helping it when necessary with expenditures such as the recent loan-loss reserves, and by continuing to appoint a strong board of directors for DHA which will give the agency excellent fiscal oversight and continue to drive redevelopment.

Take on the task of ending homelessness in Durham—with these five actions:

Every year in mid-January—often on a cold night—volunteers fan out across the city led by experienced service providers to make a point-in-time count of the homeless population. This is federally required for funding, and it is done nationally in every city during the same week. Here is what we found in Durham during our most recent point-in-time count. On that single night, there were 813 people homeless in Durham. There were 44 unsheltered, the lowest number since 2009. There were 55 chronically homeless people—meaning they are disabled and have been living outside for more than a year. There were 102 children under 18, all of them in shelters. And there were 138 veterans.

Homeless service providers estimate that during a single year, there are about 3,000 people in Durham who are homeless at one time or another.

Whatever we do about affordable housing, the homeless population needs to be at the top of our list. Fortunately, there are terrific organizations in Durham organized into a continuum of care to assist and reduce the homeless population. These include Urban Ministries, Genesis Home which is merging now with the Interfaith Hospitality Network, Housing for New Hope, Healing with CAARE, and others. In addition to the agencies cooperating with each other through the continuum of care, the Durham Rescue Mission houses many people in its work and rehabilitative programs, and some of these people are homeless. Many churches generously assist the homeless population.

Durham is way ahead of most other communities in one respect. That is, the percentage of our homeless population that is unsheltered—living outside—is much lower than in most other cities. This is a tribute to our shelters and to the good work of the frontline workers who are in the streets contacting homeless people and trying to get them inside.

And yet homelessness persists and even grows in Durham, and as it persists and grows it eats away at the moral fabric of our city.

What can we do to end homelessness in Durham?

First, we can end veterans' homelessness in Durham in 2015, and we must. Mayor Bell has signed onto the Obama administration's "Mayors Challenge" to end veteran homelessness this year, and the federal government has made \$2 million annually available to Durham in the form of Veterans Administration (VASH) housing vouchers. The vouchers have already been used to house 180 veterans, but there are still 80 homeless veterans in Durham. Two cities—New Orleans and Houston—have already announced that they have met the goal of ending veterans' homelessness. Clearly this is not a static situation as veterans might still lose their housing. But in these cities—and this must be a reality soon in Durham—any veteran who loses housing is rehoused within 30 days. The obstacle to this achievement in Durham is the need for more landlords to accept VASH vouchers for the homeless veterans, and the City's Department of Community Development has put out a public appeal to landlords this week. With this unprecedented level of financial support from the federal government for this segment of the homeless population, it is critical that Durham succeed in finding the landlords willing to house our homeless veterans.

Second, we need to complete the move away from the transitional housing model for moving homeless people from shelters to homes. Transitional housing works well, but it is four times as expensive as other equally effective models. Genesis Home and Interfaith Hospitality Network, two of Durham's outstanding non-profits, are merging, and Genesis Home will move away from the transitional housing model into rapid rehousing. In rapid rehousing, families are housed immediately upon leaving the shelters or the streets and then are provided with 3-6 months of support and case management to help them get quickly back on their feet. This approach can "right-size" assistance to each homeless family. Some need only a few months' rental assistance to get stabilized in a home. Others need deeper social services, job readiness skills, addiction programs or health services.

Third, Durham must build more permanent supportive housing which is needed to house our chronic homeless population. This is a very realizable goal with just 55 chronically homeless people identified during the point-in-time count, and we should figure out how the City can help fund this in cooperation with private non-profit developers. Housing for New Hope and CASA already provide this type of housing and do it extremely well and know how to connect residents to the supportive health, mental health, addiction and other services they need. Funding the needed units of affordable housing should be a City priority.

Fourth, the City must continue to fund rapid rehousing through the “penny for housing.” During the past three years, in addition to federal funds, Durham taxpayers contributed \$200,000 or more annually to this program which rehoused 185 homeless families in the past year alone. We do this through a City contract with Housing for New Hope which excels at cost-effectively rehousing the homeless.

Fifth, the Durham Housing Authority should modify its Section 8 voucher program to coordinate with the continuum of care partners to provide housing vouchers to the people identified by the partners as Durham’s most vulnerable homeless households. Right now there are more than 1,400 people on the Section 8 voucher waiting list, but many of them are not in the same dire need as the most vulnerable homeless people in Durham. These neediest families should move to the top of the waiting list, and federal rules allow, and even encourage, this kind of cooperation between public housing authorities and homeless service providers. The providers are asking for 25 vouchers per year until a total of 72 is reached, and the DHA staff and board should support this request.

The strategies to end homelessness listed above will not end homelessness in Durham this year or in five years. But they will move us a long way in that direction. With federal dollars, we have the resources now to end veterans’ homelessness. We can commit to funding the relatively few units of permanent supportive housing necessary to end chronic homelessness in Durham. We can provide the funding necessary for expansion of the extremely effective rapid rehousing program. And we can provide the Section 8 vouchers necessary to house our most vulnerable homeless families. If we do all that, we will be moving well along the path to ending homelessness in Durham, to reaching a goal where homelessness is “rare, brief and non-re-occurring,” to a time when anyone who becomes homeless in Durham is re-housed in 30 days or less.

Make publicly owned land downtown available for affordable housing development:

The City, County and the Durham Housing Authority all own significant parcels of land in the light-rail transit corridor through downtown, and many of these parcels are either unused or used as surface parking lots. With the scarcity of vacant land downtown, private developers are already swirling around these sites for possible development. It is absolutely crucial that the public bodies make this land available for developers of affordable housing. This is our community’s opportunity to make sure that there is affordable housing near the light-rail stations which will be the gateway to jobs in the coming years.

The opportunity to simply sell this land to the highest bidder is going to be a temptation for local government because budgets are stretched and the extra cash would be very useful. It is imperative that we resist this temptation so that we can ensure that affordable housing is built on these key downtown parcels.

In particular, two key sites should be on the City's radar screen now for appropriate action. The first of these is the Fayette Place site, the location of a former housing authority community that was demolished and now exists as a virtual moonscape on about 20 acres bordering Fayetteville St. and Pettigrew St. and is nearly adjacent to a planned transit stop. A private apartment developer owns the land, but the Durham Housing Authority has the time-limited opportunity to exercise an option on the land under certain circumstances at either the original sale price or at the market rate price, whichever is higher. This will be a very expensive purchase, so the DHA will need to partner with others to take advantage of its opportunity to acquire the land and redevelop it as a mixed-use, mixed income community that includes large numbers of affordable units. The DHA needs to begin planning for this now and meeting with potential development and finance partners.

The second site is a much smaller site, about 2.4 acres, located adjacent to the Durham Station and very close to an eventual light rail station. This site, owned by the City, is a perfect place to develop affordable housing and to include mobility-impaired tenants who will benefit from the proximity to the Durham Station and the light rail. The Self-Help Credit Union is preparing a proposal for the City to make this land available for affordable housing, and I support this wholeheartedly. This site might accommodate as many as 80 units, and it would need tax credit financing (see below) to make the units affordable to people at 30-60% of the Area Median Income (AMI). Affordable units in this location would be the only chance to get affordable housing in this critical transportation node downtown in the midst of Whetstone, West Village, 605 West and other similar high-priced market-rate developments.

Durham County is also looking hard at offering one of its parking lots on Main St. for affordable housing development, and the Housing Authority owns several properties near downtown which could be redeveloped to include a significant number of new affordable units.

The use of this public land is a tremendous opportunity for the community. We will be making an epic mistake if we squander this opportunity by simply selling the land to the highest for-profit bidder. Decisions about the disposition of this public land is ultimately up to the governing bodies of the City and County and the board of the Housing Authority, and we need to make sure that these boards know that the public wants affordable housing on these properties.

Create a pipeline of projects that will compete well for the state's 9% tax credit awards:

Until the 1980's, the federal government created affordable housing mainly by simply paying for and building public housing through local housing authorities. But starting with the Reagan administration, federal policy shifted so that affordable housing would get built through investment leveraged by a federal tax credits for private investors. This credit is called the Low-Income Housing Tax Credit, or LIHTC.

In understanding the kind of housing Congress chooses to subsidize, it is worth making an important comparison. In a recent year, there was about \$900 million in tax credits available nationwide to leverage affordable housing. That is compared in that same year to about \$100 billion in tax deductions taken by middle class Americans for the mortgage interest deduction.

Nevertheless, the best way to build affordable housing that is deeply enough subsidized to serve the truly poor is to receive an allocation from the North Carolina Housing Finance Agency of a 9% LIHTC. Under the current practices of the agency, Durham is allocated only a single 9% credit annually, and we only get this credit if the applying affordable housing project is competitive enough with other projects statewide that Durham can win one of the allocations. Two years ago, a developer in Durham won a 9% credit for the Vermillion development on Cook Rd., a 60-unit project serving people at or below 60% AMI, including 6 units of supportive housing for homeless people with disabilities. The project isn't out of the ground yet, but it is the kind of large affordable housing development that the 9% credit can leverage.

Durham needs a strong pipeline of projects vetted and supported by the City so that we are receiving a 9% competitive credit every year for a large project. For 2016, there is not a City-supported project in line for a 9% credit application. That means we need to develop one. The Self-Help Credit Union's proposed project to put affordable housing next to the Durham Station (see above) would be an excellent candidate to apply for this credit, and this project, with City support, would stand an excellent chance of receiving the award. The land next to the Durham Station has been analyzed and would receive a perfect score in the LIHTC competition.

We on the city council need to be pushing our administration to help organize and support a pipeline of 9% projects so that Durham wins one of these awards each year. This is the very best way to subsidize very affordable housing for poor people that has guaranteed affordability for a period of 15—and usually 30—years. Durham should never miss a single year applying for the competitive 9% credit.

In addition, representatives of the City should continue to press the state to change the formula by which it allocates LIHTC's. Until recently, Durham was eligible for two awards in some years, and our population would continue to warrant that.

Continue to leverage affordable housing through the “penny for housing,” figure out what the total need is for City funding of affordable housing, and then fund that amount:

The “penny for housing,” or simply “the penny,” is also called the “dedicated funding source” by City staff. In my first year on council, we raised taxes by one cent on the tax rate to fund affordable housing. In other words, if you own a \$200,000 house in Durham, for example, you are paying \$20 in property taxes annually to build a house for someone else. The penny this year is generating about \$2.5 million for affordable housing. While I have heard much support for the penny for housing over the years, I have never heard a single objection to it, and that is very heartening.

The need for “the penny” became clear when the City made the decision five years ago to put the bulk of our federal HOME and Community Development Block Grant money into the revitalization of Southside. Outside of Southside, there are still pressing affordable housing needs in neighborhoods throughout Durham. That’s why the city council passed the penny for housing to help meet those needs alongside still-significant—but diminishing—federal dollars to be spent outside of Southside.

The penny has been put to a wide range of uses. Above I have mentioned two of them: annual funding of at least \$200,000 for rapid rehousing and \$500,000 this year to leverage the Durham Housing Authority’s redevelopment of 336 units in Damar Court and Morreene Road communities. But the penny has been put to many other uses. For example, the penny is funding Durham Community Land Trustees’ renovation of 11 affordable rental units in Southside. This year the penny will fund \$500,000 in land purchases by Habitat for Humanity. In addition, the penny funds a revolving loan fund for interest-free mortgages for Habitat homebuyers who receive a \$20,000 “city second” mortgage as part of their loan package. Habitat makes sure that these loans are repaid, and this year 25 new low-income homeowners will receive one of these interest-free second mortgages.

In recent years, the penny has provided roughly \$130,000 annually for repairs to the homes of poor elderly homeowners so they can stay in their homes. The penny has been a key part of the revitalization of Southside. In the last two years, the penny has provided about \$2.7 million for mortgage assistance, site preparation and infrastructure work for the 48 affordable for-sale homes in Southside. The penny has funded capital improvements at the Urban Ministries shelter, provided interest-free second mortgages to low-income homebuyers in Southwest Central Durham and elsewhere, and contributed \$600,000 to the pending renovation of Whitted School which will include low-income senior housing.

So the penny is working. It is doing what it is supposed to do—leverage the construction of affordable housing in a variety of ways. Penny funds are often the critical local funds to make projects work and to keep them affordable for the poor.

The penny, or the dedicated funding source, as it is conceived now, is capped by the council. I believe our approach should be to figure out what our total annual housing funding needs are from City coffers and then figure out a way to fund to the level of those needs. If affordable housing is truly on the top of our civic agenda—and I believe that it is and should be—then we need to figure out the level of funding needed and then make plans to get there.

The City’s consultant, Enterprise Community Partners, should be giving the City and the community a good sense of what the total local funding need is in addition to the federal housing dollars we receive annually. Once we know that need, we should ask our administration to tell us how to fund it.

Some propose a housing bond issue, and that might be the best way to go because it would lock in money only for spending on affordable housing. Others propose simply funding our needs through simple taxation, exactly what we do with the penny-for-housing now. This route is much simpler in many ways, and that is an enormous advantage.

Whatever the level of need identified by our housing consultant, we need to begin to think now that we are going to figure out how to fund that need. If we are serious about affordable housing in Durham, we are going to have to spend more tax dollars to leverage it.

Maintain the affordability of existing multi-family housing:

Non-profit or for-profit developers building affordable housing with the aid of the LIHTC must guarantee a 15-year period of affordability for those units. Typically, as these units age out of that period of affordability, landlords renovate these properties and raise the rents, usually to market rates. Another key contribution of the penny for housing during the past three years has been to maintain the affordability of several multi-family rental developments which were about to come out of their mandatory affordability period. During this past year, for example, we used money from the penny to keep two developments—one owned by the Durham Community Land Trustees and the other by a for-profit builder—affordable for another guaranteed 15-year period. Instead of raising rents to cover the cost of needed repairs and renovation, the developers used a City subsidy from the penny to make the repairs. In return, the developers are keeping the apartments affordable to people below 50% of AMI for another 15 years.

This was a huge win for our community. Instead of these apartments renting for market rates, the City funds to renovate them was an inexpensive way for the City to keep many units—about 77 in this case affordable to low-income renters.

And here is the key fact: These units were renovated and kept affordable for another guaranteed 15 years at a cost of just \$8,600 per unit. This is an incredibly efficient way to use the taxpayers' money through the penny for housing.

We need more of this. As tax-credit deals come out of their mandated period of affordability and need renovation, the City should aggressively pursue funding the needed renovations in exchange for a commitment of another 15 years of affordability at the 50% AMI range.

What's more, the City should pursue the possibility of extending this cost-effective strategy to other multi-family properties that are not tax-credit constrained. As developers need renovation of their properties, the City should consider funding those renovations in return for a guarantee of 15 years of affordability at a deeply affordable level. Right now, the owners of multi-family properties are often fixing up their properties and raising rents because the market will bear these increases. Could the City make these rent increases unnecessary by funding renovations and repairs just as it does with tax-credit properties? I don't know what the national experience is on this idea, but I think we should begin to pursue it here in Durham.

In sum, renovating a unit in order to keep it affordable is much, much cheaper than what it takes the City to leverage the construction of a new affordable housing unit. Aggressively seeking out the multi-family properties that could be candidates for this type of arrangement is important, and staff should be doing so.

Ask for payments in lieu when developers are building market-rate rental projects:

Among the “important facts” I list at the top of this strategy paper is the fact that the state legislature forbids North Carolina cities from requiring developers to include affordable units in their developments. This is a blow to our ability to provide affordable housing, so we have to employ the many other strategies I am outlining herein. However, we must not give up on our efforts to have developers contribute to affordable housing in Durham.

I have heard often that Durham ought to follow Chapel Hill’s lead on squeezing affordable units out of developers, so recently I spent several days in Chapel Hill interviewing people involved in affordable housing. I wanted to find out how they do it and whether or not we can follow their lead with good results. Unlike Durham, most of the multi-family construction in Chapel Hill over the past few years has been for-sale properties—that is, condos. Chapel Hill got special legislation from the General Assembly a number of years ago to allow the town to require that condo developers provide affordable units in their developments or make a payment in lieu to the town’s affordable housing fund. The Chapel Hill folks I talked to (a prominent developer, a town council member and housing advocate, the director of the land trust there, the city attorney, and two members of the town’s housing department) all agreed that Durham cannot require these things of condo developers without special legislation, and the General Assembly these days will never pass such legislation.

On the other hand, Chapel Hill does not have special legislation regarding multi-family rental properties. Their authority in this arena is exactly the same as Durham’s. Chapel Hill has developed a strategy for getting in lieu payments from builders of multi-family rental properties, and this is one we could—and should—adopt. These payments are strictly voluntary since they cannot be legally required, as I explain above. But developers have come to expect that they will be asked to make such voluntary payments by the Chapel Hill town council, and now the developers are cooperating with town officials to come up with a schedule that they can count on for such voluntary payments. The committee doing this work is being headed up by the CEO of the Durham-Orange Homebuilders Association, which is bought into the process. My recommendation is that once Chapel Hill has completed this schedule, which will be soon, that we review it and adopt it, modifying it as necessary to meet Durham’s needs. Builders in Chapel Hill also often build in Durham, and so such a single schedule will make sense to them.

We should establish an expectation, as Chapel Hill does, that developing rental units here should include a payment in lieu to a City affordable housing fund. This fund can then be used to leverage affordable housing as the City sees fit.

Another option, supported by many, is that we try to squeeze a voluntary commitment of a few units of affordable housing at 80% of the AMI out of new apartment or condo developers. The payment-in-lieu system is better for several reasons. First, it allows the City to subsidize the neediest residents through our housing fund activity rather than subsidizing apartments for people who can already afford market rate in many neighborhoods throughout the city. Second, a system of a few inclusionary units here and there would require a major bureaucratic effort to monitor over time as tenants came and left and as apartment properties changed ownership or

management. There would have to be an ongoing bureaucratic system to develop a tenant pipeline and manage tenant certification. This would create hardships for developers as well, so they are likely to resist heavily making these voluntary contributions of units.

I believe we can get developer buy-in to a voluntary schedule of in-lieu payments which provides them with predictability and certainty when they come before the council. There is already precedent for this regarding the way the council handles voluntary contributions to the Durham Public Schools. Developers who are adding students to the schools are not required to make a payment to the schools to offset the cost of those students. However, it has now become routine for me and other council members to ask for a voluntary payment of \$500 for every new student be made to Durham Public Schools, and developers routinely comply with this request. They have come to expect it. We should set up the same kind of voluntary contribution schedule for apartment and condo developers who come to us for easements or a rezoning. Imagine if we had \$1,000 per unit paid into our housing fund for every unit for which a developer came to us for a rezoning or easement. This would leverage a lot of affordable housing over time.

There is, for me, one fly in the ointment for this strategy. That is, it would only be applied to those developers who come to us for an easement or a re-zoning. Only then does the council see developers and have the chance to ask them for this voluntary contribution. Only then does staff have the chance to explain to them the council's expectations. For those many developers who are building "by right," such as the builders of many of the new in-town apartment complexes, they would never be asked for these contributions because they would never appear before council. This is an aspect of the strategy that I am uncomfortable with, and it requires more discussion. But adopting an in lieu voluntary payment schedule for developers is a good idea.

Other critically important strategies

Make the 4% tax credit act like the 9% credit: In addition to the 9% competitive tax credit, there are also available 4% credits which are awarded by the North Carolina Housing Finance Agency on a non-competitive basis. More than one such credit can be awarded in Durham each year. The 4% credits are always bond deals, so to make the numbers work, they must be large projects of 80 units or more. In addition, to make the subsidies deep enough to serve truly low-income people, there must be another subsidy beside that provided by the 4% credit. This could be City-owned land or a subsidy from the penny for housing, for example. The Durham Housing Authority is showing the way on this strategy by partially subsidizing one of its community redevelopments with a 4% tax credit added to its own land to make the project deeply affordable. We should be seeking out more opportunities to do this.

Seek out private 4% tax credit developers: Recently the Durham Housing Authority agreed to act as issuer of bonds for a private developer of a multi-family renovation project called Briar Green. Can Durham attract other for-profit developers who want to build or renovate affordable multi-family buildings financed by using the 4% credit? I'm not sure of the answer to this question, but I believe we should pursue it.

Strengthen the development capacity of our local non-profits: Unlike Raleigh, Durham does not have a housing non-profit which has capacity to do much development. Our new housing consultant should be able to recommend to us how to strengthen the capacity of our local non-profits, and we should do so. We need at least one non-profit in Durham which is able to develop significant new affordable housing projects annually and to apply competitively on its own for the 9% tax credit deals.

Draw the Self-Help Credit Union into affordable rental housing development: Self-Help is the critical local private institution which does have the staff and financial capacity to do large-scale affordable housing development. It has played an essential role in the redevelopment of Southside and Walltown, and we need Self-Help firmly committed to affordable rental development in Durham—ideally on the publicly owned land downtown such as the Fayette Place and Durham Station sites.

Look for niche opportunities such as affordable teacher housing: The State Employees Credit Union (SECU) is already doing small-scale single-family affordable units in Durham, and now it is interested in following a model here that it has pioneered in three other Durham counties. SECU wants to work with a local non-profit and the school board to build very affordable rental housing for teachers. SECU can build a 24- or 32-unit building for teachers, and we need to recruit the local leadership team to work with SECU. I'm working actively on that now.

Adopt the Planning Department's toolkit of incentives: Our City-County Planning Department has done excellent work to recommend to the council and county commission incentives for developers to include affordable units. The first two incentives which are up for adoption right now are (1) a density bonus and (2) an incentive which would allow developers who include affordable units to have fewer required parking spaces. This is a well-known strategy, and the council should support the density bonuses and parking incentives. The planners and most housing experts agree, however, that these incentives alone will not induce the construction of many affordable units. They need to be combined with some of these other strategies. Still, it is a useful arrow to have in the quiver.

Establish a local housing trust fund: Such a fund could hold money from voluntary payments in lieu, other private contributions and perhaps government funds in order to pay for affordable projects. These funds operate well in other cities and attract some private support, and we should pursue the best practices elsewhere and adapt them to Durham's needs.

Complete the second phase of the Lofts at Southside rental development: The first phase of the Southside development includes 80 affordable units and 52 market-rate units. It is almost fully rented up, and it will be a great place to live. The City is committing another \$4 million to the second phase of Southside, and the developer is applying this year for the 9% tax credit to build this phase which will also include a majority of affordable units. We need to continue to make a success of this important project.

Make full use of the Pro-active Rental Inspection Program (PRIP): A key aspect of our affordable housing strategy is to keep the city's private stock of affordable housing in decent

shape for the people who live there. A relatively new law allows for Durham to target a specific area of the City based on reasonable criteria and to inspect all of the rental units in that area without waiting for a tenant complaint. During a recent one-year period, we inspected 3,500 units in East Durham and found violations in 70% of the units. The vast majority of those were remedied within several months. Because of the objections of some large apartment landlords, the state legislature is, for the second year in a row, considering repealing or drastically weakening the law authorizing the PRIP program. The City of Durham has been active in explaining to legislators the importance, fairness and uses of the PRIP program here, and it is essential that this law be maintained. It gives us a very significant tool in the fight for decent affordable housing.

Make sure that the City’s community development staff and the Durham Housing Authority’s development staff have the personnel and resources they need to aggressively pursue the development of affordable housing in Durham. I look forward to recommendations from the Enterprise Community Partners on this issue.

Explain to the public what the City and the local non-profits are doing to create and maintain affordable housing and win public support for these efforts. Despite the herculean efforts of City staff and the staff of our local housing non-profits, few people know about this work. We need to make the accomplishments of organizations like CASA, Housing for New Hope, Healing with CAARE, Durham Community Land Trustees, Habitat for Humanity and others known to the public and win support for these groups. Together, they have built and manage hundreds of affordable units. Their work deserves continued recognition and financial support if they are to be able to scale up their work and really impact Durham’s affordable housing needs.

Support the expansion of the land trust model through building the capacity of DCLT. DCLT has a unique and powerful model to maintain the affordability of for-sale units, but it needs significant additional development capacity if it is going to have significant impact on Durham’s housing needs.

6. In 2012, the city completed a project to convert the Ninth Street Compact Neighborhood Tier into a design district. Do you support the planning department’s current initiative to create new compact neighborhood tiers and to convert compact neighborhood tiers into design districts? What is good about the initiative and what is bad about it? What should be done to fix what is bad?

I do support the planning department’s initiative to create new compact neighborhood tiers in the transit station areas, and potentially elsewhere, and I do support converting these tiers into design districts.

Here is what I like about the design districts:

- (a) The design districts in Durham are actually a hybrid in that they are predominantly form-based, but they also include some limitations on uses. For example, in the Ninth

St. design district, prohibited uses include drive-through restaurants and payday lenders.

- (b) It makes sense that developers have to conform to form-based design standards that pay attention to how property relates to the public realm and that uses are, with some exceptions, driven by the market.
- (c) Each design district can have its own unique characteristics. For example, the two design districts currently established in Durham—Ninth St. and downtown—differ in important ways. For now, at least, there are no parking requirements downtown, while there are on Ninth St. On Ninth St., height limits and density levels are lower than in downtown.
- (d) Design districts have the flexibility for the full range of uses, and this is particularly important in transit station areas where we want a transit-oriented mix of uses.
- (e) Developers have certainty because they know the design standards they will be held to. If they meet these standards, they have few hoops to jump through.
- (f) The creation of tiers of density within the compact neighborhoods makes a lot of sense to me. The Support I and Support II districts around the core in the Ninth St. district, for example, are a sensible approach to managing density towards the nearby residential neighborhoods.

The key requirement for design districts to work well is that the design standards set in each district are the standards that the community wants to live with. And here is where problems can arise. For example, the apartment building on Chapel Hill St. called 605 West was built under the design standards for the downtown compact neighborhood tier, and it is a building that presents an unattractive, unfriendly face to the streets around it. Since then and the construction of the equally unattractive apartments in the Ninth St. compact tier on Swift Ave., the market seems to be taking care of this problem. That is, the newer apartment buildings in the compact tier including Whetstone and West Village, are much better designs.

However, it would make sense to make changes to the design standards for these two tiers so that buildings as ill-designed as 605 West do not pass muster under our standards.

Also, as per the allowable densities in the new compact neighborhood districts going forward, we should consider the downzoning and affordable housing questions addressed below in question 9.

7. In 2014, the city council adopted a resolution calling for affordable housing near planned transit stations. Do you support the resolution? Would you change it? Should the city grant developer requests for rezonings near transit areas without commitments for affordable housing? Please explain your answers.

Yes, I voted for this resolution and I support it. I don't know of any reasons to change it, but I'm always willing to listen to suggestions. In answer to the latter part of this question, please see my extensive comments on this issue in question 6 above.

8. What geographic area(s) in Durham need special attention from city government? In those areas, what are the problems and what action should the city take?

While there are poor neighborhoods in many parts of Durham, and while each of these neighborhoods needs and often receives assistance from the City, I believe it is sensible to focus the City's limited resources on lifting up East Durham, in particular Northeast Central Durham. The City is providing services to poor communities throughout Durham including recreation centers, public swimming pools, free or very inexpensive recreation programming and summer camps, affordable housing support, career center efforts and more. But I believe the mayor's decision to focus special attention on census tract 10.01, now the poorest census tract in Durham, is a good one.

The problems of this area are the problems of poverty everywhere, as identified by the in-depth community survey conducted by volunteers. I've been in this community many, many times, and I knocked doors for the community survey, so I know it well. The problems are unemployment, low-wage employment, lack of documentation for many of the large population of Spanish residents, drugs, crime, poor housing stock, lack of education, lack of transportation, poor health and, in some cases, hunger. These are not universal conditions in the neighborhood, by any means. The survey, and my own experience on the doors, showed that many people are working, that parents are happy that their children are getting a good education, that the East Durham Children's Initiative has tied many people into neighborhood resources, that the Holton Career Center engages many people, that there are some strong ties among neighbors, that many people feel very safe in their homes and on the streets. There is plenty of hope in this community.

The actions the City should take are myriad. I have described elsewhere in this questionnaire most of them—including actions on transportation policy, affordable housing, public amenities like parks and trails, and policing. Please see my answer to those questions. And there are specific investments such as the City's recent \$4 million streetscape at the corner of Angier and Driver that can make a difference—and are already attracting businesses back into the area.

At the same time, I think the volunteer efforts that the mayor's anti-poverty initiative has attracted can be significant as well, and we may want to support some of these efforts with public funding. The volunteer committees are working on many initiatives too numerous to mention here. They include, notable, a community health worker just for the neighborhood, the matched childhood savings accounts mentioned above, efforts to make many more people aware of the resources offered at Holton Career Center, and much more. EDCI is an incredibly valuable organization that is bringing to bear substantial resources in Northeast Central Durham to support Y.E. Smith Elementary School students, to support parents, to provide pre-school education for families, to provide summer meals and programs to students and families, and much, much more. These private efforts must not be forgotten when we think about how this neighborhood will rise. It shouldn't be, and can't be, mostly an effort by government.

Finally, and critically important to the success of this work, is the involvement of the community leadership itself. Aside from the mayor's initiative, there is excellent leadership

being provided by the Northeast Central Durham Leadership Council, REAL Durham and others. Listening to the community voices is what will enable these efforts to be successful. If we don't genuinely listen, even the best intentioned efforts are bound to fail.

9. Under what circumstances would you vote to downzone a piece of property? By "downzone," we mean a rezoning action that would reduce the market value of the land being rezoned.

In terms of decisions on individual parcels, I would rarely vote to downzone a property, but I would do so if I knew a critical public interest would be served by such downzoning. This public interest might include environmental protection or public safety, for example.

Recently, with the discussion of the development of affordable housing around the transit stops, the possibility of downzoning property near the stations has arisen. Such downzoning would occur, in the terms of this discussion, to induce developers who want more density to apply for an upzoning to achieve this density. The developers would then include affordable housing in their developments, or in lieu payments, in order to receive approval for the upzoning. I am certainly open to this discussion, but it implies many of the difficulties which I have detailed in question 6 above. I am especially interested in the analysis of this strategy that the City's new housing consultant will be conducting—both from a legal and practical perspective.

City Finances, Capital Improvements, Transportation, and City Services

10. The city manager recently gave city council members a list of potential capital improvement projects to prioritize. Of these, what are your top four priorities for capital expenditures? Is there something that you would include in your top four that was not on the manager's list? Would you be willing to raise property taxes to accomplish your priority projects?

My top four capital priorities from the manager's list are:

- (a) Sidewalks
- (b) Athletic field complex
- (c) Beltline trail (see below; more trails also)
- (d) Station Area Strategic Infrastructure

(I can't honestly remember if this is exactly how I ranked the various projects in the spring, but these are the ones that I like the best now.)

Missing from the manager's list, other than the Beltline, is funding for trails. I would put trail funding in my top four priorities, lumping the Beltline in with other priority trails. See my extensive answer above about trails for more on this.

I would be willing to raise property taxes to accomplish these priority goals. With the parking fees downtown projected to pay for new parking decks, a one-cent increase in the property tax would pay for every other project on the ten-year CIP projection—the athletic field complex, the station area strategic infrastructure, new sidewalks and sidewalk repair, fire stations, renovation of the Public Works Operation Center, an aquatic center, dirt street paving, park restrooms and more. A bond issue is another way to pay for these improvements, and we should consider both methods in the next budget cycle.

11. The city council recently voted to provide \$11.25 million in public financial support to two private development projects in the downtown area. Did the council make the correct decisions in those cases? Are the projects equally deserving? As a council member, what philosophy will guide you in deciding whether to provide public financial support to private development enterprises?

I voted for both of these projects when they came before the council. I believe these were the correct decisions, but incentive votes are always close calls, and I have voted against two such requests by staff. There are rumblings that one of the projects referred to in this question is coming back to the council for more, and I would be loath to provide any more such support.

As to whether the projects are equally deserving, I would say that the projects are differently deserving. One is deserving because it will preserve and activate a large historic structure on a key corner in downtown which has stood vacant for years. The other is deserving because, unlike the first, it can help transform a whole new section of downtown in good ways. It remains to be seen whether this hope is achieved, but I think the chances are good. Most important, both of these projects will bring many high paying jobs to Durham. As described in question 2 above, many of these jobs should go to Durham residents.

Before I support an incentive, I need to see that it is either (a) preserving an important historic structure; (b) providing many good jobs at good wages for Durham people; (c) meeting an important unmet need such as the hotels we incentivized recently in downtown Durham to support the needs of the Convention Center; (d) or is significantly transformative in ways that will stimulate further economic development and jobs.

Further, I need to be convinced that the business will not locate here without the incentive.

After these criteria are met, I apply another set of criteria:

- (a) The project needs to be cash-positive to the City and the City taxpayers from day one. Every incentive we approve has this quality. Our tax incentives are always paid for by the taxes we receive from the incentivized project—and then we receive additional taxes for the City from day one. Our incentives have been as high as 80% of the incremental taxes, but we usually hold them to a lower percentage of the taxes.
- (b) The incentive needs to burn off as quickly as possible. Sometimes this period is 10 years. Sometimes it is 15. I judge the number of years for the incentive from the percentage of the incremental taxes received by the developer and the size and importance of the project.

- (c) The project must have a Durham-Based Business Plan and a Durham-Based Workforce Plan, as per question 2.
- (d) The payout of the incentive does not begin until the project begins paying property taxes which is usually one year after a certificate of occupancy is issued. In this way, the City is always cash-positive, and we do not pay out any money until the project is successfully up and operating and paying taxes.

I should add here that another consideration for me is the level of County government participation in the incentives. When we incentivize a project, approximately 60% of every property tax dollar generated by that project over time goes to the County, and about 40% goes to the City. Therefore, I think the County should be participating at the level of 60% of every incentive we offer.

But there is another reason for this besides the distribution of the long-term tax benefits. That reason is that the main taxable property located in the County but not inside the City is the property of the large companies in RTP and, to a lesser extent, Treyburn. Unless the County pays a full 60% share of the incentives, these large corporations are effectively excluded from fairly participating in the incentive. In other words, small businesses and residents are paying for the incentives at a higher rate than the large corporations. This isn't right.

To date on the council I have been pushing for the County to simply pay at least 50% of every incentive, and this has met with mixed success. Recently the County participation has fallen back again to much lower percentages of the incentives. The mayor and some of my council colleagues do not agree that this is an important consideration, but I think it is a tax fairness issue, and I intend to keep pursuing it.

12. Under what circumstances would you vote to raise bus fares? Is the city's public transportation system being managed effectively? Is it serving the population which needs it the most? Please comment on your philosophy concerning Durham's public transportation system.

I can't think of any circumstances that would make me vote to raise bus fares anytime in the near future. I fought hard to keep the fares we have now during a budget battle over this three years ago, and I continue to advocate for keeping these fares.

I do believe the City's public transportation system is being well managed by GoTriangle. I am impressed by the constant attention to improving on-time service. I think the additional transit money from the sales tax is being wisely deployed to increase bus frequencies on our most important routes. For example, we are now doubling the frequency on two of our most popular routes—from downtown to Wellons Village and from downtown to NCCU. Also, GoDurham will have a second bus hub at Wellons Village very soon. I believe that GoTriangle works hard to listen to its riders both informally and through formal surveys such as the one just presented to council last week. This survey showed a significantly higher level of customer satisfaction than two years ago, and it also showed customers still dissatisfied with the level of

bus cleanliness and, especially, with the behavior of other riders. GoTriangle is already addressing the cleanliness issues, and it is working on the much more difficult behavior issues as well.

In sum, I am very pleased with the aggressive work going on to improve our bus system. It is steadily getting better.

At the same time, there are still many needs. One of the greatest is for more bus shelters. We are adding shelters at the rate of 20 per year, and it costs about \$10,000 to build a single shelter. This is a simple matter of budgetary priorities. If we are going to have more bus shelters, we need to budget for them, and this is going to take a bite out of another priority. Currently I lean towards modestly increasing the rate at which we are building the shelters.

It is important here also to mention the Bull City Connector. We rely on funding from Duke University to help us offset the cost of this free route. We need to work hard to keep Duke funding this route which is critical to many of their employees and students.

I believe that the bus system is generally helping the people who need it the most. I have not heard assertions to the contrary, and I'm interested to hear any that exist. We now have about 22,000 daily boardings. The survey shows that about 70% of these people work, and yet the great majority of riders are making less than \$25,000 per year. We are serving not only elderly people, but many of the younger working poor and students as well.

Here's my philosophy concerning the bus system: We need to continue to expand the system, improve its on-time performance, add routes and frequency and bus shelters. We need to keep fares low, as they are now. We need to make sure the system is well connected to regional bus systems and, eventually, the light rail. Currently, a Durham resident who owns a home valued at \$200,000 is paying about \$135 annually in property taxes to support the bus system. I believe this taxpayer subsidy, which is effectively redistributive of wealth, is important to our City.

For my philosophy on light rail, see question 1 above.

13. The City Council recently voted to approve a "road diet" for Highway 15-501 between University Drive and Chapel Hill Road. Did the council make a wise decision? In general, do you support or oppose reducing vehicular travel lanes to promote traffic-calming, parking, and bicycle and pedestrian travel?

I voted enthusiastically for this road diet, and I advocated for it strongly with my more reluctant colleagues. I support much more of this, and I have seen its great success in places like Main St. I have asked staff to draft a council resolution in favor of "complete streets," and I believe firmly in them.

14. In general, do you support public funding of city programs and services through property taxes or user fees? Please explain your answer.

In general, I support public funding of City programs and services through property taxes with the exception of those services where a fee would serve an important progressive public purpose. The council has twice voted on a solid waste fee since I have been a member, and both times I have voted and argued against the fee which, as the PA so successfully proved, is regressive.

On the other hand, City water fees are progressive, and I support them. These fees fall hardest on the largest water users, who tend to be wealthier, and they also successfully encourage water conservation, which we badly need.

Law Enforcement

15. Is there a trust problem between the people of Durham and the police department? Are you satisfied with the department's responses to issues of use of force, racial profiling, searches, and communication with the public?

Yes, there is a trust problem between the people of Durham and the police department, and it is critically important that this trust be restored. I know about this lack of trust not only from many discussions with people all over town, but from the City's resident survey as well.

The Durham Police Department (DPD) has 515 uniformed officers, and the task they perform is often dangerous, almost always difficult, and crucial to the wellbeing of our City. While there are undoubtedly a few people on the force who are unfit to serve, this would be true of any group of 515 people in any profession. By and large, our police officers are dedicated, skilled, caring individuals who want to do their job to make Durham a safer place for all of us.

Last year, in the wake of wide-ranging and important community discussion and months of study by the Human Relations Commission, the city manager, with the advice of the council, adopted many recommendations to reform the work of the DPD. The most important of the reforms included requiring racial equity training for all officers, initiating a new level of data collection and public reporting on traffic stops and searches, requiring officers to get written consent before conducting a consent search, and making enforcement of marijuana possession laws a low priority for our police force. In addition, as part of this process, the department on its own began testing body-cameras for use by all its officers.

Since that time, the DPD has made important progress. The racial equity training is underway and nearly complete for all officers. It began with the department chiefs and moved throughout the department. The new level of data collection is underway and the first six-month report was just received by council. The written consent has been adopted by the department and is the policy for all officers. As the department has reported, the enforcement of marijuana possession laws was already a low priority for the department, and comparisons of marijuana arrests with other North Carolina cities bears this out. (More on this below in question 17.) And the

department has moved forward to test body cameras and hold a series of six community meetings on issues associated with the cameras. The city council has budgeted for the cameras, and they will be phased in for all officers on the street very soon.

The DPD has adopted many of these changes—such as the racial equity training and the body cameras—willingly. The department leadership opposed the written consent searches, but it was the will of the city council, expressed unanimously, that written consent be required. I wish the department had accepted this recommendation willingly, but it did not, and so the council was forced to act.

A crucial determinant of the success of these reforms is the data on traffic stops and searches, and we have just received the first six-month report. There is some very good news: traffic stops are down by a whopping 20%. The original news on the searches was not as good, however. While consent searches dropped dramatically, the number of probable cause searches rose so much that the total number of searches exceeded the number for the previous six months. Initially, I was terribly disappointed by this news and concerned that the department had subverted the will of the council by simply substituting probable cause searches for each of the consent searches. However, my disappointment was mitigated by the report of the department at our work session last week that the probable cause searches for the most recent months, May through July, were back down to normal levels and that the spike was the result of two special operations. I will follow this data closely and with great interest, and I have made clear to the department leadership my expectation that the total number of searches will be well under previous totals.

This entire process has been an extremely stressful one for the department—both the leadership and the rank-and-file. I have had scores of difficult conversations with police officers about these issues. I and a colleague met with approximately 100 police officers in supervisory roles—sergeants and above—a few months ago, and we had a 45-minute Q&A session where the officers vented their frustrations and anger about the new policies and their feeling that they did not have the support of city council. Many felt they were being unfairly labeled racists. Feelings in the room ran very high.

All this is to say that the answer to the question for this item is not a simple one. I am definitely satisfied that our police department has made earnest efforts to change, that the department recognizes the loss of trust in the community and wants to win back that trust, that the department leaders and line officers have never wavered from their crime-fighting duties while they have been subject to often withering criticism from community members. I am satisfied that the department has adopted the racial equity training wholeheartedly. I am satisfied that the department initiated the body camera work itself and is moving ahead to start wearing the cameras soon. I am satisfied that the department has taken steps to be more transparent with traffic stop and search data. I am satisfied that traffic stops have dropped dramatically.

All these are very important and cannot be overlooked, and the department leadership deserves praise for this good work.

At the same time, we have a way to go. I am not yet satisfied that the new written consent search policy will result in a drop in the number of total searches, and it is crucial that the department chiefs embrace this policy fully and transmit its importance to the frontline officers. I expect probable cause searches to rise with this new written consent policy for consent searches, but I do not expect the probable cause searches to rise nearly as high as they did in the first six months of the new policy. I am hopeful about the data presented by the department at our recent work session concerning the summer months, but I will be monitoring this very closely to make sure the council's policy is embraced and followed and effective.

All of this leads back to one essential point: Our police department needs to adopt the best national practices for genuine community policing. The department leadership says that the DPD uses community policing. Sometimes those practices are evident as in the recent large-scale knock-and-talks at McDougald Terrace and Cornwallis Rd. communities. But I want a department where such policing is the routine, not the exception, where police are out of their cars interacting with the community, where police are known and trusted in the communities they serve.

Our police department came to the council this past year for a budget increase for more officers to meet the demands of Durham's growing population. Such an increase may be warranted, but I will not support any increase in the number of officers until I am comfortable that the force has adopted the best national practices for community policing and adapted them to the Durham environment. I made this clear during budget hearings, and the city manager has wisely asked the department to go back and do further justification of its budget needs.

This question also asks about the use of force by our police department. The answer to this, too, is very complex. Let me address just one aspect of the use of force—the way in which the police have dealt with demonstrations in the wake of the death of Jesus Huerta, Eric Garner and others. In short, the police department seriously overreacted to the demonstrators after the death of Jesus Huerta, using way too much force to disperse them, and I responded critically to this overreaction both privately to the chiefs and publicly with a column in the newspaper.

However, since that time, under immensely difficult conditions, the police department has steadily improved the way in which it has dealt with civilly disobedient demonstrators, including those who chose to smash windows at the police station or to block NC 147, putting themselves and others in danger. The police response to the demonstrators has not been flawless—especially witness the violent end to one demonstration at the corner of Geer and Foster Sts. But while some demonstrators have deliberately baited the police towards a violent response, they have predominantly been met with considerable good judgment and restraint on the part of officers.

I have been civilly disobedient on several occasions in my life, and when I did so I expected to be arrested and hand-cuffed and arraigned. This should be the expectation of anyone who is civilly disobedient in Durham. Anyone who blocks a street and fails to disperse should expect to be physically removed, if necessary. Officers should attempt to use minimal force in such situations, but demonstrators need to understand that force may be used if it is needed.

What I see in the police response to demonstrators over the last two years is steady improvement after a very bad start and earnest efforts to keep use of force against demonstrators to a minimum. I commend this work on the part of the department and I hope that the police will continue the practice of restraint.

16. Is the Civilian Police Review Board an effective tool for police oversight? If you perceive problems with oversight of the police department, what should be done to correct them?

No, the CPRB is not an effective tool for police oversight. This is through no fault of the members of the board who are dedicated and capable volunteers. The board is severely limited in its function by state law. Under the interpretation of our city attorney, the board's only role is to examine whether or not the police department's internal investigations were conducted properly. This limited role is not, and does not purport to be, effective police oversight.

Frankly, I am not sure how we ought to improve the CPRB, and I don't yet fully understand the state's statutory limits. I am committed to improving the board's oversight function, and I think we ought to be examining CPRB's in other jurisdictions that may hold lessons for us. Many CPRB's are not constrained as ours is by state law, but surely there are practices in other cities that we can adopt here. I have grave doubts about a volunteer board, even a very capable one, having personnel authority over police officers because I fear the politicization of personnel decisions. One of the very best features of the city manager form of government that I have observed in my four years on council is that personnel decisions are made outside the political process and beyond the whims of public pressure. I think this is a tremendous virtue, and I don't want to undercut it.

The most interesting practice I have learned about so far is the use of a professional investigator of complaints against police officers. This investigator, as in New York City, would be located in City government but outside of the police chain of command. I need to learn much more about this, and I will be listening to others' suggestions about CPRB reform moving forward. I'll need a lot of clarity on any potential reform before I will support a change.

17. Should the enforcement of laws criminalizing marijuana use be among the police department's lowest priorities?

I have said publicly on numerous occasions that I believe marijuana possession should be decriminalized. This is not going to happen any time soon in North Carolina, so instead, as a work-around, we need to make sure that enforcement of the marijuana laws is among the lowest priorities for the Durham Police Department. As I noted above, the department claims—and the comparisons to other cities' numbers back them up—that marijuana enforcement is already a very low priority for the officers. Our officers are not seeking out arrests for marijuana possession. We need to continue to monitor our data to make sure this practice continues. At the same time, the mayor, at the direction of council, has called together law enforcement authorities, judges and others to advance ways in which we can divert people caught with marijuana from the criminal justice system, hopefully through an extension of Durham's new misdemeanor diversion program for juveniles.

Civil Rights

18. Would you support legislation designed to protect gay, lesbian, and transgender people from discrimination in housing, employment, public accommodation, and access to government benefits and services?

Yes, absolutely.

Personal and Political

19. Have you ever been convicted of any criminal offence other than a minor traffic offense? Have you ever been charged with a felony (without regard to the disposition of the charge)? If the answer to either of these questions is yes, please describe the charge or charges, the circumstances, and the outcome.

I have never been charged with a felony. I have twice been charged with misdemeanors as a result of civil disobedience. The first time was in the 1970s when I was charged with misdemeanor trespassing in an anti-nuclear demonstration, and I was convicted and served eight days in the Wake County Jail. The second time was during the Moral Monday demonstrations of 2013 during which I was arrested for charges related to failing to depart the General Assembly building when asked. I chose to do community service hours in exchange for the charges being dropped.

20. Is there currently a judgment of debt outstanding against you? If so, please explain the circumstances.

No.

21. How are you currently registered to vote? Have you ever changed your registration with regard to party status? If so, when, and why?

I am a registered Democrat and I have always been a registered Democrat.

22. For whom did you vote for in the 2008 and 2012 presidential and gubernatorial elections? For whom did you vote in the 2014 U. S. Senate election?

2008: Obama, Perdue

2012: Obama, Dalton

2014: Hagan