

EXHIBIT

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Pursuant to M.D.N.C. Local Rule 7.1(e), non-essential pages
Contained here in the original document have been extracted.

**DURHAM, NORTH CAROLINA
MONDAY, JUNE 20, 2005
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Absent: None.

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

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

Council Member Best read a *Proclamation Memorializing Gregory Lamont Shoulders* who was a police officer killed during a fatal automobile accident on his way home.

Mayor Bell requested a moment of silence in honor of Officer Shoulders.

Council Member Stith commented on his attendance at the annual East Cedar Grove Women's Auxiliary Meeting on June 11, 2005.

Council Member Clement announced his participation during the 2nd Annual Workforce Investment Act Program graduation and commended the Economic Development staff and other individuals, who were a part of this endeavor.

Mayor Pro Tempore Cole-McFadden thanked everyone involved with the World Changers rehab project on Hillside Avenue. Also, she asked the administration to find out how our local youth can get involved in this initiative. She made comments on her attendance at the Rites of Passage graduation. She extended congratulations to the graduates, the Durham Business and Professional Chain and mentors.

Council Member Brown made comments on Jack Preiss' development [Andover Apartments] off of Angier Avenue, noted he attended the Habitat for Humanity opening of seven homes built in one week located on a cul-de-sac off of Jackson Street, thanked staff and everyone who built homes for this project.

Mayor Bell asked for priority items from the City Manager, City Attorney and City Clerk. City Manager Baker requested that Consent #13 [Proposed Two-Thirds Bond Issuance] be moved to the General Business Agenda, GBA #77 [First Quarter 2005 Crime Report] be heard at the beginning of meeting and Supplemental Agenda Item #79 [Approval of Contracts during Summer Recess] has been added to the agenda. Finally, he noted there has been a request from DDI to reappoint Council Member Catotti to that board by June 24th.

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MOTION by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to find that the products to be acquired through the contract with the Carolina Telephone and Telegraph Company (Sprint) are needed and are available from only one source of supply; and

To authorize the City Manager to execute a contract with Carolina Telephone and Telegraph Company (Sprint) in the amount of \$268,744.68 for the upgrade of the existing Positron Power 9-1-1 Phone System; and

To authorize the City Manager to make changes to the contract before execution, provided that the changes do not increase the dollar amount of the contract and are on terms and conditions not less favorable to the City was approved at 7:24 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: "ON CALL" SAFETY SERVICES

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to execute contracts for occupational safety and health services with qualified "on call" safety professionals, for a period of three years, effective July 1, 2005, at an annual cost not to exceed \$100,000; and

To authorize the City Manager to modify the proposed contract before execution provided that the modifications do not exceed the total dollar amount of authority and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:24 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: LIABILITY CLAIMS ADJUSTING SERVICES - GAB ROBINS NORTH AMERICA, INC. - INTER-LOCAL RISK FINANCING FUND OF NORTH CAROLINA - NORTH CAROLINA LEAGUE OF MUNICIPALITIES (NCLM)

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to terminate the existing contract with GAB Robins North America, Inc., with 90 days written notice;

To execute a contract with the Inter-local Risk Financing Fund of North Carolina for liability claims services to be performed by the North Carolina League of Municipalities for a period of 3 years, effective on or about October 1, 2005, in an amount not to exceed \$608,322;

To modify the terms of the proposed contract prior to execution provided that the modifications are consistent with the claims funding and settlement procedures adopted in other claims

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administration contracts and provided that the modifications do not increase to total dollar amount of the contract; and

At the end of the 90-day notice period with GAB, to pay up to an additional \$25,000 to maintain continuity of services for pending claims assigned to GAB; these claims will be either completed by GAB Robins North America, Inc., or re-assigned to the North Carolina League of Municipalities in the manner most favorable to the City was approved at 7:24 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: SUPPLEMENTAL FIRE PROTECTION CONTRACT RENEWALS FOR THE PARKWOOD FIRE DEPARTMENT - SOUTHPOINT, LAKEHURST POINTE, GRANDALE PLACE AND LEWTER PROPERTY (MEADOWBROOK SUBDIVISION)

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to execute renewal amendments to the contracts with the Parkwood Volunteer Fire Department to provide supplemental fire protection service to Southpoint, Lakehurst Pointe, Grandale Place and Lewter Property (Meadowbrook Subdivision); and

To authorize the City Manager to make changes to the contract before execution provided the changes do not increase the amount to be paid by the City and do not decrease the goods and services to be provided to the City was approved at 7:24 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: 2004 ASSISTANCE TO FIREFIGHTERS-FIRE PREVENTION AND SAFETY GRANT – US DEPARTMENT OF HOMELAND SECURITY

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to adopt the City of Durham US Department of Homeland Security Assistance to Firefighters-Fire Prevention and Safety Program Grant Project Ordinance and corresponding Memorandum of Agreement between the City of Durham and the US Department of Homeland Security; and

To authorize the City Manager to execute the grant agreement in the amount of \$31,269 was approved at 7:24 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Ordinance # 13116

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