



Durham County

200 E. Main Street
Durham, NC 27701
(919) 560-0025

Meeting Agenda Board of County Commissioners

Michael D. Page, Chair
Brenda A. Howerton, Vice Chair
Fred Foster, Jr., Commissioner
Wendy Jacobs, Commissioner
Ellen W. Reckhow, Commissioner

Monday, March 14, 2016

7:00 PM

Commissioners' Chambers

"Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

7:00 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)
2. Agenda Adjustments (5 min)
3. Announcements (5 min)

16-900

Announcements

Agenda Text:

- 1) Please contact the Clerk's Office at 919-560-0025 or clerk@dconc.gov [<mailto:clerk@dconc.gov>](mailto:clerk@dconc.gov) to find out about opportunities to serve on one of our volunteer boards or commissions.
- 2) We invite you to tune in to Cable TV Channel 8 or 97-5 to see rebroadcasts of tonight's meeting as well as other Durham County programming that may be of interest to you. Please contact the Public Information Office at 919-560-0008 or our website www.dconc.gov [<http://www.dconc.gov>](http://www.dconc.gov) for more information.
- 3) The Chair will hold office hours for citizens on Wednesdays by appointment. Please call 919-949-4022 to schedule an appointment.

- 4) These announcements may also be found on the County's website or you may call the Clerk's Office at 919-560-0025.

4. Minutes (5 min)

[16-901](#)

Minutes

Attachments:

[Regular Session - February 8, 2016](#)

[Worksession - February 1 2016](#)

5. Ceremonial Items

[16-886](#)

Recognition of Budget and Management Services for Receiving the GFOA Distinguished Budget Presentation Award for the FY 2015-16 Budget

Agenda Text:

The Board is requested to recognize the Department of Budget and Management Services for receiving the GFOA Distinguished Budget Presentation Award for the FY 2015-16 budget.

In order to receive the Distinguished Budget Presentation Award, the budget document had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as: a policy document, a financial plan, an operations guide, and a communications device. Budget documents must be rated "proficient" in all four categories to receive the award.

The award reflects a significant commitment by the Board of County Commissioners and staff to meet the highest principles of governmental budgeting. This is the 19th time the county has won the award, and the 12th consecutive year.

The Government Finance Officers Association is a nonprofit association serving over 18,000 government finance professionals throughout North America. The GFOA's Distinguished Budget Presentation Awards Program is the only national awards program in governmental budgeting.

Alignment with Strategic Plan: Goal 5 Efficient Government

Resource Persons: Claudia Odom Hager, Budget and Management Services Director

County Manager's Recommendation: The County Manager recommends that the Board recognize the Department of Budget and Management Services for receiving the GFOA Distinguished Budget Presentation Award.

Attachments:

[FY2016 GFOA Award](#)

[FY2016 GFOA Award Press Release](#)

16-929

Recognition that the Information Services and Technology Department

has Received a National Awards that Demonstrates World-Class IT Effectiveness

Agenda Text:

The Board is requested to recognize a recent award received by Durham County's Information Services and Technology department.

The IS&T Department has received a national award that demonstrates world-class IT effectiveness: customer service; innovative business transformation and business process improvements.

In February 2016, IS&T was recognized by the Public Technology Institute with 2016 Solutions Award for a comprehensive project executed to strengthen the County's Cyber Security efforts. This is in recognition of Durham County's ongoing work to protect the data of our Government and citizens by combining modern data security technologies with education programs for employees.

Your recognition of these achievements made by the entire staff of IS&T, and departmental partners is appreciated!

Alignment with Strategic Plan: Goal 5: Accountable, Efficient and Visionary Government by providing collaborative leadership, exceptional customer service, innovation, transparency and fiscal responsibility.

Resource Persons: Greg Marrow, Chief Information Officer

County Manager's Recommendation: The County Manager recommends that the Board that recognize a recent award received by Durham County's Information Services and Technology department.

16-937

Proclaim March 20, 2016 as "42nd Durham Crop Hunger Walk Day"

Agenda Text:

The Board is requested to approve a proclamation that has been requested by organizers of the 42nd Annual Durham Crop Hunger Walk Day. Each year, Durham comes together to support the local agencies that provide food to families and individuals in great need. Kaaren Johansson, Crop Walk Coordinator will provide remarks.

Alignment with Strategic Plan: This proclamation aligns with strategic Goal 1: Community and Family Prosperity and Enrichment

Resource Persons: Chairman Michael D. Page

County Manager's Recommendation: The County Manager recommends that the Board approve the proclamation and present to Ms. Kaaren Johansson, Crop Walk Coordinator.

Attachments:

[2016 County Proclamation Crop Walk](#)

16-942

Resolution Honoring the Life and Legacy of John Gentry, Jr.

Agenda Text:

The Board is requested to approve a resolution honoring the life and legacy of Assistant Fire Marshal John Gentry, Jr. This highly respected professional was known for generously sharing his talents, skills and abilities with his fellow

colleagues. Gentry enjoyed a long career in public service to others. He made his transition on February 5, 2016.

Alignment with Strategic Plan: This item aligns with Strategic Plan Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Chairman Michael D. Page

County Manager's Recommendation: The County Manager recommends that the Board approve this resolution and present it to the family of Assistant Fire Marshal John Gentry, Jr. along with sincere sympathies and a recognition of his outstanding professional contributions.

Attachments: Resolution - Assistant Fire Marshal John Gentry Jr

16-946 Proclamation - Girl Scout Week 2016

Agenda Text: The Board is requested to approve a Proclamation declaring the week of March 6-12, 2016 as Girl Scout Week 2016. March 12, 2016 marks the 104th anniversary of Girl Scouts of the USA and Girl Scout members nationwide will be celebrating the role of Girl Scouts in increasing girls' awareness of opportunities available to them. The Board is requested to issue a proclamation recognizing the importance of Girl Scouts in our community.

Alignment With Strategic Plan: This recognition aligns with goals 1 and 2: Community and Family Prosperity and Enrichment and Health and Well-being for All.

Resource Persons: Dionne Hines, Assistant to the County Manager

County Manager's Recommendation: The County Manager recommends that the Board approve a Proclamation declaring the week of March 6-12, 2016 as Girl Scout Week 2016.

Attachments: Proclamation - Girl Scout Week 2016.pdf

6. Consent Agenda (15 min)

16-876 Amendment to Roadside Recycling Contract

Agenda Text:

The Board is requested to approve the amended Residential Roadside Recycling Collection Services (RFP 12-018) contract between the County of Durham and Waste Industries, LLC to increase the compensation paid to Waste Industries, LLC from \$415,303.20 to \$423,303.20. This \$8,000.00 increase will allow the County to provide roadside recycling collection services to the Colvard Farm Road Community, a new residential area within the unincorporated area of the County and 548 participating households within the County using 18 gallon bins for recycling collection. The \$8,000.00 will be transferred from the Gasoline Budget Line within the Solid Waste Fund to the Miscellaneous Contract Services Budget Line.

Alignment with Strategic Plan: Durham County Government through State Statutes and County Code of Ordinances is responsible for properly managing and disposing of the solid waste and recyclable materials generated in the unincorporated areas of Durham County. These responsibilities align with Strategic Plan Goal 4 - Environmental Stewardship, by reducing the amount of solid waste disposed in landfills.

Resource Persons: Motiryo Keambiroiro, General Services Director; Brian S. Haynesworth, Solid Waste Program Manager; and Chrissie Koroivui, Waste Reduction Supervisor

County Manager's Recommendation: The County Manager recommends that the Board approve the amended Residential Roadside Recycling Collection Services (RFP 12-018) contract between the County of Durham and Waste Industries, LLC to increase the compensation paid to Waste Industries, LLC from \$415,303.20 to \$423,303.20.

Attachments: Contract Amendment Roadside Recycling FY 15-16

16-905

Budget Ordinance Amendment No. 16BCC000044 to Recognize \$51,042 from the NC DHHS Division of Public Health Women's and Children's Health Section for Family Planning Services

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 16BCC000044 to recognize funds in the amount of \$51,042 from the Department of Health and Human Services Division of Public Health for Family Planning Services and TANF Out-Of-Wedlock Birth Prevention Program in Durham County. These funds are to be used for Family Planning services according to Title X requirements and to implement strategies devised to serve the community's needs relative to the prevention of out of wedlock births among TANF-eligible clients and among those at risk of becoming eligible as a result of unintended pregnancies.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

Alignment with Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All. Birth outcomes and the infant mortality rate is a marker of the overall health of a community

Resource Persons: Gayle B. Harris, MPH, Health Director

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 16BCC000044 to recognize funds in the amount of \$51,042 from the Department of Health and Human Services Division of Public Health for Family Planning Services and TANF Out-Of-Wedlock Birth Prevention Program in Durham County.

Attachments: [AAF-44 Legal Form Public Health DHHS Funds for Family Planning Services \(\\$](#)

16-906

Approve the Final Budget for the Tilley Conservation Easement and Approve Capital Project Amendment No.16CPA000011 Decreasing the Open Space & Farmland Preservation Capital Project \$103,350 and Budget Amendment No. 16 BCC000043 transferring \$103,350 to the General Fund to Support the Purchase of the Tilley Farm Conservation Easement

Agenda Text:

The Board is requested to approve the final budget for the Tilley Conservation Easement and approve Capital Project Amendment No.16CPA000011 decreasing the Open Space & Farmland Preservation Capital Project \$103,350, and Budget Amendment No. 16 BCC000043 transferring \$103,350 to the General Fund to support the purchase of the Tilley Farm conservation easement.

The property consists of 53 acres located in northern Durham County on the east side of 15-501 North just north of the Bahama Road intersection as shown on Attachments 1 and 2. The farm qualifies as a century farm, and has over a third-mile frontage along Mountain Creek, a major tributary to the Little River Reservoir. The County presently has 2,047 acres of preserved farmland easements on thirteen farms, as shown on Attachment 2. Tilley Farm will be the fourteenth farmland conservation easement completed by Durham County, and there are another five farms approved by the Board of County Commissioners that are underway. The County is fortunate to have the commitment of the owners of Tilley Farm and others to preserving farmland in Durham County for future generations. By protecting the farm with a conservation easement the property remains a working farm in private ownership and on the tax rolls, but future development is restricted.

The federal farm and ranchlands protection program (FRPP) grant awarded to Tilley Farm will pay for 50 percent of the federally approved appraisal value of the easement rights. The appraisal approved by the federal program has to meet federal standards, and the approved value for the easement was \$206,700 for 53.01 acres, or \$3,899 per acre. The attached budget summarizes the total cost for this easement. The federal grant pays for \$103,350 of the cost of the easement; the remaining 50 percent is provided by Durham County. No new county funding is needed since the \$103,350 for the county's share of the acquisition would come from open space capital project funds previously set aside for this project when the Board approved the purchase option for the easement. The transfer of \$103,350 from the capital project ordinance to the General fund for the purchase of the land is a technical transfer that provides the Finance Department with a more concise end of year accounting of assets purchased by the County in each fiscal year. In addition, the County Manager was previously authorized to execute the final easement documents as well.

Alignment with Strategic Plan: This acquisition helps to implement Strategic Plan Goal 4, "Environmental Stewardship," by increasing the amount of open

space and farmland that has been protected by Durham County.

Resource Persons: Jane Korest, Open Space and Real Estate Manager; Jay Gibson, Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board approve the final budget for the Tilley Conservation Easement and approve Capital Project Amendment No.16CPA000011 decreasing the Open Space & Farmland Preservation Capital Project \$103,350, and Budget Amendment No. 16 BCC000043 transferring \$103,350 to the General Fund to support the purchase of the Tilley Farm conservation easement.

Attachments:

[AAF-43 Legal Form Open Space Funding for Tilley Conservation Easement - A](#)

[CPA-11 Legal Form Open Space Funding for Tilley Conservation Easement - A](#)

[Attachments - GeorgeTilley Easement 3-14-16](#)

16-908

Budget Ordinance Amendment No. 16BCC000042 Transferring \$6,141 of Parkwood Fire Tax Fund Fund Balance to the General Fund for Reimbursement of Actual Expenditures that Occurred in Fiscal Year 2015

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 16BCC000042 transferring \$6,141 from the Parkwood Fire Tax District Fund fund balance to reimburse the General Fund for additional actual expenditures over the original transfer amount in fiscal year 2015.

In FY2015 fire services provided for the Parkwood Fire District were funded by property tax funds collected in the Parkwood Fire Tax District. Salaries/benefits, operations, and building/grounds expenditures were reimbursed to the County from the Parkwood's Fire Tax District Special Revenue Fund to support County positions working for the Parkwood VFD. In FY2015, the Board of County Commissioners approved \$280,268 available to transfer from Parkwood's Fire Tax District Fund to reimburse the County's General Fund, but this amount was not sufficient for expenditures incurred. This budget amendment transfer of \$6,141 is an outstanding balance to reimburse the General Fund for FY2015 financial activity in the Parkwood Fire District.

Alignment with Strategic Plan: Durham County Strategic Goal #5 - Accountable, Efficient and Visionary Government

Resource Persons: George K. Quick, Chief Financial Officer; Susan F. Tezai Deputy Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BCC000042 transferring \$6,141 from the Parkwood Fire Tax District Fund fund balance to reimburse the General Fund for additional actual expenditures over the original

transfer amount in fiscal year 2015.

Attachments: [AAF-42 Legal Form Transfer from Parkwood VFD Fund Balance to General Fund](#)

16-913

Reappointment to the Alliance Behavioral Healthcare Area Board

Agenda Text: The Board is requested to approve the reappointment of Cynthia A. Binanay to the Area Board of Alliance Behavioral for a three-year term.

Ms. Binanay is recommended for her clinical background and pharmaceutical and research experience. Ms. Binanay serves as Vice-Chair of Alliance's Area Board. Alliance Behavioral Healthcare Board of Directors voted unanimously to recommend Ms. Binanay for reappointment.

Alignment With Strategic Plan: Ms. Binanay's reappointment will enhance Alliance's efforts to improve the quality of life for Durham citizens through management of behavioral health services as referenced in Durham County's Health and Well-being for All goal.

Resource Persons: Rob Robinson, Alliance Behavioral Healthcare CEO

County Manager's Recommendation: The County Manager recommends that the Board approve the reappointment of Cynthia A. Binanay to the Area Board of Alliance Behavioral Healthcare.

16-916

Execution of the Construction Manager @Risk Pre-Construction Services Contract for the Durham County Judicial Building Renovation Project No.: DC073

Agenda Text: The Board is hereby requested to authorize the County Manager to enter into a contract with The Whiting-Turner Contracting Company (WTCC) for the Pre-Construction Services for the Judicial Building Renovation located at 201 East Main Street, Durham NC, in the amount not to exceed \$298,371.00. (See Attachment 1, Page 1-2).

The Request for Qualifications (RFQ) for Construction Manager at Risk Services for the Durham County Judicial Building Renovation was advertised in local newspapers on October 4, 2015. A Pre-proposal conference was held on October 14, 2015 and four proposals were received on November 3, 2015. A Selection Committee comprised of representatives from Durham County Finance, Purchasing, General Services and Engineering Departments reviewed the proposals. (See Attachment 1, Pages 3-6). The selection committee deemed the team of Whiting-Turner Contracting/Holt Brothers Construction the most qualified team for the project. The Pre-Construction Services phase of the project is the first step in the Construction Manager at Risk delivery process in which the contracting team will provide cost estimates, constructability reviews, schedule development and value analysis of the project design. Upon completion of this phase, our intent is to follow-up with a separate contract for demolition and construction once the required approvals are obtained and a Guaranteed Maximum Price is established for the project.

The goal of the Judicial Building Renovation is to modernize and re-purpose the building that was originally constructed in 1978. The building has seven floors, plus a basement, with a total area of 170,000 S.F. Once completed, it will house various Durham County administrative offices, multiple meeting rooms, and leasable retail space on the First Floor. The scope includes a total reconfiguration of the building interior, replacement of all the major building systems, adding a fire protection system, and completely rearranging the elevator core. The exterior envelope will be replaced with a system that meets the current energy performance standards, and will reimage the overall building. Minor alterations will be needed to the building structure. Along Main Street, the existing planters will be removed and the entry steps broadened to open the building to the street. The existing plaza will remain with selective alterations to materials and plantings. The project will also be seeking a LEED "Certified" rating. Funding for this service is available in the Judicial Building Renovation Capital Project account.

Durham County has a 7.20% African American and a 3.55% Women-owned business M/WBE goal for other professional services. This agenda item has been reviewed and approved by the Purchasing Division. In review of the M/WBE participation for this project, WTCC will be utilizing 35.2% (\$105,000) African American (Holt Brothers Construction for Professional Services) and 0.20% (\$600) Women Owned (LSG for Printing Services) Participation for this portion of the project. The vendor has also committed to working with Durham County to seek additional M/WBE participation if the opportunity prevails. (See Attachment 1, Page 7).

Alignment with Strategic Plan: This aligns with Goal 4 - Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use and greenhouse gas emissions from the built environment. The relocation of various departments into this facility also addresses Goal 5 by providing more efficient service delivery and better customer service.

Resource Persons: Jay Gibson, P.E., Director of Engineering and Environmental Services, Peri Manns, ASLA, Senior Project Manager, Jacqueline Boyce, Purchasing Division Manager; Kevin Montgomery, FAIA, O'Brien/Atkins and Associates, P.A. and Gregory Tadd, Senior Project Manager, Whiting-Turner Contracting Company

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute a contract with Whiting-Turner Contracting Company (WTCC) for the Pre-Construction Services for the Judicial Building Renovation in an amount not to exceed \$298,371.00.

Attachments:

[AAF - Backups for the Judicial Building Renovation - C,M @R Pre-construction.](#)

16-918

Set a Date for Public Hearing for the Removal of Land from RTP

Service District**Agenda Text:**

The Board is requested to set a date for a public hearing pursuant to NCGS 153A-314.1 (c) before adopting a resolution reducing the boundaries of a service district. Bald Eagle Land Development LLC ("Bald Eagle") owns property located in Durham County (off So-Hi Drive and Ellis Road) and a small portion of the property is located in the Research and Production Service District. Bald Eagle is developing the land for residential purposes and 2.04 acres no longer requires the services of the District. The Board must set and hold a public hearing prior to considering removal of the parcel from the Service District. Staff reports that Bald Eagle has met all the prerequisites outlined in NGGS 153A-314.1 (a) and the report required by 153A-314.1 (b) is attached hereto.

Alignment with Strategic Plan: The Public Hearing aligns with Goal 5 Accountable, Efficient and Visionary Government.

Resource Persons: Willie S. Darby, Senior Assistant County Attorney and Joseph B. Bass, III, Attorney with Manning & Fulton

County Manager's Recommendation: The County Manager recommends that the Board set a date for the public hearing on March 28, 2016.

Attachments:

[attachment file](#)

[Executed - Verified Petition Bald Eagle Development](#)

16-919**Amend the Code Provision to Chapter 4 of Durham County Code of Ordinances Entitled:****Animals, Regarding Canine Waste Removal****Agenda Text:**

The Board is requested to amend the code provision to Chapter 4 of the Durham County Code of Ordinances, Section 4-140. - Removal of Canine Waste.

Alignment with Strategic Plan: This aligns with Strategic Goal #2: Health and Well-being for All and Strategic Goal #4: Environmental Stewardship

Resource Persons: Marie Costello Inserra, Senior Assistant County Attorney and Lowell L. Siler, County Attorney

County Manager's Recommendation: The County Manager recommends that the Board amend the code provision to Chapter 4 of the Durham County Code of Ordinances, Section 4-140. - Removal of Canine Waste.

Attachments:

[Redline](#)

[FINAL - CHAPTER 4 Article 6, Canine Waste](#)

16-920**Amend the County Code Concerning Ambulance Franchises and Insurance, Authorize the Creation of the EMS Peer Review Committee, and Receive a Report on the Status of Recent Investments in the EMS System, as Requested in the March 7, 2016 Worksession.**

Agenda Text:

The Board is requested to amend the code provisions to Chapter 12, Article 2 of the Durham County Code of Ordinances, concerning the franchise of ambulance services and insurance, to change the term from 3 years to 2 years, to eliminate duplicate or unnecessary provisions, and to update and streamline the process for handling franchise applications.

The Board is further requested to authorize the creation of the Durham County EMS Peer Review Committee, as required by N.C.G.S. § 131E-155(a)(6)(b) (statute) and 10A NCAC 13P .0408, replacing the current EMS Advisory Council.

Alignment With Strategic Plan: These requests align with Strategic Goal #2: Health and Well-being for All; Strategic Goal #3, Safe and Secure Communities; and Strategic Goal #5, Accountable, Efficient, and Visionary Government

Resource Persons: Skip Kirkwood, Director of EMS; Marie Costello Inserra, Senior Assistant County Attorney; Drew Cummings, Assistant County Manager; and Jodi Miller, Deputy County Manager

County Manager's Recommendation: The County Manager recommends that the Board amend Chapter 12, Article 2 of the Durham County Code of Ordinances, concerning the franchise of ambulance services and insurance, to change the term from 3 years to 2 years, to eliminate duplicate or unnecessary provisions, and to update and streamline the process for handling franchise applications.

The County Manager recommends that the Board authorize the creation of the Durham County EMS Peer Review Committee, as required by N.C.G.S. § 131E-155(a)(6)(b) (statute) and 10A NCAC 13P .0408, replacing the current EMS Advisory Council.

Attachments:

[Attach1-Amendment-AmbulanceOrdinance \(Redline\)](#)

[Attach1-Amendment-AmbulanceOrdinance \(Clean\)](#)

16-923**Lease Agreement with North Carolina Department of Agriculture & Consumer Services for Office Spaces at 721 Foster Street (Cooperative Extension Building)****Agenda Text:**

The Board is requested to approve the attached Lease Agreement with the N.C. Department of Agriculture and Consumer Services (NCDA&CS) for office space within 721 Foster Street (Cooperative Extension Building). The requested lease is for space currently used by the N.C. Forest Service staff that provide services for Durham County. The N.C. Forest Service provides services to Durham County under an annual agreement whereby Durham County provides 40% of the budget for these state staff, who also work in Orange County. The N.C. Forest Service is a division within the NCDA&CS, which has requested a lease to cover the arrangement for the space that the Forest Service have been

occupying.

The offices are located on the second floor of the Cooperative Extension building, and include two offices, two storage closets, and a shared storage room, as shown on Exhibit A of the lease. The attached lease is for two years; it is anticipated that after this, the Forest Service staff will move to new space in the renovated courthouse when that space is ready. The lease includes holdover language to cover their continued occupancy if there is any delay in the anticipated move. The lease amount is \$1 for the term of the lease.

Alignment with Strategic Plan: The lease of office space at 721 Foster Street to the NCDA&CS for the space used by the Forest Service staff servicing Durham County aligns with the Strategic Plan Goal 3: “Safe and Secure Community” as they provide an essential community service, as well as Goal 5: “Accountable, Efficient and Visionary Government”.

Resource Persons: Jane Korest, Open Space and Real Estate Manager; Jay Gibson, Director of Engineering and Environmental Services; and Drew Cummings, Assistant County Manager

County Manager’s Recommendation: The County Manager recommends that the Board approve the attached Lease Agreement with the NCDA&CS for office space within 721 Foster Street that is currently used by the N.C. Forest Service staff for a two year term

Attachments:

[Attach- NCDACS FOREST SERVICE lease 721 Foster Street](#)

16-924

Approve Managing for Results Consulting Contract with Martha Marshall Management Consultant in the Amount of \$16,649

Agenda Text:

The Board is requested to approve a consulting contract with Martha Marshall to assist with Managing for Results (MFR).

Durham County, NC is in the early stages of implementing its new business model, Managing for Results. This approach uses best management practices in a systematic way so that the County can plan for what it wants to achieve, budget for the results it wants, manage to ensure it is achieving those results, and evaluate and learn to determine how it can make improvements for better outcomes.

In Fall 2014, under the direction of County Manager Wendell Davis and in consultation with more than 100 key County employees, Durham County developed a model and four-year timeline for Managing for Results. In winter and spring 2015, County Progress Teams in Strategic Planning, Budgeting and Management, Evaluation and Learning and Engagement all planned and completed key work products related to MFR. That work included the development of programs and measures for early pilot departments, and that work has continued through 2015 and into 2016 with more departments developing program and measures through MFR. Martha Marshall will serve as

a consultant to assist with completion of the FY15-16 practices, as listed in the MFR timeline.

Alignment with Strategic Plan: This item aligns with all goals of the Durham County Strategic Plan, because Managing for Results is the business model that will help Durham County actualize its five strategic goals: Community and Family Prosperity and Enrichment, Health and Well-being for All, Safe and Secure Community, Environmental Stewardship, and Accountable, Efficient and Visionary Government.

Resource Persons: Wendell Davis, County Manager; Michael Davis, Strategic Initiative Manager

County Manager's Recommendation: The County Manager recommends that the Board approve this consulting contract.

Attachments:

[MMARSHALL CONSULTANT CONTRACT II FY16](#)

[MMarshall Scope of Services for Contract II - FY16](#)

16-927

Offer to Purchase County Surplus Properties (1300 Fleetwood Street, 1200 Scout Drive, 1750 and 1756 Ruffin Street)

Agenda Text:

The Board is requested to pursue the upset bid process for the sale of the following surplus real properties: 1300 Fleetwood Street, 1200 Scout Drive, 1750 and 1756 Ruffin Street. An overview of the County's Surplus Real Property Process is attached. All four properties were obtained by the County through tax foreclosure when the properties did not sell at a tax foreclosure auction. When a bid is submitted on a property, it is brought to the Board of County Commissioners (Board) to start the upset bid process. The upset bid process includes a legal notice, and a 10 day upset bid time period during which competing bids can be placed. A "For Sale" sign is posted at the properties and the adjoining landowners are notified that the properties are available for sale through the upset bid process. If a higher bid is received, an additional notice is placed in the paper, and the process repeated until no upset bids are received. The high bid is then brought back for action to the Board.

An initial offer to purchase 1300 Fleetwood Street (Parcel ID #118012) for \$4,905 has been submitted by Funmi Babatope. The County obtained the property in tax foreclosure in October 2004. The property is located on the north side of Fleetwood Street to the east of Alston Avenue and just south of HWY 147. According to the Tax Department's records, the County's investment totals \$4,905. Additional information on the property is attached.

An initial offer to purchase 1200 Scout Drive (Parcel ID #118506) for \$4,500 has been submitted by Capital City Property Solutions, Inc. The County obtained the property in tax foreclosure in February 2008. The property is located on the west side of Scout Drive to the west of Roxboro Street and to the east of University Drive. According to the Tax Department's records, the County's investment totals \$3,458. Additional information on the property is

attached.

An initial offer to purchase 1750 and 1756 Ruffin Street (Parcel IDs #105973 & 105972) for \$4,448 has been submitted by Funmi Babatope. The County obtained the properties in tax foreclosure in March 2003 and July 2007. The properties are generally located north of West Club Boulevard and south of Interstate 85 off the eastern side Ruffin Street. The lots are located on a “paper” portion of Hildreth Avenue, with the nearest constructed road frontage to this property approximately 200 feet away. According to the Tax Department’s records, the County’s investment totals \$2,931. Additional information on the properties is attached.

The properties will be advertised for a 10-day upset bid period, and the high bid will be brought back to the Board for its consideration. The Board reserves the right to accept or reject the high bid at the end of the upset bid process. A resolution to offer each of the properties in an “upset bid” sale is attached.

Alignment with Strategic Plan: The sale of these surplus properties supports the Strategic Plan Goal 5: “Accountable, Efficient and Visionary Government” by moving these properties obtained in tax foreclosure back into private ownership and back on the tax rolls.

Resource Persons: Jane Korest, Open Space and Real Estate Manager; Wendy Seddon, Real Estate Coordinator

County Manager’s Recommendation: The County Manager recommends that the Board pursue the upset bid process for the following surplus properties: 1300 Fleetwood Street, 1200 Scout Drive, 1750 and 1756 Ruffin Street.

Attachments: [Attach 1 Surplus Real Property Process](#)

[Attach 2 1300 Fleetwood Background](#)

[Attach 3 1200 Scout Drive Background](#)

[Attach 4 Ruffin St Properties Background](#)

16-933

Capital Project Amendment No. CPA000012 - Moving \$136,222 from the Administration Building Elevator Replacement Capital Project (4190DC072) to the Detention Center Elevator Renovation Capital Project (4190DC077) and Closing the Administration Building Elevator Renovation Capital Project

Agenda Text:

The Administration Elevator Replacement capital project has been completed, all outstanding work-order issued and DOL inspection passed. The available unspent funds are approximately \$136,222. The Board is requested to approve Capital Project Amendment No. CPA000012 moving \$136,222 available unspent funds from the Administration Building Elevator Replacement capital project to the Detention Center Elevator Renovation capital project.

The Detention Center Elevator Renovation capital project will use the transferred \$136,222 to support design, and contingency costs related to the

planned renovation of the 6 Koen 1996 traction elevators. These elevators mechanical systems have reached their useful life.

With all funds depleted for the Administration Building Elevator Replacement capital project and the project completed, the Board of County Commissioners is also requested to officially close the Administration Building Elevator Replacement capital project.

Alignment With Strategic Plan: Goal 4 Environmental Stewardship by improving the performance of County building and infrastructure as well as Goal 5 Accountable, Efficient and Visionary Government by the reallocation of County resources for needed capital project without increasing the overall debt service.

Resource Persons: Motiryo Keambiroiro, General Service Department Director, and Keith Lane, Senior Budget Analyst

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No. CPA000012 moving \$136,222 from available unspent funds in the Administration Building Elevator Replacement capital project to the Detention Center Elevator Renovation capital project to support design, and contingency costs, and the closing of the now completed Administration Building Elevator Replacement capital project.

Attachments: [CPA-12 Legal Form Transferring funds from Admin Elevator Project to Jail Eleva](#)

16-934

Phoenix Business Consulting Contract Amendment in the Amount of \$38,500 for Configuration Services Needed to Comply with ACA Reporting Mandates

Agenda Text:

The Board is requested to approve an additional cost of \$38,500 for the IS&T Department's contract with Phoenix Business Consulting to provide SAP configuration services needed to comply with ACA reporting mandates. The original contract of \$40,000 will increase by \$38,500, for a total contract amount of \$78,500. The additional \$38,500 is available within budget.

The ACA's section 6055 and 6056 reporting requirements require Applicable Large Employers (ALEs) to provide the IRS with information about qualified health coverage offered to full-time employees. Qualified health coverage includes Essential Medical Benefits that meet minimum value and affordability criteria. ALEs are also required to provide this information to all full-time employees, those part-employees enrolled in the County health plan, under 65 retirees and COBRA continuants and employees who terminated County employment in the 2015 tax year.

This will require configuration of the SAP system, unit testing, file validation, form printing, transmission of electronic files to the IRS and documentation/knowledge transfer of the changes made and the procedures utilized to implement these changes.

Alignment with Strategic Plan: This action aligns within Goal 5: Accountable, Efficient and Visionary Government allowing the County to maintain compliance with the ACA reporting mandate.

Resource Persons: Greg Marrow, IS&T Director, Kathy Everett-Perry, Interim HR Director, Barbara Torian, SAP Manager, and Diane Pearson, Benefits Manager

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approves the Phoenix Business Consulting contract amendment for configuration Services needed to comply with ACA reporting mandates.

16-938

Amendment to Community Development Contract with Austin Lawrence Partners-East LLC

Agenda Text:

The Board is requested to approve amendments to the June 12, 2014 Community Development Contract between Austin Lawrence Partners-East LLC and the County of Durham. This agreement pertains to rehabilitation of the Jack Tar Motel and parking deck and construction of the City Center Building.

The proposed changes to the agreement include:

- Section 1.2: Consolidation of the five parcel numbers into one new parcel number covering the City Center Building;
- Section 2.1.1: Changing the commencement and completion of construction dates to adjust for delays caused by securing project financing. The amendment requires construction activities to begin by March 1, 2016 and a final certificate of compliance be secured by July 1, 2018; and
- Section 3.4: Requiring the Company to provide monthly internal reports to demonstrate occupancy along with the STR reports (from STR Global), and allowing the County to request an independent audit from time to time to verify the occupancy reports.

Alignment with Strategic Plan: This action aligns with Goal 1: Community and Family Prosperity and Enrichment by supporting economic development and job creation.

Resource Persons: Marqueta Welton, Deputy County Manager

County Manager's Recommendation: The County Manager recommends that the Board approve the amendments to the June 12, 2014 Community Development Contract between Austin Lawrence Partners-East LLC and the County of Durham.

Attachments:

[AMENDMENT TO THE AUSTIN LAWRENCE PARTNERS CONTRACT](#)

16-941

Limited Obligation Refunding Bonds, Series 2016

Agenda Text: The Board is requested to approve the attached Refunding Resolution for Series 2016 bonds. The Bonds will be issued in an amount not to exceed \$43,000,000. The Bonds are scheduled to be sold on March 23, 2016 with a net savings of not less than 4%.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient and visionary Government

Resource Persons: George K. Quick, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board approve the Resolution and authorize the CFO, County Attorney and the County Manager to execute the necessary documents.

Attachments: [Resolution](#)

16-944 Resolution in Support of Redistricting Reform

Agenda Text: The Board is requested to pass a resolution to support non-partisan redistricting reform in North Carolina. According to the requestor, Ms. Betsy Crites, several county elected bodies around the state have passed such resolutions encouraging efforts to take the power of redistricting out of the hands of partisan lawmakers and give it to a nonpartisan Commission. The Board is asked to share this resolution with the General Assembly leadership.

Alignment with Strategic Plan: This item aligns with Strategic Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Chairman Michael D. Page

County Manager's Recommendation: The County Manager recommends that the Board approve the resolution and send copies to House Speaker Tim Moore and Speaker Pro Tempore Senator Phil Berger.

Attachments: Resolution to support redistricting reform

7. Public Hearings

16-914 Public Hearing - Historic Properties Local Review Criteria Consolidation and Update

Agenda Text: The Board is requested to Conduct a public hearing and receive public comments on the Local Review Criteria Consolidation and Update; and

First Motion: To adopt the appropriate consistency statement as required per NCGS § 153A-341; and

Second Motion: To adopt an ordinance adopting the Historic Properties Local Review Criteria.

Summary: The City and County, through the Planning Department's work

program, initiated a consolidation of, and update to, the criteria used by the Historic Preservation Commission (HPC) to review proposed changes to locally-designated historic properties (local historic districts and local historic landmarks). These criteria will apply to the two designated County historic landmarks and any future County landmark designations. They also apply to locally-designated historic districts; however, there are no districts within the County and outside the City's jurisdiction at this time.

Attachments: Attachment 1, Consistency Statement
Attachment 2, Ordinance

Note: The complete draft of the Historic Properties Local Review Criteria is in excess of 100 pages and is available for review on the Planning Department website at: <http://durhamnc.gov/DocumentCenter/View/8447>.

The Historic Preservation Commission unanimously recommended approval of the Historic Properties Local Review Criteria at their October 6, 2015 meeting. Their recommendation included a series of recommended changes that staff has incorporated into the attached document. The Planning Commission recommended approval of the project at their November 10, 2015 meeting (9-2 vote). Their recommendation included a condition that a couple of changes to wording in the document be incorporated. Staff has revised the language in the attached document accordingly.

Alignment with Strategic Plan: This proposal is consistent with Durham County Strategic Goal 1: Community and Family Prosperity and Enrichment as it enhances cultural opportunities by preserving our local historic properties.

Resource Persons: Lisa Miller, Senior Planner, (919)560-4137, ext. 28270, Lisa.Miller@DurhamNC.gov.

County Manager's Recommendation: The County Manager recommends that the Board hold a public hearing and, if appropriate based on the comments received during the hearing, adopt the appropriate consistency statement, and adopt an ordinance adopting the Historic Properties Local Review Criteria.

Attachments:

[Memo Criteria BOC item FINAL](#)

[Attachment 1 Historic Properties Local Review Criteria](#)

[Attachment 2 Consistency statement LRC county](#)

[Attachment 3 Ordinance LRC county](#)

8. ITEMS PULLED FROM CONSENT AGENDA (20 min)

9. Adjournment