



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, January 14, 2019

7:00 PM

Commissioners' Chambers

Regular Session

"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 Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair 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)

19-0025 Announcements

Agenda Text:

1. **Durham City-County Martin Luther King, Jr. Employee Observance Program** - Durham City and County governments collaborate annually for a Martin Luther King, Jr. Employee Observance Program.

The 14th Annual program is scheduled for noon on Tuesday, January 15, 2019. Organized each year in celebration of Dr. King's legacy and progressive ideals, this year's program will be held at First Presbyterian Church, 305 E. Main St., in downtown Durham. Free and open to the public, the event includes remarks from local leaders and elected officials, with musical selections by the Durham City-County MLK Employee Choir. The newly sworn in North Carolina Supreme Court Justice Anita Earls will be the keynote speaker. Justice Earls is a former civil rights attorney and professor.

For more information about the event contact the Durham County Manager's Office at 919-560-0000 or email publicinformationoffice@dconc.gov <<mailto:publicinformationoffice@dconc.gov>>.

2. **Durham County Government will observe the Martin Luther King Jr., holiday on Monday, January 21, 2019.** On this day, non-essential offices for the County will be closed. All County offices will reopen and resume normal hours of operation on Tuesday, January 22nd.
3. **Durham County General Services County Convenience Sites** - The Durham County General Services Department will close its four Solid Waste and Recycling Convenience Sites on January 21st. Durham County residents with a current 2018-2019 solid waste decal can resume disposal of garbage, recycling, yard waste and bulky items on January 22nd beginning at 7 a.m.

A reminder, live Christmas trees are accepted in the yard waste containers at the Bahama, Redwood, and Parkwood Convenience Sites. All decorations must be removed.

4. **Roadside Recycling Collection** - The Durham County roadside recycling collection (Schedule B - South of the Eno River) for the week of January 21st will not change due to the holiday. Customers scheduled for Monday's collection will receive service on Monday as scheduled. To learn more about Durham County's solid waste and recycling programs, call (919) 560-0433 or visit www.dconc.gov/recycling <<http://www.dconc.gov/recycling>>
5. **LIEAP - Low Income Energy Assistance Program:** LIEAP will be open to ALL Durham County residents, January 2 - March 31, 2019. Applications will be taken at the Department of Social Services in the Crisis Lobby #27 Monday - Friday at 414 East Main Street from 8:30 a.m. - 5:30 p.m.

Call 919-560-8000 to schedule your LIEAP appointment. Walk-ins are welcome. The LIEAP Program assists with heating only. Bring a photo ID, Social Security card, income verification and verification of heating source-heating bill to your appointment.

6. **2019 Golden Leaf Awards Nominations Now Being Accepted** - Do you know of a Durham property that's outstanding for its design, preservation, curb appeal, or stewardship of the natural and built environment? Nominate it now for the 2019 Golden Leaf Awards. The Durham City-County Appearance Commission and Keep Durham Beautiful are currently seeking property nominations to recognize new developments, buildings, and landscaping in Durham County that provide positive attributes to the

community's built environment.

The award categories are Neighborhood Garden & Landscape; Hearth & Home; Adaptive Reuse-Old Building New Design; Small Development (under 12,000 sq. ft.); Large Development (over 12000 sq. ft.); and Keep Durham Beautiful. Nominations can now be submitted at www.DurhamGoldenLeaf.com <<http://www.DurhamGoldenLeaf.com>> and are due by Friday, February 15. Any projects completed within the last five years that have not already received a Golden Leaf Award are eligible. Awards will be presented at a ceremony in April 2019.

For more information, visit www.DurhamGoldenLeaf.com <<http://www.durhamgoldenleaf.com>> or contact Senior Planner Kayla Seibel with the Durham City-County Planning Department at Kayla.Seibel@DurhamNC.gov <<mailto:Kayla.Seibel@DurhamNC.gov>> or (919) 560-4137, ext. 28271.

7. **Durham YouthWork Program Seeks Local Employers to Host Youth Interns** - This program, now in its 16th year, has a goal to grow from serving approximately 200 youth each summer to serving more than 1,000 youth within the next three years. In 2019, the goal is to offer more than 300 paid youth summer internship opportunities, and local employers are needed to make this a reality.

This year's expo will be held on Saturday, February 23 from 9 a.m. until noon at the Chesterfield Building, located at 107 W. Main St. in downtown Durham.

For more information about hosting summer interns and/or participating in the 2019 Durham YouthWork Job Expo, interested employers should visit the City's website or contact Business Services Manager Jamie Vaughn with the City's Office of Economic and Workforce Development at (919) 560-4965 ext. 15221 or James.Vaughn@DurhamNC.gov.

8. **We're 150 Years Old, Y'all!** As we celebrate the 150th anniversary of Durham throughout 2019, we're honoring the changemakers who shaped Durham's unique sense of place, and we're rightfully touting Durham's position in the future. Home to scholars, artists, and entrepreneurs, we're accustomed to movement, creativity, and blazing new trails. **SAVE THE DATE, April 13, 2019** - Durham 150 opening celebration. Visit www.DURHAM150.ORG <<http://www.DURHAM150.ORG>> and look for announcements in January for more on how to get involved.

9. **Alert Durham - Sign Up Today:** Durham County wants to keep its citizens informed and safe in the case of an emergency. Sign up for Alert Durham to receive notifications about severe weather, unexpected road closures, missing persons, and evacuations of buildings or neighborhoods. To sign up for Alert Durham, visit AlertDurham.com <<http://AlertDurham.com>>.

10. **Get Involved!** It's your County. Durham County Government has approximately 43 active advisory boards referred to as Boards and Commissions. Citizens of Durham County may volunteer to participate by applying for a vacancy.

Interested citizens should fill out an application and send it to the Clerk to the Board's Office. A description of the boards as well as a list of vacancies can be found on the County's website at

<http://www.dconc.gov/government/departments-a-e/board-of-commissioners/boards-and-commissions>>. If you need additional information, please

contact the Clerk's Office at 919-560-0025 or email to:

BoardsandCommissions@dconc.gov

<<mailto:BoardsandCommissions@dconc.gov>>

This information can also be found on our Durham County Website:

www.dconc.gov <<http://www.dconc.gov>>

These announcements along with additional details 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)

[19-0028](#)

Minutes

Attachments:

[Regular Session - December 20, 2018](#)

5. Ceremonial Items

[19-0024](#)

Proclamation - National Mentoring Month

Agenda Text:

The Board is requested to issue a proclamation declaring January 2019 as National Mentoring Month in Durham County. The goal of the proclamation is to urge all residents of Durham County to rededicate ourselves to preventing youth from entering the juvenile and criminal justice systems and recommit to building a community where all our youth can grow, flourish, and take Durham County to new and greater heights through effective mentoring relationships.

Created in 2002 by the Harvard School of Public Health and MENTOR: The National Mentoring Partnership, National Mentoring Month (NMM) focuses national attention on the need for mentors, as well as how each of us - individuals, businesses, government agencies, schools, faith communities and nonprofits - can work together to increase the number of mentors to assure positive outcomes for our young people.

NMM celebrates mentoring and the positive effect it can have on young lives. Its goals are to raise awareness of mentoring in its various forms, recruit individuals to mentor, especially in programs that have waiting lists of young people and promote the rapid growth of mentoring by recruiting organizations to engage their constituents in mentoring.

Alignment With Strategic Plan: Goal 1: Community & Family Prosperity and Enrichment; Goal 3: Safe & Secure Community; and Goal 5: Accountable, Efficient and Visionary Government

Resource Persons: DeWarren K. Langley, JD, MPA, Executive Director, Charles Hamilton Houston Foundation, Inc.

County Manager's Recommendation: The County Manager recommends that the Board issue a proclamation declaring January 2019 as National Mentoring Month in Durham County.

Attachments: [Proclamation - National Mentor Month - January 2019](#)

19-0032

Resolution - Celebrating & Honoring the Life & Service of Dr. Martin Luther King, Jr.

Agenda Text:

The Board is requested to issue a resolution celebrating & honoring the Life & Service of Dr. Martin Luther King, Jr. The purpose of the resolution is to recognize and honor the life and work of Dr. Martin Luther King, Jr. and his commitment to a free and just world; in addition to calling on the residents of Durham County to join the Durham Community Martin Luther King, Jr. Steering Committee, Inc. in reflecting on and advancing Dr. King's life and fulfilling his dream.

Dr. Martin Luther King, Jr. devoted his life to equality, social justice, economic advancement, and opportunity for all. Dr. King used his gift of oratory to awaken America to the realities of life for African Americans and to make life better for all by encouraging change through nonviolent means. The 2019 King Holiday Celebration will include the Wreath Laying Ceremony, Interfaith Prayer Breakfast, Day-of-Service, Unity March & Rally, and Annual Religious Service.

Each year, the Durham Community Martin Luther King, Jr. Steering Committee, Inc. plans appropriate ceremonies and programs in recognition of the King Holiday to preserve the legacy and example of Dr. Martin Luther King, Jr.

Alignment with Strategic Plan: Goal 1: Community & Family Prosperity and Enrichment; Goal 3: Safe & Secure Community; and Goal 5: Accountable, Efficient and Visionary Government

Resource Persons: DeWarren K. Langley, JD, MPA, Secretary, Durham

Community Martin Luther King, Jr. Steering Committee, Inc.

County Manager's Recommendation: The County Manager recommends that the Board issue a resolution celebrating & honoring the Life & Service of Dr. Martin Luther King, Jr.

Attachments: [Resolution - Celebrating Honoring the Life Service of Dr. Martin Luther King Jr](#)

6. Consent Agenda (15 min)

18-1133 Durham County Justice Center Parking Deck Operations and Maintenance Contract Renewal

Agenda Text: The Board is requested to approve the amendment to the original agreement with Lanier Parking Meter Services, LLC dba Lanier Parking Solutions for the management of the Durham County's Justice Center Parking Deck extending the contract to June 30, 2019 and an increase in the contract amount of \$25,904.36. The increase is due to an increase in salaries for the three current positions, a new part-time bookkeeper position and a new monitoring fee. This amendment will keep in place the terms of the original agreement but will be for an amount not to exceed \$191,398.25. The new amount represents an increase of \$25,904.36 (15.65 percent) over the previous year. Of the total increase:

- \$18,595.61 increase in the parking operations which is due to the funding of a new part-time bookkeeper for \$15,120 with the balance being 3% salary increase for the existing positions (e.g., parking deck supervisor and two attendants)
- \$145.37 increase in parking operations contingency which is a slight increase (e.g., billings for special event parking)
- \$6,000 is a new monitoring fee being assessed in fiscal year 2019 (e.g., \$500 per month)
- \$1,163.38 increase in maintenance services which is due to a 3% salary increase for one maintenance staff

It is my understanding from both Lanier staff and County Finance staff that the part-time bookkeeper has been needed for quite some time. Currently, the supervisor performs these tasks. To have a part-time bookkeeper to take care of the basic accounting/financial responsibilities at the Justice Center Parking Deck would allow the supervisor to provide the level of customer service along with the two attendants that is needed.

The monitoring fee pertains to the 24-hour call center service being provided which helps citizens parking in the deck that may need assistance and it may be at a time during the day whereby the staff in the booth is unavailable to answer the phone due to assisting another citizen, it may be after hours, etc. The Justice Center Parking Deck is a 24-hour deck; however, the parking booth is manned during the hours of

7am-7pm, Monday - Friday. The 24-hour call center service was added at the beginning of December 2017. To provide some history, this service was added due to an incident that occurred Thanksgiving holiday, November 24, 2017. There was a show at the DPAC. All the attendants who came to see the performance at the DPAC that parked in the Justice Center Parking Garage could not get out. It is my understanding that they were in there for over an hour on Friday, November 24th. They eventually called law enforcement who had to remove the automatic arm so they could get out of the parking garage. The 24-hour on call center service was the solution implemented to resolve issues such as this going forward. Please note that in fiscal year 2018 Lanier Parking Solutions provided these services but did not charge the County the monitoring fee for this added service in fiscal year 2018 (e.g., 7 fiscal months).

Per Lanier Parking Solutions, there has been an increase in the volume of calls and as a result need to begin charging the County the \$500 dollars per month monitoring fee to continue providing the 24-hour call center service. It is important to have this service in place to ensure that situations such as the one on November 24, 2017 do not happen again. In addition, please note that per Lanier Parking Solutions, the \$500 per month charge for the provision of this service is the minimal amount that they charge.

This agreement will continue to carry a performance bond equal to 100 percent of the contract. The contract amendment that includes five attachments, the Minority and Women-Owned Business Enterprises (M/WBE) Compliance Review Form and the supplemental document are attached for your review.

Please note that County management plans to go out for bid for these services at the Justice Center Parking Deck in fiscal year 2019 for services to be provided effective July 1, 2019 (fiscal year 2020).

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

Resource Persons: Susan Tezai, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board approve the amendment to the agreement and authorize him to execute the contract.

Attachments:

[MWBE Compliance Review Form-AAF for Renewal of 12-006 RFP 110818](#)

[AAF Supplemental Document - FY19 Lanier Contract Amendment Approval 114](#)

[Lanier Parking Contract Amendment](#)

18-1166

Budget Ordinance Amendment No. 19BCC00033 Approval of Lebanon Fire Tax District Fund Balance Appropriation in the Amount of \$52,000 and increasing the Distribution to Lebanon Fire

Department to Support New Vehicle Acquisition and Turnout Gear Costs

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 19BCC00033 appropriating \$52,000 of Lebanon Fire Tax District Fund Balance to offset costs for unanticipated vehicle and equipment expenditure at Lebanon Volunteer Fire Department. These funds will be distributed to the district at their request. These funds are intended for the purchase of a replacement Quick Response Vehicle which is beyond its repair life and to purchase three sets of turnout gear for personnel transferred from Durham County Fire & Rescue (DCFR) to Lebanon Volunteer Fire Department.

Alignment With Strategic Plan: This request aligns with the County's Strategic Goal 3 Safe Community and Goal 5 Accountable, Efficient and Visionary Government.

Resource Persons: James E. Groves, Fire Marshal/Emergency Management Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 19BCC00033 appropriating \$52,000 of Lebanon Fire Tax District Fund Balance to offset costs for unanticipated vehicle and equipment expenditure at Lebanon Volunteer Fire Department. These funds will be distributed to the district at their request.

Attachments: [AAF Supplemental Document - Lebanon 52k](#)
[AAF-33 Legal Form Appropriate Lebanon Fund Balance \(\\$52000\) and distribute](#)

18-1185 **Award Contract for Architectural/Engineering Services for Upgrades to Southern Durham County Solid Waste Convenience Sites**

Agenda Text:

The Board is requested to authorize the County Manager to enter into a contract with **Smith + Gardner Engineers**. This contract will develop a master plan for the Parkwood and Redwood Convenience sites and prepare estimates for associated construction estimates for each site. The renovation of these two sites will meet the long-term demands of the growing communities and provide flexibility to accommodate future changes to the waste and recyclable materials management programs. The County also desires to improve safety for residents and staff at the site by providing better separation of public traffic and material storage areas, staff office space, bathroom(s) and viable access routes.

On August 11, 2018 a Request for Qualifications (RFQ No. 19-007) for Architectural Services for Upgrades to Southern Durham County Solid Waste Convenience Sites was advertised and mailed to potential proposers. A joint team

from General Service and Engineering Departments recommended **Smith + Gardner Engineers** as the selected firm.

Alignment With Strategic Plan: Durham County Government is responsible for providing solid waste services to unincorporated residents in Durham County which includes curbside recycling, litter control and abatement, and the management of residential convenience sites. These responsibilities align with Strategic Plan Goal 4 - Environmental Stewardship and Goal 5 - Accountable, Efficient and Visionary Government.

Resource Persons: Motiryo Keambiroiro, General Services Director and Chrissie Koroivui, Solid Waste Program Manager, Jim Faress, Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to enter into a service contract with Smith + Gardner Engineers. The compensation paid to Smith + Gardner with CIP Budget not to exceed \$87,000.

Attachments:

[AAF Supplemental Upgrades to Southern Convenience Sites](#)

[SG Design Contract](#)

[MWBE Compliance Review Form-AAF for 19-006 RFQ 010219 \(002\).pdf](#)

18-1191

Approval of Contract Amendment for Commuter Rail Transit Cost-Share Agreement

Agenda Text:

The Board is requested to approve an amendment to the cost-share agreement between Durham County and Wake County regarding development of the Commuter Rail Transit (CRT) project.

In November 2017, Durham County, Wake County, GoTriangle, and the Capital Area Metropolitan Planning Organization (CAMPO) entered into a cost-sharing agreement to cover the commuter rail portion of the Major Investment Study (MIS) for the "Transit Corridors." Both the commuter rail project and the MIS are included in the most recent Durham County and Wake County Transit Plans.

Work is progressing on the MIS, and the purpose of the proposed contract amendment is to allow additional consultants beyond the one mentioned in the original agreement (Nelson-Nygaard) to bring necessary expertise to the preliminary work around the commuter rail. Funds to pay the additional consultants are still within funds already budgeted and allocated for these purposes. The contract amendment has already been approved by the GoTriangle Board of Directors.

In addition to the contract amendment, a brief update on the Commuter Rail Transit project will be presented. The Commuter Rail Transit project will ultimately connect downtown Durham with downtown Raleigh as well as other suburban Wake County communities.

Alignment with Strategic Plan: A strong public transit system ultimately will support of the Durham County Strategic Plan goals.

Resource Persons: Praveen Sridharan, Steven Schlossberg, John Tallmadge - GoTriangle ; Drew Cummings, Chief of Staff

County Manager's Recommendation: The County Manager recommends that the Board approve an amendment to the cost-share agreement between Durham County and Wake County regarding development of the Commuter Rail Transit (CRT) project.

Attachments: [Cost Share Agreement for Commuter Rail Portion of MIS WITH Attachment A Amendment One CSA 12.6.18 \(004\)](#)
[Relevant portion of the 2017 Durham County Transit Plan](#)

18-1193 **Budget Ordinance Amendment No. 19BCC000032 - Appropriate Restricted Funds for the Sheriff's Office, Fire Marshall, Youth home, Public Health, and Social Services**

Agenda Text: The Board is requested to approve a budget amendment in the amount of \$1,599,320.96 to appropriate restricted funds for the Sheriff's Office, Fire Marshall, Public Health, and Social Services. These revenues are unspent monies that were received in FY2018 for restricted purposes. These monies were restricted in fund balance in FY2018. This is an annual process in which County departments identify remaining (unspent) restricted revenue (e.g., grant, federal/state award, donations, etc.). Because they are restricted in fund balance, there is no impact on unassigned fund balance or the fund balance as a percentage of total general fund expenditures. This is a budgetary entry only for FY2019 to allow the spending of the restricted monies for the purposes of which they were received.

Below is a list of programs with restricted fund balance to be allocated in FY2019:

Allocation of Restricted Monies	AMOUNT
Sheriff - State Forfeitures; Federal Forfeitures	\$287,832.57
Fire Marshall - Emergency Management Program Grant	\$975.84
Public Health - NALBOH Community Guide, Ann Wolfe, RWJF Culture of Health - Mini Grants, Rural Cancer Prevention Centers, CC4C - Care Coord. for Children, OBCM - Pregnancy Care Mgt, NACCHO - MRC,	

MEANINGFUL USE, All Together Now (SHIFT-NC),
 Healthiest Cities and Counties, City of Seattle-Contract,
 DMACF, Shift-NC, Credit Suisse, Triangle Foundation,
 Brian Grovenstein Donation, Benjamin C. Klein,
 Tru Deli LLC, NC Cooperative Extension, PCORI \$393,019.78

Social Services - First Presbyterian Church,
 Adoption Promotion Fund/Special Children Adoption Fund,
 Child Support Settlement, NC Shift,
 HOPWA(Housing Opportunities for Persons with AIDS) \$917,492.77

TOTAL: \$1,599,320.96

Alignment With Strategic Plan: This request relates to the following elements of the Durham County Strategic Plan: The effort aligns with Goal #5 (Accountable, Efficient, and Visionary Government).

Resource Persons: Susan Tezai, Chief Financial Officer and Keith Lane, Budget and Management Services Director

County Manager's Recommendation: The County Manager recommends approval of Budget Ordinance Amendment No. 19BCC000032 to appropriate restricted fund balance in the amount \$1,599,320.96

Attachments: [AAF-32 Appropriate Restricted Funds from FY18](#)

18-1197

Capital Project Amendment No. 19CPA000011 - Reducing the DSS Building Demolition Capital Project (47302635DC136) by \$550,427 and Appropriating \$550,427 to amend the Judicial Annex Renovations Capital Project and Execution of Construction Contract with H.M. Kern Corporation for the Judicial Annex Renovation Project No. 47302635DC141

Agenda Text: The Board is requested to approve Capital Project Amendment No. 19CPA000011 reducing the DSS Building Demolition capital project by \$550,427 and appropriating \$550,427 to amend the capital project for the Judicial Annex Renovations (See attachment 1, pages 1&2) and to authorize the County Manager to enter into a contract with H.M. Kern Corporation to provide construction services for the Judicial Annex Renovation, located at 200 North Roxboro Street, in the amount of \$3,917,800. (See Attachment 2, Pages 1-15.).

The additional appropriation will be funded by reducing funding for the DSS Building Demolition project and moving those funds to the Judicial Building Annex Project. Funds available in the DSS Building Demolition capital project are County Contribution funds, no longer needed as the project scope has changed, and therefore can be transferred to a more "active" project until a decision is made regarding the future of the DSS building.

Project	Current Budget	Increase/Decrease	Revised
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Budget

Judicial Annex Building (47302635DC141)	\$4,100,000	\$550,427	\$4,650,427
DSS Building Demo (47302635DC136)	\$800,000	(\$550,427)	\$249,573

Total **\$4,900,000** **\$0**
\$4,900,000

The decision to have Probation and Parole (Orange St. location) relocate into the floors 2 and 3 of the Judicial Building Annex was determined during the programming effort for the Judicial Building Renovation (Administration Building II). These spaces were occupied by the NC Department of Juvenile Justice and Delinquency Prevention (2nd Floor) and the EMS Administrative staff (3rd Floor,) both of which relocated to Durham County Administration Building II in September 2018. This construction contract allows the timely commencement of construction in the newly vacated 2nd and 3rd floors of the facility. The work involves a full renovation of floors 2 and 3 for the purpose of Probation and Parole operations, and upgrades to the 1st floor lobby. First floor work will install new entry doors and construct a wall to divide the existing lobby, thereby creating separate entrances for the BoE and Adult Probation and Parole. Outdated building services replacement will include the 1974 elevator and electrical service equipment, water heater, fire alarm system, building security system, roof, and HVAC equipment, and signage and graphics. Furniture coordination will be performed. Water intrusion remediation will be included in the contract.

A request for proposals (RFP) for construction services for this work was advertised on October 31, 2018 and Bids were received on December 6, 2018. Two (2) responses were received. The project was re-bid on December 17, 2018. The lowest bid was received from H.M. Kern Corporation in the amount of \$3,980,800. Value Engineering efforts were performed, and the proposed contract amount was reduced by \$63,000, eliminating upgrades to the basement conference room, for a total contract proposal amount of \$3,917,800. For M/WBE participation information (See Attachment 3, page 1).

It is recommended that the County proceed with all work described in the proposal dated December 17, 2018. Funding for the construction contract will be available in the Judicial Annex Renovation Capital Project Account pending the approval of the Capital Project Amendment.

Alignment With Strategic Plan: This aligns with Goal 3 - "Safe and Secure Community" as the goals of the NC DPS Adult Probation and Parole Office are to protect the safety of citizens by providing viable alternatives and meaningful supervision to offenders on probation, parole or post-release supervision, to positively affect their behavior and lifestyle patterns, and to help offenders learn to live within the law. This also aligns with both Goal 4 & 5 - Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use and greenhouse gas emissions from the built environment and by providing more efficient service delivery and better customer service.

Resource Persons: Peri Manns, ASLA, LEED GA, Deputy Director of Engineering; James Faress, P.E., Senior Project Manager; Linda C. Salguero, AIA, Project

Manager, Keith Lane, Director of Budget and Management Services, RND Architects, P.A., and Jason Kepley, Vice President of H.M. Kern Corporation.

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No. 19CPA000011 reducing the DSS Building Demolition capital project by \$550,427 and appropriating \$550,427 to amend the capital project for the Judicial Annex Renovations and authorize the execution of the contract with H.M. Kern Corporation to provide construction services for the project in the amount of \$3,917,800 with contingencies of \$313,424 for a total not to exceed budget of \$4,231,224.

Attachments:

[Attachment 1 Supplemental Form Amend Jail Annex Project and Reduce the D](#)

[Attachment 2 - H.M. Kern Proposal - Judicial Annex Renovation.pdf](#)

[Attachment 3 DC-141 Judicial Annex Renovations Certified Bid Tab12.17.2018](#)

[Attachment 4 MWBE Compliance Review Form-AAF for 19-015R1 IFB 121918](#)

[CPA-11 Legal Form Amend Jail Annex Project \(\\$550,427\)](#)

19-0003

Adoption of Resolutions related to Authorization of \$50M General Obligation (GO) Refunding Bonds, Series 2019, including a Resolution calling for a Public Hearing on a General Obligation Refunding Bond Order

Agenda Text:

The Board is requested to adopt the attached resolutions which begin the authorization process for the issuance of General Obligation Refunding Bonds (\$50M). These Bonds will refund the County's General Obligation Public Improvement Bond Anticipation Note, Series 2017, which was authorized pursuant to bond orders approved in the 2016 referendum for community college, library, museum and school purposes. Among the resolutions subject to consideration include a resolution calling for a public hearing on the general obligation refund bond order and directing publication of a notice of public hearing to be held on January 28, 2019.

During the January 28, 2019 regular session meeting, the County will hold a public hearing on the general obligation refunding bond order, consider adoption of the refunding bond order and consider adoption of a bond resolution authorizing the issuance of the General Obligation Refunding Bonds, Series 2019.

Alignment With Strategic Plan: Goal 5: Accountable, Efficient and Visionary Government

Resource Persons: Susan Tezai, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board adopt the attached resolutions, which begin the authorization process for the issuance of the General Obligation Refunding Bonds (\$50M) and call for the public hearing on January 28, 2019.

Attachments: [Resolution Making Findings of Fact - County of Durham GO Refunding Bonds...](#)
[Introduction of the Bond Order and Resolution Calling a Public Hearing -...](#)
[19-0003 Supplemental Doc](#)

19-0004 **Budget Amendment No. 19BCC000036 Approving Refinancing of Project Funding for the Renovation of the Administration II Building in the Amount of \$43,500,000, Issued in September 2018 and Recorded in the Debt Service Fund**

Agenda Text: The Board is requested to approve Budget Amendment No. 19BCC000036 to complete the refinancing of the project funding for the renovation of the Administration II Building.

Section 8 of the Resolution approved by the Board at the regular session meeting on August 13, 2018 states:

“The officers and employees of the County are authorized and directed (without limitation except as may be expressly set forth herein) to take such other actions and to execute and deliver any other documents, certificates, undertakings, agreements or the instruments as they, with the advice of counsel, may deem necessary or appropriate to effectuate the transactions contemplated by the documents approved hereby.”

Per our bond attorney, Rebecca Joyner, partner at Parker Poe Adams & Bernstein LLP, officers and employees of the County have the authority to make these changes under Section 8 of the Resolution. Once officers and employees of the County have been given the authority by the Board to proceed with the transaction per the Resolution, Section 8 give the officers and employees the authority to carry out all actions necessary to bring the issuance to fruition, which would include any necessary budget changes.

The following budget amendment is necessary to bring the issuance to fruition in the County’s general ledger in the Debt Service Fund:

Increase

Other financing sources (uses):

Refunding bond proceeds (Revenue account #4900770100)	\$43,500,000
Payment to refund debt (Expenditure account #5400510300)	(\$43,500,000)

As a result of the Board approving the Resolution referenced above that, per bond counsel, gives the officers and employees the authority to carry out all actions necessary to bring the issuance to fruition (including necessary budget changes), no formal action by the Board is required with this agenda item. This item is being presented to the Board for informational purposes so that you are informed of the additional transaction necessary to bring the issuance to fruition - the attached budget amendment. Please note that there is no impact on any other revenues or

expenditures in the current budget. It is an increase in revenues and an increase in the expenditures of the same amount (e.g., a wash). Also, please note that this amendment will be attached to the Resolution referenced above.

Alignment With Strategic Plan: Goal 5: Accountable, Efficient and Visionary Government

Resource Persons: Susan Tezai, Chief Financial Officer; Keith Lane, Director of Budget and Management; Claudia Hager, General Manager, Goal 5

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Amendment No. 19BCC000036 to complete the refinancing of project funding for the renovation of the Administration II Building in the amount of \$43,500,000, issued in September 2018 and recorded in the Debt Service Fund

Attachments: [Resolution - Limited Obligation Bonds.08.13.18](#)

[AAF-36 Legal Form Refinancing for the Admin. II Building Project \\$43,500,000](#)

19-0005

Budget Ordinance Amendment 19BCC000034 for the Department of Social Services to Recognize Additional Home and Community Care Block Grant (HCCBG) Funds in the Amount of \$86,256 which includes the required Durham County DSS Local Match of \$45,835. The local match will be funded with a fund balance appropriation

Agenda Text:

The Board is requested to approve the Department of Social Services request to recognize additional Home and Community Care Block Grant (HCCBG) Funds subsequent to adoption of the FY2018-2019 Budget. The Department (DSS) and the Durham Center for Senior Life (DCSL) are co-lead agencies for receiving the HCCBG funds and administering the programs. The goal of services provided under this grant is to enable recipients to stay at home longer; receiving the care and services they need in their own homes, thus reducing the necessity for out of home placement. Services provided are Adult Day Care Services, Congregate Meals, Senior Center Operations, Information and Case Assistance, Transportation, Home Delivered Meals and In-Home Aide Services.

Durham County's initial allocation was \$1,438,404 which included \$1,255,353 HCCBG funds, \$139,482 Required Local Match and \$43,569 USDA NSIP (Nutrition Services Incentive Program) Funds. The revised total allocation is \$1,552,407 which includes \$1,353,415 HCCBG Funds, \$150,379 Required Local Match and \$48,613 USDA NSIP Funds. The total increase in funding from the FY2018-19 initial allocation to the FY2018-19 revised allocation is \$114,003. However, Counties are advised to base HCCBG services planning on current year funding levels when preparing the new fiscal year budget because the HCCBG Funding Plan is not approved by the BOCC until June. Therefore, DSS FY2018-19 Adopted Budget was \$642,478 which was FY2017-2018 initial funding. The Department recognizes \$31,090 which is the difference between the FY2017-18 adopted budget and the FY2018-2019 adopted

budget and \$55,166 which is the difference in the initial funding plan and the revised funding plan, for a total increase of \$86,256, which includes a county contribution of \$45,835 which will be funded by fund balance appropriation.

<u>HCCBG</u>	<u>Initial Allocation</u>	<u>Increase/Decrease</u>	<u>Revised Allocation</u>
Durham Center for Senior Life	\$764,836	\$58,837	\$823,673
Durham Co. Dept. Of Social Services	\$673,568	\$55,166	\$728,734*
TOTAL ALLOCATION	\$1,438,404	\$114,003	\$1,552,407

*DCo DSS Local match (10%) of \$69,175 included

<u>HCCBG</u>	<u>DSS Adopted Budget</u>	<u>Increase/Decrease</u>	<u>DSS Revised Budget</u>
DSS-Expense	\$642,478	\$86,256	\$728,734
DSS-Revenue	\$582,150	\$40,421	\$622,571
Fund Bal App	\$60,328	\$45,835	\$106,163

Alignment With Strategic Plan: Goal 2: Health and Well-being for All which decrease the health disparities within the community.

Resource Persons: Joan Pelletier, Chair, Durham Partnership for Seniors; Judy Kinney, Executive Director, Durham Center for Senior Life; and Janeen Gordon, Assistant Director for Aging and Adult Services, Durham County Department of Social Services.

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment 19BCC000034 to recognize the additional Home and Community Care Block Grant Funds in the amount of \$86,256 for the Department of Social Services which includes the required Durham County DSS Local Match of \$45,835. The local match will be funded with a fund balance appropriation.

Attachments:

[AAF-34 DSS HCCBG AAF Supplemental Document](#)

[HCCBG Additional Funding worksheet](#)

[HCCBG additional funding plan](#)

[AAF-34 Legal Form DSS HCCBG FY19 Additional Funds AAF \\$86,256](#)

19-0006

Budget Ordinance Amendment No. 19BCC000035 Recognizing \$466,041 in Federal Grant Funds from the Department of Health and Human Services, Administration for Children & Families for Implementation of a Durham Integrated Domestic Violence Response System Program (including a full-time (1 FTE) Child and Family Advocate provisional position and a part-time provisional (.50 FTE)

Grants Administrator of which 100% of the salary and benefits cost is covered by the grant.**Agenda Text:**

The Board is requested to recognize a grant award in the amount of \$466,041 from the Department of Health and Human Services, Administration for Children and Families for the implementation of a Durham Integrated Domestic Violence Response System Program. The Department of Social Services, as the lead agency - in partnership with the Exchange Family Center, Duke Center for Child and Family Health, Duke Center for Child and Family Policy, and the Durham Crisis Response Center - is the recipient of a federal grant that will provide education/training for first responders and intensive therapy services for victims of domestic violence. This application was submitted with the support of Emergency Medical Services, Emergency Management Services, and the Durham Police Department.

The Durham Integrated Domestic Violence Response System Program is a demonstration project that is in year three that will provide classroom training and tools for law enforcement, paramedics, firemen, and Child Protective Services social workers to assess for domestic violence when responding to emergency situations in our community. This project will also teach first responders where to refer families for appropriate services based on the completed assessment.

The Department is asking for one full-time (1 FTE) Child and Family Advocate provisional position and one part-time (.50 FTE) Grants Administrator provisional position. These funds are 100% federal funds and no county funds are required. The Child and Family Advocate will focus on identifying families in need of DV related services and support and the Grants Administrator will be responsible for coordination of the project, grant reporting, budget management, contracting, organizing committees, coordinating with federal and national partners, ensuring partnering agencies participate in trainings, both positions will be located at DSS.

Alignment With Strategic Plan: This action aligns with Goal 2: Health and Well-being for All.

Resource Persons: William Rose, Department of Social Services Director and Jovetta Whitfield, Assistant Director of Family Safety and Permanence.

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 19BCC000035 recognizing \$466,041 in federal grant funds from the Department of Health and Human Services, Administration for Children & Families for implementation of a Durham Integrated Domestic Violence Response System Program and establishing one full-time (1 FTE) Child and Family Advocate provisional position and one part-time (.50 FTE) Grants Administrator provisional position of which 100% of the salary and benefits cost is covered by the grant.

Attachments:

- [1. AAF-35 Supplemental Form ACFY DV Grant Funds \(1.5 additional FTEs\) \\$466,041](#)
- [2. AAF-35 ACFY DV Grant Backup \\$466,041](#)
- [3. AAF-35 Legal Form DSS Federal Grant Funds \(1.5 additional FTEs\) \\$466,041](#)

19-0007**Durham County Detention Center Elevator Upgrades (IFB 18-003): Progressive Contracting, Contract Amendment #1, Replace Fire Command Center Elevator Monitoring Panel****Agenda Text:**

The Board is requested to approve a Contract Amendment (#1) with Progressive Contracting Inc. in the amount of \$22,219.06 to upgrade the existing Fire Command Center Elevator Monitoring Panel. This is the first change order regarding Progressive's construction contract with the County and is needed to make the monitoring panel compatible with the new elevators that are being installed as part of the Detention Center Elevator Modernization project. RND Architects, the project designer, has reviewed Progressive's proposal for the additional scope of work and is in agreement with General Services staff that the cost is fair and reasonable. Upon execution of this amendment, the new contract total with Progressive Contracting will be \$1,654,719.06, which is within the available funding for this capital project. Given the nature of renovation work in existing, occupied buildings, there is the possibility that other change orders may be needed in the future to accommodate the project demands. To expedite the change order process, The Board is also requested to give the County Manager authority to execute future amendments for this project if within the project budget.

Alignment With Strategic Plan: Improvements to this facility addresses Goal 5 by providing more efficient service delivery and better customer service, Goal 3 by providing a more reliable means to respond to emergencies within the facility.

Resource Persons: Motiryo Keambiroiro, Director of General Services, Shawn Swiatocha, Assistant Director of General Services, Joel Jones, Quality Control & Contract Specialist

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute the proposed Contract Amendment #1 with Progressive Contracting Inc. in the amount of \$22,219.06 to upgrade the fire command center elevator monitoring panel and be given authority to execute future amendments for this project if within the project budget.

Attachments:

[Change Order #1 Replace Elevator Fire Monitoring Panel](#)

[RE DCDC Elevators - COP1 FCC Elev Monitoring Panel revised](#)

[MWBE Compliance Review Form-AAF for 18-003 IFB Change Order #1 01071](#)

[AAF Supplemental Document-Contract Approval IFB 18-003 Change Order #1](#)

19-0012**Durham Board of County Commissioner Approval of Financial Support up to \$50,000 for "Durham 150" Celebration Campaign, Using Commissioner Contingency Funds****Agenda Text:**

The Board is requested to approve financial support of up to \$50,000 in support of "Durham 150" Sesquicentennial anniversary events throughout the year, using

available Commissioner Contingency funds.

The upcoming Sesquicentennial year is built around four themes: History & Education; Innovation & Entrepreneurship; Social Equity & Robust Democracy; and Arts & Leisure. These themes will be brought to life through more than 150 events and projects designed to engage, educate, and entertain. The goal is for every resident to have an awareness of and to participate in the commemoration.

The events of Durham 150 will include musical celebrations, videos, history projects, art works, and community discussions. A traveling “story kiosk” will be available to capture individual and collective experiences of life in the city.

The official Durham 150 Opening Ceremony is scheduled for April 13, 2019, near the date of Durham’s formal incorporation, and there will be events and activations envisioned and put forth by Durham organizations, institutions and individuals throughout 2019 in a crowd-sourced manner that will be open to all. A grant program is planned to encourage broad participation. After a season of festivities and self-reflection, a community-wide celebratory closing event will be held in November.

Alignment With Strategic Plan: This aligns with Strategic Goal 1: Community Empowerment and Enrichment, by supporting a strong, diverse, artistic, and cultural environment.

Resource Persons: Drew Cummings, Chief of Staff.

County Manager’s Recommendation: The County Manager recommends that the Board approve financial support of up to \$50,000 in support of “Durham 150” Sesquicentennial anniversary events throughout the year, using available Commissioner Contingency funds.

Sponsors:

Lane

Attachments:

[Durham 150-Case Statement-v02 \(1\).pdf.pdf](#)

[Sesquicentennial Campaign Committee Invite Letter FINAL 11.15.18 \(3\).docx](#)

[Durham 150 campaign committee contact info 11.15.18 \(1\).docx](#)

19-0014

Extension of the 2019 Listing Period for Business Personal Property

Agenda Text:

The Board is requested to delegate authority to the Tax Assessor to grant individual extensions for the listing of business personal property upon written request showing good cause that an extension should be granted. Extensions would extend the listing period until no later than April 15, 2019.

Under G.S. 105-307, the period during which property is to be listed for taxation each year shall begin on the first business day of the month of January, and, unless extended as provided by statute, shall continue through the month of January. The

Board of Commissioners shall grant individual extensions of time for the listing of personal property upon written request and for good cause shown. The request must be filed with the Tax Assessor no later than the ending date of the regular listing period. The Board may delegate the authority to grant extensions to the Assessor.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, and Visionary Government. Requested action ensures the county complies with North Carolina General Statutes and ensures we are accountable to our citizens. The actions of the Tax Department and this Board impact all strategic goals due to the revenues needed.

Resource Persons: Teresa Hairston, Interim Tax Administrator.

County Manager's Recommendation: The County Manager recommends that the Board delegate authority to the Tax Assessor to grant extensions until no later than April 15, 2019 to taxpayers required by North Carolina General Statutes to list business personal property, who request an extension during the month of January and show good cause.

19-0022

Approval and Adoption of Analysis of Impediments To Fair Housing Report

Agenda Text:

The Board is requested to approve and adopt the attached Analysis of Impediments to Fair Housing Report and Fair Housing Plan.

Durham County's is applying, with assistance from the Triangle J Council of Governments, to the NC Department of Commerce for \$750,000 in Neighborhood Revitalization CDBG funds for housing rehabilitation in Durham. To be eligible to receive funds, Durham County must adopt and approve an updated "Analysis of Impediments to Fair Housing" report. The County paid Withers & Ravenel \$9,000 to complete the updated report on our behalf.

All elements of the study are specified and required by HUD. The information contained in the report regarding impediments to housing is already relatively well known in Durham, as are the variety of activities which might help alleviate those challenges. "Fair housing," as defined by the federal government, is housing discrimination based on belonging to a protected class. The City does enforcement inside the City limits and the state does enforcement in unincorporated parts of the County, so Durham County has no direct role in fair housing issues as defined by the federal government.

Alignment With Strategic Plan: The report itself is not so relevant, but receiving the CDBG grant funds would help provide safe, affordable housing for numerous Durham residents, which supports aspects of Goals 1, 2, and 3 in the Durham County Strategic Plan.

Resource Persons: Drew Cummings, Chief of Staff ; Emily Edmonds (Withers & Ravenel) ; Aspen Romeyn (TJCOG)

County Manager's Recommendation: The County Manager recommends that the Board approve and adopt the attached Analysis of Impediments to Fair Housing Report and Fair Housing Plan.

Attachments: [Durham County Analysis of Impediments to Fair Housing 2019 full report](#)

19-0023

Vehicle Repairs and Maintenance Service Contracts for Durham County Vehicles

Agenda Text:

The Board is requested to authorize the County Manager to execute Service Contracts with Speight's, Ingold Tire, Hendrick, University Ford, and Sports Durst for vehicle repairs and maintenance services for Durham County vehicles. RFP18-017, Vehicle Maintenance and Vehicle Repair Services, was solicited to local businesses specializing in vehicle maintenance/repair and included two separate packages, A & B. Package "A" consisted of a scope for routine vehicle maintenance services (oil change, safety inspection, battery replacement, tire replacement etc.). Package "B" detailed a scope of requirements for extensive vehicle repairs that are needed on occasion (collision, engine repair, transmission repair, etc.). With the assistance of the County Purchasing department, an evaluation committee reviewed the proposals to determine the best qualified firms for the required services. Based on the respective bidder qualifications, the evaluation committee determined that it would serve the County's best interest by entering into service contracts for regular vehicle maintenance (Package "A") with Speight's Auto Service Center, Ingold Tire, and Sports Durst. The committee also determined that contracts for vehicle repairs (Package "B") should be executed with University Ford, Hendrick-Southpoint, and Sports Durst. For both packages, a decision to award contracts to multiple vendors was made on the basis of reducing wait times for routine repairs and services, as well as allowing specific vehicle makes to go to the repair/maintenance shops that specialize in the vehicles specific brand. (i.e. Ford models to University Ford, GM models to Hendrick Southpoint).

Pricing for the vehicle maintenance contracts will be on a per service basis at a pre-determined rate as defined in the vendor's respective proposals. As with maintenance contracts, pricing for vehicle repair contracts is also established at a pre-determined hourly rate and proposed parts markup, as defined in the respective vendor's proposal. The County Fleet Coordinator will be responsible for the oversight of fleet maintenance and repair service contracts and insure that invoices reflect the proper pre-determined markups/rates for the services received.

With the execution of these contracts for vehicle maintenance and repair, County Departments will be able to utilize the automotive service vendor that best fits their specific needs while also ensuring quality workmanship at consistent pricing.

Alignment with Strategic Plan: This item aligns with Goal 3: Safe and Secure Community

Resource Persons: Motiryo Keambiroiro, General Services Director, Brad Willman, Fleet Coordinator, Eli McCutcheon, Quality Contract and Contract Specialist

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute service contracts for Vehicle Maintenance to Speight's, Ingold Tire, and Sports Durst and to execute service contracts for vehicle repairs to University Ford, Hendrick-Southpoint, and Sports Durst for Durham County vehicles.

Attachments:

[Memo](#)

[RFP 18-017- REVISED Bid Tabulation-Vehicle Maintenance & Vehicle Repair S](#)

[Eval Tabulation Vehicle Repairs and Vehicle Services](#)

[MWBE Compliance Review Form-AAF for 18-017 RFP 110718](#)

[Scope of Services Package A](#)

[Scope of Services Package B](#)

19-0029

Amendment to Article II Of Chapter 17 of the Durham County Code of Ordinances

Agenda Text:

The Board is requested to review the draft amendment and to either approve it or give staff direction as to desired revisions.

Alignment with Strategic Plan: This request relates to the following elements of the Durham County Strategic Plan: The effort aligns with Goal #3 (Safe Community).

Resource Persons: Lowell Siler, County Attorney, and Curtis Massey, Senior Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board review the draft amendment and to either approve it or give staff direction as to desired revisions.

Attachments:

[Durham County Firearms Ordinance Final 1-14-19](#)

19-0030

Additional Funding for Contract with Fox Rothschild LLP (formerly Smith Moore Leatherwood, LLP)

Agenda Text:

The Board is requested to approve an increase in the contract with Fox Rothschild LLP (formerly Smith Moore Leatherwood, LLP) in an amount up to \$200,000 for legal services.

Alignment With Strategic Plan: Goal 5 - Accountable, Efficient and Visionary Government

Resource Persons: Lowell Siler, County Attorney

County Manager's Recommendation: The County Manager recommends that the Board approve the contract for execution by staff.

7. Other Business

18-1198

Presentation of the Fiscal Year (FY) 2018 Annual Financial Audit and Comprehensive Annual Financial Report (CAFR) and the FY 2018 Annual Single Audit and Compliance Report (15 min)

Agenda Text:

The Board is requested to receive a review of the FY 2018 annual financial audit and CAFR and the FY 2018 annual single audit and Compliance Report. The review will be presented by Scott Duda, Managing Partner for Cherry Bekaert LLP, Durham County's external auditors for the annual financial audit and single audit.

A copy of the FY 2018 CAFR, the FY 2018 Compliance Report and the Statement on Auditing Standard (SAS) 114 letter, which is a communication letter for those charged with governance, has been provided to the Commissioners for their review prior to this presentation. The Board is encouraged to bring these documents to this meeting.

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

Resource Persons: Susan Tezai, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board receive the review of the FY 2018 annual financial audit and CAFR and the FY 2018 annual single audit and Compliance Report.

Attachments:

[AAF Supplemental Document - FY 2018 CB Presentation](#)

[Final FY18 Durham County CAFR](#)

[Issued Compliance Report - Durham County](#)

[Durham County Audit Presentation 01-14-2019](#)

19-0002

Expanding Housing Choices Informational Item (60 mins)

Agenda Text:

The Board is requested to receive a presentation on the Expanding Housing Choices project.

Summary. In November 2018, as part of the Expanding Housing Choices project, the Planning Department released for public discussion a set of proposals to revise current zoning standards within the *Unified Development Ordinance* (UDO). This project is designed to explore a suite of potential changes to the UDO that can influence the supply and affordability of housing in a context-sensitive manner. The Planning Department, concurrent with the public release, has provided opportunities to review, discuss, and comment through public open houses, an online open house

and questionnaire, and individual meetings with the Planning Department. This memo and presentation are intended to provide the details of the proposed concepts (essentially bringing the “open house” to the Board of Commissioners), following-up on the presentation and discussion of the concepts presented to the Board of Commissioners at its September 4, 2018, work session.

Attachments:

Attachment A: Expanding Housing Choices August-September 2018 Work Session Presentation Documents

Attachment B: Summer 2018 Questionnaire Results

Attachment C: November/December Open House Presentation- Discussion Draft

Attachment D: Discussion Draft Open House posters

Attachment E: Discussion Draft Scenario Sheets

Attachment F: Discussion Draft online Questionnaire

Alignment with Strategic Plan:

This project emphasizes Goal 1 by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 by maintaining a transparent government and welcoming public input.

Resource Persons: Michael Stock, AICP, Senior Planner and Patrick Young, AICP, Planning Director

County Manager’s Recommendation: The County Manager recommends that the Board receives a presentation on the Expanding Housing Choices project.

Attachments:

[EXPANDING HOUSING CHOICES MEMO BOCWS - 1-7-2019final](#)

[Attachment A September Worksession Documents](#)

[Attachment B Questionnaire complete](#)

[Attachment C Expanding Housing Choices Open house Presentation](#)

[Attachment D Open House Information Posters](#)

[Attachment E Sample Scenarios](#)

[Attachment F Discussion Draft Online Questionnaire](#)

[FY 2017-18 Manager Presentation - Final 5-21-17](#)

19-0033

Discussion of Legislative Priorities for the 2019 General Assembly Session

Agenda Text:

The General Assembly convened on January 9th for a ceremonial opening and adjourned until noon on January 30th. The Board is requested to hold a brief discussion and instruct staff to prepare local priority legislative goals in advance of the Tuesday, January 22nd meeting between the Durham Legislative Delegation and the Board of County Commissioners.

Typically, these are items that may impact Durham County specifically or may impact some or all counties. Following next week’s meeting and feedback, a final list of

legislative issues will be placed before the Board for a formal vote and formally transmitted to the Durham Delegation for potential introduction during the session.

Alignment With Strategic Plan: Goal 5 Accountable, Efficient and Visionary Government

Resource Persons: Deborah Craig-Ray, General Manager of Strategic Management, Public Affairs, Innovation and Special Projects

County Manager's Recommendation: The County Manager recommends that the Board provide legislative issues/goals to staff so that they can be added to the agenda for the upcoming meeting between the Durham Legislative Delegation and the Board of County Commissioners).

8. Public Hearings

18-1199

Unified Development Ordinance Text Amendment, Omnibus Changes 12 (TC1800002) (10min)

Agenda Text:

The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, Omnibus Changes 12 (TC1800002); and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to amend Article 3, Applications and Permits; Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 9, Landscaping and Buffering; Article 10, Parking and Loading; Article 12, Infrastructure and Public Improvements; Article 13, Additional Requirements; Article 14, Nonconformities; Article 16, Design Districts; and Article 17, Definitions.

Summary. This text amendment proposes technical revisions and minor policy changes to various provisions of the *Unified Development Ordinance* (UDO). The amendments are identified as necessary corrections, clarifications, re-organization, or other minor changes to clarify the intent of the regulations or codify interpretations of regulations, or reflect minor policy changes and are not solely technical in nature. Standards are proposed for mailbox clusters for residential developments as a result of United States Postal Service (USPS) requirements. Additional amendments specific to the initiation process for a Neighborhood Protection Overlay (NPO) are not included per the request of the Planning Commission.

Attachments:

Attachment A: Statement of Consistency Pursuant to NCGS § 153A-341

Attachment B: An Ordinance to Amend the *Unified Development*

Ordinance Regarding Various Provisions of the Unified Development Ordinance (TC1800002)

Attachment C: Planning Commission Comments

Alignment with Strategic Plan: The text amendment emphasizes Goal 4 (Community Prosperity) by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 (Accountable, Efficient, and Visionary Government) by maintaining a transparent government and welcoming public input.

Resource Persons: Michael Stock, AICP, Senior Planner, and Patrick Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, adopt the appropriate Statement of Consistency and approve the amendment.

Attachments:

[BOC1-14-19Memo TC1800002](#)

[Attachment A-TC1800002 BOC Consistency statement](#)

[Attachment B-BOC Ordinance TC1800002](#)

[Attachment C Planning Commission Comments TC1800002](#)

19-0001

Unified Development Ordinance Text Amendment, Text-Only Development Plans (TC1800008) (15min)

Agenda Text:

The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, Text-Only Development Plans (TC1800008); and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to amend Article 3, Applications and Permits; and Article 5, Use Regulations.

Summary. Text amendment TC1800008 would establish a limited, text-only development plan option for zoning map change requests to allow proffers that limit uses allowed within the requested zoning district. This alternative is limited in scope as staff develops a more comprehensive set of revisions for alternatives to the current development plan requirements.

Attachments:

Attachment A: Statement of Consistency Pursuant to NCGS § 153A-341

Attachment B: An Ordinance to Amend the *Unified Development*

*Ordinance Regarding Text-Only Development Plans (TC1800008)***Attachment C: Planning Commission Comments**

Alignment with Strategic Plan: The text amendment emphasizes Goal 4 (Community Prosperity) by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 (Accountable, Efficient, and Visionary Government) by maintaining a transparent government and welcoming public input.

Resource Persons: Michael Stock, AICP, Senior Planner, and Patrick Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, adopt the appropriate Statement of Consistency and approve the amendment.

Attachments:

[BOCMemo TC1800008](#)

[Attachment A-TC1800008 BOC Consistency statement](#)

[Attachment B-TC1800008 BOC final](#)

[Attachment C Planning Commission Comments TC1800008](#)

19-0010**Public Hearing to Consider Allocating Economic Development Investment Funds to Project Bengal****Agenda Text:**

The Board is requested to hold a public hearing to consider allocating a total of \$750,000 in Economic Development Investment funds to Project Bengal and authorize the Manager to enter into preliminary negotiations and potentially execute a contract with the company. Project Bengal, a biotechnology company, is expected to invest a minimum of \$60,000,000 and create 200 new jobs with an average wage of approximately \$76,000.

If funded at the proposed amount, Project Bengal has agreed to make reasonable efforts to: Work with Durham Technical Community College and Durham Public Schools Career and Technical Education to prepare the workforce for employment opportunities via educational sessions with students, hosting teachers over the summer, collaborating with the BRITE Center and serving as a DPS CTE advisor; Deploy their corporate diversity purchasing practices, including reasonable efforts to participate in minority purchasing trade events and training sessions for companies as well as exploring a formal relationship with The Institute for further guidance with minority vendor selection; as well as work with NC Works Career Center through posting employment opportunities, hosting a job fair and working with a local workforce development nonprofit to advise and potentially hire program participants.

Staff is recommending that the County provide \$750,000 in Economic Development Investment funds subject to certain performance goals being met by Project Bengal,

Inc. related to timing and amount of investment, employment creation and maintaining of the created jobs by Project Bengal.

This public hearing has been advertised as required by law.

Alignment With Strategic Plan: Goal 4, Environmental Stewardship and Economic Prosperity

Resource Persons: Andrew Miracle, Economic Development Officer; Jay Gibson, General Manager Goal 4

County Manager's Recommendation: The County Manager recommends that the Board hold a public hearing to consider allocating a total of \$750,000 in Economic Development investment funds to Project Bengal and authorize the Manager to enter into preliminary negotiations and potentially execute a contract with the company.

Attachments: [Project Bengal Supplemental Form](#)

9. ITEMS PULLED FROM CONSENT AGENDA (20 min)

10. Closed Session

19-0011

Closed Session

Agenda Text:

To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session pursuant to G.S.143-318.11(a)(4).

Alignment With Strategic Plan: Goal 4, Environmental Stewardship and Economic Prosperity

Resource Persons: Andy Miracle, Economic Development Officer

County Manager's Recommendation: The County Manager recommends that the Board go into Closed Session for Economic Development purposes.

11. Adjournment