



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, December 14, 2020

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 - Moment of Reflection (5 min)
2. Agenda Adjustments (5 min)
3. Announcements (5 min)

[20-0679](#) Announcements

Agenda Text:

1. **FREE Fruits and Vegetables** - Mount Vernon Baptist Church located on 1007 S. Roxboro Rd will be distributing **FREE** fruits and vegetables to the Durham Community.

Distribution will take place on Thursday, December 17th from 1:00 p.m. - 3:00 p.m.

2. **The Durham Center for Senior Life (DCSL) Need Your Help!** - The DCSL is in need of personal hygiene and other items for seniors. These items include body soap, deodorant, lotion, toilet tissue and toothbrushes to name a few.

All items can be dropped off at the DCSL located on 406 Rigsbee Ave

beginning December 14th - 18th from 9am - 3pm. Please place your items in the labeled boxes located outside the center.

3. **Welcome Baby's Annual Coat Drive** - The Welcome Baby Coat Drive is currently underway until January 8, 2021 - accepting new or gently used coats, hats, gloves and scarfs for Newborn to size 8.

Donations are accepted at 8 locations across the Durham County Library System: Bragtown Branch, North Regional, East Regional, South Regional, Stanford L. Warren and the Main Library. Donations are also accepted at Cooperative Extension located on 721 Foster Street on Monday's between 10am and 4pm.

Due to COVID-19, please drive to the rear of the building and place donations in the bin at the top of the stairs.

4. **New Screening Process at Human Services Building** - Planning a visit to the Durham County Human Services Building, please note that there is a new COVID-19 screening process for residents who have appointments and services scheduled.

Visitors must now go to the modular building in the Human Services Parking Lot on Dillard Street. Once you successfully pass the temperature screening process, you will receive a ticket to enter the building.

For additional information, please visit www.dcopublichealth.org
<<http://www.dcopublichealth.org>>

5. **Durham County Library Virtual Events** - The Durham County Library is hosting several live virtual events for adults and children during the month of December.

Please visit www.durhamcountylibrary.org
<<http://www.durhamcountylibrary.org>> for live links and additional information.

6. **Durham Technical Community College (DTCC) Back to Work Initiative** - DTCC is offering Durham residents an opportunity to complete the back-to-work course in as little as eight weeks!

These courses will help to provide opportunities for high-demand occupations such as health care, biotechnology, skilled trades and information technology. Please visit www.durhamtech.edu/work <<http://www.durhamtech.edu/work>>

for additional information.

7. **FREE COVID-19 Testing Sites** - Extended through December 31, 2020, **FREE** COVID-19 testing is available for all ages, 7 days a week, regardless of insurance or documentation.

Please visit www.dcopublichealth.org <<http://www.dcopublichealth.org>> for a list of testing sites

4. Minutes (5 min)

[20-0678](#)

Minutes

Attachments: [Regular Session - November 23, 2020](#)
 [Work Session - December 7, 2020](#)

5. Citizen Comments (30 min)

[20-0676](#)

Citizen Comments (30min)

Agenda Text: The Board of County Commissioners will provide a 30-minute comment period at a meeting once a month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers were asked to provide comments prior to the start of the meeting so that staff may reply to comments and/or questions. All speakers are requested to refrain from addressing issues related to personnel matters.

Alignment with Strategic Plan: Citizen engagement aligns with all five of the strategic goals by allowing the Board to receive comments and concerns from the community related to important issues in Durham County.

Resource Persons: Monica W. Toomer, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the board receive citizen comments and direct staff to respond, as deemed appropriate.

6. Ceremonial Items (10min)

[20-0682](#)

Resolution to Support NCACC's Presidential Initiative Promoting Food System Resiliency (10min)

Agenda Text: The Board is requested to approve the attached resolution in support of the North Carolina Association of County Commissioners' President Ronnie Smith's presidential initiative to promote food system resiliency in North Carolina. The goal is to help amplify the significant and growing need to address food insecurity across the state, particularly during this COVID-19 pandemic.

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

Resource Persons: Brenda A. Howerton, Chair, Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board approve the resolution and forward a copy to the North Carolina Association of County Commissioners.

Attachments: [Resolution - Supporting NCACC Food Security Resiliency](#)
[Food Insecurity Rate Map Book](#)

7. Consent Agenda (15 min)

20-0603 **Evoqua Water Technologies, LLC Contract Amendment for Utilities Division**

Agenda Text: The Board is requested to authorize the County Manager to enter into a service contract amendment with Evoqua Water Technologies, LLC for collection system odor and corrosion control services (RFP 19-035) in the amount of \$975.52, bringing the total contract amount from \$75,539 to \$76,514.52. Evoqua Water Technologies, LLC increased their pricing by five percent (5%) this fiscal year.

Hydrogen sulfide gases produced by bacteria in the sewer system causes odor and corrosion issues. If untreated, there will be odor complaints from citizens and additional rehabilitation work to pipes and manholes that are corroding.

Alignment With Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: "Environmental Stewardship and Community Prosperity," as this will provide odor and corrosion control within the wastewater collection system resulting in an increase in the useful life of pump stations and gravity sewer lines, thus minimizing the risk of system failures due to corrosion.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Deputy Director of Engineering and Environmental Services; Stephanie Brixey, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends the Board to authorize the County Manager to enter into a service contract amendment with Evoqua Water Technologies, LLC for collection system odor and corrosion control services (RFP 19-035) in the amount of \$975.52, bringing the total contract amount from \$75,539 to \$76,514.52.

Attachments: [FY21 AAF Supplemental Document for Evoqua price increase](#)
[FR 21-373 EVOQUA WATER TECHNOLOGIES](#)
[EVOQUA FY21 Contract Renewal letter](#)
[FR 20-457 Evoqua Water Technologies](#)
[EVOQUA Contract Certification FOR FY20](#)

20-0604 **Electrical Controls & Maintenance, Inc. Contract Amendment for Utilities Division**

Agenda Text:

The Board is requested to authorize the County Manager to enter into a service contract amendment with Electrical Controls & Maintenance, Inc. to provide sewer easement maintenance services for the sewer collection system tributary to the Triangle Wastewater Treatment Plant (TWWTP) in an amount of \$4,650, bringing the total contract from \$155,000 to \$159,650. Electrical Controls & Maintenance, Inc. increased their pricing by three percent (3%) this fiscal year.

Durham County owns and operates over 112 miles of buried sanitary sewer collection pipe. Approximately 40 miles of the collection system is located within sewer easements and outside of the public right-of-way. This portion of the system requires mowing, debris removal, and inspection twice a year per Durham County's Collection System Permit (WQCS00038) and 15A NCAC 02T .0108(h). The sanitary sewer collection system is designed to primarily carry wastewater through pipes via gravity. As a direct result, the sanitary sewer collection system typically follows near a creek or riverbed as those areas are usually the lowest lying areas and allow the sewer to flow via gravity. However, as these areas are near water bodies, the easements are subject to frequent flooding and are difficult to access. Thus, mowing and debris removal require special equipment and trained staff to safely mow and remove debris within these easements.

Alignment With Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: "Environmental Stewardship and Community Prosperity," as this project will ensure easements are maintained provide ease of access in the event of a sanitary sewer spill and will provide the staff notification of potential defects within the collection system allowing repairs to be made in advance of a sewer spill or unwanted surface water from entering the collection system.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Deputy Director of Engineering and Environmental Services; Stephanie Brixey, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends the Board authorize the County Manager to enter into a service contract amendment with Electrical Controls & Maintenance, Inc. to provide sewer easement maintenance services for the sewer collection system tributary to the Triangle Wastewater Treatment Plant (TWWTP) in an amount of \$4,650, bringing the total contract from \$155,000 to \$159,650.

Attachments: [FY21 AAF Supplemental Document ECM price increase](#)
[FR 21-181 ELECTRICAL CONTROLS MAINTENANCE INC. \(ECM\)](#)
[ECM QUOTE Sewer Easement Maint 2020-2021](#)
[FR 20-150 Electrical Controls Maintenance Inc](#)
[FR 19-064 Electrical Controls Maintenance](#)
[FR 18-824 ELECTRICAL CONTROLS MAINTENANCE](#)
[1.8.2018--18-0578 Contract Certification with Electrical Controls and Maintenance](#)

20-0633 **Approval to Utilize Existing Operational Funds in the amount of \$1,178,584.02 for this Fiscal Year for Licenses and Services for the Enterprise Agreement with Microsoft**

Agenda Text:

The Board is requested to authorize the use of existing operational funds in the amount of \$1,178,584.02 this fiscal year for licenses and services for the Enterprise Agreement with Microsoft. Licenses and services will be purchased through SHI, per the State Convenience Contract 208C.

The Microsoft Enterprise Agreement supports Durham County Government 2000 users across the suite of the Microsoft Applications and includes several cybersecurity capabilities to help protect Durham County Government from Malware attacks, including failover capabilities as of result of it being Cloud-based. Software assurance is included in the Enterprise Agreement and provides a comprehensive range of benefits to help Durham County plan, deploy, and use the latest Microsoft technologies and services. The Microsoft enterprise agreement keeps Durham County in line with the shift to cloud services and best practices across the private and government sectors including the City of Durham, Mecklenburg County, Wake County, Guilford County and many other counties and municipalities in North Carolina.

The funding for this expense was included in the FY 2020-21 adopted budget.

Alignment with Strategic Plan: Efficient and effective operations of business applications supporting citizens across our County departments aligns with Goal 5 (Accountable, Efficient and Visionary Government) of the Strategic Plan

Resource Persons: Greg Marrow, Chief Information Officer, Aaron Stone, Assistant Director of Information Technology, Antonio Davis, Platform Services Manager, Kimberly M. Cook, Senior Business Manager

County Manager's Recommendation: The County Manager recommends that the Board authorize the use of existing operational funds in the amount of \$1,178,584.02 for this fiscal year for licenses and services for the Enterprise Agreement with Microsoft.

Attachments: [AAF Supplemental Document -Enterprise Agreement \(1\)](#)
[SHI MICROSOFT EA AGREEMENT RENEWAL 01012021-12312021](#)

20-0634 **Utility Locating Services Contract Amendment with Taylor, Wiseman & Taylor Inc.**

Agenda Text: The Board is requested to authorize the County Manager to enter into a service contract amendment with Taylor, Wiseman & Taylor Inc. (FR# 21-423) to provide additional utility locating services to Durham County Utilities Division in an amount of \$23,915, bringing the total contract from \$93,600 to \$117,515. The current contract is written for \$75,000 but a quote was obtained to include County owned force main locates in the amount of \$42,515. The Board of County Commissioners approved a contract amount of \$93,600 in January 2017.

Alignment with Strategic Plan: Goal 4, Environmental Stewardship: Awarding a contract to Taylor Wiseman & Taylor Inc. ensures the timely locating of County owned utilities resulting in less infrastructure damage. This action is in accordance with the Durham County Strategic Plan Goal of Environmental Stewardship.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Deputy Director of Engineering and Environmental Services; Stephanie Brixey, Deputy Director of Engineering and Environmental Services; Vince Chirichella PE, Senior Project Manager

County Manager's Recommendation: The County Manager recommends the Board to authorize the County Manager to enter into a service contract amendment with Taylor, Wiseman & Taylor Inc. to provide utility locating services to Durham County Utilities Division in an amount of \$23,915, bringing the total contract from \$93,600 to \$117,515.

Attachments: [FY21 AAF Supplemental Document TWT](#)
[TWT Fixed Fee Quote - SUE QLB Durham County Force Main Mapping 2010C](#)
[7-1-20 Renewal #4 FR21-423](#)
[7-1-19 Renewal #3 FR20-105](#)
[5-14-19 Renewal #2 Amendment #1 FR19-051](#)
[7-1-18 Renewal #2 FR19-051](#)
[7-1-17 Renewal #1 FR18-125](#)
[1-26-17 NEW FR17-855](#)
[1-23-17 AAF & RFP17-019](#)

20-0637 **Construction Materials Testing Services and Special Inspections for Snow Hill Road Pump Station and Force Main Project**

Agenda Text: The Board is requested to authorize the County Manager to enter into a contract with A1 Consulting Group, Inc. (RFQ# 21-002) for Construction Materials Testing Services and Special Inspections in an amount of \$172,525 and approve a ten-percent (10%) contingency in the amount of \$17,000 to execute any other related

contracts including change orders if necessary not to exceed the available budget of \$189,525 for the Snow Hill Road Pump Station and Force Main project.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as this project will ensure a quality delivery of the Snow Hill Road Pump Station to promote economic development.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Deputy Director of Engineering and Environmental Services; Vince Chirichella PE, Senior Project Manager.

County Manager’s Recommendation: The County Manager recommends the Board to authorize the County Manager to enter into a contract with A1 Consulting Group, Inc. (RFQ# 21-002) for Construction Materials Testing Services and Special Inspections in an amount of \$172,525 and approve a ten-percent (10%) contingency in the amount of \$17,000 to execute any other related contracts including change orders if necessary not to exceed the available budget of \$189,525 for the Snow Hill Road Pump Station and Force Main project.

Attachments:

[201117 SHRPS CMT - AAF](#)

[201117 SHRPS CMT - FY21 AAF Supplemental Document](#)

[A1 Fee Estimate SI & CMT Hrly](#)

[MWBE Compliance Review Form-AAF for 21-002 RFQ 111620](#)

20-0650

Authorize the County Manager to Execute the Master Development Agreement and the Revised Letter of Intent/Commitment for the Loan for the 300 E. Main St. Affordable Housing Development

Agenda Text:

The Board is requested to authorize the County Manager to execute the Master Development Agreement and the revised Letter of Intent/Commitment for the 300 E. Main St. Affordable Housing Development Loan in the amount of \$5,965,000.00. (See Attachments 1)

The more comprehensive application to the NCHFA must be submitted in January 2021 in order to meet the project schedule and requires a Letter of Intent/Commitment from the Lender for inclusion in the application package. Attached is the revised Letter acknowledging the County’s intent to support the loan totaling a not-to-exceed amount \$5,965,000.00 for the project.

The LOI is required to demonstrate stakeholder commitment to the Project and provide appropriate documentation to satisfy the bond volume cap for the tax credit application. The LOI amount has been updated to document the **110** affordable housing units which increased from the previous 105 units and an additional \$595,000.00 to the loan amount as a result of the expanded Childcare/Pre-K footprint requested by the BOCC as noted at our August 3, 2020 Design Development Update on the project. The Childcare/Pre-K location will increase in square footage taking the potential occupancy from the previous 58 to 86 children. It is also important to note that as the project evolved it was determined that the grant

funding was not permissible and all funding from the County to the developer needed to come in the form of a loan.

Alignment with Strategic Plan: The Project is in accordance with Strategic Plan Goal 4 - Environmental Stewardship and Community Prosperity particularly Strategy 4.2.C - Regional Planning: Participate in smart growth practices and support regional planning partnerships to promote a high quality of life for all.

Resource Persons: Susan Tezai, Chief Financial Officer, Jessica Brown-Linton, Deputy CFO, Lowell Siler, County Attorney; Ronn Stewart, Senior Vice President, Laurel Street Residential; Jay Gibson, P.E. General Manager - Goal 4; and Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute the Master Development Agreement and the Letter of Intent/Commitment for the loan totaling a not-to-exceed amount of \$5,965,000 for the 300 E. Main St. Affordable Housing Development project.

Attachments:

[Permanent Lender Letter of Inten1](#)

[\(FINAL 12-10-20\) County of Durham-Laurel Street - Master Development Agree](#)

20-0651

Execution of Contract for the Construction Materials Testing and Special Inspections for the Durham County 300 E. Main St. Structured Parking Deck with Falcon Engineering, Inc.

Agenda Text:

The Board is hereby requested to authorize the County Manager to enter into a contract with Falcon Engineering, Inc. (FEI) to provide construction materials testing and special inspections for the Durham County 300 E. Main St. Structured Parking Deck located at 318 Liberty St. in the amount of \$455,000.00 (See Attachment 1, Page 1-8)

The request for qualifications (RFQ #21-005) for the construction materials and testing services was advertised on August 31, 2020. Eight (8) responses were received on September 29, 2020 and were evaluated by a selection committee represented by County Engineering. Falcon Engineering, Inc. was rated as the most qualified firm for the project. FEI will provide observation and testing services on the construction materials during the project including but not limited to soils and earthwork, footing and foundations, concrete and steel reinforcing, post-tensioning, mortar, and asphalt.

In addition to the construction materials and testing services this project will require special inspections. On September 11, 2006 the North Carolina Building Code Council adopted revisions to the 2006 NC Building Code, Section 1704, "Special Inspections". The special inspections revisions became effective on March 1, 2007. The building height exceeds 45 feet or three stories which qualifies it for the previously adopted "Special Inspections" testing. The 300 Main Street Parking Garage

(Project) is being designed as a 7 story +/- 753 space parking garage located on the 300 block of East Main Street in downtown Durham, NC. The garage will serve the residential wrapper co-located on the site, ground level retail, and provide parking for various departments for Durham County. The garage is being designed as a post-tensioned poured in place concrete structure with shallow spread footings. The exterior of the deck along Queen Street will be brick with CMU back up and light weight metal panel screening. A wood framed residential wrapper is being designed that enclose the other 3 sides.

This project will also include the remote lot on 410 W. Chapel Hill St. that will be improved by Durham County beginning in December 2020 to serve as a displacement parking location for County employees currently using the 300 E. Main St. surface lot. The construction of the 300 E. Main St. Deck is slated to commence in March 2021 with an anticipated 15-month duration targeting completion in June/July 2022.

Falcon Engineering, Inc. is recognized as a Certified WBE firm and will be utilizing their own workforce providing 100% WBE participation for this service (See attachment 2 - MWBE Compliance Form). It is recommended that the County proceed with the work in the proposal dated November 30, 2020 in the total amount of \$455,000.00. Funding for this service is available in the Downtown Decks Capital Project account pending the approval of the CPA included with the GMP.

Alignment with Strategic Plan: The Project is in accordance with Strategic Plan Goal 4 - Environmental Stewardship and Community Prosperity particularly Strategy 4.2.C - Regional Planning: Participate in smart growth practices and support regional planning partnerships to promote a high quality of life for all.

Resource Persons: Peri D. Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services, James Faress, P.E., Senior Project Manager, Jay Gibson, P.E. - General Manager - Goal 4: and Chris Norville, P.E., Falcon Engineering

County Manager's Recommendation: The County Manager recommends that the Board receive authorize the execution of the contract with Falcon Engineering, Inc. in the amount of \$455,000 for the Construction Materials Testing and Special Inspections for the 300 E. Main St. Parking Garage.

Attachments:

[AAF - Supplemental Document Form - 300 E. Main St. Structured Parking Deck](#)

[T20026.00 Falcon CMT-SI Scope+Fee R1](#)

[MWBE Compliance Review Form-AAF for 21-005 RFQ Construction Material Te](#)

20-0653

Capital Project Amendment No. 21CPA000019 - Creating Capital Project No. 4730DC150 - 300 E.M. Block Redevelopment and Appropriating \$20,838,814 of Limited Obligation Bonds (LOBs) Funding and Budget Amendment 21BCC000058 Appropriating \$661,136 of Debt Service Fund Fund Balance to the General Fund for Lease Improvements to 410 W. Chapel Hill St. Related to this Project,

Approve the Execution of the Construction Manager @Risk “Guaranteed Maximum Price” with LeChase Construction/Right-Build, Inc for the 300 E. Main St. Structured Parking Deck

Agenda Text:

The Board is requested to approve creating Capital Project No. 4730DC150 - 300 Block East Main Redevelopment, appropriating \$20,838,814 of Limited Obligation Bonds (LOBs) funding to the project, as well as approve Budget Amendment 21BCC000058 appropriating \$661,136 of Debt Service Fund fund balance to the General Fund for lease improvements to 410 W. Chapel Hill St. related to this project. The Board is also requested to authorize the County Manager to enter into a Construction Manager @Risk contract with LeChase Construction/Right-Build, Inc. both of Durham, N.C. for the construction of the 300 E. Main St. Structured Parking Garage GMP#1 in the amount of \$20,136,930.00 (Bid Package B plus alternates 2, 3, 5, 6, 7, 8, 10, 11, 12 and allowances), and approve the owners construction contingency at (2%) in the amount of \$402,739.00 to execute any other related contracts including change orders if necessary not to exceed the available budget of \$20,539,669.00 for the project. (See Attachment 1, Pages 1-38).

Prior to this amendment design and planning work for the redevelopment of the 300 and 500 block of East Main St had been done in a preliminary capital project (4730DC138 total budget \$2,959,120 from a variety of funding sources), now that the 300 Block project is ready to move forward a new capital project will be created.

For this new 300 Block East Main Redevelopment capital project amendment the funding sources will be \$12,516,640 from the 2020 LOBs issuance and \$8,322,174 from the future issuance of 2021 LOBs. Funds will be provided as an up-front funding source from the General Fund through an interfund loan and will be reimbursed to the General Fund from the issuance of a future financing source.

On April 13, 2020, the BOCC awarded the Construction Manager at Risk (C, M @R) Pre-construction Services contract to the team of LeChase Construction/Right-Build, Inc.. The Pre-Construction Services phase of the project was the first step in the Construction Manager at Risk process in which the contracting team provided cost estimating, constructability reviews, schedule development and value analysis of the project design. Following the pre-qualification of subcontractors and to increase subcontractor/M/WBE participation, GMP#1 was broken down into twenty-one packages which were publicly opened and read by LeChase/RBI on November 10, 2020. Several packages did not receive the statutory requirement of (3) bids necessary to open them, thus a second bid opening was scheduled for the remaining packages. Those packages were publicly opened and read by LeChase/RBI on November 20, 2020. Bids for the various packages are incorporated into “Guaranteed Maximum Price #1” (GMP1) proposal submitted for the construction project. This mode of bidding allows for the timely completion of construction activities and opening of the parking deck to align with the overall redevelopment schedule.

The 300 East Main Street Parking Garage (Project) is being designed as a 7 story +/- 753 space parking garage located on the 300 block of East Main Street in downtown Durham, NC. The garage will serve the residential wrapper co-located on the site, ground level retail, Childcare/Pre-K location and provide parking for various departments for Durham County. The garage is being designed as a post-tensioned poured in place concrete structure with shallow spread footings. The exterior of the deck along Queen Street will be brick with CMU back up and a light-weight metal panel screening "Public Art Wall". A wood framed residential wrapper is being designed that encloses the other 3 sides. That project is being constructed by Laurel Street (private developer). For improved coordination, LeChase Construction/Right-Build, Inc. is acting as the Construction Manager at Risk (CMAR) for the affordable housing project as well. The garage and residential wrapper may be constructed with some overlap, but the affordable housing wrapper is still currently in the design phase.

GMP#1 also includes the remote lot on 410 W. Chapel Hill St. that will be improved by Durham County beginning in January 2021 to serve as a displacement parking location for County employees currently using the 300 E. Main St. surface lot. The remote lot improvements are slated to begin in January 2021 and the construction of the 300 E. Main St. Deck is slated to commence in April 2021 with an anticipated 15-month duration targeting completion in June/July 2022. These improvements will be funded through an appropriation of Debt Service Fund fund balance transferred to the General Fund.

This agenda item has been reviewed and approved by the Purchasing Division. After the review of GMP#1, 300 E. Main St. Structured Parking Deck, LeChase Construction/Right-Build, Inc. has met the minimum 50 points required by GS 143-128, and has satisfied the necessary Good Faith Efforts. LeChase/RBI has identified 23% M/WBE subcontractor participation of the total 25% M/WBE goal for construction subcontracting. (See M/WBE Compliance Form). The vendor has also committed to working with Durham County to seek additional M/WBE participation if the opportunity prevails and is incentivizing a Workforce Development component for new hires from Durham for skilled trades on the project. It is also important to note that the LeChase/RBI Joint Venture carries a 80/20 split which adds an additional 20% for RBI which is a certified MBE contractor. This brings the total M/WBE participation for contracting to 43% participation currently. Completion of this project will provide a parking solution for various County departments, the Childcare and retail locations and support the affordable housing initiative along E. Main St.

Alignment with Strategic Plan: This project is in accordance with Strategic Plan Goal 4 - Environmental Stewardship and Community Prosperity particularly Strategy 4.2.C - Regional Planning: Participate in smart growth practices and support regional

planning partnerships to promote a high quality of life for all.

Resource Persons: Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services, Engineering Department; James Faress, P.E., Senior Project Manager; Marcus Tuttle, Project Executive, LeChase Construction Services and Karl Davis, President, Right-Build, Inc.

County Manager's Recommendation: The County Manager recommends that the Board approve creating Capital Project No. 4730DC150 - 300 Block East Main Redevelopment, appropriating \$20,838,814 of Limited Obligation Bonds (LOBs) funding to the project, as well as approve Budget Amendment 21BCC000058 appropriating \$661,136 of Debt Service Fund fund balance to the General Fund for lease improvements to 410 W. Chapel Hill St. related to this project. The Board is also requested to authorize the County Manager to enter into a Construction Manager @Risk contract with LeChase Construction/Right-Build, Inc. both of Durham, N.C. for the construction of the 300 E. Main St. Structured Parking Garage GMP#1 in the amount of \$20,136,930.00 (Bid Package B plus alternates 2, 3, 5, 6, 7, 8, 10, 11, 12 and allowances), and approve the owners construction contingency at (2%) in the amount of \$402,739.00 to execute any other related contracts including change orders if necessary not to exceed the available budget of \$20,539,669.00 for the project. (See Attachment 1, Pages 1-38).

Attachments:

[2073600.09 300 Block Parking Garage - GMP ver1 20201125](#)

[AAF - Supplemental Information - CPA and C, M@R GMP1 for the 300 E. Main](#)

[MWBE Compliance Review Form-AAF for CM@R 300 E Main St Structured Pa](#)

[AAF-58 Legal Form Creating 300 Block E Main Cap Proj \(\\$2,838,814 2020 and](#)

[CPA-19 Legal Form Creating 300 Block E Main Cap Proj \(\\$2,838,814 2020 and](#)

20-0661

Removal of Citizen Board Member Due to Poor Attendance (5min)

Agenda Text:

The Board is requested to remove the following member in keeping with the Attendance Policy approved by the Board of County Commissioners in August 2014. "If an appointee has absences (excused or unexcused) which constitute more than 50% of the meetings in any calendar year or three (3) consecutive unexcused absences or five (5) consecutive excused absences in any calendar year, he or she is obligated to resign."

- Durham County Women's Commission - Elizabeth Morrell (Swezey)

The Clerk's Office was notified of the absences and made attempts to contact the board member. There was no response.

Alignment with Strategic Plan: This item aligns with Goal 5 Accountable, Efficient and Visionary Government. When citizens are engaged and partners on our Boards and Commissions, the vision of our Strategic Plan is achieved - a thriving, vibrant diverse community with abundant opportunity for all residents to live, work, learn,

play and grow

Resource Persons: Monica Toomer, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules and take action to remove the above listed individual from the Adult Care Home Community Advisory Committee due to poor attendance.

20-0662

Removal of Citizen Board Member Due to Poor Attendance (5min)

Agenda Text:

The Board is requested to remove the following member in keeping with the Attendance Policy approved by the Board of County Commissioners in August 2014. "If an appointee has absences (excused or unexcused) which constitute more than 50% of the meetings in any calendar year or three (3) consecutive unexcused absences or five (5) consecutive excused absences in any calendar year, he or she is obligated to resign."

- TJCOG Water Resources Collaborative - Michael Brewer

The Clerk's Office was notified of the absences and made attempts to contact the board member. There was no response.

Alignment with Strategic Plan: This item aligns with Goal 5 Accountable, Efficient and Visionary Government. When citizens are engaged and partners on our Boards and Commissions, the vision of our Strategic Plan is achieved - a thriving, vibrant diverse community with abundant opportunity for all residents to live, work, learn, play and grow

Resource Persons: Monica Toomer, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules and take action to remove the above listed individual from the Adult Care Home Community Advisory Committee due to poor attendance.

20-0663

Approval of Contract Amendment Extending and Adding \$400,000 to Homeless Housing Contract with Reinvestment Partners

Agenda Text:

The Board is requested to approve a contract amendment extending the attached homeless housing contract with Reinvestment Partners through March 31, 2021 and adding \$400,000 to the contract.

After several months of discussion, the Board of County Commissioners approved the initial contract with Reinvestment Partners at their October 5th, 2020 worksession. Under that contract, Reinvestment Partners would, in partnership with Project Access of Durham County and Urban Ministries of Durham (UMD), provide non-congregate housing for 64 medically vulnerable homeless individuals at the Carolina Duke Inn (CDI) on Guess Rd. through Dec. 30th, 2020. Housing the more medically vulnerable UMD residents (and other homeless individuals) at the Carolina Duke Inn has been a longer term approach which succeeded the initial effort the

County made to house *all* of UMD's clients in a non-congregate setting from early April to early July 2020.

Support services for the clients served under this contract at the Carolina Duke Inn have been partly supported through the room rate paid to Reinvestment Partners, but also substantially through state COVID funds received by UMD and Project Access of Durham County.

The funding for this contract extension is already in Emergency Management's budget. They were part of the July 2020 appropriation for moving UMD's medically vulnerable clients to the Carolina Duke Inn when the other UMD clients were moved from the Marriott RTP back to UMD.

The funds expended by the County through this contract may still be reimbursable by FEMA, either directly or possibly indirectly through a Memorandum of Understanding with the NC Dept. of Emergency Management (which would reimburse the County and then seek FEMA reimbursement on our behalf). Qualifying expenditures could be reimbursable as long as the non-congregate waiver is in place. This waiver has been getting extended on a month-to-month basis, but given current COVID conditions, we do not anticipate it going away in the near term. In any case, the need for options to continue housing our most vulnerable "shelter" residents in a non-congregate setting *outside* of the shelter continues. The attached contract does not *require* the County to continue housing these individuals at the hotel through the end of March but *allows* us to and provides funding for this to continue. Additionally, the County may issue a Request for Proposals for new and/or extended options for housing homeless individuals who have tested positive for COVID-19.

Alignment with Strategic Plan: The safe housing of medically vulnerable homeless individuals in non-congregate settings aligns strongly with Goal 2 of the Durham County Strategic Plan.

Resource Persons: Drew Cummings, Chief of Staff and head of the EOC's Human Services Branch; Leslie O'Connor, Emergency Management Division Chief / COVID Incident Commander

County Manager's Recommendation: The County Manager recommends that the Board approve a contract amendment extending the attached homeless housing contract with Reinvestment Partners through March 31, 2021 and adding \$400,000 to the contract.

Attachments:

[RP_Rx_CDI homeless housing contract FULLY EXECUTED](#)

[RE 3 month \\$400,000 extension for Reinvestment Partners contract](#)

[SERVICE CONTRACT AMENDMENT-RP Rx Housing](#)

20-0665

Budget Ordinance Amendment No. 21BCC000056 for Interlocal Agreement with City of Durham for the Durham CARES Small

Business Grant Program in the amount of \$250,000**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 21BCC000056 and Interlocal Agreement (ILA) with the City of Durham for the Durham CARES Small Business Grant Program in the amount of \$250,000 and to authorize the County Manager to execute the agreement. In addition, the Board is requested to approve Budget Ordinance Amendment No. 21BCC000056, which will provide \$250,000 to fund the Durham CARES Small Business Grant Program as required by the ILA. A copy of the proposed ILA with the City has been attached.

The CRF Plan approved on September 8, 2020 included \$250,000 to support a risk mitigation grant program for small businesses as requested by the Durham Recovery and Renewal Task Force (RRTF). The Task Force later determined that due to the large amount of PPE donations that were being provided and the wider availability of PPE, that small businesses may be better served if the funds were applied to a higher priority use. The City reallocated their portion of CARES dollars (\$240,000) for a small business grant program administered by City staff. The City program opened on November 12th and within the one day that it was open, over 90 applications were received. After applications began to be vetted by City staff, it was determined that enough qualifying applications were submitted to exhaust both the City's \$240,000 and the County's \$250,000 of our funds were redirected for that purpose. After conversations at the 11/23 Regular Meeting, the County decided to reallocate their \$250,000 of CARES funding to the Durham CARES Small Business Grant Program through an ILA with the City. Through the ILA, funds will be transferred to the City of Durham to administer awards to small businesses through their grant program. The grants will be awarded to Durham small businesses by the December 30, 2020 deadline.

To be eligible for the grant program, businesses must be physically located within Durham County; employ fewer than 50 full-time employees as of November 15, 2020; have been established and operational since at least November 12, 2019; be affected by the COVID-19 pandemic; not currently engaged in bankruptcy proceedings or dissolution; show proof of expenses or invoices to be paid; have revenues of \$2 million or less according to their latest tax filing; and not have previously received a grant or loan from the Durham Small Business Recovery Program.

The grant award will be based on monthly operating expenses as shown on most recent tax filing, up to a \$10,000 maximum. Grant funds may be used for legitimate business expenses, such as working capital, lease payments, existing real estate and equipment financing payments, and accessing and applying for federal resources related to capital and business resiliency. Funds may not be used to pay off debts that existed before March 1, 2020, tax liens, judgments, or collections.

Alignment with Strategic Plan: This item aligns with Goal 4: Environmental Stewardship and Community Prosperity to promote and support the community and economic vitality for all residents.

Resource Persons: Andrew Miracle, Economic Development Officer; Jodi Miller, General Manager; and Willie Darby, Senior Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 21BCC000056 and the Interlocal Agreement (ILA) with the City of Durham for the Durham CARES Small Business Grant Program in the amount of \$250,000, and authorize the County Manager to execute the agreement.

Attachments: [ILA Durham County and City of Durham for CARES Grant Fund](#)
[AAF-56 Legal Form](#)

20-0667

Budget Ordinance Amendment No.21BCC000055 The North Carolina Office of Recovery and Resiliency (NCORR) Community Development Block Grant - Coronavirus (CDBG-CV) and Federal Coronavirus Relief Funds (CRF) and for the Department of Social Services to recognize funds in the amount of an additional \$5,263,411 not to exceed \$7,714,447

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 21BCC000055 for the County Manager amending the contract between The North Carolina Department of Public Safety, Office of Recovery and Resiliency (NCORR), and Durham County Department of Social Services, to provide emergency rental and utility assistance to Durham County residents impacted by the COVID pandemic. For the Department of Social Services to recognize additional funds in the amount of \$5,263,411 not to exceed \$7,714,447.

In response to the COVID Pandemic, The North Carolina Office of Recovery and Resiliency (NCORR) is charged with administering Community Development Block Grant - Coronavirus (CDBG-CV) funds alongside with Federal Coronavirus Relief Funds (CRF). Additional funds have been allocated to Durham County to address the high volume of applications (~2300) received for rental and utility assistance. These allocations will be used to provide emergency rental assistance and emergency utility payments to prevent evictions and prevent the disconnection of essential utilities. These funds also cover administrative activities as follows: coordinate with potential applicants, guide applicants through the application process, collect, store, and maintain applicant documentation, determine eligibility for service(s), issue grant payments on behalf of an eligible applicant.

Original Additional

Total Not

	Amendment	Contract	to
Exceed			
Activity Delivery Cost Available for Beneficiaries	\$2,083,381	\$4,473.899	
\$6,557,280			
Activity Delivery Cost Available 15% Admin Cost	\$367, 655	\$789,512	
<u>\$1,157,167</u>			
	\$2,451,036	\$5,263,411	
\$7,714,447			

Alignment With Strategic Plan: Goal 2: Health and Well-being for All which decrease health disparities within the community and Goal 3: Safe and Secure Community to improve outcomes for vulnerable, children, youth, and adults.

Resource Persons: William Rose, Director and Janeen Gordon, Assistant Director, Department of Social Services

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 21BCC000055 to approve the County Manager amending the contract between the North Carolina Department of Public Safety, Office of Recovery and Resiliency (NCORR) and Durham County Department of Social Services, and recognize the additional funds in the amount of \$5,263,411 not to exceed \$7,714,447.

Attachments: [Durham County DSS - First Amendment to HOPE S nov30](#)
[AAF-55 Legal Form](#)

20-0668

Property Tax Releases and Refunds for November 2020

Agenda Text:

The Board is requested to approve the Releases & Refunds for the month of November 2020. Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of November 2020.

Releases and Refunds for 2020 total \$239,723.86. Prior year's (2015-2019) releases and refunds for November 2020 are in the amount of \$15,718.28. The current year and prior year's releases and refunds total \$255,442.14.

Alignment With Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. To ensure the county complies with North Carolina General Statutes ensures we are accountable to our citizens. The Board of E&R ensures that we are

accountable and efficient as tax revenues are impacted by the actions of this Board. The actions of the tax department and this Board impact all strategic goals due to the revenues needed.

Resource Persons: T. Dwane Brinson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board accept the property tax release and refund report for November 2020 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments: [Releases and Refunds Backup Detail-November 2020- Dec 14, 2020](#)
[Tax Release and Refunds-November 2020-December 14, 2020](#)
[NCVTS_October_Refunds_Report](#)

20-0673 **Budget Ordinance Amendment No. 21BCC000057 to Appropriate \$376,350 of General Fund Covid Reserve and Contract Extension Approval to continue Home Delivered Meals for Food Insecure Families during the COVID Crisis**

Agenda Text: The Board is requested to appropriate \$376,350 of General Fund Covid Reserve and Contract Extension Approval with the Food Insight Group (FIG) to continue home delivered meals through March 31, 2021.

The program, currently funded from September 1- December 31, 2020, is requested to be extended through March 31, 2021. The meals provide support to families who are in need of direct-to-home delivery, focusing on (1) families who work and/or don't have adequate transportation and cannot make it to school pick up sites, or (2) families needing to isolate/quarantine because of family members at high risk from COVID-19. These needs are unlikely to abate over the through the winter and early spring.

The program has the added benefit of working with local restaurants to provide meals, maintaining jobs, and supporting Durham's economy, focusing on restaurants that are Minority and Women-Owned Business Enterprises. For the January 1-March 31 time period, the requested funds will provide meals for 250 families (approximately 650 children) as well as 150 seniors. In addition, the funding extension will support management of DPS school meals deliveries to over 1,500 children through a coordinated volunteer direct-to-home delivery program. The family meals program and the school meals deliveries operate under the name *EAT NC*.

The family meals delivery program operates with referrals from school personnel, social workers, and other community agencies to identify families most in need of the service. Seniors will also be identified through a referral process through public agencies and community-based organizations and limited self-referral. The program will continue to identify and support children and families who experience food

insecurity that has been exacerbated by the COVID crisis along with significant barriers to accessing site-based meal programs who would benefit most from this home delivery program.

Alignment with Strategic Plan: Appropriate food security support for vulnerable at-risk portions of Durham County's population aligns with Goal 2: Health and Well-Being for All of the Durham County Strategic Plan.

Resource Persons: Donna Rewalt, County Extension Director; Kelly Warnock, Nutrition Program Manager; Michael Davis, Strategic Initiatives Manager; Drew Cummings, Chief of Staff.

County Manager's Recommendation: The Manager recommends the Board approve Budget Ordinance Amendment No. 21BCC000057 to Appropriate \$376,350 of General Fund Covid Reserve and Contract Extension Approval to continue Home Delivered Meals for Food Insecure Families during the COVID Crisis.

Attachments: [Proposal Extension - Durham County Meal Delivery Plan Jan-March 2021.pdf](#)
[FIG Contract Amendment 12-14-2020 .docx](#)
[FIG Scope of Services Form_FY2021 Amendment.docx](#)
[FIG Durham SOW Attachment I Amended 12-14-2021.docx](#)
[AAF-57 Legal Form](#)
[COVID Funding Summary 12.12.20 Update.pdf](#)

20-0680

Approval of Interlocal Agreement between Durham County and the City of Durham Related to Facility Use by the Durham Crisis Response Center and Budget Amendment No. 21BCC000059 Recognizing \$85,508 in Funding from the City of Durham in Support of Facility Use

Agenda Text:

The Board is requested to approve an Interlocal Agreement (ILA) between the County and the City of Durham related to facility use by the Durham Crisis Response Center. and Budget Amendment No. 21BCC000059 recognizing \$85,508 in funding from the City of Durham in support of upgrades for facility use

Discussions have taken place between the County, City and DCRC regarding how both entities can support their critical services. These services advance the public benefits of educating the Durham community about sexual and domestic violence awareness and prevention and providing direct support to victims of violence in the Durham community. As a result of those discussions, the County has agreed to lease property located at 101 East Main Street (e.g., the building that previously housed Durham County Visitors Bureau (DCVB)) for a nominal fee for the Family Justice Center (FJC). The City has agreed to provide \$85,508 as a funding source for improvements needed to the facility to make the facility more conducive for FJC to provide their services to the community.

The ILA between the County and City is needed to document the terms regarding the County's and the City's responsibilities. Since the County owns the asset, it is the most efficient process for the City to provide the funding to the County, and the County in turn using the funds as the funding source for the improvements to the facility. The County Manager recommends the Board approve the Interlocal

The ILA has been approved by Willie Darby (Legal) as well as agreed to and supported by Peri Manns (Engineering & Environmental Services) and Susan Tezai (Finance).

Alignment With Strategic Plan: Goal 1: Community & Family Prosperity; Goal 2: Health & Well-being for ALL; Goal 5: Accountable, Efficient & Visionary Government

Resource Persons: Peri Manns, Deputy Director of Engineering and Environmental Services; Susan Tezai, Chief Financial Officer.

County Manager's Recommendation: The County Manager recommends the Board approve an Interlocal Agreement (ILA) between the County and the City of Durham related to facility use by the Durham Crisis Response Center. and Budget Amendment No. 21BCC000059 recognizing \$85,508 in funding from the City of Durham in support of upgrades for facility use.

Attachments:

[ILA with Durham County for FJC at DCVB](#)

[ILA with City RE DCRC Supplemental Doc 12 14 2020](#)

[AAF-59 Legal Form \\$85508 ILA with City of Durham to lease property for DCRC](#)

8. Public Hearings (20min)

20-0674 Adoption of Resolutions related to Authorization of \$70M General Obligation (GO) Refunding Bonds, Series 2021, including Holding a Public Hearing on and Adopting the General Obligation Refunding Bond Order (10min)

Agenda Text:

The Board is requested to hold a public hearing on the general obligation refunding bond order introduced at the November 23rd meeting and to adopt the refunding bond order and the bond resolution which authorizes the issuance of General Obligation Refunding Bonds (\$70M) following the public hearing. 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.

In order to allow for 24 hours of receipt of comments in accordance with North Carolina General Statutes when conducting a public hearing at a virtual meeting, the Board will need to continue the meeting to Wednesday, December 16, 2020 and adopt the bond order and the bond resolution at that time.

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

Resource Persons: Susan F. Tezai, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board hold the public hearing, adopt the refunding bond order and adopt the attached resolution authorizing the issuance of the General Obligation Refunding Bonds (\$70M) at the conclusion of the 24 hour comment period at the continued meeting on Wednesday, December 16, 2020.

Attachments:

[CHAR1 - 1759935v4 - Official StatementCounty of Durham GO RefundingPNC](#)

[CHAR1 - 1758392v5 - Durham County DisclosureGO BondsPNC 2021](#)

[CHAR1 - 1759460v3 - Bond Purchase AgreementCounty of Durham Refunding](#)

[Supplemental Doc 12 14 2020](#)

[Extract of Minutes of Public Hearing and Adoption of Bond Order](#)

[Bond Resolution - County of Durham 2021 Refunding GOs - v.3](#)

20-0670

Public Hearing to Consider Allocating Economic Development Funds to the Clorox Company (10min)

Agenda Text:

The Board is requested to hold a public hearing to consider allocating a total of \$50,000 in Economic Development funds to the Clorox Company and authorize the County Manager to enter into preliminary negotiations and execute an agreement with the Company. The Clorox Company, a leading multinational manufacturer and marketer of consumer and professional products, will create 158 new jobs and invest \$7.5 million in Durham County.

Since 1913, The Clorox Company has manufactured and marketed household cleaning, home care, sauces, containers, and personal care products in more than 100 countries. The company's Better Health VMS division focuses on vitamins, minerals, and supplements. Clorox will establish a new research and development facility and expand corporate operations for Better Health and Burt's Bees®, which currently employs more than 500 people between its headquarters in Durham and a manufacturing facility in Morrisville. Approximately 60 of the new jobs are IT positions will require a range of education and experience from an Associate's Degree to a Master's Degree.

With approval of the award, the Company has agreed to make reasonable efforts to participate in several workforce partnerships that include engagements with NC Works Career Center as well as providing paid internships, deploying their diversity purchasing policy and participating in minority purchasing trade events. Please find additional project details terms and project attributes in the briefing sheet attached to the agenda item.

The Clorox Company's expansion will be facilitated, in part, by a Job Development Investment Grant (JDIG) approved by the state's Economic Investment Committee on November 24th. Over the course of the 12-year term of the grant, the project is estimated to grow the state's economy by more than \$462 million. Payments for all JDIG and local awards only occur following performance verification that the company has met its incremental job creation and investment targets. JDIG projects result in positive net tax revenue, even after taking into consideration the grant's reimbursement payments to a given company.

Staff is recommending that the County provide \$50,000 in Economic Development Investment funds to the Clorox Company subject to performance goals being met by the Company related to timing and amount of investment, employment creation and maintenance of the created jobs as well as partnership engagement criteria.

This public hearing has been advertised as required by law.

Alignment with Strategic Plan: This item aligns with Goal 4: Environmental Stewardship and Community Prosperity to promote and support the community and economic vitality for all residents

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 \$50,000 in Economic Development funds to the Clorox Company and authorize the County Manager to enter into preliminary negotiations and execute an agreement with the Company

Attachments: [Briefing Sheet - Clorox Company](#)

20-0671

Public Hearing to Consider Allocating Economic Development Funds to BioAgilytix Labs, LLC (10min)

Agenda Text:

The Board is requested to hold a public hearing to consider allocating a total of \$395,000 in Economic Development funds to BioAgilytix Labs, LLC and authorize the County Manager to enter into preliminary negotiations and execute an agreement with the Company. BioAgilytix Labs, LLC, a leading life science testing company, will create 878 jobs and invest \$61.5 million in Durham County.

BioAgilytix was founded in Durham in 2008 and maintains its headquarters there, while also operating laboratory locations in the Cambridge area of Massachusetts and Hamburg, Germany. The company specializes in large molecule bioanalysis and provides a wide portfolio of services supporting the development and release testing of biologics across a number of industries and disease states. Recently, BioAgilytix announced plans to launch COVIDence, a platform to provide employers a comprehensive COVID-19 testing program. The new expansion in North Carolina will help the company meet increased demand from its customer base of the world's

top pharmaceutical and biotech companies. Of the newly created positions, included are approximately 215 Lab Operations positions requiring between a HS Diploma and 1 year of experience through a Bachelor's Degree and 10 years of experience as well as approximately 170 Analyst positions requiring between an Associate's Degree and 2 years of experience through a Master's Degree and multiple years of experience.

With approval of the award, the Company has agreed to make reasonable efforts to participate in several workforce partnerships that include engagements with Durham Public Schools Career and Technical Education, Durham Technical Community College, NC Works Career Center and North Carolina Central's University. Please find additional project details including a full list of partnerships, terms and project attributes in the briefing sheet attached to the agenda item.

BioAgilytix's project in North Carolina will be facilitated, in part, by a Job Development Investment Grant (JDIG) approved by the state's Economic Investment Committee on October 29th. Over the course of the 12-year term of this grant, the project is estimated to grow the state's economy by \$2.8 billion. Payments for all JDIG and local awards only occur following performance verification that the company has met its incremental job creation and investment targets. JDIG projects result in positive net tax revenue, even after taking into consideration the grant's reimbursement payments to a given company.

Staff is recommending that the County provide \$395,000 in Economic Development Investment funds to BioAgilytix subject to performance goals being met by the Company related to timing and amount of investment, employment creation and maintenance of the created jobs as well as partnership engagement criteria.

This public hearing has been advertised as required by law.

Alignment with Strategic Plan: This item aligns with Goal 4: Environmental Stewardship and Community Prosperity to promote and support the community and economic vitality for all residents

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 \$395,000 in Economic Development funds to BioAgilytix and authorize the County Manager to enter into preliminary negotiations and execute an agreement with the Company.

Attachments: [Briefing Sheet - BioAgilytix Labs LLC \(DBE\)](#)

9. Other Business (35min)

20-0677**Durham County Public Health Focused Update on the COVID-19 Crisis (10min)****Agenda Text:**

The Board has requested a public health focused update from County staff on the COVID-19 response and efforts.

Alignment with Strategic Plan: This item aligns with Goal 2: Health and Well-Being for All

Resource Persons: Rodney Jenkins, Public Health Director; Joanne Pierce, General Manager

County Manager's Recommendation: The County Manager recommends that the Board receive an update from County staff on the COVID-19 response and efforts

20-0658**Discussion of Hope Learning Centers (25min)****Agenda Text:**

The Board is requested to receive information about the function and performance of the Hope Learning Centers, ask any questions they wish, and discuss options for possible continued support during the second academic semester starting January 18th.

On August 24th, Durham County approved \$405,000 in support for the Hope Learning Centers, a remote learning option for Durham students (contract attached). County funding was primarily to support no-cost placements of students experiencing houselessness, who qualify for free or reduced lunch, have parents in essential jobs, have parents unemployed because of COVID, and/or who are part of the foster care system or live in public housing. County funding was initially only supposed to support these centers for part of the first semester, but due to slower initial enrollment and outside fundraising, the initial County funding has sufficed for all of the first semester, which runs through January 15th, 2021.

The Hope Learning Centers are all operating at capacity at this point, as are the remaining three DPS remote learning centers. Though a small number of staff and students associated with the centers have contracted COVID since the centers opened, there is no evidence that any spread occurred *at* the centers.

The Plan B proposal currently being considered for second semester at Durham Public Schools has an option for K-5 students to attend school *at their school* several days a week. On the other days, and for all middle and high schoolers, virtual schooling will remain in place. As such, though there may be shifts in enrollment patterns, the need for remote learning centers is not anticipated to be significantly different than in the first semester. Indications are that Durham Public Schools may be leaning towards shutting their remaining three remote learning centers down, which would create additional unmet needs.

Alignment with Strategic Plan: Safe remote learning centers for Durham students aligns with Goals 1 - 3 of the Durham County Strategic Plan.

Resource Persons: Magan Gonzales-Smith, Executive Director (Durham Public Schools Foundation); Alexandra Zagbayou, Executive Director (Student U); Drew Cummings, Chief of Staff

County Manager's Recommendation: The County Manager recommends that the Board receive information about the function and performance of the Hope Learning Centers, ask any questions they wish, and discuss options for possible continued support during the second academic semester starting January 18th.

Attachments: [CONTRACT FOR HOPE LEARNING CENTERS 9-25](#)
[HOPE Learning Centers - Scope of Work 9-24](#)
[HOPE Learning Center Narrative Report, 10.16.20](#)
[HOPE Learning Center, Enrollment report, 10.16.20](#)

10. Board and Commission Appointments (10 min)

20-0660

Board and Commission Appointments (10min)

Agenda Text:

Monica Toomer, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards:

- Durham Open Space and Trails Commission
- Environmental Affairs Board
- Homeless Services Advisory Committee
- Juvenile Crime Prevention Council

The Board of Commissioners recognizes the need to have a representative sample of the citizens of Durham County serve on boards, commissions, committees and authorities. No citizen may serve more than four consecutive terms for 2-year term boards; three consecutive terms for 3-year term boards; two consecutive terms for 4-year term boards; and one consecutive term for 5 and 6-year term boards in any one position, unless otherwise stated by statute; or there are no other applicants who meet the eligibility requirements. The Equalization and Review Board shall be exempt from these term limits.

Alignment with Strategic Plan: This item aligns with Goal 5 Accountable, Efficient and Visionary Government. When citizens are engaged and partners on our Boards and Commissions, the vision of our Strategic Plan is achieved - a thriving, vibrant diverse community with abundant opportunity for all residents to live, work, learn, play and grow.

Resource Persons: Monica Toomer, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the

Board of County Commissioners vote to appoint a member to the aforementioned Boards and Commissions.

Attachments: [12.14.2020 BC Legistar](#)

11. Items Pulled from the Consent Agenda (20 min)

12. Closed Session

[20-0669](#)

Closed Session

Agenda Text:

The Board is requested to adjourn into Closed Session for the following:

- 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 pursuant to G.S. 143-318.11(a)(4).
- To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract pursuant to G.S.143-318.11(a)(5)

Alignment with Strategic Plan: This item aligns with Strategic Goal 4: Environmental Stewardship and Community Prosperity

Resource Persons: Andy Miracle, Economic Development Officer; Peri Manns, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board adjourn into Closed Session and provide direct to staff.

13. Recess

[20-0683](#)

Recess

Agenda Text:

The Board is requested to recess the Regular Session and reconvene on December 16, 2020 at 9:00 a.m. for the approval of the following Public Hearings:

- 20-0670 - Public Hearing to Consider Allocating Economic Development Funds to the Clorox Company
- 20-0671 - Public Hearing to Consider Allocating Economic Development Funds to BioAgilytix Labs, LLC

- 20-0674 - Adoption of Resolutions related to Authorization of \$70M General Obligation (GO) Refunding Bonds, Series 2021, including Holding a Public Hearing on and Adopting the General Obligation Refunding Bond Order

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

Resource Persons: Lowell Siler, County Attorney; Monica W. Toomer, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board recess the Regular Session and reconvene on December 16, 2020 at 9:00 a.m. to approve the Public Hearings.