



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Monday, June 13, 2022

7:00 PM

Commissioners' Chambers

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### 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.

### 1. Closed Session (To be held at: 6:30 pm)

[22-0371](#)

#### 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)

**Alignment with Strategic Plan:** This item aligns with Strategic Goals 4 and 5

**Resource Persons:** Andy Miracle, Economic Development Officer

**County Manager's Recommendation:** The County Manager recommends that the Board meet in Closed Session and provide direction to staff.

### 7:00 pm Regular Session

### 2. Opening of Regular Session - Pledge of Allegiance (5 min)

### 3. Agenda Adjustments (5 min)

### 4. Announcements (5 min)

**22-0361****Announcements (5min)****Agenda Text:**

1. **DCo Public Health COVID-19 Vaccination Clinic Hours** - The COVID-19 vaccination clinic at the Durham County Department of Public Health, 414 E. Main St., has the following hours to get your free vaccination: Monday, Wednesday, Thursday & Friday - 9 a.m. to 4 p.m., and Tuesdays - 9 a.m. to 5:30 p.m. Appointments and walk-ins are welcome, and all doses are available. Please note, clinics are closed between 11:30 a.m. - 1 p.m. daily and will be closed on Monday, June 20 in recognition of Juneteenth. For more information, please visit [www.dcopublichealth.org/COVIDVaccines](http://www.dcopublichealth.org/COVIDVaccines) or call 919-560-9217
2. **Exceptional Measures: Celebrating Juneteenth** - Join the Durham County Library for Exceptional Measures: Celebrating Juneteenth on Wednesday, June 15 from 6:30 to 7:30 p.m. at the Carolina Theatre. This free event features Grammy nominated artist Rissi Palmer, nationally competing spoken word artist Dasan Ahanu, and the acclaimed African American Dance Ensemble! Enjoy & experience the exceptional measures found in the artists' poem stanzas, song lyrics, music, and dance as we recognize the connection each has to the history behind celebrating Juneteenth. Register at: [www.durhamcountylibrary.libcal.com/event/9042082](http://www.durhamcountylibrary.libcal.com/event/9042082)
3. **Relative and Kin Connections Presents Keeping Families Strong: Foster Care and Reunification Event** - Please join as we recognize Foster Care and Reunification Months (May and June Respectfully) on June 17th from 11am - 1pm at Dorothea Dix Campus located at 805 Ruggles Drive in Raleigh. There will be guest speakers, FREE food and drinks, vendors and music.  
  
This event is FREE and open to the public and registration is not required.
4. **Public Health Nursing Fair** - Want a fulfilling job in public service? The Durham County Department of Public Health has amazing opportunities for nurses looking for their next career challenge available now. There will be three Public Health Nursing Fairs held at the Durham County Main Library, 300 N. Roxboro St., inside the third floor's conference room 3214 on Tuesday, June 14 from 4:30 to 6:30 p.m. Some of the open positions have a \$6,000 sign-on bonus! Durham County Government offers a generous benefits package and offers a great work/life balance. See the current job openings at [www.careers.dconc.gov](http://www.careers.dconc.gov)
5. **Rural Engagement on the New Durham Comprehensive Plan** - The Durham City-County Planning Department is seeking out more opportunities

for rural residents of Durham County to engage on the new Comprehensive Plan. This session will be hosted on June 21st at 6:30pm at the Rougemont Ruritan Club located on 212 Bacon Rd. Please contact [engagedurham@durhamnc.gov](mailto:engagedurham@durhamnc.gov) <<mailto:engagedurham@durhamnc.gov>> for more information about the session. Additional information can also be found at [www.durham.mysocialpinpoint.com/comprehensiveplan/policy-information/](http://www.durham.mysocialpinpoint.com/comprehensiveplan/policy-information/) <<http://www.durham.mysocialpinpoint.com/comprehensiveplan/policy-information/>>

6. **Sheriff Speaks on June 28** - Join Durham County Sheriff Clarence Birkhead for a community discussion as part of his Sheriff Speaks series at Durham County Libraries. Our next session is Tuesday, June 28 at 5:30 p.m., we will host a discussion “LGBTQIA: Safety & Experiences in the Criminal Justice System” at North Regional Library at 221 Milton Rd. Questions? Email [pio@durhamsheriff.org](mailto:pio@durhamsheriff.org) <<mailto:pio@durhamsheriff.org>>.
7. **EngageDurham “Ask A Planner” sessions** - Have questions about our EngageDurham Comprehensive Plan draft policies to guide future growth & development in the City and County? Attend our “Ask a Planner” virtual & in-person sessions on June 28! Find out more information here: [www.durham.mysocialpinpoint.com/comprehensiveplan](http://www.durham.mysocialpinpoint.com/comprehensiveplan) <<http://www.durham.mysocialpinpoint.com/comprehensiveplan>>.
8. **Durham County Government to Recognize Juneteenth** - Most Durham County Government offices will be closed in recognition of Juneteenth on Monday, June 20. All offices will re-open with normal business hours on Tuesday, June 21. Visit [www.dconc.gov](http://www.dconc.gov) <<http://www.dconc.gov>> to see impacts to services.
9. **Seeking Artist Recruitment for Public Artwork** - Durham County invites artists or artist teams to submit qualifications for the design and installation of public artwork inside, on, or around several Durham County Buildings. This is a rolling call for multiple projects at various locations, and multiple artists and artist teams will be commissioned. Locations include Durham County Administration Building I and the new 300 and 500 East Main Street Parking Decks. Preference will be given to local and regional artists, and emerging artists can submit community references. This Call closes on August 31, 2022. Please apply through CaFÉ, the national online Calls for Entries portal at <[https://artist.callforentry.org/festivals\\_unique\\_info.php?ID=9345](https://artist.callforentry.org/festivals_unique_info.php?ID=9345)>
10. **Durham Area Food Map** - The Durham Area Food Map, created by a partnership between End Hunger Durham, Durham County’s DINE Nutrition Education Program and Durham City/County GIS Services is a great

resource for finding meals over the summer. To find stores that accept SNAP and WIC, places to find hot meals, and food pantries near you visit

[www.durham-area-food-resources-durhamnc.hub.arcgis.com](http://www.durham-area-food-resources-durhamnc.hub.arcgis.com)

[<http://www.durham-area-food-resources-durhamnc.hub.arcgis.com>](http://www.durham-area-food-resources-durhamnc.hub.arcgis.com)

## 5. Minutes (5 min)

[22-0360](#)

**Minutes (5min)**

**Attachments:** [Regular Session - May 23, 2022](#)

## 6. Ceremonial Items (20min)

[22-0344](#)

**Proclamation - Thriving and Resilient Communities Week (10min)**

**Agenda Text:** The Board is requested to approve a proclamation recognizing Thriving and Resilient Communities Week.

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

**Resource Persons:** Rodney Jenkins, MHA, Public Health Director

**County Manager's Recommendation:** The County Manager recommends that the Board approve a proclamation recognizing Thriving and Resilient Communities Week.

**Attachments:** [Proclamation - Resilient and Thriving Communities Weel - June22](#)

[22-0358](#)

**Proclamation - June 2022 as Pride Month (10min)**

**Agenda Text:** The Board is requested to approve a proclamation designating June as Pride Month in Durham County. The proclamation is intended to recognize the contributions of Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community members.

The origin of this observance stems from an incident at Stonewall Inn in Manhattan, NY on June 28, 1969, which eventually gave rise to the birth of the modern LGBTQ rights movement in America.

**Alignment with Strategic Plan:** This item aligns with Goal 1: Community Empowerment and Enrichment

**Resource Persons:** Brenda Howerton, Chair, Durham Board of Commissioners

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Proclamation

**Attachments:** [Proclamation - Pride Month - June22](#)

## 7. Consent Agenda (15 min)

**22-0250****Material Changes to the 2017 Durham County Transit Plan****Agenda Text:**

The Board is requested to approve a Resolution to Amend the Durham County Transit Plan to Allow for Increased Funding for Bus Operations in Northern Durham, a New Paratransit Maintenance Facility, Improvements to Durham Station, and Bus Stop Improvements.

As part of the appropriations process for the Durham County Transit Plan (Transit Plan), an annual Work Program is developed which produces a budget for the upcoming fiscal year. During the development of the FY23 Durham County Transit Plan, several items that are to be incorporated into the preferred scenario are proposed to be incorporated into the Durham FY23 Annual Transit Work Program. Per the interlocal agreement (ILA) that governs the Transit Plan, and/or per the request of the Durham Staff Working Group (SWG), the following items are considered “material changes” and must be approved by all three governing boards of the ILA in order to be incorporated into the FY23 Work Program.

The projects that are deemed to be material changes are:

- North Durham Improvements on the GoDurham Route 9/9A/9B and new crosstown service;
- Durham Station Improvements;
- Increased funding for Durham Bus Stop Improvements; and
- New Paratransit Maintenance Facility.

The Durham County Board of Commissioners will review this item at its May 2 work session and consider a vote on the item on May 23. The DCHC MPO Board will review this request on May 11, and consider a vote on June 8. The GoTriangle Board of Trustees will review this request as part of its consideration of the FY23 Work Program when it votes on the budget at its June 22 meeting.

While the material changes to the Durham Transit Plan must be approved by the Boards of all three parties to the ILA, per the ILA, only the GoTriangle Board of Trustees has the authority to approve the annual Work Program. The Durham Board of County Commissioners is requested to provide input on the draft FY23 Work Program on May 9.

**Alignment with Strategic Plan:** Transportation affects many of Durham County’s goals including environmental stewardship and community prosperity, access to education, jobs, healthcare, opportunities, and quality of life.

**Resource Persons:** Ellen Beckmann, Durham County Transportation Manager; Aaron Cain, DCHC MPO Planning Manager and Staff Working Group Administrator

**County Manager’s Recommendation:** The County Manager recommends that the Board approve a Resolution to Amend the Durham County Transit Plan to Allow for Increased Funding for Bus Operations in Northern Durham, a New Paratransit Maintenance Facility, Improvements to Durham Station, and Bus Stop

Improvements.

**Attachments:**

[DCHC MPO Memo to BOCC 5-2-22](#)

[Durham Draft for Public Comment 4-19-22](#)

[Material Change and FY23 Work Program Presentation to BOCC - 5-2-22](#)

[Material Change Project Sheets for BOCC Work Session](#)

[Material Change Resolution - Durham BOCC 5-23-22](#)

[AAF - Durham County - FY23 DTP Work Program and Material Change - 2022-](#)

**22-0272**

**Approval to enter into a contract with Kontek Systems to upgrade two court rooms audio visual equipment in the Justice Center building using current fiscal year, 2021-2022, IS&T AV CIP funds in the amount of \$136,073.96**

**Agenda Text:**

The Board is requested to authorize the County Manager to enter into a contract in the amount of \$136,073.96 with Kontek Systems to upgrade the audio-visual equipment in court rooms 7B and 7C located in the Justice Center building.

Kontek Systems is a local audio-visual integrator with their main office in downtown Durham. Kontek Systems is part of the NC State University Multimedia Equipment and Services Convenience Contract #63-CCC624141.

Durham County Courthouse opened March 2013 and the audio-visual equipment has been in use since then. The equipment is no longer covered by warranty and are experiencing issues due to normal use. The contracted upgrades will allow for the replacement of malfunctioning equipment in the court rooms.

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

**Resource Persons:**

Greg Marrow, CIO; Aaron W Stone, Assistant Director IS&T; Bert White, Information Technology Manager - Client Services, Kimberly Cook, IS&T Business Manager

**County Manager's Recommendation:**

The County Manager recommends that the Board authorize the County Manager to enter into a contract with Kontek Systems for up to \$136,073.96 for the contracted services to upgrade two court rooms located in the Justice Center building using current fiscal year, 2021-2022, IS&T AV Capital Improvement Plan funds.

**Attachments:**

[Kontek AAF Supplemental Document - Courtrooms 7B & 7C](#)

[KONTEK SYSTEMS COURTROOM 7B AND 7C UPGRADES 05022022-05012](#)

**22-0278**

**Budget Ordinance Amendment No. 22BCC00092 Public Health to Recognize \$364,074 from the NC DHHS Division of Public Health Epidemiology Section /Communicable Disease Branch to Expand**

**Communicable Disease Surveillance, Detection, Control, and Prevention Activities to Address COVID-19****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 22BCC00092 Public Health to recognize funds in the amount of \$364,074 from the North Carolina Department of Health and Human Services Division of Public Health, Epidemiology Section/Communicable Disease Branch to Expand Communicable Disease Surveillance, Detection, Control, and Prevention Activities to Address COVID-19

This grant provides temporary funding to the Local Health Department (LHD) to expand communicable disease surveillance, detection, control, and prevention activities to address COVID-19 and other communicable disease-related challenges impacted by the COVID-19 pandemic.

The Board of Health has approved this amendment.

**Alignment with Strategic Plan:** This grant aligns with Strategic Goal 2: Health and Well-being for All by expanding essential public health services to control communicable diseases in the community.

**Resource Persons:** Rodney Jenkins, MHA, Public Health Director

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 22BCC00092 Public Health to recognize funds in the amount of \$364,074 from the North Carolina Department of Health and Human Services Division of Public Health, Epidemiology Section/Communicable Disease Branch to Expand Communicable Disease Surveillance, Detection, Control, and Prevention Activities to Address COVID-19

**Attachments:**

[AAF-92 Legal Form](#)

**22-0285****Request to Approve Contract with “Innovative Interfaces, Inc.” for an Integrated Library System in the Amount of \$120,000 using FY 2023 Operating Funds****Agenda Text:**

The Board is requested to authorize the County Manger to enter into a contract with Innovative Interfaces Incorporated to provide the Library Services Department with an Integrated Library System, as specified in RFP 22-014 for a total of \$120,000.00 for fiscal year 2022 - 2023. Pending BOCC approval, the funds for this contract have been allocated in the FY 2022-23 budget for the initial configuration and launch. In subsequent years, the funds will come from the existing Library budget. \$75,000.00 per fiscal year from FYs 2023-2027 will be encumbered for a contract total of \$420,000.

**Alignment with Strategic Plan:** This item aligns with Strategic Goal 5: Accountable,

Efficient, and Visionary Government

**Resource Persons:** Matthew Clobridge, Library Technology Management Administrator; Kathy Makens, Library Resources and Finance Office; Tammy Baggett, Library Director

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the Manager to enter into a contract with Innovative Interfaces Incorporated for \$420,000.00 from fiscal years 2023 - 2027.

**Attachments:**

[Library ILS AAF SUPPLEMENTAL.docx](#)

[RFP 22-014 MWBE Compliance Review Form.pdf](#)

[RFP 22-014 Evaluation Grid.pdf](#)

[RFP 22-014 Reference Check BiblioCommons.pdf](#)

[RFP 22-014 Reference Check Chicago.pdf](#)

[RFP 22-014 Reference Check San Diego.pdf](#)

[innovative-durham\\_county\\_CONTRACT 20220512.pdf](#)

[innovative durham county SOW.docx](#)

[innovative durham county LICENSE AGREEMENT.docx](#)

[innovative durham county COST PROPOSAL.pdf](#)

[innovative durham county LEGAL APPROVAL.pdf](#)

**22-0288**

**Budget Ordinance Amendment No. 22BCC00096 Department of Social Services to Recognize Additional Revenue of \$1,105,910.00 for the Low-Income Energy Assistance Payments Program**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 22BCC00096 Department of Social Services to Recognize Additional Revenue of \$1,105,910.00 for the Low-Income Energy Assistance Payments Program

**Low Income Energy Assistance Payments (LIEAP & LIEAP ARPA):**

LIEAP provides assistance to low-income households to assist in the cost of heating and cooling expenses. Eligible households receive a one-time LIEAP heating assistance payment to their heating vendor in February. The target population is persons age 60 and over and disabled persons receiving a service through the Division of Aging and Adult Services. County departments of social services take applications during a specified time frame each year for any household who is not automatically eligible. The department recognizes \$1,105,910.00 which is the difference between the current budget and the allocation. Attached is a copy of the Funding Authorization.

**Alignment with Strategic Plan:** This item aligns with Strategic 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, Department of Social Services, Kelly

Inman, Chief Operations Officer, Department of Social Services, Margaret Faircloth, Assistant Director, Department of Social Services, Janeen Gordon, Assistant Director, Department of Social Services.

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 22BCC00096 Department of Social Services to Recognize Additional Revenue of \$1,105,910.00 for the Low-Income Energy Assistance Payments Program

**Attachments:** [LIEAP ARPA SFY 2021-22 \(1\) Supporting doc](#)

[LIEAP SFY 2021-22 FA4-Supporting doc](#)

[AAF-96 Legal Form](#)

### **22-0293**

### **Budget Ordinance Amendment No. 22BCC00093 to Recognize \$25,000 in Additional Funding from the NC Department of Public Safety for the Durham Local Reentry Council**

**Agenda Text:**

The Board is requested to approve \$25,000 in additional funding from the NC Department of Public Safety for the Durham Local Reentry Council. The Criminal Justice Resource Center was awarded a contract from the NC Department of Public Safety in December 2021 to serve as the intermediary agency to oversee and facilitate the implementation of a local reentry council in Durham. The Local Reentry Council is designed to coordinate services and resources at the local level to support justice-involved individuals in an attempt to reduce recidivism and victimization while promoting positive citizenship. The additional funds will be added to the existing contract to continue service provision and will be used to provide additional support in the areas of client housing, training and education, client basic needs, and employment support.

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

**Resource Persons:** Roshanna S. Parker, Assistant Director, Criminal Justice Resource Center

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 22BCC00093 to recognize \$25,000 in additional funding from the NC Department of Public Safety for the Durham Local Reentry Council.

**Attachments:** [LRC Supplemental Award](#)

[AAF-93 LEGAL FORM Recognize \\$25,000 from NCDPS for CJRC](#)

### **22-0296**

### **Adopt the Resolution Supporting the Regional Implementation of the Triangle Bikeway**

**Agenda Text:**

The Board received a brief update on the Triangle Bikeway Study at the June 6, 2022 Work Session and is requested to adopt the Resolution Supporting the Regional Implementation of the Triangle Bikeway.

In 2020, the Durham-Chapel Hill-Carrboro (DCHC) MPO and Capital Area MPO began work on the Triangle Bikeway Study, with McAdams serving as project consultants. The Triangle Bikeway Study includes design and construction recommendations between Raleigh and Research Triangle Park and a corridor assessment feasibility study for the connection west between Research Triangle Park and Chapel Hill. The study also includes recommendations for connections to transit along the corridor, existing and proposed bicycle and pedestrian facilities, neighborhoods, and other destinations.

The Research Triangle Park to Chapel Hill Feasibility Study includes an analysis of the segment from the Hub in Research Triangle Park to the US-15/501 and NC-54 interchange in Chapel Hill. The analysis provides the typical section of the bikeway, at-grade and grade-separated crossing layouts, conceptual structure type recommendations, conceptual right-of-way requirements, and rough impacts to streams, wetlands, and floodplains. The Raleigh to Research Triangle Park Implementation Study includes a preliminary functional design for the segment from I-440 in Raleigh to the Hub in Research Triangle Park. The functional design provides the typical section for the bikeway, at-grade and grade-separated crossing layouts, structure type recommendations, right-of-way requirements, and impacts to streams, wetlands, and floodplains.

The study is complete, and the report is available for review. Dale McKeel will present the study background, process, and recommendations. The DCHC MPO Board is scheduled to adopt the report at their meeting in June. Presentations are being scheduled to provide local elected boards information about the plan. The Board of County Commissioners is asked to adopt the Resolution Supporting the Regional Implementation of the Triangle Bikeway as a vision for a regional bicycle and pedestrian connection between Raleigh and Chapel Hill passing through Durham County.

**Alignment with Strategic Plan:** Transportation affects many of Durham County's goals including environmental stewardship and community prosperity, access to education, jobs, healthcare, and opportunities, quality of life, etc.

**Resource Persons:** Ellen Beckmann, Durham County Transportation Manager; Dale McKeel, Bicycle and Pedestrian Coordinator, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization

**County Manager's Recommendation:** The County Manager recommends that the Board adopt the Resolution Supporting the Regional Implementation of the Triangle Bikeway.

**Attachments:**      [The Triangle Bikeway - Durham Co Commissioners final plan](#)  
[Triangle Bikeway Resolution of Support - Durham County](#)  
[Additional Triangle Bikeway Information appendix d](#)  
[2022-06-08 \(21-157\) DCHC Public Comments on the Triangle Bikeway Study](#)

**22-0302****Service Contract with Animal Protection Society of Durham, Inc****Agenda Text:**

The Board is requested to approve the service contract with Animal Protection Society of Durham, Inc. (APS) for the operation of the Durham County Animal Shelter, in the amount of \$878,375.08 and authorize the County Manager to execute the contract. This contract includes services such as: (i) caring for, at the shelter, all dogs, cats and other animals impounded by Animal Control and/or delivered to it by members of the general public; (ii) providing necessary veterinary care for animals impounded, housed, or surrendered to the shelter; (iii) maintaining accurate records and providing monthly reports of all animals impounded; (iv) the disposition of all animals; and (v) the amounts collected for boarding, redemption fees, and civil penalties by APS. Formal approval of this agenda item will be contingent upon the FY22-23 Budget Adoption.

**Alignment with Strategic Plan:** This request aligns with Goal 2: Health and Well-being for All and Goal 3: Safe Community.

**Resource Persons:** Connecia Brown, Assistant Finance Manager, Durham County Sheriff's Office; Shafonda Davis, Executive Director, Animal Protection Society of Durham; Mark Manning, Captain of Animal Services, Durham County Sheriff's Office.

**County Manager's Recommendation:** The County Manager recommends that the Board approve the service contract with Animal Protection Society of Durham, Inc. for the operations of the Durham County Animal Shelter in the amount of \$878,375.08 and authorize the County Manager to execute the Agreement.

**Attachments:**      [APS Service Contract FY23](#)  
[APS Supplemental FY22-23](#)  
[ComplianceInspection\\_DURHAM COUNTY ANIMAL SHELTER\\_09-15-2021](#)  
[Shelter Budget Proposal FY23 01.2022 approved](#)  
[Shelter Budget Request Letter FY23](#)  
[Shelter Statistics Report FY22 07.21 to 12.31.2021](#)

**22-0307****Approval for Sole Source Exemption for the Purchase of the Hoopla Digital Collection Service in the Amount of \$250,000 Using Library Department Operating Funds****Agenda Text:**

The Board is requested to provide approval for sole source exemption for the purchase of the hoopla service from Midwest Tape LLC in the amount of \$250,000

annually, using Library Department operating funds. In addition, the Board is requested to provide approval for the Manager to execute any other related contracts such as amendments, if necessary, not to exceed \$500,000 annually.

The Library currently provides the hoopla service which allows patrons to download digital comics, ebooks, audiobooks, movies, TV shows and music. Hoopla is the only digital content platform that allows multiple users simultaneous access to digital content in all of these formats and allows the Library to provide patrons access to an entire collection of, currently, nearly one million items while only paying for content which is checked out.

Popularity of digital materials has increased dramatically, and the Library has not been able to meet the demand for hoopla in FY22. The number of unique individual patrons blocked from taking out materials rose from a daily average of 110 in July 2021 to a daily average of 177 in March 2022. To provide adequate service, we request that the BOCC provide approval to increase the Library's \$200,000 contract threshold.

**Alignment with Strategic Plan:** This request aligns with the Strategic Plan Goal 1 "Community and Family Prosperity and Enrichment" by providing Library materials which support and enhance the educational, creative and cultural opportunities available to Library users.

**Resource Persons:** Tammy Baggett-Best, Library Director; Katherine Makens, Resources and Finance Officer; Jan Seabock, Collection Development Administrative Librarian.

**County Manager's Recommendation:** The County Manager recommends that the Board provide approval for sole source exemption for the purchase of the hoopla service from Midwest Tape LLC in the amount of \$250,000 annually using operating funds. In addition, the Board is requested to provide approval for the Manager to execute any other related contracts such as amendments, if necessary, not to exceed \$500,000 annually.

**Attachments:** [hoopla FY23 AAF Supplemental Form](#)  
[hoopla Library Platform Agreement - Durham NC V1 final approved version](#)  
[Sole Source hoopla 2022](#)  
[Willie Darby hoopla Agreement Approval](#)

**22-0315**      **Request Approval of the Three-Year Renewal of the Annual Subscription for the Use of DebtBook Software for the County's Debt and Leases for Fiscal Years 2023, 2024 and 2025**

**Agenda Text:**      The Board is requested to approve the Three-Year renewal of the annual subscription charge for the use of DebtBook Software.

DebtBook Software is a debt software that maintains all of the County's long-term debt by issuance, debt type, terms, interest rates, due dates for principal and interest,

amortization schedules, etc. It also maintains the debt financial activity and history and has the capability to prepare certain debt notes and schedules for the Annual Comprehensive Financial Report (ACFR). This software was initially subscribed to by the County effective for Fiscal Year 2022. In addition to maintaining the County's long-term debt information, it also has the ability to account for the County's leases. This feature was at no additional charge to the County. Governmental Accounting Standards Board (GASB) Statement No. 87, *Leases*, is required to be implemented as of Fiscal Year 2022. Implementation of this GASB for leases is very complex. Finance has utilized DebtBook in implementing this GASB working in conjunction with the DebtBook consultants to ensure that Durham County is in compliance for fiscal year end. DebtBook has been instrumental in the implementation of this GASB. Also, this software will maintain County leases going forward to ensure compliance to GASB Statement No. 87. In addition, the implementation of GASB Statement No. 96, *Subscription-Based Information Technology Arrangements*, which is another statement regarding leases, is to be successfully implemented in Fiscal Year 2023. The planning, preparing, implementation and ongoing compliance work of GASB Statement No. 96 is included in this three-year subscription quote of DebtBook.

The annual cost per year:

|                  |                 |
|------------------|-----------------|
| Fiscal Year 2023 | \$15,000        |
| Fiscal Year 2024 | \$15,750        |
| Fiscal Year 2025 | <u>\$16,538</u> |
| Total            | <u>\$47,288</u> |

The three-year subscription renewal includes a 5% annual increase for year 2 and 3 which is a service industry standard accounting for inflation and product improvements to maximize the value the County's derives from DebtBook. In addition, it includes the waiver of additional fees and charges for the implementation of GASB Statement No. 96. An annual renewal would have a higher interest rate increase, and the County would be responsible for additional costs to implement GASB Statement No. 96. The cost for utilization of this software for both the County's long-term debt and leases is much more cost efficient than the cost of increasing internal resources.

Also, other DebtBook governmental clients within North Carolina include Charlotte, Raleigh, Greensboro, Winston-Salem, Chatham, Mecklenburg, Brunswick, Orange, and Cabarrus. The UNC System and East Carolina University are also clients not to mention those that they have across the US.

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

**Resource Persons:** Susan Tezai, Chief Financial Officer, Crystally Wright, Deputy Chief Financial Officer

**County Manager's Recommendation:** The County Manager recommends that the Board approve the three-year renewal of the annual subscription for use of DebtBook Software for the County's debt and leases for Fiscal Years 2023, 2024 and 2025.

**Attachments:**

[\[Tier 3\] DebtBook Quote - Durham County, NC](#)

[DebtBook Order Form & T&Cs 8.31.21-Apr-14-2022-04-57-51-84-PM](#)

[AAF Supplemental Document - Debtbook Software Renewal FYs 2023 - 2025](#)

**22-0319**

**Budget Ordinance Amendment No. 22BCC00097 Appropriating \$40,000 of General Fund Fund Balance for IS&T to enter into contracts with Next Request and Westaff to Provide the Guidance and Implementation Support for a New Public Records Solution for Durham County Government**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 22BCC00097 appropriating \$40,000 of General Fund fund balance to enter into contracts with Next Request and Westaff in the amounts of \$15,000 and \$25,000, respectively, for a total amount of \$40,000. These new contract requests are on behalf of the Public Information Office. IS&T is requesting the board to provide this additional funding since funding is currently not available in IS&T operational budget or CIP budget.

In addition to this request, we would like to give the County Manager authority to sign subsequent maintenance amendments not to exceed the existing operational budget. The two contracts requested will provide public facing application with built-in internal workflow and a technical resource for additional support during the implementation process.

Next Request, founded in 2015, is an Optimere brand that specializes in digital engagement, data privacy and compliance with a mission to accept, coordinate and fulfill record requests all in one place. The contract will allow for Durham County to purchase the product application and vendor support needed for implementation.

Westaff is a temporary resourcing agency with a local office located in Durham, North Carolina. This agency has provided Durham County a quote to utilize one of their technical resources for the implementation of the Next Request software.

**Alignment with Strategic Plan:** This item aligns with Strategic Goal 5 - Accountable, efficient, and visionary government

**Resource Persons:** Greg Marrow, CIO; Les Hamashima, Assistant Director IS&T; Chasity Locke, Information Technology Manager - Project Management Office, Kim Cook, Business manager IS&T

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

the Board approve Budget Ordinance Amendment No. 22BCC00097 appropriating \$40,000 in General Fund fund balance for IS&T to enter into contracts with Next Request and Westaff to implement a new request management solution and hire a temporary technical resource for the implementation of the project.

**Attachments:**      [AAF Next Request and Westaff Supplemental](#)  
[AAF-97 Legal Form](#)

### **22-0325**

#### **Amending the Authorized Strength of the County Attorney's Office to Establish a New Full-Time Equivalent Position**

**Agenda Text:**

The Board is requested to amend the authorized strength of the County Attorney's office to create a new Attorney position to support general government legal matters based on an increased workload.

Board of Commissioner approval is required to increase the authorized strength of the County Attorney's Office and move forward with the position recruitment process. The authorized strength of the office will increase from twenty-one full-time equivalents to twenty-two full-time equivalents.

The attorney position will assist with supporting general government litigation cases, aid in shepherding the nondiscrimination ordinance and assist with managing the increasing public information requests that require legal review. The costs associated with the additional position are \$140,000, including salary and benefits (\$131,840), equipment (\$3,000) and other expenses (\$5,180).

If approved, the funding for this position will be added to the FY 2022-23 Adopted Budget.

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

**Resource Persons:** Claudia Hager, General Manager and Willie Darby, Acting County Attorney

**County Manager's Recommendation:** The County Manager recommends the Board amends the authorized strength of the County Attorney's office to create a new Attorney position to support general government legal matters based on an increased workload.

**Attachments:**      [Increase Authorized FTE County Attorneys Office](#)

### **22-0326**

**Budget Ordinance Amendment No. 22BCC00101 Appropriating \$222,500 of General Fund Fund Balance and Contract Approval for Kate's Korner to provide Summer Learning Camps to support Durham Housing Authority Communities and Durham Technical**

**Community College students****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 22BCC00101 to appropriate General Fund fund balance and contract approval between Durham County Government and Kate's Korner to provide summer learning enrichment camps to support Durham Technical Community College students and Durham Housing Authority (DHA) communities. Kate's Korner will also offer the service for DTCC students for drop-in childcare for 30 students. In addition, the camp will support 40 campers who are residents of McDougald Terrace, families at Families Moving Forward and Durham Tech students who are attending summer camp.

The summer learning and enrichment camps are a continuation of learning centers that begin in fiscal year 2020-21. Through a continued partnership with Durham Technical Community College, the camp will be located at the Lawson Building and will serve 40 students from June 6, 2022 through August 12, 2022. Program expenses total \$222,500 for the camp, with fund balance reserves being used to offset the expense.

The summer enrichment program will support families who do not have the financial ability to pay for summer camps, as well as those families with limited or no access to transportation, and those with limited access to reliable technology and workspace. The camps will provide a safe and clean environment where children's social-emotional, physical, dietary, and academic needs will be met. Programming includes full-day camp from 7:30 am - 5:30 pm, tutorial services with an emphasis on math, reading, and science.

The goal of the summer enrichment program is to address learning gaps, provide enrichment activities through a combination of educational field trips. Example enrichment activities include weekly swimming lessons and the integration of a Soil to Supper curriculum which will educate campers on the importance of growing and consuming healthy foods. The expanded programming will also include behavioral health support services through increased counseling services. During the FY 2022 academic year, many of the children served were not on grade level with reading and math skills. This learning deficit resulted in the need for an increased number of tutors to bolster academic progression. Further, Certified Social-Emotional Support Counselors will be used to aid with Conflict Resolution and Team Building. In addition, counseling support will provide parents with strategies that promote improved learning outcomes for children.

**Alignment with Strategic Plan:** Summer enrichment camps for Durham students aligns with Goals 1 - 3 of the Durham County Strategic Plan.

**Resource Persons:** Claudia Hager, General Manager

**County Manager's Recommendation:** The County Manager recommends that the Board to approve Budget Ordinance Amendment No. 22BCC00101

Appropriating \$222,500 of General Fund Fund Balance and Contract Approval for Kate's Korner to provide Summer Learning Camps to support Durham Housing Authority Communities and Durham Technical Community College students.

**Attachments:**

[AAF-101 Legal Form](#)

[Durham County Report Kates Korner and Durham Tech Child Care Support](#)

**22-0340**

**Budget Ordinance Amendment No. 22BCC00102 Appropriating \$65,000 of General Fund Fund Balance for the Engineering Department and Authorizing the County Manager to Execute a Contract with Parker Poe Associates for the Title Work Necessary for the Acquisition of a Potential Location for the Board of Elections**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 22BCC00102 appropriating \$65,000 in General Fund fund balance for the Engineering Department. The Board is also requested to authorize the County Manager to execute a contract with Parker Poe Associates for the Title Work necessary for the acquisition of a potential location for the Board of Elections. (See Attachment 1&2)

Due to limited bandwidth with the Legal Department, this contract is necessary to retain outside counsel to aid in the title work required for the potential purchase/acquisition for a location for the Board of Elections Department. Durham County has previous experience using Parker Poe on past projects and will be engaging them to work with us through this transaction.

**Alignment with Strategic Plan:** This aligns with Goal 5 - Accountable, Efficient and Visionary Government - by providing more efficient service delivery and better customer service.

**Resource Persons:** Nancy Mitchell, Senior Real Estate Officer; Peri Manns, ASLA, LEED GA, AGM/Deputy Director of Engineering and Environmental Services; Deirdre Denechaud, Partner, Parker-Poe Associates; Willie Darby, Interim County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 22BCC00102 appropriating \$65,000 of General Fund fund balance for the Engineering Department and authorize the County Manager to execute a contract with Parker Poe Associates for the Title Work necessary for the acquisition of a potential location for the Board of Elections.

**Attachments:**

[Attachment 1 - Scope of Services Form FY2022](#)

[Parker Poe Legal Service Contract](#)

[AAF-102 LEGAL FORM Appropriate \\$65K in FB for Engineering for Elections si](#)

**22-0341**

**Budget Ordinance Amendment No. 22BCC000098 Transferring**

**Available Unspent Funds Among Departments and Functional Areas to Support Personnel and Operating Expenses through the End of Fiscal Year 2021-22****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 22BCCC000098 transferring available unspent funds among departments and functional areas to support personnel and operating expenses through the end of FY 2021-22. Due to a higher-than-normal number of vacancies the County has implemented multiple incentive and recruitment efforts including longevity bonuses, salary increases for hard to fill positions, and referral bonuses. Departmental lapse salary was the planned funding source of these retention efforts.

Not all departmental budgets were able to absorb the full cost of the retention efforts. Also, some departments have been forced to increase overtime and comp time hours due to the higher-than-average vacancies, compounding the strain on lapse salaries this fiscal year. But overall, the County's total budget can absorb the cost. In order to make sure functional areas of the General Fund budget stay in balance, available unspent funds from some departments will be transferred to other departments in other functional areas that need additional personnel funding.

Transferring funds between functional areas to appropriately fund each department is an anticipated, administrative action to balance budgets before the fiscal year end. No additional revenues are needed with this action. Further detail of the transfers between functional areas is included in the legal form.

**Alignment with Strategic Plan:** Accountable, Efficient and Visionary Government

**Resource Persons:** Claudia Hager, General Manager and Keith Lane, Budget Director

**County Manager's Recommendation:** The County Manager recommends the Board approve Budget Ordinance Amendment No. 22BCCC000098 transferring available unspent funds among departments and functional areas to support personnel and operating expenses through the end of FY 2021-22.

**Attachments:**

[AAF-98 Legal Form Appropriating unspent lapse salaries accross functional are](#)  
[AAF-98 Appropriating Upsent Lapse Salary Between Functional and Business f](#)

**22-0343****Award RFP22-019R1 Contracted Uniformed Security Services Contract to Nighthawk Security and Consulting, LLC****Agenda Text:**

The Board is requested to review and authorize the County Manager to execute a service contract with Nighthawk Security and Consulting, LLC. for RFP No. 22-019R1 Contracted Uniformed Security Services in the amount of \$4,149,301.83 for FY2022-2023.

Durham County utilized contract security to provide unarmed and armed security officers, as well as company police officers, for multiple county buildings. This

includes parking lots, parking structures, building security, and roving patrols. The vendor will also provide screening services for Durham County Courthouse, Detention Center, and Human Services.

RFP No. 22-019R1 Contract Uniformed Services was advertised on March 18, 2022. Three bidders responded with proposal submissions on or before the April 12, 2022, deadline for receipt. An evaluation committee consisting of General Services, Library, and Youth Home employees reviewed and scored proposals based on prescribed qualitative and quantitative requirements outlined within the RFP which were to be provided with each proposer's submission. The evaluation committee determined Nighthawk Security and Consulting, LLC. was the most qualified firm to provide uniformed security services for Durham County.

In review of the MWBE compliance for RFP 22-019R1 Contracted Uniformed Security Services, Night Hawk Security and Consulting is a MWBE certified Black-American Firm and will be utilizing 100% MWBE participation on this project.

**Alignment with Strategic Plan:** This action item aligns with Goal 3 - Safe and Secure Community.

**Resource Persons:** Ed Miller, Security Manager; Motiryo Keambiroiro, Director, General Services

**County Manager's Recommendation:** The County Manager recommends that the Board authorized the County Manager to enter into a contract with Nighthawk Security and Consulting, LLC. for Contracted Uniformed Security (RFP No. 22-019R1) in the amount of \$4,149,301.83 as well as authorize the County Manager to execute future contract amendments if cost of future amendments have been allocated within the operational budgets of the Security Manager or the Sheriff's Office.

**Attachments:** [Supplemental Document Nighthawk Security](#)  
[Scope of Services RFP-22-019R1 Contracted Uniform Security Services for Du](#)  
[Security Posts RFP 22-019R1](#)  
[RFP 22-019R1 Proposal Tabulation-Contracted Uniformed Security Services](#)

## **22-0345**

**Budget Ordinance Amendment No. 22BCC00099 Appropriating \$421,650 in General Fund Fund Balance and Authorizing Finance to Enter into a Contract with Miller 3 Consulting, Inc. for a Disparity Study for Durham County's Contracting and Procurement Procedures**

**Agenda Text:** The Board is requested to approve budget ordinance amendment No. 22BCC00099 authorizing the County Manager to enter into contract with Miller 3 Consulting, Inc. to conduct a Disparity Study for Durham County's Contracting and Procurement Procedures, as specified in RFP #22-010, for a total amount not to exceed \$421,650.00. In addition, the Board is requested to authorize the appropriation of

\$421,650 in General Fund fund balance as the funding source for the contract.

The primary goal of a disparity study is to determine if inequities that adversely affect minorities and/or women exist in public procurement and contracting. The standard expectation of time between studies is typically every five to seven years. The County's last disparity study was completed in 2015. As a result of that study, the County adopted a new MWBE Ordinance effective November 28, 2016, with an aspirational overall MWBE goal of 25%.

The new disparity study to be performed by Miller 3 Consulting, Inc., will assess the effectiveness of the County's MWBE Program for the past five (5) fiscal years (July 2016-June 2021) since the last study was completed in 2015. Based on the outcome of the new study, Miller 3 Consulting, Inc., will provide recommendations that are compliant with law to modify the existing program, if necessary.

RFP# 22-010 Disparity Study for Durham County's Contracting and Procurement Procedures was advertised on November 7, 2021. A total of four (4) responses were received and carefully evaluated by an Evaluation Committee. Three (3) of the proposers were selected to be interviewed, and Miller 3 Consulting, Inc. was deemed the most qualified firm for this project. Miller 3 Consulting, Inc. will be utilizing 10.9% NC HUB certified Black American-owned subcontractor participation. Additionally, Miller 3 Consulting, Inc., is a Black American-owned firm and has committed to seeking NC HUB certification upon execution of the contract.

**Alignment with Strategic Plan:** To align with Goal 1 Community and Family Prosperity and Enrichment by increasing minority and women business participation. Create awareness and engagement by allowing minority and women businesses to learn about contracting opportunities, and events of the Durham County minority and Women Business enterprise program.

**Resource Persons:** Susan Tezai, CFO; Angela Perry, Procurement Manager; and Jonathan Hawley, Assistant Procurement Manager.

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Amendment No. 22BCC00099 appropriating \$421,650 of General Fund fund balance and authorizing the County Manager to enter into contract with Miller 3 Consulting, Inc., to conduct a Disparity Study for Durham County's Contracting and Procurement Procedures, as specified in RFP #22-010, for a total amount not to exceed \$421,650.00.

**Attachments:**     [AAF Supplemental Doc - Miller 3 Contract Approval](#)  
[MWBE Compliance Review Form-AAF for 22-010 RFP 041222](#)  
[RFP 22-010 Proposal Tabulation -Disparity Study for DCO Contracting & Procu](#)  
[RFP 22-010 Disparity Study RFP Final Evaluation \(proposal & interview scores](#)  
[AAF-99 Legal Form Appropriating \\$421,650 of GF FB for Disparity Study](#)  
[RFP 22-010 Disparity Study - Miller 3 Consulting Inc Proposal.](#)

**22-0353****Amend Contract with Republic Services for Solid Waste Hauling Services at Durham County Convenience Sites**

**Agenda Text:**     The Board is requested to authorize the County Manager to amend the contract with Republic Services to provide hauling services for solid waste and recycling at Durham County Convenience Sites beginning July 1, 2022 through June 30, 2023 and to allow the County Manger to execute future amendments so long as the cost has been allocated within the Solid Waste Division's operation budget. The compensation paid to Republic Services for FY 22-23 shall not exceed \$270,000.

**Alignment with Strategic Plan:** Durham County Government is responsible for properly managing and disposing of the solid waste and recyclable materials it generates in its buildings and facilities including its four solid waste and recycling 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

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the County Manager to amend the contract with Republic Services to provide hauling services for solid waste and recycling at Durham County Convenience Sites beginning July 1, 2022 through June 30, 2023 and to allow the County Manger to execute future amendments so long as the cost has been allocated within the Solid Waste Division's operation budget. The compensation paid to Republic Services for FY 22-23 shall not exceed \$270,000.

**Attachments:**     [AAF Supplemental Republic Convenience Sites](#)  
[Republic quote](#)  
[Contract Amendment Republic FY2023](#)  
[RFP 20-014 Solid Waste Hauling for DCo Convenience Sites](#)

**22-0372****Revised Agreement Amendment to Extend North Carolina Biotechnology Award pass-through to Aurobindo by One Year**

**Agenda Text:**     The Board is requested to approve the revised agreement amendment that awarded passthrough funds from North Carolina Biotechnology Center to Aurobindo by the extending the jobs end date by one year and authorize the County Manager execute the amendment.

In partnership with the North Carolina Biotechnology Center (NCBiotech) and to enhance the Life Sciences industry in Durham County, the County administers NCBiotech Economic Development Awards (EDA) at the local level. These awards are a three-party agreement where NCBiotech funds pass-through the County to a biotech company located in the same County.

A recipient of the EDA now located in Durham County is Aurobindo Pharma. The Company was awarded \$100,000 and the agreement includes a minimum of 180 new positions to be created by the Jobs End Date. If approved, the new Jobs End Date will be April 26, 2023. The terms updated to accommodate this request are outlined in the second attachment.

This requested extension is an acknowledgment of the widespread impact of the global coronavirus pandemic and the unforeseen effect it has had on operations and hiring. This is the award's second agreement amendment with the first occurring in February of 2020 that was a result of construction and permitting setbacks the company faced during the build out of their new Durham facility.

Aurobindo plans to continue to focus its NC operations on the research and development and manufacture of its inhaled and derma pharmaceuticals. The company currently has approximately 100 employees based at its Durham site, with an average annual salary of \$70,000. The Center's EDA grant has been utilized to purchase key equipment and to support interns at its Durham site.

**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, Director, Economic Development; Jay Gibson, General Manager, Goal 4

**County Manager's Recommendation:** The County Manager recommends that the Board approve the revised agreement amendment awarding passthrough funds from North Carolina Biotechnology Center to Aurobindo by extending the jobs end date by one year and authorize the County Manager to execute the amendment.

**Attachments:** [Aurobindo NCBiotech EDA Amendment Cover Letter 20220610](#)  
[Aurobindo NCBiotech EDA Amendment 2 20220610](#)

### **22-0373**

#### **Lease Agreement - NC State Department of Public Safety for Juvenile Justice Office Space at 201 E Main Pursuant to NCGS 7A-302**

**Agenda Text:**

The Board is requested to approve the Lease Agreement between the County of Durham and the State of North Carolina Department of Public Safety for approximately 5000 Square feet of office space located on the 6th floor of the County Administrative II Building at 201 E Main Street. This is a \$1.00 per year

lease with a 3-year term with the option for 3 one-year renewals.

The County is required by state law to provide office space for the Juvenile Justice Division of Adult Correction, which the County has for many years. NCGS 7A-302 states in part that counties in which District Courts are established are obligated to provide space office space for juvenile court counselors and support staff as assigned by the Juvenile Justice Section of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety. Juvenile Justice was previously housed in the Judicial Annex at 201 N Roxboro until they were relocated to a newer space on the 6th floor of the Administrative Building II. As a best management practice, it is desirable for this relationship to be more formalized with a no cost lease between the county and state. The following lease is supported by both the County and the State Department of Public Safety.

**Alignment with Strategic Plan:** This item aligns with Strategic Goal 3: Safe Community, and Goal 5: Accountable, Efficient and Visionary Government

**Resource Persons:** Nancy Mitchell, Senior Real Estate Officer; Jane Korest, Division Manager, Open Space and Real Estate; Peri Manns, ASLA, LEED GA, AGM/Deputy Director of Engineering and Environmental Services.

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Lease Agreement between the County of Durham and the State of North Carolina Department of Public Safety for approximately 5000 Square feet of office space located on the 6th floor of the County Administrative II Building at 201 E Main Street.

**Attachments:** [\\$1.00 lease agreement\\_DJJ](#)

**22-0374** **Lease Agreement - NC State Department of Public Safety for Probation and Parole Office Space at 201 N. Roxboro Pursuant to NCGS 15-209**

**Agenda Text:** The Board is requested to approve the Lease Agreement between the County of Durham and the State of North Carolina Department of Public Safety for approximately 7,200 net square feet of office space located at 201 North Roxboro Street, 2nd and 3rd floor. This is a \$1.00 per year lease with a 3-year term with an option for 3 one-year renewals.

The County is required by state law to provide office space for the Probation and Parole Division of Adult Correction, which the County has for many years. NCGS 15-209 states in part that each county in which a probation office exists shall provide, in or near the courthouse, suitable office space for those probation officers assigned to the county who have probationary caseloads and their administrative support. Probation and Parole had been located in a leased space at 119 Orange Street and were later relocated to the Judicial Annex located at 201 N. Roxboro Street. As a best management practice, it is desirable for this relationship to be more formalized with a no cost lease between the county and state. The following lease is supported

by both the County and the State Department of Public Safety.

**Alignment with Strategic Plan:** This item aligns with Strategic Goal 3: Safe Community and Goal 5: Accountable, Efficient and Visionary Government

**Resource Persons:** Nancy Mitchell, Senior Real Estate Officer; Peri Manns, ASLA, LEED GA, AGM/Deputy Director of Engineering and Environmental Services.

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Lease Agreement between the County of Durham and the State of North Carolina Department of Public Safety for approximately 7,200 net square feet of office space located at 201 North Roxboro Street, 2nd and 3rd floor.

**Attachments:** [\\$1.00 lease agreement\\_DCC](#)

### **22-0375** Fiscal Year 2022 Audit Contract

**Agenda Text:** The Board is requested to approve the attached audit contract for the fiscal year 2022 financial and single audit with the audit firm, Cherry Bekaert, LLP.

The annual financial and single audit is required by state statute, GS 159-34(a). The attached contract is the standard contract required by the Local Government Commission of the State Treasurer's Office for governmental units, LGC-205.

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

**Resource Persons:** Susan Tezai, Chief Financial Officer, Crystally Wright, Deputy Chief Financial Officer

**County Manager's Recommendation:** The County Manager recommends that the Board approve the audit contract for the fiscal year 2022 annual financial and single audit.

**Attachments:** [Durham County 6-30-22 Audit LGC Contract](#)

## **8. Public Hearings (20min)**

### **22-0342** Public Hearing - Unified Development Ordinance Text Amendment, Omnibus Changes 17 (TC21000006) (20min)

**Agenda Text:** The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, Omnibus Changes 17 (TC21000006); and

**First Motion:** To adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to Article 2, Review Authority; Article 3, Applications and Permits; Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; Article 10, Parking

and Loading; Article 12, Infrastructure and Public Improvements; Article 15, Enforcement; Article 16, Design Districts; and Article 17, Definitions; and

**Second Motion:** To adopt the appropriate Statement of Consistency pursuant to NCGS §160D-605.

**Summary.**

Text Amendment TC2100006 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, some of which are not solely technical in nature. Additionally, certain proposed changes are a result of recently adopted state legislation.

**Attachments:**

**Attachment A:** An Ordinance to Amend the *Unified Development Ordinance* Regarding Various Provisions of the Unified Development Ordinance (TC2100006)

**Attachment B:** Consistency Statement per NCGS § 160D-605

**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 Sara 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:**

[BOC Memo Omnibus 17](#)

[Attachment A - Ordinance to Amend the UDO](#)

[Attachment B - Consistency Statement](#)

[Attachment C - Planning Commission Comments](#)

## 9. Other Business (30min)

[22-0327](#)

Adoption of the FY 2022-23 Budget Ordinance (15min)

**Agenda Text:**

The Durham County Manager presents the FY 2022-23 Annual Budget Ordinance to the Durham County Board of Commissioners for approval. This submission is in accordance with the Local Government Budget & Fiscal Control Act which requires adoption of the annual budget, no later than July 1.

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

**Resource Persons:** Kimberly Sowell, Durham County Manager; Keith Lane, Director, Budget & Management Services.

**County Manager's Recommendation:** The County Manager recommends that the Board approve the FY2022-23 Budget Ordinance.

**Attachments:**

[Attachment 1: FY 2022-23 Recommended Fee and other charges schedule](#)

[Attachment 2: FY23 Recommended Fire Prevention Fees FINAL](#)

[Attachment 3: FY2022-23 Recommended InspectFEES](#)

[Attachment 4: FY2022-23 Recommended Planning](#)

[Attachment 5: FY2022-23 Recommended SewerFEES](#)

[Attachment 6: FY2022-23 Recommended StormFEES](#)

[FY 2022-23 Budget Ordinance.pdf](#)

**22-0379**

**Budget Ordinance Amendment No. 23BCC000001 Appropriating \$1,953,341 of Unassigned General Fund Fund Balance to the NC Museum of Life and Science and Complying with Session Law 2021-191, General Statutes § 14-234.3 (2min)**

**Agenda Text:**

The Durham Board of County Commissioners are requested to approve Budget Ordinance Amendment No. 23BCC000001 appropriating \$1,953,341, using unassigned General Fund fund balance, to the NC Museum of Life and Science. This action through a special vote of the Board of County Commissioners will also comply with Session Law 2021-191, General Statutes § 14-234.3.

Section 4(a) of SL 2021-191 enacted a new statute, G.S. §14-234.3 which requires the members of the governing board to disclose if they hold certain positions with nonprofits, and if they do, to recuse themselves from making or administering contracts between those nonprofits and the political subdivision they govern. This law also includes the approval of funding for said nonprofits, therefore, this specific budget amendment is written. Commissioner Nimasheena Burns serves as the BOCC representative on the NC Museum of Life and Science Board. Commissioner Burns will abstain from voting on this budget amendment action item.

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

**Resource Persons:** Kimberly Sowell, Durham County Manager; Keith Lane, Director, Budget & Management Services.

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC000001 appropriating \$1,953,341, using unassigned General Fund fund balance, to the NC Museum of Life and Science. This action through a special vote of the Board of County Commissioners will also comply with Session Law 2021-191, General Statutes § 14-234.3. Commissioner Nimasheena Burns will abstain from the vote.

**Sponsors:** Lane

**Attachments:** [AAF-001 Funding for NCMLS using \\$1,953,341 of GF Fund Balance.pdf](#)

**22-0357**

**2022 General Obligation Bond Referendum - Durham Public Schools, Durham Technical Community College (2min)**

**Agenda Text:**

The Board is requested to approve the three attached resolutions, which represent the first step in a three-part approval process relating to the 2022 General Obligation Bond Referendum. The resolutions provide for the following: (1) Direct the publication of a Notice of Intention to Apply to the Local Government Commission for approval of general obligation bonds, (2) Make certain findings of fact regarding the proposed general obligation bonds, and (3) Authorize application to the Local Government Commission.

The 2022 General Obligation Bond Referendum will include bond questions that total to \$550,240,000 and are allocated to the following purposes:

General Obligation School Bonds - \$423,505,000 (for Durham Public Schools)

General Obligation Community College Bonds - \$112,740,000 (for Durham Tech)

General Obligation Museum Bonds - \$13,995,000 (For the Museum of Life & Science)

The Board will vote on the resolutions in two separate actions to include the proposed General Obligation Bonds for Durham Public Schools and Durham Technical Community College. The Bonds for the NC Museum of Life and Science will be voted on in a separate agenda item. The Board will consider additional documentation relating to the General Obligation Bond Referendum at the June 27th and July 11th Board meetings and will conduct a public hearing on each of the bond orders at the July 11th Board meeting.

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

**Resource Persons:** Susan Tezai, Chief Financial Officer; Claudia Odom Hager, General Manager

**County Manager's Recommendation:** The County Manager recommends that the Board adopt each of the attached resolutions related to the Durham Public Schools and Durham Technical Community College proposed bonds. The Museum

of Life and Science resolutions will be considered in a separate Board action.

**Attachments:**

[Resolution Authorizing Application to the LGC DPS DTCC](#)

[Resolution Directing Notice of Intent DPS DTCC](#)

[Resolution Making Findings of Fact DPS DTCC](#)

[Supplemental Form - Notice of Intent](#)

**22-0381**

**2022 General Obligation Bond Referendum - NC Museum of Life and Science (2 min)**

**Agenda Text:**

The Board is requested to approve the three attached resolutions, which represent the first step in a three-part approval process relating to the 2022 General Obligation Bond Referendum. The resolutions provide for the following: (1) Direct the publication of a Notice of Intention to Apply to the Local Government Commission for approval of general obligation bonds, (2) Make certain findings of fact regarding the proposed general obligation bonds, and (3) Authorize application to the Local Government Commission.

The 2022 General Obligation Bond Referendum will include bond questions that total to \$550,240,000 and are allocated to the following purposes:

General Obligation School Bonds - \$423,505,000 (for Durham Public Schools)

General Obligation Community College Bonds - \$112,740,000 (for Durham Tech)

General Obligation Museum Bonds - \$13,995,000 (For the Museum of Life & Science)

The Board will vote on the resolutions in two separate actions to include the proposed General Obligation Bonds for the NC Museum of Life and Science. The resolutions for Durham Public Schools and Durham Technical Community College will be voted on in a separate agenda item. The Board will consider additional documentation relating to the General Obligation Bond Referendum at the June 27th and July 11th Board meetings and will conduct a public hearing on each of the bond orders at the July 11th Board meeting.

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

**Resource Persons:** Susan Tezai, Chief Financial Officer; Claudia Odom Hager, General Manager

**County Manager's Recommendation:** The County Manager recommends that the Board adopt each of the attached resolutions related to the Museum of Life and Science. The resolutions for Durham Public Schools and Durham Technical Community College will be considered in a separate Board action.

**Attachments:**      [Resolution Directing Notice of Intent NCMLS](#)  
[Resolution Authorizing Application to the LGC NCMLS](#)  
[Resolution Making Findings of Fact - NCMLS](#)  
[Supplemental Form - Notice of Intent](#)

**22-0383**      **Budget Ordinance Amendment No. 23BCC000002 Appropriating \$160,000 of Unassigned General Fund Fund Balance to Downtown Durham Inc. and Complying with Session Law 2021-191, General Statutes § 14-234.3 (2min)**

**Agenda Text:**      The Durham County Board of Commissioners are requested to approve Budget Ordinance Amendment No. 23BCC000002 appropriating \$160,000, using unassigned General Fund fund balance, to Downtown Durham Inc. This action through a special vote of the Board of County Commissioners will also comply with Session Law 2021-191, General Statutes § 14-234.3.

Section 4(a) of SL 2021-191 enacted a new statute, G.S. §14-234.3 which requires the members of the governing board to disclose if they hold certain positions with nonprofits, and if they do, to recuse themselves from making or administering contracts between those nonprofits and the political subdivision they govern. This law also includes the approval of funding for said nonprofits, therefore, this specific budget amendment is written. Chair Brenda Howerton serves as the BOCC representative of Downtown Durham Inc. Chair Howerton will abstain from voting on this budget amendment action item.

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

**Resource Persons:** Kimberly Sowell, Durham County Manager; Keith Lane, Director, Budget & Management Services.

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC000002 appropriating \$160,000, using unassigned General Fund fund balance, to Downtown Durham Inc. This action through a special vote of the Board of County Commissioners will also comply with Session Law 2021-191, General Statutes § 14-234.3. Chair Brenda Howerton will abstain from the vote.

**Attachments:**      [AAF-002 Funding for Downtown Durham Inc using \\$160,000 of GF Fund Balance](#)

**22-0384**      **Budget Ordinance Amendment No. 23BCC000003 Appropriating \$76,000 of Unassigned General Fund Fund Balance to the Museum of Durham History and Complying with Session Law 2021-191, General Statutes § 14-234.3 (2min)**

**Agenda Text:**      The Durham County Board of Commissioners are requested to approve Budget Ordinance Amendment No. 23BCC000003 appropriating \$76,000, using unassigned General Fund fund balance, to the Museum of Durham History. This action through a

special vote of the Board of County Commissioners will also comply with Session Law 2021-191, General Statutes § 14-234.3.

Section 4(a) of SL 2021-191 enacted a new statute, G.S. §14-234.3 which requires the members of the governing board to disclose if they hold certain positions with nonprofits, and if they do, to recuse themselves from making or administering contracts between those nonprofits and the political subdivision they govern. This law also includes the approval of funding for said nonprofits, therefore, this specific budget amendment is written. Commissioner Nida Allam serves as the BOCC representative at the Museum of Durham History. Commissioner Allam will abstain from voting on this budget amendment action item.

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

**Resource Persons:** Kimberly Sowell, Durham County Manager; Keith Lane, Director, Budget & Management Services.

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC000003 appropriating \$76,000, using unassigned General Fund fund balance, to the Museum of Durham History. This action through a special vote of the Board of County Commissioners will also comply with Session Law 2021-191, General Statutes § 14-234.3. Commissioner Nida Allam will abstain from the vote.

**Attachments:** [AAF-003 Funding for Museum Durham History using \\$76,000 of GF Fund Balar](#)

**22-0385** Budget Ordinance Amendment No. 23BCC000004 Appropriating \$562,970 of Unassigned General Fund Fund Balance to Project Access of Durham and Complying with Session Law 2021-191, General Statutes § 14-234.3 (2min)

**Agenda Text:** The Durham County Board of Commissioners are requested to approve Budget Ordinance Amendment No. 23BCC000004 appropriating \$562,970, using unassigned General Fund fund balance, to Project Access of Durham. This action through a special vote of the Board of County Commissioners will also comply with Session Law 2021-191, General Statutes § 14-234.3.

Section 4(a) of SL 2021-191 enacted a new statute, G.S. §14-234.3 which requires the members of the governing board to disclose if they hold certain positions with nonprofits, and if they do, to recuse themselves from making or administering contracts between those nonprofits and the political subdivision they govern. This law also includes the approval of funding for said nonprofits, therefore, this specific budget amendment is written. Commissioner Nida Allam serves as the BOCC representative at Project Access of Durham. Commissioner Allam will abstain from voting on this budget amendment action item.

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

**Resource Persons:** Kimberly Sowell, Durham County Manager; Keith Lane, Director, Budget & Management Services.

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC000004 appropriating \$562,970, using unassigned General Fund fund balance, to Project Access of Durham. This action through a special vote of the Board of County Commissioners will also comply with Session Law 2021-191, General Statutes § 14-234.3. Commissioner Nida Allam will abstain from the vote.

**Attachments:** [AAF-004 Funding for Project Access Durham using \\$562,970 of GF Fund Balan](#)

## 10. Items Pulled from the Consent Agenda (20 min)

## 11. Adjournment