



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Monday, October 3, 2022

9:00 AM

Commissioners' Chambers

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### Work 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.

### 9:00 am Work Session Agenda

#### 1. Citizen Comments (30 min)

[22-0601](#)

#### 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. Wallace, 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.

#### 2. Consent Agenda (15 min)

[22-0506](#)

**Budget      Ordinance      Amendment      No.      23BCC00030 to      Recognize**

**\$398,121 in Grant Funding to the Office of Emergency Services-EMS Division (OES-EMS) from the US Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA), and to Authorize the County Manager to Sign and Execute All Contracts for Authorized and Approved Uses Associated with the Grant Program Throughout the Grant's Period of Performance**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 23BCC00030 to recognize \$398,121 in grant funding to the Office of Emergency Services-EMS Division (OES-EMS) from the US Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA), and to authorize the County Manager to sign and execute all contracts for authorized and approved uses associated with the grant program throughout the grant's period of performance.

The First Responders - Comprehensive Addiction and Recovery Support Services Act (FR-CARA) grant's purpose is to provide resources to first responders and members of other key community sectors at the state, tribal, and other government levels to train, carry and administer Federal Food, Drug, and Cosmetic Act (FD&C Act) approved drugs and devices for emergency reversal of known or suspected opioid overdose. As part of the grant application, OES has committed to establish processes, protocols, and mechanisms for: (1) provide harm reduction resources in the form of intranasal naloxone for administration and fentanyl test strips for distribution to first responder agencies across the County of Durham. This includes County and City fire departments and all law enforcement agencies, (2) provide harm reduction for administration and fentanyl test strips for distribution to community organizations at high risk for encountering opioid overdoses in their facilities or grounds, and (3) beginning in year two, establish a post-overdose bridge program to provide medication assisted treatment at the time of an initial overdose.

The grant has a period of performance from September 30, 2022, through September 29, 2026. It is a four (4) year project that is funded year to year subject to the availability of federal funds. Therefore, OES is requesting approval of the year-1 funds and will bring this item back to the Board to request approval of future funding subject to federal fund availability and satisfactory progress on the project from SAMHSA. The total federal funding potential if all 4-years are authorized and funded is \$1,657,944.

During the first year of the grant, OES-EMS has proposed to hire a contract program manager, hire additional contract personnel, begin training for first responders, purchase supplies, and develop our program implementation. The second, third, and fourth years of the grant are dedicated to expanding the initial program implementation. OES-EMS will collaborate with first responder agencies, and

community organizations who may potentially encounter persons who have overdosed, Durham Together for Resilient Youth, and the North Carolina Harm Reduction Coalition to enhance the capacity of the existing harm reduction services provided in the community.

OES-EMS will follow all County purchasing and contract guidance. Payments to the County under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM).

**Alignment with Strategic Plan:** County's Strategic Goal 3: Safe Community and Goal 5: Accountable, Efficient, and Visionary Government.

**Resource Persons:** Jim Groves, OES Director and Captain Helen Tripp, MIH Program Manager

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC00030 to recognize \$398,121 in grant funding to the Office of Emergency Services-EMS Division (OES-EMA) from the US Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA), and to authorize the County Manager to sign and execute all contracts and purchases for authorized and approved uses associated with the grant program throughout the grant's period of performance.

**Attachments:**

[1H79TI084839-01-Noa](#)

[AAF 22-0506 Supplemental Document - First Responder Addiction and Recove](#)

[AAF-0030 LEGAL FORM to Recognize \\$398,121 to OES-EMS from DHHS SAM](#)

**22-0565**

**Revision to the Contract Approval to SouthData Inc. in the Amount of \$60,264.20 for Board of Election's Printing and Mailing Services**

**Agenda Text:**

The Board is requested to approve the Durham County Board of Elections request to increase its FY22-23 service contract with SouthData, Inc., a printing and mailing service vendor.

SouthData, Inc. has provided printing and mailing services to the Durham County Board of Elections since 2018, and they also service many other Board of Elections offices in the state of North Carolina. We are confident that they will continue to provide us with timely and efficient service for the elections listed below:

- November 8, 2022, Statewide General Election

This contract requires an RFP, however, due to the timing of the upcoming elections and the amount of time it takes to process an RFP, we are requesting the Board

approve the request with the additional quotes provided. We will complete the RFP process before the end of the fiscal year.

The current contract amount will increase from \$39,000 to \$60,264.20 per the proposed contract amendment. The contract increase is funded using existing funds in the Board of Election's budget.

**Alignment With Strategic Plan:** Acquiring this service will permit the Durham County Board of Elections to operate in an efficient and effective manner consistent with Goal 5 of the county's strategic plan. Enabling the Board of Elections to acquire this service will ensure continued statutory compliance and allow the Board to lead in innovative election services and internal administrative controls.

**Resource Persons:** Derek Bowens Elections Director and Brenda Baker Deputy Director

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Board of Elections to enter into a contract amendment with SouthData, increasing the current contract amount to \$60,264.20, for printing and mailing services in FY2022-2023.

**Attachments:** [2022 Board of Elections Printing and Mailing Amendment Contract Approval.pdf](#)

**22-0566**

**Approval to utilize existing operational funds in the amount of \$227,875.87 for this fiscal year to the Unified Performance Support agreement with Microsoft**

**Agenda Text:**

The Board is requested to authorize the use of existing Operational funds in the amount of \$227,875.87 for this fiscal year for additional support hours for Microsoft Premier Support Agreement. Support hours and services will be purchased through Microsoft. In addition, IS&T is requesting permission to allow the County Manager to sign off on subsequent renewals, extensions, or amendments as needed for services required.

Microsoft Unified Support gives us access to an always on global network of specialists with deep knowledge of Microsoft products. This Microsoft product expertise allows us to optimize the value of our Microsoft investment with MS Unified Support services. As a result, getting more done, faster, with less distraction to IT operations. With MS Unified Support, the enterprise can drive business outcomes, with a dedicated partnership helping us focus on our business goals. In addition, it allows use to gain business resilience, productivity, and innovation through IS&T staff, processes, and technology. Whether we are planning a new solution or an update, or migration, Unified Support will be with us through every step of the way. Unified Support has an extensive portfolio of Proactive Services that will optimize our Microsoft environment and ensure a highest value, lowest cost implementation and maintenance.

The Microsoft Unified Support 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.

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

**Resource Persons:** Greg Marrow, Chief Information Officer, Aaron Stone, Assistant Director, Kim Cook, Business Manager

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the use of existing Operational funds in the amount of \$227,875.87 for this fiscal year for additional support hours for Microsoft Unified Support Agreement. In addition, IS&T is requesting permission to allow the County Manager to sign off on subsequent renewals, extensions, or amendments as needed for services required.

**Attachments:** [MICROSOFT UNIFIED SUPPORT BOCC FY 23 11012022-10312023](#)  
[AAF Supplemental Document -MS Unified Support](#)

**22-0570**

**Budget Ordinance Amendment No. 23BCC00034 Public Health to Recognize \$ 450,000 from the North Carolina Department of Health and Human Services Division of Public Health for Maternal and Child Health**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 23BCC00034 Public Health to Recognize \$ 450,000 from the North Carolina Department of Health and Human Services Division of Public Health for Maternal and Child Health

Funded by the North Carolina Division of Public Health, the Improving Outcomes for Maternal and Child Health (ICO4MCH) initiative is intended to improve birth outcomes, reduce infant mortality, and improve the health status of children ages birth to five. To address the complex challenges of improving the health of women of childbearing age and children ages birth to five, Durham County stakeholders have chosen the following three evidence-based strategies:

1. Reproductive Life Planning
2. 10 Successful Steps for Breastfeeding, with a specific focus on Step 3 and Step 10
3. Family Connects (newborn home visiting program)

The approved funding time frame for the ICO4MCH initiative is June 1, 2022- May 31, 2024.

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 preventing suicide and suicide attempts in Durham County.

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

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC00034 Public Health to Recognize \$ 450,000 from the North Carolina Department of Health and Human Services Division of Public Health for Maternal and Child Health

**Attachments:** [164 Evidence-Based Strategies for MCH](#)  
[Supplemental Document AA 164 - Noncontract](#)  
[AAF-34 Legal Form](#)

**22-0571** **Budget Ordinance Amendment No. 23BCC00033 Public Health to Recognize \$115,000 from the NC DHHS Division of Child and Family Well-Being, Whole Child Health Section to Provide Temporary Funding to hire Public Health Nurse School Health Liaisons for COVID-19 Coordination**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 23BCC00033 Public Health to Recognize \$115,000 from the NC DHHS Division of Child and Family Well-Being, Whole Child Health Section to Provide Temporary Funding to hire Public Health Nurse School Health Liaisons for COVID-19 Coordination

This grant provides temporary funding to the Local Health Department (LHD) to hire Public

Health Nurse (PHN) School Health Liaisons for the coordination of COVID-19 screening, testing, and vaccine administration efforts, and to coordinate other school health/public health services.

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 providing more resources for COVID-19 screening, testing, and vaccine administration efforts.

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

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC00033 Public Health to Recognize \$115,000 from the NC DHHS Division of Child and Family Well-Being, Whole Child Health Section to Provide Temporary Funding to hire Public Health Nurse School Health Liaisons for COVID-19 Coordination

**Attachments:**     [AA 361 Supplemental Document FY23](#)  
                              [361 ELC Reopening Schools SH Liaison](#)  
                              [AAF-33 Legal Form](#)

**22-0572**     **Budget Ordinance Amendment No. 23BCC00032 Public Health to Recognize \$4,190,442 from the NC DHHS Division of Child and Family Well-Being, Whole Child Health Section for Temporary Funding to Support Youth-related COVID-19 Activities**

**Agenda Text:**     The Board is requested to approve Budget Ordinance Amendment No. 23BCC00032 Public Health to Recognize \$4,190,442 from the NC DHHS Division of Child and Family Well-Being, Whole Child Health Section for Temporary Funding to Support Youth-related COVID-19 Activities

This grant provides temporary funding for the Local Health Department to support activities and staffing that promote response to the COVID-19 pandemic including to:

1. Support K-12 COVID-19 testing program activities.
2. Provide COVID-19 support and response in schools.
3. Provide and support other school health program activities that foster healthy students, in school and ready to learn.

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 providing more resources for COVID-19 screening, testing, and response. This funding also provides support for other school health program activities that foster healthy students, in school and ready to learn.

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

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC00032 Public Health to Recognize \$4,190,442 from the NC DHHS Division of Child and Family Well-Being, Whole Child Health Section for Temporary Funding to Support Youth-related COVID-19 Activities

**Attachments:**     [AA 362 Supplemental Document FY23](#)  
                              [362 ELC Testing - School Health Staffing](#)  
                              [AAF-32 Legal Form](#)

**22-0573**     **Budget Ordinance Amendment No. 23BCC00031 Public Health to Recognize \$60,474 from the NC DHHS Division of Public Health Epidemiology Section / Immunization Branch to Fund Continued Activities that Focus on Removing Barriers to Accessing COVID-19 Support**

**Agenda Text:**     The Board is requested to approve Budget Ordinance Amendment No.

23BCC00031 Public Health to Recognize \$60,474 from the NC DHHS Division of Public Health Epidemiology Section / Immunization Branch to Fund Continued Activities that Focus on Removing Barriers to Accessing COVID-19 Support

These funds are intended to continue activities that focus on removing the barriers to accessing vaccine, increasing vaccine confidence, coordinating COVID-19 vaccine services, and expanding its COVID-19 vaccination program, with an emphasis on reaching high-risk and underserved populations, including racial and ethnic minorities, and all others disproportionately affected by COVID-19. Planning and response require close collaboration among public and private sector partners, public health emergency response and emergency management, healthcare organizations, and healthcare industry groups within the community. A key component is community sustainability so that DCoDPH able to implement COVID-19 and influenza vaccinations both seasonally and as part of pandemic preparedness. These funds are in addition to funds received and recognized previously under Agreement Addendum 716 CDC COVID-19 Vaccination Program.

Please note that this amendment requires no additional County funds.

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 providing more resources for COVID-19.

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

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC00031 Public Health to Recognize \$60,474 from the NC DHHS Division of Public Health Epidemiology Section / Immunization Branch to Fund Continued Activities that Focus on Removing Barriers to Accessing COVID-19 Support

**Attachments:** [AA 716 Rev 1 Supplemental Document CDC COVID-19 Vaccination Program F 716 CDC COVID-19 Vaccination Program R-1](#)  
[AAF-31 Legal Form](#)

**22-0574** **Public Health to Create One Full-Time FTE Senior Public Health Nurse Position Using Previously Recognized Funds from Agreement Addenda 546 Communicable Disease Pandemic Recovery Grant**

**Agenda Text:** The Board is requested to approve creation of one full time FTE Senior Public Health Nurse position using previously recognized funds from Agreement Addenda 546 Communicable Disease Pandemic Recovery grant.

These grant funds from NC DHHS end May 31, 2023. Rollover funds will be made available through AA 546 Communicable Disease Pandemic Recovery through December 31, 2024. These grant funds have already been received and recognized

for FY23. This funding is intended to expand essential public health services to control communicable diseases in the local community. To ensure the effective delivery of these services, it is recommended that local health departments enhance workforce capacity by hiring staff with knowledge in communicable disease, public health, public health nursing, or other applicable fields in order increase the number of fulltime equivalent employees. The local health department should maintain a minimum of two public health nurses with communicable disease program responsibilities. DCoDPH currently employs one FTE Communicable Disease Senior Public Health Nurse. When the funding ends, this position will be reevaluated, as the COVID-19 pandemic has highlighted the need for additional resources for communicable disease programs at the local level to ensure that all communicable disease activities are able to be completed.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

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

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

**County Manager's Recommendation:** The County Manager recommends that the Board of County Commissioners to approve creation of one full time FTE Senior Public Health Nurse position using previously recognized funds from Agreement Addenda 546 Communicable Disease Pandemic Recovery grant.

**Attachments:** [Create Senior Public Health Nurse using AA546 - Supplemental Document](#)

**22-0575** **Public Health to Create One Full-Time FTE Senior Public Health Nurse Position Using Previously Recognized Funds from Agreement Addendum 583 Refugee Health Assessment and Agreement Addendum 546 Communicable Disease Pandemic Recovery Grant**

**Agenda Text:** The Board is requested to approve creation of one full time FTE Senior Public Health Nurse position using previously recognized funds from Agreement Addendum 583 Refugee Health Assessment and Agreement Addendum 546 Communicable Disease Pandemic Recovery Grant.

These grant funds from NC DHHS end May 31, 2023. Rollover funds will be made available (1) for AA 583 Refugee Health Assessment by request to meet program needs, and (2) for AA 546 Communicable Disease Pandemic Recovery through December 31, 2024. These grant funds have already been received and recognized for FY23. The funds from these two state grants will be utilized to support needed growth within the Refugee Health Clinic, within the Communicable Disease Program. The AA 583 grant provides funds to local health departments that have consistent and significant numbers of refugee arrivals to assist with

administrative costs and assist with the expenses related to providing this service to eligible clients that may not be covered by any medical program or insurance. The AA 546 funding is intended to expand essential public health services to control communicable diseases in the local community. We have received written confirmation from NC DHHS that funds from AA 546 can also be used to support staffing within Refugee Health.

The Board of Health has approved this amendment and requires no additional County funds.

**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 of County Commissioners approve creation of one full time FTE Senior Public Health Nurse position using previously recognized funds from Agreement Addendum 583 Refugee Health Assessment and Agreement Addendum 546 Communicable Disease Pandemic Recovery Grant.

**Attachments:** [Supplemental Doc Senior Public Health Nurse using AA583 and AA546](#)

## **22-0578**

**Capital Project Amendment No.23CPA00009 Appropriating \$175,000 of Future Taxable Limited Obligation Bond Funding (LOBS) to the 300 E. Main St. Capital Project (4730DC150), as well as Authorize the Increase of the Owners Construction Contingency for the C, M @R Contract with LeChase Construction by \$175,000, for a Total Construction Contract Not-to Exceed Amount of \$20,964,669 for the 300 E. Main St. Structured Parking Deck**

### **Agenda Text:**

The Board is requested to approve Capital Project Amendment No.23CPA00009 which appropriates \$175,000 of Future Taxable Limited Obligation Bond Funding (LOBS) to the 300 E. Main Street Capital Project (4730DC150), as well as authorize an increase to the Owners Construction Contingency for the C,M @R contract with LeChase Construction by \$175,000 to execute any other related contracts, including change orders if necessary. This will result in a total construction contract not-to-exceed amount of \$20,964,669 for the 300 E. Main Street Structured Parking Deck. (See Attachment 1, Pages 1-4).

| Project #     | Project Name                      | Current Budget | Increase      | Updated Budget |
|---------------|-----------------------------------|----------------|---------------|----------------|
| 47302635DC150 | 300 Block East Main Redevelopment |                |               | \$ 24,612,884  |
|               |                                   | 175,000        | \$ 24,787,884 |                |

The 300 East Main Street Parking Garage (Project) is being constructed 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 affordable housing wrapper is slated to begin construction commencement in November 2022 with an anticipated 16-18 month construction duration.

On December 14, 2020, the BOCC authorized the budget appropriations and the execution of the C, M @R “Guaranteed Maximum Price” contract with LeChase for the structured parking garage 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. The project encountered unforeseen conditions and scope increases typical of a project of this size and complexity and again the contingency was increased by \$250,000 on May 9, 2022. The project has also experienced unforeseen issues and delays with the Duke Energy utility duct bank conflict and domestic waterline issues in Queen St. The project requires an increase of \$175,000 to fully cover the change orders requested by the contracting team to adequately address these issues.

**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, AGM/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 Board is requested to approve Capital Project Amendment No.23CPA00009 which appropriates \$175,000 of Future Taxable Limited Obligation Bond Funding (LOBS) to the 300 E. Main Street Capital Project (4730DC150), as well as authorize an increase to the Owners Construction Contingency for the C, M @R contract with LeChase Construction by \$175,000 to execute any other related contracts, including change orders if necessary. This will result in a total construction contract not-to-exceed amount of \$20,964,669 for the 300 E. Main Street Structured Parking Deck. (See Attachment 1, Pages 1-4).

**Attachments:**

[CPA-09 LEGAL FORM Appropriating \\$175K in Future Fin to 4730DC150](#)

[AAF - Supplemental Information - CPA and Budget Amendment for the Increase](#)

**22-0580**

**Capital Project Amendment No.23CPA00010 Appropriating \$1,326,100 of Future Taxable Limited Obligation Bond Funding (LOBS) to the 500 E. Main St. Downtown Parking Deck Capital Project (47302635DC151); as well as Authorize An Owner’s Contingency in the Amount of \$1,326,100 to Execute Any Necessary Change Orders for the Deck Development Agreement with ZOM Living, for a Total**

**Budget Not-to-Exceed \$31,826,100****Agenda Text:**

The Board is requested to approve Capital Project Amendment No.23CPA00010, appropriating \$1,326,100 of Future Taxable Limited Obligation Bond Funding to the 500 E. Main St. Downtown Parking Deck Capital Project (47302635DC151), as well as authorize an owner's contingency in the amount of \$1,326,100 for the Deck Development Agreement with ZOM Living for a total not-to-exceed budget amount of \$31,826,100 for the 500 E. Main St. Structured Parking Garage. (See Attachments 1-4).

| Project #     | Project Name                      | Current Budget | Increase | Updated Budget |
|---------------|-----------------------------------|----------------|----------|----------------|
| 47302635DC151 | 500 Block East Main Redevelopment |                |          | \$31,843,516   |
|               |                                   | \$33,169,616   |          | \$1,326,100    |

The Deck Development Agreement was previously approved by the BOCC on December 13, 2021. At the time of approval/execution, the deck development budget did not include an owner's contingency for the \$26,522,000 construction contract between LeChase Construction and ZOM Living. The project team is requesting a 5 percent owner's contingency in the amount of the referenced \$1,326,100 to address unforeseen conditions, change orders and others typical of a project of this scale and complexity. Construction activities for the deck commenced on August 1, 2022. Completion of this project will provide a parking solution for various County departments, the residential, commercial, and retail locations and support the affordable housing initiative along E. Main St.

The deck will provide 876 spaces in a (7) seven-story post-tensioned, cast-in-place parking structure. The deck will have entrances off S. Dillard Street, S. Elizabeth St. and Main Street, allowing easy traffic flow to the garage and multiple routes into and out of the parking area. Each floor provides 3 elevator locations to assist with vertical circulation affording those parking in the garage an easy way of finding and navigating to their destination. The overall planned development will include residential housing, both market and affordable, with an interior parking deck.

The development will include ground floor commercial, apartment amenity space and a linear public space. The deck will initially provide 23 electrical vehicle parking spaces in support of Durham County's sustainability initiatives and anticipates the growth of electric vehicle parking through installation of infrastructure to enable additional EV ready spaces. For improved coordination, LeChase Construction is serving as the Construction Manager at Risk (CMAR) for the market-rate housing and structured parking garage project as well. The garage and market-rate housing wrapper will be constructed with some overlap. The affordable housing wrapper is still currently in the design phase, and its construction will commence in the 4th quarter of 2023.

The Deck Development Agreement details the obligations of all parties (Durham County and ZOM Living) and specifies the standards and conditions that will govern the development and construction of the deck. ZOM Living is administering the delivery of the deck on behalf of Durham County using the services of LeChase Construction. This method of delivery minimizes issues and coordination requirements due to the complexity of the construction of the deck and the market-rate housing due to its adjacencies.

**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 Manns, ASLA, LEED GA, AGM/Deputy Director of Engineering and Environmental Services; David Ades, Assistant Budget Director; Keith Lane, Budget Director; Ben Stevens, Development Manager, ZOM Living; and Sarah Odio, Project Manager, DFI

**County Manager's Recommendation:** The County Manager recommends that the Board approve Capital Project Amendment No.23CPA00010 appropriating \$1,326,100 of Future Taxable Limited Obligation Bond Funding to the 500 E. Main St. Downtown Parking Deck Capital Project (47302635DC151); as well as authorize an owner's contingency in the amount of \$1,326,100 for the Deck Development Agreement with ZOM Living for a total budget not-to-exceed amount of \$31,826,100 for the 500 E. Main St. Structured Parking Garage. (See Attachments 1-4).

**Attachments:**

[CPA-10 LEGAL FORM Appropriating \\$1,326,100 - 4730DC151](#)

[AAF - Supplemental Information - CPA and Budget Amendment for the Creator](#)

**22-0583**

**Approval of Memorandum of Agreement with NC Administrative Office of the Courts for Cabling for Wireless Internet Equipment at the Durham County Justice Center**

**Agenda Text:**

The Board is requested to approve the Memorandum of Agreement with NC Administrative Office of the Courts for cabling at the Justice Center and authorize the County Manager to sign the agreement.

Project cost of \$65,300 will cover the installation of cabling to improve wireless connectivity to all judicial office spaces throughout the courthouse and in the Magistrate Office area in the detention center. The Administrative Office of the Courts will cover the cost for Access Point installation, integration, and activation. General Fund fund balance appropriation was approved at the September 12, 2022 Board of County Commissioners' meeting, but Memorandum of Agreement approval and County Manager authority to sign the agreement was not included in the agenda item. This board action will provide that approval and authority to sign the agreement.

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

**Resource Persons:** Gudrun Parmer, Interim General Manager, Goal 3; Aaron Stone, Assistant Director, IS&T

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Memorandum of Agreement with NC Administrative Office of the Courts for cabling at the Durham Justice Center and authorize the County Manager to sign the agreement.

**Attachments:**

[NCAOC-Durham County WAVE MOA](#)

[AAF 22-0583, Supplemental Document - MOA with NC AOC.](#)

**22-0586**

**Capital Project Amendment No.23CPA00011 Appropriating \$66K of County PAYGO Funding to the Judicial Building Annex Renovation Capital Project (47302635DC141) to Cover Contract and Contingency Costs of \$328,900 for Ground Water Intrusion Repairs; as well as Approve a Contract for Ground Water Intrusion Repairs at Durham County Judicial Building Annex**

**Agenda Text:**

The Board is requested to approve Capital Project Amendment No.23CPA00011, which appropriates \$66K of County PAYGO Funding to the Judicial Building Annex Renovation Capital Project (47302635DC141) to cover contract and contingency costs for ground water intrusion repairs; as well as authorize the County Manager to enter into a contract with Enterprises G., Inc., for ground water intrusion repairs at the Durham County Judicial Building Annex, located at 201 North Roxboro Street, in the amount of \$299,000.00, as well as execute any other related contracts including change orders, if necessary, not to exceed a project cost of \$328,900.

This agenda item has been reviewed and approved by the Purchasing Division. After the review of IFB 23-001, Ground Level Water Intrusion Repairs at Durham County Judicial Building Annex, Enterprises G, Inc. has met the minimum 50 points required by GS 143-128 and has satisfied the necessary Good Faith Efforts. Enterprises G, inc. is a Hispanic Female-owned business intending to perform the entire scope of work themselves, and therefore achieve 100% M/WBE participation. See Attachment #3.

The Engineering Department has reviewed the bid proposals with the Purchasing Division, General Services, County Manager staff, and RND Architects, PA, the Project Architects, and recommends that the County award a contract to Enterprises G, Inc. Completion of this project will provide a safer and more weather-resistant facility for County services delivery. See Attachment #1. Funding for this additional project cost is coming from Board approved PayGo funds approved at the outset of FY 2022-23.

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

addressing unsafe conditions and protecting property; and Goal 4: Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use from the built environment.

**Resource Persons:** Peri Manns, ASLA, LEED GA, Deputy Director; Jim Faress, P.E., Senior Project Manager; Christy Rauli, Project Manager, Engineering and Environmental Services Department; Charles Nickelson, AIA, Principal, RND Architects, PA

**County Manager's Recommendation:** The County Manager recommends that the Board approve Capital Project Amendment No.23CPA00011, which appropriates \$66K of County PAYGO Funding to the Judicial Building Annex Renovation Capital Project (47302635DC141) to cover contract and contingency costs for ground water intrusion repairs; as well as authorize the County Manager to enter into a contract with Enterprises G., Inc., for ground water intrusion repairs at the Durham County Judicial Building Annex, located at 201 North Roxboro Street, in the amount of \$299,000.00, as well as execute any other related contracts including change orders, if necessary, not to exceed a project cost of \$328,900.

**Attachments:**

[IFB 23-001 Bid Award Letter w enclosures from RND](#)

[AAF Supplemental Document - Judicial Annex Water Intrusion](#)

[MWBE Compliance Review Form-AAF for 23-001 IFB 082422](#)

[CPA-11 LEGAL FORM Appropriating \\$66K in PAYGO for 4731dc141 \(\\$66,000\)](#)

**22-0588**

**Conservation Easement Option with Margie and Bill Sparrow Jr. for 3901 Red Mill Road**

**Agenda Text:**

The Board is requested to approve an option to purchase a farmland conservation easement with Margie and William Sparrow Jr. for 3901 Red Mill Road, to use current open space capital project funds to support 50% of the cost of the easement, and to authorize the Manager to execute the federal ALE grant agreement if funds are awarded. The Sparrow farm consists of approximately 45 acres (parcel #171356) located at 3901 Red Mill Road in eastern Durham County, adjacent to lands owned by the US Army Corps of Engineers for Falls Lake, as shown on the attached maps. The Sparrows have had an active sheep farm on the property using best management practices since the mid 1980's. The Durham Farmland Protection Advisory Board recommended approval of a farmland easement on the Sparrow farm at their October 2022 meeting.

The 2023 federal Agricultural Lands Easement Program (ALE) program cycle has a submission deadline on November 4, 2022. For farms to be eligible for consideration of the program grant funds, the County needs to have a signed commitment (real estate option) between the county and the owner signaling the owner's intent to move forward with the easement if funding is approved. The real estate option gives the County the right but not the obligation to close on the easement. Conservation easements are a cost-effective way to permanently protect farmland since the

property remains in private ownership, but the county holds the development rights. An attachment explains how the values of conservation easements are determined. By the end of this year, Durham will have permanently protected over 2411 acres on 21 farms. Of these farms, 18 were protected using federal farmland grant funds, and Durham County has been fortunate to have been awarded over \$7.7 million in federal funds since 2005 towards conserving permanent farmland in Durham County (counting both completed and pending projects).

If awarded, the federal ALE grant funds would be used to pay for 50% of the approved appraised value for the acquisition of the conservation easement. The county's estimated total costs for the easement including 50% of the easement value, survey, appraisals, and closing costs should be no more than \$220,500. The County's open space and farmland capital project account has sufficient funds to pay for the county's portion of the Sparrow easement project, so no additional funding is needed for these easements. If an ALE grant is awarded and the easement moves forward, a final budget for the farm easement and county's costs would be brought back to the Board prior to closing. The grant funds are not paid until the time the easement on the farm is conveyed.

**Alignment with Strategic Plan:** The acquisition of farmland conservation easements for permanent open space directly supports the County's Strategic Plan Goal #4 Environmental Stewardship, Outcome Measure #4 which is: "Number of total acres of open space and farmland that have been protected/ influenced by Durham County." Protection of permanent farmland also supports water quality protection goals and helps to preserve rural character, two other Goal 4 objectives.

**Resource Persons:** Jane Korest, Open Space & Real Estate Manager; Celeste Burns, Open Space Coordinator, Peri Manns, Deputy Director of Engineering and Environmental Services

**County Manager's Recommendation:** The County Manager recommends that the Board approve the conservation easement option with Margie and William Sparrow, Jr. for three years through December 31, 2025; to allocate current open space capital project funds to support Durham County's required match for the easement cost; and to authorize the Manager to execute the ALE grant agreement if funds are awarded.

**Attachments:**

[AAF Supplemental Document - Sparrow Farm Easement 10-10-22](#)

[Attachments 1-4 Sparrow Farm Easement](#)

**22-0592**

**Approval of Contract with Jewish for Good to Implement Durham's Master Aging Plan**

**Agenda Text:**

The Board is requested to review and approve the attached contract with Jewish for Good, the temporary fiscal agent for Aging Well Durham, for implementation of Durham's Master Aging Plan.

Development of Durham's Master Aging Plan took place between mid-2018 and mid-2021, and attention then turned to implementation. The document is a roadmap and strategic plan for community-wide improvements and system enhancements that will help make Durham an aging-friendly community.

A new non-profit, Aging Well Durham, is in the process of being formed for this purpose, and that work is largely complete. In the meantime, another local non-profit, Jewish for Good, has agreed to serve as the fiscal agent.

The City and County each budgeted \$150,000 in FY 2022-23 (\$300,000 total) for implementation of the Master Aging Plan. Both the City and the County have approved an interlocal agreement, with the County the contract executor. The attached scope of work and budget reflect that level of funding and commitment.

**Alignment with Strategic Plan:** Elements of Durham's Master Aging Plan intersect with each of Goals 1-4 of the Durham County Strategic Plan.

**Resource Persons:** Joanne Pierce, Goal 2 General Manager; Joyce Briggs, Board Chair (Aging Well Durham); Sally Wilson, Board Treasurer (Aging Well Durham); Gina Upchurch, Board Executive Committee (Aging Well Durham); Jill Madsen, Executive Director (Jewish for Good)

**County Manager's Recommendation:** The County Manager recommends that the Board review and approve the attached contract with Jewish for Good, the temporary fiscal agent for Aging Well Durham, for implementation of Durham's Master Aging Plan.

**Attachments:**

[Durham MAP FINAL](#)

[AWD County Contract 9-23-22](#)

[AWD Contract SOW and Budget Rev092322](#)

[AWD Org. Chart and BoD](#)

[Master Aging Plan Implementation ILA FINAL](#)

[AWD J4G fiscal agent agreement](#)

**22-0593**

**Budget Ordinance Amendment No. 23BCC000035 - Transferring \$21,324,888 of General Fund Fund Balance to the Capital Financing Fund in Recognition of Final Sales Tax and Occupancy Tax Collection from the Prior Year (FY 2021-22) and Revenue from the Sale of the American Tobacco Parking Deck in Adherence to Board Policy**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 22BCC000035 increasing the amount of FY 2022-23 General Fund appropriated fund balance by \$21,324,888 and transferring those funds to the Capital Financing Fund. Transferring prior year's overcollection of sales and occupancy tax is completed on an annual basis as part of the natural cycle of reconciliation at the end of a fiscal year. The additional amount transferred this year for the sale of the American Tobacco Parking Deck funds

is a onetime action ensuring those funds are dedicated to future capital uses in the County.

As part of the Durham County policy on financing capital projects, all collected Article 40 and 42 sales tax and Local Occupancy Tax are directed for support of capital projects and their related debt service. In FY 2021-22, \$9,154,202 from these revenue sources was realized over what was budgeted to be collected in the General Fund, and per capital financing policy, needs to be transferred to the Capital Financing Fund where they can be applied to capital funding and/or debt service. Per Generally Accepted Accounting Principles (GAAP) the revenues are recorded in the fiscal year that they apply. However, it is too late to amend the prior year budget to transfer the over realized funds in the prior fiscal year, therefore these monies have fallen to fund balance within the General Fund for the prior fiscal year (FY 2021-22). This action is administrative in nature ensuring that the funds are located per Board policy in the appropriate fund.

Revenues per source collected over budgeted amounts (the top section of this table reflects the traditional annual reconciliation items):

- Article 40: \$4,235,180
- Article 42: \$4,048,997
- Occupancy Tax: \$870,025
- **Sub - Total:** **\$9,154,202**
- Funds from sale of American Tobacco Parking Deck: \$12,170,686
- **Total:** **\$21,324,888**

In February 2022, the Board of Commissioners authorized the Sale of the South Deck at American Tobacco, at 635 West Jackie Robinson Dr, Durham, NC. The sale price for the parking deck and negotiated land was \$12,170,686. Per Board direction, the proceeds from the sale of the parking deck will go to the Capital Finance Fund to support future capital needs. The combination of sales tax and occupancy tax overcollection, in addition to the funds the sale of the American Tobacco parking deck equals the \$21,324,888 of FY 2022-23 General Fund fund balance that will be transferred to the Capital Financing Fund.

Moving these funds from the General Fund to the Capital Financing Fund will not affect the overall fund balance percentage for the General Funds, as both of these funds are accounted for in the overall General Funds fund balance percentage.

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

**Resource Persons:** Keith Lane, Director - Budget and Management and David Ades, Assistant Director of Budget and Management

**County Manager's Recommendation:** The Manager recommends the Board of County Commissioner approve Budget Ordinance Amendment No. 22BCC000035 appropriating \$21,324,888 of FY 2021-22 General Fund revenue, now residing in FY 2022-23 General Fund fund balance, and transferring it to the Capital Financing Fund to

comply with the County's capital and debt financing policy.

**Attachments:** [AAF-035 - Supplement Appropriating FY 2021-22 Overrealized sales tax funds](#)  
[AAF-35 Legal Form Appropriating FY 2021-22 Overrealized sales tax funds to F](#)  
[Capital Finance Plan Policy and Resolution combined](#)

**22-0597**     **Approve Budget Ordinance Amendment No. 23BCC000038 Appropriating \$450,000 of General Fund Fund Balance and Approve a Contract Amendment Increasing Funds for the FY 2022-23 Durham Pre-K Contract with Child Care Services Association**

**Agenda Text:**     The Board is requested to approve Budget Ordinance Amendment No. 23BCC000038 appropriating \$450,000 of General Fund Fund Balance and approve the attached contract amendment to increase the FY 2022-23 Durham Pre-K contract amount for Child Care Services Association.

In August 2022, the Board approved an increase in funds for Durham PreK (DPK), resulting in a new total for FY 2022-23 of \$5,129,717. On September 15th, 2022, in response to an unanticipated change in reimbursement policy at the Division of Child Development and Early Education to pay publicly funded pre-K seats on allocation rather than on attendance through at least December, the Durham PreK Governance Committee unanimously voted to request more funds from Durham County to also pay DPK providers on allocation for the full school year. The cost of this change in reimbursement policy is estimated to be \$450,000. As detailed in the attached letters from DPK providers and from the Governance Committee, this request is in response to continuing pandemic-related negative financial impacts affecting child-care systems nationwide, including high teacher turnover and lower than usual enrollment. Staff supports this request, viewing this policy change and related increase as an investment in the sustainability of our local child-care system.

**Alignment with Strategic Plan:** A robust universe of early childhood programs, including universal pre-K, has great potential to improve outcomes across all outward-facing goals in the Durham County Strategic Plan.

**Resource Persons:** Cate Elander, Early Childhood Coordinator; Donna Rewalt, Director, Durham County Cooperative Extension

**County Manager's Recommendation:** The County Manager recommends the Board approve Budget Ordinance Amendment No. 23BCC000038 appropriating \$450,000 of General Fund Fund Balance and approve the attached contract amendment to increase the FY 2022-23 Durham Pre-K contract amount for Child Care Services Association.

**Attachments:** [Contract Amendment CCSA\\_FY2023 updated 9-26-22](#)  
[DPK letter to County pay allocation SY2023 final](#)  
[Provider Advocacy Letter 9.15.22](#)  
[AAF-38 Appr Fund Balance for Durham PreK Contact Ext - \\$450K](#)

**3. Discussion Items (155min)****22-0615****Durham County Family-Friendly Workplace Policies (30min)****Agenda Text:**

The Board is requested to hear a presentation from MomsRising's representative, Tina Sherman, on the proposal her agency is bringing to Durham County Government to adopt pregnancy accommodations and safe days and extend the current parental leave policy of 12 weeks to also include family leave.

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

**Resource Persons:** Brenda Howerton, Board Chair; Dr. Kimberly Sowell, County Manager; Kathy Everett-Perry, CHRO/Chief Employment Counsel; Deidre Gonzales, Human Resources Manager

**County Manager's Recommendation:** The County Manager requests that the Board hear the presentation from MomsRising and ask any questions regarding the adoption of the proposed policies for Durham County Government.

**Attachments:**

[Durham County Workplace Policies Fall 2022](#)

**22-0590****Authorize the County Manager to Execute the Interlocal Cooperation Agreement with the City of Durham Governing the Development of a New Durham Cultural Roadmap by the Durham Cultural Advisory Board (10mins)****Agenda Text:**

The Board is requested to suspend the rules and vote to authorize the County Manager to execute the Interlocal Cooperation Agreement (ILA) with the City of Durham governing the development of a new Durham Cultural Roadmap by the Durham Cultural Advisory Board.

In November 2021, the BOCC and City Council agreed to jointly fund/support the development of a new Cultural Plan for Durham as requested by DCAB in the amount of \$300K with both the City and County having a 50/50 split totaling \$150K each. The funding was recently approved in both City and County FY23 Budgets. The purpose of the Interlocal Agreement is to authorize the DCAB to utilize FY23 funding to structure and direct the development process for a new Durham Cultural Roadmap. The new Durham Cultural Roadmap will replace the 2004 Durham Cultural Master Plan to further enhance Durham's cultural and arts landscape, maximize resources, and provide a coordinated vision and collaboration among a variety of community, cultural, civic, and business partners. The previous Cultural Master Plan had a 15-year implementation timeline that expired in 2019. **The City Council approved this item at the September 22, 2022 WS by suspending the rules and voting for its approval in order to expedite the community engagement process of which we are requesting our Board do the same.** Approval of this item is also the trigger for the issuance of the \$150K funding reimbursement from Durham County to the City of Durham as support for this effort

as previously agreed. (See Attached Memo and ILA)

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

**Resource Persons:** Peri Manns, ASLA, LEED GA, Assistant General Manager/Deputy Director of E, E &S, Brenda Hayes-Bright, Assoc. AIA, CDT, MPM, Assistant Public Art Coordinator, E’Vonne Coleman, DCAB, Laura Ritchie, DCAB, Summer Alston, MCRP, City of Durham Division Manager, Arts Culture, Sustainable Communities.

**County Manager’s Recommendation:**

The County Manager recommends that the Board suspend the rules to vote to authorize the County Manager to execute the Interlocal Cooperation Agreement with the City of Durham governing the development of a new Durham Cultural Roadmap by the Durham Cultural Advisory Board.

**Attachments:**

[AAF Supplemental Document -Cultural Roadmap ILA with the City of Durham](#)

[Memo - 2022 Cultural Roadmap Development ILA](#)

[Agreement - 2022 Durham Cultural Roadmap ILA](#)

[Exhibit - 2022 Cultural Roadmap Development Budget](#)

[Cultural Masterplan ILA Approvals090822](#)

**22-0577**

**Medical Costs at the Detention Center (FY19-22) (30mins)**

**Agenda Text:**

The Board is requested to receive a presentation from the Sheriff’s Office regarding the medical costs for detainees at the Durham County Detention Center.

On June 2, 2022, the Sheriff’s Office went before the BOCC seeking approval for new initiatives during the FY22-23 process. This presentation included a request for a new position to serve as a Medical Director at the detention center. The conversation grew into a larger discussion surrounding all of the medical costs for detainees at the detention center. As a result, the Sheriff Office is providing updates to the Board. Please see the attached supporting documents.

**Alignment with Strategic Plan:** Goal 2 - Health and Well-being for All

**Resource Persons:** Clarence Birkhead, Sheriff of Durham County, Durham County Sheriff’s Office; Rod Jenkins, Director, Durham County Public Health; Shonicia Jones, Heath Services Administrator, Wellpath HealthCare.

**County Manager’s Recommendation:** The County Manager recommends that the Board receive a presentation from the Sheriff’s Office regarding the medical costs for detainees at the Durham County Detention Center.

**Attachments:**

[Fact Sheet DCDF - Wellpath](#)

[Detention Center Medical Costs 10.3.22](#)

#### 4. LUNCH

**22-0585**

**County Stormwater Nutrient Management Strategy and Project Selection Update (45mins)**

**Agenda Text:**

The Board is requested to receive a report on stormwater project identification methodology and the identification of initial stormwater projects to meet the adopted Interim Alternative Implementation Approach (IAIA) for the Falls/Neuse Rules. The proposed IAIA approach was formally adopted by the State Environmental Management Commission (EMC) during their September 8, 2022 meeting. The Board is also requested to provide feedback on and endorsement of the staff's recommendation for project selection to meet the County's obligations under the Falls Lake Rules requirements including the IAIA commitments.

Durham County is challenged with meeting multiple State-promulgated nutrient management rules including the Falls Lake and Jordan Lake rules. To proactively prepare for the onset of these rules that require reducing nutrient loads associated with existing development, the County has begun the process of identifying strategies to manage and reduce these nutrient loads. The County hired WK Dickson to help develop a methodology for identifying projects in the County to reduce nutrient loading and help meet the County's obligations under the Falls and Jordan Lake rules. Using the County Stormwater Program's Guiding Principles of Compliance, Efficiency, Resiliency, and Environmental Justice, WK Dickson created a scoring rubric for project prioritization, conducted desktop analyses for potential project locations, visited potential sites, and identified six potential projects. These six projects were evaluated for nutrient removal potential and construction cost estimates have been developed for each project.

Under the Interim Alternative Implementation Approach (IAIA) of Stage I of the Falls Lake Rules, Durham County is committed to spend at least \$666,500 on stormwater projects over the next five (5) years. At least one of these projects must be constructed to meet the IAIA commitment. This initial project will be funded by the Stormwater Utility Fee.

**Alignment with Strategic Plan:** This agenda item supports Strategic Plan Goal 4: Environmental Stewardship and Community Prosperity and Goal 5: Efficient, Visionary Government. More specifically it supports the objective of improving water quality in a cost-effective manner to properly steward our natural resources.

**Resource Persons:** Ryan D. Eaves, PE, Stormwater and Erosion Control Division Manager; McKenzie Bradshaw, PE, Stormwater Manager; Tom Murray, PE, WK Dickson; Jay Gibson, P.E., General Manager

**County Manager's Recommendation:** The County Manager recommends that the Board receive the report, provide feedback on the stormwater project selection methodology, and endorse the project selection as proposed by staff to meet the

IAIA requirements on behalf of the County.

**Attachments:** [Nutrient Management Strategies Presentation](#)

**22-0599**

**Proposed Items for 2023 NCACC Federal Legislative Goals Process (10min)**

**Agenda Text:**

The Board is requested to develop and submit proposed federal legislative items for consideration as the North Carolina Association of County Commissioners works through a rigorous process to develop critical legislative proposals to advocate for in 2023-2024. Final items will be used as the basis for advocacy with our North Carolina congressional delegation during the NACo Legislative Conference and beyond.

A list will be shared prior to the meeting. Once the Board agrees on a final list, the staff will send approved items to NCACC for consideration by the deadline of October 7, 2022

**Alignment with Strategic Plan:** This item aligns with all of Durham County's Strategic Goals.

**Resource Persons:** Deborah Craig-Ray, Goal 1 General Manager

**County Manager's Recommendation:** The County Manager recommends that the Board approve a final list of federal legislative proposals and forward to NCACC for inclusion in the annual NCACC vetting process.

**Attachments:** [NCACC Federal Goals 2022-23](#)

**22-0602**

**Commissioner Comments (30min)**

**Agenda Text:**

The Board is requested to allow each Commissioner six minutes to report on conferences or make comments regarding issues that may be of interest or concern to the Board.

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

**Resource Persons:** Board of County Commissioners

**County Manager's Recommendation:** The County Manager recommends that the Board allow comments from each commissioner and direct staff accordingly.

## 5. Closed Session

**22-0603**

**Closed Session**

**Agenda Text:**

The Board is requested to adjourn into Closed Session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or

against an individual public officer or employee; pursuant to G. S. 143-318.11(a)(6)

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

**Resource Persons:** Joanne Pierce, General Manager

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

## 6. Adjournment