



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, February 6, 2023

9:00 AM

Commissioners' Chambers

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)

23-0101

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. Announcements (5 min)

23-0073

Announcements - 2023 DCo Cares Recipient Organization

Applications Open (5min)**Agenda Text:**

1. The 2023 DCo Cares Recipient Organization Applications are now open to all nonprofits serving the Triangle community. Durham County (DCo) Cares is the annual Durham County Government Employee Giving Campaign, in which our employees donate funds to those nonprofit agencies chosen as our annual recipient organizations. Applications will be open through February 10, 2023. For more information, or to apply to be a recipient organization, please visit [dcocares.org](https://www.durhamcountycares.org) <<https://www.durhamcountycares.org/apply>>.

3. Ceremonial Items (10 min)**23-0059**

Recognize David Harris with the Durham Soil and Water Conservation District for receiving the Supervisor of the Year award from the North Carolina Association of Soil and Water Conservation Districts on January 10, 2023 (10min)

Agenda Text:

The Board is requested to recognize an award recently received by David Harris who is an elected Supervisor with the Durham County Soil and Water Conservation District Board. Each year the North Carolina Association of Soil and Water Conservation District (NCASWCD) presents the “Supervisor of the Year” award to one of the 492 Soil and Water Conservation District Supervisors across the state. The annual NCASWCD Supervisor of the Year Award recognizes a District Supervisor who has made significant contributions to the conservation and proper management of North Carolina’s natural resources. The key qualification is a keen interest in conserving our natural resources and record of outstanding contributions to the cause of conservation. On January 10, 2023 David Harris with the Durham Soil and Water Conservation District (SWCD) was named the 2023 Supervisor of the Year for North Carolina. Mr. Harris has been involved in the Durham Soil and Water Conservation District since 2014 when he started as an Associate Supervisor. He fulfilled an elected position on the Durham Soil and Water Conservation District Board of Supervisors in 2017. Since becoming a supervisor, David Harris has made it his primary goal to be a strong advocate for the NC Association of Soil and Water Conservation Districts, the Durham Soil and Water Conservation District (Durham SWCD), farmers, and the environment. Mr. Harris is exemplary as a Durham SWCD Supervisor because he doesn’t limit himself to county boundaries. He is always the first to volunteer when the board and staff need an extra hand. Always inspires everyone, encouraging staff and board members to explore new opportunities and directions.

Alignment with Strategic Plan: This program aligns with Goal 4 Environmental Stewardship and Community Prosperity and Goal 5 Accountable Efficient and Visionary Government.

Resource Persons: Bryan Evans, Executive Director NCASWCD, Eddie Culberson Director Soil and Water, Lisa Marochak, Senior Administrative Officer.

County Manager's Recommendation: The County Manager recommends that the Board recognize David Harris with the Durham Soil and Water Conservation District for receiving the Supervisor of the Year award from the North Carolina Association of Soil and Water Conservation Districts on January 10, 2023

4. Consent Agenda (15 min)

23-0001

Capital Project Amendment No. 23PA00012 - Moving Existing Public School Building Capital Fund Lottery Funding Between Durham Public School Projects and Appropriating New Lottery Fund Funding to Various Existing and New Durham Public School Projects

Agenda Text:

The Board of County Commissioners is requested to approve Capital Project Amendment No.23CPA00012 closing five Durham Public School (DPS) capital projects, reallocating unspent lottery funds between existing projects, appropriating new lottery funds, and creating two new capital projects. Specifically, this action closes five completed DPS projects in the County's asset management system, reducing the budgets of three DPS capital projects, and transferring \$183,948.90 in available funding from those projects to the K-5 School Replace Playground Equipment capital project (59105400SH305), while also appropriating \$946,000 of new lottery funding to the K-5 Schools Replace Playground Equipment capital project for a new total project budget of \$1,989,948.90. This project replaces unsafe playground equipment at multiple elementary schools.

This capital project amendment also appropriates \$600,000 of new lottery funding to the LF Little River ES Roof Replacement capital project (59105400SH289) to cover project cost increase; creates a Middle School Restroom Upfits project for Brogden and Githens Middle Schools (59105400SH315) and appropriates \$30,000 of approved new lottery funding to the new project for project design work. Finally, this capital project amendment creates a new Asphalt Repair project (59105400SH316) and appropriates \$2,480,000 in approved new lottery funding to the project.

The new Middle School Restroom Upfits project will replace both middle schools' current bathroom fixtures - toilets, lavatories and dispensers - with low-flow, high-efficiency, and touch-less equipment. The new Asphalt Repair project will use funding to replace and repair asphalt in the Northern and Southern Districts.

Name / Location of Project	Current Budget	Increase/Decrease	Revised Budget	Project Status
LF DSA Cooling Tower Replacement (309)	\$105,000.00	(\$1,441.63)	\$103,558.37	Closing
LF Safety System Upgrades - Multiple Sites (303)	\$67,000.00	(\$4,273.79)	\$62,726.21	Closing
LF Entrance Awning Upgrade (310)	\$10,000.00	(\$948.00)	\$9,052.00	Closing
LF Hot Water System Replacement (306)	\$45,000.00	(\$21,970.82)	\$23,029.18	Closing
LF Dish Machine Replacement (307)	\$120,000.00	(\$31,814.66)	\$88,185.34	Closing
LF Gate Repairs - Multiple Sites (301)	\$65,500.00	(\$65,500.00)	\$0.00	Amending
LF Flooring Upgrades (308)	\$48,000.00	(\$48,000.00)	\$0.00	Amending
LF Kitchen Upgrades (304)	\$10,000.00	(\$10,000.00)	\$0.00	Amending
LF K-5 Schools - Replace Playground Equipment (305)	\$860,000.00	\$1,129,948.90		

\$1,989,948.90	Amending			
LF Little River ES Roof Replacement (289)	\$1,840,631.32	\$600,000.00		\$2,440,632.22
Amending				
Middle School Restroom Upfits - Brogden Middle School & Githens Middle (315)				\$0.00
\$30,000.00	\$30,000.00	NEW		
Asphalt Repair Project (316)	\$0.00	\$2,480,000.00	\$2,480,000.00	NEW

Alignment with Strategic Plan: Goal 1-Community and Family Prosperity and Enrichment, through providing access to educational, vocational, economic and cultural opportunities and by providing support for educational opportunities that ensure high academic achievement.

Resource Persons: Fredrick Davis, Executive Director, Building Services, Durham Public Schools; S. Keith Lane Durham County Budget and Management Services Director

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No.23CPA00012 closing five DPS capital projects, reallocating funds between existing projects, appropriating new lottery funds, and creating two new capital projects.

Attachments:

[CPA-12 LEGAL FORM Appropriating Funding for DPS School Projects](#)

[NCDPI Approval for realignment](#)

[NCDPI Approval for Little River, etc](#)

[NCDI approval for Asphalt \\$2.4M](#)

23-0029

Resolution Delegating Authority to Approve Refunds of Overpaid Excise Taxes

Agenda Text:

The Board is requested to adopt the resolution delegating to the County Manager and Chief Financial Officer the authority to approve refunds of overpaid excise taxes.

Occasionally, excise taxes on the conveyance of real property are overpaid, to the Register of Deeds. The majority of these are because the taxes were owed in another County, or they were paid twice. Per N.C.G.S. §105-228.37, refunds of these taxes require approval by the Board of County Commissioners. Last year that statute was amended by adding paragraph (a1) which permits the Board to delegate the authority to approve these refunds to either or both of the County Manager and the County Finance Officer (our Chief Financial Officer). The statute does not allow for delegation to any other positions. Should they not approve the refund the taxpayer can then file their refund request with the Board of County Commissioners.

Over the last three years, there have been 18 requests for refunds, all of which were approved on the consent agenda.

Since the requirements for justifying a refund are set forth in the statute, and the process of bringing them to the Board can delay their processing for several weeks due to internal administrative procedures, the delegation of this authority permits the prompt refund of clearly overpaid taxes.

Alignment with Strategic Plan: This process aligns with the Accountability, Efficient, and Visionary Government Goal of the Strategic Plan by providing a prompt process for the refund of overpaid excise taxes.

Resource Persons: Curtis Massey, Senior Assistant County Attorney, Sharon Davis, Register of Deeds, and Susan Tezai, Chief Financial Officer.

County Manager's Recommendation: The County Manager recommends that the Board adopt the resolution delegating to the County Manager and County Finance Officer the authority to approve refunds of overpaid excise taxes.

Attachments:

[NCGS 105-228.37 as amended](#)

[Resolution-Delegation of Excise Tax Refund Authority](#)

23-0041

Durham County Sheriff's Office Contract Amendment with Cornerstone Detention Products, Inc, in the Amount of \$160,077, and to Authorize the County Manager to Execute Any Other Amendments Not to Exceed a Project Cost of \$168,080.

Agenda Text:

The Board is requested to approve and authorize the County Manager to execute a contract amendment with Cornerstone Detention Products, Inc. for the padded cell project inside the Durham County Detention Facility, in the amount of \$160,077.48, and to execute any other amendments including change orders, if necessary, not to exceed a project cost of \$168,080. This contract was previously approved for \$159,197. This not-to-exceed amendment amount of \$8,883 is included in current operating fund levels.

This amendment is needed to finalize the remaining work required to complete the padded cell project inside the detention facility. Padded cells are used in scenarios where detainees are going through a significant detox from alcohol or drugs, experiencing violent anger issues, displaying signs of a potential suicide attempt, or other behavior that poses a potential threat to the detainee or staff. Padded cells may also be known as safety cells, de-escalation rooms, cool down rooms, or seclusion rooms.

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

Resource Persons: Sean Barnes, Major of Detention Services, Durham County Sheriff's Office; David LaBarre, Director of Planning & Development, Durham County Sheriff's Office; Johnny Hawkins, Chief of Detention Services, Durham County Sheriff's Office; Clarence Birkhead, Sheriff, Durham County Sheriff's Office.

County Manager's Recommendation: The County Manager recommends that the Board approve and authorize the County Manager to execute a contract amendment with Cornerstone Detention Products, Inc. for the padded cell project inside the Durham County Detention Facility, in the amount of \$160,077.48, and to execute any other amendments including change orders, if necessary, not to exceed a

project cost of \$168,080.

Attachments:

[Cornerstone Supplemental](#)

[Cornerstone Proposed Change Order 1 Add Pecora Caulking](#)

[Cornerstone Contract Amendment #3 FY2023 - revised](#)

23-0047

Stormwater Operations Specialists, LLC Contract Amendment in the amount of \$13,050 increasing the total contract amount to \$112,150 for Sewer Easement Maintenance Services

Agenda Text:

The Board is requested to authorize the County Manager to enter into a service contract amendment with Stormwater Operations Specialists, LLC to provide sewer easement maintenance services (RFP 22-004) for the sewer collection system tributary to the Triangle Wastewater Treatment Plant (TWWTP) in an amount of \$13,050, bringing the total contract amount from \$99,100 to \$112,150. Stormwater Operations Specialist, LLC increased their pricing by twelve percent (12%) this fiscal year. The contract with Stormwater Operations Specialist, LLC will be funded from the Enterprise Fund.

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

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director; and Wade Shaw, Utilities Superintendent

County Manager’s Recommendation: The County Manager recommends the Board authorize the County Manager to enter into a service contract amendment with Stormwater Operations Specialists, LLC to provide sewer easement maintenance services (RFP 22-004) for the sewer collection system tributary to the Triangle Wastewater Treatment Plant (TWWTP) in an amount of \$13,050, bringing the total contract amount from \$99,100 to \$112,150.

Attachments:

[Easement Maintenance Services - AAF Supplemental Document](#)

[SW Operations FY23 Rate Increase Legistar docs](#)

23-0050

Vision NC, LLC Contract Amendment increasing the contract by \$25,000 to a total current contract amount of \$141,600 for Sewer Line Cleaning, Video, and Pump and Haul Services for the Durham County Utilities Division

Agenda Text:

The Board is requested to authorize the County Manager to enter into a service contract amendment with Vision NC, LLC for Sewer Line Cleaning, Closed Circuit Television Inspections, Grease Line Cleaning, and Pump and Haul Services (RFP 18-035) for the Utilities Division in an amount of \$25,000, bringing the contract

amount from \$116,160 to \$141,160, and to execute any other related contract amendments not to exceed \$160,000. Vision NC, LLC has increased their pricing since last approval in 2019 and the service area has increased due to the growth in the area. The contract with Vision NC, LLC will be funded from the Enterprise Fund.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as these services are necessary to ensure continued reliable operation of Durham County’s wastewater collection system.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director

County Manager’s Recommendation: The County Manager recommends the Board authorize the County Manager to enter into a service contract amendment with Vision NC, LLC for Sewer Line Cleaning, Closed Circuit Television Inspections, Grease Line Cleaning, and Pump and Haul Services (RFP 18-035) for the Utilities Division in an amount of \$25,000, bringing the contract amount from \$116,160 to \$141,160, and to execute any other related contract amendments not to exceed \$160,000.

Attachments: [Supplemental Document](#)
[FR 23-172 VISION NC LLC](#)

23-0055

Request for Consent of Access to the North Carolina Department of Environmental Quality to allow its Division of Waste Management and Contractors Access to the 721 Foster Street Site

Agenda Text:

The Board is requested to authorize the County Manager to execute the attached Off-site Property Access Consent Form granting access to the North Carolina Department of Environmental Quality (NCDEQ), its Division of Waste Management and its contractor’s access to the 721 Foster St. site. (See Attachment 1).

On January 12, 2023, Durham County Commissioners were notified by email of a request from AECOM (DEQ’s contractor), to replace a damaged monitoring well previously located at the subject property. (See Attachment 2). In April 2010, Durham County executed a Consent of Access form to NCDEQ for the purpose of monitoring potential groundwater contamination from a former Dry-Cleaning operation north of the subject site. (See Attachment 3). As part of NCDEQ’s Dry-Cleaning Solvent Cleanup Act (DCSA) Program which investigates releases of dry-cleaning solvents, the original damaged well needs to be properly abandoned and a new monitoring well installed adjacent to it as a replacement to allow continued monitoring.

The County Attorney’s Office and Engineering Department have reviewed the request and recommend that the Board authorize the consent of access. It is important to

note that the possible contamination poses no risk to the safety of the Cooperative Extension building and adjacent property occupants as all facilities in this area are supplied by Municipal water.

Alignment with Strategic Plan: This aligns with Goal 5 - Accountable, Efficient and Visionary Government - by allowing continued monitoring of the potential groundwater contamination.

Resource Persons: Michelle Freidman, Geologist IV, AECOM; Peri Manns, ASLA, Assistant General Manager/Deputy Director, Engineering & Environmental Services; Nathan McKinney, Senior Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute the attached Off-site Property Access Consent Form to the NCDEQ and its contractors for assess to the 721 Foster St. Site to allow abandonment and replacement of the damaged monitoring well and continued monitoring of the groundwater in this area. (See Attachment 4).

Attachments:

[DC320011_721 Foster Street](#)

[Email - M. Friedman to Durham County - 1-12-23](#)

[DC320011_20100413_721 Foster Street MW install](#)

[721 Foster Street - Consent Form](#)

[Resolution-MW 16_Feb 2023](#)

23-0056

Approval to Renew the County's Annual Contract with NWN to Continue the Usage of Varonis Cloud and Security Analytics Licenses in the amount of \$174,222.36

Agenda Text:

The Board is requested to approve the renewal of the County's annual contract with NWN to continue the usage of Varonis Cloud and Security Analytics Licenses and Services. These licenses and services will be purchased through NWN, per the State Convenience Contract Omnia Partners 2018011-02. The amount of this contract is \$174,222.36 and will be funded from IS&T's current fiscal year, 2022-2023 operational budget.

This Cloud and Analytics application provides a proactive tool to address potential risks and vulnerabilities of data as Durham County has made a significant shift to remote work. This data governance solution gives IS&T modernized capabilities which ensure we are proactive in securing Durham County data as employees work from remote locations.

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; Kimberly M. Cook, Senior Business Manager

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to approve the renewal of the County's annual contract with NWN to continue the usage of Varonis Cloud and Security Analytics licenses. The amount of this contract is \$174,222.36.

Attachments: [AAF Supplemental Document -Varonis 365 Licenses](#)

23-0057

Approval to Renew the County's Annual Enterprise Maintenance Contract with SAP in the amount of \$147,815.88 for the Continuation of SAP On-premises Licenses and Support Services

Agenda Text:

The Board is requested to approve the renewal of the County's annual maintenance agreement contract with SAP for the continuation of SAP licenses and services. The amount of this contract is \$147,815.88 and will be funded from IS&T's current fiscal year, 2022-2023 operational budget.

The licenses and services provided by the SAP annual maintenance agreement ensure best practices and ongoing maintenance and support from SAP while allowing County departments and employees usage of critical SAP productivity tools and applications. These SAP licenses and services will be purchased through SAP.

The Board is also requested to authorize the County Manager authority to execute subsequent maintenance renewals, amendments, and annual payments not to exceed the existing operational budget if the need arises. This authority will allow the flexibility to quickly respond to time-sensitive matters.

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; Kimberly M. Cook, Senior Business Manager

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to approve the renewal of the County's annual SAP maintenance agreement for the continuation of SAP licenses and services. The amount of the SAP agreement contract is \$147,815.88. The County Manager also recommends that the Board authorize the County Manager authority to execute subsequent maintenance renewals, amendments, and annual payments not to exceed the existing operational budget if the need arises.

Attachments: [SAP AAF SUPP 2023 v1 \(1\)](#)

23-0058

Interlocal Agreement with the City of Durham for the Administration and Enforcement of Sediment and Erosion Control Requirements by Durham County within the City of Durham

Agenda Text:

The Board is requested to authorize the County Manager to sign an interlocal agreement with the City of Durham so that the City may continue to rely on Durham

County's state-delegated sediment and erosion control program and maintain compliance with the City's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit.

The State of North Carolina regulates sediment runoff from construction sites under the Sedimentation Pollution Control Act (SPCA) of 1973. Under the SPCA, Durham County government is approved by the North Carolina Sedimentation Control Commission to administer an erosion and sedimentation control program. In September of 1984, the Durham County Board of Commissioners adopted a Sedimentation and Erosion Ordinance and agreed to enforce the ordinance within the City of Durham. Subsequently, in October of 1984, the Durham City Council adopted a resolution authorizing the enforcement of the Sedimentation and Erosion Ordinance within the City of Durham limits.

Durham County's Stormwater and Erosion Control Division currently administers and enforces the sediment and erosion control requirements in the City-County UDO. As a state-delegated local program, Durham County is authorized to inspect all privately funded land-disturbing activities of more than 12,000 square feet, which is approximately a quarter of an acre. The City of Durham's NPDES Municipal Stormwater Permit also requires that construction site runoff controls are enforced within the City's jurisdiction. The City of Durham relies on Durham County's sediment and erosion control program to comply with this required measure of the NPDES Municipal Stormwater Permit. Furthermore, having a county-wide erosion control program provides consistent application of the sediment and erosion control requirements in the City-County UDO.

The NC Department of Environmental Quality performs audits of the state-delegated local sediment and erosion control programs to ensure compliance with the SPCA. Durham County's sediment and erosion control program was previously audited in 2017 which resulted in the program continuing its state-delegated authority. In addition, Durham County's program received the Local Program Award for Excellence in Erosion and Sedimentation Control in 2018 and 2022 from the NC Department of Environmental Quality.

In June of 2021, the City's Public Works Department hired a consultant team led by WK Dickson & Co, Inc. to review the City's NPDES Municipal Stormwater Permit program and make recommendations to enhance the program. The program review also assisted the City of Durham in preparing for an audit by the NC Department of Environmental Quality. For the Construction Site Runoff Controls (i.e., Sediment and Erosion Control) section of the NPDES Permit, the consultant recommended that the City revise and update the 1984 sediment and erosion control agreement between the City of Durham and Durham County.

Therefore, the City of Durham and Durham County are seeking to enter into an interlocal agreement so that the City of Durham may continue to rely on Durham County's administration and enforcement of sediment and erosion control requirements within the City of Durham and areas that will be annexed by the City. This interlocal agreement will be in effect for fifteen years following the date of the signed agreement. A new interlocal agreement or amendments to the agreement may be proposed by either party at any time during this period.

Alignment with Strategic Plan: This agenda item supports Goal 4: Environmental Stewardship and Community Prosperity and Goal 5: Accountable, Efficient and Visionary Government

Resource Persons: Ryan D. Eaves, PE, Stormwater and Erosion Control Division Manager; Jonathan McNeill, CFM, Erosion Control Supervisor; Jay Gibson, PE, General Manager

County Manager's Recommendation: The County Manager recommends that the Board authorize the Manager to sign the interlocal agreement with the City of Durham.

Attachments: [Durham SEC Interlocal Agreement FINAL 2022.12.21](#)

23-0065

Amendment of two Chemical Purchase Contracts for the Triangle Wastewater Treatment Plant

Agenda Text:

The Board is requested to authorize the County Manager to enter into purchase of goods contract amendments for the following chemicals for the Triangle Wastewater Treatment Plant:

1. Southern Ionics, Inc. (FR#23-109) for sodium aluminate in the amount of \$17,000, bringing the total contract amount from \$137,600 to \$154,600 and to execute any other related contract amendments not to exceed \$170,100; and
2. Amerochem Corp. (FR#23-097) for sodium hypochlorite in the amount of \$32,500, bringing the total contract amount from \$35,000 to \$67,500 and to execute any other related contract amendments not to exceed \$76,000.

These chemicals are needed as part of the daily operational process at the treatment plant and aid in ensuring compliance with NPDES Permit NC0026051 and Reclaimed Water Permit WQ0032821. Both contracts will be funded from the Enterprise Fund.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: Environmental Stewardship and Community Prosperity. As these chemicals are necessary for the Triangle Wastewater Treatment Plant to meet all permit limitations as specified in the facility's National Pollutant Discharge Elimination Systems permit.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director; Wade Shaw, Utilities Superintendent

County Manager's Recommendation: The County Manager recommends the Board authorize the County Manager to enter into purchase of goods contract amendments for the following chemicals for the Triangle Wastewater Treatment Plant:

1. Southern Ionics, Inc. (FR#23-109) for sodium aluminate in the amount of \$17,000, bringing the total contract amount from \$137,600 to \$154,600 and to execute any other related contract amendments not to exceed \$170,100; and
2. Amerochem Corp. (FR#23-097) for sodium hypochlorite in the amount of \$32,500, bringing the total contract amount from \$35,000 to \$67,500 and to execute any other related contract amendments not to exceed \$76,000.

Attachments: [Supplemental Document](#)
[Southern Ionics FR23-109 Amend 1](#)
[Amerochem FR23-097 Amend 1 Docs](#)

23-0066

Meritech Inc. Contract Amendment in the amount of \$7,600 to a total current contract amount of \$109,500 for Laboratory Services for the Durham County Utilities Division

Agenda Text:

The Board is requested to authorize the County Manager to enter into a contract amendment to increase the existing service contract with Meritech, Inc. (FR# 23-248 and RFP 19-025) to provide laboratory services for the Triangle Wastewater Treatment Plant (TWWTP) in the amount of \$7,600, bringing the total contract amount from \$95,000 to \$109,600 and to execute any other related contract amendments not to exceed \$120,000. This contract is funded by the Enterprise Fund.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: "Environmental Stewardship and Community Prosperity," as this project will ensure sampling compliance with current permits and results will confirm we are operating in a manner that is protecting the environment.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director

County Manager's Recommendation: The County Manager recommends the Board to authorize the County Manager to enter into a contract amendment to increase the existing service contract with Meritech, Inc. (FR# 23-248 and RFP 19-025) to provide laboratory services for the Triangle Wastewater Treatment Plant (TWWTP) in the amount of \$7,600, bringing the total contract amount from \$95,000 to \$109,600 and to execute any other related contract amendments not to exceed \$120,000.

Attachments: [AAF Supplemental Document - Meritech Inc. Contract Amendment](#)
[Meritech FR23-248 Amend 1](#)

23-0069 **Additional Funding for Contract with Teague Campbell Dennis & Gorham LLP**

Agenda Text: The Board is requested to approve an increase in the contract with Teague Campbell Dennis & Gorham LLP in an amount up to \$202,900 for legal services.

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

Resource Persons: Alan A. Andrews, County Attorney

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

23-0071 **Durham County Matching Grants Program - Approval of FY 2022-23 Grant Cycle**

Agenda Text: The Board is requested to approve the funding requests for the current cycle of the Durham County Matching Grants Program for three projects totaling \$100,000. The Durham County Matching Grants Program for Open Space and Recreation Projects, now in its 32nd year, provides matching funding for local non-profits to pursue projects that protect open space or provide recreational opportunities for citizens of Durham County. The projects must be open to the public. The program is annually funded from the County's operating budget, which for FY22-23 totaled \$100,000. The program requires a 50% match from applicants, which can include a cash match as well the value of volunteer labor towards producing the project. Over the life of the program, the Durham County Matching Grants program has supported 125 wide ranging community projects with a total value of over 6.2 million dollars using just over \$2 million in county matching funds.

The 2022-23 cycle of the Matching Grants Program includes three applications for projects that totaled \$100,000. The Durham Open Space and Trails Commission (DOST) recommended approval of the projects at their meeting on January 18, 2023. The groups and amounts are as follows: Christus Victor Lutheran Church - \$35,200, Urban Community AgriNomics (UCAN) -\$40,000, and Ellerbe Creek Watershed Association - \$24,800. The projects are further described in the attached supplemental document with locations shown on the attached map.

Alignment with Strategic Plan: This program supports Goal 2 of the strategic plan, "Health and Well-being for All" by increasing the quality of life in Durham County, as well as Goal 4: Environmental Stewardship and Community Prosperity".

Resource Persons: Brendan Moore, Open Space Land Manager; Annette Montgomery, Chair, Matching Grants Committee of DOST; Jane Korest, Open Space and Real Estate Manager

County Manager's Recommendation: The County Manager recommends that the Board receive the attached Matching Grants Project recommendations and approve funding for the proposed projects totaling \$100,000.

Attachments: [AAF Supplemental Document - Non-contract Matching Grants Summary 2022](#)
[Attachment 1 Matching Grant Project Summary Sheet FY22-23](#)
[Attach 2 FY22-23 Matching Grants Project Locations](#)

23-0075

Capital Project Amendment No. 23CPA00016 Appropriating \$3,500,000 of PAYGO Funding to Create both the Board of Elections S. Roxboro Renovation Project (47302645DC155) and the Shoppes of Hope Valley Roofing and HVAC project (47302645DC156), as well as Authorize the County Manager to Execute a Contract for Architectural Design Services with RND Architects for both Projects

Agenda Text:

The Board is requested to approve Capital Project Amendment No.23CPA00016 appropriating \$3,500,000 of County PAYGO funding and to create a new Board of Elections (BOE) S. Roxboro Renovation capital project (4730DC155) and a Shoppes of Hope Valley (SHV) Roofing and HVAC capital project (4730DC156), and authorize the County Manager to execute a contract with RND Architects to provide architectural services for both the Board of Elections S. Roxboro Renovations capital project and the SHV Roofing & HVAC capital project, located at 3825 S. Roxboro Street, for a fee not to exceed \$2,528,960. The total including architectural fees, reimbursables and contingency fees are not to exceed the budget of \$3,500,000 (BOE-\$3.1M & SHV-\$400,000). (See Attachment 2, Pages 1-7).

The initial design funding for these projects is coming from already approved Board authorized PAYGO funds approved as part of the FY 2022-23 annual budget.

Project	Current	Increase	Revised
BOE S. Roxboro Renovation Project (4730DC155) <i>NEW</i>	\$0.00	\$ 3,100,000.00	\$ 3,100,000.00
Shoppes of Hope Valley Roofing and HVAC Project (4730DC156) <i>NEW</i>	\$ 400,000.00	\$ 0.00	\$ 400,000.00
TOTAL	\$0.00	\$ 3,500,000.00	\$ 3,500,000.00

The goal of the Board of Election's project is to renovate approximately 58,000 square feet of space at the SHV - formerly used as a Kroger grocery store - to house Durham County Board of Elections. The new facility will consolidate all of the Board of Election's operations within a single facility. The scope of work includes interior renovations, exterior façade improvements, roofing replacement, and full building system replacements for the designated space.

In addition, a second project includes roof replacement and the rooftop HVAC unit replacement for the remainder of the strip shopping center located at 3825 South Roxboro Street. The project will be designed and constructed in three phases to accommodate the desired move-in date, site planning approvals, and the availability of funding for Phase 2:

Phase 1a: BOE Basic Services plus; Interior Renovations, MEP Systems, and Roof Replacement (everything associated getting the BOE portion of the project up and running in December 2023.) Basic Services plus; Coordination of 3rd Party Commissioning, Photo Voltaic Study and System Design, and design of Furniture Fixtures and Equipment

Phase 1b: BOE Basic Services plus: Exterior Improvements; Building Façade/Site Improvements (this scope requires Site Plan Approval and, therefore, will begin construction after phase 1A. Basic Services plus Site Due Diligence / Site Assessment, Surveying and Site Plan Approval

Phase 2: Shopping Center roofing and rooftop HVAC.

The request for qualifications (RFQ No.23-009) for the BOE S Roxboro Street Renovation was advertised on October 14, 2022, three (3) responses were received on November 15, 2022. The responses were reviewed by representatives from Engineering, General Services and Board of Elections. RND was selected as the appropriate firm for these projects. RND will be utilizing 57.7% MWBE certified Woman-Owned businesses for MWBE subcontracting participation.

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

Resource Persons: Peri Manns, Asst. General Manager/Deputy Director of Engineering and Environmental Services. Brenda Hayes-Bright, Assoc. AIA, CDT, MPM, Project Manager, S. Keith Lane, Director of Budget and Management Services, Charles Nicholson, AIA, RND Architects.

County Manager's Recommendation: The Board is requested to approve Capital Project Amendment No.23CPA00016 appropriating \$3,500,000 of County PAYGO funding to create a new Board of Elections S. Roxboro Renovation capital project (4730DC155) and a Shoppes of Hope Valley Roofing and HVAC capital project (4730DC156), as well as authorize the County Manager to execute a contract with RND Architects to provide architectural services for both the Board of Elections S. Roxboro Renovations capital project and the SHV Roofing & HVAC capital project, located at 3825 S. Roxboro Street, for a fee not to exceed \$2,528,960. The total including architectural fees, reimbursables and contingency fees are not to exceed the budget of \$3,500,000 (BOE, \$3.1M & SHV, \$400,000) (See Attachment 2, Pages 1-7).

Attachments: [AAF Attachment 2 RND BOE S Roxboro St Reno01252023](#)
[CPA-16 LEGAL FORM Appropriating \\$3.5M of PAYGO to Create BOE Renovat](#)
[AAF Supplemental Document RND Contract BOE Reno012523](#)
[MWBE Compliance Review Form-AAF for 23-009 RFQ Phases 12 020323](#)

23-0080 **Budget Amendment No.23BCC0064 and Capital Project Amendment No.23CPA00015 appropriating \$2,079,600 of Sewer Utility Fund Fund Balance to the New Supervisory Control & Data Acquisition System (SCADA) Upgrade Capital Project (SE061); Budget Amendment No.23BCC000065 Appropriating \$15,000 of General Fund Fund Balance to the Rougemont Fund Center to Cover the Cost of Upgrading the Rougemont Supervisory Control and Data Acquisition System (SCADA); as well as Authorize the County Manager to Execute a Contract with CITI, Inc. for the Installation of the SCADA Upgrade Project in the amount of \$1,745,500 and Execute Any Related Contract Amendments Not to Exceed a Total Project Budget of \$2,094,600**

Agenda Text: The Board is requested to approve Budget Amendment No.23BCC0064 and Capital Project Amendment No.23CPA00015 appropriating \$2,079,600 of Sewer Utility Fund Fund Balance to the new Supervisory Control & Data Acquisition System (SCADA) Upgrade Capital Project (SE061); Budget Amendment No.23BCC000065 appropriating \$15,000 of General Fund Fund Balance to the Rougemont Fund Center to cover the cost of upgrading the Rougemont Supervisory Control and Data Acquisition System (SCADA); as well as authorize the County Manager to execute a contract with CITI, Inc. for the installation of the SCADA Upgrade Capital Project in the amount of \$1,745,500 and execute any related contract amendments not to exceed a total project budget of \$2,094,600.

Project details:

The purpose and intent of the Request for Proposals (RFP) was to solicit proposals from qualified firms to provide materials and services to upgrade the existing Supervisory Control and Data Acquisition System (SCADA). This includes updating the current SCADA, PLCs, Fiber Optic Cables and adding thirteen (13) Lift Stations, one (1) chlorine monitoring station and one (1) water treatment well station to the system. The system will utilize Ignition SCADA Software and Allen Bradley PLCs.

Currently SCADA is only available at the Triangle Wastewater Treatment Plant which was installed twenty years ago and is no longer capable of handling any additional equipment. The pump stations have simple telemetry only that can call out for a few emergencies such as high wet well and power failure alarms. SCADA provides instant access to information that allows operational staff to make decisions, analyze data, and an opportunity to see problems in real time. SCADA helps detect

inconsistencies in day-to-day operations and aids in advance problem solving allowing more energy-efficient operations. SCADA allows several benefits to a utility such as proactive maintenance by identifying causes of failure, quick responses to issues, automated controls, customized alerts, detailed reporting, integration with current equipment, and network security.

Durham County issued a Requests for Proposal (RFP 23-007) on September 18, 2022. RFP 23-007 was advertised in local newspapers and on the Durham County website. Additionally, the requirements were emailed to multiple contractors. Only one bid was received on October 20, 2022. The bid tabulation is attached. In review of the MWBE Compliance for RFP 23-007 Supervisory Control & Data Acquisition System (SCADA) Upgrade for TWWTP, CITI, Inc. is an MWBE Certified Hispanic American business and will be utilizing 100% of their own MWBE workforce to perform this work on the project.

A twenty percent contingency (\$1,745,500 contract award amount x 20% contingency = \$349,100 contingency = total project budget \$2,094,600) has been added as the not to exceed amount for the project to cover any unexpected expenses that may arise. However, none are anticipated at this time.

The separation of the Enterprise Fund and General Fund (Rougemont) portion of this project is to recognize that Enterprise Funds are only expended on items related to the system and its specific fee base. The Rougemont system has been a General Fund expense in recent years and is separated to ensure Enterprise fees are not used to cover that expense.

Alignment with Strategic Plan: Goal 4: Environmental Stewardship and Community Prosperity; Goal 5: Accountable, Efficient and Visionary Government

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director of Engineering and Environmental Services; Wade Shaw, Utilities Superintendent; Susan Tezai, Chief Financial Officer.

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Amendment No.23BCC0064 and Capital Project Amendment No.23CPA00015 appropriating \$2,079,600 of Sewer Utility Fund Fund Balance to the new Supervisory Control & Data Acquisition System (SCADA) Upgrade Capital Project (SE061); Budget Amendment No.23BCC000065 appropriating \$15,000 of General Fund Fund Balance to the Rougemont Fund Center to cover the cost of upgrading the Rougemont Supervisory Control and Data Acquisition System (SCADA); as well as authorize the County Manager to execute a contract with CITI, Inc. for the installation of the SCADA Upgrade Capital Project in the amount of \$1,745,500 and execute any related contract amendments not to exceed a total project budget of \$2,094,600.

Attachments:[AAF Supplemental Doc SCADA](#)[MWBE Compliance Review Form-AAF for 23-007 RFP 110422](#)[Evals and Disclosure](#)[RFP No. 23-007 Evaluation Summary](#)[RFP 23-007 Proposal Tab-Supervisory Control & Data Acquisition System Upgr](#)[RFP 23-007-Supervisory Control & Data Acquisition System Upgrade -DCo TW](#)[RFP 23-007 Adden 1-Supervisory Control & Data Acquisition Sys Upgrade](#)[BCC-65 LEGAL FORM Appropriating General Fund Fund Balance to Rougemoi](#)[BCC-64 and CPA-15 LEGAL FORM Appropriating Sewer Utility Fund Fund Bal](#)[CPA-15 and BCC-64 LEGAL FORM Appropriating \\$2,079,600 for SCADA proje](#)**23-0081**

Budget Amendment No.23BCC000063 and Capital Project Amendment No.23CPA00014 Appropriating \$590,436 of Sewer Utility Enterprise Fund Fund Balance and Transferring Those Funds to the New Triangle Wastewater Treatment Plant Access Control and Video Management System Capital Project (SE060); Awarding the Request for Proposal (RFP 23-006) Contract to Brady Integrated Security, Inc.; as well as Authorizing the County Manager to execute the contract in the amount of \$536,760 and execute any related contract amendments not to exceed a total project budget of \$590,436.

Agenda Text:

The Board is requested to approve Budget Amendment No.23BCC000063 and Capital Project Amendment No.23CPA00014 appropriating \$590,436 of Sewer Utility Enterprise Fund Fund Balance and creating the new Triangle Wastewater Treatment Plant Access Control and Video Management System Capital Project (SE060) in the amount of \$590,436. The Board is also requested to award the contract to Brady Integrated Security, Inc. for the installation of security (S-2) access control and video management system at the Triangle Wastewater Treatment Plant (RFP 23-006) in the amount of \$536,760 and authorize the County Manager to execute the contract and any related contract amendments not to exceed a total project budget of \$590,436.

Name / Location of Project	Current Budget	Increase/Decrease	Revised Budget	Project Status
----------------------------	----------------	-------------------	----------------	----------------

Triangle Wastewater Treatment Plan Access Control and Video Management System Project (SE060)	\$0.00	\$590,436	\$590,436	NEW
---	--------	-----------	-----------	-----

Background/Justification

The Utilities Division desires to replace its existing analog camera system that is obsolete and add badging access control to follow security measures as in other County facilities.

Durham County issued a Request for Proposal (RFP 23-006) on September 11,

2022. RFP 23-006 was advertised in local newspapers and on the Durham County website. Additionally, the requirements were emailed to multiple contractors. Only one bid was received on October 11, 2022. Brady Integrated Security was deemed as a qualified firm for the project, based on an evaluation committee's review. Brady Integrated Security, Inc. has completed this type of work for the County previously at other facilities. A bid tabulation and evaluation summary are attached.

In review of the MWBE Compliance for RFP 23-006 Access Control and Video Management System, there were no participation goals achieved on this project. Brady Integrated Security, Inc. will be utilizing their own workforce to perform this particular service on the project.

In review of the MWBE compliance with IFB 18-040R1 Aeration System Improvements for the TWWTP, English Construction Company, Inc. will be utilizing a total of 37.04 percent MWBE certified Women-Owned businesses.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: "Environmental Stewardship and Community Prosperity," as this will ensure the protection of the Utility Division facility, staff, and contractors.

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

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Amendment No.23BCC000063 and Capital Project Amendment No.23CPA00014 appropriating \$590,436 of Sewer Utility Enterprise Fund Fund Balance and creating the new Triangle Wastewater Treatment Plant Access Control and Video Management System Capital Project (SE060) in the amount of \$590,436. The Board is also requested to award the contract to Brady Integrated Security, Inc. for the installation of security (S-2) access control and video management system at the Triangle Wastewater Treatment Plant (RFP 23-006) in the amount of \$536,760 and authorize the County Manager to execute the contract and any related contract amendments not to exceed a total project budget of \$590,436.

Attachments:

[Supplemental Document Security System](#)

[CPA Legal Form Security System Project](#)

[MWBE Compliance Review Form-AAF for 23-006 RFP 102722](#)

[Bid Proposal from Brady](#)

[Security Package Grading & Disclosure Statements](#)

[RFP 22-006 Proposal Tab-Security Access Control & Video Mgmt Systems-TW](#)

[CPA-14 and BCC-63 LEGAL FORM Appropriating Sewer Utility Enterprise Func](#)

[BCC-63 and CPA-14 LEGAL FORM Appropriating Sewer Utility Enterprise Func](#)

23-0083

Interlocal Cooperation Agreement for the Division of Sales Tax

Between the County of Durham and the City of Durham July 1, 2023 to June 30, 2024**Agenda Text:**

The Board is requested to approve a one-year interlocal cooperation agreement for the division of sales tax between the County of Durham and the City of Durham for the period July 1, 2023 through June 30, 2024. This interlocal pertains to Sales Tax Articles 39, 40, & 42. City administration has agreed to extending the current interlocal agreement per established guidelines for an additional year. The new interlocal agreement would exist for one fiscal year, from July 1, 2023 to June 30, 2024.

The current agreement, renewed annually, since July 1st, 2020, splits all collected sales tax for both the City and County, with the County receiving 56% of the total amount and the City 44%. Per state statute the County Commissioners have the authority to set the distribution method for Sales Tax Articles. This agreement continues the use of the Per Capita Distribution method which is best for both local governments due to the nuances of the Ad Valorem method.

The proposed interlocal agreement would continue to split all collected sales tax for both the City and County, with the County receiving 56% of the total amount and the City 44% and extend the terms of the ILA through June 30, 2024.

The Durham City Council is set to approve this annual interlocal cooperation agreement at an upcoming City Council meeting for the next fiscal year (FY 2023-24).

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

Resource Persons: S. Keith Lane, Budget & Management Services Director

County Manager's Recommendation: The County Manager recommends that the Board approve a one-year interlocal cooperation agreement for the division of sales tax between the County of Durham and the City of Durham for the period July 1, 2023 through June 30, 2024 and authorize the County Manager to sign of this agreement.

Attachments:

[FY 2023-24 Sales Tax ILA](#)

23-0091**Approval of Interlocal Agreement with the City of Durham to Support the Bull City United Program****Agenda Text:**

The Board is requested to review and approve the Durham City-County interlocal agreement to continue support of the expanded Bull City United anti-gun violence program.

In 2021, Durham City Council partnered with Durham County Government

approving funding to expand the Bull City United program to census tracts 11.00, 13.04, 17.09, and 23.00. An interlocal agreement with Durham County was developed that established eighteen full-time positions at a cost not to exceed \$935,488 annually to support the four additional census tracts. The eighteen new City-funded positions are one Supervisor, five Outreach Workers, and twelve Violence Interrupters.

Alignment with Strategic Plan: Goal 2: Community Health and Well-being

Resource Persons: Krystal Harris, Director - Community and Intervention Support Director and Joanne Pierce, General Manager

County Manager's Recommendation: The County Manager recommends that the Board approve the interlocal agreement.

Attachments: [Agreement - BCU Interlocal - FY2023](#)

23-0092

Short term Property Management Agreement with The Wood Group, LLC for the Shoppes of Hope Valley located at 3825 S. Roxboro St. Durham, NC 27707

Agenda Text:

The Board is requested to approve the attached Service Contract between Durham County and The Wood Group, LLC for the management of the inline portion of the Shoppes of Hope Valley, located at 3825 S. Roxboro St. Durham, NC 27707 for a fee of \$6000 per month for a period of up to six (6) months beginning on the date of the purchase of the shopping center by Durham County.

Durham County is in the process of purchasing the Shoppes of Hope Valley Shopping Center, a purchase that was approved by the Board of County Commissioners on August 8, 2022. The property includes two distinct sections - the former Kroger grocery store, and the inline retail suites. This Service Contract applies strictly to the inline portion of the property. There are currently 19 retail tenants under lease, and seven (7) vacant suites. Durham County requires the services of a Property Management firm to manage the property and tenants on a temporary basis while a long-term agreement is executed with Property Management Firm selected through a competitive selection process. A Request for Proposals will be advertised, and a selection process will commence in March 2023.

The Wood Group, LLC is the current Property Manager for the shopping center under the current owner, BC Wood Properties. The principals of The Wood Group have agreed to maintain their role under the County's ownership for a period not to exceed six (6) months following the purchase of the property. They have agreed that they will not respond to the Request for Proposals, as their role as property manager is generally limited to properties owned by the investment firm BC Wood Properties.

The services to be performed by The Wood Group under this Service Contract are

as follows:

1. Property Manager will employ at its expense all personnel and facilities necessary and appropriate to enable it to perform the services required of it hereunder.

2. Property Manager shall oversee the maintenance and upkeep of the Property as may be necessary or appropriate from time to time along with the engagement of such vendors as may be necessary to maintain the Property in good order. Provided however, that the cost of such vendors shall be for the account of Owner and Property Manager shall pay any such invoices directly to any such vendor. For any repair that is anticipated to exceed \$1,000 Property Manager shall obtain written approval from Owner before engaging any vendor to complete the repair.

3. All accounting duties, including the keeping of proper and complete books of account for the Owner shall be kept by or under the supervision of the Property Manager. The Owner shall assist in providing any information in its possession necessary or helpful for the accounting function.

4. All rental payments shall be paid to Property Manager for the benefit of Owner and shall be kept in a segregated account, and a full accounting of all income and expenses shall be delivered by the Property Manager to the Owner on a monthly basis.

5. Property Manager shall serve as the leasing agent for the Property, though Property Manager shall not enter into any new leases, amendments, or terminations on behalf of Owner without Owner's consent. In consideration of the leasing services to be provided by the Property Manager, Owner shall pay the Property Manager leasing commissions as set forth on Exhibit A attached hereto. A complete leasing report shall be delivered by the Property Manager to the Owner on a monthly basis.

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

Resource Persons: Nancy Mitchell, Sr. Real Estate Officer, Peri Manns, Asst. General Manager/Deputy Director of Engineering and Environmental Services.

County Manager's Recommendation: The County Manager recommends that the Board approve the attached Service Contract between Durham County and The Wood Group, LLC for the management of the inline portion of the Shoppes of Hope Valley, located at 3825 S. Roxboro St. Durham, NC 27707 for a fee of \$6000 per month for a period of up to six (6) months beginning on the date of the purchase of the shopping center by Durham County.

Attachments:

[Service Contract - Property Management](#)

[Attachment 1 - Scope of Services Property Management Agreement](#)

[Commission Schedule](#)

5. Discussion Items (215 min)**23-0079****Presentation from Forward Cities on the E3 Durham Community Navigator Program (30min)****Agenda Text:**

The Board is requested to receive a presentation from Forward Cities on the Equity for Every Entrepreneur (E3) Durham Community Navigator program.

In October of 2021, the Small Business Administration announced that Forward Cities application for the Community Navigator Pilot Program received a \$1 million award to create a network of organizations committed to serving small businesses and entrepreneurs in underserved communities. Forward Cities application on behalf of Durham was the only successful application in the state.

Forward Cities serves as the lead organization or "hub" and incorporates "spokes" to leverage partnerships with deeply trusted community-based organizations to help small businesses connect with resources and opportunities. Spokes include the following Durham-based organizations: Durham Tech Small Business Center, Echo, Infinity Bridges, Inc., Knox St. Studios, North Carolina Central University School of Business, and Provident1898. Durham County and the City of Durham both serve as strategic partners to this effort.

Utilizing a "hub and spoke" model, the E3 Durham Community Navigator Program will support the development of a stronger network of local entrepreneur support organizations, improving trust and collaboration between institutional and grassroots organizations.

Building on Forward Cities' ethos of ensuring Equity for Every Entrepreneur, the E3 Durham program will work with Navigators to recruit and support entrepreneurs and small business owners through services focused on Connections, Convenings, Counseling, Capital, Care, Civic Supports, Communications, and Coordination.

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

Resource Persons: Andrew Miracle, Economic Development Director; Fay Horwitt, President and CEO, Forward Cities; Stacey Williams, Senior Director of Impact and Assessment, Forward Cities; Sabria Futrell, Economic Development Coordinator

County Manager's Recommendation: The County Manager recommends that the Board receive a presentation from Forward Cities on the E3 Durham Community Navigator program.

Attachments: [Forward Cities E3 Durham Worksession Presentation 2-6-23](#)

23-0089 **Community Intervention and Support Services Department Presentation (30min)**

Agenda Text: The Board is requested to receive an update from the Community Intervention and Support Services department. This presentation will provide an overview of department staffing levels, website development, and highlight key community partnerships that advance the services offered through the programs within the department supporting participants and the community at large.

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

Resource Persons: Krystal Harris, MSW, Director - Community Intervention and Support Services (CISS) Department and Uzuri Holder, LCSW, Program Manager, Duke University Hospital

County Manager's Recommendation: The County Manager recommends that the Board receives this presentation as information.

Attachments: [BOCC Presentation_02062023](#)

23-0074 **Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Annual Report (20min)**

Agenda Text: The Board is requested to receive a presentation of the annual report from the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization.

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is the regional transportation planning agency in North Carolina's western Triangle. In cooperation with NCDOT, the MPO is responsible for planning and programming funds for all modes of transportation including highways, public transportation, freight, bicycles, and pedestrians. As a part of its Public Involvement Process, DCHC MPO will present its FY2021-2022 Annual Report.

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: Doug Plachcinski, Executive Director, DCHC MPO; Ellen Beckmann, Durham County Transportation Manager

County Manager's Recommendation: The County Manager recommends that the Board receive a presentation of the annual report from the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization.

Attachments: [DCHC MPO 2021-22 Annual Report Presentation -Durham County](#)

LUNCH

23-0076 **Update on the Durham County Memorial Stadium Operations (20min)**

Agenda Text: The Board is requested to receive an update regarding the operations of Durham County Memorial Stadium.

Stadium Manager and the Stadium Authority continue to pursue new policies to assist in modernizing stadium processes and creating a more dynamic events facility. This update addresses the current stadium environment, provides an update on policy creation and will provide an opportunity for the Board to ask questions of stadium leadership.

Alignment with Strategic Plan: This item aligns with Strategic Goal 5 - Develop effective and efficient business processes and procedures for optimization of resources and results and to ensure positive outcomes

Resource Persons: Zachary Pritchard, Stadium Manager; Pam Karriker, Stadium Authority Chair; Motiryo Keambiroiro, Director General Services

County Manager's Recommendation: The County Manager recommends that the Board receive the update on the operations of the Durham County Memorial Stadium

Attachments: [AAF Supplemental Document - Stadium 02062023](#)
[Durham County Government Stadium Update - January 2023](#)

23-0072 **National Opioid Settlement Funding Framework - Survey Update and Next Steps (30min)**

Agenda Text: The Board is requested to receive a brief update on preliminary results from the community survey and provide input on the planned next steps.

Durham County launched a survey to receive community input on the use of funds received from the National Opioid Settlement. The survey closed on January 31, 2023. This update will summarize preliminary results from the responses received and discuss planned next steps.

Alignment with Strategic Plan: This agenda item aligns with Goal 2 (Healthy Community), Goal 3 (Safe Community) and Goal 5 (Visionary Government) of Durham County's Strategic Plan.

Resource Persons: Gudrun Parmer, Interim General Manager for Safe Community and Director of the Criminal Justice Resource Center

County Manager's Recommendation: The County Manager recommends that the Board receive a brief update on preliminary results from the community survey and provide input on the planned next steps.

Attachments: [BOCC 23.02.06](#)

23-0067 **Update to the Environmental Affairs Board City-County Interlocal Agreement (ILA) (20min)**

Agenda Text: The Board is requested to approve an updated City-County Environmental Affairs

Board (EAB) Interlocal Agreement to change the composition of the Board.

The EAB seeks to update the 2019 version of the Interlocal Cooperation Agreement (ILA) between the City of Durham and Durham County, with the goal of making participation on the EAB more accessible to a diversity of Durham residents, including youth. The City has already approved this version of the ILA.

The EAB currently has fifteen voting seats for residents and seven non-voting ex officio members. Eleven of the resident seats are designated to be filled by individuals with particular issue-area expertise, three are At-Large seats, and one is filled by the Soil and Water Conservation Board of Supervisors (SWCB). The EAB proposes to change all eleven of the issue-area City and County appointed seats to At-Large seats. The intent of this change is to make the EAB more accessible to a variety of potential applicants and to enable the EAB to be more flexible in addressing a wide range of environmental issues over time. The current restrictions on who can apply based on issue-area expertise is a barrier for many people who have relevant lived experiences in environmental issues and whose voices are missing from current EAB discussions.

The proposed changes also add three youth seats to increase the voice of younger residents. These voting seats would be filled with residents ages 15-22 for one-year terms with the ability to serve up to four years. Youth members would have to wait two years before applying for a non-youth seat. In making recommendations for appointments, the EAB chair would continue to consider whether Board membership comprises experience and expertise in areas including the current seat-specific topics such as energy, public health, etc. The SWCB would continue to appoint one of its members to serve on the EAB.

Alignment with Strategic Plan: This item aligns with Strategic Plan Goal 4 (Environmental Stewardship and Community Prosperity), and Goal 5 (Accountable, Efficient, and Visionary Government).

Resource Persons: Tobin L. Freid, Sustainability Manager; Peri Manns, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board approve the updated City-County Environmental Affairs Board Interlocal Agreement to change the composition of the Board.

Attachments:

[Proposed 2023 Durham Environmental Affairs Board Interlocal Cooperation Agreement](#)
[Environmental Affairs Board ILA proposed changes 2023 redline](#)

23-0105

Durham County Sheriff's Office Grant Amendment with The Institute for Intergovernmental Research (IIR) In the Building Bridges Between Jails and Community-Based Treatment for Opioid Use Disorder Demonstration Project Extending the Grant Period to February 28, 2023 (5min)

Agenda Text:

The Board is also requested to suspend the rules and vote on the approval and authorize the County Manager to execute a grant amendment to the subaward agreement between Durham County and the Institute for Intergovernmental Research

(IIR) in the Building Bridges Between Jails and Community-Based Treatment for Opioid Use Disorders Demonstration Project extending the Grant Period to February 28, 2023.

This is a no-cost extension through February 28, 2023, and services provided to the Durham County Sheriff's Office are not to exceed \$110,795. The Subaward Agreement started in March 1, 2020, through February 28, 2021, and was subsequently extended through December 31, 2022, by and between the Institute for Intergovernmental Research (IIR) and the Durham County Government (DCG). The previous amendment (AAF#21-0522) was approved by the Board on September 13, 2021. This amendment will provide the time needed for Detention Staff to utilize the remaining funds within the agreement, including Medication Assisted Treatment (MAT) Training.

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

Resource Persons: David LaBarre, Director of Planning & Development, Durham County Sheriff's Office; Clarence Birkhead, Sheriff, Durham County Sheriff's Office.

County Manager's Recommendation: The Board is also requested to suspend the rules and vote on the approval and authorize the County Manager to execute a grant amendment to the subaward agreement between Durham County and the Institute for Intergovernmental Research (IIR) in the Building Bridges Between Jails and Community-Based Treatment for Opioid Use Disorders Demonstration Project extending the Grant Period to February 28, 2023.

Attachments: [2020-BRIDGES-0066 Durham County Govt Subaward amend 2 ext only w attac](#)

23-0077

Provide a Letter of Support for General Services' Application to the Environmental Protection Agency's Solid Waste Infrastructure for Recycling Grant Program to Obtain Federal Funding for the Renovation of the Redwood Convenience Site (5min)

Agenda Text:

The Board is requested to suspend the rules and vote to provide a letter of support General Service's application to the Environmental Protection Agency's (EPA) Solid Waste Infrastructure for Recycling Grant Program to obtain federal funding for the renovation of the Redwood Convenience Site.

The Solid Waste Infrastructure for Recycling (SWIFR) Grant Program for Political Subdivisions of States and Territories offers funding for infrastructure to improve or increase recovery, reuse, recycling, repair, refurbishing, or composting of post-consumer materials. A grant project may request a minimum of \$500,000 in funding and maximum of \$4,000,000 in funding. The EPA anticipates awarding approximately 25 assistance agreements with at least one award per each EPA Region. Applications are due February 15, 2023. Announcements of SWIFR selections will be in April 2023.

The County's application will request approximately \$2.5 million for construction and equipment related costs for the renovation. Though a cost share is not required, the application has included a County contribution of \$450,455.

The Solid Waste Division has partnered with the Triangle J Council of Governments (TJCOG) Grant Assistance Program to write the application. The Grant Assistance Program provides comprehensive assistance on grant tracking, project and proposal development, grant writing, reporting, funding agency engagement, and application evaluation for federal, state, and private funding programs. More than 1/3 of TJCOG member governments, including Durham County, currently participate in the program and pay a pro-rated annual cost that enables TJCOG to staff a sustainable and robust program.

Alignment with Strategic Plan: This item aligns with Goal 5, Accountable, Efficient, and Visionary Government, and Goal 4, Environmental Stewardship and Community Prosperity.

Resource Persons: Chrissie Koroivui, Solid Waste Program Manager, General Services; Motiryo Keambiroiro, Director, General Services

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules and vote to provide a letter of support for General Services' application to the Environmental Protection Agency's Solid Waste Infrastructure for Recycling Grant Program to obtain federal funding for the renovation of the Redwood Convenience Site.

Attachments: [Draft Letter of Support](#)

23-0107

Approval to enter into a contract with The National Institute of Minority Economic Development (The Institute), to serve as the fiscal agent for the Hayti Reborn - Justice Movement (15 minutes)

Agenda Text:

The Board is requested to enter into a \$2,000,000 contract with The National Institute of Minority Economic Development (The Institute), to serve as the fiscal agent for the Hyati Reborn - Justice Movement. The Hayti Reborn - Justice Movement serves as an "umbrella organization" that works in concert with existing community partners, with a goal of developing coordinated strategies that interrupt the cycle of violence, while concurrently increasing the health and prosperity within marginalized communities.

In FY 2021-22, Durham County Government and the City of Durham established an Interlocal Agreement to expand community-based programming coordinating by the County's Community Intervention and Support Services Department. The agreement allocated \$100,000, equally funded by Durham County and City of Durham with the goal of community-based organizations that developed strategies to bolster resident and community safety and prosperity. The interlocal agreement was in addition to the

joint funding for the Bull City United initiative. The Hayti Reborn - Justice Movement will leverage the City and County's initial investment to secure additional funding, including a federal grant that will become available by Fall 2023.

The City of Durham was recently awarded funding from the Partnership for Equitable and Resilient Communities (PERC) to support results-driven partnerships targeted to advance racial equity and address justice matters for under-resourced communities. The Institute will serve as the fiscal agent for the PERC grant. The \$2.5 million PERC grant requires matching funds from other foundations, private donations or other non-government contributions. Although county dollars cannot count towards a grant match for the PERC funding, the County is committed to transformative coordination, leadership and oversight that yields optimal community outcomes.

In the January 27, 2023 meeting, the Board of County Commissioners appropriated \$2,000,000 million dollars to support the Hayti Reborn - Justice Movement. The Institute will serve as the fiscal agent for the funds. Hayti Reborn - Justice Movement will coordinate quarterly fiscal and performance reports through June 30, 2024.

Alignment with Strategic Plan: Alignment with Strategic Plan: This item aligns with Strategic Goal 1: Community Empowerment and Enrichment and Goal 3: Safe Community

Resource Persons: Dr. Kimberly Sowell, County Manager; Al Andrews, County Attorney and Claudia Hager, Deputy County Manager

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules and vote to approve the \$2,000,000 contract with The National Institute of Minority Economic Development (The Institute) to serve as fiscal agent for the Hayti Reborn - Justice Movement. The contract will extend through June 30, 2024.

Attachments: [Draft Contract The Institute - Fiscal Agent Hyati Reborn - Justice Movement](#)

23-0102

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.

23-0103

Follow-Up on Board Directives (10min)

Agenda Text:

The Board is requested to review staff follow-up regarding previously issued directives. Board directives from previous meetings as well as staff follow-up are reviewed at monthly Work Sessions. Staff strive to have all directives input into the system as accurately as possible as soon after they are issued as possible and to follow-up with the board and/or with other relevant parties in an appropriate time frame.

Alignment with Strategic Plan: Timely follow-up for board directives aligns clearly with Goal 5 of the Durham County Strategic Plan - Accountable, Efficient, and Visionary Government.

Resource Persons: Dionne Hines, Assistant to the County Manager

County Manager's Recommendation: The County Manager recommends that the Board review staff follow-up regarding previously issued directives.

6. Adjournment