



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, May 6, 2024

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.

"Land Acknowledgment"

As we convene for the Durham County Commissioners meeting, it's crucial to recognize the painful truth of history. We stand on the stolen ancestral lands of the Catawba, Eno, Occaneechi, Shakori, and Tuscarora peoples, whose deep connection to this land predates our arrival. We acknowledge with humility the unjust displacement and violence that occurred, leading to the dispossession of indigenous peoples from their homelands. Their resilience in the face of such adversity is a testament to their strength and spirit.

May we humbly honor the ancestors and elders of these nations, both past and present, by committing ourselves to fostering understanding, healing, and justice for all who inhabit this land. Let us walk forward together with open hearts, acknowledging the past and embracing a future guided by compassion, respect, and unity.

As a courtesy to others, please turn off all cell phones during the meeting.

9:00 am Work Session Agenda

1. Citizen Comments (30 min)

[24-0276](#)

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 (30 min)

24-0197 Budget Ordinance Amendment No. 24BCC00095 Appropriating General Fund Restricted Fund Balance to Increase Expenditure Authority for the Library to receive Coronavirus State Fiscal Recovery Funds in the amount \$70, 819.40

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 24BCC00095 appropriating \$70,819.40 of General Fund restricted fund balance to increase expenditure authority for the Library. This revenue is unspent monies that were received as part of the Coronavirus State Fiscal Recovery Funds' Non-Recurring State Aid to Libraries grant and became restricted fund balance at the end of FY 2022-23. Because this is restricted revenue in General Fund balance, there is no impact on unassigned fund balance. This is a budgetary entry only for FY 2023-24 to allow the spending of the restricted monies for the purposes of which they were received.

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

Resource Persons: Tammy Baggett, Library Director; Katherine Makens, Assistant Library Director; Justin Kee, Budget and Management Analyst.

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 24BCC00095 Appropriating General Fund Restricted Fund Balance to Increase Expenditure Authority for the Library to receive Coronavirus State Fiscal Recovery Funds in the amount \$70, 819.40.

Attachments: [Restricted Fund Balance for Library AAF Supplemental Form](#)
[AAF - 095 Legal form General Fund Restricted Fund Balance to Increase Expenditure Authority](#)

24-0224 Approval of Budget Ordinance Amendment No. 24BCC00098 for the

Department of Social Services to recognize Duke Energy Carolinas, LLC - 2024 “Share the Light” (STL/EEF) Funds of \$20,568.39.**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 24BCC00098 for the Department of Social Services to recognize Duke Energy Carolinas, LLC - 2024 “Share the Light” (STL/EEF) Funds of \$20,568.39.

Duke Energy Carolinas, LLC - 2024 “Share the Light” (STL/EEF) for Durham is used exclusively to provide assistance to people in crisis situations pay energy costs, unpaid deposits for utility services or unpaid reconnection charges for utility services. This program will follow the same guidelines as our state energy programs. No County dollars required.

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

Resource Persons: Maggie Cveticanin, Director, Department of Social Services, Valery Dambreville, Deputy Director, Department of Social Services, Margaret Faircloth, Assistant Director, Department of Social Services.

County Manager’s Recommendation: The County Manager recommends that the Board of County Commissioners approve Approval of Budget Ordinance Amendment No. 24BCC00098 for the Department of Social Services to recognize Duke Energy Carolinas, LLC - 2024 “Share the Light” (STL/EEF) Funds of \$20,568.39.

Attachments:

[Duke Energy 2024 Share the Light STL-EEF \\$20,568.39](#)

[Complete with DocuSign 2024 Share the Light](#)

[Duke Energy \\$20,568.39 Share the Light-EEF AAF Supplemental Doc](#)

[AAF-98 Legal Form](#)

24-0226**Approval of Budget Ordinance Amendment No. 24BCC00099 for the Department of Social Services to recognize Duke Energy Carolinas, LLC - 2024 NC Rate Settlement Funds of \$20,000.00.****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 24BCC00099 for the Department of Social Services to recognize Duke Energy Carolinas, LLC - 2024 NC Rate Settlement Funds of \$20,000.00.

Duke Energy Carolinas, LLC. funds may be used to assist Duke Energy Carolinas customers with electric bills, deposits, establishments of service, and reconnect fees. The funds have no expiration date and will follow the same guidelines as our state energy programs. No County dollars required.

Alignment with Strategic Plan: Goal 2: Health and Well-being for All which decrease health disparities within the community and Goal 3: Safe and Secure

Community to improve outcomes for vulnerable, children, youth, and adults.

Resource Persons: Maggie Cvetican, Director, Department of Social Services, Valery Dambreville, Deputy Director, Department of Social Services, Margaret Faircloth, Assistant Director, Department of Social Services.

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 24BCC00099 for the Department of Social Services to recognize Duke Energy Carolinas, LLC - 2024 NC Rate Settlement Funds of \$20,000.00.

Attachments:

[Duke Energy 2024 Rate Settlement \\$20,000.00 AAF](#)

[Duke Energy 2024 Rate Settlement \\$20,000 AAF Supplemental Doc v2](#)

[2024 2025 NC Duke Energy Carolinas Rate Settlement MOU-signed](#)

[Duke Energy 2024 Rate Settlement funds \\$20000 AAF SAP form.xls](#)

[AAF-100 Legal Form](#)

24-0228

Budget Ordinance Amendment No. 24BCC00100 Public Health to Recognize \$50,000 from NC DHHS Division of Public Health's Local and Community Support Section.

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 24BCC00100 Public Health to Recognize \$50,000 from NC DHHS Division of Public Health's Local and Community Support Section.

These funds are provided through budget receipts transferred from the ARPA Temporary Savings fund and are available through the NCGA 2023 Appropriations Act, HB 259, which provides \$50,000 grant in each year of the 2023-2025 fiscal biennium to each local health department to support activities authorized under the General Aid-to-County Agreement Addendum including the delivery of the 10 Essential Public Health Services.

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 staff training and professional development.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 24BCC00100 Public Health to Recognize \$50,000 from NC DHHS Division of Public Health's Local and Community Support Section.

Attachments: [AA 121 ARPA TSF PH Services - signed](#)
[AAF - ARPA Temporary Savings Fund - AA 121 - Supplemental Document - No](#)
[AAF - ARPA Temporary Savings Fund - AA 121 - FY24](#)
[AAF-100 Legal Form](#)

24-0229 **Budget Ordinance Amendment No. 24BCC00101 Public Health to Recognize Funds in the Amount of \$241,116 From the Division of Child and Family Well-Being, North Carolina Department of Health and Human Services for Durham's Innovative Nutrition Education (DINE) Program Implementation**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 24BCC00101 Public Health to Recognize Funds in the Amount of \$241,116 From the Division of Child and Family Well-Being, North Carolina Department of Health and Human Services for Durham's Innovative Nutrition Education (DINE) Program Implementation

In addition to previously approved staffing and programming, funds will be used to support a new 1.0 FTE Nutrition Specialist position to expand DINE programing in community settings per the approved staffing in the FY23-24 grant award. No additional County funds are requested.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This program aligns with Strategic Goal 2: Health and Well-being for All by providing nutrition education and programming to citizens of Durham County.

Resource Persons: Rodney E. Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 24BCC00101 Public Health to Recognize Funds in the Amount of \$241,116 From the Division of Child and Family Well-Being, North Carolina Department of Health and Human Services for Durham's Innovative Nutrition Education (DINE) Program Implementation

Attachments: [46342-Durham FNS Nutrition Education Contract FULLY EXECUTED](#)
[AAF - DINE contract FY23-24](#)
[AAF Supplemental Document - DINEContract FY23-24](#)
[DINE\(CRR\) FY23-24](#)
[AAF101-Legal Form](#)

24-0237 **Approval of Capital Project Amendment No.24CPA00024 and Budget Ordinance Amendment No. 24BCC00096 Appropriating \$1,875,250 of Sewer Utility Fund Fund Balance and Transferring Those Funds to the New Chin Page Road Lift Station, Force Main, and Outfall Capital Project (SE064) to Fund \$1.4M of Pre-Construction Services Costs**

with the Design-Build Firm Garney Companies, Inc. and Pay the \$385,961 Clean Water State Revolving Fund Loan Fee for the \$19.3M Project Loan, as well as Authorize the County Manager to Execute the Contract with Garney Companies, Inc. and Any Related Contract Amendments Not To Exceed \$1,875,250.

Agenda Text:

The Board is requested to approve Capital Project Amendment No.24CPA00024 and Budget Ordinance Amendment No.24BCC00096 appropriating \$1,875,250 of Sewer Utility Fund Fund Balance and transferring those funds to the new Chin Page Road Life Station, Force Main and Outfall Capital Project (SE064) to fund pre-construction services with the design-build firm Garney Companies, Inc., in the amount of \$1.4M; pay the \$385,961 Clean Water State Revolving Fund Loan Fee for the \$19.3M project loan; and authorize the County Manager to execute the contract and any related contract amendments not-to-exceed \$1,875,250.

Project	Current Budget	Increase/Decrease	Revised Budget	Project Status
Chin Page Road Lift Station, Force Main, and Outfall Project (SE64)	\$ 1,875,250.00	NEW	\$ -	\$ 1,875,250.00

Durham County (DCo) Engineering applied for and received approval from the North Carolina Department of Environmental Quality (NCDEQ) - Division of Water Infrastructure (DWI) for a Clean Water State Revolving Fund loan in the amount of \$19,298,025 for the new Chin Page Road Lift Station and associated piping, which was recommended as part of a Preliminary Engineering Report to increase sewer capacity in the Northeast Creek basin. The basin consists of the majority of Research Triangle Park (RTP) and surrounding areas. The current sewer infrastructure in this basin does not have sufficient capacity for proposed development, re-development, and future flows anticipated from the recently adopted Durham City-County Comprehensive Plan.

This project has a delivery method of progressive design-build and involves building a 10.2 million gallon per day lift station with associated force main and gravity sewer.

DCo Engineering is using the progressive design-build delivery method on this project to expedite the delivery to meet the development needs. In 2013, the General Assembly enacted legislation authorizing three new contracting methods for public construction projects: design-build (DB), design-build bridging (DBB) and public private partnerships (P3). G.S. 143-128.1A is being followed for the procurement requirements associated with this project.

In response to RFQ #24-003 for Progressive Design Build Services, six (6) Statement of Qualifications were received. Garney Companies, Inc., teamed with Freese and Nichols, were deemed the most qualified team for the project.

The project will occur in phases. Phase I, for which we are requesting this approval, is for the lift station, force main, and sewer outfall field evaluations,

permitting/encroachment and associated preliminary activities like flow projections, siting, right-of-way analysis, surveying, subsurface utility surveys, geotechnical services, and detailed design. Phase I will also result in the development of the Guaranteed Maximum Price (GMP).

Phase II, of which we will be seeking BOCC approval later, will include the actual construction.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as this project will ensure a quality delivery of the Chin Page Road Lift Station, Force Main, and Outfall Project to promote economic development.

Resource Persons: Jay Gibson PE, Director of Engineering and Environmental Services; Stephanie Brixey, Deputy Director of Engineering and Environmental Services; Jerry Morrone, Project Manager, Vincent Chirichella, Sr. Project Manager

County Manager’s Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No.24CPA00024 and Budget Ordinance Amendment No.24BCC00096 appropriating \$1,875,250 of Sewer Utility Fund Fund Balance and transferring those funds to the new Chin Page Road Life Station, Force Main and Outfall Capital Project (SE064) to fund pre-construction services with the design-build firm Garney Companies, Inc., in the amount of \$1.4M; pay the \$385,961 Clean Water State Revolving Fund Loan Fee for the \$19.3M project loan; and authorize the County Manager to execute the contract and any related contract amendments not-to-exceed \$1,875,250.

Attachments:

[240405 AAF Supplemental Document - Contract Approval - Chin Page DB Cont](#)
[240312 CPRLS DBIA 535-General-Conditions \(Final Garney Redlines 3.18.202](#)
[240312 CPRLS DBIA 545-Progressive-Design-Build-Agreement \(Final Garney](#)
[240312 CPRLS Exhibit A Owners Project Criteria](#)
[240312 CPRLS Exhibit B Scope of Phase 1 Services](#)
[240312 CPRLS Exhibit C Insurance Requirements \(Final Garney Redlines 3.1](#)
[240320 County Attorney Approval of Contract](#)
[240408 Durham County - Chin Page Road Lift Station Phase 1 MWBE Fee Sun](#)
[CPA-24 & BCC96 LEGAL FORM Appropriating Sewer Utility Fund FB for Chin F](#)
[AAF-096 & CPA-24 Appropriate \\$1,875,250 form Sewer Utility Fund FB for Chir](#)

24-0240

Approval of the FY24 Durham Transit Work Program Q4 Amendments

Agenda Text:

The Board is requested to approve an amendment to the FY24 Durham Transit Work Program.

As part of the appropriations process for the Durham County Transit Plan, an annual Work Program is developed which includes a budget for the upcoming fiscal year. The Transit Plan Governance Interlocal Agreement (“ILA”) determines the process by

which the annual budget is developed and approved and requires approval by the Durham County Board of Commissioners (“BOCC”) and the GoTriangle Board of Trustees.

The Staff Working Group (“SWG”) recommended approval of an amendment to the FY24 Durham Transit Plan at their meeting held on April 16, 2024. The BOCC is requested to adopt the amendment. A memo from the Staff Working Group Administrator describing the amendment is attached. A summary of the amendment is as follows:

1. Amendment for City of Durham Route 13 / North Durham Improvements
 - a. Decreases FY24 Work Program budget by \$976,517
2. Amendment for City of Durham GoDurham Data Processing and Visualization
 - a. Increases FY24 Work Program budget by \$63,000
3. Amendment for GoTriangle Performance Data Processing and Visualization Tool
 - a. Decreases FY24 Work Program Budget by \$31,895
4. Amendment for GoTriangle Regional Technology Plan Update
 - a. Increases Regional Technology Plan project by \$50,000
 - b. Decreases Route 800 Improvements project by \$50,000
 - c. No impact to the FY24 Work Program budget
5. Amendment for City of Durham GoDurham Access Paratransit Study
 - a. Increases FY24 Work Program budget by \$20,107

Alignment with Strategic Plan: This item aligns with Goal 4 (Environmental Stewardship and Community Prosperity. Transportation affects many aspects of our residents’ lives including access to education, jobs, and healthcare which may all provide better opportunities and quality of life.

Resource Persons: Brandi Minor, CLGFO, Senior Administrative Officer

County Manager’s Recommendation: The County Manager recommends that the Board approve the FY24 Durham Transit Plan Q4 Work Program Amendment.

Attachments: [FY24 Q4 Amendment Package for BOCC](#)

24-0250

Approval to Enter into a Contract with Info-Tech Research Group in the Amount of \$432,000.00 to Implement the Next Phase of Execution in Selection of the County ERP System.

Agenda Text:

The Board is requested to authorize the County Manager to enter a \$423,000.00 contract with Info-Tech Research Group utilizing IS&T current fiscal year 2023-2024 operational budget. The contract will allow Durham County to secure consulting services to assist with the second phase of the planning and development of the County Enterprise Resource Planning (ERP) strategy and roadmap. ERP Systems support all the core functions of business operations including finance, human

resources, budget, procurement, supply chain and other ancillary operations.

Durham County has completed the initial planning stages of a highly complex initiative to upgrade and replace an aging ERP solution (SAP). The current SAP system will eventually no longer be supported by the vendor. A critical deliverable from InfoTech in this next phase will be to assist with executing the roadmap activities identified in the initial phase while facilitating the selection of the best fit solution. This will involve multiple stakeholders from departments that depend on a robust and user-friendly ERP to conduct County business. The selection and implementation of an ERP is a major project for the County affecting all areas of operations. The vendor provides structured support and guidance to ensure a cost-effective, organized and efficient process in selecting the County's next ERP system.

Alignment with Strategic Plan: Goal 5 - Accountable, efficient, and visionary government

Resource Persons: Greg Marrow, CIO; Tamara Minor, Senior IT Business Specialist

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to approve the execution of a contract with Info-Tech Research Group in the amount of \$423,000.00 utilizing current IS&T fiscal year 2023-2024 operational budget. The County Manager also recommends the Board allow the County Manager to sign off on subsequent renewals, extensions, or amendments associated with this contract as necessary to continue services as required.

Attachments: [Info Tech Research Group -CP - ERP Strategy Project - 05-01-24 thru 08-30-24](#)
[AAF Info-Tech Supplemental Document](#)

24-0258

Request the Board Authorize the Interim County Attorney to Execute a Contract with Arthur J. Gallagher Risk Management Company, LLC for Insurance Brokerage and Risk Management Services in the Amount of \$42,000.00

Agenda Text: The Board is requested to authorize the Interim County Attorney to execute the contract with Arthur J. Gallagher Risk Management Company, LLC for insurance brokerage and risk management services. Arthur J. Gallagher has a long-standing relationship with the County serving as its insurance broker since 2012. However, their current contract ended January 9th, 2024, and an RFP was marketed for services in anticipation of the contract end.

The County finances its risk using a combination of commercial insurance and self-insurance programs. This contract ensures that this strategy remains effective and in line with current market conditions for third party insurance coverage. Arthur J. Gallagher Risk Management Company, LLC provided a response to RFP 23-012 requesting vendors for consultation services in the areas of risk financing, claims

reporting and claims management, safety and loss control, and insurance premium and bond premium payments.

Funding for this contract will come from the Risk Management budget. The services provided in this contract are critical to ensuring the County appropriately manages financial risk transfer on an annual basis through fair market pricing of insurance.

Alignment with Strategic Plan: This aligns with Strategic Goal 5: Accountable, Efficient and Visionary Government - An effective organization committed to continuous innovation, exceptional customer service, transparency, and fiscal responsibility.

Resource Persons: Curtis Massey, Interim County Attorney and Janelle Owens, Risk Manager

County Manager's Recommendation: The County Manager recommends that the Board authorize the Interim County Attorney authority to execute the contract with Arthur J. Gallagher Risk Management Company, LLC in the amount of \$42,000 for insurance brokerage and risk management services.

Attachments:

[Durham County NC - Gallagher - Service Agmt.clean.4.17.2024](#)

[GALLAGHER - Scope of Services Form-FY24](#)

[Gallagher Proposal](#)

[Gallagher COI](#)

24-0260

Acceptance of Federal Aviation Administration (FAA) Grant Offer No. 3-37-0056-066-2024 in the amount of \$15,000,000.00 to Raleigh-Durham Airport Authority (RDUAA).

Agenda Text:

The Board is requested to accept Federal Aviation Administration Grant Offer No. 3-37-0056-066-2024 on behalf of the Raleigh-Durham Airport Authority (RDU). The Raleigh-Durham Airport Authority (RDUAA) is in receipt of a new grant offer from the Federal Aviation Administration (FAA) for the Raleigh-Durham International Airport (RDU). Funds from this grant will be used for costs related to the design and construction of the Replacement Runway 5L-23R project. Grant 3-37-0056-66-2024 is in the amount of \$15,000,000.00, all of which is comprised entirely of discretionary funds.

At its April 18, 2024, meeting, the Airport Authority's Board took action to accept the grant. Under the Airport Improvement Program, Durham County, Wake County, and the cities of Durham and Raleigh are also required by the FAA to accept grant offers from the agency. Because the FAA must receive the fully executed agreement by June 14, 2024, the Airport Authority is requesting Durham County to consider accepting this grant offer as soon as possible.

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

Resource Persons: Ron Jewett, Vice President of Facilities Asset Management, Raleigh-Durham Airport Authority

County Manager's Recommendation: The County Manager recommends that the Board accepts Federal Aviation Administration Grant Offer No. 3-37-0056-066-2024.

Attachments: [Federal Aviation Administration Grant Offer 3-37-0056-066-2024 - RDU Transm](#)
[Federal Aviation Administration Grant Offer 3-37-0056-066-2024](#)

24-0261

Approve the transfer of the County's existing conservation easement on 4100 Pickett Road (partial) to Triangle Land Conservancy.

Agenda Text:

The Board is requested to approve the transfer of the County's existing conservation easement on 7.4 acres at 4100 Pickett Road (a portion of REID 138489) to Triangle Land Conservancy (TLC), and authorize the Manager to sign any documents. In September 2023 the Board approved the County's acquisition of this 7.4 acres as an addition to Hollow Rock Nature Park and approved amending the existing Durham County-held conservation easement to allow the parcel subdivision and purchase. The September 2023 Board approval did not specifically authorize the transfer of the conservation easement on the area of purchase to a third party.

The 7.4-acre addition is part of over 28 acres of Penny family land adjacent to the park. In 2006, as match to support the protection of land for Hollow Rock Nature Park, Wade and Carolyn Penny donated a conservation easement to Durham County. When the County's acquisition of the 7.4-acre addition is complete, the County will own both the land and the previously conveyed conservation easement. In these situations it is preferable, and a best management practice, for the conservation easement to be held by an entity other than the landowner. The Penny's, as original donor of the easement, have specifically requested that Triangle Land Conservancy hold the easement on Durham County's land.

Triangle Land Conservancy's Board of Directors has voted to accept the easement on Durham County's 7.4 acres, while Durham County will continue to hold the easement on the remaining Penny family land. TLC is an ideal entity to hold the conservation easement since they were a major partner in the original protection of Hollow Rock Nature Park. Their work included fund raising and ownership of two parcels in Orange County that were eventually conveyed to Orange County's Parks program. TLC has also been a partner with Durham County on several other county open space projects over the years, including the most recent protection of 178 acres adjacent to Camp Butner.

Alignment with Strategic Plan: This request aligns with the County's Strategic Goal 4: Environmental Stewardship & Community Prosperity, Goal 5: Accountable, Efficient, and Visionary Government, and Strategic Goal 2: Health and Well-being For All.

Resource Persons: Celeste Burns, Open Space and Real Estate Manager; Nathan McKinney Senior Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board approve the transfer of the County's existing conservation easement on 4100 Pickett Road (partial) to Triangle Land Conservancy and authorize the Manager to sign any relevant documents.

Attachments: [AAF Supplemental Document - Approve Transfer of Conservation Easement](#)
[Map - Hollow Rock Expansion - Easement Transfer Area](#)

24-0262

Approval of the Interlocal Agreement between the City of Durham, Durham County, and the Central Pines Regional Council regarding the Durham-to-Roxboro Rail Trail Planning and Feasibility Study

Agenda Text: The Board is requested to approve the Interlocal Agreement between the City of Durham, Durham County, and the Central Pines Regional Council regarding the Durham-to-Roxboro Rail Trail Planning and Feasibility Study. The County's non-federal match is \$33,334 and will be paid out of the existing Transportation operating budget. No new funding is needed.

The agreement will facilitate the funding and contracting for a study focused on the feasibility, benefits, cost, and impact of developing an 18-mile-long non-active rail corridor into a multi-use trail. The Durham-to-Roxboro Rail Trail was listed as a future project in the 2011 Durham Trails and Greenways Master Plan. If it were to be developed, this trail would connect northern Durham County, including Bahama and Rougemont, to the existing greenway network within the City and County.

The cost of the study will be \$500,000 total with \$400,000 of federal funding provided through the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, \$33,333 each from the City of Durham and the East Coast Greenway Alliance, and \$33,334 from Durham County.

Alignment with Strategic Plan: The plan will further the County's Strategic Plan goal for Environmental Stewardship and Community Prosperity by increasing the use of environmentally preferred transportation options.

Resource Persons: Ellen Beckmann, Transportation Director; Ryan Eldridge Transportation Planner

County Manager's Recommendation: The County Manager recommends that the Board approve the Interlocal Agreement between the City of Durham, Durham County, and the Central Pines Regional Council regarding the Durham-to-Roxboro Rail Trail Planning and Feasibility Study. The County's non-federal match is \$33,334 and will be paid out of the existing Transportation operating budget. No new funding is needed.

Signature

County Manager: _____

Attachments: [AAF Supplemental Form Contract - D-R Rail Trail Study ILA](#)
[20240424 ILA - D2R Rail Trail](#)
[Attachment 1 - Budget Description & Scope - Durham-to-Roxboro Rail Trail](#)
[ECGA Funding Commitment-Durham to Roxboro Rail Trail Planning Study](#)
[Durham-Roxboro Trail Corridor - Notable Adjacent Features v2.3 \(1\)](#)

24-0263**Approval of a Contract Amendment with RND Architects related to the Board of Elections facility, 3825 South Roxboro Street, in the amount of \$90,402.00 (Renovation Project.4730DC155)****Agenda Text:**

The Board is requested to authorize the County Manager to amend the design contract with RND Architects, (RND), to include the additional services for the Board of Elections (BOE) S. Roxboro Renovation located at 3825 S. Roxboro Street, Durham in the amount of \$90,402.00, thus increasing the total compensation for basic design services, additional design services, reimbursable expenses to \$2,619,362.00 (See Attachment 1, Pages 1-3). Funding for this amendment is available in the Capital Project account.

On February 27, 2024, the Board of County Commissioners approved a contract execution 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 current amendment will include additional design and increased project management services for: 1) Audio Visual and electronic Security planning, 2) Building Envelope Services, 3) Environmental wayfinding and Exterior signage.

Funding for this amendment, \$90,402.00, is available in the capital project account. Completion of this project consolidates BOE Services in one location and provides better customer service to the public.

Alignment with Strategic Plan: This project aligns with Goal 5 by providing more efficient service delivery and better customer service through the consolidation of BOE services.

Resource Persons: Brenda Hayes-Bright, Assoc. AIA, CDT, MPM, Project Manager; Peri Manns, ASLA, Deputy Director of Engineering & Environmental Services; Jay Gibson, P.E., Director of Engineering & Environmental Services; Keith Lane, Director of Budget and Management Services; Charles Nicholson, AIA, RND Architects.

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to amend the design contract with RND Architects, (RND), to include the additional services for the Board of Elections (BOE) S. Roxboro Renovation located at 3825 S. Roxboro Street, Durham in the amount of

\$90,402.00, thus increasing the total compensation for basic design services, additional design services, reimbursable expenses to \$2,619,362.00.

Attachments:

[Attachement 1 RND Amencment BOE 04292024](#)

[AAF Supplemental Document RND Contract amendment BOE](#)

[Attachemnt 2-AAF for CM@R BOE Reno Design Amendment 042424](#)

24-0264

Approval of the Purchase of Goods contract with Various Vendors for the Workstations, Private Office, Conference, miscellaneous furnishings and Equipment from the Omnia/GSA and/or NC State Contracts Buying Programs for the Board of Elections Renovation Project No.: (4730DC155) with a total budget amount of \$609,817.11.

Agenda Text:

The Board is requested to authorize the County Manager to enter into contracts with Carolina Business Interiors (CBI), Progressive Business solutions, Storr and Gregory Poole for the purchase of furniture and equipment for the Board of Elections renovation project located on at 3825 S Roxboro St, Durham NC Street, Durham, NC in the amount of \$554,379.19 plus owners contingency at \$55,437.92 and to execute any other related contracts, if necessary, not to exceed the budget of \$609,817.11. (See attachment 1, Pages 1-46)

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|-------------------------------------|--|
| 1) Carolina Business and Interiors: | \$153,191.29 (Office furnishings, conference room chairs, and seating) |
| 2) Progressive Business Solutions: | \$142,551.99 (Benches, Seating and misc. Tables) |
| 3) Storr Office Environments: | \$196,793.10 (Meeting & Conference room tables, etc) |
| | \$17,190.43 (recycling cans and display units) |
| 4) Gregory Poole | \$44,877.55 (Electric Forklift) |
| Furniture & Equipment Subtotal: | \$554,379.19 |
| Contingencies@10%: | <u>\$55,437.92</u> |
| Total: | \$609,817.11 |

It was noted during the November 13, 2023, approval of the Contract with Samet/WC Construction for the Board of Elections S Roxboro Street renovation construction, that subsequent furniture contracts will be brought to the BOCC for approval including individual office furnishings, conference tables, seating, workstations and etc. at a later date. The private office, conference, seating and other furnishings for the BOE Renovation, for purchase through the Omnia Buying Program, NC State Contracts, GSA and/or other buying programs. G.S.

143-129(e) allows local governments to be exempted from the competitive bidding requirements and purchase furnishings/equipment through group purchasing programs. This provides Durham County the deepest discount possible for purchases under this. The Engineering Department has reviewed the recommendations with RND and the Purchasing Department and recommends that the County proceed with the procurement of the items referenced in the attached proposals. In review of the MWBE Compliance for CM@R BOE Renovations Furniture, Progressive Business Solutions is a MWBE Certified Black American business utilizing 29% MWBE participation on this project. (See Attachment 2, Page 1).

Durham County BOE anticipates occupancy in the Fall of 2024. Funding for these contracts is available in the Board of Elections S Roxboro Street Capital project account.

Alignment with Strategic Plan: This aligns with Goal 4 - Environmental Stewardship -The relocation of various locations into this facility addresses Goal 5 by providing more efficient service delivery and better customer service.

Resource Persons: Brenda Hayes-Bright, Assoc. AIA, CDT, MPM, Project Manager; Peri Manns, ASLA, Deputy Director of Engineering & Environmental Services; Jay Gibson, P.E., Director of Engineering & Environmental Services; Keith Lane, Director of Budget and Management Services; Charles Nicholson, AIA, RND Architects.

County Manager's Recommendation: The County Manager Recommends that the Board Authorize the execution of Purchase of goods contracts with Carolina Business Interior CBI) Progressive Business solutions, Storr and Gregory Poole for the purchase of furniture and equipment for the Board of Elections renovation project located on at 3825 S Roxboro St, Durham NC Street, Durham, NC in the amount of \$554,379.19 plus owners contingency in the amount of \$55,437.92 and to execute any other related contracts, if necessary, not to exceed the budget of \$609,817.11.

Attachments: [AAF Supplemental Document BOE Furniture and Eq](#)

[Attachment 1 Furniture and Equipment backup documents04262024](#)

[Attachment 2 MWBE Compliance 050224](#)

24-0266

Lease Amendment for Angie's Jamaican Grill at 3825 S Roxboro Rd. Suite 123 at the Shoppes of Hope Valley Shopping Center

Agenda Text:

The Board is requested to approve a lease amendment for Angie's Jamaican Grill, a tenant at 3825 S. Roxboro Road, Suite 123 at the Shoppes of Hope Valley Shopping Center to extend the lease term through August 31, 2030. The original term of the Lease expires on August 31, 2025, and provides for a Three (3) year option to extend the Lease through August 31, 2028. This request is to extend the term of the current lease through August 31, 2030. No other terms or conditions of the lease are modified by this amendment.

The Tenant has determined that they need to invest in updating the ventilation hood as well as make other needed improvements to update the space and are prepared to make these expenditures imminently. They have requested an extension of the lease term through August 31, 2030, to ensure their business can remain in the space long enough to realize a return on the investment being made.

The requested amendment extends the current lease for a period of 6 years and 4 months. The amended lease term will begin on May 1, 2024, and end on August 31, 2030. There is one other tenant at the Shoppes of Hope Valley whose current lease extends through December 31, 2037.

Alignment with Strategic Plan: The attached Lease Amendment supports Goal 1 “Community Empowerment and Enrichment,” and Goal 5 “Accountable, Efficient and Visionary Government”.

Resource Persons: Nancy Mitchell, Senior Real Estate Officer; Peri Manns, Deputy Director of E&ES; Jay Gibson, Director E&ES.

County Manager’s Recommendation: The County Manager recommends that the Board approve a lease amendment for Angie’s Jamaican Grill, a tenant at 3825 S. Roxboro Road, Suite 123 at the Shoppes of Hope Valley Shopping Center to extend the lease term through August 31, 2030.

Attachments: [Angie's Jamaican Grill amendment #1 4-23-24.docx](#)

3. Discussion Items (80 min)

24-0232 Departmental - City-County Planning Department FY25 Work Program (20min)

Agenda Text: The Board is requested to review and provide comment on the proposed FY25 Work Program in preparation for its approval at a regular business meeting.

Summary

The Interlocal Cooperation Agreement between the City and County for merged planning functions charges the Planning Director with preparing and submitting to the Joint City-County Planning Committee, the Planning Commission and both Managers a work program and annual budget that must be forwarded to both governing bodies for approval.

Attachment

Attachment A, Draft Work Program, FY25

Alignment with Strategic Plan: This item aligns with County Strategic Plan Goal Four (Environmental Stewardship and Community Prosperity): An effective organization committed to the pursuit of excellence through collaborative leadership,

exceptional customer service, innovations, transparency, and fiscal responsibility.

Resource Persons: Sara Young, AICP, Planning Director

County Manager's Recommendation: The County Manager recommends that the Board review and provide comment on the proposed FY25 Work Program in preparation for its approval at a regular business meeting.

Attachments: [FY25 WP Memo BOCC WS Memo](#)
[WORK PROGRAM FY25](#)
[FY25 Planning Dept Work Program](#)

24-0269

ARPA Update (45min)

Agenda Text:

The Board will receive an update on the American Rescue Plan Act (ARPA) funds. The American Rescue Plan will deliver \$350 billion for state, local, territorial, and Tribal governments to respond to the COVID-19 emergency. Durham County received \$62,445,275. ARPA funds can support several priorities, including a public health response due to COVID-19, addressing negative economic impacts, replacing public sector revenue loss, and funding premium pay for essential workers. Funding use can also address water, sewer, and broadband infrastructure and other priorities as identified in the US Treasury Final rule. Funding must be encumbered by 2024, with all invoices paid by 2026.

Alignment with Strategic Plan: Goal 1: Community Empowerment and Enrichment; Goal 2: Health and Well Being for All; Goal 3: Safe Community; Goal 4: Environmental Stewardship & Community Prosperity; Goal 5, Accountable, Efficient and Visionary Government.

Resource Persons: Claudia Hager, Deputy County Manager; John Keefer, Grants Administrator; Ella Hargrove, Management Analyst

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners receive the report.

Attachments: [ARPA Presentation - May 6, 2024 - BOCC worksession](#)
[Durham County - Summary APRA projects, May 6, 2024.](#)
[Supplemental Form - ARPA US Treasury Category Realignments, April 29, 202.](#)
[SLFRF-Final-Rule-FAQ](#)

24-0280

Review of County Commissioner Directives (15min)

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: Shannon Trapp, Chief of Staff

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

4. Adjournment