

AGENDA

THE BOARD OF COUNTY COMMISSIONERS DURHAM, NORTH CAROLINA

Tuesday, September 4, 2012
9:00 am Worksession

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

- 1) The Board of County Commissioners will provide a 30-minute comment period at the beginning of its Worksession meeting on the first Monday of each 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 must sign in prior to the start of the meeting providing a mail/email address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the Worksession to allow an opportunity for research prior to the meeting. **All speakers shall have three (3) minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

Resource Person: Michelle Parker-Evans, Clerk to the Board

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

2. **Durham Public Schools 2011-12 Performance Assessment Results (30 min)**

- 1) The Board is requested to receive the presentation by Superintendent Becoats highlighting Durham Public Schools 2011-12 student performance assessment data.

Resource Persons: Dr. Eric J. Becoats, Superintendent

County Manager's Recommendation: The County Manager recommends that the Board receive the report by Dr. Becoats.

3. **Durham County Pre-Kindergarten Expansion Discussion (30 min)**

- 1) The Board is requested to consider information presented on the estimated costs and probable benefits of expanding publicly funded pre-kindergarten (pre-K) for Durham 4 year olds in the current and subsequent years.
- 2) Durham's Partnership for Children (DPfC) and Durham Public School (DPS) leaders will describe to the BOCC the FY12-13 school year plan for using \$414,830 of sales tax

revenue to help support four pre-k classrooms at DPS school sites (two each at Eno Valley Elementary and W.G. Pearson Elementary). This amount was originally set last year at \$400,000, but improved sales tax fund revenues have increased it by \$14,830.

- 3) The DPfC and DPS leaders will also present a larger 5-year pre-K expansion vision that could fill the gap between the currently publicly funded pre-k services (approximately 700 children) and the additional 1,300 4 year olds each year who are most in need of high quality pre-k education to increase their school readiness.

Resource Persons: Dr. Eric Becoats, Superintendent of Durham Public Schools ; Laura Benson, Executive Director of Durham's Partnership for Children

County Manager's Recommendation: The County Manager recommends that the Board receive the attached information and discuss possible outcomes with our community partners in pre-K education.

4. Gang Reduction Strategy Update (30 min)

- 1) The Board is requested to receive a presentation from the Gang Reduction Strategy Manager on the recently completed 2012 Youth and Crime, Community Indicator Report.
- 2) The County's Strategic Plan addresses public safety, which is closely connected to Durham's economic health, quality of education and other important community goals. Closely tied to the Strategic Plan are concerns surrounding disconnected youth, youth crime and gang activity.
- 3) Durham's Gang Reduction Strategy was developed as a response to the 2007 Comprehensive Gang Assessment and aims to implement the Comprehensive Gang Model. The model uses a mix of five strategies to address problems of youth crime and gang involvement, one of which is the ongoing collection of data and information sharing. The 2012 Community Indicator Report builds and expands on data presented in the 2010 report.
- 4) This presentation is part of a regular update to the Board regarding the work and progress made by the Gang Reduction Strategy.

Resource Persons: Jim Stuit, Gang Reduction Strategy Manager, Criminal Justice Resource Center; Gudrun Parmer, Director, Criminal Justice Resource Center

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation and provide further input.

5. Proposed Revision to County Trip Reduction Ordinance (15 min)

- 1) The Board is requested to review the attached version of the revised Trip Reduction Ordinance and provide staff with feedback, as appropriate.
- 2) The Durham County Board of Commissioners first passed a Trip Reduction Ordinance (TRO) in 2000 to reduce vehicle miles traveled (VMT) and the associated congestion and greenhouse gas emissions. The ordinance pertains to all employers with 100 or more employees stationed inside Durham County. There is an annual \$200 fee for affected institutions as well as the responsibility to conduct employee surveys and respond with company-wide information about activities they are undertaking to decrease vehicle miles traveled (particularly during peak hours) and increase the use of alternative modes of transportation.
- 3) The ordinance was intended to cover the ten year period from 2000 – 2010, and had as primary goals the increase in alternative transportation mode use by 20% (it actually went up 23%) and to reduce *growth* in VMT by 15% (predicted VMT growth was reduced by 19%). Given the 61% population growth and 67% growth in employment numbers in the Triangle during that same period, these achievements are significant.
- 4) Employers and employees have also directly benefited from the ordinance through commuter benefit programs such as free transit for employees and students via the GoPass and the offering of pre-tax transit benefits and subsidies. Other companies have directly offered or encouraged other transportation alternatives.
- 5) The revised ordinance includes a number of changes which are summarized as follows:
 - a. Goals: Measures have been slightly modified and new, numerical targets for each measure have been established for the next ten years.
 - b. New compliance cycle: alternating years of full employee surveys; shorter company-wide Commute Trip Reduction (CTR) report due in employee survey years and more comprehensive CTR report in non-employee survey years. All report forms and the survey instrument have been revised to help us collect more useful data.
 - c. Advisory process: The multi-jurisdictional advisory board never proved a workable tool and is proposed to be replaced with a biennial stakeholder meeting to discuss ordinance changes, program results, compliance levels, and other feedback.
- 6) A new interlocal agreement between Triangle Transit and Durham County will be brought to the County Commissioners on September 10th. This agreement will govern the way the County and Triangle Transit share responsibility for the implementation of this ordinance.
- 7) Revision of the Commute Trip Reduction Ordinance, per this item, is part of Goal 4 of the Strategic Plan (Environmental Stewardship).

Resource Persons: Drew Cummings, Assistant County Manager; Stephanie Loyka, Employer Outreach Coordinator (Triangle Transit); Tobin L. Freid, Sustainability Manager

County Manager's Recommendation: The County Manager recommends that the Board review the revised ordinance and direct staff, as appropriate.

6. Closed Session (30 min)

- 1) The Board is requested to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.

Resource Persons: Marqueta Welton, Deputy County Manager

County Manager's Recommendation: The County Manager recommends that the Board adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.

7. Lunch - "Doctors for America Bus Tour" – Lincoln Hospital (Resume meeting at 1:30 pm)

8. Report on Possible Joint Person-Durham Multi-Jurisdictional Business Park (45 min)

- 1) The Board is requested to receive, consider and discuss the above report.
- 2) On February 8, 2010, Durham Board of County Commissioners met jointly with Person County Board of Commissioners to discuss the possibility of joint economic development in the southern end of Person County that abuts Durham County. Each board directed staff to work together to analyze the feasibility of moving forward with a joint project and report back to the boards.
- 3) In February, 2012, Durham and Person Counties jointly engaged Sanford Holshouser to do a feasibility study to:
 - a. Evaluate existing business/industrial parks in Durham and Person Counties;
 - b. Review land use plans for a development area for a Person-Durham multi-jurisdictional park;
 - c. Evaluate infrastructure (water, sewer, electric, transportation, natural gas, and telecommunications) capacity to serve a park development; and
 - d. Review the current target sectors of Person and Durham Counties, Research Triangle Region, and adjoining counties close to the sites reviewed to determine which targets would most likely find the multi-jurisdictional park attractive.

- 4) In June, 2012, staff received the feasibility report. Durham and Person County Managers and their respective economic development staff met with Sanford Holshouser to discuss the report findings. Staff would like to review the report and recommendations with the BOCC and receive direction on next steps.

Resource Persons: Marqueta Welton, Deputy County Manager; Drew Cummings, Assistant County Manager

County Manager's Recommendation: The County Manager recommends that the Board discuss today's report the BOCC and authorize further efforts to identify possible sites for a joint Person-Durham business park.

9. New Durham County Courthouse & Parking Structure Project – Occupancy Update (30 min)

- 1) The Board is requested to receive an update on the occupancy of the new Durham County Courthouse located at 510 South Dillard Street, Durham, North Carolina, which is currently under construction.
- 2) When the Courthouse was originally planned, the Board of County Commissioners (BOCC) approved a space program, which outlined which agencies/departments would occupy the new facility. This space program was completed and approved by the BOCC in 2004 and updated in 2006. The space program formed the basis for the design of the Courthouse and included space for the full operations of the Office of the Sheriff, Clerk of Courts, District Court, Superior Court, Public Defender's Office, District Attorney's Office, Trial Court Administration and touchdown, or intake spaces, for the representatives of Community Corrections, Criminal Justice Resource Center, Juvenile Justice and Guardian Ad Litem (GAL). Additionally, as part of the original program, there was space designated for court-related outside agencies within the building on the second and fourth floors.
- 3) County staff has been working with the Judicial Management Council to determine which agencies would occupy the outside agency space on the second and fourth floors. The Judicial Management Council includes the Senior Resident Superior Court Judge, Chief District Court Judge, Clerk of Superior Court, District Attorney, Public Defender and the Trial Court Administrator. The Judicial Management Council has recommended that the following agencies be located in the outside agency space on the second and fourth floors (see attached letter).
 - a. The Durham Mediation Center of the Elna B. Spaulding Conflict Resolution Center;
 - b. Legal Aid of North Carolina (Durham Office);
 - c. The County Attorney's Office handling Child Support Matters;
 - d. The County Attorney's Office handling Abuse, Neglect and Dependency Matters;
 - e. The North Carolina Central University's (NCCU) Law Clinic;

- f. The University of North Carolina's (UNC) Law Clinic;
 - g. The entire GAL operation
- 4) Most of the Judicial Management Council's recommendation fits within the space program that was approved by the BOCC in 2004 and updated in 2006. However, the request to locate all of GAL operations into the new Courthouse is not consistent with the BOCC approved space program. The space program approved by the Board only had a portion of the GAL operation in the new Courthouse. Since the Judicial Management Council's recommendation for GAL differs from the approved space program, staff is requesting that the BOCC consider the recommendation by the Judicial Management Council to locate all of GAL into the new Courthouse and provide direction to staff accordingly. A letter from GAL is also attached for the Board's information.
- 5) Additionally, the NCCU Law Clinic has indicated an interest to have more space in the new Courthouse than the one office that has been recommended by the Judicial Management Council. Staff requests that the BOCC discuss NCCU's request as well and provide direction to staff.

Resource Persons: Lee Worsley, Deputy County Manager; Glen Whisler, P.E., County Engineer; and Judge Marcia Morey, Chief District Court Judge

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation and provide direction to staff as appropriate.

10. Discussion of Statewide Ideas for NCACC 2011 Legislative Goals Process (30 min)

- 1) The North Carolina Association of County Commissioners has launched its process for the approval of Legislative Goals for the 2013 Session of the General Assembly. Any statewide legislative goals that Durham County wishes for the NCACC to consider must be submitted to the Association by the deadline of September 17, 2012.
- 2) Staff requests that the Board review the attached proposals, discuss, and offer any additional items and instruct staff to finalize the listings for formal approval at the September 10, 2012 Regular Session.

Resource Persons: Deborah Craig-Ray, Assistant County Manager; Kathy Everett-Perry, Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners discuss the legislative information and direct staff accordingly.

11. Administrative Procedure - Conducting Criminal Background Investigations in the Recruitment and Selection Process (20 min)

- 1) The Board is requested to receive the Conducting Criminal Background Investigations in the Recruitment and Selection Process Administrative Procedure. This administrative procedure governs the process of conducting criminal background investigations during recruitment and hiring for the County, and will be administered by the Human Resources Department.

Resource Persons: Cora Wilson, Human Resources Director; and Yvette R. Leonard, Human Resources Manager

County Manager's Recommendation: The Manager recommends the Board review the policy and advise the staff if additional revisions are needed.

12. Review of BOCC Directives (10 min)

- 1) The Board is requested to review the previous months' directives for staff and make comments as necessary. This set of directives covers May, June, July and August 2012.

Resource Persons: Ellen Whelan-Wuest, Assistant to the County Manager

County Manager's Recommendation: The County Manager recommends that the Board review the September BOCC directives and make comments to staff as necessary.