

**THE BOARD OF COUNTY COMMISSIONERS  
DURHAM, NORTH CAROLINA**

Monday, February 3, 2014

9:00 A.M. Worksession

**AGENDA**

**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 minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

**Resource Person(s):** V. 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. Removal of a Board Member Due to Poor Attendance (10 min)**

- 1) On June 27, 2011, the Board of County Commissioners appointed Angie Elkins to serve a full term on the Durham Board of Adjustment. Based on information from George Kolasa, Durham Board of Adjustment, Ms. Elkins has failed to comply with Section IV.C.2.c of the 2009 City-County Interlocal Agreement notes the following *“Attendance. Members have an obligation to attend at least seventy-five (75) percent of the total number of regular meetings of the BOA as further prescribes in the BOA’s Rules of Procedure, and may be removed by the appointing governing body for failure to meet this standard.”*
- 2) Ms. Elkins has responded to the Board and does not wish to resign from her seat.

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

**County Manager’s Recommendation:** The Manager recommends that the Board suspend the rules and address Ms. Elkins’ appointment.

**3. Discussion of Affordable Housing Near Transit (30 min)**

- 1) The Board is requested to discuss and consider adopting a resolution supporting measures that should facilitate the creation of more affordable housing near existing and proposed transit stations and neighborhood transit centers.

- 2) County Commissioners have been contacted by citizens, by the leadership of Durham CAN, and perhaps others advocating that they take action(s) that should facilitate the creation of more affordable housing near existing and proposed transit stations and neighborhood transit centers. At its last meeting, the City-County Homeless Services Advisory Committee also voted unanimously to support bringing this resolution to both City Council and the County Commission.
- 3) County Commissioners are likely well aware of the following:
  - That Durham already has an affordable housing problem.
  - That the availability of and proximity to transit is important for many workers, especially lower-income workers who may not have access to private means of transportation.
  - That the availability of and proximity to transit, particularly rail transit (such as Durham's proposed light rail), tends to exert an upward pressure on housing prices, making it even less affordable for lower-income workers (both for those who already live there as well as those who would like to).
- 4) The attached resolution and memo further explain these and other inter-relationships as well as the value the Federal Transportation Administration puts on affordable housing efforts tied to its "New Starts" program. The attached resolution also lays out a series of commitments the City Council and county Commission might take together to further the goal of facilitating the development of more affordable housing near transit.

**Alignment With Strategic Plan:** Affordable housing near transit would improve the job prospects of lower income persons who lived in it, which ties it closely to Goal 1 objectives of employment and prosperity. Affordable housing, more generally, ties to Goal 2 because adequate housing is an important "social determinant" of health.

**Resource Person:** Bo Glenn, Past Chair of the City-County Homeless Services Advisory Committee

**County Manager's Recommendation:** The County Manager recommends that the Board discuss and consider adopting a resolution supporting measures that should facilitate the creation of more affordable housing near existing and proposed transit stations and neighborhood transit centers.

4. **Discussion of Proposed Civil Rights Mural on Rear Exterior Wall of Durham Convention Center (30 min)**

- 1) The Board is requested to review the included information regarding the proposed mural, ask any questions of the artist or staff, and, if appropriate, give their approval for installation of this art work on the wall at the rear entrance to the joint, City-County owned Durham Convention Center.
- 2) Brenda Miller Holmes is an experienced artist, muralist, and community engagement specialist (see attached resume). She received a grant from the City of Durham County Government in 2012 for the creation of a civil rights mural (see attached proposal), but there has been some difficulty in procuring an adequate wall in downtown Durham for

its installation. The City has extended her grant timeline because of these difficulties, and the artist is now requesting use of the wall surrounding the rear entrance to the Durham Convention Center as the location for the mural. This wall faces out at Morris St. through the parking lot immediately adjacent / south of the Durham Arts Council (and Durham Arts Council leadership is supportive of the project).

- 3) In addition to seeking the approval of the County Commissioners, the planned mural has (or will be, prior to installation) been reviewed and approved by the County's Public Art Planning Committee, by the City's Public Art Committee, by City Council, and by the Cultural Advisory Board.
- 4) This project involves no financial commitment from Durham County.

**Alignment With Strategic Plan:** Goal 1 – Objective 5: Enhance cultural and creative opportunities – Current initiative: Beautify Durham County through gateway improvements and public art.

**Resource Persons:** Drew Cummings, Assistant County Manager

**County Manager's Recommendation:** The County Manager recommends that the Board review the included information regarding the proposed mural, ask any questions of the artist or staff, and, if appropriate, give their approval for installation of this art work on the wall at the rear entrance to the joint, City-County owned Durham Convention Center.

## **5. Fire Study Recommendations (100 min)**

- 1) The Board is requested to receive staff recommendations on the Fire Study. The Fire Study has been a collaborative effort between the County and the Fire Chiefs of the Bahama, Bethesda, Lebanon, Parkwood and Redwood Fire Departments. The County procured the services of Solutions for Local Governments, Inc. to conduct the study.
- 2) Once Solutions for Local Governments made its recommendations, County staff reviewed all of the recommendations and has prepared a final report for the Board's consideration. Staff will present recommendations and will take direction from the Board regarding which recommendations should be implemented.
- 3) The following attachments are included:
  - Fire Study from Solutions for Local Government, Inc.
  - Final list of recommendations from County staff
  - Listing of members of Recommendation Groups
  - PowerPoint Presentation

**Alignment With Strategic Plan:** The Fire Study aligns with Goal 3 (Safe and Secure Community) with objectives to improve outcomes for vulnerable children, youth, adults and animals; improve coordination within public safety and criminal justice system; and enhance the capacity to respond to emergencies.

The Fire Study also aligns with Goal 5 (Accountable, Efficient and Visionary Government with objectives to strengthen leadership through collaboration; provide exceptional customer service; encourage innovation; harness community resources, expertise and intellectual capital; and adopt evidence based practices for programs.

**Resource Persons:** Lee Worsley, Deputy County Manager; Mark Schell, Acting Fire Marshal; John Gentry, Assistant Fire Marshal

**County Manager's Recommendation:** The County Manager recommends that the Board receive the recommendation and provide staff direction as appropriate on implementation of the study.

**6. Downtown Open Space Study (15 min)**

- 1) The Board is requested to receive the presentation of a draft Downtown Open Space Plan which proposes a pedestrian-linked network of parks, plazas and greenways within the Downtown Tier.

**Alignment With Strategic Plan:** This item is aligned with Goal 1 of the County Strategic Plan (Community and Family Prosperity and Enrichment), based on the intention of this Plan to beautify and increase public open spaces in Durham and enhance Durham gateways. This item is aligned with Goal 4 of the County Strategic Plan (Environmental Stewardship) because the Plan calls for the increase of shade trees and stormwater retention ponds as well as the decrease of impermeable surface in Durham County.

**Resource Persons:** Steven L Medlin, AICP, Planning Director, and Thomas Dawson, RLA, Urban Designer.

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation.

**7. Discussion Regarding Living Wage Resolution (20 min)**

- 1) The Board is requested to discuss language to be included in a Resolution regarding living wages for fast food workers.

**Alignment With Strategic Plan:** This request aligns with Goal 1 of the Strategic Plan, Community and Family Prosperity and Enrichment.

**Resource Persons:** Board of County Commissioners

**County Manager's Recommendation:** The County Manager recommends that the Board discuss the desired language and direct staff as appropriate.

**8. Proposed Financing for 2014 (20 min)**

- 1) The Board is requested to receive information from the Chief Financial Officer concerning proposed \$60M General Obligation Bonds Refunding and renewal of the BANS note for \$31M covering the remainder of the 2007 referendum.

- 2) We will also be discussing an extension for the balance of the unused portion of the 2007 referendum (\$31.1M), changes in the financing of the Refunding Bonds to include direct placement of the short portion of twenty year bonds with a Bank.

**Alignment With Strategic Plan:** This request aligns with Goal 5 of the Strategic Plan, Accountable, Efficient and Visionary Government. By embracing new and efficient ways of using capital, County dollars can do more for its citizens.

**Resource Persons:** George K. Quick, Chief Financial Officer

**County Manager's Recommendation:** The County Manager recommends that the Board receive the information.

#### **9. Facility Use Policy (20 min)**

- 1) The Board is requested to consider a Facility Use Policy. This policy is proposed to assure that certain facilities owned and operated by Durham County are utilized in a manner that has a public purpose which meets the needs and interests of the community, as well as to set clear policies, procedures, regulations and fees regarding such uses. This policy would supersede all other County and Department policies concerning the use of County facilities as defined in this policy.

**Alignment With Strategic Plan:** This Policy is in alignment with Goal 1 objective to foster a business-friendly environment and leverage local and regional economic development resources and Goal 5 objective to harness community resources.

**Resource Persons:** Motiryo Keambiroiro, Director of General Services; Carol Hammett, Deputy County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board considers the proposed Facility Use Policy and authorize that it be advanced for approval at the February 24, 2014 regular Board meeting.

#### **10. Directives (10 min)**

- 1) The Board is requested to review the previous month's directives for staff and make comments as necessary. This set of directives covers August, September, October, November, December and January of 2013.

**Resource Persons:** Dionne Hines, County Intern

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

#### **11. Closed Session (30 min)**

- 1) The Board of Commissioners is requested to adjourn to closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment,

or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, pursuant to G.S. § 143-318.11(a)(6).

**County Manager's Recommendation:** The County Manager recommends that the Board adjourn to Closed Session and direct staff as appropriate.