



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Monday, November 5, 2018

9:00 AM

Commissioners' Chambers

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### Work Session

#### “Public Charge”

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to the public charge is observed.

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

### 9:00 am Work Session Agenda

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

##### 18-1097

##### Citizen Comments

##### 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 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 meeting 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.

**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:** Terri Lea Hugie, 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)

### 18-1035

#### **Budget Ordinance Amendment No. 19BCC000014 - Fiscal Year (FY) 2017-2018 Encumbrance Rollover**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 19BCC000014 for Fiscal Year (FY) 2018-19, amending the budgets for the outstanding encumbrances at fiscal year-end FY 2017-18.

Encumbrances outstanding at fiscal year-end represent obligations/commitments entered into by the County for either services not yet completed or performed, or goods not yet received. These moneys must be restricted in the fund balance within the equity section of the balance sheet for FY 2017-18 to honor these obligations/commitments once completed and/or received. These encumbrances outstanding at year-end do not represent expenditures or liabilities. These encumbrances outstanding are included in the amount reported as "Restricted Stabilization by State Statute" in the fund balance section of the Balance Sheet in the Comprehensive Annual Financial Report (CAFR).

According to generally accepted accounting principles (GAAP), governmental type funds are the only funds to record encumbrances in the CAFR. However, during the fiscal year, the County maintains encumbrances (purchase orders and service contracts) for all fund types (funds and sub-funds) to ensure funds are set aside for obligations and commitments appropriately at the time that they are ordered and/or entered into.

Because these encumbrances lapse at year-end and are re-appropriated in the subsequent fiscal year, they do not affect unassigned fund balance. It is merely a re-appropriation in the subsequent fiscal year of funds for obligations and commitments for goods and services already ordered but not yet received in the prior fiscal year. Encumbering these funds is a statutory requirement.

Therefore, authorization is requested to amend the following funds' budgets in FY 2018-19 to honor the outstanding purchase orders and service contracts as of the end of FY 2017-18:

General Fund (1001010000) \$ 4,929,091.26  
Risk Management Fund (1001020000) \$82,727.76  
Benefits Plan Fund (1001500000) \$69,632.18  
Sewer Utility Fund (6006600000) \$926,101.06

**Total \$6,007,552.26**

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

**Resource Persons:** Susan Tezai, Chief Financial Officer and Keith Lane, Budget and Management Services Director

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 19BCC000014.

**Attachments:** [AAF-14 Legal Form Encumbrance Rollover \(PO and Funds Reservations\)-\(\\$6,000,000\)](#)

**18-1060**

**Budget Ordinance Amendment No. 19BCC000017 - Budget Changes Related to Board of County Commissioner Policy on Capital Finance Program Dedicated Revenues, Transferring \$795,205 of General Fund fund Balance to the Capital Financing Fund**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 19BCC000017 appropriating \$795,205 of FY 2017-18 General Fund revenue, now residing in FY 2018-19 General Fund fund balance, and transferring it to the Capital Financing Fund to comply with the County's capital and debt financing policy.

As part of the Durham County Policy on financing capital projects, all collected Article 40 and 42 sales taxes are directed for support of capital projects and their related debt service. In Fiscal Year (FY) 2017-18, \$795,205 from these revenue sources was realized over what was budgeted to be collected in the General Fund (Fund 101), and per capital financing policy, needs to be transferred to the Capital Financing Fund (Fund 125) where they can be applied to debt service. Per Generally Accepted Accounting Principles (GAAP) the revenues are recorded in the fiscal year that they apply, FY 2017-18. However, it is too late to amend the prior year budget to transfer the over realized funds in the prior fiscal year, therefore these monies have fallen to fund balance within the General Fund for the prior fiscal year (FY 2017-18). A budget amendment transferring these dollar amounts should be approved for the current fiscal year (FY 2018-19) and these monies transferred in the current fiscal year. Thus, the Board is requested to approve Budget Ordinance Amendment No. 19BCC000017 increasing the amount of FY 2018-19 General Fund (Fund 101) fund balance appropriated by \$795,205 and transferring those funds to the Capital Financing Fund (Fund 125).

Revenues per source collected over budgeted amounts:

Article 40: \$176,185

Article 42: \$619,020

**Total: \$795,205**

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

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

**Resource Persons:** Keith Lane, Director - Budget and Management

**County Manager's Recommendation:** The Manager recommends the Board of County Commissioner approve Budget Ordinance Amendment No. 19BCC000017 appropriating \$795,205 of FY 2017-18 General Fund revenue, now residing in FY 2018-19 General Fund fund balance, and transferring it to the Capital Financing Fund to comply with the County's capital and debt financing policy.

**Attachments:** [AAF-17 Legal Form Overcollection of Sales Tax and transfer of GF Fund Balance](#)

**18-1093** **Budget Ordinance Amendment No. 19BCC000018 Recognize \$20,000 from the MacArthur Foundation and the Urban Institute for the Innovation Fund Capstone**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 19BCC000018 in the amount of \$20,000 from the John D. and Catherine T. MacArthur Foundation and the Urban Institute for the Innovation Fund Capstone.

In 2017, the John D. and Catherine T. MacArthur Foundation, through the Urban Institute, awarded Durham County an Innovation Fund grant to implement the Court Date Reminder Service. The remainder of the grant was used to enter into a Technical Assistance Agreement with the Pretrial Justice Institute.

The Pretrial Justice Institute (PJI) met with criminal justice stakeholders in May 2018 to discuss potential enhancements to and opportunities to improve consistency in the pretrial process. In August 2018, Durham County was awarded a \$20,000 Innovation Fund Capstone to continue working with PJI on improving the pretrial decision process and to implement an updated or new assessment tool.

**Alignment With Strategic Plan:** This agenda item aligns with County's Strategic Goal 3: Safe Community.

**Resource Persons:** Gudrun Parmer, CJRC Director and Christie Long, Pretrial Services Supervisor

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 19BCC000018 in the amount of \$20,000 from the John D. and Catherine T. MacArthur Foundation and the Urban Institute for the Innovation Fund Capstone.

**Attachments:** [AAF Supplemental Document - Innovation Fund Capstone](#)

[Grant Award Letter](#)

[AAF-18 Legal Form CJRC Recognize \\$20,000 from McArthur Foundation.docx](#)

**18-1091** **Budget Ordinance Amendment No. 19BCC000019 - Recognize Funds from United States Department of Justice in the Amount of \$91,016 for Integrated Reentry Services.**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 19BCC000019 in the amount of \$91,016 to recognize funds from the United States

Department of Justice (USDOJ) for Integrated Reentry Services and establish a 1.0 full-time employee (FTE) provisional position to assist with planning and implementation of the grant.

The USDOJ awarded a three-year grant to Durham County to Improve Reentry for Adults with Co-occurring Substance Abuse and Mental Illness leaving the Durham County Detention Center. Year One of the grant will be used for planning the services and completing a Planning and Implementation (P&I) Guide. A project coordinator will work with local stakeholders and the School of Social Work at the University of North Carolina to design interventions and enhance services pre- and post-release. Once the P&I Guide is submitted and approved by USDOJ, funding for the implementation phase of the project will be released.

**Alignment With Strategic Plan:** This project aligns with the County's Strategic Goal 3: Safe Community and Goal 2: Health and Well-being for All.

**Resource Persons:** Gudrun Parmer, CJRC Director

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 19BCC000019 in the amount of \$91,016 to recognize funds from the US Department of Justice for Integrated Reentry Services and establish a 1.0 FTE provisional position.

**Attachments:**

[AAF Supplemental Document - DOJ Grant](#)

[DOJ Grant Award letter](#)

[AAF-19 Legal Form Recognize Funds from US Department of Justice in the am](#)

**18-1065**

**Contract Amendments to Four Janitorial Contracts to Facilitate the Regular Cleaning of Admin II**

**Agenda Text:**

The Board is requested to authorize the County Manager to amend and increase janitorial contracts for CJ Enterprise (increase \$14,894.60), Kreative Koncepts (increase \$27,456), B&R Janitorial (increase \$24,475) and Fredrick's Housekeeping (increase \$17,840) to provide janitorial services in the newly opened Admin. II building. These increases will accommodate janitorial services in the Admin. II building through January of 2019, which will allow adequate time for advertising of a new janitorial request for proposal (RFP) and selection of a sole contractor to provide janitorial services in the facility.

The areas of service and pricing break downs for each contractor are listed in the attached table (Table 1). It is important to keep in mind that each floor/area served has a unique layout and characteristics regarding the type of space and daily occupancy.

All four contractors noted in Table 1 were impacted by the relocation of departments to the Admin. II building. Due to having a short time frame to solicit for formal bids through the RFP process and the urgent need for janitorial services, a decision was

made by the General Services management team to split the building by floors and assign each contractor that was impacted a portion to service. Creation of a new RFP for janitorial services is currently underway which will be advertised to the public for solicitation of quotes from qualified bidders.

**Alignment With Strategic Plan:** This item aligns with Goal 2: Health and Well-being for All: Improve the quality of life through preventive, behavioral and physical care services. Reduce barriers to access services.

**Resource Persons:** Motiryo Keambiroiro, Director of General Services, Deborah Booth, Deputy Director of General Services, and Joel Jones, Quality Control and Contract Specialist

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the County Manager to amend and increase janitorial contracts for CJ Enterprise (increase \$14,894.60), Kreative Koncepts (increase \$27,456), B&R Janitorial (increase \$24,475) and Freddrick's Housekeeping (increase \$17,840) to provide janitorial services in the newly opened Admin. II building, and to approve subsequent amendments to janitorial contracts within the General Services Budget.

**Attachments:**

[AAF Supplemental Document](#)

[Contract Amendment #5, B&R Janitorial, Add 4th & 5th Fl of Admin II to Scope \(](#)

[Contract Amendment #5, CJ Enterprise, Add 1st Fl of Admin II to Scope \(Month](#)

[Contract Amendment #5, Kreative Koncepts, Add 2nd & 3rd Fl of Admin II to Sc](#)

[Contract Amendment #6, Freddricks, Add Basement and 6th Fl of Admin II to Sc](#)

[MWBE Compliance Review Form-AAF for Janitorial Services Contract Amendm](#)

[Table 1](#)

**18-1074**

**Machinery and Equipment Repair Contract Amendment with Pete Duty and Associates**

**Agenda Text:**

The Board is requested to authorize the County Manager to execute a contract amendment with Pete Duty Associates (FR# 19-119) to increase the existing service contract for machinery and equipment repair for the Triangle Wastewater Treatment Plant in the amount of \$53,235, bringing the total contract amount from \$107,472 to \$160,707 and to execute any other related contracts, including amendments, within budgeted appropriations.

**Background**

The Triangle Wastewater Treatment Plant is designed for four - 200HP pumps at the influent pump station. Currently, the Utilities Division maintains five working pumps on-site, one pump is a spare as required by Permit Number NC0026051. Four of these pumps failed between June 21, 2018 and September 10, 2018. One pump was removed from service due to failure to pump volume designed. Once removed, it was determined the impeller was bad as well as the cables needed to be replaced. The

spare pump was put into service and immediately failed due to a seal failure. The third pump needing repair was moved into the pump location needed, and it also had a seal failure. The fourth pump ceased pumping, and the motor/impeller connection has failed. It is imperative that four pumps are operational with a spare, in case of an emergency. The original contract amount covered the repair of three pumps.

**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 a clean environment by handling incoming wastewater during a storm event that could cause heavy rainfall resulting in a sanitary sewer spill at the head of the plant. No additional policy impacts are expected.

**Resource Persons:** Peri Manns ASLA, Interim General Manager; Kyle Manning PE, Senior Project Manager; and Greg Johnson, Utilities Superintendent

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the County Manager to execute a contract amendment with Pete Duty Associates (FR# 19-119) to increase the existing service contract for machinery and equipment repair for the Triangle Wastewater Treatment Plant in the amount of \$53,235, bringing the total contract amount from \$107,472.00 to \$160,707 and to execute any other related contracts, including amendments, within budgeted appropriations.

**Attachments:** [AAF Supplemental Document - FY19 TWWTP Pete Duty Associates Service Cc](#)  
[FR 19-119 PETE DUTY FY19 RENEWAL](#)  
[FR19-119 PETE DUTY Executed #1 Amendment](#)  
[Amendment Quotes](#)

**18-1076** **Machinery and Equipment Repair Contract Amendment with Alfa Laval Inc.**

**Agenda Text:** The Board is requested to authorize the County Manager to enter into a contract amendment to increase the existing service contract with Alfa Laval Inc. (FR# 19-160) for machinery and equipment repair for the Triangle Wastewater Treatment Plant in the amount of \$20,800.31, bringing the total contract amount from \$35,831.00 to \$56,631.31.

**Background**

Durham County Triangle Wastewater Treatment Plant has strict biological nutrient removal limits as defined in NPDES Permit Number NC0026051. To meet these strict requirements, it's imperative to maintain a healthy biomass environment in the Biological Nutrient Removal Basins. To maintain a healthy biomass environment, some microorganisms are returned to the biological process, and some microorganisms are wasted to the Solids Handling Building. In the Solids Handling Building, there are three (3) Alfa Laval centrifuges. The centrifuges are critical to the process for dewatering waste activated sludge. The initial contract for \$35,831.00

was based upon the unit requiring a basic overhaul. Once the equipment was disassembled and inspected by Alfa Laval, it was noted several parts had worn beyond repair and need replacement. The additional costs associated with the repair and replacement of the defective parts is \$20,800.31.

**Alignment With Strategic Plan:** This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as these centrifuges are necessary for the Triangle Wastewater Treatment Plant to meet all permit limitations as specified in the facility’s NPDES permit.

**Resource Persons:** Peri Manns ASLA, Interim General Manager; Kyle Manning PE, Senior Project Manager; and Greg Johnson, Utilities Superintendent

**County Manager’s Recommendation:** The County Manager recommends that the Board authorize the County Manager to enter into a contract amendment to increase the existing machinery and equipment repair contract with Alfa Laval Inc. for the Triangle Wastewater Treatment Plant in the amount of \$20,800.31, bringing the total contract amount from \$35,831 to \$56,631.31.

**Attachments:** [AAF Supplemental Document - FY19 TWWTP Alfa Laval Inc Service Contract](#)  
[FR19-160 ALFA LAVAL EXECUTED CONTRACT](#)  
[Amended Alfa Laval Quote for Centrifuge 3](#)

**18-1077** **Approval to use Technology Life Cycle Capital and Current Operating Funds for Annual Microsoft Enterprise Agreement Payment of \$898,341.61**

**Agenda Text:**

The Board is requested to authorize the use of existing Technology Life-Cycle Replacement capital funds in the amount of \$800,000 and \$98,341.61 of current operational funds for this fiscal year for licenses and services for the Enterprise Agreement with Microsoft. Licenses and services will be purchased through SHI, per the State Convenience Contract 208C.

The Microsoft enterprise agreement keeps Durham County in line with the shift to cloud services and best practices across the private and government sectors including the City of Durham, Mecklenburg County, Wake County, Guildford County and many other counties and municipalities in North Carolina.

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

**Resource Persons:** Greg Marrow, Chief Information Officer

**County Manager’s Recommendation:** The County Manager recommends that the Board authorize the use of existing Technology Life-Cycle Replacement capital



funds in the amount of \$800,000 and \$98,341.61 of current operational funds for this fiscal year for licenses and services for the Enterprise Agreement with Microsoft.

**Attachments:**

[SHI Contract 010119123119](#)

[AAF Supplemental Document -Enterprise Agreement1101618](#)

**18-1079**

**Facility Use Policy Updates to Include nine Conference Rooms for Administration Building II and Upgrade Fees**

**Agenda Text:**

The Board is requested to update the Facility Use Policy update to include the nine-conference rooms constructed in Administration Building II and upgrade fees.

This policy was established to assure that certain facilities owned and operated by Durham County are utilized in a manner that has a public purpose that meets the needs and interests of the community, as well as to set clear policies, procedures, regulations and fees regarding such uses. This policy supersedes all other County and Department policies regarding the use of County facilities as defined in this policy. No Durham County public facility, regardless of its primary purpose, is exclusively reserved for use by a single interest group, organization or population group.

In 2014, the Facility Use Policy was established for the conference rooms throughout the organization. Durham County room rental rates are for public purpose use at nominal hourly cost. General Service is recommending the same room rates that were established in 2014 with hourly rates ranging from \$20 to \$50.

There is one rate that has been added which is the catering kitchen which is twice as large as the kitchen in the Human Services Building, the recommendation is to rent this for \$45 per hour. The last two rate changes are the rates for the Sheriff Officers from \$25 to \$30 and Security Officers \$24 - \$27.

**Alignment With Strategic Plan:** This item aligns with Goal 4: Environmental Stewardship and Community Prosperity Objective 4.3C Public Infrastructure; Provide high quality public infrastructure to facilitate and support provision of Outstanding County services.

**Resource Persons:** Motiryo Keambiroiro, Director General Services

**County Manager's Recommendation:** The County Manager recommends that the Board update the Facility Use Policy update to include the nine-conference rooms constructed in Administration Building II and upgrade fees.

**Attachments:**

[DCo Facility Use Policy 2019](#)

[Copy of Conference room specifications Admin II with proposed rental rates](#)

**18-1083**

**Facility Use Policy Amendment 2 and Resolution Grant of Authority for the sale and Consumption of Alcoholic Beverages at 201 East Main Street Restaurants, Durham, North Carolina**

**Agenda Text:**

The Board is requested to amend the Facility Use Policy and create a resolution to

grant authority for the sale and consumption of alcoholic beverages at 201 East Main Street and the proposed two restaurant locations only.

In an effort to motivate restaurant business to lease space on the ground floor of the newly renovated Administration II building it was recommended by leasing agents to allow alcoholic beverages to be served within the restaurant facilities. By resolution beer, wine and liquor would be permitted within the restaurant, with the appropriate ABC license.

**Alignment With Strategic Plan:** This agenda item aligns with County's Strategic Goal 3: Safe Community.

**Resource Persons:** Willie Darby, Assistant County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board approve Facility Use Policy Amendment 2 and Resolution to Grant the Authority for the sale and consumption of alcoholic beverages at 210 East Main Street restaurants in Durham, North Carolina.

**Attachments:** [facility use amendment and resolution](#)

[Present Facilities Use Policy](#)

[RESOLUTION 201 East Main](#)

## **18-1094 Generator Inspection, Service and Repair Contract Amendment with National Power**

**Agenda Text:** The Board is requested to authorize the County Manager to execute this contract amendment with National Power (FR# 19-210) to increase the existing service contract for Generator Inspection, Repair, and Services for the Triangle Wastewater Treatment Plant and Collection System Pump Stations in the amount of \$31,594.24, bringing the total contract amount from \$30,000 to \$61,594.24, and to execute any other related contracts, including amendments, within budgeted appropriations.

### **Background**

The Triangle Wastewater Treatment Plant (TWWTP) and Collection System Pump Stations are designed for continuous operation regardless of adverse weather events or utility power outages. The Utilities Division maintains four emergency generators at the TWWTP, and one emergency generator at each of the Divisions' 13 pump stations as required by National Pollutant Discharge Elimination System (NPDES) Permit Number NC0026051 and Collection System Permit Number WQCS00038. To maintain optimal redundancy and resiliency, all generators must be kept at peak performance.

During normal load testing for the solids building generator, the generator would not switch from emergency power to utility power automatically as designed. The programmable logic controller needs to be replaced to repair this issue. At Stirrup Iron Pump Station, the generator has a faulty voltage regulator which results in the generator operating at half of the designed power load.

**Alignment With Strategic Plan:** This action is in accordance with Durham County Strategic Plan Goal 4 “Environmental Stewardship and Community Prosperity,” as these generators are necessary for the Triangle Wastewater Treatment Plant to meet all permit limitations as specified in the facility’s NPDES permit.

**Resource Persons:** Peri Manns ASLA, Interim General Manager; Kyle Manning PE, Senior Project Manager and Greg Johnson, Utilities Superintendent

**County Manager’s Recommendation:** The County Manager recommends that the Board authorize the County Manager to execute a contract amendment with National Power (FR-210) to increase the existing service contract for Generator Inspection, Service, and Repair for the Triangle Wastewater Treatment Plant and Collection system pump stations in the amount of \$31,594.24, bringing the total contract amount from \$30,000 to \$61,594.24, and to execute any other related contracts, including amendments, within budgeted appropriations.

**Attachments:** [AAF Supplemental Document](#)  
[National Power Service Contract](#)  
[National Power Contract Amendment Quotes](#)

### **18-1096**

#### **Design Services Amendment for the Triangle Wastewater Treatment Plant Efficiency and Resiliency Improvements Project (RFQ 17-012)**

**Agenda Text:**

The Board is requested to authorize the County Manager to enter into a contract amendment to increase the existing design consultant contract with Black & Veatch International Company (FR# 17-832) for the Efficiency and Resiliency Improvements Project (RFQ 17-012) in the amount of \$126,000, bringing the total contract amount from \$275,500 to \$401,500, and to execute any other related contracts, including amendments, not to exceed \$500,000.

**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 clean environment by improving the sodium hypochlorite chemical controls and feed system at the Triangle Wastewater Treatment Plant.

**Resource Persons:** Peri Manns ASLA, Interim General Manager; Jay Gibson PE, General Manager; and Kyle Manning PE, Senior Project Manager

**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 design consultant contract with Black & Veatch International Company (FR# 17-832) for the Efficiency and Resiliency Improvements Project (RFQ 17-012) in the amount of \$126,000, bringing the total contract amount from \$275,500 to \$401,500, and to execute any other related contracts, including amendments, not to exceed \$500,000.

**Attachments:**      [AAF Supplemental Document - Contract Approval - Amendment Number 5](#)  
[Signed Original Contract](#)  
[Amendment #1](#)  
[Amendment #2](#)  
[Amendment #3](#)  
[Amendment #4](#)  
[MWBE Compliance Review Form-AAF for Professional Engineering Svcs-Cherr](#)  
[Scope and Fee Transmittal Letter](#)  
[Updated Scope & Fee - Triangle WWTP](#)

### **18-1100**      **Resolution Supporting new Traffic Signal on Hopson Road**

**Agenda Text:**      The Board is requested to approve the attached resolution supporting the installation of a new traffic signal on Hopson Road at the entrance to the Environmental Protection Agency (EPA) campus.

The National Institute of Environmental Health Sciences (NIEHS) requested this new signal from North Carolina Department of Transportation (NCDOT) at the intersection of Hopson Rd. with the entrance to the EPA / Biogen site. NCDOT has approved the installation and has all of the necessary funding required for its installation. All they require from Durham County is a resolution supporting its installation. A close-up design schematic as well as an aerial map of the location are attached for reference.

**Alignment With Strategic Plan:**      Appropriate traffic control devices and installations support our public safety objectives in Goal 3: Safe Community of the Durham County Strategic Plan as well as the public infrastructure goals noted in Goal 4: Environmental Stewardship and Community Prosperity.

**Resource Persons:**      Drew Cummings, Chief of Staff

**County Manager's Recommendation:**      The County Manager recommends that the Board approve the attached resolution supporting the installation of a new traffic signal on Hopson Road at the entrance to the EPA campus.).

**Attachments:**      [Resolution Supporting Traffic Light Installation at Hopson Rd. and EPA entrance](#)  
[Site Plan of Proposed Hopson Rd Signal](#)  
[Aerial Map of Proposed Hopson Rd Signal site](#)

### **18-1113**      **Amendment to Environmental Affairs Board Structure**

**Agenda Text:**      The Board is requested to approve an amendment to the City-County Environmental Affairs Board (EAB) Interlocal Agreement to expand the board to include three At-Large seats and an Equity/Environmental Justice seat.

The EAB currently has eleven voting seats for residents and seven non-voting ex

officio members. All the resident seats are designated to be filled by individuals with particular issue-area expertise. The City Council and County Commissioners each appoint five seats and the remaining seat is filled by the Soil and Water Conservation Board of Supervisors.

The EAB proposes to add three At-Large seats to increase their capacity to address the range of environmental challenges Durham is facing and to allow for more public engagement in these issues.

The EAB also proposes to create an Equity/Environmental Justice seat to bring to the table expertise and a voice for those most affected by environmental degradation and environmental racism. While everyone benefits from a healthy environment, people of color and low-wealth communities often bear the brunt of environmental degradation. This happens for many reasons including the fact that land-uses with higher environmental impacts are frequently cited in low-wealth communities and communities with higher concentrations of people of color. In addition, people with fewer resources are impacted more from pollution because they have less ability to avoid or mitigate pollution in their homes, commutes, and neighborhoods.

These changes will enable the EAB to be more flexible in addressing a wide range of environmental issues over time. The proposal includes recommendations that the City Council and County Commissioners each appoint one At-Large, but leaves open the question as to which will appoint the Equity/Environmental Justice seat and which will appoint the other At-Large seat.

**Alignment With Strategic Plan:** This item aligns with Strategic Plan Goal 2 (Health and Well-being for All), Goal 4 (Environmental Stewardship and Community Prosperity), and Goal 5 (Accountable, Efficient, and Visionary Government).

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

**County Manager's Recommendation:** The County Manager recommends that the Board approve the proposed changes to the City-County Environmental Affairs Board Interlocal Agreement.

**Attachments:** [EAB Memo on Amendment to Interlocal Agreement on EAB Structure](#)  
[EAB interlocal adopted 2010](#)  
[Proposed Amendment to Inter-local Agreement on EAB Structure](#)

### 3. Discussion Items: (4 hrs)

**18-1092** Update #6 from the Development Finance Initiative (DFI) on the Pre-development Process for the Redevelopment of the 300 and 500 Blocks of East Main Street (Receive Board Endorsements of a Conceptual Plan and to Authorize DFI to Begin Drafting

**Solicitation(s) for the Redevelopment).****Agenda Text:**

The Board is requested to receive an update from the University of North Carolina School of Government's Development Finance Initiative on the Pre-development Process for the 300 and 500 Blocks of East Main Street. More specifically, this update will include discussions with the Financial Advisor(s) on the fiscal impacts of the project to allow for more informed decisions pursuant to the redevelopment.

The purpose of this update (Update #6) is to present the details of each plan in order to request endorsement from the Board of County Commissioner (BOCC) on either Plan A or B and to authorize DFI and County staff to begin drafting solicitation(s) for the development. DFI and County staff will receive any additional input from the BOCC as appropriate as these endorsements are critical path items for the project work at this juncture.

**Alignment With Strategic Plan:** This update is in accordance with Strategic Plan Goal 4 - Environmental Stewardship and Community Prosperity particularly Strategy 4.2C - Regional Planning: Participate in smart growth practices and support regional planning partnerships to promote a high quality of life for all.

**Resource Persons:** Sarah Odio, Project Manager, DFI; Marcia Machado Perritt, Associate Director, DFI; Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services; Claudia Hager, General Manager and Susan Tezai, CPA, Chief Financial Officer

**County Manager's Recommendation:** The County Manager recommends that the Board receive the update, provide input if appropriate, and endorse a conceptual plan and authorize DFI to begin drafting the solicitation(s) for the redevelopment.

**Attachments:**

[2018 Parking Deck Present to CC - FA's presentation](#)

[2018.11.05 BoCC Worksession Next Steps](#)

**18-1099****Renewable Energy Resolution****Agenda Text:**

The Board is requested to adopt a resolution calling for a transition to renewable energy in County operations, the state of North Carolina, utilities in North Carolina, and the Federal Government. The purpose of this transition is to significantly reduce greenhouse gas emissions and stimulate clean energy jobs.

The March 13, 2018 Joint City-County Committee meeting included a discussion regarding a proposed resolution setting forth an aspirational goal of transitioning to 100 percent renewable energy for government operations by 2050. Due to the significant uncertainty surrounding the renewable energy market, legal landscape in North Carolina, and even our own energy use, the resolution first calls for Durham "to establish a plan" to make progress in achieving this goal in the next 15-30 years.

The resolution calls for the plan to encompass five major guiding principles:

- 1) Include all sectors of energy use in the government sector
- 2) Be economically responsible

- 3) Be technologically feasible
- 4) Be equitable for all members of the community
- 5) Be transparent and inclusive

The development of such a plan is expected to cost up to \$40,000 and will help provide the County with more accurate cost assessments, based on the technical expertise of energy sector professionals. This plan will help the County understand and prioritize all the options, the impact of those options on the environment and equity, the cost of implementation including effects on utility rates, and possible options for financing.

**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; Claudia Hager, General Manager of Financial Affairs, Process Improvement, and Government Efficiency; and Peri Manns, Interim Director of Engineering and Environmental Services

**County Manager's Recommendation:** The County Manager recommends that the Board adopt the resolution.

**Attachments:**

[Durham County Renewable Energy Resolution](#)

[Durham County renewable energy potential cost memo](#)

[Durham County renewable energy potential cost white paper](#)

[EAB Memo on renewable energy resolution](#)

[EO80- NC's Commitment to Address Climate Change Transition to a Clean En](#)

[Wake County Clean Energy 2050 Resolution \(1\)](#)

**18-1107**

**SBA Disaster Assistance in Durham County (15 min)**

**Agenda Text:**

The Board is requested to receive an overview of the Small Business Administration Disaster Loan Program for businesses, homeowners, renters, and non-profits.

The purpose of being on the agenda is to present SBA Disaster Loan Program and answer questions from the Durham County Board of Commissioners. Per the Department of Homeland Security's Declaration on October 26, 2018, Durham County's residents is eligible for Federal Emergency Management Agency/Small Business Administration Assistance. Durham County residents have a very limited timeframe to register for a low interest loan. The deadline for applying for this program is November 13, 2018.

**Alignment With Strategic Plan:** This item aligns with Goal .

**Resource Persons:** Corey D. Williams, Public Information Officer, United States

Small Business Administration - Office of Disaster Assistance

**County Manager's Recommendation:** The County Manager recommends that the Board receive an update on the Small Business Administration Disaster Loan Program.

#### 4. LUNCH

##### 18-1098

#### **Discussion on the Proposed Amendments to Durham County Ordinance Chapter 17 - Offenses and Miscellaneous Provisions: Article II - Offenses Involving Firearms and Other Weapons**

**Agenda Text:**

The Board is requested to discuss the proposed amendments to Durham County Ordinance Chapter 17 - Offenses and Miscellaneous Provisions: Article II - Offenses Involving Firearms and Other Weapons.

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

**Resource Persons:** Lowell L. Siler, County Attorney; Curtis Massey, Office of the Sheriff Legal Advisor; and Major Paul Martin, Office of the Sheriff.

**County Manager's Recommendation:** The County Manager recommends that the Board discuss the proposed amendments and decide if additional action is required.

**Attachments:**

[Mecklenburg County Firearms Ordinance](#)

[Durham County Chapter 17 - OFFENSES AND MISCELLANEOUS PROVI](#)

[DRAFT Durham County Firearms Ordinance \(Redline\)](#)

##### 18-1050

#### **Amendment to the Durham County Policy for Conveying County Owned Real Property**

**Agenda Text:**

The County Manager recommends that the Board approve the revised Durham County Policy for Conveying County Owned Real Property.

The Board has expressed its commitment to support the provision of affordable housing. As part of this effort, the Board asked staff to draft a policy to prioritize the conveyance of County surplus property to the City for affordable housing development. The City's Community Development Department has significant expertise in affordable housing and is best positioned to evaluate non-profit providers and place appropriate requirements on the subsequent conveyances to ensure the property's use for affordable housing.

Under the proposed policy, properties that are not retained by the County for other public purposes are routed first to the City of Durham Department of Community Development for affordable housing, then to other City Departments for other public purposes. Properties that are declined by the City would be made available to



non-profit affordable housing providers as well. If no requests are made by any qualified non-profit providers, the property would then be declared surplus and made available for public purchase via the upset bid process.

The attached draft revised policy addresses this process, and would replace the current County policy on conveyance of surplus property which has been in place for some time without major modification. It would also replace a 2007 Durham County Policy for Conveying Real Property for Affordable Housing. The policy was first reviewed by the Board at the May 2018 work session. At that time, the Board requested several revisions, which are described in the attached memo.

**Alignment With Strategic Plan:** The attached policy supports Strategic Goal 1: Community Empowerment and Enrichment, Strategy 1.3.D on affordable housing, as well as Goal: 5 Accountable, Efficient and Visionary Government.

**Resource Persons:** Jane Korest, Open Space and Real Estate Manager; Nancy Mitchell, Senior Real Estate Officer, and Willie Darby, Senior Assistant County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board approve the revised Durham County Policy for Conveying County Owned Real Property.

**Attachments:**

[AAF Supplemental Document - Surplus Property Policy 11-5-18](#)

[Attach 1 Revised Amendment to County Surplus Property Policy for 11-5-18 W&S](#)

**18-1103** **Durham County Property Inventory**

**Agenda Text:**

The County Manager recommends that the Board receive the attached Durham County Property Inventory and provide direction as appropriate. The attached Property Inventory supplements a map and list of County-owned property provided in February 2018 that included the location and assessed value of all County-owned property. The attached list is divided into several categories for ease of use. In addition, since the Board has also expressed interest in determining whether there are County-owned properties suitable for affordable housing, columns have been provided to indicate whether the property is within the City limits, zoning classification, and whether the parcel is within 1/2 mile of the planned light rail corridor.

The list includes several parcels that the Manager has flagged for further study with respect to how they fit into the County's long term real estate portfolio that are outlined in the supplemental attachment. It is important that any recommendations or decisions regarding potential reallocations of County-owned properties take into account the upcoming County CIP and Facility Master Plan, which are slated to go to the Board in early 2019.

**Alignment With Strategic Plan:** The attached Durham County Property Inventory supports Goal 5 “Accountable, efficient and visionary government”

**Resource Persons:** Jane Korest, Open Space & Real Estate Manager; Nancy Mitchell, Senior Real Estate Officer, Peri Manns, Deputy Director of Engineering and Environmental Services

**County Manager’s Recommendation:** The County Manager recommends that the Board receive the attached Durham County Property Inventory and provide additional direction as appropriate.

**Attachments:** [AAF Supplemental Document - Property Inventory 11-5-18 work session](#)  
[Attachment County-owned Property Inventory 11-5-18 WS](#)

### **18-1110** **Quarterly Management Report (20 min)**

**Agenda Text:**

Publication of the Quarterly Management Report (QMR) began nearly four years ago to give the Board of County Commissioners (BOCC) systematic updates on key activities, projects, or issues facing Durham County Government throughout the fiscal year. The document has evolved as our organization began the transition to the Managing for Results (MFR) business model in 2015. The MFR business concept focuses on strategic and operational planning, budgeting for results, managing service delivery, and learning and evaluation. Across the organization, departments have realigned, expanded, or on occasion, discontinued services to meet the strategic plan priorities adopted by the BOCC in June 2017.

This next generation Quarterly Management Report (QMR) has greater emphasis on high priority projects that meet strategic plan goal targets. In upcoming months, expanded performance measurement information, dashboards and other tools will be showcased to inform internal and external customers on critical issues. For example, we have added the ClearPoint Strategy and Microsoft Power BI tools to capture budget and performance measurement information. These enhancements will help us meet desired customer-service goals and more effectively identify areas that need process review, discontinuation or bolstered resources.

**Alignment With Strategic Plan:** The QMR provides the County Commissioners and the community with regular and measurable updates on outcomes associated with the objectives of the Strategic Plan and the County Manager’s workplan. It aligns with Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Wendell Davis, County Manager

**County Manager’s Recommendation:** The County Manager recommends that the Board receive the updated Quarterly Management Report.

**Attachments:** [QMR FY18-19 10.29.2018 BOCC Presentation](#)  
[Q1 QMR FY18-19 November 2018 BOCC Work Session](#)

### **18-1102** **Commissioners’ Directives Follow-Up (15 min)**

**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.

After some Board difficulties accessing the online document tracking directives, staff followed up with further instructions and opportunities for Board members to perfect their strategies for accessing the document.

**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:** Drew Cummings, Chief of Staff; General Managers

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

#### **18-1105** Commissioner Comments (10 min)

**Agenda Text:** The Board is requested to allow each Commissioner three 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 Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Board of County Commissioners

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

## 5. Closed Session

#### **18-1108** Closed Session

**Agenda Text:**

1. **Welton v. Durham Co., et al. (1:17-CV-00258)**

The Board is requested to adjourn to Closed Session pursuant to G.S. 143.318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

2. 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 industries or other businesses in the area served by the public body, including

agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures.

3. The Board is requested to adjourn into Closed Session pursuant to G.S. 143-318.11(a)(5) to instruct staff or agents on the public body's negotiating position for acquisition of real property.
4. The Board was requested to adjourn to Closed Session pursuant to G.S. 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

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

**Resource Persons:** Lowell L. Siler, County Attorney

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

## 6. Adjournment