



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Monday, January 6, 2020

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)

##### 20-0017

##### **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 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:** Monica W. Toomer, 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 (15 min)

### [19-0621](#)

#### **Construction Services to Durham County Memorial Stadium South Grandstand Renovations**

**Agenda Text:**

The Board is requested to approve a contract with ASJ Wilson Construction in the amount of \$650,000 for the renovation of the South grandstand. This project is part of the previously approved funding of \$1.4M for projects last year to make necessary repairs and additions for US Track and Field event. This project was delayed allowing the event to occur since it had no impact on the event. In this project, disintegrating block walls will be demolished and replaced, drainage system will be installed. Moisture damaged sheetrock in storage areas will be replaced, lastly flaking paint on the bleacher support structure will be removed and steel will be seal coated. The new block walls and vomitory walls will be capped with metal flashing to eliminate the walls from disintegrating and causing the paint to bubble and peel off the walls, as is currently happening.

**Alignment with Strategic Plan:** This project aligns with Goal 5- Accountable, Efficient and Visionary Government. It will allow us to make the needed repairs and to properly present a County facility with the aesthetics and function that a highly visible stadium should reflect.

**Resource Persons:** Motiryo Keambiroiro, Director General Services, Zach Pritchard, Memorial Stadium Manager, David Alpaugh, Project Facilitator General Services, Shawn Swiatocha, Assistant Director of Operations, Robert Sotolongo, AIA, DTW Architects & Planners, Ltd.

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the County Manager to execute the proposed contract with ASJ Wilson Construction, LLC., in the amount of \$650,000 for the renovation of the South Grandstand at Durham County Memorial Stadium and be given the authority to execute any change orders/amendments, as long as said change orders or amendments do not exceed the remaining funds from the original \$1.4M multi-projects budget.

**Attachments:**

[IFB 20-004 - DCMS South Grandstand Renovations](#)

[IFB 20-004 DCMS South Grandstand RenoBid Tabulation](#)

[Bid forms ASJ](#)

[AAF Supplemental Document](#)

[Construction Contract South Grand stand Renovation](#)

[MWBE Compliance Review Form-AAF for 20-004 IFB 121219](#)

### [19-0622](#)

#### **Public Hearing and Award of Franchise to Provide Non-Emergency Ambulance Service in Durham County**

**Agenda Text:**

The Board is requested to conduct a public hearing, as required by ordinance, in order to grant an ambulance franchise for Jan Care of McDowell County, Inc. to

provide the following services within Durham County: non-emergency and inter-facility transportation at the basic and advanced life support level, back-up emergency ambulance service at the request of the County, and special events coverage at the request of the County. Jan Care of McDowell County, Inc. has fulfilled the requirements for an ambulance franchise set forth in Chapter 12, Article 2, Division 2 of the Durham County Code of Ordinances.

The franchise application and a copy of the public hearing advertisement are provided. The public hearing was advertised in The Herald-Sun newspaper December 23, 2019-January 6, 2020. This a renewal franchise request. Jan Care was approved for a franchise in 2018.

**Alignment With Strategic Plan:** This request aligns with the County's Strategic Goal #2: Health and Well-being for All, Strategic Goal #3: Safe Community, and Strategic Goal #5: Accountable, Efficient, and Visionary Government.

**Resource Persons:** Kevin Underhill, Interim EMS Director, David McNulty, Assistant Chief Finance and Administration

**County Manager's Recommendation:** The County Manager recommends that the Board conduct a public hearing and if appropriate based on the comments received during the hearing, award an ambulance franchise to Jan Care of McDowell County, Inc.

**Attachments:**

[JanCare 2020 Application](#)

[Jan-Care Notice of Public Hearing](#)

**19-0623**

**Public Hearing and Award of Franchise to Provide Non-Emergency Ambulance Service in Durham County**

**Agenda Text:**

The Board is requested to conduct a public hearing, as required by ordinance, in order to grant an ambulance franchise for LifeStar Emergency Services, LLC. to provide the following services within Durham County: non-emergency and inter-facility transportation at the basic and advanced life support level, back-up emergency ambulance service at the request of the County, and special events coverage at the request of the County. LifeStar Emergency Services, LLC. has fulfilled the requirements for an ambulance franchise set forth in Chapter 12, Article 2, Division 2 of the Durham County Code of Ordinances.

The franchise application and a copy of the public hearing advertisement are provided. The public hearing was advertised in The Herald-Sun newspaper December 23, 2019-January 6, 2020. This is a renewal franchise. LifeStar Emergency Services was approved for a franchise with the County in 2017.

**Alignment With Strategic Plan:** This request aligns with the County's Strategic Goal #2: Health and Well-being for All, Strategic Goal #3: Safe Community, and Strategic Goal #5: Accountable, Efficient, and Visionary Government.

**Resource Persons:** Kevin Underhill, Interim EMS Director, David McNulty, Assistant Chief Finance and Administration

**County Manager's Recommendation:** The County Manager recommends that the Board conduct a public hearing and if appropriate based on the comments received during the hearing, award an ambulance franchise to LifeStar Emergency Services, LLC.

**Attachments:** [LIFESTAR FRANCHISE APP](#)  
[LifeStar Notice of Public Hearing](#)

**20-0002** **Contract Amendment Adding \$100,000 for Instructional Services to Durham Pre-K Contract with Child Care Services Association, Inc.**

**Agenda Text:** The Board is requested to approve the attached contract amendment.

The Board of County Commissioners discussed and gave verbal approval for this contract amendment at their December 2, 2019 Work Session.

At that Work Session, representatives from Child Care Services Association were present and explained the many variables contributing to the expenditure rate for Durham Pre-K, Durham County's growing universal pre-K program. Those variables make it very difficult to maintain regular spending rates or to accurately project future, total spending. Our current spending rate would lead us to spend more than is currently budgeted. This means the County is serving more children, but it also means that either spending needed to be cut back or that the County needed to add more money into the instructional services portion of CCSA's contract. Staff's recommendation at the December 2, 2019 Work Session was to do the latter, and Commissioners agreed.

**Alignment with Strategic Plan:** A strong, universal pre-k program will strengthen important outcomes across all goal areas of the Durham County Strategic Plan, but particularly Goal 1 (Community and Family Enrichment).

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

**County Manager's Recommendation:** The County Manager recommends that the Board approved the attached contract amendment.

**Attachments:** [CONTRACT AMENDMENT #2](#)

**20-0005** **Approval of Contract Amendment Adding \$58,000 to Annual Service Contract with Urban Ministries of Durham**

**Agenda Text:** The Board is requested to approve the attached contract amendment to the FY19-20 annual service contract between Durham County and Urban Ministries of Durham.

As part of the FY19-20 budget process, Durham County received the attached request for \$58,000 from Urban Ministries of Durham (UMD). The requested contribution was for a number of upgrades to the UMD's café space which would

enable UMD to serve its clients more efficiently and in a more pleasant, functional space. The Commissioners reserved this amount of funding in the FY19-20 budget and indicated they would award the funding upon satisfactory completion of conversations relating to additional day services needed now and in the future by those experiencing or at risk of homeless in Durham. Those conversations are ongoing, but Commissioners have indicated a willingness to release the funding.

**Alignment with Strategic Plan:** A well-functioning homeless system of care is critical to Goals 1, 2, and 3 of the Durham County Strategic Plan

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

**County Manager's Recommendation:** The County Manager recommends that the Board approve the attached contract amendment to the FY19-20 annual service contract between Durham County and Urban Ministries of Durham.

**Attachments:** [CONTRACT AMENDMENT for \\$58k](#)  
[Proposal to Durham County - Cafe Renovation](#)

## **20-0008** **Public Hearing and Award of Franchise to Provide Non-Emergency Ambulance Service in Durham County**

**Agenda Text:** The Board is requested to conduct a public hearing, as required by ordinance, in order to grant an ambulance franchise for North State Medical Transport to provide the following services within Durham County: non-emergency and inter-facility transportation at the basic and advanced life support level, back-up emergency ambulance service at the request of the County, and special events coverage at the request of the County. North State Medical Transport has fulfilled the requirements for an ambulance franchise set forth in Chapter 12, Article 2, Division 2 of the Durham County Code of Ordinances. This request is to renew North State Medical Transport's franchise with the County. The original franchise was approved in 2017.

The franchise application and a copy of the public hearing advertisement are provided. The public hearing was advertised in The Herald-Sun newspaper December 23, 2019-January 7, 2020.

**Alignment with Strategic Plan:** This request aligns with the County's Strategic Goal #2: Health and Well-being for All, Strategic Goal #3: Safe Community, and Strategic Goal #5: Accountable, Efficient, and Visionary Government.

**Resource Persons:** Kevin Underhill, Interim EMS Director

**County Manager's Recommendation:** The County Manager recommends that the Board conduct a public hearing and if appropriate based on the comments received during the hearing, award an ambulance franchise to North State Medical Transport.

**Attachments:** [North State Application](#)  
[North State Notice of Public Hearing](#)

**20-0011 Budget Ordinance Amendment No. 20BCC000039- Recognize Funding from NC Department of Public Safety for the Local Reentry Council**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 20BCC000039 in the amount of \$53,400 from the North Carolina Department of Public Safety (NC DPS) for the Local Reentry Council and continue a 1 FTE provisional position.

The Durham County Criminal Justice Resource Center has served as the Intermediary Agency for the Local Reentry Council (LRC) since December 2016. The LRC is designed to coordinate services and resources at the local level supporting justice involved individuals to reduce recidivism. After an RFP process, NC DPS awarded a new contract to Durham County to maintain Local Reentry Council services effective December 21, 2019. An Employment Case Manager position is required in the contract and will need to be re-authorized as part of the Budget Amendment.

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

**Resource Persons:** Roshanna Parker, Assistant Director, CJRC; Gudrun Parmer, Director, CJRC

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 20BCC000039 in the amount of \$53,400 from the NC Department of Public Safety for the Local Reentry Council and approve continuation of 1 FTE provisional position.

**Attachments:** [AAF Supplemental Document - Local Reentry Council](#)  
[AAF-39 Legal Form CJRC Recognize Additional Revenue from NCDPS for the L](#)  
[BOCC 20-0011, CJRC, LRC Contract](#)

**20-0012 Authorize the County Manager to execute the (1) Memorandum of Understanding for 300 East Main Street - Affordable Housing Project; (2) Memorandum of Understanding 500 East Main Street - Market Rate Project; and (3) Memorandum of Understanding for 500 East Main Street - Affordable Housing Project (collectively, the "MOUs" and the "Project"); and the (4) Option to Lease Real Estate for 300 East Main Street; and (5) Option to Lease Real Estate for 500 East Main Street (collectively, the "Options")**

**Agenda Text:** The Board is requesting to authorize the County Manager to execute the MOUs and Options in connection with the Project. (See Attachments 1, 2 & 3)  
The MOUs are non-binding agreements between the County and each development partner outlining each parties' requirements and responsibilities. The MOUs will establish developer and County milestones that must be reached before the execution of the Master Development Agreement. Furthermore, the MOUs provide the developer(s) exclusivity to develop the Project and must be executed prior to the

submission of the bond volume cap and tax credit application deadline of January 24, 2020.

The Options are required to demonstrate stakeholder commitment to the Project and provide appropriate documentation to satisfy the bond volume cap for the tax credit application.

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

**Resource Persons:** Anthony Fox, Partner, Parker Poe Adams & Bernstein LLP; Lowell Siler, County Attorney; Ronn Stewart, Senior Vice President, Laurel Street Residential; Lee Cochran, Vice President, Laurel Street Residential; Dionne Nelson, President and CEO, Laurel Street Residential; Darryl Hemminger, Senior Vice President, ZOM Living; Sarah Odio, Project Manager, DFI; Jay Gibson, P.E. General Manager - Goal 4; and Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the County Manager to execute the MOU's, and extend the terms of the MOU's (if necessary) and Options for the project.

**Attachments:** [12-20-19 Memorandum of Understanding - 500 East Main Street - Market Rate MOU 300 Block \(revised draft from County 12-20-19\)](#)  
[Memorandum of Understanding-500 E Main Project - Affordable Housing Project](#)

### 3. Discussion Items (140 min)

#### **19-0619 Stormwater Utility Planning and Implementation Update (30min)**

**Agenda Text:**

The Board is requested to receive a progress report on the County Stormwater Utility and offer feedback and guidance on its continued development. At the November 4, 2019 Work Session County Staff and its consultant outlined for Commissioners a path forward in the development of the County's Stormwater Utility, including additional work on the rate structure, educational efforts, and credit potential.

Since that time, the following activities have been completed:

- Digitization of 1,000 total residential parcels
- Data distribution and evaluation of those 1,000 parcels
- Recalculation of the Equivalent Residential Unit (ERU) upon which the rate is based
- Development of Tiered Rate options
- Assessment of credit program options and their costs, challenges, and benefits

This information will be presented to the Commissioners, at which time the Board will be able to determine how the utility will be structured, whether to implement a credits

program, and how much and what types of public education approaches will be used. Depending on these decisions, a portion of or all the remainder of the consultant contract may be utilized. Items included in the full scope include:

- Digitization of all 13,581 residential parcels
- Final analysis and data distribution of residential parcels
- Computation and finalization of tiers and final quality control
- Final credit program development and benchmarking
- Four additional public education and outreach meetings (total of 10)

**Alignment with Strategic Plan:** This agenda item supports Strategic Plan Goal 4: Environmental Stewardship and Community Prosperity. More specifically it supports the objective of improving water quality.

**Resource Persons:** Ryan D. Eaves, PE, Stormwater and Erosion Control Division Manager; McKenzie Gentry, PE, Stormwater Manager; Jay Gibson, PE, General Manager; Peri Manns, ASLA, Deputy Director, Engineering and Environmental Services; Tom Murray, PE, WK Dickson; Keith Readling, PE, Raftelis

**County Manager's Recommendation:** The County Manager recommends that the Board receives an update on the development of the County's stormwater utility and offers feedback to further inform the next steps on its planning and implementation.

**Attachments:** [200106 Stormwater Utility Update](#)

**20-0013**

### **Durham County Transit Plan Update (45min)**

**Agenda Text:**

The Board is requested to receive a presentation and provide comments on the Durham County Transit Plan Update.

**Summary.** This memo provides an update on upcoming planning decisions which will impact the development and priorities of the Durham County Transit Plan. The approval of the DCHC MPO FY2020 Transit Work Plan, SPOT 6.0 process and the Commuter Rail Study are upcoming decision points which will impact the progression of the new Durham County Transit Plan.

Attachments:

Attachment 1: Durham County Transit Plan Update Memorandum

**Alignment with Strategic Plan:** The Durham County Transit Plan Update adheres to Goal 1 "Community Empowerment and Enrichment" by providing Durham residents with better access to educational, vocational, economic and cultural opportunities throughout the community. It also follows Goal 2 "Health and Well-Being for All", by providing an integrated strategy to improve transit mobility, service and access throughout Durham County. Goal 3, "Safe Community", will be



addressed through the consideration of facility improvements for transit travel. Since the Durham County Transit Plan focuses on improving funding for a highly valued and sustainable form of transportation, it will also align with Goal 4, “Environmental Stewardship and Community Prosperity”. Lastly, the Durham County Transit Plan Update on Existing Conditions and Pipeline Projects aligns with Goal 5, “Accountable, Efficient and Visionary Government”, as it is focused on improving the quality of service for residents riding transit in the community.

**Resource Persons:** Brooke Ganser, Planner, Durham City-County Planning, and Scott Whiteman, AICP, Planning Manager, Durham City-County Planning.

**County Manager’s Recommendation:** The County Manager recommends that the Board receive a monthly update on transportation issues and provide any comments and questions regarding the project.

**Attachments:** [2020\\_1\\_6\\_Transit\\_Plan\\_Update\\_Memorandum](#)  
[PRES\\_Durham-BOCC-200106\\_DRAFT\\_V2\\_-\\_Transit](#)

#### **20-0016 Durham County Boxing and Wrestling Commission Requests (15min)**

**Agenda Text:** The Board is requested to discuss and receive a presentation from The Durham County Boxing and Wrestling Commission Chair, Italo Medelius, regarding requests to: 1) expand the oversight of the Commission to include sports other than boxing and wrestling and change the name of the Durham County Boxing and Wrestling Commission to the “Durham County Contact Sports Commission”; 2) add two (2) additional members to the Commission; and 3) streamline the process for the Commission to propose regulations.

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

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

**County Manager’s Recommendation:** The County Manager recommends that the Board discuss the requests from the Durham County Boxing and Wrestling Commission.

**Attachments:** [Durham County Boxing and Wrestling Commission 2020 Snapshot and Reques](#)

## **4. Lunch**

#### **20-0014 Review and Approval of Contract for Creation of a Durham County Early Childhood Action Plan (30min)**

**Agenda Text:** The Board is requested to review the attached contract proposal and either propose additional changes and/or move that it be approved at their January 13th regular session.

The board discussed the prospect of creating a Durham County Early Childhood Action Plan (ECAP) and the steps that would be necessary to make that happen at their October and December Work Sessions. Since the October discussion, County staff have been engaged in further discussions with the East Durham Children's Initiative (EDCI), Child Care Services Association (CCSA), Durham's Partnership for Children (DPfC), and others about the most appropriate and effective shape for this early childhood action planning process to take. At the December Work Session Commissioners directed staff to bring back a contract and scope of work reflecting the necessary tasks, processes, and funding for EDCI to assist the County by being our lead partner in the creation of the Durham County ECAP over the next 12-18 months. EDCI, anticipating the necessary hire of a full-time project manager, expressed a strong desire for a process that could extend through the next 18 months (through the end of FY20-21).

Staff continue to believe that the East Durham Children's Initiative (EDCI) should play a leading role in this effort. EDCI has been working for the better part of a decade to create a high-functioning pipeline of community partners serving young children in East Durham. In recent years they have repeatedly expressed interest in, and energy for, the idea of leading community-wide efforts to deepen and improve our early childhood service continuum and are also in the process in dropping the "E" from their name and becoming the Durham Children's Initiative. EDCI's experience leading collective action and in private fundraising will be critical for this effort.

The October discussion centered around a proposal for EDCI to receive significant funding over 2.5 years to complete and begin implementation of this plan. Staff now believe that a shorter, one-year process is both advisable and feasible. Staff also believe that some funding for other partners would be appropriate given the level of effort several of them are likely to put into this effort.

Finally, staff continue to believe that the timing is right to launch this effort. The County will soon have more bandwidth through the hiring of an early childhood systems coordinator. The recently announced \$4 million SAMHSA grant which funds the Center for Child and Family Health and numerous other agencies to improve social and emotional wellness of Durham children ages 0-8. The County has now been invited to apply for a Pritzker Foundation grant later this fall which would help fund better coordinated strategies for children 0-3. The County's Pre-K investments continue to grow. Boston Basics may be launched this coming year as a community-wide early childhood communication platform. The opportunity *and* need to understand and coordinate all these related efforts as much as possible is critical. Staff do not believe the County has the internal capacity to do that; but believes that (E)DCI and other local partners have both the energy and capacity to do it for us.

**Alignment with Strategic Plan:** A comprehensive Durham County Early Childhood

Action Plan will provide a roadmap for funding and action strategies for improving outcomes in goal areas 1-3 of the Durham County Strategic Plan. A clear, specific early childhood action plan mirroring the State of North Carolina's plan will also help coordinate Durham's future steps in this arena, help align them with the state's, and will make Durham County's early childhood activities more attractive for private and philanthropic funding.

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

**County Manager's Recommendation:** The County Manager recommends that the Board review the attached contract proposal and either propose additional changes and/or move that it be approved at their January 13th regular session.

**Attachments:** [EDCI Durham County ECAP Contract draft 12-20-19](#)  
[Memo to BOCC on Durham County ECAP](#)  
[ECAP PowerPoint\\_FINAL](#)  
[ECAP Budget final](#)  
[ECAP Reporting Document\\_final](#)  
[ECAP SoW final](#)

**20-0000** **Discussion on the Board's Usage of Plastic Water Bottles and Cups (10min)**

**Agenda Text:** The Board is requested to receive a brief presentation from the Clerk's Office on their use of plastic water bottles and cups during meetings.

At the December 10th Joint City-County Meeting there was a brief discussion on the Board's use of plastic water bottles and cups. The Clerk's Office was asked to propose options and share with the Board for feedback.

**Alignment With Strategic Plan:** Goal 4: Environmental Stewardship and community Prosperity

**Resource Persons:** Monica W. Toomer, Clerk to the Board

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

**Attachments:** [Reducing Usage of Single-Use Plastic Water Bottles](#)

**20-0006** **Follow-Up on Commissioner Directives (10min)**

**Agenda Text:** The Board is requested to review the directives tracking form and ask any questions they wish.

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:** Drew Cummings, Chief of Staff

**County Manager's Recommendation:** The County Manager recommends that the Board review the directives tracking form and ask any questions they wish.

## 5. Adjournment