



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Monday, January 4, 2021

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)

[21-0017](#)

#### 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 were asked to provide comments prior to the start of the meeting so that staff may reply to comments and/or questions. All speakers are requested to refrain from addressing issues related to personnel matters.

**Alignment with Strategic Plan:** Citizen engagement aligns with all five of the strategic goals by allowing the Board to receive comments and concerns from the community related to important issues in Durham County.

**Resource Persons:** Monica W. 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)

[20-0684](#)

Budget Ordinance Amendment No. 21BCC000060 FY 2019-2020

**Encumbrance Rollover - increasing multiple Funds Budgeted Expenditures and Revenues by a total of \$6,792,980.89****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 21BCC000060 for FY 2020-21 amending the budgets for the outstanding encumbrances at fiscal year-end FY 2019-20. Encumbrances outstanding at fiscal year-end represent obligations/commitments entered 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 2019-20 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 2020-21 to honor the outstanding purchase orders and service contracts as of the end of FY 2019-20:

General Fund (1001010000)	\$ 6,136,987.87
Risk Management Fund (1001020000)	\$ 119,524.61
Reappraisal Reserve Fund (1001050000)	\$ 278,500.00
Benefits Plan Fund (1001500000)	\$ 2,999.10
Sewer Utility Fund (6006600000)	\$ 254,969.31
<b>Total</b>	<b><u>\$ 6,792,980.89</u></b>

**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; Keith Lane, Budget and Management Services Director

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 21BCC000060 for FY 2020-21 amending the budgets for the outstanding encumbrances at fiscal year-end FY 2019-20.

**Attachments:**      [AAF-60 Legal Form Encumbrance Rollover.pdf](#)  
                                 [AAF Supplemental Document - FY21 Encumbrance Budget Amendment](#)

**20-0685**      **Durham Gang Reduction Strategy - Approval of Annual Interlocal Agreement with the City of Durham and Approval of Consultant Services Contract with Tytos Consulting**

**Agenda Text:**      The Board is requested to approve the Interlocal Agreement with the City of Durham for Continuation of Durham's Gang Reduction Strategy in fiscal year 2020-21, and authorize the County Manager to enter into a consultant services contract with Tytos Consulting in the amount of \$42,000 to assist with the 2021 Durham Comprehensive Gang Assessment.

Durham's Gang Reduction Strategy (GRS) was developed as a response to recommendations from the Comprehensive Gang Assessment that was completed and adopted by the City and County in November 2007. Since 2011, the City of Durham and Durham County have jointly lead this effort through the Gang Reduction Strategy Steering Committee and provided funding for the GRS Manager position and the Project Build Program. The FY20-21 Interlocal Agreement will also provide funding for consulting services to assist in the completion of the update to the comprehensive gang assessment report.

The City/County Gang Reduction Steering Committee plans to conduct an update to the Gang Assessment which is scheduled for completion in November 2021. Consultant services are needed to assist with specific parts of this project. Following a Request for Proposal solicitation, a selection committee unanimously recommended Tytos Consulting.

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

**Resource Persons:** Jim Stuit, Gang Reduction Strategy Manager, CJRC and Gudrun Parmer, Director, CJRC

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Interlocal Agreement with the City of Durham for Continuation of Durham's Gang Reduction Strategy in fiscal year 2020-21, and authorize the County Manager to enter into a consultant services contract with Tytos Consulting in the amount of \$42,000 to assist with the 2021 Durham Comprehensive Gang Assessment.

**Attachments:**      [AAF 20-0685, Supplemental Document - Interlocal Agreement City-County Gan](#)  
[AAF 20-0685, Durham Gang Reduction Strategy Interlocal Agreement FY 2020](#)  
[AAF 20-0685, Supplemental Document - Tytos Contract](#)  
[Tytos Consulting Service Contract Contract FY2021](#)  
[Tytos Consulting, Contract Scope of Work](#)  
[AAF 20-0685, MWBE Compliance Review Form-AAF for 21-009 RFP 111620](#)  
[Durham Final Gang Assessment Report 11-15-07](#)

**20-0686****Sole Source Exemption for Stirrup Iron Creek Lift Station Muffin Monster****Agenda Text:**

The Board is requested to provide approval for sole source exemption for the purchase of a Muffin Monster for the Stirrup Iron Creek Lift Station in the amount of \$57,839.19. There are other types of equipment similar to the Muffin Monster, however, no others provide a direct, drop-in replacement of our current equipment as does the Muffin Monster. By utilizing a Muffin Monster, a replacement of what is currently there, the County will realize savings on the overall project because no additional site/equipment modifications will need to be undertaken to ensure the equipment fits and will fully work as intended. JWC Environmental is the sole manufacturer and Heyward is the exclusive JWC Environmental sales and repair representative for North Carolina. Attached is the sole manufacturer and representative letter, quote, and equipment specifications.

This item has been reviewed by the Purchasing Division for compliance with the request for sole source exemption.

**Alignment with Strategic Plan:** This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as this will result in an increase in the useful life of the pumps at that station and minimizing the risk of sanitary sewer overflows in that area.

**Resource Persons:** Jay Gibson PE, General Manager; Peri Manns ASLA, Deputy Director of E&ES; Stephanie Brixey, Deputy Director of E&ES; Tom Kutch, Interim Utility Supervisor

**County Manager’s Recommendation:** The County Manager recommends the Board approve the sole source exemption for the purchase of a Muffin Monster for the Stirrup Iron Creek Lift Station in the amount of \$57,839.19.

**Attachments:**      [AAF Supplemental Document for Muffin Monster](#)  
[JWCE\\_SoleSource\\_Heyward Sole Representative Letter](#)  
[Quote #57781](#)  
[Cut Sheet - 30010-0364 dtd 10.19.15](#)  
[RE\\_Informal Range - Sole Source & Representative Purchasing Approval](#)  
[W.Darby approval - Sole Source & Representative Purchasing Approval](#)

**21-0003 Approval of Contract Amendment and Budget Amendment Ordinance No. 21BCC000061 Appropriating \$124,000 for Hope (Remote) Learning Centers From Available General Fund COVID Reserve Funds**

**Agenda Text:**

The Board is requested to approve a contract amendment and Budget Amendment Ordinance No. 21BCC000061 appropriating \$124,000 to the County's contract with the Durham Public Schools Foundation to extend the Hope Learning Centers at Student U, the YMCA, and Kate's Korner through the end of January 2021.

The County Commissioners agreed to this additional funding at the Dec. 14th, 2020 County Commissioner meeting. This budget amendment is formalizing the funding decision made by the Commissioners at the Dec. 14th regular session. Additionally, the County Commissioners will consider additional funding support for the Hope Centers at the January 4th work session. Extensive support materials related to this topic are attached to that item.

The source of funding for the additional amount contained in this contract amendment is the COVID reserve fund in the Durham County FY20-21 approved budget.

**Alignment with Strategic Plan:** Safe, supportive remote learning centers support objectives in Goals 1-3 of the Durham County Strategic Plan.

**Resource Persons:** Magan Gonzales-Smith, Executive Director (DPS Foundation) ; Drew Cummings, Chief of Staff

**County Manager's Recommendation:** The County Manager recommends that the Board approve the contract amendment and Budget Amendment Ordinance No. 21BCC000061 appropriating \$124,000 from available General Fund COVID reserve funds to the County's contract with the Durham Public Schools Foundation to extend the Hope Learning Centers at Student U, the YMCA, and Kate's Korner through the end of January 2021.

**Attachments:**

[AAF Supplemental Document - Contract Approval](#)

[FR 21- 674 DURHAM PUBLIC SCHOOLS FOUNDATION](#)

[Hope Learning Ctr 124k 2wk extension](#)

[AAF-61 Legal form](#)

[COVID Funding Summary 12.30.20 Update.pdf](#)

**21-0006 Interlocal Cooperation Agreement for the Division of Sales Tax Between the County of Durham and the City of Durham July 1, 2021-June 30, 2022**

**Agenda Text:**

The Board is requested to approve a one-year interlocal cooperation agreement with the City of Durham for the division of collected Article 39, 40, & 42 sales tax between the two jurisdictions. City administration has agreed to extending the current interlocal agreement between the County and City per established guidelines for an

additional year. The new interlocal agreement would exist for one fiscal year, through June 30, 2022.

The current agreement, in effect since July 1st, 2020, splits all collected sales tax for both the City and County, with the County receiving 56% of the total amount and the City 44%. This agreement was reached to avoid the county changing the distribution method from the current per capita distribution to an ad valorem distribution method.

The proposed interlocal agreement would continue to split all collected sales tax for both the City and County, with the County receiving 56% of the total amount and the City 44% and extend the terms of the ILA through June 30, 2022.

The Durham City Council is set to approve this annual interlocal cooperation agreement at an upcoming City Council meeting, reflecting a collected sales tax revenue split at 56% for the County and 44% for the City for the next fiscal year (FY 2021-22).

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

**Resource Persons:** S. Keith Lane, Budget & Management Services Director

**County Manager's Recommendation:** The County Manager recommends that the Board approve an interlocal cooperation agreement (see attachment) for the division of sales tax between the County of Durham and the City of Durham for the period July 1, 2021 through June 30, 2022 and authorize the County Manager to sign of this agreement.

**Sponsors:** Lane

**Attachments:** [FY 2021-22 Approved Sales Tax ILA](#)

**21-0007** **Approval of Contract with Gene IQ for Employee COVID-19 Testing and Budget Ordinance Amendment No. 21BCC000063 Moving funds in the Amount of \$243,960 from the General Fund to the Risk Management Fund**

**Agenda Text:** The Board is requested to suspend the rules, authorize the County Manager to enter into a contract with Gene IQ for employee COVID-19 testing, and approve Budget Ordinance Amendment No. 21BCC000063 moving funds in the amount of \$243,960 from the General Fund to the Risk Management Fund. Gene IQ provided a response to RFP 21-013 requesting vendors for both bi-weekly and mass testing for employees, if warranted. Gene IQ will provide both bi-weekly testing for a small sample of employees working in confined living spaces, including the Detention Center and Youth Home, and mass testing up to and including the entire workforce, 2000+ individuals, if warranted. Through the RFP process they have outlined a strategy to provide personnel which will provide testing and results to employees. Moving forward with an employee testing strategy was discussed and requested by

the Board during the September 2020 work session. Public Health will continue to provide testing services to detainees in the Detention Center.

Funding for this contract will come from the County General Fund COVID-19 set aside fund. The actual expenditures will occur in the Risk Management Fund and therefore the budget amendment is transferring the funds accordingly. This contract is not eligible for FEMA reimbursement. The need for this contract is critical in case there is a mass outbreak amongst the workforce which will require testing for Durham County's over 2,000 employees. This contract will extend to the end of the FY21 fiscal year.

**Alignment with Strategic Plan:** This aligns with Strategic Goal 5 - Accountable, efficient, and visionary government and Goal 3 - Safe Community

**Resource Persons:** Lowell Siler, County Attorney and Janelle Owens, Safety & Risk Manager

**County Manager's Recommendation:** The County Manager recommends that the Board suspends rules, authorize the County Manager to execute the contract with Gene IQ for employee COVID-19 testing, and approve Budget Ordinance Amendment No. 21BCC000063 moving funds in the amount of \$243,960 from the General Fund to the Risk Management Fund.

**Attachments:**

[AAF Supplemental Document - Contract Approval Template](#)

[GenelQ-Service Contract FY2021](#)

[Attachment 1 GenelQ-Scope of Services Form FY2021](#)

[Attachment 1A QUOTE RFP 21-013 GenelQ](#)

[Attachment 1B RFP# 21-013 MWBE Compliance Review Form](#)

[Durham County Contract Sig page 20201216](#)

[Durham County Vendor App-Signed 20201216](#)

[GenelQ - Client Pack 2 - 1916523](#)

[Insurance Waiver Request Form- Fillable](#)

[RFP 21-013 Proposal Tabulation-Employee COVID-19 Testing](#)

[AAF-63 Legal Form](#)

[COVID Funding Summary 12.30.20 Update.pdf](#)

**21-0010**

**Approval of Interlocal Agreement to Transfer Non-Profit Housing Repair Funds to the City of Durham for Joint City-County Home Repair Programs**

**Agenda Text:**

The Board is requested to review the proposed interlocal and ask any questions they wish prior to the agreement coming back on January 11th for approval.

The County staff, in coordination with County Commissioners, agreed in the fall of 2020 to focus the County's non-profit funding for the latter half of FY20-21 and all of FY21-22 on four areas. One of those areas was the arena of housing security.

County staff consulted internally and also with key affordable housing staff in the City's Department of Community Development. Staff discovered that the City was about to release an RFP seeking non-profit assistance with both minor and substantial repair programs. Given that the County does not have significant subject matter expertise in the affordable housing (or home repair) area, the possibility of partnering with the City on County-wide repair programs was attractive. This is doubly true since robust home repair programs help reduce gentrification by making it possible for many more, lower- and fixed-income homeowners to age safely and affordably in place.

The City agreed to this approach in principle and the County Commissioners were briefed on this approach in early October. The approach has been incorporated into the draft interlocal agreement in front of Commissioners today. The interlocal would transfer one quarter (\$264,000) to the City over the next 18 months to supplement the City funding and accumulated HOME Consortium funding that had already been lined up to fund these programs. The interlocal, if approved, would make both City and County residents eligible for the programs. In general, disabled or elderly (over 65) homeowners with household incomes under 50% of the area median income (AMI) are eligible.

Funds supporting this ILA are approved in the FY 2020-21 Adopted Budget as part of the nonprofit funding program. A separate but related Board action is item 21-0004 (for approval at January 11, 2021 Board meeting), a budget amendment that will move the funds necessary to cover this ILA to the correct Functional Area.

**Alignment with Strategic Plan:** We meet elements of Goals 1, 2, and 5 of the County's strategic plan by capturing the efficiency of jointly operated City-County programs as well as the home repair expertise of local housing nonprofits.

**Resource Persons:** Drew Cummings, Chief of Staff; Karen Lado, Assistant Director (City of Durham Department of Community Development)

**County Manager's Recommendation:** The County Manager recommends that the Board review the proposed interlocal and ask any questions they wish prior to the agreement coming back on January 11th for approval.

**Attachments:** [Home Repair ILA 12-21-20 final](#)  
[AAF Supplemental Document - Contract Approval](#)  
[Joint Repair Funding and Program Summary 12-30-20](#)

## **21-0014** Revised BOCC 2021 Meeting Calendar

**Agenda Text:** The Board is requested to review and approve the revised 2021 BOCC Meeting Calendar.



The revised calendar includes the September Work Session date change to Thursday, September 9, 2021. That change was due to the observance of Labor Day and the Rosh Hashanah Holiday.

**Alignment with Strategic Plan:** This item aligns with Strategic Goal 5: Accountable, Efficient and Visionary Government

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

**County Manager's Recommendation:** The County Manager recommends that the Board review and approve the revised 2021 BOCC Meeting Calendar.

**Attachments:** [BOCC 2021 REVISED MEETING CALENDAR](#)

### 3. Discussion Items (190 min)

#### [20-0511](#)

#### **Update on Design of the New Durham County Youth Home, Project No. DC-001 (30min)**

**Agenda Text:**

The Board is requested to receive an update from Moseley Architects regarding the design of the New Durham County Youth Home.

In 1945, the Durham County Youth Home came into existence as a result of an idea of Mamie Dowd Walker, Judge of the City and County Judicial Court. By 1947, the Durham County Youth Home was completed and in operation as the first county facility of this nature in the State of North Carolina.

In 2017, the Board of County Commissioners renewed the County's almost 75-year commitment to keep our children in our own community rather than send them to State-run facilities elsewhere by approving funds for a Youth Home Program and Site Master Plan, which included an update to the 2014 Building Assessment Report. The study identified current and future needs of the Home, and the building assessment results indicated that repairing, upgrading, and expanding the outdated facility is not cost-effective. Copies of the reports have been provided.

This project is the design of a new 36-bed Durham County Youth Home to replace the existing 14-bed facility on the 8.1-acre site currently shared with the Durham County/City Emergency Operations Center (EOC). The new expanded facility is designed to facilitate best practices and accommodate the housing of older juveniles after SB257 Juvenile Justice Reinvestment Act (aka "Raise the Age" law) took effect on December 1, 2019. The design follows the standards of the North Carolina Administrative Code 10A NCAC 14J, Rules and Laws Governing the Operations, Surveillance, and Monitoring of Jail Facilities, and the American Correctional Association Standards for Juvenile Detention Facilities. The existing youth detention facility will be demolished after the new facility is occupied. This project will pursue LEED Gold certification.

In early December 2019, Durham received a letter from NCDPS Deputy Director William Lassiter indicating NCDPS's interest in partnering on this project. The County submitted a funding proposal to NCDPS in August 2020 which provided a partnership framework that would be mutually beneficial to Durham County and NCDPS. These funding needs cover the areas of furnishings, equipment, technology, security, and ongoing staffing (security, educational, and medical) required to build and operate this new state of the art 36-bed facility. A copy of the funding proposal has been provided. Deputy Secretary Lassiter has indicated that NCDPS is very interested in partnering with the County on this project and will work with County staff to develop a funding agreement that aligns with the opening of the new facility.

**Alignment with Strategic Plan:** This request aligns with the County's Strategic Goal 3: Safe Community, Goal 4: Environmental Stewardship & Community Prosperity, and Goal 5: Accountable, Efficient, and Visionary Government.

**Resource Persons:** Jodi Miller, General Manager, Peri D. Manns, ASLA, Deputy Director of Engineering and Environmental Services, Angela Nunn, Youth Home Director, Linda C. Salguero, AIA, CPD, Project Manager, Dan Mace, AIA, Vice President Moseley Architects, and Bryan Payne, AAIA, Senior Associate Moseley Architects.

**County Manager's Recommendation:** The County Manager recommends that the Board receive an update from Moseley Architects regarding the design of the New Durham County Youth Home.

**Attachments:**

[DC Youth Home Building Assessment Report](#)

[DCYH Program Study 042318 DIGITAL](#)

[NCDPS Youth Home Proposal Letter August 2020 attachments incl](#)

[Youth Home-Presentation.pptx](#)

**21-0002**

**Further Discussion of Hope (Remote) Learning Centers (30min)**

**Agenda Text:**

The Board is requested to receive further information from the leadership of the Hope Learning Centers and that they ask any questions they wish.

On August 24th, Durham County approved \$405,000 in support for the Hope Learning Centers, a remote learning option for Durham students (contract attached). County funding was primarily to support no-cost placements of students experiencing houselessness, who qualify for free or reduced lunch, have parents in essential jobs, have parents unemployed because of COVID, and/or who are part of the foster care system or live in public housing. County funding was initially only supposed to support these centers for part of the first semester, but due to slower initial enrollment and outside fundraising, the initial County funding sufficed for all of the first semester, which runs through January 15th, 2021.

The Hope Learning Centers are all operating at capacity at this point, as are the remaining three DPS remote learning centers. Though a small number of staff and

students associated with the centers have contracted COVID since the centers opened, there is no evidence that any spread occurred *at* the centers.

At their December 14th, 2020 meeting, the County Commissioners approved \$124,000 in additional funding to provide funding for the first two weeks of second semester, which will carry the Hope Learning Centers through the end of January.

It seems fairly clear that all of the alternatives being considered by Durham Public Schools for second semester will not result in a reduced need for remote learning slots. It could be that the availability of transportation through DPS may effectively *increase* the demand for slots. Based on the overall 2nd semester request presented on Dec. 14th, 2020, the remaining funding gap for the 3rd quarter is \$491,000 and for all of 2nd semester it is \$1,019,800. More information regarding known or potential additional funding sources may be available in January.

**Alignment with Strategic Plan:** Safe remote learning centers for Durham students aligns with Goals 1 - 3 of the Durham County Strategic Plan.

**Resource Persons:** Magan Gonzales-Smith, Executive Director (Durham Public Schools Foundation); Alexandra Zagbayou, Executive Director (Student U); Kate Goodwin, Director (Kate's Korner); Forrest Perry, Regional Vice President (YMCA of the Triangle); Drew Cummings, Chief of Staff

**County Manager's Recommendation:** The County Manager recommends that the Board receive further information from the leadership of the Hope Learning Centers and that they ask any questions they wish.

**Attachments:**

[AAF Supplemental Document - Hope Learning Centers](#)

[FR 21- 674 DURHAM PUBLIC SCHOOLS FOUNDATION](#)

[Hope Learning Centers Community Resource Guide](#)

[Combined October reports](#)

[Combined November reports](#)

[DPSF materials from Dec.8 JCCC](#)

[Dec.14 Hope BOCC Update](#)

[county memo 12.28](#)

**20-0664**

**Approval of Amendment to City-County Youth Initiatives Manager Interlocal Agreement and Updates on the City of Durham Office on Youth (30min)**

**Agenda Text:**

The Board is requested to receive updates regarding the City-County Strategic Youth Initiative, based in the City of Durham Office on Youth, and also to approve an amendment to the Interlocal Agreement regarding the City-County Youth Initiatives Manager Position.

In 2017, Durham County entered into a five year interlocal agreement with the City of Durham to offer partial funding support for a joint position, the Director of the Office on Youth (OOY), which is housed at the City and leading the work of the Strategic

Youth Initiative. The County funding is only a cost-share on the director's position, and now represents approximately 22% of the total funding for the OOH. Annual updates on activities of the OOH are generally offered at Joint City-County Committee (JCCC) meetings, and monthly updates are provided to the County Manager's Office. There would have been an update given at a 2020 JCCC meeting, but the agendas were often cleared to give adequate time to more pressing, COVID-related topics. Hence, in addition to a minor amendment to the interlocal agreement, those updates will be offered at this meeting.

As part of the revised FY20-21 Durham County non-profit funding process, one of the focus areas was "Child, Youth, and Family Wellness and Learning". In consultation with a variety of County stakeholders as well as the OOH, and in order to provide funding to support the priorities emerging from the OOH's Youth Listening Project, it was decided to allocate 2/3 of the overall funding (\$176,000) for this focus area through the County RFP, and 1/3 of it (\$88,000) through the OOH. The attached amendment to the interlocal agreement allows County funding to flow to the City and through the OOH to non-profit and community-based organizations over the course of the 18-month funding period anticipated with the current County process. As such, \$29,304 will flow to the City's OOH in FY20-21 and an additional \$58,696 in FY21-22.

The OOH will plan and implement a separate Request for Proposals (RFP) process that aligns with the County's RFP process. The OOH will engage community members and young people in the development and implementation of its award program. The scope of the funding program, including the size and number of awards, will be determined by a youth-adult board and will be informed by: the priorities of the County's non-profit program; the emerging needs and priorities shared by young people and caregivers in the OOH's recent youth listening project; the City's Participatory Budgeting - Cycle 2 non-profit funding program; and the current COVID realities and needs for families. The funds paid by the County for the OOH's funding program will be used entirely for grant awards. Funded programs will begin July 2021 and run through June 2022, as the first six months of the County's funding period will be used for the community-engaged development and selection process led by the OOH.

In addition to the approval of the amendment to the interlocal, staff from the OOH will provide updates on other recent activities. The OOH is in the middle of a three-year strategic plan, has conducted a comprehensive Youth Listening Project (which will do much to guide their community-based organization funding), and is directing the activities of the Durham Youth Commission.

Funds supporting this ILA are approved in the FY 2020-21 Adopted Budget as part of the nonprofit funding program. A separate but related Board action is item 21-0004 (for approval at January 11, 2021 Board meeting), a budget amendment

that will move the funds necessary to cover this ILA to the correct Functional Area.

**Alignment with Strategic Plan:** Well-coordinated support for Durham's youth, including non-profit and community-based organization relationships entered into and managed from a number of centers of County (and City) expertise, are strongly aligned with Goals 1, 2, and 3 of the Durham County Strategic Plan.

**Resource Persons:** Lara Khalil, Director (City of Durham Office on Youth); Cate Elander, Durham County Early Childhood Coordinator

**County Manager's Recommendation:** The County Manager recommends that the Board receive updates regarding the City-County Strategic Youth Initiative, based in the City of Durham Office on Youth, and also to approve an amendment to the Interlocal Agreement regarding the City-County Youth Initiatives Manager Position.

**Attachments:**

[Executed 5 yr OOO Interlocal](#)

[AMENDMENT OF THE ILA YOUTH INITIATIVES MANAGER AGMT](#)

[EXHIBIT A YIM ILA](#)

[Office on Youth Update for BOCC 2021-01-04 WS](#)

**21-0008**

**Participation in Duke Energy's Green Source Advantage Program To Meet Renewable Energy Goals (20min)**

**Agenda Text:**

The Board is hereby requested to receive a briefing on Duke Energy's Green Source Advantage program and provide direction to staff on participation in the program.

The BOCC adopted a resolution in 2018 calling for a plan to transition County operations to 80% clean, renewable energy by 2030 and 100% clean, renewable energy by 2050 with the purposes of building a more resilient community, promoting job creation and sustainable economic growth, and protecting our local community and the Earth for current and future generations. Staff are currently working with a consultant to create a plan to reach this ambitious goal.

Initial analysis shows that it is not feasible to meet the County's electricity needs exclusively through solar panels on county facilities and that a larger, commercial scale system will be needed. In addition, the cost of a kWh of solar electricity from a commercial scale system is less than half of that from rooftop solar. The most cost-effective option right now is Duke Energy's Green Source Advantage (GSA) program. The GSA program allows participants to partner with a solar developer to build a project, agreeing to pay a set amount to offset their electricity purchases for a set term (usually 15-20 years). Duke Energy pays the customer back a credit on their bills that covers part of the cost of the payment to the developer. The program offers these customers the flexibility of selecting and negotiating all price terms directly with a solar developer of their choice, including the retention of Renewable Energy Certificates (RECs) generated by a solar facility owned by the developer. The customer does not pay any upfront capital costs, on-going maintenance, or

decommissioning costs of the facility. After paying a small administrative fee to participate in the program, all costs afterwards are paid on a monthly basis based on electricity use.

The GSA program is almost already at maximum capacity currently allowed by law. Current participants include the City of Charlotte and Duke University. There may be another opening for participation in 2022 and it is expected to be very competitive. To take advantage of this current opportunity, the County is considering partnering with the City of Durham to apply for a 20-year agreement from a utility-scale solar energy project up to 30 MW in size located in Duke Energy Carolinas territory (10 MW for the County and 20 MW for the City). The County's portion would offset approximately 85% of current electricity use. On October 1, the City General Services Department issued a Request for Information (RFI) on behalf of the City and County for solar companies that have projects in the Duke Energy Interconnection queue that would be eligible for the GSA program, and received five responses. Based on these responses, City and County staff have drafted a Request for Proposals (RFP) to be issued in January 2021, pending City Council and Board of Commissioners approval. It is unlikely the County would be able to find a developer willing to partner with on GSA without the added demand from the City to make the project large enough to be cost-effective.

**Alignment with Strategic Plan:** This request aligns with Strategic Plan Goal #4 (Environmental Stewardship and Community Prosperity) - by providing a plan to transition to clean, renewable energy that will help the county meet its greenhouse gas emissions reduction goals in a just and equitable way.

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

**County Manager's Recommendation:** The County Manager recommends that the Board receive the briefing and provide guidance to staff on participation in this program.

**Attachments:** [Green Source Advantage Program BOCC 1 4 21](#)

**20-0620** **Update on the Minority and Women Business Enterprise (MWBE) Program (30min)**

**Agenda Text:** The Board is requested to receive an update on the operation of the County's Minority and Women Business Enterprise (MWBE) Program.

On November 28, 2016, the Board of County Commissioners adopted a new Minority and Women Business Enterprise (MWBE) Ordinance which gives the County Manager or designee the authority to implement an MWBE Program Plan to establish written policies and procedures for the operation of the County's MWBE Program. This Ordinance also reaffirms the Board of County Commissioners' commitment to its policy of nondiscrimination through positive business processes and

practices designed to ensure equal opportunity in all of the County's contracting opportunities.

The County has partnered with The Institute of Minority Economic Development (The Institute) to assist with the operation of its MWBE Program and to increase diverse business utilization through resources, programs, policies and events.

The MWBE Program is included in the County's Managing for Results (MFR) approach as a best practice management model used to improve efficiencies and effectiveness to address some of the County's social and economic challenges.

**Alignment with Strategic Plan:** To align with Goal 1 Community and Family Prosperity and Enrichment by increasing minority and women business participation. Create awareness and engagement by allowing minority and women-owned businesses to learn about contracting opportunities and events of the Durham County Minority and Women Business Enterprise Program.

**Resource Persons:** Susan Tezai, Chief Financial Officer; Angela Perry, Procurement Manager; and Keisha J. Davis, MWBE Coordinator.

**County Manager's Recommendation:** The County Manager recommends that the Board receives the update on the County's MWBE Program.

**Attachments:**

[AAF Supplemental Document - Non-contract MWBE EOY 2020 Update](#)  
[Durham County MWBE End of Year Rpt 2020v6 Powerpt - Final](#)  
[MWBE Ordinance Nov2016 PDF](#)

**21-0004**

**Update and Approval of Nonprofit Request for Proposal (RFP) Process and Final Selections and Budget Amendment No. 21BCC000062 Allocating Related Funding (\$284,665) to Appropriate Departments (30min)**

**Agenda Text:**

The Board is requested to hear an update on the FY 2020-2021 Nonprofit agency funding process and approve final selections. In addition, the Board is requested to approve Budget Amendment No. 21BCC000062 allocating related funding of \$284,665 to appropriate departments. Nonprofit funding for FY 2020-21 is already budgeted, no new funding is needed.

The County will fund fifteen nonprofit organizations, the City of Durham's Office on Youth, and the City of Durham's Housing Authority with grants for COVID response and recovery ranging in size from \$25K-75K for a term of 18 months. Over the next year County staff will work together with community members with content expertise and lived experience to establish a more equitable and informed process for future multi-year funding cycles. Total funding amounts for each focus area are shown in the table below,

Budget staff worked with various County staff to leverage their subject-matter expertise (SME) identifying priorities for funding (focused on immediate COVID-response) in the target areas of: 1) food security, 2) safe and stable housing, 3) child, youth, and family wellness, and 4) workforce development. Key principles SMEs used for nonprofit consideration included equity, systems thinking, capacity building, community engagement, and collaboration.

**Alignment with Strategic Plan:**

**Resource Persons:** Keith Lane, Budget Director; Claudia Hager, General Manager; Drew Cummings, Chief of Staff

**County Manager's Recommendation:** The County Manager recommends the Board hear an update on and approve the FY 2020-2021 Nonprofit agency funding process and final selections. In addition, the Board is recommended to approve Budget Amendment No. 21BCC000062 allocating related funding of \$284,665 to appropriate departments.

**Attachments:**

[County Nonprofit RFP Outline Narrative version 10-19-2020](#)

[Executive Summary - BoCC Planning Retreat - Final](#)

[AAF-62 Legal Form \\$284,665 Nonprofit Funds to SME Led Fund Centers](#)

[Selected Nonprofits Detail Info](#)

[BoCC Nonprofit Presentation - 1-4-20](#)

**21-0016**

**BOCC Update on \$15 Per Hour Increase for DPS Classified Employees and Budget Amendment Ordinance No. 21BCC000064 Appropriating \$950,000 General Fund Fund Balance Supporting January 1, 2021 Through June 30, 2021 Implementation (10min)**

**Agenda Text:**

During the November 24, 2020 Board of County Commissioners meeting, the Board voted to support additional funding to increase Durham Public Schools classified workers pay to \$15 per hour. The directive also asked Durham County Government staff to coordinate with Durham Public Schools staff to evaluate funding availability to support this expense after a fund balance review of the FY 2019-20 Comprehensive Annual Reports and fiscal outlook due to COVID-19 expenses.

Staff recommends authorizing funds to support the \$15 per hour pay increase through Budget Amendment Ordinance No. 21BCC000064 appropriating \$950,000 General Fund fund balance supporting January 1, 2021 through June 30, 2021 implementation. This mid-year appropriation would total \$950,000 and would impact 1,198.6 full time equivalent positions. The remaining \$950,000 to support the total annual expense will be included in the FY 2021-22 DPS current expense budget.

**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:** Claudia Hager, General Manager, Keith Lane, Budget Director and Susan Tezai, Chief Financial Officer

**County Manager's Recommendation:** The County Manager recommends that the Board receives the report and Budget Amendment Ordinance No. 21BCC000064 appropriating \$950,000 General Fund fund balance supporting January 1, 2021 Through June 30, 2021 implementation. The remaining \$950,000 to support the total expense will be included in the FY 2021-22 DPS current expense budget. Based on the timing of the action, the adjustment will be included in the February payroll cycle for Durham Public Schools classified employees.

**Attachments:** [AAF-64 Legal Form DPS \\$15 an hour wage half year for Classified employees \(](#)

**21-0015**

**Appoint Voting Delegate -North Carolina Association of County Commissioners (NCACC) Legislative Conference (10min)**

**Agenda Text:** The Board is requested to suspend the rules and vote to appoint the following Commissioners for the 2021 NCACC Legislative Goals Virtual Conference held on January 14 - 15, 2021.

The Board is requested to appoint Vice Chair Wendy Jacobs as the voting delegate and Chair Brenda Howerton as the voting alternate for the NCACC Legislative Conference.

**Alignment with Strategic Plan:** This item aligns with Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Brenda Howerton, Chair

**County Manager's Recommendation:** The County Manager recommends that the Board suspend the rules and vote to appoint Vice Chair Wendy Jacobs as voting delegate and Chair Brenda Howerton as the voting alternate for the NCACC Legislative Conference.

**21-0009**

**Review of Commissioner Directives (10min)**

**Agenda Text:** The Board is requested to review staff follow-up on their directives 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 staff follow-up on their directives and ask any questions they wish.

#### 4. Closed Session

**20-0687**

##### **Closed Session**

**Agenda Text:**

The Board is requested to adjourn into Closed Session 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 pursuant to G.S. 143-318.11(a)(4).

**Alignment with Strategic Plan:** This item aligns with Strategic Goal 4: Environmental Stewardship and Community Prosperity

**Resource Persons:** Andy Miracle, Economic Development Officer

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

#### 5. Adjournment