



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Monday, January 11, 2021

7:00 PM

Commissioners' Chambers

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### Regular 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.

### 7:00 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)
2. Agenda Adjustments (5 min)
3. Announcements (5 min)

#### 21-0035 Announcements (5min)

#### Agenda Text:

1. **Community Input Sessions: DSS Main Redevelopment** - Durham County is seeking your input on the redevelopment of the former DSS Building located at 220 E. Main Street.

Please join ONE of the following virtual session by web at [www.dconc.gov/dssmain](http://www.dconc.gov/dssmain) <<http://www.dconc.gov/dssmain>> or by phone at

1-877-853-5257 - ID Number: 954-8649-1179

- Saturday, January 16 - 10am-11:30am
- Tuesday, January 19 - 5:30pm - 7pm

2. **Your Feedback is Needed** - The City-County Planning Department is ready to present the initial results of input through its draft community objectives.

Please visit [www.durham.mysocialpinpoint.com/comprehensiveplan](http://www.durham.mysocialpinpoint.com/comprehensiveplan) [<http://www.durham.mysocialpinpoint.com/comprehensiveplan>](http://www.durham.mysocialpinpoint.com/comprehensiveplan) now through February 19th to share your feedback on the draft community objectives. For additional information about the new Comprehensive Plan process, please contact City-County Planning Department Senior Planner Lisa Miller at 919-560-4137 ext 28270.

3. **COVID-19 Vaccines: Durham County Resident Survey** - The vaccine has arrived in our community and residents are being asked to take the survey to assist Public Health in meeting your needs.

Please visit [www.tinyurl.com/DcCoVaccineSurvey](http://www.tinyurl.com/DcCoVaccineSurvey) [<http://www.tinyurl.com/DcCoVaccineSurvey>](http://www.tinyurl.com/DcCoVaccineSurvey) to complete the survey.

4. **Need Help Paying your Heating Bill?** - Beginning January 2nd - March 31, 2021 the Low-Income Energy Assistance Program (LIEAP) will open to all Durham County residents.

Residents are asked to visit [www.epass.nc.gov](http://www.epass.nc.gov) [<http://www.epass.nc.gov>](http://www.epass.nc.gov) to view eligible criteria and apply for the program.

5. **Programming Updates from the Durham County Library** - Check out [www.events.durhamcountylibrary.org/events](http://www.events.durhamcountylibrary.org/events) [<http://www.events.durhamcountylibrary.org/events>](http://www.events.durhamcountylibrary.org/events) for upcoming live virtual programs. Residents can register for events and view the full calendar at the link above.

6. **Book Harvest 10th Annual Book Drive & Community Celebration** - Please join Book Harvest as they kick off the 10th Annual Dream Big Book Drive and Community Celebration on Monday, January 18, 2021.

For more information (time and details) please visit [www.facebook.com/bookharvestnc](https://www.facebook.com/bookharvestnc) [<http://www.facebook.com/bookharvestnc>](https://www.facebook.com/bookharvestnc).

7. **NC4ME & Durham NCWorks Virtual Hiring Event: Find your Career in Durham!** - Job seekers are invited to attend a virtual hiring event on January 27th from 9:45am - 3pm.

Please visit [www.nc4me.org/durhamncworks](http://www.nc4me.org/durhamncworks) [<http://www.nc4me.org/durhamncworks>](http://www.nc4me.org/durhamncworks) for additional information. Pre-match registration ends on January 15th.

8. **Durham Pre-K Family Info Session** - Residents interested in applying for Durham Pre-K should complete the interest form for the Family Info Session on February 6, 2021. Families will find out program information, application steps and much more.

Two sessions will be provided in English (9am-10am) and Spanish (10:30am-11:30am). Please visit [www.durhamprek.org](http://www.durhamprek.org) for additional information and registration.

#### 4. Minutes (5 min)

**21-0031**

##### **Minutes**

**Attachments:**

[Regular Session - November 23, 2020](#)

[Regular Session - December 14, 2020](#)

[Regular Session - December 16 2020 \(Reconvene\)](#)

#### 5. Ceremonial Items (30min)

**21-0023**

##### **Resolution - Celebrating & Honoring the Life & Service of Dr. Martin Luther King, Jr. (10min)**

**Agenda Text:**

The Board is requested to issue a resolution celebrating & honoring the Life & Service of Dr. Martin Luther King, Jr. The purpose of the resolution is to recognize and honor the life and work of Dr. Martin Luther King, Jr. and his commitment to a free and just world; in addition to calling on the residents of Durham County to join the Durham Community Martin Luther King, Jr. Steering Committee, Inc. in reflecting on and advancing Dr. King's life and fulfilling his dream.

Dr. Martin Luther King, Jr. devoted his life to equality, social justice, economic advancement, and opportunity for all. Dr. King used his gift of oratory to awaken America to the realities of life for African Americans and to make life better for all by encouraging change through nonviolent means. The 2021 Virtual King Holiday Celebration will include the Virtual Annual Religious Service.

Each year, the Durham Community Martin Luther King, Jr. Steering Committee, Inc. plans appropriate ceremonies and programs in recognition of the King Holiday to preserve the legacy and example of Dr. Martin Luther King, Jr.

**Alignment with Strategic Plan:** Goal 1: Community & Family Prosperity and Enrichment; Goal 3: Safe & Secure Community; and Goal 5: Accountable, Efficient and Visionary Government

**Resource Person(s):** DeWarren K. Langley, JD, MPA, Vice Chair, Durham

Community Martin Luther King, Jr. Steering Committee, Inc.

**County Manager Recommendation:** The County Manager recommends that the Board issue a resolution celebrating & honoring the Life & Service of Dr. Martin Luther King, Jr.

**Attachments:** [Resolution - Celebrating & Honoring the Life & Service of Dr. Martin Luther King](#)

**21-0024**      **Proclamation - National Mentoring Month (10min)**

**Agenda Text:** The Board is requested to issue a proclamation declaring January 2021 as National Mentoring Month in Durham County. The goal of the proclamation is to urge all residents of Durham County to rededicate ourselves to preventing youth from entering the juvenile and criminal justice systems and recommit to building a community where all our youth can grow, flourish, and take Durham County to new and greater heights through effective mentoring relationships.

Created in 2002 by the Harvard School of Public Health and MENTOR: The National Mentoring Partnership, National Mentoring Month (NNM) focuses national attention on the need for mentors, as well as how each of us - individuals, businesses, government agencies, schools, faith communities and nonprofits - can work together to increase the number of mentors to assure positive outcomes for our young people.

NNM celebrates mentoring and the positive effect it can have on young lives. Its goals are to raise awareness of mentoring in its various forms, recruit individuals to mentor, especially in programs that have waiting lists of young people and promote the rapid growth of mentoring by recruiting organizations to engage their constituents in mentoring.

**Alignment with Strategic Plan: Goal 1:** Community & Family Prosperity and Enrichment; **Goal 3:** Safe & Secure Community; and **Goal 5:** Accountable, Efficient and Visionary Government

**Resource Person(s):** DeWarren K. Langley, JD, MPA, Executive Director, Charles Hamilton Houston Foundation, Inc.

**County Manager Recommendation:** The County Manager recommends that the Board issue a proclamation declaring January 2021 as National Mentoring Month in Durham County.

**Attachments:** [Proclamation - National Mentoring Month - January 2021 \(01-11-21\)](#)

**20-0655**      **Durham County Main Library: 2020 AIA NC (American Institute of Architects) Honor Award, The Inaugural Freelon Public Architecture Award & NOMA (National Organization of Minority Architects) Citation (10min)**

**Agenda Text:** The Board is hereby requested to recognize the Main Library Project Team for receiving the following awards:

**2020 AIA NC Chapter and Section Design Awards- North Carolina Honor Award:**

The AIA North Carolina Design and Chapter Awards, held on Friday, October 23rd in an online event, is a statewide awards competition recognizing design that exceeds benchmarks for outstanding architectural design, structural composition, and application of design theory. Over 100 projects were submitted to this year's program and 21 were awarded.

**2020 AIA NC Chapter and Section Design Awards- The inaugural Phil Freelon Public Architecture Award:** (only one project receives this in the state)

New for 2020, this award will endeavor to encourage, solicit and showcase projects in the public realm that embody the ideals Phil sought to engage with communities and the built environment. The following quote from Phil, should be used as guidance in determining the selection of the nominees.

"I have worked through my career as an architect to create environments that are uplifting, inspiring, and set the tone for sharing knowledge and facilitating cultural exchanges. You see, I believe that the built environment- buildings and landscapes - can and should contribute in a positive way to the lives of everyday people. Beautiful architecture should be accessible to all." - Phil Freelon, FAIA.

**2020 NOMA Phil Freelon Professional Design Awards: Built Category****Citation:**

The National Organization of Minority Architects (NOMA) concluded their first virtual conference Saturday, Oct. 17, 2020, with industry architecture awards, honoring leadership and social, economic, and environmental design, for professionals and students.

Note: The Main Library has received the following awards and recognitions:

AIA NC Design Award, Unbuilt Structures, 2018

AIA Triangle Merit award for Unbuilt structures, October 12, 2019

AIA Triangle North Carolina Honor Award, July 15, 2020

LEED Certified GOLD Facility, 2020

**Alignment with Strategic Plan:** The implementation of this project addresses Goal 4 of the Strategic Plan as the pursuit of a LEED Certification and the sustainable building aspects of the facility increase energy efficiency.

**Resource Persons:** Peri Manns, ASLA, Deputy Director of Engineering and Environmental Services, Brenda Hayes-Bright, Assoc. AIA, CDT, Project Manager, Engineering and Environmental Services; Victor Vines, AIA, Vines Architecture, Frank Jackson AIA, Vines Architecture, Robert Thomas, AIA, Vines Architecture, Jeff Schroeder AIA, Vines Architecture, Jacob Burke, AIA, Vines Architecture, Kaitlan Phelps, IIDA, Vines Architecture, Tammy Baggett-Best, Library Director.

**County Manager's Recommendation:** The County Manager recommends that the

Board recognize the Main Library project team for receiving the 2020 AIA NC Honor Award the Inaugural Freelon Public Architecture Award & NOMA Built Category Citation.

## 6. Consent Agenda (15 min)

**20-0664**

### **Approval of Amendment to City-County Youth Initiatives Manager Interlocal Agreement**

**Agenda Text:**

The Board is requested 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 OOY. Annual updates on activities of the OOY 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, an update was provided to Commissioners at their January 4th, 2021 worksession.

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 OOY, and in order to provide funding to support the priorities emerging from the OOY'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 OOY. The attached amendment to the interlocal agreement allows County funding to flow to the City and through the OOY 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 OOY in FY20-21 and an additional \$58,696 in FY21-22.

The OOY will plan and implement a separate Request for Proposals (RFP) process that aligns with the County's RFP process. The OOY 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 OOY'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 OOY'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 OYO.

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 approve an amendment to the Interlocal Agreement regarding the City-County Youth Initiatives Manager Position.

**Attachments:**

[Executed 5 yr OYO Interlocal](#)

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

[EXHIBIT A YIM ILA](#)

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

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

## **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 Gang](#)

[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 Monster Muffin Purchase**

**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 1.8.21 Update](#)

#### **21-0004**

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

**Agenda Text:**

The Board is approve 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 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](#)  
[Selected Nonprofits Detail Info](#)  
[BoCC Nonprofit Presentation - 1-4-20](#)  
[AAF-62 Legal Form](#)

**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](#)

**21-0010**      **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](#)

**21-0016**      **Funding to support \$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**

**Agenda Text:**

The FY 2020-21 adopted budget included funds to support bringing the average pay for classified employees to \$14 per hour. During the November 23, 2020 BOCC meeting, the Board voted to support additional funding to increase Durham Public Schools classified workers pay to \$15 per hour. The item was discussed during the January 4, 2021 BOCC work session, with agreement to support funding for \$15 per hour beginning January 1, 2021. As such, Budget Amendment Ordinance No. 21BCC000064 appropriates \$950,000 General Fund fund balance supporting January 1, 2021 through June 30, 2021 implementation. This allocation would impact 1,198.6 full time equivalent positions.

During the January 4th meeting, the Board also directed staff to evaluate the fiscal capacity to support funding the \$15 per hour increase from the beginning of the fiscal year. This update and recommendation will occur during the January 24, 2021 BOCC meeting. At that time, staff will give an update on the overall mid-year fiscal outlook based on revenue collections, expenses and projected nontraditional costs associated with managing COVID-19.

**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. Staff will bring additional recommendations on the remaining \$950,000 to the BOCC during the January 24, 2021.

**Attachments:** [AAF-64 Legal Form](#)

**21-0032** **Durham County Temporary COVID 19 Screening Staff Contract Amendment and Movement of County COVID Set Aside Funds of \$133,859 to Support Additional Contract Costs**

**Agenda Text:** The Board is requested to approve Amendment 2 to the current Express Employment Professionals contract in the amount of \$183,193 to allow for COVID-19 screening. This would bring the total amount of the contract to \$270,061. To reduce the risk of exposure to COVID-19 in the workplace, Durham County Government implemented an infectious disease preparedness and response plan that consists of a detailed screening process. Unfortunately, there is not sufficient internal resources to support the screening process using existing staff.

To ensure that all residents are getting access to the services they need, the screening process also includes support for residents that do not speak English and nurse triage when needed. The screening process is extremely vital to ensure the health and safety of our community remains a priority. As of December 23rd, 2020, over 70,598 residents and 94,957 employees have been screened prior to entering the HHS and Administration II buildings. The screening process includes temperature checks and questionnaires regarding symptoms and exposure of COVID-19 for employees and residents receiving services.

Of the \$183,193 contract increase, \$133,859 will be moved from available funding set aside to address COVID-19 expenses. This expense is eligible for FEMA reimbursement. No budget amendment is needed because the movement of funds is within the same functional area (General Government) of the General Fund.

**Alignment with Strategic Plan:** Goal 2: Health and Wellbeing for All and Goal 5: Accountable Efficient and Visionary Government.

**Resource Persons:** Dara Richardson, Human Resources Project Manager, Kathy R. Everett Perry, CHRO/Chief Employment Counsel and Claudia Hager, General Manager

**County Manager's Recommendation:** The County Manager recommends that the Board approve a contract amendment with Express Employment Professionals in the amount of \$183,193, bringing the total contract amount to \$270,061. Of the \$183,193 contract increase, \$133,859 will be moved from available funding set aside to address COVID-19 expenses.

**Attachments:**

[CDC COVID-19 Screening](#)

[Agenda Action Form Supplemental Document – Contract Approval Screeners u](#)

[Contract Amendment 2 - Express Employment Professionals \(Temp Screening\)](#)

[COVID Funding Summary 1.8.21 Update](#)

**21-0033**

**Authorize Manager to execute Corning, Inc. Utility Extension Agreement Amendment #1**

**Agenda Text:**

The Board is requested to authorize the County Manager to execute Amendment #1 for the Corning, Inc. Utility Extension Agreement (UEA) between the City of Durham, Corning, Inc, and Durham County.

The Board of Commissioners originally approved the County's participation in this 3-party UEA via Item 19-0331 at the June 24, 2019 Regular Meeting to facilitate provision of City Utility services for the proposed expansion of Corning, Inc's. Treyburn Business Park facilities. This action was approved by the Board following the January 18, 2018 approval by the Board of Commissioners via Item 18-0615 related to provision of an Economic Development Incentive to Corning, Inc. for this expansion. The County agreed as part of this initial UEA to fund and construct certain improvements related to the Snow Hill Lift Station.

Subsequently, the County, State, and Country have been tremendously impacted by the COVID-19 pandemic. As part of our Country's response efforts, Corning, Inc., was asked by the Federal Government's Project Warp Speed team to accelerate their (Corning's) timetable for construction and activating production at their Treyburn facilities. To that end, the Federal Government has assisted Corning, Inc. with certain matters via the Project Warp Speed program. The County's work related to the Snow Hill Lift Station has continued but will no longer coincide with the timeline required by Corning's participation in Project Warp Speed. As such, a solution has been found that will utilize temporary pumps funded by the US Department of Defense via Project Warp Speed to allow Corning, Inc. to initiate production more immediately while the Snow Hill Lift Station improvements work continues. This solution requires certain amendments of the original 3-party UEA, however, these amendments have no material impact on the County's obligations.

**Alignment with Strategic Plan:** This item and proposed action align with Goals 2, 4 and 5 of the County Strategic Plan by providing Visionary leadership to help ensure the physical and economic health of the County and its residents.

**Resource Persons:** Jay Gibson, P.E., General Manager; Andrew Miracle, Economic Development Director



**County Manager's Recommendation:** The County Manager recommends that the Board authorize the Manager to execute the amendment to the 3-Party Utility Extension Agreement to serve Corning, Inc.

**Attachments:** [Extension Agreement revision to Corning UEA #1](#)

**21-0039 Commissioner Appointments to Boards and Commissions**

**Agenda Text:** The Board of County Commissioners is requested approve the appointments of its members to act as liaisons to various boards and commissions.

**Alignment with Strategic Plan:** Goal 5

**Resource Persons:** Brenda Howerton, Chair; Monica Toomer, Clerk

**County Manager's Recommendation:** The County Manager recommends that the Board approve the appointments of the Board of County Commissioners to serve on various boards and commissions as appointed by the Chair.

**Attachments:** [2021 BOCC Board and Commission Assignments.11Jan21](#)

## 7. Other Business (10min)

**21-0025 Durham County Public Health Focused Update on the COVID-19 Crisis (10min)**

**Agenda Text:** The Board has requested a public health focused update from County staff on the COVID-19 response and efforts.

**Alignment with Strategic Plan:** This item aligns with Goal 2: Health and Well-Being for All

**Resource Persons:** Rodney Jenkins, Public Health Director; Joanne Pierce, General Manager

**County Manager's Recommendation:** The County Manager recommends that the Board receive an update from County staff on the COVID-19 response and efforts

## 8. Public Hearings (40min)

**21-0005 Landscape Manual for Durham Revisions (20min)**

**Agenda Text:** The Board is requested to conduct a public hearing and consider the following motions:

**First Motion:** To approve the proposed revisions to the *Landscape Manual for Durham*.

**Summary.** The Planning Department staff have drafted proposed changes to the Landscape Manual for Durham, in conjunction with City Parks and Recreation,

Stormwater and Urban Forestry, as well industry partners and members of the Durham Environmental Coalition. This memo provides a brief description of the proposed revisions.

Attachments:

**Attachment A**, Draft *Landscape Manual for Durham 2020 Revisions*

**Attachment B**, *Landscape Manual Checklist for Plant Quality*

**Alignment With Strategic Plan:** The *Landscape Manual* Revisions emphasize Goal 4 (Environmental Stewardship and Community Prosperity) by encouraging the retention and use of native species, and further restricting invasive species in order to help protect and increase natural habitats, as well as Goal 2 (Health and Well-being for All) by discouraging the unnecessary use of soil additives, which leach into streams and Durham's drinking water.

**Resource Persons:** Jessica Dockery, AICP, CZO, Planning Manager, and Sara M. Young, AICP, Planning Director

**County Manager's Recommendation:** The County Manager recommends that the Board conduct a public hearing on the proposed Landscape Manual for Durham 2020 Revisions and, if appropriate based on the comments received during the hearing, adopt the revisions.

**Attachments:**

[BOCC memo 2021111-Landscape Manual Revisions](#)

[Attachment A - Draft Durham Landscape Manual 2020 Revisions](#)

[Attachment B-Landscape Manual Checklist For Plant Quality](#)

[Landscape Manual presentation 01.11.21](#)

**21-0022**

**Public Hearing to Consider Allocating Economic Development Funds to Taysha Gene Therapies (20min)**

**Agenda Text:**

The Board is requested to hold a public hearing to consider allocating a total of \$540,000 to Taysha Gene Therapies and authorize the County Manager to enter into preliminary negotiations and execute an agreement with the Company. The Company, which specializes in Gene Therapy production, will locate in Durham County, creating 201 jobs and investing \$75 million.

Taysha Gene Therapies, headquartered in Dallas, is developing an extensive portfolio of gene therapies and expects to file as many as four Investigational New Drug (IND) applications for its product candidates next year. In Durham, the company plans to invest \$75 million in capital expenditures over a period of two and a half years to build out and operate an approximately 187,000 square foot, commercial-scale manufacturing facility for preclinical, clinical, and commercial production of its gene therapy product candidates. The site will be developed to meet the rigorous FDA benchmark of a current Good Manufacturing Practices (cGMP) facility.

With approval of the award, the Company has agreed to make reasonable efforts to

participate in several workforce partnerships that include engagements with Durham Public Schools Career and Technical Education, Durham Technical Community College and North Carolina Central's University. Please find additional project details including a full list of partnerships, terms and project attributes in the briefing sheet attached to the agenda item.

Taysha's expansion in North Carolina will be facilitated, in part, by a job Development Investment Grant (JDIG) approved by the state's Economic Investment Committee earlier today. Over the course of the 12-year term of this grant, the project is estimated to grow the state's economy by \$772 million. Payments for all JDIG and local awards only occur following performance verification that the company has met its incremental job creation and investment targets. JDIG projects result in positive net tax revenue, even after taking into consideration the grant's reimbursement payments to a given company.

Staff is recommending that the County provide \$540,000 in Economic Development Investment funds to Taysha Gene Therapies subject to performance goals being met by the Company related to timing and amount of investment, employment creation and maintenance of the created jobs as well as partnership engagement criteria.

This public hearing has been advertised as required by law.

**Alignment with Strategic Plan:** This item aligns with Goal 4: Environmental Stewardship and Community Prosperity to promote and support the community and economic vitality for all residents

**Resource Persons:** Andrew Miracle, Economic Development Officer; Jay Gibson, General Manager Goal 4

**County Manager's Recommendation:** The County Manager recommends that the Board that the Board hold a public hearing to consider allocating a total of \$540,000 to Taysha Gene Therapies and authorize the County Manager to enter into preliminary negotiations and execute an agreement with the Company.

**Attachments:** [Briefing Sheet - Taysha Gene Therapies](#)

## 9. Items Pulled from the Consent Agenda (20 min)

## 10. Closed Session

### [21-0026](#)

### Closed Session

**Agenda Text:**

The Board is requested to adjourn into Closed Session to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material

terms of an employment contract or proposed employment contract pursuant to G.S.143-318.11(a)(5)

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

**Resource Persons:** Peri Manns, Deputy Director of Engineering and Environmental Services

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

## 11. Adjournment