



Durham County

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

Meeting Agenda Board of County Commissioners

Wendy Jacobs, Chair
James Hill, Vice Chair
Heidi Carter, Commissioner
Brenda A. Howerton, Commissioner
Ellen W. Reckhow, Commissioner

Monday, May 22, 2017

7:00 PM

Commissioners' Chambers

Closed Session (To be held at: 6:00 pm)

17-0260

Closed Session

Agenda Text:

The Board is requested to adjourn to Closed Session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial appointment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee pursuant to G.S. § 143-318.11(a)(6).

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

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

"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 - Budget Presentation

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

17-0225 Announcements**Agenda Text:**

- 1) The Manager will present the proposed FY 17-18 Budget to the Board this evening. The Board encourages you to come to the June 12th Regular Session to comment on the proposed Budget during our Budget Public Hearing.
- 2) Residents and visitors are invited to join Durham County Veteran Services as they honor America's military service members who died while serving their country. The ceremony will take place at 9 a.m. on Monday, May 29, 2017 on the front steps of the Durham County Administration Building/Old Durham County Courthouse, located at 200 E. Main Street. For more information about this Memorial Day event, contact Harvin-Ravin at (919) 560-8387.
- 3) Please contact the Clerk's Office at 919-560-0025 or clerk@dconc.gov [<mailto:clerk@dconc.gov>](mailto:clerk@dconc.gov) to find out about opportunities to serve on one of our volunteer boards or commissions.
- 3) We invite you to tune in to Cable TV Channel 8 or 97-5 to see rebroadcasts of tonight's meeting as well as other Durham County programming that may be of interest to you. Please contact the Public Information Office at 919-560-0008 or our website www.dconc.gov [<http://www.dconc.gov>](http://www.dconc.gov) for more information.
- 4) These announcements may also be found on the County's website or you may call the Clerk's Office at 919-560-0025.

4. Minutes (5 min)**17-0212****Minutes****Attachments:**[Bahama Ruritan - May 9, 2017.doc](#)[Worksession - April 3, 2017](#)**5. Ceremonial Items****17-0214****Proclamation - National Emergency Medical Services Week in Durham County****Agenda Text:**

The Board is requested to proclaim the week of May 21-27, 2017 as Emergency Medical Services Week in Durham County.

A proposed proclamation is attached.

Alignment With Strategic Plan: This aligns with Goal #3 for a Safe and Secure Community.

Resource Persons: Kevin Underhill, Acting Director, EMS

County Manager's Recommendation: The County Manager recommends that the Board proclaim the week of May 21-27, 2017 as Emergency Medical Services Week in Durham County, and recognize Durham County EMS staff present at the meeting.

Attachments: [Proclamation - EMS Week](#)

17-0265 **Resolution - Supporting House Bill 280, "Juvenile Justice Reinvestment Act"**

Agenda Text: The Board is requested to show local support for House Bill 280, titled Juvenile Justice Reinvestment Act." The Board is asked to approve a Resolution supporting raising the age of juvenile jurisdiction from 16 to 18 in North Carolina for all crimes other than Class A through E felonies and traffic offenses and supporting the passage of House Bill 280. North Carolina remains the only state in the U.S. that automatically prosecute 16 and 17- year-olds, as adults, regardless of the severity of the crime.

Alignment with Strategic Plan: Goal 3 - Safe and secure community

Resource Persons: Wendy Jacobs, Chair; Deborah Craig-Ray, General Manager

County Manager's Recommendation: The County Manager recommends that the Board approve the Resolution in support of House Bill 280.

Attachments: [Resolution-Raise the Age-DCO](#)

17-0266 **Resolution to Honor Dr. Charles "Chuck" Davis**

Agenda Text: The Board is requested to recognize the passing of Dr. Charles "Chuck" Davis, long time resident of Durham. Davis, well known as "Baba Chuck," is the founder of DanceAfrica and The African American Dance Ensemble based in Durham, NC. He has played an instrumental role in bring African dance to American audiences. His contributions and influence on dance, particularly African dance style, have been recognized in the Durham community, across the nation and around the globe.

Alignment with Strategic Plan: This agenda item aligns with the Community and Family Prosperity and Enrichment Strategic Plan goal.

Resource Persons: Wendy Jacobs, Chair

County Manager's Recommendation: The County Manager recommends that the Board honor Dr. Charles "Chuck" Davis and present his family members and supporters with a resolution.

Attachments: [Resolution - Chuck Davis](#)

6. Other Business

17-0245 **FY2017-2018 Manager's Recommended Budget**

Agenda Text: Durham County Manager Wendell M. Davis will formally present the Recommended Budget for FY2017-2018 to the Durham County Board of Commissioners. This is in accordance with N.C.G.S. 159-12 of the Local Government Budget and Fiscal Control Act.

Alignment With Strategic Plan: Strategic Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Wendell M. Davis, Durham County Manager

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation of the FY2017-2018 Recommended Budget.

7. Consent Agenda (15 min)

17-0221 Property Tax Releases and Refunds for April 2017

Agenda Text: The Board is requested to approve the Releases and Refunds for the month of April 2017. Due to property valuations adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of April 2017.

Releases and Refunds for 2016 total \$60,813.88. Prior year's (2012-2015) releases and refunds for April 2017 are in the amount of \$3,618.95. The current year and prior year's releases and refunds amount to \$64,432.83.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. To ensure the county complies with North Carolina General Statutes ensures we are accountable to our citizens. The Board of E & R ensures that we are accountable and efficient as tax revenues are impacted by the actions of this Board. The actions of the tax department and this Board impact all strategic goals due to the revenues needed.

Resource Persons: Kimberly H. Simpson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board accept the property tax release and refund report for April 2017 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments: [Releases & Refunds BackUp Detail-April 2017-May 22, 2017](#)

[Releases & Refunds Backup-April 2017-May 22, 2017](#)

[VTS Refund Report](#)

17-0235 Execution of Consulting Services Agreement with SEDC Engineering, P.C. dba NV5 for the Fundamental LEED Commissioning Services for the Durham County Main Library Renovation. Project No.: 6110DC094.

Agenda Text: The Board is hereby requested to authorize the County Manager to enter into a contract with SEDC Engineering, P.C. (SEDC) dba NV5 to provide

Fundamental LEED Commissioning Services for the Durham County Main Library Renovation located on 300 North Roxboro St. in the amount of \$59,100.00 (See Attachment 1, Pages 1 -9).

Based on the fact that the services are similar in scope to the Judicial Building Renovation, currently under construction, staff has elected to utilize NV5 for the Main Library Renovation as well. SEDC will verify that the project's energy related systems are installed, calibrated and perform according to the owner's project requirements, basis of design and construction documents. Benefits of commissioning include reduced energy use, lower operating costs, reduced contractor callbacks, better building documentation, improved occupant productivity and verification that the systems perform in accordance with the owner's project requirements.

On October 27, 2008, the Durham County BOCC adopted the High Performance Building Policy for County projects. The Durham County High Performance Building Policy requires that new construction receive a "Gold" level LEED (Leadership in Energy and Environmental Design) Certification and that renovation projects receive a "Certified" level certification. The proposal includes the necessary scope for the project to qualify for the LEED Energy & Atmosphere Prerequisite 1 for Fundamental Commissioning of Building Energy Systems. The project team is targeting a "Silver" level certification for this project. Funding for this service is available in the Main Library Renovation Capital account. For M/WBE Participation information (See Attachment 2, Page 1).

Alignment with Strategic Plan: This aligns with Goal 4 - Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use and greenhouse gas emissions from the built environment. The renovation of this facility also addresses Goal 5 by providing more efficient service delivery and better customer service.

Resource Persons: Jay Gibson, P.E., General Manager/Director of Engineering and Environmental Services; Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services; Brenda Hayes-Bright, Assoc. AIA, CDT, Project Manager

County Manager's Recommendation: The County Manager recommends that the Board authorize the execution of a consulting service agreement with SEDC Engineering, P.C. dba NV5 as noted in the proposal dated April 27, 2017 in the amount of \$59,100.00.

Attachments: [AAF - Backups - Main Library Renovation Fundamental Commissioning - NV5](#)

17-0236

Execution of Consulting Services Agreement with Falcon Engineering, Inc. for the Construction Materials and Testing and Special Inspection Services for the Durham County Main Library

Renovation. Project No.: 6110DC094**Agenda Text:**

The Board is hereby requested to authorize the County Manager to enter into a contract with Falcon Engineering, Inc. (FEI) to provide construction material & testing and special inspections for the Durham County Main Library Renovation located on 300 North Roxboro St. in the amount of \$125,000.00 (See Attachment 1, Page 1-9)

Based on the fact that the services are similar in scope to the Judicial Building Renovation, currently under construction, staff has elected to utilize Falcon Engineering for the Main Library Renovation as well. FEI will provide observation and testing services on the construction materials during the project including soils/earthwork, concrete, mortar, asphalt, foundations/footings, roofing, structural steel, and masonry.

In addition to the construction materials and testing services this project will require special inspections. On September 11, 2006 the North Carolina Building Code Council adopted revisions to the 2006 NC Building Code, Section 1704, "Special Inspections". The special inspections revisions became effective on March 1, 2007. The building height exceeds 45 feet or three stories which qualifies it for the previously adopted "Special Inspections" testing. The existing three-story building is located at 300 North Roxboro Street in Downtown Durham and fronts Roxboro Street to the west. The building is clad in precast panels and glass and the structural system is a two-way waffle slab on a 30' x 30' grid of concrete columns. It is expected that only the existing structural system will remain and be modified to accommodate programmatic/design changes. All other MEP/FP systems within the building will be removed and completely replaced. In addition, it is also anticipated that the majority of the building envelope will be removed and replaced to increase energy efficiency, daylighting/views, and overall building appearance. The project will also be seeking a LEED "Silver" rating. Funding for this service is available in the Main Library Renovation Capital Project account. For M/WBE Participation information (See Attachment 2, Page 1).

Alignment with Strategic Plan: This aligns with Goal 4 - Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use and greenhouse gas emissions from the built environment. The renovation of this facility also addresses Goal 5 by providing more efficient service delivery and better customer service.

Resource Persons: Jay Gibson, P.E., General Manager/Director of Engineering and Environmental Services; Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services; Brenda Hayes-Bright, Assoc. AIA, CDT, Project Manager and Chris Norville, P.E., Falcon Engineering, Inc.

County Manager's Recommendation: The County Manager recommends that the Board authorize the execution of a consulting services agreement with

Falcon Engineering, Inc. in the amount \$125,000.00 as noted in the proposal dated April 26, 2017.

Attachments: [AAF - Backups - Main Library Renovation Construction Materials Testing and S](#)

17-0240 **Department of Social Services Budget Ordinance Amendment No. 17BCC000067 - Recognize Medicaid Transportation Revenue (\$300,000), First Presbyterian Donation (\$6,000) and SHIFT NC Contribution (\$2,500)**

Agenda Text: The Board is requested to approve the Departments request to recognize funds subsequent to the adoption of the FY2016-17 budget.

Medicaid Transportation: Medicaid Transportation provides transportation for adults and children who receive specific types of Medicaid to a Medicaid-covered service. The primary focus is to enable all eligible individuals who are without other means of transportation to get to their medical appointments. The Department recognizes \$300,000 in Medicaid Transportation dollars and funds will be expended in compliance with all state laws, rules, policies and procedures.

First Presbyterian Church (FPC) has donated \$6,000 for housing and utility assistance, and medical prescriptions/durable supplies assistance. DSS will assess clients for eligibility based on current criteria for emergency assistance. If the eligible client's need exceeds DSS criteria then FPC Funds can be used to meet a one-time per year crisis need for housing or utilities. DSS will adhere to the two year terms of the Memorandum of Understanding entered into on September 1, 2014. No County dollars required.

SHIFT NC (Sexual Health Initiatives For Teens): SHIFT NC is a statewide nonprofit providing community support to a variety of youth-serving organizations in Durham to support organizations' capacity to connect young people (ages 15-19) to quality sexual and reproductive health services that meet their needs. DSS has entered into a Memorandum of Understanding with SHIFT NC to receive \$500 per quarter for Fiscal Year 2017 and 2018. DSS identified staff will participate in training opportunities offered by SHIFT NC to support this effort; provide staff with supportive materials that can be distributed to youth and make referrals most appropriate for the youth. The Department recognizes \$2,500 and will adhere to the two year terms (Fiscal Year 2017 and 2018) of the Memorandum of Understanding. No county dollars required.

Alignment with Strategic Plan: Goal 2: Health and Well-being for All

Resource Persons: Catherine Williamson-Hardy, Interim Director; Richard Stegenga, Assistant Director; Janeen Gordon, Assistant Director; and Jovetta Whitfield, Assistant Director

County Manager's Recommendation: The County Manager recommends that the BOCC approve Budget Ordinance Amendment No. 17BCC000067 recognizing Medicaid Transportation Revenue in the amount of \$300,000, First Presbyterian Donation in the amount of \$6,000 and SHIFT NC Contribution in

the amount of \$2,500 for a total of \$308,500.

Attachments: [AAF-67 Legal Form DSS Recognize additional revenue \(\\$308,500\)](#)
[5a. AAF Supplemental Doc Med Trans 1st Presb SHIFT NC-1](#)
[First Presbyterian Funds](#)

17-0241 **Budget Ordinance Amendment No. 17BCC000071 - Approval of Lebanon Fire Tax Fund Fund Balance Appropriation in the Amount of \$44,830 to Support Radio Maintenance and New Vehicle Acquisition for Lebanon Volunteer Fire Department and appropriating Lebanon Fire Tax Fund Fund Balance in the Amount of \$30,000 and transferring funds to the General Fund for Unanticipated Personnel Costs**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000071 appropriating \$44,830 of Lebanon Fire Tax Fund fund balance for the payment of radio maintenance costs, provide the down payment on the approved purchase of a new fire apparatus to the Lebanon Volunteer Fire Department and appropriating \$30,000 of Lebanon Fire Tax Fund fund balance and transferring funds to the General Fund to offset unanticipated personnel costs associated with contracted County employees at Lebanon Volunteer Fire Department.

As of June 30, 2016, the Lebanon Fire Tax Special Revenue Fund had over \$555,000 of available fund balance above the 4% goal required by the County's Fund Balance Policy for Special Revenue Funds. The total cost of the engine and equipment is \$344,336. Lebanon VFD has requested using unassigned fund balance for the down-payment (\$32,196) with the remaining cost for the fire engine supported by the Lebanon Fire Department through a ten-year zero-interest rate loan. The costs for radio maintenance and personnel expenses are \$12,634 and \$30,000 respectively.

The new fire engine and equipment will replace an older unit and enable the Lebanon VFD to provide more efficient fire protection services to the residents and businesses within the County's Lebanon Rural Fire District, as well as throughout Durham County on mutual aid calls.

Alignment with Strategic Plan: This request supports the County's Strategic Goal 3: Safe and Secure Community and Goal 5: Accountable, Efficient, and Visionary Government.

Resource Persons: James E. Groves, Fire Marshal

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000071 appropriating \$44,830 of Lebanon Fire Tax Fund fund balance for the payment of radio maintenance costs, provide the down payment on the approved purchase of a new fire apparatus to the Lebanon Volunteer Fire Department and appropriating \$30,000 of Lebanon Fire Tax Fund fund balance and transferring funds to the General Fund to offset unanticipated personnel costs associated

with contracted County employees at Lebanon Volunteer Fire Department.

Attachments: [AAF Supplemental Document - Lebanon 77k](#)

[AAF-71 Legal Form Lebanon Service Tax District Fund Fund Balance Appropria](#)

17-0244

Capital Project Amendment No. 17CPA000025 Reducing to Zero and Closing Four Capital Projects Related to 2016 Voter Approved GO Bond Issuance Cost

Agenda Text:

As part of the creation of various capital projects related to the spending of 2016 General Obligation bond referendum four different projects were created to specifically account for General Obligation bond issuance costs. Bond issuance project costs were allotted to Durham Public Schools, NC Museum of Life and Science, Durham Technical Community College, and the Main Library.

After discussions with the Finance department it has been decided that these project funds would be more accurately budgeted within the General Obligation bond fund, but not in actual projects. Prior to FY13, bond issuance costs were deferred and amortized over the life of the debt. However, in FY13 with the implementation of Governmental Accounting Standards Board (GASB) Statement No. 65, bond issuance costs must be included in current expenditures. These expenditures are annual expenditure that close to fund balance at year end and are not a capital project expenditure. The Board approved CPA#15(Durham Public Schools), CPA#17(Museum), CPA#20(Library) and CPA#24(Durham Public Schools) establishing these expenditures as capital projects.

In order to properly account for these expenditures per GASB, the Board is requested to approve the official reduction to zero and closing of four projects listed below, and in so doing allow the funds to collect in the General Obligation bond fund where appropriate bond issuance costs can be charged.

Durham County Capital Projects	Increase/Decrease	Project Status
2016 GO Bond Issuance Cost -DPS (SH274)	(\$866,522)	Closing
2016 GO Bond Issuance Cost - Museum of Life and Science (6190CD039)	(\$147,198)	Closing
2016 GO Bond Issuance Cost - Main Library Renovation (6110DC095)	(\$425,109)	Closing
2016 GO Bond Issuance Cost - DTCC (5920CC014)	(\$196,204)	Closing
Total Change	(\$1,635,033)	

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

Resource Persons: Keith Lane, Budget & Management Services Director

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No. 17CPA000025 reducing to

zero and closing four Capital Projects established for 2016 Voter Approved GO Bond Issuance Cost. These funds will collect in the General Obligation bond fund where appropriate bond issuance costs can be charged.

Attachments: [CPA-25 Legal Form Close 16 GO Bonds Issuance Cost Projects \(\\$1,635,033\)](#)
[CPA-25 Supplement Close 16 GO Bonds Issuance Cost Projects \(\\$1,635,033\)](#)

17-0246 **Proposed FY18 Planning Department Work Program Underlined**

Agenda Text: The Board is requested to approve the proposed FY18 Planning Department Work Program.

Summary. The Interlocal Cooperation Agreement between the City and County for merged planning functions charges the Planning Director with preparing and submitting to the Joint City-County Planning Committee, the Planning Commission and both Managers a work program and annual budget that must be forwarded to both governing bodies for approval. The proposed work program is structured on the Department receiving sufficient resources for 38 full time employees, several professional consultant contracts, and operational overhead. Staff resources have been fully allocated for the tasks reflected in the proposed work program with no capacity to take on additional tasks without either revising the work program to modify tasks by deleting existing tasks or changing expected outcomes and/or timelines.

Attachments:

Attachment 1: Proposed Work Program, FY18, Part A, Programs

Attachment 2: Proposed Work Program, FY18, Part B, Programs and Descriptions

Attachment 3: Proposed Work Program, FY18, Part C, Future Projects

Alignment with Strategic Plan: This request aligns with County Strategic Plan Goal Five, Accountable, Efficient and Visionary Government: An effective organization committed to the pursuit of excellence through collaborative leadership, exceptional customer service, innovations, transparency and fiscal responsibility.

Resource Persons: Patrick O. Young, AICP, Planning Director

County Manager's Recommendation: The County Manager recommends that the Board approve the Proposed FY18 Planning Department Work Program.

Attachments: [Planning WP FY18 BOCC Memo](#)
[Attachment 1 Planning WP FY18 Part A - Draft Feb2017](#)
[Attachment 2 Planning WP FY18 Part B - Draft Feb2017](#)
[Attachment 3 Future Projects - FY18 WP](#)

17-0247 **Renew Interlocal Tax Collection Agreements with the City of Durham; the City of Raleigh; the Town of Morrisville; and the Town of Chapel Hill**

Agenda Text: The Board is requested to renew the interlocal tax collection agreements with four local municipalities: the City of Durham; the City of Raleigh; the Town of Morrisville; and the Town of Chapel Hill. The agreements to be renewed represent a contract renewal for 4 years. The agreements are consistent with prior agreements that were modified due to state legislative changes to the property tax statutes, including the Tag and Tax Together program and the removal of contingency fees from audits conducted on Business Personal Property listings.

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

The interlocal agreements promote efficiency by consolidating municipal bill collection activities with county bill collection activities.

Resource Persons: Kimberly H. Simpson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board renew the interlocal tax collection agreements with the City of Durham; the City of Raleigh; the Town of Morrisville; and the Town of Chapel Hill.

Attachments: [Interlocal Property Tax Agreement 2017 Final - City of Durham.docx](#)
[Interlocal Property Tax Agreement 2017 Final - City of Raleigh.docx](#)
[Interlocal Property Tax Agreement 2017 Final - Town of Chapel Hill.docx](#)

17-0248 **Budget Ordinance Amendment No. 17BCC000070 to Recognize Grant Funds in the Amount of \$1,250.00 from the Shift NC "All Together Now" Award for the Youth Home**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000070 to recognize \$1,250.00 from Shift NC "All Together Now" for the Youth Home. The Youth Home received the first installment of the All Together Now award for \$1,250.00 in May of 2016 (FY 2015-16). These funds are a continuation of the original grant award.

The project will help build and strengthen a referral network to link young people to quality care. The funds will be used to purchase materials to educate youth on healthy lifestyles.

Alignment With Strategic Plan: Goal 3: Safe and Secure Community, Goal 2: Health and Well-being for All, Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Angela G. Nunn Youth Home Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000070 to recognize \$1,250.00 from Shift NC "All Together Now" for the Youth Home.

Attachments: [AAF Supplemental Document -Shift NC May-2017](#)
[AAF-70 Legal Form Youth Home Shift NC All Together Now Funds for Referral](#)
[MOA Shift](#)

17-0249 **Approval of 751 Stormwater Agreement**

Agenda Text: The Board is requested to approve the negotiated Stormwater Agreement between 751 South, Inc. and the County of Durham in an effort to streamline and provide consistency and timeliness regarding the stormwater administration for the 751 South Development and associated environmental impact payments.

Alignment With Strategic Plan: Goal 4, Environmental Stewardship

Resource Persons: Jay Gibson, General Manager; Bryan E. Wardell, Senior Assistant County Attorney; Ryan Eaves, Stormwater and Erosion Control Division Manager.

County Manager's Recommendation: The County Manager recommends that the Board approve and execute the Stormwater Agreement.

Attachments: [Stormwater Agreement \(2017-05-09\) \(Final Version-Clean Copy- 5-10-17\)](#)
[AAF Supplemental Document](#)

17-0250 **Capital Project Amendment No. 17CPA000024 - Emergency Responder Radio Communication Equipment Upgrade Project and Contract Approval with Motorola Solutions, Inc**

Agenda Text: The Board is requested to approve Capital Project Amendment No. 17CPA000024 appropriating Limited Obligation Bond (LOBs) Series 2018-B in the amount of \$6,100,000 and approve a contract with Motorola Solutions, Inc. for the replacement and installation of emergency radio communication equipment for the Durham Sheriff's Office (DSO), Fire Marshal/Emergency Management Department (FM/EM), Emergency Medical Services (EMS), Public Health (DPH), Durham Public Schools (DPS), and Durham County Fire Rescue (DCFR). This project will replace approximately 705 portable and over 400 mobile radios across all departments. The existing radios were placed into service in early 2000. The County has been notified by Motorola that they will stop servicing the existing radios in November 2018. This project is included in the County's ten year Capital Improvement Plan (plan summary is attached).

Motorola is extending previously bided contracting prices used by Wake County (RFP 16-085) which will save the County approximately \$393,000. In order to take advantage of the savings from the Wake contract and from purchasing in large volume, the County must order the radios before the end of the current fiscal year. The County Volunteer Fire Departments have chosen to contract directly with Motorola and will be able to take advantage of the Wake County contract cost. Durham Public Schools have indicated that they are interested in moving forward with the replacement project pending budget approval by the Board of Education. The purchase contract has been reviewed and approved by

the County Attorney's Office. The LOBs funding being used for this project will be issued in the first half of fiscal year 2017/2018.

The City of Durham operates and maintains the radio system and infrastructure for the City and County. Durham's radio system and infrastructure are built on a Motorola platform. County public safety staff and the City of Durham Radio Systems Manager recommends that Motorola radios and equipment be used on the system for functionality, safety, testing, and ease of maintenance.

Radio replacement is Phase I of this project with Phase II focusing on radio system infrastructure upgrades in partnership with the City of Durham. Phase II is estimated to begin in FY19/20. Both projects have been included in the County's Capital Improvement Plan (summary attached). A copy of the CIP project sheet has been attached.

Project	Current	Increase/ Budget	Revised Decrease	Budget
Emergency Responder Radio Communication Equipment Upgrade Project (4320DC002)	\$0	\$6,100,000	\$6,100,000	

Alignment with Strategic Plan: These requests align with the County's Strategic Goal 3: Safe and Secure Community and Strategic Goal 5: Accountable, Efficient, and, Visionary Government.

Resource Persons: Jodi Miller General Manager, Asst. Chief Brandon Mitchell EMS, and Jim Groves EM/FM Director, and George Quick, Chief Financial Officer.

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No. 17CPA000024 appropriating Limited Obligation Bond (LOBs) Series 2018-B in the amount of \$6,100,000 for the Emergency Responder Radio Communication Equipment Upgrade Project and authorize the County Manager to execute the contract for replacement and installation of emergency radio communication equipment with Motorola Solutions Inc. for an amount up to \$6,100,000.

Attachments: [CPA-24 Supplement Emergency Responder Radio Communication Equipment I](#)
[CPA-24 Legal Form Emergency Responder Radio Communication Equipment L](#)
[CIP Public Safety Radio Upgrade 5_12_17](#)
[County CIP update.pdf](#)
[Radio Visual PDF](#)
[Motorola Contract Quote 5_12_17](#)
[16-085 RFP Radios Mobile and Portable RFP \(08-30-2016\)](#)
[16-085 Contract](#)

17-0251 **Request Approval of Budget Ordinance Amendment No. 17BCC000068 Transferring \$41,000 from the 2007 GO Bonds Final Issuance Fund to the Debt Service Fund to Service the Debt and Approval of Budget Ordinance Amendment No. 17BCC000069 Transferring \$41,000 from the Debt Service Fund Appropriating Fund Balance to the PAYGO Fund For Debt Issuance Cost on the \$3.8M Taxable GO Bond Issuance for the Whitted School Project**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No.17BCC000068 transferring \$41,000 of tax-exempt funds from the 2007 GO Bonds Final Issuance Fund to the Debt Service Fund to service the debt for this issuance. The Board is also requested to approve Budget Ordinance Amendment No. 17BCC000069 transferring \$41,000 from the Debt Service Fund through the appropriation of fund balance to the Pay As You Go (PAYGO) Fund to support the costs for the debt issuance for the \$3.8M of taxable GO Bond debt that was issued for the Whitted School Project.

In planning for the funding for the Whitted School Project (\$3.8M), it was originally thought that the County could and would issue tax-exempt bonds. Therefore, the amount to support the costs associated for the issuance of this debt was included in the tax-exempt 2007 GO Bonds final issuance. However, it was then brought to the County's attention from Bond Counsel that due to the nature of the Whitted School Project taxable GO Bond debt must be issued. The full \$3.8M of the taxable GO Bond issuance was committed funding to the Whitted School Project, and therefore, could not absorb the costs for the issuance of this debt (e.g., bond issuance costs). As a result of this change, the amount of \$41,000 originally planned to reimburse the County for these debt issuance costs is included in the tax-exempt funding of the 2007 GO Bond Final Issuance Fund. It is not appropriate to use tax-exempt funding to reimburse debt issuance costs for taxable GO Bond issuances. Therefore, County staff is requesting that the \$41,000 that currently resides in the 2007 GO Bond Final Issuance Fund be transferred to the Debt Service Fund to service the 2007 tax-exempt final issuance debt, which is an allowable costs for these funds. In addition, County staff is requesting that an amount of \$41,000 be transferred from the Debt Service Fund through a fund balance appropriation to the County's PAYGO Fund to pay the debt issuance costs for the \$3.8M taxable GO Bonds Issuance that was issued to fund the Whitted School Project. Please note that this method is a clear audit trail to ensure that the funds are being used

for their allowable purposes.

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

Resource Persons: George K. Quick, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000068 transferring \$41,000 of tax-exempt funds from the 2007 GO Bond Final Issuance Fund to the Debt Service Fund to service the debt for this issuance. Also, the County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000069 transferring \$41,000 from the Debt Service Fund through a fund balance appropriation to the PAYGO Fund to support the costs of the debt issuance for the \$3.8M taxable GO Bond debt that was issued for the Whitted School Project.

Attachments:

[AAF Supplemental Document - Noncontract for \\$3.8M taxable GO Bond debt is](#)

[AAF-68 Legal Form Transferring 2007 GO Bond Fund Proceeds to the Debt Se](#)

[AAF-69 Legal Form Transferring Debt Service Fund Proceeds to the PAYGO F](#)

17-0252

Nehemiah Christian Center Homeless Day Center Contract Extension

Agenda Text:

The Board is requested to authorize the County Manager to extend the attached service contract with Nehemiah Christian Center through October 31st, 2017. When the Main Library branch closed for renovations in January 2017, Durham County entered into a service contract with Nehemiah Christian Center to provide a safe space during weekdays where community members have access to a warm and secure space with restrooms and public computers. Contract extension is recommended as it provides the County the ability to ensure that a homeless day center remains open while the County continues to explore options for a homeless day center during the duration of the Main Library renovation. The Board directed staff to extend the contract during the April 3rd Worksession but a formal vote is required to execute the contract extension. Staff will return to the Board at a later date with a final recommendation on how to proceed for the remainder of the Main Library renovation.

Alignment With Strategic Plan: Organized efforts to combat homelessness have strong alignment with multiple County strategic plan goals.

Resource Persons: Drew Cummings, Chief of Staff, Rafael Baptista, Strategic Initiatives Analyst

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to extend the attached service contract with Nehemiah Christian Center through October 31st, 2017.

Attachments: [Nehemiah Christian Center Service Contract](#)
[AAF Supplemental Document - Contract Approval](#)
[NEHEMIAH CHRISTIAN CENTER CONTRACT AMENDMENT FY17 \(002\)](#)

17-0255 **Budget Ordinance Amendment No. 17BCC000072 - Approval of Bahama Fire Tax District Fund Fund Balance Appropriation in the Amount of \$287,742 to Assist in the Purchase of a New 3,000 Gallon Tanker Fire Truck**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BC000072 appropriating \$287,742 of Bahama Fire Tax District Fund fund balance to assist Bahama VFD in the purchase of a new 3,000 Gallon Tanker fire apparatus. The total cost for the purchase of this Tanker truck is \$419,949. Of this amount, the Bahama VFD is paying \$132,207 from their funds and has requested that the County increase their annual distribution from the Tax District fund balance for the remaining amount of the purchase price (\$287,742). In approving this increased distribution, Bahama will pay for the fire truck in full and eliminate any finance charges. Making the payment in full also complies with the County's and VFD's fund balance policies.

As of June 30, 2016, the Bahama Fire Tax District Fund had over \$287,443 of available fund balance above the 4% goal required by the County's Fund Balance Policy for Special Revenue Funds. Increased revenue collection during FY2016-17 (\$73,770 as May 12, 2107) will ensure that Bahama VFD complies with the County Fund Balance Policy.

Alignment with Strategic Plan: The requests aligns with the County's Goal 3: Safe and Secure Community and Goal 5: Efficient Government.

Resource Persons: Jim Groves, Fire Marshal/Emergency Management Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BC000072 appropriating \$287,742 of Bahama Fire Tax District Fund fund balance to assist Bahama VFD in the purchase of a new 3,000 Gallon Tanker fire apparatus.

Attachments: [Bahama Tanker AAF Supplemental Document - Non-contract](#)
[Bahama 2307F Tanker Invoice](#)
[AAF-72 Legal Form Bahama Fire Tax District Fund Fund Balance Appropriation](#)

17-0257 **Department of Social Services Budget Ordinance 17BCC000073 to Recognize \$1,501,940 in Child Care Funds**

Agenda Text: The Board is requested to approve the Departments request to recognize \$1,501,940 in child care funds subsequent to the adoption of the FY2016-17 budget. County DSS Departments receive an initial allocation. The state Division of Child Development might later issue an additional allocation based on current-year expense trends. The Department has received additional child care funding authorizations for Direct Services funds (provider payments) of

\$1,377,358 and Title IV-E Funds of \$124,582.

The total direct services allocation is \$17,589,372 and the total service support allocation is \$670,310 for a total allocation of \$18,259,682.

Alignment With Strategic Plan: Goal 2: Health and Well-being for All.

Resource Persons: Catherine Williamson-Hardy, Interim Director; Richard Stegenga, Assistant Director; and Rhonda Stevens, Assistant Director

County Manager's Recommendation: The County Manager recommends that the BOCC approve Budget Ordinance No. 17BCC000073 recognizing a total of \$1,501,940 in Child Care Funds.

Attachments:

[6. Child Care AAF Backup \\$1,501,940](#)

[6a. AAF Supplemental Document for Child Care AAF](#)

[AAF-73 Legal Form DSS Recocognize Child Care Funds \(\\$1,501,940\)](#)

17-0258

Report and Recommendation of the Screening Committee in the Matter of Naming the Durham County Memorial Stadium Press Box in Honor of Tommy Hunt

Agenda Text:

The Durham County Memorial Stadium Authority is requesting the Board of Commissioners to receive the Report and Recommendation of the assigned Screening Committee to name the Durham County Memorial Stadium Press Box in honor of Tommy Hunt. Mr. Hunt served on the Stadium Authority Board for thirty years and is well known and respected in the community having served on several Boards, Committees and Commissions. All preliminary procedural steps prescribed by the Durham County Naming/Renaming Policy have been followed and if the recommendation is accepted the Board is asked to set a Public Hearing to be held after thirty (30) days advance notice. After the Public Hearing the Board will be in a position to consider approving the request.

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

Resource Persons: Willie S. Darby, Senior Assistant County Attorney; Frank Davis, Stadium Authority Chairperson; and Reco Chavis, Stadium Manager

County Manager's Recommendation: The County Manager recommends that the Board receive the report and recommendation of the assigned Screening Committee to name the Durham County Memorial Stadium Press Box in Honor of Tommy Hunt. Set a date for a Public Hearing to be held after thirty (30) days advance notice.

Attachments:

[Tommy Hunt Naming Package](#)

[Durham County Renaming Policy](#)

8. Public Hearings

[17-0228](#)**Public Hearing - Unified Development Ordinance Text Amendment, Temporary Outdoor Sales (TC1700004)****Agenda Text:**

The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, Temporary Outdoor Sales (TC1700004); and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to Article 5, Use Regulations.

Summary. The Planning Department initiates annual review of requested technical and other minor changes to the Unified Development Ordinance (UDO). However, staff has identified technical changes to Sec. 5.5, Temporary Uses, which should be considered ahead of the more expansive list currently under review. This amendment would exclude specific temporary seasonal sales from the area limitations for temporary outdoor sales, and deletes redundant text.

Attachments:

Attachment A: An Ordinance to Amend the *Unified Development Ordinance* Regarding Temporary Outdoor Sales (TC1700004)

Attachment B: Statement of Consistency Pursuant to NCGS § 153A-341

Attachment C: Planning Commission Comments

Alignment with Strategic Plan: The text amendment emphasizes Goal 1 by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 by maintaining a transparent government and welcoming public input.

Resource Persons: Michael Stock, AICP, Senior Planner, and Patrick Young, AICP, Planning Director

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, adopt the appropriate Statement of Consistency and approve the amendment.

Attachments:

[BOCMemo TC1700004_final](#)

[Attachment A Ordinance TC1700004 BOC](#)

[Attachment B TC1700004 BOCC Consistency statement](#)

[Attachment C Planning Commission Comments](#)

[17-0229](#)**Public Hearing - Unified Development Ordinance Text Amendment, Airport Overlay (□A60, □A65) (TC1700003)**

Agenda Text: The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment, Airport Overlay (□A60, □A65) (TC1700003); and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 4, Zoning Districts; and Article 16, Definitions.

Summary. Text amendment TC1700003 is a privately-initiated application to amend Sec. 4.8, Airport Overlay (□A60, □A65), of the Unified Development Ordinance (UDO). The amendment request would add the “Utilities” use category as an allowable use for the -A65 suboverlay, along with technical changes for clarity.

Attachments:

Attachment A: Application

Attachment B: An Ordinance to Amend the Unified Development Ordinance Regarding Airport Overlay (□A60, □A65) (TC1700003)

Attachment C: Statement of Consistency Pursuant to NCGS § 153A-341

Attachment D: Map

Attachment E: Planning Commission Comments

Alignment with Strategic Plan: The text amendment emphasizes Goal 1 by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 by maintaining a transparent government and welcoming public input.

Resource Persons: Michael Stock, AICP, Senior Planner, and Patrick Young, AICP, Planning Director

County Manager’s Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed *Unified Development Ordinance* text amendment and, if appropriate based on the comments received during the hearing, adopt the appropriate Statement of Consistency and approve the amendment.

Attachments: [BOCCMemo TC1700003_final](#)
[Attachment A TC1700003 application](#)
[Attachment B OrdinanceTC1700003_BOC](#)
[Attachment C TC1700003 BOCC Consistency statement](#)
[Attachment D Overlay map](#)
[Attachment E Planning Commission Comments](#)

17-0237 Public Hearing - Unified Development Ordinance Text Amendment,

Mass Grading Buffers (TC1600006)**Agenda Text:**

The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment, Mass Grading Buffers (TC1600006); and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 9, Landscaping and Buffering; and Article 16, Definitions.

Summary. On November 2, 2016, the Joint City-County Planning Committee (JCCPC) received an informational item regarding mass grading. The discussion at that meeting resulted in two requests from the JCCPC. The first was to initiate a text amendment that revised the mass grading buffers to match those allowed by state statute. The second request was to provide a report at a later date regarding the costs and benefits of mass grading, in order to provide policy direction to staff. This text amendment addresses the first request by the JCCPC, including revisions to bring existing regulations into compliance with state statute.

Attachments:

Attachment A: An Ordinance to Amend the Unified Development Ordinance Regarding Mass Grading Buffers (TC1600006)

Attachment B: Session Law 2001-191

Attachment C: Statement of Consistency Pursuant to NCGS § 153A-341

Attachment D: Planning Commission Comments

Alignment with Strategic Plan: The text amendment emphasizes Goal 1 by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 by maintaining a transparent government and welcoming public input.

Resource Persons: Michael Stock, AICP, Senior Planner, and Sara Young, AICP, Acting Planning Director

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, adopt the appropriate Statement of Consistency and approve the amendment.

Attachments: [BOCC5-22-17Memo_TC1600006_final](#)
[Attachment A OrdinanceTC1600006_BOCC5-22-17_final](#)
[Attachment B_SL2001-191](#)
[Attachment C_TC1600006_BOCC_Conistency_statement](#)
[Attachment D_Planning Commission Comments](#)

9. Board and Commission Appointments (10 min)

17-0234 **Board and Commission Appointments**

Agenda Text: Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards:

- City-County Appearance Commission
- Durham Open Space and Trails Commission
- Farmland Protection Advisory Board
- Historic Preservation Commission
- Memorial Stadium Authority
- Nursing Home Community Advisory Committee

The Board of Commissioners recognizes the need to have a representative sample of the citizens of Durham County serve on boards, commissions, committees, and authorities. No citizen may serve more than four consecutive terms for 2-year term boards; three consecutive terms for 3-year term boards; two consecutive terms for 4-year term boards; and one consecutive term for 5 and 6-year term boards in any one position, unless otherwise stated by statute; or there are no other applicants who meet the eligibility requirements. The Equalization and Review Board shall be exempt from these term limits.

Alignment with Strategic Plan: When citizens are engaged and partners on our Boards and Commissions, the vision of our Strategic Plan is achieved - a thriving, vibrant, diverse community with abundant opportunity for all residents to live, work, learn, play and grow.

Resource Persons: V. Michelle Parker-Evans, County Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint a member to the above-mentioned boards and commissions.

10. ITEMS PULLED FROM CONSENT AGENDA (20 min)

11. Adjournment