



Durham County

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

Meeting Agenda Board of County Commissioners

Tuesday, January 2, 2018

9:00 AM

Commissioners' Chambers

Worksession

“Public Charge”

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

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

9:00 am Worksession Agenda

1. Citizen Comments

18-0568 Citizen Comments - 30 min

Agenda Text:

The Board of County Commissioners will provide a 30-minute comment period at a meeting once a month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers must sign in prior to the start of the meeting providing a mail/email address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the meeting to allow an opportunity for research prior to the meeting. **All speakers shall have three (3) minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

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

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

County Manager's Recommendation: The County Manager recommends that

the Board receive citizen comments and direct staff to respond, as deemed appropriate.

2. Discussion Items:

[18-0563](#) Update #2 from the Development Finance Initiative on the Pre-development Process for the 300 and 500 Blocks of East Main St. - 60 min

Agenda Text: The Board is requested to receive the second update from the UNC School of Government's Development Finance Initiative (DFI) on the Pre-development Process for the 300 and 500 Blocks of East Main Street.

During the previous update in September 2017, DFI reviewed with the BOCC the pre-development process, guiding public interests, stakeholder engagement to date, parcel/site analysis, and next steps for the project. Various meetings have been held place with community stakeholders and others to gain input from a cross-section of community interest groups with respect to their desired interests and outcomes. DFI staff has also utilized a variety of market information sources to develop preliminary data/analysis for potential market drivers/elements related to housing, retail, and office space(s), as well as related matters that may influence both needed financial commitments from the County as well as work program elements as progress continues towards development of a BOCC desired program of development for these sites. DFI staff will provide an update on these efforts to-date and will receive input from the Board appropriately.

Alignment with Strategic Plan: This update is in accordance with Strategic Goal #5 - Accountable, Efficient and Visionary Government.

Resource Persons: Christy Rauli, Associate Director of DFI; Sarah Odio, DFI Project Manager; Jay Gibson, P.E., General Manager; Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board receive the update and provide direction if appropriate.

Attachments: [Durham Market Indicators for Commissioners 12.15.17](#)

[18-0567](#) Request from Durham Public Schools (DPS) for Durham County to Accept DPS Property at Lowes Grove for Use for Affordable Housing - 45 min

Agenda Text: The Board is requested to receive a presentation from Durham Public Schools (DPS) requesting that Durham County partner with DPS on an affordable housing initiative for teachers (see attached memo). DPS is interested in using a 5.5 acre property adjacent to the South Durham Library to construct rental apartments for teachers, as shown in orange on the attached map. DPS attorneys have indicated that DPS does not have the legal authority to undertake this project and would like to convey the

property to Durham County, and then have the County convey to the proposed non-profit housing provider, CASA. The County Attorney's Office is of the opinion that DPS will need special local legislation.

An existing development agreement signed in 2010 between Durham Public Schools, Durham County and the State Employees Credit Union, when the library and credit union parcels were being developed. The agreement covers the properties within the yellow border on the map, and governs the cost for maintenance of the stormwater facilities, private roads and addresses other development related issues. The development agreement would need to be amended to permit rental housing, as well as restrictive covenants that were required under the agreement that do not permit rental housing.

Alignment with Strategic Plan: This potential initiative supports Goal 1: "Community Empowerment and Enrichment" as well as Goal 5: "Accountable, Efficient and Visionary Government."

Resource Persons: Aaron Beaulieu, Chief Operating Officer, Durham Public Schools; Willie Darby, Senior Assistant County Attorney; Jane Korest, Division Head for Open Space & Real Estate; Jay Gibson, General Manager

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

Attachments: [Attachment Map of Lowes Grove Property](#)

[Attachment DPS Memo on Affordable Teacher Hsg 9-13-17](#)

18-0572 **Proposed Amendments to Durham County's Facility Use Policy - 45 min**

Agenda Text:

The proposed amendments to the County's Facility Use Policy are provided to the Board of County Commissioners for review and feedback. The proposed amendments provided in red have been drafted to address demonstrations on County grounds. Sheriff Michael Andrews requested that the County revise its current policy to address use of County property for demonstrations in a letter to the Board and the Durham City Council in August 2017. A copy of the Sheriff's letter has been provided.

The draft has been developed in consultation with the Sheriff's Office, General Services and Emergency Management. The amendments include a notification process modeled after the City of Charlotte's process.

The County's Facility Use Policy is an administrative policy which is approved by the County Manager. No action is required by the Board to amend the policy.

Alignment with Strategic Plan: This request aligns with Goal 3: Safe Community and Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Jodi Miller, General Manager and Lowell Siler, County Attorney

County Manager's Recommendation: The County Manager recommends that the Board review and provide feedback on the proposed policy amendments.

Attachments: [Amended DCo Facility Use Policy.docx](#)
[Proposal for Guidelines.pdf](#)

18-0589 **Durham County Child Support and Alternatives to Incarceration for Offenders**

Agenda Text: There has been a concern about the incarceration of defendants on child support cases. This presentation will give the history, factual and statistical information, and a proposed alternative to incarceration for child support inmates including addressing specific barriers to employment.

The Board is requested to approve a permanent position of Program Manager to oversee the program which will enable defendants to address all barriers to incarceration including but not limited to criminal history/convictions, literacy, homelessness, substance abuse, job skills, lack of employment history, etc. This program will substantially minimize defendants incarcerated in the Durham County jail for child support, reduce the dependence on support from Department of Social Services, begin to reduce the cycle of incarceration for child support, and assist Durham County residents overcome employment barriers.

Alignment with Strategic Plan: Goal 3 - Safe & Secure Community; Goal 5 - Accountable, Efficient and Visionary Government

Resource Persons: Lowell Siler, County Attorney; Geri Ruzage, Senior Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board approve proposed policy.

18-0569 **Board Directives Follow-Up - 15 min**

Agenda Text: The Board is requested to review December follow-up, any earlier, unfinished items, and the new follow-up template and ask any questions they wish.

County staff have managed board directives and follow-up items from BOCC meetings in a variety of ways over the years. When this system works well, it is an important accountability tool. For a variety of reasons, our recent experiment with an online system did not end up working very well, so we are returning for now to something more akin to the earlier methods.

For board meetings, follow-up tasks should be finalized in most cases by the day after a given board meeting, with time frames for follow-up established appropriate to each task. Follow-up items will be tracked by meeting, month, and year and will be saved

on the cloud to give editing and viewing abilities to all appropriate staff.

Alignment With Strategic Plan: This item is strongly aligned with Goal 5 - accountable, efficient, and visionary government.

Resource Persons: Drew Cummings, Chief of Staff

County Manager's Recommendation: The County Manager recommends that the Board review December follow-up, any earlier, unfinished items, and the new follow-up template and ask any questions they wish.

18-0571

Commissioners' Comments - 15 min

Agenda Text:

The Board is requested to allow each Commissioner three minutes to report on conferences or make comments regarding issues that may be of interest or concern to the Board.

Alignment with Strategic Plan: Goal 5

Resource Persons: Board of County Commissioners

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

3. Lunch Break

4. Consent Agenda (15 min)

18-0562

Budget Ordinance Amendment No. 18BCC000019 to Recognize an Increase of \$14,539 from the NC Division of Public Health Epidemiology/Communicable Disease Branch for Safe Spaces

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 18BCC000019 to recognize an increase in grant funds in the amount of \$14,539 from the NC Department of Health and Human Services Division of Public Health for Safe Spaces.

Care and Prevention in the United States (CAPUS) Safe Spaces is an intervention that reaches minority men who have sex with other men who are newly or previously diagnosed with HIV to assist them in reducing their viral load. These additional funds will be used to market and support the program.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

Alignment with Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All.

Resource Persons: Gayle B. Harris, MPH, Health Director

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 18BCC000019 to recognize an increase in grant funds in the amount of \$14,539 from the NC Department of Health and Human Services Division of Public Health for Safe Spaces.

Attachments: [AAF-19 Legal Form Public Health NC DHHS Funds for CAPUS \(\\$14,539\)](#)

18-0566

Execution of the Consulting Services Agreement with CBRE/Heery for the Moving Consulting Services for the Administrative Building II Renovation (former Judicial Building) Project No.: DC073

Agenda Text:

The Board is hereby requested to authorize the County Manager to enter into a contract with CBRE/Heery to provide move planning, coordination, GovDeals and implementation services for the Administrative Building II Renovation (former Judicial Building) located at 201 E. Main St. in the amount not to exceed \$56,250.00 (See Attachment 1, pages 1 -3).

CBRE/Heery International, P.C. has extensive experience with the relocation of Durham County offices as they provided move consulting and other related services on the Human Services, Justice Center and Main Library Renovation projects. CBRE/Heery is a qualified firm providing fair pricing for the project and will perform move consulting services for this project as well.

The purpose of this contract is to engage a professional to perform moving consulting services for planning a large scale move and associated coordination activities for this portion of the project. The move should be accomplished with a minimum loss of productive time for each agency. The consultant will help plan and execute the successful relocation of the following departments: Register of Deeds, Tax Administration, Engineering and Environmental Services, Soil and Water, NC Forest Service, EMS Administration, NC Department of Juvenile Justice and Delinquency Prevention and General Services Security into the newly renovated space from various facilities throughout the County. The consultants scope of work is to include but is not limited to the following: initial project mobilization, site building surveys, data collection, inventory of all items to be moved and stored as surplus properties, development of a detailed phased relocation plan and move schedule (timeline), move implementation services to include scope of work for moving services, pre-move meetings & workshops, tagging, markings, coding, numbering, and other related tasks; coordination of the actual move schedule for each agency with movers, County staff, project architect and contractors; post-move management (punch-list warranty issues, etc.) and other related services.

The renovation project is currently underway and is scheduled for substantial completion in the early Summer of 2018. The execution of this contract is timely in order to allow the preparation of the move bid package appropriate for pricing. In

review of the M/WBE participation for this project, CBRE/Heery is not a certified M/WBE company and is capable of performing the associated services utilizing its own workforce. However, CBRE/Heery understands Durham County's established M/WBE goals and has committed to utilizing M/WBE firms for assistance on this project if the opportunity prevails (See Attachment 2, page 1). Funding for this service is available in the Durham County Administrative Building II Renovation (Judicial Building Renovation) account.

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 relocation of various departments into this facility also addresses Goal 5 by providing more efficient service delivery and better customer service.

Resource Persons: Jay Gibson, P.E., General Manager, Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services, and Sara Gilbert, LEED AP, Executive Associate, CBRE/Heery

County Manager's Recommendation: The County Manager recommends that the Board authorize the execution of a consulting services agreement with CBRE/Heery to provide moving consulting services for the Administrative Building II Renovation (former Judicial Building) located at 201 E. Main. St., Durham North Carolina in the amount not to exceed \$56,250.00 as outlined in the proposal dated December 5, 2017.

Attachments: [AAF - Attachments Administrative Building II Renovation Move Consulting Servi](#)
[AAF - Supplemental Document Form - Administrative Building II Renovation - M](#)

18-0578

Award of the Easement Maintenance Services for Durham County Triangle Wastewater Treatment Plant (RFP 18-006) contract to Electrical Controls & Maintenance, Inc.

Agenda Text:

The Board is requested to authorize the County Manager to enter into a service contract with Electrical Controls & Maintenance, Inc. to provide sewer easement maintenance services for the sewer collection system tributary to the Triangle Wastewater Treatment Plant (TWWTP) in an amount of \$82,500 for the remainder of the 2018 fiscal year, and also authorize renewal of the contract yearly in an amount of \$155,000 for up to four additional one-year periods in accordance with the terms and conditions of the original contract and subject to budget availability.

The sewer easement maintenance services include mowing and clearing 80 miles of 30 foot wide easements and weed eating around each manhole located approximately every 400 feet. These easements are cleared twice a year, as a result the growth can be significant. The passage through the easements require special equipment to traverse the numerous stream crossings and wet areas. Additionally, the contractor will be responsible for notifying Durham County personnel of deficiencies of the manholes (missing manhole covers, damage to the manhole cones, evidence of

vandalism, etc.) for potential repair.

Durham County issued a Request for Proposal (RFP 18-006) on August 18, 2017. RFP 18-006 was advertised in local newspapers and on the Durham County website. Four bids were proposals were received on September 21, 2017. The proposal bid tabulation and evaluation forms are attached.

In review of the MWBE compliance for Easement Maintenance Services at the Triangle Wastewater Treatment Plant (RFP 18-006), there were no participation goals achieved on this project. Electrical Controls & Maintenance, Inc. will be utilizing their own workforce to perform this particular service on the project, and they have provided a responsive bid.

Alignment With Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as this project will ensure easements are maintained providing ease of access in the event of a sanitary sewer spill and will provide the staff notification of potential defects within the collection system allowing repairs to be made in advance of a sewer spill or unwanted surface water from entering the collection system.

Resource Persons: Jay Gibson PE, General Manager; Stephanie Brixey, Interim Deputy Director; Greg Johnson, Utilities Superintendent; and Kyle Manning PE, Senior Project Manager

County Manager’s Recommendation: The County Manager recommends the Board authorize the County Manager to enter into a service contract with Electrical Controls & Maintenance, Inc. in the amount of \$82,500 for the remainder of the 2018 fiscal year, and also authorize renewal of the contract yearly in an amount of \$155,000 for up to four additional one-year periods in accordance with the terms and conditions of the original contract and subject to budget availability.

Attachments: [2018 - Easement Maint - Supplement Form](#)
[MWBE Compliance Review Form-AAF for 18-006 RFP 103117](#)
[RFP 18-006 Bid Tabulation](#)
[RFP 18-006 Evaluation Form](#)

18-0591 **Approval of the Purchase of Goods contract with Alfred Williams and Company for the Purchase of the Workstations from the U.S. Communities Buying Program for the Administrative II Building Renovation (former Judicial Building) Project No.: DC073**

Agenda Text: The Board is requested to authorize the County Manager to enter into a contract Alfred Williams & Company for the purchase of workstations, monitor arms and keyboard trays for the Administrative Building II Renovation located at 201 East Main Street Durham, NC in the amount of \$450,259.53 and to execute any other related contracts, if necessary, not to exceed the budget of \$495,284.53. (See attachment 1, Page 1- 145)

The workstations for the Administrative Building II Renovation was selected for purchase through the U.S. Communities Buying Program. G.S. 143-129(e) allows local governments to be exempted from the competitive bidding requirements and purchase furnishings/equipment through group purchasing programs. This provides Durham County the deepest discount possible for purchases under this program (See attachment 2, pages 1-3). The Engineering Department has reviewed the recommendations with O'Brien/Atkins and Associates, P.A. and the Purchasing Department and recommends that the County proceed with the procurement of the items referenced in the attached proposal. The workstations are considered by City/County Inspections to be fixed furnishings which requires them to be installed prior to substantial completion. A Certificate of Occupancy cannot be obtained without these furnishings being in place and inspected due to the data/electrical cabling running through them to power computers, phones and associated office equipment.

Subsequent contracts will be brought to the BOCC for approval including individual office furnishings, conference tables and seating, storage components and etc. at a later date. However, this contract is being brought earlier due to the workstations longer fabrication lead times required by the vendor and the critical path connection of this item to obtaining the Certificate of Occupancy for the renovated facility.

The construction of the Administrative Building II Renovation is currently underway is scheduled for substantial completion in early summer 2018. This will require the workstation installation to begin in late April 2018 in order to meet this established deadlines for the project. In review of the M/WBE participation for this project, Alfred Williams & Company is not a certified M/WBE company and is capable of performing the associated services utilizing its own workforce. However, Alfred Williams & Company understands Durham County's established M/WBE goals and has committed to utilizing M/WBE firms for assistance on this project if the opportunity prevails (See Attachment 3, page 1). Funding for this service is available in the Durham County Administrative Building II Renovation (Judicial Building Renovation) account.

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 relocation of various departments into this facility also addresses Goal 5 by providing more efficient service delivery and better customer service.

Resource Persons: Jay Gibson, P.E., General Manager, Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services, Brenda Hayes-Bright, Assoc. AIA, Project Manager, Engineering Department; and Melissa Hemmingsen, IIDA, O'Brien/Atkins - Interiors

County Manager's Recommendation: The County Manager recommends that

the Board authorize the execution of a Purchase of Goods contract with Alfred Williams for the purchase of the workstations from the U.S. Communities Buying Program for the Administrative Building II Renovation in the amount of \$450,259.53 and to execute any other related contracts, if necessary not to exceed the budget of \$495,284.53.

Attachments:

[AAF - Attachments - Administrative Building II Renovation - Workstation Procure](#)

[AAF Attachment #3 - Administrative Building II Renovation - Workstation Procur](#)

[AAF Attachment#2 - Administrative Building II Renovation - Workstation Procur](#)

[AAF - Supplemental Document Form - Administrative Building II Renovation - W](#)

5. Adjournment