



City Council Work Session Agenda Thursday, March 10, 2016, 1 p.m. Committee Room, Second Floor

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[Roll Call]

[Priority Items By The City Manager, City Attorney, And City Clerk]

[Administrative Consent Items]

City Clerk's Office

1. Durham City-County Appearance Commission – Appointments

To appoint three (3) citizens to the Durham City-County Appearance Commission with one (1) term expiring April 1, 2017 and two (2) terms expiring April 1, 2019.

(Due to the resignation of Pamela Porter and the terms expiring of Anne Abney and David L. Davis)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10993](#))

2. Durham City-County Appearance Commission – Reappointment

To reappoint Phillip Harry Schuler to the Durham City County Appearance Commission with the term to expire on April 1, 2019.

Note: In accordance to City Council Policy, when a term with six months or less remaining is filled, then at the expiration date of the term, the name of the appointee will be submitted for nomination for reappointment and/or publicizing of vacancy.

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10994](#))

3. Human Relations Commission – Appointment

To appoint a citizen to fill one (1) vacancy on the Human Relations Commission representing a Hispanic/Latino Male with the term to expire on June 30, 2019,

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10995](#))

[Departmental Items]

Audit Services Department

4. Dependent Eligibility Verification Performance Audit December 2015

To receive and accept the Dependent Eligibility Verification Performance Audit dated December 2015 as presented and approved at the January 25, 2016 Audit Services Oversight Committee meeting.

(Resource Person: Germaine Brewington – 919-560-4213 ext. 14244) ([PR# 10938](#))

5. Accounts Payable Performance Audit January 2016

To receive and accept the Accounts Payable Performance Audit dated January 2016 as presented and approved at the February 22, 2016 Audit Services Oversight Committee meeting.

(Resource Person: Germaine Brewington – 919-560-4213 ext. 14244) ([PR# 10983](#))

Budget and Management Services Department

6. FY2015-16 Amendments to the Budget Ordinance, and Grant Project Ordinances and a Resolution

To adopt a budget Ordinance Amending the City of Durham Budget Ordinance as amended, Fiscal Year 2015-16, the same being Ordinance # 14808;

To adopt the 2014 High Intensity Drug Trafficking Areas (HIDTA) Grant Project Ordinance (GPO) amendment superseding GPO # 14645;

To adopt the 2015 High Intensity Drug Trafficking Areas (HIDTA) Grant Project Ordinance (GPO) amendment superseding GPO # 14726;

To adopt the 2014-16 City of Durham Employment Training Grant Project Ordinance (GPO) amendment superseding GPO # 14712;

To adopt the FY 2014-15 FTA Section 5307 Grant Project Ordinance (GPO) amendment superseding GPO # 14769;

To adopt the FY 2016-17 State Technology Grant Project Ordinance (GPO); and

To adopt a Resolution accepting CMAQ grant funds.

(Resource Person: Bertha Johnson – 919-560-4111 ext. 20285) ([PR# 10979](#))

Community Development Department

7. Resolution Providing Approval of a Financing by the Housing Authority of the City of Durham for Briar Green Apartments for Purposes of Section 147(F) of the Internal Revenue Code

To adopt a Resolution providing approval, for purposes of Section 147(f) of the Internal Revenue Code only, of a multifamily housing facility known as Briar Green Apartments in the City of Durham, North Carolina and the financing thereof by the Housing Authority of the City of Durham of Multifamily Housing Bonds in an aggregate amount not to exceed \$19,990,000.

(Resource Person: Reginald J. Johnson – 919-560-4570 ext. 22223) ([PR# 10982](#))

8. Site Preparation and Public Improvements Agreement with McCormack Baron Salazar Development, Inc. for Site Preparation and Infrastructure Activities in Southside East Phase II

To authorize the expenditure of up to \$1,700,108.00 in Community Development Block Grant funds for site preparation and infrastructure activities;

To authorize the expenditure of \$1,767,755.00 in Housing Bond Program Income funds for site preparation and infrastructure activities;

To authorize the expenditure of \$991,866.00 from the Dedicated Housing Fund for site preparation and infrastructure activities;

To authorize the City Manager to execute a Community Development Block Grant Agreement with McCormack Baron Salazar, Inc. in an amount up to \$1,700,108.00;

To authorize the City Manager to execute a Housing Bond Program Income Grant Agreement with McCormack Baron Salazar, Inc. in an amount up to \$1,767,755.00;

To authorize the City Manager to execute a Dedicated Housing Fund Grant Agreement with McCormack Baron Salazar, Inc. in an amount up to \$991,866.00;

To establish within the Dedicated Housing Fund amount of \$991,866.00, a contingency fund in the amount of \$525,000.00;

To authorize the City Manager to negotiate change orders provided that the cost of all change orders does not exceed \$525,000.00 and the total amount of the project costs do not exceed \$4,459,729.00; and

To adopt an Ordinance Amending the General Capital Improvement Project Ordinance, Fiscal Year 2015-2016, as amended, the same being Ordinance #14778 for the purpose of adding funding in the amount of \$1,589,857.00 for the Southside East Phase II Project.

(Resource Person: Richard Valzonis – 919-560-4570 ext. 22226) ([PR# 10986](#))

Water Management Department

9. Department of Water Management Mist Lake Facility Expansion Program Management – Heery International, Inc.

To authorize the City Manager to execute a contract with Heery International, PC for Professional Engineering Services in an amount not to exceed \$2,360,000.00 for the Department of Water Management Mist Lake Facility Program Management Augmentation Services;

To establish a contingency fund for the contract in the amount not to exceed \$250,000.00; and

To authorize the City Manager to negotiate change orders for the contract provided that the cost of all change orders does not exceed \$250,000.00, and the total project cost of \$2,610,000.00.

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10856](#))

10. Acquisition of Durham Convention and Visitors Bureau Facility

To authorize City Manager and the General Services Department to negotiate with Durham County for the purchase of the Durham Convention and Visitors Bureau site.

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10985](#))

11. Downtown Loop Waterline Replacement and Water Meter Upgrades – Amendment 1 with Kimley-Horn And Associates, Inc.

To authorize the City Manager to execute a contract amendment with Kimley-Horn and Associates, Inc. in an amount not to exceed \$237,600.00 for the Downtown Loop Waterline Replacement and Water Meter Upgrades Contract for a revised, total contract amount not to exceed \$1,814,767.00.

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10989](#))

12. North Durham Water Reclamation Facility Control Panel Upgrades

To authorize the City Manager to execute a contract with Gilbert Engineering for the NDWRF Control Panel Upgrades Project in the amount of \$1,972,000.00;

To establish a contingency fund for the contract in the amount of \$197,200.00; and

To authorize the City Manager to negotiate change orders for the contract provided that the cost of all change orders does not exceed \$197,200.00 and the total project cost does not exceed \$2,169,200.00.

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10972](#))

Equal Opportunity and Equity Assurance Department

13. Revised Ordinance to Promote Equal Business Opportunities in City Contracting

To adopt an Ordinance to revise the Equal Business Opportunity Program; and

To approve the Minority and Women Business Participation Goals.

(Resource Person: Deborah Giles – 919-560-4180 ext. 1724) ([PR# 10988](#))

General Services Department

14. Resolution Authorizing the Execution and Delivery of a 2nd Notice of Extension to the DPAC Deed of Trust to Extend the Lien to Additional Premises

To adopt a Resolution authorizing the execution and delivery of a second notice of extension to the deed of trust to additional property and execution of a collateral assignment of lease; and

To authorize the City Manager to execute a collateral assignment of lease in the DPAC Club Unit to U.S. Bank National Association.

(Resource Person: Jina Propst – 919-560-4197 ext. 21284) ([PR# 10957](#))

15. Proposed 10-Year Lease with Liberty Arts, Inc. for Arts Pavilion at 505 Rigsbee Avenue

To adopt a Resolution Authorizing the City Manager to execute a 10-year lease with Liberty Arts, Inc. for the Liberty Arts pavilion located at 505 Rigsbee Avenue (parcel # 104933) for \$1.00 per year; and

To authorize depositing lease revenue in the amount of \$10.00 into the General Fund.

(Resource Person: Elizabeth Hyland – 919-560-4197 ext. 21295) ([PR# 10974](#))

16. Proposed Acquisition of Four Parcels Located at 906, 908 and 910 Angier Avenue and 201 South Elm Street for the Edgemont Park Capital Improvement Project (CIP)

To approve the fee simple acquisition of property located at 906, 908, and 910 Angier Avenue and 201 South Elm Street (parcel # 111847, 111846, 111850, and 111848, respectively) from Edgemont Community Center, Inc. for \$30,000.00, subject to the approval of the North Carolina

Attorney General pursuant to N.C.G.S. Â§55A-12-02(g).

(Resource Person: Elizabeth Hyland – 919-560-4197 ext. 21295) ([PR# 10991](#))

Human Resources Department

17. Consultant Contract for Police and Fire Compensation Study

To authorize the City Manager to execute a service agreement with Segal Waters Consulting in the amount of \$75,000.00 to conduct a comprehensive compensation study for the Police and Fire Pay Plans.

(Resource Person: Alethea Hardy – 919-560-4214 ext. 23026) ([PR# 10966](#))

Public Works Department

18. Ordinance Amending City Code Section 62-126 and 62-127 – Warranty and Repair Security

To adopt an Ordinance Amending Section 62-126 and 62-127 of the Durham City Code of Ordinances of the Warranty and Repair Security.

(Resource Person: Robert Joyner – 919-560-4326 ext. 30229) ([PR# 10973](#))

19. Small Scale Residential Stormwater Control Measures in Durham

To authorize the City Manager to execute a contract with Biohabitats, Inc. for the implementation of small scale residential stormwater control measures in the amount of \$132,882.00;

To establish a contingency fund in the amount of \$13,288.00; and

To authorize the City Manager to negotiate change orders provided that the cost of all change orders and the contract does not exceed the total project cost of \$146,170.00.

(Resource Person: Lance Fontaine – 919-560-4326 ext. 30257) ([PR# 10981](#))

[Presentations]

Community Development Department

20. Presentation on City of Durham Affordable Housing Goals Prepared by Enterprise Community Partners, Inc.

To receive a presentation from Enterprise Community Partners, Inc. concerning the City of Durham affordable housing goals.

(Resource Person: Reginald J. Johnson – 919-560-4570 ext. 22223) [\(PR# 10987\)](#)

[Public Hearings]

Finance Department

21. Public Hearing on the Installment Financing Contract and Adopt a Resolution Authorizing the Negotiation of an Installment Financing Contract

To conduct a public hearing and receive comments concerning the approval of the execution and delivery of the Installment Financing Contract; and

To adopt a Resolution Authorizing the Negotiation of an Installment Financing Contract and providing for certain related matters.

(Resource Person: Chad Cowan – 919-560-4511 ext. 18248) [\(PR# 10976\)](#)

City-County Planning Department

22. Zoning Map Change-Farrington Mixed Use (Z1500009)

To conduct a public hearing and receive comments on the zoning map change for Farrington Mixed Use (Z1500009);

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1500009 out of Office Institutional with a development plan (OI(D)) and Residential Suburban – 20 (RS-20) and placing same in and establishing same as Mixed Use with a development plan (MU(D)); and

To adopt a consistency statement as required by GS 160A-383.

(Resource Person: Amy Wolff – 919-560-4137 ext. 28235) [\(PR# 10923\)](#)

23. Zoning Map Change – Straw Valley (Z1400033)

To conduct a public hearing and receive comments on the zoning map change for Straw Valley (Z1400033);

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400033 out of Office Institutional (OI) and Commercial Neighborhood (CN) and placing same in and establishing same as Mixed Use with a development plan (MU(D)); and

To adopt a consistency statement as required by GS 160A-383.

(Resource Person: Amy Wolff – 919-560-4137 ext. 28235) [\(PR# 10978\)](#)

24. Consolidated Annexation – 3708 Danube Lane (BDG1500011, Z1600002A)

To conduct a public hearing and receive comments on the Consolidated Annexation of 3708 Danube Lane (BDG1500011, Z1600002A);

To authorize the City Manager to enter into a utility extension agreement with Reginald and Sylvia Lynch;

To adopt an Ordinance annexing 3708 Danube Lane (BDG1500011) into the City of Durham effective March 31, 2016;

To adopt an Ordinance Amending the Durham Zoning Atlas and Unified Development Ordinance to establish Residential Suburban-20, Falls/Jordan-B (RS-20, F/J-B) zoning for the property; and

To adopt a consistency statement as required by NCGS 160A-383.

(Resource Person: Jacob Wiggins – 919-560-4137 ext. 28257) [\(PR# 10977\)](#)

[Citizens' Matters – To Be Heard at 1:00 p.m.]

25. Harvey Ann Goodwin

To receive comments from Harvey Ann Goodwin regarding her property and Clairmont at Hillandale North.

(Resource Person: Harvey Ann Goodwin) [\(PR# 10998\)](#)

26. John Haywood

To receive comments from John Haywood regarding a request from the residents of Cornwallis Road to replace, at their expense, the 30-inch gravel street border installed by the City in December 2015 with sod.

(Resource Person: John Haywood) [\(PR# 10999\)](#)

[Supplemental Items]

27. Gloria De Los Santos

To receive comments from Melvin Whitley regarding the Medicaid Expansion Resolution. (Resource Persons: Gloria De Los Santos and Melvin Whitley) (PR# 11004)

City Clerk's Office

28. Durham Workforce Development Board – Appointment

To appoint a citizen to fill one (1) vacancy on the Durham Workforce Development Board representing Labor Organization/Apprenticeship with the term to expire on June 30, 2020.

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 11000)

City Council's Office

29. Resolution in Support of the Right of Non-Tenure Track Faculty at Duke University

To adopt a Resolution in Support of the Right of Non-Tenure Track Faculty at Duke University to Form a Labor Union and Bargain Collectively.

(Resource Person: Council Member Steve Schewel – 919-560-4396) (PR# 11003)

[Adjournment]

Notice Under the Americans with Disabilities Act (ADA).

The City of Durham will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in the City program, service, or activity, should contact the office of Stacey Poston, Acting ADA Coordinator, Voice: (919)560-4197, ext. 21254, TTY:(919) 560-1200; ADA@durhamnc.gov, as soon as possible but no later than 48 hours before the scheduled event.