



City Council Work Session Agenda
Thursday, February 20, 2020 - 1 p.m.
101 City Hall Plaza, Second Floor Committee Room

Please note: Agenda items are current at time of posting. Items may be changed, updated or added after initial posting.

To access Agenda-related documents, please click on the underlined [Agenda Item title](#).

Call to Order

Roll Call

Announcements by Council

Priority Items by the City Manager, City Attorney and City Clerk

Administrative Consent Items

City Clerk's Office

1. Approval of City Council Minutes

To approve the City Council Minutes for January 6, 2020, January 9, 2020, January 21, 2020 and January 23, 2020.

(Resource Person: Diana Schreiber - 919-560-4166 ext. 12266) (PR# 13770)

2. Participatory Budgeting Steering Committee - Appointments

To appoint residents to fill two (2) vacancies on the Participatory Budgeting Steering Committee representing Ward 2 and Ward 3 with the terms to expire on August 1, 2020.

(Due to the resignations of Natalie S. Murdock and Henry C. McKoy, Jr.)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 13779)

3. Mayor's Nominee - Durham Performing Arts Center Oversight Committee – Reappointment

To reappoint MaryAnn Black as Mayor's Appointee to the Durham Performing Arts Center Oversight Committee to represent Community Relations with the term to expire on March 1, 2023.

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 13780)

Departmental Items

Audit Services Department

4. User Access Performance Audit January 2020

To accept the User Access Performance Audit dated January 2020 as presented and approved at the January 27, 2020 Audit Services Oversight Committee meeting.

(Resource Person: Germaine Brewington - 919-560-4213 ext. 14244) (PR# 13775)

Budget and Management Services Department

5. Contract with Legal Aid of North Carolina for Legal Aid to Assume Responsibility for the Durham Expunction & Restoration (DEAR) Program

To authorize the City Manager to execute a contract with Legal Aid of North Carolina, Inc. in the amount of \$180,000 for Legal Aid to assume responsibility for the Durham Expunction & Restoration (DEAR) program.

(Resource Person: Monica Croskey Chaparro - 919-560-4111 ext. 20285) (PR# 13803)

Department of Community Development

6. Amendment to Families Moving Forward 2017-2018 Community Development Block Grant Contract for Comprehensive Case Management Services

To authorize the City Manager to execute an amendment to the Families Moving Forward, Inc. contract to end on February 29, 2020, expand participant eligibility to include categories 2 and 4 of the U.S. Department of Housing and Urban Development's (HUD) homeless definition, and to remove the match requirement.

(Resource Person: Melva F. Henry - 919-560-4570 ext. 22229) (PR# 13797)

7. Families Moving Forward FY2019-20 Community Development Block Grant (CDBG) Subrecipient Contract for Comprehensive Case Management Services

To authorize the expenditure of \$88,500 in FY2019-20 Community Development Block Grant (CDBG) funds; and

To authorize the City Manager to execute a Subrecipient Contract with Families Moving Forward for support of their Comprehensive Case Management Services to homeless families with children.

(Resource Person: Melva F. Henry - 919-560-4570 ext. 22229) (PR# 13799)

Finance Department

8. FY 2019-20 Second Quarter Financial Report

To receive the FY 2019-20 Second Quarter Financial Report.

(Resource Person: Keith Herrmann - 919-560-4455 ext. 18230) (PR# 13783)

9. Bid Report - January 2020

To receive a report on the bids that were acted upon by the City Manager in January 2020.

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 13790)

Fire Department

10. Interlocal Agreement for Automatic Mutual Aid with the Town of Morrisville

City Council resolves to ratify and to authorize the City Manager to execute an interlocal agreement for automatic mutual aid with the Town of Morrisville.

(Resource Person: Chris Iannuzzi - 919-560-4242 ext. 19228) (PR# 13755)

General Services Department

11. Membership Agreement with 300 Morris Street Tenant LLC (WeWork Durham.Id) for Office Swing Space at 300 Morris Street

To authorize the City Manager to execute a Membership Agreement with WeWork for office space at 300 Morris Street.

(Resource Person: Selena Jones - 919-560-4197 ext. 21241) (PR# 13798)

Human Resources Department

12. Contract with The StayWell Company, LLC for the Live Well City of Durham Employee Wellness Program

To authorize the City Manager to execute a contract with The StayWell Company, LLC for Wellness Consulting Services for the Live Well City of Durham Employee Wellness Program for the period of April 1, 2020 through March 31, 2022, in the amount of \$111,150 per year for two years.

(Resource Person: Regina Youngblood - 919-560-4214 ext. 23270) (PR# 13778)

Public Works Department

13. A New City Code of Ordinance Section and New Fee Ordinance

To adopt an ordinance to add a new Section 1-16 to Chapter 1 of the Durham City Code of Ordinances, recognizing the "Reference Guide for Development" as the City's standards for infrastructure development and construction; and

To adopt a new fee into Chapter 15 of the City's Fee Schedule to Impose a Fee for Submission of the Reference Guide for Development's Alternatives Application.

(Resource Person: Mariel Klein - 919-560-4222 ext. 11235) (PR# 13688)

14. Contract Amendment No. 1 for ST-290, Street Repairs and Repaving 2019 Project

To authorize the City Manager to execute Contract Amendment No. 1 for ST-290, Street Repairs and Repaving 2019 with FSC II, LLC in the amount of \$19,222.50 for a total revised contract amount of \$4,578,562.50; and

To authorize the City Manager to negotiate and execute change orders to the contract provided that the total cost of the contract, including contingency funds, does not exceed \$5,034,496.50.

(Resource Person: Tasha Johnson - 919-560-4326 ext. 30262) (PR# 13787)

15. Contract Amendment No. 1 for ST-290C, Inspections for Various City Construction Projects

To authorize the City Manager to execute Contract Amendment No. 1 for ST-290C, Inspections for Various City Construction Projects with AECOM Technical Services of North Carolina, Inc. in the amount of \$41,120 for a total revised contract amount not to exceed \$276,320.

(Resource Person: Tasha Johnson - 919-560-4326 EXT. 30262) (PR# 13788)

Presentations

Parks and Recreation Department

16. Durham Parks Foundation Five Year Report [20 minutes]

To receive a presentation on the Durham Parks Foundation Five Year Report.

(Resource Person: Annette Smith - 919-560-4355 ext. 27214) (PR# 13801)

Police Department

17. Police Gang Unit Update [20 minutes]

To receive a presentation on the Police Gang Unit.

(Resource Person: Shawn Hughey - 919-560-1185 ext. 29460) (PR# 13806)

Public Hearings

City-County Planning Department

18. Consolidated Item Report 3871 Guess Road A1800012 / Z1800036

To conduct a public hearing to receive comments and consider the following motions:

Motion #1: To adopt a resolution amending the Future Land Use Map to Industrial and Recreation Open Space;

Motion #2: To adopt a Consistency Statement as required by NCGS 160A-383; and

Motion #3: To adopt an ordinance amending the Unified Development Ordinance By Taking Property out of the Planned Residential Development 2.000 (PDR 2.000); Residential Suburban - Multifamily with a Development Plan (RS-M(D)), Eno River Watershed Protection Overlay (E-B) Zoning Districts and Establishing the Same As Industrial Light with a Development Plan (LD(D)), Eno River Watershed Protection Overlay (E-B) Zoning Districts.

(Resource Person: Emily Struthers - 919-560-4137 ext. 28273) (PR# 13792)

19. Consolidated Annexation - Glenn Road Townhomes

To conduct a public hearing to receive comments and consider the following motions:

Motion #1: To adopt an ordinance annexing Glenn Road Residential into the City of Durham effective March 31, 2020;

Motion #2: To authorize the City Manager to enter into a utility extension agreement with Starlight Homes North Carolina LLC;

Motion #3: To adopt a Consistency Statement as required by NCGS 160A-383; and

Motion #4: To adopt an Ordinance Amending the Durham Unified Development Ordinance By Taking Property out of Rural Residential Zoning District (RR), Falls/Jordan Watershed Protection Overlay District-B (F/J-B), Major Transportation Corridor Overlay I-85 (MTC I-85), County Jurisdiction and Establishing the Same as Planned Development Residential 7.046 (PDR 7.046), Falls/Jordan Watershed Protection Overlay District-B (F/J-B), Major Transportation Corridor Overlay I-85 (MTC I-85), City Jurisdiction.

(Resource Person: Jamie Sunyak - 919-560-4137 ext. 28235) (PR# 13793)

General Services Department

20. Urban Avenue Street Closing & Development/Easement Agreement

To conduct a public hearing to receive comments and consider the following motions:

Motion #1: To approve the request to close 934.31' linear foot portion of Urban Avenue;
and

Motion #2: To authorize the City Manager to enter into a development and easement agreement with JACo 949 Washington Investors LLC.

(Resource Person: Stacey Poston - 919-560-4197 ext. 21254) (PR# 13781)

Citizens' Matters – To be heard at 1 p.m.

21. Chris Tiffany

To receive comments from Chris Tiffany regarding use-of-force policies & practices and defense of freedom of expression.

(Resource Person: Chris Tiffany) (PR# 13804)

Settling the Agenda

Other Matters

Adjournment

Rules of Decorum for Citizen Participation

In support of and respect for an open, fair and informed decision-making process, the City Council and the Administration recognize that:

- civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and
- un-civil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.

In an effort to preserve the intent of open government and maintain a positive environment for citizen input and Council decision-making, the following Rules of Decorum have been established.

Compliance with these rules is expected and appreciated. The Rules of Decorum will be included in the agenda and will be referenced at the beginning of each Council meeting and Council Work Session by the presiding officer. A written list of the Rules of Decorum will also be printed and mounted upon the walls of the Council Chambers and the Committee Room.

1. All citizens may participate in the public process.
2. The Mayor serves as the presiding officer of the Council; the Mayor Pro Tem serves in the Mayor's absence.
3. Citizens must sign up to address Council using procedures outlined for Council meetings and Council Work Sessions (above).
4. Citizens may speak only to the matter for which they signed up and, in the case of public hearings, those matters which have been advertised and placed on the Council meeting agenda.
5. Citizens are encouraged to prepare remarks in advance for submission to the public record. Prepared remarks should be submitted to the Clerk prior to the start of the meeting or at the end of their comments. Additional material may be submitted to supplement remarks.
6. In an effort to accommodate all who wish to address Council at a Council meeting while preserving a reasonable and efficient meeting schedule, each speaker will have a specified amount of time to deliver comments. Comments will be timed by the City Clerk or designee; signals will be provided at the one-minute and 30-second measures. Speakers are expected to cease comments immediately upon end-time.

Council Work Sessions: Citizens who sign up in advance will be allowed to speak for up to 5 minutes.

City Council Meetings: Citizens who sign up in advance will be allowed to speak for up to 5 minutes.

7. Speakers will conduct themselves in a civil and respectful manner at all times.
8. Speakers will address the presiding officer.
9. Questions to Council members or City staff will be facilitated by the presiding officer.
10. Speakers will state their name and address.
11. Speakers will make an effort to speak clearly into the microphone provided.
12. Speakers will make an effort to speak succinctly.
13. Speakers will refrain from the use of individual City staff names. It is appropriate to refer to staff by title and/or department.
14. Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individual(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
15. Speakers will refrain from making comments of a personal nature regarding others.
16. Name-calling and/or obscenity is forbidden.
17. Shouting, yelling or screaming is forbidden.
18. Council Work Session or Public Hearing attendees (audience) will refrain from commenting, shouting, booing, clapping, stomping feet or other inappropriate and/or disruptive behavior. Brief clapping is permissible at the end of a speaker's comments.

19. Council Work Session or Public Hearing attendees (audience) should refrain from private conversation during meetings.
20. Council Work Session or Public Hearing attendees (audience) should come and go as necessary from meeting space in the least disruptive manner as possible.
21. No campaign placards, banners, or signs will be permitted in the City Council Chambers or Committee Room. Other signage is permitted except signs which violate the Rules of Decorum or that block the view of other attendees.
22. Exhibits, displays, and visual aids used in connection with presentations to the City Council are permitted. Video presentations requested by citizens as visual aids may not be broadcast over cable television due to technological challenges.

Notice under the Americans with Disabilities Act (ADA)

A person with a disability may receive an auxiliary aid or service to effectively participate in city government activities by contacting the ADA Coordinator, voice 919-560-4197, fax 560-4196 or ADA@durhamnc.gov (mailto:ADA@durhamnc.gov), as soon as possible but no later than 48 hours before the event or deadline date.

Notice under the Language Access Plan (LAP)

For persons requiring language assistance to effectively participate in City Council Meetings and Work Sessions, contact the City Clerk's Office at 919-560-4166, send a fax to 919-560-4835 or email City.Clerk@durhamnc.gov (mailto:City.Clerk@durhamnc.gov) to request interpretation and/or translation services as soon as possible but no later than 48 hours before the event or deadline date.

Plan de Acceso al Idioma

Las personas que requieran asistencia lingüística para participar efectivamente en las reuniones del consejo municipal y las sesiones de trabajo, comuníquense con la Oficina del Secretario de la Ciudad al 919-560-4166 envíenos un fax al 919-560-4835 o email al City.Clerk@durhamnc.gov (mailto:City.Clerk@durhamnc.gov).

Para solicitar para los servicios de interpretación y / o traducción tan pronto como sea posible pero a más tardar 48 horas antes del evento o fecha límite.