



City Council Meeting Agenda Monday, May 21, 2018 - 7 p.m. First Floor Council Chambers

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

Moment of Silent Meditation

Pledge of Allegiance

Roll Call

Ceremonial Items

- Neighborhood Spotlight Recipient – Recognition of Marcella Jones
- National Public Works Week Proclamation
- National Gun Violence Awareness Day Proclamation
- Play Ball Summer Proclamation

Announcements by Council

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

Consent Agenda

1. Approval of City Council Minutes

To approve the City Council minutes for the following meeting dates: February 19, 2018, February 22, 2018, March 5, 2018, March 8, 2018 (Special) and March 19, 2018.

(Resource Person: Diane Schreiber - 919-560-4166 ext. 12266) (PR# 12515)

2. Durham Planning Commission - Appointments

To reappoint Thoms R. Miller and to appoint Erin M. Durkin to the Durham Planning Commission with the terms to expire on June 30, 2021.

(Due to the terms expiring of Tom R. Miller and David L. Harris)

(Resource Person: LaVerne Brooks - 919-560-4166 ext. 12264) (PR# 12501)

3. Street and Infrastructure Acceptances

To accept the streets and infrastructure (as listed in the attached memo) in Hanover Pointe Sub Area C, Hope Valley Ridge, Changing Hearts for Changing Lives, Inc., Cook Road Waterline, Hopson Road Self-Storage Center, Page Road Office, Petty Road Self-Storage, TROSA Clinic, Family Dollar #715698, 305 South Dillard Street, Bull City Gymnastics and Evelyn Street.

(Resource Person: Robert N. Joyner, Jr. - 919-560-4326 ext. 30229) (PR# 12462)

4. This item can be found on the General Business Agenda.

5. Proposed City-County Planning Department FY19 Work Program

To approve the City-County Planning Department FY19 Work Program.

(Resource Person: Sara Young - 919-560-4137 ext. 28256) (PR# 12470)

6. FY 2017-2018 Emergency Solutions Grant Funds with Urban Ministries of Durham, Inc. Subrecipient Contract for Rapid Re-Housing Services

To authorize the City Manager to execute a contract with Urban Ministries of Durham, Inc. in the amount of \$54,652.00 to provide rapid re-housing assistance to households experiencing homelessness.

(Resource Person: Matthew Walker - 919-560-4570 ext. 22250) (PR# 12505)

7. Contract for Professional Engineering Services for W. Club Boulevard Corridor Utility Rehabilitation

To authorize the City Manager to execute a contract with Dewberry Engineers Inc. for Professional Engineering Services in an amount not to exceed \$825,585.00 for the W. Club Boulevard Corridor Utility Rehabilitation contract;

To establish a contingency fund for the contract in the amount not to exceed \$82,559.00; and

To authorize the City Manager to negotiate change orders for the contract provided that the total project cost does not exceed \$908,144.00.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12491)

8. Ordinance to Adopt Water and Sewer Rates for FY 2018-2019

To adopt the proposed Water and Sewer Rates for FY 2018 - 2019 to become effective July 1, 2018 and applied to all bills rendered on or after August 1, 2018.

(Resource Person: Vicki Westbrook - 919-560-4381 ext. 35266) (PR# 12500)

9. Bid – Term Contract for Ferric Sulfate Solution 13% (9,200 Tons)

To award the bid for the purchase of Ferric Sulfate Solution in the amount of \$1,472,000.00 from Kemira Water Solutions, Inc. and to authorize the City Manager to execute all relevant contracts.

(Resource Person: Sydney Miller - 919-560-4381 ext. 35201) (PR# 12507)

10. Annual Property/Casualty Insurance Plan FY19

To authorize the City Manager to expend an amount for all insurance premiums not to exceed \$1,125,000.00 to maintain the annual insurance plan and make additional insurance purchases as needed beginning July 1, 2018.

(Resource Person: Glenn LeGrande - 919-354-2740 ext. 18228) (PR# 12492)

11. Changes to Preaudit Certification Requirements for Electronic Payments

To adopt a Resolution Authorizing the City of Durham to Engage in Electronic Payments.

(Resource Person: Keith Herrmann - 919-560-4455 ext. 18230) (PR# 12499)

12. Construction Services with Riggs-Harrod Builders, Inc. for the Solid Waste Management Annex and Truck Wash Project

To authorize the City Manager to negotiate and execute a Construction contract with Riggs-Harrod Builders, Inc. for the Solid Waste Management Annex & Truck Wash Project not to exceed a maximum cost of \$1,891,819.00;

To establish a contingency in the amount of \$189,182.00; and

To authorize the City Manager to negotiate and execute change orders on the Solid Waste Management Annex & Truck Wash contract, provided the cost of all change orders and the original contract does not exceed the total project cost of \$2,081,001.00.

(Resource Person: Lisa R. Smith - 919-560-4197 ext. 21273) (PR# 12514)

13. City Code Revisions Establishing Civil Penalties for Unauthorized Work Performed in the Right of Way

TO adopt an Ordinance amending Sections 62-50 and 62-52 of the Durham City Code of Ordinances to establish civil penalties for unauthorized work in the right of way.

(Resource Person: Daniel Vallero - 919-560-4326 ext. 30291) (PR# 12366)

14. Small Wireless Facilities Ordinance Revision

To adopt an Ordinance amending Sections 62-55 and 62-58 of the Durham City Code of Ordinances which regulate small wireless facilities.

(Resource Person: Daniel Vallero - 919-560-4326 ext. 30291) (PR# 12510)

15. Telecommunications License with Mclmetro Access Transmission Services Corp. (d/b/a Verizon Access Transmission Services)

To authorize the City Manager to enter into a Telecommunication License Agreement with Mclmetro Access Transmission Services Corp. (d/b/a Verizon Access Transmission Services) to install and maintain telecommunications facilities within public right-of-way within the City's corporate limits.

(Resource Person: Daniel Vallero - 919-560-4326 ext. 30291) (PR# 12513)

16. This item can be found on the General Business Agenda.

17. – 21. These items can be found on the General Business Agenda – Public Hearings.

General Business Agenda

4. Participatory Budgeting (PB)/Follow Up

To establish a target level of funding for Participatory Budgeting projects and develop a process to appoint members to the steering committee.

(Resource Person: Bertha T. Johnson - 919-560-4111 ext. 20285) (PR# 12458)

16. Proposed FY2018-19 Budget and FY2019-24 Capital Improvement Plan (CIP)

To receive a presentation from the City Manager on the proposed FY2018-19 Budget and FY2019-24 Capital Improvement Plan (CIP).

(Resource Person: Bertha T. Johnson - 919-560-4111 ext. 20285) (PR# 12502)

General Business Agenda - Public Hearings

17. Consolidated Item for Fayetteville Commercial

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

Motion #1: To adopt a Resolution amending the Future Land Use Map to Commercial for the subject site;

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

Motion #3: To adopt an Ordinance amending the Unified Development Ordinance by taking the subject property out of the Residential Suburban-20 (RS-20) zoning district and establishing the same as Commercial General (CG).

(Resource Person: Jamie Sunyak - 919-560-4137 ext. 28235) (PR# 12511)

18. Economic Incentive Agreement with the City of Durham and Thompson Joinery, LLC.

To conduct a public hearing to receive comments on the proposed economic development incentive agreement per G.S. 158-7.1; and

To authorize the City Manager to execute an economic development incentive agreement with Thompson Joinery LLC in an amount not to exceed \$250,000.00.

(Resource Person: Chris Dickey - 919-560-4965 ext. 15204) (PR# 12483)

19. Public Hearing for Confirmation of Assessment Roll for Sidewalk on Hardwick Drive

To conduct a public hearing to receive comments on the confirmation of the assessment roll for sidewalk on a portion of Hardwick Drive; and

To adopt a Resolution confirming the sidewalk assessment roll for Hardwick Drive (North Side) from the west property line of PIN 0728-03-24-3003 to Wellingham Drive.

(Resource Person: Robert N. Joyner, Jr. - 919-560-4326 ext. 30229) (PR# 12494)

20. Public Hearing to Consider Adopting a Resolution Rescinding a Previously Ordered Water Main to Serve Portions of Bandoack Drive and Rondelay Drive

To conduct a public hearing to receive comments on adopting a resolution rescinding the previously ordered petitioned water main improvement; and

To adopt a Resolution rescinding the previously ordered water main improvement on Bandoack Drive from Hillview Drive to Rondelay Drive and Rondelay Drive from Bandoack Drive to the West Property Line of PIN 0860-01-36-2444.

(Resource Person: Robert N. Joyner, Jr. - 919-560-4326 ext. 30229) (PR# 12495)

21. Public Hearing to Consider Adopting a Resolution Rescinding a Previously Ordered Water Main to Serve Portions of Olive Branch Road and Bookman Street

To conduct a public hearing to receive comments on adopting a resolution rescinding the previously ordered petitioned water main improvement; and

To adopt a Resolution rescinding the previously ordered water main improvement on Olive Branch Road from Wake Forest Highway to Bookman Street and Bookman Street from Olive Branch Road to Bandoack Drive.

(Resource Person: Robert N. Joyner, Jr. - 919-560-4326 ext. 30229) (PR# 12496)

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.