



**City Council Meeting Agenda**  
**Monday, March 5, 2018 - 7 p.m.**  
**101 City Hall Plaza, 1st 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**

 **Girl Scout Week Proclamation**

## **Announcements by Council**

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

## **Consent Agenda**

### **1. Mayor's Council for Women - Appointments**

To appoint the following members to the Mayor's Council For Women: Nana Asante-Smith representing Public Safety (term expires June 30, 2021); Nida Allam representing Civil Rights/Justice (term expires June 30, 2021); Ashley Canady representing Ward 2 (term expires June 30, 2021); Gloria De Los Santos representing At-Large (term expires June 30, 2020); Mina Ezikpe representing Ward 3 (term expires June 30, 2020); Megan A. McCurley representing Ward 1 (term expires June 30, 2020); Dolly Reaves representing At-Large (term expires June 30, 2019); Amie Koch representing Housing/Economic Development (term expires June 30, 2019); Rebekah A. Miel representing Cultural/Arts (term expires June 30, 2019).

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12359)

### **2. Durham Bicycle and Pedestrian Advisory Commission - Appointment**

To appoint Sean Mason to the Durham Bicycle and Pedestrian Advisory Commission representing University Students/University Facilities with the term to expire on August 31, 2020.

(Due to the resignation of Michael Terwilliger)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12361)

### **3. Citizens Advisory Committee - Appointment**

To appoint Sammy F. Banawan to the Citizens Advisory Committee with the term to expire on June 30, 2019.

(Due to a vacancy)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12362)

### **4. Selection of the External Auditor**

To authorize the City Manager to execute a contract and accompanying engagement letter with Chery, Bekaert, LLP to audit the City's annual financial statements, in the amount of \$213,000.00 for a three (3) year contract; as approved at the January 22, 2018 Audit Services Oversight Committee meeting.

(Resource Person: Germaine Brewington - 919-560-4213 ext. 14244) (PR# 12370)

### **5. 2017 Municipal Primary and Municipal General Elections**

To authorize payment in the amount of \$374,043.67 to the Durham County Board of Elections for the City of Durham 2017 Municipal Primary and Municipal General Elections.

(Resource Person: Diana Schreiber - 919-560-4166 ext. 12266) (PR# 12350)

### **6. Woodcroft Parkway Extension Municipal Agreement (U-5823)**

To authorize the City Manager to execute the Woodcroft Parkway Extension (TIP U-5823) Municipal Agreement with the NC Department of Transportation for design, environmental documentation and right of way activities for the project;

To adopt a Grant Resolution to accept federal grant funding in the amount of \$633,000.00 from the NCDOT; and

To adopt an Ordinance Amending the General Capital Improvement Project Ordinance, Fiscal Year 2017-18, as amended, the same being Ordinance #15131, for the purpose of receiving additional funds in the amount of \$633,000.00 for the first phase of the Woodcroft Parkway Extension Project (LC404) where the existing CIP match funding of \$158,250.00 is currently appropriated

(Resource Person: Anthony Wambui - 919-560-4366 ext. 36400) (PR# 12357)

### **7. Replacement Radio Systems for Transit Vehicles**

To authorize the City Manager to execute a contract with Motorola Solutions, Inc. for the purchase of radio system replacements on board 82 transit vehicles, as well as dispatch and supervisor radio system replacements for the North Carolina Department of Transportation (NCDOT), Transit Section in the amount of \$381,059.34.00.

(Resource Person: Harmon Crutchfield - 919-560-4366 ext. 36439) (PR# 12367)

### **8. Replacement of Light Transit Vehicles**

To authorize the City Manager to execute a contract with Palmetto Bus Sales, LLC for the purchase of six (6) replacement light transit vehicles (LTV'S), for the North Carolina Department of Transportation (NCDOT), Transit Section in the amount of \$348,408.00.

(Resource Person: Harmon Crutchfield - 919-560-4366 ext. 36439) (PR# 12369)

**9. Central Park Waterline Replacement Project - Amendment No. 2**

To authorize the City Manager to execute a contract amendment to the Central Park Waterline Replacement Project with CDM in an amount not to exceed \$898,800.00, increasing the total contract amount to \$3,004,400.00;

To establish additional contingency funds for the contract in an amount not to exceed \$27,360.00, increasing the total amount to \$171,360.00; and

To authorize the City Manager to negotiate change orders for the contract if the total project cost does not exceed \$3,175,760.00.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12327)

**10. W. Main Street and N. Elizabeth Street Waterline Replacements - Contract for Professional Engineering Services**

To authorize the City Manager to execute a contract with CJS Conveyance, PLLC for Professional Engineering Services in an amount not to exceed \$1,660,152.00 for the W. Main Street and N. Elizabeth Street Waterline Replacements contract;

To establish a contingency fund for the contract in the amount not to exceed \$166,015.00;

To authorize the City Manager to negotiate change orders for the contract provided that the total project cost does not exceed \$1,826,167.00.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12363)

**11. Electric Service Agreement with Duke Energy Carolinas, LLC for North Durham Water Reclamation Facility**

To authorize the City Manager to execute a electric service agreement 6053-A between the City and Duke Energy for North Durham Water Reclamation Facility.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12368)

**12. Bid Report for January 2018**

To receive a report on bids which were acted upon by the City Manager during the month of January 2018.

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 12360)

**13. Lease of Cleveland Street Parking Lot for City of Durham Employee Parking**

To authorize the City Manager to execute a lease agreement with The First Baptist Church of Durham (North Carolina) Incorporated for 13 parcels to be used collectively as a parking lot for City employees.

(Resource Person: Elizabeth Hyland - 919-560-4197 ext. 21295) (PR# 12372)

**14. Durham Sustainability Roadmap Adoption**

To adopt the City of Durham Sustainability Roadmap.

(Resource Person: Jina Propst - 919-560-4197 ext. 21284) (PR# 12373)

**15. Second Amendment to Asset Management Contract**

To ratify the first amendment to the contract for asset management needs assessment executed by the City Manager with KCI Associates of North Carolina, P.A. in the amount of \$56,000.00, increasing the total contract amount to \$61,000.00;

To authorize the City Manager to execute a second amendment with KCI Associates of North Carolina for SOP Development and Asset Management Program Services in the amount of \$258,631.00 for a total, new contract amount of \$319,631.00;

To establish a project contingency in the amount of \$101,000.00 to begin asset management services for bridges/structures or sidewalks; and

To authorize the City Manager to negotiate and execute amendments for the contract provided the total cost of the contract including all amendments does not exceed \$420,631.00.

(Resource Person: Marvin Williams - 919-560-4326 ext. 30225) (PR# 12329)

**16. Telecommunications License Agreement with South Carolina Telecommunications Group Holdings, LLC dba Spirit Communications**

To authorize the City Manager to enter into a Telecommunication License Agreement with South Carolina Telecommunications Group Holdings, LLC dba Spirit Communications 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# 12348)

**17. Utility Extension Agreement with 512 Gordon Street, LLC to Serve the Gordon Street Townes Project**

To authorize the City Manager to enter into a utility extension agreement with 512 Gordon Street, LLC to serve Gordon Street Townes.

(Resource Person: Robert N. Joyner - 919-560-4326 ext. 30229) (PR# 12364)

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

**General Business Agenda - Public Hearings**

**19. Consolidated Annexation for 5220 Wake Forest Highway**

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

Motion #1: To adopt an Ordinance Annexing 5220 Wake Forest Highway into the City of Durham effective March 31, 2018 and to authorize the City Manager to enter into a utility extension agreement with Eastwood Homes of Raleigh LLC; and

Motion #2: To adopt a Resolution amending the Future Land Use Map to Low-Medium Density Residential for the subject site; and

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

Motion #4: To adopt an Ordinance amending the Unified Development Ordinance to establish Planned Development Residential 5.362, Falls/Jordan District Watershed Protection Overlay (PDR 5.362/F/J-B) zoning for the subject site.

(Resource Person: Jamie Sunyak - 919-560-4137 ext. 28235) (PR# 12354)

## **20. Street Closing for Wrenn Road**

To conduct a public hearing to receive comments on a street closing for Wrenn Road;  
and

To adopt an Order permanently closing 896 linear feet of Wrenn Road.

(Resource Person: Jamie Sunyak - 919-560-4137 ext. 28235) (PR# 12356)

## **21. Consolidated Item for NC 54 Storage**

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 Commercial for the subject site; and

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 to establish Commercial General with a Development Plan, Falls/Jordan-B District Watershed Protection Overlay, Major Transportation Corridor Overlay (CG(D), F/J-B, MTC-I-40) zoning for the subject site.

(Resource Person: Jamie Sunyak - 919-560-4137 ext. 28235) (PR# 12358)

## **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) (mailto:ADA@durhamnc.gov), as soon as possible but no later than 48 hours before the event or deadline date.