



**City Council Work Session Agenda**  
**Thursday, March 22, 2018 - 1 p.m.**  
**101 City Hall Plaza, 2nd 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**

- A Resolution in Support of Public Employee Collective Bargaining Rights and Rights for Employee Organizations – Mayor Pro Tem Jillian Johnson**

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

## **Administrative Consent Items**

## **City Clerk's Office**

### **1. Approval of Minutes**

To approve the City Council minutes for the following meeting dates: January 11, 2018 (Special), January 16, 2018, January 23, 2018 and February 5, 2018.

(Resource Person: Diana Schreiber - 919-560-4166 ext. 12266) (PR# 12426)

## **2. Durham Cultural Advisory Board - Appointments**

To appoint citizens to fill thirteen (13) vacancies on the Durham Cultural Advisory Board with terms expiring on June 30, 2018, June 30, 2019, and June 30, 2020.

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12418)

## **Departmental Items**

### **Budget and Management Services Department**

#### **3. FY18-19 Budget Development Guidelines**

To adopt the FY18-19 Budget Development Guidelines.

(Resource Person: Bertha T. Johnson - 919-560-4111 ext. 20285) (PR# 12413)

### **Department of Transportation**

#### **4. U-3308 NC 55 (Alston Avenue) Widening Supplemental Agreement**

To authorize the City Manager to execute the U-3308 NC 55 (Alston Avenue) Widening Supplemental Agreement with the N. C. Department of Transportation; and

To adopt an Ordinance amending the General Capital Improvement Project Ordinance, Fiscal Year 2017-2018, as amended, the same being Ordinance #15131, for the purpose of adding \$13,899.00 for Alston Avenue Widening Sidewalks (LC129).

(Resource Person: Ellen Beckmann - 919-560-4366 ext. 36412) (PR# 12402)

### **Finance Department**

#### **5. February 2018 Bid Report**

To receive a report on the bids that was acted upon by the City Manager in February 2018.

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 12405)

**6. Fund Balance Policy for General Fund and Operating Reserve Requirement for Water and Sewer Fund**

To adopt a Resolution superseding Resolution #9789, adopting a policy specifying the level of fund balance in the General Fund and the level of operating reserves in the Water and Sewer Fund.

(Resource Person: Keith Herrmann - 919-560-4455 ext. 18230) (PR# 12408)

**General Services Department**

**7. Cell Tower Lease and License Agreement with SprintCom, Inc. for 801 Ellis Road**

To authorize the City Manager to execute a Cell Tower Lease and License Agreement with SprintCom, Inc. for a 5-year term with a 5-year option to renew to attach an antenna to the City-owned water tank located at 801 Ellis Road, Durham, NC, Parcel ID 156779; and

To authorize the City Manager to execute a Memorandum of Lease and License Agreement.

(Resource Person: Selena Jones - 919-560-4197 ext. 21241) (PR# 12403)

**8. New Leases at 807 E. Main Street (Golden Belt) for City of Durham Departments Community Development and Neighborhood Improvement Services with Landlord LRC-GB, LLC**

To authorize the City Manager to execute a lease agreement with LRC-GB, LLC for approximately 11,610 square feet of Class A commercial office space at 807 E. Main Street (Golden Belt) in Suite 2-200 for the Community Development Department; and

To authorize the City Manager to execute the lease agreement with LRC-GB, LLC for approximately 11,354 square feet of Class A commercial office space at 807 E. Main Street (Golden Belt) 2-300 for the Neighborhood Improvement Services Department.

(Resource Person: Stacey Poston - 919-560-4197 ext. 21254) (PR# 12415)

**Parks and Recreation Department**

**9. Acceptance of the 2018 Meet Me at the Park Grant from the National Park and Recreation Association and Disney, ABC and ESPN**

To authorize the City Manager to accept the 2018 National Park and Recreation Association and Disney, ABC and ESPN Meet Me at the Park Grant by executing the grant documents; and

To adopt the 2018 National Park and Recreation Association Meet Me at the Park Grant Project Ordinance, in the amount of \$20,000.00.

(Resource Person: Annette Smith - 919-560-4355 ext. 27214) (PR# 12399)

## **Public Works Department**

### **10. Street and Infrastructure Acceptances**

To accept the streets and infrastructure (as listed in the attached memo) in portions of Jordan at Southpoint, Four Seasons at Renaissance, Hills at Southpoint, Del Webb Carolina Arbors, Winsford at the Park, Ellis Road Apartments, Fairway Townhomes, Farrington Road Water Main Extension, Federal Express Warehouse Facility, Hendrick Automotive at Southpoint, Liberty Warehouse, Sheetz Autopark Center, Valley Springs, Woodstone II @ Croasdaile Farm, Alley #23, and Little Creek Road for maintenance by the City of Durham.

(Resource Person: Robert N. Joyner, Jr. - 919-560-4326 ext. 30229) (PR# 12377)

### **11. Contract SWDR-2018-01, Stormwater Control Measures Renovation and Rehabilitation**

To authorize the City Manager to execute a contract SWDR-2018-01, Stormwater Control Measures Renovation and Rehabilitation, with Backwater Environmental, Division of the Osborne Company of North Carolina, Inc. in the amount of \$422,580.00; and

To authorize the City Manager to negotiate change orders for contract SWDR-2018-01 provided that the total project cost does not exceed \$507,096.00.

(Resource Person: Shea Bolick - 919-560-4326 ext. 30270) (PR# 12398)

### **12. Supplemental Agreement No. 4 for North Carolina Department of Transportation NC-147 Pedestrian Bridge (TIP# U-4445)**

To authorize the City Manager to execute Supplemental Agreement No. 4 with North Carolina Department of Transportation (NCDOT) to clarify the roles of the City and NCDOT for the maintenance of the bridge lighting (TIP# U-4445).

(Resource Person: Tasha Johnson - 919-560-4326 ext. 30262) (PR# 12400)

**13. Capital Improvement Project (CIP) Ordinance Amendment for Carver Street Extension Project (ST-257)**

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 increasing funding in the amount of \$185,000.00 for the Carver Street Extension Project.

(Resource Person: Tasha Johnson - 919-560-4326 ext. 30262) (PR# 12412)

**Solid Waste Management Department**

**14. Recycling Services for Electronic Equipment Agreement with Powerhouse Recycling, Inc.**

To authorize the City Manager to execute a contract with PowerHouse Recycling Inc. for payment up to \$270,000.00, for the purpose of collecting, transporting, processing and marketing electronic waste collected at the City of Durham's Convenience Center, under the North Carolina Statewide Term Contract 926C.

(Resource Person: Jim Reingruber - 919-560-4186 ext. 32224) (PR# 12278)

**15. Yard Waste Facility Operations Contract with Atlas Organics, LLC**

To authorize the City Manager to execute a contract with Atlas Organics, LLC to provide the City with grinding and composting services at the yard waste facility, at a cost of \$21.50 per ton for a period of five years with an option to renew the contract up to three additional two-year terms for a total of eleven years in the amount of \$322,500.00.

(Resource Person: Joshua McNeal, IV - 919-560-4186 ext. 32254) (PR# 12414)

**Presentations**

**Department of Community Development**

**16. Update on Dedicated Housing Fund Application Process**

To receive an update on the results of the FY18 Dedicated Housing Fund RFP process and funding recommendations. **(15 minutes)**

(Resource Person: Reginald J. Johnson - 919-560-4570 ext. 22223) (PR# 12410)

## **17. Jackson/Pettigrew Street Development Update**

To receive an update on the Jackson/Pettigrew Street Development. **(15 minutes)**

(Resource Person: Richard Valzonis - 919-560-4570 ext. 22226) (PR# 12411)

## **Public Hearings**

### **Finance Department**

## **18. Resolution Approving an Installment Finance Contract and Providing for Certain Other Related Matters**

To conduct a public hearing to receive comments on an Installment Financing Contract and the projects to be financed and refinanced therewith, all related to the proposed issuance of not to exceed \$150,000,000.00 Limited Obligation Bonds, Series 2018 (Tax-Exempt) of the City of Durham, North Carolina;

To adopt a Resolution authorizing the issuance of Limited Obligation Bonds, Series 2018 (Tax-Exempt) of the City of Durham, North Carolina; in an amount not to exceed \$150,000,000.00.

(Resource Person: Emily Desiderio - 919-560-4511 ext. 18238) (PR# 12407)

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

### **19. Gwyn Silver**

To receive comments from Gwyn Silver regarding the street assessment fee for Stone Hill Estates.

(Resource Person: Gwyn Silver) (PR# 12427)

## **Settling the Agenda**

## **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. Speaker`s 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.