



## City Council Work Session Agenda Thursday, April 19, 2018 - 1 p.m. 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 February 5, 2018 and February 8, 2018.

(Resource Person: Diana Schreiber - 919-560-4166 ext. 12266) (PR# 12488)

### **Public Works Department**

## **2. Adopt Preliminary Assessment Roll and Set a Public Hearing for Confirmation of Assessment Roll for Sidewalk on a Portion of Hardwick Drive**

To adopt a Resolution adopting the preliminary assessment roll and setting a public hearing for May 21, 2018, for confirmation of 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# 12463)

## **Departmental Items**

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

#### **3. Interlocal Agreement between the City of Durham and Durham County for the Sharing of Sales Tax Revenue**

To authorize the City Manager to execute a five year interlocal agreement with Durham County for the sharing of sales tax revenue.

(Resource Person: Bertha T. Johnson – 919-560-4111 ext. 20285) (PR# 12452)

### **Department of Community Development**

#### **4. Amendment One to Durham County Interlocal Agreement for Housing Opportunities for Persons with AIDS (HOPWA)**

To authorize the City Manager to execute an amendment to the interlocal agreement with Durham County which would extend the end date of the contract to December 31, 2018 and decrease the contract amount from \$280,445.78 to \$202,045.78 for the purposes of administering supportive services and short term housing assistance under the Housing Opportunities for Persons with AIDS program.

(Resource Person: Matthew Walker - 919-560-4570 ext. 22250) (PR# 12474)

#### **5. Second Amendment to Agreement with the Housing Authority of the City of Durham for Housing Opportunities for Persons with AIDS Services**

To authorize the City Manager to execute a second contract amendment with the Housing Authority of the City of Durham which would extend the end date to December 31, 2018 and increase the contract amount from \$148,706.00 to \$227,105.00 and provide for the continued provision of housing assistance.

(Resource Person: Matthew Walker - 919-560-4570 ext. 22250) (PR# 12475)

**6. Families Moving Forward 2017-2018 Community Development Block Grant (CDBG) Subrecipient Contract for Comprehensive Case Management Services**

To authorize the expenditure of \$60,000.00 in Community Development Block Grant 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: Reginald J. Johnson - 919-560-4570 ext. 22223) (PR# 12477)

**7. Jackson/Pettigrew Street Development Loan Commitment**

To authorize the City Manager to issue to DHIC, Inc. or it's designated affiliate approved by the City, a conditional commitment of subordinate financing in the amount up to \$3,600,00.00 for the Jackson/Pettigrew Street development consisting of 82 affordable rental units;

To authorize the City Manager to make changes to the letter of conditional commitment of subordinate financing so long as the changes do not increase the financial obligations of the City, and the changes taken as a whole, are not less favorable to the City; and

To adopt an Ordinance Amending the FY 2017-18 City of Durham Budget Ordinance, the same being ordinance #15153.

(Resource Person: Richard Valzonis - 919-560-4570 ext. 22226) (PR# 12478)

**Department of Transportation**

**8. Installation of Signalized Pedestrian Upgrades in Durham**

To authorize the City Manager to execute a contract with Carolina Power & Signalization, Inc. in the amount of \$367,535.00 for the installation of signalized pedestrian crossing upgrades;

To establish a project contingency fund in the amount of \$36,753.50; and

To authorize the City Manager to negotiate change orders to the project provided the cost of the contract, including all change orders, does not exceed the total project cost of \$404,288.50.

(Resource Person: Peter Nicholas - 919-560-4366 ext. 36436) (PR# 12476)

## **Department of Water Management**

### **9. Water Tank Maintenance Services Contract**

To authorize the City Manager to execute a contract with Utility Service Co., Inc. for maintenances services in an amount not to exceed \$410,624.00 for the Water Tank Maintenance Services Contract;

To establish a contingency fund for the contract in the amount not to exceed \$41,062.00; and

To authorize the City Manager to negotiate change orders for the contract provided that the total project cost does not exceed \$451,686.00.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12467)

## **Finance Department**

### **10. Bid Report for March 2018**

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

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 12479)

## **General Services Department**

### **11. Design-Build Services with LeChase Construction Services, LLC and Commissioning Services with McCracken & Lopez, P.A. for the City Hall and Annex HVAC and Lighting Project**

To adopt a Resolution finding that the use of a Design-Build project delivery method for the City Hall and Annex HVAC and Lighting project is in the best interest of the City;

To authorize the City Manager to negotiate and execute a Design-Build contract with LeChase Construction Services, LLC for preliminary design and preconstruction services for the City Hall and Annex HVAC and Lighting Project not to exceed a maximum cost of \$79,736.00;

To authorize the City Manager to negotiate and execute a Design-Build Amendment for final design and construction services not to exceed \$ 2,010,696.00;

To establish a contingency in the amount not to exceed \$201,000.00;

To authorize the City Manager to negotiate and execute amendments or change orders on the City Hall and Annex HVAC and Lighting Design-Build contract, including the Design-Build Amendment, provided the cost of all amendments or change orders and the original contract does not exceed the total project cost of \$2,291,432.00;

To authorize the City Manager to execute an amendment to the Commissioning Services contract with McCracken & Lopez, P.A. for the City Hall and Annex HVAC and Lighting Project in the amount not to exceed \$47,000.00;

To establish a contingency in the amount not to exceed \$4,700.00; and

To authorize the City Manager to negotiate and execute amendments to the Commissioning Services contract with McCracken & Lopez, P.A., provided the cost of all amendments and the original contract does not exceed the total project cost of \$100,450.00.

(Resource Person: Donna Maskill - 919-560-4197 ext. 21228) (PR# 12480)

## **Public Works Department**

### **12. Contract for Private Drainage Assistance Projects (SD-2018-06, SD-2018-07, and SD-2018-08)**

To authorize the City Manager to execute contract SD-2018-06, Private Drainage Assistance Projects, with Horvath Associates, P.A. in the amount of \$108,830.00;

To establish a contingency fund in the amount of \$16,324.50;

To authorize the City Manager to negotiate change orders for contract SD-2018-06 provided that the total project cost does not exceed \$125,154.50;

To authorize the City Manager to execute Contract SD-2018-07, Private Drainage Assistance Projects, with Coulter Jewell Thames, P.A. in the amount of \$123,800.00;

To establish a contingency fund in the amount of \$18,570.00;

To authorize the City Manager to negotiate change orders for contract SD-2018-07 provided that the total project cost does not exceed \$142,370.00;

To authorize the City Manager to execute Contract SD-2018-08, Private Drainage Assistance Projects, with Summit Design and Engineering Services, PLLC in the amount of \$177,961.00;

To establish a contingency fund in the amount of \$26,694.15; and

To authorize the City Manager to negotiate change orders for contract SD-2018-08 provided that the total project cost does not exceed \$204,655.15.

(Resource Person: Dana Hornkohl - 919-560-4326 ext. 30246) (PR# 12465)

### **13. Resolution to Support the Upper Neuse River Basin Association (UNRBA) FY2019 Budget**

To receive a presentation on the Durham Stormwater Program;

To receive a presentation on the Upper Neuse River Basin Association (UNRBA); and

To adopt a Resolution supporting the UNRBA FY2019 budget of \$1,136,265.00, with the City of Durham contributing \$251,844.40.

(Resource Person: Michelle Woolfolk - 919-560-4326 ext. 30219) (PR# 12466)

### **Presentations**

#### **City Manager's Office**

**14. 2017-2018 Durham Youth Commission Annual Report**

*(To be provided at the May 7, 2018 City Council Meeting)*

To receive a presentation on the 2017-2018 Durham Youth Commission Annual Report.

(Resource Person: Lara Khalil - 919-560-4222 ext. 11224) (PR# 12472)

**Police Department**

**15. 2018 First Quarter Crime Report Presentation**

*(To be provided at the May 7, 2018 City Council Meeting)*

To receive a presentaton on the 2018 First Quarter Crime Report.

(Resource Person: Wil Glenn - 919-560-4322 ext. 29197) (PR# 12464)

**Public Hearings**

**City-County Planning Department**

**16. Old West Durham Neighborhood Protection Overlay**

To conduct a public hearing to receive comments on the Old West Durham Neighborhood Protection Overlay (TC1800001 & Z1800002), and to consider the following motions:

Motion #1: To adopt the appropriate Consistency Statement as required per NCGS 160A-383; and

Motion #2: To adopt an Ordinance amending the Unified Development Ordinance, incorporating text revisions to Article 4;

Motion #3: To adopt the appropriate Consistency Statement as required per NCGS 160A-383; and

Motion #4: To adopt an Ordinance amending the Unified Development Ordinance by establishing a neighborhood protection overlay (-P) district for the subject properties on the zoning map.

(Resource Person: Matthew Filter - 919-560-4137 ext. 28271) (PR# 12471)

**Public Works Department**

**17. Public Hearing to Consider Adopting a Resolution Rescinding a Previously Ordered Water Main on a Portion of Stallings Road, South of Mineral Springs Road**

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

To adopt a Resolution rescinding the previously ordered water main improvement on Stallings Road from Mineral Springs Road to the South Property Line of PIN 0851-02-98-0871.

(Resource Person: Robert N. Joyner, Jr. - 919-560-4326 ext. 30229) (PR# 12468)

**18. Public Hearing to Consider Adopting a Resolution Rescinding a Previously Ordered Water Main to Serve a Portion of Stallings Road, South of Oak Grove Parkway**

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 Stallings Road from Oak Grove Parkway to Husketh Drive.

(Resource Person: Robert N. Joyner, Jr. - 919-560-4326 ext. 30229) (PR# 12469)

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

**19. Alory Bors**

To receive comments from Alory Bors regarding housing issues in Durham.

(Resource Person: Alory Bors) (PR# 12484)

**20. Cara Pugh**

To receive comments from Cara Pugh regarding housing issues in Durham.

(Resource Person: Cara Pugh) (PR# 12486)

**21. Heath Knight**

To receive comments from Heath Knight regarding private property damage made by Google and AT&T during the fiber installations.



(Resource Person: Heath Knight) (PR# 12485)

## **22. Diane Standaert**

To receive comments from Diane Standaert regarding evictions and fair housing.

(Resource Person: Diane Standaert) (PR# 12487)

## **Closed Session**

To hold a closed session for attorney-client consultation pursuant to G.S. 143-318.11(a)(3)

## **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. 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.



© 2018 - Hyland Software