



City Council Meeting Agenda
Monday, October 15, 2018 - 7 p.m.
101 City Hall Plaza, 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

- October 2018 National Community Planning Month Proclamation and the Merged Durham City/County Planning Department 30th Anniversary
- Community Engagement Month Proclamation
- National Disability Employment Awareness Month Proclamation
- Indigenous People's Day Proclamation
- Neighbor Spotlight Recipient – Victor Vazquez Luna (District 1)
- History Moment Recognition

Announcements by Council

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

Consent Agenda

1. Approval of City Council Minutes

To approve City Council Minutes for September 17, 2018 and September 20, 2018.

(Resource Person: Diana Schreiber - 919-560-4166 ext. 12266) (PR# 12753)

2. Human Relations Commission - Appointment

To appoint Pierce Freelon to the Human Relations Commission with the term to expire on June 30, 2019.

Due to the resignation of Brian Washington.

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12755)

3. Resolution Granting Consent to Piedmont Electric Membership Corporation to Service as the Exclusive Provider of Electric Service to Area Assigned to Piedmont Electric Membership Corporation by the North Carolina Utilities Commission

To adopt a Resolution granting consent to Piedmont Electric Membership Corporation to serve as the exclusive provider of electric service to area assigned to Piedmont Electric Membership Corporation by the North Carolina Utilities Commission.

(Resource Person: Patrick Baker - 919-560-4158 ext. 13241) (PR# 12757)

4. Approval of Durham Community Land Trustees, Inc. to Receive a Grant to Rehabilitate Substandard Rental Units in North East Central Durham and Execution of an Agreement with Durham Community Land Trustees, Inc.

To approve the selection of Durham Community Land Trustees, Inc. to receive a grant to rehabilitate substandard rental housing units in North East Central Durham; and

To authorize the City Manager to execute an Agreement between Durham Community Land Trustees, Inc. and the City of Durham in the amount of \$750,000.00 in Dedicated Housing funds to rehabilitate substandard rental housing units in North East Central Durham.

(Resource Person: Reginald J. Johnson - 919-560-4570 ext. 22223) (PR# 12752)

5. Request to Extend the Street Impact Fee Credits Issued to Reveille, LLC. for the Park at Southpoint Project

To approve the staff's recommendation to deny the applicants request to extend the validity of the previously issued street impact fee credits, thus allowing the credits to expire.

(Resource Person: Bill Judge - 919-560-4366 ext. 36420) (PR# 12748)

6. Ordinance to Establish a Permitting Procedure to Regulate the Operation of Shared Active Transportation Companies within Durham

To adopt an Ordinance to Regulate the Operation of Shared Active Transportation Systems; and

To adopt an Ordinance to Establish Shared Active Transportation System Permittee Fees.

(Resource Person: Bryan Poole - 919-560-4366 ext. 36423) (PR# 12749)

7. Ordinance Amendment to the City Cross-Connection Control Program to Establish Definitions Pertaining to Accessibility and Irrigation Systems

To adopt an Ordinance Amending City of Durham Code of Ordinances, Chapter 70, Article VII, section 70-578 to add and clarify definitions related to the terms Accessibility and Irrigation Systems.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12750)

8. Contract with 4 Seasons Demolition, Inc. for the Demolition of Decommissioned Waste Water Treatment Facilities (WWTFS)

To authorize the City Manager to execute a contract with 4 Seasons Demolition, Inc. for the Demolition of Decommissioned WWTFs project in the amount of \$1,780,000.00;

To establish a contingency fund for the contract in the amount of \$178,000.00; and

To authorize the City Manager to negotiate change orders for the contract provided that the total contract cost does not exceed \$1,958,000.00.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12620)

9. Resolution Authorizing the City Auction

To adopt a Resolution Authorizing the City Auction to be held October 27, 2018 at 10:00 a.m.

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 12743)

10. Cooperative Group Purchase Program for Five (5) Automated Refuse Collection Vehicles

To authorize the City Manager to execute a contract with Transource, Inc. for the purchase of five (5) automated refuse collection vehicles in the amount of \$1,584,488.20.

(Resource Person: Joseph W. Clark - 919-560-4101 ext. 31223) (PR# 12744)

11. Contract with Transource, Inc. for Dump Trucks with Snow Plows and Spreaders

To authorize the City Manager to execute a contract with Transource Inc. for the purchase of three (3) dump trucks with snow plows and spreaders in the amount of \$527,607.00.

(Resource Person: Joseph W. Clark - 919-560-4101 ext. 31223) (PR# 12751)

12. Contract with Lanier Tree Services, LLC. for the Removal of City Trees

To authorize the City Manager to execute a contract with Lanier Tree Services, LLC. for the removal of city trees in an amount not to exceed \$178,895.00;

To establish a contingency fund in the amount not to exceed \$21,105.00; and

To authorize the City Manager to negotiate and execute change orders for the contract provided the cost of all change orders and the original contract does not exceed the total contract cost of \$200,000.00.

(Resource Person: Alexander Johnson - 919-560-4197 ext. 21275) (PR# 12733)

13. Contract Amendment No. 3 for ST-257C, Contract Administration & Construction Inspection Services by Horvath Associates, PA for the Carver Street Extension Project

To adopt an Ordinance amending the General Capital Improvements Project Ordinance, Fiscal Year 2018-19, as amended, the same being Ordinance #15327, for the purpose of increasing funding in the amount of \$250,000.00 for the Carver Street Extension Project;

To authorize the City Manager to execute Contract Amendment No. 3 for ST-257C, Contract Administration and Construction Inspection Services for the Carver Street Extension with Horvath Associates, P.A. of North Carolina in the amount of \$250,000.00; and

To authorize the City Manager to execute change orders to the contract so long as the total contract cost does not exceed \$1,650,000.00.

(Resource Person: Tasha Johnson - 919-560-4326 ext. 30262) (PR# 12741)

14. This item can be found on the General Business Agenda – Public Hearings.

General Business Agenda - Public Hearings

14. Zoning Map Change for 6919 Herndon Road

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

Motion #1: To adopt a Consistency Statement as required by NCGS 160A-383; and

Motion #2: To adopt an Ordinance Amending the Unified Development Ordinance by taking property out of the Planned Development Residential 3.322 (PDR-3.322) zoning district and establishing the same as Residential Suburban-20 (RS-20).

(Resource Person: Karla Rosenberg - 919-560-4137 ext. 28259) (PR# 12745)

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.



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