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Agenda

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City Council Meeting Agenda Tuesday, January 22, 2019 - 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

- ❖ Neighbor Spotlight: Virginia Williams (PAC3)
- ❖ Proclamation Honoring the Life of William A. Marsh, Jr.
- ❖ Crayons 2 Calculators Presentation

Announcements by Council

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

Consent Agenda

1. 2019 Long Session Legislative Agenda

To adopt the Legislative Agenda for the 2019 Long Session of the N.C. General Assembly.

(Resource Person: Karmisha R. Wallace - [919-560-4222](tel:919-560-4222) ext. 11228) (PR# 12887)

2. Municipal Agreement for Bicycle Lane Striping (TIP # C-5605E)

To authorize the City Manager to accept the North Carolina Department of Transportation (NCDOT) grant for the Bicycle Lane Striping Project (C-5605E) by executing the grant documents;

To adopt a grant project ordinance to accept project-related federal grant funding in the amount of \$663,336.00 from the NCDOT; and

To adopt an ordinance amending the General Capital Improvement Project Ordinance, Fiscal Year 2018-19, as amended, the same being Ordinance #15327, for the purpose of receiving additional federal funds in the amount of \$663,336.00 to the Bicycle Lane Striping project (LC412), as well as an additional \$65,034.00 of local funding to the \$100,800.00 currently appropriated.

(Resource Person: Bryan Poole - [919-560-4366](tel:919-560-4366) ext. 36423) (PR# 12919)

3. American Tobacco District Waterline Replacement Project – Amendment No. 3 for Professional Engineering Services

To authorize the City Manager to execute a contract amendment with Kimley-Horn and Associates, Inc., in an amount not to exceed \$1,138,379.00 for the American Tobacco District Waterline Replacement Contract; and

To authorize the City Manager to negotiate change orders for the contract provided that the total contract cost does not exceed \$5,496,174.00.

(Resource Person: Jerry Morrone - [919-560-4381](tel:919-560-4381) ext. 35243) (PR# 12862)

4. Amend Grant Project Ordinance #15325, The Executive Office of the President, Office of National Drug Control Policy, 2018 High Intensity Drug Trafficking Area (HIDTA) Grant

To authorize the City Manager to accept the Executive Office of the President, Office of National Drug Control Policy, 2018 High Intensity Drug Trafficking Areas (HIDTA), Grant amendment by executing the grant documents; and

To adopt the Executive Office of the President, Office of National Drug Control Policy, 2018 High Intensity Drug Trafficking Areas (HIDTA) Grant Project Ordinance, superseding Grant Project Ordinance #15325, to recognize the grant award increase from \$306,989.00 to \$369,228.00.

(Resource Person: Kisha Preston - [919-560-1185](tel:9195601185) ext. 29138) (PR# 12923)

5. Contract ST-271, 2018 Petition Streets Project

To authorize the City Manager to execute a contract for ST-271, 2018 Petition Streets Project with Carolina Sunrock, LLC in the amount of \$1,980,603.94;

To establish a contingency fund in the amount of \$297,090.59; and

To authorize the City Manager to negotiate and execute change orders to the contract provided that the total contract cost does not exceed \$2,277,694.53.

(Resource Person: Tasha Johnson - [919-560-4326](tel:9195604326) ext. 30262) (PR# 12921)

6. Contract ST-288B for Asset Management Plan for City-Maintained Bridge Structures with the Kercher Group, Inc.

To authorize the City Manager to execute a contract for ST-288B Asset Management Plan for City-Maintained Bridge Structures with The Kercher Group, Inc. in the amount not to exceed of \$495,841.00.

(Resource Person: Tasha Johnson - [919-560-4326](tel:9195604326) ext. 30262) (PR# 12922)

7. Formation of Durham Workers' Rights Commission: Proposed Scope and Composition

To approve the formation of the Durham Workers' Rights Commission.

(Resource Person: Council Member Vernetta Alston - 919-560-4333) (PR# 12917)

8. – 9. These items can be found on the General Business Agenda – Public Hearings.

14. North Carolina Martin Luther King, Jr. Commission Grant

To accept the Fiscal Year 2019 North Carolina Martin Luther King, Jr. Commission Grant Project Ordinance in the amount of \$1,000.00.

(Resource Person: James Davis - [919-560-1647](tel:919-560-1647) ext. 34277) (PR# 12935)

General Business Agenda - Public Hearings

8. Unified Development Ordinance Text Amendment, Text-Only Development Plans

To conduct a public hearing and receive comments on the Unified Development Ordinance Text Amendment, Text-Only Development Plans (TC1800008), 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 revisions to Article 3, Applications and Permits; and Article 5, Use Regulations.

(Resource Person: Michael Stock - [919-560-4137](tel:919-560-4137) ext. 28227) (PR# 12924)

9. 2017 Evaluation and Assessment Report of the Durham Comprehensive Plan (A1800001)

To receive a report on the 2017 Evaluation and Assessment Report of the Durham Comprehensive Plan (A1800001); and

To adopt a resolution to amend the Future Land Use Map and policies of the Durham Comprehensive Plan.

(Resource Person: Laura Woods - [919-560-4137](tel:919-560-4137) ext. 28248) (PR# 12925)

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.