



City Council Meeting Agenda Monday, June 1, 2020 - 7 p.m. Virtual Meeting

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

Announcements by Council

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

Consent Agenda

1. Approval of City Council Minutes

To approve the City Council Minutes for February 17, 2020 and February 20, 2020.

(Resource Person: Diana Schreiber - 919-560-4166 ext. 12266) (PR# 13969)

2. Participatory Budgeting (PB) Grant Agreement with El Futuro, Inc.

To authorize the City Manager to execute a Grant Agreement with El Futuro, Inc. in an amount not to exceed \$96,168 to support mental health and substance use treatment programs.

(Resource Person: Bertha T. Johnson - 919-560-4111 ext. 20285) (PR# 13916)

3. Interlocal Agreement with Durham County for the Sharing of Sales Tax Revenue

To ratify by resolution the one-year interlocal agreement (ILA) with Durham County for the sharing of sales tax revenue and to authorize the City Manager to execute the ILA on behalf of the City.

(Resource Person: Bertha T. Johnson - 919-560-4111 ext. 20285) (PR# 13956)

4. Amend the FY2019-20 Budget, Internal Service Funds Spending Plan and Other Grant and Capital Project Ordinances and Amendments

To adopt a budget ordinance amending the City of Durham Budget Ordinance as amended, Fiscal Year 2019-20, the same being Ordinance #15485;

To adopt a Resolution superseding Resolution #10156 to amend the Internal Service Funds Fiscal Year 2019-2020 Financial Plan for the purpose of recognizing additional expenses;

To adopt the Federal Emergency Management Agency (FEMA) COVID-19 Grant Project Ordinance and authorize the City Manager to execute the grant agreement;and

To adopt the FY2019-20 Stormwater Capital Improvement Project Ordinance, as amended, the same being Ordinance #15488.

(Resource Person: Christina Riordan - 919-560-4111 ext. 20280) (PR# 13958)

5. Loan Commitment to Development Ventures, Inc. for Commerce Street Seniors Apartments

To authorize the City Manager to issue to the Durham Housing Authority's subsidiary Development Ventures, Inc. or its designated affiliate approved by the City, a conditional binding commitment of construction/permanent financing in the amount up to \$1,500,000;

To authorize the City Manager to execute any and all documents and instruments, necessary, reasonable and appropriate in order to carry out the purpose and intent of this conditional binding commitment of permanent financing; and

To authorize the City Manager to make necessary changes to the conditional binding commitment of permanent financing, including any and all related documents and instruments and including assignment of the commitment, 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.

(Resource Person: Reginald J. Johnson - 919-560-4570 ext. 22223) (PR# 13951)

6. Loan Commitment to Durham Housing Authority/Development Ventures, Inc. for Elizabeth Street Apartments

To authorize the City Manager to issue to the Durham Housing Authority's subsidiary Development Ventures, Inc. or their designated affiliate approved by the City, a conditional binding commitment of construction/permanent financing in the amount up to \$1,100,000;

To authorize the City Manager to execute any and all documents and instruments, necessary, reasonable and appropriate in order to carry out the purpose and intent of this conditional binding commitment of permanent financing; and

To authorize the City Manager to make necessary changes to the conditional binding commitment of permanent financing, including any and all related documents and instruments and including assignment of the commitment, 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.

(Resource Person: Reginald J. Johnson - 919-560-4570 ext. 22223) (PR# 13952)

7. Contract Amendment #1 for the Installation of Federally Funded U.S. Department of Housing and Urban Development (HUD) Signalized Pedestrian Improvements

To increase the established project contingency fund in the amount of \$78,975.90 (15%) by \$39,397.14 (7%) to a total contingency fund of \$118,373.04 (22%); 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 \$644,879.04.

(Resource Person: Sarah Zinn - 919-560-4570 ext. 22248) (PR# 13954)

8. Alston Avenue Sidewalk Project

To adopt the Federal Highway Administration (FHWA) Funding from the North Carolina Department of Transportation (NCDOT) for the Purpose of Constructing Sidewalks along Alston Avenue Grant Project Resolution Superseding Grant Project Resolution #10011; and

To authorize the City Manager to execute a municipal agreement with the NC Department of Transportation for the purpose of receiving \$1,077,577 of federal funding to construct the Alston Avenue Sidewalk Project.

(Resource Person: Ellen Beckmann - 919-560-4366 ext. 36412) (PR# 13950)

9. Interlocal Agreement for Mobile Ticketing

To resolve to authorize the City Manager to execute the interlocal Agreement among the City of Raleigh, City of Durham, Town of Cary, Research Regional Public Transportation Authority, for the Procurement of Bus Mobile Ticketing Software and Hardware.

(Resource Person: Pierre Osei-Owusu - 919-560-1535 ext. 36214) (PR# 13959)

10. Mobile Ticketing System

To authorize the City Manager to execute a contract with Delerrok Inc. for a GoDurham mobile ticketing solution, which includes initial hardware and setup costs not to exceed \$235,000 and ongoing support/maintenance transaction fees having an estimated annual cost of approximately \$150,000.

(Resource Person: Pierre Osei-Owusu - 919-560-1535 ext. 36214) (PR# 13962)

11. Transit Fare Capping Policy

To authorize the City Manager to approve a fare capping policy for the GoDurham fixed route system.

(Resource Person: Pierre Osei-Owusu - 919-560-1535 ext. 36214) (PR# 13963)

13. Annual Insurance Plan FY21

To authorize the City Manager or his designee to maintain the general insurance plan and modify it as needed, provided the modifications are consistent with the City's overall risk management and financial objectives;

To authorize the City Manager or his designee to purchase additional insurance throughout the year, as needed for endorsements, lease and contract requirements, new programs, and builders risk insurance; and

To authorize the City Manager or his designee to expend an amount for all insurance premiums not to exceed \$1,550,000 to maintain the annual insurance plan and make additional insurance purchases as needed beginning July 1, 2020.

(Resource Person: Glenn LeGrande - 919-560-4455 ext. 18230) (PR# 13967)

14. Bid Report - April 2020

To receive a report on the bids that were acted upon by the City Manager in April 2020.

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 13955)

15. Cooperative Group Purchase Contract – Seven (7) Sutphen Heavy Duty Fully Customized Pumpers for the Durham Fire Department

To authorize the City Manager to execute a contract with The Sutphen Corporation for the purchase of seven (7) Sutphen Heavy Duty Fully Customized Pumpers in the amount of \$3,898,963.49.

(Resource Person: Joseph W. Clark - 919-560-4101 ext. 31223) (PR# 13970)

16. 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 in an amount not to exceed \$189,240;

To establish a contingency fund in the amount of \$10,760; and

To authorize the City Manager to negotiate and execute change orders to the contract so long as the total project cost does not exceed \$200,000.

(Resource Person: Alexander Johnson - 919-560-4197 ext. 21275) (PR# 13953)

17. U.S. Department of Housing and Urban Development (HUD) 2020 Partnership Initiative Grant

To authorize the City Manager to accept the U.S. Department of Housing and Urban Development 2020 Partnership Initiative Grant; and

To adopt the City of Durham grant project ordinance in the amount of \$10,000.

(Resource Person: James Davis - 919-560-1647 ext. 34277) (PR# 13968)

General Business Agenda

12. Proposed Water and Sewer Rates for FY 2020-2021

To receive a presentation regarding the proposed Water and Sewer Rates for FY 2020-2021; and

To adopt an ordinance to change rates for water and sewer service, Section 1, Part 15-104 of the City's fee schedule, effective July 1, 2020.

(Resource Person: Vicki Westbrook - 919-560-4381 ext. 35266) (PR# 13966)

General Business Agenda - Public Hearings

21. FY2020-21 Budget and FY2021-2026 Capital Improvement Program (CIP)

To conduct a public hearing to receive comments regarding the City Manager's proposed FY2020-21 Budget and FY2021-26 Capital Improvement Plan (CIP).

(Resource Person: John J. Allore - 919-560-4111 ext. 20292) (PR# 13949)

22. 600 North Roxboro

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 Residential Urban-Multifamily (RU-M) and establishing the same as the Residential Urban-Multifamily (RU-M(D)).

(Resource Person: Emily Struthers - 919-560-4137 ext. 28263) (PR# 13839)

27. FY2021 Stormwater Rates

To receive a presentation on the Stormwater Fund and Rates;

To conduct a public hearing to receive comments on the FY2021 stormwater rates; and

To adopt an ordinance to change the Fee Schedule revising stormwater rates effective on July 1, 2020.

(Resource Person: Paul Wiebke - 919-560-4326 ext. 30239) (PR# 13895)

Adjournment

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.

Notice under the Language Access Plan (LAP)

For persons requiring language assistance to effectively participate in City Council Meetings and Work Sessions, contact the City Clerk's Office at 919-560-4166, send a fax to 919-560-4835 or email City.Clerk@durhamnc.gov (mailto:City.Clerk@durhamnc.gov) to request interpretation and/or translation services as soon as possible but no later than 48 hours before the event or deadline date.

Plan de Acceso al Idioma

Las personas que requieran asistencia lingüística para participar efectivamente en las reuniones del consejo municipal y las sesiones de trabajo, comuníquense con la Oficina del Secretario de la Ciudad al 919-560-4166 envíenos un fax al 919-560-4835 o email al City.Clerk@durhamnc.gov (mailto:City.Clerk@durhamnc.gov).

Para solicitar para los servicios de interpretación y / o traducción tan pronto como sea posible pero a más tardar 48 horas antes del evento o fecha límite.