



City Council Meeting Agenda Monday, June 4, 2018 - 7 p.m. 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

Announcements by Council

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

Consent Agenda

1. Dependent Eligibility Verification Performance Audit for April 2018

To receive and accept the Dependent Eligibility Verification Performance Audit dated April 2018 as presented and approved at the April 23, 2018 Audit Services Oversight Committee meeting.

(Resource Person: Germaine F. Brewington - 919-560-4213 ext. 14244) (PR# 12517)

2. Resolution in Support of the National Movement of Congregations of Faith

To adopt a resolution in support of the National Movement of Congregations of Faith providing refuge to people displaced due to eminent threats of deportation.

(Resource Person: Council Member Javiera Caballero - 919-560-4396 ext. 10272)
(PR# 12536)

3. Appointment of Civilian Police Review Board Members

To confirm the City Manager's five appointments to the Civilian Police Review Board.

(Resource Person: Karmisha R. Wallace - 919-560-4222 ext. 11228) (PR# 12562)

4. Contract Amendment with the Housing Authority of the City of Durham (DHA) for Affordable Housing Development Activities

To authorize the City Manager to execute an amended grant agreement with the Housing Authority of the City of Durham in the total amount of \$1,398,039.00 to be used by DHA to support its affordable housing development activities.

(Resource Person: Matthew Walker - 919-560-4570 ext. 22250) (PR# 12544)

5. Supplemental Agreement for U-4726HM Avondale Road Sidewalk Project

To adopt the Federal Highway Administration Funding from the NC Department of Transportation for the purpose of constructing the Avondale Drive sidewalk grant project ordinance;

To authorize the City Manager to execute a supplemental agreement with NCDOT; 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 purposes of receiving additional funds in the amount of \$163,935.00 to the Avondale Drive project (LC149).

(Resource Person: Ellen Beckmann - 919-560-4366 ext. 36412) (PR# 12534)

6. U-5745 Roundabout at NC 751 and University Drive Municipal Agreement

To authorize the City Manager to execute the U-5745 municipal 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 \$43,200.00 for NC 751 at University Roundabout (LC403).

(Resource Person: Ellen Beckmann - 919-560-4366 ext. 36412) (PR# 12535)

7. Downtown Durham Transportation Study Contract with Alta Planning + Design, Inc.

To authorize the City Manager to execute a contract with Alta Planning + Design, Inc. for the Downtown Durham Transportation Study in an amount not to exceed \$399,923.64.

(Resource Person: Ellen Beckmann - 919-560-4366 ext. 36412) (PR# 12547)

8. Interlocal Agreement for Triangle Regional Call Center

To authorize the City Manager to execute the fiscal years 2019-2023 services agreement for the Triangle Regional Call Center with the City of Durham.

(Resource Person: Harmon E. Crutchfield - 919-560-4366 ext. 36439) (PR# 12549)

9. Construction Manager at Risk Prequalification Process for the Department of Water Management Facility Complex and Compliance Services Building

To adopt a Resolution approving the prequalification process for first tier bidders for the Water Management Facility Complex and Compliance Services Building Project pursuant to G.S. 143-128.1(c).

(Resource Person: Roger Gasper - 919-560-4381 ext. 35283) (PR# 12521)

10. Contract with Ralph Hodge Construction Company for the 2018 Manhole Rehabilitation Program

To authorize the City Manager to execute a contract with Ralph Hodge Construction Company for the 2018 Manhole Rehabilitation project in the amount of \$928,000.00;

To establish a contingency fund for the contract in the amount of \$92,800.00;

To authorize the City Manager to negotiate change orders for the contract provided that the total project cost does not exceed \$1,020,800.00.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12525)

11. Contract with Insituform Technologies, LLC for the 2018 Sewer Lining Program, North

To authorize the City Manager to execute a contract with Insituform Technologies, LLC for the 2018 Sewer Lining Program - North in the amount of \$7,221,347.50;

To establish a contingency fund for the contract in the amount of \$778,652.50; and

To authorize the City Manager to negotiate change orders for the contract provided that the total contract cost does not exceed \$8,000,000.00.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12531)

12. Contract with Am-Liner East, Inc. for the 2018 Sewer Lining Program, South

To authorize the City Manager to execute a contract with Am-Liner East, Inc. for the 2018 Sewer Lining Program - South in the amount of \$6,499,640.00;

To establish a contingency fund for the contract in the amount of \$500,360.00; and

To authorize the City Manager to negotiate change orders for the contract provided that the total contract cost does not exceed \$7,000,000.00.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12532)

13. Bid Report for April 2018

To receive a report on the bids acted upon by the City Manager in April 2018.

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 12546)

14. Proposed Sale of Property Located at 700 Canal Street to Copernica Properties, LLC.

To declare City-owned property located at 700 Canal Street (parcel #110591) surplus;

To accept the offer of \$6,000.00 from Copernica Properties, LLC to purchase the property;

To authorize selling the property to Copernica Properties, LLC by private sale, as permitted by Section 86 of the City's charter;

To authorize the City Manager to convey the property by non-warranty deed; and

To authorize depositing the proceeds into the General Fund for Sale of Land.

(Resource Person: Elizabeth Hyland - 919-560-4197 ext. 21295) (PR# 12522)

15. Cell Tower Lease and License Agreement with Cellco Partnership d/b/a Verizon (801 Ellis Road)

To authorize the City Manager to execute a cell tower lease and license agreement with Verizon 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 M. Jones - 919-560-4197 ext. 21241) (PR# 12538)

17. Contract with Trademark Properties to Provide Commercial Real Estate Leasing and Property Management Services for the New Mixed-Use Parking Garage

To authorize the City Manager to execute a contract with Trademark Properties, Inc. to provide leasing brokerage services for the new mixed-use parking garage; and

To authorize the City Manager to execute a contract with Trademark Properties, Inc. to provide property management services for the new mixed-use parking garage.

(Resource Person: Stacey Poston - 919-560-4197 ext. 21254) (PR# 12540)

19. Contract for Software Solution to Automate the City of Durham Employee Performance Evaluation Program

To authorized the City Manager to execute a contract between the City of Durham and Saba Software Inc. for software solution to automate the City of Durham Employee Performance Evaluation Program.

(Resource Person: Sofia Klenke - 919-560-4214 ext. 23272) (PR# 12530)

21. Fiscal Year 2018-2019 Amendment to Contract for City Services and Programs for the Downtown Durham Municipal Service District

To authorize the City Manager to execute a contract amendment with Downtown Durham, Inc. to provide services within the Downtown Durham Municipal Service District in an amount not to exceed \$854,647.00 for 2018-2019 subject to City Council budget authorization.

(Resource Person: Summer Alston - 919-560-4965 ext. 15238) (PR# 12541)

22. Fiscal Year 2018-2019 Contract to Fund Economic Development Programs and Services Operated by Downtown Durham, Inc. Using City of Durham Grant Funds

To authorize the City Manager to execute the fiscal year 2018-2019 contract with Downtown Durham, Inc. to operate economic development programs and services for the City in an amount not to exceed \$170,048.00.

(Resource Person: Summer Alston - 919-560-4965 ext. 15238) (PR# 12539)

23. Second Amendment to Economic and Community Development Agreement between Austin Lawrence Partners-East, LLC and the City of Durham

To authorize the City Manager to execute a second contract amendment with Austin Lawrence Partners-East, LLC. to extend the time required to secure a final certificate of compliance to no later than January 1, 2019.

(Resource Person: Summer Alston - 919-560-4965 ext. 15238) (PR# 12545)

24. Contract with North Carolina Polygraph, Inc. to Conduct Pre-Employment Polygraph Examinations of Police Applicants

To authorize the City Manager to execute a three-year contract in the total amount of \$70,500.00 with North Carolina Polygraph Services, Inc. for Police Pre-Employment Polygraph Examinations.

(Resource Person: Shawn Hughey - 919-560-1185 ext. 29460) (PR# 12529)

25. Contract for Janitorial Services for Public Works Operations Center (PWOC)

To authorize the City Manager to execute a contract for janitorial services with Dynamic Cleaning and Maintenance Company, LLC. for Janitorial Services for a one year period beginning July 1, 2018 - June 30, 2019, with two one-year renewal options, not to exceed a total of \$372,537.00.

(Resource Person: Marvin Williams - 919-560-4326 ext. 30225) (PR# 12543)

26. Kimley-Horn and Associates City/Duke University Permitting and Design Services - Triangle Fiber Project

To authorize the City Manager to execute a service contract with Kimley-Horn and Associates, Inc. in the amount of \$650,000.00 to complete the permitting and design services to connect the City of Durham Metropolitan Area Network (MAN) infrastructure to Duke University's portion of the Triangle Fiber Backbone to obtain broadband service to City's facilities.

(Resource Person: Martha Lester-Harris - 919-560-4122 ext. 33229) (PR# 12526)

27. City/Duke University Fiber Optic Network Partnership

To authorize the City Manager to execute a fiber optical agreement with Duke University in the amount of \$4,266.200 for the term of 25 years to provide current and future broadband requirements to the City's business units; and

To adopt an Ordinance amending the General Capital Improvements Project Ordinance, Fiscal Year 2017-18, as amended, the same being Ordinance #15131, for the purpose of adding the City/Duke Fiber project in the amount of \$6,112,690.00.

(Resource Person: Martha Lester-Harris - 919-560-4122 ext. 33229) (PR# 12527)

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

General Business Agenda - Public Hearings

29. Public Hearing on the Proposed FY2018-19 Budget and FY2019-24 Capital Improvement Plan (CIP)

To conduct a public hearing to receive comments on the proposed FY2018-19 Budget and FY2019-24 Capital Improvement Plan (CIP).

(Resource Person: Bertha T. Johnson - 919-560-4111 ext. 20285) (PR# 12523)

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), as soon as possible but no later than 48 hours before the event or deadline date.