



City Council Meeting Agenda

Monday, February 17, 2020 - 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: Patricia Obregon, Old East Durham Neighborhood in PAC1
- ❖ Samaritan Health Center Day

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 December 16, 2019 and December 19, 2019.

(Resource Person: Diana Schreiber - 919-560-4166 ext. 12266) (PR# 13743)

2. Interlocal Agreement with Durham County for Joint Funding of an Unsheltered Coordinating Agency

To authorize the City Manager to execute an Interlocal Agreement with Durham County to establish the expectations for City and County funds to be used to jointly fund an Unsheltered Coordinating Agency.

(Resource Person: Hanaleah Hoberman - 919-560-4570 ext. 22249) (PR# 13750)

3. Contract with the Housing Authority of the City of Durham for the Provision of Tenant Based Rental Assistance Services

To approve a 12-month contract with the Housing Authority of the City of Durham (DHA) for the delivery of the Housing Opportunities for Persons with Aids (HOPWA) funded Tenant Based Rental Assistance (TBRA) voucher program administration in the amount of \$172,186; and

To authorize the City Manager to approve the addition of unexpended funds from the previous DHA contract for Housing Opportunities for Persons with Aids (HOPWA), signed on January 30, 2019 with an expiration date of December 31, 2019, by amendment without further City Council action.

(Resource Person: Melva F. Henry - 919-560-4570 ext. 22229) (PR# 13768)

4. Contract Purchase of Six Replacement Light Transit Vehicles from Interstate Transportation Sales & Service, Inc.

To authorize the City Manager to execute a contract with Interstate Transportation Sales & Service, Inc. for the purchase of six (6) replacement light transit vehicles (LTVs), for the Department of Transportation, Transit Section, in the amount of \$61,000 per vehicle for a total amount not to exceed \$366,000.

(Resource Person: Pierre Osei-Owusu - 919-560-1535 ext. 36214) (PR# 13674)

5. Interlocal Agreement with the Capital Area Metropolitan Planning Organization for the Triangle Bikeway Implementation Study

To resolve to authorize the City Manager to execute the interlocal agreement with the Capital Area Metropolitan Planning Organization for the Triangle Bikeway Implementation Study at a cost not to exceed \$132,000; and

To rescind the authorization given to the City Manager on November 4, 2019 to execute the inter-local agreement with the City of Raleigh for the Triangle Bikeway Implementation Study at a cost not to exceed \$132,000.

(Resource Person: Dale McKeel - 919-560-4366 ext. 36421) (PR# 13769)

6. FY2019-20 CIP Budget Amendment – Project Close Out

To adopt an ordinance amending the following:

General Capital Improvement Project Ordinance, Fiscal Year 2020, as amended, the same being Ordinance #15486 for the purpose of closing and reduction \$37,400,218 in project cost;

General Capital Improvement Project Ordinance, Fiscal Year 2020, as amended, the same being Ordinance #15486 for the purpose of decreasing the Police HQ Replacement and Annex by \$4,032,172;

General Capital Improvement Project Ordinance, Fiscal Year 2020, as amended, the same being Ordinance #15486 for the purpose of adding Campus Hills Gym and Computer Room Floor Replacement - \$350,000, Hoover Road Lights and Parking Lot Paving - \$700,000, Rock Quarry Park Lights, Water/Electric Hookups - \$500,000, Annex Plaza Joint Repairs - \$50,000, Third Fork Creek Alignment Costs - \$860,000, Herndon Park, Additional Lights - \$100,000, TS Project Augmentation - \$65,000 and City Hall HVAC Project, Transportation Department Additions - \$315,707;

Parking Capital Improvement Ordinance, Fiscal Year 2020, as amended, the same being Ordinance #15490 for the purpose of closing \$1,891,000 in project cost;

Stormwater Capital Improvement Ordinance, Fiscal Year 2020, as amended, the same being Ordinance #15488 for the purpose of closing \$1,060,000 in project cost;

Water and Wastewater Capital Improvement Ordinance, Fiscal Year 2020, as amended, the same being Ordinance #15487 for the purpose of closing \$19,228,591 in Water project cost; and

Water and Wastewater Capital Improvement Ordinance, Fiscal Year 2020, as amended, the same being Ordinance #15487 for the purpose of closing \$15,572,366 in Wastewater project cost.

(Resource Person: Jennifer Morgan - 919-560-4125 ext. 18289) (PR# 13749)

7. Interlocal Agreement for Automatic Mutual Aid with the Town of Cary

City Council resolves to ratify and to authorize the City Manager to execute an interlocal agreement for automatic mutual aid with the Town of Cary.

(Resource Person: Chris Iannuzzi - 919-560-4242 ext. 19228) (PR# 13753)

8. Interlocal Agreement for Automatic Mutual Aid with the Town of Chapel Hill

City Council resolves to ratify and to authorize the City Manager to execute an interlocal agreement for automatic mutual aid with the Town of Chapel Hill.

(Resource Person: Chris Iannuzzi - 919-560-4242 ext. 19228) (PR# 13754)

9. Purchase Contract with SAS Institute, Inc. for the Smart Building Analytics Platform Expansion

To authorize the City Manager to execute a contract with SAS Institute, Inc., for the Smart Building Analytics Platform Expansion, for an amount not to exceed \$605,403.

(Resource Person: Logan Small - 919-560-4197 ext. 21237) (PR# 13760)

10. Purchase Contract with J. Brady Contracting, Inc. d/b/a Building Clarity for the Citywide Master HVAC Controls Systems Integration

To authorize the City Manager to execute a contract with J. Brady Contracting, Inc., d/b/a Building Clarity to purchase master HVAC controls systems integration without competitive bidding, as authorized by G.S. 143-129(e)(6) on the grounds that standardization or compatibility is the overriding consideration, in the amount of \$73,000.

(Resource Person: Logan Small - 919-560-4197 ext. 21237) (PR# 13765)

11. Contract with Environmental Conservation Laboratories, Inc. for Laboratory Services for the Public Works Stormwater Quality Program

To authorize the City Manager to execute a contract with Environmental Conservation Laboratories, Inc. (ENCO) for \$25,000 for environmental laboratory services; and

To authorize the City Manager to renew the contract an additional three (3) years for a total contract period of up to four (4) years and not to exceed a total contract amount of \$155,000.

(Resource Person: Michelle Woolfolk - 919-560-4326 ext. 30219) (PR# 13685)

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

**17. Ordinance to Amend the Durham City Code Provision Regulating the
Withdrawal of Right-of-Way Within the City**

To adopt an ordinance amending Durham City Code Chapter 62, Article I, Sec. 62-19
Withdrawal of street from dedication by replacing existing Sec. 62-19 in its entirety.

(Resource Person: Jessica Dockery - 919-560-4137 ext. 28210) (PR# 13727)

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

21. This item can be found on the General Business Agenda.

General Business Agenda

21. Community Safety Task Force Bylaws

To adopt bylaws for the Community Safety Task Force.

(Resource Person: Mayor Pro Tempore Jillian Johnson - 919-560-4396 ext. 10278)
(PR# 13784)

General Business Agenda - Public Hearings

16. Unified Development Ordinance Text Amendment, Signs (TC1700002)

To receive a presentation;

To conduct a public hearing to receive comments and 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 1, General; Article 3, Applications and Permits; Article
5, Use Regulations; Articles 6, District Intensity Standards; Article 7, Design
Standards; Article 11, Sign Standards; Article 15, Enforcement; and Article 17,
Definitions.

(Resource Person: Michael Stock - 919-560-4137 ext. 28227) (PR# 13756)

18. Consolidated Annexation - Kendrick Estates

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

Motion #1: To adopt an ordinance annexing Kendrick Estates into the City of Durham effective March 31, 2020, and to authorize the City Manager to enter into a utility extension agreement with Baker Residential of the Carolinas, LLC;

Motion #2: To adopt a Consistency Statement as required by NCGS 160A-383; and

Motion #3: To adopt an ordinance amending the Unified Development Ordinance by taking property out of the Residential Suburban - 20 (RS-20) Zoning District County Jurisdiction and establishing the same as Residential Suburban-20 (RS-20) Zoning District City Jurisdiction.

(Resource Person: Emily Struthers - 919-560-4137 ext. 28273) (PR# 13758)

McDougald Terrace Public Comments

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.

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.