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Agenda

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City Council Meeting Agenda Monday, October 7, 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

Announcements by Council

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

Consent Agenda

1. Mayor's Nominee for Appointment - Durham Housing Authority Board of Commissioners

To appoint Nancy C. Westfall as Mayor's Appointee to the Durham Housing Authority Board of Commissioners with the term to expire on September 28, 2022.

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 13459)

2. Audit Services Oversight Committee - Appointment

To appoint Shanell S. Frazer to the Audit Services Oversight Committee representing Business Community (Finance) with the term to expire on June 30, 2022.

(Due to the expired term of Kim Anglin)

(Resource Person: LaVerne Brooks - 919-560-4166 ext. 12264) (PR# 13463)

3. Program Income Performance Audit Dated June 2019

To accept the Program Income Performance Audit dated June 2019 as presented and approved at the August 26, 2019 Audit Services Oversight Committee meeting.

(Resource Person: Germaine Brewington - 919-560-4213 ext. 14244) (PR# 13461)

4. Changes to Employee Pay Performance Audit Dated June 2019

To accept the Changes to Employee Pay Performance Audit dated June 2019 as presented and approved at the August 26, 2019 Audit Services Oversight Committee meeting.

(Resource Person: Germaine Brewington - 919-560-4213 ext. 14244) (PR# 13462)

5. U.S. Department of Housing and Urban Development (HUD) Return of Excess Program Income Community Development Block Grant (CDBG) Funds

To authorize the return of CDBG Program Income funds in the amount of \$459,477 to the U.S. Department of Housing and Urban Development (HUD) Treasury in accordance with 24 CFR 570.504(b)(2)(iii) by completing a wire transfer as instructed in the HUD communication dated July 3, 2019.

(Resource Person: Terri P. Holmes - 919-560-4570 ext. 22230) (PR# 13477)

6. Durham Community Land Trustees, Inc. (DCLT) Loan Modification Request for West Park Apartments

To authorize the City Manager to execute a Loan Modification Agreement with Durham Community Land Trustees, Inc. for West Park Apartments to extend the repayment term of the original Construction/Permanent Loan Agreement until December 1, 2022.

(Resource Person: DeFrancia Scott - 919-560-4570 ext. 22257) (PR# 13478)

7. Durham Community Land Trustees, Inc. (DCLT) Loan Modification Request for Morehead Glen Apartments

To authorize the City Manager to execute a Loan Modification Agreement with Durham Community Land Trustees, Inc. for Morehead Glen Apartments to extend the repayment term of the original Construction/Permanent Loan Agreement until December 1, 2033.

(Resource Person: DeFrancia Scott - 919-560-4570 ext. 22257) (PR# 13481)

8. Merger of City of Durham and Durham County Demand Response Services Agreement

To resolve that the City Manager be authorized to execute the Interlocal Agreement between Durham County and the City of Durham for Consolidation/Merger of Transportation Services.

(Resource Person: Pierre Osei-Owusu - 919-560-1535 ext. 36214) (PR# 13402)

9. Ordinance to Establish Fare-Free Day On General Election and General Municipal Election Days

To adopt an Ordinance to establish fare-free day on general election and general municipal election days on GoDurham public transit system.

(Resource Person: Heather McGowan - 919-560-4157 ext. 36502) (PR# 13455)

10. FY 2020 Agreement with North Carolina State University (NCSU) for the Development, Enhancement and Maintenance of the Triangle Regional Model (TRM)

To authorize the City Manager to execute an agreement with North Carolina State University to provide support for the Triangle Regional Model in an amount not to exceed \$156,278.

(Resource Person: Felix Nwoko - 919-560-4366 ext. 36424) (PR# 13464)

11. Old Chapel Hill Road New Hope Creek Crossing Waterline Replacement – Professional Services Contract Award to Highfill Infrastructure Engineering, P.C.

To authorize the City Manager to execute a contract with Highfill Infrastructure Engineering, P.C. for professional engineering services in the amount not to exceed \$294,100 for Old Chapel Hill Road New Hope Creek Crossing Waterline Replacement Project;

To establish a contingency fund for the contract with Highfill Infrastructure Engineering, P.C., in the amount not to exceed \$29,900; and

To authorize the City Manager to negotiate change orders for the contract with Highfill Infrastructure Engineering, P.C., provided that the total contract cost does not exceed \$324,000.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 13473)

12. Bid Report - August 2019

To receive a report on the bids that were acted upon by the City Manager in August 2019.

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 13472)

13. Cooperative Group Purchase - Hybrid Police Vehicles

To authorize the City Manager to execute a contract with Capital Ford Inc. for the purchase of twenty-one (21) hybrid Police vehicles in the amount of \$637,256.34.

(Resource Person: Joseph Clark - 919-560-4101 ext. 31223) (PR# 13457)

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

15. Contract with the Center for Documentary Studies to Support Full Frame Documentary Film Festival

To authorize the City Manager to execute a contract with the Center for Documentary Studies to support the FY2019-2020 Full Frame Documentary Film Festival in an amount not to exceed \$65,000.

(Resource Person: Rebecca Brown - 919-560-4197 ext. 21245) (PR# 13474)

16. Contract with American Dance Festival, Inc. to Support the American Dance Festival 2020

To authorize the City Manager to execute a contract with the American Dance Festival, Inc. to support The American Dance Festival 2020 in an amount not to exceed \$70,000.

(Resource Person: Rebecca Brown - 919-560-4197 ext. 21245) (PR# 13479)

17. U.S. Department of Housing and Urban Development Fair Housing Assistance Program Funding

To approve the Cooperative Agreement with U.S. Department of Housing and Urban Development (HUD); and

To adopt the Grant Project Ordinance in the amount of \$107,500 for the FY20 Fair Housing Assistance Program funding from HUD.

(Resource Person: James Davis - 919-560-1647 ext. 34277) (PR# 13384)

18. Made In Durham Contract Modification for Youth Program Services

To authorize the City Manager to execute a contract with Made In Durham to support business engagement for youth and to assist with the development of an education to work pipeline system for youth in an amount not to exceed \$100,000.

(Resource Person: Adria Graham Scott - 919-560-4965 ext. 15209) (PR# 13471)

19. Contract Amendment No. 1 with Summit Design and Engineering Services, PLLC for Contract ST-295 Request for Qualifications for Professional Land Surveying

To authorize the City Manager to execute Contract Amendment No. 1 for ST-295 with Summit Design and Engineering Services, PLLC; and

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

(Resource Person: Tasha Johnson - 919-560-4326 ext. 30262) (PR# 13456)

General Business Agenda

14. Update of Disposition Process for 505 W. Chapel Hill Street

To receive an update presentation regarding the disposition of 505 W. Chapel Hill Street and a recommendation on a preferred development team; and

To authorize the City Manager to begin negotiations with The Fallon Company in order to reach a development agreement for 505 W. Chapel Hill Street.

(Resource Person: Stacey Poston - 919-560-4197 ext. 21254) (PR# 13475)

Other Matters

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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