



City Council Work Session Agenda

Thursday, March 19, 2020 - 1 p.m.

101 City Hall Plaza - Second Floor Committee Room

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

Roll Call

Announcements by Council

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

Departmental Items

Audit Services Department

1. City-Wide Strategic Plan Performance Audit February 2020

To accept the City-wide Strategic Plan Performance Audit dated February 2020 as presented and approved at the February 24, 2020 Audit Services Oversight Committee meeting.

(Resource Person: Germaine F. Brewington - 919-560-4213 ext. 14244) (PR# 13828)

City Council

2. Finalize and Approve Council Budget Requests

To finalize and approve City Council Budget Requests for FY2020-21.

(Resource Person: Mayor Steve Schewel - 919-560-4333) (PR# 13835)

Department of Community Development

3. Housing Authority of the City of Durham Grant Funding Request – McDougald Terrace

To authorize the award of a grant in the amount of \$1,417,216 in non-federal funds for the repair and maintenance issues at McDougald Terrace; and

To authorize the City Manager to execute with the Housing Authority of the City of Durham a grant agreement to carry out the purposes of the grant.

(Resource Person: Reginald Johnson - 919-560-4570 ext. 22223) (PR# 13833)

Department of Transportation

4. Municipal Agreements for Work Performed on State Highway System Streets

To authorize the City Manager to enter into two new Municipal Maintenance Agreements with NCDOT for Municipal Agreement for: (1) Schedule "A" Traffic Control Devices Signs and Supports; and (2) Schedule "B" Traffic Control Devices Markings and Markers; and

To authorize the City Manager to agree to and execute any extensions, including agreeing to additional compensation or higher reimbursement that may be provided for in such extensions. Extensions may be made in one (1) year increments, incorporating any mutually agreed upon adjustments, with the end of the final fiscal year of service being June 30, 2024.

(Resource Person: Peter Nicholas - 919-560-4366 ext. 36436) (PR# 13837)

Finance Department

5. Bid Report – February 2020

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

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 13831)

General Services Department

6. Amendment to the Construction Manager at Risk (CMAR) Contract for Construction Services with Skanska USA Building Inc. for the Hoover Road Park Project

To authorize the City Manager to negotiate and execute a Guaranteed Maximum Price (GMP) Amendment to the Construction Manager at Risk (CMAR) contract for construction services with Skanska USA Building Inc. in an amount not to exceed \$8,600,000;

To establish a contingency fund for the contract in the amount of \$215,000; and

To authorize the City Manager to negotiate and execute change orders to the GMP amendment so long as the total project cost does not exceed \$8,815,000.

(Resource Person: Rod Florence - 919-560-4197 ext. 21233) (PR# 13845)

7. Proposed Acceptance of Offer to Donate Property Located at 2702 and 2704 Dearborn Drive

To accept Jack Preston's offer to donate property located at 2702 and 2704 Dearborn Drive (parcel #159790 and #159792, respectively), on the condition that the due diligence results are acceptable to the City and that marketable title to the property is conveyed to the City by general warranty deed.

(Resource Person: Elizabeth Hyland - 919-560-4197 ext. 21295) (PR# 13848)

Police Department

8. Amendment to Ordinance #14379 Establishing a Schedule of Nonconsensual Towing Fees for Police-Initiated Tows

To authorize the City Manager to adopt an ordinance amending ordinance #14379, Schedule of Nonconsensual Towing Fees for Police-Initiated Tows, thereby creating a 3-tiered fee schedule based upon the complexity of the tow and eliminating additional fees for extra time, labor, equipment and supplies.

(Resource Person: Cerelyn J. Davis - 919-560-4322 ext. 29191) (PR# 13725)

Public Works Department

9. Utility Extension Agreement with VC OWNER, LLC to Serve Venable Center Office

To authorize the City Manager to enter into a utility extension agreement with VC OWNER, LLC to serve Venable Center Office with City water and sewer and to reimburse a maximum of \$144,750 for the waterline replacement in East Pettigrew Street.

(Resource Person: Robert N. Joyner - 919-560-4326 ext. 30229) (PR# 13836)

Technology Solutions Department

10. Virtual Chief Information Security Officer (VCISO) Managed Services

To authorize the City Manager to sign a service contract with Securance LLC in the amount of \$345,000 for the cost of the VCISO Managed Services spanning four years and five months, with the recurring annual fees to be paid from the Technology Solutions operating budget.

(Resource Person: Frederick Ravin - 919-560-4122 ext. 33201) (PR# 13847)

Presentations

Police Department

11. 2019 Fourth Quarter Crime Report (To be provided at the 4-6-20 City Council Meeting.)

To receive the 2019 Fourth Quarter Crime Report.

(Resource Person: Melissa Bishop - 919-560-4322 ext. 29202) (PR# 13773)

Public Hearings

City-County Planning Department

12. 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)

13. Unified Development Ordinance Text Amendment, Affordable Housing Dwelling Unit Definition (TC1900005)

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 17, Definitions.

(Resource Person: Michael Stock - 919-560-4137 ext. 28227) (PR# 13838)

14. Goodwin Crossing

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 Planned Development Residential 2.310 (PDR 2.310) and Falls/Jordan Lake Watershed Protection Overlay District-B (F/J-B) and Establishing the Same As the Planned Development Residential 2.167 (PDR 2.167) and Falls/Jordan Lake Watershed Protection Overlay District-B (F/J-B).

(Resource Person: Emily Struthers - 919-560-4137 ext. 28263) (PR# 13840)

15. Hebron Village

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 Suburban-20 (RS-20), Residential Suburban-10 (RS-10)) and Eno River District B (E-B); Falls/Jordan District B (F/J-B) and Establishing the Same As Planned Development Residential 5.117 (PDR 5.117) and Eno River District B (E-B); Falls/Jordan District B (F/J-B).

(Resource Person: Emily Struthers - 919-560-4137 ext. 28263) (PR# 13841)

Community Development Department

16. Proposed Amendments to the FY 2015-2016, 2016-2017, 2017-2018, 2018-2019 and 2019-2020 Annual Action Plans

To conduct a public hearing and receive comments regarding proposed amendments to the FY 2015-2016, 2016-2017, 2017-2018, 2018-2019 and 2019-2020 Annual Action Plans as it relates to Community Development Block Grant (CDBG) funds;

To approve the draft proposed amendments for submission to the U.S. Department of Housing and Urban Development (HUD) Attachment; and

To authorize the City Manager to execute all administrative requirements and contractual documents for the implementation of the amended Annual Action Plans.

(Resource Person: Wilmur Conyers - 919-560-4570 ext. 22277) (PR# 13830)

Finance Department

17. Resolution Approving the Issuance by the Public Finance Authority of its Educational Facilities Revenue Bond (Trinity School) Series 2020

To conduct a public hearing to receive comments regarding the proposed issuance by the Public Finance Authority of its Educational Facilities Revenue Bond (Trinity School) Series 2020 in an amount not to exceed \$6,750,000; and

To adopt a resolution approving the issuance by the Public Finance Authority of its Educational Facilities Revenue Bond (Trinity School) Series 2020 in an amount not to exceed \$6,750,000.

(Resource Person: Keith R. Herrmann - 919-560-4455 ext. 18230) (PR# 13842)

Settling the Agenda

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.

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.