



City Council Work Session Agenda
Thursday, July 23, 2020 - 1 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

Roll Call

Announcements by Council

- ❖ **Discussion of Recent Gun Violence**

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

Administrative Consent Items

City Clerk's Office

1. Approval of City Council Minutes

To approve City Council Minutes for the following meetings: May 4, 2020; May 7, 2020; May 18, 2020; May 21, 2020; May 27, 2020 (Special Budget Meeting); and May 28, 2020 (Special Budget Meeting).

(Resource Person: Diana Schreiber - 919-560-4166 ext. 12264) (PR# 14026)

2. Carolina Theatre of Durham Board of Trustees - Appointment

To appoint a resident to fill one (1) vacancy on the Carolina Theatre of Durham Board of Trustees with skills in the areas of business, finance, arts and culture or community relations, with the term to expire on June 30, 2023.

(Due to the expired term of Dawn Paffenroth)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 14046)

3. Durham Convention Center Authority - Appointment

To appoint a resident to fill one (1) vacancy on the Durham Convention Center Authority with the term to expire on July 31, 2023.

(Due to the term expiring of Darah Whyte)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 14042)

4. Durham Cultural Advisory Board - Appointments

To appoint residents to fill three (3) vacancies on the Durham Cultural Advisory Board with the terms to expire on June 30, 2023.

(Due the expired terms of Angela Lee, Margaret J. Demott and Katie Spencer)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 14041)

5. Durham Homeless Services Advisory Committee - Appointment

To appoint a resident to fill one (1) vacancy on the Durham Homeless Services Advisory Committee to represent the category of Corporate/Private Sector with the term to expire on June 30, 2023.

(Due to the expired term of Tony Tosh)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 14047)

6. Durham Housing Authority Board of Commissioners - Appointment

To appoint a resident to fill one (1) vacancy on the Durham Housing Authority Board of Commissioners who has: (1) Demonstrated experience in analyzing financial statements; (2) Demonstrated understanding of financing housing developments with tax credits and bonds would be helpful but not necessarily required and (3) Some experience in the successful development and/or management of real estate and housing construction would also be helpful but not necessarily a requirement. The term will expire on September 28, 2023.

(Due to a vacancy)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 14055)

7. Durham Open Space & Trails Commission - Appointment

To appoint a resident to fill one (1) vacancy on the Durham Open Space & Trails Commission representing At-Large with the term to expire on June 30, 2023.

(Due to the expired term of Lakisha Chichester)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 14049)

8. Housing Appeals Board - Appointment

To appoint a resident to fill one (1) vacancy on the Housing Appeals Board to represent the category of Tenant with the term to expire on June 30, 2023.

(Due to the expired term of Samantha Perry)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 14048)

9. Recreation Advisory Commission - Appointment

To appoint a resident to fill one (1) vacancy on the Recreation Advisory Commission with the term to expire on August 1, 2023.

(Due to the term expiring of David Green)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 14023)

Departmental Items

Audit Services Department

10. Payment Card Industry (PCI) Compliance Performance Audit March 2020

To accept the Payment Card Industry Compliance Performance Audit March 2020 as presented and approved at the June 15, 2020 Audit Services Oversight Committee meeting.

(Resource Person: Germaine Brewington - 919-560-4213 ext. 14244) (PR# 14064)

11. Timekeeping Management Follow-Up Performance Audit May 2020

To accept the Timekeeping Management Follow-Up Performance Audit May 2020 as presented and approved at the June 15, 2020 Audit Services Oversight Committee meeting.

(Resource Person: Germaine Brewington - 919-560-4213 ext. 14244) (PR# 14062)

City Council's Office

12. Approval of Juneteenth as an Official Holiday for Employees of the City of Durham

To approve the designation of Juneteenth as an official holiday for the employees of the City of Durham in solidarity with Black communities across Durham.

(Resource Person: Mayor Pro-Tempore Jillian Johnson - 919-560-4333) (PR# 14087)

13. Racial Equity Task Force - Final Report

To receive the final report from the Racial Equity Task Force.

(Resource Person: Mayor Steve Schewel - 919-560-4333) (PR# 14039)

14. Funding for the Recovery and Renewal Task Force

To receive an update on the process being utilized by the Recovery and Renewal Task Force to request City funding.

(Resource Person: Mayor Steve Schewel - 919-569-4333) (PR# 14094)

City-County Planning Department

15. City-County Planning Department FY21 Work Program

To approve the City-County Planning Department FY21 Work Program.

(Resource Person: Sara Young - 919-560-4137 ext. 28256) (PR# 14075)

**16. Expedited Hearing Request for Zoning Map Change Z19000036
(Farrington Road MultiFamily)**

To approve the resolution granting the expedited hearing request for Zoning Map Change Z19000036 Farrington Road MultiFamily.

(Resource Person: Sara Young - 919-560-4137 ext. 28256) (PR# 14080)

17. 2019 Board of Adjustment Annual Report

To receive the 2019 Board of Adjustment Annual Report.

(Resource Person: Jessica Dockery - 919-560-4137 ext. 28210) (PR# 14073)

18. 2019 Durham City-County Appearance Commission Annual Report

To receive the 2019 Durham City-County Appearance Commission Annual Report.

(Resource Person: Kayla Seibel - 919-560-4137 ext. 28271) (PR# 14063)

19. 2019 Durham Open Space & Trails Commission Annual Report

To receive the 2019 Durham Open Space & Trails Commission Annual Report.

(Resource Person: Carl Kolosna - 919-560-4137 ext. 28247) (PR# 14074)

20. 2019 Historic Preservation Commission Annual Report

To receive the 2019 Historic Preservation Commission Annual Report.

(Resource Person: Karla Rosenberg - 919-560-4137 ext. 28259) (PR# 14083)

21. 2019 Planning Commission Annual Report

To receive the 2019 Planning Commission Annual Report.

(Resource Person: Grace Smith - 919-560-4137 ext. 28215) (PR# 14081)

Department of Community Development

22. Contract with Durham County for the Provision of Community Development Block Grant (CDBG) COVID-19 Emergency Rental Assistance

To approve the expenditure of \$1,077,601 in FY 20-21 Dedicated Housing Funds for COVID-19 Emergency Rental Assistance;

To authorize the City Manager to execute a contract and other related legal documents with Durham County; and

To authorize the City Manager to make necessary changes to the contract, so long as the changes do not increase the funding amount, and the changes taken as a whole, are not less favorable to the City.

(Resource Person: Melva Henry - 919-560-4570 ext. 22229) (PR# 14092)

23. Housing for New Hope, Inc. Emergency Solutions Grant-COVID (ESG-CV) for Rapid Rehousing Services

To authorize the expenditure of \$524,089 in Dedicated Housing Funds; and

To authorize the City Manager to execute a contract with Housing for New Hope, Inc. in the amount of \$524,089 to provide rapid rehousing for homeless households in Durham as a result of the COVID-19 pandemic.

(Resource Person: Colin Davis - 919-560-4570 ext. 22272) (PR# 14090)

24. Project Access of Durham County, Emergency Solutions Grant-COVID (ESG-CV) for Emergency Shelter Case Management Services

To authorize the expenditure of \$78,294 in Dedicated Housing Funds; and

To authorize the City Manager to execute a contract with Project Access of Durham County, Inc. in the amount of \$78,294 to provide case management services to homeless persons in Durham who have contracted COVID-19, are at high risk of contracting the COVID-19 virus, or have disabling acute or chronic health conditions.

(Resource Person: Colin Davis - 919-560-4570 ext. 22272) (PR# 14091)

Department of Transportation

25. Extension of Merger Agreement with the County of Durham Demand Response Services

To resolve to authorize the City Manager to execute the six-month (6-month) extension of the interlocal merger agreement with the County of Durham Demand Response Services.

(Resource Person: Bill Judge - 919-569-4366 ext. 36420) (PR# 14085)

26. Contract for Cloud-Based, Vendor-Hosted Integrated Parking Management System

To authorize the City Manager to execute a contract with EDC Corporation, Inc. for the provision of the AIMS Cloud-Based, Vendor-Hosted Integrated Parking Management System for a period of five (5) years, for an amount not to exceed \$633,630.25.

(Resource Person: Thomas Leathers - 919-560-4157 ext. 36207) (PR# 14060)

27. Contract with Otis Elevator, Inc. for Parking Garage Elevator Maintenance and Repair Services

To authorize the City Manager to execute a contract with Otis Elevator, Inc. for parking garage elevator maintenance and repair services for a period of four (4) years, for an amount not to exceed \$112,455.07.

(Resource Person: Thomas Leathers - 919-560-4157 ext. 36207) (PR# 14078)

28. Contract with SBS Management, Inc. dba Scotties for Parking Garage Pressure Washing Services

To authorize the City Manager to execute a contract with SBS Management, Inc dba Scotties for Parking Garage Pressure Washing Services for a period of three (3) years, for an amount not to exceed \$397,800.

(Resource Person: Thomas Leathers - 919-560-4157 ext. 36207) (PR# 14071)

29. Ordinance to Change Parking Fees Amendment - Addition of Evening Monthly Parking Permit Fee

To adopt an Ordinance to Revise Parking Facility Fees to be effective retroactively as of September 1, 2020.

(Resource Person: Thomas Leathers - 919-560-4157 ext. 36207) (PR# 13794)

30. Grant Project Ordinance Superseding Grant Project Ordinance 15653, Grant Project Ordinance Superseding Grant Project Ordinance 15651

To adopt FY 2021 City of Durham and North Carolina Department of Transportation Section 104(f) and Section 133(b)(3)(7) Transportation Planning Grant Project Ordinance, superseding Grant Project Ordinance (GPO) 15653;

To adopt FY 2021 FTA Section 5303 Metropolitan Transit Planning Grant Project Ordinance, superseding Grant Project Ordinance (GPO) 15651; and

To authorize the City Manager to execute both grant agreements.

(Resource Person: Felix Nwoko - 919-560-4366 ext. 36424) (PR# 14045)

31. FY21 Agreement with North Carolina State University (NCSU) Supporting the Triangle Regional Model (TRM)

To authorize the City Manager to execute an agreement with North Carolina State University (NCSU) to provide support for the development, enhancement and maintenance of the Triangle Regional Model (TRM) in an amount not to exceed \$197,519.

(Resource Person: Felix Nwoko - 919-560-4366 ext. 36424) (PR# 14044)

Department of Water Management

32. American Tobacco Waterline Replacement Phase 1 – Award of Construction Contract to J. F. Wilkerson Contracting Company, Inc.

To authorize the City Manager to execute a contract with J. F. Wilkerson Contracting Company, Inc. in the amount of \$9,478,880 for the American Tobacco Waterline Replacement (Phase 1) contract;

To establish a contingency fund for the contract in the amount of \$947,888; and

To authorize the City Manager to negotiate change orders for the contract provided that the total contract cost does not exceed \$10,426,768.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 14052)

33. Contract for Western Intake Partnership Program Manager

To authorize the City Manager to execute Amendment #1 to the Memorandum of Agreement for the Western Intake Partnership;

To authorize the City Manager to execute the Contract for Western Intake Partnership Program Manager with HDR for \$2,126,700;

To establish a contingency fund of \$300,000 for the Western Intake Partnership Program Manager project; and

To authorize the City Manager to negotiate and execute amendments to the contract provided that the total contract cost does not exceed \$2,426,700.

(Resource Person: Sydney Miller - 919-560-4381 ext. 35201) (PR# 14043)

34. Ordinance Amending the Durham City Code Regulating Billing and Payment of Water, Sewer and Stormwater Fees On Combined Utility Bills

To adopt an ordinance amending Sections 70-49, 70-57, and 70-62 of the Durham City Code regulating billing and payment of water, sewer, and stormwater fees on combined utility bills.

(Resource Person: Vicki Westbrook - 919-560-4381 ext. 35266) (PR# 14084)

Finance Department

35. Bid Report - May 2020

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

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 14088)

36. Bid Report - June 2020

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

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 14089)

Fire Department

37. Local Burning Ordinance

To adopt a local burning ordinance to specifically define what cannot be burned within the city limits of Durham.

(Resource Person: Jody Morton - 919-560-4242 ext. 19240) (PR# 14053)

General Services Department

38. Cell Tower Lease and License Agreement with T-Mobile South LLC at 1318 East Pettigrew Street

To authorize the City Manager to execute a Cell Tower Lease and License Agreement with T-Mobile South LLC for a 10-year term to attach an antenna to the City-owned water tank located at 1318 East Pettigrew Street, Durham, NC, Parcel ID 119085; and

To authorize the City Manager to execute a Memorandum of Lease and License Agreement.

(Resource Person: Selena Jones - 919-560-4197 ext. 21241) (PR# 14079)

Office of Economic and Workforce Development

39. Contract with Eckerd Youth Alternatives, Inc. to Provide Workforce Innovation and Opportunity Act Youth Services

To authorize the City Manager to execute the Fiscal Year 2020-2021 contract with Eckerd Youth Alternatives, Inc. to provide Workforce Innovation and Opportunity Act youth services for the City in an amount not to exceed \$430,000.

(Resource Person: Edward Nixon - 919-560-4965 ext. 15225) (PR# 14037)

Police Department

40. Executive Office of the President, Office of National Drug Control Policy, 2020 High Intensity Drug Trafficking Areas (HIDTA) Grant Project Ordinance

To authorize the City Manager to accept the Executive Office of the President, Office of National Drug Control Policy, 2020 High Intensity Drug Trafficking Areas (HIDTA), Grant amendment by executing the grant documents; and

To adopt the Executive Office of the President, Office of National Drug Control Policy, 2020 High Intensity Drug Trafficking Areas (HIDTA) Grant Project Ordinance, superseding Grant Project Ordinance #15641 to recognize the grant award increase from \$419,711 to \$434,439.92.

(Resource Person: Kisha Preston - 919-560-1185 ext. 29138) (PR# 14068)

41. Executive Office of the President, Office of National Drug Control Policy, 2019 High Intensity Drug Trafficking Areas (HIDTA) Grant Project Ordinance

To authorize the City Manager to accept the Executive Office of the President, Office of National Drug Control Policy, 2019 High Intensity Drug Trafficking Areas (HIDTA), Grant amendment by executing the grant documents; and

To adopt the Executive Office of the President, Office of National Drug Control Policy, 2019 High Intensity Drug Trafficking Areas (HIDTA) Grant Project Ordinance, superseding Grant Project Ordinance #15511 to recognize the grant award increase from \$369,228 to \$414,228.

(Resource Person: Kisha Preston - 919-560-1185 ext. 29138) (PR# 14072)

Public Works Department

42. Water Quality Pollutant Source Tracking in Sandy Creek Tributary A and Warren Creek Contract

To authorize the City Manager to execute the Contract Water Quality Pollutant Source Tracking in Sandy Creek Tributary A and Warren Creek with Brown and Caldwell, Inc. for the amount of \$270,000;

To establish a contingency fund in the amount of \$30,000; and

To authorize the City Manager to negotiate change orders for the contract Water Quality Pollutant Source Tracking in Sandy Creek Tributary A and Warren Creek provided that the total project cost does not exceed \$300,000.

(Resource Person: J.V. Loperfido - 919-560-4326 ext. 30301) (PR# 14059)

Technology Solutions Department

43. Cityworks Storeroom DC Configuration with Radley Corporation

To authorize the City Manager to execute the Cityworks Storeroom DC Configuration contract with Radley Corporation, not to exceed the amount of \$211,000 as part of a three-year contract.

(Resource Person: Brian Green - 919-560-4122 ext. 33203) (PR# 14061)

44. Multi-Year Annual Support Agreement and License Agreement for Munis Software with Tyler Technologies, Inc. for FY21 Through FY25

To authorize the City Manager to execute an amended multi-year Annual Support Agreement and License Agreement for Munis Software with Tyler Technologies, Inc. for the use and support of the Munis Enterprise Resource Planning (ERP) Software for a period of five (5) one-year terms not to exceed the amount of \$5,366,989.17.

(Resource Person: Frederick Ravin - 919-560-4122 ext. 33201) (PR# 14054)

Public Hearings

City-County Planning Department

45. Annexation - Olive Branch West

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

Motion #1: To adopt an ordinance annexing 'Olive Branch West' into the City of Durham effective September 30, 2020, and to authorize the City Manager to enter into a utility extension agreement with FFAC Olive Branch West, 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 Residential Rural (RR), Falls/Jordan Watershed Protection Overlay District B (F/J-B), County Jurisdiction and establishing the same as Residential Rural (RR), Falls/Jordan Watershed Protection Overlay District B (F/J-B), City Jurisdiction.

(Resource Person: Jamie Sunyak - 919-560-4137 ext. 28235) (PR# 14069)

46. Annexation - Twin Lakes

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

Motion #1: To adopt an ordinance annexing 'Twin Lakes' into the City of Durham effective September 30, 2020, and to authorize the City Manager to enter into a utility extension agreement with Dan Ryan Builders - North Carolina, LLC; and

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 Residential Suburban-20 (RS-20), Falls/Jordan Watershed Protection Overlay District B (F/J-B), County Jurisdiction and establishing the same as Residential Suburban-20 (RS-20), Falls/Jordan Watershed Protection Overlay District B (F/J-B), City Jurisdiction.

(Resource Person: Jamie Sunyak - 919-560-4137 ext. 28235) (PR# 14067)

47. Street Closing - Kew Place

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

Motion #1: To adopt an order permanently closing 89.91 linear feet of Kew Place.

(Resource Person: Jamie Sunyak - 919-560-4137 ext. 28235) (PR# 14082)

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.