



City Council Work Session Agenda

Thursday, July 26, 2018 - 1 p.m.

101 City Hall Plaza, 2nd 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

Administrative Consent Items

City Clerk's Office

1. Durham Board of Adjustment - Appointments

To appoint citizens to fill three (3) vacancies on the Durham Board of Adjustment for one (1) Alternate Member (term expires June 30, 2021) and two (2) Regular Members (one term expires June 30, 2019 and one term expires June 30, 2021).

(Due to the resignation of Michael Schietzelt and Randall Moore Rogers)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12627)

2. Participatory Budgeting Steering Committee - Appointments

To appoint citizens to fill fifteen (15) vacancies on the newly established Participatory Budgeting Steering Committee. Among the members, there will be one (1) Youth under the age of 18 and one (1) member who identifies as disabled.

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12629)

3. Workforce Development Board - Appointments

To appoint citizens to fill three (3) vacancies on the Workforce Development Board representing Private Sector and State Employment Service.

(Due to the terms expiring of Ernie Mills, Ari Medoff and Michelle Muir)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12631)

4. Durham City-County Environmental Affairs Board - Appointments

To appoint citizens to fill two (2) vacancies on the Durham City-County Environmental Affairs Board representing Solid Waste and Water Resources with the terms to expire on June 1, 2021.

(Due to the terms expiring of Elizabeth Chan and Mark Koegel)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12646)

5. Audit Services Oversight Committee - Appointment

To appoint a citizen to fill one (1) vacancy on the Audit Services Oversight Committee representing Business Community (Finance) with the term to expire on June 30, 2022.

(Due to the term expiring and resignation of Jenna Meints)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12647)

6. Durham Homeless Services Advisory Committee - Appointment

To appoint a citizen to fill one (1) vacancy representing the Faith Community on the Durham Homeless Services Advisory Committee with the term to expire on June 30, 2021.

(Due to the expired term of Reverend Warren Herndon)

(Resource Person: LaVerne V. Brooks - 919-560-4166 ext. 12264) (PR# 12628)

Departmental Items

Budget and Management Services Department

7. City/County ICMA Local Government Management Fellow Interlocal Agreement

To authorize the City Manager to execute an Interlocal Agreement with the County of Durham for the International City/County Management Association Local Government Management Fellow.

(Resource Person: Josh Edwards - 919-560-4111 ext. 20102) (PR# 12621)

City Council's Office

8. Resolution of the City of Durham in Support of the Committee on the Elimination of Discrimination Against Women (CEDAW)

To adopt a Resolution of the City of Durham in Support of the Committee on the Elimination of Discrimination Against Women (CEDAW).

(Resource Person: Mayor Pro Tempore Jillian Johnson - 919-569-4396 ext. 10278)
(PR# 12616)

Department of Community Development

9. Predevelopment Grant Agreement with the Housing Authority for DHA Downtown & Neighborhood Planning

To authorize the City Manager to execute a Predevelopment Grant Agreement with the Housing Authority of the City of Durham in the amount of \$2,131,000.00 to be used to support affordable housing development activities.

(Resource Person: Matthew Walker - 919-560-4570 ext. 22250) (PR# 12619)

Department of Transportation

10. Contract for Neighborhood Bicycle Routes Design (TIP # C-5605I)

To authorize the City Manager to execute a Design Services contract with Alta Planning + Design, Inc. for the Neighborhood Bicycle Routes (TIP # C-5605I) in the amount not to exceed \$149,278.14.

(Resource Person: Bryan Poole - 919-560-4366 ext. 36423) (PR# 12596)

11. FY 2019 Agreement with North Carolina State University for the Development, Enhancement and Maintenance of the Triangle Regional Model

To authorize the City Manager to execute an agreement with North Carolina State University to provide support for the Triangle Regional Travel Demand Model in an amount not to exceed \$165,236.00.

(Resource Person: Felix Nwoko - 919-560-4366 ext. 36424) (PR# 12641)

12. Durham Belt Line (EB-5904) Supplemental Municipal Agreement

To adopt the Durham Belt Line Trail Grant Project Ordinance superseding Grant Project Ordinance, Resolution #10057, accepting a total of \$8,400,000.00 federal funds through the North Carolina Department of Transportation for the purpose of right of way acquisition and design of the Durham Belt Line Trail;

To authorize the City Manager to execute the grant agreement with North Carolina Department of Transportation for supplemental federal funds of \$2,120,000.00; and

To adopt an ordinance amending the General Capital Improvement Project Ordinance, Fiscal Year 2018-19, as amended, the same being Ordinance #15327, for the purpose of appropriating the additional \$2,120,000.00 federal funds.

(Resource Person: Ellen Beckmann - 919-560-4366 ext. 36412) (PR# 12630)

Department of Water Management

13. Demolition of Decommissioned Waste Water Treatment Facilities (WWTF's) – Construction Award to 4 Seasons Demolition, Inc.

To authorize the City Manager to execute a contract with 4 Seasons Demolition, Inc. for the Demolition of Decommissioned WWTF's project in the amount of \$1,780,000.00;

To establish a contingency fund for the contract in the amount of \$178,000.00; and

To authorize the City Manager to negotiate change orders for the contract provided that the total contract cost does not exceed \$1,958,000.00.

(Resource Person: Jerry Morrone - 919-560-4381 ext. 35243) (PR# 12620)

Finance Department

14. May 2018 Bid Report

To receive a report on the bids that were acted upon by the City Manager in May 2018.

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 12637)

15. June 2018 Bid Report

To receive a report on the bids that were acted upon by the City Manager in June 2018.

(Resource Person: Jonathan Hawley - 919-560-4132 ext. 18225) (PR# 12640)

General Services Department

16. Construction Contract with Ruston Paving Co. Inc. for Asphalt Paving at Multiple Park Sites

To authorize the City Manager to execute a construction contract with Ruston Paving Co. Inc. for Asphalt Paving at Multiple Park Sites in the amount of \$374,460.00;

To establish a contingency fund for the contract in the amount of \$37,446.00; and

To authorize the City Manager to negotiate change orders to the construction contract, provided the total project cost does not exceed \$411,906.00.

(Resource Person: Nia Rodgers - 919-560-4197 ext. 21225) (PR# 12636)

17. Proposed Sale of Foundation Encroachment Easements to Durham ID P1 Owner 2, LLC

To authorize the City Manager to convey three foundation encroachment easements in the Hunt Street right-of-way to Durham ID P1 Owner 2, LLC for compensation totaling \$6,000.00, pursuant to N.C.G.S. 160A-273;

To authorize the City Manager to convey the easements by executing a Footing Encroachment Easement Agreement; and

To authorize depositing the proceeds into the General Fund for sale of land.

(Resource Person: Elizabeth Hyland - 919-560-4197 ext. 21295) (PR# 12638)

Public Works Department

18. Algal Floway Site Selection and Preliminary Design Project and Presentation ***(10 Minutes)***

To authorize the City Manager to execute Supplemental Services Agreement Number 1 with AECOM Technical Services of North Carolina, Inc. for the site selection and preliminary design of an algal floway in the amount of \$149,712.00;

To establish a contingency fund in the amount of \$14,971.00;

To authorize the City Manager to negotiate modifications to the Supplemental Services Agreement Number 1 provided that the total contract cost does not exceed \$164,683.00; and

To receive a presentation on the Algal Floway Site Selection and Preliminary Design Project.

(Resource Person: Jonathan Baker - 919-560-4326 ext. 30211) (PR# 12618)

19. Contract Amendment No. 1 with MA Engineering Consultants, Inc. for Utility Locate Services

To authorize the City Manager to execute contract Amendment No. 1 with MA Engineering Consultants, Inc. for Contract ST-289, RFQ for Utility Locate Service to increase the contract in the amount not to exceed \$360,000.00 for a total contract amount of \$720,000.00 and extend the contract through December 31, 2019.

(Resource Person: Tasha Johnson - 919-560-4326 ext. 30262) (PR# 12624)

20. Utility Extension Agreement with the Miracle League of the Triangle, Inc. to Serve Miracle League at American Tobacco

To authorize the City Manager to enter into a Utility Extension Agreement with The Miracle League of the Triangle, Inc. to provide water and sewer service to the Miracle League at American Tobacco project and to partially reimburse the design and construction costs of the sanitary sewer improvements.

(Resource Person: Robert N. Joyner - 919-560-4326 ext. 30229) (PR# 12433)

Technology Solutions Department

21. Munis Software Annual Support and License Agreement for 2019

To authorize the City Manager to execute the annual support license agreement with Tyler Technologies, Inc. for the use and support of the MUNIS ERP software for a period of one year in the amount of \$374,249.07.

(Resource Person: Martha Lester-Harris - 919-560-4122 ext. 33229) (PR# 12623)

Presentations

Department of Transportation

22. 2017-18 Downtown Parking Study Presentation (20 Minutes)

To receive a presentation on the 2017-18 Downtown Parking Study.

(Resource Person: Thomas D. Leathers - 919-560-4366 ext. 36207) (PR# 12644)

Public Hearings

Finance Department

23. Resolution Approving the Issuance by the Public Finance Authority of its Education Revenue Bonds (Excelsior Classical Academy) Series 2018

To conduct a public hearing for the purpose of receiving public comment on the proposed issuance by the Public Finance Authority of its Education Revenue Bonds Series 2018 in an amount not to exceed \$20,000,000.00; and

To adopt a Resolution approving the issuance by the Public Finance Authority of its Education Revenue Bonds Series 2018 in an amount not to exceed \$20,000,000.00.

(Resource Person: David Boyd - 919-560-4455 ext. 18229) (PR# 12625)

City-County Planning Department

24. Zoning Map Change – 5123 Chin Page Road

To conduct a public hearing 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 Rural (RR) Zoning District and establishing the same as Industrial Light (IL) for the subject site.

(Resource Person: Jacob Wiggins - 919-560-4137 ext. 28257) (PR# 12632)

25. Boone Street Closing

To conduct a public hearing and consider the following motion:

Motion #1: To adopt an order permanently closing a 296 linear foot portion of Boone Street.

(Resource Person: Jamie Sunyak - 919-560-4137 ext. 28235) (PR# 12633)

26. Case Street Closing

To conduct a public hearing and consider the following motion:

Motion #1: To adopt an order permanently closing 766.81 linear feet of Case Street.

(Resource Person: Jacob Wiggins - 919-560-4137 ext. 28257) (PR# 12634)

27. Zoning Map Change – Rollingdale

To conduct a public hearing 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), Falls/Jordan Overlay (F/J-B) Zoning District and establishing the same as Planned Development Residential 3.940 (PDR 3.940), Falls/Jordan Overlay (F/J-B) for the subject site.

(Resource Person: Jamie Sunyak - 919-560-4137 ext. 28235) (PR# 12635)

Department of Transportation

28. Durham Belt Line Trail Master Plan (20 Minutes)

To conduct a public hearing and adopt the Durham Belt Line Trail Master Plan; and

To receive a presentation on the Durham Belt Line Trail Master Plan.

(Resource Person: Dale McKeel - 919-560-5366 ext. 36412) (PR# 12639)

Citizens' Matters – To be heard at 1 p.m.

29. Scott Barndt

To receive comments from Scott Barndt regarding potholes and sidewalks.

(Resource Person: Scott Barndt) (PR# 12651)

30. Lolita Stevenson

To receive comments from Lolita Stevenson regarding charges received from the installation of a cutoff/sewer plug.

(Resource Person: Lolita Stevenson) (PR# 12650)

31. Margaret-Desiree Mug

To receive comments from Margaret-Desiree Mug regarding repairs needed to the path of the American Tobacco Trail off of Dallas Street.

(Resource Person: Margaret-Desiree Mug) (PR# 12649)

32. Sidney Brodie

To receive comments from Sidney Brodie regarding funding for the Durham Homicide Memorial Quilt on Custom Runway.

(Resource Person: Sidney Brodie) (PR# 12652)

Settling the Agenda

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.