



Durham County

200 E. Main Street
Durham, NC 27701
(919) 560-0025

Meeting Agenda Board of County Commissioners

Michael D. Page, Chair
Brenda A. Howerton, Vice Chair
Fred Foster, Jr., Commissioner
Wendy Jacobs, Commissioner
Ellen W. Reckhow, Commissioner

Monday, February 9, 2015

7:00 PM

Commissioners' Chambers

"Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

7:00 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)
2. Agenda Adjustments (5 min)
3. Announcements (15 min)

[15-230](#) Announcements

Agenda Text:

- 1) "In Touch with Durham County," the Durham County Television show, airs daily on Durham Television Network (DTN) Channel 8 or 97-5 at 10 a.m., 3:30 p.m. and 6:30 p.m. Our County Commissioners' meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m. County Manager Wendell Davis is our current guest.
- 2) Durham County needs you! If you have a few hours to commit, Durham County has a number of boards and commissions that can benefit from your participation. We invite you to make a difference in our community. Contact the Clerk's Office at 919-560-0025, visit the County's website, or email Clerk@dconc.gov <<mailto:Clerk@durhamcountync.gov>> for more information. Please note that all City and County taxes must be current at

the time of application.

- 3) "Living Healthy," the Durham Diabetes Coalition Television show, airs daily on Cable TV Channel 8 or 97-5 at 7 p.m. Each episode features Durham County resources and residents successfully living with diabetes. This is also an initiative that supports Durham County's strategic goal Health and Well-being for All.
- 4) As Chair of the Board of County Commissioners, I will hold office hours for citizens each Wednesday from 2:00 pm to 5:00 pm. Appointments can be made by calling me at (919) 949-4022.

[15-263](#)

Duke Energy Residential Neighborhood Program

Agenda Text:

The Board is requested to receive an update from Duke Energy about upcoming plans to implement its Residential Neighborhood Program (RNP) in Durham again this year to aid low-income residents with energy savings.

ALIGNMENT WITH STRATEGIC PLAN: To promote environmental stewardship through the education and assistance of the energy efficient program for our communities in need.

RESOURCE PERSONS: Valencia Roner, Duke Energy Program Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board receive the update from Duke Energy.

Attachments:

[Duke Energy Brochure.pdf](#)

4. Minutes (5 min)

[15-204](#)

Minutes

Attachments:

[Regular Session - Jan 12, 2015.doc](#)

[1.5.15 Worksession.doc](#)

5. Ceremonial Items

[15-217](#)

Recognition - Honoring Mr. Jason Jowers as 2015 Vice Principal of the Year

Agenda Text:

The Board is requested to recognize Mr. Jason Jowers, Vice Principal of Hillside High School who has been named the state's 2015 Assistant Principal of the Year. He was recognized by the North Carolina Association of Principals and Assistant Principals.

Hillside's Principal Dr. William Logan describes Mr. Jowers as "one of the most passionate, hardworking, committed, competitive, motivated and inspiring

educators I know.”

Jowers joined DPS in 2007 as a history teacher at Southern High School. He later came to Hillside High School to direct its Freshman Academy before becoming an assistant principal. Now he will represent the state in the National Assistant Principal of the Year program, which recognizes outstanding middle level and high school assistant principals who have demonstrated success in leadership, curriculum and personalization. The program is sponsored by the National Association of Secondary School Principals.

ALIGNMENT WITH STRATEGIC PLAN: This item aligns with Goal 5, Accountable, Efficient and Visionary Government.

RESOURCE PERSONS: Chairman Michael D. Page

COUNTY MANAGER’S RECOMMENDATION: The County Manager recommends that the Board extend sincere congratulations to Mr. Jason Jowers for his recognition as the 2015 Vice Principal of the Year for the State of North Carolina and wish him well as he competes for the national recognition.

[15-257](#)

Resolution Honoring the Life of Attorney B. B. Olive

Agenda Text:

The Board is requested to issue a resolution honoring the life of Attorney B. B. Olive. This highly respected, longtime Durham Attorney passed on December 4th. His law firm, Olive & Olive, was the first private intellectual property firm in the Triangle. This “renaissance” man also made history when his firm hired female and African American attorneys, making it the only integrated intellectual property law firm in North Carolina for many years. In addition to his contributions to the legal community, Mr. Olive co-founded the Triangle Land Conservancy and worked to protect Duke Forest, and New Hope Creek.

ALIGNMENT WITH STRATEGIC PLAN: Goal 5: Accountable, Efficient and Visionary Government

RESOURCE PERSONS: Chairman Michael D. Page

COUNTY MANAGER’S RECOMMENDATION: The County Manager recommends that the Board approve this resolution and present it to the family of Attorney B. B. Olive, along with sincere sympathies and in recognition of the outstanding contributions he made in Durham and beyond.

Attachments:

[B.B. Olive Resolution-9feb15.doc](#)

[15-258](#)

Recognition of Justice Center’s 2014 Justice Facilities Review Award by AIA

Agenda Text:

The Board is requested to congratulate the team that managed construction of the new Durham County Courthouse. The facility was recently recognized by the American Institute of Architects with the 2014 Justice Review Award. In

the statement of the jury, “This project balances historic and modern elements, and the plaza connection to the adjacent open space integrates the building with its context. Sustainable features include the use of local materials and FCS wood and the provision of direct or indirect daylighting in all courtrooms.”

ALIGNMENT WITH STRATEGIC PLAN: Goal 4: Environmental Stewardship

RESOURCE PERSONS: Gudrun Parmer, Interim Engineering Director and Peri Manns, Senior Project Manager, Durham County Engineering

COUNTY MANAGER’S RECOMMENDATION: The County Manager recommends that the Board congratulate the Durham County Engineering team and O’Brien Atkins for receiving the 2014 Justice Facilities Review Award from the American Institute of Architects.

Attachments: [AIA Justice Book 2014.pdf](#)

6. Consent Agenda (15 min)

[15-176](#) Kitchen Floor Replacement at Durham County Detention Center IFB 15-010

Agenda Text: The Board is requested to authorize the County Manager to execute a contract with H.M. Kern Corporation for the Kitchen Floor Replacement at the Durham County Detention Center. The work will include demolition of the existing kitchen quarry tile floor down to the existing slab. The removal and disposal of all construction debris from the site and properly dispose of as required by the City of Durham and Durham County Solid Waste Department. The new concrete floor will be a two part process which includes pouring a 1 ¾” 4000 PSI grout bed then finishes with a ¼” non-slip epoxy floor covering. The contractor has 30 calendar days to complete the work from the date of Notice to Proceed. There is a liquidation penalty of \$2,100.00 per day based on the cost to feed the inmates per day if the project exceeds the 30 calendar day time frame.

H.M. Kern submitted the low bid which was \$123,000.00 which is \$27,000.00 below the projected budget. General Services reviewed all three (3) submitted bid proposals and recommends that H.M. Kern Corporation be awarded the contract. The final bid tabulation is attached.

ALIGNMENT WITH STRATEGIC PLAN: The Kitchen Floor Replacement at Durham County Detention Center aligns with Goal 3, to partner with the community to prevent and address unsafe conditions, protect life and property and respond to emergencies.

RESOURCE PERSONS: Motiryo Keambiroiro, Director of General Services; Charles King, Project Facilitator, General Services

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board authorize the execution of the Contract for General construction with H.M. Kern Corporation for construction services for the Kitchen Floor Replacement at the Durham County Detention Center in an amount of \$123,000.00 and to execute amendments, if necessary not to exceed the budget of \$150,000.00.

Attachments: [MBE Goals For Kitchen Floor](#)
[CompleteContract](#)

[15-226](#)

Approval of NCDOT and Syngenta Agreements to Facilitate State Support for Syngenta Expansion and Budget Ordinance Amendment No. 15BCC000038 to recognize the additional revenue and off-setting expenditure.

Agenda Text: The Board is requested to approve both attached agreements and an associated Budget Ordinance Amendment 15BCC000038 to facilitate \$350,000 in state (NCDOT) support for Syngenta's Phase II expansion.

As part of Syngenta's most recent expansion in Durham County, the state (through the NC Department of Transportation) agreed to contribute \$350,000 towards roadway improvements required as part of the expansion. County Commissioners were pivotal in securing that assistance, passing a resolution on June 24, 2013 supporting that assistance.

Since NCDOT is prohibited from paying (or contracting with) a private developer directly, the County was needed to act as a pass-through for the \$350,000. Staff endeavored to make a single, three-way agreement contain all of each party's commitments, but in the end two separate agreements were required. The first agreement appears to put the onus of causing the road improvements to be the County's responsibility. The second, however, passes on all of that burden (for constructing the improvements according to NCDOT standards and taking on all related liabilities) to Syngenta. Both agreements have been reviewed and approved by the County Attorney's office.

ALIGNMENT WITH STRATEGIC PLAN: Helping Durham County companies expand in Durham, in this case by helping to secure state support for such expansions, helps promote community and family prosperity (Goal 1).

RESOURCE PERSONS: Drew Cummings, Assistant County Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve both attached agreements and Budget Ordinance Amendment 15BCC000038 to facilitate \$350,000 in state (NCDOT) support for Syngenta's Phase II expansion.

Attachments: [DCo NCDOT Agreement for Syngenta Roadway Improvements](#)
[Syngenta Assumption Agreement - 1-20-15](#)
[AAF-38 Legal Form Syngenta Expansion \\$350,000](#)

15-227 Building Automation System (BAS) Annual Software and Verification Maintenance

Agenda Text: The Board is requested to authorize the County Manager to execute a contract with Schneider Electric Buildings America, Inc. for the annual maintenance of the BAS software and verification. This contract will cover the BAS systems that are housed in the following County facilities: Administration complex, Courthouse, Criminal Justice Resource Center, Detention Center, East Library, General Services, Human Services, Justice Parking Deck, North Library, Oakleigh, South Library, Southwest Library and Stanford L. Warren Library.

This is a proprietary system that is owned by Schneider Electric. The amount of the contract is \$95,945.00. This contract will cover the remainder of FY2015, to keep the system software, components up to date and debugged.

Please accept all changes to the document before sending the final version to the Clerk's Office. Forms with tracked changes will be returned.

ALIGNMENT WITH STRATEGIC PLAN: The BAS system and its maintenance is intended to have the above mentioned County facilities running at optimal performance, therefore reducing County energy costs and improving indoor air quality. This contract and its execution is aligned with Strategic Goal # 4, Environment.

RESOURCE PERSONS: Motiryo Keambiroiro, Director of General Services; Shawn Swiatocha, Interim Assistant Director of General Services

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board authorize the execution of the contract to Schneider Electric Buildings America, Inc., for the maintenance of the Building Automation System (BAS) throughout the County facilities which utilize it, in the amount of \$95,945.00.

Attachments: DCGS Combined Continuum Service Agreement

[15-228](#) Budget Ordinance Amendment No. 15BCC000036 - Recognition of Revenue to Cooperative Extension from a Contract from Durham Public Schools for Parent & Family Advocacy and Support Training (PFAST)

..Body

DATE OF BOCC MEETING: February 9, 2015

REQUEST FOR BOARD ACTION:

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No.

15BCC000036 to recognize \$8,000 in revenue from a contract from Durham Public Schools (DPS) for Durham County Cooperative Extension to deliver four series of Parent & Family Advocacy and Support Training (PFAST) sessions in English and Spanish to parents at Fayetteville Street Elementary School as part of a 21st Century Community Learning Centers (CCLC) grant. The funds provide support for the delivery of parent advocacy training designed to help parents support their children's success in school. Grant funds will be used to provide support for parent training, coaching and relationship building with parents and the school. The funds support the services of facilitators, childcare, food, travel, and materials. The contract is reimbursable based on actual expenses incurred from February 2, 2015 to July 31, 2015. The budget for these funds is as follows:

Community Outreach, Fund 4950231300:		
5200150400	Food	2,000
5200159500	Supplies	1,500
5200110400	Printing	300
5200160100	Contract Srv	4,000
5200150100	Travel	200

ALIGNMENT WITH STRATEGIC PLAN: The project aligns with Goal One of Community and Family Prosperity and Enrichment by developing the skill set of parents and schools to empower them to build productive parent-school partnerships to help their children succeed.

RESOURCE PERSONS: Donna Rewalt, Community Outreach Coordinator and Delphine Sellars, Cooperative Extension Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager Recommends that the Board approve Budget Ordinance Amendment No.15BCC000036 to recognize revenue in the \$8,000 from a contract with Durham Public Schools for Durham County Cooperative Extension to deliver four series of PFAST training in English and Spanish at Fayetteville Street Elementary School.

Attachments: [DPS Letter for Contract 2-1-2015.pdf](#)
[DPS Contract PFAST 2-1 to 7-31.pdf](#)

15-239 Durham Open Space and Trails (DOST) Commission Matching Grants Funding Recommendation

Agenda Text: The Durham Open Space and Trails Commission (DOST) received eight applications for the Matching Grants Program to assist nonprofit community organizations with recreational and open space projects. The Matching Grants committee of the DOST and county staff examined the proposed projects to ensure compliance with the program's goals and guidelines. The DOST approved these six projects and funding recommendation below at its January 21, 2015, meeting:

The recommendation to allocate \$75,800 of county funds represents a gain to the County of \$150,594 in matching funds as more than half the projects' proposed value of \$226,394. The Matching Grants program budget was approved in the FY2014-2015 Budget.

ALIGNMENT WITH STRATEGIC PLAN: Goal 2: Health and Well-being for All which promotes physical activities for County residents and staff and Goal 4: Environment to protect open space and preserve rural character.

RESOURCE PERSONS: Annette Montgomery, Matching Grants Committee Chair and Bo Gattis, Budget Analyst/Matching Grants Administrator

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends the BOCC approve the Matching Grants Committee recommendation of approved projects and the allocation of \$75,800 of the budgeted Matching Grants funds to these projects.

Attachments: [AAF - Matching Grants Approval-Back-up](#)

[15-240](#)

Life Safety Inspections For Durham County Buildings RFP No. 15-008

Agenda Text:

The Board is requested to authorize the County Manager to execute a contract with BFPE International for the Life Safety Inspections for Durham County Buildings. The work will include the annual fire alarm test for twenty-five (25) County Buildings, annual and semi-annual sprinkler testing in thirteen (13) County Buildings; annual testing of the Area of Rescue systems at seven (7) County Buildings, semi-annual testing of five (5) Ansul System and one (1) Halon System test. Additionally the inspection of 771 fire extinguishers at forty-one (41) County Buildings.

General Services reviewed three (3) submitted bid proposals. BFPE submitted a complete RFP response for \$43,325.08. It is recommended that BFPE International be awarded the contract. The bid tabulation and MWBE Goals are attached.

ALIGNMENT WITH STRATEGIC PLAN: The Life Safety Inspections for Durham County Buildings aligns with Goal 3, to partner with the community to prevent and address unsafe conditions, protect life and property and respond to emergencies.

RESOURCE PERSONS: Motiryo Keambiroiro, Director of General Services; Charles King, Project Facilitator, General Services

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board the Board authorize the execution of the Contract

for Life Safety Inspection for Durham County Buildings in an amount not to exceed \$43,325.08.

Attachments:

[FINAL BID TAB](#)

[County MWBE](#)

[BFPE HUD Letter](#)

[Life Safety Inspections Monitoring RFP 15-008-BFPE Service Contract](#)

15-242

Advertising of Tax Liens

Agenda Text:

The Board is requested to authorize the Tax Administrator to provide public notice and advertise the 2014 delinquent tax liens. N.C.G.S. 105-369 states the advertisement of tax liens shall be made during the period March 1st through June 30th.

ALIGNMENT WITH STRATEGIC PLAN: This action aligns with Goal 5, accountable, efficient and visionary government by accounting for all tax revenues due to support county services.

RESOURCE PERSONS: Kimberly H. Simpson, Tax Administrator

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve the Tax Administrator's request to begin advertising the 2014 tax liens in March 2015.

Sponsors:

Board of County Commissioners

Attachments:

[2014 ADVERT OF LIENS SPREADSHEET](#)

15-251

Durham County Local Emergency Planning Committee (LEPC)

Agenda Text:

The Board is requested to approve the membership roster as presented and accept the report of the past year's activities for the Local Emergency Planning Committee (LEPC).

The LEPC is a federally mandated group of concerned individuals from different local agencies and groups within Durham County who assure that our community has the emergency planning and response capabilities to effectively prevent and mitigate emergencies and disasters. LEPCs must develop an emergency response plan, review it at least annually, and provide information about chemicals in the community to citizens. Plans are developed by the LEPC with stakeholder participation.

The bylaws of the Durham County LEPC require that its activities are reported to the Durham County Board of Commissioners and that it present a roster of members to the Board for approval following its January meeting of the current year.

The attached January 21, 2015, letter to Chairman Michael D. Page from J.

David Marsee, II, Chairman of the Durham County LEPC, includes the current membership roster for approval and the LEPC's activities over the past year.

ALIGNMENT WITH STRATEGIC PLAN: The Local Emergency Planning Committee (LEPC) meets Durham County Strategic Goal #3- Safe and Secure Community. LEPC enhances the capability for emergency personnel to respond to and mitigate emergencies resulting from hazardous materials. The LEPC is also mandated by the Federal Emergency Planning and Community Right-to-know Act under section 303.

RESOURCE PERSONS: J. David Marsee, II, Chairman, Durham County LEPC

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve the membership roster as presented and accept the report of the past year's activities for the Local Emergency Planning Committee (LEPC).

Attachments: [LEPC.pdf](#)

[15-261](#)

Budget Ordinance Amendment No.15BCC000039 Appropriating \$150,000 of Public Health Medicaid Cost Settlement Over-collection to Allow the Evaluation and Space Planning for Durham County's EMS Facilities

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 15BCC000039 appropriating \$150,000.00 of over-collected Public Health Medicaid Cost Settlement funds for the Evaluation and Space Planning for Durham County's EMS Facilities.

On April 28, 2014 (FY 13-14), the BOCC approved the Capital Project Amendment No. 14CPA00008 by \$365,000.00 transferring those funds to the EMS Operating Budget in the General Fund (Budget Ordinance Amendment No. 14BC000050) authorizing sole source procurement of Optima Predict Operational Analysis software in the amount of \$215,000.00. The remaining \$150,000.00 was set aside for an evaluation and space planning study allowing the execution of the contract with Moseley Architects previously approved by the BOCC on November 24, 2014. The \$150,000.00 for the space planning was unable to be spent in FY 2013-14 and the unspent funds in turn fell to General Fund Balance. This amendment re-budgets those funds using Public Health Cost Settlement funding for their intended purpose for the 2014-15 fiscal year.

This evaluation and space planning evaluation will incorporate information obtained from the Optima software to evaluate EMS station placement and provide an assessment of the physical conditions of the current EMS facilities in order to determine a long range plan for EMS facilities based on current and future needs.

ALIGNMENT WITH STRATEGIC PLAN: This request aligns with Strategic Plan Goal #2 (Health and Well-being for All) Goal #3 (Safe and Secure Community); and Goal #5 (Accountable, Efficient and Visionary Government).

RESOURCE PERSONS: Keith Lane, Senior Budget Analyst; Skip Kirkwood, Director of Emergency Medical Services; Peri Manns, Senior Project Manager, Engineering and Environmental Services

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 15BCC000039 appropriating \$150,000.00 of over-collected Public Health Medicaid Cost Settlement funding for the Evaluation and Space Planning for Durham County's EMS Facilities.

Attachments: [Legal Form - Budget Amendment 15BCC000039.doc](#)

15-262

Budget Ordinance Amendment No. 15BCC000040 Appropriating \$1,748,130.00 of Debt Service Fund Fund Balance and Capital Project Amendment No. 15CPA000012 Appropriating \$1,748,130.00 to the Judicial Building Renovation Capital Project (4730DC073) and Execution of Architectural Design Service Agreement with O'Brien/Atkins Associates, P.A. for the Durham County Judicial Building Renovation Project

Agenda Text:

The Board is requested to authorize Budget Ordinance Amendment No. 15BCC000040 appropriating \$1,748,130.00 of Debt Service Fund Fund Balance and transferring those funds to the Judicial Building Renovation capital project, Capital Project Amendment No. 15CPA000012 appropriating \$1,748,130.00 to the Judicial Building Renovation capital project (4730DC073), and to authorize the County Manager to enter into a contract with O'Brien/Atkins and Associates, P.A. to provide design services for the Judicial Building Renovation Capital Project located on 201 East Main Street in the amount of \$2,926,110.00 plus a reimbursable amount of \$200,000.00 thus totaling a not to exceed budget of \$3,126,110.00. (See Attachment 1, Pages 1-6). The total Judicial Building Renovation Capital Project will increase \$1,748,130 to a revised budget of \$3,709,129.18 (See Attachment 1, Pages 1 & 2)

Capital Project	Current Budget	Inc./Dec.	Revised Budget
Judicial Building Renovation (4730DC073)		\$1,960,999.18	\$1,748,130
	\$3,709,129.18		

This project involves the renovation of the former Durham County Judicial Building located at 201 East Main Street, Durham North Carolina following the relocation of the Court Offices/Services, Sheriff's Office and associated agencies to the recently completed Durham County Courthouse. The 141,000 gross square foot, seven-story building of steel frame construction with pre-cast concrete and exterior glass curtain wall façade was built in 1978. The County Facility Master Plan completed in 2000 and amended in 2003 recommends that the building be renovated as an office building for expansion of functions currently housed in the Old Courthouse (Administration Building), Agriculture Building and leased spaces including future growth and expansion. The current building configuration does not meet the needs of the functions intended to be relocated to the building.

A request for qualifications (RFQ) for architectural services for the facility was advertised on June 16, 2013. (See Attachment 1, Pages 7-9). Fifteen responses were received on July 16, 2013 and were evaluated by a selection committee representing

the County Manager's Office, General Services, Information Technology, Library Services and County Engineering (See Attachment 1, Pages 10 & 11). Four firms were interviewed on April 29, 2014 and O'Brien/Atkins Associates, P.A. located in Durham was determined to be the most qualified firm for the Judicial Building Renovation project. On June 23, 2014, the BOCC authorized the County Manager to enter into a contract with OBA to provide programming and pre-design services for the proposed project which has since been completed and presented to the BOCC at the February 2, 2015 work-session.

Following discussions outlining the scope of the project, a fee proposal to provide professional architectural and engineering services for Schematic Design through Post Construction phases of the project was submitted on January 15, 2015 (See Attachment 1, "OBA's proposal" Pages 3-6).

Durham County established the following goals for the expenditure of funds with M/WBEs for this project:

In review of the M/WBE participation, O'Brien/Atkins Associates, P.A. has proposed 7.58% M/WBE participation on this project. OBA has also committed to seeking additional participation if the opportunity prevails.

It is recommended that the County proceed with all work described in the proposal dated January 15, 2015 in the amount of \$2,926,110.00 plus a reimbursable amount of \$200,000.00 thus totaling a not to exceed budget of \$3,126,110.00.

ALIGNMENT WITH STRATEGIC PLAN: This aligns with Goal #4 - Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use and greenhouse gas emissions from the built environment. The relocation of various departments into this facility also addresses Goal #5 by providing more efficient service delivery and better customer service.

RESOURCE PERSONS: Gudrun Parmer, Interim Engineering and Environmental Services Director; Keith Lane, Senior Budget Analyst; Peri Manns, ASLA, Senior Project Manager; Kevin Montgomery, FAIA, O'Brien/Atkins Associates, P.A.

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 15BCC000040 appropriating \$1,748,130.00 of Debt Service Fund Fund Balance and transferring those funds to the Judicial Building Renovation Capital Project, Capital Project Amendment No. 15CPA000012 appropriating \$1,748,130 to the Judicial Building Renovation Capital Project (4730DC073), and authorize the execution of the contract with O'Brien/Atkins Associates, P.A. to provide professional architectural and engineering design services for the proposed Judicial Building Renovation Capital Project in the amount \$2,926,110.00 plus a reimbursable amount of \$200,000.00 thus totaling a not to exceed budget of \$3,126,110.00. The revised budget for the Judicial Building Renovation Capital Project will be \$3,709,129.18

Attachments: [Backups - Judicial Building Renovation - CPA and OBA Design Contract.pdf](#)
[CPA-12 Legal Form Debt Service FB appropriation for Judicial Bld Renovation C](#)
[AAF-40 Legal Form Debt Service FB appropriation for Judicial Bld Renovation C](#)

7. Public Hearings

15-241

Public Hearing - Resolution of the Durham County Board of County Commissioners Approving the Issuance by the Public Finance Authority of Bonds on Behalf of Contemporary Science Center, Inc.

Agenda Text: The Board is requested to approve the attached resolution approving issuance by the Public Finance Authority of bonds on behalf of Contemporary Science Center, Inc. (and, by extension, Research Triangle High School).

The Public Finance Authority (the "Authority") is a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, is authorized to issue tax-exempt, taxable, and tax credit conduit bonds for public and private entities throughout all 50 states and is jointly sponsored by the National Association of Counties and National League of Cities, among others.

Any issuance of bonds by the Authority is required to be approved by the "applicable elected representative" of a governmental unit having jurisdiction over the entire area in which the Facility is located, after a public hearing held following reasonable public notice (this hearing was advertised in the Durham Herald-Sun more than 14 days in advance of tonight).

The bonds in question with this hearing are "Education Revenue Bonds (Triad Educational Services, Inc.) Series 2014 in an aggregate principal amount not to exceed \$13,000,000 and will be used to (A) finance the acquisition, construction, improvement and/or equipping certain charter school educational facilities for the Borrower known as "Research Triangle High School", including an existing approximately 52,000 square foot, three-story facility located at 3106 NC Hwy 54, Research Triangle Park, NC 27709 that will serve grades 9-12 and approximately 500 students and (B) finance certain other expenditures related to such acquisition, construction, improvement and/or equipping of the Facility; (2) pay certain expenses incurred in connection with the issuance of the Bonds; and (3) fund all or a portion of a reserve fund deposit, capitalized interest and related working capital.

These Bonds do not constitute a debt of the State of North Carolina or any political subdivision or any agency thereof, including Durham County. They are payable solely from the revenues and other funds provided for in a loan agreement between the Authority and the Borrower, and accordingly no County taxpayer funds will ever be involved, obligated, due, or paid as a result of the issuance of these bonds.

ALIGNMENT WITH STRATEGIC PLAN: Objective 1 of Goal 1 of the County Strategic Plan is to "provide support for educational opportunities that ensure high academic achievement."

RESOURCE PERSONS: Pamela Blizzard, Managing Director for External Engagement (Research Triangle High School); Mary Nash Rusher (Counsel to the School)

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board hold the public hearing and, if appropriate, adopt the attached resolution approving issuance by the Public Finance Authority of bonds on behalf of Contemporary Science Center, Inc. (and, by extension, Research Triangle High School).

Attachments: [Resolution Approving Research Triangle High School Financing](#)

8. ITEMS PULLED FROM CONSENT AGENDA (20 min)

9. Adjournment