

**THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA**

Thursday, March 8, 2018

9:00 A.M. Work Session

MINUTES

Place: Commissioners' Chambers, second floor, Durham County Government
Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chair Wendy Jacobs, Vice-Chair James Hill and Commissioners Heidi Carter, Brenda
Howerton, and Ellen Reckhow

Presider: Chair Wendy Jacobs

Citizen Comments

The Board of County Commissioners provided a 30-minute comment period to allow Durham County citizens an opportunity to speak. Citizens were requested to refrain from addressing issues related to personnel matters.

George Roberson, citizen thanked the Chair and Commissioner Carter for their support. He stated the remaining of the statue should be removed and replaced with a memorial that represented Durham.

Chair Jacobs responded there would be a community engagement process with the City and County regarding a Memorial Committee.

Nicole Owens, expressed her gratitude from the Durham Greens Farm. Ms. Owens stated she was lucky to have received the grant and the money would be used to make major changes.

David Heeks, stated he was a recipient of the Agricultural and Economical Grant and was able to make necessary upgrades on the farm. Mr. Heeks added due to the updated, he was able to sell to larger institutes. Mr. Heeks hoped that the program would be supported again next year.

John Tarantino, continued his musical selection from the February 2018 Work Session meeting regarding the Confederate Statue.

Discussion Items:

Update on Park Center Re-development from Mr. Scott Levitan, C.E.O. of Research Triangle Foundation

Scott Levitan, CEO of Research Triangle Foundation (RTF) thanked the Board for the opportunity to present on the Park Center Project. He provided background information on the project and shared slides showing photos of the site plan.

Chair Jacobs stated they were creating a inexpensive collaborative space. She added the price point and atmosphere was also targeting more economical areas.

Commissioner Howerton questioned the location of the school. Linda Hall, Chief Financial Officer of RTF responded the school was there, it was relocated to another larger parcel.

Chair Jacobs asked if residential space could be built on top of the retail space. Mr. Levitan responded that was unlikely.

Commissioner Reckhow inquired about the second phase. Mr. Levitan answered \$1.1 million of office space would be built as the market demanded. He also explained the high rise buildings, hotels and other space. Commissioner Reckhow asked what would be in front of the hotel during the later phase. Mr. Levitan hoped to create a “conversion center” so that companies could get a sense of other companies in the park, local universities and a visionary idea space. Commissioner Reckhow suggested creating a mini conference center to attract small conferences. She inquired about a sense of property value. Mr. Levitan stated he was not prepared with an answer but would come back with that information.

Commissioner Howerton asked about a projected timeline on phase one. Mr. Levitan responded given the steps to be taken, it would be approximately 36 months. He added within 18 month, the foundation, infrastructure, greenway and vertical construction would have taken place.

Vice-Chair Hill asked if the parking lot could be changed in the future. Mr. Levitan stated to the extent that the grocery store does not need the grocery lot it was possible. He explained the foundation was not giving up the planning rights for the lot and from a lenders prospective if they were not able to head the finances, the company that would own it could give up planning rights.

Walter Havener, President and Director of Design at Surface 678 shared the focus of Phase 1A and discussed the greenspace and open space option.

Commissioner Carter asked if all the boardwalks were connected. Mr. Havener responded yes, they were all interconnected pathways.

Commissioner Howerton asked if anything in the design was child friendly. Chair Jacobs responded there was a splash park available for children. Commissioner Howerton suggested a skating rink around the restaurants.

Sanjeev Patel, Principle at Duda/Paine Architects displayed a standing model and discussed the different views with the Board.

Commissioner Carter was curious to know about affordable housing. Mr. Levitan added affordable housing would not be available in phase one; instead it would be more affordable near the commuter rail/transit area. Commissioner Carter asked if the area would offer rental or ownership opportunities. Mr. Levitan responded all rental at this time; however, they were looking to see how the market would respond. He added they were not looking to build luxury homes, it would be more middle market rental housing. Commissioner Carter stated the old aspect was to be available for all market aspects.

Commissioner Reckhow asked could they possibly look at opportunities for smaller sized units. She added technology companies found housing affordability would be a niche at a lower price point. Commissioner Reckhow suggested surveying companies in the park on entry-level housing rates.

Commissioner Carter stated she was also interested in transportation demand management and tension on providing parking/free parking and transit use. She questioned how tension would be handled with regards to area parking. Mr. Levitan responded they were willing to build parking on the site to

accommodate future growth. He added there were 677 free spaces to date and the strategy included having 1000 free spaces. Mr. Levitan explained the residential and office parking would not be free; only the retail and free space parking.

Chair Jacobs stated she would like a follow-up on what we have now verses before in terms of square footage changes and usage space/revenues. She stated the Board approved new ordinances related to the area and was not sure if those ordinances would be able to manage the vision presented. Chair Jacobs stated she was interested in knowing how much control the County would have with the design element. Mr. Levitan responded after purchasing, the County had authority to control the design and the public approval process.

Chair Jacobs hoped they would not lose site of the conversion center and the purpose of the space. She asked where the County was with the payments. County Manager Davis responded \$900,000 was already paid. Chair Jacobs also inquired about how the County planned to move forward. Commissioner Reckhow suggested reviewing the metrics to make sure they were not behind. She was also concerned about the revisions; adding the original agreement was \$20 million spread over 10 years/\$2 million per year.

County Manager Davis asked to allow the staff the opportunity to meet with Mr. Levitan so that a new agreement could be created. Chair Jacobs suggested reviewing lower price points. Commissioner Howerton requested the Board be updated on any and all changes that may occur.

DIRECTIVE: County Manager Davis suggested due to the updates in the plans that they codify the changes in the agreement and sign a new one.

Update #3 from the Development Finance Initiative on the Pre-development Process for the 300 and 500 Blocks of East Main St. (Presentation and Request for Board Endorsement of Guiding Public Interests)

Sarah Odio, Project Manager of Development Finance Initiative (DFI) shared a presentation titled “*Durham County Update on Public Engagement: Redevelopment of 300 and 500 E. Main Street*” which highlighted the following:

- Pre-development Project Timeline
- Public Engagement to Date
- Public Engagement around Public Interest
- What are Public Interest
- Draft Guiding Public Interests
- Proposed Public Interest
- Next Steps
- Upcoming Public Engagement

Chair Jacobs thanked Ms. Odio and her team for moving on a quick timeline and sharing the presentation.

Commissioner Howerton stated she really appreciated their work and did not have any additional comments.

Commissioner Reckhow stated the public interest was good and thought it was important to be explicit

about what was needed and wanted. She explained some people thought adding extra parking would be good to meet future growth needs of the County. Commissioner Reckhow felt it was important to build a sustainable development but also the need to be intentional about transportation methods and strategies were very important.

Chair Jacobs stated she would like to see more explicit language with more ties to County goals as it related to transit. She expressed concerns about seeing the 80 percent Area Median Income (AMI) when the public sessions showed 30-60 percent. Chair Jacobs continued to say she was worried if the County ended with everything 60-80 percent, it would leave a lot of people out. Ms. Odio responded originally it was low and moderate income; the 80 percent and below was the focus but it also offered multiple options. Chair Jacobs stated the wording should be explicit saying the County wanted to maximize the 30-60 percent AMI, if that goal was not stated, it would get lost. Tyler Mulligan, Director of DFI suggested leaving the language and allowing their team to commit to bringing back other options. Chair Jacobs agreed, stating this was public money being used and the County wanted to make sure the lowest income employees were able to afford housing as well.

Commissioner Reckhow stated they should be realistic to the downtown site that was highly urban. She added income limits may cause a problem. Ms. Odio responded salary was not reflective which was why the 80 percent AMI was set.

Chair Jacobs inquired about strategies for tenant selection. County Manager Wendell Davis stated this was a conceptual phase and staff would get a level of specificity on what was wanted and needed and provide follow-up the Board. Chair Jacobs expressed her concerns about areas not reflecting what the County was seeking.

Vice-Chair Hill stated the 80 percent AMI was high. He added it was important that people who work downtown were able to live there as well.

Commissioner Carter suggested taking the original draft back and making mild improvements. She added it was fine to leave it like it was knowing the 30-60 percent was also recognized in the broad framework.

Marcia Perritt, Associate Director of DFI recapped the feedback captured which included:

1. Add clause about multiple transportation modes.
2. Emphasize exploring options for 30-60 percent AMI levels. The Board was ok with the broad range but asked the team to look at commitment for focus on wide range options to provide housing for 60 percent or below.
3. Add language to provide ground floor with service offerings for tenants.

Ms. Odio stated the team would proceed and once an architect was on board they would come back with that information as well.

DCVB Activities with Proceeds from County Payment for 101 E. Morgan St.

Shelly Green, President and CEO of Durham Convention and Visitors Bureau (DCVB) stated there were more than 1000 hospitality jobs vacant in Durham and it was starting to disrupt the service being offered to the visitors. She added they were looking to find more employees in the 18-25 year old age range. Ms. Green explained DCVB launched their first job fair with 38 employers and 135 applicants. She continued to say the employers were complimentary about their caliber of those looking for work and

the range of the level of positions (entry level and management). Ms. Green stated DVCB looked to conduct a study on what was needed as a community.

Commissioner Howerton asked why people were not taking jobs. Ms. Green responded partnerships were important. E'Vonne Coleman-Cook, Vice President of DCVB added many employers have retention issues and were looking for ways to reduce retention in the workplace.

Commissioner Carter stated if there were many vacant positions, employers should look at increasing salaries. Ms. Green responded DCVB were working to promote more with hopes of getting positions filled.

Commissioner Reckhow suggested using one time initiatives such as the History Hub to convert walking tours to raise money. She also suggested a matching grant initiative to challenge the entity to raise funds and match it when they are creating or enhancing a service. Ms. Green stated she would take those ideas back to the board.

Chair Jacobs thanked Ms. Green and Ms. Coleman-Cook for their hard work in the hospitality industry. She inquired if the hospitality program pilot would continue. Ms. Coleman-Cook responded they were working on ways to help those coming out of school, those currently working in the hospitality industry and those looking for career advancement.

Discussion of Pre-K Expansion Management Contracting and Request to Initiate Contract Negotiations

Drew Cummings, Chief of Staff stated the joint proposal was sent to the Board for review along with comments by other institutions, agencies and foundations that shows interest and expertise in the area.

Chair Jacobs responded she did not think the County was ready to move forward and asked for additional information. She continued to say the County was being asked to spend \$3.7 million and was not sure of the services being offered for the money. Chair Jacobs stated County dollars were funding Partnerships for Children and childcare services. She asked what was being funded and what was in the contract for those two services. Mr. Cummings responded that information would be provided in a latter stage in the contract and development process.

Commissioner Reckhow echoed the Chair and requested to see benchmarking information. She referenced Mecklenburg County's program which served 4,000 children. Commissioner Reckhow stated she was interested in knowing about their administrative overhead and possibly an evaluation of their curriculum. She continued to say the County had to manage resources as efficiently as possible and requested to see a proposal for a better understanding of how the quality of standard requirements would be developed.

Commissioner Howerton inquired about what was needed today. Mr. Cummings stated the recommendation was to discuss the proposal received and possibly approve the initiation contract and the joint proposal. He added due to the conversation today, he was willing to work with staff to address any questions brought forward. Wendell Davis, County Manager stated the County received the proposal and was looking to move forward. Commissioner Howerton felt there was a lot of conversation and energy spent on the subject and stated the Board should move forward.

Commissioner Carter whom also felt the County should move forward, hoped the Board would not slow down the process due to the extra details requested

Vice-Chair Hill stated the children were in need and felt this should be moved forward.

Chair Jacobs suggested looking into phasing out the project. She stated there was no need to open new classrooms when there were open spaces at Whitted that were not filled. Chair Jacobs recommended a step approach so that an explanation of cost could be explained to citizens if they were to ask questions in the future.

Commissioner Reckhow asked for a more a complete picture of what the County was buying for the money. She stated it would be good to have a report that described what products would be provided, what the positions were and if this would be used for a transitional period or if it would be a permanent situation. Commissioner Reckhow also asked where Durham Public Schools (DPS) fit into the equation considering they housed their own NC Pre-K program and infrastructure.

County Manager Davis stated given the level of importance, he suggested pulling a small workgroup together to get an opportunity to press out any concerns.

2018 Farmland Protection Advisory Board Update

Neil Frank, Farmland Board Chair thanked Soil and Water on getting assistance from Cooperative Extension and Durham Open Space and Trails. He shared a presentation titled “*2018 Farmland Protection Advisory Board Update*” which highlighted the following:

- Guiding Principals
- Farmland Board Accomplishments to Date
- Voluntary Agricultural Districts (VAD) Participation Data
- Present Use Value (PUV) Land Data
- Conservation Easements
- 2016-2018 Farm Easements Summary
- Cost of Community Services
- May 2017 Farm Tour
- Bull City Cool Food Hub/DPS Hub Farm
- Marketing
- Agricultural Economic Development Grant
- Local Sourcing Project Recommendations
- Training
- Bionomic Educational Training Center (BETC) Program Partners/Funding/Community Impact
- Top 3 Farmland Plan Implementation Priorities for 2018-2018
- 2019 Budget Request
- Local Sourcing Project Update/Future Priorities

Commissioner Reckhow stated she supported going with DPS but would like to add the Detention Centers as well.

Chair Jacobs stated this supported the health goal of the County and thought it was a great idea.

Commissioner Howerton recommended looking at funding offered by the State to help Durham County.

Commissioner Carter thanked the staff for the process put into place for the Economic Development

Grant Program.

Security Services Contract Amendment - HHS Screening Officer Additions, Specialty Pay and Insurance Increases

Claudia Hager, General Manager, stated this was a follow-up to last month's presentation. She shared a presentation titled "*Security Contract Amendment*" which highlighted the following:

- Security Contract Amendment (Total Cost Adjustment)
- Human Services Complex (Daily Appointment Data)
- Proposed Security Screening
- Pilot Screening Approach
- Span of Control Amendment
- Insurance Adjustment Contract Amendment

Chair Jacobs stated the security report provided in the packet showed a list of recommendations. She asked that the Board be provided with the points of what had and had not been done. Wendell Davis, County Manager responded that information would be provided to the Board.

Commissioner Reckhow questioned the cost savings. She asked if there were officers monitoring the screening stations; could they reduce staff at the main desk. Ed Miller, Security Director responded the main desk officer were responsible for acting, responding and observing as well as offering service to customers. He added the screeners would also not be armed.

Chair Jacobs asked that the information in the campaign stress to the public that is for the safety of the customers and employees. She also asked staff to review how the officers were being used and placed at the entrances. Chair Jacobs wanted to make sure the County was making good use of the officers and not overstaffing the areas.

DIRECTIVE: Ms. Hager stated there would be a six (6) month pilot, after which an update would be provided to the Board to determine if it should be continued long-term.

Joint Resolution Supporting the Supplemental Nutrition Assistance Program

Chair Jacobs proposed a resolution that she and Commissioner Carter worked on together. She stated it was sent to the Department of Social Services and the staff provided them with local data. Chair Jacobs stated she was looking for final feedback before the Boards approval on Monday, March 12, 2018.

Deborah Craig-Ray, General Manager, stated the goal was to gather information from Ben Rose, Director of Social Services and Gayle Harris, General Manager to put together a good representation on this important issue. She added once the resolution was approved, it would be forwarded to the lawmakers.

Commissioner Carter asked that the resolution be checked for sentence structure and also proof-read before the final approval.

Chair Jacobs stated after all edits were made, the resolution would be place on the Monday, March 12, 2018 Regular Session meeting agenda for approval.

BOCC Directives

Drew Cummings, Chief of Staff, stated he was working hard to get directives added to the system. He continued to say the spreadsheet would give an idea of who was responsible for the directive provided and if there were any particular questions, he would be able to address them.

Chair Jacobs asked if the list included the last meeting minutes. Mr. Cummings stated all directives from December Workession should be reflected in the spreadsheet.

Commissioner Reckhow asked if a system was in place with the Clerk and staff with regards to directives not being added immediately into the system. Mr. Cummings responded everyone was asked to submit directives after every meeting so that questions could be answered in a timely matter.

Chair Jacobs asked Wendell Davis, County Manager if staff could bring information back regarding the Corning, Inc. agreement. County Manager Davis responded yes.

Commissioner Comments

Chair Jacobs reminded the Board and staff of the Legislative Breakfast scheduled for Friday, March 16, 2018 at 8:00am.

Vice-Chair Hill stated he attended the National Association of Counties (NACo) Conference in Washington D.C and noticed how integral the immigrant community was in the nation. He added they should be applauded because they were a vital part of the country and they worked jobs many Americans would not do.

Commissioner Reckhow reminded the Board, staff and citizens of the Early Childhood Forum scheduled for Saturday, March 10, 2018. She also highlighted the NACo Conference and stated she would try and complete her conference report in a timely matter.

Commissioner Carter mentioned the Community Stakeholder discussion scheduled for March 20, 2018 from 6 p.m. – 7:30 p.m. on how to end hunger at the Community of Family and Life Communication Center at Lyon Park. She stated the conversation was titled “Resetting the Table for a Model Food Community” and it would highlight how other communities, counties and organizations work to fight hunger. Commissioner Carter also stated the Environmental Affairs Board finalized their recommendation of the resolution for renewable energy.

Commissioner Howerton distributed copies of documents discussed during the National Association of Counties (NACo) conference. She also invited the Board to register and attend the THRIVE Summit on March 22, 2018 in Greensboro, NC.

Chair Jacobs stated the resolution on Supporting Lifting the Cap on the Rental Assistant Demonstration (RAD) Program was presented to NACo and she would email the notes taken during the session. She also mentioned topics she would like to discuss during the Legislative Breakfast. Deborah Craig-Ray, General Manager reminded the Board that the meeting was scheduled for only one and a half hours and recommended they use that time to discuss priority issues as well as avoid controversial items.

Wendell Davis, County Manager enlisted volunteers for the Pre-K expansion workgroup.

Commissioners Carter and Reckhow agreed to participate. County Manager Davis stated he would reach out for a representative from Durham Public Schools as well.

Consent Agenda

Chair Jacobs asked the Board if they had any questions about the following Consent Agenda items:

18-0604 Durham Open Space and Trails (DOST) Commission Matching Grants Funding Recommendation for FY 2017-2018

18-0633 Budget Ordinance Amendment No. 18BCC000021 to Recognize \$10,000 from Duke University for Racial Equity Training

Chair Jacobs inquired about the percentage of staff in the Health Department whom completed the training. Gayle Harris, General Manager, responded a number could be provided as well as the ethnicity of attendees.

18-0634 Budget Ordinance Amendment No. 18BCC000022 to Recognize \$16,600.15 in Donations to Support Project BUILD

Chair Jacobs asked if the private donor names could be made public. Gayle Harris, General Manager, stated the donations were received while Project BUILD was housed with Cooperative Extension. She added she was unsure exactly who the donations came from.

18-0636 Replacement of the Pneumatic Control System Serving the 5th Floor of the Administration Building

18-0644 Employment of Experts North Carolina General Statutes 105-299 - Contract Amendment for Vincent Valuations, LLC

18-0665 Adecco USA, Inc. Contract - Additional Funding for Temporary Employment Services

Chair Jacobs asked if Risk Management was still in the hiring process. Ngat Awass, Interim Safety and Risk Manager, responded the department was currently understaffed. Chair Jacobs questioned the hiring process and the number of people needed. Commissioner Reckhow stated there was a large amount of money requested and expressed her concerns about temporary staffing.

Lowell Siler, County Attorney, stated if more information was needed, this item could be brought back before the Board.

18-0666 Budget Ordinance Amendment 18BCC000023 for the Department of Social Services to Recognize Additional Home and Community Care Block Grant (HCCBG) Funds in the Amount of \$47,659

Commissioner Carter asked was there an electronic version of the aging plan that could be made available. Gayle Harris, General Manager, stated that information would be forwarded to the Board.

18-0667 Execution of the Public Art Agreement with David Wilson for the Fabrication/Installation of the Public Art at the Administrative Building II Renovation (former Judicial Building) Project No.: DC073

Commissioner Howerton inquired about the cause of the price increases. Peri Manns, Deputy Director of Engineering and Environmental Services, responded the overall amount was still \$100,000.00; however, the \$60,500.00 was for separate services as outlined.

18-0670 Execution of Architectural Services Agreement with Little Diversified Architectural

Consulting Ltd. for the Redevelopment of Two Downtown Sites (300 and 500 blocks of East Main St.) Project No. 4730DC138

Chair Jacobs inquired about other bidders on the contract. Jay Gibson, General Manager, responded this was not a bid, it was a statement of qualifications for architectural services. He added the price also included sub consultants.

18-0671 Approval of Contract with Carolinas IT to Provide a HIPAA Privacy & Security Risk Assessment & GAP Analysis

Commissioner Carter asked if gender identity could be added. Lowell Siler, County Attorney responded he would check; however, the language was added to limit how that term was defined. Wendell Davis, County Manager, added the disparity study determined if the Minority Women Business Enterprise (MWBE) should be included. Claudia Hager, General Manager, suggested putting together a document for the Board that would show when a report was available.

18-0672 Budget Ordinance Amendment No. 18BCC000024 to Recognize \$80,000 in Grant Awards to Support the Welcome Baby Resource Program for the Purpose of Expanding the Incredible Years Program

Commissioner Reckhow asked who the resource persons were and requested detail on what the funds would be used for. She suggested creating connections so the Healthy Steps Coordinator would be able to set up referrals for trainings.

Commissioner Howerton suggested the Board go back to having agenda items completed prior to 2:00 p.m. Chair Jacobs stated there was a discussion to possibly have two (2) Work Session meetings. Commissioner Howerton stated if the item was non-urgent, could it not be discussed in great length. Commissioner Carter suggested the Board limit the amount of conversations and try to stay within the time limits allowed for each item.

Adjournment

Commissioner Reckhow moved, seconded by Commissioner Howerton, that the meeting be adjourned.

The motion carried unanimously.

Respectfully Submitted,



Monica W. Toomer
Deputy Clerk to the Board