

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

Monday, March 8, 2021

7:00 P.M. Regular Session

MINUTES

Place: Commissioners' Chambers, Second Floor, Durham County Government Administrative Complex, 200 East Main Street, Durham, North Carolina

Present: Chair Brenda Howerton, Vice-Chair Wendy Jacobs and Commissioners Nida Allam, Nimasheena Burns and Heidi Carter

Presider: Chair Brenda Howerton

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chair Howerton announced that there were no agenda adjustments.

Announcements

Monica Toomer, Clerk to the Board read the following announcements:

1. **Virtual Teen Book Fest** – Celebrate Durham County Library's sixth annual Teen Book Fest on Zoom. Join young adult authors for author talks and writing workshops. Please visit www.durhamcountylibrary.org/teenbookfest to register.
2. **Durham County 4-H (Youth) Entrepreneurship Workshop** – Young people are invited to join this workshop to learn basic tools for starting a business. The class will take place virtually on every Wednesday beginning March 17 – April 14, 2021 from 5pm – 6pm. To learn more, please contact Darnell Parker at 919-560-0532 or visit www.agdurham.org/4hbiz
3. **EAT NC Delivery** – Durham based EAT NC has a new food assistance program for seniors who need meals delivered. The program will have three ready-to-heat meals delivered directly to their door FREE each week. To sign up, please call or text 301-461-7838 or email eatnorthcarolina@gmail.com
4. **FREE Rides to COVID-19 Vaccine Sites** – Did you know that FREE rides are available to and from vaccine sites for people with appointments. Please call at least 24hrs in advance to schedule your ride. For more information, please visit www.dcopublichealth.org/vaccinenews. You can also call GoTriangle at 919-485-7582, GoDurham at 919-560-1551 or GoWake at 919-212-7005.

5. **2021 Health Care Marketplace Re-Opened** – Due to the COVID-19 pandemic, a special enrollment period has been extended to individuals and families seeking coverage in the Affordable Care Act (ACA) marketplace. Eligible people now have until May 15, 2021 to find a health insurance plan that works for them. For additional information and to apply for coverage, please visit www.healthcare.gov
6. **Durham PreK Now Accepting Applications** – Durham PreK is now accepting applications for the 2021-2022 school year. Families living in Durham County with a child that will be four years old by August 31, 2021 are eligible to apply for PreK seat in Durham Public Schools Title I, Durham Head Start, NC PreK and Durham PreK classrooms. Families can apply online at www.durhamprek.org/dpk-application or call 1-833-773-5338 to speak with the Bilingual Durham PreK Information Desk.

Minutes

Commissioner Burns moved, seconded by Commissioner Allam to approve the February 1, 2021 Work Session and February 8, 2021 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

21-0175 Proclamation - 19th Annual March for Meals Month

Commissioner Carter read the following proclamation:

19th ANNUAL MARCH FOR MEALS MONTH | 2021

- WHEREAS,** on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and
- WHEREAS,** Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and raise awareness about the escalating problem of senior hunger in America; and
- WHEREAS,** the 2021 observance of March for Meals celebrates 19 years of providing an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering, and raising awareness about senior hunger and isolation; and
- WHEREAS,** Meals on Wheels Durham in Durham, NC, has served our communities admirably for over 46 years; and
- WHEREAS,** volunteers for Meals on Wheels programs in Durham County are the backbone of the program, and they not only deliver nutritious meals to seniors and individuals with disabilities who are at significant risk of hunger and isolation, but also caring concern and attention to their welfare; and
- WHEREAS,** Meals on Wheels programs in Durham, NC provides nutritious meals to seniors throughout Durham County that help them maintain their health and

independence, thereby preventing unnecessary falls, hospitalizations, and/or premature institutionalization; and

WHEREAS, Meals on Wheels programs in Durham, NC provide a powerful opportunity for social connection for millions of seniors to help combat the adverse health effects and economic consequences of loneliness and isolation; and

WHEREAS, Meals on Wheels programs in Durham, NC deserve recognition for the heroic contributions and essential services they have provided amid the COVID-19 pandemic and will continue to provide to local communities, our State, and our Nation long after it is over.

NOW, THEREFORE, BE IT RESOLVED I, Brenda Howerton, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim March 2021 as the

“19th ANNUAL MARCH FOR MEALS MONTH”

In Durham County, NC and urge every citizen to take this month to honor our Meals on Wheels programs, the seniors they serve, and the volunteers who care for them. Our recognition of and involvement in the national 2021 March for Meals can enrich our entire community and help combat senior hunger and isolation in America.

This 8th day of March 2021.

Brenda Howerton, Chair
Durham Board of County Commissioners

Jason Peace, Executive Director of Meals on Wheels in Durham thanked the Board for honoring the Durham Meals on Wheels program, staff and volunteers. He explained the importance of Meals on Wheels for seniors in the community during the pandemic. The Board thanked Mr. Peace for accommodating seniors in the community and increasing the capacity of the program during the pandemic. Chair Jacobs asked Mr. Peace about receiving a donation from Mackenzie Scott, Philanthropist. Mr. Peace responded the Durham program had received \$750,000 donation from Ms. Scott.

21-0163 Proclamation – National Social Work Month

Commissioner Burns read the following proclamation:

SOCIAL WORK MONTH | 2021

WHEREAS, the Social Work Profession for decades has been dedicated to improving human well-being and enhancing the basic needs of all people—especially the most vulnerable among us; and

WHEREAS, this year’s Social Work Month theme, “Social Workers Are Essential,” embodies the heroic contributions of the Social Work profession to our nation, including the work Social Workers have done to heal our nation during these

times of pandemic, racial unrest, economic uncertainty and political divisiveness; and

WHEREAS, Social Workers have always been present in times of crisis, helping people overcome issues such as death and grief and helping people and communities recover from natural disasters such as fires, hurricanes and earthquakes; and

WHEREAS, Social Workers have helped this nation live up to its values by successfully advocating for equal rights for all people, no matter their race, sexual identity, gender, gender expression, culture or religion; and

WHEREAS, the Social Work Profession is one of the fastest growing professions in the United States, with nearly 800,000 people expected to be employed as Social Workers by 2028; and

WHEREAS, Social Workers work in all parts of our society to empower people to live to their fullest potential; and

WHEREAS, School Social Workers have worked with families and school throughout the pandemic to ensure students reach their full academic and personal potential; and

WHEREAS, Social Workers play a crucial role in our nation's health care system and have played a key role in this nation's response to COVID-19 and helping individuals, families and communities cope with the epidemic; and

WHEREAS, Social Workers for generations have advocated for positive changes that have made our society a better place to live, including urging policymakers to adopt the minimum wage, improve workplace safety, and enact social safety net programs that help ameliorate hunger, homelessness, and poverty; and

WHEREAS, Social Workers are one of the largest groups of mental health care providers in the United States, and work daily to help people—whether in person or remotely—overcome substance use disorders and mental illnesses such as depression and anxiety; and

WHEREAS, Social Workers will continue to stand ready to assist our nation in overcoming present and future challenges, including pushing for racial equity, ending gun violence, improving health care and mental health care for all and urging lawmakers to adopt immigration reforms.

NOW, THEREFORE, BE IT RESOLVED I, Brenda Howerton, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim March 2021 as

“NATIONAL SOCIAL WORK MONTH”

in Durham County, North Carolina, and call upon all citizens to join the National Association of Social Workers and Durham County in celebration and support of the Social Work Profession.

This 8th day of March 2021.

Brenda Howerton, Chair
Durham Board of County Commissioners

Ben Rose, Director of Social Services thanked the Board for the proclamation recognizing Social Workers as Essential Workers. He added the pandemic had added work for Social Workers including supervising COVID positive children, visiting adult nursing homes, visiting homes with domestic abuse/violence and processed about 2,100 application for rental assistance. Jovetta Whitfield, Assistant Director of Child and Family Services thanked the Board for the recognition and stated the pandemic was causing a noticeable effect on Social Workers.

The Board thanked Mr. Rose, Ms. Whitfield and Social Services staff for helping the community and being a life-line during the pandemic. Lowell Siler, County Attorney thanked the Social Services Department for providing services to the Durham community and adjusting the additional workload during the pandemic.

21-0176 Proclamation – Women’s History Month 2021

Commissioner Allam read the following proclamation:

WOMEN’S HISTORY MONTH | 2021

WHEREAS, Women’s History Month is a celebration of women and their contributions to history, culture, and society and has been observed annually in the month of March in the United States since 1987; and

WHEREAS, the early roots of Women’s History Month tie to a weeklong celebration of women’s contributions in 1978. Two years later, President Jimmy Carter issued the first presidential proclamation declaring National Women’s History Week the second week in March. President Ronald Reagan issued a proclamation years later that expanded the commemoration of women to the entire month of March; and

WHEREAS, during Women’s History Month the extraordinary achievements of women and girls of all races, ethnicities, and backgrounds is celebrated as their significant contributions to the world are highlighted; and

WHEREAS, while the 20th century was a pivotal time of growth for women entering politics, women remain underrepresented in male-dominated fields in the 21st century, and thus, providing opportunities to support women in public office remains imperative; and

WHEREAS, in 1916, Jeannette Rankin was the first woman elected to Congress, and

WHEREAS, in 2017, Commissioner Brenda Howerton became the first commissioner from Durham, NC, to serve as president of the North Carolina Association of County Commissioners; and

WHEREAS, in 2020, the people of Durham elected the first all-female Board of County Commissioners and in the same year Senator Kamala Harris became the first woman elected as vice president of the United States of America, and

WHEREAS, recognizing women in public office brings awareness to the fundamental necessity of their work and will help inspire other young people to serve their communities; and

WHEREAS, women play a critical role in the vitality and diversity of our communities, and are essential to shaping our local, state, and national history; and

WHEREAS, many achievements made by women in American history have been noted and applauded, however, there are countless heroine who remain unsung and their contributions overlooked.

NOW, THEREFORE, BE IT RESOLVED I, Brenda Howerton, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim March 2021 as

“WOMEN’S HISTORY MONTH”

in Durham County, North Carolina, and call upon citizens to acknowledge the courage, sacrifices and successes displayed by women and to mark this month with appropriate observances uplifting and honoring women everywhere.

This 8th day of March 2021.

Brenda Howerton, Chair
Durham Board of County Commissioners

Commissioner Burns asked to add Commissioner Allam to the proclamation for being the first Durham’s first Muslim County Commissioner. Deborah Craig-Ray thanked the Board for the proclamation and stated she could amend the proclamation to added Commissioner Allam.

21-0178 Recognition – Bull City United Week of Peace

David Johnson, Bull City United Outreach Supervisor explained Bull City United had visited East Durham, Braggtown, Edgemont, Liberty, Cornwallis, Southside and McDougald Terrace for the Week of Peace. Keisha Gray, Bull City United Outreach Worker thanked the Board and County Manager Davis for assisting Bull City United and promoting peace in Durham. Joanne Pierce, General Manager thanked Mr. Johnson and Ms. Gray for being special people and providing a special service to the Durham Community. The Board thanked Mr. Johnson and Ms. Gray for being staff for Bull City United from the creation of the program and for continuing to work with the program. The Board stated their excitement for the City of Durham commitment to assist with funding to expand the Bull City United program.

Consent Agenda

Chair Howerton asked the Board if they requested to pull or comment on any items on the Consent Agenda.

The Board requested to comment on the following: 21-0130 and 21-0131.

- Item 21-0130 – Vice Chair Jacobs asked if the \$6,920,596 was included with the \$20 million allocated to the HUB RTP. Jay Gibson, General Manager responded the \$6,920,596 was a separated investment from the \$20 million. Susan Tezai, Chief Financial Officer added the funds were accumulating and were being used for the first time following

guidelines on how to spend the money.

- Item 21-0131 – Commissioner Burns recognized the Board of Elections for receiving the U.S. Election Assistance Commission annual Clearinghouse Award for Outstanding Innovation in Election.

Hearing no additional comments, Chair Howerton entertained a motion for approval.

Commissioner Burns moved, seconded by Commissioner Allam to approve the following items on the Consent Agenda.

The motion carried unanimously.

*20-0645 Budget Ordinance Amendment No. 21BCC000079 Recognizing \$150,000 in Grant Funding from Global Tel Link Corporation (GTL) to the Durham County Sheriff's Office.

21-0019 Approval to Execute A Contract with Tyler Technologies to Purchase Eagle System Software at \$487,106 for the Office of Register of Deeds.

*21-0087 Approve Budget Ordinance Amendment No. 21BCC000077 Appropriating \$300,000 Risk Management Fund Fund Balance and Transferring those Funds to the General Fund to Settle a Legacy Claim.

*21-0089 Approval of Budget Ordinance Amendment No. 21BCC000080 Appropriating \$194,207.63 of Debt Service Fund Fund Balance to replace X-Ray Machines and Metal Detectors in the Courthouse and Detention Facility and Approval of Contract with Point Security, Inc.

*21-0105 Approval Budget Ordinance Amendment No. 21BCC000091 to Recognize \$188,000 in Grant Revenue from The City of Durham to Soil and Water Department and Increase the Expenses to Implement the Southeastern Sustainability Community Fund Project.

21-0106 Approval to Amend the Current Contract with Insight Global's IS&T Help Desk using existing funds in the ITS Operational Budget to increase the Contract amount by \$72,800 for a total amount of \$145,600.

21-0115 Contract Amendment Request to Increase Contract Amount for Electronic Monitoring Services with Buddi US, LLC.

*21-0116 Approval of Budget Ordinance Amendment No. 21BCC000096 Allocating \$75,325 of Contingency Set Aside Funds to Support the Durham Recovery and Renewal Task Force's (RRFT) Back on the Bull Communication Plan Phase 4.

*21-0117 Budget Ordinance Amendment No. 21BCC000084 Increasing Youth Home Expenditure Budget by \$30K to Offset Unplanned Expenses for the Durham County Youth Home due to increases in County Juvenile Out-of-County Placements.

*21-0129 Budget Ordinance Amendment No. 21BCC000088 Increasing Youth Home Expenditure Budget by \$7,200 for Psychiatric Services for Youth Home and Contract Amendment for Services.

*21-0130 Budget Amendment No. 21BCC000090 Appropriating \$6,920,596 of Sewer Utility Enterprise Fund Fund Balance (6,017,910 from the Sewer Utilities Enterprise Fund's unspent restricted System Development Fee funds and \$902,686 from unrestricted cash) and Transferring Those Funds to a New Capital Project and Capital Project Amendment No. 21CPA000025 Appropriating \$6,920,596 and Creating a HUB RTP Sanitary Sewer and Reclaimed Water

Extension Project (SE056) and to authorize the County Manager to execute the contract and any related contract amendments not to exceed a total project budget of \$6,920,596.

21-0131 Board of Elections – SouthData Contract Amendment

*21-0136 Capital Project Amendment No. 21CPA000026 Creating the 500 E. Main St. Structured Parking Deck Capital Project using \$300,000 of Future Taxable Financing Funding and to Authorize the Execution of Architectural Services Agreement with Little Diversified Architectural Consulting Ltd. for a total not-to-exceed amount of \$183,200 for the Programming Phase of the 500 E. Main St. Structured Parking Deck – Project No. 47302635DC151.

21-0137 Durham County Matching Grants Program – Approval of FY 2020-2021 Grant Cycle.

21-0138 Approval of the Purchase of Goods contract(s) with various vendors for the Private Office, Conference and miscellaneous furnishings from the U. S. Communities/GSA and/or NC State Contracts Buying Programs for the Phases 3, 4 and 5 of the Durham County Administration Building 1 Renovation Project No.: 4730DC137.

*21-0139 Approval of Budget Ordinance Amendment No. 21BCC000094 - Utilizing \$731,683 of Contingency Set Aside Funds for COVID-19 Related Janitorial Services and One-Time County Facilities Cost.

*21-0161 Approval of Budget Ordinance Amendment No. 21BCC000095 – Utilizing \$465,920 of Contingency Set Aside Funds for COVID-19 to Extend Contract with Reinvestment Partners for Non-Congregate Homeless Housing at the Carolina Duke Inn.

21-0172 Adoption of Initial Resolution related to Not to Exceed \$225,000,000 Limited Obligation Bonds, Series 2021A & 201B and Calling a Public Hearing thereon.

Consent Agenda Item #20-0645

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000079**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Public Safety	\$71,897,687	\$150,000	\$72,047,687
<u>Revenue</u>			
Intergovernmental	\$72,675,724	\$150,000	\$72,825,724

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved March 8, 2021

Consent Agenda Item #21-0087

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000077**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
General Government	\$126,431,986	\$300,000	\$126,731,986
<u>Revenue</u>			
Other Financing Sources	\$40,926,829	\$300,000	\$41,226,829
<u>RISK MANAGEMENT FUND</u>			
<u>Expenditure</u>			
General Government	\$4,231,290	\$300,000	\$4,513,290
<u>Revenue</u>			
Other Financing Services	\$363,485	\$300,000	\$663,485

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved March 8, 2021

Consent Agenda Item #21-0089

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000080**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Public Safety	\$72,047,687	\$194,208	\$72,241,895
<u>Revenue</u>			
Other Financing Sources	\$41,051,829	\$194,208	\$41,246,036
<u>DEBT SERVICE FUND</u>			
<u>Expenditure</u>			
General Government	\$71,614,736	\$194,208	\$71,808,943
<u>Revenue</u>			
Other Financing Services	\$70,806,320	\$194,208	\$71,000,527

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved March 8, 2021

Consent Agenda Item #21-0105

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000091**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Economic and Physical Development	\$8,673,884	\$188,000	\$8,861,884
<u>Revenue</u>			
Intergovernmental	\$83,403,799	\$188,000	\$83,591,799

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved March 8, 2021

Consent Agenda Item #21-0116

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000096**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
General Government	\$126,584,262	\$0	\$126,584,262

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved March 8, 2021

Consent Agenda Item #21-0117

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000084**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
General Government	\$126,919,092	(\$30,000)	\$126,889,092
Public Safety	\$72,241,895	\$30,000	\$72,271,895

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved March 8, 2021

Consent Agenda Item #21-0129

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000088**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
General Government	\$127,081,832	(\$7,200)	\$127,074,182
Public Safety	\$72,271,895	\$7,200	\$72,279,095

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved March 8, 2021

Consent Agenda Item #21-0130

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000090**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>EXTERPRISE FUND</u>			
<u>Expenditure</u>			
General Government	\$750,000	\$6,920,596	\$7,670,596
<u>Revenue</u>			
Other Financing Sources	\$254,969	\$6,920,596	\$7,175,565

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved March 8, 2021

**DURHAM COUNTY, NORTH CAROLINA
2020-21 Capital Project Ordinance
Amendment Number 21CPA000025**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2020-21 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Increase/Decrease	Revised Budget
HUB RTP Sanitary Sewer Line and Reclaimed Line Extension (SE058)	\$0	\$6,920,596	\$6,920,596

Adopted this the 8th day of March 2021.

Consent Agenda Item #21-0136

DURHAM COUNTY, NORTH CAROLINA
2020-21 Capital Project Ordinance
Amendment Number 21CPA000026

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2020-21 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project Name	Project #	Current Budget	Increase / Decrease	Updated Budget
500 Block East Main Redevelopment	47302635DC151	\$0	\$300,000	\$300,000

Adopted this the 8th day of March 2021.

Consent Agenda Item #21-0139

Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000094

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
General Government	\$127,050,182	\$0	\$127,050,182

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved March 8, 2021

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000095**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
General Government	\$127,050,182	(\$465,920)	\$126,584,262
Public Safety	\$72,303,095	\$4656,920	\$72,769,015

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved March 8, 2021

Other Business

21-0025 Durham County Public Health Focused Update on the COVID-19 Crisis.

Rodney Jenkins, Public Health Director thanked the Board and County Management for their support in the COVID response.

Mr. Jenkins provided the following updates for Durham County:

- 22,100 total cases
- 51 seven-day moving average
- 40.8 percent were African American; 30.3 percent were Caucasian; 17.2 percent were Latinx
- 13.1 percent of cases were under age 18
- Greatest number of cases were among people who worked in nursing care facilities, correctional institutions and universities.
- 27509 zip code with the highest COVID-19 cases

The Board asked if 20 percent of the Durham population was vaccinated. Mr. Jenkins replied about 18 percent. The Board asked how the public could schedule appointments. Mr. Jenkins responded online at the Public Health website or by calling 919-560-4357. The Board asked who would be eligible in Group Three. Mr. Jenkins responded postal workers, law enforcement officers, grocery store and restaurant workers. The Board inquired about the no-shows for the teacher and school staff appointments. Mr. Jenkins responded Durham was managing duplication of vaccine scheduling at multiple locations. The Board inquired about the side effects of the Johnson and Johnson's vaccine. Mr. Jenkins responded chills, low-grade fever, headache and fatigue.

21-0182 The Durham County Attorney Seeks Approval to Contact with Consultants to Begin a Process of Training for the BOCC in the Area of Building Consensus around Controversial Issues

Lowell Siler, County Attorney explained James Coleman Jr., Duke University Attorney was hired by the county to investigate racial bias and unfair treatment in the county. He added Mr. Coleman concluded the investigation reporting the Board, County Manager and staff needed to find ways to build trust and improve communications. Mr. Siler stated in August 2020 after Mr. Coleman presented the report, Commissioner Jacobs who was Chair of the Board asked to seek consultants for Board training. He added Chair Howerton had asked him to start the process of finding consultants for Board training after her first meeting as the Chair. Mr. Siler stated the County Manager had no involvement with the selection of the Robert Bobb Group. He added the UNC School of Government was not able to assist and suggested to find a consultant outside of North Carolina. Chair Howerton stated the Board had the proposal from Robert Bobb Group for a week and was asked to submit any questions and concerns to the County Attorney.

Chair Howerton opened citizen comments. Monica Toomer, Clerk to the Board read the following citizen comments:

Nicholas Graber-Grace

I intend this to be both an email to Commissioners and a Public Comment for tonight's County Commission meeting. I see that tonight's County Commission Agenda includes an item that I am very concerned about -- a proposed contract with The Robert Bobb Group.

According to the agenda document, County Manager Wendell Davis (and County Attorney Lowell Siler) are recommending that Durham County hire the Robert Bobb group to "assist the County Board of Commissioners in working more effectively." I want to make sure you are each aware that Robert Bobb is a school privatizer who is infamous for the hatchet job he did on Detroit Public Schools from 2009-2011, where he closed 29 schools, eliminated hundreds of school counseling jobs, poured public dollars into a bunch of private sector firms, and proposed converting 41 Detroit Public Schools into privately run charter schools. This guy has deep ties to the Broad Foundation, which is infamous for pushing a privatization agenda. He seems to be super divisive and anti-union, and definitely not the kind of unifying presence we would want working to improve dynamics within our Durham County Commission.

Either Manager Davis and Attorney Siler are way out of step with Durham's values, or they utterly failed to do due diligence on who Robert Bobb is when his group applied for this contract. Either way, it's a real bad look and I call on Chair Brenda Howerton to shut this down immediately. We can surely find someone to offer board training who does not have a demonstrated track record of being anti-union and attacking public institutions.

Here are some receipts to let you know a bit about Bobb's record. He is definitely fancy and well connected, but not for the right reasons.

[https://www.forbes.com/.../michigan-emergency-manager.../...](https://www.forbes.com/.../michigan-emergency-manager.../)

https://www.mlive.com/.../detroit_schools_send_layoff_pa...

https://en.wikipedia.org/wiki/Robert_Bobb#cite_note-forbes-2

<https://www.prwatch.org/.../billionaire-eli-broad-takes...>

<https://www.broadcenter.org/.../dire.../profile/robert-bobb/>

Thank you for your attention to this matter. I look forward to hearing back from each of you, and I hope you find this information helpful in your deliberative process.

Millicent Rogers

As a Durham community member, I question the idea that there is a sense of urgency to call for the approval of this contract at this time. The Coleman Report was released publicly in August of 2020,

we can all agree that there are issues that will require outside

expertise. County officials, specifically the County Attorney has waited six months to make a recommendation on who organization that would be, and now finds that it is so urgent that there can't be proper RFP process can't be followed. There is not anymore urgency around this manner now that the new commissioners are in place. There should be the ability for other agencies to be considered, there has been ample time for the County Attorney to consult others during this period for presentation to the Board of County Commission, the public requires you all to request due diligence in this process--it is necessary for the advice an intervention to come from a well prepared, well vetted agency. This work can't be rushed, and the Commissioners all deserve to see the applications from top tier firms.

DO NOT rush into an agreement with the Bobb group, get more quotes and more options for Durham leadership.

Michelle Burton

It has come to my attention that for tonight's Durham County Commissioner meeting that there will be discussion about the approval of a contract with Mr. Robert Bobb and his consulting firm.

From what I know about Mr. Bobb, he was hired by the State of Michigan to be an emergency manager for the Detroit Public Schools and he was charged with eliminating a significant deficit situation for the Detroit Public Schools, closing a large portion of the public schools in Detroit and turning those schools into charter schools, and firing and eliminating teaching positions in the city of Detroit. The decisions that Mr. Bobb made had real world consequences because one of my colleagues and good friends that I taught within Wake County came to teach in North Carolina from Detroit due to the turmoil of what was happening in that city during the exact time Mr. Bobb was the emergency manager.

Even though Mr. Bobb would not be doing specific work with regards to public schools here in Durham County, it does not send a very good message to the citizens of Durham County, a county that had to push back on the privatization and takeover of two DPS schools by private charter organizations back in 2017, Lakewood Elementary and Glenn Elementary, that our County Commissioners would consider hiring a consulting firm that believes in the practice of privatization of public goods and services. It just does not look good.

Please read Mr. Bobb's Wikipage which gives a great overview of the work that he did in the City of Detroit.

https://en.wikipedia.org/wiki/Robert_Bobb#cite_note-WT-12

I would ask that you would not hire Mr. Bobb's consulting firm and that you would look to another firm that can meet the needs of the Durham County Commissioners and the citizens of Durham County. I know there are other reputable consulting firms out there that do not believe in the privatization of public goods and services and who would better meet the needs of our citizens and community.

Millie Rosen

I write to you as a Durham resident to strongly urge you not to employ the services of the Robert Bobb Group as proposed in tonight's agenda. According to this agenda item, the RBG Team's services will be employed to help the Commission and its staff "be more efficient in policy deliberations and to have more effective communications between the Board and the staff concerning policies and procedures, roles and responsibilities. The overall desired result is to have a more effective and efficient County Government."

Here are the reasons I do not support the BOCC employing the RBG Team:

1. This consulting firm is headed by Robert Bobb, who was hired in 2009 to be an emergency manager of the Detroit Public Schools. During his tenure there, he closed many schools, fired a number of teachers and eliminated teaching positions, and turned many other schools into charters, which as we know use public money but are not publicly accountable. Mr. Bobb also left the system with a much larger debt than when he came in.
2. Durham County has had to deal with the threat of privatization many times coming from the state level. In 2017, DAE led a campaign that was successful in stopping the takeover of Glenn and Lakewood Elementaries. To hire a consulting firm that believes in the privatization of public services like public schools does not send a good message to the residents of Durham, nor the employees of DPS. A significant percentage of DPS, especially classified staff, are people of color (and women), and institutional racism affects them daily through their wages (which were just raised by the Commission, a great move on your part) as well as the consideration given to them by DPS and the BOCC. Anyone brought in to consult the County Commission should not have a history of bringing negative impacts to public school employees, like Mr. Bobb does.
3. This item also appears to have been added to the agenda very recently - I would ask Ms. Toomer, who is copied on this email, if she'd be so kind as to tell us when the item (21-0182) was added. If it was within the last couple days, that does not seem like enough time for all five commissioners to properly research and vet the consulting firm before being asked to vote on it tonight - and that's a lot of funding from the BOCC that is being considered.

It is clear to me that this vote is about more than a consulting firm. It's about Durham's values, as embodied by its County Commission. How can the Commission hire someone to advise them on "policy deliberations" and "effective communication" who so clearly does not align with our values as a community? Who does not value public school workers and students?

I ask that you hold off on this vote and give more time in the search for a consulting firm that does its work from a place of racial, social, and economic justice, and that does not believe in the privatization of public schools. Such a group would meet the needs of both the BOCC and Durham's community at large.

Thank you for your time. I have included sources for all my factual statements below.

Beth Newsome

I write to you as a citizen of Durham county and the parent of a DPS student. Please reject the recommendation from the Durham County Manager and Attorney to hire Robert Bobb and his consulting firm. He is well known as a proponent of school privatization, not what we want in Durham where we successfully fought off the proposed charter takeover of Lakewood and Glenn elementary schools in 2017. This is quite simply an awful fit with our community.

Comments Received After 5pm

Tamara Bartreau – 5:30pm

I am a long-time citizen of Durham County. And I am very concerned about this apparently last-minute agenda item regarding the hiring of a consultant.

Why would the Board hire someone to advise them on "policy deliberations" and "effective communication" who so clearly does not align with our values as a community? Who does not value public school workers and students? I write this knowing the background of Robert Bobb and his firm. For example, Robert Bobb, who was hired in 2009 to be an emergency manager of the Detroit Public Schools. During his tenure there, he closed many schools, fired a number of teachers and eliminated teaching positions, and turned many other schools into charters, which as we know use public money but are not publicly accountable. Mr. Bobb also left the system with a much larger debt than when he came in. To hire a consulting firm that believes in the privatization of public services like public schools does not send a good message to the residents of Durham, nor the employees of DPS.

Please reject the recommendation from the Durham County Manager and Attorney to hire Robert Bobb and his consulting firm. He is well known as a proponent of school privatization, not what we want in Durham where we successfully fought off the proposed charter takeover of Lakewood and Glenn elementary schools in 2017. This is quite simply an awful fit with our community.

Erica Briola – 8:25pm

Please reconsider the use of Robert Bobb Group for board consultation and training.

As a DPS parent and Durham resident, I would like to see consultation for building consensus on challenging topics be led by a group more reflective of our values in Durham.

The Durham Public School district has a lot to overcome, especially with the hits it has taken during the pandemic but consulting with a company run by a gentleman who fought hard for privatization and charters is not a way to build towards a better district.

Robert C. Bobb, President and CEO of Robert Bobb Group stated the company headquarters was in Washington, District of Columbia and had a diverse team with experience in County Government that would assist with the consulting. Mr. Bobb explained how he consulted for Detroit Public Schools and

provided details on how the firm managed a school system with financial problems. Mr. Bobb introduced Clara Axam, CEO and President of Clarification and Mediation, Incorporated. She provided an overview on how the firm would work with the County to turn dysfunction into functionality. Ms. Axam explained the team would consist of facilitators and supervisors.

Vice-Chair Jacobs stated she supported the training for the Board however she would vote against and not support the proposal contract. She added she addressed concerns about the Robert Bobb Group with the County Attorney and had not received a response. Vice-Chair Jacobs explained the previous Board had a consensus to wait until Spring of 2021 to start training and there was no discussion with the new Board about the process until February 2021. She added the UNC School of Government did not have time to assist with training. Vice-Chair Jacobs stated on Saturday, March 6th she received an email from the Chair with the proposal and the \$50,000 cost for the first phase. She explained she had emailed and spoken with the County Attorney about concerns and questions with the scope of work, other consultants and no request for funding proposal (RFP) for cost over \$40,000. Vice Chair Jacobs stated she did not hear back from the County Attorney and the item was added to the agenda without being discussed with the Board. She added appreciated Chair Howerton and the County Attorney for starting the process, however the Board needed to take a step back and have transparency before moving forward. Vice-Chair Jacobs added The Board should consider the public comments and best practices when spending public funds.

Commissioner Allam expressed she had similar concerns as Vice-Chair Jacobs. She asked if the County Attorney had received other options for consultants. County Attorney Siler replied he had spoken with Vice-Chair Jacobs when she was Chair, then Chair Howerton who demanded to move forward with the training after the first meeting as Chair. He stated he used references from others; however, he never met Mr. Bob and his team in person. County Attorney Siler explained he attended the meetings, knew what was going on with the Board and help was needed as soon as possible. He added Vice-Chair Jacobs was partially correct with getting bids for RFP, however the policy stated did not have to get bids when time was of the essence and depending on the nature of the need. County Attorney Siler explained he was trying to bring in consultants to help, although the Board could make the final decision.

Commissioner Burns stated on February 4th County Attorney Siler sent the Board an email with information about the proposal and the line of communication was made available to the public for the meeting. She added on December 7, 2020 the new Board was asked about moving forward with the training. Commissioner Burns stated she agreed with Vice-Chair Jacobs to have bids for RFP, however, there have been previous circumstances with no bids for RFP. She added items have been added to the agenda on Sunday for the Monday meeting. Commissioner Burns explained she had been contacted by James Hill and Ellen Reckhow about pushing forward with equity training and controversial training.

County Attorney Siler stated each Commissioner should be aware he always desired for them to be successful and do well. He explained the challenges were painful and a change was needed. County Attorney Siler stated he was normally able to respond to questions asked by the Board, however he had a busy weekend and was not able. He added he expected to answer any questions during the meeting.

Commissioner Carter stated there was a need to pursue Board training along with topics identified by the Board.

Commissioner Carter moved, seconded by Commissioner Allam for the County

Attorney to pursue training for the Board including topics identified by the Board and provide two more consultation proposals.

Ayes: Commissioner Allam, Burns and Carter and Vice-Chair Jacobs
Nays: Chair Howerton

The motion carried.

Vice-Chair Howerton stated the Board has been in need of training for years and offered an apology to the Robert Bobb. Mr. Bobb responded the proposal was now a public document and offered a significant disadvantage for his team after spending time reviewing Board members and developing best training options. He added the firm could adjust the price in the contract if needed. Mr. Bobb explained his firm was familiar in working with the Board challenges and could train the Board.

Closed Session

The Board was requested to adjourn to Closed Session for the following:

- To qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officers or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer of employee, pursuant to G.S. 143-318.11(a)(6).
- To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged to G.S. 143-318.11(a)(3).

Vice Chair Jacobs moved, seconded by Commissioner Allam to adjourn into the Closed Session.

The motion carried unanimously.

Reconvene to Open Session

Chair Howerton announced the Board met in Closed Session and provided direction to staff.

Chair Howerton moved, seconded by Commissioner Burns for Commissioner Carter to recuse herself from any involvement with the County Managers contract.

Ayes: Chair Howerton and Commissioner Burns
Nays: Vice-Chair Jacobs and Commissioner Carter and Allam


The motion fails.

Adjournment

Commissioner Carter moved, seconded by Commissioner Burns to adjourn the Regular Session meeting at 10:41p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton
Deputy Clerk to the Board

DRAFT