

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

Monday, May 2, 2011

9:00 A.M. Work session

AGENDA

1. **Citizen Comments**

30min.

The Board of County Commissioners will provide a 30-minute comment period at the beginning of its Work session meeting on the first Monday of each month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers must sign in prior to the start of the meeting providing a name, address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the Work session to allow an opportunity for research prior to the meeting. **All speakers shall have three (3) minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

Resource Person(s): Michelle Parker-Evans, Clerk to the Board

County Manager's Recommendation: The Manager recommends that the Board receive citizen comments and direct staff to respond, as deemed appropriate.

2. **Women's Commission Report**

15min.

Chair Luci McMillan has requested to provide a brief update regarding the Durham County Women's Commission.

Resource Person: Luci McMillan, Chair, Durham County Women's Commission

County Manager's Recommendation: The Manager recommends that the Board receive the update and advise the staff if any additional action is necessary.

3. **Transit Plan Update**

45min.

Triangle Transit staff will present a general update on the status of the Durham County component of the regional transit plan. The presentation will emphasize the latest and most detailed data on the Alternatives Analysis process that could lead to one or more fixed guideway transit investments in corridors specified for higher capacity transit in the DCHC-MPO 2035 Long Range Transportation Plan. Additional topics to be discussed will be the recent Triangle Regional Transit Program public workshops, the draft bus plan developed by county and transit agency staff, recent information on revenue collections and future projected revenue, and the

results of an opinion poll conducted by the Regional Transportation Alliance (RTA) on the level of interest and support for transit investment in Durham County.

Resource Persons : Meg Scully, Durham County Mobility Manager; Delphine Sellers, County Extension Director

County Manager's Recommendation : The County Manager recommends that the Board receive a presentation on the Triangle Regional Transit Program.

4. **2014-2020 Transportation Improvement Program (TIP) Local Priority List**

MPO staff will present the process used for selection of projects to be included in the TIP as well as the Durham County prioritized list of projects to be submitted.

The N.C. Department of Transportation (NCDOT) and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHCMPO) mutually adopt a seven-year Transportation Improvement Program (TIP). The TIP is a program of transportation capital and operating assistance projects to be implemented in the next seven years with the use of federal and state funds. The TIP is traditionally updated every two years. The Administration prepares and recommends an update to the list of transportation priority projects to be submitted to the MPO for consideration in the development of the next TIP. The MPO will use Durham County's list in developing the MPO's priority list. The MPO's priority list is submitted to NCDOT and projects are ranked according to a quantitative methodology.

Resource Persons : Ellen Beckmann, Transportation Planner, DCHCMPO; Meg Scully, Mobility Manager, Cooperative Extension

County Manager's Recommendation : The County Manager recommends that the Board receive the presentation and place the item on the Consent Agenda for May 9, 2011 to adopt the "Resolution to Endorse the Durham County Project Priority List for the FY 2014-2020 Transportation Improvement Program" (Attachment A).

5. **Whitted School Update**

30min.

Per the direction of the BOCC, an IFB was publicly bid on March 3, 2011 to stabilize the Whitted School Building. It consisted of a base bid and alternates. On April 5, 2011 responses were received from three (3) Contractors.

Based on information received in the Whitted School Development Meeting held on April 6th, 2011, the County Managers Office is requesting a rejection of all IFB bids and allow General Services Department to seek out roof repair costs from qualified roofers.

The IFB proposals received confirmed the County's preliminary costs of \$1.5 million for roof replacement, asbestos removal, and boarding the facility. Developers who attended the Development meeting stated they would recommend the County only patch the roof to stop additional water damage, and dedicate the remaining funds to a development plan to incentivize the redevelopment. It was suggested the County seek out interest via an RFP to request proposals for a development partnership and strategy for this property. Federal and State tax credit programs offer incentives to Developers who rehabilitate historic buildings. The Developers in attendance believe that with a financial incentive and the City's commitment to the Southside redevelopment plan, the reuse/repurpose of the Whitted School site would be a healthy interest in

Resource Persons : Wendell M. Davis, Deputy County Manager; Motiryo Keambiroiro, Director of General Services; and Glen Whisler, Director of Engineering

County Manager's Recommendation : The County Manager recommends the Board receive information as presented, reject the IFB proposals, proceed with receiving roof repair pricing; dedicate the balance of the funds to a development partnership for the retrofitting of Whitted School, and in preparing an RFP for a development partnership and strategy.

6. Fleet Maintenance Merger

30min.

The Joint City-County Committee (JCCC) charged the City and County Managers with investigating the possibility of jointly providing services in certain areas. One item brought to the attention of the JCCC was the possibility of the County utilizing the City's Fleet Maintenance Dept. to maintain the County's fleet. Extensive analysis has been done on this option over the past 1.5 years.

The County has roughly 430 vehicles in its fleet. Some, including vehicles outside the EMS fleet, are serviced by a single mechanic at the EMS garage. The Sheriff's entire fleet (not including Detention Center vehicles) are serviced at Hendrick Chevrolet and the rest of the County fleet is serviced at Speight's garage. The latter two arrangements are governed by identical contracts originally worked out by County Purchasing in 2005 and 2006. Monitoring of these contracts as well as their respective portions of the County fleet is decentralized to the County departments with vehicles.

Though County vehicles may be getting maintained adequately under the arrangements with Speights and Hendrick, department-level and fleet level information that would inform longer term fleet management and replacement is currently unavailable and/or the resources are not there to fully utilize it. The City's fleet maintenance software, on the other hand, gives them instantaneous and wide-ranging data on any and all vehicles in their fleet.

The City has an award-winning fleet maintenance department with excess capacity. Though other options have been studied, the City and County Managers are recommending moving forward with merger. Even considering some up-front costs, the savings to the County are likely to be between \$50,000-\$100,000 and over \$150,000 in the out-years. Full administrative support of the City's Fleet Maintenance Department will allow for much better fleet management over the medium and long-term, which could shrink the County fleets somewhat, among other advantages, and increase the savings in that way as well. The managers are also looking at the possibility of merging City and County fueling operations, which might present some efficiencies but would also automatically feed mileage information into the City's fleet software system.

Resource Persons : Mike Ruffin, County Manager; Drew Cummings, Assistant County Manager

County Manager's Recommendation : The County Manager recommends that the Commissioners consider the attached materials and ask any questions they wish on the matter.

7. Juvenile Crime Prevention Council Annual Plan Presentation

15min.

Pursuant to NCGS Section 143B-543, the Juvenile Crime Prevention Council (JCPC) is charged with developing and updating an Annual Plan through a data driven systematic process, addressing intervention and prevention strategies for juvenile delinquency.

Each year, the Durham JCPC conducts a planning process which includes a review of the needs of juveniles in Durham County who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and review the resources available to address those needs. The Council then prioritizes community risk factors for youth, for families and for the community and determines the services needed to address those problem areas. The Council develops and advertises a request for proposal process and submits a written plan of action for the expenditure of juvenile sanction and prevention funds to the Board of County Commissioners for its approval. In addition, the JCPC evaluates the performance of programs for juveniles and the services they provide, works to increase public awareness of the causes of delinquency and of strategies to reduce the problem, develops strategies to intervene and appropriately respond to and treat the needs of juveniles at risk of delinquency and provide funds for services for treatment, counseling, or rehabilitation for juveniles and their families.

The Durham County Juvenile Crime Prevention Council (JCPC) has just completed the annual funding process and, at a regularly scheduled meeting with a quorum present, voted on 04/27/11 to recommend the attached local funding plan for the allocation of \$536,666 in State funding for FY 2011-2012. These funds are

anticipated to be included in the State of North Carolina's FY2010-2011 continuation budget, and are allocated to Durham County by the Department of Juvenile Justice and Delinquency Prevention (DJJDP) based on a formula. 21 agencies submitted funding requests this year totaling \$954,914.

Resource Person(s): Angela Nunn, JCPC Chairperson; Donald Pinchback, DJJDP Chief Court Counselor; Cindy Porterfield, DJJDP Area Consultant

County Manager's Recommendation: The Manager recommends that the Board receive the Annual Plan from the Juvenile Crime Prevention Council and recognize the council members for their dedication and commitment to improve the delivery of services to children involved in the juvenile justice system.

8. Sale of 300 N. Duke Street

15min.

The Board is requested to receive a presentation regarding a proposed offer to purchase 300 N. Duke Street, commonly referred to as the Carmichael property. The County purchased the property in 1996. Currently, the Carmichael building houses a portion of the County's DSS employees and services as well as General Services surplus storage. Upon completion of the new Human Services Complex the County will no longer need the Carmichael property.

Duke University has submitted a letter of intent to purchase the Carmichael property. In light of the short term use the County has for the property, and the value of the property, it is recommended that the County sell the property pursuant to N.C.G.S. 160A-269, which allows the County to take offers then publish them for upset bids. Following the upset bid process, the highest and best offer will be brought back to the Board for consideration and approval. Although the County will sell the property, we will need to lease a portion of the building back until the DSS employees can move into the new Human Services building.

A copy of the Letter of Intent from Duke University, through Durham Realty, Inc., is attached for your consideration.

Resource Person: Michael M. Ruffin, County Manager

County Manager's Recommendation: The Manager recommends that the Board receive the presentation regarding the sale of 300 North Duke Street and if acceptable, place the offer from Duke University on the May 9 consent agenda to begin the upset bid process.

9. Duke Lease Amendment and Duke Easement for Fiber Optic

15min.

The Board is requested to receive a presentation on a proposed Third Amendment to the Sublease and a Release of Leasehold Interest related to Durham Regional Hospital. The Sublease Agreement is a three-party agreement among Durham County, Durham County Hospital Corporation, and Duke University Health System, Inc. which leased Durham Regional Hospital to Duke University Health System, Inc. A Release of Leasehold Interest was executed on June 29, 2007, which, along with an Amendment to the Sublease also executed on June 29, 2007, released the portion of the property which contains the Oakleigh Building from the property conveyed via Lease to Durham County Hospital Corporation (referred to as the 'Released Property'). The Oakleigh Building was renovated and is being used by The Durham Center as the County's crisis and substance abuse access center. The City of Medicine Academy ('CMA') has been constructed adjacent to the Oakleigh Building on the released property for the use by the Durham Public Schools.

During design and construction of the CMA a corner of the CMA design ended up crossing the lease line of the property. The purpose of the proposed Third Amendment and Release is to modify the legal description of the Released Property to accurately reflect the eastern lease line between the CMA and Durham Regional, and relocate a fiber optic line which was previously running diagonally across the CMA property.

The proposed modifications do not alter the lease payments from Duke as there is no significant impact on the Released Property. Durham County Hospital Corporation and Duke University Health System, Inc. are reviewing the instruments and will consider and approve them at their next meeting. The proposed amendments as well as the June 29, 2007 instruments are attached for your consideration.

In addition to a Memorandum of Amendment to the Sublease, the Release of Leasehold Interest will need to be executed and filed in the Register of Deeds Office to effectuate the amendment.

Resource Person : Carol Hammett, Deputy County Attorney

County Manager's Recommendation : The Manager recommends that the Board receive the presentation regarding the Third Amendment to the Sublease and Release of Leasehold Interest related to the Durham Regional Leased documents.

10. Long Term Lease to DPS for the City of Medicine Academy

10min.

The Board is requested to receive a presentation regarding the proposed Lease Agreement to the Durham Public Schools for the City of Medicine Academy (CMA). The proposed Lease Agreement as well as a map showing the location of the leased property is attached.

The 2007 Bond provided for the design and construction of the City of Medicine Academy at a site adjacent to Durham Regional Hospital. The program began at Southern High School in the late 1990's. The new location on Crutchfield Street is adjacent to Durham Regional Hospital and will allow CMA students' greater access to job-shadowing, internships, guest lectures and additional opportunities.

This Board received a presentation in August 2010 regarding the construction project and approved a Memorandum of Agreement authorizing DPS to handle this project in the same manner it is handling other school projects for purposes of recouping sales tax reimbursements. Tim Carr, Construction Manager with DPS, is present to provide details about the project and answer questions.

The commencement date of the Lease will be the date DPS receives a Certificate of Completion from the City of Durham in order to occupy the school, which is anticipated to be early July. The proposed Term of the Lease is approximately 20 years from the Commencement Date (through June 30, 2031), with a nominal lease rate of \$1 per year. The County would have no responsibility for maintenance, repair, insurance or liability under the terms of the lease; all responsibility and liability would be transferred to DPS pursuant to the terms of the Lease.

Resource Person(s): Carol Hammett, Deputy County Attorney, Tim Carr, Construction Program Director for Durham Public Schools

County Manager's Recommendation: The Manager recommends that the Board receive the presentation regarding the Lease Agreement to Durham Public Schools for the City of Medicine Academy, and if appropriate replace the Lease Agreement on the May 9, 2011 consent agenda for approval.

11. Review of April BOCC Directives

5min.

It was requested that at each month's Worksession, the Board of County Commissioners has the opportunity to review the previous month's directives for staff and make comments as necessary.

Resource Persons: Mike Ruffin, County Manager; Michael Davis, Assistant to the County Manager

County Manager's Recommendation: The Manager recommends that the Board review the March BOCC directives and make comments to staff as necessary.

3hrs.40min.