

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

Monday, October 3, 2005

9:00 A.M. Worksession

AGENDA

1. Citizen Comments?Ms. Dorothy Gentry

5 min.

Ms. Dorothy Gentry has requested time on the agenda to speak to the Commissioners about home repairs that she received from the CDBG program.

2. RDU Airport Authority Annual Update

15 min.

RDU Airport Authority members will provide the Board of Commissioners with an annual update.

Resource Person(s): Steve Toler and Craig Sanders, RDU Airport Authority

County Manager?s Recommendation: The Manager recommends that the Board receive the presentation and advise the staff if any additional information is necessary.

3. Durham Workforce Development Board?s State of the Workforce Strategic Plan Presentation

20 min.

The Durham Workforce Development Board and the City of Durham funded the development of a State of the Workforce Strategic Plan that was completed and approved by the Durham Workforce Development Board. This Strategic Plan will be used as a ?blueprint? for developing policies and funding workforce programs for the Durham Local area.

Resource Person(s): Alan DeLisle, Director of the City of Durham?s Office of Economic and Employment Development

COUNTY MANAGER?S RECOMMENDATION: THE MANAGER RECOMMENDS THAT THE COMMISSIONERS RECEIVE THE PRESENTATION AND ACCEPT THE WORKFORCE STRATEGIC PLAN FOR DURHAM.

4. 2004-05 Annual Report for The Durham Center

20 min.

The Durham Center (TDC) Area Director?s presentation to the Durham County Board of Commissioners will consist of a summary of TDC Annual Report for Fiscal Year 2004-2005. The report is divided into three related but distinct sections: a description of TDC strategic planning process for enhancing the existing System of Care; a review of TDC accomplishments for Fiscal Year 2004-2005; and a status report on the operations of TDC Departments.

The strategic planning process collected and analyzed information obtained through surveys, community forums, focus groups, and consumer data to develop TDC goals and objectives for the coming fiscal year. Important contributors were consumers and family members, stakeholders, public officials, local organizations, and human service agencies. Significant goals identified through this process include: define and fill current service gaps; enhance the existing system of care; expand the present crisis system; continue to implement evidence-based treatment practices; develop a capacity for supported housing options; strengthen communication; and target and increase provider training and technical assistance.

A review of TDC achievements for Fiscal Year 2004-2005 reveals a number of noteworthy accomplishments. Local crisis emergency services were strengthened through the creation of the Durham Center Access program (a 24/7 crisis center with telephone and walk-in screening and crisis response/stabilization services) and Rapid Response Homes (short-term emergency placements that offer treatment, structure, and supervision for children with serious emotional disturbances). Also significant was the reduction in admissions to State-operated facilities, and the development of local housing options through the creation of the Independent Living Initiative. TDC received its share of statewide recognition during the past fiscal year having received the Ketner Award for Model County Government Effectiveness and the Programs of Excellence Award from the North Carolina Council of Community Programs. TDC was also selected as one of the four model programs in North Carolina that has effectively developed a prototype for Local Management Entity infrastructure for evidence-based and best practice services and supports.

Section three of the annual report reviews the progress and goals of TDC Departments during the past and upcoming fiscal years. The Contracts Management Unit provided a comprehensive array of training opportunities for TDC employees and contract agencies and will continue to develop the

provider network by contracting with additional organizations and amending contracts to permit existing providers to offer a wider range of services. The Utilization Management Unit has continued to refine its service authorization process to ensure that correct services shall be provided in the right amount for the correct period. The Customer Services Department has created a callback system to ensure effective treatment and will continue to review and utilize this information to ensure consumer satisfaction with service delivery. Other notable departmental achievements include the successful pursuit of funding awards by the Finance Department, the installation of a new management information system by the Quality Management/Information Technology Department, and the expansion of community-based support services by the System of Care Unit.

Resource Person(s): Ellen Holliman, Area Director

County Manager's Recommendation: The County Manager's Office recommends that the Board of County Commissioners receive the presentation and annual report.

5. Lease to Subway Real Estate Corp.

15 min.

The Board is requested to approve a Lease Agreement for a portion of the ground floor at 200 East Main Street to Subway Real Estate Corp. The northeast corner of the ground floor of 200 East Main Street, the Old Courthouse building, has been used for the past few years to house the "Courthouse Canteen", a restaurant available to County employees and patrons of the building leased to and operated by CBK 1 Inc. The County's lease agreement with the CBK 1 Inc. for the operation of the "Courthouse Canteen" in the ground level of the Administration Building at 200 E. Main Street was not renewed by the tenant and expired on September 30, 2005.

Subway Real Estate Corp. would like to lease the same space to make available a Subway restaurant. Subway Real Estate Corp. would sublet the space to a local franchisee, Mr. Burham Ghanayem, who would operate the Subway. Mr. Ghanayem operates several other Subway restaurants throughout Durham County. The proposed Lease terms are as follows:

- (i) The Term of the Lease will be 5 years, beginning October 3, 2005 with an option for the Tenant to extend the term for an additional five years;
- (ii) The monthly lease rate for the initial five years will be \$250.00 per month (the same amount received by CBK 1);
- (iii) The County will continue to provide the same maintenance and utilities that were provided under the lease with CBK 1, including removal of refuse containers, and maintenance and repair of utility systems including electrical, plumbing, heat ventilation, and air conditioning (HVAC) systems. Subway shall be responsible for daily or routine maintenance and repairs necessary to keep the Leased Property in good order, repair, and tenable condition;
- (iv) Subway will up-fit the space to their needs at their own cost except for minor painting, wall modifications, and lighting adjustments which will be provided by Durham County General Services. Subway's up-fit will include installation of walk-in freezers and walk-in cooler, new sinks, shelving, and prep tables as well as all new tables and chairs. All modifications have been reviewed and agreed to by General Services.

The Lease agreement has been reviewed and approved by Subway Real Estate Corp.

Resource Person(s): Carol W. Hammett, Assistant County Attorney; Michael M. Ruffin, County Manager; and Michael O. Turner, General Services Director

County Manager's Recommendation: The Manager recommends that the Board suspend the rules and approve the Lease Agreement for ground level space at 200 E. Main Street with Subway Real Estate Corp. for five years, ending June 30, 2010, with the option of the Tenant to extend the lease for an additional five years at the end of the initial term, and authorize the County Manager to execute the Lease Agreement.

6. Cablevision Ordinance

30 min.

A new Cable Communications Ordinance is to be presented for consideration and comment by the Board. The Ordinance has previously been sent to the Cable Advisory Committee, and changes have been incorporated into the current draft. A copy of the proposed ordinance has also been sent to Time-Warner for comment.

The proposed structure of the ordinance would provide for the County Commissioners to adopt the Cablevision Ordinance, which would provide the basic requirements for any cable provider providing cable television services in the County. The details of the franchise would then be negotiated with the provider and approved by the Board of Commissioners. This would allow for multiple cable providers if other companies showed an interest.

One of the sections of the proposed ordinance is Sec. 25-151 relating to public, educational, and governmental access channels. It is requested that the Board provide guidance as to this section.

Resource Person(s): Chuck Kitchen, County Attorney

COUNTY MANAGER'S RECOMMENDATION: THE MANAGER RECOMMENDS THAT THE BOARD REVIEW THE ORDINANCE AND PROVIDE GUIDANCE TO STAFF. MOVE THE ORDINANCE TO THE OCTOBER 10, 2005 REGULAR SESSION AGENDA FOR ACTION.

7. Benefits Plans for 2006

45 min.

The Human Resources Department will present the renewal rates for Health Insurance, Dental Insurance, Life Insurance, Short Term Disability Insurance, and Long Term Disability Insurance.

Resource Person(s): Debbi Davidson, Benefits Manager, and Marqueta Welton, Human Resources Director

County Manager's Recommendation: The Manager recommends that the Board receive the information and make recommendations on insurance renewals.

8. Market and Economic Analysis of the Durham Civic Center

45 min.

In Fiscal Year 2004, the Board of County Commissioners and the City Council agreed to conduct a market and economic analysis of the Durham Civic Center. A contract was awarded to C.H. Johnson Consulting Inc. in conjunction with Skidmore, Owings, and Merrill, LLP, architects for the study. In addition to the market study, an expansion analysis and a future business plan were prepared.

Mr. Rob Hunden of C.H. Johnson Consulting Inc. will present the study's findings and recommendations. Copies of the actual report were delivered to the County Commissioners on Friday, September 23.

Resource Person(s): Carolyn P. Titus, Deputy County Manager; Rob Hunden, C.H. Johnson Consulting Inc.; and Rod Abraham, Civic Center Authority Chairman

County Manager's Recommendation: The Manager recommends that the Board receive the presentation and provide feedback/direction as deemed appropriate.

9. Contracts with AOC for Assistant District Attorney and Deputy Clerk Positions

15 min.

The Board is requested to approve the two Contracts between the County and the Administrative Office of the Courts (AOC) for the provision and funding of three Assistant DA positions and five Deputy Clerk positions for Fiscal Year 2006. Funding for these positions was approved in this year's annual budget. The contracts include the funding of (i) three Assistant District Attorney positions to be funded by the County through AOC in an amount not to exceed \$183,590 per year (\$73,436.00 per position maximum) and (ii) five Deputy Clerk positions in an amount not to exceed \$125,798.00 (\$24,073.00 per position maximum).

Both contracts may be renewed for an additional 12 months on each successive July 1. The County or AOC may terminate the Agreements at anytime during the term upon giving 60-days written notice or by the mutual consent of the parties. The employees funded pursuant to these contracts will be the employees of the Clerk or District Attorney for all purposes and shall be hired by and work under the supervision and direction of the Clerk and District Attorney.

Both contracts have been reviewed and approved by the AOC, the Clerk of Court, and the District Attorney and executed by the AOC.

Resource Person(s): Michael M. Ruffin, County Manager, and Carol Hammett, Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules, approve the agreements with the AOC for three Assistant DA positions and five Deputy Clerk positions, and authorize the County Manager to execute the contracts.

10. **Closed Session?(Lunch)**

30 min.

The Board is requested to adjourn to Closed Session pursuant to G.S. § 143-318.11(a)(5) to instruct staff concerning the position to be taken on the terms of possible acquisition of 247 S. Mangum Street owned by U-Haul Real Estate Company and 306 S. Roxboro Street owned by Scarborough and Hargett Funeral Home.

4 hrs.