

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

Thursday, August 29, 2002

9:00 A.M. Worksession

**AGENDA**

1. **Citizen Comment?Ralph McKinney**

Mr. Ralph McKinney has requested time on the agenda to speak to the Board of County Commissioners regarding the civil and constitutional rights of the citizens.

2. **Citizen Comments?Stephenie Galifianakis and Brenda Birdine**

Ms. Stephenie Galifianakis and Ms. Brenda Birdine, from the local Association of Child Support Enforcement, wish to discuss some problems they have with the Department of Social Services concerning child support.

3. **Capital Projects Ordinance Amendment No. 03CPA000002 and Budget Ordinance Amendment No. BCC000003?Establish Initial Appropriation for American Tobacco?North Garage Project**

The Business Deal Points for the American Tobacco Complex Redevelopment Project, approved by the Board of County Commissioners on August 20, 2002, allow for Capitol Broadcasting Corporation (CBC) to begin the development of plans and specifications for the North and South Garages during the negotiations of the Development Agreement. Section I.b. of the approved Business Deal Points states: "Simultaneously, during the Development Agreement negotiation and drafting period, CBC plans to begin the development of plans and specifications for the North and South Garages. The plans and specifications shall be generally consistent with the design criteria that the City, the County, and CBC have mutually developed". The plans and specifications for the North and South Garages, through design development, shall be completed and agreed to by the parties before the Development Agreement is signed. The City and the County will be financially responsible for the payment of architectural and engineering fees and for necessary testing, including geotechnical investigations, performed in connection with the plans and specifications through the design development phase for their respective garages, in an amount not to exceed \$120,000 per garage." In addition, per Section II.7. of the Business Deal Points: "A cost estimator will be hired by and paid either jointly or separately by the City and the County. Using the design development documents, the estimator will develop his or her own estimates and will review Bovis Lend Lease's estimates and proposed price/cost of construction of the South Garage, Phase A of the North Garage, and Phase B of the North Garage."

As the County will be responsible for the funding for the North Garage, it is now necessary to establish the initial capital project and appropriate the funds necessary for the design development phase (not to exceed \$120,000) and for a cost estimator (\$5,000) to be hired by the County to review the design development documents. Again, CBC is responsible for the hiring of the architectural concern to perform the design development work. The County will contract directly with the cost estimator to be used on this project.

Funds have been identified in the general fund, in the non-departmental contingency account, and will be transferred to the American Tobacco capital project. Once the County issues the debt for this project planned for August 2003, the general fund will be reimbursed from those proceeds. The County Attorney's office is preparing a reimbursement resolution that will come before the BOCC within the next 60 days.

Resource Person(s): Mike Ruffin, County Manager, and Glen Whisler, County Engineer

County Manager's Recommendation: Suspend the rules and approve Budget Amendment No. 03BCC000003 authorizing the transfer of \$125,000 from the general fund contingency account to the American Tobacco capital project (Capital Project Amendment No. CPA000002) and authorize the County Manager to execute a contract with Capital Broadcasting Company for the design development phase of the project, not to exceed \$120,000.

4. **Approval of Interlocal Agreement with the City of Durham Relative to the TeerMark Lease**

During the preparation of the Fiscal Year 2002-2003 Budget, the County and City Managers informally agreed to split the cost of the lease for the TeerMark Building for the remainder of its term, which expires on June 30, 2003. The building formerly housed the offices of the Youth Coordinating Board. Specifically, the City agreed to reimburse the County for 50 percent (\$719.50) of the monthly lease amount. The agreement requires the formal approval of an Interlocal Agreement before the County can receive the agreed-upon reimbursement.

Resource Person(s): Mike Ruffin, County Manager, and Chuck Kitchen, County Attorney

County Manager's Recommendation: Suspend the rules and approve the Interlocal Agreement.

5. **Sublease Agreement for Suite #104?212 West Main Street**

The Full Frame Documentary Film Festival, doing business as Doc Arts Inc., desires to sublet property previously occupied by the Youth Coordinating Board. Doc Arts Inc. is a 501(c)(3) nonprofit organization which produces the annual Full Frame Documentary Film Festival and also runs some year-round programs promoting documentary films. The Film Festival is a four-day event, held each spring at the Carolina Theatre. It showcases over 100 films and is presented in association with the Center for Documentary Studies at Duke University.

Durham County currently leases Suite #104 at 212 W. Main St. (TeerMark Building) from TeerMark Associates, LLC. The space had been occupied by the Youth Coordinating Board and is now vacant. The suite comprises 1,645 square feet and has 5 offices, a lobby/reception area, and two restrooms. The lease term is from July 1, 2000 to June 30, 2003 with the rent level at \$1,439 per month (\$10.50/sq.ft.) for the entire 36-month term. Assignment and subletting of the lease is subject to Landlord's approval, which has been informally secured.

Resource Person(s): Mike Ruffin, County Manager; Chuck Kitchen, County Attorney; Bill Martin, Real Property Manager; and Heidi Duer, Assistant to the Manager

County Manager's Recommendation: Suspend the rules and approve the request from Doc Arts Inc. to sublet the space to the Full Frame Documentary Film Festival free of charge through the balance of the lease period, June 30, 2003, provided that the City of Durham approves the Interlocal Agreement to split the cost of the rent incurred from July 1, 2002 through June 30, 2003.

6. **Security Proposals from the Sheriff's Office and Wackenhut Corporation**

During the 2003 budget deliberations, the Board had an opportunity to be briefed on the County's situation with security coverage. During that time, both the Wackenhut Corporation and the Sheriff's Department submitted proposals. The Board of County Commissioners, in approving the 2003 budget, allocated \$900,000 in nondepartmental funds for the purpose of funding the security initiative. Staff was directed during the deliberations to conduct an "apples to apples" comparison between the Sheriff's proposal and the Wackenhut proposal and to bring the item back at a later date. The comparative analysis between cost for the Sheriff's office and Wackenhut is attached. In general, the hourly rate for Wackenhut is \$3.04 less than the hourly rate for the Sheriff's office. Attached are two comparisons with and without the project manager included. The difference between the two proposals is as follows:

	<u>Project Manager</u>	<u>Without Project Manager</u>	
Sheriff			\$950,542.88
		\$908,069.28	
Wackenhut	\$803,150.80	\$767,000.40	
Difference	\$147,392.08	\$141,068.88	

The Sheriff has raised concerns about Court activities and has expressed the need to administer Security activities in the Judicial building. The Sheriff also requested to provide coverage for the County Administration building in order to have an armed presence available for Board meetings and such operations as the Tax Office where revenue collections occur.

Resource Person(s): Deputy County Manager Wendell M. Davis; Wes Crabtree, Durham County Sheriff's Department; and Lawrence Martin Martinez, Wackenhut Representative

County Manager's Recommendation: Suspend the rules, receive the report, and award the security contract to Wackenhut for 586 hours for DSS, Mental Health, Public Health, Libraries, the Criminal Justice Resource Center, a roving patrol, and project management. The Manager further recommends awarding 294 hours to the Sheriff's Office for the Judicial building and the County Administration building.