COUNCIL MINUTES

The City Council of the City of Raleigh met in a regular session at 1:00 p.m. on Tuesday, August 2, 2016 in the City Council Chamber, Room 201 of the Raleigh Municipal Building, Avery C. Upchurch Government Complex, 222 W. Hargett Street, Raleigh, North Carolina, with the following present.

Mayor Nancy McFarlane, Presiding
Councilor Kay C. Crowder, Mayor Pro Tem
Councilor Mary-Ann Baldwin
Councilor Corey D. Branch
Councilor David Cox
Councilor Bonner Gaylord
Councilor Russ Stephenson
Councilor Dickie Thompson

Mayor McFarlane called the meeting to order and invocation was rendered by Barbara M. Styers, Raleigh Moravian Church. The Pledge of Allegiance was led by Council Member Bonner Gaylord. The following items were discussed with action taken as shown.

RECOGNITION OF SPECIAL AWARDS

CERTIFICATE OF APPOINTMENT – PRESENTATION MADE

Mayor McFarlane explained the Certificate of Appointment presentation and presented a certificate to Leon Cox who was recently appointed to the Greater Raleigh Convention and Visitor's Bureau.

AGENCY GRANTEE PRESENTATION – CHAMBER MUSIC RALEIGH - RECEIVED

Dana Friedi and Greg Logan provided a violin duet. Mr. Logan pointed out they are on the Board of Chamber Music Raleigh, one of the oldest classical music presenters in the State. This is the 75th anniversary season. He expressed appreciation to the Mayor and City Council for their efforts to make Raleigh the Arts Capital of the South by giving support to organizations like Chamber Music Raleigh. He stated they sponsor a series at the NC Museum of Art called Sights and Sounds which features North Carolina musicians and pairs music with art in the museum either from a visiting exhibition or part of the permanent collection.

Mr. Logan stated during their yearly presentations, Chamber Music Raleigh sponsors a series of performances at area libraries performed by the Oak City String Quartet comprised of members from the NC Symphony, who play kid friendly shows. Last year there were over 100 people at the Cameron Village Library for a performance many of them children. He stated this year there will be performances at the Northeast Regional, Richard B. Harrison, Green Road, Southeast Regional, Southgate and West Regional Libraries. He stated this continues their dedication to

reaching underserved communities that are economically diverse sometimes not having access to classical music. He stated the premier presentation, which they are excited about, is the Sphinx Virtuosi residency which is an ensemble of 18 wonderful string players of Hispanic and African American Heritage. Their program will feature music written by composers that are African or Hispanic Americans as well. The performances will be held at Ligon Middle School which will reach some 1,800 students who are present and bussed in, Hayes Barton United Methodist Church, St. Ambrose Episcopal Church and a day of activities with East Millbrook students. They are also planning another evening concert in Southeast Raleigh.

Mr. Logan thanked the City Council for helping fund these programs and the continued support to Chamber Music Raleigh and other organizations like them.

CONSENT AGENDA

CONSENT AGENDA – APPROVED AS AMENDED

Mayor McFarlane presented the consent agenda indicating all items are considered to be routine and may be enacted by one motion. If a Councilor requests discussion on an item, the item will be removed from the consent agenda and considered separately. She explained the vote on the consent agenda will be a roll call vote. Mayor McFarlane stated she had received the following requests to withdraw items from the consent agenda: Contract Services – Raleigh Union Station Construction – Clancy & Theys and Skanska – Change Order Number One and Clearscapes Amendment #3 by Ms. Baldwin. Mayor McFarlane stated Council members received at the Council table a revised packet of material relative to lease of office space at 421 Fayetteville Street and consideration would be of the revision rather than what is in the agenda packet. In addition, staff has asked that the condemnation request relating to Ravenwood Drive – Ryan Cottrell and Kara Stucky and John Craichy and Karen Knight and the request relating to Tyrrell Road – condemnation Benjamin Everett and Debra Everett should be withdrawn as the cases have been settled and the no parking zone – Riverview Road be withdrawn to come back at a later date. Ms. Baldwin moved approval of the consent agenda as amended. Her motion was seconded by Mr. Gaylord and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote. The items on the Consent Agenda were as follows.

FIRE STATION #6 – AUTHORIZATION TO FILE BOARD OF ADJUSTMENT VARIANCE APPLICATION – APPROVED

Fire Station 6, located at the intersection of Fairview and Oberlin Roads, was commissioned in 1949 and is currently scheduled for full rebuild and replacement in 2017; funding for the replacement facility was programmed in the FY2015 adopted capital improvements program with an appropriation of $6,395,000.

The parcel where Fire Station 6 is located has a zoning designation of Office Mixed Use, 3-Story, Green Frontage (OX-3-GR). The Green Frontage classification requires a setback of 20 to 50 feet from Oberlin Road; the design architects have made every effort to condense the building

footprint to comply with setback requirements of the current zoning classification, but the operational needs of a fire station limit the ability to further downsize the footprint.

Staff recommends requesting a variance with the Board of Adjustment to request minor relief from the setback requirements along the east side of the parcel which borders Oberlin Road.

Recommendation: Authorize staff to file a variance with the Board of Adjustment. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes.

E.M. JOHNSON WATER TREATMENT PLANT – ACQUISITION OF 255-KW SOLAR ARRAY – MANAGER AUTHORIZED TO EXECUTE DOCUMENTS

In 2010 the City entered into a lease agreement with Carolina Solar Energy, Inc., which included the option to purchase the 255-kW solar photovoltaic system installed at the E.M. Johnson Water Treatment Plant. The purchase option is to be exercised at the beginning of the seventh year of the lease, or January 17, 2017. Staff began negotiating with Carolina Solar Energy in early 2016; in July an agreement was reached for a purchase price of $400,000.

During the negotiation process, staff reviewed the performance of the system to date, electricity production, revenue potential, and maintenance costs and compared the operating data to the sales price. The City expects to earn at least $123,250 profit from operation of this system – the net present value of all revenues and expenses, including the purchase price, at the current cost of capital – through the end of the current Power Purchase Agreement (PPA) in 2029. Since the system component warranties extend beyond the end of the PPA, the actual financial benefit to the City will likely exceed projections.

The adopted capital budget includes a line item for the acquisition of this system with sufficient funds to cover the negotiated purchase price of $400,000. Staff recommends City Council authorization for the City Manager to execute the term sheet that documents the negotiated terms of the sale and to proceed with the acquisition of this solar system. If authorized, staff will begin preparing the documents required for the transfer of ownership and will apply for authorization from the NC Utilities Commission as required by the PPA.

Recommendation: Authorize the City Manager to execute the term sheet that documents the negotiated terms of the sale and to proceed with the acquisition of the 255-kW solar photovoltaic system installed at the E.M. Johnson Water Treatment Plant effective January 17, 2017. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes.

SEWER INSTALLATION – WESTINGHOUSE BOULEVARD – RESOLUTION OF INTENT ADOPTED

This project, PU 2016-1, includes the installation of approximately 120 linear feet of eight-inch sewer main in the vicinity of 2531 Westinghouse Boulevard at the owner's request and as required by NC General Statues. Property served by this project will be assessed for the improvements, based on assessment rates established annually as allowed by statue.

Location:	Westinghouse Boulevard (near Capital Boulevard)
Estimated Construction Cost:	$29,000
Assessment:	Inside City, assessed on a per lot or front footage basis

Recommendation: Adopt a resolution of intent to schedule a public hearing on September 6, 2016. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes. See Resolution 335.

GORALEIGH – FEDERAL TRANSIT ADMINISTRATION GRANT – ACCEPTED – BUDGET AMENDED

The City annually receives formulaic Federal Transit Administration (FTA) Section 5307, 5339 Capital and Section 5307 Planning grants to complete a variety of projects for the GoRaleigh transit system. Multi-year projects under the Section 5339 grant include the replacement of approximately four diesel buses that have met or are beyond their useful life; these buses will be replaced with clean diesel forty-foot buses. This grant also includes the replacement and upgrade of passenger information systems at key facilities within the service area.

The multi-year Section 5307 grant will fund preventive maintenance, transit bus replacement, renovations, replacement of passenger amenities (shelters, trash receptacles and benches), and GoRaleigh Access paratransit services. On July 21 the grants committee reviewed and authorized submission of the grant application. Multi-year project ordinances are traditionally not adopted with the annual operating budget; the adopted capital budget includes an appropriation for the local match for each listed project. Capitalized operating expenses are reflected in the operating budget. Accounting details were included with the agenda packet.

Total amount of the grants:	$10,719,865
FTA Funding (80 percent)	$8,575,892
City Match (20 percent)	$1,951,703
State Match for buses only (10 percent)	$192,270

Recommendation: Accept the anticipated grant awards and authorize a budget amendment in the amount of $10,719,865. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes. See Ordinance 623 TF 281.

HIGH INTENSITY DRUG TRAFFICKING AREA – 2015 GRANT AMENDMENT – ACCEPTED – BUDGET AMENDED

The City has been awarded an additional $7,738 from the federal Office of National Drug Control and Policy to pay overtime for police detectives to conduct investigations related to drug trafficking and money laundering. There is a $1,552 match required for this grant. These funds will be added to the current 2015 HIDTA grant of $20,000, which was approved by Council with the FY16 operating budget. On April 23, 2015, the Grants Committee reviewed and provided

authorization for the department to proceed with submitting the original HIDTA grant application. The grants program has been made aware of the additional funding award.

Recommendation: Accept the grant award and authorize a budget amendment totaling $7,738. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes. See Ordinance 623 TF 281.

HIGH INTENSITY DRUG TRAFFICKING AREA – 2016 GRANT – ACCEPTED – BUDGET AMENDED

The City has been awarded $20,000 from the federal Office of National Drug Control and Policy to pay overtime for police detectives to conduct investigations related to drug trafficking and money laundering. The Raleigh area was designated as a High Intensity Drug Trafficking Area in 2007, and the Police Department has been participating in this grant program since that time. There is a $4,012 match required for this grant. This grant was administratively approved by the grants committee on June 28, 2016.

Recommendation: Accept the grant award and authorize a budget amendment totaling $20,000. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes. See Ordinance 623 TF 281.

RALEIGH ARCHITECTURAL SURVEY UPDATE – GRANT ACCEPTED – DOCUMENTS TO BE EXECUTED

On February 18, 2016, the Grants Committee reviewed and provided authorization for the department to proceed with submitting a $20,000 grant application to update the City's Architectural Survey. Due to statewide competition for funds, a $10,000 grant has been awarded. Funding will be utilized to update the architectural survey of Raleigh by recording properties within the city limits, with a focus on mid-20th-century neighborhoods and areas annexed since 2006 when the last update was completed. The project is to be conducted in two phases: I) reconnaissance and planning; and II) intensive survey and presentation of properties for placement on the State Study List for eventual listing in the National Register of Historic Places. Matching funds of $20,000 are included in the FY17 budget.

Recommendation: Accept the grant and authorize staff to execute associated documents. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes.

RALEIGH DURHAM AIRPORT AUTHORITY – GRANT AWARD – EXECUTION OF DOCUMENTS AUTHORIZED

The Federal Aviation Administration (FAA) has offered the Raleigh-Durham Airport Authority an airport improvement grant in the amount of $1,306,945. The FAA requires the City, as well as the City of Durham and the counties of Wake and Durham to accept grant offers under the Airport Improvement Program.

The grant will be applied to the following Airport Authority initiatives:

- Consulting Services for the rehabilitation of Taxiways A and F – FAA AIP Grant Number 3-37-0056-047-2016

Recommendation: Authorize execution of required grant documents. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes.

HAZARDOUS MATERIALS RESPONSE TEAM – INTERLOCAL AGREEMENT – MANAGER AUTHORIZED TO EXECUTE

The City has been under contract with Wake County to provide hazardous materials response in Wake County but outside the city limits. The County has proposed to continue the arrangement for the 2016-17 fiscal year. Wake County will compensate the City in the amount of $233,717.

Recommendation: Authorize the City Manager to execute the agreement. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes.

LEASE OF OFFICE SPACE – 421 FAYETTEVILLE STREET – APPROVED CONDITIONALLY – RESOLUTION ADOPTED

Effective July 1, 2014, the Community Development and Community Services departments, as well as the Housing Code Enforcement program, were reorganized and now form the three divisions of the Housing and Neighborhoods Department. The divisions were separately located in the One Exchange Plaza and Dillon Buildings at the time of reorganization, and have remained scattered within those facilities since that time.

Recognizing departmental efficiencies to be gained by co-location of these divisions and following a search of available properties, a suitable lease site was identified at 421 Fayetteville Street. The lease premises would be located on the twelfth floor and contain 15,684± rentable square feet. Consolidation of department staff in the leased space as proposed will free up work space in other City facilities for reallocation and to achieve additional staff efficiencies in other departments.

Below is an outline of proposed terms of the lease:

- Lease Premises – 421 Fayetteville Street – Twelfth floor office space containing 15,684± rentable square feet.
- Term – 87 Months (seven years, three months)

Rent: Base rental rate/annual escalation: First year rental rate of $26.95 per rentable square foot (RSF) per year, full-service for the Premises. The base rent shall escalate by 2.75% beginning in year two of the initial lease term and annually thereafter on each anniversary date of lease commencement.

- Additional Rent – beginning in year 2 (2018) of the initial lease term, in addition to base rent, the City shall pay a proportionate share of any increases in operating expenses and

taxes in excess of the total established in the 2017 base year up to an amount capped at $2.50/sf. Total rents and lease years 2 and thereafter shall consist of base rent and additional rent.

- Option to Renew – the City shall have one option to renew for a period of up to 3 years.

Recommendation: Authorize execution of an office space lease, with general terms to be finalized by the City Attorney and City Manager, including the base rental rate and additional rental amounts in accordance with the terms of the negotiated lease. Adopt a resolution authorizing application to the Local Government Commission requesting approval of the lease. Following Local Government Commission approval, authorize the City Manager to execute the lease agreement. Upheld on Consent Agenda Baldwin/Branch – 8 ayes. See Resolution 353.

UTILITY SERVICES CONTRACT – CITY OF WILSON – AMENDMENT NUMBER ONE – APPROVED

In 2013 the City executed a utility services contract with the City of Wilson (Wilson) to provide expertise and resources and to perform professional services associated with construction of a fiber-optic network in support of the Institutional Fiber Network project. Under terms of the initial contract, of an amount not to exceed $150,000, Wilson performed such work as rerouting downtown fiber, site evaluation, and testing and validation services to make ready the fiber-optic network backbone ring. Wilson provides similar services to multiple municipalities and counties in the region.

Under this contract amendment, Wilson will specifically be responsible for the production of construction drawings to be used for permit submission and construction of the fiber-optic lines, construction and materials of both aerial and underground fiber-optic lines, supervision and management of all work crews, and submission of as-built drawings in a GIS file to be incorporated into the fiber-optic database. All work will be performed by Wilson staff or under the direction and supervision of Wilson.

In 2013, the City contracted with CTC Technology and Energy to prepare a fiber construction strategic plan to outline options and step-by-step recommendations for moving from the City's current state to the operational phase of a carrier-class fiber network. In examining options for network monitoring, CTC found the City of Wilson was significantly less costly than other comparable services and recommended contracting Wilson for fiber services that included construction, integration, and network monitoring and maintenance. The current evaluation of project costs show that Wilson is able to provide services at a discount of more than 30 percent and in addition has substantial knowledge of our current and proposed network.

The proposed amendment to the existing utility services contract for phase three of the initiative will provide funding for construction of additional fiber-optic infrastructure to 40 City-owned facilities. Continued development of the institutional fiber network is a strategic plan initiative within the key focus of organizational excellence. The 40 facilities have been carefully selected by the project stakeholders as strategically and operationally critical to have fiber infrastructure completed and available to meet business needs and requirements in FY 2017. The selected

facilities include Raleigh Police districts and facilities to support anticipated technology needs associated with the Body Worn Camera and In-Car Camera Systems project; Tier 1 and 2 Raleigh Emergency Facilities; and Parks facilities determined as high impact and high priority to meet purchasing card industry (PCI) requirements for credit card transactions. The installation of fiber infrastructure supports a low-cost ability to provide Wi-Fi services to park patrons.

Construction and equipment for the additional 40 facilities will cost $836,000 and continues to build from the initial fiber project and the recent connections of additional key facilities. In phase three, Police facilities will be first priority and construction for remaining facilities will begin upon completion of the Police facilities. Construction will begin in September 2016 with completion estimated by May 2017; funding is appropriated in the capital budget.

Name of Project:	Institutional Fiber Network Phase Three
Managing Division:	Information Technology
Request Reason:	Contract approval >$150,000
Cause of Contract Amendment:	Contract amendment for next phase
Vendor:	City of Wilson
FY 2014:	$150,000 (original contract)
Currently Encumbered:	$0
Amount of this Amendment:	$836,000
Encumbered with this Approval:	$836,000

Recommendation: Authorize the City Manager to execute the contract in an amount not to exceed $836,000. . Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes.

WATER QUALITY MONITORING – CONTRACT WITH HAZEN & SAWYER – APPROVED

Environmental permitting for the D. E. Benton Water Treatment Plant requires a water quality monitoring program to record and evaluate impacts to the Swift Creek watershed associated with the operation of the plant.

Following a review of qualifications submitted in response to a Request for Qualifications, Hazen and Sawyer was selected as the most appropriate vendor to manage the required monitoring program. This selection was based on Hazen and Sawyer's previous experience with the project, staff expertise, and understanding of the program requirements.

An agreement has been negotiated with a five-year term as follows:

- FY17: $132,000 (Benthic monitoring, stream morphology, water quality monitoring)
- FY18: $36,000 (Benthic monitoring, water quality monitoring)
- FY19: $181,000 (Benthic monitoring, stream morphology, water quality monitoring, endangered mussel survey)
- FY20: $36,000 (Benthic monitoring, water quality monitoring)

- FY21: $196,000 (Benthic monitoring, stream morphology, water quality monitoring, endangered fish survey, summary report)

Recommendation: Authorize the City Manager to execute the contract with Hazen and Sawyer, in an amount not to exceed $581,000. Upheld on consent agenda Baldwin/Gaylord - 8 ayes.

WATER AND SEWER LINE REPLACEMENT - CAROLINA CIVILWORKS INCORPORATED – CHANGE ORDER 2 – APPROVED

On January 20, 2015, Council approved a construction contract with Carolina Civilworks, Inc. for the 2013 Water and Sewer Line Replacements, contract number two. This construction contract includes the replacement of approximately 12,800 linear feet (LF) of water lines and rehabilitation or replacement of approximately 8,700 LF of sewer lines. Project work areas were determined by the staff with the Asset Management program, which strives to replace aging infrastructure in a systematic and proactive manner.

A contract for $2,673,403 was executed with Carolina Civilworks, Inc. in March, 2015. Change order number two in the amount of $234,387 is necessary for costs associated with four additional emergency water and sewer main repairs.

Contract History:

Name of Project:	2013 Water Lines and Sewer Lines Replacements, Project Number Two
Managing Division:	Public Utilities – Capital Improvement Management Division
Request Reason:	Contract amendment >$500,000 (policy)
Vendor:	Carolina Civilworks, Inc.
Prior Activity:	$2,673,403 (approved by City Council January 20, 2015)
Change Order Number One:	$296,278 (administrative)
Currently Encumbered:	$2,969,681
Amount of this Change Order:	$234,387
Encumbered with this Approval:	$3,204,068

Recommendation: Authorize the City Manager to execute a change order in an amount not to exceed $234,387. Upheld on consent agenda Baldwin/Gaylord – 8 ayes.

NEUSE RIVER RESOURCE RECOVERY FACILITY – BIOENERGY RECOVERY PROJECT – HAZEN & SAWYER AMENDMENT #1 - APPROVED

The Neuse River Resource Recovery Facility (NRRRF) Bioenergy Recovery project includes the capability to produce a highly marketable, Class A biosolids product and to convert biologically produced methane gas to natural gas for vehicle use. The preliminary design phase is complete and the project is now moving into final design.

The NRRRF Bioenergy Recovery Project design team is being led by Hazen and Sawyer with Black & Veatch as a subcontractor performing approximately 40 percent of the work. The City retained Hazen and Sawyer to perform engineering planning, design, and construction phase services through a qualifications based selection process as required by statute. The original contract in the amount of $1,288,778 was to provide preliminary engineering and project planning services in order to clearly define the scope. A second amendment to this contract will be necessary for the next phase of project design, which includes construction administration and observation services estimated at approximately $4.9 million.

Contract amendment number one with Hazen and Sawyer, in the amount of $6,398,013 for final design phase services, includes sludge pre-dewatering and screening, grit removal, thickening improvements, side stream treatment, thermal hydrolysis, two 2.2-million-gallon anaerobic digesters, and gas handling and treatment systems. Final design and construction of the NRRRF Bioenergy Recovery project is expected to take place over the next four and a half years with an estimated construction cost of approximately $90 to $95 million dollars. Funding is appropriated in the project budget.

Contract History:

Name of Project:	Neuse River Resource Recovery Facility Bioenergy Recovery Project
Managing Division:	Public Utilities – Capital Improvement Management Division
Request Reason:	Contract amendment >$150,000 (policy)
Vendor:	Hazen and Sawyer
Prior Activity:	$1,288,788 (approved by City Council March 3, 2015)
Currently Encumbered:	$1,288,778
Amount of this Amendment:	$6,398,013
Encumbered with the Approval;	$7,686,791

Recommendation: Authorize the City Manager to execute the contract amendment in an amount not to exceed $6,398,013. Upheld on consent agenda Baldwin/Gaylord – 8 ayes.

MUNICIPAL AGREEMENTS – NCDOT/CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION – VARIOUS ACTIONS APPROVED

In February 2016, the Executive Board of the North Carolina Capital Area Metropolitan Planning Organization (CAMPO) approved the awarding of federal transportation funding allocations and programs through the Locally Administered Project Program (LAPP). The project list includes three projects – Wake Forest/Blount/Person Complete Streets (Phase I), Crabtree Creek West Greenway, and Walnut Creek Greenway Trailwood Segment – with combined funding just over $3.5 million.

The Grants Committee has approved the receipt of the funding for all three projects, and required matching funds have been appropriated through the FY15 budget, the 2014 Parks Bond, and

programmatic greenway funding to accounts for each project. Two projects (Wake Forest/Blount/Person and Crabtree Creek) require budgetary transfers in the amounts of $3,499,000 to set up the City matches.

Project Number One:	Wake Forest/Blount/Person Implementation (Phase I)
Managing Division:	Transportation
Approval Requested:	Municipal Agreement
Reason for Council Review:	Council policy for interlocal agreements
Estimated amount to be received:	$1,274,000
Vendor:	NC Department of Transportation
Currently budgeted:	$700,000 (FY15 CIP)
Budget Transfer Required:	Yes – $496,000 from Project Bond Reserves to Project Revenue

Project Number Two:	Crabtree Creek Greenway West
Managing Division:	Parks, Recreation, and Cultural Resources
Approval Requested:	Municipal Agreement
Reason for Council Review:	Council policy for interlocal agreements
Estimated amount to be received:	$1,547,000
Vendor:	NC Department of Transportation
Currently budgeted:	$4,327,500 (2014 Parks Bond)
Budget Transfer Required:	Yes – $3,003,000 from Project Bond Reserves to Project Revenue

Project Number Three:	Walnut Creek Greenway – Trailwood
Managing Division:	Parks, Recreation, and Cultural Resources
Approval Requested:	Municipal Agreement
Reason for Council Review:	Council policy for interlocal agreements
Estimated amount to be received:	$683,400
Vendor:	NC Department of Transportation
Currently budgeted:	$0
Budget Transfer Required:	No

Recommendation: Authorize the City Manager to execute the municipal agreements with NCDOT to accept $3,504,400 in LAPP funding; and authorize budget transfers in the amount of $3,499,000 and associated budget amendments. Accounting details were included with the agenda packet. Upheld on consent agenda Baldwin/Gaylord – 8 ayes. See Ordinance 623 TF 281.

PARKING NEEDS STUDY – CONTRACT WITH KIMLEY-HORN & ASSOCIATES – APPROVED

An objective within the Economic Development key focus area of the adopted Strategic Plan is to "Maintain and develop amenities and infrastructure specifically attractive to economic

development". This objective led to the following stages of development for assessing parking needs in the downtown area:

- Downtown Parking Study Identified in Strategic Planning (Fall 2014)
- Budget Appropriation for Study (May, 2015)
- Strategic Planning stakeholder group convenes (Aug, 2015 to Dec, 2015)
- Request for Proposals (RFP) issued (May, 2016)

The RFP process for the "Downtown Development and Future Parking Needs Study" outlined the following task items in the scope of services:

- Maximize the availability of on-street parking given the competing use of curb space at different times of the day;
- Recommend approaches to determine how the City's municipally-administered parking enterprise can best support and promote downtown economic development;
- Assess current and projected parking space demand and supply;
- Assess and provide guidance to the City with regard to intense urban development in the downtown area; and
- Provide the City with a GIS-based parking demand model that would enable staff to assess future supply/demand situations in response to development and redevelopment at the completion of the study.

17 firms requested the RFP but only two proposals were received: Kimley-Horn and Associates Inc. and Desman Design Management. Following review and evaluation of proposals, the evaluation team comprising staff from Economic Development and Innovation, Parking Administration, and the City Planning departments scheduled interviews with both responders on July 18-19 and evaluated the proposals according to the criteria set out in the RFP. The total not to exceed cost proposals were:

Kimley-Horn and Associates:	$197,204
Desman Design Management:	$120,330

Both proposals are within the budgeted appropriations; despite the significant cost difference the proposal by Kimley-Horn was ranked as highest and most responsive proposal associated with a more thorough methodology for obtaining the essential parking demand and supply data, a more detailed offering of economic development support strategies, and an impressive GIS-based parking model which will be of great value for future planning needs. The study is scheduled to take four months to complete with the consultant's final report expected in January, 2017.

Name of Project:	Downtown Development and Future Parking Needs Study
Managing Division:	Transportation / Parking
Request Reason:	Contract amount > $150,000
Vendor:	Kimley Horn and Associates Inc.

Prior Contract Activity:	N/A
Project Budget:	$200,000
Budget Transfer:	N/A
Amount of this Contract:	$197,204
Encumbered with the approval:	$197,204

Recommendation: Authorize the City Manager to execute the contract with Kimley-Horn and Associates Inc. in an amount not to exceed $197,204. Upheld on consent agenda Baldwin/Gaylord – 8 ayes.

ENCROACHMENTS – VARIOUS – APPROVED CONDITIONALLY

The agenda presented the following encroachment requests.

503 Cutler Street
A request has been received from M. Riana Smith to install a stormwater outfall. A report was included with the agenda packet.

105 Friendly Drive

A request has been received from Friendly Investments, LLC to legalize an electrical transformer. A report was included with the agenda packet.

518 West Jones Street

A request has been received from Level 3 Communications to install 88 feet of underground fiber optic cable. A report was included with the agenda packet.

Dorothea Drive, Saunders Street, Lenoir Street, South Harrington Street, West Davie Street, and Faircloth Street

A request has been received from MCNC to install 23,600 feet of underground fiber optic cable and 32 hand holes to access existing conduit. A report was included with the agenda packet.

Arco Corporate Drive, Little Brier Creek Parkway, World Trade Boulevard, Faircloth Street, North Boylan Avenue, West Jones Street, Tucker Street, North Harrington Street, South Harrington Street, West Edenton Street, West Martin Street, and West Davie Street

A request has been received from Fiber Technologies Networks, LLC to install 7,629 feet of underground fiber optic cable, 8,209 feet of aerial fiber optic cable, three 35-foot steel poles and one 45-foot steel pole set in the right-of-way. A report was included with the agenda packet.

Recommendation: Authorize the encroachments subject to completion of a liability agreement and documentation of proof of insurance by the applicants. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes.

JOHN CHAVIS MEMORIAL PARK CELEBRATION – OVERHEAD BANNERS – TEMPORARY ENCROACHMENT APPROVED

Council authorization is required for installation of a temporary encroachment of two banners that will hang overhead in the vicinity of the intersection of Garner Road and Martin Luther King, Jr. Boulevard, the vicinity of the intersection of Wilmington and South streets. The temporary banners will promote the John Chavis Memorial Park Celebration event, scheduled for October 1. The temporary banners will hang from approximately September 1 to October 3.

Recommendation: Authorize the temporary encroachment. Upheld on consent agenda Baldwin/Gaylord – 8 ayes

CONDEMNATION – CRABTREE BASIN WASTEWATER SYSTEM IMPROVEMENTS PHASE II, SECTION II - RESOLUTIONS ADOPTED

During the March 4, 2104 Council work session, the Public Utilities Department presented an overview of the Crabtree Basin wastewater system improvements, a capital project of significant scope and impact to residents and businesses in the vicinity of and adjacent to the project corridor. Improvements are necessary to address historic sanitary sewer overflow instances and volume, as well as to increase wet weather capacity of the wastewater infrastructure. The project involves installation of 21,000 linear feet of 54-inch gravity sewer at a depth of 20-30 feet in most locations, seven crossings of Crabtree Creek and eight crossings of road and railroad right-of-way, and periodic blasting due to the large volume of rock present along the project corridor. At an estimated $30 million construction cost, the acquisition of easements from property owners in the project corridor has been ongoing; timely easement acquisition is a critical element to the project schedule.

Negotiations have, thus far, been unsuccessful with the following property owners to acquire the easements needed for the "Crabtree Basin Wastewater System Conveyance Improvements – Phase II Section Two" sanitary sewer project. To keep this project moving forward, staff recommends that Council authorize condemnation to acquire the easements needed from the following properties:

PROPERTY OWNER	ADDRESS
Edwin E. and Agnes P. Flythe	3316 Alleghany Drive
Paul W. Utt and Ann A. Utt	3328 Alleghany Drive
Mark and Carol Lynn Foster	3332 Alleghany Drive
David E. and Anna R. Kouba	3336 Alleghany Drive
Jewell P. Funkhouser	3340 Alleghany Drive
Paul L. and Sarah S. Cranfill	3344 Alleghany Drive
David W. and Avery S. Knight	3348 Alleghany Drive
John W. and Cameron C. Lowe	3352 Alleghany Drive
Thomas R. and Rosemary Waring	3356 Alleghany Drive

Recommendation: Adopt resolutions of condemnation as outlined. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes. See Resolutions 336, 337, 338, 339, 340, 341, 342, 343 and 344.

CONDEMNATION – SIDEWALK IMPROVEMENT PROJECT – RAVENWOOD DRIVE – RESOLUTIONS ADOPTED

Ravenwood Drive sidewalk improvement concise of approximately 1,310 feet of 6' wide concrete sidewalk along the west side of the Ravenwood from Scarlett Maple Drive to Melbourne Road. The work will also include grading and restoration of driveway aprons to the proper grade. Efforts have been unsuccessful to obtain the needed easements in the following locations.

PROPERTY OWNER	ADDRESS
Ryan Cottrell and Kara Stucky	800 Ravenwood Drive
John Craichy and Karen Night	5528 Melbourne Road
Erik Honeycutt	816 Ravenwood Drive
Villis Keglers and Nellie Tutor	5224 Melbourne Road
Samir and Lamis Ishak	812 Ravenwood Drive

The City Clerk reported that the 800 Ravenwood Drive and 5528 Melbourne Road should be withdrawn as the easements have been obtained.

Recommendation: Adopt resolutions of condemnation on the remaining three locations. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes. See Resolutions 345, 346 and 347.

CONDEMNATION – SIDEWALK IMPROVEMENT PROJECT – MELBOURNE ROAD – RESOLUTIONS ADOPTED

The 2015 sidewalk improvement program includes sidewalks on Melbourne Road consisting of about 940 feet of 6 foot wide contract sidewalk along the north side of Melbourne Road from Ravenwood Drive to Power Drive. The work will also include grading, some storm drainage work, curb ramps, pedestrian crosswalk at Ravenwood Drive and restoration of driveway aprons to the proper grade. Efforts have been unsuccessful to obtain the needed easements in the following locations.

PROPERTY OWNER	ADDRESS
Avelino Torres-Billoch and Kim Johnson-Torres	5220 Melbourne Road
Raleigh Rentals, LLC	728 Grove Avenue
William and Bertie Stevens	738 Grove Avenue

Recommendation: Adopt resolutions of condemnations. Upheld on consent agenda Baldwin/Gaylord – 8 ayes. See Resolutions 348, 349 and 357.

CONDEMNATION – SIDEWALK IMPROVEMENTS TYRRELL ROAD – RESOLUTIONS ADOPTED

The 2015 sidewalk improvement projects include a section of Tyrell Road. This project consist of about 1,340 feet of 6 foot wide concrete sidewalk along the east side of the street from 1500 Tyrell Road to Hyde Street. The work will also include grading, curb ramps and restoration of driveway aprons to the proper grade.

Efforts have been unsuccessful to obtain needed easements in the following locations.

PROPERTY OWNER	ADDRESS
Benjamin Everett and Debra Everett	813 Tyrrell Road
James Hobbs and Karen Hobbs	1104 Currituck Drive
Gabriel Smith and Jennifer Blue-Smith	1109 Currituck Drive

The City Clerk reported that 813 Tyrell Road should be withdrawn as the case has been settled. The item was withdrawn.

Recommendation: Adopt resolution of condemnation on the remaining locations. Upheld on Consent Agenda Baldwin/Gaylord – 8 eyes. See Resolution 350 and 351.

CONDEMNATION – I40 BRIDGE PEDESTRIAN RETROFIT IMPROVEMENT PROJECT – RESOLUTION ADOPTED

The purpose of the I-40 Bridge Pedestrian Retrofit Improvement Project is to improve safety along the corridor for both vehicles and pedestrians by providing pedestrian connectivity. The proposed project will connect existing pedestrian facilities along the east and west sides of Trailwood Drive from north of its intersection with Lineberry Drive to the existing sidewalk north of the I-40 bridge.

Improvements along Trailwood Drive will consist of adding concrete sidewalk from the existing sidewalk just north of Lineberry Drive to just south of Main Campus Drive. The proposed roadway will be restriped to accommodate future bike lanes. Proposed sidewalk will be constructed along the east and west side of the existing I-40 structure.

The overall project affects approximately 1320.08 feet (0.25 mile) of roadway.

Efforts have been unsuccessful to obtain needed easements; therefore, it is recommended that a resolution of condemnation be authorized for the following:

PROPERTY OWNER	ADDRESS
Heirs of Mary Langston	1820 Trailwood Drive

Recommendation: Adopt resolutions of condemnation. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes. See Resolution 352.

NEUSE RIVER RESOURCE RECOVERY FACILITY SECONDARY CLARIFIER REHABILITATION – CONTRACT AWARDED TO UTILITY SERVICE COMPANY, INC.

On July 12, 2016, four bids were received for the Neuse River Resource Recovery Facility (NRRRF) Secondary Clarifier Rehabilitation project. This project will rehabilitate and coat the 12 secondary clarifiers at the NRRRF. Additional components of this project include installation of fiberglass covers over the effluent troughs for odor control and electrical upgrades.

Utility Service Company, Inc. was the lowest responsive bid in the amount of $3,440,000 with a 33 percent Minority and Women Enterprise (MWBE) participation.

Name of Project:	NRRRF Secondary Clarifier Rehabilitation
Managing Division:	Public Utilities – Capital Improvements Management Division
Approval Request:	Bid award
Reason for Council Review:	Formal bid award
Original CIP Budget:	$3,600,000
Construction Bid Award:	$3,440,000
Vendor:	Utility Service Company, Inc.
Prior Contract Activity:	N/A
Encumbrance with this approval:	$3,440,000

Recommendation: Award the bid to Utility Service Company, Inc. in an amount not to exceed $3,440,000. Authorize the City Manager to execute the contract. Upheld on Consent Agenda Baldwin/Gaylord - 8 ayes.

CRABTREE CREEK LIFT STATION EXPANSION – BID AWARDED TO HAREN CONSTRUCTION COMPANY – MANAGER AUTHORIZED TO EXECUTE CONTRACT

On June 29, 2016, four bids were received for the Crabtree Creek Lift Station Expansion project. This project involves the replacement of the five Archimedes screws which lift wastewater flow from one elevation to the next as well as the rehabilitation of other equipment appurtenances within the lift station.

Haren Construction Co., Inc. submitted the lowest bid amount of $6,282,500, including the alternate for the Microbial Induced Corrosion (MIC) coating system. Haren Construction Company is properly licensed and experienced in the type of work involved with this project. Haren Construction Company submitted a 2.9 percent Minority and Women Enterprise MWBE participation plan. Though this participation does not meet the City's goal, Haren Construction Company provided documentation demonstrating good faith effort for MWBE participation; a

large portion of the contract includes equipment procurement where MWBE opportunities may not exist.

Name of Project:	Crabtree Creek Lift Station Expansion
Managing Division:	Public Utilities – Capital Improvements Management Division
Approval request:	Bid award
Reason for Council review:	Formal bid award
Original CIP Budget:	$9,000,000
Construction Bid Award:	$6,282,500
Vendor:	Haren Construction Company
Prior Contract History:	N/A
Encumbered with this approval:	$6,282,500

Recommendation: Award the bid to Haren Construction Company in an amount not to exceed $6,282,500. Authorize the City Manager to execute the contract. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes.

BUCK JONES WIDENING CONSTRUCTION CONTRACT – MANAGER AUTHORIZED TO ENTER INTO CONTRACT WITH CAROLINA SUNROCK, LLC; FUNDS TRANSFERRED

Bids were received July 7, 2016 for the Buck Jones Road Widening project (PW 2014-07) with Carolina Sunrock, LLC submitting the low bid of $7,697,525; MWBE participation is 15 percent. The engineer's estimate for the project was $7,317,503, resulting in the low bid that exceeded the engineer's estimate by 5.2 percent. Budget transfers are necessary to provide the funding for the project.

Staff recommends approval of the value engineering option, which provides a cost savings of $148,740 and reduces the construction contract to $7,548,785. The Public Utilities capital program will contribute $346,797 in cost sharing for water and sanitary sewer improvements; the Stormwater capital program will provide $94,829 in cost sharing for storm drainage improvements. The bid summary and accounting details of all budget transfers are included with the agenda packet. The source of funding for the budget transfers from within the transportation capital program include Transportation Facility Fee Zone 3 project reserves; residual appropriations from the Leesville Road project, which is substantially complete with the exception of punchlist items, final landscaping and one condemnation settlement; and other program reserves.

Name of Project:	Buck Jones Road Widening
Managing Division:	Engineering Services – Design and Construction
Approval Request:	Bid award
Reason for Council Review:	Formal Bid Award

Original Project Budget		$9,501,000 in FY 2015	
Transportation Capital	Public Utilities – Water	Public Utilities – Sewer	Stormwater
$9,501,000	N/A	N/A	$99,399

Revised Project Budget		$9,808,024 in FY 2017	
Transportation Capital	Public Utilities – Water	Public Utilities – Sewer	Stormwater
$9,808,024	$116,598	$230,199	$94,830

Remaining Budget Available		$7,501,624 in FY 2017	
Transportation Capital	Public Utilities – Water	Public Utilities- Sewer	Stormwater
$7,501,624	$116,598	$230,199	$94,830

Vendor:	Carolina Sunrock, LLC
Budget Transfer:	Yes
Prior Contract Activity:	NA
Encumbered with this approval:	$7,548,785

Recommendation: Award the bid to Carolina Sunrock, LLC in an amount not to exceed $7,548,785 and authorize the City Manager to execute a construction contract; authorize budget amendments and transfers totaling $401,964. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes. See Ordinance 623 TF 281.

TRAFFIC – VALET ZONE ON GLENWOOD AVENUE – APPROVED

It is recommended that a Valet Zone be established in the 500 block of Glenwood Avenue. A request was received from the owner of the Vidrio Restaurant in the Carolina Ale House for a Valet Zone to be installed in front of the premises, situated on the east side of the 500 block of Glenwood Avenue, so that customer vehicles can be valet-parked since on-street parking demand is at maximum capacity in the evenings and off-street parking is not easily found. A valet parking application to operate the zone has been approved. In order to alleviate signage confusion with the addition of a new Valet Zone, it is further recommended to relocate the bordering Taxi Zone situated south of the Valet Zone, to the north side of the 500 block of Tucker Street, where it would become shared-usage with the existing Commercial Loading Zone from 6:00 a.m. to 6:00 p.m. and the Taxi Zone from 6:00 p.m. to 6:00 a.m.

Recommendation: Approve as recommended and authorize the appropriate changes in the traffic code was included with the agenda packet. Upheld on Consent Agenda Baldwin/Gaylord – 8 ayes. See Ordinance 624.

END OF CONSENT AGENDA

RALEIGH UNION STATION CONSTRUCTION CONTRACT – CLANCY & THEYS AND SKANSKA – CHANGE ORDER ONE - APPROVED – FUNDS TRANSFERRED

At the November 3, 2015 City Council meeting, the City Manager was authorized to execute a contract with Clancy & Theys/Skanska, a Joint Venture, for a total not to exceed cost of $54,700,000 for construction manager at risk (CMAR) construction services for the Raleigh Union Station project.

At the July 19, 2016 Council meeting, staff provided an update on construction of the Raleigh Union Station project, including a construction update, summary of project challenges, and a brief overview of the project timeline. Staff also previewed for Council proposed changes to the construction and consultant contracts and budget actions anticipated for presentation to Council for approval on August 2, 2016.

The actions previewed during the July 19 update now need to be taken as follows:

> In order to replenish the owner's contingency and allowances within the contract, authorize the City Manager to execute a change order to the Raleigh Union Station construction contract with Clancy & Theys/Skanska, a Joint Venture, in the amount not to exceed $3,165,000, which will increase the construction contract total amount to $57,865,000.
>
> The owner contingency and allowances within the construction contract will address such items as contaminated and unsuitable soils (est. $1.3M), dewatering needs of the site (est. $0.4M), and other challenge items reviewed during the July 19 update (est. $1.4 M contingency), including ultimate rail configuration, elevators, and security. The owner's contingency can only be utilized when authorized by the City representative in writing.

Funding for the construction contract change order is available within the existing project funds and can be transferred administratively. Therefore no additional funding is being requested.
Necessary budget actions include administrative transfer of the $1,000,000 reserve, previously authorized in March 2015 as a contingency for the project, to be used in the construction contract to replenish owner contingencies. This budget action contributes to the CMAR contract adjustment from $54,700,000 to $57,865,000.

It is anticipated this action will be the last Council budget authorization for the current project scope, which Council approved at the November 3, 2105 Council meeting. It is noted that the following items were not included in the November 3, 2015 Council item and are not currently funded: furniture: fixtures and equipment (deferred at the November 3 Council meeting), tenant upfit costs, and artwork intended for the Plaza canopy.

Name of Project:	Raleigh Union Station
Managing Division:	Engineering Services – Construction Management

Reason for Council Review:	Construction Contract amendment >$500,000
Vendor:	Clancy & Theys/Skanska, JV
Prior Contract Activity:	N/A
Budget Transfer:	Yes (administrative)
Current Encumbrance:	$54,700,000
Amount of this Change Order:	$3,165,000
Encumbered with this Approval:	$57,865,000

Recommendation: Authorize the City Manager to execute the change order in an amount not to exceed $3,165,000.

Ms. Baldwin stated she had asked that this item be withdrawn from the consent agenda as she has a standard excusal. Mr. Gaylord moved approval as outlined with the understanding Ms. Baldwin is excused from participation. His motion was seconded by Mr. Branch and a roll call vote resulted in all members voting in the affirmative except Ms. Baldwin who was excused from participation. The Mayor ruled the motion adopted on a 7-0 vote. See Ordinance 623 TF 281.

RALEIGH UNION STATION – CLEARSCAPES, PA – AMENDMENT #3 – APPROVED

An amendment to the existing contract with Clearscapes, PA for design services and construction administration for the Raleigh Union Station project is necessary at this time. The amendment, in the amount of $127,500, will provide for additional professional services including dewatering monitoring and design of replacement culvert under the facility. Part of the funding for the CMAR change order and the design services amendment is available within the existing project funds and can be transferred administratively. Therefore, no new funding is being requested.

Name of Project:	Raleigh Union Station
Managing Division:	Engineering Services – Construction Management
Reason for Council Review:	Amount >$150,000 for services/design contracts
Vendor:	Clearscapes, PA
Prior Contract Activity:	150,000 (contract)
Amendment One	$982,285
Amendment Two	$149,961
Budget Transfer:	Yes (administratively)
Current Encumbrance:	$1,282,246
Amount of this Contract Amendment:	$127,500
Encumbered with this Approval:	$1,409,746

Recommendation: Authorize the City Manager to execute the contract amendment in an amount not to exceed $127,500.

Ms. Baldwin stated she had withdrawn this from the Consent Agenda as she has a standard excusal on this item. Mr. Gaylord moved approval of the item as outlined with the understanding Ms. Baldwin is excused from participation. His motion was seconded by Mr. Branch and a roll call vote resulted in all members voting in the affirmative except Ms. Baldwin who was excused from participation. The Mayor ruled the motion adopted on a 7-0 vote.

REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION

TC-11-16 – PRE-UDO NCOD BUILDING HEIGHT MEASUREMENT TECHNIQUE – PUBLIC HEARING AUTHORIZED FOR OCTOBER 4, 2016.

This request amends Sections 1.5.7 and 5.4.3. of the Raleigh Unified Development Ordinance to amend the way building height is measured for Neighborhood Conservation Overlay Districts that were adopted prior to the Unified Development Ordinance where a specific maximum building height measurement is listed in feet.

The Planning Commission recommends approval of the request. Staff suggests a public hearing date of September 6, 2016. Planning Director Bowers pointed out it is understood that the Planning Department will notice every property owner in the fourteen NCODs which would constitute about $4,000 maylands; there it is suggested that the item be heard the first meeting in October rather than September 6, 2016 in order to give adequate notice. Ms. Crowder pointed out since September 6 is following a holiday she felt that would be good. Mr. Thompson moved that TC-11-16 be scheduled for public hiring for October 4, 2016. His motion was seconded by Ms. Crowder and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

Later in the meeting, Mr. Stephenson questioned notification for TC-11-16 asking about the CAC's being involved. The number of notifications, number of NCOD's, whether to have one big informational meeting or utilization of regular CAC meetings was vetted. It was pointed out by staff that all individuals in the 14 NCOD's would receive notification. Various Council members made suggestions on how to make sure everyone had proper notification and information. It was suggested that staff reach out to the CAC's and determine the best way to provide information and/or informational meetings.

TC-12-16 – TOWNHOUSE AND APARTMENT BUILDING TYPES – BUILD TO REQUIREMENTS – PUBLIC HEARING AUTHORIZED FOR SEPTEMBER 6, 2016

This request amends the Unified Development Ordinance to increase the maximum build-to range from a maximum of a 30 feet building setback to a maximum of a 55 feet building setback for both the primary and side street.

The Planning Commission recommends approval of the request. Staff suggests a public hearing date of September 6, 2016. Ms. Crowder moved approval as outlined. Her motion was seconded by Ms. Baldwin and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

TC-13-16 – ADMINISTRATIVE ALTERNATES AND ZONING CONDITIONS – PUBLIC HEARING AUTHORIZED FOR SEPTEMBER 6, 2016

This request amends section 10.2.17 of the Unified Development Ordinance to prohibit access to administrative alternate requests for items associated with a zoning condition.

The Planning Commission recommends approval of the request. Staff suggests a public hearing date of September 6, 2016.

Ms. Crowder moved approval as outlined. Her motion was seconded by Ms. Baldwin and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

REZONING Z-10-16 – OLD POOLE ROAD – PUBLIC HEARING AUTHORIZED FOR SEPTEMBER 6, 2016

This is a request to rezone property from Office Mixed Use – 3 stories – Conditional Use (OX-3-CU) and Residential-6 (R-6) to Commercial Mixed Use – 3 stories (CX-3).
The proposal is consistent with the Future Land Use Map and the Comprehensive Plan, including the Urban Form Map.

The proposed zoning is reasonable and in the public interest. The proposal would allow for commercial development of a site that is currently occupied by a single family residence on a property designated Community Mixed-Use on the Future Land-Use Map.

The proposal is compatible with the surrounding area.

The Planning Commission recommends approval of the request. Staff suggests a public hearing date of September 6, 2016.

Ms. Baldwin moved approval as outlined. Her motion was seconded by Mr. Thompson and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

SPECIAL ITEMS

TC-8-16 – CONSTRUCTION SURETY, ACCEPTANCE AND WARRANTY PROVISIONS – ORDINANCE ADOPTED

During the July 5, 2016 Council meeting, a hearing was held to consider amendments to Sections 8.1.3, 8.1.4, and 8.1.5 of the Part 10A Unified Development Ordinance to modify the Construction Surety, Acceptance and Warranty provisions for development-related improvements to reallocate a year of the required warranty period to the required construction period to allow for more time for infrastructure completion.

At the July 5, 2016 meeting, the Council closed the hearing and directed that the item be placed on the July 19, 2016 agenda for consideration. At the July 19, 2016 meeting, it was directed that the item be placed on this agenda. The Council may take action to approve, deny or refer the item to committee.

Mayor McFarlane stated she had asked that this be held over and she now has her questions answered; therefore, would move approval of TC-8-16 as it went to public hearing. Her motion was seconded by Ms. Baldwin and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote. See Ordinance 625 TC 382.

COUNCIL MEETING SCHEDULED – MEETINGS ANNOUNCED

During the July 19, 2016 Council meeting, the Mayor asked Council to consider setting dates for a follow-up of the January 2016 retreat and for diversity training. Mayor McFarlane expressed appreciation to Council members for working with their schedules pointing out it looks as if the Council could hold a follow-up to the January retreat on Thursday, September 8, 2016 from 1:00 p.m. to 5:00 p.m. and on Thursday, October 13, from 1:00 p.m. to 5:00 p.m. to participate in the diversity training. She stated the October 13 date is contingent upon the consultant being available at that time. Mayor McFarlane stated without objection the Council would schedule those two meetings times and a location would be determined at a later date.

PARKING – MOBILE PAYMENT OPTION PILOT PROGRAM ON HILLSBOROUGH STREET – APPROVED

A three month mobile payment pilot program is recommended for Hillsborough Street, between Oberlin Road and Gardner Street, to determine public interest in a mobile payment option for on-street metered parking.

Staff has been working with Passport Parking, Charlotte, North Carolina to determine feasibility. Passport Parking is one of the largest mobile pay providers in the country and will assist with the implementation of a ParkLink-branded pilot program to enhance customer service with an easy, convenient alternative to paying at the meters while still enabling proper enforcement. Passport is already familiar in the area as they provide mobile payment service on the campus of NC State as well as for many of the privately operated surface lots downtown. During the pilot program Passport will waive the customer convenience fee normally charged for each transaction. There will be no cost to the City other than the standard gateway fees which the City already covers. Passport will work with staff in handling all signage needs as well as assist the Communications Department. The processing of credit card transaction data and the flow of funds to the City has been vetted and approved by the Finance Department.

Recommendation: Authorize staff to proceed with a mobile payment pilot program.

Parking Administrator Gordon Dash pointed out a mobile payment option for on-street parking has been discussed in the past but the timing was not right. He stated is felt the timing is right

now as it would help encourage more customers and visitors downtown with an easy more convenient payment option for parking, provide valuable data on public preferences and use of parking for downtown development and future parking needs study. He talked about the City's strategic plan – Economic Development and Innovation, Objective 4.2 which is to maintain and develop amenities and infrastructure specifically attractive to Economic Development. He stated customers have asked about a method of validating parking without having to pay at the pay station each time and/or establish a monthly parking account for frequent users. The recommendation is to have a pilot project and in order to do that staff has been working with Passport parking which have already is in operation in the Raleigh area including the NC State Campus, Glenwood South and several privately operated parking lots within the city. Staff is suggesting a 3 month pilot program working with Passport, utilizing the Hillsborough Business Improvement District for the project. The project would include waiving the customer convenience fee during the pilot project, there would be no additional cost to the City, customers can register online with Passport in less than two minutes and parking happens in seconds, and the app can be downloaded for both Apple and Android and Passport parking has the optional wallet feature. He stated the proposed three month pilot program would be a City/ParkLink-banded program. It would take approximately 10 weeks to set it up with the proposal to go live on October 17 and run through January 6. Staff would provide a report at the end of the program.

Mr. Dash talked about the request, utilization of the smartphone application, the change in technology which makes it attractive at this time, talked about what Passport parking would provide, etc.

Mayor McFarlane questioned the possibility of Passport being used to allow citizens to pay other city related fees. The successfulness of the software and how it has been used in other areas was talked about with Mr. Gaylord talking about the positive experiences he has encountered. Mr. Gaylord moved approval of the pilot program. His motion was seconded by Ms. Baldwin.

Mr. Branch asked about the utilizing the same type software for the transit system. Ms. Baldwin questioned if it is a successful pilot project how long it would take before it could go city wide with Mr. Dash pointing out the pilot project would take about 10 weeks to set up however if you cross different zones, etc., it would probably take longer to implement. Mr. Thompson questioned what yard stick would be utilized to determine if it is a successful program. Mr. Dash talked about looking at current credit card use, determining if it increases, the fact that there would be less coins that have to be picked up, counted, deposited, etc., talked about student use, etc. Mayor McFarlane pointed out she has heard that it has been successful in other cities and provides a convenient service to the citizens. The motion as stated was put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

COMPREHENSIVE PLAN 5 YEAR UPDATE – TO BE SCHEDULED FOR NEXT WORK SESSION

Following two rounds of public input, staff has prepared recommendations and is ready to commence work on specific amendments to the adopted Comprehensive Plan. During the July 12 work session agenda, staff provided a review of 10 recommended plan changes however the amendments were not discussed.

Recommendation: Receive as information and provide direction to staff as appropriate. Without discussion it was agreed to schedule this for the next work session.

REPORT AND RECOMMENDATION OF THE PARKS, RECREATION AND GREENWAY ADVISORY BOARD

ERINSBROOK PARK MASTER PLAN SITUATION ASSESSMENT (SA) AND CITIZEN PLANNING COMMITTEE – APPROVED

A recommendation to approve the Situation Assessment and Citizen Planning Committee results will be presented for the Erinsbrook Park Master Plan development. A public hearing was held on the draft Erinsbrook Park Situation Assessment at the July 21 meeting of the board.

Recommendation: Approve the Situation Assessment and the Citizen Planning Committee for the Erinsbrook Park Master Plan development.

Elizabeth Houck introduced the item explaining the Parks, Recreation and Greenway Advisory Board recommend approval of the situation assessment and the Citizen Planning Committee.

John Blasco, OBS Landscape Architects pointed out this is a 13.3 acre park on Leesville Road and explained the site attributes which includes pine and hardwood forest, little understory vegetation and no endangered species. He talked about the future Leesville Road widening plans as well as the location of Englehart Drive. He went over the Situation Assessment pointing out the community outreach included 182 online surveys completed, 5 hard copy surveys completed, presentation at the Northwest CAC, direct mailings to abutting property owners and a City of Raleigh project website. He talked about the public workshops and CAC meetings.

Mr. Blasco indicated the surveys and public input indicated the most likely used amenities would be trails/walkways, playgrounds, restrooms, picnic areas/shelter and greenway access. Other notable amenities included a community center, dog park and splash pad. The experiences to be provided included walking/riding a bike, going to a playground, aquatic recreation and enjoying the outdoors. Some also talked about the need to provide shade and maintaining the wooded character.

Mr. Blasco talked about the citizen planning committee makeup which would include 14 community members, one northwest CAC leadership representative and a representative from the Parks, Recreation and Greenway Advisory Board. The group suggested is as follows:

Community Member	Neighborhood
James Bowen	Woodlawn
Tommy Dalton	Harrington Grove
Josh Eaton	Leesville Hollow
Yoki Feliz	Dominion Park
Lee Hilts	Woodlawn
Brandy Jabkiewicz	Oak at Harrington Grove
Sandra Liles	Woodlawn
Catherine Penilla	Woodlawn
Chailendra Perry	Charleston Homes at Alexander Place
Katherine Quinn	Commons at Harrington Grove
Jim Read	Woodlawn
Kim Soklow	Leesville Hollow
DeSheilia Spann	Woodlawn
Kathryn Strickland	Leesville Ridge
Suzzette Harrington	NWCAC
Patrick Buffkin	PRGAB

Mr. Blasco went over the make up as it relates to gender/race/age/distance from the park/previous planning experience, etc. He went over the development schedule which includes the site analysis, community assessment, the concept citizen planning committee and draft master plan which hopefully would be in the August to December time frame with the final master plan and phasing Parks, Recreation and Greenway Advisory Board and City Council considerations in the January to April 2017 timeframe.

Mr. Thompson stated as far as the community meetings and workshops are concerned to make sure that working people's schedules are considered so that everyone would have the opportunity to attend. Mr. Thompson moved approval of the Master Plan Situation Assessment and the citizen planning committee as presented. His motion was seconded by Mr. Gaylord and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

REPORT AND RECOMMENDATION OF THE RALEIGH HISTORIC DEVELOPMENT COMMISSION

LUSTRON HOUSE – DISBURSEMENT OF PRESERVATION REVOLVING LOAN FUNDS APPROVED

The Preservation Revolving Loan Fund was established in response to recommendations of the Historic Preservation Element of the 1989 Comprehensive Plan. The fund was capitalized at a rate of $50,000 per year from FY 92/93 through FY 96/97 for a fund asset total of $250,000. There is currently one outstanding loan to the Historic Development Commission in the amount of $58,594, used toward the rehabilitation of the Plummer T. Hall House at 814 Oberlin Road. A

2012 loan of $91,000, utilized for stabilization and rehabilitation of the Gethsemane Seventh Day Adventist Church at 501 South Person Street, and a 2013 loan of $100,000 for preservation of the Crabtree Jones House at 3108 Hillmer Drive, were recently repaid in full. At present the available balance within the fund totals $194,323.

The fund is designed to work as a revolving fund; loans from the fund assist in providing gap financing for historic preservation projects. Payments reimburse the fund and make resources available for future projects. Any non-profit charitable organization with historic preservation among its objects and purposes is eligible to apply for funding, and all requests are considered on a case-by-case basis. The fund acts as a reserve and is available to respond to opportunities and threats to Raleigh historic properties.

The Commission recommends utilization of an amount not to exceed $100,000 from the fund towards the preservation of a Lustron house, a prefabricated enameled steel house manufactured between 1947 and 1950. Originally only 2,000 Lustrons were manufactured nationwide and only one is known to remain in the City's jurisdiction. The Commission is concerned that the structure may be demolished soon, and would like the ability to move the house into storage if necessary.

The loan would be repaid at 36 months or when the property is sold, whichever occurs first. A condition of the loan is that the house be designated a Raleigh Historic Landmark when relocated to a new site.

Recommendation: Authorize a loan for preservation of the Lustron house, and authorize staff to complete and execute all necessary loan documents according to City procedures. Don Davis representing the Raleigh Historic Development Commission highlighted the information included on the agenda and in the backup relative to the importance and the desire to preserve the Lustron House. Ms. Baldwin moved approval of the recommendation as outlined. Her motion was seconded by Mr. Gaylord and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

REPORT AND RECOMMENDATION OF THE ECONOMIC DEVELOPMENT AND INNOVATION COMMITTEE

ECONOMIC DEVELOPMENT AND INNOVATION COMMITTEE – MEETING ANNOUNCED

Mayor McFarlane indicated the Economic Development and Innovation Committee will meet on Tuesday, August 9, 2016 at 11:00 a.m. in the City Council Chamber. The information was received.

REPORT AND RECOMMENDATION OF THE GROWTH AND NATURAL RESOURCES COMMITTEE

RESIDENTIAL INFILL COMPATIBILITY STANDARDS – REFERRED TO STAFF TO BRING RECOMMENDATION

Chairperson Crowder reported the Growth and Natural Resources Committee recommends that the Council refer residential infill compatibility standards to the Growth and Natural Resources Committee pointing out that is a staff recommendation.

Mayor McFarlane indicated this seems to be a broad item questioning if there are specific issues that need to be addressed. Planner Travis Crane indicated the Staff has been keeping track of issues and sections of the code that need clarity. Mr. Gaylord questioned if it wouldn't be best to have staff bring a recommendation back to Council before referring it to committee with Mr. Crane pointing out they could identify the issues. It was agreed to follower that course of action.

REPORT AND RECOMMENDATION OF THE SAFE, VIBRANT AND HEALTHY NEIGHBORHOODS COMMITTEE

NO REPORT

REPORT AND RECOMMENDATION OF THE TRANSPORTATION AND TRANSIT COMMITTEE

NO REPORT

REPORT OF MAYOR AND COUNCIL MEMBERS

DESIGNATION DIX – COMMENTS RECEIVED

Mayor McFarlane expressed appreciation to everyone who participated and helped make Designation Dix a success. She called on City Manager Hall to make comments.

City Manager Hall indicated there had been discussion on how to appropriately recognize everyone for their part for such a successful event. He stated he would like to personally express appreciation to all of the wonderful staff who worked so hard to make Designation Dix such a successful event. He stated it is always difficult when one starts naming names as someone is always left out; however he would like to recognize a few of the people who worked together across departmental lines to pull the event together and demonstrated leadership. He stated often events occur and the people behind the events sort of get pushed aside or left unnamed. He recognized Kelly Lindsey, Emergency Management Special Events, Taylor Traversari, Convention Center, Kate Pearce and Katie Hertel, Parks and Recreation and Cultural Resources, Donna Marie Harris, Communications and Craig Haines with the Police Department. He stated this group was formed and worked across departmental lines and provided leadership and pulled

together a successful event. He stated many departments including fire transit, police and a lot of departments were involved.

City Manager Hall pointed out a few statics relating to Designation Dix included the fact that over 385 staff members excluding public safety were involved, an estimated 25,000 attendees which included riders, walkers, bikers, etc., 65 vendors including 25 food trucks, 15 bands on 3 different stages, 40 buses, 65 acres of land had to be mowed, and there were almost 50,000 views to the website. Approximately 20,575 shuttle color coded wrist bands were issued (risk bands colored coded to buses for return), 2,350 gallons of water, all were involved in the event which was carried out in what felt like 104 Fahrenheit weather. He stated there were other statics that were too numerous to count such as caps, sunglasses, straw hats, etc. He expressed appreciation for all of the staff and partners work which went into the event.

Mayor McFarlane pointed out the City came up with this idea only 3 months ago and it was an herculean effort to carry it out. She expressed appreciation to all involved particularly the Dix conservancy which paid for the party and who brought in many sponsors, etc. She stated she feels this working relationship shows what a great partnership this will be.

RACE: ARE WE SO DIFFERENT – FUNDS APPROPRIATED

Mr. Stephenson pointed out some time ago Amelia Collins with the Museum of Natural Science came to the Council and talked about the traveling exhibit, "Race: are we so different," asking for a contribution from the City to help make this event possible. Mr. Stephenson moved that the City Council appropriate $20,000 from the $60,000 unspent funds in and the outside agency grant funds from last year's budget to help fund the program. He stated it is a great opportunity and he would like to support the Museum in this way. His motion was seconded by Mr. Branch.

Mr. Thompson pointed out this event is going on whether the City makes a contribution or not and he has reservations. Ms. Crowder also expressed reservations. Ms. Baldwin pointed out the only problem she had is the motion is for $20,000 and she had hoped it would be for $25,000. Mr. Stephenson and Mr. Branch accepted the suggested and amended their motion to appropriate $25,000. The amended motion was put to a roll call vote which resulted in all members voting in the affirmative except Ms. Crowder and Mr. Thompson who voted in the negative. The Mayor ruled the motion adopted on a 6-2 vote. See Ordinance 623 TF 281.

COUNCIL MEMBER BRANCH – COMMENTS RECEIVED

Mr. Branch talked about attending the successful event, Our Youth Matters, which was held in Southeast Raleigh. He stated there were close to 60 mentors available and it is good to see all working together and moving forward. He commended all involved.

BIKE SHARE PARTNERSHIP – INFORMATION REQUESTED

Ms. Crowder asked for an update on the progress the City is making on partnerships for the bikeshare program.

THOMAS G. CROWDER WOODLAND CENTER – DATE ANNOUNCED

Ms. Crowder asked all to remember that on Monday, October 15, 2016 at 10:00 a.m. there will be a dedication of the Thomas G. Crowder Woodland Center which is at Lake Johnson. She asked everyone to put it on their calendar.

PAULA STREET – CITY ATTORNEY ASKED TO PROVIDE REPORT

Mr. Gaylord pointed out he had received a number of calls and emails from people asking about status of the Paula Street situation. He asked the City Attorney and Administration to provide an update on the situation.

PARKS – UTILIZATION – COMMENTS RECEIVED

Mr. Gaylord indicated there has been a lot of discussion about the City's response to the use of city parks for Pokeman Go particularly in our downtown area and he just wanted to make sure that there is some clarity on the situation.

City Manager Hall stated he would be glad to make a couple of comments. The first is that the City does encourage our citizens to enjoy and use all of our city parks, so getting folks to be active and engaged in our park system is something that is a priority. It does appears if this particular game is a method to help people get out and engage with our city we think that's a good thing. I do have a little bit of understanding, limited as it may be with the game as his kids do engage and play although they do have to work on their school work first. The City wants to make sure though that everyone is safe and welcomed in all of our facilities and are always going to be balancing that and we do trust and support our Police Department to help make those judgements and acknowledgments as a part of the work that they do every single day. To be very clear we are very welcoming of folks in our parks, or playing the game and engaging with our city we just want to make sure that all are safe and at the same time and balancing those things which we think we can do using the discretion and the experience of our Raleigh Police Department as well as our staff in Parks, Recreation and Cultural Resources, so we do welcome the activity and be safe while we have fun.

RALEIGH MAIN EVENTS – INFORMATION RECEIVED

Ms. Baldwin pointed out at 11:30 on Wednesday, August 3, there will be a news conference explaining of the events that will take place in the upcoming Raleigh MAIN.

MAYOR MCFARLANE – WISHED HAPPY BIRTHDAY

Ms. Baldwin stated she would like to publicly wish Mayor McFarlane a happy birthday.

APPOINTMENTS

APPOINTMENTS – VARIOUS ACTIONS TAKEN

The City Clerk reported the following results of the ballot vote.

Arts Commission – One Vacancy – Moses Alexander Greene – 8 (All Council Members)

Civil Service Commission – One Vacancy – At-Large – No nominations

Fair Housing Hearing Board – Two Vacancies – The City Clerk indicated the agenda and ballot indicates there is one vacancy on the Fair Housing Hearing Board; however, since preparation of the agenda, a letter of resignation has been received from Arnetta Adams-Brown; therefore, there are two vacancies. Ms. Crowder nominated Collin Bober. Mr. Branch nominated Sondra Collins.

Raleigh Historic Cemeteries Advisory Board – One Vacancy – No nominees

The City Clerk reported the appointment of Moses Alexander Greene to the Arts Commission. The other items will be carried over until the next meeting.

NOMINATIONS

BICYCLE AND PEDESTRIAN ADVISORY COMMISSION – AARON PEELER – REAPPOINTED

The City Clerk reported the term of Aaron Peeler, Health and Wellness Representative on the Bicycle and Pedestrian Advisory Commission is expiring. He is eligible for reappointment and would like to be considered. Ms. Baldwin moved that the Council suspend its rules and reappoint Mr. Peeler by acclamation. Her motion was seconded by Mr. Thompson and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

PARKS, RECREATION AND GREENWAY ADVISORY BOARD – DAVID MILLSAPS – REAPPOINTED

The City Clerk reported the term of David Millsaps is expiring. He is eligible for reappointment and would like to be considered for reappointment. Ms. Baldwin moved that the Council suspend it rules and reappoint Mr. Millsaps by acclamation. Her motion was seconded by Mr. Thompson and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

BOARD OF ADJUSTMENT – RESIGNATION ANNOUNCED

The City Clerk reported since the preparation of the agenda Brian Williams has submitted a letter of resignation from the Board of Adjustment therefore there is one vacancy for consideration.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

NO REPORT

REPORT AND RECOMMENDATION OF THE CITY CLERK

MINUTES – VARIOUS – APPROVED

Council members received in their agenda packet minutes of the July 5, 2016 and July 19, 2016 Council meetings and the July 16, 2016 Work Session. Mr. Stephenson moved approval as presented. His motion was seconded by Mr. Branch and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

CLOSED SESSION

CLOSED SESSION – HELD

Mayor McFarlane indicated a motion is in order to enter closed session for the following purposes.

1. Pursuant to N.C.G.S. 143-318.11(a)(9) to receive a briefing and direction from the Raleigh Police Department regarding plans to protect public safety.
2. Pursuant to N.C.G.S. 143-318.11(a)(5) to instruct the city staff regarding the acquisition of property in the downtown area.
3. Pursuant to N.C.G.S. 143-318.11(a)(4) to discuss a matter related to the location or expansion of a business or industry and any incentives that might be involved in such location or expansion.
4. Pursuant to N.C.G.S. 143-318.11(a)(3) to consult with the City Attorney regarding a possible settlement in the matter of Frailes v. Riley and Vigeant.

Mayor McFarlane moved approval of the motion as read. Her motion was seconded by Mr. Stephenson and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote and the Council went into closed session at 2:10 p.m.

The Council reconvened an open session at 3:15 p.m.

Mayor McFarlane indicated the Council received a briefing and direction from the Raleigh Police Department regarding plans to protect public safety, instructed the city/staff regarding the acquisition of property in the Downtown area, discussed a matter relating to location or expansion of a business or industry and any incentives that might be involved in such a location and consulted with the City Attorney regarding a possible settlement in the matter of Frailes v. Riley and Vigeant.

Adjournment: Mayor McFarlane announced the meeting adjourned at 3:16 p.m. to be reconvened at 7:00 p.m.

Gail G. Smith
City Clerk

jt/CC08-02-16

The City Council of the City of Raleigh met in a regular reconvened meeting at 7:00 p.m. on Tuesday, August 2, 2016 in the City Council Chamber, Room 201 of the Raleigh Municipal Building, Avery C. Upchurch Government Complex, 222 W. Hargett Street, Raleigh, North Carolina, with all members present.

The following items were discussed with action taken as shown.

REQUEST AND PETITIONS OF CITIZENS

SIGNAGE – PARKING LIMITED FRONTAGE – REFERRED TO ECONOMIC DEVELOPMENT AND INNOVATION COMMITTEE

Zach Clayton, representing America's Cup, LLC, gave background on his business located at 1122 Oberlin Road. He pointed out he purchased the Manpower Building in December. The building is addressed as Oberlin Road. He pointed out it has a sign on the front and the back of the building indicating Manpower. He stated he applied to have the signage changed and the change to the front sign was approved but the back was not. He indicated he only wants to replace the existing signage with the same type signage but with the name of the tenants occupying the building and not have to have a building with signage of the name of the previous tenants. He stated he felt the ordinance has some untended consequences and while he understands the need to follow the letter of the law he feels that what he is wanting to do follows the spirit of the law. He talked about the topography and pointed out even though the building does not abut Wade Avenue it is visible from Wade Avenue. He stated he only wants to replace the existing signage with new signage the same size, etc., but with the proper names.

Planning Director Ken Bowers indicated the UDO contains signage regulations for all types of signs. The most common types of signs are either building mounted signs or free standing ground signs. The building mounting signs can be attached to the building façade or attached to a window. Wall signage allocation is typically based on the length of the building wall. Ground signage allocation is based upon the street frontage of the parcel. He stated the base regulations for these signs are mostly unchanged from the Part 10 zoning code regulations. The application of a frontage does alter the amount of allowed wall signage. The application of a parking limited frontage does alter the amount of allowed wall signage. There was a change made with the UDO. A frontage is an optional component of a mixed use zoning district that specifies a certain maximum setback based on context The Parking Limited Frontage requires a building within 100 feet of the right of way. Any property with Parking Limited frontage is limited to a maximum of 40 square feet of wall signage. This maximum limitation is included for other frontages. The intent of the maximum amount of signage for those frontages was that the building would be located close to the street so a smaller sign could be utilized. He stated what the petitioner is requesting is an amendment to the UDO which would remove the maximum restriction for signage when the Parking Limited frontage is mapped. This would require a text change.

Ms. Baldwin questioned what the Council was trying to achieve with this regulation with Mr. Bowers talking about the intent was to reduce the size of signage close to the street, etc. Mr. Gaylord questioned when the UDO was adopted if there was any discussion about what would

happen with the existing signage with Mr. Bowers indicating he did not believe so. Grandfathering of signs was briefly talked about. Whether this is a problem and the fact that staff could provide some options was talked about.

Mayor McFarlane questioned if this is a problem that affects others or only this property. Mr. Gaylord stated he had been hearing a lot about this and he felt it is a problem. Mr. Stephenson stated he too had been in contact with people who indicate they are having problems and referred to 1700 Glenwood Avenue. Mr. Stephenson stated as he understands there have been a number of signs that have been approved but would no longer be permitted and therefore the existing signage cannot be changed.

After brief discussion as to the problem and whether it is widespread or just relates to one sign, the matter was referred to Economic Development and Innovation Committee.

DECLARATION OF WITHDRAWAL - ALLEY OFF LENOIR STREET – RESOLUTION ADOPTED

Eric Vernon would like to notify the Council of H. Glen White, Jr. intention to file a declaration withdrawing dedication of an alley pursuant to N.C.G.S. 136-96 and request a resolution by the Council indicating that the dedication described in the proposed declaration of withdrawal is not part of the street plan adopted by the City under N.C.G.S. 136-66.2.

Attorney Vernon pointed out he was representing H. Glen White, Jr., who is filing a Declaration withdrawing dedication of an unnamed alley between 1105 and 1115 West Lenoir Street. Pursuant to NCGS136-96, Attorney Vernon indicated he is before the Council to request a resolution by the City Council indicating that the dedication or alleyway described is not a part of the street plan adopted by the City under NCGS136-66.2.

Engineer Eric Lamb pointed out this unnamed alleyway was the subject of a street closing in September of last year. The City Council chose not to go forth with the street closing as there were some questions as to whether the closing of the alleyway would deny access to any properties. Mr. Lamb indicated this issue has been discussed with the City Attorney pointing out the alley was dedicated in the early 1920s. It was a part of a master parcel. He indicated the alleyway dedication could be withdrawn if it is verified that it is not a part of the adopted street plan of the City. Mr. Lamb stated it is not a part of the plan.

Mr. Stephenson pointed out as he remembers there was some question about the closing of this alley denying access with Ms. Baldwin questioning if the Council should take a look at this before they proceed. Transportation Planner Lamb pointed out the alleyway is eligible for a withdrawal of dedication according to the General Statues, however it requires the Council to adopt a resolution indicating it is not on the city's adopted street plan and it is not. This is not a part of the plan. Mr. Thompson moved approval of the resolution certifying that the unnamed alley between 1105 and 1115 West Lenoir Street is not a part of the adopted street plan of the City of Raleigh. His motion was seconded by Mr. Branch and a roll call vote resulted in all

members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote. See Resolution 354.

SOUTHEAST WAKE ADULT DAYCARE CENTER – INFORMATION RECEIVED – PROCLAMATION PRESENTED

Evelyn Lane Sanders, representing Southeastern Wake Adult Daycare Center, was at the meeting to share information on celebrating 25 years of service in Wake and surrounding counties.

The Center opened the doors of its first location at 2828 Gladstone Drive with service to 12 participants. She stated she is before the Council to talk about their partnership with the City and other supporting agencies which has allowed them to bring peace and security to the countless families through the care and support offered in their programs. She stated she is a symbol of the past and of the future and wanted to talk about the impact their facility has had on so many families. She presented a short video which talked about the facility providing an alternative to institutional services and helps keep people in their home.

Mayor McFarlane presented a proclamation congratulating the Southeastern Wake Adult Daycare Center for their 25 years of service in the City of Raleigh. Council members expressed appreciation for the services they render.

UNFIT BUILDING – 106 COLLETON ROAD – EXTENSION GRANTED CONDITIONALLY

Joseph D. Lee was at the meeting to request additional time to make repairs on property at 106 Colleton Road. He pointed out there were a number of issues, etc., that had slowed down progress on the building and he just needs additional time.

Housing Inspector Ashley Glover indicated this issue came before the Council on March 15, and an ordinance was adopted to repair or demolish in 90 days. He stated he had worked with Mr. Lee and had told him if the addition to the house was demolished, he would have no objection to granting an additional 90 days to complete the remaining repairs. He stated he had provided this information to Mr. Lee; however no repairs have been made and the addition is still remaining. He stated he had been told by Mr. Lee that he would have the addition demolished by today; however, nothing had occurred. Permits have been pulled for minimum housing repairs. The building is vacated and closed.

Mr. Lee explained the problems relating to a tree and the fact that the property owner left the property and talked about the termite damage and their plans for the property. How long it would take to make the repairs was talked about with various suggestions being made. After discussion on how to proceed, Mr. Branch moved that if the addition is demolished within 10 days from today's date – August 2, 2016, then an additional 90 days be granted to make the other repairs. His motion was seconded by Mr. Gaylord and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

ZPIZZA – REQUEST FOR TEMPORARY PERMIT – REMOVED FROM THE AGENDA

Stephen Drotts had requested permission to petition the City to provide a temporary permit for private café outdoor dining on the designated area previously permitted to Zpizza. The City Clerk indicated Mr. Drotts had asked to be withdrawn from the agenda and would come back at a later time.

MATTERS SCHEDULED FOR PUBLIC HEARING

ANNEXATION PETITION – 3000 CLUB DRIVE – HEARING – ORDINANCE AND RESOLUTION ADOPTED

This was to consider the petitioned annexation of property known as 3000 Club Drive. Following the hearing, if the Council wishes to proceed with the annexation, it would be appropriate to adopt an ordinance annexing the property effective August 2, 2016 and a resolution placing the property in City Council Electoral District A. They Mayor opened the hearing no one asked to be heard thus the hearing was closed. Mr. Thompson moved adoption of an ordinance annexing the property effective August 2, 2016 and a resolution placing the property in City Council Electoral District A. His motion was seconded by Mr. Gaylord and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote. See Ordinance 626 and Resolution 355.

PULLEN ROAD EXTENSION – WESTERN BOULEVARD TO CENTENNIAL PARKWAY – HEARING - RESOLUTION DIRECTING PROJECT AS AMENDED

This was a hearing to consider the construction of a new street approximately 52 feet back-to-back from Western Boulevard to Centennial Parkway. The street will consist of asphalt paving, a sidewalk, a multi-use path, medians, a roundabout, bicycle lanes, landscaping, and lighting and will be approximately 1,920 feet in length. Assessment for the street improvements will apply. Following the hearing, the Council may take action to approve, deny, or refer the issue to committee.

Sylvester Percival, Engineering Services, explained this is a project in partnership with NCSU and the Cathodic Diocese. He stated this road extension has been on the City's plan and system for several decades. The City would be responsible for 50% of the cost with NCSU and the Catholic Diocese sharing the additional 50% by contributing 25% each. He pointed out Ramey Kemp & Associates were chosen to design the project; however the City would maintain oversight of the design. He introduced Lucas Helms, Project Engineer, with Ramey Kemp.

Mr. Helms went through the design of the project which is extending Pullen Road to the south with the roundabout at the location of the existing Bilyeu Street and on west to the Centennial Parkway. He presented slides of the design, talked about the water line, stormwater management devices, dual left turn lanes, landscaping, typical street design for a two-lane divided road, sidewalk, multi-use path, landscaping, etc. His slide presentation included an example of the

proposed roundabout as well as a slide show showing the existing Bilyeu Street location. He pointed out if the Council approves the project moving forward it is hoped to award the design in the winter of 2016 and complete construction by the end of 2017 at an estimated cost of $3.54M.

Mayor McFarlane stated she thought the original design showed the Pullen Extension going straight from Western Boulevard to Centennial Parkway and questioned how Bilyeu Street got involved. Eric Lamb pointed out the original alignment which was developed a number of years ago did show the street straight across the Catholic Diocese property. He stated when the master plan for NCSU Spring Hill came about the new configuration was developed.

The Mayor opened the hearing.

Katie Pattison, 601 Bilyeu Street, President of the Pullen Park Neighborhood, Association pointed out that group had met on a number of occasions, and they feel that this is the best possible plan for the short term future which she defined as being until the Pullen Street bridge is replaced which is anticipated for the 2019 time schedule. She stated they feel that signage both temporary while construction is on-going and when it is completed will be necessary to reflect the new traffic pattern on Bilyeu which it will become a thru street until the Pullen Bridge project is completed. She stated in addition they would like to see a 3-way stop at the intersection of Bilyeu Street and Barbour Drive explaining there is a stop sign only for traffic coming from the condos at the Pullen Bridge. She stated they feel traffic calming measures such as traffic tables should be on Bilyeu Street and would like to see that as a part of the authorized project. She stated they had talked about the traffic calming program but understand it is in high demand and because of their existing situation they would be very low on the list. She stated their street is a narrow winding residential street with blind curves and no driveways, and no sidewalks. While the construction is occurring and until the Pullen bridge project is completed, they will become a thru street and they fear it will be a very dangerous situation. She stated many people do not have driveways and they have to park, load and unload groceries, etc. from on the street. She stated they feel the traffic calming is an immediate need because of this proposed street extension. Approximately six people stood in support of Ms. Pattison's remarks.

Ms. Baldwin questioned if a three-way stop is a better option than speed humps with Traffic Engineer Lamb indicating it could be. He pointed out the location of the intersection of Bilyeu and Barbour Street which would be about half way between Western Boulevard and the roundabout. Ms. Crowder asked about extending the sidewalks with Mr. Lamb pointing out the location of sidewalks in the proposal. He indicated that did not carry the sidewalks through the entire project but the City could entertain a petition from the residents for that. The topography and the alignment of Bilyeu and access to Western Boulevard was talked about. In response to questioning from Ms. Crowder about a possible short-term solution, Mr. Lamb stated a three way stop would not be problematic.

Jim White, Pullen Ridge Condominium Association, pointed out this project will change the nature of the area. He expressed concern about ingress and egress, what the construction would look and feel like and the impact on the property owners. He asked that the issue be referred to committee to allow additional work to reduce the impact.

Will Hooker, 610 Kirby Street, talked about his long-term involvement with this project. He talked about the proposal to cut off Bilyeu from Western Boulevard pointing out the neighborhood was concerned because they will not have access to Western until the bridge is replaced. He talked about the topography of Bilyeu, the fact that a lot of cut-thru traffic from the Spring Hill area is occurring, the speed of the traffic, the proposal to limit access and spoke in support of sending the item to committee.

No one else asked to be heard, thus the hearing was closed.

Mr. Thompson questioned if the project is funded with it being pointed out it is funded at the amount of the estimate with Mr. Thompson questioning what would occur if the bids come in higher than the estimated cost. Traffic Engineer Lamb indicated one of the provisions in the agreement is if it comes in over budget the three parties can revisit and decide whether to move forward. If additional funds could not be found the project could be canceled. In response to question and it was pointed out only the Pullen Bridge Condo Association property is accessible. Mr. Gaylord questioned whether we should install the speed tables with Engineering Lamb pointing out we do not know what is needed as we haven't seen the problem as of yet. Mr. Gaylord pointed out the additional traffic will be put in the area and questioned if we can agree with moving ahead with the three-way stop. Mayor McFarlane suggested going with the three-way stop and if the speed is excessive then put in the speed humps. Mr. Lamb pointed out the City could move forward with the three way stop and come back in six months after completion of the project with the three-way stop and determine if speed humps are needed. Mr. Cox questioned the cost of speed humps or speed tables with Mr. Lamb pointing out approximately $2 to $3 thousand dollars each. Ms. Pattison pointed out the neighborhood would like to see two separate speed humps or tables. She pointed out the current speed limit is 25 mph and people do not observe that limit. Mr. Cox pointed out there is precedent for speed humps in the area that have been installed by NCSU throughout campus and that would be consistent with what's on the ground pointing out he is open to adding speed humps to the project now. The difference in a speed hump and a speed table hump was talked about with Mr. Hooker pointing out they would referred speed tables. Speed humps versus speed tables were discussed. The time schedule was talked about with Engineer Percival pointing out the extension should be completed by the end of August 2017, the bridge replacement is on under the control of NCDOT and he thought that construction is supposed to start in 2019 with it being pointed out the Pullen Road Extension Project would be completed before the bridge starts.

Ms. Baldwin talked about email from the Pullen Ridge Condo Association which had expressed concern about the lack of a buffer and tree protection. Mr. Lamb pointed out they worked to pull the alignment away from that property with Engineer Percival pointing out the most recent changes to the alignment was to pull the alignment another 10 ½ feet from the eastern boundary so the property line is about 25 feet from the roadway. The plans call for beefing up landscaping in the area to provide screening. Ms. Crowder moved to approve the project as outlined with the addition of at least two speed humps and the three-way stop at the intersection of Bilyeu and Barbour. Her motion was seconded by Mr. Gaylord and a roll call vote resulted in all members

voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote. See Resolution 356.

Adjournment. There being no further business, Mayor McFarlane announced the meeting adjourned at 8:08 p.m.

Gail G. Smith
City Clerk

jt/CC08-02-16