COUNCIL MINUTES

The City Council of the City of Raleigh met in a regular session at 1:00 p.m. on Tuesday, November 15, 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 - Absent
Councilor Russ Stephenson
Councilor Dickie Thompson

Mayor McFarlane called the meeting to order and the following items were discussed with action taken as shown. Reverend Patrick Dominguez, Church of the Apostles rendered invocation. Council member Thompson led the Pledge of Allegiance.

COMMUNITY CONVERSATIONS – COMMENTS RECEIVED

Mayor McFarlane stated prior to the beginning of the meeting she would like to make comments on the citywide Community Conversations pointing out the first was held on November 14.

> I would like to take a minute to say a few words about the first of our citywide community conversations held last evening at Marbles Kids Museum.
>
> I want to thank everyone who was able to join us last night and I must say that I'm once again in awe of the citizens of Raleigh; you proved again that our city's greatest assets are our people.
>
> Last night brought together a diverse group of individuals that all committed to the process and engaged in open, honest and thoughtful dialogue representing a broad range of perspectives and ideals.
>
> I know we still have much work to do but I am encouraged by the discussion last night and look forward to the continued dialogue and community partnership that will help Raleigh support and achieve our collective community goals.
>
> If you were not able to join us last night, I invite and encourage you to attend our 2nd citywide Community Conversation that will take place tomorrow evening at 6:30 p.m. at the Anne Gordon Center for Active Adults in Millbrook Exchange Park.
>
> Thank you again for a great start to this important conversation series.

RECOGNITION OF SPECIAL AWARDS

PROCLAMATION – WORLD PANCREATIC CANCER DAY – PROCLAIMED

Mayor McFarlane read a proclamation proclaiming November 17, 2016 as the World Pancreatic Cancer Day in the City of Raleigh. The Proclamation was accepted by Anita Shader who expressed appreciation and thanked everyone for thinking about this day.

AGENCY GRANTEE PRESENTATION

AGENCY GRANTEE PRESENTATION – NORTH CAROLINA MASTER CHORALE – INFORMATION RECEIVED

Michelle Hile, Executive Director of the North Carolina Master Chorale, stated this is their 74th season in Raleigh. She talked about the work they do and the work they have done with some 230 senior citizens, 130 which come from Wake County. She told of the events they hold. Alfred Sturgis, Music Director of the North Carolina Master Chorale stated this is his 24th season. He expressed appreciation to the City of Raleigh and the City Council for their support of all arts in the City of Raleigh and the support of their organization. He talked about the holiday events that are upcoming pointing out they will be performing with the Carolina Ballet, North Carolina Symphony as well as a senior event they will be presenting. He again expressed appreciation to all involved and invited all to attend the various events.

CONSENT AGENDA

CONSENT AGENDA – APPROVED AS PRESENTED

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. Mayor McFarlane stated the vote on the consent agenda would be a roll call vote. Mayor McFarlane stated she had not received any requests to withdraw items from the consent agenda. Mr. Thompson moved approval of the consent agenda as amended. His motion was seconded by Mr. Branch and a roll call vote resulted in all members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on a 7-0 vote. The items on the consent agenda were as follows.

FIRE DEPARTMENT – DONATION OF PROPERTY – RESOLUTION ADOPTED

North Carolina law provides local governments with the authority to donate property that is no longer of use to the City to another governmental unit within the United States, a sister city, or a nonprofit organization.

The Fire Department would like to donate equipment to the Princeville Volunteer Fire Department. The town of Princeville and the Princeville Volunteer Fire Department experienced

significant loss during Hurricane Matthew and the storm's aftermath. The donation includes the following items:
Five sets of turn out gear, coats and pants;

- Five pair of turn out boots;
- Five firefighter helmets; and
- One thermal imaging camera.

The total estimated value of the donation is $5,000. The required public notice has been made at least five days prior to the adoption of a resolution approving the donation; included with the agenda packet is a resolution authorizing the donation of property.

Recommendation: Adopt the resolution and authorize the transfer of equipment. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent). See Resolution 420.

BROWN BIRCH PARCEL/GARNER ROAD AREA REDEVELOPMENT PLAN/PASSAGE HOMES – VARIOUS ACTIONS APPROVED

The Garner Road Area Redevelopment Plan, adopted by City Council in August 2002, calls for the assemblage of the Brown Birch complex under single ownership for redevelopment.

The complex, bordered by Bragg and McMakin Streets and Garner Road, was completed in 1985 and consists of 21 residential buildings (92 units) that provided both ownership and investment opportunities. A map is provided with the agenda packet. Over the years the site has experienced a number of challenges, including code violations, lack of maintenance of common areas, a dysfunctional Homeowners Association, crime, and multiple owners with no shared vision. Additional background information from the Raleigh Police Department and Passage Home was provided with the agenda packet.

Passage Home began investing in the improvement of this area in 2000, when the first four properties were acquired. Since then the City has incrementally partnered with the non-profit for additional acquisitions; 15 properties are currently owned by Passage Home.

To finance an additional six residential properties (26 units) in Brown Birch, Passage Home requests a funding commitment from the City of as much as $2,072,000. This acquisition would allow Passage Home to increase majority ownership interest in the community from 72 percent to 100 percent, thus completing the shared vision of singular ownership and eventual redevelopment of the entire site in partnership with the City. Passage Home would inherit and honor lease agreements in place. Through attrition of current leases, the buildings will become vacant and ultimately redeveloped. Redevelopment of the site should provide affordable rental units with a higher density.

In addition, Passage Home requests a funding commitment of up to $464,000 for the acquisition of the Bragg Street Mini Convenience Store and an adjacent lot with a residential structure located on Bragg Street, an area of frequent illicit activities.

The source of funding is federal Community Development Block Grant (CDBG) proceeds as well as proceeds from previous affordable housing bonds; funding is appropriated within the capital budget and will be transferred administratively. The City and Passage Home would jointly plan the redevelopment of these properties.

Recommendation: Authorize funding commitments in amounts not to exceed $2,072,000 and $464,000 for the respective property acquisitions by Passage Home, Inc. Authorize staff to negotiate loan terms and to execute all required documentation for loan execution and implementation. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent).

ANNEXATION PETITIONS – VARIOUS – REFERRED TO CITY CLERK TO CHECK SUFFICIENCY AND SCHEDULE HEARINGS; 3329 FORESTVILLE ROAD – DEFERRED

The agenda presented the following annexation petitions.

AREA NAME AND DISTRICT	PETITIONER	ACRES	PROPOSED USE
Contiguous Petition:			
3329 Forestville Road (B)	Gregory Pittman	3.73	Church
Country Trail Estates (E)	Neil Wilks	3.09	Residential
Family Dollar – Trawick (B)	Will Stronach	2.86	Commercial

Recommendation: Acknowledge the annexation petitions and direct the City Clerk to check the sufficiency of the petitions pursuant to State statute and, if found sufficient, authorize advertisement for a public hearing to be held January 3, 2017.

Because the property located at 3329 Forestville Road is connecting to City water only and the other utility is not available at this time, it is recommended that the annexation of the property be deferred. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent).

SIDEWALK PETITION – YADKIN DRIVE – PUBLIC HEARING AUTHORIZED FOR DECEMBER 6, 2016

The following sidewalk petition has been received and signed by a majority (50 percent plus one) of the adjacent property owners as required by the Residential Sidewalk Petition Policy.

The project scope will span Yadkin Drive (southeast side) from Alleghany Drive to Currituck Drive for an approximate distance of 2,560 linear feet. Conceptually, staff recommends installation of a variable width sidewalk on a variable width setback from the curb (to be determined during design) on the southeast side from Alleghany Drive to Staley Court transitioning to a 6-foot-wide sidewalk on a 3.5-foot setback from the curb on the southeast side

from Staley Court to Currituck Drive. The variable sidewalk width and setback from Alleghany Drive to Staley Court are needed to allow a match and connection to the existing sidewalk across the bridge over Crabtree Creek. Additional adjustments to the sidewalk width and setback may be needed along the corridor in the final design to avoid major impacts in certain areas as determined by engineering staff.

The petition received 72 percent sufficiency with 21 out of 29 property owner signatures in favor of the sidewalk installation and the staff conceptual recommendation. Estimated cost of construction is $390,000. Funding is appropriated in the capital budget for design and construction.

Recommendation: Authorize a public hearing for Tuesday, December 6, 2016 following which Council may accept the petition and authorize the project to proceed. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent).

CONNECT NC BOND FUND – GRANT APPLICATION AUTHORIZED

Staff requests authorization to apply for a 2016 Connect NC Grant with the North Carolina Department of Natural and Cultural Resources for Phase II of the Sassafras Playground at Laurel Hills Park. The Connect NC Bond (CNCB) package included one-time funding of $3 million for parks and recreation grants to benefit children and/or veterans with disabilities.

A grant request in the amount of $400,000 will be utilized for the construction of decking and railings. The required 25 percent local match ($100,000) is appropriated in the capital budget with 2014 Parks Bond proceeds as the source of funding. The grant application was administratively reviewed by the grants committee on November 3. The CNCB grant requires an assurance form to be approved by the local governing board and signed by the chief elected official.

Recommendation: Authorize the Mayor to execute required grant application documentation and authorize staff to submit the grant application. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent).

EPLUS GROUP, INC. – LEASE SCHEDULES 166 AND 167 – EXECUTION AUTHORIZED

The City utilizes a leasing company to provide technology equipment including desktop computers, laptops, phones, and projectors, as well as network equipment such as switches, routers, and servers. The Master Lease Agreement provides for new equipment to be leased via a series of quarterly lease schedules. Lease Schedules 166 and 167 are in the amounts of $452,768 and $429,728 and are both for a four-year term. The contract amounts individually exceed administrative approval thresholds.

Recommendation: Authorize the City Manager to execute Lease Schedule 166 and 167. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent).

CUSTOMER ASSISTANCE PROGRAM – INTERLOCAL AGREEMENT WITH WAKE COUNTY – VARIOUS ACTIONS APPROVED

During the March 21, 2016 budget work session, Council authorized staff to develop a Utility Customer Assistance Program to assist customers in need. The Public Utilities Department has finalized a program design which includes a partnership with Wake County Human Services to assist with eligibility screening. The initiative is intended to offer an opportunity for economically distressed utility customers to receive financial assistance with utility bills. The program includes the following provisions:

- Eligible customers would receive a one-time credit of $240, applied directly to an outstanding utility account.
- Eligibility criteria complement the Federal Low Income Energy Assistance Program.
- Assistance would be limited to utility customers in jurisdictions where the local government provides general fund support to the program. This currently includes only Raleigh ($200,000) and the town of Garner ($14,173).
- Once the respective annual appropriation of a participating jurisdiction is exhausted, no additional customer assistance will be provided.

While the program will not be broadly promoted, City and Wake County staff will work to identify those in need and provide program and application process information. The Wake County role is limited to evaluating eligibility. An interlocal agreement is necessary to address the respective responsibilities of the City and the partners. Staff presented the program to the governing boards of all merger partners; all of the towns were given the opportunity to participate and though some expressed interest, at this time only the Town Garner has opted to participate. The other towns will have the opportunity to participate mid-year or next fiscal year if desired.

The City cost for the program is appropriated in the general fund; a budget amendment in the amount of $14,173 is necessary to appropriate participation by the town of Garner. Accounting details were included with the agenda packet.

Recommendation: Authorize the City Manager to execute the interlocal agreement, to include authorization to execute future agreements should other merger towns choose to participate in the program. Authorize a budget amendment in the amount of $14,173. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent). See Ordinance 645 TF 287.

PLAZAS – LICENSE AGREEMENT – 434 FAYETTEVILLE STREET – APPROVED CONDITIONALLY

Capital Associates Management, LLC, as agent performing as construction manager for Phoenix Limited Partnership of Raleigh, owner of the Two Hannover Square office building (Two Hannover Square), has plans for exterior maintenance to the building located at 434 Fayetteville Street.

Improvements include re-caulking portions of the east and south faces of the structure, which front on City Plaza and Cabarrus Plaza respectively. The work requires portions of City Plaza and Cabarrus Plaza to be utilized for construction purposes, including but not limited to mobile scaffolding placement along the eastern and southern faces of Two Hanover Square as well as the staging of construction materials. The maintenance schedule will be coordinated with the Special Events Office.

To allow the use of the public spaces by a private entity and to protect the City from liability, staff recommends a temporary construction and access license agreement be executed with Capital Associates Management, LLC.

Recommendation: Authorize the City Manager to execute a license agreement upon finalization of terms by the City Manager and City Attorney. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent).

MOTORCYCLE – LEASE AGREEMENT – SPARTA COMMERCIAL SERVICES, INC – EXECUTION APPROVED

The Police Department requests authorization to enter into a lease agreement with Sparta Commercial Service, Inc. for eight BMW motorcycles. The lease agreement is for 36 months at a total cost of $185,682. The lease amount exceeds the administrative approval threshold.

Recommendation: Authorize the City Manager to execute the lease agreement. Upheld on consent agenda Thompson/Branch – 7 ayes (Gaylord absent).

ENCROACHMENT – HENDERSON STREET/CLARK AVENUE/EVERETT AVENUE/BROOKS AVENUE/STANHOPE AVENUE AND ROSEMARY STREET – APPROVED CONDITIONALLY

A request has been received from Fiber Technologies Networks, LLC to install 5,443 feet of underground fiber optic cable and 16 handholes. A report is included with the agenda packet.
Recommendation: Approve the encroachment subject to completion of a liability agreement and documentation of proof of insurance by the applicant. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent).

BUDGET AMENDMENT/TRANSFERS – APPROVED

Council members received in their agenda packet a list of recommended budget amendments and transfers. The listing included all code accounts and the reasons for the recommendation.

Recommendation: Approval of the budget amendments and transfers. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent). See Ordinance 645 TF 287.

LOWER LONGVIEW LAKE DAM REHABILITATION PROJECT – BID AWARDED TO DH GRIFFIN INFRASTRUCTURE, LLC – CONTRACT AND TRANSFER AUTHORIZED

Lower Longview Lake Dam is a regulatory high hazard dam which was found to be structurally deficient during an inspection conducted in 2014. This project will rehabilitate the dam and bring it into compliance with North Carolina Dam Safety requirements.

This contract award is not related to the dredging project discussed by City Council on a number of occasions. Expenditures related to the dredging project have been placed on hold pending receipt of all fractional lake bottom easements, of which there remain two outstanding. The deadline for receipt of all easements related to the dredging project is November 28, 2016.

The dam rehabilitation project will allow the reopening of the section of Albemarle Avenue crossing the dam, which has been closed since the time of the inspection due to the structural deficiency. The project scope includes all work necessary for the rehabilitation of the Lower Longview Lake Dam, including installation of a temporary cofferdam and conveyance piping, construction of a new riser and outlet conduit, removal of the bridge and existing spillway structure, installation of a new primary spillway, installation of a new water main, and reconstruction of Albemarle Avenue across the top of the dam.

D.H. Griffin Infrastructure submitted the lowest responsive bid in the amount of $2,926,763, which is 12.7 percent over the engineer's cost estimate of $2,596,900. D.H. Griffin Infrastructure proposes 14.93 percent Minority Women Business Enterprise (MWBE) participation.

The adopted Stormwater Management Program budget includes funding for this project in the amount of $3,097,740. Funding is being supplemented with other project residuals due to separate administrative contract approvals related to this project will encumber approximately $225,000 from the project account for materials testing and construction certification services from other firms; approximately $85,000 has been disbursed in preparation for construction (easement acquisitions, additional study/permitting), and funding for project contingency in the amount of $30,000 will be added to cover unforeseen professional service needs. Budget transfers totaling $167,070 are necessary; accounting details were included with the agenda packet.

Name of project:	Lower Longview Lake Dam Rehabilitation
Managing Division:	Engineering Services – Stormwater Management
Approval Request:	Bid award
Reason for Council Review:	Formal bid award
Original CIP Budget:	$3,097,740
Available CIP Budget:	$3,012,604
Construction Bid Award:	$2,926,763
Vendor:	D.H. Griffin Infrastructure, LLC
Prior Contract Activity:	None

Budget Transfer:	$167,070
Encumbered with this approval:	$2,926,763

Recommendation: Award the bid to D.H. Griffin Infrastructure, LLC in an amount not to exceed $2,926,763. Authorize the City Manager to execute the contract and authorize a budget transfer in the amount of $167,070. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent). See Ordinance 645 TF 287.

NEUSE RIVER RESOURCES RECOVERY FACILITY – VARIOUS IMPROVEMENTS – CITY MANAGER AUTHORIZED TO EXECUTE CONTRACT WITH HAREN CONSTRUCTION COMPANY, INC

On October 20 four bids were received for the Neuse River Resource Recovery Facility (NRRRF) Dewatering Building HVAC and Odor Control Improvements project. This project involves the replacements of the HVAC and Odor Control system, programmable logic controller (PLC), and addition of a liquid polymer feed system.

Haren Construction Company, Inc. submitted the lowest responsive bid in the amount of $1,519,000, with a 38.7 percent Minority and Women-owned Business (MWBE) participation plan. Haren Construction Company, Inc. is properly licensed and experienced in the type of work involved with this project.

Name of Project:	NRRRF Dewatering Building HVAC and Odor Control Improvements
Managing Division:	Public Utilities – Capital Improvements Management Division
Approval request:	Bid award
Reason for Council review:	Formal bid award
Original CIP Budget:	$1,800,000
Construction Bid Award:	$1,519,000
Vendor:	Haren Construction Company, Inc.
Prior Contract History:	N/A
Encumbered with this approval:	$1,519,000

Recommendation: Award the bid to Haren Construction Company, Inc. in the amount of $1,519,000. Authorize the City Manager to execute the contract. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent).

TRAFFIC – VARIOUS CHANGES – APPROVED – ORDINANCE ADOPTED

The agenda presented the following recommended changes in the traffic code which would be effective 7 days after Council action.

Bus Zone - West Edenton Street

It is recommended that a Bus Zone be established on the north side of Edenton Street between Harrington Street and Dawson Street. A request was received from GoRaleigh to implement a Bus Zone near the corner of Edenton and Harrington Streets because the routes that this stop serves have grown substantially in demand and must now be expanded to add additional runs. The Bus Zone will ensure the City's buses have an area to safely stop to load and unload passengers.

No Parking Zone – Edgemont Drive

It is recommended that a No Parking Zone be established on the south side of Edgemont Drive east of the intersection at Ed Drive. A request was received from a resident of the Edwards Mill Townhomes Community that residents were having problems turning onto Edgemont Drive from Ed Drive and vice versa due to vehicles continuously parked along the south side, which limits sight distance and impacts safety margins in the travel lanes. The proposed change will alleviate this issue. The affected property owner (restaurant) has been notified and has no objections to this request.

Two Hour Meter Parking Zone – 2500 and 2600 Blocks of Hillsborough Street

It is recommended that a Two-Hour metered Parking Zone be re-established on the south side of the 2500 and 2600 blocks of Hillsborough Street. Staff was notified by GoRaleigh that a temporary Bus Zone that had been previously established in July for GoRaleigh and GoTriangle passengers during the Hillsborough Revitalization Project is no longer needed. The recommended changes will return these two areas to their former state.

Recommendation: Approve as recommended and authorize the appropriate changes in the traffic code was included with the agenda packet. Upheld on Consent Agenda Thompson/Branch – 7 ayes (Gaylord absent). See Ordinance 646.

END OF CONSENT AGENDA

REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION

TC-19-16 – WALL SIGNAGE – PUBLIC HEARING AUTHORIZED FOR DECEMBER 6, 2016

This request amends Sections 7.4.3.D, 7.3.5 C, and 7.3.6.C of Part 7 of the Raleigh Unified Development Ordinance to allow improvement in the type and visibility of various wall and canopy oriented sign styles.

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

Planning Director Bowers and Planning Commission Chair Braun were present to answer questions. Ms. Baldwin moved the recommendation be upheld. Her motion was seconded by Mr. Branch and put to a vote which resulted in all members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on an 7-0 vote.

REZONING Z-18-16 – HOMEWOOD BANKS DRIVE – PUBLIC HEARING AUTHORIZED FOR DECEMBER 6, 2016

This is a request rezone property from Residential-4 and Residential-6 (R-4 & R-6) to Residential Mixed Use – 3 stories-Parking Limited – Conditional Use (RX-3-PL-CU).

The request is partially inconsistent with the Future Land Use Map, but consistent with the Urban Form Map and most pertinent policies of the Comprehensive Plan.

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

Planning Director Bowers and Planning Commission Chair Braun were present to answer questions. Mr. Branch moved the approval of the recommendation as presented. His motion was seconded by Mr. Thompson and put to a vote which passed with all members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on an 7-0 vote.

SPECIAL ITEMS

DESIGN GUIDELINES FOR RALEIGH HISTORIC DISTRICTS – PROPOSED UPDATE – REFERRED TO THE SAFE, VIBRANT AND HEALTHY NEIGHBORHOODS COMMITTEE

The following report and recommendation of the Raleigh Historic Development Commission appeared on the October 18, 2016 agenda:

On January 19, 2016 the Raleigh Historic Development Commission (RHDC) approved the final draft of updated Design Guidelines for Raleigh Historic Districts as renamed the Design Guidelines for Raleigh Historic Districts and Landmarks. The Unified Development Ordinance provides that these guidelines are incorporated by reference for use in considering applications for Certificates of Appropriateness.

Recommendation: Approve the updated guidelines; authorize staff to prepare a text change correcting the documentation name in the Unified Development Ordinance.

It was agreed to hold action to allow additional time for the public to review the proposal.

Sarah David, Chairperson of Raleigh Historic Development Commission, asked the Council to approve the updated design guidelines as renamed the Design Guidelines for Raleigh Historic

Districts and Land marks as presented. She explained how the guidelines are used and have been used pointing out the continued development pressure make the current guidelines inadequate. She stated we have guidelines for districts but not for individual buildings. She talked about the fact that we have historic cemeteries and how the guidelines apply to those, the meetings and discussions to get as much input as possible prior to making the recommendation, the use of a consultant and how that consultant guidance helped them make objective decisions. She talked about the thought process and the impact of the guidelines and how it is hoped they would help all make decisions.

She talked about the special essay that are required and how the Certificate of Appropriateness group utilizes those essay, the difference in guidelines for districts and individual property. Ms. David stated the Commission is aware that not everyone agrees with the guidelines and have presented petitions requesting further discussion. She talked about the comments that were received and where those comments came from as far as individuals and areas. She talked about not adding styles and how the committee recommends approval and how the guidelines could be applied.

Mr. Stephenson suggested placing the item in the Safe, Vibrant, and Healthy Neighborhoods Committee for further discussion. He stated he knows a lot of work has occurred but the Council has received a request from the Society for the Presentation of Historic Oakwood and briefly explained that request. He stated maybe we need to take some more time to determine the correct balance and talked about the language and the brief submitted by the Society for the Preservation of Historic Oakwood as it relates to style and protecting character that speaks to the concerns of the neighborhood. He stated he would like to get some more public input, look at language that will help make the decisions more appropriately.

Ms. Baldwin questioned if the committee meeting could be set so that discussion could take place and a report could be made back at the December meeting speaking to the amount of time this has been worked on and development pressure, etc. Mr. Stephenson stated he would be glad to set a meeting for November 29 at 5:00 p.m. and he hopes the discussion will exclude style preferences and focus only on national trends. Without objection the items was referred to the Safe, Vibrant and Healthy Neighborhoods Committee.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

COMPREHENSIVE ANNUAL FINANCIAL REPORT – RECEIVED

The Comprehensive Annual Financial Report (CAFR) has been completed for the fiscal year which ended June 30, 2016. The CAFR has been audited by the certified public accounting firm of Cherry Bekaert LLP. There were no reported findings (single audit or internal control-related) within the financial statements. Staff will make a brief presentation at the meeting.

Recommendation: Accept the report.

City Manager Hall pointed out Council members received a copy of the full Comprehensive Annual Financial Report at the table.

Chief Financial Officer Perry E. James, III, stated the CAFR represents the most important financial report each year and provides the final audited financial results to the city. It reflects the full GAAP basis of reporting for all funds, has footnotes which provide important disclosure and explanations, and is audited by an independent certified public accounting firm. He talked about the credit agency perspective and pointed out Moody's 2014 Report "Anatomy of Successful Cities" highlighted Raleigh among 34 cities that they found to be successful cities.

CFO James went over the following 10 key rating criteria to consider in review of the CAFR:

- Actual financial results and trends show strong financial position
- A policy framework sets the guiding vision
  - 14% fund balance goal
  - Debt and investment policies
  - Budget policies
  - Funding of long-term liabilities
- Tax base growth compares well to peers
- Long-term planning effort are done
  - Operating projections
  - Capital Investment Plan (CIP)
- Demographics of the area support financial strength
- There is a proven ability to manage through economic cycles
  - Stability of revenue sources
  - Maintenance of reserves
  - Flexibility to take actions to deal with downturns
- Debt characteristics and ratios are appropriate
  - Per capital and overlapping debt levels
  - Ability to maintain debt policies over time
- There is strong management experience and stability
- There is a proven ability to deal with the "circumstances of the day"
  - Economic changes
  - Legislative changes
  - Disasters and other unforeseen events
- The Governing Body supports and oversees financial goals
  - Approval of policies supporting financial strength
  - Willingness to adjust budgets when necessary

Mr. James pointed out the state of the city's finances is excellent, the 2016 CAFR results are strong, key ratings criteria are fabric of the city's organization and while there are always future challenges a strong framework exists for continued success.

Assistant Financial Officer Allison E. Bradsher expressed appreciation to the city council, city management, department heads, communications, and Finance team that worked on the CAFR Scott Duda of the audit firm – Cherry Bekaert who is available to answer questions. Ms. Bradsher went over the layout of the CAFR pointing out we received an unmodified audit opinion – no current year findings, no management letter comments clean SAS 114 letter. She stated the Government Finance Officers Association has awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Raleigh for the past 36 years and this report will be submitted for consideration.

Ms. Bradsher went over the government wide net position pointing out it is reported inclusive of all capital assets and debt of both governmental and enterprise funds. The intent is to report a comprehensive picture comparable to private sector entities and an increase in net position is normally expected year to year. Ms. Bradsher explained the general fund is the main operating fund of the City and performed as expected with a $15.3M increase in fund balance. She stated comparing year to year the property tax and sales tax have increased as the local economy remains strong. Operating expenses increased year over year due to the City's continued investment in the employee workforce. She went over the Unity Fund pointing in FY16 revenues increased as a result of an approved increase in fees which are in line with the City's financial projection models. Operating expenditures show a slight increase over FY15. These results allow legal bond covenants to exceed required coverage ratios.

Ms. Bradsher pointed out the City has five enterprise funds which operate as business type entities where users directly pay for services rendered. These business type entities are reported just as a private sector business. All funds met or exceed management expectations. Two of the funds received subsidies from outside sources (Convention Center Complex and Mass Transit). The general fund provides an annual subsidy to the mass transit, parking, solid waste and convention center enterprise funds.

Ms. Bradsher went over the actuarial impacted funds which are based on actuarial and third party reporting of claims and liabilities. All funds performed as expected for FY16 and the Finance Department will continue to monitor activities and work with our third party actuaries. These funds incudes risk management, employees' health benefits, OPEB Trust and LEO Trust. Ms. Bradsher pointed out it is City policy to maintain a fund balance level in the general fund of 14% of the budget. Historically any excess of the 14% may be maintained as a reserve or used for critical nonrecurring needs. The ending unassigned fund balance for FY16 was $13.4M.

CFO James and Assistant Finance Director Bradsher expressed appreciation to the Council for their support in helping maintain the City's financial position. Various City Council members expressed appreciation to City staff, etc., and by consent accepted the report as presented.

CRABTREE PIPELINE SANITARY SEWER PROJECT – BID AWARDED TO OSCAR RENDA CONTRACTING, INC CONTINGENT UPON APPROVAL BY THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY – RESOLUTION ADOPTED; STAFF TO INCLUDE BID TABULATIONS ON FUTURE BID ITEMS

On October 25 seven bids were received for the Crabtree Basin Wastewater System Conveyance Improvements (Crabtree Pipeline) project. The project involves the construction of 25,000 linear feet of sanitary sewer pipe as well as the rehabilitation of three existing sanitary sewer siphons along Crabtree Creek.

Out of the seven prequalified bidders, Oscar Renda Contracting, Inc. submitted the lowest bid in the amount of $19,971,795. Oscar Renda Contracting is properly licensed and experienced in the type of work involved with this project. Oscar Renda Contracting, Inc. submitted a 4.08-percent Minority and Women-owned Business Enterprise (MWBE) participation plan. Though this rate does not meet the participation goal, Oscar Renda Contracting, Inc. provided documentation demonstrating good faith effort.

This project is funded by the Clean Water State Revolving Fund program, administered by North Carolina Department of Environmental Quality (NCDEQ), Division of Water Infrastructure. The loan requires the governing body of the applicant to adopt a resolution of tentative award, contingent upon approval of NCDEQ.

The bid award also requires a $2,000,000 budget transfer from the Upper Pigeon House Interceptor capital project. Both capital projects are under one contract and the budget transfer will more accurately reflect the accounts for remaining Crabtree Pipeline construction and easement acquisition costs. Accounting details are included with the agenda packet. A presentation will be made during the meeting.

Name of Project:	Crabtree Basin Wastewater System Conveyance Improvements Project – Phase II (Crabtree Pipeline)
Managing Division:	Public Utilities – Capital Improvements Management Division
Approval request:	Bid award
Reason for Council review:	Formal bid award
Original CIP Budget:	$35,000,000
Revised CIP Budget:	$37,000,000
Construction Bid Award:	$19,971,795
Vendor:	Oscar Renda Contracting, Inc.
Prior Contract History:	N/A
Budget Transfer:	$2,000,000
Encumbered with this approval:	$19,971,795

Recommendation: Award the construction bid to Oscar Renda Contracting, Inc. in an amount not to exceed $19,971,795 and contingent upon approval of the North Carolina Department of Environmental Quality. Adopt the resolution of tentative award. Authorize the City Manager to

execute a construction contract upon receipt of North Carolina Department of Environmental Quality concurrence with the bid. Authorize the associated budget transfer in the amount of $2,000,000.

City Manager Hall pointed out the Council has approved this project concept and the item could have been on the consent agenda but because of the projected cost of the total project, and because of its location through a very dense residential area he felt it would be good to provide an update.

Engineer Eileen M. Navarrete, Public Utilities Department, gave an overview of the three phase initiative to alleviate the sanitary sewer overflows along Crabtree Creek. This is Phrase II and consists of installing 21,000 lineal feet of 54 inch gravity sewer between Glenwood Avenue and Capital Boulevard. The first phase was completed in 2014. Ms. Navarrete presented a map showing the alignment of the entire project, explained the entire project has two components – installation of large diameter sanitary sewer and the rehabilitation of three existing sanitary sewer siphons along Crabtree Creek. It involves trenching and tunneling and the open cut which goes through a dense residential area and commercial areas, talked about the incorporation of rehabilitation of the three existing siphons added to the project saves construction cost as well as inconvenience to the property owners. She stated this is the second of the two construction contracts to complete the interceptor. She talked about the prequalification which was attended by 13 contractors and the City received seven bids and pointed out the City felt that was quite an accomplishment in this heavy construction environment. She talked about the bid of $19,570,530 for the pipe line plus $401,265 for the siphon rehabilitation work for a total bid of $19,971,795. She pointed out this project is being funded by the Clean Water State Revolving Fund program administered by the North Carolina Department of Environmental Quality Division of Water Infrastructure. This loan requires adoption of a resolution of intent to award the bid contingent upon approval of the NCDEQ.

Ms. Navarrete stated the next recommended steps include adoption of a resolution of tentative award, authorize contract execution and the transfer. The project schedule would call for pre-construction meeting in December 2016 with a notice to proceed in early 2017.

Ms. Crowder moved approval as outlined. Her motion was seconded by Ms. Baldwin. In response to questioning, Ms. Navarrete indicated the schedule calls for a 2019 completion date. 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 7-0 vote (Gaylord absent).

Mr. Thompson stated in the future he would appreciate staff providing a tabulation of all bids in the agenda packet with the Council agreeing. Staff was asked to provide that information.

COMPENSATION SYSTEM STUDY – PROJECT UPDATE – RECEIVED

In supplement to prior status reports provided via the *Manager's Update*, Council will recall that Phase II of the Employee Compensation System Study was authorized in February 2016.

Following a Request for Proposals process and vendor selection, a contract was awarded in June 2016 to Gallagher Benefit Services to conduct the following aspects of the study:

- A job analysis looking at the City's job classification structure and job evaluation process;
- Market-based compensation review with a custom pay survey of benchmark positions, distributed to select comparator organizations to complete a competitive pay analysis; and
- Conduct a review of current employee pay policies and practices to identify potential changes, revisions or additions to existing salary administration policies and practices.

An update on the work completed, work in progress, and upcoming milestones will be presented during the meeting.

Recommendation: Receive as information.

City Manager Hall talked about city employees being a high priority and critical to the City organization. He pointed out the study relates to how we pay our employees not just what we pay them. He talked about the study, the critical need to manage expectations of all particularly the expectations of our employees. He stated in addition when and if the study is approved the City must determine how to fund recommendations of the study and talked about the need and the hope to phase in the cost to cover any changes in pay and/or structure and again stressed the need to manage all expectations.

Human Resources Director Steve Jones talked about how fortunate the City of Raleigh is to have such a talented and stable work force. He stated competition for our employees is becoming more and more difficult as we move forward. He pointed out this compensation system study is a massive undertaking for all involved and the purpose of today's report is to provide an update on where we are in that project.

Human Resources Director Jones highlighted the following report:

BACKGROUND

- **Last formal study – 2003**
- **Orgainizational Excellence Initiative 4.2:** "Assess, develop and adopt a total compenstation/philosophy and strcture (to include pay, classsification and employee performance evaluation systems)"
- **Primary prposes:**
  - Develop formal compenation philosopy and
  - Spporting structure to reward performance and encourage skill development
- **Recent actions to address pay ystem inequitiies:**
  - Eliminated two lowest grades – first-step toward Living Wage

- Aligned pay for Equipment Operators and Service Specialists
- More agrressive merit adjustments in FY 15-17 for bottom of pay ranges

BRIEF OVERVIEW OF STUDY PHASES

- **Phase 1 Awarded August, 2015:**
  - Facilitate development of compensation philosophy
  - Clarify strategy of comparator markets/organizations
  - Discuss connection of philosophy to pay structure
- Phase 2 Awarded June, 2016:
  - Reform Job Classification System
  - Develop Living Wage Policy
  - Develop new pay structures and systems
  - Conduct market pay study/comparison

CURRENT PAY SYSTEM COMPLEXITY & LIMITATIONS

- **700+ Job Classifications**
  - > 200 single incumbent job classifications
- **29 pay grades** that overlap
- **Outdated, inflexible** salary administration policies
- **Inconsistent** use of pay systems:
- **Quartile Pay Structure**
- No current recognition of performance through pay
- No consideration for Living Wage

PHASE 1 RESULTS SUMMARY

- Established the Employee Advisory Group
  - 35 employees across 17 departments
- Discussed pay structure opportunities
  - Eliminate quartile system and allow more open pay bands, where appropriate
- Compensation Philosophy adopted by City Council on February 2, 2016 with goals to:
  - Reflect 50% percentile of market
  - Consider total compensation
  - Reward performance
  - Apply Living Wage criteria
- Comparator strategy developed to include local, regional and national data
- Framed Phase 2 Objectives and Scope of Work

PHASE 2 OBJECTIVES

- Expand employee engagement
- Update Job Classification system
- Develop Living Wage policy
- Review/recommend pay structure and system
- Determine benchmarking/comparator strategy
- Conduct custom market pay comparison

PROGRESS UPDATE: Employee Engagement by the Numbers

Communication, collaboration and participation have been a focus

- 64 Employee Advisory Committee members. . up from 32 Phase 1
- 21 education sessions conducted in 48 hours
- 1450+ employees attending education session
- 22 custom office hours sessions
- 1,300+Position Description Questionnaires (PDQs) completed
- 184 proposed edits/changes
- 28 individual meetings with Dept Dir to discuss proposal, get feedback and input…duration of an hour to an hour and a half each
- 3 each Employee Advisory Group and Dept Dir/Div Mgr meetings
- 9 Updates for employees posted to Corecon
- 4 Monthly summary updates to Council

PROGRESS UPDATE: CLASSIFICATION SYSTEM

- 13OO PDQ'S completed
- Draft job classification titles and job families
  - 250-300. . . a reduction from 700+
  - 35-40 Job families
- Defined key job functions and essential duties for each classification
- Initial proposal reviewed individually with all dept. dir. For input
  - Over 180 refinements/changes identified
- Finalizing criteria for future classification evaluation and assignment

PROGRESS UPDATE: LIVING WAGE

- Methodology/best practice research complete
- Completed internal evaluation
- Analyzing organization and financial impact
- Policy language in development
- Developing final recommendation

PROGRESS UPDATE: PAY STRUCTURE/SYSTEM RECOMMENDATIONS

- Identified key criteria for consideration
- Researched nine pay systems and structures
  - Examples: Step System, Career Ladders, Pay for Performance
- Evaluated benefits/challenges
- Researched application in other organizations
- Evaluated key priorities, unique to employee groups

PROGRESS UPDATE: MARKET PAY SURVEY

- **84** Benchmark Positions
- **36** Local, Regional and National "Peer Cities" identified for comparison
- Survey summary report and analysis expected in **early January**

KEY QUESTIONS

- Best pay structures/systems to meet disparate needs
- Financial impact of recommendations
- Strategy to phase implementation to:
  - Consider mid-year adjustments supported by survey data including funding options
  - Consider financial feasibility for FY18 and beyond
  - Develop pay administration structures, processes and rules
  - Identify issues of compression and internal equity

POSSIBLE CRITERIA FOR MID-YEAR ADJUSTMENTS

- Positions significantly below targeted market pay
- Positions experiencing unusually high turnover
- Alignment with Living Wage Policy
- Sworn police and uniform fire positions supported by market data

MAJOR PROJECT MILESTONES

- **December 2016**
  - Finalize job classification structure by end of December
  - Custom market pay survey responses received by Gallagher
- **January 2017**
  - Adopt Living Wage Policy,
  - Finalize pay structure(s) and system(s)
  - Receive Gallagher review/recommendations of market survey data
  - Apply pay data to new structure and classifications
- **February 2017**
  - Present final report and recommendations to Council

- **March 2017**
  - Evaluate financial impact of recommendations
  - Identify any potential/necessary implementation phases
  - Interim recommendations for mid-year adjustments (based on defined criteria) with target implementation April 15
- **Remaining 2017**
  - Effective date for first phase implementation increases, October 1
  - Develop plan for ongoing market evaluation
- **2018**
  - New pay system(s) component implementation

Mr. Cox asked about the criteria for mid-year adjustments and questioned if we are at the point that this item should be referred to a committee for further study. City Manager Hall stated we are not at that point explaining the data should come in by late November or early December, it will be sent to our consultant who will prepare a report and deliver that report hopefully in January. Mr. Cox questioned if that is the time that the information should be referred to committee. City Manager Hall suggested that the Council receive the report and then decide how to go from that point.

Mayor McFarlane expressed surprise that there are still 700 plus job classifications and questioned if the group is still working on classifications/reclassifications. City Manager Hall indicated that is correct. Classification of jobs and pay structure are the two pieces of this process. Mr. Branch suggested scheduling a work session so all of the Council could receive the report at the same time. Ms. Crowder talked about moving forward with intentional slowness and care in order to get it right but stressed the need to let people know how this is moving forward and, keep all updated with the process.

In response to questioning from Mr. Stephenson, Human Resources Director Jones indicated one of the objectives of this study is to move away from the quartile system. Mr. Stephenson questioned if the method of employee evaluation is being over hauled or studied with Mr. Jones pointing out the taskforce is looking at that and looking at how to include the evaluation into the pay structure.

Mayor McFarlane questioned at what point the City will have information or an idea on health care cost for the next year pointing out that is a huge factor in employee compensation. Mr. Jones stated he hopes that that information will be available from the consultant the first part of next year.

The information was received.

RECYCLING SERVICES UPDATE MANDATORY RECYCLING AND TEXTILE PARTNER – VARIOUS ACTIONS TAKEN

On April 5, 2016 the Waste Reduction Task Force submitted a final report and recommendations to the City Council. Staff was instructed to conduct research on alternatives to mandatory

recycling, which was a high priority recommendation from the task force. Alternative recommendations to mandatory recycling include additional availability of educational materials; options for in-person training to tenants and property management staff, and increased disposal options at multi-family community locations.

Separately, during the September 20, 2016 Council meeting Council requested staff to review and prepare a response for the City to engage in a potential textile recycling program. Staff was advised to consider two parameters:

- Any recommendation should consider limiting impacts on nonprofits and other organizations that rely on the textile stream for charitable contributions; and
- Any recommendation should limit impacts on enforcement.

As reviewed for Council in *Manager's Update No. 2016-42* (October 21), a private, for-profit business entity approached staff and some Council members with an interest in establishing a relationship with the City that would allow the business to complete regular curbside collection of clothing and other textiles using routing the same as utilized by the City for the collection of recyclables. Should Council desire to pursue a textile recycling partnership opportunity, the next steps would include:

- Authorize staff to prepare a text change enabling a textile collection program in the public right-of-way;
- Authorize staff to initiate a Request for Proposals process to seek a textile collection partner.

A presentation covering both topics will be made during the meeting.

Recommendation: Receive as information.

MANDATORY RECYCLING - ALTERNATIVES

Bianca Howard, Solid Environmental Coordinator, Solid Waste Services Department, stated November 15 is American Recycling Day. She gave a background of this issue pointing out the Charge to the Waste Reduction Task Force was to determine waste diversion goals for the city; adopt guiding principles for the solid waste system; recommend strategies for achieving the diversion goal, including changes to action items in the 2013 Comprehensive Plan. Ms. Howard went over the recommendations of the Waste Reduction Task Force as it relates to Universal Recycling/Pay As You Throw/Alternative Waste Disposal Techniques/ Environmental Friendly Product Use/Construction and Demolition Debris Recycling/Organics Recycling with the priorities being universal recycle and pay as you throw. The Task Force had recommended implementation of universal recycle by the end of 2017 with a goal of one to two years to look at pay as you throw.

Ms. Howard talked about the current program activities indicating 533 of 618 multi-family communities are currently served with the total number of units equaling 67,316. She explained multi-family dwelling development is defined in City Code Section 10-2107 which indicates "a

multi-family dwelling is any dwelling located on its own separate lot which contains two or more dwelling units, whether an apartment house, condominium, duplex, cooperative or any other multi-family dwelling." She pointed out we currently have weekly collection by two crews and in FY16, 1,780 tons of recycling materials were collected utilizing the igloo, cabinet and 96 gallon containers.

Ms. Howard pointed out in working on this project, staff discovered that mandatory recycling is broadly defined and categorized into the following requirements:

- An annual recycling plan
- Appropriate source separation container availability
- Distribution of educational recycling literature to tenants
- Reporting of recycling tonnages.

She stated alternatives to mandatory recycling include education to encourage participation, changing collection methods and annual reporting on recycling tonnage. She went over comparisons with benchmark cities pointing out of the mandatory requirements Raleigh currently only meets one – which is pay for recycling.

Ms. Howard went over the following alternatives to mandatory recycle:

- **Recommendation #1** – Making Education Materials Available
  The City of Raleigh can increase recycling participation by providing educational materials to multi-family communities. Such materials include free posters/signage, pamphlets related to recycling

- **Recommendations #2** – Provide In-person Training to Tenants and Property Staff
  Utilizing Raleigh City staff to train tenants and property management staff. Training activities would include:
  - Introduction to recycling programs
  - Instructions on where to locate containers
  - Examples of materials to recycle

- **Recommendation #3** – Encourage Owners to Make Education Opportunities Available
  - Schedule routine check-ins
  - Stage special community events
  - Foster greater recycling participation

- **Recommendation #4** – Increasing Disposal Options at Each MFC Location
  Providing the optimal container type at each MFC site can lead to higher recycling tonnages and more cost-effective collection costs. SWS can offer communities MFCs the following container options to service its recycling needs:
  - 95-gallon roll carts (arranged in corral fashion)

- Cabinet style metal containers with 95-gallon roll carts
- Offer dumpster containers in 4, 6, or 8-yard capacity
- Note: Establish annual recycling tonnage reports

Brief discussion followed on separation containers, the feeling that the various alternatives gives more option, possible cost for the educational materials, and success in peer cities as it relates to mandatory recycling, and what produces the best results. It was pointed out the mandatory recycling provides the best results but we could adopt some of the elements and chart our success. Ms. Baldwin expressed concern that the alternative recommendations are not aggressive enough that one alternative and that is education. Again she expressed concern that the educational effort is not bold enough. Mr. Thompson pointed out he feels it is a good start. Mayor McFarlane stated she feels it was the consensus of Council to move forward with the alternative educational components.

Solid Waste Services Director Battle talked about going from 18 gallon bins to the roll carts for recycling and how recycling increased and how he feels that moving to the larger dumpters will help increase the tonnages. Mr. Thompson stated some time back he toured the recycling center and it is busting at the seams and questioned what would happen if the tonnage increases. Ms. Howard pointed out the recycle center recently underwent renovation and that will help.
Mayor McFarlane again stated it was the consensus of Council to move forward with the recommendations as outlined.

Textile Collection Partner

Megan Anderson, Sustainability Manager presented the following prepared statement:

I am here today to give a summary of *an opportunity for Curbside Collection of Clothing and Textiles.*

As you know, a private business recently approached staff and some Council members with interest in establishing a program that would allow an organization to collect textiles from residential curbs-- using the same routes that the city collects recyclables.

As you remember, at the September 20th Council meeting, Mayor Pro tem Crowder requested that staff look into an opportunity for a potential program. Staff were advised to consider two parameters:

1. Any recommendation should limit impacts on organizations that rely on the textile stream for charitable contributions.
2. Any recommendation should limit impacts on enforcement.

The Office of Sustainability, the City Manager's Office and Solid Waste Services worked with the City Attorney's Office on this. Staff recognized that this may be a potential opportunity to further divert waste from the landfill….and that it could further support the City's goals for waste reduction.

We first analyzed if the City could structure a curbside textile collection program as the code is currently written. The City Attorney's Office believes that it would be appropriate for the City Council to revise the code to permit this activity. At the request of Council, staff can prepare the text changes that would be necessary to move forward with a pilot.

Staff would recommend the City issue a Request for Proposals (RFP) which would assist the City with textile collections at the curb. This agreement would authorize the partner's use of the public right of way.

While we don't believe this method would have significant impact on other non-profits or significant enforcement impacts, the method of scoping the RFP is important. Staff has considered several items to include in the RFP in order to minimize impacts on enforcement. Details on these items are included for your reference in your Council packet agenda.

With regard to limiting impacts on other organizations that rely on textile donations the RFP would not prohibit other organizations from scheduling donation pick-ups from residents' homes. In addition, there are other considerations that the City could add to the RFP to further support organizations that also rely on textile donations:

If City Council wishes to move forward with next steps staff will continue to consider operational refinements in partnership with Solid Waste Services so that we can address or eliminate any potential operational conflicts. So with these considerations if the City Council wishes to move forward, the next steps would include:

- For Council to Request that staff prepare a text change allowing a textile collection program in the right of way
- and for Council to Request that staff develop an RFP to seek a partner

Mayor McFarlane questioned if this approach would affect organizations that depend on donations of clothing, etc. Ms. Anderson pointed out the RFP could be written to limit the impacts on charitable organizations such as requiring promotional materials which include language relative to the nonprofit status and donations. We could have information on the City of Raleigh website about textile partners and provide information about other organizations that accept donations. Mayor McFarlane questioned cost to the city or citizens. Ms. Anderson pointed out there may be some impact on enforcement but we could accept money back from our partner to help pay for that. Mr. Thompson questioned exactly what constitutes textiles pointing out people usually donate clothing, shoes, etc., questioning if carpet is considered a textile. The possibility of looking at a pilot program and the need to have a text change before moving forward was talked about. Ms. Anderson pointed out they are working with the City Attorney's office and they would have to make the program long enough to be profitable for any textile partner speaking to the possibility of a pilot program. Mr. Stephenson asked about the possibility of putting something into the program to make sure we would not be competing with the nonprofits such as the textile partner picking up from the back end, that is pick up those items

that the nonprofits could not use. The possibility of making that a part of the RFP was talked about. The possibility of bringing back some different alternatives were also touched on.

Council Member Crowder pointed out she had made a couple of calls to some of the nonprofits who depend on clothing donations, etc., and she was told that the back of the house a lot of times has items that could not be used and may be the textile partner could pick up those unusable objects.

Mayor McFarlane had questions about a possible RFP and pointed out as she understands we are talking about using a private partners equipment, trucks, etc., which would make another collection truck utilizing our city streets in addition to those operated by the City. She also questioned if the city would have liability. City Attorney McCormick indicated there are some potential code changes that may be needed and there could be some potential liability for the city. Ms. Anderson talked about how the textiles could be packaged, have information in the RFP's that required the vendors to be responsible for the packaging and how the products would be picked up, customer service, how the responsibilities would/should be divided, whether staff resources would be needed, possibility of items being left out not picked up blocking the city's ability to pick up, how it would be coordinated with other collections, the possibility of utilizing the same routes, trailing behind existing pickup vehicles but have clearly delineated truck routes, etc. After other discussion and concerns, Ms. Crowder moved that staff be directed to prepare the text change that would allow the textile partner scenario and create an RFP to go out to seek a partner. Her motion was seconded by Ms. Baldwin. Whether a public hearing on the text change is required was questioned with City Attorney McCormick indicating a public hearing is not required but nothing would prohibit the Council from having a public hearing on a proposed text change. Mr. Thompson stated he has no problem moving forward but he would like to see the RFP before it goes out with Ms. Crowder and Ms. Baldwin agreeing to that amendment. The motion as amended was put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

INNOVATIVE FUNDING UPDATE – INFORMATION RECEIVED

In May the City Council tasked staff with creating a program to invest $10,000 to encourage innovation. In response to this request, staff from the Office of Economic Development, the Office of Sustainability and the Information Technology department has established an innovation team, or "I-Team", which consists of a group of employees that will implement innovative ideas and work to create a culture of innovation in the City.

Staff has also developed IDEAraleigh, a pilot program using a crowd-sourced process to capture and implement bright ideas for the greater Raleigh community.

During the Council meeting staff will summarize the development of both the I-Team and IDEAraleigh, and will note the timeline for next steps.

Recommendation: Receive as information.

Megan Anderson, Sustainability Manager, recognized staff who worked on this idea pointing out there are four things for innovative ideas, art/culture, sustainability, inclusivity and public spaces. She presented the following information.

As you remember, earlier this year the City Council tasked staff with creating a program to invest $10,000 to encourage innovation. In response to this request, staff from the Office of Economic Development and Innovation, the Office of Sustainability, and the Information Technology Department established a Core team to research best practices and explore options.

I wanted to quickly recognize our internal planning team that's been involved since the beginning – James Sauls and Derrick Minor from Economic Development and Innovation, Tonya Walton from Budget, Jen Baker from Sustainability, Jim Alberque from Information Technology and Alex Vazquez from the City Manager's office.

This team explored how other municipalities across the country approach innovation. Based on our findings…. We chose to bring a group of employees together to form an internal team tasked with building capacity in the organization for Innovative ideas….. We are calling this team the I-Team….

The "I-Team" is a cross departmental group that will work to support a culture of innovation. To ensure we are successful in piloting innovation in the City, employees were nominated to be a part of the I-Team. These individuals are:

- Innovative Thinkers
- Are constructive and dynamic doers
- They value collaboration
- And welcome challenges

This group will also help us implement a pilot program we are calling IDEAraleigh.

The IDEAraleigh pilot will use a crowd-sourced process to capture and implement bright ideas submitted by the greater Raleigh community.

To generate innovative ideas, staff will encourage applicants (both City employees and Raleigh residents) to come up with innovative solutions focused around four themes…

These are areas that are valued in the City of Raleigh. The I-Team is currently researching these themes to narrow the focus and provide context relevant to our community.

- IDEAraleigh will use an application process and will request that employees and residents submit a proposed budget and timeline with anticipated milestones.
- The I-Team will then vet the ideas for feasibility.

- Ideas that meet the minimum criteria will be posted online with an explanation, photos, and supporting documents. The Community will be invited to "vote" on their top choices. The two projects receiving the most "likes" during an open voting period will be funded with up to $2,000 each.

The I-Team will then facilitate moving the idea through City processes and implementation in coordination with the winning applicants.

After the first round of Winning Ideas are implemented the I-Team plans to evaluate the pilot phase and then launch a second Call for Ideas.

The CORE team kicked off our first meeting with the I-Team last week and we jumped right into planning.

As part of the I-Team's orientation and professional development several of the members will be attending a training this Friday: "*The Local Government Innovation Lab*" at the School of Government at UNC-Chapel Hill will provide hands-on training. Participants will learn to use design thinking as a tool to develop innovative solutions to community issues, and to improve service delivery.

In addition to the training, over the next couple months the I-Team will

- Finalize IDEAraleigh parameters such as contest guidelines, and Frequently Asked Questions.
- We will create marketing materials, including a new website that will house contest guidelines, the application, resources and FAQs and we will also create a social media campaign.
- We predict launching the first Call for Ideas in March or April of 2017.

SO in closing …….. The I-Team sends a big thank you to the City Council for this opportunity…. and we look forward to receiving ideas from the Community so thanks again!

Ms. Baldwin talked about one of the reasons for creating the Economic Development Office was to ensure that people understood our portal and questioned how the portal will work. Ms. Anderson pointed out it is for external groups and the I-team will be the funnel and support the EDI Office so that the office becomes the collaborative group across the organization. Ms. Baldwin cautioned staff to make sure it doesn't create more confusion and questioned how external groups will know about the process. The information was received.

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

BARWELL ROAD PARK MASTER PLAN SITUATION ASSESSMENT AND CITIZEN PLANNING COMMITTEE – APPROVED

Barwell Road Park is a 54.5-acre park in southeast Raleigh located at the corner of Rock Quarry Road and Barwell Road. The park was developed in 2006, in coordination with construction of Barwell Road Elementary School. The Barwell Road Park Master Plan process will review the needs of the community in context with the existing park property to determine community connections to the park, outdoor amenities, and program opportunities. The master planning will be a twelve-month process with a final plan adopted by City Council. Funding for the development of the plan is from proceeds of the 2007 Parks Bond. At the October 20 meeting the Board recommended the draft Situation Assessment and membership of the Citizen Planning Committee be presented to City Council.

Recommendation: Receive the Barwell Road Park Master Plan Situation Assessment as information. Approve the membership of the Citizen Planning Committee.

The proposed Master Planning Committee is as follows:

Name	Neighborhood
Bailey Allred	Brandywood/Anderson Pointe
Gladys Bonilla	Wake County Human Services
Tanielle Brown	John's Pointe
Tina Certo	Eaglechase
Gabriela Cobos Uribe	Consulate general of Mexico
Patrick Faulkner	Tanglewod
Alesha Garrett	Battle Ridge
Jaqueline Griffin	Eaglechase
Ulysses Lane, VMD	Brandywood
Clifton Lavenhouse	Maybrook Crossing
Jerry Mangum	Eaglechase
Taty Padilla	Wake County Smart Start
Reverend Kevin Seymour	Ebenezer Methodist Church
Latonia Williams	Chastain
Dexter Hebert	PRGAB Member

Amy Simes, Chair of the Parks, Recreation and Greenway Advisory Board spoke briefly about the situation assessment, location of the park, funding, etc. She stated they will be happy to make a presentation outlining the project or would be glad to answer questions about the plan as included in the agenda packet dated October 20, 2016. Mr. Branch moved receiving the master plan situation assessment and approving the membership of the Citizens Planning Committee as outlined. His motion was seconded by Mr. Stephenson and put to a vote which resulted in all

members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on a 7-0 vote.

RIVER BEND PARK MASTER PLAN – APPROVED AS PRESENTED

The River Bend Park master planning process began in 2015 with the City Council acceptance of the System Integration Plan, Situation Assessment, and appointment of the Citizen Planning Committee. The public input process has been conducted and the draft plan has been presented to the Board. The plan includes an executive summary, vision statement, conceptual plan, and concept narrative. A brief presentation will be made during the meeting. Included with the agenda packet is a copy of the draft park master plan. The Board unanimously recommends adoption of the River Bend Park Master Plan.

Recommendation: Approve the master plan.

Lora Greco, Parks, Recreation and Cultural Resources, stated there is a brief presentation if the Council would like to receive it. Ms. Baldwin moved approval. He motion was seconded with Ms. Crowder agreeing. Mr. Cox pointed out there are some questions that need to be addressed.

Bill Hamilton, Parks, Recreation and Cultural Resources explained acreage, location, surrounding development, public school. Throughout the process the citizens planning committee coordinated with Wake Tech, Wake County Public School Systems and 5401 Development in coming up with vision statement which served as a guide for development of the master plan. He went over the next steps.

Mr. Thompson questioned the amount of the park in the flood plain with it being parted out approximately half or two-thirds. Mr. Cox had questions about access to the river being a boat launch, whether the park center is indoor or outdoor, what is funded and future phases. Mr. Hamilton pointed out it is a small park center of approximately 4,000 square feet, which will be another phase. It is not funded at this time. There is approximately $2M from the 2014 Bond fund and the city would make that money go as far as possible. Mr. Stephenson asked about other phases with Mr. Hamilton talking about the park center, amphitheater trails, and pointed out phase one covers priority items for the park itself. It was pointed out the middle school is scheduled for opening in the fall of 2017. There have been discussions and involvement with the Wake County Public School Systems through the entire process, about shared parking and possible other shared agreements. Ms. Baldwin moved approval of the Master Plan as presented. Her motion was seconded by Ms. Crowder and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 7-0 vote (Gaylord absent).

REQUEST AND PETITIONS OF CITIZENS

TRAFFIC – VARIOUS CONCERNS RELATED TO AREA BETWEEN BRAGG STREET AND MARTIN LUTHER KING JR BOULEVARD – ADMINISTRATION ASKED TO LOOK AT SIGNALIZATION

Brother Warren Muhammed, 1103 Garner Road, stated he is petitioning the City Council to install a speed bump on Garner Road in the block between Bragg Street and Martin Luther King, Jr. Boulevard. He stated getting out of his home on Garner Road is almost impossible. It sometimes takes him five minutes or more. He stated he feels the speed humps would slow the traffic and help people get onto the street. He talked about the number of cars coming through pointing out the only time you can get out is when the light catches the traffic at Bragg Street. He stated a lot of times he and others have to force their way onto the street. The traffic flow is ridiculous. He talked about the light at Martin Luther King Jr. Boulevard/Garner Road and how it backs up traffic to State Street and beyond. He stated there is just too much traffic and it goes too fast and he and his employees have nowhere to park so they have to park on the street and they keep getting parking tickets. He stated in addition to his employees, delivery people, etc., get tickets and many times the employees have to go out and move their cars every two hours.

Mayor McFarlane pointed out as she understands this area of the street is not eligible for traffic calming because of the classification of the street. Mayor McFarlane also indicated according to the report from administration, there is already one commercial loading zone on each side of the 100 block of East Morgan Street and adding another loading zone would require removal of meters spaces in an area which has high parking demand.

Brother Muhammed asked that the item be referred to committee so that he can sit down and explain his concerns and learn more about how he could get speed bumps installed in the area. He stated he had a third request about handicapped parking spaces. Mayor McFarlane stated as she understands the street does not qualify for traffic calming. There is already parking zones and neither the State nor the City provide dedicated handicapped parking spaces.

Brother Muhammed stated he still wants to discuss the item further.

Mr. Branch indicated he travels in the Garner Road/Bragg Street/Martin Luther King Jr. Boulevard area on a daily basis and he understands the concerns about the traffic. He asked that administration look at the signalization or the timing of the traffic lights to see if any adjustment is needed to help the traffic flow better. Brother Muhammed stated he would like additional time with the Mayor pointing out his time is up.

UNFIT BUILDING – 1415 POOLE ROAD – ADDITIONAL 12 MONTHS GRANTED

Xin Rui Xia had requested permission to give a progress report on renovation of the historic home at 1415 Poole Road and request a one year extension in order to complete repairs, upgrade heating and air, etc.

Housing Inspections Administrator Ashley Glover gave a history of action on this case which started in March of 2012. He explained several extensions were granted to the previous owner, Preservation North Carolina. The property was sold to Xin Rui Xia in 2013 and a one-year extension was granted in order to begin the rehab process. Several addition extensions have been granted. Mr. Glover stated this is an extensive project and Mr. Xia is currently making most of the repairs himself. He talked about the progress and pointed out the property is secured by a locked fence and he would recommend that the Council grant the additional 12 months to continue the rehab process. Mr. Stephenson moved approval. His motion was seconded by Mr. Branch and put to a vote which passed unanimously (Gaylord absent). The Mayor ruled the motion adopted on a 7-0 vote.

GLENWOOD SOUTH NEIGHBORHOOD – REQUEST FOR ASSISTANCE FOR CHRISTMAS DECORATIONS - REFERRED TO THE DOWNTOWN RALEIGH ALLIANCE

Jim Belt, Adam Hoffman and Niall Hanley, Glenwood South Neighborhood Collaborative each had requested permission to provide the City Council with an update on their work.

Mr. Belt, Co-Founder of the Collaborative, talked about the neighborhood and the Collaborative which was organized some 3 years ago and includes residents, businesses, commercial entities, etc. He talked about the high density residential and some 150 businesses who work together to provide for a safe, walkable community, work they had done with the help of the City to improve the area such as parking regulations, efforts to slow traffic, public art including tree decorations, tree sweaters, art in crosswalks, etc. He talked about the work they have done and are doing to continuously improve the neighborhood including Christmas decorations, art, being declared a hospitality district, various events, etc.

Jennifer Martin talked about the revenue and tax base generated in the area and how it continues to increase.

Niall Handly stated they want to have Christmas decorations. He talked about what they plan for this year and pointed out however, they would like to have more and better Christmas decorations extended down Glenwood next year. He stated the power poles are not set up in order to provide for decorations, fixtures, etc. so they were looking at some type banner, etc. He talked about the banners they want to install this year and what they would like to see for next year.

Brief discussion took place as to who finances, installs, etc., Christmas decorations in the downtown area with the group pointing out they would like to be treated the same as downtown. After discussion on the efforts of the Glenwood South Neighborhood Collaborative and the work they are doing, it was suggested that they reach out to the Downtown Raleigh Alliance as they are a part of the Municipal Service District and should be able to benefit. The item was referred to Downtown Raleigh Alliance.

NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT – NORTH HILLS NEIGHBORHOOD REQUEST – TO WORK WITH STAFF

Kim Dittman representing the North Hills Neighborhood was at the meeting to request Council consideration for a neighborhood built environmental characteristics and regulations analysis for a proposed Neighborhood Conservation Overlay District. She indicated she had collected over 148 signatures from households along Northbrook, Currituck, Sampson, Gates, etc. She stated they ran out of time as they were still working on getting signatures. She knows they need 51% prior to applying a zone but they would like for Council to go ahead and authorize staff to start the work. Ms. Baldwin questioned if we have staff resources available and why it is coming forward without the 51%. Assistant Planning Director Crane indicated this is the first of three steps and went through the various steps required, timetable and the fact that staff is available to do the study. Ms. Baldwin stated she does not feel it is right to use staff time when only a quarter of the homes have been surveyed. She stated she would like to see 51% or something closer to 51% before authorizing staff time. Mr. Crane pointed out the 51% relates to the rezoning request and that would not come until later. Mr. Thompson questioned if the neighborhood has been working with staff with Ms. Dittman indicating they have. Mr. Stephenson agreed with Ms. Baldwin that it would be best to have a stronger demonstration of interest before committing staff time. Ms. Dittman pointed out she was running out of time and she wanted to get started. She stated of the people she talked to there was little opposition. She stated there are four lots proposed for subdivision and they want to get the NCOD in place. In response to questioning, Mr. Crane pointed out there is no threshold for starting the process only for the rezoning request. He stated if the Council wants to alter or put a threshold in place before we start the studies that could be done but there is no threshold at this time. Ms. Crowder pointed out citizens can make a request; staff is available so she sees no reason why we shouldn't move forward.

Mr. Thompson pointed out this is in his district and he had not heard anything about it and he agrees with Ms. Baldwin and Mr. Stephenson that we should have more interest before moving ahead. He talked about the process and pointed out there may be opposition that the group is not aware of and he would suggest more signatures so as not to waste staff's time.

Mr. Cox questioned if Ms. Dittman is following the normal process with Mr. Crane pointing out that is correct. Mr. Crane again pointed out there is no trigger or time frame for moving forward and the 51% relates to the rezoning or putting the NCOD in place. Mr. Thompson again stated he understands the sense of urgency but he still feels it would be better to have more signatures before trying to move ahead. Whether they could get their number of signatures by the next meeting was talked about. The process followed by North Ridge South was commended and it was agreed not to move forward but asked Ms. Dittman to work with staff to ensure the 51% move forward.

EXTRATERRITORIAL JURISDICTION – 4331 INWOOD ROAD – REQUEST FOR CITY TO RELINQUISH TO WAKE COUNTY – TO BE PLACED ON JANUARY 3, 2017 AGENDA AS A SPECIAL ITEM

Attorney Mack Paul representing William and Isabella Long and Mason Williams was at the meeting to request that the City Council relinquish to Wake County the 15 acres of property located at 4331 Inwood Road. Attorney Paul explained the location, surrounding development and pointed out the property has been in the same family for generations and now they are at the point they would like to do something with the property. He pointed out he knew staff had provided a memorandum relating to the background on this issue, the fact that the property is more than a mile away from the Raleigh City Limits, the City does not intend to annex the area and serve it with municipal services nor public utilities. The current policies of the City which would be favorable to relinquishing property from the City's ETJ to Wake County are Policy LU3.2; Policy LU3.5 and Policy 2.1. The memorandum gave information on how approving this request could reduce the amount of watershed land under the City's jurisdiction adopted policy and the options that would be available. Attorney Paul indicated the city policy doesn't support or allow extending utilities to this property. The relinquishing of the property would tie in nicely with a subdivision which is developing in the county. He talked about the limit on height density, the Swift Creek Watershed Policies, and asked Council to consider scheduling a public hearing to remove the property from the City's ETJ. He pointed out Garner is looking at a number of properties in its ETJ and the possibility of relinquishing that property to the county.

Mr. Stephenson questioned if it makes sense to remove the property from the ETJ and what the consequences may be. Planning Director Bowers talked about the land in the watershed in Wake County's jurisdiction, this Swift Creek Watershed policies, properties in the City's jurisdiction and development plan, and whether this would be a detriment to water quality if that particular land is developed. He stated it is his understanding that staff says it would not be a detriment. He talked about the comprehensive plan and the fact that this takes land out of the denominator, talked about policy solutions as it relates to urban development being a number of acres not the size. Mr. Stephenson questioned if any of this would reduce the City's ability to protect drinking water supplies with Mr. Bowers pointing out it would not reduce the City's ability if the City feels the County standards are acceptable. The impact on the various interlocal agreements or state approved management plans was discussed. In response to questioning, Mr. Bowers indicated the City did remove a small portion of land from its ETJ within the last year or so. Ms. Crowder pointed out it seems like this could be a protracted discussion and talked about the policies of land in the watershed. Ms. Crowder questioned if Swift Creek and Falls Watershed are treated differently.

In response to questioning from Ms. Baldwin, Attorney Paul indicated we are talking about 15 acres that they would like to develop in conjunction with an adjacent 20 acre parcel which would allow for development of 17 lots on 35 acres. The need for staff to provide information on possible impact or any unintentional consequences was discussed. It was agreed to place the item on the January 3, 2017 agenda as a special item to further consider the request and received additional information from staff.

MATTERS SCHEDULED FOR PUBLIC HEARING

UNFIT BUILDING DEMOLITION – VARIOUS LOCATIONS – HEARING – ORDINANCE ADOPTED

This was a hearing to consider adopting a hearing to adopt an ordinance, pursuant to the provisions of Article 11.6.8D of the Unified Development Ordinance Code, to authorize the demolition of the unfit buildings listed below if the repairs necessary to render the dwellings fit for human habitation are not completed within ninety (90) days:

LOCATION AND DISTRICT	PROPERTY OWNER	TAX ID NUMBER	VACATED AND CLOSED
1013 S. Wilmington Street (C)	JBAC Properties, LLC	0031175	599 days
1200 S. East Street (C)	JBAC Properties, LLC	0017089	469 days

The Mayor opened the hearing.

Andrew Clark presenting the property owner of both properties stated they are making progress on 1200 South East Street and explained they are working on a number of properties the money, is available and they are finishing up work on the South Wilmington Street location and they got delayed as there was a fire. They expect to finish the South Wilmington Streets in December and can start on the other. In response to questioning from Mr. Branch, Mr. Clark talked about permits that had been pulled but the ones that have expired as well as responding to questions about the number of properties they have purchased.

Housing Inspector Glover gave a history on the case, talked about the lack of progress and what has been going on with the property. He stated he would recommend that the Council move forward and adopt the ordinance as it would allow 90 days before anything happens. No one else asked to be heard thus the hearing was closed. Mr. Stephenson moved adoption of the ordinance as outlined. His motion was seconded by Mr. Branch and a roll call vote resulted in all members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on a 7-0 vote. See Ordinance 647.

PUBLIC NUISANCE ABATEMENTS – VARIOUS LOCATIONS – HEARING – RESOLUTION ADOPTED

This was a hearing to consider adopting a resolution to confirm as a lien against the property as listed below charges for the abatement of public nuisances:

LOCATION AND DISTRICT	PROPERTY OWNER	TAX ID NUMBER	COST OF ABATEMENT
5621 Advantis Drive (C)	Kevin McLennon and Nyeema Harris	282468	$265
4009 Alder Grove Lane (C)	Allan Dizon	334751	$255

1121 S Bloodworth Street (C)	Raleigh Taylor 1121 Trust	38260	$253
508 Bragg Street (C)	D Mitchell Properties, Inc.	30305	$169
1100 Bunche Drive (C)	Anthony and Tremia Haythe	18775	$254
1422 Carnage Drive (C)	GMAC MTG	24156	$277
5629 Continental Way (C)	Joseph E Boone Heirs c/o Betty J Riley	147598	$267
1236 Daladams Street (D)	Sean M Paulson	33432	$284
1238 Daladams Street (D)	Sean M. Paulson	80533	$284
1240 Daladams Street (D)	Sean M. Paulson	100183	$284
1712 Dallas Street (C)	Ondrea L. Pollard Heirs	055974	$283
709 S East Street (C)	Sadie Davison Heirs c/o Joe Davidson, Jr.	060593	$273
1723 Fox Hollow Drive (C)	L. K. Burnette	190973	$277
1725 Fox Hollow Drive (C)	L. K. Burnette	192289	$277
2708 Goshawk Lane (D)	Tareq Alhindi and Carmel Warning	174761	258$
524 Marble Street (D)	Maria Torres	025958	$282
1101 Oakside Court (A)	Lynn Corzine	128132	$256
624 Oleander Road (D)	Percy R and Kay Brown, III	231508	$410
1304 Pender Street (C)	James A. and Hattie Joyner Heirs	068374	$778
108 Penncross Drive (B)	Bedrock Corporation Company	333931	$281
3405 Skycrest Drive (B)	Valor Investment Group, LLC	428163	$276
724 S State Street (C)	Mark Thompson-Bullock	022607	$277
1804 Sunview Street (C)	First Franklin Financial Corp.	101682	$286
4413 Woodlawn Drive (B)	Kenneth Gilmore	271746	$277

The City Clerk indicated 1304 Pender Street and 724 South State Street should be withdrawn as the charges have been paid or a change of ownership has occurred. Without objection, those two items were withdrawn. The Mayor opened the hearing on the remaining locations. No one asked to be heard thus the hearing was closed. Mr. Stephenson moved adoption of a resolution confirming the remaining charges as outlined. His motion was seconded by Mr. Thompson and a roll call vote resulted in all members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on a 7-0 vote. See Resolution 422.

REZONING Z-16-16 – CYPRESS CLUB DRIVE – HEARING – ORDINANCE ADOPTED

During the November 1, 2016 Council meeting, a hearing was held to consider a request by Cypress of Raleigh Owners' Association, Inc. to rezone approximately 48.06 acres from Residential – 6 stories – Conditional Use (R-6-CU) to Planned Development (PD). The proposal is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan. The Planning Commission recommends approval of this request.

The hearing was continued to allow for a modification to the Master Plan document and it was directed that the item be placed on this agenda for further consideration.

Following the hearing, the Council may take action to approve, deny, or refer the item to committee.

Planner Walter pointed out the applicant had provided certification to staff that they have completed and provided the modifications. No one else asked to be heard, thus the Mayor closed the hearing. Mr. Stephenson moved approval. His motion was seconded by Mr. Thompson and a roll call vote resulted in all members voting in the affirmative except Mr. Gaylord who was excused. The Mayor ruled the motion adopted on a 7-0 vote. See Ordinance 648 ZC 737.

REPORT AND RECOMMENDATION OF ECONOMIC DEVELOPMENT AND INNOVATION COMMITTEE

ECONOMIC DEVELOPMENT AND INNOVATION COMMITTEE – MEETING FOR NOVEMBER 22 CANCELED

Mayor McFarlane pointed out the Economic Development and Innovation Committee will not be meeting on November 22.

REPORT AND RECOMMENDATION OF GROWTH AND NATURAL RESOURCES COMMITTEE

REZONING Z-17-16 – CREEDMOOR ROAD CONDITIONAL USE – PUBLIC HEARING SCHEDULED FOR DECEMBER 6, 2016

The Committee recommends upholding the Planning Commission's recommendation for denial of Z 17-16 – Creedmoor Road Conditional Use District. Staff recommends the required public hearing be scheduled for December 6, 2016.

Chairperson Crowder moved approval of the recommendation as read. Her motion was seconded by Mr. Stephenson and put to a vote which resulted in all members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on a 7-0 vote.

TC-11-16 – PRE-UDO NCOD BUILDING HEIGHT – STAFF GIVEN DIRECTION; ITEM RETAINED IN COMMITTEE

Chairperson Crowder reported the Growth and Natural Resources Committee recommends that the City Council authorize staff to take new measurements for structures in both the Oberlin Village and South Park NCODs. The Committee also recommends that the item be retained in Committee to receive this information. On behalf of the Committee, Chairperson Crowder moved approval. Her motion was seconded by Mr. Thompson.

Ms. Crowder pointed out there are 14 NCODs and after talking to Planning Staff in committee, the Oberlin Village and South Park NCODs have the most reoccurring situations relative to height. It will probably take two to three months for the report to come back to committee. The motion as stated was put to a vote which resulted in all members voting in the affirmative except Mr. Gaylord who was excused. The Mayor ruled the motion adopted on a 7-0 vote.

GROWTH AND NATURAL RESOURCES COMMITTEE – DECEMBER MEETINGS CANCELED

Chairperson Crowder reported the Growth and Natural Resources Committee will not meet again until the regular scheduled meeting in January, 2017.

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

SAFE, VIBRANT AND HEALTHY NEIGHBORHOODS COMMITTEE – MEETING SCHEDULED FOR NOVEMBER 29

Chairperson Stephenson reported the Committee has no report but will be meeting on November 29, 2016 at 5:00 p.m. in the Council Chamber.

REPORT AND RECOMMENDATION OF TRANSPORTATION AND TRANSIT COMMITTEE

TRANSPORTATION AND TRANSIT COMMITTEE – MEETING ANNOUNCED

Chairperson Baldwin pointed out the next meeting of the Transportation and Transit Committee would be December 13, 2016 at 4:00 p.m.

REPORT OF MAYOR AND COUNCIL MEMBERS

TOWN HALL MEETING – DISTRICT B – ANNOUNCED

Council Member Cox indicated he will be conducting a town hall meeting in District B on November 21, 2016 at 7:00 p.m. at the Marsh Creek Community Center.

TRAFFIC – BERYL ROAD/METHOD COMMUNITY – REFERRED TO ADMINISTRATION

Council Member Crowder indicated there is a small post office located in the Beryl Road/Method Road area. She stated it is the most convenient post office to people in the Wade Avenue, Beryl Road, is a very small facility with reduced hours and a very small parking lot. She stated there are no parking signs in the area and people keep getting tickets. She asked staff to look at the situation to see if the no parking signs can be removed which would allow additional parking for the post office. He item was referred to administration.

WAKE COUNTY MAYORS ASSOCIATION – HOLIDAY DINNER – ANNOUNCED

Mayor McFarlane asked Council members to pay attention to their email relative to an invitation for the Wake County Mayors Association holiday dinner. She asked all to consider the invitation and respond by the date mentioned.

COMPASSIONATE CITY – RESOLUTION ADOPTED

Mayor McFarlane presented a proposed resolution which would adopt the Charter for Compassion declaring Raleigh as a Partner City in this international effort. She stated she knew the city's policy is to introduce a proposed resolution at one meeting and placing it on the next meeting for consideration and suggested that course of action. Ms. Baldwin stated she had looked at the proposed resolution and sees no need to wait; therefore moved approval of the resolution as presented. Her motion was seconded by Mr. Thompson.

Discussion followed concerning the Council's policy on introduction of resolutions and voting at the same meeting, the wording of the proposed resolution and the fact that it does not require additional work on the part of the city and it was agreed to hold the item.

Later in the meeting, Mr. Stephenson asked about the Charter for Compassionate Cities pointing out as he understands this is just a resolution not a charter. Mayor McFarlane pointed out Compassionate Cities are worldwide and each city defines what it wants to do. There is no check list, it is basically aspirational and says we will be nice to each other. The motion was put to a vote and passed on a 7-0 vote (Gaylord absent). See Resolution 423.

REZONING Z-15-16 – FALLS OF NEUSE – RAVEN RIDGE – REQUEST TO CHANGE CONDITIONS – DENIED

Mayor McFarlane stated she had received a request from the attorney representing the applicant on Z-15-16 to be able to present new conditions. The public hearing has been scheduled for December 6. She questioned if they are within their time boundaries to make changes.

Assistant Planning Director Crane indicated this is a bit unusual as the Planning Commission has made a recommendation. The public hearing has been scheduled for December 6; however it has not been advertised. He talked about the process for advertising, posting the property, mailing

notices to the property owners, etc. He stated typically we do not received new conditions between the time the City Council receives the Planning Commission's recommendation and the public hearing notice advertisement. He stated as he understands the applicant wants to modify the zoning conditions in response to staff comments and they are adding one story of height and removing the parking limited frontage. He stated these changes can be considered now – prior to the public hearing or after the public hearing. Mr. Cox asked about height being a condition with Mr. Crane pointing out it relates to the zoning district. Mr. Cox questioned if the applicant should not submit a new zoning application. Mr. Crane pointed out the constraining factor is that the advertisement has not appeared in the newspaper. Ms. Crowder moved to say no to the request pointing out she is basically saying deny what appears to be an exception to the rezoning process. Her motion was seconded by Mr. Cox.

Ms. Baldwin talked about the last minute request but pointed out she does not know if the changes are substantial or not. Mr. Stephenson talked about the number of times this item has been discussed in the Planning Commission and/or various meetings and he does not feel comfortable in allowing last minute revisions with Mr. Crane pointing out that is what is before the Council. What is being requested is legal but it is up to the Council as to whether they want to allow advertising new or changed conditions. Mr. Cox stated he feels we should move forward with the hearing on case as submitted pointing out the applicant could submit a new case later. He stated there have been over 21 meetings already and he agrees that this is last minute and we need to move forward with hearing the case and if they want to present a new case later, that would be fine.

In response to questioning from various Council members, City Attorney McCormick indicated this is indeed an usual situation but the Council has time to allow putting the new conditions in the advertisement so they could be considered at the public hearing.

Attorney Tom Worth representing the applicant stated the new conditions would permit the applicant to do what the Planning Commission and/or staff had recommended including a tree conservation area along RavenRidge. They also are looking at reducing the retail and increasing the residential which is the reason for the additional height. He stated it is felt the new conditions would reduce the inconsistencies with the plan. Discussion took place on the tree conservation area with Mr. Cox pointing out what is being proposed in his mind is putting housing in the middle of a grocery store parking lot. He stated when you have residential you need green spaces and other amenities.

City Attorney McCormick indicated the Council can legally approve the request, the question is does the Council want to allow changing the conditions after Planning Commission has reviewed the case made a recommendation and then advertise for a different case. He stated it's basically a matter of transparency. Ms. Baldwin questioned why the Planning Commission recommended denial. Ms. Baldwin stated she would like an opportunity to look at the options and the new conditions to see if they address the Planning Commission's concerns. Mr. Stephenson expressed concern pointing out these issues should have been worked out months ago as the case has gone thought through numerous neighborhood meetings, etc. and if council allows change in the conditions before the public hearing, citizens would not have a chance to discuss them, digest

the changes and formulate a recommendation by the public hearing time. City Attorney McCormick again stated it is not a question of legality but a question of transparency. The motion which was interpreted to deny the request to add or change conditions prior to the advertisement/public hearing was put to a vote which resulted in all members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on a 7-0 vote.

HOLIDAY WISHES – RECEIVED

Mr. Thompson wished everyone a Happy Thanksgiving and talked about the things he is thankful for which include being a citizen of the United States, a resident of North Carolina, the opportunity of serving on the Council with wonderful people and a wonderful Mayor, outstanding City Manager and Staff and for the Police and Fire and other emergency responders who keep us safe.

APPOINTMENTS

APPOINTMENTS – VARIOUS ACTIONS TAKEN

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

Board of Adjustment – One Vacancy – Alternate Member David Smyth received 6 votes (Cox, Thompson, Stephenson, Branch, McFarlane, Crowder)

Civil Service Commission – One Vacancy – No nominees

Human Relations Commission – One Vacancy – The City Clerk reported Mr. Branch, Mayor McFarlane and Ms. Baldwin had nominated Vince Rozier.

Parks, Recreation and Greenway Advisory Board – One Vacancy – Ms. Baldwin nominated Jennifer Wagner.

The City Clerk announced the appointment of David Smyth to the Board of Adjustment and reported the other items will be carried over to the next meeting.

NOMINATIONS

ARTS COMMISSION – ANDY MARTIN – REAPPOINTED

The City Clerk reported the term of Andy Martin is expiring. He is eligible for reappointment and would like to be considered for reappointment. Ms. Baldwin moved the Council suspend its rules and reappoint Mr. Martin by acclamation. Her motion was seconded by Ms. Crowder and put to a vote which resulted in all members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on a 7-0 vote.

ENVIRONMENTAL ADVISORY BOARD – BRIAN STARKEY – REAPPOINTED

The City Clerk reported the term of Brian Starkey is expiring. He is eligible for reappointment as far of length of service and would like to be considered for reappointment. Ms. Baldwin moved the Council suspends its rules and reappoint Mr. Starkey by acclamation. Her motion was seconded by Ms. Crowder and put to a vote which passed with all members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on a 7-0 vote.

HUMAN RELATIONS COMMISSION – SABRINA PALMER – REAPPOINTED

The City Clerk reported the term of Sabrina Palmer is expiring. She is eligible for reappointment as far as length of service and would like to be considered for reappointment. Ms. Baldwin moved the Council suspend its rules and reappoint Ms. Palmer by acclamation. Her motion was seconded by Ms. Crowder and a roll call vote resulted in all members voting in the affirmative except Mr. Gaylord who was absent. The Mayor ruled the motion adopted on a 7-0 vote.

PARKS, RECREATION AND GREENWAY ADVISORY BOARD – AMY SIMES – APPOINTED

The City Clerk reported the term of Amy Simes is expiring. She is eligible for reappointment as far as length of service, and would like to be considered for reappoint. Ms. Baldwin moved the Council to suspend it rules and reappoint Ms. Simes by acclamation. Her motion was seconded by Ms. Crowder and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 7-0 vote.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

NO REPORT

REPORT AND RECOMMENDATION OF THE CITY CLERK

NO REPORT

CLOSED SESSION

CLOSED SESSION – HELD

Mayor McFarlane stated a motion is in order to enter closed session pursuant to GS143.-318.11(a)(3) to consult with legal Counsel regarding a walker comprehension settlement and pursuant to GS143.318.11(A)(5) for the purpose of considering acquisition of property for the clean water initiative. Mayor McFarlane moved approval of the motion as read. Her motion was seconded by Mr. Stephenson and put to a roll call vote which resulted in all members voting in the affirmative except Mr. Gaylord who was absent. The Council went in to close session at 4:10 p.m.

The Council reconvened in open session at 4:45 p.m. Mayor McFarlane reported in closed session the City Council voted to:

- Provide funding from the watershed protection program in the requested amount of $49,670 for the Gledhill-Lick Creek Project based on water quality benefits
- Providing funding from the watershed protection program in the requested amount of $115,790 for the Earthseed project based on water quality benefits
- Providing funding from the watershed protection program in the requested amount of $85,000 for the Byerly Project based on water quality benefits.
  Providing funding from the watershed protection program in the requested amount of $10,560 for the Blue Indigo Slopes Nature Preserve project based on future water quality benefits
- Providing funding from the watershed protection program in the amount $110,000,50 for the Ray Farm II project based on future quality benefits and provided direction to the City Attorney on the settlement regarding a workers compensation case.

ADJOURNMENT

Mayor McFarlane announced the meeting adjourned at 4:46 p.m.

Gail G. Smith
City Clerk

jt/11-15-16