

## **COUNCIL MINUTES**

The City Council of the City of Raleigh met in a regular session at 1:00 p.m. on Tuesday, June 6, 2017 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  
Councilor Kay C. Crowder  
Councilor Mary-Ann Baldwin  
Councilor Corey D. Branch  
Councilor David Cox  
Councilor Bonner Gaylord  
Councilor Russ Stephenson  
Councilor Dickie Thompson

Mayor McFarlane called the meeting to order and invocation was rendered by Reverend Dr. Dumas Harshaw, First Baptist Church. The Pledge of Allegiance was led by Council Member Thompson. The following items were discussed with action taken as shown.

### **RECOGNITION OF SPECIAL AWARDS**

#### **iDEA – WINNERS ANNOUNCED**

Mayor McFarlane called on Megan Anderson, Manager of the Office of Sustainability, to explain the iDEA Raleigh competition.

Ms. Anderson pointed out iDEA Raleigh is a pilot program that challenged citizens to come up with ideas for innovative solutions that will make Raleigh a better place. She stated there were two categories – activate Dix Park and City wide. She stated the top 3 ideas in each category were then advertised to the public who voted and she is present to announce the winners in each category.

Ms. Anderson pointed out winner for the Activate Dix Park challenge was an idea for a “parkour pop-up play ground.” The idea calls for the creation of temporary obstacles in a designated area which will encourage running, jumping, climbing and play through the growing sport of parkour. She stated its goal is to create challenges to how we perceive movement, play and space. She announced Allen Tran as the winner and presented him with a certificate.

Ms. Anderson stated the winner for the City wide challenge was an idea for “Big Chess” in the parks. She stated this idea calls for the creation of a large to human sized chess game to be played in public places. Chess teaches sportsmanship, critical thinking, consequence and decision making. She stated the large pieces will serve as public art and will encourage community members to turn off technology, get outside and engage with others in unique ways. She announced Matt Murray, as the winner for the City Wide challenge. Mr. Murray’s son Matt Murray, IV accepted on behalf of his father. She stated the Murrays come from a long, line of

chess players pointing out there are four generations of chess players that are very passionate about the game. The Mayor and Ms. Anderson presented Mr. Murray with a certificate.

### **AGENCY GRANTEE PRESENTATION**

#### **AGENCY GRANTEE PRESENTATION – TAMMY LYNN CENTER, INC. – COMMENTS RECEIVED**

Sara Hansen and Jeana Ellis indicated they were representing the Tammy Lynn Center on behalf of Holly Richard, President and CEO who was unable to attend. Ms. Hansen expressed appreciation for the City's continued support of their program, talked about the some 2,000+ hours of service made possible through the City of Raleigh support. She talked about the various programs and how they plan to grow in other locations. She pointed out the State funding is being cut in their early intervention program and expressed appreciation for the Council's past support and the hope that the Council will continue to support the program.

Ms. Ellis spoke about the City's support enabling them to hire a part-time speech therapist and their work which is funded through the City of Raleigh and the John Rex Endowment. They expressed appreciation for the City's support.

### **CONSENT AGENDA**

#### **CONSENT AGENDA – APPROVED AS AMENDED**

Mayor McFarlane presented the consent agenda indicating all items on the consent agenda are considered to be routine and may be enacted by one motion. If a Council Member requests discussion on an item, the item will be removed from the consent agenda and considered separately. She stated the vote on the consent agenda would be a roll call vote.

Mayor McFarlane stated she had received a request from Council Member Baldwin to remove the item relating to Contract Services – Raleigh Union Station – Clancy & Theys and Council Member Branch to remove the item relating to Walnut Creek Wetland Park Master Plan. Without objection those two items were withdrawn from the consent agenda. Mayor McFarlane stated the item relating to Dorothea Park Dix – funding term sheet recommendation should be amended by adding the following: “Any contract produced pursuant to this recommendation must be reviewed and approved by the City Manager and the City Attorney. In addition the City Council's approval includes ratification of work previously done by MVVA up to \$10,000. Without discussion it was agreed to add the amendment to the agenda.

Council Member Thompson moved approval of the consent agenda as amended. His motion was seconded by Council Member Baldwin and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote. The items on the consent agenda were as follows.

## **WAKE COUNTY – INTERLOCAL AGREEMENT RELATING TO PLANNING, DEVELOPMENT AND INSPECTION – APPROVED**

In 2008 the City of Raleigh and other municipalities in Wake County entered into an interlocal agreement (ILA) with Wake County to centralize the building permitting, building plan review and building inspections of all Wake County Public School System projects into the Wake County Planning, Development & Inspections Department. The purpose was to provide consistency in the implementation of public school construction projects by allowing one agency, Wake County, to provide building permitting and inspection services. County project approval only applies to school building plan review and inspections. Approval of land use, zoning and site plan review stays with the City of Raleigh while fire service life safety review and approval is coordinated between the City and County. The agreement will expire in 2018. Staff has worked with Wake County to review the agreement and recommends extending the ILA for another 10 years.

Wake County requested a similar ILA for county construction projects including libraries and various County renovation projects and Wake Tech projects. This ILA would work in a similar manner to the current School project ILA and allow County staff to perform building permitting, building plan review, building inspections and to collect associated fees for all Wake County and Wake Technical Community College construction and renovation projects built in the City limits. The City will remain responsible for land use, zoning, and site plan review including regulations related to stormwater, transportation, landscaping, buffer requirements, etc. The City will issue Letters of Compliance to Wake County at three stages of the building permitting and inspections process to insure compliance with all required local development regulations. The term of this agreement is for 10 years beginning July 1, 2017 and includes a right to terminate for both parties with 120-day notice. This ILA also consolidates with City staff any plan review, permitting and inspections for City construction projects built outside the City but within the County.

The Wake County Board of Commissioners approved both ILAs on May 15, 2017.

**Recommendation:** Authorize the City Manager to execute an amendment to extend the existing Wake County Public School System agreement and execute the agreement to consolidate inspections for Wake County and Wake Technical Community College construction projects. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

## **WELLNESS ASSESSMENT AND DATA MANAGEMENT – CONTRACT WITH PROVATA HEALTH – APPROVED CONDITIONALLY**

The City has a self-funded health insurance plan administered by Blue Cross Blue Shield of North Carolina. As part of the strategy for the overall support and management of the health plan, the Human Resources Department offers a robust wellness program. Services to conduct the Annual Wellness Assessment (AWA) and related data management services have not been marketed in the last five years. Every year, as part of the wellness program, the City conducts the AWA for all of benefits-eligible employees and retirees. Currently the AWA includes an

online health risk assessment, biometric screening process, and a tobacco-attestation. As an incentive, employees have the opportunity reduce their monthly medical insurance premiums by participating in the program. Beginning with the 2017 AWA process, the City has planned to incorporate spousal participation in order to maintain eligibility for the medical insurance premium discounts.

A request for proposals process yielded 18 vendors, subsequently narrowed to five finalists. The five vendors were interviewed by a review panel consisting of representatives from various departments across as well as the members of the benefits committee. After careful consideration of several compelling proposals and accompanying demonstrations, the consensus recommendation of the review panel was to use Provata Health for the annual wellness assessment process, with the following factors being of prime consideration:

- A guarantee to deliver all requested program services and performance guarantees within the City's budget parameters;
- The ability to effectively manage and integrate data from active employees (internal), retirees (external) and spouses (external); and
- A clinically validated platform for the delivery of the wellness services and peer-reviewed methodologies.

After reviewing the best and final offers from prospective wellness assessment vendors, the review panel concluded that Provata Health provided the best combination of a cost-effective wellness program and data management services. Staff proposes to negotiate contract terms for a period of three years and in an amount not to exceed \$300,000 annually. Funding is appropriated.

**Recommendation:** Authorize staff to negotiate a contract with Provata Health for the administration of the Annual Wellness Assessment process, subject to review of the City Attorney's Office. Upon completion of negotiations, authorize the City Manager to execute a services contract in an amount not to exceed \$300,000 per annum. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

## **ROLLING STOCK AND EQUIPMENT – INSTALLMENT FINANCING AND DEBT ISSUANCE – VARIOUS ACTIONS APPROVED**

In the current and proposed operating budgets certain rolling stock vehicles and other equipment are identified to be funded through a biennial equipment fund installment financing. The biennial financing generally occurs at the midway point between two fiscal years. The City, through its financial advisor, has solicited interest rates for the issue of \$45,000,000 Series 2017 Equipment Fund installment financing agreement from various banks. It was recommended the City proceed with the 1.87% bid from PNC Bank, N.A. for the 59-month term of the financing.

- To proceed with the proposed financing, it is necessary for the Council to:
- Adopt a resolution authorizing the execution and delivery of an installment financing agreement, security agreement, and related documents; and

- Authorize staff to proceed with necessary related actions in connection with the installment financing.

A copy of the resolution authorizing the financing arrangement was included with the agenda packet.

**Recommendation:** Adopt the resolution authorizing the execution and delivery of an installment financing agreement and authorize staff to proceed. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes. See Resolution 469.

### **SURPLUS PROPERTY – DONATION – BEAR POND VOLUNTEER FIRE DEPARTMENT AND RALEIGH FIRE MUSEUM - APPROVED**

State statutes give authority to local governments to donate property that is no longer of use to another governmental unit within the United States, to a sister city or to a nonprofit organization.

The Fire department has one Hurst Extrication Pump, one Hurst Combination Tool, and one Hurst Spreader Tool proposed for donation to the Bear Pond Volunteer Fire Department.

In addition, one 1988 Pierce Arrow Fire Engine is proposed for donation to the Raleigh Fire Museum. The required public notice has been made. A draft resolution was included with the agenda packet authorizing the donation of surplus property.

The total estimated value of the donation to the Bear Pond Volunteer Fire Department is \$1,100. The total estimated value of the donation from the Fire Department to the Raleigh Fire Museum is \$2,500.

**Recommendation:** Adopt the resolution authorizing the donation of surplus property. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes. See Resolution 470.

### **E.M. JOHNSON WATER TREATMENT PLANT – ACQUISITION OF SOLAR ARRAY – MANAGER AUTHORIZED TO EXECUTE APPROPRIATE DOCUMENTS**

On August 2, 2016, Council authorized the acquisition of the 255-kW solar photovoltaic array located at the E.M. Johnson water treatment plant property under terms negotiated with an effective date of January 17, 2017. This type of transaction is the first of its kind addressed by Duke Energy and a new process within Duke was required to facilitate the transaction, leading to a delay beyond the authorized effective date. That process has now been developed and the parties are ready to complete the transaction, related applications, and agreements necessary to continue the sale of power produced by the array to Duke Progress Energy under a new municipal owner.

**Recommendation:** Authorize the City Manager to execute the contract documents associated with the purchase the 255-kW solar photovoltaic array located at the E.M. Johnson water

treatment plant property and all related documents necessary to continue the sale of power to Duke Energy Progress. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

**ANNEXATION PETITIONS – VARIOUS – REFERRED TO CITY CLERK TO CHECK SUFFICIENCY AND SCHEDULE PUBLIC HEARING; 5300 CASTLEBROOK DRIVE – DEFERRED**

The agenda presented the following annexation petitions:

<u>AREA NAME &amp; DISTRICT</u>	<u>PETITIONER</u>	<u>ACRES</u>	<u>PROPOSED USE</u>
<b>Contiguous Annexation</b>			
2332 Windy Woods Drive (D)	Stoney Chance	1.187	SF Residential
5300 Castlebrook Drive (n/a)	Bryan and Kendall Stensvad	5.16	SF Residential
Buffaloe and New Hope (B)	Raleigh Buffaloe Retail Investment, LLC	15.58	Commercial
6500 W Lake Anne Drive (E)	Brian Stewart	.51	SF Residential

**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 public hearing to be held July 5, 2017.

Because the property located at 5300 Castlebrook Drive is connecting to City water only and the other utility is not available at this time, it is recommended that the annexation of this property be deferred. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

**UTILITY EXTENSION AGREEMENT – PUBLIC HEARING AUTHORIZED FOR JUNE 20, 2017**

An application has been submitted by 264 Investments, LLC and a special use permit has been issued by the Town of Zebulon Board of Commissioners for development of a 210 acre property into 837 single-family and town home lots near the intersection of Old Bunn Road and East Gannon Avenue within the jurisdiction of the Town of Zebulon. Connection to public water and sewer systems is required for the development. The property owners have been attempting to obtain an off-site sewer easement necessary for connection to the public sewer system since October 2015. The property owner is now requesting that the City enter into a utility extension agreement. A public hearing is required in order to proceed with an agreement to extend utilities in accordance with the provisions outlined in Resolution 2013-837. Additional background information was included in the agenda packet.

**Recommendation:** Authorize the City Clerk to advertise and schedule a public hearing June 20, 2017. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

## **STORM DRAINAGE ASSISTANCE PROGRAM – FY2017 NEW PROJECTS – APPROVED**

As part of the periodic project review schedule for the Drainage Assistance Program, the Stormwater Management Advisory Commission recommends the following project for approval and funding in accordance with the provisions of the Storm Drainage Policy, Resolution 2016-327:

<b>Project Location</b>	<b>Estimated Project Cost</b>
Hickory Nut Drive Drainage Improvements	\$ 100,000
FY17 Drainage Assistance Program Budget	\$1,250,000
FY17 Funds Approved to Date	\$1,125,000
FY17 Program Funds Remaining	\$ 25,000

The Hickory Nut Drive Drainage Improvements project will address a failing 36-inch corrugated metal pipe (CMP) existing from a blind junction box in the front yard of 7108 Hickory Nut Drive and continues through the side and rear yard of 7104 Hickory Nut Drive. The invert of the CMP is rusted out and joint failure is occurring in multiple locations. The result of the failing infrastructure is the development of new sinkholes frequently and the enlargement of existing sinkholes. Currently, the closest sinkhole is approximately 15 feet from the home at 7104 Hickory Nut Drive. This project will seek to install a new, 36-inch reinforced concrete pipe (RCP) from Hickory Nut Drive to the existing outlet behind 7104 Hickory Nut Drive. The project will also provide a concrete headwall and rip-rap energy dissipater at the outlet of the system.

Funding for these projects is appropriated in the capital budget. Anticipated project costs are estimates only and will likely vary as the project moves into detailed design and construction phases.

Projects recommended for participation in the program s are based primarily on the following considerations: 1) Overall prioritization score and ranking based on the Integrated Stormwater Projects Prioritization Model assessment; 2) estimated project costs; 3) willingness of the property owner to dedicate or donate a permanent drainage easement over the project repairs and stormwater improvements.

**Recommendation:** Authorize staff to proceed with the project. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

## **STORMWATER QUALITY COST SHARE – 316 SEAWELL AVENUE AND 7506 FALLS OF NEUSE ROAD – STAFF AUTHORIZED TO PROCEED – TRANSFER APPROVED**

The Council adopted Stormwater Quality Cost Share Policy, which provides a funding mechanism for assisting organizations and citizens in improving water quality through the installation of stormwater best management practices on their properties, beyond what is

required by environmental regulations. The practices supported by this policy are aimed at reducing non-point source pollution from stormwater runoff, increasing water conservation measures, minimizing soil erosion, reducing flood damage, and reducing nutrient loads. Since the policy was adopted in 2009, the City Council has approved allocation of \$250,000 per year in the capital budget.

The Stormwater Management Advisory Commission reviewed two petitions at the May 2017 meeting. When reviewing requests, the Commission considers the estimated project cost, water quality benefits, past requests for similar practices, available funding, and project sustainability. The Commission recommended approval of the following petition requests:

316 Seawell Avenue - A petition for funding assistance to install a 1700-gallon underground cistern at the residence. This cistern will capture stormwater runoff from a residential rooftop for irrigation use, thereby reducing pollutant loads to local streams, specifically Pigeon House Branch, and conserving potable water. The property owner has agreed to the required ten-year maintenance term for the project. This project is comparable to past requests for cisterns in scope and cost. The project totals \$7,200 and includes a City contribution not to exceed \$6,480. The City contribution is 90 percent of the acceptable cost. Approval is contingent upon the property owner ensuring the project complies with all applicable City standards, ordinances, and regulations.

7506 Falls of Neuse Road - A petition for funding assistance to install two treatment swales and a bioretention cell at the property. The practices will capture runoff from approximately two acres of impervious parking lot at Saint Andrews Presbyterian Church, thereby reducing pollutant loads to local streams, specifically Perry Creek, and increasing infiltration to the water table while reducing stress on downstream stormwater infrastructure. The property owner has agreed to a ten-year maintenance term and land-use deed restriction. The project totals \$250,000 and includes a City contribution not to exceed \$225,000. The total cost estimate is based on quotes from several contractors and technical advice from staff. The City contribution is 90 percent of the acceptable cost. Approval is contingent upon the property owner ensuring the project complies with all applicable City standards, ordinances, and regulations.

Funding is appropriated in the capital budget and requires a budget transfer in the amount of \$225,000.

**Recommendation:** Authorize staff to proceed with the projects and authorize budget transfers in the amount of \$225,000. Accounting details were included with the agenda packet. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes. See Ordinance 710 TF 296.

### **SURPLUS PROPERTY – 0 TAYLOR STREET – AUTHORIZED FOR SALE THROUGH NEGOTIATED OFFER UPSET BID PROCESS**

The property located at 0 Taylor Street and having REID 0180823 has been identified by the Parks, Recreation & Cultural Resources Department as surplus property. The property is non-buildable due to a Duke Energy Progress transmission easement that covers the property in its

entirety and the presence of a 54” stormwater drainage pipe. The property is not located in a redevelopment area or part of any ongoing studies currently being conducted by the City of Raleigh. Blue Sky Services Development, LLC has submitted an initial bid of \$10,000 for the property. The proposed use of the lot would be recombination with the adjacent property at 307 Taylor Street for residential use that will be regulated by the current R-6 zoning classification. Applicable City Departments have reviewed the property and have no objections to the disposition. Parks, Recreation & Cultural Resources is the maintenance manager for the property, has reviewed this request and is in support of the proposed bid. A report was in the agenda back-up.

**Recommendation:** Declare the property as surplus real property available for sale, and accept the bid of \$10,000 from Blue Sky Services Development, LLC, subject to the negotiated offer and upset bid process with the condition that the winning bidder pays all advertising costs accrued during the upset bid process. Authorize appropriate officials to execute all required instruments of conveyance following conclusion of the upset bid process. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

#### **INFORMATION TECHNOLOGY – HIRING AGENCY MASTER AGREEMENTS – MANAGER AUTHORIZED TO EXECUTE MASTER AGREEMENT AND INDIVIDUAL STATEMENTS OF WORK**

The City currently maintains master agreements with several hiring agencies for technical staffing support needs. These agreements establish standard terms and conditions for the acquisition of professional services to support various IT initiatives. The agreements serve as contract vehicles, allowing the City to acquire professional services from individuals and firms with experience in the technology field to work on enterprise projects, to fill technical resources shortages, and to meet the need for immediate technical expertise that does not exist within permanent personnel. Currently, professional services are utilized to supplement staffing for the customer support center, deployment operations, network engineering and software integration development. The ability to use professional services for multiple business needs is essential to operations.

Authorization to enter into the below master agreements that exceed the threshold of Council approval of \$150,000 for individual professional services contracts is requested for a contract term of three years and not to exceed the following total amounts:

Enterprise IT Solutions	\$325,000
Insight Global	\$400,000
Mastech, Inc.	\$532,500

These added hiring agencies give the department more opportunities to recruit qualified professional services staff and competitively seek the best rates for positions. Statements of work will be funded from the operating budget within each fiscal year to maintain appropriate levels of service.

**Recommendation:** Authorize the City Manager to execute the master agreements as well as individual statements of work on a per vendor basis. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

### **FINANCIAL CONSULTANT SERVICES – RAFTELIS FINANCIAL – MANAGER AUTHORIZED TO EXECUTE CONTRACT**

On March 14, 2017, two proposals were received to secure financial constant services for the utility. The services required include rate model modification, financial pro-forma development and modification, evaluations of rates and fees, feasibility studies, cost of services study, benchmarking and metric development, merger evaluation and general financial consulting services. Specific services will be assigned on a task basis.

Following a review of proposals, Raftelis Financial Consultants was selected as the most appropriate vendor to provide the required services. Staff has negotiated a three year contract in the amount of \$250,000, with the option for two one-year renewals.

**Recommendation:** Authorize the City Manager to execute the contract in an amount not to exceed \$250,000. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

### **UTILITY CUSTOMER ASSISTANCE PROGRAM - WAKE COUNTY – AMENDMENT #1 – APPROVED**

The Public Utilities Department has an existing agreement with Wake County Human Services to perform administrative services related to applicant qualification for the Utility Customer Assistance Program. Eligibility criteria for this program complement the Federal Low Income Energy Assistance Program (LIEAP) currently administered by Wake County Health Services.

The City has an interlocal agreement in place to administer this same program for utility customers residing in the jurisdiction of the Town of Garner. The program has been very successful and staff recommends an extension of the current agreement to continue the program through June 30, 2018. In FY17, the Town of Garner appropriated \$10,573 for the program which will not be exhausted by the fiscal year-end. The FY2017-18 proposed budget includes an appropriation for the balance of Garner's prior year contribution. There are no funds exchanged between the City and Wake County. The additional terms of the agreement require Council approval.

**Recommendation:** Authorize the City Manager to execute amendments to the existing agreement. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

### **BROCKTON DRIVE LAKE AND DAM PRESERVATION – CDM SMITH, INC. – AMENDMENT #2 – APPROVED**

The Stormwater Management Division is in need of construction administration services for the Brockton Drive Lake and Dam Preservation Phase II project. The services will allow for

proposed improvements that will rehabilitate the dam and provide additional drainage improvements to address dam safety concerns, reduce upstream flooding, improve water quality, and preserve the lake and dam.

Currently CDM Smith, Inc. serves as the Engineer of Record and has prepared design and construction plans as well as secured necessary permits required for this project.

A contract amendment with CDM Smith, Inc. is needed so the engineer can perform necessary services required to validate that the project has been constructed in conformance with the project plans and specifications approved by the North Carolina Department of Environmental Quality Dam Safety Division.

City staff has negotiated a fee for CDM Smith, Inc., to provide engineering services for a not to exceed amount of \$662,335, which will include services for final construction plan revisions, Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision approval, bidding services, and construction services. Funding is appropriated in the capital budget.

Name of Project:	Brockton Drive Lake and Dam Preservation Project Phase II
Managing Division:	Engineering Services – Stormwater Management
Approval Request:	Contract Amendment
Reason for Council Review:	Contract award >\$150,000
Vendor:	CDM Smith, Inc.
Prior Contract Activity:	Original Contract \$169,000 (Council Approval 11/18/2014)
Amendment One:	\$115,412 (Executed 8/6/2015)
Amount of this Contract Amendment:	\$662,335
Encumbered with this approval:	\$946,747
Budget Transfer Required:	No

**Recommendation:** Authorize the City Manager to execute the contract amendment in an amount not to exceed \$662,335. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

**DOROTHEA DRIVE CULVERT REPLACEMENT PROJECT – W.K. DICKSON & COMPANY, INC. – AMENDMENT #5 – APPROVED – BUDGET TRANSFERS AUTHORIZED**

The Stormwater Management Division is in need of engineering services for the Dorothea Drive Culvert Replacement project to evaluate and design a new box culvert that will convey stormwater runoff flow under Dorothea Drive. Recently, City staff made repairs to the existing box culvert after finding sinkholes at several locations along the culvert. Following these repairs and further assessment, it was determined that the aging culvert structure presents significant structural concerns and needs to be replaced. Temporary repairs have been made until the new culvert is designed and constructed.

Staff has negotiated a fee with engineering consultant to conduct the design phase of the project. W.K. Dickson & Company, Inc. is one of six on-call engineering consultants to provide services in support of drainage infrastructure projects. The negotiated fee for services is a not to exceed amount of \$138,616, which includes providing a conceptualized design that meets the project drainage improvement needs.

Funding is appropriated in the capital budget and requires budget transfers in the amount of \$138,616. Accounting details were included in the agenda packet.

Name of Project:	Dorothea Drive Culvert Replacement Project
Managing Division:	Engineering Services – Stormwater Management
Approval Request:	Contract Amendment
Reason for Council Review:	Contract Amendment >\$150,000
Vendor:	W.K. Dickson & Company, Inc.,
Prior Activity:	Original Contract \$10,000 (Council Approval 7/7/15)
Amendment Number One:	\$295,657 (Executed 1/19/16)
Amendment Number Two:	Time Extension Only (Executed 8/12/16)
Amendment Number Three:	\$311,660 (Executed 9/20/16)
Amendment Number Four:	\$15,000 (Administrative approval)
Amount of this Amendment:	\$138,616
Encumbered with this Approval:	\$770,933
Budget Transfer Required:	Yes

**Recommendation:** Authorize the City Manager to execute contract amendment number five in the amount not to exceed \$138,616 and authorize budget transfers in the amount of \$138,616. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes. See Ordinance 710 TF 296.

#### **JUNIPER STREET DRAINAGE IMPROVEMENT PROJECT – HAZEN AND SAWYER AMENDMENT #4 – APPROVED; MANAGER AUTHORIZED TO EXECUTE**

The Stormwater Management Division is in need of engineering services for the Juniper Street Drainage Improvement Project to evaluate and design a new street drainage system. The new design will address street flooding that is occurring in the right-of-way. Currently, this project is recommended for construction following findings from the Laurel Hills Area Stormwater Management Study, which assessed the watershed area and indicated a need to prioritize this project.

Staff has negotiated a fee with engineering consultant to conduct the design phase of this project. Hazen and Sawyer is one of six on-call engineering consultants to provide engineering services in support of drainage infrastructure projects. The negotiated fee for services is a not to exceed amount of \$144,600, which includes providing a conceptualized design that meets the project drainage improvement needs. Funding is appropriated in capital budget.

Name of Project:	Juniper Street Drainage Improvements
Managing Division:	Engineering Services – Stormwater Management
Approval Request:	Contract Amendment
Reason for Council Review:	Contract Amendment >\$150,000
Vendor:	Hazen and Sawyer
Prior Activity:	Original Contract \$10,000 (Council Approval 7/7/15)
Amendment Number One:	\$60,000 (Executed 1/7/16)
Amendment Number Two:	Time Extension Only (Executed 8/18/16)
Amendment Number Three:	\$41,700 and one year time extension (Administrative approval)
Amount of this Amendment:	\$144,600
Encumbered with this Approval:	\$256,300
Budget Transfer Required:	No

**Recommendation:** Authorize the City Manager to execute a contract amendment in an amount not to exceed \$144,600. Upheld on Consent Agenda Thompson/Baldwin – 8 ayes.

**RED HAT AMPHITHEATER – STAFF TO NEGOTIATE CONTRACT WITH SPARKLE AND SHINE CLEANING SERVICES; MANAGER AUTHORIZED TO EXECUTE**

On April 7, 2017, staff issued a request for proposals (RFP) to provide event cleaning services at the Red Hat Amphitheater. The only response received was from the incumbent service provider, Sparkle & Shine Cleaning Services, Inc. Sparkle & Shine Cleaning Services, Inc. has provided event cleaning services at the Red Hat Amphitheater since the opening in April 2010 and staff is pleased with the contractor's performance. The contract will provide for a per event cost based on anticipated attendance. The contract will allow for payments up to \$100,000 each year (based on number and attendance of each year) for a total of \$300,000. The initial term of the contract will begin July 1, 2017 and end on June 30, 2018 with terms for an additional two year extension. If at any time the City is not satisfied with the service delivery, the contract provides for a thirty (30) day termination with cause provision.

**Recommendation:** Authorize staff to negotiate and authorize the City Manager to execute a contract with Sparkle & Shine Cleaning Services, Inc. in amount not to exceed \$100,000 annually. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

**SIDEWALK TRIP HAZARD SURVEY, REPORTING AND MITIGATION SERVICES – CONTRACT WITH PRECISION SAFE SIDEWALKS – APPROVED**

On May 1, 2017 the Department of Transportation received one proposal for the vertical trip hazard survey/reports and mitigation services for the sidewalks citywide. The proposal includes a survey of vertical trip hazards in the leaf zone quadrants, identifying trip hazards between ¼ to 2.5 inches and a report of panels of sidewalk that are unable to be fixed. The proposal also included mitigation of the identified trip hazards per staff approval. After evaluation of the

proposal, Precision Safe Sidewalks was found to be a responsive. Precision Safe Sidewalks has completed quality sidewalk mitigation services for the City of Charlotte, the City of Greensboro and the City of Raleigh in the past five years. Based on the amount \$2.15 per square foot for mitigation repairs ¼ to inch and the amount \$3.65 per square foot for mitigation repairs 1” to 2.5, staff has negotiated a contract in the amount of \$1,200,000 for a two year contract.

Name of Project:	Trip Hazard Survey/Reports and Mitigation
Managing Division:	Transportation – Field Services
Approval request:	Contract Award
Reason for Council Review:	Contract >\$150,000
Vendor:	Precision Safe Sidewalks
Prior Contract Activity:	N/A
Amount of this Contract:	\$1,200,000

**Recommendation:** Authorize the City Manager to execute the contract in an amount not to exceed \$1,200,000. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

### **DOROTHEA DIX PARK – VARIOUS AGREEMENTS – APPROVED CONDITIONALLY; BUDGET AMENDED**

At the February 21, 2017 meeting City Council unanimously approved the selection of Michael Van Valkenburgh Associates (MVVA) to lead the development of a comprehensive master plan for Dorothea Dix Park. Over the past few months, staff has worked to develop a scope of work and contract with MVVA. In addition, City and the Dix Park Conservancy staff have worked to develop a funding agreement term sheet that outlines the process by which the Conservancy will donate funds to the City to support the planning of Dix Park.

The Conservancy approved the term sheet at its May 24 board meeting. Staff has prepared a budget amendment to account for the donations from the Conservancy for development of a master plan, pre-planning and programming costs for Dix Park. A contract is necessary for professional design services for MVVA to implement the master plan process.

Name of Project:	Dorothea Dix Park Master Plan
Managing Division:	Parks, Recreation and Cultural Resources
Request Reason:	Execute Contract (\$1,949,520)
Cause of Contract:	RFP
Original CIP Project Budget:	n/a
Design Estimate:	\$2,000,000
Vendor:	Michael Van Valkenburgh Associates
Prior Contract Activity:	none
Budget Amendment:	\$2,040,670
New Project Budget:	\$1,949,520
Currently Encumbered (% of estimate):	0%
Amount of this Contract:	1,949,520
Encumbered with this Approval:	\$1,949,520

Staff recommends that Council accept a donation in the amount of \$1,949,520 from the Conservancy. Interest accrued during the donation time period is estimated to total \$13,500 and will be appropriated to the project reserve; this amount is included in the budget amendment total. These capital appropriations will assist in development of the master plan for Dorothea Dix Park. In addition staff recommends that Council accept an additional donation in the amount of \$77,650 as operating funds, which will be utilized for pre-planning activities and programs at Dix Park.

**Recommendation:** Award the Dorothea Dix Park master planning services contract to Michael Van Valkenburgh Associates, Inc. in an amount not to exceed \$1,949,520 and authorize the City Manager to execute the contract. Approve the funding agreement term sheet with the Dix Park Conservancy and authorize the City Manager to execute a final agreement. Authorize budget amendments in the amounts of \$1,963,020 and \$77,650. Any contract produced pursuant to this recommendation must be reviewed and approved by the City Manager and the City Attorney. In addition the City Council approval includes ratification of work previously done by MVVA up to \$10,000. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes. See Ordinance 710 TF 296.

#### **STC-02-2017/STAR STREET – RESOLUTION OF INTENT SETTING JULY 5, 2017 HEARING**

The City has received a petition to consider closing a portion of public right-of-way located in Raleigh. Star Street is located west of the intersection of New Bern Avenue and South Raleigh Boulevard.

The City has been petitioned to close the portion of Star Street extending from New Bern Avenue east approximately 200 feet to the next intersection. This portion of right-of-way contains the existing road and intersection with New Bern Avenue, and is approximately 1/6 of an acre.

**Recommendation:** Adopt a resolution authorizing a public hear to be held on Wednesday, July 5, 2017 to consider closure of the public rights-of-way. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes. See Resolution 471.

#### **STC-3-2017 – BAGWELL AVENUE ALLEY – RESOLUTION SETTING PUBLIC HEARING FOR JULY 5, 2017 ADOPTED**

The City has received a petition to consider closing a portion of public right-of-way located in Raleigh. Bagwell Avenue Alley is located west off of Bagwell Avenue, north of Hillsborough Street. The City has been petitioned to close the alley in its entirety. This portion of right-of-way is within an existing parking lot and is approximately 1/16 of an acre.

**Recommendation:** Adopt a resolution authorizing a public hearing to be held on Wednesday, July 5, 2017 to consider closure of the public rights-of-way. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes. See Resolution 472.

## **ENCROACHMENT REQUESTS – VARIOUS – APPROVED CONDITIONALLY**

The agenda presented the following encroachment requests.

### 1330 Saint Mary's Street

A request has been received from Level 3 Communications to install 228 feet of underground fiber optic cable.

### 6300 Canary Falls Lane

A request has been received from Bacarra II, LLC to install a storm sewer system.

### Glenwood Avenue, Hillsborough Street, West Morgan Street and 200 South Salisbury Street and 120 South Wilmington Street

A request has been received from Fiber Technologies Networks, LLC to install fiber optic equipment to two existing AT&T poles, attach fiber optic equipment to two replaced Duke Energy Poles (each 40 ft. tall) and install two new utility poles (35 ft. tall) with fiber optic equipment.

### Yonkers Road, West Johnson Street and Glenwood Avenue

A request has been received from South Carolina Telecommunications Group to install 1,633 linear feet of underground fiber optic cable and four hand holes.

### Milburnie Road, Shanta Drive and Sunnybrook Road

A request has been received from MCNC to install 9,560 feet of underground fiber optic cable and 13 hand holes to access existing conduit.

Reports were included in the agenda packet outlining the location and type of request.

**Recommendation:** Approve the encroachments subject to the completion of liability agreements and documentation of proof of insurance by the applicant. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes.

## **BUDGET AMENDMENTS AND TRANSFERS – VARIOUS – APPROVED**

Council Members received in their agenda packet a list of budget amendments and transfers. The list included the amounts and purpose for the recommended transfers or budget amendments.

**Recommendation:** Approval of the transfers and budget amendments. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes. See Ordinance 710 TF 296.

## **TRAFFIC – VARIOUS CHANGES – ORDINANCE ADOPTED**

The agenda presented the following requests to amend the traffic schedule with the changes to become effective seven days after Council approval unless otherwise indicated.

### Two Hour Meter Parking – 200 East Hargett Street

It is recommended that a Two-Hour Metered Parking Zone be re-established on the south side of the 200 block of East Hargett Street. Staff was notified by GoRaleigh that a temporary Bus Zone which had been previously established in February 2016 for GoRaleigh and GoTriangle passengers during the Moore Square Transit Station Renovation Project is no longer required. The recommended changes will return this area to its former metered parking state.

### Valet Zone – 2300 Stafford Avenue

It is recommended that a Valet Zone be established on the south side of the 2300 block of Stafford Avenue. A request was received from the Corporate Controller of Honey Tupelo Café to have a Valet Zone installed on the side of their premises, situated at the corner of Stafford Avenue and Oberlin Road, so that customers' vehicles can be valet-parked during the evenings and weekends while on-street parking demand is at maximum. This will be a shared-use zone with an existing Commercial Loading Zone in order to prevent the loss of additional parking spaces. A valet parking application to operate the zone has been approved.

### No Parking Zone – Brooks Avenue

It is recommended a No Parking Zone be established on the west side of the 1700 block of Brooks Avenue. A request was received from a property owner on Brooks Avenue to have a section of Brooks Avenue made No Parking due to residents being unable to see around parked cars at the intersection of Banbury Road. Staff conducted a sight-line study which confirmed that cars parked along the west side of the road negatively impact the view of drivers to observe oncoming traffic traveling southbound down Brooks Avenue. The proposed change will alleviate this issue and has also been approved by the Parks, Recreation and Cultural Resources department.

### No Parking Zone – Green Street

It is recommended that a No Parking Zone be established on the west side of the 1200 block of Green Street. A request was received from Bob's Army Surplus to add a No Parking Zone along the entire west side of the 1200 block due to the narrowness of the street and the amount of large vehicle traffic from the neighboring construction company. Currently when exiting either of the properties' two driveways, customers are experiencing sight issues due to citizens parking along the west side of the street. Staff completed a field study of the area which concluded that cars

parked along the west side negatively impacted the view of drivers to observe oncoming traffic. All the affected property owners were duly notified and provided two weeks to respond with any concerns, but no response was received.

#### Multi-way Stops – Thornton Road at Wild Wood Forest Drive and Bickett Boulevard at Hanover Street

It is recommended that a multi-way stop be installed at the intersection of Thornton Road at Wild Wood Forest Drive and Bickett Boulevard at Hanover Street. Thornton Road is classified as a Divided Two Lane Avenue while Wild Wood Forest Drive is classified as a Neighborhood Street. Both Bickett Boulevard and Hanover Street are classified as Neighborhood Local. These intersections meet and/or exceed the criteria specified in section four of the Neighborhood Traffic Management Program (NTMP), multi-way stop signs, adopted by the Raleigh City Council.

#### Speed Limit Reduction – Astor Hill Drive, Golden Moss Trail and Roan Mountain Place

It is recommended that the speed limit be reduced from 35 mph to 25 mph on Astor Hill Drive, Golden Moss Trail and Roan Mountain Place. These streets are all classified as Neighborhood Local and are constructed to typical residential street standards. Staff received signed petitions representing at least 75 percent of the residents or property owners along each street in support of a speed limit reduction.

**Recommendation:** Approve as recommended and authorize the appropriate changes to the traffic code was included in the agenda packet. Upheld on Consent Agenda Thompson/Baldwin - 8 ayes. See Ordinance 711.

#### **END OF CONSENT AGENDA**

#### **RALEIGH UNION STATION – CLANCY & THEYS/SKANSKA JOINT VENTURE – CHANGE ORDER #2/MUNICIPAL AGREEMENT SUPPLEMENT #3 – APPROVED**

The Raleigh Union Station project is complex and multifaceted, consisting of various project components including design and construction of the station terminal building; rail, bridge and roadway improvements; site, concourse, tunnel and track work; and other upgrades and amenities.

At this point in the project opportunity exists for the reallocation of federal grant proceeds (Transportation Investment Generating Economic Recovery (TIGER) and American Recovery and Reinvestment Act (ARRA) grant proceeds) from the NCDOT portion of the overall project budget to the City portion of the overall project budget, necessitating at this time a budget amendment in the amount of \$3,650,000 to the City portion of the overall project budget.

The reallocation of federal grant funds results in a change to the original municipal agreement with the North Carolina Department of Transportation (NCDOT), dated July 17, 2014.

Specifically, Municipal Agreement Supplement No. 3 (supplement) is the mechanism for the NCDOT to reimburse the City utilizing ARRA funding. This ARRA funding was included in the overall project original budget and is made available to the City because NCDOT scopes of work originally slated for this funding have come in under budget.

The realignment of these funds does not add to the total project cost.

The supplement delegates and assigns financial responsibilities and contributions between the City of Raleigh and NCDOT. The supplement allows the City reimbursement up to \$3,650,000 of ARRA funding for eligible site work. It also allows NCDOT to use \$372,432 of TIGER funding, resulting in a net of \$3,277,568 of available funding that can be reallocated to the owner contingency within the City's construction contract, and utilized to address such project needs as contaminated and unsuitable soil, dewatering, and other challenges.

In order to increase the owner contingency within the contract a change order to the Raleigh Union Station construction contract with Clancy & Theys/Skanska is necessary, in an amount not to exceed \$3,277,568, which will increase the construction contract total amount to \$61,142,568. The execution of the Municipal Agreement will necessitate authorization for the Budget Office to increase the project budget by \$3,650,000.

Name of Project:	Raleigh Union Station
Managing Division:	Engineering Services – Construction Management
Reason for City Council Review:	Contract exceeds \$500,000
Vendor:	Clancy & Theys/Skanska, a Joint Venture
Prior Contract Activity:	Amendment 1: \$3,165,000 (Council Approval 8/02/2016)
Budget Transfer:	No
Current Encumbrance:	\$57,865,000
Amount of this amendment:	\$3,277,568,
Encumbered with this Approval:	\$61,142,568

**Recommendation:** 1) Authorize the City Manager to execute Supplement No. 3 to the Municipal Agreement for Raleigh Union Station dated July 17, 2014; 2) authorize the City Manager to execute a change order to the construction contract with Clancy & Theys/Skanska, a Joint Venture, in an amount not to exceed \$3,277,568; and 3) authorize a budget amendment in the amount of \$3,650,000.

Mayor McFarlane pointed out Council Member Baldwin had requested that this item be withdrawn from the consent agenda as she had been excused previously and should be excused from this item. Council Member Branch moved approval of the recommendation as outlined. His motion was seconded by Council Member Gaylord and a roll call vote resulted in all members voting in the affirmative except Council Member Baldwin who was excused from participation. The Mayor ruled the motion adopted on a 7-0 vote. See Ordinance 710 TF 296.

## **WALNUT CREEK WETLAND PARK MASTER PLAN – SITUATION ASSESSMENT AND CITIZEN PLANNING COMMITTEE – APPROVED**

A situation assessment is the first phase of a Master Plan process and includes a site analysis, community research and data collection, notification to the area Citizen Advisory Council, a community survey, establishment of a public website, and interviews with stakeholders. The process also includes identification of community members and other stakeholders interested and willing to serve on the Citizen Planning Committee (CPC). Included within the situation assessment document are the recommended CPC members. The Citizen Planning Committee Member included the following:

1. Ajuba Joy, Area Resident
2. Glory Kidimbu, Carnage Student + Area Resident
3. Harriet Blue, Area Resident
4. Eric Butler, Shaw University
5. Norm Camp, Partners for Environmental Justice + Area Resident
6. Lynn Cross, NC Museum of Natural Sciences
7. Amin Davis, NC Division of Environmental Quality/Water Resource Division
8. Bill Flournoy, Triangle Greenway Council
9. Anne Frnaklin, Partners for Environmental Justice
10. Claudia Grahm, Area Resident
11. Beverly Haith, Area Resident
12. Marida Hernandez, Area Resident
13. Frank McKay, Former Exploris Teacher + Area Resident
14. Robin Moore, NCSU Natural Learning Initiative
15. Christy Perrin, Walnut Creek Community Project + Area Resident
16. Louie Rivers, NCSU College of Natural Resources
17. Tyriq Rowe, Top Teens + Area Resident
18. Rick Savage, Carolina Wetlands Association
19. Randy Senzig, Center for Human Earth Restoration
20. Pastor Jemonde Taylor, Sait Ambrose Episcopal Church + Area Resident
21. Bettie Thompson, American Legion + Area Resident
22. Clodagh Lyons-Bastian, PRGAB Representative
23. Melissa Zeches, Carnage Middle School + Area Resident

**Recommendation:** Approve Situation Assessment and Citizen Planning Committee for the Walnut Creek Wetland Park Master Plan.

Council Member Branch pointed out he had removed this from the consent agenda as he wanted to recognize and appreciate the residents and the citizens who have participated and will participate in this planning process and moved approval. His motion was seconded by Council Member Baldwin and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

**REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION**

**REZONING Z-42-15 – LAKE WHEELER ROAD – PUBLIC HEARING AUTHORIZED FOR JULY 5, 2017**

This is a request to rezone property from Residential-4 and Residential Mixed Use-3 Stories-with Special Highway Overlay District-2 and Special Residential Parking Overlay District (R-4 w/ SHOD-2 & SRPOD and RX-3 w/ SHOD-2 & SRPOD) to Residential Mixed Use-3 Stories-Conditional Use with Special Highway Overlay District-2 and Special Residential Parking Overlay District (RX-3-CU w/ SHOD-2 & SRPOD). The property is located along the east side of Lake Wheeler Road, south of Kirkland Road.

The request is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan. Conditions limit housing unit density and provide for a transit easement.

The Planning Commission recommends approval of the request. Staff suggests a public hearing date of July 5, 2017.

Planning Director Bowers explained the item and Mr. Stephenson moved approval of July 5, 2017 public hearing. His motion was seconded by Council Member Branch and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

**REZONING Z-40-16 – OAK FOREST ROAD – PUBLIC HEARING AUTHORIZED FOR JULY 5, 2017**

This is a request to rezone property from Industrial Mixed Use-4 stories-Parking Limited-Conditional Use (IX-4-PL-CU) to Commercial Mixed Use-4 stories-Parking Limited (CX-4-PL). The property is located along the north side of Oak Forest Drive, west of Capital Boulevard.

The request is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan.

The Planning Commission recommends approval of the request. Staff suggests a public hearing date of July 5, 2017.

Planning Director Bowers explained the item and suggested public hearing. Council Member Stephenson moved approval of the July 5, 2017 public hearing for Z-40-16. His motion was seconded by Council Member Branch and put to a roll call vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

**REZONING Z-7-17 PAINT ROCK LANE – JULY 5, 2017 PUBLIC HEARING AUTHORIZED**

This is a request to rezone property from Residential-4 (R-4) and Residential-6-Conditional Use (R-6-CU) to Residential-6 (R-6). The property is located north and south of Paint Rock Lane, between Madeline Way and Pine Barren Lane.

The request is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan.

The Planning Commission recommends approval of the request. Staff suggests a public hearing date of July 5, 2017.

Planning Director Bowers explained the request and suggested July 5 public hearing date. Council Member Stephenson moved approval of Z-7-17 going to public hearing on July 5, 2017. His motion was seconded by Council Member Branch and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

**REZONING Z-5-17 – BLUE RIDGE ROAD – PUBLIC HEARING AUTHORIZED FOR JULY 5, 2017**

This is a request to rezone property from Office Mixed Use-3 stories-Urban Limited with Special Highway Overlay District-1 (OX-3-UL w/SHOD-1) to Office Mixed Use-12 stories- Urban Limited-Conditional Use (OX-12-UL-CU). The property is located south of the Blue Ridge Road and Wade Avenue interchange.

The request is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan. Conditions restrict development to one of three land use scenarios and provide for a transit easement and shelter.

The Planning Commission recommends approval of the request. Staff suggests a public hearing date of July 5, 2017.

Planning Director Bowers explained the request and the recommendation for July 5, 2017 public hearing. Council Member Stephenson moved approval of Z-5-17 going to public hearing July 5, 2017. His motion was seconded by Council Member Branch and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

**REZONING -20-16 – JEFFREY’S GROVE SCHOOL ROAD - REQUEST FOR 24-MOUTH WAITING PERIOD – WAIVER DENIED**

This request is for waiver of the 24-month waiting period for reapplying for rezoning (subsequent to the approval of rezoning case Z-20-16 by City Council on November 1, 2016). Granting this request will allow submittal of a new rezoning proposal for any combination of the subject properties before November 1, 2018.

The Planning Commission recommends approval, as the waiver request meets the grounds listed in Sections 10.2.4.J.2.a. & d.:

The anticipated rezoning would represent a substantially changed request from that of the previous case, which sought to rezone the property from Residential-4 to Residential-10 with conditions. Conditions prohibited the apartment building type and limited the building height to 2 stories and 35 feet. Conditions also provided for a minimum building setback of 30 feet from the property to the west and a 20 feet building setback from the property to the north. The new zoning case would eliminate conditions pertaining to height but conditions would be offered for an alternative building type, form, and massing.

Planning Director Bowers explained the request, the location of the property and the procedure. Council Member Thompson indicated this is in his district and he had gone out and looked at the property. He stated he does not feel it is fair to the citizens to go through another request so soon and he sees nothing that has changed therefore he would move denial of the request for a waiver. His motion was seconded by Council Member Crowder and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

### **SPECIAL ITEMS**

#### **OBERLIN VILLAGE – HISTORIC OVERLAY DISTRICT – REFERRED TO THE DEPARTMENT OF CULTURAL RESOURCES – CITY INITIATED REZONING REQUEST AUTHORIZED**

This is follow-up to a request made by the Friends of Oberlin Village for a city initiated rezoning application to apply a new historic overlay district. The Friends of Oberlin Village circulated a new petition to property owners within the potential district boundaries that show support by the owners of 24 of the 49 properties.

The Raleigh Historic Development Commission (RHDC) received and reviewed an investigation and report on the Oberlin Village Historic District and found on May 16, 2017 that it meets the criteria for designation. The commission found that Oberlin Village has special significance in terms of its history, prehistory, architecture, archeology, or culture and possesses integrity of design, setting, materials, feeling, and association. Additionally, RHDC found that the boundaries warrant further discussion should a rezoning application be authorized.

When this item was last discussed by City Council, the petitioners were asked to gather signatures of property owners in support of the historic overlay district. There are two questions for consideration:

1. Should the application to rezone proceed, given the amount of property owner support? and
2. Should the rezoning be City-initiated, where the City is the applicant?

**Recommendation:** Should the City Council wishes to proceed with a rezoning petition, it would be appropriate to refer the investigation and report to the Department of Cultural Resources, Office of Archives and History for analysis and recommendations concerning the report and boundaries.

Planner Tania Tully explained this item pointing out Oberlin Village is the longest surviving and most intact reconstruction – ERA Freedman’s Colony in Wake County and North Carolina. It is significant to the City of Raleigh in areas of Africa American history and of 19<sup>th</sup> and 20<sup>th</sup> century architecture. Of the 49 resources in the district, 34 are contributing resources (built during the period of significance 1873 to 1970) and retained architectural integrity. She presented a map showing the locations of the 24 properties whose owners signed the petition in support, the six who do not support the designation and pointed out there were 12 from which no reply was received. The map also outlined the owner occupied properties. Planner Tully went through the process and the recommendations as outlined on the agenda. Planner Tully responded to requests about the no responses and the area in general. Council Member Crowder indicated this particular area has seen a lot of the property go away by demolition and rebuilding and she doesn’t know if designation would be possible down the road; therefore she moved that the Council uphold the recommendation to move forward to refer the investigation and report to the Department of Cultural Resources, Office of Archives and history for its analysis and recommendations concerning the report and boundaries. Her motion was seconded by Council Member Branch.

Brief discussion took place relative to the questions the City Council should consider such as if the application proceeds if the subsequent rezoning should be city initiated request. Planning Director Ken Bowers explained the differences in a city initiated request and a property owner initiated request pointing out it relates to type of notification requirements, etc. Council Member Stephenson pointed out the people who live in the area prepared the documents, did the research, etc., and he feels we should move forward with the recommendation and the City should be the applicant for the rezoning application if the issue goes forward with Council Members Crowder and Branch accepting that as a friendly amendment. The motion as amended was put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

#### **REZONING Z-4-17 – M.E. VALENTINE DRIVE – TO BE PLACED ON JUNE 20 AGENDA**

The following item appeared on the May 16, 2107 agenda:

This is a request to rezone property from Planned Development with Special Residential Parking Overlay District (PD w/SRPOD) to Residential Mixed Use-12 Stories-Conditional Use with Special Residential Parking Overlay District (RX-12-CU w/SRPOD). The property is located along the south side of M.E. Valentine Drive, east of Concord Street.

The request is consistent with the Future Land Use Map and pertinent policies of the Comprehensive Plan. Conditions restrict certain uses, limit overall development intensity and

building height, and provide for a transit easement and bicycle parking. The Planning Commission recommends approval of the request.

This request was received by the City Council on May 2, 2017. Signed conditions had not yet been provided, preventing a public hearing date from being set at that meeting. If signed conditions have been provided by the deadline for the June 6, 2017 meeting, staff suggests a public hearing date of June 20, 2017.

Planner Bynum pointed out the City has not received signed conditions as of yet therefore the item should be held over for two weeks. She stated if conditions have not been received by next meeting the Council should set the hearing with the existing conditions. Mayor McFarlane suggested the item be held and placed on the June 20 agenda for further consideration.

### **REZONING Z-39-16 – GREEN ACRES LANE – APPROVED – ORDINANCE ADOPTED**

The following item appeared on the May 16, 2107 agenda:

This is a continued hearing to consider a request by David F. Green Sr., Mary Mebane Galloway, and Sherry Kerman Bunch to rezone approximately 2.5 acres from Residential-10 (R-10) to Industrial Mixed Use – 3 Stories – Conditional Use (IX- 3-CU). The property is located on the east side of Green Acres Lane north of N. New Hope Road. Conditions limit uses and address impact on adjacent properties. The request is not consistent with the Future Land Use Map or Comprehensive Plan overall, but it has addressed some concerns raised by neighbors and would provide a benefit by allowing the expansion of an existing business. The Planning Commission recommends approval of the request.

The proposal was received by the City Council on January 17, 2017. The City Council considered this item on February 7, 2017 and kept the public hearing open. On February 21, 2017, March 7, 2017, March 21, 2017, April 18, 2017, and May 2, 2017, the hearing was held open.

During the May 16, 2017 meeting, the hearing was closed and it was directed that item be placed on this agenda for consideration of additional zoning conditions. An additional condition relating to the handling of stormwater was submitted following the closure of the hearing. The City Council may act on the request, refer to committee or hold for further discussion.

Planner Bynum explained the hearing has closed and revised sign conditions dated May 26, 2017 have been received pointing out the additional condition related to the handling of stormwater. In response to questioning from the Mayor, Stormwater Manager Hinkle pointed out staff is comfortable with the stormwater conditions as submitted. Council Member Thompson stated he had talked to adjacent apartment complex representatives and they are comfortable with the condition. Council Member Stephenson moved approval of the request with revised conditions dated May 26, 2017. His motion was seconded by Council Member Thompson and a roll call

vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote. See Ordinance 713 ZC 749.

## **TRANSPORTATION BOND – 2017 – SET AT A \$206.7M – VARIOUS ACTIONS TAKEN**

During the May 16, 2017 meeting, the City Council considered several scenarios for a 2017 Transportation Bond Proposal. It was directed that the item be placed on this agenda for further consideration.

A summary of bond package alternatives discussed by Council to date include:

<b><u>Bond Package Alternative</u></b>	<b><u>Referendum Amount</u></b>	<b><u>Tax Rate Impact (est.)</u></b>
May 2 Staff Proposal	\$204.7M	1.27 cents
May 10 Transportation and Transit Committee Recommendation	\$209.7M	1.33 cents
May 10 Alternate Transportation and Transit Committee Recommendation	\$211.5M	1.35 cents

As Council is aware, the General Assembly is contemplating legislation which would move the 2017 municipal elections from October 10 to September 12. In order to meet statutory requirements for a valid public referendum, should the election be scheduled for September, during the June 6 meeting Council needs to determine a specific total referendum amount. Once a total referendum amount is determined, the list of projects to be funded via a successful bond referendum or the allocation of dollars amongst various bond projects may still be revised or adjusted during a budget work session or future Council meeting.

Once Council chooses a desired bond referendum level, the following steps are required to be taken on June 6 in order to comply with the required schedules for a referendum to be placed on the municipal election ballot:

- Adopt a resolution making certain findings and determinations;
- Direct staff to file application with the Local Government Commission in connection with the proposed issuance of Transportation Bonds by the City; and
- Authorize the City Clerk to publish a notice of intent to file such application.

Included with the agenda packet is a detailed summary of various bond level options with corresponding tax impacts, as well as a draft resolution necessary to proceed with a referendum.

**Recommendation:** Upon determination of total referendum amount, adopt the resolution making certain findings and determinations; direct staff to file application with the Local Government Commission in connection with the proposed issuance of Transportation Bonds by the City; and authorize the City Clerk to publish a notice of intent to file such application.

Council Member Baldwin moved that the Council move forward with the recommendations as outlined with the understanding that we add the Person/Blount two-way, add \$2M for transit, remove Jones Franklin Road improvements and replace with the Carolina Pines Avenue project, add Atlantic Avenue roundabout and remove Yonkers Road. She stated that would set the bond referendum at \$206.7M which would equate to 1-3 cents tax. Her motion was seconded by Council Member Gaylord. Mayor McFarlane suggested setting \$4M aside for public/private partnerships projects and dedicate \$1M to Council Member Stephenson's priority projects. Council Member Baldwin indicated she would have a conflict with that as her employer is working on the project. She asked if that could be voted on separately. In response to questioning, Council Member Stephenson pointed out the cost sharing projects that he has discussed before include the YMCA proposed street improvements on Rock Quarry Road, the Oberlin Van Dyke Avenue roundabout and sidewalks on Highwoods Boulevard. He stated he understands the Council does not have to vote on those at this point, but he would like for the Council to commit to these three projects as priority projects.

City Attorney McCormick suggested the best way to move forward is to take Council Member Baldwin's original motion. He stated the \$5M being talked about is not being allocated today. The motion that is needed for today is to set the amount and move forward with the items as listed on the agenda. He suggested taking the friendly amendment separately and Council Member Baldwin could be excused but again pointed out the allocation would not be binding. Council Member Cox asked if there would be enough money to do all of the projects as suggested by Council Member Stephenson.

Council Member Baldwin restated her motion to add the Person/Blount two-way, add \$2M for transit, remove Jones Franklin Road and add Carolina Pines Avenue project, add Atlantic Avenue roundabout, remove Yonkers Road. This would set the bond referendum at \$206.7M which would be 1.3 cent tax increase. Later in the meeting she clarified that her motion also included the steps as outlined on the agenda – adopting a resolution making certain findings and determination; direct staff to file application with the Local Government Commission in connection with the proposed issuance of the transportation bonds by the City; and authorize the City Clerk to publish a notice of intent to file such application. The motion as clarified was put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote. See Resolution 473.

Council Member Stephenson asked that the Council have a non-binding vote to commit that the three projects he outlined are priority projects. Mayor McFarlane moved that Council Member Baldwin be excused from this vote. Her motion was seconded by Council Member Branch and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote. Mayor McFarlane seconded Council Member Stephenson's motion to consider the three cost share projects as he outlined as priority projects (YMCA proposed street improvements on Rock Quarry Road, Oberlin – Van Dyke roundabouts and sidewalks on Highwoods Boulevard). The motion was seconded by Council Member Stephenson and put to a vote which resulted in all members voting in the affirmative except Council Member Baldwin who was excused from participation. The Mayor ruled the motion adopted on a 7-0 vote.

## **REPORT AND RECOMMENDATION OF THE CITY MANAGER**

### **RALEIGH BIKE SHARE IMPLEMENTATION – STAFF AUTHORIZED TO ENTER INTO CONTRACT NEGOTIATIONS**

On March 15, 2016, City Council approved the implementation of a 300-bike, 30-station bikeshare system serving downtown Raleigh and North Carolina State University. A request for proposals was issued March 6, 2017, to solicit proposals from teams comprising equipment/software vendors, system operators, and site planning engineers. From the seven teams that submitted proposals, a selection committee made up of six City staff interviewed three teams on May 3, 5, and 10, 2017. The interviews also included public demonstrations which took place in Exchange Plaza.

Based on the proposals, interviews, public demonstrations, and funding availability, the selection committee has selected a preferred team to implement and operate a bikeshare system. Staff will present the selected team's proposal to City Council and request authorization to begin contract negotiations. If authorized, contract terms will be presented to City Council for final authorization at a later meeting.

**Recommendation:** Authorize staff to enter into contract negotiations with the selected team.

Transportation Planner Eric Lamb introduced Trung Vo pointing out Mr. Vo is a new employee in the department dealing with bikeshare.

Transportation Planner Vo went over the proposed service area as included in the 2014 Feasibility Study presented a powerpoint which indicated the proposal relates to city ownership, private operation with projected installation cost of \$1.65M and annual operating cost of \$653,000. capital funding of \$2,261,000 which includes \$1,648,800 federal grant, City of Raleigh, \$412,200 and Wake County \$200,000, operation funding was projected to be \$653,000 with \$250,000 coming from sponsorships and \$215,000 from rental revenues for a total projected city subsidy of \$188,000. He stated we have three year commitments for major sponsorships which include \$150,000 a year from Citrix; \$50,000 a year from Rex Healthcare and \$50,000 per year from Blue Cross Blue Shield.

Mr. Vo went over the time line which started in March when an RFP was posted leading up to the presentation today and if approved, contract negotiations would be in the June to August 2017 time frame. The time line includes a March 2018 system launch. He explained the selection committee, the evaluation criteria which was used outlined the seven teams which presented proposals, the people on the interview team, the demonstrations which lead to the selection of Bewegen Technologies and Corps Logistics Planner Vo went over the proposal for 200 bikes, 100 E-Assist bikes and 30 stations. He explained some of items which lead to their selection including the easiest bikes opens bikeshare to nontraditional riders, good references, and business model.

Mr. Vo pointed out the group recommends the Council authorized contract negotiations with Bewegen and Corps Logistics to install, launch, maintain, operate and market Raleigh bikeshare. He went over two proposed options: Option A – City pays \$1,750/bike/year; City responsible for shortfall City keeps all profits; Option B – the City pays \$0, Bewegen would be responsible for all shortfall and the City would keep 80% of any profit.

Council Member Thompson had questions about the types of bikes. Council Member Gaylord gave his interpretation of the two options and Council Member Crowder questioned if the City would have the ability to audit the program with Mr. Vo pointing out that could be included in terms of a contract. Council Member Gaylord pointed out he feels both options should be explored. He stated the down side to Option B is that they could have sponsors the City does not agree with so Option A provides more control. Council Member Gaylord moved that both options be explored. Council Member Cox suggested that we ensure with whatever option is chosen that the Council would be have the ability to set rental rates. Council Member Branch questioned the Council could see the site stations before signing a contract. Mr. Vo pointed out we do have a map however it needs updating. Council Member Branch indicated he wants to make sure that all citizens have access with Council Member Crowder pointing out Council should be provided an updated map of locations. Mr. Vo pointed out the 80% profit sharing option is unique to the City of Raleigh and they agreed to that because they feel the City is ready for this type program. In response to questioning from Council Member Cox, Mr. Vo indicated the proposed contract would have a 5 year term. The motion to explore both options as made by Council Member Gaylord, seconded by Council Member Baldwin was put to a vote which resulted in an 8-0 vote. The Mayor ruled the motion adopted.

## **SIX FORKS ROAD CORRIDOR PLAN – DIRECTION GIVEN**

Staff provided an update on the study at the May 16 work session, consisting of an overview of the study process, a summary of the March 21 public meeting, the results of the feedback received from the public, and recommendations for next steps. If the City Council would like to proceed, the Planning Commission would provide a review and recommendation of the Six Forks Road Corridor Study. The Planning Commission meetings would provide additional opportunity to engage the public. The Planning Commission recommendation would be delivered to the City Council for consideration.

Based on feedback received from the public and City Council at the May 16 work session, staff requests authorization to:

1. Prepare updates to the Six Forks Road Corridor Study to reflect six lanes on Six Forks Road. Once updated, staff will establish an additional public comment period.
2. Following conclusion of the public comment period, authorize referral of the Six Forks Road Corridor Study to the Planning Commission for review and recommendation.

**Recommendation:** Authorize staff to proceed with the six lane option, to establish an additional public comment period, and authorize referral of the revised corridor study to the Planning Commission.

City Manager Hall gave a background and status of this project and the recommendations. Council Member Baldwin moved approval of the recommendations as outlined. Her motion was seconded by Council Member Thompson. Council Member Stephenson spoke about the median treatment that facilitates pedestrian crossing and work being done in the small area plan. The motion as stated was put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

### **REPORT AND RECOMMENDATION OF THE SHORT TERM RESIDENTIAL RENTAL TASK FORCE**

#### **SHORT TERM RESIDENTIAL RENTALS – REFERRED TO ECONOMIC DEVELOPMENT AND INNOVATION COMMITTEE**

The City Council formed the short term residential rental task force in late 2016. Each council member appointed two persons, for a total membership of 16 citizens. Their primary goal was to discuss short term residential rentals, such as those commonly advertised on platforms such as “AirBnB” or “VRBO”. The task force conducted a total of ten meetings between the months of January and May 2017.

During discussion, the task force members gained an understanding of basic zoning regulations, discussed previous attempts at regulations, heard from short term rental operators and discussed impacts of the use. The task force members explored many alternatives in developing a recommendation.

The task force members identified three types of short term rentals: the first being a rental where a resident manager is always present (Type I); the second being a rental where a resident manager must reside on the property for more than 180 days per year (Type II); the third being a rental where no resident manager was required (Type III). Development standards and appropriate zoning districts were identified for all types of rentals. The report of the task force, adopted in an 8-5 vote, includes recommendations for robust enforcement standards to address operational or behavioral impacts.

Tom Slater, Task Force Co-Chair, highlighted the following presentation.

Mayor McFarlane, Members of City Council and Staff, it is my honor to once again visit Council Chambers as a representative of The Short Term Residential Rental Task Force which was appointed by the Council to make a recommendation regarding regulatory issues related to short term rentals in the City of Raleigh.

The Task Force was composed of a very diverse and dedicated group of 16 citizen members – 4 of whom are currently short term rental owners in Raleigh.

Between mid-January to mid-May the Task Force met a total of ten times with the mission to craft a draft ordinance that addressed the establishment and operation of short

term rentals while in keeping with the best interests for the citizens of Raleigh. Our task was not an easy one.

Members of the Task Force spent considerable time reviewing existing regulations regarding rental properties as well as the regulations pertaining to Bed & Breakfasts. Task Force members were also educated on zoning, special use and overlay districts and the normal approval process for permitting. Members of the group who are current owners and operators of short term rentals shared their experiences with the group and provided an understanding of how short term rentals typically operate. Several members of the group expressed concerns about residential zoning protections and the potential effects of short term rentals within neighborhoods. Task Force members were also educated regarding the use of restrictive covenants and neighborhood associations and what difficulties may arise that could affect regulation of short term rentals within the City. Members of the task force also reviewed current state laws regarding vacation rentals as well as the regulations governing long term rentals at the local and state levels and the two previous ordinances considered by the City Council.

Members of the Task Force focused on six primary topics that were used to craft our draft ordinance. These topics included: ordinance enforcement; house or operating rules; minimum standards for the properties; owner occupancy requirements; proximity rules with other short term rental properties and what zoning districts should short term rentals be permitted.

After considerable discussion and deliberation especially on allowing and regulating whole house rentals – the Task Force – through a majority vote of members present – recommends the draft ordinance being presented to Council today. I would now like to introduce my co-chairman Mr. Brent Woodcox to present more specific details of the draft ordinance. . . after which we will be glad to answer any questions.

Brent Woodcox, Co-Chair highlighted the following report.

Council members, staff and fellow Raleigh citizens, the ordinance you have before you today is a product of diligent work by members of the Short Term Rental Task Force and the outcome of hours of discussion and debate about a myriad of issues surrounding this type of use within our city. It represents a compromise proposal reached between members of the group who entered the room with opposing viewpoints on the issue.

If you would, please allow me to spend just a moment describing the concepts embodied in our proposal. The first thing that you need to know is that our proposal goes beyond the partial rental vs. whole house rental paradigm that has shaped much of the previous conversation on the topic. We instead broke short term rentals into 3 different types.

A type 1 rental must have a resident manager. The resident manager may be either the property owner or another person appointed by the property owner. This resident

manager must live on the premise for at least 181 calendar days per year and must be present in the dwelling unit throughout the rental period.

A type II rental also must have a resident manager. Likewise, the resident manager may be either the property owner or another person appointed by the property owner. Again, the resident manager must live on the premise for at least 181 calendar days per year. For a type II rental, the resident manager is not required to be present in the dwelling unit during the rental period.

For type I and type II rentals, every short term rental operator shall be required to obtain a zoning permit. The initial zoning permit will be accompanied by a \$150 fee and it must be renewed annually with a renewal fee of \$82. Before granting a permit, proof of insurance and an inspection by the city will be required.

All short term rentals will be required to follow certain standards modeled after the existing bed & breakfast regulations. Included among these are posting the contact information for the owner of the property, the rules applicable to the rental property and maintenance of a guest registry that can requested by the city at any time in case there are any issues. Additional requirements governing the square footage requirements of bedrooms and the safety of cooking facilities are included in the draft ordinance. Outdoor advertising is prohibited as is using a short term rental for special events or gatherings.

Violation of these standards, noise ordinances or any criminal laws in a short term rental shall be cited by the city. Any combination of two violations within a 365 day period will lead to revocation of the short term rental permit. Once lawfully revoked, a new permit for a short term residential lodging facility cannot be issued or re-instated on the violating property or to the owner of the premise.

Under the proposed ordinance type I and type II rentals will be allowed as a limited use in all residential zoning district and mixed use districts.

Now we come to the third type of rental. A type III rental does not require a resident manager and could be accurately conceived of as an investment property. Type III rentals will be allowed in mixed use districts under the proposal before you today and will be governed by all of the same regulations that I just summarized regarding type I and type II rentals.

What is different with this type of rental and the others is that this proposal does not recommend a particular regulatory scheme for this type. Instead, the Short Term Rental Task Force recommends that the city extend the period of noncompliance enforcement for the next year. During that timeframe, the city would require that current type III rental operators self-report their non-conforming use to city staff. This would allow the city to identify who is operating these rentals and where they are located within the city. It would also allow for additional data be gathered related to the term of rentals, the effect

on neighbors and any violations or complaints that may be logged regarding these properties as well as any other information that Council members may think would prove useful in crafting a regulatory scheme for this type of use. This proposal will empower you as a council and Raleigh as a city to require that short term rental property owners and hosting platforms come forward and work with the city to ensure that this type of use has a mutual benefit for rental operators and the neighborhoods in which they are located.

I personally see this year as a “prove it” period. The city will have the time to engage with hosts and short term rental platforms to require them to “prove it.” If short term rentals and the platforms that host them are going to be good neighbors for Raleigh then the city has a duty to vet them and ensure that they are adding value to our neighborhoods. After this period expires, any remaining concerns about negative impacts can be addressed in new language in a future ordinance. The city will retain the authority to restrict this nonconforming use if it cannot be shown that short term rentals are creating a Raleigh that that is a better place to live, work and visit.

The reason that the compromise is offered is because more information is needed to resolve this issue within our city. The task force did not have the resources or the ability to gather data that would be most helpful in crafting regulations for type III rentals. Citizens expect policy makers to make decisions deliberately after gathering all relevant information and weighing the benefits and drawbacks of any regulatory approach. This is not an unreasonable expectation and it is one that can be fulfilled only after more time has passed and additional data can be collected and analyzed.

The proposed ordinance is a recommendation of a majority of the short term rental task force appointed by city council members. At least one member appointed by six different council members supported this approach in full. It represents a compromise that reflects months of discussion and deliberation on the issues surrounding short term rentals in the city. It is supported by a petition that has been circulated on social media and garnered more than 300 signatures in support, including that of former Mayor Charles Meeker. Finally, the approach that we are recommending today balances the desire to make Raleigh a better place to live, work and visit with the need to protect the character and integrity of our neighborhoods. I urge you to support the ordinance as proposed. Thank you for your consideration and for the opportunity to serve our city together.

Mayor McFarlane thanked everyone on the Task Force for their time, effort and dedication during their tenure. Council Member Baldwin stated as she understands the document mentions the ability to rent up to five bedrooms and questioned how that number was developed and if there is flexibility. Mr. Woodcox pointed out it basically was in response to concerns about people turning homes into mini hotels. Mayor McFarlane had questions about the requirements to provide parking with Mr. Woodcox pointing out that was discussed but the Task Force felt that the neighborhood parking regulations would apply. Council Member Thompson had questions about the bedroom size pointing out 70 square feet seems very small with Mr. Woodcox pointing out that comes from the bed and breakfast regulations.

In response to questioning, City Attorney McCormick indicated his office has not vetted the proposal relative to legality.

Council Member Crowder expressed appreciation for all of the work done. She stated she knows we need rules and regulations but pointed out it is a very complex issue and there is a lot of interactions and interpretations in the ordinance and she would like to send it to a committee for vetting with the understanding that vetting would include input from the City Attorney's office. Mayor McFarlane suggested having legal review the proposal before it's referred anywhere. City Attorney McCormick pointed out enforceability is a significant issue. He stated now we have a lot of businesses operating and the City of Raleigh has regulations and they are not being enforced and cautioned the Council about waiting without enforcing existing regulations. Mayor McFarlane moved that the item be referred to Economic Development and Innovation Committee with the understanding the City Attorney's Office would review the issue before its discussed in committee. Council Member Branch questioned why the Economic Development and Innovation Committee was chosen rather than Safe, Vibrant and Healthy Neighborhoods Committee with Mayor McFarlane pointing out it is related to economic development. Council Member Stephenson pointed out he is a frequent user of this type facility in other towns. The motion to refer the item to Economic Development and Innovation Committee was put to a vote which passed unanimously. They Mayor ruled the motion adopted on an 8-0 vote.

## **REPORT AND RECOMMENDATION OF THE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION**

### **BICYCLE AND PEDESTRIAN ADVISORY COMMISSION – ANNUAL WORK PLAN – APPROVED**

Aaron Peeler, Chair of the Bicycle and Pedestrian Advisory Committee, indicated Council Members received the following proposed FY2017-18 Annual Work Plan for the Bicycle and Pedestrian Advisory Commission in their agenda packet.

#### **General Commission Initiatives:**

- Coordinate and participate in the annual Triangle Bicycle & Pedestrian Workshop
- Provide input on the proposed Comprehensive Plan Update
- Promote the City's application for Walk Friendly Community designation
- Promote improving the City's current bronze-level Bike Friendly City designation
- Receive quarterly reports on bicycle and pedestrian data
- Build capacity and public support for an Open Streets event
- Stay in touch with the Raleigh Police Liaison and receive updates
- Coordinate access to transit initiatives with GoRaleigh and GoTriangle to promote sidewalk and bus stop amenity improvements (benches, shelters, bike racks, sidewalk gaps, etc.) and receive ongoing updates on transit planning

#### **Community Outreach Committee:**

- Promote public participation and interaction with bike/pedestrian initiatives, such as Bike Month activities, bikeshare, Walktober, sidewalk funding and expansion processes, and open street events

- Partner with local schools, government agencies and advocacy groups that promote Safe Routes to School initiatives and attend Bike to School and Walk to School activities.
- Enhance existing social media and advertising of BPAC meetings and activities
- Visit and present to community groups of various types throughout the year
- Create a coalition of community groups to hold an Open Streets event and/or drive creation of a Cultural Trail; promote equal access for all Raleigh communities
- Initiate a Speaker Series of national experts to discuss strategic and innovative transportation topics, including transit, bicycling and walking
- Follow-up with organizations and participants to sustain involvement; solicit feedback from the public and track and close Work Plan items when they are completed

#### **Bicycle Planning Committee:**

- Review and support the bicycle parking program
- Develop an On-Road Bicycle Wayfinding & Signage Plan that enhances existing infrastructure, improves the usability of the bicycle network, and encourages short bicycle trips
- Promote the implementation of a bike share program in Raleigh
- Promote the ongoing implementation of the 2016 BikeRaleigh Plan
- Coordinate with the Greenway and Urban Trees Committee of the Parks, Recreation and Greenway Advisory Board and the East Coast Greenway Alliance to amend the BikeRaleigh Plan to reference and include support for the East Coast Greenway

#### **Pedestrian Planning Committee:**

- Promote WalkRaleigh Brand; support staff efforts to update website
- Identify and expand the use of leading pedestrian interval signals at (three) additional high traffic locations
- Advocate for more targeted crosswalk enforcement campaigns through the City in conjunction with the Watch For Me NC Campaign
- Coordinate with City staff to develop a sidewalk maintenance outreach that may include
  - Promote access to pedestrian safety outreach and walkability adults to identify repairs and improvements
  - Promote SeeClickFix reporting for sidewalk and pedestrian improvements
  - Get updates on sidewalk maintenance expenditures and projects throughout the city
- Advocate for the implementation, and assist with the updating of the City's various Corridor and Master Plan Studies, including Gateways, Transit, Parks, etc. (Ongoing)

- Promote October as “Walktober” by creating and promoting a calendar of walking events, as well as conducting three walking related events in and around the city
- Promote pedestrian facts and figures to share with everyone we meet, promote the city’s efforts (Ongoing)
- Identify other city committees for opening up cross communication to create synergy for pedestrian issues

#### **Joint Bicycle & Pedestrian Planning Committee:**

- Promote implementation of the NCDOT “WalkBike, NC” master plan in Raleigh
- Monitor NCDOT Complete Streets implementation to ensure future street projects are designed and constructed for all modes
- Monitor Unified Development Ordinance implementation and promote bicycle and pedestrian friendly policies and standards
- Continue coordinating with the Parks, Recreation & Greenways Advisory Board on greenways and special event impacts

He highlighted the plan and pointed out they are excited about the prospects of the open streets event and expanding the use of leading pedestrian interval signals at high traffic locations.

Council Member Gaylord moved approval of the work plan as presented. His motion was seconded by Council Member Branch and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

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

#### **RIVER BEND PARK – PHASE I SCHEMATIC DESIGN – STAFF AUTHORIZED TO PROCEED**

Amy Simes, Chair of the Parks, Recreation and Greenway Advisory Board, explained the schematic design for the first phase of development of River Bend Park has been presented to the public and the Parks, Recreation and Greenway Advisory Board. She introduced Zack Pierce of CLH Design.

Mr. Pierce provided a powerpoint which included the location and community context, the master planning process, vision statement for the park, final park master plan and initial park development. He presented photos of the site elements which include location of parking, connection to trails, kayak launches, play elements, water features, architectural elements such as picnic shelters, bathrooms, etc. He went through the schedule which would lead to permitting and bidding in the winter of 2017 with construction to be in the 2018-2019 timeframe.

Council Member Cox indicated he attended the first meeting or two of this planning process and expressed appreciation to everyone for all of the work they did in bringing this project to this point. He moved approval of the schematic design and authorizing staff to proceed with

construction documents, permitting and bidding. His motion was seconded by Council Member Branch and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

## **REPORT AND RECOMMENDATION OF THE HISTORIC CEMETERIES ADVISORY BOARD**

### **HISTORIC CEMETERIES ADVISORY BOARD – ANNUAL REPORT – RECEIVED; 2017-18 WORK PLAN APPROVED**

Wayne Schindler, Parks, Recreation and Cultural Resources highlighted the annual report of the Historic Cemeteries Advisory Board pointing out it has been another very productive year and has been a transitional year. The group is transitioning from planning to reconstruction and/or repair of monuments, including the mausoleums in City Cemetery and Mt. Hope Cemetery and work is underway to prepare the fence around city cemetery. He also talked about the first North Carolina's Cemeteries Work shop held in Raleigh which welcomed maintenance and municipal professionals from across the State.

Barden Culbreth, Chair of the Historic Cemeteries Advisory Board, talked about the work of the group, the successful partnerships and highlighted the following proposed 2017-2018 work plan.

#### **Goal #1: Continue inventory and stabilization efforts within City Cemetery and Mt. Hope Cemetery.**

Task A: The Board will continue an assessment of headstones and other cemetery elements to determine need for stabilization.

Task B: The Board will continue to assist the Parks, Recreation and Cultural Resources Department with prioritization of repairs to monuments, plot fencing, above ground vaults and associated items at City Cemetery and Mt. Hope Cemetery.

Task C: The Board will continue to assist the department with implementation of a protocol for the collection, inventory, and storage of unsecured items within City Cemetery and Mt. Hope Cemetery.

#### **Goal #2: Secure and protect existing cemetery data and records.**

Task A: The Board will continue in a lead role to insure facilitation of shared interment records between the City of Raleigh Museum, HCAB and the department.

#### **Goal #3: Annual Retreat Review and Follow-up**

Task A: The Board will review relevant discussion from and ideas generated at its 2016 annual retreat to determine appropriate direction related to issues such as emerging industry trends, staff training, etc. in preparation for a second board retreat.

**Goal #4: Expand Outreach Efforts Including Public Awareness and Education**

Task A: The Board will promote the implementation of strategies for all three historic cemeteries as mentioned in Raleigh's Comprehensive Plan.

Task B: The Board and the department will promote all three historic cemeteries as a cultural component of the "Downtown Experience".

Task C: The Board and the department will develop and support workshops and seminars related to the preservation and maintenance of historic cemeteries.

**Goal #5: Develop and implement landscape plans for the three historic cemeteries to address tree replacement, screening, fence restoration and replacement, and general grounds repairs utilizing historically appropriate species and materials.**

Task A: The Board will continue to assist department staff with the implementation of the landscape master plan for City Cemetery.

Task B: The Board will continue to assist the department staff with development and implementation of a landscape master plan for Mt. Hope Cemetery.

Task C: The Board will assist the department with planning for continued restoration of the historic perimeter fence at City Cemetery.

**Goal #6: Local Designation for City Cemetery and Mt. Hope Cemetery.**

Task A: The Board will assist the department with securing local designation for City Cemetery and Mt. Hope Cemetery.

**Goal #7: Priorities and Expenditure Plan**

**Task A:** The Board will work with department staff to refine priorities and develop cost estimates and schedules related to 2014 bond funds allocated for historic cemetery restoration.

**Goal #8: Dorothea Dix Park Cemetery**

Task A: The Board should formally align with the Dix Conservancy to serve as a resource for ongoing improvements or enhances related to the existing cemetery at Dorothea Dix Park.

Mr. Culbreth talked about the great partnerships with the Parks, Recreation and Greenway Advisory Board and the 501C Cemetery Partners. He stated however the resources are being stretched and they would ask that the Council consider additional funding in the Parks Bond to go to their efforts.

Council Member Cox moved approval of the work plan as presented. His motion was seconded by Council Member Baldwin and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

**REPORT AND RECOMMENDATION OF THE ECONOMIC DEVELOPMENT AND INNOVATION COMMITTEE**

**SIGNS – UDO REGULATIONS – REMOVED FROM THE AGENDA**

Mayor McFarlane reported the Economic Development and Innovation Committee recommends that the item signs – UDO regulations be removed from the committee agenda with no action taken. Without discussion it was agreed to follow that course of action.

**REPORT AND RECOMMENDATION OF THE GROWTH AND NATURAL RESOURCES COMMITTEE**

**TC-20-16 – CONSTRUCTION SAFETY BARRIER FENCES – APPROVED FOR JULY 5, 2017 PUBLIC HEARING**

Chairperson Crowder reported the Growth and Natural Resources Committee recommends the City Council uphold the Planning Commission recommendation, as amended, for approval of TC-20-16 – Construction Safety Barrier Fencing and authorize a public hearing for July 5, 2017. A copy of the proposed ordinance was included with the agenda packet. On behalf of the Committee, she moved the recommendation be upheld. Her motion was seconded by Council Member Baldwin and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

**REZONING Z-32-16 – HILLSBOROUGH STREET – HEARING CONTINUED ON JUNE 20, 2017 MEETING**

Chairperson Crowder reported Item 15-22Z-32-16 – Hillsborough Street conditional use district should be removed from the Committee as the continued hearing has been scheduled for June 20, 2017. Without objection the item was removed from the agenda.

**GROWTH AND NATURAL RESOURCES COMMITTEE – MEETING DATE CHANGED**

Chairperson Crowder reported the June 14, Growth and Natural Resources Committee has been canceled and would be held on June 28. The report was received.

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

**NO REPORT**

**REPORT AND RECOMMENDATION OF THE TRANSPORTATION AND TRANSIT COMMITTEE**

**NO REPORT**

**TRANSPORTATION AND TRANSIT COMMITTEE – TO MEET ON JUNE 27, 2017**

Chairperson Branch reported the Transportation and Transit Committee will meet on June 27, 2017 and will discuss the item relating to sidewalk assessment policy. The report was received.

**REPORT OF MAYOR AND COUNCIL MEMBERS**

**VARIOUS COMMENTS FROM COUNCIL MEMBER BRANCH – RECEIVED.**

Council Member Branch pointed out he recently attended the Citizen’s Police Academy and the graduation is scheduled for June 8, 2017. He invited all to attend. Council Member Branch pointed out the Police Department is seeking applicants for the next session and encouraged all to look into that.

Council Member Branch pointed out he would like all to know that the Raleigh Police Department does not enforce private curfews.

Council Member Branch pointed out he will be speaking at the NC Hope Conference at the Durham Sheraton coming up soon.

His comments were received.

**PERSONNEL – CITY CITIZENS AND STAFF WORKING TOGETHER – COMMENDED**

Council Member Crowder talked about watching magic occur when citizens and the staff work together. She presented a powerpoint relative to a situation that occurred a few weeks ago in which a Renaissance Park resident Woke up one day and found an 80 foot cell tower at the entrance to the neighborhood. She indicated while everyone understood the need for cell towers they were shocked at the location. She pointed out she reached out to staff and staff and people from Renaissance Park met to discuss solutions. She stated she also talked with Paul Kallam and Noah Otto and they talked with Renaissance Park resident Anthony McLeod who suggested solutions and helped work out a solution. She stated they were able to get a smaller tower and pointed out how gratifying it is to see this magic work when citizen and staff work together to resolve the problem. She commended all and recognized Mr. Kallam and Mr. Otto who were in the audience.

**HILLSBOROUGH STREET PARKING STUDY – CONTRIBUTION FROM COUNCIL CONTINGENCY APPROVED**

Council Member Crowder pointed out as the City moves forward with Phase II of the Hillsborough Street renovation, she feels it will provide the stimulus for the businesses as Phase I did. She stated as we move forward the Hillsborough Street Community Service Corporation recognizes there is a real need for parking on the street and there is absolutely no solution to fulfill that need. She pointed out they are willing to spend \$30,000 of their money and partner with NCSU and she hopes the City for a parking study for the whole district. She stated she feels it will be beneficial for all and moved that the City Council appropriate \$15,000 from Council Contingency to help fund a parking study for Hillsborough Street. Her motion was seconded by Council Member Baldwin and put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote. See Ordinance 710 TF 296.

**CAMPAIGN SEASON – COMMENTS RECEIVED**

Mayor McFarlane pointed out the City is going into campaign season and she wanted to make everyone aware of the fact that City Council candidates are not allowed to campaign at CAC meetings.

**AFFORDABLE HOUSING – INFORMATION REQUESTED**

Mayor McFarlane asked the City Manager to provide a report explaining what the City is doing as to affordable housing. She stated she is getting questions from people who want to determine if they qualify for new units when they become available in their neighborhoods. She asked the Manager to provide information on what type programs the city has available. City Manager Hall pointed out he will provide the Council with a list of programs, contact information, educational efforts, etc. Council Member Baldwin stated she would like Council to be made aware of how the information will be distributed with Council Member Branch expressing appreciation to the Mayor's efforts to get communication out to all people.

**NEW BEGINNINGS – INFORMATION RECEIVED**

Mayor McFarlane read the following statement:

A little over a year ago, the Obama Administration named Raleigh a TechHire City – the designation recognized our commitment to work with community and private business partners to expand tech training opportunities in Raleigh that would lead to greater employment opportunities for the unemployed and underemployed in the workforce.

Feedback from the community – individuals and businesses, as well as, priorities identified during our recent Community Conversations, led our ongoing discussions with our lead partner agency, Capital Area Workforce Development Board, to focus on filling

an entry-level tech training gap for unemployed and underemployed youth in our community.

I am happy to announce that in partnership with Capital Area Workforce Development Board and Wake Technical Community College, the City of Raleigh will introduce “IT Beginnings” – a new 12-week training program that is open to unemployed and underemployed youth age 18-4 and will focus on providing a base IT training program that will be an entry into the numerous opportunities that exist in Raleigh with a tech focus.

IT Beginnings will be located at 900 South Wilmington Street and run from August 14<sup>th</sup> through November 8, offering participants an industry recognized IT credential as well as important leadership and interpersonal skills that are necessary to be successful on the job. In addition to skills training, the program will provide a chance for participants to learn more about opportunities in Raleigh by touring businesses and earning about advanced technical training programs, as well as providing support in identifying potential mentoring and internship opportunities.

The class will be free to participants but will be limited to fifteen students. There is an application process that opens today and will remain open through July 7<sup>th</sup>. More information is available on the city website.

IT Beginnings is just that, a beginning or first step on a path to a successful career – whether that is in IT, as an entrepreneur, or other career field. The City will continue to work with our lead partner, Capital Area Workforce Development Board to grow opportunities to serve our community under the Raleigh TechHire Initiative.

#### **REX CLASSIC – COMMENTS RECEIVED**

Council Member Thompson commended Raleigh Native Justin Hadley who came in second in the recent Rex Classic Golf Tournament. He congratulated him pointing out he would probably had won the tournament if he had not suffered from “putting disease.” He congratulated all involved.

#### **COUNCIL MEMBER GAYLORD – COMMENTS – RECEIVED**

Council Member Gaylord pointed out he recently spoke at HQ Raleigh relative to Connecting Cities, etc.

Council Member Gaylord indicated on Thursday, June 8 at 10:30 a.m., there will be an unearthing of a 50 year time capsule at North Hills and invited all to attend.

**COUNCIL MEMBER BALDWIN – VARIOUS COMMENTS – RECEIVED**

Council Member Baldwin indicated she wanted to make sure that the Clerk understood that her motion on the Transportation bond included the recommendations included in the agenda under with the Clerk indicating understanding.

Council Member Baldwin pointed out an issue arose during the Iron Man event which had a negative impact on a business owner. She stated Captain Jordan of the Raleigh Police Department went above and beyond the call of duty and came up with a solution. She commended Captain Jordan and pointed out the business owner was shocked and very pleased that a captain in the Police Department would take his time to work on his individual issue. Council Member Baldwin pointed out it made her very proud of the Raleigh Police Department.

Council Member Baldwin indicated Innovate Raleigh is planning a Raleigh Innovation Summit in November. She asked anyone interested in participating and working in the event to please contact [www.innovationraleigh.com](http://www.innovationraleigh.com).

**APPOINTMENTS****APPOINTMENTS – VARIOUS ACTIONS TAKEN**

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

Arts Commission – One Vacancy – Shelley Winters – 3 (Branch, Thompson, Cox); Beth Khalifa – 5 (Baldwin, Crowder, McFarlane, Gaylord, Stephenson)

Appearance Commission – One Vacancy – Chad Parker – 8 (All Council Members)

Bicycle and Pedestrian Advisory Commission – One Vacancy – Dwight Otwell had requested to be withdrawn from consideration; Nicole Bennett – 8 (All Council Members)

Substance Abuse Advisory Commission – One Vacancy – Elliot Palmer, Jr. – 8 (All Council Members)

The City Clerk reported the appointment of Beth Khalifa to the Arts Commission, Chad Parker to the Appearance Commission, Nichole Bennett to the Bicycle and Pedestrian Advisory Commission and Elliot Palmer, Jr. to the Substance Abuse Advisory Commission

**NOMINATIONS****ARTS COMMISSION – TERM OF R. GENE DAVIS – EXTENDED ONE YEAR**

The City Clerk reported the term of R. Gene Davis on the Arts Commission is expiring. He is not eligible for reappointment due to length of service. Mayor McFarlane moved that Mr. Davis' term be extended for one year as he is presently serving as Chair. Her motion was seconded by

Council Member Baldwin and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

### **CENTENNIAL AUTHORITY – TO BE PLACED ON JUNE 20, 2017 AGENDA**

The City Clerk reported the terms of Bill Mullins and Jesse Taliaferro are expiring. Both are eligible and would like to be considered for reappointment.

Mayor McFarlane asked that this item be held for two weeks. She questioned the length of term and how long the two have served. City Attorney McCormick indicated it is a four year term and there is no limit on the number of terms that can be served. Mayor McFarlane asked that it be held and asked the City Clerk to provide information on how many terms each member has served. The item will appear on the June 20<sup>th</sup> agenda.

### **ENVIRONMENTAL ADVISORY BOARD – NOMINATIONS MADE**

The City Clerk reported the term of Dave Toms on the Environmental Advisory Board is expiring. He is eligible for reappointment but has indicated he does not wish to be considered for reappointment. Council Member Baldwin nominated Todd Kennedy. The item will be carried over to the next meeting.

### **RALEIGH HISTORIC DEVELOPMENT COMMISSION – JENNIE HARPER, DONALD DAVIS AND KAYE WEBB – REAPPOINTED – TWO VACANCIES REMAINING**

The City Clerk reported the terms of Jennie Harper, Donald M. Davis, Esther Hall, Caleb Smith and Kaye Webb are expiring. All are eligible for reappointment and Ms. Harper, Mr. Davis and Ms. Webb would like to be considered for reappointment. Ms. Hall nor Mr. Smith wish to be considered. The City Clerk reported Council Members received information in their agenda packet from the nominating committee recommending reappointment of the three and providing some names for consideration of the other two slots. Council Member Baldwin moved appointment of Ms. Harper, Mr. Davis and Ms. Webb. Her motion was seconded by Council Member Gaylord and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

Mr. Stephenson questioned if Nick Fountain was one of the persons being recommended for consideration with the City Clerk pointing out that is correct. Council Members Stephenson and Baldwin nominated Mr. Fountain. The item will be carried over to the next meeting.

### **RALEIGH TRANSIT AUTHORITY – REAPPOINTMENTS MADE**

The City Clerk reported the terms of Ray Magsanoc and Michael Stevenson on the Raleigh Transit Authority are expiring. Both are eligible for reappointment and would like to be considered for appointment. Council Member Branch moved that Council suspend its rules and reappointment the two by acclamation. His motion was seconded by Council Member

Stephenson and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0.

### **STORMWATER MANAGEMENT ADVISORY COMMISSION – DAVID WEBB – REAPPOINTED**

The City Clerk reported the term of David Webb on this Stormwater Management Advisory Commission is expiring. He is eligible for and would like to be considered for reappointment. Ms. Baldwin moved Council suspend its rules and reappointment Mr. Webb by acclamation. Her motion was seconded by Council Member Thompson and put to a vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

### **SUBSTANCE ABUSE ADVISORY COMMISSION – REAPPOINTMENTS MADE**

The City Clerk reported the terms of Clif Lavenhouse, Deborah J. Hendren and Jessie Cannon are expiring. All are eligible for reappointment and would like to be considered for reappointment to the Substance Abuse Advisory Commission. Council Member Baldwin moved Council suspend its rules and reappoint the three by acclamation. Her motion was seconded by Council Member Branch and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

### **REPORT AND RECOMMENDATION OF THE CITY ATTORNEY**

#### **POLICE ROBOT – COUNCIL TO ACCEPT GIFT**

City Attorney McCormick indicated last year the City Council appropriated money for a robot for the Raleigh Police Department. He stated due to a faulty electric board the robot did not work. He stated the existing robot owned by the Raleigh Police Department was out of date and hard to get parts for. He stated therefore the Raleigh Police Department was without a robot for quite some time. He stated the new robot has been repaired and works great. He stated however, the company that the robot was purchased from felt bad that the Police Department was without a robot so long they fixed the old robot as well. He stated that constitutes some \$50,000 of parts and labor and urged the City Council to accept this gift. Council Member Baldwin moved approval. Her motion was seconded by Council Member Crowder and put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted on an 8-0 vote.

### **REPORT AND RECOMMENDATION OF THE CITY CLERK**

#### **MINUTES – MAY 2 AND MAY 16 – APPROVED AS PRESENTED**

Council Members received in their agenda packet copies of the minutes of May 2 and May 16, 2017 Council Meetings. Council Member Crowder moved approval of the minutes as presented. Her motion was seconded by Council Member Stephenson and put to a roll call vote which passed unanimously. The Mayor ruled the motion adopted on an 8-0 vote.

**RECESS**

There being no further business, Mayor McFarlane announced the meeting recessed until 7:00 p.m.

Gail G. Smith  
City Clerk

jt/CC06-06-17

The City Council of the City of Raleigh met in a regular reconvened meeting at 7:00 p.m. on Tuesday, June 6, 2017 in the City Council Chamber, Room 201 of the Raleigh Municipal Building, Avery C. Upchurch Government Complex, 222 W. Hargett Street, Raleigh, North Carolina, with all Council Members present.

The Mayor called the meeting to order and the following action was taken.

### **REQUESTS AND PETITIONS OF CITIZENS**

#### **CACS – CITIZEN ENGAGEMENT TASK FORCE – COMMENTS RECEIVED**

Mayor McFarlane read the following prepared statement:

Before we begin tonight's hearing, I would like to take a few minutes and acknowledge the concerns that have been circulating in the community related to the future of the CACs.

The CACs have not been disbanded or changed in anyway. Every member of City Council understands and values the important role that CACs have and continue to play in citizen engagement.

I am glad that you are here tonight. The CAC chairs and those active in the CACs are the resource that we need as we work to figure out how to improve citizen engagement in our growing city.

I want everyone here to know that I am committed to a citizen engagement process that includes everyone.

What we are doing now is starting the community wide discussion on how we better communicate and engage with the public, now that we are a community that is approaching a half a million people.

I apologize that our communication efforts have failed in conveying that message. And that it has come across as an attempt to disband the CACs. That is not the intent of this process.

I would like to reiterate that I appreciate the work of the Citizen Engagement Task Force. However, we need to acknowledge that at this time that those that have been actively involved in citizen engagement through their CACs feel that their voice has not had the opportunity to be heard.

So, before we move forward, let's pause, and take a breath.

It's more important to get it right than rush through a process that people have concerns about.

I would like to suggest that our next step be a council work session that includes a consultant that will facilitate open dialogue and help bring consensus around a process on how we move forward. I think we can all agree that we share a common goal; that is to improve citizen engagement in Raleigh.

### **REZONING Z-46-16 – HARDEN ROAD – DELAYED UNTIL JULY 5, 2017**

Mayor McFarlane pointed out at the request of all parties involved Rezoning Z-46-16 – Harden Road will be deferred until July 5, 2017.

### **AFFORDABLE HOUSING/CACS – COMMENTS RECEIVED**

Daniel Coleman, 517 Rock Quarry Road highlighted the following prepared statement:

I rise this evening to speak about how the good things this city is doing are being drowned out. Specifically the tools the city has placed in its tool box to help elderly families that are living in areas that are being most affected by the market forces in DownEast and the displacement occurring. The specific tool I am speaking about is the \$90,000 loan/grant being offered to families that live in the NSA area around Washington Terrace and how that loan pool needs to be available to all the families that live in downtown East. I have addressed this matter with Larry Jarvis and he is aware that I am going to ask Council to let the money be available to the broader area and that businesses like my business be allowed to bring clients to the city as we would any other lending source and help these families that are trying to stay in their homes accomplish that goal.

I also want to suggest, the South Central Citizens Advisory Council concurs, that before any action is taken dealing with the Community Engagement Task Force Recommendations that those recommendations be subject to a duly noticed Public Hearing as if they were a text change or a rezoning request. It just makes common sense that we begin this process with a public hearing, our basic community engagement process, so the general public can respond before we begin any process, so the general public can respond before we begin any process to implement and findings or recommendations from the Task Force Report.

Daniel Coleman, 517 Rock Quarry Road stated he completely agrees with the Mayor about bringing in a consultant to facilitate open dialogue relating to citizen engagement.

Reverend H.B. Pickett quoted from Deuteronomy about treatment toward a poor brother. Reverend Pickett pointed out every day he sees poor people being pushed out of the downtown area. He stated he agrees with his co-chair of the South Central CAC and he hopes and prays that the city will have a change of heart and do what it can to help people who cannot afford the \$200,000 plus homes.

**SOUTHEAST RALEIGH TENNIS CENTER – COMMENTS RECEIVED**

Maureen Smith had indicated the community at large would like to be heard regarding parking improvements for Southeast Raleigh Tennis Center. Ms. Smith was not at the meeting. A woman who indicated she was speaking on behalf of citizens of Southeast Raleigh who have joined together to develop the Community Steward Group and are jointly responsible for citing objections to the proposed demolition of the Biltmore Community Center baseball field. She stated only one meeting has been held with the constituents. She presented slides showing the location. She stated they are asking the City Council to ask the Parks and Recreation Department representatives to meet with the group to talk about their findings regarding the study area which have not been presented to the group. She stated the study was to provide areas which would have little or no impact on existing facilities and amenities. She talked about an analysis of property at 1105 Cross Link Road (Clarence Lightner land) which was donated and in excess of \$30,000 the property remains in a desolate status. She asked that that property be considered. She talked about the lack of tennis programs in Southeast Raleigh, restriction of programs on the baseball fields, talked about the various concerns they have, utilization of the facilities, how much the baseball fields are used, and asked that further consideration be given as it relates to the Southeast Raleigh Tennis Center at Biltmore Hills Community Center being done without displacement of any existing facilities. The comments were received.

**TRAFFIC – REQUEST FOR LEFT TURN SIGNAL AT GLASCOCK AND RALEIGH BOULEVARD – RECEIVED**

Della O. McKinnon was at the meeting to request the Council to authorize a left turn signal to be installed at the intersection of Glascock Street and Raleigh Boulevard. She stated she had conversations with Transportation Operations to no avail. She asked the Council to be proactive and go ahead and install the left turn signals and not wait until someone is hurt. She presented photos of the intersection explaining the safety concerns and asked the Council to consider the installation of the left turn signal. The comments were received.

**POWERUP NC – VARIOUS COMMENTS – RECEIVED**

William D. Terry, presented the following prepared statement:

Hello everyone my name is Devon Terry; and I am a member of PowerUp N.C. I will like to talk about the Halifax Court renovation. My experience in the Halifax Court renovation was that it broke up a lot of families and friends. Friends and family members I did not see any more. People I was used to see every day, I don't see any more. In this community we were like a little family. I saw a friend of mines at the mall a couple of weeks ago; I have not seen this person in almost 10 years. When we saw each other it's like our hearts glowed. Now this is a friend that I use to see every day before the renovation. I remember I used to know all my friends names and since then I have forgotten some of their names. In Halifax Court we knew everybody's names even the visitors' names. Now Halifax Court residents are spread all over the city and we hardly

see each other anymore. We are not saying renovation is wrong we are just asking if you are going to move the residents out, that have been there most of their lives, give them a chance to come back and live in their community.

Across the city I see developers renovating the city. My opinion is they are not helping me. When they come into our neighborhoods they want to buy us out. I remember there used to be a grocery store in the down town area. Now there are a bunch of expensive restaurants. The community use to have access to our needs all around us. Now we are moved away from all of these resources. As I have spoken about earlier, the developers came into our neighborhood and moved us away and we hardly see each other anymore. When we do, it is at our reunion we have every year. The Halifax renovation destroyed a lot of families. There is a way we can prevent this. PowerUp N.C. has been fighting for this to not happen. We have a vision for the people.

PowerUp N.C. is an environmental program focused on racial and economic justice. We are working to bring more clean energy jobs to N.C. while lowering people utility bills through energy efficiency. Energy Efficiency programs help people save money, create good jobs that feed the local economy, improve housing conditions, and heal our environment by reducing our dependence on fossil fuels.

I know our vision can help families, can create jobs, affordable housing and utilities.

Thanks for letting me speak and thanks for listening.

Wanda A. Gilbert-Coker, talked about the need for sustainable and equitable housing. She indicated she lived in a vehicle in another location, talked about the shortage of affordable rental housing and ineffective Housing Authority administration. She stated many landlords will not accept Section 8 vouchers and talked about this being a human rights issue. She stated housing needs to be sustainable, no one needs to be forced to move out of their neighborhood and talked about gentrification by white rich investors, called on the Council to protect the rights of residents pointing out her feeling that development should be driven by people for the people, called on the Council to do whatever it can to keep up and provide more affordable housing and talked about the lack of care for the African-American community.

Erika Moss, PowerUP N.C. presented the following prepared statement:

My name is Erika Moss, I live on 113 South Wilmington Street, I have lived in North Carolina for 20 years. I am originally from New Haven, Connecticut, I grew up in a middle class African American community where my family knew who the neighbors were and we coexisted in a pretty tight knit neighborhood. My North Carolina connection comes from my mother, Raleigh is where she was born and raised. North Carolina has always been a second home to me since I was a young child coming back and forth for summer vacations. As a young adult I decided to relocate here after college.

I enjoyed how close knit the African American community was in Southeast Raleigh; I also enjoyed the rich history and what it had to offer me. My grandparents built a family home here in Southeast Raleigh, they have transitioned into the ancestral realm but my Aunt still lives in the home. The changes I am seeing in this community brings such sadness because I see that there is huge effort being made to erase our history in this community.

The changes equate to a new form of colonization that have a lot of our people being pushed out because they can no longer afford to live here. The developers feel as if they are charting new territory and this area is completely up for grabs. One of the elders in our beloved Southeast Raleigh has received over 50 letters from various developers offering to purchase her home for far less than the market value. We love our community as much as anyone else who loves where they live. We feel as though we have just as much of a right to stay here because a lot of us have raised families and we are tired to this area. Change is good but that change has to be fair.

#### **DEVELOPMENT – SUPPORT OF EQUITABLE AND SUSTAINABLE – REMOVED FROM THE AGENDA**

James Bunch, APRI-Raleigh Chapter, had requested permission to speak supporting Equitable and Sustainable development in Raleigh which includes a plan for inclusive housing and police accountability through a community oversight board with investigatory subpoena and disciplinary power. Mr. Bunch was not at the meeting therefore the item was removed.

#### **POLICE, FEES AND POLICIES FOR PUBLIC ASSEMBLY AND VARIOUS CITY ISSUES – COMMENTS RECEIVED**

Angaza Laughinghouse, Raleigh City Workers Union, UE Local 150, indicated he started the chapter in the Raleigh area in 2006 in response to overtime pay, and/or lack of overtime pay. He stated it was a FLSA issue. He talked about the need for affordable housing and ongoing police misconduct pointing out they understand the City couldn't give a review board. He explained their members are talking with the legislature as to why that is not a city authority. He talked about concerns over high fees for people who wanted to exercise their freedom of assembly stating people cannot afford the fees. He expressed opposition to predatory towing which he stated was focused on black and brown residents. He stated they are hopeful about the City Manager's proposal relating to the new pay scale as many employees haven't been able to keep up and he hopes the proposed pay scale will address seniority so it goes with the most experienced receiving more pay.

#### **TOWING PRACTICES – REQUEST TO PROTECT RALEIGH RESIDENTS – COMMENTS RECEIVED**

Yolanda Zavela, Comite Popular, through an interpreter presented the following prepared statement:

Good evening, my name is Yolanda Zavala. I live in Raleigh, NC. Thank you for the space and your time.

I am here to ask for your support in stopping the predatory practices of towing companies that are in violation of city ordinances and state laws. And also to denounce the cooperation of Raleigh police who, in my case, cooperate in those practices.

With that said: I ask that you demand that police enforce the City code that in this case is designed to protect the people and stop protecting these towing companies taking advantage of us.

This is my story:

My daughter came to visit me. Five minutes after she arrived, a neighbor came to tell me a tow truck was taking her car.

We ran to catch up with it to ask why her car was being taken. The driver said that it was because it was badly parked, which is not true.

She begged him to let her take out the things she needs for her baby and asked how much it would cost to get her car back. He said \$125.

He told her she would need to get her car when she had the money but wouldn't provide an address of where the car would be taken.

In my panic, I called the police and told the driver he couldn't take the car until they arrived.

He agreed and assured me the police would charge us with obstructing his work and even arrest us.

He even revved and drove the truck in our direction to get us to move, which we did not in hopes that the police would resolve the matter justly in our favor.

She stated they had to pay the man \$80 and he wouldn't give them a receipt. They had to wait at the entrance, there was no sign telling where the car would be towed, etc. The comments were received.

## **CAC – CITIZEN ENGAGEMENT – VARIOUS COMMENTS – RECEIVED**

Eddie Jeffreys presented the following prepared statement:

I was appointed to the Raleigh Planning Commission in June of 2016. The comments I'm going to make about Citizens Advisory Committees (CACs) and citizens that appear at Planning Commission meetings are strictly from my perspective as a Planning

Commission member. I am not representing other members of the Planning Commission nor am I speaking for the Planning Commission as a body.

Since I joined the Planning Commission, it has seen multiple cases where a CAC has organized and facilitated meetings between neighbors and developers. These meetings have often yielded rezoning requests brought forward to the Planning Commission that are welcomed by those near it and, I believe, result in a better outcome for the city.

A recent case that comes to mind is at St. Albans Drive and Quail Hollow Drive. Thanks the efforts of the Midtown CAC, many neighbors were able to share their thoughts and concerns with the developers of that property. These conversions resulted in some alterations, conditions, and explanations so that the rezoning won nearly universal support from the adjacent neighborhood, and this plan is for intensive development.

Typically, despite being a Planning Commission member, I don't know as much about a street, block, or neighborhood as someone that lives there knows. I don't believe that property developers do either. Information citizens of Raleigh literally bring to the table is valuable to the city and to current and future residents, because they want development outcomes that benefit all affected by it.

Facilitating the input of citizens to reach the Planning Commission to balance with the information relayed by the attorneys and other development professionals that appear before us, brings equity to the process.

When cases before the Planning Commission are not clear cut for up or down votes (for example, when a zoning request is not consistent with the Comprehensive Plan and/or the Future Land Use Map), the input from Raleigh's citizens about the conditions on the ground in their neighborhood can provide the details I need to determine my vote.

I ask you that when you are considering how you are going to implement the Citizen Engagement Task Force recommendations that you look to your citizens as valuable partners in developing a city that people will enjoy and in which their surroundings improve their quality of life.

Raleigh is more astute and robust when it incorporates the input of its citizens in its decisions.

Thank you for this opportunity to speak to you about this important topic.

Willie Stokes pointed out he is the nephew of John Stokes who was one of the first CAC members. He stated what he is seeing is that CACs have lost their power, they have no power nor the information they need to do a good job. They are working in the dark. They are not informed about things happening in their community and it's hard to provide advice or provide input if they do not have the information about what is happening. He stated he does not want the CAC to be a group in name only. He called on the Council to help inform the community of

what the City Council is doing and stated they need help, they need to be provided information so they can provide advice to the Council.

Octavia Rainey, 1516 East Lane Street, gave the Council a copy of the 1981 annual report which talks about “what is the CAC?” She talked about the committees that were held back then, named the Community Development Directors through the years and their work on the various committees, talked about the intergovernmental committee, talked about community input, advice given by the CAC as to what should be makeup the legislative agenda, the need to have a democracy not a dictatorship. She stated she has the entire report and she would like to work with the City on this issue.

Ms. Rainey pointed out Paul Jervay had asked to speak was not able to attend but asked her to read the following report.

Good evening, Madame Mayor, Council Members, neighbors and friends

The replacing of our Citizens Advisory Councils with Citizen Engagement Councils is a step backwards in the progressive movement forward in Citizens Engagement in the City of Raleigh.

The proposed 8-12 Citizens Engagement Councils will be a step down from the existing 19 Citizens Advisory Councils.

Overall in a report by Kretzmann & Moore in 2004 it was very clear that the City of Raleigh was strongly committed to the idea that the meaningful engagement of large numbers of community residents is an important ingredient for a strong and vital Raleigh. The assessment team then focused on the workings of the Community Services Department, and especially it’s Neighborhood Services Division.

The key words here are large numbers of community residents.

The proposed replacement of the current CAC system with CEC is a blatant attempt to limit citizen’s engagement. Again, the 2004 report pointed out, “At the core of the neighborhood’s capacity to effectively express its opinions is, of course, the Citizens Advisory Council. The Councils represent a long and honorable history of community involvement in Raleigh. Recognizing and strengthening their role is critically important.

Instead of dialing back citizen engagement with the CEC mechanism, why hasn’t the City of Raleigh looked into exploring ways to support our CACs through the development of “Neighborhood Resources Centers.” Such a center, governed by the neighborhoods (the RCAC) could serve as a convener, an incubator for good ideas, a place where citizens might gather to formulate their agendas.

Let us look honestly and not politically at the benefit that 40 plus years of the CAC system of citizens engagement has delivered to make Raleigh one of the top cities in the county.

Folks, if it's not broke, why are we attempting to fix it with what would muffle the voices of thousands of our citizens across this city.

**WE SUPPORT CAC'S!!**

Michi Vojta pointed out 40 years ago the City Council created the CACs. She stated the Citizen Engagement Task Force could not find any better model than what we have in the City of Raleigh. Our CAC works. She stated this is not about disbanding the CACs but about considering the recommendations of the Citizen Engagement Task Force. She stated the Task Force made the recommendation without including the people who have been active in the CAC. She talked about the need to involve the CAC's, talked about the Board that is being recommended and her reading of the minutes of the meetings of the Task Force. She stated she feels this is really about removing the CACs voice from rezoning process.

Carole Meyre, 1516 Hanover Street, highlighted the following prepared statement:

Good evening, I am speaking tonight as Chair of the Raleigh CACs.

I appreciated the opportunity to represent the RCAC on the Citizen Engagement Task Force, and I support making things better, including or CACs. I was excited that we were challenged to think "blue sky" about what the BEST model for engaging citizens could be.

While the Task Force was comprised of dedicated people who gave their time, I'm afraid we didn't answer the broad strategic question: What's the best model for citizen engagement in Raleigh? Instead, the focus was reduced to the CACs – just one piece of overall engagement.

While I believe the final recommendation to Council includes some worthy ideas, I also believe it doesn't address that strategic level question. Most importantly, in my view, replacing the CACs with a board and some number of engagement councils is NOT a better model. Therefore, I didn't vote for the final recommendation.

Here are 2 things we ask from you:

- 1) **Increased support for CACs**
  - Help set up more digital communications
  - Share tools like Planning's handheld voting devices that can be used in large meetings with votes
  - Broadcasts key meetings on RTN
  - Provide training where needed

2) **Promote CACs**

- As you know, the CACs are led by volunteers with support from the Housing and Neighborhoods Department. The City has a fine communications department. Let's leverage those professionals and channels to better promote the CACs and let people know how they can get involved.

As elected officials, you have an opportunity to help lead Raleigh to the next level – to truly envision and put into practice, a best-in-class engagement program that is worthy of the great city that we are. Such a huge task requires the work of true experts in this field and I hope that you will seek out top quality professionals to drive the process.

The CACs can partner with the City to remain a critical component of an overall engagement program that facilitates citizen-led two-way communication. **Eliminating Citizens Advisory Councils in the name of citizen engagement fails the basic tenets of this entire process.**

On behalf of the Raleigh CACs, we ask that you affirm support for CACs and reassess the Task Force recommendation, and plan for a comprehensive, city-wide citizen engagement program.

And finally, I would like to ask that everyone who is here in support of CACs, and strengthening them, to please stand.

Approximately 125 persons stood.

Bob Geary, Hillsborough CAC, talked about the work of the CAC and how it brings people together. He talked about the need to bring people together to talk to each other pointing out while we talk about a digital community and communication it is necessary that people talk to one another face to face. He talked about attendance at their CAC, how they operate, expressed appreciation for the Mayor's remarks at the beginning of the meeting supporting the CACs pointing out he is not saying that things could not be done better, but he strongly supports the CAC process.

Will Marks, highlighted the following prepared remarks:

Hello my name is Will Marks and I live at 301 Fayetteville Street Raleigh, North Carolina.

This evening my purpose is to share some thoughts about Raleigh's public discourse.

To accomplish this I am looking through the lens of love of and service rendered to the city of Raleigh through CACs and the RCAC—homes to robust information sharing, inquiry, discussion, and debate.

Citizen engagement is a crucial element of the public discourse.

At its best citizen engagement equals and is characterized by communication facilitated by a dynamic information loop. This information loop is informed by a variety of entities including:

- Members of Wake County government
- Members of our municipal government
- The police
- Members of city staff
- Our elected officials
- Individuals including those representing institutions of higher learning, public private partnerships, private enterprise, non-profits, citizen advocacy groups, citizens, and members of other CACs.

The information shared by these folks at CACs prompts CAC attendees to share feedback which starts a conversation resulting in the information loop being driven by the ongoing discussion.

This discussion enriches and informs the public discourse which informs what is going on at this table (pointing to the council table) which has a positive impact on the decisions made at this table. That has a positive impact on our collective future.

It is an article of faith among professionals in the information and communication businesses including those working in municipal governments—give people the information that want and need through their preferred information channels.

In Raleigh CACs are the preferred information channels for hundreds of deeply committed, intelligent, informed citizen stakeholders.

Causing CACs to cease to exist as defined in our bylaws will have a deleterious effect on citizen engagement, the public discourse, and the Raleigh brand.

For these reasons you are respectfully asked to avoid any action which will change CACs as reflected in our bylaws because doing so will hollow out our public discourse dealing a significant blow to citizen engagement and Raleigh's brand equity.

Raleigh's brand equity is composed of a number of components but the three which will likely be the most diminished if CACs are dealt with, as implied, will be these three components—trust, transparency, and inclusiveness.

We do not want to go down that road especially because we are a city always promoting ourselves as bright innovators who win magazine awards and such. We want to preserve and build our brand equity so let's get this done right.

Donna Bailey spoke in support of the CACs, talked about how it brings people together, support/lack of support from the City, efforts in the past, attendance in the past, the results and turn out in the last municipal election and how she feels that increased participation will help get more people out to vote, how the CAC is a critical voice that is needed in Raleigh, how they are one piece of the pie, the role in reviewing rezoning, the recommendations of the RCAC and CAC relative to notice area for rezonings being increased from 100 to 150 feet which was recommended by staff, how to include more people in the notification and suggested that the Council move forward with the initial recommendations about notifications for rezonings.

Michele McIntosh highlighted the following prepared statement:

I have three comments on the Citizen Engagement Task Force recommendation.

FIRST,

My neighborhood has no organization for the proposed Level Four City Involvement Network

- We have no Home Owners Association
- We started a neighborhood watch and met regularly for a few years after a crisis, but interest dwindled once the crisis abated. We no longer meet.
- Our median annual household income is less than \$46,000. Many of my neighbors work long hours, and some work second shift, and are unable to attend meetings regularly.
- Our neighborhood is 25% rental, and we also have a lot of turnover in homeowners. Of the organizing group that started our neighborhood watch less than 10 years ago, less than half of us remain in the neighborhood.
- Our CAC is our most consistent organizing body in our area
- Our level of participation in our CAC varies, but for important matters our members get the word out and we have large turnouts. For example, when the Planning Department held an Area Planning Workshop for Buffalo and New Hope, one of the staff members told me it was among the best attended meetings they had facilitated.
- Because we do not have a Level Four City Involvement Network organization, my neighborhood needs our CAC.

SECOND,

I believe a citizen vote for rezoning should be maintained at the CAC level.

- A CAC vote against a development in our area gave subsequent developers an incentive to meet with us and incorporate our concerns into their development proposals for our neighborhood.

- Our CAC voted in favor of the two new developments at the intersection of Buffalo and New Hope, because of the efforts made by the developers to address our concerns.
- I do not believe the developers would have bothered speaking with us, if they were not concerned about our potential vote against them at our CAC.
- I believe our neighborhood's example of working with developers should be encouraged in other neighborhoods, for better relations between residential and commercial developments.
- A direct citizen vote for rezoning at our CAC should be maintained.

THIRD,

I support Councilor Stephenson's recommendation to hire nationally recognized experts in citizen engagement to help Raleigh in this process.

All of us, whether homeowners or renters, should have a meaningful voice in our neighborhoods' future.

Sam Alcine, Central CAC, concerns about the Task Force recommendations need to keep CACs not CEC's, fact that CAC are citizen lead, need for effective leadership in the CACs and important of CAC..

Lillian L. Thompson, 3641 Top o Pines Court highlighted the following prepared statement:

I am chair of the NE Citizen Advisory Council. I support continuous improvement of the existing CAC into a more refined and aligned program model. Even though this program has a long history, the operational 'hands off style' of staff has allowed it to evolve organically without intense scrutiny or in some cases proactive intervention. As a result the present model tended to yield entrenched or long term leadership citywide. I inherited such a framework.

I read the ambitious Task Force report and I understand it is a 'done deal' and we are here today to express our concerns after the fact. Our comments may reveal some of the challenges, but then again, Raleigh is growing, gentrifying, and gingerly changing out long held institutional programs, including the CAC. It does seem reasonable for City Council to consistently have a high level of reliable citizen input.

I did notice the appointed Citizen Engagement Board will report directly to Council quarterly. Moving an organic CAC under an appointed board, will require considerable effort transitioning to a multiple layered system, with new divisional regions for citizen engagement, that uses the typical 'Small Area Planning' format which informs, solicit opinions, survey, yielding prepared staff reports, for the Community Engagement board members to process then issue a trusted conclusion to Council, quarterly. That was a mouthful, and I believe it will be a massive staff challenge to implement even with consultants.

How do I know? Recall I was part of a city staff team to formulate an empowerment model for the SE Raleigh community working with CAC Leaders and other prominent citizens. That model had some of the best minds in the city and the struggle was real.

CACs remain an intrinsic voice to Raleigh's future, therefore, I propose the following:

Simplify your model to keep key features that add value and passion to volunteers:

- Continue to BE an Advisory Council connected to the Planning Commission on rezoning;
- Remain grassroots and organic while continuously improving performance standards;
- Establish an accountability platform that empowers communities and future leaders;
- Encourage democracy through civil discourse and resolution at the community level;
- Support CAC's through collaborative outreach that ensures sustainable involvement;
- Assigning new CAC boundary areas must be done with CAC involvement.

Adam Whitesell, Five Points CAC, spoke in support of the CACs. He pointed out he is a businessman, father and he had never been a part of this group until recently, and not the typical CAC member and he feels he represents the future of our city. He talked about how he got involved, the demographics of the CACs, citizens supporting and promoting city events, social media, and support of the CACs in general.

Roger Kosak, 2004 Petworth Court highlighted the following prepared statement:

Resident of District A and have participated in the zoning process in the CACs and other neighborhood city issues including, stormwater problem Parks, Transit and other matters with the city council and staff since the second term of Julian Ford.

Have frequently represented the SHOA concerning zoning proposals at the CAC, Planning Commission and City Council and represent my residential and civic interests at this hearing.

Do not agree with the recommendations of this report and some of the criticisms of the CAC performance over the last 20 years. There is no clear statement of the problem that needs to be corrected and specific facts that support the problem. The recommended corrective actions have not been directed to the specific problems. The report needs additional work before implementation using better analysis methods and clearer justification for changes.

**CONCERNS:**

Authors did not use the scientific method or a problem solving outline to develop and complete the report. Problems are not accounted for in the solutions.

Major concern is that the recommendations replace the democratic process of the current CAC meetings and reporting structure with an undemocratic process that has no recorded votes and authority. The report simply does not make solid case for the elimination to the CAC function and reporting. The report discussed many information flows but did not show report requirements or a flow chart of how the final process would work. Based on my experience in system design and communicating to end users this is not a simple task. After going over the complete report two three times the old truism IF IT AIN'T BROKE DON'T FIX IT popped involuntarily into my head. Sorry

There is no dispute that CAC zoning meetings can be messy and difficult for all parties. If we had a couple of hours I could give examples with reasons and how problems resolved the votes take. Residents take very seriously property values, potential and current stormwater problems, traffic congestion and neighborhood security and safety. Currently the zoning proposal is voted on during the CAC meeting eventually goes forward to the City Council where it is presented by the chair. This vote is part of the input to the Council along with the Planning Commission report and comment from the floor and a formal presentation by the proposal team. This is an established democratic process in Raleigh and has been for long time. We all know what happened when the UDO had its series of public hearings without prior public reviews of some of the specifics. There is NO comparable democratic process in the recommendations. Communications are specified but not in a complete process flow. There is a recommended additional board appointed by the City Council that reviews and make a recommendation but has no citizen input vote authorized. My opinion is that it is redundant and the Planning Commission actually plays this function today.

The fact that there is NO direct CAC community type report to the Council is clearly undemocratic. In my opinion this is a fatal flaw in the report. This report needs to be cleaned up in a problem, solution relationship.

In 1776 democracy was messy and in 2017 in Raleigh democracy is messy.

Stefanie Mendell, 3225 Oak Grove Circle, highlighted the following prepared statement:

Good evening. I agree with others that we need to ensure that CACs continue to have a voice in rezoning requests. I also agree with those who have pointed out the need to include more community members in working toward a comprehensive community engagement plan.

My background is in employee engagement and communication, and because many of the same principles are true for community engagement community engagement plan.

For example, it's always difficult to reach large numbers of diverse populations when you are competing for their attention with many other priorities. So it's important to use a variety of tools in a variety of ways regularly over time. And it's important to understand that you won't reach everyone and you won't engage everyone. And that's okay. The key is to ensure that the people who do care are informed and that they trust enough to engage.

Ultimately it's the words and actions of the leaders that build trust with the community. A key tenet of leadership communication is the idea that you can't NOT communicate. For a leader, everything you do and say, and everything you don't do and don't say, sends a message. Many times it isn't the message you intended to send. Many times you are not even aware that you are sending a message.

I'm sure it wasn't the intended message, but the message that many of us took from the Citizen Engagement Task Force is that citizen input, especially through the CACs, actually isn't wanted or valued.

The task force almost seems to have had another agenda in focusing almost exclusively on the CAC as the keystone of engagement. While CACs certainly represent an important engagement tool, there are many other opportunities residents have to engage with the City and those should be examined along with CACs as part of a holistic communications audit that seeks to quantify and evaluate the various engagement tools in place.

Not only will an audit identify gaps and opportunities, but it also will show where there's room for improvement in all of these tools, whether they be CAC meetings, the City's web site, council meetings, public hearings, or individual interactions with council members and city staff.

By the turnout here tonight, not only for this issue, but for several others, it's clear that Raleigh has residents who have passion and energy around a number of critical issues. That's exciting!!

Let's use that energy to make meaningful improvements in how the City interacts with its residents. I ask you to commit to the continued involvement of CACs in the rezoning process in order to balance the influence of developers. And I ask you to commit to a community engagement process that seeks to harness the power of our entire community by involving more residents in addressing the issue of engagement.

Terry Snyder, 1316 Westfield Avenue, highlighted the following prepared statement:

Mayor McFarlane and Members of the City Council:

My name is Terry Snyder and I currently reside in District E at 1316 Westfield Avenue. I have lived in Raleigh for 45 years and am a strong advocate for growth and development that strives to enhance and improve our city while preserving and protecting the existing beautiful well-established neighborhoods. I appreciate the opportunity to speak to you tonight on behalf of myself and Community SCALE.

Community SCALE\* is a nonprofit coalition of residents working together that was formed in 2007 and incorporated in 2009. Our mission is to advocate for property and land development in our neighborhoods that respects the existing buildings, the natural environment and the history of individual neighborhoods.

As members of Community SCALE we have a vision for growth that enhances neighborhoods and is compatible with existing infrastructure such as roads, water and sewer and schools. We are very interested in and strongly support reasonable and responsible growth.

A key to your work and to ours is the ability to communicate effectively with citizens across the City. We are very invested in citizen engagement and welcome the City's interest in promoting engagement.

We believe that the report of the Citizen Engagement Task Force offered some interesting ideas. This is a good start, but there needs to be additional opportunities for community engagement in a more holistic fashion. Before you move forward with this initiative, we urge you to engage more citizens in the process.

We believe that a significant citizen engagement problem exists. Therefore, we ask you to revisit your decision on an appointed board by conducting a comprehensive survey of the CACs and Raleigh's citizens to ascertain their perceptions and experiences around citizen engagement and giving them the opportunity to bring forth a citizen-driven plan of action.

We applaud your desire to improve the way City staff and elected officials engage with Raleigh's citizens. The members of Community SCALE are committed to working with you to make that happen.

\*Streets that connect people under a Canopy of trees with Architecture of different types and Land preserved for a neighborhood Everyone can enjoy.

Sarah Roholt, 1224 Mordecia Drive, highlighted the following prepared statement:

My premise is that CACs offer a valuable vehicle for promoting and supporting citizen engagement in its broadest sense.

I have been involved with CACs since 1986 and have experienced my neighborhood CAC taking a leadership role in a broad array of community issues including:

- Obtaining grants,
- Promoting the Raleigh Neighborhood College,
- Negotiating with the TTA related to light rail (which of course we are still waiting for),
- Developing a Neighborhood Plan
- Voting on rezoning cases,
- Supporting the Person Street Partnership and more recently policy development for backyard cottages

I propose that each of the 19 CACs offer similar leadership on issues important to their residents.

I agree however, that the 19 CAC's have become increasingly disparate in their size, operating procedures, leadership abilities/capabilities, and staff and citizen involvement. I believe the challenges facing the CACs are not attributable to the CAC concept itself, but rather jointly to citizens failing to demand change and to the City failing to redefine and strengthen its commitment to the CACs.

I therefore supported the creation of the Citizen Engagement Task Force and attended most of their meetings. Unfortunately, I was concerned and disappointed with the overall workings of the task force and their report only confirmed some of my concerns.

My first major concern is with the approved Citizen Engagement Board (CEB). While I am comfortable with the concept of this Board, I am very uncomfortable with its proposed make-up. For the ongoing integrity of this Board, it is essential that it be inclusive of individuals with practical knowledge of and experience with community engagement. Should the board remain I ask that you increase the size of the Board and mandate that at least two-thirds of its members be "community leaders" nominated and chosen by citizens.

The Citizen Engagement Councils (CECs) are a second major concern. While intended to be a second generation of the CAC system which I support, the proposed structure considerably reduces the number of CECs. For many, the CEC may be a primary vehicle for citizen engagement. I suggest fewer councils will result in decreased citizen engagement and that tasking the Board with the structure and creation of the CECs is potentially fraught with problems. Again if CEC's stay to counter these concerns, I ask that Council increase the number of CECs to upwards of 25 and direct the Board to establish a working group inclusive of non-board members who are past and present CAC leaders to develop the CEC structure and subsequent implementation process.

As for the Task Force's recommendation regarding the Rezoning Process, I am still trying to envision its practical implementation. I hope there is considerable more public discussion and thought given to this recommendation.

In conclusion, I ask Council to:

1. Increase the size of the Community Engagement Board and assure that half of its members are “community leaders” chosen by citizens.
2. Increase the number of CECs and direct the Board to establish a working group inclusive of non-board members who are past and present CAC leaders to develop the CEC structure and subsequent implementation process.
3. Assure continued public input on the Board’s activities and on the proposed rezoning process.

Will Hooker, 610 Kirby Street, highlighted the following prepared statement:

I am the Vice Chair of the Hillsborough CAC, and I’m speaking tonight in favor of an effective citizen engagement model for Raleigh, and commenting on the Citizen Engagement Task Force report, which has been previously approved.

I have lived in Raleigh for almost 40 years, but it wasn’t until a little over 15 years ago that I finally began to consider Raleigh my home. Before that I lived here because I absolutely loved my job, teaching at North Carolina State University. But Raleigh was a disappointment to me because it didn’t seem to value highly enough those qualities that make living here a joy. Fifteen or so years ago the city government finally seemed to realize that the quality of life in Raleigh was equal to or even more important than either politics or making money. And this came about from the residents of Raleigh voicing their concerns and voting in line with those concerns to improve what Raleigh was all about.

From the United Nations’ report, “Guidelines for Citizen Engagement...,” it states that the traditional one-way mechanisms, either by governments or citizen groups, are not really effective. It states that an active two-way dialogue between citizens and government is necessary to bring meaning to people’s participation in governance and to reinvigorate current democratic processes.

The question is, “How do we design and institute an active two-way dialogue? Our Parks Department is being hailed as an effective model for citizen engagement in our city, and in their document, “Public Participation Guidelines for Park Planning,” it states in their Principles, #3.(b), “The Department shall design public participation processes with those participating in them.” We did not do that in creating the Citizen Engagement Task Force proposal.

I am asking that you reassess the Task Force’s recommendation, and create a comprehensive citizen engagement program, this time with citizens involved in the crafting of this program.

Patrick Martin, 300 Foxhall Street, presented and highlighted the following prepared statement:

The Task Force had some good suggestions such as a 500 foot or greater notification distance to neighbors for zoning changes; the need for some standardization among CACs; and greater use of technology in reaching a wider number of citizens.

However the task force missed an opportunity by trying to develop a citizen's engagement policy without talking to the citizenry.

At this point, we do not think a permanent Citizen Engagement Board is the answer to better engagement. The board is an additional layer of bureaucracy between citizens and the government. Our suggestion is a temporary board led by engaged citizens to review and build on the existing CAC process. There is room for improvement with the CACs but don't throw the baby out with the bath water. The CACs are excellent forums for citizens across the city to discuss what should be our next steps to improve citizen engagement.

Also when the CAC size is too large, as would happen with the proposed CEC's at any single meeting there can be too many topics and issues that will not be of immediate concern for all attendees, and we lose their attendance.

Just one more point, regarding rezoning. Attendance peaks, quadruples or more, when rezoning is discussed, so rezoning is obviously important to Raleigh citizens. Citizen discoveries about and discussions of specific rezonings are an important function that CAC meetings enable.

So let's reassess what we have learned from the Task Force exercise and proceed in a positive direction.

Susan Donn, 512 Northwood Drive, highlighted the following prepared statement:

I attended four meetings of the Citizen Engagement Task Force and embraced their "Blue Sky" philosophy. As a result, I hoped for four things:

First, I hoped that each member of the task force would have attended at least one meeting of the 19 CAC's being studied.

But, that was not true. Less than 1/2 of the Task Force members had ever attended a CAC meeting.

Section. I hope that the Task Force would allow input from attendees

But, we were not called upon to speak.

Then, I hoped they would acknowledge that as a result of Raleigh's population growing by more than 60 people daily, the number of CACs would need to be increased.

But, there are even fewer proposed Citizen Engagement Councils (CECs) than CACs

Finally, I hoped that since human communication is becoming more streamlined through the use of hash tags, Twitter, and text messages, for example, that the Task Force would take a more streamlined approach to communication between the CACs and the city government as a whole.

Instead, the Task Force has proposed a cumbersome "Holistic City Engagement Structure" with five separate levels

To summarize, we had qualified, well meaning, hard-working Task Force members creating a proposal without the benefit of personally gathered data, thereby creating a system that is even less nimble and less directly responsive than that we currently have.

I sincerely request that you re-assess the recommendations in the CETFs report.

All of the comments were received.

#### **RALEIGH FOR ALL – TRIANGLE PEOPLE'S ASSEMBLY - COMMENTS RECEIVED**

Jhari Derr-Hill, Triangle Peoples Assembly, talked about the excessive fees which makes it prohibitive for groups to assemble, etc. He talked about groups he is a part of which were trying to stage various events such as Triangle Unity May Day a coalition which represents the working class who were trying to have a march in the city. He talked about the various fees which totaled around \$1,175 - \$100 application fee, \$250 late fee, \$325 fee for rental, \$250 for insurance, etc. He stated it is a challenge to figure out how to pay all of these fees. He stated a Raleigh for all would not be charging these exorbitant fees for assembly or demonstrations. He does not feel that there should be this type fees. He talked about the restrictions such as no bull horns, no amplifiers, explained problems with their signs, orders they were given about disassembling their signs, etc. He stated they were planning very peaceful events but had to have sworn police officers to oversee the event. He stated those in support of his concerns are in the audience and asked them to stand and approximately 50 people stood in support of his remarks.

#### **POLICE – CONCERNS – REMOVED FROM THE AGENDA**

Anika Hinton had asked to address the City Council relative to concerns about the Raleigh Police Department. Ms. Hinton was not at the meeting therefore the item was withdrawn with no action taken.

**MATTERS SCHEDULED FOR PUBLIC HEARING****BUDGET – 2017-18 – COMMENTS RECEIVED – REFERRED TO BUDGET WORK SESSIONS**

This was a hearing to receive input on the proposed 2017-18 Budget and related ordinances. The Mayor opened the hearing.

Rick Miller - Haraway Catholic Charities indicated his group applied for funding through the outside grants process and he is at the meeting to request that the Council fully fund their proposal as presented. He talked about utilization of their funds relating to housing, their work with various faith congregations throughout the city, pairing up with volunteers, mentors, etc. He talked about their funding request, what the proposed budget includes, and talked about the request from the city relative to unspent funds and ability to carry over those unspent funds. He went through the figures of what the group was granted in this year's budget, what they had spent, the request to spend the funds and the inability to carry over funds, and asked the Council to consider supporting their full request. In response to questioning, City Manager Hall pointed out staff would provide a budget note or information on use of unspent funds.

Keith Williams, Interfaith Food Shuttle, indicated there were many people in the audience who support funding of Interfaith Food Shuttle and approximately 50 people stood. He expressed appreciation for the funding in the past and asked for continued funding. Council Member Baldwin expressed appreciation to all of the work of the group and thanked all of those who always showed up and supported their request.

Larry Callahan, 7011 Rough Stone Lane, talked about the American Heart Association and pointed out he is in support of improved bike and pedestrian pathways. He pointed out he walked and rode bikes to grade school, high school and college and he continues to ride for health reasons and pointed out riding and walking does help all increase their health conditions. He stated we need to have pedestrian and bike pathways all over as it does provide for better health, brings in tourist, economic development, etc. He stated we have a lot of high tech people in the area and they love to ride bikes, etc. He provided some information on the Heart Association and the health benefits. He asked the Council to fully fund bike and pedestrian pathways to support the city's economy, health and well-being.

Jennifer Dean, WakeUp Wake County, presented a prepared statement supporting investment in GoRaleigh, commended the City for the construction of 20 new bus shelters last year, talked about the need for affordable housing being close to bus and commuter rail, art on bus shelters, the large unmet need for affordable housing, support of the 3% increase in water and sewer rates to help address the concern of Raleigh's growing and aging infrastructure, work that the city completed over the past year, clean drinking water and the good value citizens get, and supported whatever is needed to provide clean water infrastructure at Falls Lake. She stated no one likes increased fees or taxes but the citizens of Raleigh are getting a good value and called on the Council to continue seeking strategies to protect our water and green space.

Octavia Rainey pointed out she is past chair of the Fair Housing Hearing Board. She presented a copy of the September 22, 1976 N&O article which featured information on the City's passing of the Fair Housing Ordinance. She pointed out we have a Fair Housing Ordinance but one cannot file a fair housing complaint with the City. It must go to the state which is already overwhelmed with complaints. She asked the Council to consider funding a civil rights division, talked about the City receiving federal funds and the requirements that go along with that which include support for a civil rights unit. She talked about the Summer Youth Program and asked that the City consider additional funding for that program.

James Booker, III, pointed out he has worked in the Solid Waste Services Division for some 11 years. He pointed out they all appreciate the City's efforts on the new pay plan which he called a good step forward. He stated they had submitted their request to the City Council through the Union. He stated under the new comprehensive pay plan, many workers will receive a pay increase and called on the compensation plan to be based on years of service, merit, etc. He called on it to be put in place in a fair way to compensate people on merit and get the City workers caught up as many are years behind, the step plan pointing out he does not feel that is enough as a worker would be limited to 5% every two years, called on the need based on seniority, expressed concern about it being applied fairly. He talked about the new proposed budget and the cost of insurance and concern that the premiums continue to rise.

Joey Stansbury stated the Raleigh City Council and Raleigh's government has pushed the notion that tax increases are the necessary result of police officer and firefighter raises. Raleigh taxpayers should not be fooled by this spin. Police officer and firefighter raises are not driving these increases rather it is a result of bad budgeting decision past and present. Tax increases are paying for police body cameras, not police officer raises. Reasonable cuts and wasteful programs not needed for central services would allow Raleigh to deliver raises to its public servants. In addition we've got a road bond that we just passed earlier today for when we put on the ballot and that's another tax increase that you all are proposing for city and the citizens of Raleigh. Mr. Stansbury stated he has gone through and read every single page of the City of Raleigh's budget the last few weeks and I have come across over \$4.2M which could easily accomplish giving raises to all of our city employees, police and firefighters and not raise taxes in fact you can probably be on the way of reducing taxes to the City of Raleigh citizens. \$400,000 upfit in the Raleigh Union Station, \$1.74M for police body camera program for this year along, \$800,000 reduction just to the City Plaza for \$1.2M instead of \$2M, Human Relations Director, Executive Director position to the tune of \$121,000. I sincerely doubt we need a social media specialist to the tune of \$54,000 for the Raleigh Police Department. Mr. Stansbury stated there are a lot of things in the budget that could be looked at and make reasonable cuts, such as the \$25,000 to the State of North Carolina for Racial Justice Program, over at the museum.

Jeff Cheek, Burning Coals Theater, talked about the history of Burning Coal lease with DHIC, raising money to renovate the theatre, etc. He talked about problems with the leaking roof, heating bills, water bills, etc. He expressed application to the City and asked for \$25,000 to put on a new roof. He talked about the number of people who utilize the theatre and attend events.

Travis Bailey, 1024 Dorothea Drive, talked about funds the City could save by changing from cable to digital TV. He presented a packet of information, talked about the use, how funds could be saved, etc. Council Member Branch asked if staff had look into this situation with City Manager Hall pointing out staff is already working on that type conversion and he would ask staff to work with Mr. Bailey.

The Interact Executive Director talked about their work with the citizen, police, sheriff's department, number of victims they serve, number of visitors, crisis calls they receive and the various activities relating to domestic violence and respond to their funding and pointed out they are requesting outside agency funding in the amount of \$100,000 so they could update various equipment. Brief discussion took place clarifying the amount of the request and the amount being requested.

No one else asked to be heard, thus the hearing was closed and the comments referred to budget work session.

**ANNEXATION PETITION – 420 CHAPANOKE ROAD – HEARING – ORDINANCE AND RESOLUTION ADOPTED**

This was a hearing to receive input on a proposed petition annexation known as 420 Chapanoke Road (Hurich Self Storage).

Following the hearing, if the Council wishes to proceed with the annexation, it would be appropriate to adopt an ordinance annexing the property effective June 6, 2017 and to adopt a resolution placing the property in City Council Electoral District D.

The Mayor opened the hearing, no one asked to be heard thus the hearing was closed. Council Member Baldwin moved approval of an ordinance annexing the property affective June 6, 2017 and adoption of a resolution placing the property in City Council Electoral District D. Her motion was seconded by Council Member Gaylord and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 712 and Resolution 475.

**REZONING Z-46-16 – HARDEN ROAD – HEARING DEFERRED UNTIL JULY 5, 2017**

**ADJOURNMENT**

There being no further business, Mayor McFarlane announced the meeting adjourned at 9:10 p.m.

Gail G. Smith  
City Clerk

jt/CC06-06-17