



Livable Streets Update (FIVE IN FIVE)



DowntownRaleigh

November 9, 2007

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SOLID WASTE SERVICES PAY DISPUTE RESOLVED

The City Council has approved a settlement of a lawsuit filed in July 2007 by 50 of the City's Solid Waste Services employees who claimed they were not paid for all the work they performed. (Four of the plaintiffs voluntarily dropped their claims.)

The settlement is subject to approval by Senior U.S. District Judge Malcolm J. Howard. The proposed settlement includes a payment from a maximum of \$325 to a minimum of \$50 to each of the qualified parties. The payment will depend on the actual time the employee physically worked during April 1, 2005 through Sept. 15, 2006.

The lawsuit, *Adams, et al. v. City of Raleigh*, claimed that the City had not paid some of the Solid Waste Services employees for work they performed during that time.

When these complaints were made known to City Manager J. Russell Allen, he ordered a thorough time and payroll audit of all the Solid Waste Services Department's records in December 2006. Mr. Allen said the audit resolved any question of payment for accrued overtime for approximately 80 percent of the department's staff. The City paid all employees for any overtime they had accrued.

Even so, the City is advising any Solid Waste Services employee who was not a party to the lawsuit but believes their pay was not accurate during the stipulated 17 _-month period, to contact the department's director for any further consideration of similar payments.

In addition to conducting the comprehensive audit, upon learning of the complaints, Mr. Allen also instituted electronic swipe cards the Solid Waste Services staff now is required to use to verify the time worked.

The settlement was reached through voluntary mediation between

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the City and representatives of the 46 Solid Waste Services employees who asserted that they were not paid fully for some work they performed during scheduled lunch breaks, or before or after scheduled work shift hours. The City contends that the employees that may have worked before their scheduled work time or worked through their lunch breaks left early to account for it and did not work more than 40 hours a week, the threshold established by the Fair Labor Standards Act to qualify for overtime pay.

“The City greatly appreciates the excellent service our Solid Waste Services staff provides,” Mr. Allen said. “The City continues in its commitment that every employee that is covered by the Fair Labor Standards Act will be treated fairly. After our comprehensive time and payroll audit and resolution of this lawsuit, we believe all pay issues are resolved.”

COUNCIL TO HOLD HEARING TO DISCUSS PROPOSED ROUNDBABOUTS

The Raleigh City Council will hold a public meeting in early December to discuss the proposed roundabouts and street improvements at the Morgan/Hillsborough streets intersection.

No specific time or location has been established for the meeting, but it will give the stakeholders in the proposed roundabouts an opportunity to review the proposed plans and ask questions of the City’s Public Works Department and provide feedback to the Raleigh City Council. The Council will discuss the topic at its meeting on Jan. 8.

Once a location and time for the December public meeting are established, the information will be posted on the City’s Web site at www.raleighnc.gov.

COUNCIL AWARDS BID FOR LIGHTNER PUBLIC SAFETY CENTER

The Raleigh City Council voted unanimously Nov. 7 to award a \$954,300 contract to Kling Stubbins/Cherry Huffman to provide design work and other professional services for construction of the Clarence E. Lightner Public Safety Center.

The public safety center will be located on the corner of Hargett and

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McDowell streets, currently the site of the City of Raleigh Police Department headquarters. The 15-story, 260,000-square-foot facility will enhance the City's ability to consolidate public safety operations and other local government offices and functions at one location, including the City's police and fire departments and the Raleigh/Wake Emergency Communications Center. The public safety center is named in honor of the late Clarence E. Lightner, who served as mayor of Raleigh from 1973-75.

CITY COUNCIL ADDS PROVISIONS TO RESIDENTIAL INFILL PROPOSAL

The Raleigh City Council Nov. 7 added two provisions to a residential infill text change proposal.

The new provisions would:

- Expand the zoning districts for which reduced height and increased setbacks would be applicable to include special Residential-6 (R-6) and Residential-10 (R-10) districts. R-6 allows for six homes per acre and R-10 allows for 10 homes per acre; and,
- Allow the reduced maximum building height to supersede standards permitted by a neighborhood conservation overlay district, if taller structures are permitted

The City Council and the Raleigh Planning Commission are scheduled to hold a public hearing on the proposed residential infill text change, referred to as TC-8-07, on Nov. 20 at 6:30 p.m. in the council chamber. TC-8-07 would amend setback and height requirements within residential zoning districts.

BLUE SKY FORECAST FOREBODES RETURN TO EXCEPTIONAL STATUS; SUPPLEMENTAL WATER SOURCE APPROVED

A bone dry forecast projects a short-lived status in the extreme drought category for the Triangle. This, despite the City of Raleigh's good news that the average demand since Oct. 23 has dipped to 41.2 million gallons per day (MGD). That was the date that Amended Stage 1 water restrictions were put into effect. This average reflects a reduction of 22 percent over the average pumpage of 52.8 MGD experienced from Aug. 28, when Stage 1 restrictions were implemented, to Oct. 23. (The total reduction achieved by the water use restrictions since Aug. 28 is 37 percent.)

Web links

City of Raleigh

www.raleighnc.gov

Wake County

www.wakegov.com

Downtown Raleigh Alliance

www.godowntownraleigh.com

Greater Raleigh Chamber of
Commerce

www.raleighchamber.org

Greater Raleigh Convention
& Visitors Bureau

www.visitraleigh.com

The Amended Stage 1 restrictions enacted further water conservation measures that prohibit lawn irrigation and washing vehicles at home for Raleigh water customers.

The 4.4-inch rainfall of the last week of October prompted the U.S. Drought Monitor to downgrade the Triangle's drought classification to "extreme" from "exceptional." However, a blue-sky forecast for the coming seven days means a return to the most severe drought status of "exceptional" is anticipated.

According to the National Weather Service's rain gauge at Raleigh Durham International Airport, the area is 6.7 inches below normal for rainfall in 2007.

The current 30-day pumpage demand for Raleigh water customers is 45.9 MGD which is 2.8 MGD less than the 30-day average of Oct. 31. Using this 30-day pumpage average, 115 days of water supply remain in Falls Lake, Raleigh's primary water source. This projects to Feb. 29, 2008. (This assumes the worst case scenario of no rain during the period and use sustained at the current 30-day pumping average.) This is an increase of eight days from last week's projection. This increase is due to the drop in demand that has occurred since the Amended Stage 1 restrictions were put in place.

On Nov. 7, Falls Lake measures 243.25 feet, which is 8.25 feet below full. (The last date the lake measured full, which is 251.5 feet, was May 24.) The lake fell to an historic low of 242.75 feet on Oct. 24, before the 4.4 inches that fell on the area Oct. 24 - Oct. 26.) The lake's present level reflects a water supply pool of 36 percent.

Augmented Source Approved

The City of Raleigh will begin transmitting raw water from Lake Benson and Lake Wheeler to the Neuse River to extend Falls Lake's water supply pool. The U.S. Army Corps of Engineers (COE) has approved a proposal from the City of Raleigh to augment the Neuse River flow with an alternative water source in exchange for a lockstep reduction in flows released from Falls Lake. The corresponding water exchange agreement with the COE is projected to extend the water supply pool in Falls Lake by 21 days. The water exchange proposal would convey 27 cubic feet per second from Lake Benson and Lake Wheeler to the Neuse River at a location just down stream of the Auburn Knightdale Road Bridge.

The water exchange system is the new NC 50 Sanitary Sewer Pump Station and the associated 10 miles of sewer force main, which has

just been completed. No sanitary sewer has been discharged into or conveyed by these facilities, so there is no concern about negative water quality being transferred in this water exchange.

The City of Raleigh will begin the water exchange operation on Nov. 14.

Tougher Restrictions

On Oct. 23, the City of Raleigh enacted further water conservation measures that prohibit lawn irrigation and washing vehicles at home for Raleigh water customers.

The Raleigh City Council approved amended Stage 1 mandatory water conservation restrictions and rules that:

- prohibit watering by automatic or non-automatic spray irrigation systems;
- prohibit washing vehicles at home;
- prohibit watering by hose-end sprinklers and soaker hoses; and,
- cease the issuance of lawn and landscape irrigation establishment permits.

This amended water conservation ordinance went into effect Oct. 23.

A first-time citation carries a \$200 penalty. A second offense comes with at \$1,000 penalty. A third citation would result in interruption of the customer's water service. (A total of 364 first-time citations have been issued and 12 second-offense citations have been issued since the restrictions were put into place eight weeks ago.)

The restrictions apply to all City of Raleigh water customers, including those in towns that have merged water and sewer systems with Raleigh. Those towns are Garner, Rolesville, Wake Forest, Knightdale, Wendell and Zebulon.

Other conservation measures continued from the Stage 1 water restrictions that have been in effect since Aug. 28 include:

- limiting watering by hand-held hoses to two days a week (odd addresses on Tuesdays and Saturdays and even addresses on Wednesday and Sundays from 6 a.m. to 10 a.m. and from 6 p.m. to 10 p.m.); and,
- limiting pressure washing to Saturday and Sunday.

The water level in swimming or wading pools may be supplemented only to the amount necessary to allow proper operation and sanitary pool

conditions. The conservation ordinance restricts the adding of water to decorative ponds or fountains to the amount needed to sustain aquatic life. Leaking water services or plumbing must be repaired within 24 hours of written notification by the City's Public Utilities director.

Watering by low-volume drip irrigation is allowed at any time.

Indoor water uses that are addressed by the ordinance include:

- drinking water will not be served in public restaurants, except upon request;
- hotels will request that guests spending more than one night use their towels and bed linens more than once between laundering; and,
- commercial and industrial customers must review their water uses and implement industry specific best management water conservation practices.

For more information on the Stage 1 amended water use restrictions, visit the City's web page at www.raleighnc.gov or contact the City of Raleigh Public Utilities Department at 857-4540 or the City of Raleigh Public Affairs Department at 890-3100.

COUNCIL REQUESTS NEUSE RIVER BASIN MODEL

The Raleigh City Council on Nov. 7 approved a resolution calling on the North Carolina Department of Environment and Natural Resources (NCDENR) to develop a Neuse River basin hydrological model.

In 1999, the North Carolina Division of Water Resources developed a Cape River basin hydrological model that can be used to study the potential impacts of proposed water projects on the water resources within the basin. The model is also being used to manage water resources during the current drought.

A similar model for the Neuse River would require a 25 percent matching grant from the local governments and an indication by the stakeholders in the river basin to fund the project. The resolution approved on Tuesday serves as the City of Raleigh's indication to fund the creation of the model.

PUBLIC HEARING TO DISCUSS OPEN SPACE FOR NON-

RESIDENTIAL PROJECTS IN DOWNTOWN RALEIGH

The City of Raleigh will hold a public hearing to discuss a proposed text change that would require all non-residential developments within the Downtown Overlay District to provide adequate sidewalk width and establish a minimum amount of outdoor open space. A date for the public hearing has not been established.

Currently, only high-density residential projects are required to provide an on-site outdoor open space. The proposed text change would also ensure adequate sidewalk width exists to handle pedestrian traffic.

COUNCIL AGREES TO AMEND OPEN-SPACE REQUIREMENTS FOR HIGH-DENSITY RESIDENTIAL DEVELOPMENTS DOWNTOWN

On Wednesday, the Raleigh City Council agreed to amend the open-space requirements for high-density residential developments within the Downtown and Pedestrian Business Overlay Districts from 15 percent to five percent of the total land area of the development. The new open-space changes, which become effective Dec. 1, 2007, will require wider sidewalks and more usable open spaces for all new high-density residential developments.

AFFORDABLE HOUSING TASK FORCE ESTABLISHED

The Raleigh City Council has approved establishing a task force to examine ways to encourage the development of affordable housing in the Capital City through methods like inclusionary housing or density bonuses.

Inclusionary zoning requires a percentage of new residential development to be set aside for affordable housing. The result is a mix of affordable and market rate homes in the same neighborhood, or affordable units in the same building.

In October, the City Council asked the Community Development Department to review policies to encourage affordable housing construction in the City, particularly in priority one areas of the City's scattered site policy. The purpose of the scattered site policy is to guide the distribution and location of assisted-rental housing in the City.

COUNCIL TO CONSIDER MIXED-USE DEVELOPMENT TEXT CHANGE AMENDMENT

The Raleigh City Council Comprehensive Planning Committee will consider a text change amendment to the zoning code that would clarify how mixed-use developments are addressed in office and institutional districts (O&I 1 and O&I2).

Text change TC-05-07 would allow a mixed residential/office development within the O&I-1 or O&I-2 districts to achieve both the permitted residential density and allowed office floor area ratio. The text change also proposes clarifications to the number of principal uses and buildings permitted on a lot.

LEAF COLLECTION PROGRAM DELAYED UNTIL NOV. 13

Due to the lack of sufficient leaf fall, the City of Raleigh has delayed the start of the annual leaf collection program until Tuesday, Nov. 13.

With the delay crews will make every effort to complete a sweep of Raleigh prior to Christmas. The collection will begin with the neighborhoods south of S. Wilmington Street and rotating clockwise towards Wade Avenue. A second sweep of the city is scheduled to begin on Jan. 2, with completion in mid-February.

Each week, advertisements in local newspapers and announcements on cable channel 22 will let citizens know when their neighborhoods will have leaves collected. Residents can also call the Raleigh Leaf Line at 890-3720 for a daily update or visit the City of Raleigh's web site at www.raleighnc.gov/leaf for more information.

Residents should rake their leaves into piles at the curb, avoiding creating piles in the street. Residents must avoid piling leaves on top of water meters. The City's Street Maintenance Division has purchased new vacuum equipment that is far more powerful than previous units. The new vacuums can pull a cast iron meter lid completely off the meter box.

Leaves and other yard waste will continue to be picked up at the curb, along with garbage and recycling, on regularly scheduled weekly collection days. When set out on the curb for regular weekly collection, yard waste should always be placed in clear plastic bags, permanent containers or biodegradable paper yard waste bags.

Yard waste also may be tied into bundles of not more than five feet in length, 18 inches in diameter and 75 pounds in weight.

Raleigh residents can help reduce the costs of operating the City of Raleigh's Yard Waste Center significantly by recycling their own yard waste. Yard waste material can be a valuable source of nutrition for your yard, and you can save money by recycling and composting this material.

Chipping or shredding tree limbs and shrubbery trimmings makes an excellent mulch for use as a decorative border for paths, in planting beds or around trees and shrubbery. Shredding leaves and pine straw also make a good mulch for flower beds, gardens, trees and shrubbery. Leaf and pine straw mulch acts as a natural fertilizer while reducing water evaporation, helping to control weeds and preventing soil erosion. Using materials you normally would throw away also saves money on commercial mulch products.

SIR WALTER RALEIGH AWARD WINNERS ANNOUNCED

A "green" rehab project, bold office building design, and new downtown neighborhood are among the 2007 recipients of the City of Raleigh's Sir Walter Raleigh Awards for Community Appearance.

A total of 17 award winners were recognized at a public ceremony on Tuesday evening at the Fletcher Opera Theater in the Progress Energy Center for the Performing Arts. The recipients were selected by independent jury from a field of more than four dozen nominees, the largest number of entries in the award program's 25-year history.

The award winners were cited for their respective contributions toward making Raleigh a more attractive and livable city. The 2007 recipients, grouped by award category, include:

RESIDENTIAL:

- _ Cooke Street Redevelopment
- _ The Hudson , 319 Fayetteville Street

COMMERCIAL

- _ FAANC Medical Office, 2701 New Bern Avenue
- _ Forum V Office Building, 8537 Six Forks Road
- _ HighPark Village Shopping Center, Bernard Street at Whitaker Mill

Road

- _ Shops at Seaboard Station, 18 Seaboard Ave., 802 Seamarr Drive, and 10 W. Franklin St.

HISTORIC PRESERVATION/REHABILITATION

- _ 2106 Banbury Road
- _ First Baptist Church, 99 N. Salisbury Street
- _ Heilig-Levine Building Preservation/ Rehabilitation, East Hargett and South Wilmington streets
- _ Old Health Building (former School for the Blind and Deaf), 216 West Jones Street

INSTITUTIONAL

- _ North Regional Library, 7009 Harps Mill Road

INDUSTRIAL

- _ Fiber Complex , 4224 Beryl Road
- _ Urban Ministries of Wake County, 1390 Capital Boulevard

TREE AND LANDSCAPE CONSERVATION

- _ American Institute of Healthcare and Fitness, 8300 Health Park

SITE ENHANCEMENT

- _ Free Expression Tunnel Renovation, North Carolina State University

MAINTAINED OUTSTANDING APEARANCE

- _ WRAL-TV Gardens, Western Boulevard

INDIVIDUAL

- _ The late Ezra Meir

Tuesday evening's award ceremony dovetailed with a presentation by Florida-based planner Bill Spikowski, who spoke on "Creating Urban Form: Conventional and Form-Based Codes." The presentation was part of the City of Raleigh Department of City Planning's "Designing A 21st Century City" lecture series.

The Sir Walter Raleigh Awards annually honor projects, groups, and

individuals that have made a difference in improving the visual and natural environment of the City of Raleigh. To qualify, each must exhibit exemplary design, environmental stewardship, community involvement, preservation of natural features or historic resources, and/or exceeding city standards and statutes. In 2007, the program marks its 25th year.

The awards program is coordinated by the Raleigh Appearance Commission. Additional information is available at <http://www.raleighnc.gov/sirwalterraleighawards>.

CITY APPROPRIATES \$120,000 FOR RALEIGH AREA DEVELOPMENT AUTHORITY

The Raleigh City Council approved an appropriation of \$120,000 to the Raleigh Area Development Authority (RADA) to compensate for the recent downturn in the mortgage market. The transfer will come from the City's Economic Development Fund.

RADA is a non-profit corporation which provides commercial and residential investment in underdeveloped communities in Raleigh.

Downtown Events Calendar

11-10-2007 02:00 PM	Rent	Memorial Auditorium
11-10-2007 08:00 PM	Rent	Memorial Auditorium
11-11-2007 02:00 PM	Rent	Memorial Auditorium
11-11-2007 07:00 PM	Rent	Memorial Auditorium
11-16-2007 08:00 PM	Rain	Memorial Auditorium
11-17-2007 02:00 PM	The Ten Tenors	Memorial Auditorium
11-17-2007 08:00 PM	The Ten Tenors	Memorial Auditorium
11-18-2007 03:00 PM	Imani Winds	Fletcher Opera Theater
11-21-2007 08:00 PM	Rob Bell	Meymandi Concert Hall
11-30-2007 08:00 PM	R Carlos Nakai	