

**Nancy McFarlane, Mayor**  
**Eugene Weeks, Mayor Pro Tem**  
**Mary-Ann Baldwin**  
**Thomas G. Crowder**  
**Bonner Gaylord**  
**John Odom**  
**Randall K. Stagner**  
**Russ Stephenson**

**1:00 P.M. AND 7:00 P.M., TUESDAY**  
**DECEMBER 4, 2012**  
**THE COUNCIL CHAMBER**

**NOTICE TO HEARING IMPAIRED:**

Audio enhancements have been installed in the Council Chamber. Assistive listening devices are available upon request. Interpreters for Deaf and Hearing Impaired are available. If needed, please provide a 24-hour notice by calling 996-3100 (voice) or 996-3107 (TDD).

**A. MEETING CALLED TO ORDER BY THE MAYOR**

1. Invocation – Rob Shields, Fellowship of Christian Athletes
2. Pledge of Allegiance

**B. RECOGNITION OF SPECIAL AWARDS****C. AGENCY GRANTEE PRESENTATION – HUNTLEY CUTTHRELL, INTERNACIONAL DE RALEIGH****D. CONSENT AGENDA**

All items on the consent agenda are considered to be routine and may be enacted by one motion. If a Councilor requests discussion on an item, the item will be removed from the consent agenda and considered separately. The vote on the consent agenda will be a roll call vote.

**1. Annual Budget Review Schedule**

The Budget Review Schedule includes dates that are statutorily required (presentation of budget and public hearing) and those that have historically been used in the annual budget process (worksessions and the pre-budget hearing). The schedule notifies the public of the upcoming budget review process. The Council and the City Manager may revise or add to the schedule at a later date. The following schedule is proposed for the FY 2013-14 budget review process:

- Pre-Budget Hearing by City Council: January 15, 2013, 7:00 p.m.
- City Council Budget Workshop(s): To Be Determined
- Presentation of Proposed Operating Budget and Proposed Capital Improvement Program: May 21, 2013
- City Council Budget Worksession(s): To Be Determined
- Public Hearing on budget proposals: June 4, 2013, 7:00 p.m.

Adoption of the Annual Operating Budget for FY 2013-2014 and the Capital Improvement Program is required by July 1, 2013.

**Recommendation:** Approve the Budget Review Schedule.

**2. Parade Routes****2.1 Vardaman Road Vicinity**

Rick Herrera, representing St. Joseph Catholic Church, requests permission to hold a parade on Sunday, December 10, 2012 from 7:00 p.m. until 8:00 p.m.

**Recommendation:** Approve subject to conditions noted on the report in the agenda packet.

**3. Road Races****3.1 Rock ‘n’ Roll Marathon**

The Greater Raleigh Convention and Visitors Bureau, on behalf of The Competitor Group, is requesting various street closures in order to hold a marathon race on the second weekend of April (beginning in 2014) for a five year period. The race would begin on Sunday morning at 7 a.m. and would

conclude by 2:00 p.m. The race course would start and end in the downtown area with the race course being finalized in conjunction with the Raleigh Police Department. Additional information is included in the backup material.

**Recommendation:** Approve.

4. **Temporary Street Closings**

4.1 **200 Block of South State Street**

Roosevelt Wiggins, representing Martin Street Baptist Church, requests permission for a street closure the second Saturday of each month beginning Saturday, December 8, 2012 thru Saturday, December 14, 2013 from 8:30 a.m. until 12:00 p.m. for an outreach program.

4.2 **200 Block of West Edenton Street**

Ryan Capp, representing the Edenton Street United Methodist Church, requests permission for a street closure Monday, December 24, 2012 from 9:25 p.m. until 9:45 p.m. and on Monday, December 24, 2012 from 11:55 p.m. until Tuesday, December 25, 2012 at 12:15 a.m. for a Christmas Celebration.

**Recommendation:** Approve subject to conditions noted on the reports in the agenda packet.

5. **Grants**

5.1 **Fire**

Revenue Account:

810-4210-513160-93313-GRT00-70003311	\$80,000
Federal Grants Pass Through	

Expense Account:

810-4210-712010-93313-GRT00-70003311	\$80,000
Training, Travel and Registration	

Purpose: To accept a grant that provides funding to conduct training for the Urban Search and Rescue Task Force #8 from the North Carolina Department of Public Safety, Division of Emergency Management. There are no matching funds required.

6. **Contracts and Consultant Services**

6.1 **Construction Administration, Construction Materials Testing and Volumetric Surveying – Neuse River Trail – Horseshoe Bend, Walnut Creek East Extension, and Crabtree Creek East Extension**

Stewart (formerly Stewart Engineering) has submitted a proposal to complete construction administration, construction materials testing, and volumetric surveying for the Neuse River Trail – Horseshoe Bend project, Walnut Creek East Extension project, and the Crabtree East Extension project. The compensation for these services for each of these projects is Horseshoe Bend - \$122,810; Walnut Creek - \$297,290, and; Crabtree Creek - \$268,715. Total compensation is \$688,815.

**Recommendation:** Award a professional services contract to Stewart in the amount of \$688,815 for construction administration, construction materials testing, and volumetric surveying. Approve the following transfer of funds:

<u>Transfer From:</u>	
636-6210-790010-975-CIP03-99270000	\$122,810
Crabtree East	
<u>Transfer To:</u>	
636-6210-792220-975-CIP03-99220110	\$122,810
Lower Neuse Greenway – Horseshoe Bend	
<u>Transfer From:</u>	
636-6210-790010-975-CIP03-99310000	\$54,000
Walnut Creek Greenway Extension	
531-6210-790010-975-CIP03-99310060	\$243,290
Walnut Creek (Transportation Bond)	
<u>Transfer To:</u>	
636-6210-792220-975-CIP03-99310000	\$54,000
Walnut Creek Greenway Extension	
531-6210-792220-975-CIP03-99310060	\$243,290
Walnut Creek (Transportation Bond)	
<u>Transfer From:</u>	
636-6210-790010-975-CIP03-99270000	\$268,715
Crabtree East	
<u>Transfer To:</u>	
636-6210-792220-975-CIP03-99270000	\$268,715
Crabtree East	

**6.2 Chavis Park Carousel Building Change Order #3**

The requested change order is necessary to cover increased expenses related to items which were not included in the original contract with Resolute Building Company approved by Council on January 17, 2012. The individual items are listed in the contract Change Order # 3 forms included in the backup material and total \$17,834. Resolute Building Company and staff have negotiated a contract time extension of 45 days.

<u>History:</u>	
Original Contract Amount	\$1,832,300
Change Order 1	32,542
Change Order 2	23,440
Proposed Change Order 3	<u>17,834</u>
New Contract Amount	\$1,906,116

**Recommendation:** Approve Change Order #3 with Resolute Building Company. Authorize the following transfer of funds:

<u>Transfer From:</u>	
625-790010-6210-975-CIP03-98250000	\$90,000
Randleigh Farm Reserve	
636-792020-6210-975-CIP03-93230000	<u>23,000</u>
Chavis Way Extension - Reserve	\$113,000
<u>Transfer To:</u>	
636-792020-6210-975-CIP03-93360000	\$113,000
Chavis Park Improvements-Gen. Construction	

**6.3 Drainage Project Design**

In June, 2012 Council approved two consultants for on-call design contracts of drainage petition projects. The two consultants were assigned approximately 15

projects each to help reduce the backlog of drainage petition projects. Ten additional drainage petition projects appear elsewhere on the agenda for Council consideration.

Due to the current backlog, staff would recommend utilizing the two alternate firms to assist with the design of petition projects as well. Hazen & Sawyer and Malcom Pirnie/Arcadis were the alternate firms approved in June.

**Recommendation:** Authorize the City Manager to negotiate and execute contracts with Hazen & Sawyer and Malcom Pirnie/Arcadis for engineering services.

#### **6.4 I-40 Bridge Overpass Pedestrian Retrofits**

The consultant selection process has been initiated to provide design services for this project. Seven proposals for design services were received. A selection committee reviewed each proposal and the top three firms are listed in ranked order:

- Wetherill Engineering
- Stewart Engineering
- Parsons Brinckerhoff

Wetherill Engineering proposes to utilize approximately 90% Small Disadvantaged Minority and Women Owned Businesses (SDMWOB) sub-consultant participation.

**Recommendation:** Authorize Administration to negotiate a contract with Wetherill Engineering, Inc. for professional design services. If negotiations are not successful with the top ranked firm, authorize proceeding with negotiations with each successive firm until an agreement can be reached.

#### **6.5 Raleigh Fire Department - Fire Stations # 12 & # 14 and Site Evaluations**

In accordance with General Statutes, a Request for Qualifications was advertised on October 12, 2012 for Professional Design Services for Fire Stations #12 & #14 and Site Evaluations. Statements of Qualifications were received from eight firms. A six-member review team evaluated the submittals and selected four firms to interview. Based on their submittal, references, and presentation on November 16, 2012, it is recommended that Stewart-Cooper-Newell Architects, P.A. be retained to provide the advertised design services.

**Recommendation:** Approve Stewart-Cooper-Newell Architects, P.A. to be the Designer of Record for Fire Stations # 12 & # 14 and Site Evaluations, and authorize the City Manager to proceed with fee negotiations.

#### **6.6 Consultant Services - 2012 Sanitary Sewer Capacity Study Update**

Three Proposals were received for the 2012 update of the Sanitary Sewer Capacity Update Study. The top three firms are listed in ranking order:

- Black & Veatch
- Hazen & Sawyer
- Dewberry & Davis

**Recommendation:** Authorize Administration to negotiate a fee and contract with Black & Veatch for professional services associated with the Capacity Study Update. If negotiations are not successful with the top firm, authorize

proceeding with negotiations with each successive firm until an agreement can be reached.

**6.7 D.E. Benton Water Treatment Plant - Backwash Waster Recycle Facility**

Contract Amendment No. 1 for \$139,000 is for ARCADIS G&M of North Carolina, Inc. consulting engineers to provide additional design services as requested by Staff for the proposed Backwash Waste Recycle Facility project that includes changes associated with the polymer, de-chlorination, and caustic chemical feed systems, reconfiguration of the UV reactor units, new GAC Backwash System, Ozone Tank Weir Relocation and installation of a new flow meter vault on the Waste Discharge Line. Additional services will also include NC Public Water Supply and NC Division Water Quality permit revisions as required for the new GAC Backwash System and Ozone Tank Weir Relocation and Bidding Phase Services for the proposed construction project.

This project is part of the City of Raleigh’s Capital Improvement Program.

Contract History:

Original Contract Amount	\$146,300
Amendment No. 1	<u>139,000</u>
New Contract Amount	\$285,300

**Recommendation:** Approve Amendment # 1 with ARCADIS G&M of North Carolina, Inc. The associated fund transfer will be handled administratively.

**6.8 Crabtree Basin Wastewater System, Change Order**

Purpose: The City currently has an agreement with Park Construction of North Carolina, Inc. for the Crabtree Basin Wastewater System Conveyance Improvements Phase I project. This change order #1 is intended to cover additional costs due to emergency sanitary sewer repairs in conjunction with the failure of a 24” force main along Glenwood Avenue and other minor scope changes associated with the project. The emergency sanitary sewer repairs are being completed on a time and material basis. The emergency portion of the change order totals \$451,268.

Contract History:

Original Contract amount	\$21,144,475
Change Order 1	<u>462,565</u>
New Contract Amount	\$21,607,040

**Recommendation:** Approve Change Order #1 with Park Construction of North Carolina, Inc. Funds for the change order will be by the following distribution:

325-5210-792020-975-CIP01-84680000	\$451,268
Main Replacement	
349-5210-792020-975-CIP01-80400001	11,297
New Crabtree Creek Pump Station & Equalization	

**6.9 Interlocal Contract for Cooperative Purchasing**

North Carolina General Statutes [143-129(e)(3)] authorize the use of Group Purchasing Programs as an exemption from bidding. The Fire Department wishes to participate with the Houston-Galveston Area Council Interlocal Contract (HGACBuy) for Cooperative Purchasing to specifically purchase fire apparatus. HGACBuy has contracts with Pierce Manufacturing to provide fire apparatus that provides maximum savings due to volume purchasing with

hundreds of local government agencies throughout the country. Currently, over fifty North Carolina local government agencies participate in HGACBuy contracts. To participate in HGACBuy purchase contracts, the governing board must authorize the use of the contracts and direct the City Manager to execute the Interlocal Contract for Cooperative Purchasing agreement. Approval of the use of these contracts will give the City the opportunity to participate in a multitude of cooperative contracts when it is determined by the Purchasing Division to be in the City's best interest.

**Recommendation:** Approve the authorization to participate in the Houston-Galveston Area Council (HGACBuy) contracts. Authorize the City Manager to execute the Interlocal Contract for Cooperative Purchasing agreement for participation.

**6.10 Award of Construction Contract - Walnut Creek East Greenway Extension**

The Walnut Creek East Greenway Extension project is approximately 3.9 miles in length and stretches from Rose Lane to the Neuse River. Included in the scope of the project are a ten-foot-wide asphalt boardwalk and bridge, 10-foot-wide stone trail, and five-foot-wide sidewalk. The 2007 Park Bond (Rose Lane to New Hope Road) and the 2011 Transportation Bond (New Hope Road to Neuse) provide the funding for this project.

Four bids were received and publicly opened on October 22, 2012, for the construction of the Walnut Creek East Greenway Extension. DH Griffin, LLC submitted the lowest responsible bid of \$3,340,236. Small Disadvantaged Minority and Women Owned Business participation is estimated to be 11.2%. Funds are available in the Parks Bond and the Transportation Bond.

**Recommendation:** Approve the low bid and authorize the City Manager to execute a construction contract with DH Griffin, LLC in the amount of \$3,340,236.

**6.11 Award of Contracts for Benefits Consulting**

The Benefits Committee initiated a process to solicit proposals from qualified persons or firms to provide general benefits and consulting services related to the City's medical, dental, and voluntary benefits plans. The Committee received six responses to the request for proposals. Proposals were evaluated and all six vendors were selected as finalists for interview. Finalists were selected based upon each firm's stated independence and objectivity, prior experience with provision similar services, dedicated staffing, deliverables, quoted pricing, and references. Finalists included:

- Aon-Hewitt
- Independent Benefit Advisors
- Mark III
- Pinnacle Benefit Resources
- Scarborough & Britt
- Willis, Inc.

Following finalist interviews the consensus of the Benefits Committee was that the best option for the City would be to contract with both Mark III and Willis, Inc. The Benefits Committee agreed that while both vendors made strong cases for their selection and offered services that would meet the overall requirements

set out in the Request for Proposals, each organization offered particular strengths that would merit the use of their combined expertise.

**Recommendation:** Authorize administration to negotiate and execute a contract for general benefits consulting services with Willis, Inc., and with Mark III for voluntary benefits consulting and enrollments services administration.

#### **6.12 Solid Waste Services Enterprise Fund Consultant**

As part of the FY13 Annual Budget, the Solid Waste Services (SWS) Department converted its operations to an Enterprise Fund. To reach its goal of becoming a self-sustaining enterprise within five years, the Department must, among other things, develop a comprehensive financial model that depicts all revenues and expenses. SWS solicited qualifications from consultants to provide professional and technical services to assist with financial, business, and technical strategies and programs for the self-sustaining enterprise. The City received two proposals and after interview of candidates has ranked them in the following order:

- HDR
- Smith and Gardner

Due to a short time frame to develop a financial model, staff recommends City Council authorization to both select the recommended firm and authorization for the City Manager to negotiate and execute a contract for a scope of work (Task 1) to develop the financial model by February 2013. Funds are budgeted and available. Future Task Orders for scopes to include Benchmarking, Organizational Review, Public Relations program development, and Strategic Plan development will be returned to City Council for consideration and approval at a later date.

**Recommendation:** Authorize selection of the recommended firm and authorize the City Manager to negotiate and execute a contract for a scope of work (Task 1) to develop the financial model by February 2013.

### **7. Personnel Changes**

#### **7.1 Public Utilities**

Reclassification of eight positions to increase efficiency and focus on customer service delivery within the Meters Division, as follows:

Meter Mechanic Supervisor position (code 4355; PG 32; pos 3686) to Utility Field Operations Supervisor (code 4373; PG 32).

Three Senior Meter Reader positions (code 4372; PG 26; pos nos. 3683, 3679 and 3681) to Water Meter Mechanic (code 4361; PG 26).

A vacant Meter Mechanic Supervisor position (code 4355; PG 32; pos 3657) to Meters Services Supervisor (code 0114; PG 32).

Three vacant Meter Reader positions (code 4371; PG 25; pos nos. 3678, 3680 and 5116) to Assistant Utility Field Operations Supervisor (code 4379; PG 29).

The reclassifications have been reviewed and approved by the Human Resources Department. The FY13 budget impact is \$8,500. Funding is currently available in department salary accounts to cover the impact. The annualized budget impact for FY14 is estimated at \$16,965.

**Recommendation:** Approve the reclassifications.



**8. Encroachment Requests**

**8.1 105 West Hargett Street and 200 South Salisbury Street**

A request has been received from Paper Clip Properties to legalize the existing basement and façade and the installation of pilasters and cornices located in the right of way of 105 West Hargett Street and 200 South Salisbury Street. A report is in the agenda packet.

**Recommendation:** Approve the encroachment subject to completion of a liability agreement and documentation of proof of insurance by the applicant.

**8.2 West Edenton Street and North Harrington Street**

A request has been received from DukeNet Communications, LLC to put in place aerial fiber cable located in the right of way of West Edenton Street and North Harrington Street. A report is in the agenda packet.

**Recommendation:** Approve the encroachment subject to completion of a liability agreement and documentation of proof of insurance by the applicant.

**8.3 120 South West Street**

A request has been received from Warehouse District Partners to put in downspouts, curb drains, street trees, tree grates, and bike racks and to legalize the existing building located in the right of way of 120 South West Street. A report is in the agenda packet.

**Recommendation:** Approve the encroachment subject to completion of a liability agreement and documentation of proof of insurance by the applicant.

**9. Budget Amendments**

**9.1 Equipment Replacement Fund**

Revenue Accounts:

251-532990-0000-000	Appropriation from Prior Year	\$218,000
252-532990-0000-000	Appropriation from Prior Year	<u>20,000</u>
		\$238,000

Expense Accounts:

251-750050-2240-214	Planning Department Sedan	\$ 19,000
251-750050-2410-230	Public Works Sedan	20,000
251-750050-2810-245	Inspections SUV	19,000
251-750050-4020-379	RPD Law Enforcement Sedans (6)	30,000
252-750050-5280-619	Public Utilities Department Sedan	<u>20,000</u>
		\$238,000

**Purpose:** In the past eight months, ten city vehicles have been involved in accidents and classified as “total loss” by insurance adjusters or auto body repair shops. The number includes five Crown Victoria sedans and a Chevy Tahoe in the Police Department and vehicles from other city departments. All vehicles were used in daily operations and need to be replaced. The budget amendment increases appropriations in the Equipment Fund to purchase replacement vehicles. Insurance proceeds of roughly \$62,000 will offset a portion of these costs.

**9.2 Fire**

The following account should be increased by:

Revenue

130-4250-532990-456	Appropriation from Prior Year	\$394,386
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Expense

130-4250-701010-456	Operational & Maintenance Supplies	120,000
130-4250-703010-456	Print Copy-RMB	4,386
130-4250-704040-456	Tires & Tubes	50,000
130-4250-704050-456	Equipment Repair Parts	50,000
130-4250-706010-456	Small Equipment	100,000
130-4250-712010-456	Training & Travel & Registration	40,000
130-4250-714030-456	Repairs-Other Equipment	30,000
		<u>\$394,386</u>

Purpose: To appropriate funding for the Urban Search and Rescue Program jointly funded by the City of Raleigh, City of Durham, Town of Chapel Hill, and Town of Cary.

**9.3 Continuation Funding for Backfill Position - Finance Department, Purchasing Division**

The procurement card program continues to provide departments with the essential flexibility and timeliness in meeting small purchase needs. To continue to perform ongoing administrative duties for this valuable program, including ongoing reconciliation and quality control efforts on all activity, a Buyer II position in the Purchasing Division is dedicated to manage this system on a full-time basis. To assist with other purchasing requirements previously handled by this position, it is desirable to continue to have a temporary contract employee in the Purchasing Division. Council has, in previous years, approved funding for this temporary backfill position from the annual procurement card rebate that the City receives from Bank of America.

In addition to the backfill position, it is also requested that a second temporary position be added to assist with the ongoing implementation and "Go Live" of the Raleigh Procurement on Demand (RPOD) Market application that will greatly enhance procurement efficiencies and cost saving opportunities citywide. The position would specifically work to help increase the number of bid opportunities to build marketplace contract catalogs, metrics reporting, and will work with vendors on building efficiencies for use of Electronic Data Interchange (fax and email) ordering and Automated Clearing House payment processing.

The 2012 rebate has been calculated in an amount of \$118,537 and is sufficient to fund both temporary positions for the remainder of FY 2012-13. Any remaining funds at the end of the fiscal year may be requested for rollover to the FY 2013-14 if the work requirements justify continuation of the services.

**Recommendation:** Approve appropriation of rebate funds from Bank of America to hire temporary staff to backfill one Buyer II position and a second to support the RPOD Market purchasing program.

Increase Revenue:

100-0000-532900-000	Miscellaneous Revenue	\$118,537
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Increase Expense:

100-1640-600110-161 Salaries-Part-time Temporary/Seasonal \$118,537

**10. Right-of-Way Items - (Condemnation Requests)**

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

**Project Name: Leesville Road Improvements Project**

- Thomas Marvin Poole and Kathy E. Poole - 11208 Leesville Road
- Roger K. Gregory - 11220 Leesville Road
- Harrington Grove Community Association, Inc. - 11602 Leesville Road

**Project Name: Walnut Creek Greenway Project**

- A J Jeffreys, III & Christy D. Jeffreys - 5822 Poole Road
- A J Jeffreys, Jr. - 5900 Poole Road
- A J Jeffreys, Jr. - 6004 Poole Road
- Leamon Woodard, Heirs- 6120 Poole Road
- RB Hopkins & Elaine Hopkins- 1900 Barwell Road
- Eric L. Townes & Marilyn O’Neal - 1916 Teabrook Court
- Charles Eugene Martin & Barbara P. Martin - 6004 Poole Road

**Recommendation:** Approve condemnations.

**11. Storm Drainage Petitions – New Projects**

Ten requests for stormwater drainage projects have been reviewed and recommended for approval by the Stormwater Management Advisory Commission. The projects are recommended for approval in accordance with the provisions of the City Storm Drainage Policy.

Listed below in order of priority are the ten projects for the Council review.

Property Petition	Total Cost	City Share	Owner Share
908 Plainview Drive and 3800 Polly Street	\$ 58,300	\$ 53,300	\$ 5,000
3712 and 3716 Baugh Street	67,500	62,000	5,500
1325, 1327 and 1329 Mordecai Drive	83,600	73,400	10,200
7012 Tanbark Way	11,300	9,000	2,300
7316 Chicora Court	61,200	56,200	5,000
1503 Doughton Street	6,400	5,700	700
1913 Glenwood Avenue	24,700	19,800	4,900
3612 and 3700 Swift Drive	159,700	154,700	5,000
2119 Tudor Place	25,500	20,500	5,000
5027 Wickham Road	43,700	38,700	5,000
<b>Total Petition Projects Cost</b>	<b>\$541,900</b>	<b>\$493,300</b>	<b>\$48,600</b>

1327 Mordecai Drive, 1913 Glenwood Avenue, and 2119 Tudor Place have requested installment financing.

The petition requests at 908 Plainview Drive, 3800 Polly Street, 3712, and 3716 Baugh Street involve structural flooding. The remaining requests involve severe erosion.

**Recommendation:** Approve the petition projects and authorize the following budget transfer:

Transfer From:

470-2240-790010-975-CIP05-91390000	\$493,300
Petition Projects	

Transfer To:

470-2240-790010-975-CIP05-91390040	\$53,300
908 Plainview Drive and 3800 Polly Street	
470-2240-790010-975-CIP05-91390041	\$62,000
3712 and 3716 Baugh Street	
470-2240-790010-975-CIP05-91390042	73,400
1325, 1327, and 1329 Mordecai Drive	
470-2240-790010-975-CIP05-91390043	9,000
7012 Tanbark Way	
470-2240-790010-975-CIP05-91390044	56,200
7316 Chicora Court	
470-2240-790010-975-CIP05-91390045	5,700
1503 Doughton Street	
470-2240-790010-975-CIP05-91390046	19,800
1913 Glenwood Avenue	
470-2240-790010-975-CIP05-91390047	154,700
3612 and 3700 Swift Drive	
470-2240-790010-975-CIP05-91390048	20,500
2119 Tudor Place	
470-2240-790010-975-CIP05-91390049	<u>38,700</u>
5027 Wickham Road	
	\$493,300

**12. [Traffic](#)**

Ordinances adopted by the City Council authorizing the following traffic changes will become effective seven days after Council action unless otherwise indicated.

**12.1 Tow Away Zone - Oak Forest Drive**

It is recommended that an existing parking restriction be made a Tow Away Zone on Oak Forest Drive. A request was made by the Raleigh Police Department to make Oak Forest Drive a tow away zone to assist with illegally parked vehicles.

**12.2 No Stopping or Standing Zones - Harps Mill Road and Staghorn Lane**

It is recommended that a No Stopping or Standing Zone be established on the south side of Harps Mill Road and on the east side of Staghorn Lane along the North Ridge Elementary School’s property line. The restriction would only apply during the school zone hours which are forty five-minute periods during the morning arrival and afternoon dismissal. A request was received from the principal of North Ridge Elementary to restrict parking along the school’s property line during arrival and dismissal times.

**12.3 Passenger Loading and Bus Zone Changes - Moore Square Museums Magnet Middle School, Bloodworth, Davie, Martin Streets**

It is recommended that existing Bus Zones on Bloodworth Street and Davie Street be changed to Passenger Loading Zones, and that an existing Passenger Loading Zone on Martin Street be changed to a Bus Zone. A request was received from the principal of Moore Square Museums Magnet Middle School to

switch the existing passenger loading and bus zones so that signage will be consistent with the school's current bus and carpool pattern.

**12.4 Bus Zone - Swain Street**

It is recommended that a Bus Zone be established on the west side of Swain Street beginning 50 feet north of Hargett Street and extending northward 200 feet. A request was received from the Wake County Public School System to create a bus zone at the Wake Young Men's Leadership Academy.

**12.5 Speed Limit Reduction - Glen Eden Drive, Pinecrest Drive**

It is recommended that the speed limit be reduced from 35 mph to 25 mph on Pinecrest Drive in its entirety and on Glen Eden Drive between Old Post Road and Edwards Mill Road. Both streets are classified as residential streets and are constructed to typical residential street standards. This request meets the requirements of the adopted Neighborhood Traffic Management Program. A signed petition has been received by staff representing at least 75% of the residents or property owners along each street in support of this speed reduction request.

**Recommendation:** Approve as recommended and authorize the appropriate changes in the traffic code as included in the agenda packet.

**THIS IS THE END OF THE CONSENT AGENDA**

**E. REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION**

The Planning Commission recommendations on the following items were unanimous. The Council may wish to consider these items in the same manner as items on the consent agenda. Items marked with one asterisk (\*) beside the Certified Recommendation number are located within flood-prone areas. Items marked with the pound sign (#) beside the Certified Recommendation number are located within the Falls Basin or the Swift Creek Watershed Protection Area. Items marked with the plus sign (+) beside the Certified Recommendation number indicate special conditions for stormwater management. Items marked with (VSPP) beside the Comment indicate that a Valid Statutory Protest Petition has been filed. \*\*Denotes Drainage Basins

- |     |          |                 |     |          |   |
|-----|----------|-----------------|-----|----------|---|
| (1) | CR-11501 | Z-37-12/MP-2-12 | 6-2 | Approval | Hillsborough Street, southeast of its intersection with Concord Street<br><b>(**Rocky Branch)</b> |
| (2) | CR-11502 | TC-4-12         | 9-0 | Approval | Food Trucks   |
| (3) | CR-11503 | TC-6-12         | 9-0 | Approval | Temporary Events Signage  |

(The following actions were taken by the Planning Commission at their November 27, 2012 meeting, but not by unanimous vote.)

- (1) **Z-37-12/MP-2-12 – Hillsborough Street, southeast of its intersection with Concord Street (\*\*Rocky Branch)(Wade CAC)**

This is a request to Amend PDD Master Plan.

CR-11501 from the Planning Commission finds that while the proposed rezoning request is inconsistent with the Future Land Use Map, it is consistent with all applicable Comprehensive Plan Policies. However, the Planning Commission felt that the proposal is reasonable and in the public interest for the following reasons: The Applicant has provided several zoning conditions that mitigate impacts associated with the proposal. Therefore rezoning to Office and Institution-2 Conditional Use as conditioned will have no additional impact on surrounding infrastructure and will provide the applicant a broader range of uses for redevelopment. While the property is adjacent to residential, the applicant has provided conditions to help ensure an appropriate transition with adequate buffering and recommends approval subject to conditions dated November 27, 2012.

(The following actions were taken by the Planning Commission at their November 27, 2012 meeting, by unanimous vote.)

- (2) **TC-4-12 / Food Trucks**

This is a request to amend the City Code to increase the number of food trucks permitted per lot and to allow food trucks throughout the entirety of the Downtown Overlay District.

CR-11502 from the Planning Commission recommends that this text change be approved, as revised based on the findings and reasons stated herein.

- (3) **TC-6-12 – Temporary Events/Portable (Sandwich Board) Signage**

This is a request to amend the Zoning Code to increase the number of temporary events allowed per premise per year, establishes a maximum square footage and maximum number of signs allowed for each temporary event, subject to the issuance of a zoning permit. In addition, allows all businesses to display a portable, sandwich board sign 365

days per year. Sandwich board signs must be located within 5 feet of the main entrance, no more than 6 square feet in area and a maximum of 5 feet in height.

CR-11503 from the Planning Commission recommends that this text change be approved, as revised based on the findings and reasons stated herein.

**F. SPECIAL ITEMS**

**1. Rezoning Z-32-12 – Capital Boulevard, southwest of its intersection with Brentwood Road\*\* (Marsh Creek)**

The following item appeared on the November 22, 2012 agenda under Report and Recommendation of Planning Commission. Mr. Odom requested that the item be held as he wanted to better understand the request and recommendation. By consensus, it was agreed to place the item on this agenda for consideration.

This is a request to rezone property from Industrial-1 and Residential-6 to Office and Institution-2 Conditional Use.

CR-11500 from the Planning Commission finds that while the proposed rezoning request is inconsistent with the Future Land Use Map, it is consistent with all applicable Comprehensive Plan Policies. The Planning Commission felt that the proposal is reasonable and in the public interest as the applicant has provided several zoning conditions that mitigate impacts associated with the proposal. Therefore, rezoning to Office and Institution-2 Conditional Use as conditioned will have no additional impact on surrounding infrastructure and will provide the applicant a broader range of uses for redevelopment. Even though the property is adjacent to residential properties, the applicant has provided conditions to help ensure an appropriate transition with adequate buffering, and the Commission recommends that the request be approved subject to conditions dated November 13, 2012.

It would be appropriate to consider the recommendation.

**2. Honeycutt Greenway Bid Award and Public Participation Cost Estimate, North Raleigh Connector**

The following item appeared on the November 20, 2012 agenda under Report and Recommendation of the City Manager. Following lengthy discussion, at the recommendation of Ms. Baldwin, it was agreed to place the item on this agenda for further consideration.

This item has appeared on the November 6 (Special Items), September 4 (Special Items), August 7 (Consent) City Council agendas. On October 9, 2012, bids for the construction of the Honeycutt Creek Greenway Project were opened. The construction bid was advertised with both base and alternate bid options. The base bid includes the paved section of trail from Longstreet Drive to Durant Road, and the alternate bid includes the unpaved section of trail from Durant Road to Raven Ridge Road.

Seven bids were received and the apparent low bidder is Rifenburg Construction Inc., with a total base bid of \$2,738,229 and total alternate bid of \$219,160. Amount of the bid including the alternate bid is \$2,957,389.

Rifenburg Construction Inc. has reported Small Disadvantaged Minority and Women Owned Business participation and estimated to be a total of 15.0% (\$410,558). The percentage breakdown is Minority Owned Business 8.0% (\$219,058) and Women Owned Business 7.0% (\$191,500).

As requested by City Council, the estimate to complete the Public Participation process for the North Raleigh Connector from Honeycutt Creek Greenway Trail to Neuse River Greenway Trail is \$40,000.

**Recommendation:** Award the construction contract for the Honeycutt Creek Greenway Project in the amount of \$2,957,389 to Rifenburg Construction Inc. Authorize the following transfer:

Transfer From:

636-6210-790010-975-CIP03-94630000	\$637,000
Crabtree Creek Greenway Lindsay to Umstead	

Transfer To:

636-6210-792020-975-CIP03-93220000	\$637,000
Honeycutt Creek General Construction Contracts	

**G. REPORT AND RECOMMENDATION OF THE CITY MANAGER**

**1. Critical Public Safety Facility Update and Recommendations**

On May 1, 2012, Council authorized the City Manager to negotiate a contract with Pearce, Brinkley, Cease and Lee (PBC+L)/AECOM for Phase One Design Services associated with the initial development of the new Critical Public Safety Facility to include a new Emergency Communications Center (ECC 911 Center), a Traffic Control Center, Emergency Operations Center (EOC), a substantial Information Technology Data Center, and a possible Raleigh Police Department component. This initial contract for Phase One Design Services included the evaluation and updating of the previous departmental programming, site evaluation, master planning, and initial conceptual building design efforts. In addition, Council authorized conducting a security and threat assessment as a component of this Critical Public Safety development. Council authorized the City Manager to negotiate a contract with Burns and McDonnell for Phase One Threat and Security analysis services associated with the initial development of a new facility.

Programming workshops conducted by Pearce, Brinkley, Cease and Lee/AECOM and Burns and McDonnell associated with the conceptual development of this project concluded the following:

- The site is appropriate and satisfactory for the critical public safety functions as outlined above.
- The site can accommodate the necessary communications tower but will require a zoning variance.
- There is sufficient capacity on the site for some future expansion but will require structured parking.
- The facilities can accommodate a potential joint Emergency Operations Center with Wake County.
- Geographically and functionally the site is not well suited to accommodate police district facilities.

A recommended phase one facility is proposed at approximately 95,000 square feet with a cost of approximately \$69 Million. This includes \$15 Million for required technology components. In addition, an allowance for potential County involvement is included.

**Recommendation:** Accept the report and approve moving ahead with the proposed Critical Public Safety Facility as presented, as well as, solicitation and selection of Construction Manager at Risk (CMAR) services for future approval by Council.



Authorize the City Manager to execute Contract Amendment Number One with Pearce, Brinkley, Cease and Lee/AECOM for design documents through Design Development.

Approve associated budget transfers for PBC+L Design Development effort and CMAR pre-construction services.

Transferred From:

507-2210-790010-975-CIP00-99080000 \$3,000,000  
 CEL Public Safety Center

Transferred To:

507-2210-790010-975-CIP00-86540070 \$3,000,000  
 Public Safety Facilities

**2. Comprehensive Annual Financial Report**

The Comprehensive Annual Financial Report (CAFR) has been completed for the year-ended June 30, 2012. The CAFR is the City's official annual report and is prepared by the Finance Department. It has been audited by the certified public accounting firm of Cherry, Bekaert & Holland, L.L.P., and the auditors' unqualified opinion on the fair presentation of the financial statements is included. The CAFR also includes the auditors' report on internal controls and a required SAS 114 letter which explains audit responsibilities and procedures.

Audit results for the year-ended June 30, 2012 did not include a separate management letter and there were no reported findings (single audit or internal control-related) within the financial statements.

It is appropriate for the City Council to accept the Comprehensive Annual Financial Report. Perry E. James III, Chief Financial Officer, and Allison Bradsher, Controller, will make a brief presentation on the CAFR.

**Recommendation:** Accept the Comprehensive Annual Financial Report.

**3. Climate Energy Action Plan**

The Climate Energy Action Plan project is a collaborative effort involving many City departments. This project provides a framework for holistic thinking about energy carbon emission reductions and related financial aspects, resulting in the report entitled *Raleigh's Climate Energy Action Plan: a Roadmap to Raleigh's Energy Future*.

This project was funded by the Energy Efficiency and Conservation Block Grant (EECBG), a formula grant administered by the Office of Energy Efficiency and Renewable Energy of the U.S. Department of Energy (DOE).

A brief introduction and overview will be provided along with copies of the report.

**Recommendation:** Receive as information. Authorize staff to present additional findings and recommendations in January.

**H. REPORT AND RECOMMENDATION OF THE RALEIGH ARTS COMMISSION**

The Community Grants Panel is made up of chair-appointed commission members, as well as at-large community members and a representative from the Greater Raleigh Convention and Visitors Bureau. The recommended appointees for fiscal year 2013-14 Arts Grants panelists are: Linda Bamford, Yvette Holmes, Katie Wyatt (community representatives) and Julie Brakenbury (Greater Raleigh Convention and Visitors Bureau representative).

**Recommendation:** Approve the appointees.

**I. REPORT AND RECOMMENDATION OF THE RALEIGH HISTORIC DEVELOPMENT COMMISSION**

**1. Historic Landmark Designation Referral**

One application for Historic Landmark designation has been received, the RHDC-sponsored Oberlin Cemetery, 1014 Oberlin Road.

There are presently 150 designated Raleigh Historic Landmarks.

The RHDC reviewed the application on November 20, 2012 and found it to meet all criteria for designation as contained in G.S. 160A-400.5 and City Code section 10-1053(a). City Code Section 10-1053 sets out certain actions for the City Council to take with regard to Historic Landmark applications.

**Recommendation:** Refer the application to the Department of Cultural Resources, Division of Archives and History for analysis and recommendation concerning the report; authorize a joint public hearing before the City Council and the Raleigh Historic Development Commission on the evening of January 15, 2013 to receive public comment.

**J. REPORT AND RECOMMENDATION OF THE BUDGET AND ECONOMIC DEVELOPMENT COMMITTEE**

**1. Stone's Warehouse Development**

A motion was made to direct administration to move forward with the private sale of the Stone's Warehouse assemblage property to Vann Joines/Landmark Group as proposed with the understanding the terms of disposition would include an appraisal price, plan for protection of Rex Healthcare location/relocation in the southeast area, public participation outline, and a financial project pro forma.

The vote on the motion resulted in a 2-2 vote. By consensus, the Committee agreed to recommend that the item be placed on the agenda for consideration by the full Council. Information on the Vann Joines/Landmark Group proposal is included in the agenda packet.

**2. Items Pending**

Item #09-42 - PROP/Rental Registration - Updates (11/15/11)

Item #11-04 - ART Contract Policies (2/21/12); Centralized Phone/Specific Pickup Times (10/2/12)

Item #11-10 - Thoroughfare Conflict - 216 Buck Jones Road (9-4-12)

Item #11-12 - Development Services Advisory Committee - Status Report (10/2/12)

**K. REPORT AND RECOMMENDATION OF THE COMPREHENSIVE PLANNING COMMITTEE**

1. No report.

**2. Items Pending**

Item #09-26 - Traffic Impact Analysis – Glenwood Avenue/Lead Mine Road Intersection (4/5/11)

Item #11-03 - Pauls Road Status/Improvements (1/17/12)

Item #11-04 - TC-9-11 – Outdoor Storage Yard – Height of Materials (2/7/12)

Item #11-10 - Unified Development Ordinance Topics (5/1/12)

Item #11-12 - CP-2-12 – Comprehensive Plan Amendments/UDO (5/1/12)

Item #11-21 - UDO – Backyard Cottages (10/15/12)

**L. REPORT AND RECOMMENDATION OF THE LAW AND PUBLIC SAFETY COMMITTEE**

1. No report.

**2. Items Pending**

Item #11-11 - Noise Concerns - Glorious Church

Item #11-12 - Sweepstakes Parlors - Location Criteria

Item #11-18 - Road Race Routes - North Hills

Item #11-19 - Dumpster Collection - Time and Noise Issues (10/29/12)

**M. REPORT AND RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE**

1. No report.

**2. Items Pending**

Item #11-07 - Brentwood Today Lake and Dam Rehabilitation Project (4/17/12; 6/15/12; 9/14/12)

Item #11-14 - Stormwater Reimbursement - 6640 Professor Street (10/2/12)

Item #11-15 - Wakefield Crossing Drive - Proposed Assessment (10/16/12)

Item #11-16 - Crosswalk - Chapanoke Road and South Wilmington Street (11/6/12)

**N. REPORT AND RECOMMENDATION OF THE TECHNOLOGY AND COMMUNICATION COMMITTEE**

1. No report.

**2. Items Pending**

Item #11-10 Brand Analysis - IBM Grant (11-20-12)

**O. REPORT OF MAYOR AND COUNCIL MEMBERS****P. APPOINTMENTS**

The following committees have appeared on past agendas and some nominations have been made. The Council may take action to make appointments or if the nominations have not been closed, which would be indicated on the agenda, additional nominations may be made on the ballot in the agenda packet. An asterisk beside a name means that person is presently serving on that board or commission.

**Arts Commission - One Vacancy**

Andy Martin (McFarlane)

Matt McConnell (Crowder/Baldwin)

**Bicycle and Pedestrian Advisory Committee - One Vacancy**

Paul Anderson (Stagner)

**Fair Housing Hearing Board - One Vacancy**

No nominees.

**Housing Appeals Board - One Vacancy**

No nominees.

**Human Relations Commission - One Vacancy**

No nominees.

**Parks, Recreation, and Greenway Advisory Board - One Vacancy**

Amy Simes (Stagner/Weeks)

**Substance Abuse Advisory Commission - One Vacancy**

Justin Brodie Clark (Gaylord)

**Q. NOMINATIONS****Environmental Awards Jury**

The City Council appoints two members of the professional scientific community and two at-large community members to serve on the Environmental Awards Jury. It would be appropriate to make nominations. The schedule calls for the entire jury to be confirmed by City Council at the January 15, 2013 Council meeting.

**R. REPORT AND RECOMMENDATION OF THE CITY ATTORNEY****1. Garbage Carts – Removal from Curbside**

During the November 20, 2012 Council meeting, the Council directed some changes relating to the time garbage/recycling bins could be placed on/removed from the curb. A proposed ordinance is included in the agenda packet.

**S. REPORT AND RECOMMENDATION OF THE CITY CLERK**

1. Minutes of the November 20, 2012 Council meeting and the October 15, 2012 and October 29, 2012 UDO meetings will be presented.

**EVENING AGENDA - 7:00 P.M.****A. REQUESTS AND PETITIONS OF CITIZENS**

1. Jason Hibbets, Code for Raleigh, would like to make a presentation regarding the Code for Raleigh Adopt a Shelter web application and report on participation in the Code for America race for Reuse campaign.
2. Corey Sturmer and other concerned citizens would like to play/project a news piece produced by WTVD Channel 11 News on water fluoridation. The news piece runs approximately eight minutes.
3. Rocco Piserchia would like to discuss Local Government for Sustainability and public water fluoridation.
4. Katie Haberman would like to address the Council and to request stopping the addition of toxic waste products being added to the water supply.
5. Marcus Hill would like to request the Council to end mass poisoning of Raleigh's citizens by their government via "water fluoridation."
6. Derek Culp would like to request removal or reduction of back billing for trash pickup and request that solid waste service code inspectors stop harassing and threatening him with fines relating to trash cans that do not belong to him.
7. Stephanie L. Norris would like to request exemption from the scattered site policy for Grace's Landing Apartments, 3304 Pine Grove Road, which is in connection with a bond issue of the Housing Authority of Wake County.
8. Charles M. Griffin, Can I Live, Inc., would like to present the Council with plans for their fatherhood initiative and ask for a resolution from the Council supporting the initiative.
9. Marcus Tidwell would like to discuss final assessment notice relating to Perry Creek Road and concerns about damage to his property.

**B. MATTERS SCHEDULED FOR PUBLIC HEARING**

1. A hearing to consider the petition annexation of the following areas. If following the hearing the Council wishes to proceed, it would be appropriate to adopt ordinances annexing the properties to be effective December 4, 2012 and adoption of a resolution placing the properties in City Council Electoral District E.
  - Hucks property (portion of)
  - Bledsoe property/ Leesville Road
2. A hearing to consider confirming Sidewalk AR 415, Millbrook Road according to charges outlined in Resolution 2012-686 adopted November 20, 2012.