AGENDA

PUBLIC WORKS COMMITTEE

6:00 p.m., Tuesday, February 14, 2017

COMMITTEE ROOM

Room 239, City Hall

COMMITTEE MEMBERS: Council Member Dan Besse, Chair
Council Member, John C. Larson, Vice Chair
Council Member Derwin L. Montgomery
Council Member James Taylor, Jr.

GENERAL AGENDA

G-1. UPDATE ON WINSTON-SALEM TRANSIT AUTHORITY SERVICES.

G-2. RESOLUTION APPROVING A RATE INCREASE FOR TRANS-AID SERVICES TO BE USED FOR REVENUE ENHANCEMENT TO TRANS-AID OPERATIONS.

G-3. UTILITIES SERVICES UPDATE.

G-4. SMALL CELL TOWER TECHNOLOGY UPDATE.
CONSENT AGENDA

C-1. CONSIDERATION OF STREET CLOSING PETITIONS:
   a. CONSIDERATION OF A PETITION TO CLOSE AND ABANDON A 10' ALLEY LOCATED OFF OF HUMANITY DRIVE AT THE PROPERTY OF PAISLEY IB MAGNET SCHOOL (NORTH WARD) - Petition of Winston-Salem/Forsyth County Schools.
   b. CONSIDERATION OF A PETITION TO CLOSE AND ABANDON A 20' ALLEY LOCATED OFF OF LIBERIA STREET AT THE HAPPY HILLS POOL FACILITY (EAST WARD) – Petition of City of Winston-Salem.

C-2. RESOLUTION APPROVING THE VOGLER DRIVE TRAFFIC CALMING PLAN FOR FUNDING AND CONSTRUCTION.

C-3. RESOLUTION APPROVING AN AGREEMENT WITH BRANCH POINT HOMEOWNERS ASSOCIATION, INC. TO MAINTAIN A DECORATIVE STREETLIGHTING SYSTEM - NORTHWEST WARD.

C-4. APPROVAL OF AN ENCROACHMENT AGREEMENT, ACCEPTANCE OF CERTAIN PUBLIC INFRASTRUCTURE FEATURES, AND ALLOWANCE FOR DONOR RECOGNITION SIGNAGE

C-5. TRAFFIC CALMING UPDATE.

C-6. UPDATE ON FIRM SELECTION FOR COMPREHENSIVE BICYCLE MASTER PLAN.

At the January 2017 Public Works Committee Meeting, staff was asked to bring monthly updates on the status of concerns raised about the Comprehensive Bus Route changes which became effective January 2, 2017.

The attached report includes background information on the different actions which occurred to support the changes made to the system, gives a brief accounting on the customers served by WSTA and gives a summary status on the complaints received to date.

Staff will be available to answer questions about the information submitted in the report.
City Council – Action Request Form

Date: February 14, 2017

To: The City Manager

From: Gregory M. Turner, Assistant City Manager

Council Action Requested:

Consideration of a Resolution Approving a Rate Increase for Trans-AID Services to be used for Revenue Enhancement to Trans-AID Operations.

Summary of Information:

The Winston-Salem Transit Authority’s (WSTA) Board of Directors recommended at their September 29, 2016 meeting that the Winston-Salem City Council consider actions necessary to enhance revenues and stabilize the Mass Transit Tax fund. At the Public Works Committee meeting held in January, Committee Members indicated staff would bring an item recommending changes to the Trans-AID rate structure only.

Trans-AID is the WSTA’s ride sharing transportation service for eligible riders who are elderly and/or have a disability that prevents them from riding the fixed route bus. The fee for Trans-AID rides is $1 per trip which is the same as fixed route. However, eligible Trans-AID passengers can receive a fee exemption or can ride for free if they present a valid Medicaid card to operators. The ridership for Trans-AID reveals that the number of riders has grown over time, mostly because the aging population grows, while the health of these individuals has declined. This change contributes to the number of riders transitioning from fixed route to Trans-AID.

Staff is recommending that City Council consider an elimination of the Trans-AID exemption and discount, establishing the rate for all rides on Trans-AID at $1 per trip, the same as the fixed route for the upcoming fiscal year. Because of the comprehensive restructuring of the WSTA fixed bus routes which became effective on January 2nd, a change to the fixed route fees is not recommended at this time. Staff will continue to make adjustments to the new fixed routes and may present information on rate structure adjustments in the future.

Should Council recommend a rate increase for Trans-AID, staff will begin the public participation process immediately.

Committee Action:

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Remarks:
RESOLUTION RECOMMENDING AN ITEM TO APPROVE A RATE INCREASE FOR TRANS-AID SERVICES TO BE USED FOR REVENUE ENHANCEMENTS FOR TRANS-AID OPERATIONS

WHEREAS, the Winston-Salem Transit Authority Board of Directors defines and recommends policies for the Winston-Salem Transit Authority; and

WHEREAS, Trans-AID is the WSTA’s ride sharing transportation service for eligible riders who are elderly and/or have a disability that prevents them from riding the fixed route bus; and

WHEREAS, the fee for Trans-AID rides is currently $1 per trip which is the same for fixed route trips; and

WHEREAS, eligible Trans-AID passengers can receive a fee exemption for Trans-AID if they present a valid Medicaid card or a copy of the card to operators, making their ride free; and

WHEREAS, the ridership for Trans-AID reveals that the number of riders is growing; and

WHEREAS, staff is recommending that City Council consider an elimination of the Trans-AID exemption and discount, and set the rate for these rides at $1 per trip, the same as the fixed route for the upcoming fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Winston-Salem hereby directs staff to begin the public participation process as they consider an elimination of the fee exemption for Trans-AID riders, setting the fee per ride at $1 per trip.
TO: Mayor Allen Joines and Members of the City Council
FROM: Courtney Driver, City/County Utilities Director
DATE: January 30, 2017
SUBJECT: Utilities Update
CC: Gregory M. Turner, Assistant City Manager

The Winston-Salem/Forsyth County Utilities Department will brief the Public Works Committee on water quality, capital projects, and financials at its meeting on February 14, 2017.

This briefing and overview is designed to keep members of the City Council and the public informed.

Please feel free to contact me at 747-7315 or courtneyd@cityofws.org if you have any questions or comments before the Public Works Committee meeting.
Memorandum

TO:        Lee D. Garrity, City Manager
FROM:      Tom Kureczka, Chief Information Officer
DATE:      February 2, 2017
SUBJECT:   Informational Memo – Small Cell Tower Technology
CC:        Ben Rowe, Assistant City Manager
           Greg Turner, Assistant City Manager

The purpose of this memo is to provide an update on an emerging technology often referred to as small cell towers. The Communication Service Providers (CSP) industry is investing heavily in this technology as they build their infrastructure to off-load the demand on their macro cell towers and meet the growing demand from their subscribers for wireless voice and data services. In addition to the expected increase in the capacity of voice and data services, they are looking to provide faster services, extend coverage, and support the growth in digital services and internet based applications.

Providers will use small cell tower technology, distributed antenna systems, Wi-Fi solutions, and some hybrid of these to address their customer’s needs and demands, and to stay competitive in this fast paced and very profitable market. The CSP’s are quickly increasing the use of these technologies in both internal and external settings.

The market for internal solutions includes hotels, arenas and auditoriums, shopping malls, convention centers, business centers, transit facilities, educational campuses, and hospitals. The market for external settings includes stadiums, downtown hotspots, public parks, amusement parks, and metropolitan coverage including city streets. As they build-out this infrastructure they will consider the environmental settings, the architectural approach, and the requirements of the network traffic.

The equipment for small cell towers (SCT) is typically placed near the top of a pole, on a street light, attached to a building, hung from a ceiling, or in a data closet. The equipment is about the size of a shoe box, and is fairly innocuous once installed and operational. In addition to the real estate or asset for placement, the equipment requires a power source and a connection through a backhaul to a centralized base unit, which in turn is connected to the vendor’s proprietary core network, the internet, or other services. The coverage for an SCT can vary from 25 feet to 2,000 yards.

State agencies are approving some use of SCT solutions on state-owned property today, as are other cities in North Carolina. In addition to local government, the providers are working with private organizations for the placement of equipment.

Staff has been contacted by and has had discussions with some of the service providers in the Triad. Key players in the industry are working together and partnering with the NC League of Municipalities to develop an educational series and forums on small cell technology. The goals of the forums are to help local
government representatives and elected officials better understand the importance of this next generation of technology and the use of small cell infrastructure, potential applications for consumers and local government, and the opportunities and challenges with the installation of small cell technology. Staff will continue to communicate and work with the providers, looking for opportunities to both enhance our community and improve upon our own daily operations.
The purpose of this memo is twofold: 1) to provide some basic information on certain legal requirements which require a City to respond to small cell infrastructure siting applications within specified periods of times and 2) to recommend that Council consider crafting and adopting an ordinance that would, among other things, delegate authority to staff to approve or deny applications within the legally-required timeframes.

Various provisions of federal and state law, as well as orders issued by the Federal Communications Commission, require that local governments act on applications to site small cell infrastructure within specified periods of time. These periods of time are termed “shot clocks”. Federal shot clocks begin when an application is submitted and state shot clocks begin when an application is deemed complete.

Different shot clocks apply to different sorts of small cell applications. The federal shot clock for a new facility is 150 days after the application is submitted and the state shot clock is a reasonable period of time after the application is deemed complete, commensurate with the length of time needed for the review of other land use permits. The federal shot clock for a collocation on another structure, such as a tower or base station, that substantially changes the physical dimensions of that structure by a specified amount, is 90 days from the date the application is submitted. The state shot clock is 45 days from the date the application is deemed complete. The federal shot clock for a so-called “eligible facilities request”, which, generally speaking, is the modification of an existing wireless tower or base station, which does not substantially change the physical dimensions of the tower or base station, is 60 days from the date an application is submitted. The state shot clock is 45 days from the date the application is deemed complete. The consequence of failing to act on an eligible facilities request within the 60-day federal shot clock is that the application is automatically deemed approved, thereafter.

For this reason, staff recommends that Council consider adopting an ordinance that not only would establish standards for the review of small cell siting applications, but would also delegate authority to staff to approve or deny applications, based on said standards, in order to expedite the City’s response and enable staff to act on applications within the state- and federally-mandated deadlines.
City Council – Action Request Form

Date: January 17, 2016
To: The City Manager
From: Gregory M. Turner, Assistant City Manager

Council Action Requested:
Consideration of a petition to close and abandon a 10’ Alley located off of Humanity Drive at the property of Paisley IB Magnet School (North Ward) – Petition of Winston-Salem/Forsyth County Schools.

Summary of Information:
The City of Winston-Salem has received a petition from the Winston-Salem/Forsyth School System to close and abandon a 10’ Alley located off of Humanity Drive at the property of Paisley IB Magnet School. The area petitioned for closure is an unopened 10-foot right-of-way, located at the end of Grant Avenue, just south of Humanity Drive. This right-of-way is approximately 535 feet in length. The area is bounded on the east by nine residential properties (Tax PINs 6826-82-2295, 6826-82-3307, 6826-82-2290, 6826-82-3508, 6829-82-3404, 6826-82-3504, 6826-82-2193, 6826-82-2390, 6826-82-3409), on the west by Tax PIN 6826-72-8041, on the south by Tax PIN 6826-82-3004, and on the north by Humanity Drive.

The Public Works Department has reviewed the request. There are no Planning or Winston-Salem Department Of Transportation concerns if this right-of-way is closed. No property owner would be denied access to their property if this petition is approved. There are no public utilities located in this right-of-way. Sanitation services will not be interrupted.

Approval of the petitioner’s request to close and abandon a 10’ Alley located off of Humanity Drive at the property of Paisley IB Magnet School is recommended.

Committee Action:

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM that, in response to a petition filed with the City, a Public Hearing will be held on March 27, 2017, at 7:00 p.m. in the Council Chamber on the Second Floor of City Hall to consider closing and abandoning an alley off of Humanity Drive, as provided by N.C.G.S. §160A-299. All persons interested in the proposed closing are hereby notified to appear at this hearing and present their views to the Council. The area proposed to be closed is described as:

Unnamed alley extending south off of Humanity Drive, and bounded on the East by nine residential properties (Tax PINs 6826-82-2295, 6826-82-3307, 6826-82-2290, 6826-82-3508, 6829-82-3404, 6826-82-3504, 6826-82-2193, 6826-82-2390, 6826-82-3409), on the West by Tax PIN 6826-72-8041, on the South by Tax PIN 6826-82-3004.

This the 20th day of February, 2017.

CITY COUNCIL OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA

By: Melanie Johnson, City Secretary

All requests for appropriate and necessary auxiliary aids and services must be made, within a reasonable time prior to the hearing, to Angela I. Carmon, the City's ADA Coordinator, at 727-2056 or TDD 727-8319.
STREET CLOSURE PETITION: 10' UNNAMED ALLEY OFF HUMANITY DRIVE
Petition of Winston-Salem/Forsyth County Schools
STREET CLOSURE PETITION: 10' UNNAMED ALLEY OFF HUMANITY DRIVE
Petition of Winston-Salem/Forsyth County Schools
City Council – Action Request Form

Date: January 17, 2016
To: The City Manager
From: Gregory M. Turner, Assistant City Manager

Council Action Requested:

Consideration of a petition to close and abandon a 20’ Alley located off of Liberia Street at the Happy Hills Pool Facility (East Ward) – Petition of City of Winston-Salem.

Summary of Information:

The City of Winston-Salem has received a petition to close and abandon a 20’ Alley located off of Liberia Street at the Happy Hills Pool Facility. This petition was initiated by the City of Winston-Salem Engineering Department in order to better consolidate City owned property in the area. The area petitioned for closure is an opened 20-foot right-of-way, located off of Liberia Street. This right-of-way is approximately 200 feet in length. The area is bounded on the east by Tax PIN 6835-41-7697, on the west by Tax PIN 6835-41-6796, on the south by Tax PIN 6835-41-1126, and on the north by Liberia Street.

The Public Works Department has reviewed the request. There are no Planning or Winston-Salem Department Of Transportation concerns if this right-of-way is closed. No property owner would be denied access to their property if this petition is approved. There are no public utilities located in this right-of-way. Sanitation services will not be interrupted.

Approval of the petitioner’s request to close and abandon a 20’ Alley located off of Liberia Street at the Happy Hills Pool Facility is recommended.

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Remarks:
RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON AN ALLEY OFF OF LIBERIA STREET AND NOTICE TO ALL PERSONS INTERESTED IN THE CLOSING THEREOF

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM that, in response to a petition filed with the City, a Public Hearing will be held on March 27, 2017, at 7:00 p.m. in the Council Chamber on the Second Floor of City Hall to consider closing and abandoning an alley off of Liberia Street, as provided by N.C.G.S. §160A-299. All persons interested in the proposed closing are hereby notified to appear at this hearing and present their views to the Council. The area proposed to be closed is described as:

Unnamed alley extending south off of Liberia Street, and bounded on the east by Tax PIN 6835-41-7697, on the west by Tax PIN 6835-41-6796, on the south by Tax PIN 6835-41-1126, and on the north by Liberia Street.

This the 20th day of February, 2017.

CITY COUNCIL OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA

By: Melanie Johnson, City Secretary

All requests for appropriate and necessary auxiliary aids and services must be made, within a reasonable time prior to the hearing, to Angela I. Carmon, the City's ADA Coordinator, at 727-2056 or TDD 727-8319.
STREET CLOSURE PETITION: 20' UNNAMED ALLEY OFF LIBERIA STREET
Petition of City of Winston-Salem
STREET CLOSURE PETITION: 20' UNNAMED ALLEY OFF LIBERIA STREET
Petition of City of Winston-Salem
City Council – Action Request Form

Date: February 14, 2017
To: The City Manager
From: Gregory M. Turner, Assistant City Manager

Council Action Requested:
Approval of a Resolution Approving the Vogler Drive Traffic Calming Plan for Funding and Construction.

Summary of Information:
In accordance with the City of Winston-Salem’s Traffic Calming Policy approved by City Council in 2003 and revised in 2012, representatives of Vogler Drive formed a traffic calming task force and submitted a petition for traffic calming. The Vogler Drive residents have completed all the required steps outlined in the policy therefore the Department of Transportation recommends approval and construction of the plan at a cost of $4,500. The plan is attached.

The plan includes the recommendation to install three speed cushions which complies with the modifications to the Traffic Calming Policy adopted by City Council on December 14, 2016. The residents of Vogler Drive held community meetings related to this plan before the revised policy was adopted and would therefore be eligible for traffic calming devices under the pre-December 14 policy. However, the neighborhood is willing to accept the new restrictions.

Committee Action:

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RESOLUTION APPROVING THE VOGLER DRIVE TRAFFIC CALMING PLAN FOR FUNDING AND CONSTRUCTION

WHEREAS, the City and the Vogler Drive residents have worked to develop a traffic calming plan; and

WHEREAS, the plan has been approved by more than 70% of the property owners as required by the policy; and

WHEREAS, staff recommends implementation of the plan.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Winston-Salem upon recommendation of the Public Works Committee does hereby adopt the above-mentioned traffic calming plan and subsequent construction at a cost of $4,500.
Vogler Drive Proposed Speed Cushions

January 4, 2017

0 210 420
105 ft

0 60 120
30 m

1:2,257

Disclaimer: Forsyth County cannot guarantee the accuracy of this information, and the County hereby disclaims all warranties, including warranties as to the accuracy of this information.

January 4, 2017

1:2,257

Disclaimer: Forsyth County cannot guarantee the accuracy of this information, and the County hereby disclaims all warranties, including warranties as to the accuracy of this information.
City Council – Action Request Form

Date: February 14, 2017
To: The City Manager
From: Gregory M. Turner, Assistant City Manager

Council Action Requested:
Consideration of a Resolution Approving an Agreement with Branch Point Homeowners Association, Inc. to Maintain a Decorative Streetlighting System (Northwest Ward).

Summary of Information:

Branch Point Court is a new residential development located off of Yadkinville Road. The Branch Point Homeowners Association, Inc. desires to have decorative lights on fiberglass poles. This streetlighting system, available through Duke Energy to the City, is more costly than the standard streetlighting. Branch Point Homeowners Association, Inc. has agreed to pay the up-front decorative adder charges for five Acorn decorative lights as required by the Streetlighting Policy and it is eligible for City participation in the cost of the streetlighting in Branch Point Court. The City’s participation is limited to the cost of a standard non-decorative streetlighting system.

There will be a recurring annual electrical and administrative charge to Branch Point Homeowners Association, Inc. The Homeowners Association will be responsible for paying the amount which exceeds the cost to provide standard streetlighting. These charges will be paid annually for the entire length of the ten year contract period with the first billing cycle to begin one year after the contract agreement.

The recurring annual electrical and administrative charge to Branch Point Court is estimated to be $809.83.

Committee Action:

Committee Action

For

Remarks:

Action

Against
RESOLUTION APPROVING AN AGREEMENT WITH THE 
BRANCH POINT HOMEOWNERS ASSOCIATION, INC. TO INSTALL AND 
MAINTAIN DECORATIVE STREETLIGHTS IN BRANCH POINT

WHEREAS, Branch Point Court is a new residential neighborhood located off Yadkinville Road; and

WHEREAS, the Branch Point Homeowners Association, Inc. desires decorative lights on fiberglass poles that are more costly than the standard residential streetlighting that the City provides under the Streetlighting Policy; and

WHEREAS, the Branch Point Homeowners Association, Inc. agrees to pay to the City the amount which exceeds the cost to provide standard residential streetlighting.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Winston-Salem that the Mayor and City Secretary are authorized to enter into an agreement with the Branch Point Homeowners Association, Inc. for decorative lights and fiberglass poles.
NORTH CAROLINA) 

AGREEMENT

FORSYTH COUNTY)

THIS AGREEMENT, made this ________ day of ____________, 20__, and between Branch Point Homeowners Association, Inc. and the CITY OF WINSTON-SALEM, NORTH CAROLINA, a municipal corporation (hereinafter the “City”):

WITNESSETH:

WHEREAS, Branch Point Homeowners Association, Inc. represents the owners of certain property as shown on the map attached hereto as Exhibit A, said property known as “BRANCH POINT COURT”; and

WHEREAS, Branch Point Homeowners Association, Inc. desires to have a decorative system for BRANCH POINT COURT that will consist of 5 Acorn decorative streetlights and fiberglass poles; and

WHEREAS, the lighting system will, be owned, operated, and maintained by Duke Energy and leased by the City in accordance with the City’s formal streetlighting contract with Duke Energy; and

WHEREAS, the cost of operation and maintenance of the streetlighting system will be billed by Duke Energy to the City in accordance with the most current Rate Schedule GL; and

WHEREAS, the City has agreed to pay the costs of 3 standard street light fixtures (the “standard charges”) in accordance with Duke Energy’s Rate Schedule GL; and

WHEREAS, Branch Point Homeowners Association, Inc. will fulfill their up-front decorative charge to Duke Energy; and

WHEREAS, it is the desire of Branch Point Homeowners Association, Inc. that the City not incur expenses on account of additional charges for the decorative added facilities and agrees to pay the cost difference between the decorative system and the standard system and the annual administrative charges as described above and outlined in the City Streetlighting Policy and will remain in service within the Branch Point property.

NOW, THEREFORE, for and in consideration of the premises and the mutual terms and conditions as hereinafter set forth, the City and Branch Point Homeowners Association, Inc. agree as follows:
1. Branch Point Homeowners Association, Inc. shall reimburse the City for all charges and expenses which the City incurs due to the difference between (a) the standard charges for 3 standard luminaries and (b) the extra charges for 5 Acorn decorative luminaries of the streetlighting system in BRANCH POINT COURT. These charges shall be based on the City’s design, management, opportunity, and other costs as well as the costs charged by Duke Power.

2. The City shall bill Branch Point Homeowners Association, Inc. annually and the reimbursement shall be paid by Branch Point to the City annually and shall be received by the City not more than 30 days following the date of the reimbursement bill. If payment has not been made within 30 days, the City shall have the authority to terminate this Agreement immediately. Upon termination, the City reserves the right, in its sole discretion, to have Duke Energy remove decorative fixtures in Branch Point Court and install standard LED fixtures with wooden poles. Branch Point Homeowners Association, Inc. will be responsible for any and all costs for the removal and installation of these lights.

3. Nothing in this contract shall be construed to grant an ownership interest in the decorative light fixtures to Branch Point Court. Branch Point Homeowners Association, Inc. hereby acknowledges that the City merely leases the fixtures from Duke Energy and Duke Energy is solely responsible for its decorative adder, underground installation, and electrical rates. Branch Point Homeowners Association, Inc. further acknowledges that it understands that the monthly payment option is no longer available and that all decorative adder charges and any installation charges must be paid up front. Further, Branch Point Homeowners Association, Inc. acknowledges that it understands that it will be responsible for the cost difference for the electrical service as well as an annual administrative charge.

4. Branch Point Homeowners Association, Inc. shall defend, indemnify, save, and hold harmless the City, its employees, agents, and servants against any and all liabilities, judgments, costs, damages, and expenses, including, but not limited to, attorney’s fees, which may in any manner arise, come, or accrue against the City in consequence of any acts or omissions of Branch Point, its agents, servants, or employees pertaining to the terms of this Agreement.

5. The initial term of this Agreement shall be ten years, beginning on the first day of the next month following the date of execution of this Agreement. The Agreement shall automatically be extended for successive periods of one year under the same terms and conditions of the original Agreement until such time as the City may give Branch Point notice of termination. The City reserves the right to terminate this Agreement for any reason upon 60 days notice to Branch Point Homeowners Association, Inc. Any notice of termination shall be in writing to Branch Point Homeowners Association, Inc. at its last known address.

6. This Agreement shall inure to the benefit and be binding upon the parties hereto and their respective heirs, executors, administrators, successors, and assigns.

7. The Agreement shall be construed and enforced in accordance with the laws of the State of North Carolina.

8. The invalidity, illegality or unenforceability of any provision of this Agreement, or the occurrence of any event rendering any portion or provision of this Agreement void, shall in no way affect the validity, legality, or enforceability of any other portion or provision of this Agreement.
9. This Agreement contains the entire agreement between the parties hereto with respect to the transactions contemplated herein and supersedes all prior negotiation, representations, or agreements whether written or oral. This Agreement may be amended only by a written instrument executed by each of the parties.

10. Branch Point Homeowners Association, Inc. warrants it has the authority to enter into this Agreement.
IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

BRANCH POINT HOMEOWNERS ASSOCIATION, Inc.

BY: ____________________________________________
   President

ATTEST:
(SEAL)

_______________________________
Secretary

CITY OF WINSTON-SALEM

BY: ____________________________________________
   City Manager

ATTEST:
(SEAL)

_______________________________
City Secretary

This instrument has been preaudited in the manner required by the Local Government and Fiscal Control Act.

Approved as to form and legality.

This ____ day of _____________, 201_

Patrice Toney, Budget Director

This ____ day of _____________, 201_

Angela Carmon, City Attorney

-42-
January 25, 2017

City of Winston-Salem
Department of Transportation
100 East First Street, Suite 307
Winston-Salem, NC 27101

Branch Point Subdivision Street Lighting

Sir or Madam,

Based upon recent information provided by your department concerning street light options for our subdivision, the Branch Point Homeowners Association has determined that we wish to install 5 decorative style Economic Traditional lights in black. At this time Duke Power Company has quoted each decorative light at $380.17. The homeowners association will provide for this cost minus the credit for the 3 standard lights which would have otherwise been installed. These decorative lights are quoted to total $809.23 in annual electricity usage. The difference of electricity usage from standard street lights is understood to be the responsibility of the homeowner association.

A contract will be presented to the City Council for the electrical service cost difference and administrative charges of this system and will be an annual recurring payment for as long as the lights are in place.

Please begin the necessary paperwork for this request as soon as possible.

Sincerely,

Greg Garrett
Vice President of Land Acquisitions
Branch Point Ct Neighborhood
City Council – Action Request Form

Date: February 13, 2017
To: The City Manager
From: Gregory M. Turner, Assistant City Manager

Council Action Requested:

Approval of an Encroachment Agreement, Acceptance of Certain Public Infrastructure Features, and Allowance for Donor Recognition Signage

Summary of Information:

The public alleyway which runs between Trade and Cherry Street was paved with bricks and otherwise constructed with a now dated 1970’s design as part of the Trade Street Mall Project. The alley also extends via a tunnel under Cherry Street to the Embassy Suites hotel building.

The Downtown Winston-Salem Partnership has requested permission to make improvements to the alley which would include:

• Installing a new gate at the tunnel
• Installing new cable steel fencing
• Installing new trash receptacles and garbage can enclosures
• Installing a bike rack
• Installing directional/guidance signage
• Improving alley lighting
• Installing nicer planting materials

In addition, the partnership would like to recognize the donors who contribute to the project with special signage to be placed within the project.

After the Downtown Winston-Salem Partnership installs these enhancement features they would become the property of the City. Architectural drawings depicting these features are attached. Staff recommends approval of an encroachment for these devices and acceptance of the devices for City ownership at the conclusion of the construction project.

Committee  Action
For  Against
Remarks:
RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT AND ACCEPTANCE OF CERTAIN PUBLIC INFRASTRUCTURE FEATURES

WHEREAS, the alleyway running between Trade and Cherry Streets south of Fifth Streets is a public alley; and

WHEREAS, the physical infrastructure of the alley is not conducive to the needs of pedestrians or adjacent businesses; and

WHEREAS, the Downtown Winston-Salem Partnership (DWSP) has identified several improvements and enhancements it wishes to make for the benefit of these groups; and

WHEREAS, the DWSP will fund the cost of the improvements/enhancements using Business Improvement District (B.I.D.) funds and using other funds that the DWSP raises; and

WHEREAS, these improvements/enhancements require City Council approval; and

WHEREAS, the City staff has reviewed the proposed improvements and found them to be acceptable; and

WHEREAS, the improvements/enhancements will revert to City ownership once they are installed.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council does hereby authorize an encroachment be issued to the DWSP for devices in the above alley.

BE IT FURTHER RESOLVED, that the Mayor and City Council does also authorize the erection of signage within the project boundary that recognizes the contributors to the financial cost of the project.

BE IT FURTHER RESOLVED, that the Mayor and City Council does hereby also authorize the City Manager and his staff to accept the enhancements funded by the DWSP as City-owned infrastructure upon their proper installation.
At the December 2016 Public Works Committee meeting, Council Member Montgomery asked that staff report back to the Committee information on what traffic calming measures are being used in various neighborhoods and how those measures may impact adjoining neighborhoods. In response to this request, the following table lists the completed traffic calming projects and the number of devices installed:

<table>
<thead>
<tr>
<th>LOCATION</th>
<th># BULB OUTS/CURB EXTENSIONS</th>
<th># SPEED CUSHIONS</th>
<th># SPEED HUMPS</th>
<th># CENTER ISLANDS</th>
<th>CENTERLINE AND/OR EDGELINE</th>
<th>TRAFFIC CIRCLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>A London Lane</td>
<td>8</td>
<td></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>B Countryside Drive</td>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>C Milhaven Road</td>
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<td></td>
<td></td>
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<tr>
<td>D Lockland Avenue</td>
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<td></td>
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<tr>
<td>E Oak Ridge Neighborhood</td>
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</tr>
<tr>
<td>F Cherokee Lane</td>
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<td>yes</td>
<td>1</td>
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<tr>
<td>G Windmere Drive</td>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>H Riverchase Neighborhood</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12</td>
</tr>
<tr>
<td>I Solomon Drive</td>
<td></td>
<td></td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J Gyddie Drive</td>
<td></td>
<td></td>
<td>4</td>
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<tr>
<td>K Pecan Ridge Neighborhood</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>L Chase at Kingstree Neighborhood</td>
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<td></td>
<td></td>
<td></td>
<td>12</td>
</tr>
</tbody>
</table>

The following table lists the traffic calming projects in progress that have had their first neighborhood meeting and are therefore grandfathered-in in accordance with the adopted policy:

<table>
<thead>
<tr>
<th>LOCATION</th>
<th># BULB OUTS/CURB EXTENSIONS</th>
<th># SPEED CUSHIONS</th>
<th># SPEED HUMPS</th>
<th># CENTER ISLANDS</th>
<th>CENTERLINE AND/OR EDGELINE</th>
<th>TRAFFIC CIRCLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>M Thornaby Park</td>
<td></td>
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<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N Vogler Street</td>
<td></td>
<td></td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>K Pecan Ridge Addition *</td>
<td></td>
<td></td>
<td>6</td>
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</tr>
</tbody>
</table>

* Pecan Ridge Neighborhood has requested speed humps on a road that was not included in the previously approved plan.
City Council adopted a revision to the Traffic Calming Policy on December 19, 2016 restricting the use of vertical displacement devices (speed humps, cushions) if the average estimated response time for emergency vehicles increases by 60 seconds. The industry standard for emergency services delay at each vertical measure is 10 seconds, therefore the use of vertical measures is limited to 6 devices. Eleven of the neighborhoods listed above utilize either speed humps or speed cushions. The potential impact to other neighborhoods or streets are listed below:

- Countryside Drive would not have an impact on any future traffic calming project involving vertical measures. Countryside Drive has two speed humps on a road that dead ends in an apartment complex.
- The Oak Ridge Neighborhood would impact any future projects on Butterfield Drive, Orchid Drive, Kimball Lane, Sunflower Circle and Carnation Drive because there are already more than 6 vertical devices (speed humps and speed cushions) installed.
- Windmere Drive may impact any future projects on Northridge Drive, Glen Forest Drive, Lansdown Drive and Nantucket Drive because there are 3 speed humps installed on Windemere Drive. The recommendation to add vertical measures to the side streets would be limited.
- The Riverchase Neighborhood would impact any future projects in the Beeson Acres Road Neighborhood. There are at least 3 speed cushions per access road which could be used to get to Beeson Acres from the Riverchase neighborhood. The recommendation to add vertical measures to the side streets would be limited.
- Solomon Drive would impact any future projects on Pecan Circle because Solomon Drive is one of the access roads to Pecan Circle and Solomon Drive has 3 speed cushions installed.
- Gyddie Drive would not have an impact on any future traffic calming projects involving vertical measures because there are other access roads to adjoining neighborhoods.
- The Pecan Ridge Neighborhood may impact any future projects in the Blue Stone Lane Neighborhood. Pecan Ridge has over 13 measures throughout the neighborhood and those access roads will prohibit additional vertical measures to Blue Stone Lane neighborhood if Pecan Ridge Circle is the main access road used.
- The Chase at Kingstree may impact any future projects in the Kingstree Neighborhood and the Fiddler Knoll Neighborhood if Clinard or Trillium Roads are used as access roads to Fiddler Knoll neighborhood, because those roads already have at least 6 vertical measures installed on each road.

The following neighborhoods have submitted traffic calming petitions but did not have their initial community meeting to solicit comments on a traffic calming plan before December 19, 2016 and would therefore be subject to the new policy adopted:

- Kearns Avenue & Vernon Avenue
- Robinhood Road
- Kent Road
- Poplar Street York Road/Clovelly Road/Paddington Lane
- Dreamland Park
In addition to the traffic calming projects listed above, prior to the adoption of the Traffic Calming Policy in 2003, two projects were installed to address safety concerns. A single lane choker was installed on Bethabara Road at the park and center islands were installed on First Street between Broad Street and Shady Boulevard. Neither of these devices would impact potential measures requested on adjacent roadways.
CHEROKEE LANE TRAFFIC CALMING PLAN
- TRAFFIC CIRCLE AT CHEROKEE LANE AND KENWOOD STREET
- CENTERLINE MARKINGS ON CHEROKEE LANE FROM EBERT STREET TO BOLTON STREET
MILHAVEN RD. PROPOSED ISLAND LOCATION MAP
In 2005, the City of Winston-Salem and the Winston-Salem Metropolitan Planning Organization (WSMPO) adopted a Comprehensive Bicycle Master Plan to provide a vision for cycling in the community and to identify infrastructure improvements needed to make cycling a viable transportation option. Nearly all of the priority projects identified through that planning process have been implemented or have been funded.

Since the adoption of the plan in 2005, however, the field of bicycle transportation planning has evolved and become more sophisticated, and the City of Winston-Salem has developed into a hub for cycling activity, gaining national attention through the hosting of major cycling events and the development of Olympic training facilities. To leverage these recent developments, the City of Winston-Salem plans to develop a new bicycle master plan for the Winston-Salem Urban Area that will address the needs of the community in terms of infrastructure and programming with the ultimate goal of increasing ridership and becoming designated as a Silver-Level Bicycle Friendly Community. As a result of the 2005 bicycle master plan and the progress made in implementing projects and related programs, the League of American Bicyclists recognized Winston-Salem as a Bicycle Friendly Community at the Bronze level in 2013.

In October 2016, the City requested proposals for the next Bicycle Master plan and on November 2016, the City of Winston–Salem received five proposals from professional engineering firms stating their qualifications. This new plan will lead to the development of a new bicycle map that will help cyclists identify their preferred routes. A selection committee consisting of the Transportation Planning Development Coordinator, the North Carolina Department of Transportation Planning Coordinator, the Transportation Project Planner (Bike/Ped) and the Project Planner (Greenways) has evaluated the proposals based upon the following criteria:

- Scope of Work proposed
- Experience and Availability
- Citizen Participation
- Local Presence
- M/WBE Status

A chart showing all the firms which proposed and their scores is shown below. Based upon their scores, the evaluation team selected AECOM as the recommended firm for the project. The firm exceeded the 10% goal for M/WBE participation on the project.
<table>
<thead>
<tr>
<th>Firm Name</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>AECOM</td>
<td>85.25</td>
</tr>
<tr>
<td>Toole</td>
<td>77.5</td>
</tr>
<tr>
<td>Stantec</td>
<td>71.5</td>
</tr>
<tr>
<td>Davenport</td>
<td>63.75</td>
</tr>
<tr>
<td>Tindale Oliver</td>
<td>60</td>
</tr>
</tbody>
</table>

Staff plans to negotiate with AECOM for the proposed fee for this work and expects to bring an item to Council in March for consideration.

The Winston-Salem Urban Area MPO Transportation Advisory Committee approved $120,000 in STPDA funds for the project on March 17, 2016. The City is responsible for providing the 20% matching funds, totaling $30,000.

Please let me know if you need additional information.
SUMMARY OF MINUTES
PUBLIC WORKS COMMITTEE

6:14 p.m., Tuesday, January 10, 2017

COMMITTEE ROOM
Room 239, City Hall

__________________________________________

MEMBERS PRESENT: Council Member Dan Besse, Chair
                    Council Member John C. Larson, Vice Chair
                    Council Member Derwin L. Montgomery
                    Council Member James Taylor, Jr.

OTHERS PRESENT: Council Member Adams
                Council Member MacIntosh (left at 6:46 p.m.)

Chair Besse called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda. No items were pulled.

Council Member Taylor made a motion to approve the balance of the Consent Agenda and the motion was duly seconded by Council Member Montgomery and carried unanimously.

CONSENT AGENDA

C-1. APPROVAL OF PUBLIC WORKS COMMITTEE SUMMARY OF MINUTES – December 13, 2016.

GENERAL AGENDA

G-1. WINSTON-SALEM TRANSIT AUTHORITY PUBLIC PARTICIPATION REQUIREMENTS FOR FARE CHANGE CONSIDERATION.

Mr. Gregory Turner, Assistant City Manager introduced this item.

Mr. Stephen Hawryluk, Sr. Budget Analyst, gave the staff presentation on this item.

In response to Council Member MacIntosh, Mr. Turner stated the City is guaranteed to receive the Transit Administrative Grant Funds, however when the City will receive those funds is not guaranteed.

In response to Chair Besse, Mr. Turner stated Winston-Salem is the only city that charges a lesser fare for TransAID rides than for fixed route rides.
Chair Besse requested information concerning the historic behavior of the City’s reserves. He noted the evening and Saturday routes were substantially expanded and asked what year did this occur.

In response to Council Member Montgomery, Mr. Hawryluk stated the 2.5% growth in the Transaid ridership is not reflected in the fund performa.

Council Member Montgomery requested the 2.5% growth of Transaid ridership, from the data be incorporated into the performa.

Council Member Montgomery requested information on what the projected growth from a property tax standpoint will be in the city of Winston-Salem with the County’s revaluation.

In response to Council Member Montgomery, Mr. Ben Rowe, Assistant City Manager stated Mr. John Burgiss, the county’s tax collector, is planning to release the findings of the projected tax growth in February.

In response to Council Member Montgomery, Mr. Hawryluk stated there had been a proposal to do a fare increase, but it was not done. He also noted the mass transit fund absorbed the cost of the Sunday bus services.

In response to Council Member Montgomery, Mr. Hawryluk stated there has not been an actual study done to measure the decrease in ridership.

In response to Council Member Montgomery, Mr. Turner stated the base of riders use the discounted monthly fee. There is a bigger impact when discretionary riders discontinue ridership versus regular traditional riders, in which turn decreased the revenue.

In response to Council Member Larson, Mr. Turner stated the TransAID fee is low due to the intent to be as generous as possible to the affected community.

In response to Council Member MacIntosh, Ms. McCullough stated advertising on the hybrid buses is still currently being done and is generating revenue.

Council Member MacIntosh requested information concerning the capacity and utilization of the buses based on their size.

Chair Besse stated the Committee will offer an allotted time in the near future for the public to share their concerns and questions about the City’s bus routes.

In response to Council Member Adams, Mr. Turner stated the City has been looking at the demographics of the ridership, the aging of the population, and the health issues that have shifted more riders to TransAID. Hybrid buses have given the City some benefit, however the drivers are a large component of the price of the routes.

In response to Council Member Montgomery, Mr. Hawryluk stated the City generates about $50,000 a year from advertising.
Council Member Montgomery requested staff examine new ways to generate additional revenue by advertising on new bus shelters because of the new routes.

In response to Council Member Taylor, Mr. Turner stated typically when buses are surplused, they are put into an auction or sold to other cities. By the time they are at this stage, as a used bus, the return is around $10,000.

Council Member Adams requested staff do research to see if political ads are allowed to be put on bus shelters and buses to generate additional revenue.

In response to Chair Besse, Mr. Hawryluk stated when revenue estimates are done base on fare increases there is the potential for the increase in fares to decrease ridership. The estimated revenue from rescinding the TransAID fare exemption is $71,000.

In response to Council Member Larson, Mr. Turner stated privatizing TransAID hasn’t been discussed with Council. Staff has discussed it as a concept, but never has it been brought to Council for any action.

In response to Chair Besse, Mr. Hawryluk stated the fund reserves are used for operating expenses and any local match for capital spending. The projection for fiscal year 2017-2018 is for the City to spend that local match of $600,000 to purchase five large buses and six TransAID buses.

In response to Council Member Montgomery, Ms. McCullough stated the qualifying exemptions for ridership are local standard in terms of who qualifies.

Chair Besse stated the Committee will consider a review of the revenue enhancement options recommended from staff.

Mr. Turner stated staff recommends the Committee consider a $1.30 fixed route rate which is an increase of $0.30, eliminate the TransAID exemption and discount, and set the rate for these rides at same as the fixed route for the upcoming fiscal year. For the subsequent fiscal year, raise the TransAID route to 150% of the fixed rate in place at that time. Federal Law has an allowance to go up to 200% or two times the fixed route rate. Staff is proposing to go up to 1.5 times the fixed route rate in 2018-2019.

In response to Chair Besse, Mr. Turner stated staff is not proposing action at this time. Staff would like to bring this item back to the Committee in February. Staff would bring it to both the Finance and Public Works Committees for those committees’ considerations and recommendation to full Council. Then, directives would be given on how to enter the proposed plan and/or any new or revised recommendations for the coming year’s budget.

In response to Chair Besse, Mr. Hawryluk stated out of 200,000 TransAID trips in the previous fiscal year, 10,000 of those trips were Medicaid trips.
In response to Council Member Taylor, Mr. Lee Garrity, City Manager stated Forsyth County is charged with doing the property assessments and evaluations.

Chair Besse stated the City is projecting the system cost running in the red by $1,800,000 annually averaged over the next three years. Without factoring in to the picture any service enhancements that are directed to be undertaken in the new route system. The biggest potential revenue sources identified in the options, were to add an extra five dollars a year on the vehicle tax fee that would bring in about $300,000. An extra $0.30 a year on the fixed route that would bring in about an extra $310,000. A one cent tax rate increase would bring in about $2,000,000. He further noted, the only option in front of the Committee that would solve the projected deficit problem would be the property tax rate increase.

Council Member Adams requested that in the next report staff include the value of the increase and what it means out of that $1,800,000.

Chair Besse stated staff would report back to Committee an update on the status report at each Public Works Committee meetings in February and March. At the April meeting, they would bring a more comprehensive overview of the system overhaul results and problems that need to be addressed. On an ongoing basis, staff is in the process of identifying small changes, for example moving a bus stop.

Council Member Adams requested immediate data concerning the calls that are coming in with concerns to City Link, Facebook, Twitter, Winston-Salem Transit Authority, staff, and Instagram and compiled with the data that Council receives.

G-2. ORDINANCE AMENDING SECTION 75 OF THE CITY CODE RELATING TO STORMWATER MANAGEMENT SYSTEM USER FEES.

Chair Besse indicated this item would be continued to the next Committee meeting.

ADJOURNMENT: 7:49 p.m.