

RESOLUTION NO. 15-29

RESOLUTION TO ACCEPT A GRANT FROM THE NORTH CAROLINA DEPARTMENT OF INSURANCE, OFFICE OF STATE FIRE MARSHAL OF THEIR 2015 HOME SAFETY GRANT OF SMOKE DETECTORS AND FIRE PREVENTION EDUCATIONAL MATERIALS.

WHEREAS, the City of Asheville is authorized pursuant to G.S. 160A-240.1 to acquire the fee or any lesser interest in real property by gift, grant, bequest or any other lawful method; and

WHEREAS, the City of Asheville is interested in improving the quality of life of its citizens by providing and installing free smoke alarms to high risk populations within the corporate limits of the City of Asheville; and

WHEREAS, the North Carolina Department of Insurance, Office of the State Fire Marshal (OSFM) is providing smoke alarms and educational materials valued at \$10,180.00 to the City of Asheville through their 2015 Home Fire Safety Grant; and

WHEREAS, The Asheville Fire Department, together with the Asheville Firefighter's Association (Local 865), strive to keep citizens safe from death or injury due to fire through our current program that allows low income households to obtain a free smoke alarm; and

WHEREAS, this OSFM Home Safety Grant is an enhancement and expansion of our current fire prevention and life safety efforts of providing citizens free smoke alarms,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to accept on behalf of the City of Asheville the 2015 Home Safety Grant materials offered by the North Carolina Department of Insurance, Office of the State Fire Marshal.

Read, approved and adopted this 10th day of February, 2015.

Magdalen Boulson
City Clerk

Esther Plank
Mayor

Approved as to form:

Orin Allen
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 15-30

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A GRANT AGREEMENT WITH THE BUNCOMBE COUNTY TOURISM DEVELOPMENT AUTHORITY FOR \$1.8 MILLION FROM THE 2014 TOURISM PRODUCT DEVELOPMENT FUND CYCLE

WHEREAS, the BCTDA awarded the City \$1.8 Million of funds for Riverfront Destination Development Projects in October 2014; and

WHEREAS, the City of Asheville wishes to leverage funds for the Economic Development Capital Improvement Plan; and

WHEREAS, City Council has identified implementation of riverfront redevelopment capital improvement projects as a key strategic goal;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to sign the grant agreement with the BCTDA for \$1.8 Million of 2014 Tourism Product Development Fund cycle funds.

Read, approved and adopted this 10th day of February, 2015.

Magdalen Boulleson
City Clerk

Esther Manchester
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Boulleson
City Clerk

RESOLUTION NO. 15- 31

RESOLUTION TO APPROVE LOANS FROM THE CITY'S HOUSING TRUST FUND

WHEREAS, on September 12, 2000, the City Council of the City of Asheville first appropriated funds and adopted policies and detailed program guidelines for administering a Housing Trust Fund to assist in the development and preservation of affordable housing in the City; and

WHEREAS, two (2) qualified applications for 2014-2015 Housing Trust Fund loans have been received; and

WHEREAS, the City Council's Housing and Community Development Committee has reviewed the proposals and has made its recommendation to Council to approve two (2) Housing Trust Fund loans;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. A loan of \$200,000 at 0% interest rate and no principal payment, for a term of 30 years is approved for Biotat LLC for the development of 24 rental units located at 29 Oak Hill Drive, (PIN No. 962990209300000); to be made available for disbursement upon firm commitment of all sources of funding for the project and in accord with the Housing Trust Fund Policies. These twenty-four (24) units shall be restricted to families earning 50% or less of the Area Median Income.
2. A loan of \$60,000 at 2.75% interest, fully amortizing loan for a term of 30 years, with the developer making a cash contribution of \$3,500 to the City at the time of closing, is approved for Beaucatcher Commons, LLC, for six rental single-family homes located at 255 Hazel Mill Road, PIN No. 963848076900000 to be made available for disbursement upon firm commitment of all sources of funding for the project and in accord with the Housing Trust Fund Policies. These six (6) units shall be restricted to families earning 80% or less of the Area Median Income.
3. A loan of \$60,000, interest-only at 2.00% annual interest with principal deferred for 20 years, is approved for Beaucatcher Commons, LLC, for six rental apartments located at 255 Hazel Mill Road, PIN No. 963848076900000 to be made available for disbursement upon firm commitment of all sources of funding for the project and in accord with the Housing Trust Fund Policies. These six (6) units shall be restricted to families earning 60% or less of the Area Median Income.

Read, approved and adopted this 10th day of February, 2015.

Magdalen Bourleson
CITY CLERK

Esther Masheke
MAYOR

Approved As To Form:

[Signature]
CITY ATTORNEY

Magdalen Bourleson
City Clerk

RESOLUTION NO. 15-32

RESOLUTION AUTHORIZING THE ASHEVILLE FIRE DEPARTMENT TO APPLY FOR A GRANT FROM THE US DEPARTMENT OF HOMELAND SECURITY TO OBTAIN FUNDING FOR 83 SELF CONTAINED BREATHING APPARATUS' (SCBAs)

WHEREAS, the City has authority pursuant to N.C.G.S. §160A-17.1 to apply for and receive grants from the State and Federal government, and

WHEREAS, the US Department of Homeland Security is taking applications for the Fiscal Year 2010 AFG grant program for the purpose of providing equipment and tools for firefighters, and

WHEREAS, the Asheville Fire Department wishes to apply for a grant in the amount of \$655,700 to obtain funding for 83 SCBAs,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The fire department is hereby authorized to apply for the Fiscal Year 2015 AFG grant with the US Department of Homeland Security, for a grant in the amount of \$655,700 for 83 SCBAs.

Read, approved and adopted this 10th day of February, 2015

Magdalen Paulson
City Clerk

Esther Masheva
Mayor

Approved as to form:

Bill Cui
City Attorney

Magdalen Paulson
City Clerk

RESOLUTION NO. 15- 33

RESOLUTION APPROVING LOCAL AMENDMENT TO MUNICIPAL RECORDS RETENTION AND DISPOSITION SCHEDULE SETTING 30 DAY RETENTION REQUIREMENT FOR LAW ENFORCEMENT VIDEO AND AUDIO RECORDINGS

WHEREAS, pursuant to N.C. Gen. Stat. § 121-5(b) public records may only be destroyed with the consent of the North Carolina Department of Cultural Resources; and

WHEREAS, the North Carolina Department of Cultural Resources periodically publishes a Municipal Records Retention and Disposition Schedule providing consent to the destruction of various categories of municipal records after a certain period of time; and

WHEREAS, the current Municipal Records Retention and Disposition Schedule does not provide consent for the destruction of law enforcement video and audio recordings generated by mobile and fixed recording devices not made part of a case file; and

WHEREAS, the Asheville Police Department currently has many video recordings in its possession and anticipates creating many more in the future; and

WHEREAS, the North Carolina Department of Cultural Resources has agreed to a local amendment to the Municipal Records Retention and Disposition Schedule;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City of Asheville approves a local amendment to the North Carolina Department of Cultural Resources Municipal Records Retention and Disposition Schedule establishing a thirty (30) day minimum retention period for law enforcement audio and video recordings.

Read, approved and adopted this 10th day of February, 2015

Magdalen Boulson
City Clerk

Esther Markham
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 15-34

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A GENERAL SERVICES CONTRACT WITH HYPERSIGN/AVIONEX LLC. TO PROVIDE DIGITAL MENU BOARD SOLUTIONS AND RELATED EQUIPMENT AT THE US CELLULAR CENTER FOR A THREE (3) YEAR PERIOD

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, the U.S. Cellular Center utilizes sales of food and beverage products as a significant revenue source for operations; and

WHEREAS, the U.S. Cellular Center issued a request for proposals for Digital Menu Display Boards and Control Software and maintenance and warranty of all necessary equipment; and

WHEREAS, Hypersign/Avionex LLC. was selected as the winning bidder since their proposal contained the most favorable terms for the U.S. Cellular; and

WHEREAS, the contract with Hypersign/Avionex LLC. will have a term of three (3) years, at a cost not to exceed \$80,000 over the term of the contract, and the monies have been budgeted in the Civic Center's Fiscal Year Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to enter into a contract on behalf of the City of Asheville with Hypersign/Avionex LLC, for Digital Menu Display boards and control Software based on the terms and conditions outlined above. City Manager is further authorized to execute any change orders or extensions to said contract up to the budgeted amount.

Read, approved and adopted this the 10th day of February, 2015.

Magdalen Boulson
City Clerk

Esther Morales
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 15-35

RESOLUTION APPOINTING A MEMBER TO THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY

WHEREAS, Douglas Tate has resigned as a member of the Greater Asheville Regional Airport Authority and the Asheville Regional Airport Authority, thus leaving a vacancy until June 30, 2016;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Ms. Stephanie Brown, Post Office Box 1010, Asheville, N.C., be and she is hereby appointed as a member of the Greater Asheville Regional Airport Authority and the Asheville Regional Airport Authority, to serve the unexpired term of Mr. Tate, term to expire on June 30, 2016, or until her successor has been appointed.

Read, approved and adopted this 10th day of February, 2015.

Margalene Boulson
CITY CLERK

Ed Arrington
MAYOR

Approved as to form:

Billie
CITY ATTORNEY

Margalene Boulson
City Clerk

RESOLUTION NO. 15-36

RESOLUTION APPOINTING A MEMBER TO THE CITIZENS/POLICE ADVISORY COMMITTEE

WHEREAS, Mr. Brad Galbraith (south representative) has resigned as a member of the Citizens-Police Advisory Committee, thus leaving an unexpired term until June 30, 2017;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Mr. Clifford Joslin, 37 Bideford Row, Asheville, N.C., be and he is hereby appointed as the south area representative on the Citizens/Police Advisory Committee, to serve the unexpired term of Mr. Galbraith, term to expire June 30, 2017, or until his successor has been appointed.

Read, approved and adopted this 10th day of February, 2015.

Magdalen Bouleson
CITY CLERK

Esther Monks
MAYOR

Approved as to form:

Billie
CITY ATTORNEY

Magdalen Bouleson
CITY CLERK

RESOLUTION NO. 15-37

RESOLUTION APPOINTING CHAIR TO THE CIVIL SERVICE BOARD

WHEREAS, it is the responsibility of City Council to appoint the Chair of the Civil Service Board; and

WHEREAS, current Chair Marvin Rosen has asked to step down as Chair;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Mr. Alan Coxie, Post Office Box 1261, Asheville, N.C., be and he is hereby appointed as Chairman of the Civil Service Board to serve the unexpired term of Mr. Rosen, term to expire June 25, 2015, or until his successor is duly and annually appointed by the City Council, as provided by law.

Read, approved and adopted this 10th day of February, 2014.

Magdalen Burlison
CITY CLERK

Eden H. ...
MAYOR

Approved as to form:

Bill ...
CITY ATTORNEY

Magdalen Burlison
CITY CLERK

RESOLUTION NO. 15-38

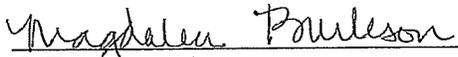
RESOLUTION APPOINTING A MEMBER TO THE HOMELESS INITIATIVE
ADVISORY COMMITTEE

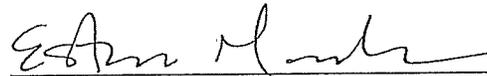
WHEREAS, Richard Leatherman has resigned as a member of the Homeless Initiative Advisory Committee, thus leaving an unexpired term until November 1, 2015;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Ms. Allison Bond, 125 Stonecrest Drive, Asheville, N.C., be and she is hereby appointed as a member of the Homeless Initiative Advisory Committee, to serve the unexpired term of Mr. Leatherman, term to expire November 1, 2015, and then a full three-year term, term to expire November 1, 2018, or until her successor is duly appointed.

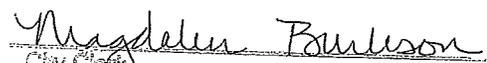
Read, approved and adopted this 10th day of February, 2015.


CITY CLERK


MAYOR

Approved as to form:


CITY ATTORNEY


City Clerk