

RESOLUTION NO. 08-162

RESOLUTION AUTHORIZING A PUBLIC HEARING ON AN ECONOMIC DEVELOPMENT INCENTIVE GRANT FOR UNISON ENGINE COMPONENTS

WHEREAS, City Council has authority pursuant to N.C.G.S. 158-7.1 to engage in economic development activities, including making appropriations for the purpose of economic development; and

WHEREAS, Unison Engine Components is proposing to expand operations within the City limits adding \$15,000,000 in new capital investment; and,

WHEREAS, the City of Asheville has adopted an economic development incentives policy offering performance-based grants to qualifying businesses locating and expanding within the corporate limits; and

WHEREAS, pursuant to N.C.G.S. 160A-81 and Council Rule 27, the City Council desires to conduct a public hearing for the purpose of considering the award of an incentive grant as described above;

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

City Council authorizes the City Clerk to advertise for a public hearing to be held on September 23, 2008, to consider an Economic Development Incentive Grant on \$236,250 to Unison Engine Components.

Read and approved and adopted this 26th day of August, 2008.

Magdalen Boulson  
City Clerk

Jerry Bellamy  
Mayor

Approved as to form:

A.M. J.A.  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 08-163

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THIRD PARTY ADMINISTRATOR AGREEMENT WITH CORESOURCE

WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. 160A-162(b) the City has authority to provide health insurance to employees; and

WHEREAS, the City is self-insured for health benefits for eligible employees, retirees and dependents and it is in the interest of the City to have a third party administrator to pay claims and provide disease management, wellness and other administrative services; and

WHEREAS, the City determined that Coresource would provide the best third party administrator services; and

WHEREAS, the funds are budgeted in the Finance Department's FY 2008/09 budget;

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

1. The City Manager is hereby authorized to enter into a third party administrative agreement on behalf of the City of Asheville with Coresource for the purpose of providing administrative, disease management, wellness and related services for eligible employees, retirees and their dependents.
2. The City Manager is authorized to execute any amendments to said Agreement or documents which might arise during the term of the Agreement up to the budgeted amount.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008

Magdalen Boulson  
City Clerk

Devin Bellamy  
Mayor

Approved as to form:  
[Signature]  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 08-164

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH CAREMARK FOR PHARMACY BENEFIT MANAGER SERVICES

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WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. 160A-162(b) the City has authority to provide pharmacy benefits to employees; and

WHEREAS, the City is self-insured for health benefits for eligible employees, retirees and dependents and it is in the interest of the City to have pharmacy benefit manager services; and

WHEREAS, the City determined that Caremark would provide the best pharmacy benefit manager services; and

WHEREAS, the funds are budgeted in the Finance Department's FY 2008/09 budget;

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

1. The City Manager is hereby authorized to enter into a pharmacy benefit manager services agreement on behalf of the City of Asheville with Caremark for the purpose of providing pharmacy benefit manager services for eligible employees, retirees and their dependents.
2. The City Manager is authorized to execute any amendments to said Agreement or documents which might arise during the term of the Agreement up to the budgeted amount.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008

Magdalen Boudreau  
City Clerk

Jeremy Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boudreau  
City Clerk

RESOLUTION NO. 08-165

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CHANGE ORDER WITH PAYNE, MCGINN & CUMMINS, INC. FOR THE INSTALLATION OF A NEW 12-INCH WATERLINE ON CLINGMAN AVENUE

WHEREAS, pursuant to N.C.G.S. § 160A-312, the City of Asheville has authority to operate a public enterprise; and

WHEREAS, pursuant to N.C.G.S. § 160A-20.1, the City of Asheville may enter into contracts with private entities to carry out any public purpose the City is authorized to engage in; and

WHEREAS, the City of Asheville desires to make water system improvements known as Clingman Avenue Water System Upgrade Project; and

WHEREAS, Payne, McGinn & Cummins, Inc., was selected as the contractor for the Project in the amount of \$509,623.00; and

WHEREAS, the original contract amount of \$509,623.00 is increased to \$590,000.00; and

WHEREAS, the Water Resources staff recommends that City Council to authorize the City Manager to sign a change order increasing the original contract amount of \$509,623.00 with Payne, McGinn & Cummins, Inc. for the installation of a new 12-inch waterline on Clingman Avenue to \$590,000.00.

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

The City Manager, on behalf of the City of Asheville, is hereby authorized to sign a change order increasing the original contract amount of \$509,623.00 with Payne, McGinn & Cummins, Inc. for the installation of a new 12-inch waterline on Clingman Avenue to \$590,000.00 and further authorized to execute any additional change orders to said contract or documents which might arise before the conclusion of said project up to the budgeted amount.

Read, approved, and adopted this 26<sup>th</sup> day of August 2008.

Magdalena Boulson  
CITY CLERK

DeWyn Bellamy  
MAYOR

Approved as to form:

Russell  
CITY ATTORNEY

Magdalena Boulson  
City Clerk

RESOLUTION NO. 08- 166

RESOLUTION TO AMEND THE CITY'S FY 2007-08 CONSOLIDATED ACTION PLAN

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WHEREAS, the City of Asheville receives an annual entitlement grant from the federal Community Development Block Grant (CDBG) program to meet the housing needs of low- and moderate-income residents, improve their living conditions and economic opportunities, and eliminate slum and blight; and

WHEREAS, City Council adopted an Action Plan on April 24, 2007, for the use of funds in FY 2007-08; and

WHEREAS, the plan included anticipated CDBG program income revenue in the amount of \$274,000 from the sale of land and allocated this revenue to certain projects, conditional upon its receipt; and

WHEREAS, the land sale did not take place and the anticipated revenue was not received within the fiscal year;

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

The 2007 Consolidated Action Plan be amended to delete the anticipated \$274,000 revenue and its proposed uses.

Read, approved and adopted this 26th day of August 2008.

Magdalen Baulson  
City Clerk

Jeremy Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Baulson  
City Clerk

RESOLUTION NO. 08- 167

RESOLUTON AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS UNDER THE NORTH CAROLINA OFFICE OF JUSTICE PROGRAMS OF THE DEPARTMENT OF JUSTICE (JAG)

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-17.1 to apply for and receive grants from the State and to enter into contracts for the administration of said grants; and

WHEREAS, the Office of Justice Programs of the Department of Justice (JAG), has awarded a grant to the City of Asheville in the amount of \$19,068 (with no match) to be shared with the Buncombe County Sheriff's Department; and

WHEREAS, the Asheville Police Department's share of the grant funds are \$12,712, for the purchase of handheld radio equipment;

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

The City Manager be, and is hereby, authorized to apply for and enter into an agreement with the Office of Justice Programs of the Department of Justice, for a non-matching grant in the amount of \$19,068 to be shared with the Buncombe County Sheriff's Department.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Margaret Boulton  
City Clerk

Gregory Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Margaret Boulton  
City Clerk

RESOLUTION NO. 08- 168RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDED CONTRACT WITH MCGILL ASSOCIATES FOR THE DINGLE CREEK STORMWATER MASTERPLAN

WHEREAS, the City of Asheville solicited qualifications to engineering firms to complete the stormwater master plan for the Dingle Creek Watershed; and

WHEREAS, the City received qualifications from ten firms;

WHEREAS, City staff along with two citizens determined that McGill Associates was the most qualified to perform the Stormwater Master plan for the Dingle Creek watershed;

WHEREAS, McGill Associates has provided a cost of \$21,000 to perform this work;

WHEREAS, the City of Asheville received a grant from the Clean Water Management Trust Fund in the amount of \$133,000 to complete this work.

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

The City Manager, on behalf of the City of Asheville, is hereby authorized to execute an amendment to the contract with McGill Associates in the amount of \$21,000 to complete a Stormwater Engineering Analysis for the Dingle Creek Watershed. This amendment increases the project cost by an additional \$21,000 from the original cost of \$321,000. The total amount of the contract including this amendment will be \$342,000.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Magdalen Boulson  
City Clerk

Jerry Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 08 - 169

RESOLUTION ACCEPTING LOVERS LANE IN THE SKYLAND AREA OF SOUTH ASHEVILLE AS A CITY-MAINTAINED STREET

WHEREAS, pursuant to GS # 160A-296, the City of Asheville has general authority and control over the streets within its jurisdiction, including the acceptance of streets for maintenance purposes; and

WHEREAS, Lovers Lane is located in the corporate limits of the City of Asheville; and

WHEREAS, Lovers Lane will provide connectivity between Maple Lane and Pond Street via a city-maintained street; and

WHEREAS, Lovers Lane was inspected and found to be in an acceptable maintenance condition; and

WHEREAS, dedication of the 45-foot right-of-way for Lovers Lane has been recorded in Plat Book 1 Page 63; and

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

Lovers Lane is accepted by the City of Asheville for maintenance as indicated on the attached map.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Magdalen Boulton  
City Clerk

Jerome Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulton  
City Clerk

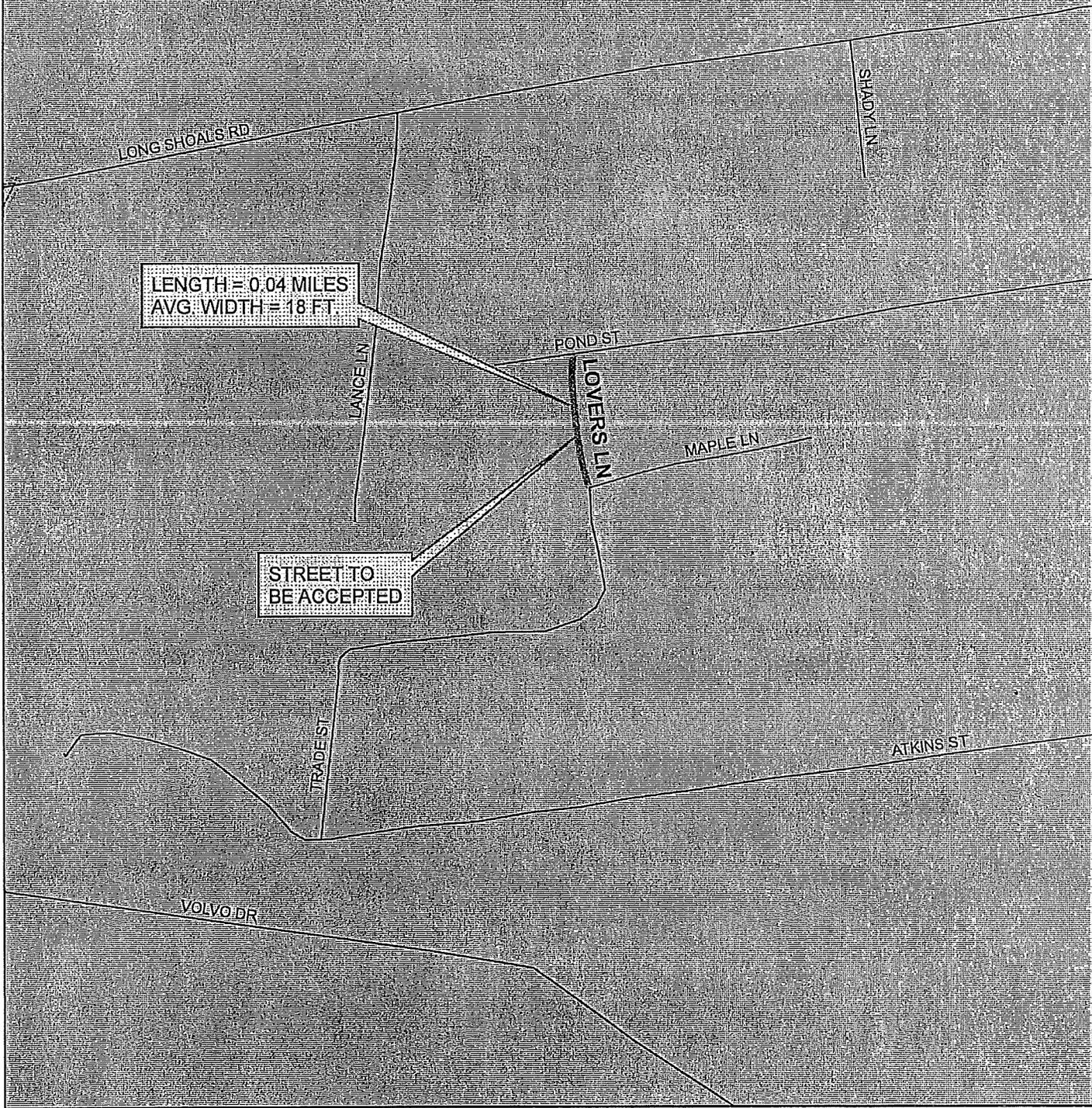
### Legend



CITY LIMITS



STREET TO BE ACCEPTED



RESOLUTION NO. 08- 170

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION OF PROPERTY LOCATED AT 131 OLD CHARLOTTE HIGHWAY ROAD PURSUANT TO N.C.G.S. 160A-58.2

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the petition has been signed by the owners of all the real property within the area described herein; and

WHEREAS, the City Clerk has investigated the sufficiency of the petition and has certified to the City Council the sufficiency thereof; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheville, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held in the Council Chamber on the Second Floor of the City Building at 5:00 PM on the 9<sup>th</sup> day of September, 2008.

Section 2. The area proposed for annexation is as described on Exhibit "A" attached hereto. A map of the same subject property is attached hereto as Exhibit "B".

Section 3. Notice of the public hearing shall be published in the Asheville Citizen-Times, a newspaper having general circulation in the City of Asheville, at least ten (10) days prior to the date of the public hearing.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Magdalen Burlison  
City Clerk

Greg Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Burlison  
City Clerk

**Exhibit A**  
**Property Description**  
**131 Old Charlotte Highway**

Beginning at an old hub, located in Old N. 74 – Old Charlotte Highway, said old hub also being the beginning corner of the tract described in the deed recorded in Buncombe County Deed Book 1051 at page 98, and said old hub also being the common corner with the David Hensley property described in deed recorded in Buncombe County Deed Book 1617 at page 442, runs thence from said beginning point North 4 deg 56 min. East 199.70 feet to an iron pin located in the southwest corner of the John B. Savage property described in the deed recorded in Buncombe County Deed Book 1632 at page 4; and runs thence along and with the southern boundary line of the Savage property the following four calls, South 66 deg. 27 min. East 26.39 feet to an iron pin, South 66 deg. 27 min. East 102.87 feet, North 65 deg. 10 min. East 87.62 feet and North 89 deg. 52 min. East 175.00 feet to an iron pin set; thence South 04 deg. 12 min. West 30.08 feet to an iron pin located in the line of the Harriet Creasman property as described in the deed recorded in Buncombe County Deed Book 1106, page 59; runs thence South 89 deg. 52 min. West 173.2 feet to an iron pin; thence South 00 deg. 47 min. West 129.37 feet to a pin; thence South 48 deg. 24 min. 38 sec. West 87.81 feet to an iron pin; thence South 62 deg. 26 min. 29 sec. West 73.73 feet to a nail located in the northern margin of Old No. 74 – Old Charlotte Highway; runs thence the following four calls with the northern margin of the Old Charlotte Highway, North 41 deg. 23 min. 25 sec. West 39.09 feet to an iron pin, North 48 deg. 15 min. West 29.43 feet to an iron pin, North 57 deg. 23 min. West 20.30 feet, and North 65 deg. 25 min. West 18.8 feet to the point of the beginning and containing .855 acres as per survey for John T. Demeter, dated April 13, 1993, by C. W. Smith, RLS, No. B-2479. The foregoing is the same real property described in the deed recorded in Buncombe County Book 1741 at page 629.

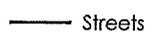
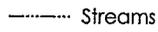


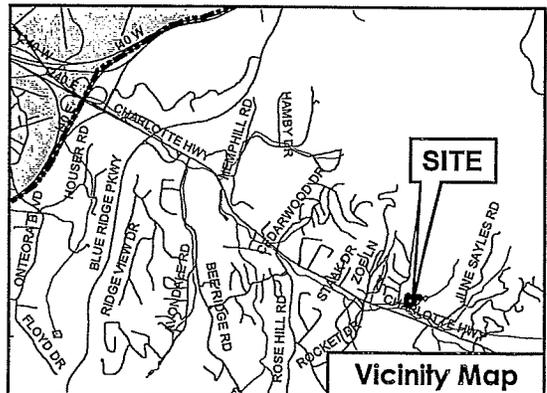
# CITY OF ASHEVILLE - EXHIBIT A MAP VOLUNTARY ANNEXATION



Project Number: A-08-1  
 Project Description: Petition Annexation  
 Petitioner(s): Asheville ABC Board  
 Parcel ID Number(s): 9667.16-73-7727

Location/Address: 131 Old Charlotte Highway

-  Project Site
-  Parcels
-  Zoning Districts
-  Asheville City Limits
-  Streets
-  Streams



## RESOLUTION NO. 08-171

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CHANGE ORDER WITH HICKORY CONSTRUCTION COMPANY FOR THE IMPROVEMENTS AT THE NORTH FORK AND WILLIAM DEBRUHL (BEE TREE) WATER TREATMENT PLANTS

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WHEREAS, pursuant to N.C.G.S. § 160A-312, the City of Asheville has authority to operate a public enterprise; and

WHEREAS, pursuant to N.C.G.S. § 160A-20.1, the City of Asheville may enter into contracts with private entities to carry out any public purpose the City is authorized to engage in; and

WHEREAS, the City of Asheville desires to make water system improvements known as Improvements at the North Fork and Williams DeBruhl (Bee Tree) Water Treatment Plants; and

WHEREAS, Hickory Construction Company was selected as the contractor for the Project in the amount of \$6,362,500.00; and

WHEREAS, the original contract amount of \$6,362,500.00 is increased to \$6,432,361.43; and

WHEREAS, the Water Resources staff recommends that City Council to authorize the City Manager to sign a change order increasing the original contract amount of \$6,362,500.00 with Hickory Construction Company for the improvements at the North Fork and William DeBruhl (Bee Tree) Water Treatment Plants to \$6,432,361.43.

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

The City Manager, on behalf of the City of Asheville, is hereby authorized to sign a change order increasing the original contract amount of \$6,362,500.00 with Hickory Construction Company for the improvements at the North Fork and William DeBruhl (Bee Tree) Water Treatment Plants to \$6,432,361.43 and further authorized to execute any change orders to said contract or documents which might arise during construction of said project up to the budgeted amount.

Read, approved, and adopted this 26<sup>th</sup> day of August 2008.

Magdalen Boulson  
City Clerk

Jerry Bellamy  
Mayor

Approved as to form:

Russell  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO 08-172

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS FOR THE ELEVEN REVENUE BOND CONSTRUCTION CONTRACTS FOR THE PROJECTS KNOWN AS WATER REVENUE BOND PROJECTS.

WHEREAS, pursuant to N.C.G.S. § 160A-312, the City of Asheville has authority to operate a public enterprise; and

WHEREAS, pursuant to N.C.G.S. § 160A-20.1, the City of Asheville may enter into contracts with private entities to carry out any public purpose the City is authorized to engage in; and

WHEREAS, the Water Department determined that it is in the public interest to have and execute a revenue bond for \$40 million for water system improvements of the City of Asheville's water system; and

WHEREAS, due to price increases encountered throughout the projects the total construction cost has increased from \$35,518,671.67 to \$38,331,310.67; and

WHEREAS, the estimated list of the price changes for each bond project is set forth in Exhibit A; and

WHEREAS, the Water Resources staff recommends that City Council approve the request to allow the City Manager to approve change orders totaling an additional \$2,812,639.00 for the eleven revenue bond construction projects.

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

The City Manager, on behalf of the City of Asheville, is hereby authorized to execute and sign all change orders for construction costs up to \$38,331,310.67 for the eleven revenue bond construction projects and further allow staff to move the additional funds between the 11 projects as cost estimates come in higher or lower than expected.

Read, approved, and adopted this 26th day of August 2008.

Magdalen Burlington  
CITY CLERK

Jerry M Bellamy  
MAYOR

Approved as to form:

[Signature]  
CITY ATTORNEY

Magdalen Burlington  
City Clerk

RESOLUTION NO. 08- 173

RESOLUTION APPOINTING A MEMBER TO THE BUNCOMBE COUNTY  
TOURISM DEVELOPMENT AUTHORITY

WHEREAS, the term of Eric Scheffer, as a member of the Buncombe County Tourism Development Authority, expires on August 30, 2008;

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

Mr. Eric Scheffer, 127 Westwood Road, Asheville, N.C., be and he is hereby reappointed, as a member of the Buncombe County Tourism Development Authority (as the individual who is involved in the tourist business and who has demonstrated an interest in tourism development but who does not own or operate a hotel, motel or other taxable tourist accommodation), to serve an additional three year term, term to expire August 30, 2011, or until his successor has been appointed.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Magdalena Bouderson  
CITY CLERK

Jerry M Bellamy  
MAYOR

Approved as to form:

[Signature]  
CITY ATTORNEY

Magdalena Bouderson  
City Clerk

RESOLUTION NO. 08- 174

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH IKON OFFICE SOLUTIONS TO SUPPLY COPYING AND DUPLICATING EQUIPMENT FOR THE CITY OF ASHEVILLE

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WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, the City has a need for printing and duplicating equipment; and

WHEREAS, City Council approved funding for printing and duplicating equipment as part of the city's FY 08/09 operating budget; and

WHEREAS, the City is in receipt of a contract with Ikon Office Solutions representing the lowest price meeting equipment needs within the amount allocated for this equipment;

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

The City Manager is authorized to enter into a contract with Ikon Office Solutions for the lease of printing and duplicating equipment in an amount not to exceed \$66,142.00.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Magdalen Boulison  
City Clerk

Joey Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulison  
City Clerk

RESOLUTION NO. 08-175

RESOLUTION ADOPTING THE CITY COUNCIL TRAVEL POLICY AND PROCEDURES

WHEREAS, pursuant to N.C.G.S. 160A-64, Council members are entitled to reimbursement or a fixed allowance for expenses incurred in the course of performing their official duties; and

WHEREAS, the purpose of this policy is to define and clarify guidelines for incurring reimbursable expenses, verifying budget allocations and processing requests for City Council training and travel; and

WHEREAS, the policy includes, but is not limited to travel, business meals, lodging, conference expenses, professional memberships, employee functions, and other related expenditures incurred while conducting City business; and

WHEREAS, the policy establishes administrative procedures for verifying budget funds are in place before travel or training occurs as well as steps for the timely reimbursement of such expenses;

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

The Asheville City Council hereby adopts the attached Asheville City Council Travel Policy and Procedures.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Magdalen Boulson  
City Clerk

Jerry M Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk

## ASHEVILLE CITY COUNCIL TRAVEL POLICY & PROCEDURES

**SUBJECT:** Travel related to city business, training, events and functions.

**PURPOSE:** To establish guidelines for authorization, payment and reimbursement of travel expenses incurred by the Mayor and City Council Members in the performance of their official functions.

**BACKGROUND:** The City of Asheville recognizes that the Mayor and City Council Members are required to travel both within and outside of the State of North Carolina for the purpose of representing the City at meetings and professional associations, as well as for training to enhance their skills regarding the performance of their various positions within City Government. The Mayor and City Council are also invited to attend events, receptions and meetings (i.e., recognition events, awards events and banquets) that occur within Asheville or the local area.

In formulating this policy, it is recognized that Asheville citizens receive both tangible and intangible benefits through having representatives not only at formal meetings, but also by providing the opportunity for those in municipal service to participate in forums through which informal networking and information exchanges may occur. The quality of life for the citizens is improved through an informed and educated elected and administrative body, and the expense of such training, including the associated travel, is an appropriate municipal expense.

An individual traveling on official City business is expected to avoid excess costs, avoidable delays or cancellations, or luxury accommodations or services unnecessary, unjustified, or solely for the convenience or personal preference of the traveler in the performance of official City business. Travelers are expected to adhere to these standards. The difference between allowable expenses and additional expenses related to enhanced accommodations are the personal responsibility of the traveler.

### **GUIDELINES:**

#### ***Expense Allocation***

The Mayor and Council Members will have a designated expense allocation per member for training and travel as approved annually by City Council in the fiscal year budget. For Fiscal Year 2008-09, the Mayor shall receive an expense allocation of \$9,000; and the Vice-Mayor and each Council Member shall each receive an expense allocation of \$3,000. Should a Council Member exceed his or her designated budget, they will submit to Council a resolution with a request for additional funds. If training and travel funds for any individual Council member are not fully used, the unused amount shall go back into the General Fund, and may not be used by other Council members without a budget revision approved by Council.

### **Covered Expenses**

Expenses that will be paid or reimbursed include conference or event registration, associated supplies and materials, transportation, hotel accommodations, parking, meals, telephone calls and gratuities. It will be the Council Member's responsibility to justify the business purpose of the trip.

#### Rental Vehicle

The City's rental vehicle matrix shall be used to determine if a rental vehicle should be reserved and obtained from the City's current rental vehicle vendor or if a personal vehicle shall be driven with mileage reimbursement. Council Members may choose to travel by personal vehicle or rental vehicle, however, reimbursement will only be made at the lower of the mileage reimbursement or rental vehicle rates. The reimbursement will be the lesser of the projected cost for either the current mileage rate times the number of miles authorized or the total cost of a rental vehicle, including gasoline.

#### Air travel

The Mayor and Council Members may travel by air when it is more economical to do so considering all relevant costs to the City. Only coach fares will be paid or reimbursed by the City. Fees associated with cancellation of or changes to air travel will only be paid or reimbursed by the City in cases of emergency or extreme circumstances. Council Members will be responsible for justifying such fees.

#### Lodging

Actual expenses will be reimbursed. Lodging selections shall be made considering the lowest acceptable cost, security, convenience, and role at the event. Lodging receipts must be itemized.

#### Meals

Reimbursement for meals will be made at the rate of \$38.00 per day, including tips, and shall not require receipts. An assigned City of Asheville procurement card may be used for meals. The allowable expense for the use of the procurement card for meals is limited to the lesser of the actual meal expense or the per diem amount allowed on a per meal basis. In the event of a partial day's travel outside the local area, reimbursement will be at the following rates:

1. \$6.00 for breakfast for trips beginning before 7 a.m.
2. \$12.00 for lunch for travel over the period of 12 noon to 1:30 p.m.
3. \$20.00 for dinner for travel after 6:30 p.m.

Meal reimbursements for travel to a designated high-cost city will be made at the rate of \$48.00 per day and shall not require receipts. A current list of high-cost cities is attached. In the event of a partial day's travel to a high-cost city, reimbursement will be at the following rates:

1. \$8.00 for breakfast for trips beginning before 7 a.m.
2. \$15.00 for lunch for travel over the period of 12 noon to 1:30 p.m.
3. \$25.00 for dinner for travel after 6:30 p.m.

Meals provided for in the registration fee of a conference or class are not eligible for additional reimbursement. Meals included in a lodging rate are not eligible for additional reimbursement. No alcoholic beverages may be included in the request for reimbursement or charged to the City's account.

Ceremonial banquets or similar events that are a part of an official program of events will be reimbursed at cost, but plans to attend and the estimated cost of the meal should be noted when making arrangements. Reimbursement for attendance at such events will be in lieu of the per diem amount for the meal.

#### Registration fees

The cost of registration or event attendance will be reimbursed or paid by the City of Asheville.

#### ***Expense Substantiation***

An expense report with receipts and documentation must be submitted for all travel, training and event expenses in no more than 10 days after the expenses are incurred.

#### ***Guest Attendance***

In the event that a spouse or guest is invited to attend a function or wishes to accompany a Council Member on a city trip, the Council Member will be personally responsible for costs associated with spouse or guest attendance and/or travel.

#### ***City Credit Card***

A City purchasing/credit card shall be available for use by any Council Member upon request and approval by the Chief Financial Officer. Expenses charged to the City purchasing/credit card are limited to business related expenses. Itemized receipts and signed purchasing/credit card statements are to be submitted for payment approval as soon as possible but no later than 10 days following the trip or event. The City procurement card must be requested not later than 10 days prior to departure.

#### ***Advances***

Advances may be requested not later than five days prior to departure and shall not exceed \$75 per day. Any advance in excess of substantiated expenses must be returned within 10 days of travel.

#### **PROCEDURES:**

All travel and event arrangements shall be coordinated by the City Manager's designee ("travel coordinator").

#### Step 1. Budget Verification Form

The Mayor and Council Members shall request that the travel coordinator complete a budget verification form for travel and events at least 10 days prior to departure or the event taking place. The budget verification form, which will include documentation about projected costs, will be used to validate that sufficient funds are available within the individual Council Member's budget allocation for training and travel. The ministerial financial verification will be provided and signed off by the City Manager's designee. Requests for a travel advance or city procurement card must be submitted with the budget verification form.

#### Step 2. Arrangements Finalized

Once the budget verification form has been signed, the travel coordinator will be responsible for working with the Mayor or Council Member to finalize travel arrangements. The travel coordinator cannot make any binding travel or event arrangements before the budget authorization form is signed.

#### Step 3. Expense Report

The Mayor or Council Member shall submit all receipts and documentation to the travel coordinator upon return and in no less than 10 days after the conclusion of the trip or event. The travel coordinator will work with the elected official to ensure the travel expense report is completed and submitted to the Finance Department. The form will include requests for reimbursement when a City procurement card was not used. The City's procurement card and any remaining balance of travel advances shall be returned at the same time.

#### Step 4. Reimbursement

The travel coordinator will be responsible for working with the City's Accounting Division to ensure any expense reimbursements are processed and provided to the Mayor and Council.

RESOLUTION NO. 08- 176

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE ASHEVILLE CITY MARKET FUNDRAISER ON THE DATE OF THURSDAY, AUGUST 28, 2008 FROM 6:00 PM – 9:00 PM.

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WHEREAS, N. C. Gen. Stat. sec. 18B-300(c) authorizes the City by ordinance to regulate or prohibit the consumption and/or possession of open containers of malt beverages and unfortified wine on the public streets and on property owned, occupied or controlled by the City and to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Section 11-11 in the Code of Ordinances of the City of Asheville, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a special event or community festival; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at the Asheville City Market Fundraiser.

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

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed within the Asheville City Market Fundraiser event area.

The Asheville City Market Fundraiser event area is within the boundaries, not including sidewalks, of the Public Works Parking Lot, attached as Exhibit A.

2. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed for the Asheville City Market Fundraiser on Thursday, August 28, 2008 from 6:00 PM – 9:00 PM.
3. The possession of and consumption from open containers of malt beverages and/or unfortified wine allowed hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic cups or aluminum cans. Possession of and/or consumption from glass containers of malt

beverages and/or unfortified wine are not allowed anywhere in the Asheville City Market Fundraiser event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be allowed in the Asheville City Market Fundraiser event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

- 4. The location of the Asheville City Market Fundraiser, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine are allowed shall be designated by the posting of signs in the event area.

Read, approved and adopted this 26<sup>th</sup> day of August 2008.

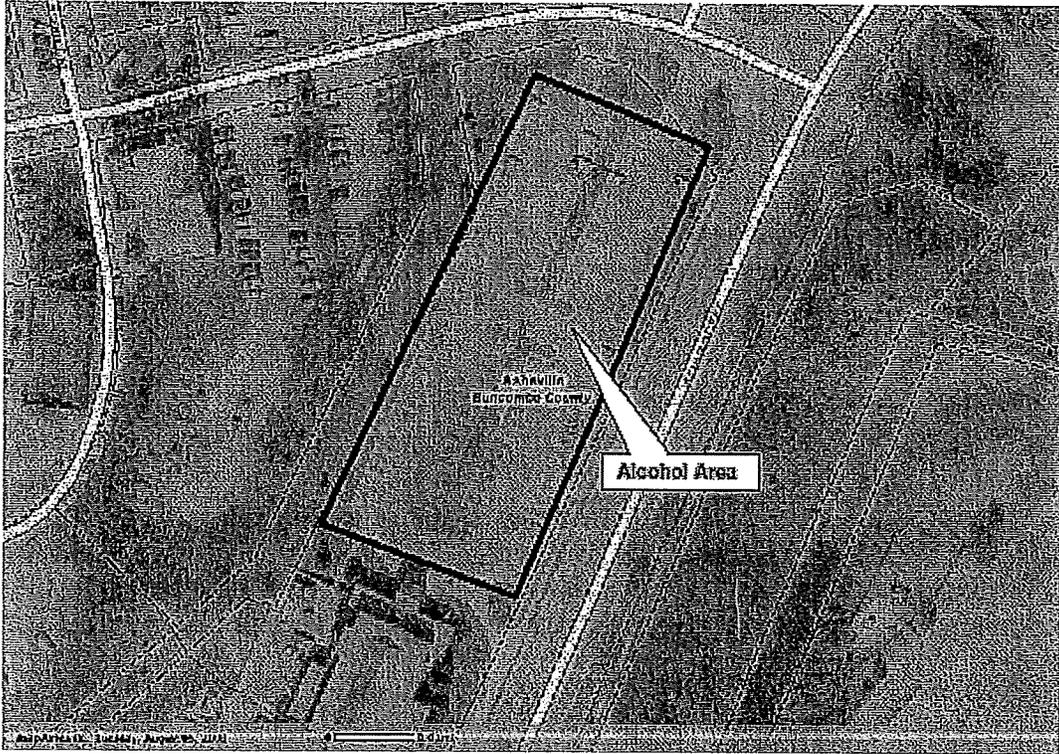
Magdalen Boulson  
City Clerk

Jerry M Bellamy  
Mayor

Approved as to form:

Russell  
City Attorney

Magdalen Boulson  
City Clerk



RESOLUTION NO. 08- 177

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE ORGANICFEST FESTIVAL ON THE DATE OF SATURDAY, SEPTEMBER 6, 2008 FROM 10:00 AM – 6:00 PM.

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WHEREAS, N. C. Gen. Stat. sec. 18B-300(c) authorizes the City by ordinance to regulate or prohibit the consumption and/or possession of open containers of malt beverages and unfortified wine on the public streets and on property owned, occupied or controlled by the City and to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Section 11-11 in the Code of Ordinances of the City of Asheville, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a special event or community festival; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at the Organicfest Festival.

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

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed within the Organicfest Festival event area.

The Organicfest Festival event area is within the boundaries of Battery Park Avenue and Otis Streets, including sidewalks, attached as Exhibit A.

2. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed for the Organicfest Festival on Saturday, September 6, 2008 from 10:00 AM – 6:00 PM.
3. The possession of and consumption from open containers of malt beverages and/or unfortified wine allowed hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic cups or aluminum

cans. Possession of and/or consumption from glass containers of malt beverages and/or unfortified wine are not allowed anywhere in the Organicfest Festival event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be allowed in the Organicfest Festival event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

- 4. The location of the Organicfest Festival, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine are allowed shall be designated by the posting of signs in the event area.

Read, approved and adopted this 26<sup>th</sup> day of August 2008.

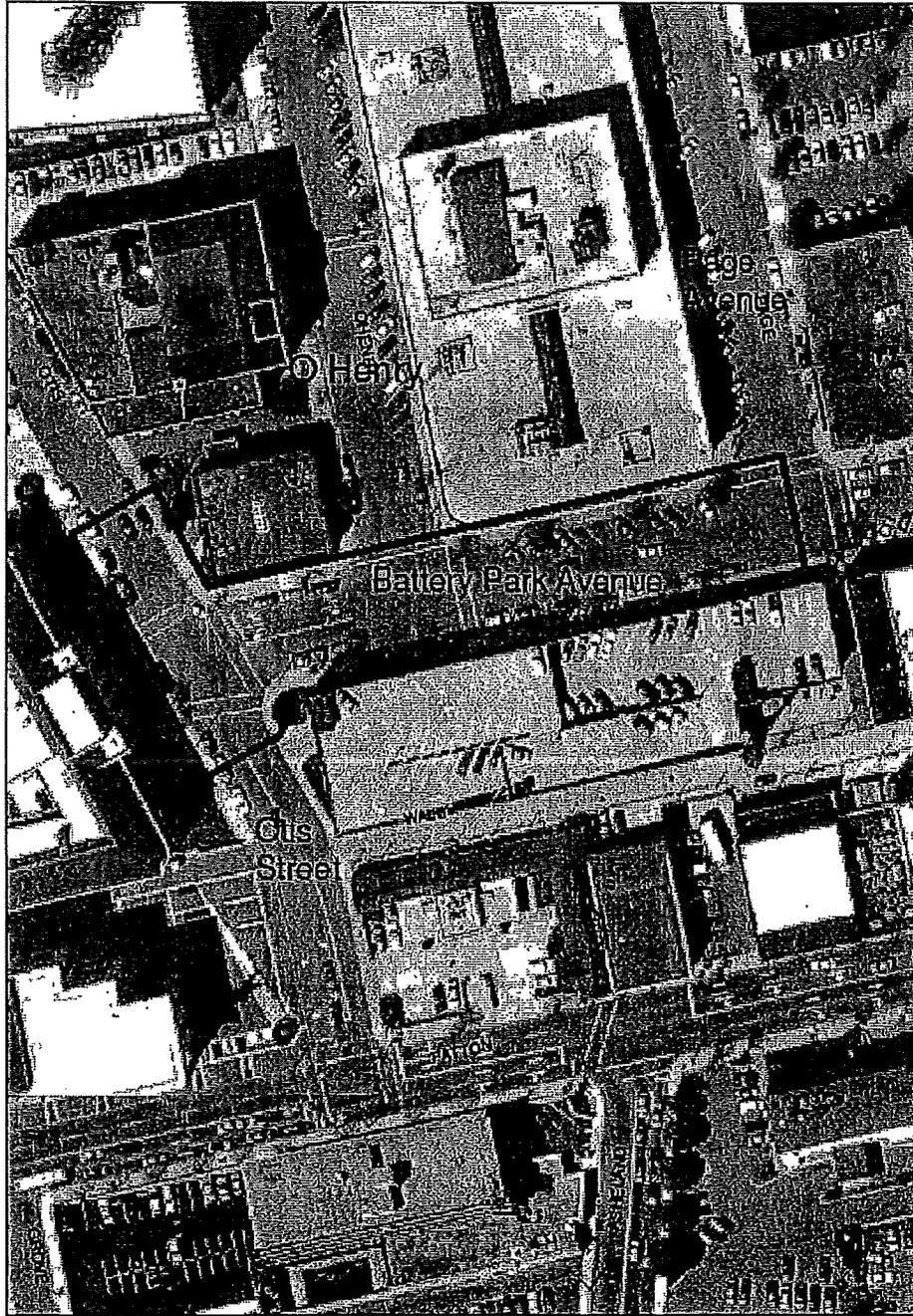
Magdalen Boulson  
City Clerk

Jerry Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk



Alcohol Area

RESOLUTION NO. 08- 178

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE LEXINGTON AVENUE ARTS & FUN FESTIVAL ON THE DATE OF SUNDAY, SEPTEMBER 7, 2008 FROM 11:00 AM – 10:00 PM.

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WHEREAS, N. C. Gen. Stat. sec. 18B-300(c) authorizes the City by ordinance to regulate or prohibit the consumption and/or possession of open containers of malt beverages and unfortified wine on the public streets and on property owned, occupied or controlled by the City and to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Section 11-11 in the Code of Ordinances of the City of Asheville, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a special event or community festival; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at the Lexington Avenue Arts & Fun Festival.

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

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed within the Lexington Avenue Arts & Fun Festival event area.

The Lexington Avenue Arts & Fun Festival event area is within the boundaries of Lexington Avenue, including sidewalks, between College Street & the I-240 Overpass, attached as Exhibit A.

2. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed for the Lexington Avenue Arts & Fun Festival on Sunday, September 7, 2008 from 11:00 AM – 10:00 PM.
3. The possession of and consumption from open containers of malt beverages and/or unfortified wine allowed hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic cups or aluminum

cans. Possession of and/or consumption from glass containers of malt beverages and/or unfortified wine are not allowed anywhere in the Lexington Avenue Arts & Fun Festival event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be allowed in the Lexington Avenue Arts & Fun Festival event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

- 4. The location of the Lexington Avenue Arts & Fun Festival, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine are allowed shall be designated by the posting of signs in the event area.

Read, approved and adopted this 26<sup>th</sup> day of August 2008.

Magdalen Boulson  
City Clerk

Jerry Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk



RESOLUTION NO. 08-179RESOLUTION RESERVING PROPERTY FOR A PERFORMANCE CENTER AT PARKSIDE

WHEREAS, the City has the authority, pursuant to N.C. Gen. Stat. sec. 160A-485, to establish and support public auditoriums; and

WHEREAS, the western North Carolina region has an ever increasing demand for live entertainment and studies show that a new performance center capable of staging a broad range of events is needed; and

WHEREAS, the arts in Asheville contribute significantly to economic development and tourism, and a new performance center has the potential to generate millions in annual economic activity;

WHEREAS, the City of Asheville has passed resolutions that it will continue to evaluate the feasibility of locating a new performance hall within a mixed-use development on the south side of the City building and City-County Plaza, known generally as "Parkside" (RESOLUTION NO. 06-217), and that it commits to support in principle the design of a facility either in an adaptive reuse or in a stand alone performing arts facility (RESOLUTION NO. 07-215); and

WHEREAS, the Buncombe County Commission passed a resolution that its Board supports the construction of a single, multi-use performance center and that this Board will make a financial contribution to the performance center (RESOLUTION #07-11-08); and

WHEREAS, in April 2006, the Civic Center Task Force voted in favor of the Parkside site as the preferred location for a new performance center in Asheville; and

WHEREAS, the Asheville Area Center for the Performing Arts Board of Directors has determined that the Parkside location is the preferred location for a new performance center; and

WHEREAS, the HUB economic development plan confirms the necessity of a new performance space and the HUB Alliance Board endorses this proposal; and

WHEREAS, the Asheville Area Center for the Performing Arts has met the Susanne Marcus Collins Foundation challenge of raising \$3 million to match a \$1 million grant and has now raised in excess of \$4.5 million in the private sector; and

WHEREAS, the ability to move into the next funding phase is contingent upon a site now being designated; and

WHEREAS, the establishment of the Parkside site will provide for the next phase in project planning which will lead to construction and grand opening;

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

The City of Asheville hereby commits to reserve space for a performance center within the area targeted for a multi-use redevelopment project on property bounded by Marjorie Street to the north, Spruce Street to the west, Eagle Street to the south and South Charlotte to the east, expecting that construction will commence within five years of the date of this resolution, with all pertinent details to be included in a forthcoming joint development agreement between the City of Asheville and the Asheville Area Center for the Performing Arts, Inc.

Read, approved and adopted this 26 day of August, 2008.

Magdalen Bruleson  
City Clerk

John Bellamy  
Mayor

Approved as to form:

Russell  
City Attorney

Magdalen Bruleson  
City Clerk

## RESOLUTION NO. 08- 180

RESOLUTION TO PERMANENTLY CLOSE A PORTION OF PEACE STREET

WHEREAS, the City has the authority pursuant to N.C. Gen. Stat. sec. 160A-299 to permanently close streets or alleys within its jurisdiction, upon compliance with applicable law; and

WHEREAS, a petition has been filed by adjoining property owners ,Casey J Allen and James H Wells (WG Ventures LLC, asking that a portion of Peace Street be permanently closed to public use; and

WHEREAS, City Council on the 22<sup>nd</sup> of July, 2008 adopted a resolution of intent to close said street and ordered a public hearing on the question of this closing for the 26<sup>th</sup> day of August, 2008, at its regular meeting in the City Council Chambers, 2<sup>nd</sup> floor of the City Hall Building, Asheville, North Carolina; and

WHEREAS, aforesaid resolution of intent to close and order of said hearing was published in the Asheville Citizen Times, a newspaper of general circulation in Buncombe County, North Carolina, once a week for four successive weeks prior to said public hearing, as evidenced by publisher's affidavit presented to Council at said public hearing; and

WHEREAS, a copy of said resolution of intent to close and order for such public hearing was prominently posted at two places along said right-of-way and a copy was forwarded to all owners as shown on the Buncombe County tax records who did not join in the petition to close; and

WHEREAS, at said public hearing, no objections were made that the proposed closing of said portion of street would deprive any individual owning property in the vicinity in which said street is located of a reasonable means of ingress and egress to the property.

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

1. Pursuant to North Carolina General Statute Section 160A-299, a portion of Peace Street, between Bradley Street and Moore Street, as more particularly shown in Plat Book 16 at Page 10 and recorded in the Buncombe County Register of Deeds Office, being bordered on the north side by Pin Nos. 9638.19-71-4323 and 9638.20-71-5460 and bordered on the south side by Pin Nos. 9638.19-71-4323 and 9638.20-71-5361, be permanently closed to public use as a public street.
2. This closing is subject to the retention by Progress Energy of Carolinas Inc., its successors and assigns, of a 20-foot wide permanent easement for the operation and maintenance of a primary electrical line, lying 10 feet on each side of the center line of said electrical line located within the proposed Peace Street closure.

3. This closing is subject to the retention by the City of Ashville of Buncombe County, its successors and assigns, of a 20-foot wide permanent easement for future opportunities for greenways, or other bike, pedestrian or vehicular connections.

Read, approved and adopted this 26th day of August, 2008.

Magdalen Boulson  
City Clerk

Derry Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 08- 181

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH CAMP, DRESSER AND MCKEE INC. FOR THE DEVELOPMENT OF THE CITY OF ASHEVILLE STRATEGIC ENERGY MANAGEMENT PLAN

WHEREAS, the City of Asheville has the authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, Camp, Dresser McKee Inc., Research and Development and the City of Asheville will partner and jointly fund the development of the City of Asheville Strategic Energy Management Plan; and

WHEREAS Camp Dresser McKee Inc.'s, Research and Development funding contribution to the agreement is anticipated to amount to \$138,900.00 to provide services for the development of the City of Asheville Strategic Energy Management Plan; and

WHEREAS the City of Asheville's funding contribution to the agreement is anticipated to amount to \$50,000.00 and is payable to Camp, Dresser McKee Inc.

WHEREAS the funding of \$50,000.00 is budgeted in the Public Works Department FY 2008 – 2009 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 an agreement with Camp Dresser, McKee Inc. on behalf of the City of Asheville for the purpose of developing the City of Asheville Strategic Energy Management Plan within the budgeted amount. The City Manager is further authorized to execute any amendments to said contract which may arise during the term of the contract up to the budgeted amount.

Read, approved and adopted this 26th day of August, 2008

Magdalen Burkson  
City Clerk

Jeremy Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Burkson  
City Clerk

RESOLUTION NO. 08-182

RESOLUTION APPOINTING MEMBERS TO THE CITIZENS/POLICE ADVISORY COMMITTEE

WHEREAS, the terms of Tim Flora (North representative), Ed Taylor (Central representative), Davidson Jones (East representative) and Mary Ann LaMantia (South representative) expired on June 30, 2008;

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

Ms. Angelica Reza Wind, 116 Naples Road, Asheville, N.C., be and she is hereby appointed as the North area representative on the Citizens/Police Advisory Committee, to serve a three year term, term to expire June 30, 2011, or until her successor has been appointed.

Mr. Bob Smith, 193 Tacoma Circle, Asheville, N.C., be and he is hereby appointed as the Central area representative on the Citizens/Police Advisory Committee, to serve a three year term, term to expire June 30, 2011, or until his successor has been appointed.

Mr. Charlie Hume, 1031 Columbine Road, Asheville, N.C., be and he is hereby appointed as the South area representative on the Citizens/Police Advisory Committee, to serve a three year term, term to expire June 30, 2011, or until his successor has been appointed.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Magdalen Baurleson  
CITY CLERK

Jerry Bellamy  
MAYOR

Approved as to form:

Russ Ted  
CITY ATTORNEY

Magdalen Baurleson  
City Clerk

## RESOLUTION NO. 08-183

RESOLUTION APPOINTING MEMBERS TO THE RECREATION BOARD

WHEREAS, the term Carol Stanberry, as a member on the Recreation Board, expired on June 30, 2008; and

WHEREAS, Carol Ann Pothier and Sam Camp have resigned as members on the Recreation Board, thus leaving two unexpired vacancies until June 30, 2009;

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

Ms. Mildred Nance-Carson, 52 Gaston Street, Asheville, N.C., be and she is hereby appointed, as a member of the Recreation Board, to serve a three year term, term to expire on June 30, 2011, or until her successor has been appointed.

Ms. Wanda Hawthorne, 115 N. Ridge Drive, Asheville, N.C., be and she is hereby appointed, as a member of the Recreation Board, to serve the unexpired term of Ms. Pothier, term to expire June 30, 2009, or until her has been appointed.

Ms. Sara Manuel , 114 Deaver Street, Asheville, N.C., be and she is hereby appointed, as a member of the Recreation Board, to serve the unexpired term of Mr. Camp, term to expire June 30, 2009, or until her has been appointed.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Magdalen Paulson  
CITY CLERK

Jerry M Bellamy  
MAYOR

Approved as to form:

[Signature]  
CITY ATTORNEY

Magdalen Paulson  
City Clerk

RESOLUTION NO. 08-184

RESOLUTION APPOINTING A MEMBER TO THE RIVER DISTRICT DESIGN REVIEW COMMITTEE

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WHEREAS, Wendy Kussrow has resigned as a member of the River District Design Review Committee as the at-large representative, thus leaving an unexpired term until September 1, 2010;

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

Mr. Terry Meek, 5 Pickwick Road, Asheville, North Carolina, be and he is hereby appointed, as the at-large member of the River District Design Review Committee, to serve the unexpired term of Ms. Kussrow, term to expire September 1, 2010, or until his successor has been appointed.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Magdalen Boulson  
CITY CLERK

Jerry Bellamy  
MAYOR

Approved as to form:

[Signature]  
CITY ATTORNEY

Magdalen Boulson  
City Clerk

RESOLUTION NO. 08-185

RESOLUTION APPOINTING A MEMBER TO THE SUSTAINABLE ADVISORY COMMITTEE ON ENERGY & THE ENVIRONMENT

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WHEREAS, Lach Zemp has resigned as a member of the Sustainable Advisory Committee on Energy & the Environment, thus leaving an unexpired term until December 31, 2008;

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

Mr. Ryan Blau, 85 School Road East, Asheville, North Carolina, be and he is hereby appointed, as a member of the Sustainable Advisory Committee on Energy & the Environment, to serve the unexpired term of Mr. Zemp, term to expire December 31, 2008, and then to serve a full three year term, term to expire December 31, 2011, or until his successor has been appointed.

Read, approved and adopted this 26<sup>th</sup> day of August, 2008.

Magdalen Paulson  
CITY CLERK

Jerry Bellamy  
MAYOR

Approved as to form:

[Signature]  
CITY ATTORNEY

Magdalen Paulson  
City Clerk