

RESOLUTION NO. 08-19

RESOLUTION OF SUPPORT AND ADMINISTRATION FOR AN APPLICATION TO NCDOT FOR A SAFE ROUTES TO SCHOOLS DEMONSTRATION GRANT

WHEREAS, the North Carolina Department of Transportation is accepting applications for Safe Routes to Schools Demonstration Grants; and

WHEREAS, the Safe Routes to Schools program is a grant reimbursement program to provide improvements that can help make bicycling and walking to and from school a safe and healthy transportation alternative; and

WHEREAS, the Asheville City Council recognizes the importance of a balanced transportation network to the economic and social well-being of the community; and

WHEREAS, upon submitting Safe Routes to School Grant applications, a resolution expressing support for the application and willingness to administer the funds is needed from the Asheville City Council; and

WHEREAS, the City of Asheville will partner with Emma Elementary School to submit an application by the deadline for submission; and

WHEREAS, the City of Asheville will be the lead agency partnering with Emma Elementary School and will support and administer the Safe Routes to School demonstration grant to the extent authorized by law;

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

The Council adopts a resolution of support and administration for an application for a Safe Routes to School demonstration grant.

Read, approved and adopted the 12th day of February, 2008.



City Clerk



Mayor

Approved as to form:



City Attorney



City Clerk

RESOLUTION NO. 08- 20

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A SUPPLEMENTAL UTILITY AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$498,571.78, FOR THE PROJECT KNOWN AS I-4401

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 agreements 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 Supplemental Utility Agreement for the upgrade of a 3 inch water line to a 12 inch water line on Smokey Park Highway for the City of Asheville's water system by adding additional fire protection; and

WHEREAS, the Water Resources staff recommends that City Council to approve the Supplemental Utility Agreement with NCDOT for the design-built water line project; and

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

The Mayor, on behalf of the City of Asheville, is hereby authorized to execute a Supplemental Utility Agreement for the design-build of adding additional fire protection on the 12 inch water line on Smokey Park Highway in the amount of \$40,000.00 and further authorizes the City Manager to execute any change orders to said contract or other documents which might arise during said project up to the budgeted amount in a contract agreement form approved by the City Attorney.

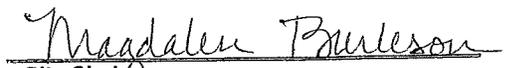
Read, approved, and adopted this 12th day of February 2008.


CITY CLERK


MAYOR

Approved as to form:


CITY ATTORNEY


City Clerk

RESOLUTION NO. 08- 21

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO ACCEPT AN ALLOCATION FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF UP TO \$400,000 FOR CONSTRUCTION OF PHASE II OF THE REED CREEK GREENWAY

WHEREAS, the City has authority, pursuant to NCGS 1604-17.1, to accept grants from other governments; and

WHEREAS, the North Carolina Department of Transportation in the Division of Bicycle and Pedestrian Transportation has awarded the City of Asheville an allocation up to \$400,000 for construction of Phase II of the Reed Creek Greenway; and

WHEREAS, Phase II of the Reed Creek Greenway will be located along Broadway between Cauble and Magnolia Streets, and will be approximately 1,600 linear feet, 10-foot wide and paved with asphalt; and

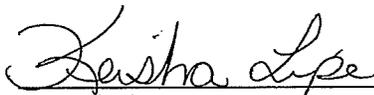
WHEREAS, the City of Asheville will be responsible for the preparation of all environmental documentation and for the project plans, specifications, quantities and details, the relocation of utilities and construction of the project; and

WHEREAS, the North Carolina Department of Transportation agrees to reimburse the City of Asheville up to \$400,000 for the actual cost of the project to construct Phase II of the Reed Creek Greenway.

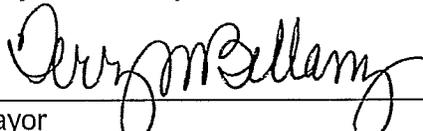
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is authorized to enter into an agreement to accept an allocation from the North Carolina Department of Transportation in the amount of up to \$400,000 for construction of Phase II of the Reed Creek Greenway.

Read, approved and adopted this 12th day of February, 2008.

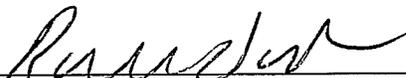


City Clerk



Mayor

Approved as to form:



City Attorney



City Clerk

RESOLUTION NO. 08- 22

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO AMEND THE EXISTING AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR AN ALLOCATION OF UP TO \$300,000 TO SUPPORT CONSTRUCTION COST OF THE HOMINY CREEK SECTION OF THE FRENCH BROAD RIVER GREENWAY

WHEREAS, the City has authority, pursuant to NCGS 1604-17.1, to accept grants from other governments; and

WHEREAS, the North Carolina Department of Transportation in the Division of Bicycle and Pedestrian Transportation awarded the City of Asheville an allocation up to \$300,000 in 2004 for construction of the Hominy Creek Section of the French Broad River Greenway; and

WHEREAS, the 2004 agreement allowed three years for trail construction to be complete, but the project was delayed due to the delay in acquiring land; and

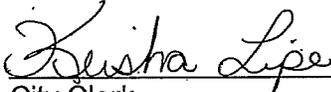
WHEREAS, the amended agreement allows two more years to complete the project and includes the Disadvantaged Business Enterprise federal policies; and

WHEREAS, the North Carolina Department of Transportation agrees to reimburse the City of Asheville up to \$300,000 for the actual cost of the project to construct the Hominy Creek Section of the French Broad River Greenway.

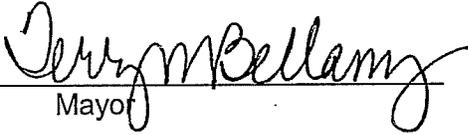
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is authorized to enter into an agreement to amend the existing agreement with the North Carolina Department of Transportation for an allocation of up to \$300,000 to support construction cost of the Hominy Creek Section of the French Broad River Greenway.

Read, approved and adopted this 12th day of February, 2008.



City Clerk

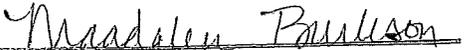


Mayor

Approved as to form:



City Attorney



City Clerk

RESOLUTION NO. 08- 23

RESOLUTION AUTHORIZING EASEMENT FOR POWER TRANSMISSION FACILITIES ACROSS CITY-OWNED PROPERTY IN RICHMOND HILL

WHEREAS, the City has the authority, pursuant to N.C.G.S. 160A-273 to grant easements as to any City property or public right-of-way; and

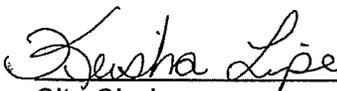
WHEREAS, Progress Energy Carolinas, Inc. (herein "PEC") has requested an easement over City property for right-of-way described in Exhibit A, attached hereto; and

WHEREAS, the City has determined that the grant of said easement will not substantially impair or hinder the use of the affected street as a way of passage, and that it is otherwise in the public interest to grant the easement;

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

1. The easement as requested by PEC is hereby granted.
2. The City Manager be, and is hereby, authorized to execute the instrument of conveyance and any other documents necessary to give effect to this resolution, subject to approval of the City Attorney.

Read, approved and adopted this 12th day of February, 2008.



City Clerk

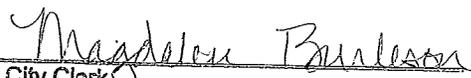


Mayor

Approved as to form:



City Attorney



City Clerk

EXHIBIT A
City-Owned Property in Richmond Hill

CONTAINING 150.40 acres, more or less, and being the land described in the following deeds to City of Asheville from: 1) French Broad Cemetery Company, Inc., dated March 4, 1927 and recorded in Deed Book 346, Page 267; and 2) Christopher J. Peterson, unmarried, dated September 22, 2005 and recorded in Deed Book 4109, Page 1749, both Buncombe County Registry.

RESOLUTION NO. 08- 24

RESOLUTION ESTABLISHING THE CITY OF ASHEVILLE'S FEDERAL PRIORITIES AND FEDERAL FUNDING REQUESTS FOR FY 2009

WHEREAS, the City has identified key initiatives and projects that are important to the City and its citizens;

WHEREAS, the City desires to submit these initiatives and projects for consideration in the second session of the 110th US Congress; and

WHEREAS, the City wishes to work closely with the congressional delegation serving the City to achieve these initiatives and projects;

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

- 1) City Council establishes a federal agenda as outlined in Exhibit A and attached to this resolution; and
- 2) The City Manager is authorized to submit the noted appropriations requests and legislative requests to Asheville's congressional delegation and staff for consideration in the 110th Congress.

Read, approved and adopted this the 12th day of February, 2008.

Magdalen Burleson
City Clerk

Greg Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Burleson
City Clerk

City of Asheville Federal Funding Requests
Adopted: February 12, 2008

EXHIBIT A

REID CENTER

Extensive renovation to or rebuilding of both interior and exterior and utilities of the W.C Reid Center for Creative Arts, a 37,000-square foot community center to support a full-service, community based recreation program and multi-disciplinary arts program with an emphasis on providing services to at-risk youth and their families.

Amount requested: \$4 to \$6 million.

ENERGY CONSERVATION RETROFITS FOR CITY BUILDINGS

The Building Energy Conservation Retrofits appropriations will allow the City of Asheville to install programmable thermostats, light occupancy sensors, high energy efficient lighting in all 51 city owned buildings after which a holistic social marketing campaign will be conducted to encourage employee behavior change. The retrofits will provide significant cost savings through utilities and decrease the carbon footprint of the city organization, while providing a strong foundation for a social marketing program to effectively create sustainability behavior change.

Amount requested: \$749,200.

TRAFFIC SIGNAL PREEMPTION

A Traffic Signal Preemption System is an electrical device(s) that allow a traffic control signal to respond by giving priority to approaching response vehicles that are outfitted with special equipment. Such systems are designed to increase the safety of the public and responders, reduce emergency response times, and enhance public transit operations.

Amount requested: \$495,000.

REGIONAL PUBLIC SAFETY TRAINING FACILITY

The Regional Public Safety Training facility is a partnership between WNC local governments, state government and AB Tech. The facility will include an emergency vehicle driving pad, burn building, and a rescue tower. The project is a modular project and can be done in phases.

Amount requested: \$4 million.

BUS REPLACEMENT

The project entails the purchasing of fifteen (15) 30-foot hybrid buses to replace 75% of the fleet which are reaching their life-cycle, with more than ten (10) years in operations. This is a multi-year project that intends to replace the fleet in a three year period. The City is recommending buying hybrid buses, or buses using other energy efficient technology, instead of diesel. The use of alternative fuels will help the City to achieve the carbon emission reduction goals adopted by City Council. The project will affect positively the Western North Carolina population that lives in Asheville, Weaverville and Black Mountain and depends on transit to perform the daily activities, providing a more reliable and comfortable service. At the same time will bring benefits to the environment, reducing pollution and improving the quality of life.

Amount requested: \$7,875,000 over three (3) years (\$2,625,000/year).