

RESOLUTION 08-08

RESOLUTION APPROVING LIST OF CO-SPONSORED EVENTS FOR JANUARY, 2008

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WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-353 to provide for recreational activities, and may, pursuant to N.C.G.S. 160A-20.1, contract with and appropriate money to persons and organizations carrying out a public purpose; and

WHEREAS, the Parks and Recreation Department annually presents for consideration a list of co-sponsored events; and

WHEREAS, the matrix includes specific points given for such areas as economic development, out-of-town spending, whether the event is designed for raising funds for local charities, or whether the event increases cultural understanding for the community; and

WHEREAS, a total of 24 events were approved in 2007; and

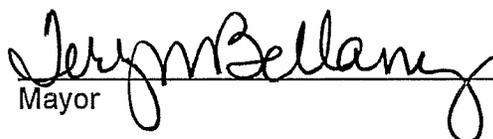
WHEREAS, in 2008, the first event is requested for approval, representing an estimated cost to the City of \$720 in in-kind and fee waivers;

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

The attached partial list of co-sponsored events for 2008 is approved.

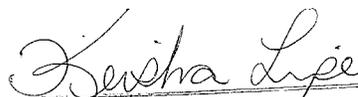
Read, approved and adopted this 15<sup>th</sup> day of January, 2008.

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor

Approved as to form:

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
City Clerk

**Partial List of Co-Sponsored Applicants/  
Sponsoring Organization  
Recommended: January, 2008**

1. Martin Luther King, Jr. Peace March/Martin Luther King, Jr. Association of Asheville & Buncombe County.

RESOLUTION NO. 08-09

RESOLUTION RATIFYING THE CITY MANAGER ENTERING INTO CONTRACT WITH MOTOROLA, INC. FOR MAINTENANCE SERVICES FOR THE CITY OF ASHEVILLE'S 800MHZ RADIO INFRASTRUCTURE

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, these maintenance services will conform to specifications issued by the City of Asheville; and

WHEREAS, the funds for these maintenance services have been budgeted by the City of Asheville;

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 contract on behalf of the City of Asheville with Motorola, Inc. for maintenance services of the City's 800MHZ radio infrastructure, in the amount of \$81,748.56.
2. The City Manager is further authorized to execute any amendments to said contract or documents which might arise during the term of the contract up to the budgeted amount.

Read, approved and adopted this the 15th day of January, 2008.

*Keisha Lipe*  
\_\_\_\_\_  
City Clerk

*Jay M Bellamy*  
\_\_\_\_\_  
Mayor

Approved as to form:

*Russell*  
\_\_\_\_\_  
City Attorney

*Keisha Lipe*  
\_\_\_\_\_  
City Clerk

RESOLUTION NO. 08-10

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE, NORTH CAROLINA DECLARING THE INTENT OF THE CITY OF ASHEVILLE, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE ACQUISITION OF VEHICLES AND EQUIPMENT FROM THE PROCEEDS OF LEASE-PURCHASE CONTRACT TO BE EXECUTED AND DELIVERED IN THE CALENDAR YEAR 2008

WHEREAS, the City Council of the City of Asheville, North Carolina ("City") has determined that it is in the best interests of City to acquire fire trucks, other large vehicles and public safety radios & equipment (collectively, the "Project");

WHEREAS, the City presently intends, at one time or from time to time, to finance all or a portion of the costs of the project with proceeds of a lease-purchase contract and reasonably expects to execute and deliver a lease-purchase financing contract, the portion of the payments designated and paid as interest under which will be tax-exempt (the "Contract"), to finance, or to reimburse itself for, all or a portion of the costs of the Project; and

WHEREAS, the City desires to proceed with the Project and will incur and pay certain expenditures in connection with the Project prior to the date of execution and delivery of the Contract (the "Original Expenditures"), such Original Expenditures to be paid for originally from a source other than the proceeds of the Contract, and the City intends, and reasonably expects, to be reimbursed for such Original Expenditures from a portion of the proceeds of the Contract to be executed and delivered at a date occurring after the dates of such Original Expenditures;

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

Section 1. Official Declaration of Intent. The City presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the City on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Contract. The City reasonably expects to execute and deliver the Contract to finance all or a portion of the costs of the Project and the maximum principal amount of Contract expected to be executed and delivered by City to pay for all or a portion of the costs of the Project up \$6,000,000.

Section 2. Compliance with Regulations. The City adopts this Resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the City's intent to reimburse itself for the Original Expenditures from proceeds of the Contract.

Section 3. Itemization of Capital Expenditures. The Chief Financial Officer of the City, with advice from special counsel, is hereby authorized, directed and designated to act on behalf of the City in determining and itemizing all of the Original Expenditures incurred and paid by the City in connection with the Project during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of execution and delivery of the Contract.

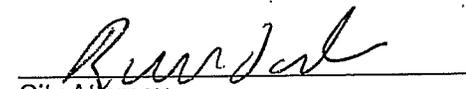
Section 4. Effective Date. This Resolution shall become effective immediately upon the date of its adoption.

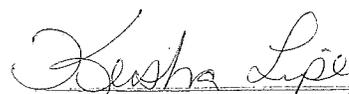
Read, approved and adopted this 15<sup>th</sup> day of January, 2008.

  
City Clerk

  
Mayor

Approved as to form:

  
City Attorney

  
City Clerk

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STATE OF NORTH CAROLINA

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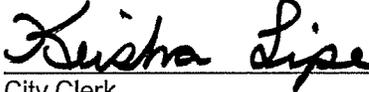
SS:

CITY OF ASHEVILLE

I, Keisha Lipe, the duly appointed City Clerk of the City of Asheville, North Carolina (the "City"), DO HEREBY CERTIFY that (1) the foregoing is a full, true and correct copy of Resolution No. 08-10 adopted by the City Council of the City (the "City Council") at its regular meeting of January 15, 2008 and appearing in the minutes of such meeting, (2) notice of the meeting of the City Council held on January 15, 2008 was sent to each member of the City Council, and (3) a quorum was present at the meeting on January 15, 2008 at which time the foregoing Resolution was adopted.

WITNESS, my hand and the seal of the City this 15<sup>th</sup> day of January, 2008.

[SEAL]

  
\_\_\_\_\_  
City Clerk

## RESOLUTION NO. 08-11

RESOLUTION ACCEPTING BUCK SHOALS ROAD, WALDEN DRIVE, QUAIL HOLLOW DRIVE, CRESCENT STREET, OAK STREET, PINE STREET, ORCHARD STREET, MORSE DRIVE, AND EAGLES NEXT LAND AS CITY-MAINTAINED STREETS

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WHEREAS, pursuant to N.C.G.S. 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, Buck Shoals Road, Walden Drive, Quail Hollow Drive, Crescent Street, Oak Street, Pine Street, Orchard Street, Morse Drive, and Eagles Nest Lane are now located in the corporate limits of the City of Asheville as a result of recent annexations; and

WHEREAS, the subject streets are currently maintained by the North Carolina Department of Transportation; and

WHEREAS, Buck Shoals Road is currently identified as SR 3541 and is specifically located from SR 3522 (Old Shoals Road) to US 25 (Hendersonville Road) for a total length of 0.26 mile; and

WHEREAS, Walden Drive is currently identified as SR 3628 and is specifically located from SR 3541 (Buck Shoals Road) to SR 3495 (Glenn Bridge Road) for a total length of 0.37 mile; and

WHEREAS, Quail Hollow Drive is currently identified as SR 3316 and is specifically located from SR 3541 (Buck Shoals Road) to its dead-end for a total length of 0.10 mile; and

WHEREAS, Crescent Street is currently identified as SR 3435 and is specifically located from NC 112 (Sand Hill Road) to SR 3436 (Pine Street)/SR 3535 (Oak Street) for a total length of 0.11 mile; and

WHEREAS, Oak Street is currently identified as SR 3535 and is specifically located from SR 3435 (Crescent Street) to SR 3534 (Orchard Street)/SR 3436 (Pine Street) for a total length of 0.13 mile; and

WHEREAS, Pine Street is currently identified as SR 3436 and is specifically located from SR 3435 (Crescent Street) to SR 3534 (Orchard Street)/SR 3535 (Oak Street) for a total length of 0.15 mile; and

WHEREAS, Orchard Street is currently identified as SR 3534 and is specifically located from NC 112 (Sand Hill Road) to SR 3436 (Pine Street)/SR 3535 (Oak Street) for a total length of 0.25 mile; and

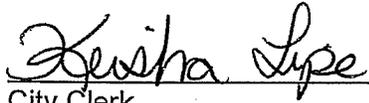
WHEREAS, Morse Drive is currently identified as SR 3577 and is specifically located from SR 1224 (West Oak View Road) to its dead-end for a total length of 0.21 mile; and

WHEREAS, Eagles Nest Lane is currently identified as SR 3643 and is specifically located from SR 1224 (West Oak View Road) to its dead-end for a total length of 0.23 mile; and

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

Buck Shoals Road, Walden Drive, Quail Hollow Drive, Crescent Street, Oak Street, Pine Street, Orchard Street, Morse Drive, and Eagles Nest Lane are accepted by the City of Asheville for maintenance as indicated on the attached maps subject to concurrence by the North Carolina Department of Transportation.

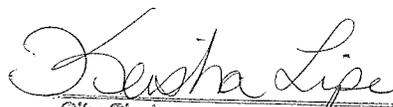
Read, approved and adopted this 15<sup>th</sup> day of January, 2008.

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor

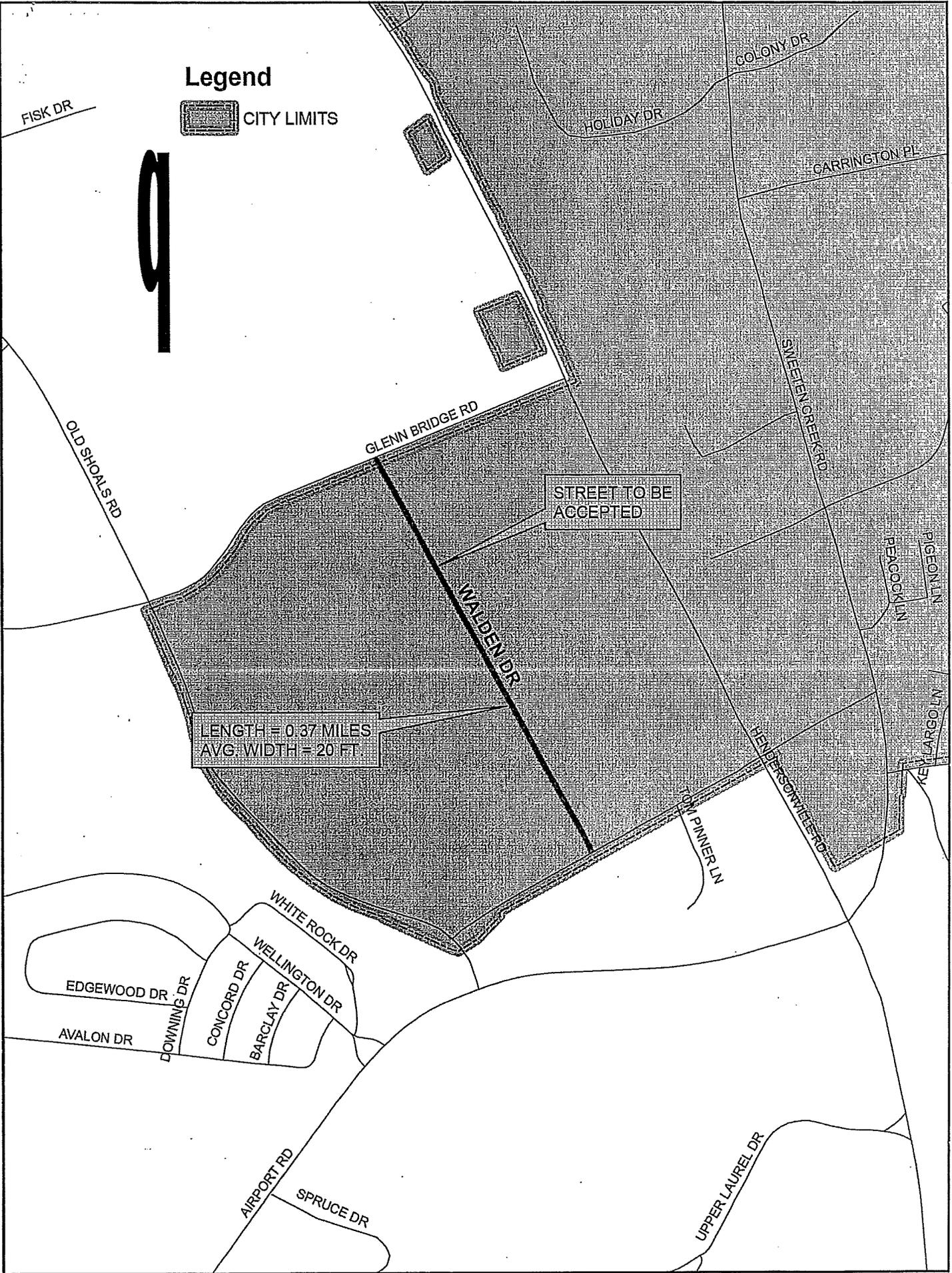
Approved as to form:

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
City Clerk

### Legend

 CITY LIMITS



STREET TO BE ACCEPTED

LENGTH = 0.37 MILES  
AVG WIDTH = 20 FT

WALDEN DR

GLENN BRIDGE RD

COLONY DR

HOLIDAY DR

GARRINGTON PL

SWEETENCREEK RD

OLD SHOALS RD

PEACOCK LN

PIGEON LN

KEY LARGO LN

HENDERSCHWIEFER RD

TOM PINNER LN

WHITE ROCK DR

WELLINGTON DR

EDGEWOOD DR

DOWNING DR

CONCORD DR

BARCLAY DR

AVALON DR

AIRPORT RD

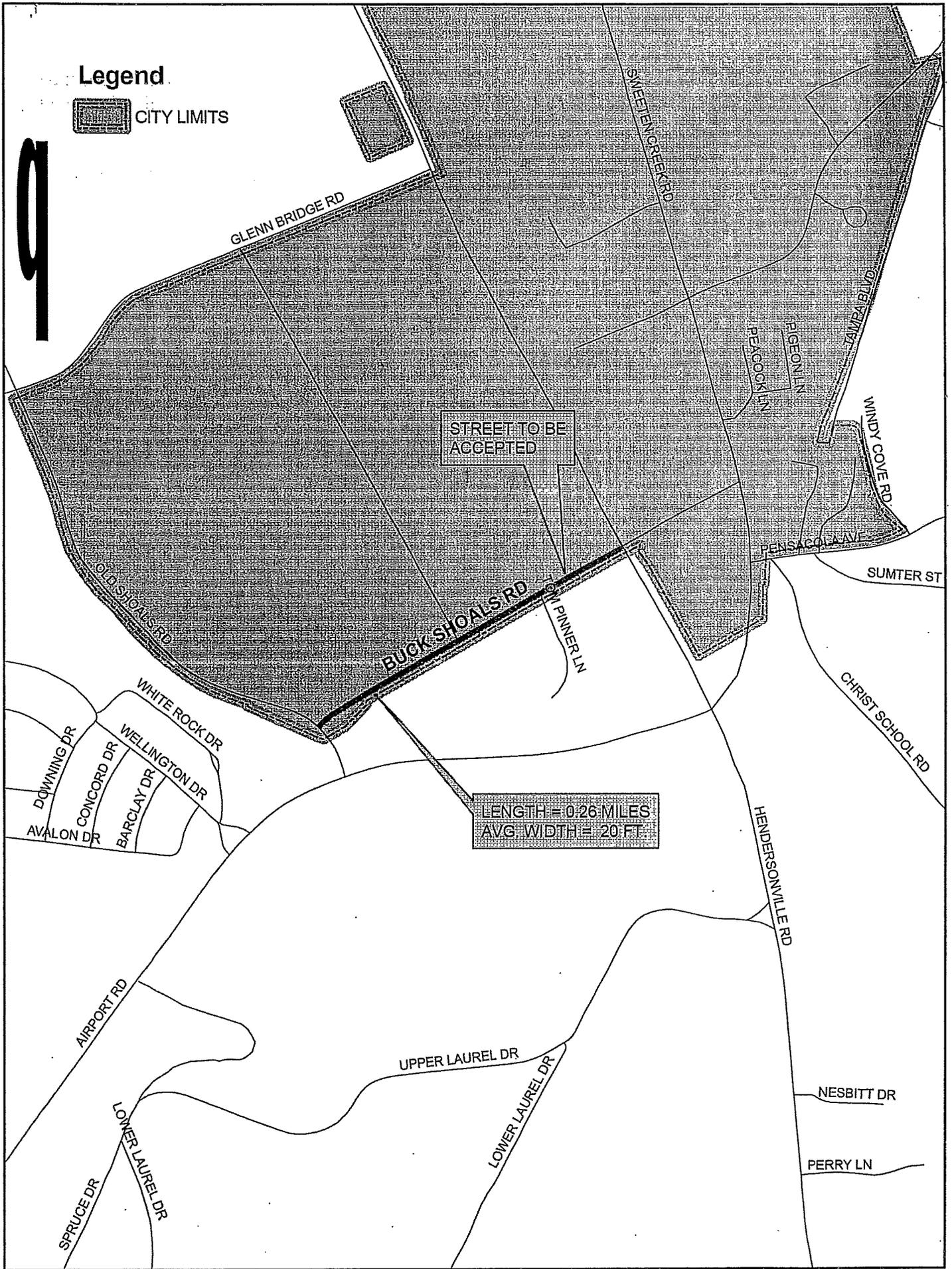
SPRUCE DR

UPPER LAUREL DR

### Legend

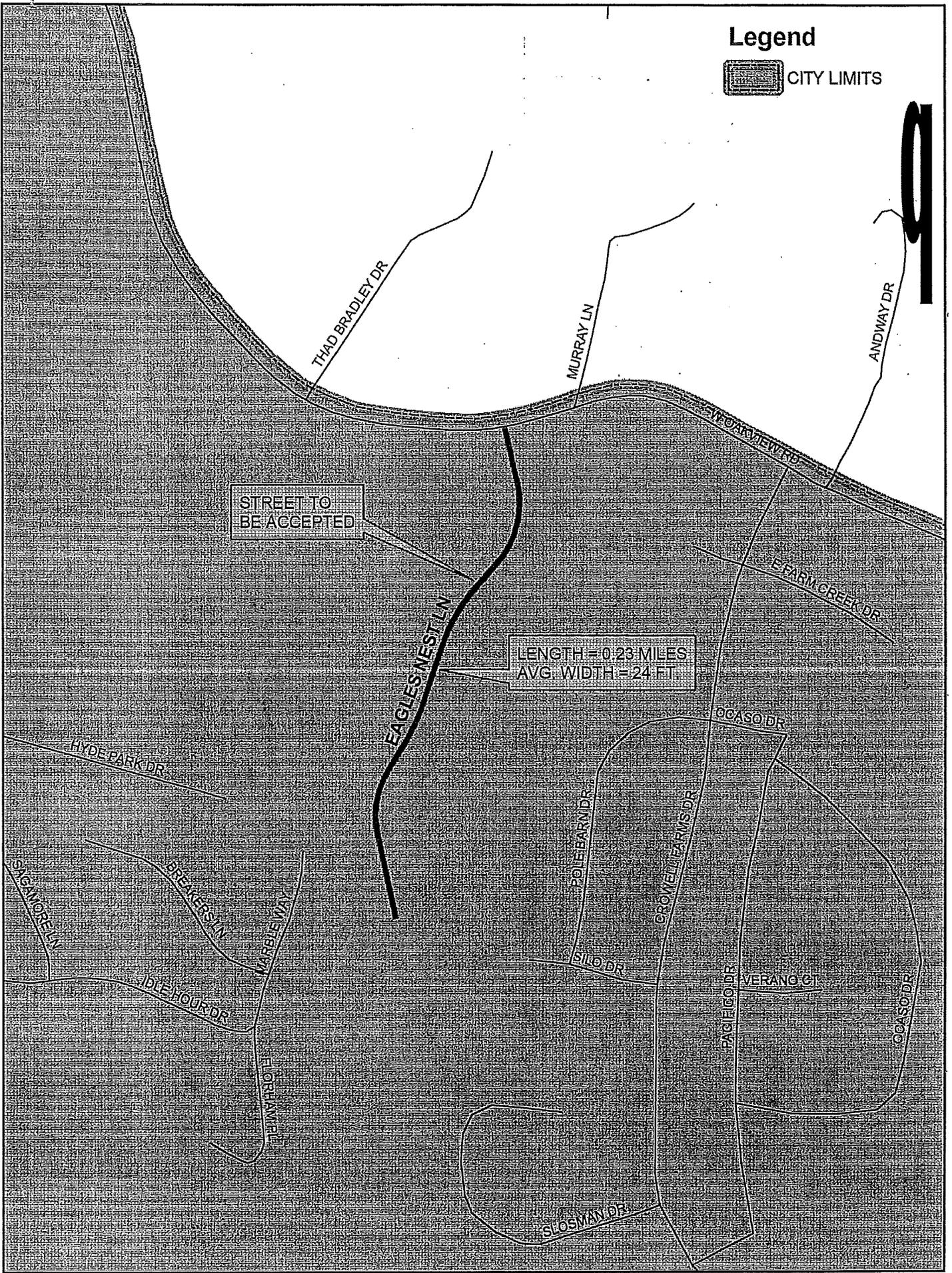
 CITY LIMITS

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### Legend

 CITY LIMITS



### Legend

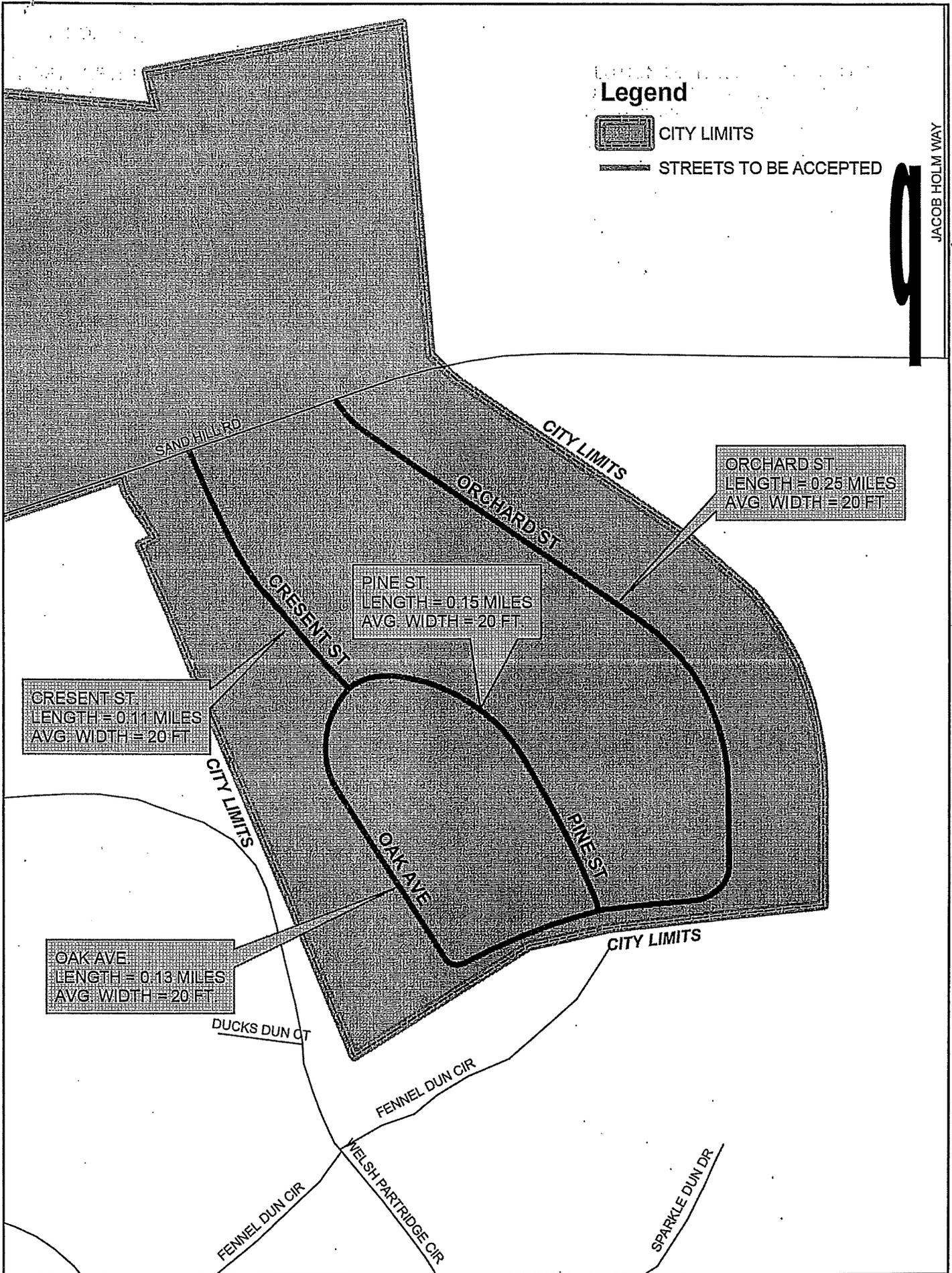


CITY LIMITS



STREETS TO BE ACCEPTED

JACOB HOLM WAY



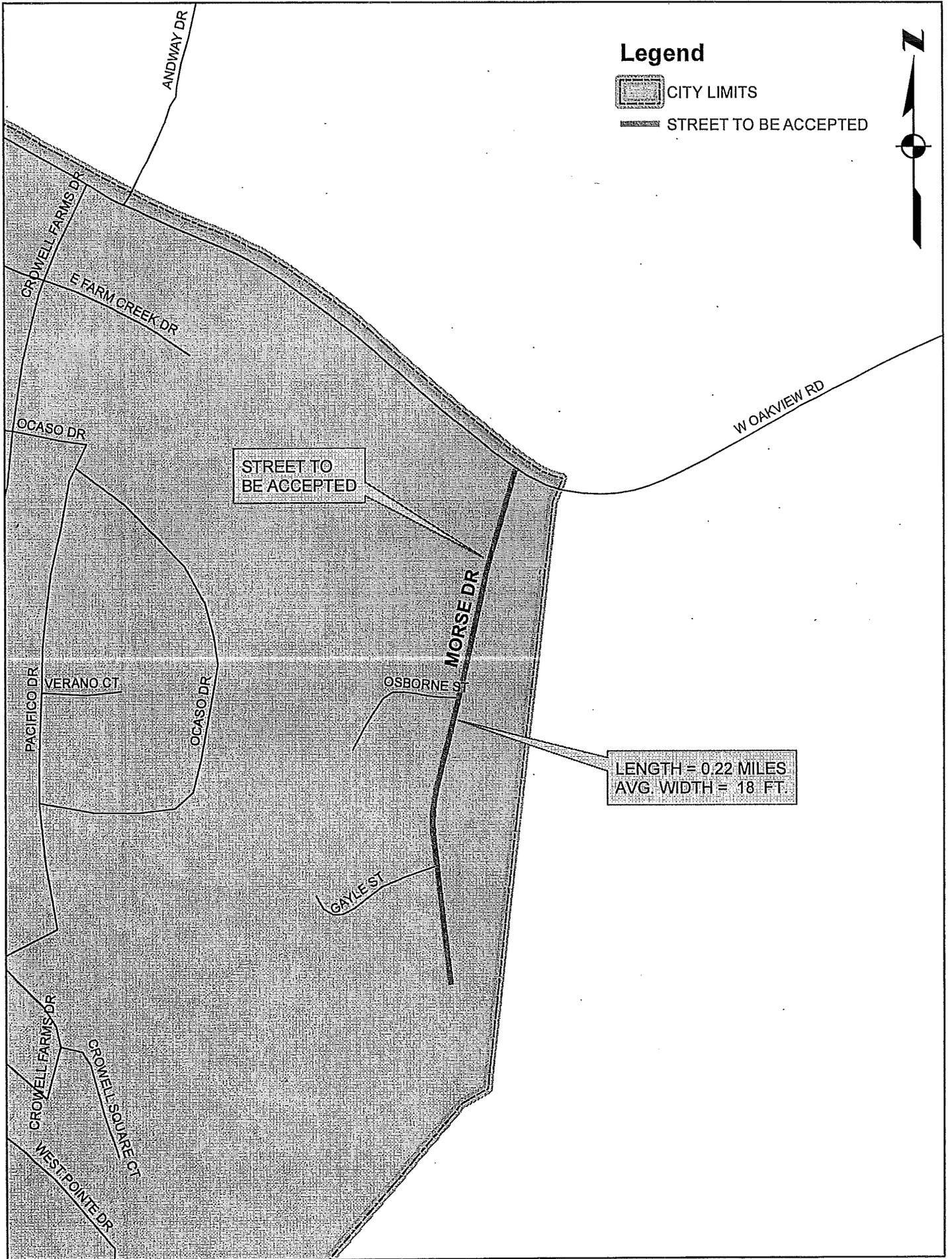
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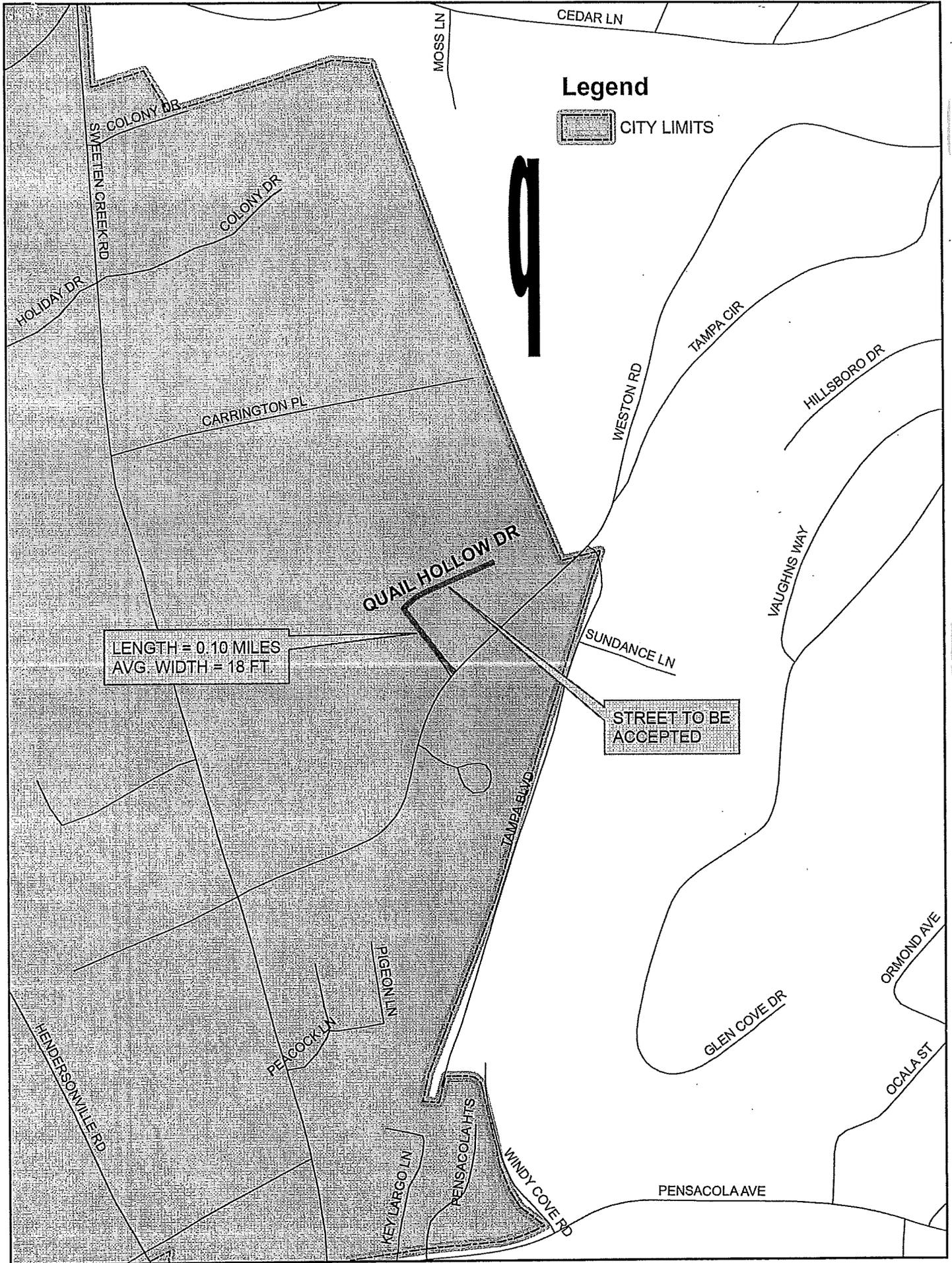


CITY LIMITS



STREET TO BE ACCEPTED





### Legend

 CITY LIMITS

LENGTH = 0.10 MILES  
AVG. WIDTH = 18 FT.

STREET TO BE  
ACCEPTED

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