

RESOLUTION NO. 08-54

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT IN THE AMOUNT OF \$10,000 FROM THE NORTH CAROLINA COALITION TO END HOMELESSNESS

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-20.1 to contract with any private entity to carry out a public purpose that the City is authorized to engage in; and

WHEREAS, the North Carolina Coalition to End Homelessness has awarded the City of Asheville a grant in the amount of \$10,000 to provide technical support for the implementation of the City's 10-year Plan to End Homelessness; and

WHEREAS, the proposed uses of the grant are to send representatives from the Homeless Initiative Advisory Group and advocates to the North Carolina Homeless Leadership Summit, to hire a research scientist to evaluate and report on existing homeless data, and to hire public relations professionals to create media tools;

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

The City Council authorizes the City Manager to accept a grant in the amount of \$10,000 from the North Carolina Coalition to End Homelessness to educate, research, and disseminate information about the 10-year Plan to End Homelessness.

Read, approved and adopted this 25th day of March, 2008.

Magdalen Burlington
City Clerk

Serg Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Burlington
City Clerk

RESOLUTION NO. 08- 55

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A UTILITY AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$2,252,398.00, FOR THE PROJECT KNOWN AS SA - 181, WBS ELEMENT: 37831

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 Utility Agreement for the upgrade of a 18 inch water line to a 24 inch water line on Sand Hill Road for the City of Asheville's water system; 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 Utility Agreement for the installation of a 24 inch water line on Sand Hill Road in the amount of \$2,252,398.00 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 FY 2008-2009 budgeted amount in a contract agreement form approved by the City Attorney.

Read, approved, and adopted this 25th day of March, 2008.

Magdalen Barksen
City Clerk

Derry M Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Barksen
City Clerk

RESOLUTION NO. 08- 56

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT AGREEMENT WITH THE CORP OF ENGINEERS TO PROVIDE PROFESSIONAL SERVICES IN PREPARING FEASIBILITY ANALYSIS FOR FLOOD DAMAGE REDUCTION

WHEREAS, the City of Asheville entered into a contract with Corp of Engineers in September 2007 to prepare a Flood Action Plan for Biltmore Village; and

WHEREAS, the Corp of Engineers is a Federal Agency that provides engineering assistance to state and local governments; and

WHEREAS, the Corp of Engineers is providing a 50%-50% match for this project.

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

The City Manager is authorized to execute an amendment agreement with the Corp of Engineers to provide professional services in preparing feasibility analysis for flood damage reduction.

Read, approved and adopted this the 25th day of March, 2008.

Magdalen Bourleson
City Clerk

Jerry Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bourleson
City Clerk

114

RESOLUTION NO. 08- 57

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT AGREEMENT WITH BROWN AND CALDWELL TO PROVIDE PROFESSIONAL SERVICES IN THE FACILITATION AND ANALYSIS OF THE STORMWATER AND EROSION CONTROL ORDINANCE

WHEREAS, Brown and Caldwell is qualified to provide technical facilitation on the subject of municipal Stormwater and Erosion Control ordinances; and,

WHEREAS, the City of Asheville entered into a contract with Brown and Caldwell to provide facilitation to the Watershed Policy Committee in the amount of \$35,000; and

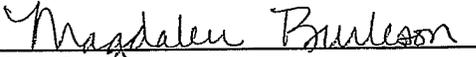
WHEREAS, the original scope of work has been extended from January 2008 to to July 2008; and,

WHEREAS, the City wishes to have Brown and Caldwell continue to facilitate and provide professional services to the Watershed Policy Committee.

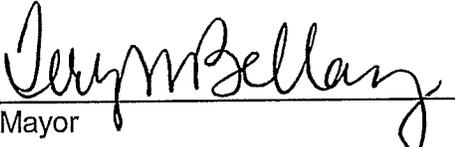
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is authorized to execute an amended agreement with Brown and Caldwell to provide professional services in the facilitation and analysis of the Stormwater and Erosion Control Ordinance.

Read, approved and adopted this the 25th day of March, 2008.



City Clerk

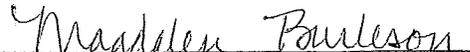


Mayor

Approved as to form:



City Attorney



City Clerk

RESOLUTION NO. 08-58

RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT DONATION AND CONVEYANCE OF REAL PROPERTY OFF LOUISIANA AVENUE FROM THE CONSERVATION TRUST FOR NORTH CAROLINA

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 is authorized pursuant to G.S. 160A-353 to accept any gift, grant or bequest of real property for parks and recreation programs, and to hold such property subject to such terms and conditions as may be imposed by the grantor; and

WHEREAS, the City of Asheville is interested in establishing and maintaining parks and greenway systems throughout the corporate limits of the City of Asheville; and

WHEREAS, property owners may offer to donate or convey to the City of Asheville all or portions of property or easements over property so that the property may be used for parks and greenway systems; and

WHEREAS, the Conservation Trust for North Carolina (CTNC) has offered to donate real property located off Louisiana Avenue (PIN 9638.09-17-2346) consisting of 7.9 acres of land known as the Falconhurst Natural Area to the City of Asheville subject to deed restrictions to protect the site from development and maintain its integrity as a nature preserve, while still permitting appropriate public recreational use; and

WHEREAS, the CTNC incurs substantial costs monitoring its protected properties to ensure compliance with the deed restrictions and must set aside funds in a dedicated endowment to cover the costs; and

WHEREAS, the CTNC requires a one-time contribution of \$6,000 to help cover the future expenses associated with the subject property,

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

The Mayor be and is hereby authorized to accept on behalf of the City of Asheville the donation and conveyance of the real property offered by the Conservation Trust for North Carolina (PIN 9638.09-17-2346) in exchange for a one-time contribution of \$6,000 and subject to deed restrictions to protect the site from development and maintain its integrity as a nature preserve, while still permitting appropriate public recreational use.

Read, approved and adopted this 25th day of March, 2008.

Magdalen Baulson
City Clerk

Jerry Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Baulson
City Clerk

RESOLUTION NO. 08- 59

RESOLUTION AUTHORIZING A LEASE WITH THE CITY OF ASHEVILLE BOARD OF ALCOHOLIC CONTROL FOR THE PREMISES AT 167 BILTMORE AVENUE

WHEREAS, N. C. Gen. Stat. sec. 160A-272 authorizes the City to lease or rent real property owned by the City; and

WHEREAS, the City of Asheville is the owner of real property located at 167 Biltmore Avenue, comprising of three parcels identified as PIN #s 9648.06-48-3068, 9648.06-48-3173, and 9648.06-48-3199; and

WHEREAS, the City of Asheville Board of Alcoholic Control has offered to enter into a lease at an initial rent of \$1,006.75 per month; and

WHEREAS, City staff has reviewed the offer from the City of Asheville Board of Alcoholic Control and recommends acceptance of the offer; and

WHEREAS, on February 26, 2008, City Council authorized publication of a notice of intent to lease the land to the City of Asheville Board of Alcoholic Control by resolution ___ and said notice of intent was duly published in the Asheville Citizen-Times on February 29, 2008.

WHEREAS, the City has no anticipated need for the property during the term of the lease;

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

The Mayor is authorized to execute the proposed lease with the City of Asheville Board of Alcoholic Control for the premises at 167 Biltmore Avenue, at an initial rent of \$1,006.75 per month.

Read and approved and adopted this 25th day of March, 2008.

Magdalen Boulson
City Clerk

Jeff Bellamy
Mayor

Approved as to form:

Russ Sob
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 08-60

RESOLUTION AMENDING RULES OF PROCEDURE FOR CITY COUNCIL

WHEREAS, the City Council has the right and the obligation pursuant to N.C.G.S. 160A-71 and the Asheville City Charter to adopt rules of procedure; and

WHEREAS, Rule 1 of the Rules of Procedure for City Council establishes Council's meeting schedule, and generally describes the format of the meetings designated as worksessions; and

WHEREAS, it has been the practice of Council annually or more frequently to establish or amend its meeting schedule by resolution, such that a parallel provision in the Rules of Procedure is not necessary; and

WHEREAS, the City Council desires to amend and clarify other rules regarding the conduct of worksessions, and the rules regarding the timing of submission of information to be considered at its meetings;

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

The Rules of Procedure for City Council are hereby amended as set forth in Exhibit A, attached hereto.

Read, approved and adopted this 25th day of March, 2008.

Margalen Boulson
City Clerk

Jerry Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Margalen Boulson
City Clerk

EXHIBIT A
City Council Rules of Procedure
Amendments – March 2008

1. MEETING SCHEDULE

Pursuant to N.C.G.S. 160A-71, the City Council shall establish its regular meeting schedule by resolution, which schedule may be amended from time to time. A copy of the regular meeting schedule shall be filed with the City Clerk as provided in N.C.G.S. 143-318.12, and otherwise as required by law, and shall be attached to these Rules as an Appendix. Regular meetings may be designated as "formal meetings" or "worksessions."

The primary purpose of worksessions, whether they precede the formal meetings or are conducted solely as worksessions, is to inform the council of matters over which the council has concern, including upcoming agenda items. The focus of the worksessions will be receiving reports from the staff and other professionals reporting to the council; meeting with representatives of other governmental bodies, including boards and commissions appointed by the council; and receiving such additional information as the council may deem appropriate in carrying out its duties.

Formal action in the form of ordinances and resolutions will ordinarily not be taken at worksessions; however, council may provide direction as to those matters coming before it at worksessions. Because of the nature of worksessions, and because opportunities for public comment will be provided for any item when said item is scheduled for action by the council, public comment will not ordinarily be taken at worksessions.

Notwithstanding the foregoing, worksessions are regular meetings of the council, and council is not precluded from suspending its rules and taking action when it is necessary or expedient to do so. In such event and to the extent practical, the possibility that council will take action on an item will be noted on the published worksession agenda, and public comment as to that item will be received. The council may in any case suspend the rules to allow public comment as to any item under consideration at a worksession. If public comment is allowed at a worksession, the rules governing public comment, including Rules 7 and 7.5, will apply.

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(Amendments to Rule 4 appear as strikethroughs and underlines.)

4. AGENDA

- (a) The city clerk shall prepare the agenda for each meeting as directed by the mayor and the city manager. Any council member may have an item placed on the agenda so long as the request is timely and is consistent with the notice

requirements of Rule 2, if applicable, and subject to other requirements set out in these rules. A copy of all proposed ordinances shall be attached to the agenda.

- (b) An agenda package shall be prepared that includes, for each item of business placed on the agenda, as much background information on the subject as is available and feasible to reproduce. In order to facilitate preparation of the agenda package, written materials (including display materials) that will be used in presenting an agenda item, including presentations by Council members, shall be provided to the city clerk no later than ~~two Friday~~eight calendar days prior to the day of the meeting at which the item is scheduled. For example, information to be considered at a meeting scheduled for the third Tuesday should be submitted to the city clerk not later than 5:00 p.m. on the Monday preceding the second Tuesday. The preceding sentence does not apply to items originating with the city manager or city attorney, or that were considered by the council at a preceding worksession, and scheduled for a formal meeting at the direction of council. For good cause, the submission deadlines set out herein may be modified with the consent of the mayor. Each council member shall receive a copy of the agenda and the agenda package, and they shall be available for public inspection and distribution or copying when they are distributed to the council members.
- (c) The council may by majority vote add items to or subtract items from the agenda, except that (i) the council may not add items to the agenda stated in the notice of a special meeting called by the mayor, mayor pro tempore, or two council members, unless all members are present, or those who are absent sign a written waiver of notice, and (ii) only business connected with the emergency may be considered at an emergency meeting.
- (d) The council shall not deliberate, vote, or otherwise take action on any matter by reference to a letter, number or other designation, or other secret device of method, with the intention of making it impossible for person attending a meeting of the council to understand what is being deliberated, voted, or acted on. The council may, however, deliberate, vote, or otherwise take action by reference to an agenda, if copies of the agenda, sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on are available for public inspection at the meeting.

RESOLUTION NO. 08- 61

RESOLUTION AUTHORIZING THE ASHEVILLE CITY COUNCIL TO SUPPORT
THE "COUNTDOWN TO ZERO" INITIATIVE TO END THE EUTHANIZING OF
HEALTHY ANIMALS BY 2012

WHEREAS, the euthanizing of healthy animals has increased in recent years; and

WHEREAS, Buncombe County Government, the Asheville Humane Society and other local agencies have formed a Community Coalition focused on eliminating the euthanizing of healthy animals by 2012 through a program called Countdown to Zero; and

WHEREAS, Countdown to Zero plans to achieve this goal by boosting access to affordable spay/neuter services; raising community awareness about animal welfare; reuniting lost pets with their owners more quickly; increasing the adoption rate for shelter animals; and encouraging owners to keep difficult pets by helping with behavioral and health problems; and

WHEREAS, by providing in-kind support for advocacy and education related to Countdown to Zero, the City of Asheville can have an active role in significantly decreasing the euthanizing of healthy animals in our area; and

WHEREAS, through increased collaboration, we can better serve citizens, meet our community's needs, and recognize the importance of compassion toward animals;

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

The Asheville City Council endorses the Countdown to Zero initiative.

Read, approved and adopted this 25th day of March 2008.

Magdalena Bourleson
City Clerk

Jerry Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalena Bourleson
City Clerk

RESOLUTION NO. 08- 62

RESOLUTION FOR THE CITY OF ASHEVILLE TO ADOPT 2008 GOALS

WHEREAS, the Asheville City Council recognizes the importance of strategic leadership in achieving the mission of the City of Asheville; and

WHEREAS, achieving our mission of creating a sustainable, quality of life community requires vision, goal setting, and strategic priorities; and

WHEREAS, the City Council met February 4 and 5, 2008 in a strategic planning retreat; and

WHEREAS, City Council reviewed community forum, financial forecasting, and management reports; and

WHEREAS, the City Council received input from each member, discussed the alternatives and established strategic priorities;

NOW, THEREFORE, THE CITY COUNCIL REAFFIRMS ITS STRATEGIC PRIORITIES TO ENSURE ASHEVILLE IS A CITY THAT IS:

- **Affordable:** The City of Asheville will offer a standard of living that is affordable and attainable for people of all income levels, life stages and abilities.
- **Green:** Asheville will be the southeastern leader in clean energy and environmental sustainability while preserving and enhancing the city's natural beauty.
- **Safe:** Asheville will be one of the safest and most secure communities when compared to similar cities.
- **Sustainable:** Asheville will support a sustainable community and a sustainable city government through a strong commitment to infrastructure maintenance, capital improvements, long-term planning, regional partnerships and fiscal responsibility.

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

The City Council adopts the Goals and Objectives as described in the attached Exhibit A for 2008/2009.

Read, approved and adopted this 25th day of March 2008.

Magdalena Paulson
City Clerk

Jerry Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalena Paulson
City Clerk

<p>FOCUS AREAS Asheville will be a city that is:</p>	<p>GOALS, OBJECTIVES & ACTION ITEMS</p>
<p>Affordable The City of Asheville will offer a standard of living that is affordable and attainable for people of all income levels, life stages and abilities.</p>	<ul style="list-style-type: none"> ▪ Support efforts to hold the line on taxes and find areas for tax and fee relief. ▪ Develop and implement the comprehensive affordable housing plan and proactively pursue strategies, including completing the city-owned land redevelopment process, to increase the supply of workforce housing. ▪ Support diversified job growth and small business development. ▪ Develop the City of Asheville's "Employer of Choice" plan with an emphasis on local labor pool development opportunities. ▪ Partner with the Housing Authority of the City of Asheville to develop a comprehensive plan for public housing. ▪ Continue to pursue redevelopment of public housing with a HOPE IV-type project. ▪ Support initiatives to end homelessness in Asheville.
<p>Green Asheville will be the southeastern leader in clean energy and environmental sustainability while preserving and enhancing the city's natural beauty.</p>	<ul style="list-style-type: none"> ▪ Reduce energy consumption in privately owned buildings. ▪ Work with regional partners to create incentives for green building and energy conservation. ▪ Expand city education programs to include climate awareness, water conservation, recycling, stormwater, and sustainability initiatives. ▪ Explore implementing an Energy Performance Certificate program that rates and rewards the degree to which buildings are energy efficient. ▪ Support efforts to reduce the city's carbon emissions by no less than 2 percent per year. ▪ Complete an internal Energy Management Plan for conservation, technology and retrofitting, and sustainability management. ▪ Develop a Municipal Action Plan for Climate Change. ▪ Make environmentally efficient capital improvement decisions and support energy efficient funding for facilities and operations. ▪ Promote emissions-reducing transportation options including greenways, bike paths and sidewalks. ▪ Complete the Greenway Master Plan process. ▪ Develop a sustainable funding structure for Asheville Transit. ▪ Support traffic calming, pedestrian safety initiatives and signal pre-emption enhancements. ▪ Pursue opportunities to preserve open space. ▪ Support the maintenance and operations of Pack Square Park. ▪ Increase downtown cleanliness and beautification efforts.
<p>Safe Asheville will be one of the safest and most secure communities when compared to similar cities.</p>	<ul style="list-style-type: none"> ▪ Make Asheville the safest city in America based on approved metrics for similarly sized cities. ▪ Expand Community Policing initiatives. ▪ Partner to launch a nuisance court to achieve more efficient and effective prosecution of offenses that impact quality of life; continue to encourage adequate funding of the District Court system. ▪ Explore the concept of forming a Community Peace and Justice Committee to promote collaboration around public safety and justice. ▪ Reaffirm commitment to eliminate open air drug market in Asheville. ▪ Partner with intergovernmental agencies including the judicial system to comprehensively address drug-related crime. ▪ Prioritize public safety and infrastructure investments that support children's health and safety. ▪ Support recreation and employment alternatives for youth at risk of gang exposure. ▪ Support the Safe Routes to School program by implementing one school this year. ▪ Support efforts to enforce and prosecute cases of internet child pornography; include a community reporting component. ▪ Strengthen enforcement of existing laws and regulations as opposed to adding new ordinances.

<p>FOCUS AREAS Asheville will be a city that is:</p>	<p>GOALS, OBJECTIVES & ACTION ITEMS</p>
<p>Sustainable</p> <p>Asheville will support a sustainable community and a sustainable city government through a strong commitment to infrastructure maintenance, capital improvements, long-term planning and fiscal responsibility.</p>	<ul style="list-style-type: none"> ▪ Work with communities throughout the region to develop a comprehensive growth management plan that addresses infrastructure, transportation, and other needs. ▪ Develop a long-term plan to address the city's aging infrastructure including facilities and sidewalks. ▪ Explore the feasibility of a bond program to address capital needs and infrastructure demands. ▪ Take action, including addressing capital needs, to improve the customer service experience at the Asheville Civic Center. ▪ Promote sustainable, high-density, infill growth that makes efficient use of existing resources. ▪ Work to enable voluntary annexation to support healthy growth of the city. ▪ Pursue a stronger riverfront redevelopment partnership. ▪ Complete the Downtown Master Plan process. ▪ Develop neighborhood and corridor plans with citizen participation. ▪ Reform and streamline the development review process to improve the ease and efficiency of the customer's experience without compromising the quality of standards or other strategic goals (affordability, environment, etc.). ▪ Introduce revised Standards and Specifications Manual. ▪ Ensure financial accountability by matching resources with strategic initiatives and creating meaningful performance measures. ▪ Ensure operational effectiveness by paying staff appropriate wages through a fairly applied market-based compensation plan while properly matching policy decisions with staffing requirements. ▪ Filter City Council's strategic planning through the probability of a near-term economic downturn. ▪ Strengthen efforts to create measurable goals, accountabilities, and outcomes for all city policies and operations. ▪ Sustain a healthy fund balance in accordance with recommended State standards. ▪ Explore current funding policies for non-profit organizations. ▪ Develop better relationships with State and County elected officials and work on issues of water, annexation and financial fairness. ▪ Expand partnerships with UNCA, AB Tech and other institutions to achieve goals in health and wellness, workforce development, and economic development, among others. ▪ Partner in regional economic development strategies including the HUB; consider full partnership in the Economic Development Coalition. ▪ Partner with the Convention and Visitor's Bureau to implement the regional wayfinding project. ▪ Fully leverage funding from the State, FBRMPO, and other funding sources for regional transportation initiatives. ▪ Enhance diversity throughout the City of Asheville as an organization so that the workforce more closely resembles the community, especially in the area of public safety.

RESOLUTION NO. 08-63

RESOLUTION OF SUPPORT FOR MAKING ASHEVILLE A WIRELESS FIDELITY (WI-FI) CITY

WHEREAS, affordable and secure broadband internet access is a 21st-century necessity for citizens, students, businesses, healthcare providers, nonprofits, and government agencies in the City of Asheville; and

WHEREAS, a Digital Divide exists that prevents some households and businesses in the City of Asheville from having access to affordable broadband internet service; and

WHEREAS, the nonprofit Mountain Area Information Network (MAIN) has proposed making Asheville a Wi-Fi city in order to bridge the broadband Digital Divide; and

WHEREAS, this Wi-Fi City proposal has been endorsed by the State of North Carolina's e-NC Authority, The Institute for Next Generation Internet, and the Wireless Future program of the New America Foundation (<http://main.nc.us/wireless/wifi-city/>); and

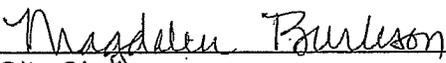
WHEREAS, making Asheville a Wi-Fi City will expand job training and small-business development opportunities for our youth and for local entrepreneurs; and

WHEREAS, this Wi-Fi City proposal will enhance the City of Asheville's reputation as an emerging leader in bridging the broadband Digital Divide;

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

The City Council hereby endorses MAIN's efforts to attract investment from foundations and corporate funding sources to make Asheville a Wi-Fi City.

Read, approved and adopted this 25th day of March, 2008.



City Clerk

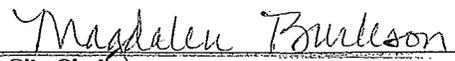


Mayor

Approved as to form:



City Attorney



City Clerk

RESOLUTION 08-64

RESOLUTION ADOPTING THE DOWNTOWN PARKING STUDY PREPARED BY KIMLEY-HORN

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-301 and 160A-312 to provide for an operate off-street parking facilities; and

WHEREAS, the City owns and manages three parking garages in downtown Asheville; and

WHEREAS, the City provides both on-street and off-street parking in the Central Business District; and

WHEREAS, the City amended the contract with Kimley-Horne to include a parking study;

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

The City of Asheville adopts the Downtown Parking Study prepared by Kimley-Horn.

Read, approved and adopted this 25th day of March, 2008.

Magdalen Baulson
City Clerk

Jerry M Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Baulson
City Clerk

RESOLUTION NO. 08 - 65

RESOLUTION APPOINTING MEMBERS TO THE BOARD OF ADJUSTMENT

WHEREAS, the term of Tom Muncy and Beverly Robinson, as Regular members on the Board of Adjustment, expired on January 21, 2008; and

WHEREAS, the term of David Brown, as an Alternate member on the Board of Adjustment, expired on January 21, 2008; and

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

Mr. David Brown, 522 Pinchot Drive, Asheville, NC, be and he is hereby reappointed as an Alternate member of the Board of Adjustment, to serve an additional three year term, term to expire January 21, 2011, or until his successor has been appointed.

Mr. Lee McElrath, 12 Forestdale Drive, Asheville, NC, be and he is hereby appointed as a Regular member of the Board of Adjustment, to serve a three year term, term to expire January 21, 2011, or until his successor has been appointed.

Ms. Ester Elizabeth Manheimer, 22 Warwick Place, Asheville, NC, be and she is hereby appointed as a Regular member of the Board of Adjustment, to serve a three year term, term to expire January 21, 2011, or until her successor has been appointed.

Read, approved and adopted this 25th day of March, 2008.

Magdalena Bursleson
CITY CLERK

Gregory Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalena Bursleson
City Clerk

RESOLUTION NO. 08 - 66

RESOLUTION APPOINTING A MEMBER TO THE ASHEVILLE AREA CIVIC CENTER COMMISSION

WHEREAS, Tim Laughlin has resigned from the Civic Center Commission, thus leaving an unexpired term until June 30, 2009;

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

Mr. J. Michael Burke, 59 Blackwood Road, Asheville, NC, be and he is hereby appointed, as a member of the Civic Center Commission, to serve the unexpired term of Mr. Laughlin, term to expired on June 30, 2009, or until his successor has been appointed.

Read, approved and adopted this 25th day of March, 2008.

Magdalena Baulson
CITY CLERK

Greg Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalena Baulson
City Clerk

RESOLUTION NO. 08 - 67RESOLUTION APPOINTING MEMBERS TO THE ASHEVILLE-BUNCOMBE COUNTY
COMMUNITY RELATIONS COUNCIL

WHEREAS, Veronica Sotolongo has resigned from the Asheville-Buncombe County Community Relations Council, thus leaving an unexpired term until December 31, 2008; and

WHEREAS, Jose Ruiz term expired on December 31, 2007, as a member of the Asheville-Buncombe County Community Relations Council;

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

Ms. Jill Fromewick, 28 Vermont Avenue, Asheville, be and she is hereby appointed, as a member of the Asheville-Buncombe County Community Relations Council, to serve the unexpired term of Ms. Sotolongo, term to expired on December 31, 2008, or until her successor has been appointed.

Ms. Kate Pett, 15 Westgate Road, Asheville, be and she is hereby appointed, as a member of the Asheville-Buncombe County Community Relations Council, to serve a three year term, term to expired on December 31, 2010, or until her successor has been appointed.

Read, approved and adopted this 25th day of March, 2008.

Magdalen Baulson
CITY CLERK

Jerry Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Baulson
City Clerk

RESOLUTION NO. 08 - 68

RESOLUTION APPOINTING A MEMBER TO THE ASHEVILLE FILM COMMISSION

WHEREAS, Melinda Rains term expired on November 1, 2007 as a member on the Asheville Film Commission;

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

Mr. David Flander, 627 Beaverdam Road, Asheville, be and he is hereby appointed, as a member of the Asheville Film Commission, to serve a three year term, term to expired on November 1, 2010, or until his successor has been appointed.

Read, approved and adopted this 25th day of March, 2008.

Magdalen Boulson
CITY CLERK

Greg Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Boulson
City Clerk

RESOLUTION NO. 08-69

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

WHEREAS, Jonathan Barnes' term expired on December 31, 2007, as a member on the Sustainable Advisory Committee on Energy and the Environment;

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

Ms. Melanie Brethauer, 147 Brevard Road, Asheville, NC, be and she is hereby appointed, as a member of the Sustainable Advisory Committee on Energy and the Environment, to serve a three year term, term to expire on December 31, 2010, or until her successor has been appointed.

Read, approved and adopted this 25th day of March, 2008.

Margaret Burleson
CITY CLERK

Greg Bellamy
MAYOR

Approved as to form:

RWD
CITY ATTORNEY

Margaret Burleson
City Clerk

RESOLUTION NO. 08 - 70

RESOLUTION APPOINTING A MEMBER TO THE ASHEVILLE TRANSIT COMMISSION

WHEREAS, the term of Robert Mair, as a member on the Asheville Transit Commission, expired on December 31, 2007; and

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

Mr. Josh O'Conner, 70 Memory Lane, Apt. 3, Asheville, NC, be and he is hereby appointed as a member of the Asheville Transit Commission, to serve a three year term, term to expire December 31, 2010, or until his successor has been appointed.

Read, approved and adopted this 25th day of March, 2008.

Magdalen Boulson
CITY CLERK

Jerry Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Boulson
City Clerk

RESOLUTION NO. 08-71

RESOLUTION MODIFYING ASHEVILLE CITY COUNCIL MEETING SCHEDULE

WHEREAS, pursuant to N.C.G.S. 160A-71, and Sec. 8 of the Asheville City Charter, the City Council has the authority and the obligation to fix the time and place of its regular meetings; and

WHEREAS, the schedule of City Council meetings for 2008 was established pursuant to Resolution No. 07-208, adopted November 7, 2008; and

WHEREAS, by Resolution No. 08-50, adopted on March 11, 2008, the meeting that occurs on the third Tuesday of every month was designated a worksession; and

WHEREAS, the City Council desires to amend its meeting schedule to provide for worksessions to begin at 3:00 p.m. on the third Tuesday of each month;

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

1. The worksession meeting that occurs on the third Tuesday of each month shall begin at 3:00 p.m., and shall be held in the Council Chamber on the second floor of the City Building, Asheville, North Carolina.
2. Resolutions No. 07-208 and 08-50 are hereby deemed amended to conform to this Resolution.
3. This resolution shall be filed with the City Clerk pursuant to N.C.G.S. 143-318.12.

Read, approved and adopted this 25th day of March, 2008.

Magdalen Baulson
City Clerk

Jerry Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Baulson
City Clerk