

RESOLUTION NO. 11- 184

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ROGERS GROUP, INC. FOR THE WATER RESOURCES ROAD RESURFACING AT THE NORTH FORK AND WILLIAM DEBRUHL WATER TREATMENT PLANTS PROJECT

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 Resources Department has the need to resurface existing roads at the North Fork and William DeBruhl Water Treatment Plants; and

WHEREAS, Rogers Group, Inc. was selected as the lowest responsible bidder by Water Resources staff, with the bid tabulation attached hereto as Exhibit "A"; and

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

1. The Bid Tabulation attached hereto as Exhibit "A" be recorded in the minutes of the City Council.
2. The City Manager, on behalf of the City of Asheville, is hereby authorized to enter into an agreement with Rogers Group, Inc. in an amount not to exceed \$399,812.00 for the Water Resources Road Resurfacing at the North Fork and William DeBruhl Water Treatment Plants Project.

Read, approved, and adopted this 13th day of September, 2011.

Magdalena Burtson
CITY CLERK

Imogen Bellamy
MAYOR

Approved as to form:
[Signature]
CITY ATTORNEY

Magdalena Burtson
CITY CLERK

Exhibit A

Bid Tabulation for the Water Resources
Road Resurfacing at the North Fork and William DeBruhl Water Treatment Plants

APAC-Atlantic, Inc.

PO Box 6939

Asheville, NC 28816

North Fork Bid: \$311,616.97

William DeBruhl Bid: \$104,895.49

Total Bid: \$416,512.46

Rogers Group, Inc.

1819 Asheville Highway

Hendersonville, NC 28791

North Fork Bid: \$306,906.18

William DeBruhl Bid: \$108,973.64

Total Bid: \$415,879.82

RESOLUTION NO. 11-185

RESOLUTION AUTHORIZING A SUBLEASE AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND THE STATE OF NORTH CAROLINA FOR A DOWNTOWN ENGAGEMENT SITE FOR THE RENAISSANCE COMPUTING INSTITUTE AT UNC-ASHEVILLE (RENCI)

WHEREAS, the City has the authority pursuant to N. C. Gen. Stat. sec. 160A-274, to lease its interest in real or personal property to other governmental agencies and units of government upon such terms as it deems wise; and

WHEREAS, the City of Asheville leases certain property located at One Page Avenue, Suite 116, Asheville NC within the historic Grove Arcade building from the Grove Arcade Public Market Foundation, Inc.; and

WHEREAS, the State of North Carolina requests to enter into a sublease agreement with the City of Asheville in order to utilize the property for the Renaissance Computing Institute at UNC Asheville (RENCI); and

WHEREAS, the State of North Carolina, as Sublessee, will be responsible for the rental, utilities, janitorial obligations for the term of the sublease; and

WHEREAS, the City of Asheville, as Sublessor, will be responsible for maintaining the premises in good repair and tenantable condition during the term of the sublease; and

WHEREAS, the stated needs for the property during the term of the lease are compatible with the proposed lease;

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

The City Manager is hereby authorized to execute the Sublease Agreement between the City of Asheville and the State Of North Carolina for certain real property located at One Page Avenue, Suite 116, Asheville NC. In addition, the City Manager is hereby authorized to execute any and all documents necessary to give effect to this resolution, subject to approval by the City Attorney, and compliance with applicable North Carolina law.

Read, approved and adopted this 13th day of September, 2011.

Magdalen Boulson City Clerk Angela Bellamy Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 11- 186

RESOLUTION AUTHORIZING THE ADOPTION OF THE BUNCOMBE COUNTY HAZARD MITIGATION PLAN UPDATE

WHEREAS, pursuant to N.C.G.S 166A-6.01, "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, Buncombe County has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the City Council to fulfill this obligation in order that the County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

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

Adopts the Buncombe County Hazard Mitigation Plan and that the City Manager be authorized to implement all necessary operational procedures in support of the Buncombe County Hazard Mitigation Plan.

Read, approved, and adopted this 13th day of September, 2011.

Magdalen Bourleson
CITY CLERK

James Bellamy
MAYOR

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

Magdalen Bourleson
CITY CLERK

RESOLUTION NO. 11-187

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BUNCOMBE COUNTY TO OVERSEE THE ADMINISTRATIVE COORDINATION OF THE COLLABORATIVE COMMUNITY CRIME PREVENTION PROJECT, CHANGING TOGETHER

WHEREAS, the City has authority pursuant to NCGS §160A-17.1 to receive grants from federal and state governments and to enter into contracts for the administration of said grants;

WHEREAS, Buncombe County has requested the City assume the administrative coordination of the collaborative community crime prevention project, Changing Together, for which the County receives funding through the North Carolina Governor's Crime Commission;

WHEREAS, Buncombe County will sub-grant \$63,000 to the City for the contract positions of Changing Together Program Coordinator and Changing Together Administrative Assistant for the current fiscal year; and

WHEREAS, Buncombe County will provide the grant match of \$33,000 for the current fiscal year,

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

The City Manager is hereby authorized to enter into an agreement with Buncombe County for the administrative coordination of the collaborative community crime prevention project, Changing Together.

Read, approved and adopted this the 13th day of September, 2011.

Magdalen Baulson
City Clerk

Angie Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Baulson
City Clerk

RESOLUTION NO. 11-188

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION OF PROPERTY LOCATED AT 55 PINEY MOUNTAIN DRIVE PURSUANT TO N.C.G.S. 160A-31

WHEREAS, a petition requesting annexation of the 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 27th day of September 2011.

Section 2. The area proposed for annexation is as described on "Property Description" exhibit attached hereto. A map of the same subject property is attached hereto as "Property Map".

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 13th day of September, 2011.

Magdalen Bureson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bureson
City Clerk

PROPERTY DESCRIPTION
55 PINEY MOUNTAIN DRIVE
BELLA VISTA RETIREMENT RESIDENCE

BEGINNING AT AN IRON PIPE IN THE NORTHWESTERN CORNER OF PROPERTY CURRENTLY OR FORMERLY OWNED BY ASHEVILLE APOSTOLIC CHURCH (BOOK 1699 AT PAGE 761, SAME REGISTRY); THENCE WITH THE EASTERN MARGIN OF THE RIGHT OF WAY FOR I-240, THE FOLLOWING TWO COURSES AND DISTANCES: NORTH 18 DEG. 01 MIN. 19 SEC. WEST 131.37 FEET TO A RIGHT OF WAY MONUMENT; AND NORTH 43 DEG. 36 MIN. 15 SEC. WEST 165.62 FEET TO A RIGHT OF WAY MONUMENT NAD 27, AND IN THE SOUTHEASTERN CORNER OF PROPERTY CURRENTLY OR FORMERLY OWNED BY R.B.R.&S.T. (BOOK 1807 AT PAGE 708, SAME REGISTRY); THENCE WITH THE EASTERN LINE OF THE REFERENCED R.B.R.&S.T. PROPERTY, NORTH 04 DEG. 25 MIN. 59 SEC. EAST 120.13 FEET TO A NO. 5 REBAR IN THE SOUTHERN LINE OF PROPERTY CURRENTLY OR FORMERLY OWNED BY R.B.R.&S.T. (BOOK 1267 AT PAGE 792, SAME REGISTRY); THENCE WITH THE SOUTHERN LINE OF THE REFERENCED R.B.R.&S.T. PROPERTY, THE FOLLOWING TWO COURSES AND DISTANCES: SOUTH 84 DEG. 02 MIN. 22 SEC. EAST 1,445.50 FEET TO A STONE; AND SOUTH 83 DEG. 44 MIN. 18 SEC. EAST 177.13 FEET TO A NAIL SET IN A ROCK; THENCE SOUTH 05 DEG. 48 MIN. 38 SEC. WEST 420.10 FEET TO A NO. 4 REBAR WITH ID CAP. SET IN THE NORTHEASTERMOST CORNER OF PROPERTY CURRENTLY OR FORMERLY OWNED BY JED H. DOUGLAS (BOOK 1751 AT PAGE 283, SAME REGISTRY); THENCE WITH THE NORTHERN LINE OF THE REFERENCED DOUGLAS PROPERTY AND THEN WITH THE NORTHERN LINE OF PROPERTY CURRENTLY OR FORMERLY OWNED BY ASHEVILLE APOSTOLIC CHURCH (BOOK 1700 AT PAGE 446, SAME REGISTRY), NORTH 83 DEG. 28 MIN. 46 SEC. WEST 1,033.09 FEET TO A NO. 5 REBAR IN THE SOUTHEASTERN CORNER OF THE REFERENCED ASHEVILLE APOSTOLIC CHURCH PROPERTY IN BOOK 1699 AT PAGE 761; THENCE WITH THE EASTERN AND NORTHERN LINE OF THE ASHEVILLE APOSTOLIC CHURCH PROPERTY IN BOOK 1699 AT PAGE 761, SAME REGISTRY, THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: NORTH 08 DEG. 44 MIN. 45 SEC. WEST 124.38 FEET TO A NO. 5 REBAR; NORTH 28 DEG. 07 MIN. 39 SEC. WEST 28.40 FEET TO A NO. 5 REBAR; NORTH 39 DEG. 40 MIN. 09 SEC. WEST 42.57 FEET TO A NO. 5 REBAR; NORTH 75 DEG. 22 MIN. 22 SEC. WEST 41.78 FEET TO A NO. 5 REBAR; SOUTH 74 DEG. 24 MIN. 07 SEC. WEST 69.39 FEET TO A NO. 5 REBAR; SOUTH 50 DEG. 46 MIN. 48 SEC. WEST 129.63 FEET TO A RAILROAD SPIKE; AND NORTH 83 DEG. 32 MIN. 51 SEC. WEST 130.95 FEET TO THE POINT AND PLACE OF BEGINNING.

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD, INCLUDING RESERVED RIGHT OF WAY FOR INGRESS AND EGRESS, 60 FEET IN WIDTH, FOR THE SUBJECT PROPERTY RUNNING OVER PROPERTY DEEDED TO ASHEVILLE APOSTOLIC CHURCH IN BOOK 1699 AT PAGE 761, SAME REGISTRY; AND THE RIGHT TO HAVE DIRECT ACCESS TO PINEY MOUNTAIN ROAD (S.R. 2243) FOR INGRESS, EGRESS AND REGRESS, WHICH ROAD WAS CONSTRUCTED TO PROVIDE ACCESS FOR THE SUBJECT PROPERTY AND OTHER PROPERTIES DUE TO THE CONSTRUCTION OF I-240.

RESOLUTION NO. 11-189

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MOTOROLA, INC. FOR RADIO SYSTEM MAINTENANCE FROM AUGUST 1, 2011 THROUGH JULY 31, 2012

WHEREAS, the City requires maintenance coverage of its radio communications system; and

WHEREAS, the radio equipment for which warranty has expired during the past year needs to be incorporated into the service agreement; and

WHEREAS, the service renewal agreement provides for a fixed rate maintenance cost per unit of equipment for another one year period; and

WHEREAS, the City of Asheville and Motorola, Inc. wish to renew the service agreement and incorporate that radio equipment for which the warranty has expired;

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 Motorola, Inc. on behalf of the City of Asheville for the purpose of maintaining the City's radio communications system and associated equipment.

Read, approved and adopted this the 13th day of September, 2011.

Magdalen Baulson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Baulson
City Clerk

RESOLUTION NO. 11- 190

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE EXISTING AGREEMENT WITH THE N.C. DEPT. OF ENVIRONMENT & NATURAL RESOURCES FOR THE FLOOD MITIGATION EFFORTS ASSOCIATED WITH THE LAKE CRAIG PROJECT

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, the Hurricane Recovery Act of 2005 (Senate Bill 7) allocated funds for planning and implementation of projects to aid in flood damage reduction for North Carolina Communities hardest hit by the 2004 hurricane season, and

WHEREAS, the Biltmore Village area of the City of Asheville, which lies within the Swannanoa River Watershed, was named as a recipient of this funding; and

WHEREAS, on May 15, 2007, City Council approved an agreement to be executed with the N.C. Dept. of Environment & Natural Resources (NCDENR) for \$2,500,000 for flood damage reduction assessments and improvements;

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

The City Manager is hereby authorized to execute an amendment to the existing agreement with NCDENR for the City to accept an additional \$374,251 which is included in the total supplement of \$1,090,139 for the flood mitigation efforts associated with the Lake Craig Project.

Read, approved and adopted this the 13th day of September, 2011.

Magdalen Paulson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Paulson
City Clerk

RESOLUTION NO. 11-191

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 COMPUTERS AND RELATED EQUIPMENT FROM THE PROCEEDS OF AN INSTALLMENT FINANCING CONTRACT TO BE EXECUTED AND DELIVERED IN THE FISCAL YEAR 2012

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 computers and related equipment in lieu of leasing lifecycle replacements (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 an installment financing contract and reasonably expects to execute and deliver an installment financing contract, the portion of the installment 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 not to exceed \$350,000.

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, and her designees, with advice from special counsel, are 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 13 day of September, 2011

Magdalen Burslem
City Clerk

Tom Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Burslem
City Clerk

RESOLUTION NO. 11-192

RESOLUTION AUTHORIZING AN INSTALLMENT PURCHASE CONTRACT BETWEEN A BANKING INSTITUTION AND THE CITY OF ASHEVILLE TO FINANCE THE PURCHASE OF REPLACEMENT COMPUTERS AND RELATED EQUIPMENT

WHEREAS, the City Council of the City of Asheville, North Carolina, has determined that it is necessary for the City of Asheville to acquire computers and related equipment and to obtain financing for those equipment items through an installment purchase contract pursuant to NC General Statute Section 160A-20;

WHEREAS, NC General Statute Section 160A-20 authorizes North Carolina cities to purchase personal property by installment contracts that create in the property purchased a secure payment of the purchase price to an entity supplying financing for the transaction;

WHEREAS, NC General Statute Section 160A-20 further authorizes North Carolina cities to use escrow accounts in connection with the advance funding of transactions authorized by the statute whereby the proceeds of such advance funding are invested pending disbursement;

WHEREAS, the Finance Department will solicit proposals from firms for financing the installment purchase;

WHEREAS, the Finance Department will select the most advantageous to the City of Asheville;

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

1. The City Council determines that the financing of the purchase of computers and related equipment in an amount not to exceed \$350,000 is in the best interest of the City of Asheville and such installment purchase is authorized.
2. All actions of the City, the City Manager, the City Finance Director, the City Purchasing Director, the City Clerk, the City Attorney, the Treasury Services Manager and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing and the acquisition of the property hereinbefore described are hereby approved, ratified and authorized.
3. The City Council authorizes the City Manager, the City Finance Director, the City Clerk, the City Attorney, the Treasury Services Manager to approve and execute an installment purchase contract, and escrow agreement, if necessary, and any and all documents, instruments, opinions, and certificates necessary to carry out the purposes of this resolution.
4. This Resolution shall be effective upon adoption.

Read, approved and adopted this 13th day of September, 2011.

Madalen Boulson
City Clerk

Jim Bellamy
Mayor

Approved as to form:
[Signature]
City Attorney

Madalen Boulson
City Clerk

RESOLUTION NO. 11-193

RESOLUTION APPOINTING MEMBERS TO THE AFFORDABLE HOUSING
ADVISORY COMMITTEE

WHEREAS, on July 14, 2011, City Council adopted Resolution No. 11-118 establishing an Affordable Housing Advisory Committee (AHAC);

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

(1) Ms. M. Mae Creadick, 2 Buckingham Court, Asheville, N.C., be and she is hereby appointed as a member of the Affordable Housing Advisory Committee, to serve a three year term, term to expire September 1, 2014, or until her successor has been appointed.

(2) Mr. David Dills, 500 Ridgefield Court, Asheville, N.C., be and he is hereby appointed as a member of the Affordable Housing Advisory Committee, to serve an initial two-year term, term to expire September 1, 2013, or until his successor has been appointed.

Read, approved and adopted this 13th day of September, 2011.

Magdalen Boulton
CITY CLERK

Sam Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Boulton
CITY CLERK

RESOLUTION NO. 11-194

RESOLUTION APPOINTING A MEMBER TO THE ASHEVILLE-BUNCOMBE CRIME STOPPERS BOARD

WHEREAS, the term of Michele McClure, as a member of the Asheville-Buncombe Crime Stoppers Board, expired on June 30, 2011;

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

Mr. Karl Katterjohn, 11 Von Ruck Court, Asheville, North Carolina, be and he is hereby appointed as a City Council representative on the Crime Stoppers Board of Directors, to serve a three-year term, term to expire June 30, 2014, or until his successor has been appointed.

Read, approved and adopted this 13th day of September, 2011.

Magdalen Burrellson
CITY CLERK

Tommy Bellamy
MAYOR

Approved as to form:

Rick Dent
CITY ATTORNEY

Magdalen Burrellson
City Clerk

RESOLUTION NO. 11-195

RESOLUTION APPOINTING A MEMBER TO THE RECREATION BOARD

WHEREAS, Ms. Sara Manual has resigned as a member of the Recreation Board, thus leaving an unexpired term until June 30, 2012;

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

Mr. John Parrish, 314 Oak Place, Asheville, N.C., be and he is hereby appointed as a member of the Recreation Board, to serve the unexpired term of Ms. Manual, term to expire June 30, 2012, or until his successor has been appointed.

Read, approved and adopted this 13th day of September, 2011.

Magdalen Burlison
CITY CLERK

Jim Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Burlison
City Clerk

RESOLUTION NO. 11-196

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, (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), expired on August 30, 2011;

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

Mr. John W. Ellis, 7 Aspen Way, Asheville, N.C., be and he is hereby appointed, 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 a three year term, term to expire August 30, 2014, or until his successor has been appointed.

Read, approved and adopted this 13th day of September, 2011.

Magdalen Boulson
CITY CLERK

Ingm Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Boulson
City Clerk

RESOLUTION NO. 11-197

RESOLUTION APPOINTING A MEMBER TO THE RIVER DISTRICT DESIGN REVIEW COMMITTEE

WHEREAS, Randy Shull, one of two property owners located in the River District, resigned, thus leaving an unexpired term until September 1, 2013;

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

Mr. Darren Green, 99 Riverside Drive, Asheville, North Carolina, be and he is hereby appointed, as one of the two property owners in the River District, to serve the unexpired term of Mr. Shull, term to expire September 1, 2013, or until his successor has been appointed.

Read, approved and adopted this 13th day of September, 2011.

Magdalen Bouderson
CITY CLERK

Tom Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Bouderson
City Clerk