

RESOLUTION NO. 14-1

RESOLUTION APPROVING THE ACCEPTANCE OF A 6,000 GALLON ABOVE GROUND FUEL STORAGE TANK AS A GIFT AND AUTHORIZING CITY STAFF TO TAKE THE NECESSARY STEPS TO RELOCATE THE TANK AND GET IT READY FOR USE

WHEREAS, pursuant to NCGS §160A-274, a governmental unit may, upon such terms and conditions as it deems wise, with or without consideration, exchange with, sell to, or purchase from any other governmental unit any interest in real or personal property; and

WHEREAS, the National Guard Armory in Sylva, North Carolina has a used 6,000 gallon above ground fuel storage tank that is no longer needed; and

WHEREAS, through the efforts of Mr. Jerry VeHaun, Director of Emergency Services for Buncombe County, the National Guard Armory in Sylva, N.C., is offering to give the tank to the City of Asheville; and

WHEREAS, City staff is requesting that the gift be accepted with gratitude to Mr. VeHaun and the National Guard Armory in Sylva; and

WHEREAS, the City of Asheville will cover all costs associated with relocating and setting the tank up for use; and

WHEREAS, the City of Asheville has a demonstrated need for the tank to increase its fuel storage capacity and to improve operational efficiencies for the City's transit system;

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

1. The City of Asheville hereby accepts a 6,000 gallon above ground fuel storage tank from the National Guard Armory in Sylva, North Carolina, and staff is directed to take the necessary steps to relocate the tank and get it ready for use.
2. The City Manager is hereby authorized to execute any paperwork needed to accept the gift.

Read, approved, and adopted this the 14th day of January 2014.

Magdalen Boulson  
City Clerk

E. Ann Hill  
Mayor

Approved as to form:

Matthew McElhonor  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 14 - 2

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SPECIAL MAINTENANCE AGREEMENT BETWEEN THE N.C. DEPT. OF TRANSPORTATION AND THE CITY OF ASHEVILLE TO ALLOW PUBLIC PARKING UNDER A SECTION OF BRIDGE # 322 AND # 323 IN THE RIVER ARTS DISTRICT

WHEREAS, the City of Asheville has requested that the North Carolina Department of Transportation grant permission to the City to use the area under Bridge # 322 and # 323 (I-26, I-240, US 19-23, and US 74-A); and

WHEREAS, the North Carolina Department of Transportation has granted permission to the City for said location to be used as a public parking area;

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

That said special maintenance agreement is hereby formally approved by the City Council of the City of Asheville and that the City Manager and Clerk of this City are hereby empowered to sign and execute the special maintenance agreement with the North Carolina Department of Transportation to allow public parking under a section of bridge # 322 and # 323 in the River Arts District.

Read, approved and adopted this the 14th day of January 2014.

Magdalen Brulson  
City Clerk

Eden Clark  
Mayor

Approved as to form:

Walter McElroy  
City Attorney

Magdalen Brulson  
City Clerk

RESOLUTION NO. 14- 3

RESOLUTION AUTHORIZING THE FEE SIMPLE ACQUISITION OF A 0.013 ACRE PORTION OF REAL PROPERTY AND A 0.051 ACRE PORTION OF REAL PROPERTY FOR THE PURPOSE OF INSTALLING SIDEWALK ALONG AZALEA ROAD AND NC 81 AS PART OF THE LAKE CRAIG/AZALEA ROAD PROJECT

WHEREAS, the City of Asheville (City) 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

WHEREAS, in order to implement the Lake Craig/Azalea Road Improvement Project, the City may need to acquire various interests in real property from private property owners;

WHEREAS, Azalea Park and the John B. Lewis Soccer Complex is a regional attraction and is in need of transportation improvements, including bike, pedestrian and vehicular facilities; and

WHEREAS, Azalea Park and the John B. Lewis Soccer Complex is in much need of a connection to a water supply system; and

WHEREAS, a 0.013 acre portion of property on NC 81, identified as a portion of PIN # 9668-15-1194 and 0.051 acre portion of property located at the intersection of NC 81 and Azalea Road, identified as a portion of PIN #9668-15-2008, is necessary to implement the Lake Craig/Azalea Road Improvement Project; and

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

The City Manager be and is hereby authorized to execute any and all documents to acquire by gift, grant, devise, exchange, or otherwise, any and all interest in private real property as needed for the implementation of the Lake Craig/Azalea Road Project that falls within the meaning and intent of this authorization.

Read, approved and adopted this 14<sup>th</sup> day of January, 2014.

Magdalen Boulton  
City Clerk

E. Bunker  
Mayor

Approved as to form:

Matthew McBlair  
City Attorney

Magdalen Boulton  
City Clerk

RESOLUTION NO. 14-4

RESOLUTION AUTHORIZING THE ADOPTION OF THE 2012 LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute section 143-355(l), requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the City of Asheville (PWSID #: 01-11-010), has been developed and submitted to the Asheville City Council for approval; and

WHEREAS, the Asheville City Council finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute section 143-355(l), and that it will provide appropriate guidance for the future management of water supplies for the City of Asheville, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

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

The 2012 Local Water Supply Plan for the City of Asheville is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

That the City Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

Read, approved and adopted this 14<sup>th</sup> day of January, 2014.

Magdalen Bourleson  
City Clerk

Eden Raul  
Mayor

Approved as to form:  
Martha McElhonor  
City Attorney

Magdalen Bourleson  
City Clerk

RESOLUTION NO. 14- 5

RESOLUTION AMENDING THE 2014 CITY COUNCIL MEETING SCHEDULE

WHEREAS, the Asheville City Council is authorized, pursuant to N. C. Gen. Stat. sec. 160A-71, to fix the time and place for its regular meetings;

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

The Asheville City Council will hold their annual retreat on February 7-8, 2014, beginning at 9:00 a.m. in the U.S. Cellular Center's Banquet Hall.

Read, approved and adopted this 14th day of January, 2014.

Magdalena Brulson  
CITY CLERK

Eden Reed  
MAYOR

Approved as to form:

Arthur McPherson  
CITY ATTORNEY

Magdalena Brulson  
City Clerk

RESOLUTION NO. 14- 6

RESOLUTION TO ACCEPT A HUD CONTINUUM OF CARE PLANNING PROJECT GRANT, AND TO PROVIDE FUNDING TO COMMUNITY DEVELOPMENT DIVISION FOR THE HOMELESS INITIATIVE

WHEREAS, the Asheville-Buncombe Continuum of Care, NC-501, will receive and administer Continuum of Care (CoC) funds for FY 2012 (contracted for FY13-14) from the US Department of Housing and Urban Development; and

WHEREAS, the Federal Government has made these funds available to Continuum of Care; in the State, and made Collaborative Applicants eligible for Planning Project funds; and

WHEREAS, the City of Asheville has agreed to serve as the Collaborative Applicant for NC-501; and

WHEREAS, the Department of Housing and Urban Development, Special Needs Assistance Projects office has approved the application for \$13,180 submitted by the City for these funds;

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

1. The City of Asheville accept the Continuum of Care Grant Planning Project funds;
2. The City of Asheville serve as fiscal agent for the program, and enter into a contract with the US Department of Housing and Urban Development;
3. Council authorizes the City Manager to sign all necessary contract documents with the US Department of Housing and Urban Development;, after approval by the City Attorney.

Read, approved and adopted this 14th day of January, 2014.

Magdalen Boulson  
CITY CLERK

[Signature]  
MAYOR

Approved As To Form:

[Signature]  
CITY ATTORNEY

Magdalen Boulson  
City Clerk

RESOLUTION NO. 14-7

RESOLUTION APPOINTING MEMBERS TO THE BOARD OF ADJUSTMENT

WHEREAS, the terms of Douglas Hattaway (Regular member), Mac Swicegood (Alternate member), and David Brown (Regular member) as members on the Board of Adjustment, expired on January 21, 2014; and

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

(1) Mr. Douglas Hattaway, 21 Captains Drive, Candler, N.C. be and he is hereby appointed, as a Regular member to the Board of Adjustment, to serve a three year term, term to expire January 21, 2017, or until his successor has been appointed.

(2) Mr. Mac Swicegood, 86 Gibson Road, Asheville, N.C., be and he is hereby reappointed, as an Alternate member to the Board of Adjustment, to serve a three year term, term to expire January 21, 2017, or until her successor has been appointed.

(3) Mr. David Brown, 522 Pinchot Drive, Asheville, N.C., be and he is hereby reappointed, as a Regular member to the Board of Adjustment, to serve an additional three year term, term to expire January 21, 2017, or until his successor has been appointed.

Read, approved and adopted this 14th day of January, 2014.

Magdalen Paulson  
CITY CLERK

Edwin Hales  
MAYOR

Approved as to form:

Nanthe McElhonor  
CITY ATTORNEY

Magdalen Paulson  
City Clerk

## RESOLUTION NO. 14-8

RESOLUTION TO PERMANENTLY CLOSE PORTIONS OF EXCESSIVE RIGHT-OF-WAY  
ALONG SUMMIT AVENUE AND THE UNOPENED RIGHT-OF-WAY BETWEEN SUMMIT AND  
ALLEN AVENUES

WHEREAS, the City of Asheville has the authority pursuant to G.S. 160A-299 to permanently close streets or alleys within its jurisdiction upon compliance with applicable laws; and

WHEREAS, a petition has been filed by the adjoining property owners to permanently close a portion of excessive Summit Avenue right-of-way and an unopened right-of-way between Summit and Allen Avenues; and

WHEREAS, City Council on the 10<sup>th</sup> day of December 2013 adopted a resolution of intent to permanently close portions of excessive Summit Avenue right-of-way and an unopened right-of-way between Summit and Allen Avenues, and ordered a public hearing on the question of the closing for the 14<sup>th</sup> day of January 2014 at its regular meeting on the 2<sup>nd</sup> floor of the City Hall Building, Asheville, North Carolina; and

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

WHEREAS, a copy of said resolution of intent to close and order for public hearing was placed at two locations along said portion of excessive Summit Avenue right-of-way and an unopened right-of-way between Summit and Allen Avenues; and

WHEREAS, the Multimodal Transportation Commission approved the closure subject to the condition that the developer consider providing multimodal improvements as part of the improvements of the development project; and

WHEREAS, at said public hearing no objections were made that the proposed closing of excessive Summit Avenue right-of-way and an unopened right-of-way between Summit and Allen Avenues would deprive any individual owning property in the vicinity in which said closures is located of reasonable means of ingress and regress to their properties;

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

Pursuant to the North Carolina General Statutes Section 160A-299, the excessive Summit Avenue right-of-way and an unopened right-of-way between Summit and Allen Avenues as herein described below is permanently closed to public.

Area #1

*Cross Street City of Asheville Public Right of Way (That Portion of Cross Street lying between lots 2 and 18 as shown and recorded in Plat Book 1 Page 62):*

**Beginning** at a #5 Rebar (being 0.3' below the adjacent grade) located at the intersection of the eastern margin of the presently existing and unopened Cross Street and the Northern Margin of Allen Avenue and at the South Western Corner of Lot 18, Block 11, as shown in Plat Book 1 Page 62; said #5 rebar bearing NC Grid Coordinates (NAD83-1986) of: Northing= 650,618.61' and Easting= 950,365.05'; thence from the point of beginning and running with the northern margin of Allen Avenue North 86°09'28" West 50.00' to a #4 Rebar with McAbee Identification Cap Set at the intersection of the said Northern Margin of Allen Avenue and the Western Margin of the said Unopened Cross Street at the South Eastern Corner of Lot 2, Block 10, recorded in Plat Book 1 Page 62; thence leaving the Northern Margin of Allen Avenue and running with the Western Margin of the unopened Cross Street North 04°05'38" East 150.56' to a ¾" Diameter Iron Pipe (Flush with Adjacent Grade) marking the North Eastern Corner of the said Lot 2, Block 10, and being further located at the intersection of the Western Margin of the said unopened Cross Street and the Southern Margin of the 15' unopened Alleyway depicted on Plat 1 Page 62; thence with the Southern Margin of the said 15' unopened Alleyway South 85°13'12" East 49.41' to a #4 Rebar with McAbee Identification Cap Set at the North Western Corner of the said Lot 18 Block 11, and being further located at the intersection of the Eastern Margin of the said unopened Cross Street and the Southern Margin of the said 15' unopened Alleyway; thence leaving the Alleyway and running with the Eastern Margin of the said unopened Cross Street South 03°51'59" West 149.74' to the Point and Place of Beginning.

Containing 0.171 acres / 7,463 square feet.

Area #2

*Cross Street City of Asheville Public Right of Way (That Portion of Cross Street lying between lots 1 and 17 as shown and recorded in Plat Book 1 Page 62):*

**Beginning** at a #4 Rebar with McAbee Identification Cap Set at the intersection of the presently existing Southern Margin of the 100' Right of Way over Summit Avenue and the Eastern Margin of the presently existing and unopened Cross Street and at the North Western Corner of the Lot 17, Block 11, as shown in Plat Book 1 Page 62; said #4 rebar bearing NC Grid Coordinates (NAD83-1986) of: Northing= 650,932.26' and Easting= 950,386.25'; thence from the point of beginning and running with the Eastern Margin of the said unopened Cross Street South 03°51'59" West 149.69' to a #4 Rebar with McAbee Identification Cap Set at the South Western Corner of the said Lot 17, a Block 11, and being further located at the intersection of the Eastern Margin of the said unopened Cross Street and the Northern Margin of the 15' unopened Alleyway depicted on Plat 1 Page 62; thence with the Northern Margin of the said 15' unopened Alleyway North 85°11'32" West 49.35' to a #4 Rebar with McAbee Identification Cap Set at the South Eastern Corner of Lot 1, Block 10, recorded in Plat Book 1 Page 62 and being further located at the intersection of the Western Margin of the said unopened Cross Street and the Northern Margin of the said 15' unopened Alleyway; thence leaving the Alleyway and running

with the Western Margin of the said unopened Cross Street North  $03^{\circ}36'49''$  East 148.94' to a #4 Rebar with McAbee Identification Cap Set at the intersection of the presently existing Southern Margin of the said Summit Avenue and the Western Margin of the said unopened Cross Street and at the North Eastern Corner of the said Lot 1, Block 10; thence running with the presently existing Southern Margin of the said Summit Avenue South  $86^{\circ}03'37''$  East 50.00' to the Point and Place of Beginning.

Containing 0.170 acres / 7,417 square feet.

Area #3

*Summit Avenue City of Asheville Public Right of Way (That Portion of Summit Avenue lying directly to the North of Lots 3, 1, 17, 15, 13, 11, 9 and 7 as shown and recorded in Plat Book 1 Page 62):*

**Beginning** at a #4 Rebar with Hampton Identification Cap Found on the presently existing Southern Margin of the 100' Right of Way over Summit Avenue at the North Western Corner of Lot 3, Block 10, as shown in Plat Book 1 Page 62; said #4 rebar bearing NC Grid Coordinates (NAD83-1986) of: Northing= 650,942.56' and Easting= 950,236.64'; thence from the point of beginning and turning away from and perpendicular to the said presently existing Southern Margin of Summit Avenue North  $03^{\circ}56'23''$  East 25.36' to a #4 Rebar with McAbee Identification Cap Set on the New Southern Margin of Summit Avenue, said New Margin being located 25' from the centerline of Summit Avenue (as it is presently constructed on the ground) and creating the Southern Margin of the New 50' Public Right of Way over Summit Avenue; thence following the Southern Margin of the said New 50' Right of Way over Summit Avenue, and at all points being located 25' from the centerline of Summit Avenue as it is presently constructed, the following eight courses and distances: South  $86^{\circ}12'23''$  East 153.93' to a calculated point, South  $86^{\circ}10'13''$  East 137.15' to a calculated point, South  $86^{\circ}23'28''$  East 56.21' to a calculated point, South  $88^{\circ}38'24''$  East 38.27' to a calculated point, North  $89^{\circ}53'50''$  East 44.09' to a calculated point, North  $84^{\circ}29'06''$  East 30.98' to a calculated point, North  $84^{\circ}34'08''$  East 23.94' to a calculated point and finally North  $88^{\circ}40'22''$  East 1.50' to a #4 Rebar with McAbee Identification Cap Set; thence leaving the said Southern Margin of the New 50' Right of Way over Summit Avenue and turning perpendicular to and toward the presently existing Southern Margin of the 100' Right of Way over Summit Avenue South  $03^{\circ}56'23''$  West 40.30' to a #4 Rebar with McAbee Identification Cap Set on the Southern Margin of the presently existing 100' Right of Way over Summit Avenue and at the North Eastern Corner of Lot 7, Block 11, recorded in Plat Book 1 Page 62; thence following the Southern Margin of the said presently existing 100' Right of Way over Summit Avenue North  $86^{\circ}03'37''$  West 85.18' to a #4 Rebar with McAbee Identification Cap Set at the North Western Corner of the said Lot 7, Block 11; thence continuing with the Southern Margin of the said presently existing 100' Right of Way over Summit Avenue North  $86^{\circ}03'37''$  West passing seven #4 Rebars with McAbee Identification Caps Set at 50' intervals along the said line (rebars marking the Northern Corners of Lots 9, 11, 13, 15, 17, 1 and the North Eastern Corner of Lot 3, Block 10, as recorded in Plat Book 1 Page 62) for a total distance of 400.00' to the Point and Place of Beginning.

Containing 0.305 acres / 13,291 square feet.

Area #4

*Summit Avenue City of Asheville Public Right of Way (That Portion of Summit Avenue lying directly to the South of the 1.60 Acre Lot shown and recorded in Plat Book 92 Page 187):*

**Beginning** at a #4 Rebar with McAbee Identification Cap Found on the presently existing Northern Margin of the 100' Right of Way over Summit Avenue at the South Western Corner of the 1.60 Acre Lot shown and recorded in Plat Book 92 Page 187; said #4 rebar bearing NC Grid

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Coordinates (NAD83-1986) of: Northing= 651,030.93' and Easting= 950,416.85'; thence from the point of beginning and following the Northern Margin of the said presently existing 100' Right of Way over Summit Avenue South 86°05'38" East 280.42' to a #4 Rebar with McAbee Identification Cap Set on the Northern Margin of the said presently existing 100' Right of Way and at the South Eastern Corner of the said 1.60 Acre Lot; thence turning away from and perpendicular to the said presently existing Northern Margin of Summit Avenue South 03°54'22" West 14.77' to a #4 Rebar with McAbee Identification Cap Set on the New Northern Margin of Summit Avenue, said New Margin being located 25' from the centerline of Summit Avenue (as it is presently constructed on the ground) and creating the Northern Margin of the New 50' Public Right of Way over Summit Avenue; thence following the Northern Margin of the said New 50' Right of Way over Summit Avenue, and at all points being located 25' from the centerline of Summit Avenue as it is presently constructed, the following six courses and distances: South 84°34'08" West 4.95' to a calculated point, South 84°28'36" West 26.04' to a calculated point, South 89°53'50" West 41.09' to a calculated point, North 88°38'24" West 36.65' to a calculated point, North 86°23'28" West 55.13' to a calculated point, North 86°10'13" West 117.12' to a #4 Rebar with McAbee Identification Cap Set; thence leaving the said Northern Margin of the New 50' Right of Way over Summit Avenue and turning perpendicular to and toward to the presently existing Northern Margin of the 100' Right of Way over Summit Avenue North 03°54'22" East 24.78' to the Point and Place of Beginning.

Containing 0.149 acres / 6,505 square feet.

Read, approved and adopted this 14<sup>th</sup> day of January, 2014.

Magdalena Bulteson  
City Clerk

[Signature]  
Mayor

Approved as to form:

Martha McPherson  
City Attorney

Magdalena Bulteson  
City Clerk

RESOLUTION NO. 14- 9RESOLUTION AUTHORIZING A SUBSTANTIAL AMENDMENT OF THE CITY'S  
CONSOLIDATED ANNUAL ACTION PLAN FOR 2011-2012

WHEREAS, the City of Asheville is an Entitlement City for the federal Community Development Block Grant (CDBG) program and is Lead Entity on behalf of the Asheville Regional Housing Consortium for the federal HOME Investment Partnership Act program; and

WHEREAS, The City has prepared a Consolidated Strategic Housing and Community Development Plan to provide a five-year framework of priorities and targets for the CDBG and HOME programs for 2010-2015; and

WHEREAS, on April 26, 2011 City Council approved an Annual Action Plan for the use of these funds in 2012-2013; and

WHEREAS, the Housing and Community Development Committee has made a recommendation, consistent with the Strategic Plan, to amend the Action Plan for the fiscal year 2011-2012;

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

1. The Consolidated Annual Action Plan 2011-2012 be amended as follows:
  - a. Allocation of \$40,037 to the Housing Authority of the City of Asheville is repurposed for the development of infrastructure at the Reid Center supporting its use as a community facility for workforce development.

Read, approved and adopted this 14<sup>th</sup> day of January, 2014.

Magdalen Boulson  
CITY CLERK

Edwin Mark  
MAYOR

Approved As To Form:

Mathew McElshon  
CITY ATTORNEY

Magdalen Boulson  
City Clerk

RESOLUTION NO. 14-10

RESOLUTION ADOPTING A REVISION TO THE RIVER DISTRICT DESIGN GUIDELINES

WHEREAS, City Code Sec. 7-3-10(a) provides that the City Council shall adopt guidelines application to certain development projects in the River District Design Review Area, and further provides in Sec. 7-5-18 that said projects shall be reviewed for consistency with the guidelines; and

WHEREAS, City Council adopted the River District Design Guidelines on February 3, 1998 by resolution no. 98-11; and

WHEREAS, City Staff has created a new River District Review Area Map to be incorporated into the River District Design Guidelines which expands the area of review to include both River District zoned properties and other zoned properties within the riverfront development area, and has reviewed said map in public meetings with citizens and owners of property within the riverfront area; and

WHEREAS, on August 28, 2013, the River District Design Review Committee unanimously recommended to the Asheville Area Riverfront Redevelopment Commission and City Council that a new River District Review Map Area, that aligns with the geography of the City's riverfront area redevelopment efforts rather than being based on River District zoning, be adopted and incorporated into the River District Design Review Guidelines;

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

The River District Design Guidelines dated February 3, 1998 be revised to include a new River District Review Area Map, attached hereto as Exhibit A, and hereby adopted by the Asheville City Council.

Read, approved and adopted this 14<sup>th</sup> day of January, 2014.

Magdalen Brulson  
City Clerk

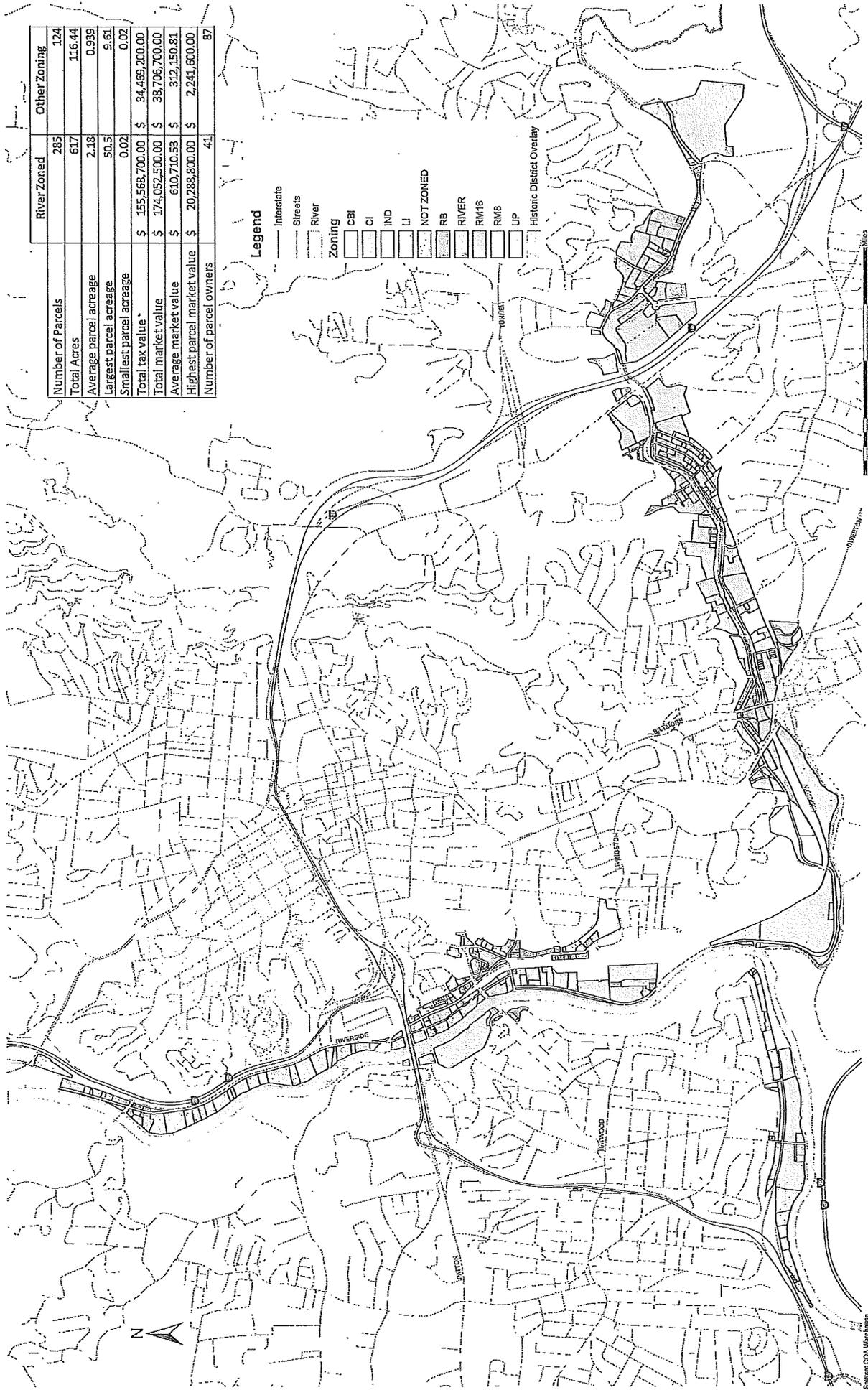
[Signature]  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Brulson  
City Clerk

RIVER DISTRICT DESIGN REVIEW PARCEL ZONING



	River Zoned	Other Zoning
Number of Parcels	285	124
Total Acres	617	116.44
Average parcel acreage	2.18	0.959
Largest parcel acreage	50.5	9.61
Smallest parcel acreage	0.02	0.02
Total tax value *	\$ 155,568,700.00	\$ 34,469,200.00
Total market value	\$ 174,052,500.00	\$ 38,706,700.00
Average market value	\$ 610,710.53	\$ 312,150.81
Highest parcel market value	\$ 20,288,800.00	\$ 2,241,600.00
Number of parcel owners	41	87

- Legend**
- Interstate
  - Streets
  - River
  - Zoning**
  - CBI
  - CI
  - IND
  - U
  - NOT ZONED
  - RB
  - RIVER
  - RMTS
  - RMB
  - UP
  - Historic District Overlay

Source: Co. of Economic Development Department, October 2013

RESOLUTION NO. 14-11

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CDM SMITH FOR ENGINEERING AND DESIGN SERVICES FOR THE RIVER ARTS DISTRICT TRANSPORTATION IMPROVEMENT PROJECT

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, the City Council has programmed the RADTIP in the City's Capital Improvements program; and

WHEREAS, City Council directed staff to continue steps toward implementation of the RADTIP;

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

The City Manager is hereby authorized to enter into a contract with CDM Smith for \$2,186,000 for the River Arts District Transportation Improvement Project engineering and design services and further authorized to execute any change orders to said contract or documents which may arise during construction of said project up to the budgeted amount.

Read, approved and adopted this the 14<sup>th</sup> day of January, 2014.

Magdalen Brulson  
City Clerk

E. Ann Mc  
Mayor

Approved as to form:

Matthew S. Holton  
City Attorney

Magdalen Brulson  
City Clerk

CITY RESOLUTION NO. 14-12

COUNTY RESOLUTION NO. \_\_\_\_\_

RESOLUTION ESTABLISHING A JOINT CITY/COUNTY AFRICAN AMERICAN  
HERITAGE COMMISSION

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WHEREAS, the Asheville City Council and the Buncombe County Board of Commissioners have authority to establish advisory boards and commissions pursuant to N.C.G.S. § 160A-146 and N.C.G.S. § 153A-76, respectively; and

WHEREAS, the African American community has been an integral part of Asheville and Buncombe County since the 1780's; and

WHEREAS, the North Carolina African American Heritage Commission has been in existence for about three years and is held in the highest regard; and

WHEREAS, the Asheville City Council and the Buncombe County Board of Commissioners have determined that it is in the public interest to establish a commission to advise the Asheville City Council and the Buncombe County Board of Commissioners on issues concerning the enhancement of the economic, social, cultural and educational lives of African Americans in Asheville and throughout Buncombe County; and

WHEREAS, according to a grass roots committee desiring to establish the African American Heritage Commission as a joint commission of the City of Asheville and the County of Buncombe, the following are historical facts of African Americans in Asheville and Buncombe County:

1. One of the first enslaved persons of African heritage (a teenage girl owned by Samuel Davidson), settled in the Swannanoa Valley in 1784.
2. Pack Square was the site of the first and second Buncombe County courthouse and was the same location where enslaved people were sold on the courthouse steps and bills of sale recorded inside at the Register of Deeds. Except for the recent publication of these records, there has been little or no public acknowledgement given to the existence of the institution of slavery in Asheville and Buncombe County and very little public recognition of the many contributions of African Americans to the life, culture, and economic development of this area.
3. Prior to 1865, slave labor contributed to the building of many of the early roadways and buildings in Asheville and Buncombe County including the Buncombe Turnpike, the Eagle Hotel, the Smith McDowell House, along with area churches and commercial and industrial buildings.

4. After 1865, African Americans continued to contribute to economic and cultural development along with the overall vitalization of Buncombe County and the City of Asheville, North Carolina as: farmers, building contractors, skilled laborers (carpenters, cabinet makers, iron workers, stone and brick masons), educators, clergy, business owners, lawyers, physicians, hospitality workers (including chamber maids, housekeepers, and chefs), artists and musicians, and more.

WHEREAS, a commission on the history of African Americans is the desired means to discover, develop, promote and implement projects and programs to recognize African American history in Buncombe County;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ASHEVILLE, THE CITY COUNCIL OF ASHEVILLE, THE COUNTY OF BUNCOMBE AND THE BUNCOMBE BOARD OF COMMISSIONERS THAT A JOINT AFRICAN AMERICAN HERITAGE COMMISSION BE ESTABLISHED AS FOLLOWS:

1. **Creation**. It is declared that the public welfare and interest of the citizens and residents of the City of Asheville and Buncombe County will be served by the establishment of a commission to advise the City Council and County Commissioners about the preservation, interpretation, and promotion of African-American arts, history and culture. To that end, there is hereby established a joint African American Heritage Commission (herein "Commission").
2. **Membership**. The Commission shall consist of nine members with representation as follows:
  - a. Three seats to be appointed by Asheville City Council;
  - b. Three seats to be appointed by the Buncombe County Board of Commissioners;
  - c. The remaining three seats will be appointed by the six appointed members.
3. **Criteria**. In appointing members to the Commission, the following criteria will be considered essential:
  - a. Affiliations with significant African American institutions in Asheville and Buncombe County
  - b. Diversity within the members by age range, affiliations (local, regional, national), professional expertise, and area of town or county where they reside.
  - c. Willingness to be an active participant in meetings, expending an estimated three (3) hours or more a month in Commission business.

4. **Term:** Except for initial terms as provided for herein, the term of office shall be three (3) years. In order to establish a staggered Commission, the initial three appointments by the City, the County and the Commission, respectively, shall be designated by each appointing body as being for one, two or three years. All initial terms shall be deemed to commence as of the appointment of the ninth member. Appointees shall not serve more than six (6) consecutive years, although members may be reappointed after having been off the Commission for at least one (1) year.
  
5. **Powers and Duties.** The Commission shall have the following powers and duties:
  - a. Develop rules for the conduct of its business, including but not limited to meeting schedules, election of officers, voting, subcommittees, et al.
  
  - b. Develop a plan to identify, create, encourage, promote and implement projects that will recognize, increase and expand the awareness of the contributions of African-Americans throughout the City-County area.
  
  - c. Create plans to identify and recognize sites in the community that are significant to African-American history; encourage and promote economic activity related to the African American community; and propose other projects that are consistent with the goals of the Commission.
  
6. **Reports to Asheville City Council and the Buncombe County Commissioners.** Within 180 days from date of the commencement of the initial terms, the Commission shall provide a written progress report to Asheville City Council and the Buncombe County Commissioners setting forth the Commission's plan for carrying out its powers and duties as set forth above. Additionally, to the extent that the carrying out of the Commission's powers and duties require funding from the Asheville City Council and Buncombe County Commissioners, the Commission shall prepare a budget outlining the appropriations and expenditures, with said funding request to be considered. Following the initial report, the Commission shall provide a report to Asheville City Council and Buncombe County Commissioners on an annual basis, or more frequently as directed by Asheville City Council and the Buncombe County Commissioners.
  
7. **Assistance.** The City Manager and County Manager will upon request, make space available within City and/or County facilities for the Commission to conduct its meetings, and will provide clerical assistance in fulfilling the legal requirements for said meetings pursuant to open meetings and public records laws of North Carolina,

and such other assistance as is customary for City Council and County Commissioners' Boards and Commissions.

Read, approved and adopted this 14 day of January 2014, by the Asheville City Council.

Magdalen Brunson  
CITY CLERK

Edna Herber  
MAYOR

Approved as to Form

Martha McPherson  
CITY ATTORNEY

Read, approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2014, by the Buncombe County Board of Commissioners.

\_\_\_\_\_  
COUNTY CLERK

\_\_\_\_\_  
CHAIR

Approved as to Form

\_\_\_\_\_  
COUNTY ATTORNEY

Magdalen Brunson  
City Clerk

RESOLUTION NO. 14-13

RESOLUTION APPOINTING A MEMBER TO THE FIREMEN'S RELIEF FUND

WHEREAS, the term of Ms. R. Patricia Leckey, as a member of the Firemen's Relief Fund, expired on January 1, 2014;

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

Ms. R. Patricia Leckey, 53 Maple Ridge Lane, Asheville, N.C., be and she is hereby reappointed as a member of the Firemen's Relief Fund Board of Trustees to serve an additional two-year term, term to expire on January 1, 2016, or until her successor is duly appointed.

Read, approved and adopted this 14th day of January, 2014.

Magdalen Burlison  
CITY CLERK

Eden R. ...  
MAYOR

Approved as to form:

Matthew McElhonor  
CITY ATTORNEY

Magdalen Burlison  
City Clerk

## RESOLUTION NO. 14-14

RESOLUTION APPOINTING MEMBERS TO THE ASHEVILLE AREA RIVERFRONT REDEVELOPMENT COMMISSION

WHEREAS, the terms of Joe Ferikes (representing a property or business owner in the riverfront) and Cindy Week, as members on the Asheville Area Riverfront Redevelopment Commission, expired on January 1, 2014; and

WHEREAS, with the dissolution of the River District Design Review Committee and the merger of their functions to the Asheville Area Riverfront Redevelopment Commission, a new position in the Asheville Area Riverfront Redevelopment Commission has been established;

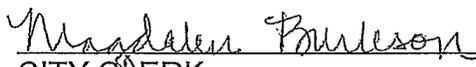
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

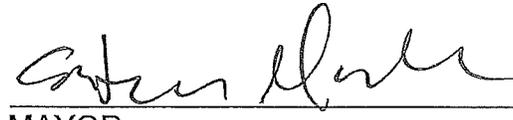
(1) Mr. Joseph A. Ferikes, 198 Bent Tree Road, Asheville, N.C., be and he is hereby reappointed to the Asheville Area Riverfront Redevelopment Commission (representing a riverfront property or business owner) to serve an additional three year term, term to expire January 1, 2017, or until his successor has been appointed.

(2) Ms. Cindy Weeks, 265 Charlotte Street, Asheville, N.C., be and she is hereby reappointed to the Asheville Area Riverfront Redevelopment Commission to serve a three year term, term to expire January 1, 2017, or until her successor has been appointed.

(3) Mr. Carleton Collins, 105 Cranford Road, Asheville, N.C., be and he is hereby appointed to the Asheville Area Riverfront Redevelopment Commission to serve a three year term, term to expire January 1, 2017, or until his successor has been appointed.

Read, approved and adopted this 14th day of January, 2014.

  
CITY CLERK

  
MAYOR

Approved as to form:

  
CITY ATTORNEY

  
City Clerk

## RESOLUTION NO. 14-15

RESOLUTION APPOINTING MEMBERS TO THE ASHEVILLE TREE COMMISSION

WHEREAS, the terms of Debbie Emmons and Mike Kenton, as members on the Asheville Tree Commission, expired on December 31, 2013;

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

(1) Ms. Debbie Emmons, 14 Beaverdam Knoll Road, Asheville, N.C., be and she is hereby reappointed to the Asheville Tree Commission, to serve a three year term, term to expire December 31, 2016, or until her successor has been appointed.

(2) Mr. Mike Kenton, 64 Pack Square, Asheville, N.C., be and he is hereby reappointed to the Asheville Tree Commission; to serve a three year term, term to expire December 31, 2016, or until his successor has been appointed.

Read, approved and adopted this 14th day of January, 2013.

Magdalen Bourleson  
CITY CLERK

Ed R. ...  
MAYOR

Approved as to form:

Martha Mc Mahon  
CITY ATTORNEY

Magdalen Bourleson  
City Clerk