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RESOLUTION NO. 14- 16

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION AGREEMENT WITH COOPER CONSTRUCTION COMPANY, INC., FOR THE HENDERSONVILLE ROAD WATER LINE CONSOLIDATION PROJECT

WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. § 143-129, bids were solicited for the project known as the Hendersonville Road Water Line Consolidation Project; and

WHEREAS, Cooper Construction Company, Inc., of Hendersonville, NC was the lowest responsible responsive bidder for the Project, in the amount of \$441,266.00, with the bid tabulation attached hereto as Exhibit "A"; and

WHEREAS, the project involves abandonment of a problematic 6-inch cast iron water line located on the east side of Hendersonville Road, the transfer of water services attached to the 6-inch water line to the 24-inch ductile iron water line located on the west side of Hendersonville Road, and other work and materials required in order to complete the project; and

WHEREAS, the bids have been reviewed by the Water Resources Department and the City's Office of Economic Development (Minority Business Plan Compliance) with all officers recommending approval of the bid;

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 is hereby authorized to execute the contract with Cooper Construction Company, Inc., for the bid amount of \$441,266.00 plus a contingency amount of \$44,127.00 for a total in the amount of \$485,393.00 for the construction of the Hendersonville Road Water Line Consolidation project 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 28th day of January, 2014.

Maddalen Brulson
CITY CLERK

Eric M...
MAYOR

Approved as to form:

Martha McElhannon
CITY ATTORNEY

Maddalen Brulson
City Clerk

Exhibit A

Bid Tabulation for the Hendersonville Road Water Line Consolidation Project

Cooper Construction Company, Inc.
P.O. Box 806
Hendersonville, NC 28793
Total Bid: \$441,266.00

Buckeye Bridge, LLC
P.O. Box 1229
654 Buckeye Cove Road
Canton, NC 28716
Total Bid: \$948,648.00

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RESOLUTION NO. 14-17

RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A 2.79 ACRE REMNANT PARCEL FROM THE N.C. DEPT. OF TRANSPORTATION FOR THE PURPOSE OF ASSEMBLING THE PROPERTY INTO EXISTING RIGHT-OF-WAY AT SWEETEN CREEK INDUSTRIAL PARK

WHEREAS, the City of Asheville is authorized pursuant to G.S. 160A-274 to accept real property from any governmental unit upon such terms and conditions as it deems wise, with or without consideration; and

WHEREAS, the North Carolina Department of Transportation has offered to convey real property identified as PIN 965742089400000 to the City of Asheville at no cost; and

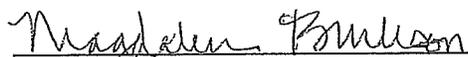
WHEREAS, this parcel will be assembled into the City's existing right of way at Sweeten Creek Industrial Park and thereby facilitate improved access into the GE Aviation facility on Buncombe County owned property at 502 Sweeten Creek Industrial Park; and

WHEREAS, City Staff recommends the City accept the conveyance from NCDOT with the stated condition;

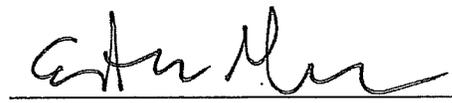
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Pursuant to North General Statute Sec. 160A-274, the Mayor is hereby authorized to execute any and all documents, approved by the City Attorney, to accept the conveyance of the remnant parcel known as PIN 965742089400000 from the North Carolina Department of Transportation at Sweeten Creek Industrial Park. In addition, the Mayor 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 28th day of January, 2014.



City Clerk

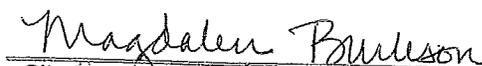


Mayor

Approved as to form:



City Attorney



City Clerk

RESOLUTION NO. 14-18

RESOLUTION AUTHORIZING THE MAYOR TO CONVEY AN EASEMENT AT 166 RESERVOIR ROAD TO CHRIS AND JESSICA LARSEN

WHEREAS, N.C. Gen. Stat. sec. 160A-273 grants authority to cities to convey easements across city property; and

WHEREAS, the City of Asheville, herein after the City, is the owner of property located at 166 Reservoir Road, identified as PIN # 964856700400000; and

WHEREAS, Chris and Jessica Larsen have requested an easement over a portion of said property on Reservoir Road for the purpose of creating a driveway for a residential lot to service a new single family residence on Reservoir Road; and

WHEREAS, the portion of land needed for the permanent easement comprises approximately 473 square feet and the easement has a value of \$1,020 which sum Chris and Jessica Larsen have agreed to pay for the easement; and

WHEREAS, the easement will not interfere with the City's intended use of the property;

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

Pursuant to North General Statute Sec. 160A-273, the Mayor is hereby authorized to execute any and all documents, approved by the City Attorney, to convey a permanent easement over a portion of property located at 166 Reservoir Road PIN # 964856700400000 to Chris and Jessica Larsen. In addition, the Mayor 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 28th day of January, 2014.

Magdalena Bouleson
City Clerk

Edwin Miller
Mayor

Approved as to form:

Martha McElhannon
City Attorney

Magdalena Bouleson
City Clerk

RESOLUTION NO. 14-19

RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE SALE OF SIDEWALK GARBAGE RECEPTACLES TO THE ASHEVILLE HOUSING AUTHORITY

WHEREAS, the City of Asheville is responsible for the disposal of excess and obsolete personal property through the disposal of surplus; and

WHEREAS, the Office of Sustainability has deemed the garbage receptacles as excess; and

WHEREAS, North Carolina General Statute 160A-266 authorizes the City to dispose of personal property valued at \$30,000 or less by private negotiation or sale upon resolution of the City Council adopted at a regular meeting; and

WHEREAS, North Carolina General Statute 160A-280 authorizes the City to dispose of property by private sale to another governmental unit or non-profit agency that is carrying out a public purpose; and

WHEREAS, the Asheville Housing Authority has presented a proposal to the City for utilizing the garbage receptacles; and

WHEREAS, the Asheville City Council believes that the Asheville Housing Authority's proposal fulfills a public purpose;

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

The City Manager is hereby authorized to award the sale (for no compensation) of the surplus garbage receptacles to the Asheville Housing Authority and enter into a purchase agreement on behalf of the City of Asheville.

Read, approved and adopted this 28th day of January, 2014.

Magdalen Bouleson
City Clerk

[Signature]
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bouleson
City Clerk

RESOLUTION NO. 14- 20

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A GRANTEE'S ACCEPTANCE AND UNDERSTANDING FORM WITH Z. SMITH REYNOLDS FOUNDATION TO ACCEPT THE TERMS OF GRANT FOR FUNDING THE PILOT PROJECT "BUILDING NEIGHBORHOOD CAPACITY AND LEADERSHIP ACROSS RACE AND CLASS" AND A SUB-AWARD AGREEMENT WITH THE DYNAMIC GOVERNANCE INSTITUTE TO DEVELOP THE GRANT FUNDED PROGRAM

WHEREAS, the City of Asheville has been awarded a one year grant of \$30,000 by Z. Smith Reynolds Foundation to partner with the Dynamic Governance Institute/Sims and Steele Consulting to develop a pilot to build neighborhood capacity and strengthen leadership of the Aston Park Towers Residents' Association and Housing Authority Residents' Council; and

WHEREAS, the pilot program is focused on the South French Broad neighborhood and ways to empower residents to work together to address existing public safety issues in order to improve the quality of life for all who live, work and visit the neighborhood; and

WHEREAS, Asheville City Council has set a strategic goal to make Asheville one of the safest cities in America and this pilot will help South French Broad neighbors participate in actions identified to meet that goal;

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

The City Manager is hereby authorized to sign the Grantee's Acceptance and Understanding Form with Z. Smith Reynolds and the Sub-Award Agreement with the Dynamic Governance Institute for the grant year 2014.

Read, approved and adopted this 28th day of January, 2014.

Magdalena Brundson
City Clerk

Steve Mc
Mayor

Approved as to form:
Walter McEllison
City Attorney

Magdalena Brundson
City Clerk

RESOLUTION NO. 14-21

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A GENERAL SERVICES CONTRACT TO TYLER TECHNOLOGIES FOR MAINTENANCE AND SUPPORT TO THE CITY OF ASHEVILLE'S MUNIS ENTERPRISE SYSTEM

WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities, and

WHEREAS, the City is in need of maintenance and support of the City's Munis Enterprise System, and

WHEREAS, Tyler Technologies is the sole-source vendor to provide said maintenance and support in the amount of \$144,000 per year plus a maximum of 5% escalation in subsequent years for maximum of (5) five fiscal years with the understanding that funding is project-specific and subject to the appropriation of funds; and

WHEREAS, the funding is currently allocated within IT Services and Business and Public Technology division's maintenance budget;

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

The City Manager, on behalf of the City of Asheville, is hereby authorized to execute a general services agreement with Tyler Technologies, in the amount of \$144,000 per year plus a maximum of 5% escalation in subsequent years for maximum of (5) five fiscal years with the understanding that funding is project-specific and subject to the appropriation of funds. The City Manager is further authorized to execute any amendments to said contact which might arise during the term of the contract up to the budgeted amount.

Read, approved and adopted this 28th day of January, 2014.

Magdalen Boulson
City Clerk

Estimote
Mayor

Approved as to form:

Matthew McPherson
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 14-22

RESOLUTION APPOINTING MEMBERS TO THE SUSTAINABLE ADVISORY COMMITTEE ON ENERGY & THE ENVIRONMENT

WHEREAS, the terms of Melanie Brethauer, Duncan McPherson and Tim Ballard (representing expertise in field of energy management), as members of the Sustainable Advisory Committee on Energy & the Environment, expired on December 31, 2013;

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

(1) Ms. Mindy Fisher, 130 Hudson Street, Asheville, N.C., be and she is hereby appointed to the Sustainable Advisory Committee on Energy & the Environment, to serve a three year term, term to expire December 31, 2016, or until her successor has been appointed.

(2) Mr. Duncan McPherson, 61 Walton Street, Asheville, N.C., be and he is hereby reappointed to the Sustainable Advisory Committee on Energy & the Environment, to serve an additional three year term, term to expire December 31, 2016, or until his successor has been appointed.

(3) Ms. Sonia Marcus, 81 Westwood Place Asheville, N.C., be and she is hereby appointed to the Sustainable Advisory Committee on Energy & the Environment (representing expertise in field of energy management), to serve a three year term, term to expire December 31, 2016, or until her successor has been appointed.

Read, approved and adopted this 28th day of January, 2014.

Magdalen Boulson
CITY CLERK

Ston Mc
MAYOR

Approved as to form:

Martha McPherson
CITY ATTORNEY

Magdalen Boulson
City Clerk