

RESOLUTION NO. 14- 109

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO COMMUNITY EVENT PARTNERSHIP AGREEMENTS WITH THE ASHEVILLE DOWNTOWN ASSOCIATION, YMI CULTURAL CENTER, AND COMMUNITY BETTERMENT FOUNDATION (OR FUTURE 501C NON-PROFIT DESIGNEE) TO CONTINUE PROVIDING IN-KIND SERVICES FOR FREE OUTDOOR COMMUNITY EVENTS & CULTURAL PROGRAMMING

WHEREAS, pursuant to N.C.G.S. § 160A-20.1, the City has the authority to contract with and appropriate money to any person, association, or corporation, in order to carry out any authorized public purpose; and

WHEREAS, the City of Asheville has identified a significant value in festival and special event partnerships that will further economic and community development initiatives; and

WHEREAS, the city has historically offered support to events that meet certain criteria; and

WHEREAS, the special events and festivals produced by the Asheville Downtown Association, YMI Cultural Center and Community Betterment Foundation via Folk Heritage Committee have been designated as the City of Asheville's anchor events through a comparative evaluation of benefits including economic development, outside spending, whether the event is designed for raising funds for local charities, or whether the event increases cultural understanding for the community; and

WHEREAS, the Asheville City Council Strategic Operating Plan has identified the importance of structuring Special Events as an economic development tool through leveraging investments, promoting an environment for investment and supporting efforts around Arts/Creative Economy;

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

1. The City Manager is hereby authorized to execute community event partnership agreements with the Asheville Downtown Association at a maximum in-kind support value of \$82,000 per year, the YMI Cultural Center at a maximum in-kind support value of \$30,000 per year, and with the Community Betterment Foundation (or future 501c non-profit designee) at a maximum in-kind support value of \$13,000 per year.
2. Under the terms of the community event partnership agreement, the Office of Economic Development and each non-profit organization will develop and specify annual performance objectives within the agreement for the first year and repeatedly for the continuation of the partnership for subsequent years 2015 and 2016.

Read, approved and adopted this 27th day of May, 2014.

Magdalen Boulton
City Clerk

[Signature]
Mayor

Approved as to form:
[Signature]
City Attorney

Magdalen Boulton
City Clerk

RESOLUTION NO. 14 - 110

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDED ADOPT-A-PARK AGREEMENT WITH JUST FOLKS THAT INCLUDES A WAIVER OF FEES FOR FISCAL YEAR 2014-2015.

WHEREAS, the City of Asheville has entered into an Adopt-a-Park Agreement with Just Folks to promote positive activities that reduce nuisance behaviors in and around the Triangle Park area; and

WHEREAS, the programs and events organized by Just Folks focus on community-building and have improved the appearance of the park, making it more attractive to downtown visitors and community members; and

WHEREAS, Just Folks is providing quality cultural programming and diversity in a city park not generally used for this purpose;

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

The City Manager is hereby authorized to sign the amended Adopt-a-Park agreement with Just Folks to waive park use fees of up to \$2,500 for FY 2014-2015 for the use of Triangle Park for community-building events that benefit the Eagle/Market Streets area and the community.

Read, approved and adopted the 27th day of May, 2014.

Magdalen Boulson
City Clerk

Ed Arrington
Mayor

Approved as to form:
Willie
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 14-111

RESOLUTION AUTHORIZING AN AMENDMENT TO MASTER SERVICE CONTRACT 91400113 WITH FORSYTH INITIATIVE FOR RESIDENTIAL SELF HELP TREATMENT INC.

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 private entities; and

WHEREAS, the City of Asheville has a need for temporary laborers based on certain short term needs of various City departments included but not limited to leaf pick-up, civic center events; and

WHEREAS, the City entered into master service contract, number 91400113, with Forsyth Initiative for Residential Self Help Treatment Inc., authorized by Resolution Number 13-386, dated the 27th of August 2013 in the amount of \$155,000; and

WHEREAS, an increase to the master service contract number 91400113 of \$60,000 to complete FY14 commitments has been identified in FY14 budgets to cover the increase, without any adverse effects to existing programs;

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

The City Manager is hereby authorized to amend master service contract number 91400113, from \$155,000 to \$215,000 for FY14

Read, approved and adopted this 27th day of May, 2014.

Magdalen Bouleson
City Clerk

Ed Arrington
Mayor

Approved as to form:
[Signature]
City Attorney

Magdalen Bouleson
City Clerk

RESOLUTION NO. 14 -112

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A TRAFFIC AGREEMENT WITH THE N.C. DEPT. OF TRANSPORTATION APPROVING A PROJECT FOR THE FABRICATION AND INSTALLATION OF A DIRECTIONAL SIGN FOR THE RIVER ARTS DISTRICT ALONG I-240 EASTBOUND

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes, (§160A-17.1), to enter into contracts for services with other governmental bodies; and

WHEREAS, the North Carolina Department of Transportation (NCDOT) has prepared a design for the fabrication and installation of a directional sign bearing the message "River Arts District" under WBS Element 36249.3358, Buncombe County, that will be installed along I-240 eastbound in advance of the Amboy Road exit in West Asheville; and

WHEREAS, the NCDOT and the City of Asheville propose to enter into a Traffic Agreement for the above-captioned project whereby the City agrees to provide the funds for the fabrication and installation of the sign; and

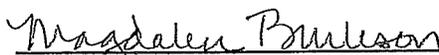
WHEREAS, the City of Asheville agrees to provide funds for the re-fabrication and installation of any replacement signs that might be needed in the future; and

WHEREAS, the NCDOT agrees to construct the project in accordance with the approved project plans;

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

The City Council of the City of Asheville approves a resolution authorizing the City Manager to sign and execute a traffic agreement with the N.C. Dept. of Transportation approving a project for the fabrication and installation of a directional sign for the River Arts District along I-240 eastbound in advance of the Amboy Road exit in West Asheville.

Read, approved and adopted this 27th day of May 2014.

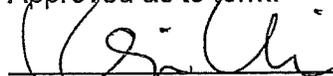


 City Clerk



 Mayor

Approved as to form:



 City Attorney



 City Clerk

RESOLUTION NO. 14-113

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO INCREASE THE CONSTRUCTION CONTRACT WITH COOPER CONSTRUCTION COMPANY, INC., FOR THE HENDERSONVILLE ROAD WATER LINE CONSOLIDATION 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, 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 and awarded the bid in the amount of \$441,266.00; 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, a change order in the amount of \$88,771.54 is required to complete and close out the project for a total contract amount of \$530,037.54.

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

The City Manager is hereby authorized to execute a change order in the amount of \$88,771.54 to increase the construction contract for Cooper Construction Company, Inc., from \$441,266.00 to \$530,037.54 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 27th day of May, 2014.

Magdalen Boulson
CITY CLERK

E. A. E. M.
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Boulson
City Clerk

RESOLUTION NO. 14 -114

RESOLUTION SUPPORTING THE NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION IN DESIGNING AND CONSTRUCTING A PROJECT TO MAKE STORM
DRAINAGE IMPROVEMENTS ALONG THE NORTH SIDE OF US 70 (TUNNEL ROAD)
BETWEEN KENILWORTH ROAD AND BUCKSTONE PLACE

WHEREAS, the North Carolina Department of Transportation (NCDOT) has prepared plans for a project to make storm drainage improvements along the north side of US 70 (Tunnel Road) between Kenilworth Road and Buckstone Place; and

WHEREAS, the NCDOT will fully fund and construct the project using Small Construction Funds; and

WHEREAS, the NCDOT agrees to construct the project in accordance with the approved project plans; and

WHEREAS, the City of Asheville fully supports the project because it provides much needed storm drainage improvements;

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

The City Council of the City of Asheville approves this resolution supporting the North Carolina Department of Transportation in designing and constructing a project to make storm drainage improvements along the north side of US 70 (Tunnel Road) between Kenilworth Road and Buckstone Place.

Read, approved and adopted this 27th day of May 2014.

Magdalen Boulson
City Clerk

Edmund M.
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 14- 115RESOLUTION TO PERMANENTLY CLOSE AN UNNAMED ALLEY OFF OF SOUTH ANN STREET

WHEREAS, the City of Asheville has the authority pursuant to G. S. 160A-299 to permanently close street 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 an unnamed alley off of South Ann Street; and

WHEREAS, City Council on the 25th of March, 2014 adopted a resolution of intent to permanently close an unnamed alley off of South Ann Street, and ordered a public hearing on the question of the closing for the 22nd day of April, 2014 at its regular meeting on the 2nd floor of the City Hall Building, Asheville, North Carolina and was continued to the 27th day of May 2014; 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 present 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 an unnamed alley off of South Ann Street; and

WHEREAS, at said public hearing no objections were made that the proposed closing of an unnamed alley off of South Ann Street would deprive any individual owning property in the vicinity in which said closure is located of reasonable mean 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, an unnamed alley off of South Ann Street as herein described is permanently closed to the public:

Commencing at the Northeast corner of Tract One as described in Deed Book 5163 at Page 681 and recorded in the Buncombe County Register of Deeds Office, said point being at the intersection of Patton Avenue and South Ann Street, thence S 14° 00' 00" E, 115.00' to the Northwest corner of the existing Alley and the Point of Beginning of the Alley description. From said Beginning Point, along the northern line of said Alley and the Southern boundary lines of Tract One and Tract Two as Described in Deed Book 5163, at page 681, N 75° 14' 11" E, 101.11' to the western side of a parcel of land described in Deed Book 5155, at Page 585, Parcel 2, and recorded in said Register of Deeds and being the Northeast corner of said Alley, thence with the western boundary line of said deed and the Eastern boundary of said Alley, S 12° 49' 24" E, 12.01', thence along the northern side of the parcel described as Parcel 3 in Deed Book 5155, at Page 585 and the Southern line of said Alley, S 75° 14' 11" W, 100.86' to the Northwest corner of said Parcel 3, being at the Eastern line of South Ann Street, thence along the said line of said street, N 14° 00' 00" W, 12.00', the Point of Beginning. Said Alley containing 1,212.32 Sq. Ft. or 0.03 Acres and being a portion of the alley shown in Plat Book 8 at Page 34

and Plat Book 8 at Page 61, and recorded in Buncombe County Registry of Deeds, as prepared by Blue Ridge Land Surveying Inc., dated April 15, 2014, attached hereto as Exhibit A.

Read, approved and adopted this 27th day of May, 2014.

Margalen Boulson
City Clerk

E. A. G. M.
Mayor

Approved as to form:

Orin C. Li
City Attorney

Margalen Boulson
City Clerk

Exhibit A

