

RESOLUTION NO. 09-113

RESOLUTION DIRECTING THE CITY CLERK TO ADVERTISE AN OFFER OF PURCHASE FOR UPSET BIDS REGARDING AIRSPACE AT 51 BILTMORE AVENUE

WHEREAS, the City of Asheville owns certain property adjacent to 51 Biltmore Avenue, being the sidewalk within the right of way of Aston Street; and

WHEREAS, the City of Asheville has received an offer from McKibbon Hotel Group, Inc., party to the redevelopment of the real property at 51 Biltmore Avenue, identified as PIN # 964849357600000, to purchase air space over said real property of the City of Asheville adjacent to 51 Biltmore Avenue property in the amount of \$889 pursuant to an approved building plan; and

WHEREAS, the Real Estate Manager has estimated the value of the air space to be \$889; and

WHEREAS, North Carolina General Statutes Section 160A-269 provides for the sale of real property by negotiated offer, advertisement, and upset bids; and

WHEREAS, pursuant to N.C.G.S. 160A-273, the City has the authority to grant air rights over public right-of-way for the purpose of erecting a building or other permanent structure; and

WHEREAS, the City has no anticipated need for the property;

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

Pursuant to North General Statute Sec. 160A-269, the City Clerk is hereby directed to publish a notice of the intent of the City of Asheville to sell the real property described as air space adjacent to 51 Biltmore Avenue, PIN # 964849357600000 to McKibbon Hotel Management for \$889. The notice shall contain a general description of the property, the amount and terms of the offer and a notice that within ten days any person may raise the bid by not less than 10% of the first \$1,000 and 5% of the remainder of the purchase price of \$889.

Read and approved and adopted this 9th day of June, 2009.

Magdalen Boulson  
City Clerk

Imy M Bellum  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 09-114

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KEEN IMPRESSIONS, INC. FOR PRINT SERVICES

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 of Asheville has a need to print documents, forms and other business materials in order to provide municipal services; and

WHEREAS, the City of Asheville conducted a competitive bid process to determine the most cost effective rates for completing such print work; and

WHEREAS, the print rates set forth in the contract remain in effect for a period of three years with the exception of a fixed paper price increase of not more than 2% per year; and

WHEREAS, the amount of the Agreement is not to exceed \$175,000 and the monies have been budgeted in the City's Fiscal Year Budget in departmental line items for Copying/Duplicating.

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 on behalf of the City of Asheville with Keen Impressions, Inc., for an amount not to exceed \$175,000 for print services and further authorized to execute any change orders to said contract or documents which may arise during execution of the contract up to the budgeted amount.

Read, approved and adopted this the 9<sup>th</sup> day of June, 2009.

Magdalen Boulson  
City Clerk

Jimmy B. Kelly  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 09-115

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT FOR THE INSTALLATION OF POWER UTILITY LINES AND FACILITIES ON CITY PROPERTY ON RESERVOIR ROAD (WHITE FAWN RESERVOIR – UNITED STATES CELLULAR)

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-273 to grant easements across City property; and

WHEREAS, the City is the owner of land on which the White Fawn Reservoir (herein "Reservoir") is located; and

WHEREAS, a telecommunications tower is being constructed at the Reservoir, which requires new electrical power facilities for which an easement is needed as shown on Exhibit A, attached hereto; and

WHEREAS, the City Council has determined that the requested easement is in the public interest;

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

The Mayor be, and is hereby, authorized to execute an easement to Progress Energy across City property at the White Fawn Reservoir, the form of said easement to be approved by the City Attorney.

Read, approved and adopted this 9<sup>th</sup> day of June, 2009.

Magdalen Baulson  
City Clerk

Amir Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Baulson  
City Clerk

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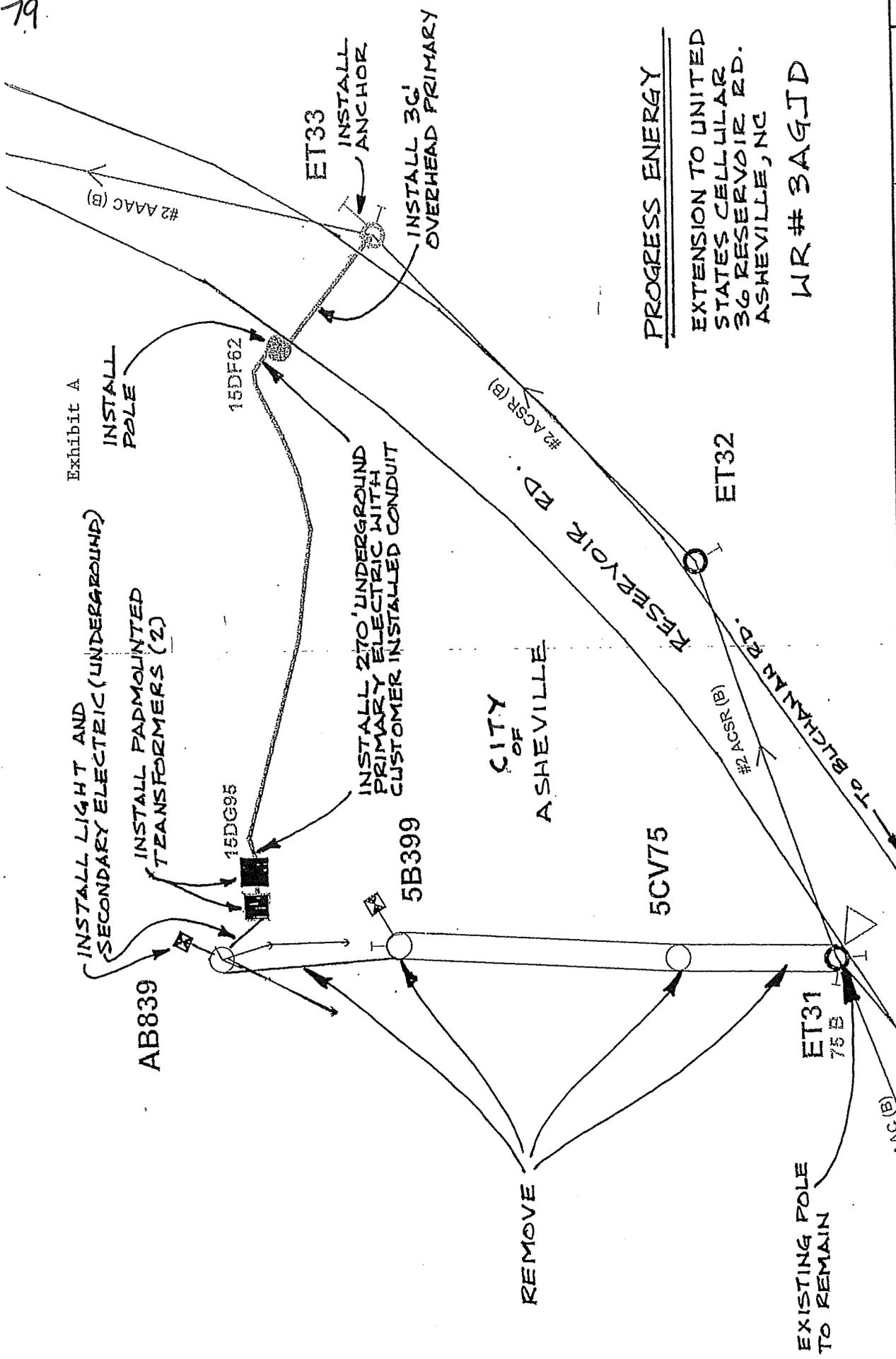
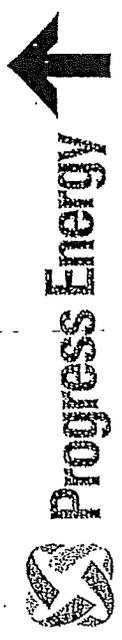


Exhibit A

**PROGRESS ENERGY**  
 EXTENSION TO UNITED STATES CELLULAR  
 36 RESERVOIR RD.  
 ASHEVILLE, NC  
 WR # 3A9JD

Address:	Drawing No:	Revision		Work Request	Svc Coord.	Sheet
		City/Town, State:				Drawn Pratt, Fred
Contact:	#2 AAC (B)	EXISTING POLE TO REMAIN		Checked Operating Center	Date 5/19/2009	of
		REMOVE				Scale NONE



A RESOLUTION 09-116  
SUPPORTING THE CITY OF ASHEVILLE BOARD OF ALCOHOLIC CONTROL'S OPERATION  
OF ABC STORES AND OPPOSING MERGER OF ABC BOARDS AND "AGENCY STORES"

WHEREAS, the citizens of Asheville voted to permit the sale of spirituous liquor through the establishment of the City of Asheville Board of Alcoholic Control, which is a part of the North Carolina's control system for the sale of spirituous liquors;

WHEREAS, Senate Bill 839/House Bill 768 (Modernization of the ABC System) would require all ABC boards in a county to merge; allow the ABC Commission to further merge county-wide boards into regional boards; require the ABC Commission to develop performance standards; and allow the ABC Commission, if a board does not meet performance standards, to close an ABC board, close ABC stores, merge boards with other boards or regional boards, contract in its name directly with agency stores for the sale of spirits where ABC stores are authorized but not in operation, and require an ABC board to contract with an agency store;

WHEREAS, an "agency store" is a private retail seller, like a grocery store, pharmacy or convenience store and the citizens of Asheville, in voting to permit the operation of ABC stores, did not vote to allow spirits to be sold in such private off-premise retail establishments;

WHEREAS, any increase in profits of the City of Asheville Board of Alcoholic Control that may be realized by merger or consolidation inures to the benefit of the local government and community and not to the State;

WHEREAS, the State does not appropriate funds for the operation of the ABC Commission or its warehouse, which are funded by spirits sales, and does not appropriate funds for local ABC Boards;

WHEREAS, Asheville desires to retain North Carolina's control system over the sales of spirits and to continue to make spirits available to its citizens only through its ABC store(s);

WHEREAS, it is a local decision to establish and operate an ABC store, and any decision to merge an ABC Board should be made by the local government, and not the State.

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

That the Council desires to maintain the operation of the City's ABC store(s) through the control system, opposes any State mandate to merge ABC Boards, and opposes agency stores.

Read and approved and adopted this 9th day of June, 2009.

Magdalen Boulison  
City Clerk

Angela Bepler  
Mayor

Approved as to form:

Russ Out  
City Attorney

Magdalen Boulison  
City Clerk

RESOLUTION NO. 09-117

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ASHEVILLE AND COUNTY OF BUNCOMBE FOR THE 2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: ADDITIONAL 2009 LOCAL SOLICITATION

WHEREAS, the JAG Program provides federal funding for law enforcement operations;

WHEREAS, the Grant apportions grant funding between city and county law enforcement operations based on a federal distribution formula; and

WHEREAS, the City and County find receiving the grant under the terms of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates each party for the services or functions under this agreement.

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

The City Manager, or his designee, is hereby authorized to apply for the additional 2009 Byrne Justice Assistance Program: Local Solicitation and execute a memorandum of understanding between the City of Asheville, NC and County of Buncombe, NC for the same.

Read, approved and adopted this 9<sup>th</sup> day of June, 2009.

Magdalen Boulson  
City Clerk

Tommy W. Butler  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 09-118

RESOLUTION TO APPROVE THE 2009 UPDATE TO THE TEN YEAR SOLID WASTE MANAGEMENT PLAN FOR THE JURISDICTIONS OF BUNCOMBE COUNTY

WHEREAS, it is a priority of this community to protect human health and the environment through safe and effective management of municipal solid waste; and

WHEREAS, better planning for solid waste will protect public health and the environment, provide for an improved solid waste management system, improve utilization of our natural resources, and control the cost of solid waste management; and

WHEREAS, NC General Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to update their ten year solid waste management plan at least every three years; and

WHEREAS, the City of Asheville was actively involved with the plan's development and will be represented throughout the planning period;

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

The Council of the City of Asheville approves and adopts the 2009 Update to the Ten Year Solid Waste Management Plan for the Jurisdictions of Buncombe County.

Read, approved and adopted this 9<sup>th</sup> day of June 2009.

Magdalen Burlison  
City Clerk

Ann M. Bell  
Mayor

Approved as to form:  
[Signature]  
City Attorney

Magdalen Burlison  
City Clerk

RESOLUTION NO. 09-119

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CURBSIDE MANAGEMENT, INC. TO PROVIDE CURBSIDE RECYCLING COLLECTION PROGRAMS AND RELATED SERVICES TO CITY OF ASHEVILLE RESIDENCES AND FACILITIES.

WHEREAS, the City of Asheville contracts with a private contractor to provide curbside recycling collection and related services to City of Asheville residences and facilities; and

WHEREAS, to remain competitive for the delivery of curbside recycling collection services, the City requested proposals; and

WHEREAS, Curbside Management, Inc., a company that has provided curbside recycling collection services to the City for the past twelve years, was the lowest responsive and responsible bidder out of three bids received; and

WHEREAS, City staff recommend that the City Council authorize the City Manager to enter into an agreement with Curbside Management, Inc, for the provision of curbside recycling collection and related services to City of Asheville residences and facilities.

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, as approved by the City Attorney, with Curbside Management, Inc. for the provision of curbside recycling collection and related services to City of Asheville residences and facilities for an annual amount not to exceed \$910,066, with pricing subject to adjustment based on the Consumer Price Index each year on July 1st.

Read, approved and adopted this 9<sup>th</sup> day of June 2009.

Magdalen Bourleson  
City Clerk

Jim Buckley  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Bourleson  
City Clerk

RESOLUTION NO. 09-120

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE 2009 FEDERAL TRANSIT ADMINISTRATION APPORTIONMENT AND AUTHORIZE THE MAYOR TO EXECUTE SAID GRANT

WHEREAS, Section 5307 authorizes Federal funding for capital and in some cases, for operating assistance, and planning activities for Transit in Urbanized areas; and

WHEREAS, The City will receive \$1,945,172 for transit operation, preventive maintenance and ADA services and miscellaneous capital items; and

WHEREAS, The City was reclassified as Urbanized Area and as part of the reclassification Henderson County Apple Transit is considered part of the same Metropolitan Area; and

WHEREAS, Henderson County will receive \$439,911 for their transit system; and

WHEREAS, the City will oversight the use of funds by Henderson County as specified in the Sub-recipient agreement; and

WHEREAS, the City has authority, pursuant to N.C.G.S. §160A-17.1, to apply for and receive grants from the Federal government and to enter into contracts for the administration of said grants.

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

City Council authorizes the City Manager to apply for the 2009 Federal Transit Administration apportionment in the amount of \$1,945,172; and the Mayor to execute said grant.

Read, approved and adopted this the 9<sup>th</sup> of June 2009.

Magdalen Boulson  
City Clerk

Amy Belleu  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk

## RESOLUTION NO. 09-121

RESOLUTION PROVIDING FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE 2009 INGLES 4<sup>TH</sup> OF JULY CELEBRATION

WHEREAS, N. C. Gen. Stat. sec. 18B-300(c) authorizes the City by ordinance to regulate or prohibit the consumption and/or possession of open containers of malt beverages and unfortified wine on the public streets and on property owned, occupied or controlled by the City, and to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Section 11-11 in the Code of Ordinances of the City of Asheville, provides that the City Council may adopt a resolution making other provisions for the possession and consumption of malt beverages and/or unfortified wine at a special event or community festival; and

WHEREAS, the City Council of the City of Asheville hereby determines that it is ~~appropriate to make other provisions for the possession and consumption of malt beverages at~~ the Ingles 4<sup>th</sup> of July Celebration;

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

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed within the Ingle's July 4<sup>th</sup> Celebration event area.

The Ingle's 4<sup>th</sup> of July Celebration event area described is as follows:  
Within the fenced boundaries of Martin Luther King, Jr. Park, as shown on Exhibit A.

2. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed for the Ingle's 4<sup>th</sup> of July Celebration on Saturday, July 4, 2009 from 4:00 PM – 10:00 PM.
3. The possession of and consumption from open containers of malt beverages and/or unfortified wine allowed hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic cups or aluminum cans. Possession of and/or consumption from glass containers of malt beverages and/or unfortified wine are not allowed anywhere in the Ingle's 4<sup>th</sup> of July Celebration event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be allowed in the Ingle's 4<sup>th</sup> of July Celebration event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

- 4. The location of the Ingle's 4<sup>th</sup> of July Celebration, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine are allowed shall be designated by the posting of signs in the Festival area.

Read, approved and adopted this 9<sup>th</sup> day of June 2009.

Magdalen Burlington  
City Clerk

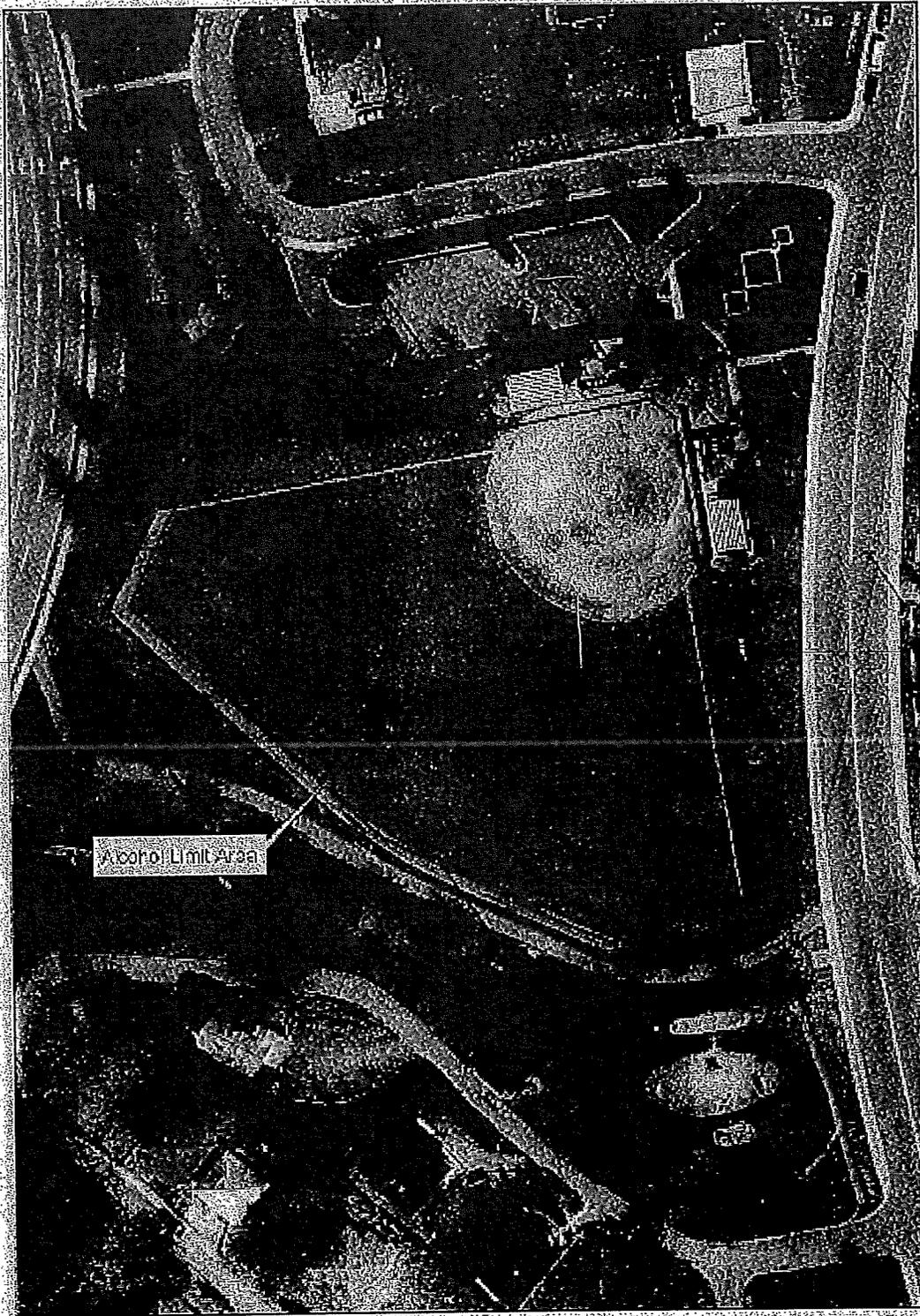
Jim Bellamy  
Mayor

Approved as to form:

RW Seal  
City Attorney

Magdalen Burlington  
City Clerk

2009 Ingle's 4<sup>th</sup> of July Celebration Alcohol Area



Martin Luther King, Jr. Park

## RESOLUTION NO. 09-122

## RESOLUTION PROVIDING FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE 2009 BELE CHERE FESTIVAL

WHEREAS, N. C. Gen. Stat. sec. 18B-300(c) authorizes the City by ordinance to regulate or prohibit the consumption and/or possession of open containers of malt beverages and unfortified wine on the public streets and on property owned, occupied or controlled by the City, and to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Section 11-11 in the Code of Ordinances of the City of Asheville, provides that the City Council may adopt a resolution making other provisions for the possession and consumption of malt beverages and/or unfortified wine at a special event or community festival; and

WHEREAS, the City Council of the City of Asheville hereby determines that it is appropriate to make other provisions for the possession and consumption of malt beverages at the 2009 Bele Chere Festival;

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

The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed within the 2009 Bele Chere Festival area, as shown on Exhibit A, except for the locations set forth hereinafter.

1. The 2009 Bele Chere Festival area is described as follows:

BEGINNING at Pack Square going south along the eastern margin of the sidewalk on the eastern side of Biltmore Avenue to its intersection with an extension of the northern margin of the sidewalk on the northern side of Hilliard Avenue;

thence westerly with said extension, crossing the sidewalk on the eastern side of Biltmore Avenue, Biltmore Avenue, and the sidewalk on the western side of Biltmore Avenue and continuing with the southern margin of the sidewalk on the northern side of Hilliard Avenue to its intersection with the eastern margin of the sidewalk on the eastern side of Lexington Avenue;

thence westerly with an extension of the southern margin of the sidewalk on the southern side of Aston Street, crossing the sidewalk and the eastern side of Lexington Avenue, Lexington Avenue and the sidewalk on the western side of Lexington Avenue to its intersection with the western margin of the sidewalk on the western side of Lexington Avenue;

thence northerly along the western margin of the sidewalk on the western side of Lexington Avenue to its intersection with the southern boundary of the parking lot owned by the property owners of the Drhumor Building (which parking lot is bounded on the east by Lexington Avenue, on the north by Patton Avenue and on the west by Church Street)-, thence westerly along the southern boundary of said parking lot to the intersection of its boundary line with the eastern margin of the sidewalk on the eastern side of Church Street;

thence westerly, continuing along an extension of the southern boundary line of said parking lot to the intersection of said extension with the western margin of the sidewalk on the western side of Church Street;

thence northerly with the western margin of the sidewalk on the western side of Church Street to its intersection with the southern margin of the sidewalk on the southern side of Commerce Street;

thence westerly with the southern margin of the sidewalk on the southern side of Commerce Street to its intersection with the eastern margin of the sidewalk on the eastern side of Coxe Avenue;

thence southerly along the eastern margin of the sidewalk on the eastern side of Coxe Avenue to its intersection with the northern margin of the pavement of Hilliard Avenue;

thence westerly with the northern margin of the pavement on Hilliard Avenue, crossing Coxe Avenue, to its intersection with the eastern margin of the pavement of Ashland Avenue;

thence continuing westerly with an extension of the northern margin of the pavement on Hilliard Avenue to its intersection with the western margin of the sidewalk on the western side of Ashland Avenue;

thence northerly with the western margin of the sidewalk on the western side of Ashland Avenue to its intersection with the southern margin of the sidewalk on the southern side of Patton Avenue;

thence westerly with the southern margin of the sidewalk on the southern side of Patton Avenue to its intersection with an extension of the western margin of the sidewalk on the western side of Otis Street;

thence northerly with said extension and with the western margin of the sidewalk on the western side Otis Street, crossing the sidewalk on the southern side of Patton Avenue, Patton Avenue and the sidewalk on the northern side of Patton Avenue, to its intersection with an extension of the northern margin of the sidewalk on the northern side of Battery Park Avenue;

thence easterly with said extension and continuing with the northern margin of the sidewalk on the northern side of Battery Park Avenue, crossing Otis Street and the sidewalks on both sides of it, O'Henry Avenue and the sidewalks on both sides of it and Page Avenue and the sidewalks on both sides of it, to its intersection with the western margin of the sidewalk on the western side of

Haywood Street;

thence northerly with the western margin of the sidewalk on the western side of Haywood Street to its intersection with an extension of the southern margin of the sidewalk on the northern side of Page Avenue;

thence easterly with said extension, crossing Haywood Street and the sidewalks on both sides of it, to its intersection with the eastern margin of the sidewalk on the eastern side of Haywood Street;

thence southerly with the eastern margin of the sidewalk on the eastern side of Haywood Street to its intersection with the northern margin of the sidewalk on the northern side of Walnut Street;

thence easterly with the northern margin of the sidewalk on the northern side of Walnut Street, crossing Rankin Avenue, Lexington Avenue, Broadway, and the sidewalks on both sides of those Avenues and Street to its intersection with the eastern margin of the sidewalk on the eastern side of Broadway;

thence continuing south on Broadway to Pack Square and place of BEGINNING.

- 2. The possession of and consumption from open containers of malt beverages and unfortified wine allowed hereinabove shall be limited to malt beverages and/or unfortified wine contained in unbreakable plastic cups and/or aluminum cans.

Possession of and/or consumption from glass or can containers of malt beverages and/or unfortified wine are not allowed anywhere in the 2009 Bele Chere Festival area and no other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be allowed in the 2009 Bele Chere Festival area or elsewhere in the City of Asheville as prohibited by Section 11-11 of the Code of Ordinances of the City of Asheville.

- 3. The possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall only be allowed in the 2009 Bele Chere Festival area, as described hereinabove, during the following hours of the 2009 Bele Chere Festival:

Friday, July 24, 2009, from 12:00 Noon to 10:00 p.m.  
Saturday, July 25, 2009, from 10:00 a.m. to 10:00 p.m.

There will be no sales and/or consumption of malt beverages and/or unfortified wine permitted on Sunday July 26, 2009.

- 4. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed in the 2009 Bele Chere Festival area, as described hereinabove only for those individuals who have purchased a wristband from the 2009 Bele Chere Festival at designated 2009 Bele Chere Festival booths. Proper identification shall be required to show that the individual purchasing the wristband is of lawful age to possess malt beverages and/or unfortified wine within the 2009 Bele Chere

Festival area. Purchase and display of a different colored wristband is required for each day of the 2009 Bele Chere Festival.

- 5. The possession of personal coolers of any shape, size or form shall not be allowed in the 2009 Bele Chere Festival area, as described hereinabove.
- 6. The areas in the 2009 Bele Chere Festival area where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine are allowed or prohibited and where possession of personal coolers are prohibited as set forth herein shall be designated by the posting of signs in the 2009 Bele Chere Festival area.

Read, approved and adopted this 9<sup>th</sup> day of June 2009.

Magdalen Bourleson  
City Clerk

Angie Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Bourleson  
City Clerk



## RESOLUTION NO. 09-123

RESOLUTION URGING STATE LAWMAKERS TO REDUCE CUTS IN PUBLIC  
EDUCATION FUNDING IN THE 2009 BIENNIAL STATE BUDGET

WHEREAS, the State of North Carolina is experiencing financial problems of historic proportions, resulting in reductions of funding for many government programs; and

WHEREAS, in response to anticipated budget cuts, public school systems across the State are eliminating teacher staff positions and increasing class size; and

WHEREAS, our State leaders continue to spend limited resources on non-essential services that have a direct impact on the education budget; and

WHEREAS, local school systems are being required to provide additional math and science instruction, but are not provided with funds to hire the necessary personnel; and

WHEREAS, a quality public education program is important to the State's future, and essential to the well-being of its population; and

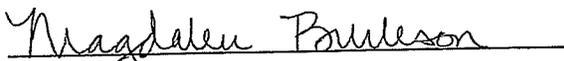
WHEREAS, a well-educated work force will be a key component of sustained economic recovery, and will buffer the State from the effects of future economic downturns; and

WHEREAS, competent elementary and high school teachers and assistants, together with manageable class sizes and sufficient resources, are the foundation of a quality public education program;

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

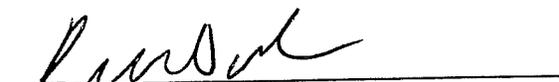
The Governor and the State legislature are hereby respectfully urged to minimize projected cuts in funding for public education programs in the 2009 biennial budget so as to reduce teacher job loss, preserve manageable class size, and ensure the continued availability of quality public education in North Carolina.

Read, approved and adopted this 9<sup>th</sup> day of June, 2009.

  
City Clerk

  
Mayor

Approved as to form:

  
City Attorney

  
City Clerk