

RESOLUTION NO. 16- 191

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF ASHEVILLE A ONE YEAR CONTRACT EXTENSION WITH RIVERTOP CONTRACTING, INC. FOR THE PROJECT KNOWN AS DOWNTOWN CLEANING, CITY OF ASHEVILLE PROJECT # DC-16-01

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 Downtown Cleaning, City of Asheville Project # DC-16-01; and

WHEREAS, Rivertop Contracting, Inc. of Swannanoa, NC has satisfactorily worked the current contract and

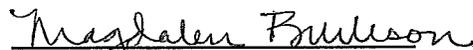
WHEREAS, the project involves the pressure washing of City owned sidewalks and removal of undesirable vegetation from City owned sidewalks, tree grates and curblines in the Central Business District; and

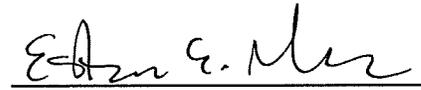
WHEREAS, the bids have been reviewed by the Capital Projects Management Division and the City's MB plan representative with all officers recommending approval of the bid;

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

The City Manager is hereby authorized to execute on behalf of the City of Asheville a one year contract extension in the amount of \$250,026.00 plus a contingency of 15% (\$37,504) with Rivertop Contracting Inc. for the project known as Downtown Cleaning, City of Asheville Project # DC-16-01. The City Manager is also authorized to execute any change orders to said contract which may arise during the execution of said project up to the budgeted amount of \$300,000.

Read, approved and adopted this the 9th day of August 2016.


City Clerk


Mayor

Approved as to form:


City Attorney

RESOLUTION NO. 16-192

RESOLUTION AUTHORIZING CITY MANAGER TO ACQUIRE AND ACCEPT AN EASEMENT NEEDED TO INSTALL TWO TRAFFIC SIGNAL POLES FOR A TRAFFIC LIGHT AT VICTORIA ROAD AND FERNIHURST DRIVE FROM BUNCOMBE COUNTY

WHEREAS, the City of Asheville (City) is authorized pursuant to N.C. General Statutes, Sec. 160A-240.1 to acquire the fee or any lesser interest in real property by gift, grant, bequest or any other lawful method; and

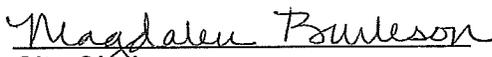
WHEREAS, in order to install traffic control improvements at the intersection of Victoria Road and Fernihurst Drive, the City needs to obtain an easement from the property owner, Buncombe County; and

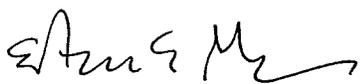
WHEREAS, Buncombe County approved the conveyance of this easement to the City of Asheville in a formal meeting of the Board of Commissioners on August 2, 2016;

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

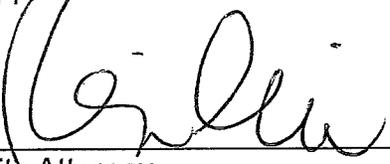
The City Manager be and is hereby authorized to execute any and all documents to acquire by gift, grant, device, exchange or otherwise, the utility easement needed for the traffic improvements at Victoria Road and Fernihurst Drive that falls within the meaning and intent of this authorization. The City Manager is further authorized to execute any and all documents necessary to give effect to this resolution, subject to approved by the City Attorney.

Read, approved and adopted this 9th day of August, 2016.


City Clerk


Mayor

Approved as to form:


City Attorney

RESOLUTION AUTHORIZING THE MAYOR TO ADOPT THE BUNCOMBE MADISON REGIONAL HAZARD MITIGATION PLAN

WHEREAS, The City of Asheville is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the City of Asheville desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the City of Asheville to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the City of Asheville to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the City of Asheville); and

WHEREAS, The City of Asheville in coordination with Buncombe County, Madison County, and the participating municipalities within those counties, has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials; and

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the Buncombe Madison Regional Hazard Mitigation Plan for legislative compliance and has approved the plan pending the completion of local adoption procedures;

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

The Mayor is hereby authorized to sign on behalf of the City Council of The City of Asheville and hereby:

1. Adopts the Buncombe Madison Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Read, approved and adopted this 9th day of August, 2016.

Magdalena Burdison
City Clerk

Steve G. Mark
Mayor

Approved as to form:
[Signature]
City Attorney

RESOLUTION NO. 16- 194

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ON A CONTRACT WITH PATTON CONSTRUCTION GROUP, INC.. FOR THE PROJECT KNOWN AS CONCRETE MAINTENANCE AND ADA IMPROVEMENTS FISCAL YEAR 2017

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 Concrete Maintenance and ADA Improvements FY17, City of Asheville Project # ST-16-17-001; and

WHEREAS, Patton Construction Group Inc. from Arden, NC was the lowest responsible bidder for the project, in the amount of \$184,900.00, and

WHEREAS, the project involves the Repair of Concrete Infrastructure that has Been Damaged or is in Need of Maintenance; and

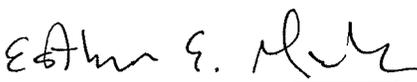
WHEREAS, the bids have been reviewed by the Capital Projects Management Division and the City's MB plan representative with all officers recommending approval of the bid;

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

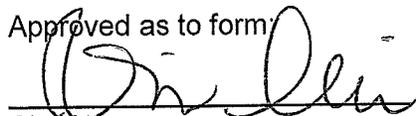
The City Manager is hereby authorized to execute on behalf of the City of Asheville a contract in the amount of \$184,900 with Patton Construction Group Inc. for the project known as Concrete Maintenance and ADA Improvements, FY 17, City of Asheville Project # ST-16-17-001. The City Manager is also authorized to execute any change orders to said contract which may arise during the execution of said project up to the budgeted amount of \$200,000.

Read, approved and adopted this the 9th day of August, 2016.


City Clerk


Mayor

Approved as to form:


City Attorney

RESOLUTION NO. 16-195

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF ASHEVILLE TO FUND AND CONTINUE THE APD PUBLIC HOUSING UNIT.

WHEREAS, pursuant to N.C.G.S. §160A-461, any unit of local government and any other units of local government in this State may enter into agreements with each other in order to execute any undertaking; and

WHEREAS, the City and the Housing Authority of the City of Asheville desire to enter into an agreement to have the Asheville Police Department provide officers for the increased security and safety of the Authority's properties; and

WHEREAS, the Authority will be responsible for funding 4 officers for the unit which includes salary and benefits; and

WHEREAS, additional 5 officers to the public housing policing unit will be funded by the City to fully staff the ; and

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

The City Manager is hereby authorized to enter into an agreement on behalf of the City of Asheville with the Asheville Housing Authority to continue the APD Public Housing Unit, subject upon approval by the City Attorney's Office.

Read, approved and adopted this the 9th day of August, 2016.

Magdalena Boulson
CITY CLERK

Esther G. Mark
MAYOR

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

RESOLUTION APPROVING FUNDING FOR THE CENTER FOR CRAFT, CREATIVITY & DESIGN TO FUND AN ARTSPACE MARKET AND FEASIBILITY ANALYSIS

WHEREAS, The City of Asheville recognizes the contribution of artists and the creative economy as key contributors to the viability and livability of the City; and

WHEREAS, The Center for Craft, Creativity & Design (CCCD) is a nationally recognized 501(c)(3) organization based in downtown Asheville, with the mission to advance the understanding of craft by encouraging and supporting research, critical dialogue, and professional development; and

WHEREAS, Artspace is a national nonprofit real estate developer that specializes in creating, owning, and operating affordable housing and studio space for artists and creative sector businesses; and

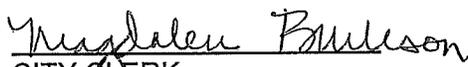
WHEREAS, CCCD proposes to contract with Artspace to conduct a market analysis and feasibility study that will assess the need for and available resources for affordable artist housing and workspace in Asheville; and

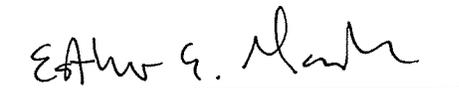
WHEREAS, CCCD has provided evidence of a strong partnership of community-based organizations and committed individuals who are supporting this effort with their time and financial resources;

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

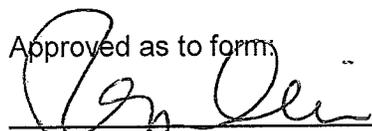
1. The Asheville City Council hereby approves funding in the amount of \$25,000 to the Center for Craft, Creativity & Design for the purpose of engaging Artspace to conduct a Market and Feasibility Analysis;
2. The City Manager is hereby authorized to execute a contract with CCCD for this purpose, subject to the approval of the City Attorney.

Read, approved and adopted this 9th day of August, 2016.


CITY CLERK


MAYOR

Approved as to forms


CITY ATTORNEY

RESOLUTION 16-197

RESOLUTION SETTING A SPECIAL BOND REFERENDUM AND DIRECTING THE PUBLICATION OF NOTICE OF A SPECIAL BOND REFERENDUM AND NOTIFICATION OF THE BUNCOMBE COUNTY BOARD OF ELECTIONS

WHEREAS, the City Council of the City of Asheville, North Carolina has adopted the following bond orders and such bond orders should be submitted to the voters of the City of Asheville, North Carolina for their approval or disapproval in order to comply with the constitution and laws of North Carolina:

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$32,000,000 GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF ASHEVILLE, NORTH CAROLINA;”

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$25,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF ASHEVILLE, NORTH CAROLINA;” and

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$17,000,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE CITY OF ASHEVILLE, NORTH CAROLINA;”

NOW, THEREFORE, be it resolved by the City Council (the “*City Council*”) of the City of Asheville, North Carolina, as follows:

(1) For the purpose of determining the question whether the qualified voters of the City of Asheville, North Carolina shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Transportation Bonds of the City authorized by said bond order, which indebtedness shall be secured by a pledge of the City’s full faith and credit and (b) the levy of a tax for the payment thereof, said bond order shall be submitted to the qualified voters of said City at a special bond referendum to be held in said City on November 8, 2016.

(2) For the purpose of determining the question whether the qualified voters of the City of Asheville, North Carolina shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Housing Bonds of the City authorized by said bond order, which indebtedness shall be secured by a pledge of the City’s full faith and credit and (b) the levy of a tax for the payment thereof, said bond order shall be submitted to the qualified voters of said City at a special bond referendum to be held in said City on November 8, 2016.

(3) For the purpose of determining the question whether the qualified voters of the City of Asheville, North Carolina shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Parks and Recreation Bonds of the City authorized by said bond order, which indebtedness shall be secured by a pledge of the City’s full faith and credit and (b) the levy of a tax for the payment thereof, said bond order shall be submitted to the qualified voters of said City at a special bond referendum to be held in said City on November 8, 2016.

(4) The City Clerk is hereby authorized and directed to publish a notice of said referendum which shall be in substantially the form entitled “**CITY OF ASHEVILLE, NORTH CAROLINA NOTICE OF SPECIAL BOND REFERENDUM,**” attached hereto. Said notice of referendum shall be published at least twice. The first publication shall be not less than 14 days, and the second publication shall be not less than 7 days before the last day on which voters may register for the special bond referendum.

(5) The Buncombe County Board of Elections is hereby requested to print and distribute the necessary ballots and to provide the equipment for the holding of said referendum and to conduct and to supervise said referendum.

(6) The ballots to be used at said referendum shall contain the following words:

“SHALL the order authorizing \$32,000,000 of bonds plus interest to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; acquiring, constructing, extending and improving greenways, providing related landscaping, retaining walls, storm drainage and any other necessary improvements; and the acquisition of land and rights-of-way in land required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”;

with squares labeled **“YES”** and **“NO”** beneath or beside such words in which squares the voter may record his or her choice on the question presented; and

“SHALL the order authorizing \$25,000,000 of bonds plus interest to provide funds to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto, and the relocation of City facilities to make land available for the construction of housing for persons of low income, or moderate income, or low and moderate income, and the acquisition of land and rights-of-way required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”;

with squares labeled **“YES”** and **“NO”** beneath or beside such words in which squares the voter may record his or her choice on the question presented; and

“SHALL the order authorizing \$17,000,000 of bonds plus interest to provide funds to pay the capital costs of infrastructure improvements for various parks and recreation facilities of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing storm drainage, grade and surface improvements, construction, reconstruction and improvements of recreation fields; construction, reconstruction and improvements of restroom facilities; sidewalks, bike paths and pedestrian trails; paving, resurfacing, grading or improving parking lots, roads and intersections, providing public open space, landscaping and lighting, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor, and

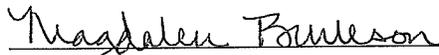
providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?";

with squares labeled "YES" and "NO" beneath or beside such words in which squares the voter may record his or her choice on the question presented;

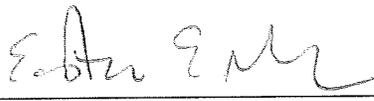
(7) The City Clerk shall mail or deliver a certified copy of this resolution to the Buncombe County Board of Elections within three days after this resolution is adopted.

BE IT FURTHER RESOLVED that this Resolution shall become effective on the date of its adoption.

Read, approved and adopted this 9th day of August, 2016.

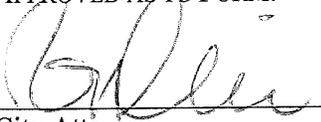


City Clerk



Mayor

APPROVED AS TO FORM:



City Attorney

**CITY OF ASHEVILLE, NORTH CAROLINA
NOTICE OF SPECIAL BOND REFERENDUM**

NOTICE IS HEREBY GIVEN of intention of the undersigned to call for a referendum on November 8, 2016, to approve the issuance of bonds of the City of Asheville, North Carolina which shall be for the following purposes and in the following maximum amount.

\$32,000,000 of bonds to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; acquiring, constructing, extending and improving greenways, providing related landscaping, retaining walls, storm drainage and any other necessary improvements; and the acquisition of land and rights-of-way in land required therefor;

\$25,000,000 of bonds to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto, and the relocation of City facilities to make land available for the construction of housing for persons of low income, or moderate income, or low and moderate income, and the acquisition of land and rights-of-way required therefor; and

\$17,000,000 of bonds to provide funds to pay the capital costs of infrastructure improvements for various parks and recreation facilities of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing storm drainage, grade and surface improvements, construction, reconstruction and improvements of recreation fields; construction, reconstruction and improvements of restroom facilities; sidewalks, bike paths and pedestrian trails; paving, resurfacing, grading or improving parking lots, roads and intersections, providing public open space, landscaping and lighting, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor.

A tax sufficient to pay the principal of and interest on said bonds when due will be annually levied and collected. At said referendum the questions shall be stated whether the order authorizing bonds for each of the purposes stated above shall be approved. The last day for registration for the referendum is October 14, 2016.

CITY OF ASHEVILLE, NORTH CAROLINA

/s/ Magdalen Burleson

City Clerk
City of Asheville, North Carolina

RESOLUTION NO. 16-198

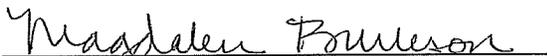
RESOLUTION APPOINTING A MEMBER TO THE SUSTAINABILITY ADVISORY
COMMITTEE ON ENERGY & THE ENVIRONMENT

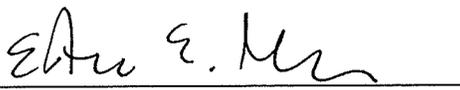
WHEREAS, Mr. Lawrence Pittman has resigned from the Sustainability Advisory Committee on Energy & the Environment, thus leaving an unexpired term until December 31, 2018;

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

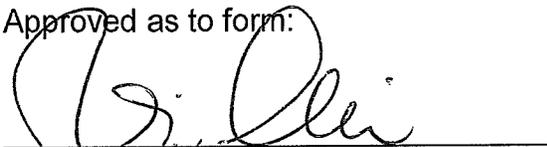
Ms. Bridget Herring, 35 Erskine Avenue, Asheville, N.C., be and she is hereby appointed as a member to the Sustainability Advisory Committee on Energy & the Environment, to serve the unexpired term of Mr. Pittman, term to expire December 31, 2018, or until her successor has been appointed.

Read, approved and adopted this 9th day of August, 2016.


CITY CLERK


MAYOR

Approved as to form:


CITY ATTORNEY

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE CLIPS BEER & FILM TOUR ON THE DATE OF FRIDAY, AUGUST 26, 2016, FROM 6:30 PM – 10:00 PM

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 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 to make other provisions for the possession of malt beverages and/or unfortified wine at the Clips Beer & Film Tour.

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 Clips Beer & Film Tour event area, as set forth in Exhibit A, attached.

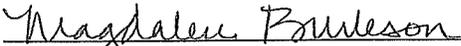
The Clips Beer & Film Tour event area is within the boundaries of the Roger McGuire Green, Reuter Terrace, Raised Lawn, Vance Median and streets of North and South Pack Square between Broadway and Market Street at Pack Square Park, Court Plaza Parking Lot, and Spruce Street between the intersections of Court Plaza and College Street.

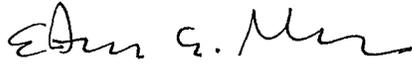
2. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed for the Clips Beer & Film Tour on Friday, August 26, 2016 from 6:30 p.m. – 10:00 p.m.
3. The possession of and consumption from open containers 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 Clips Beer & Film Tour 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 Clips Beer & Film Tour 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 Clips Beer & Film Tour, 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 event area.

Read, approved and adopted this 9th day of August, 2016.


CITY CLERK


MAYOR

Approved as to form:

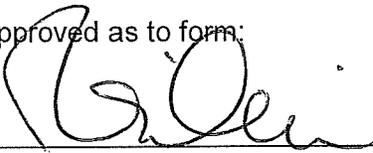
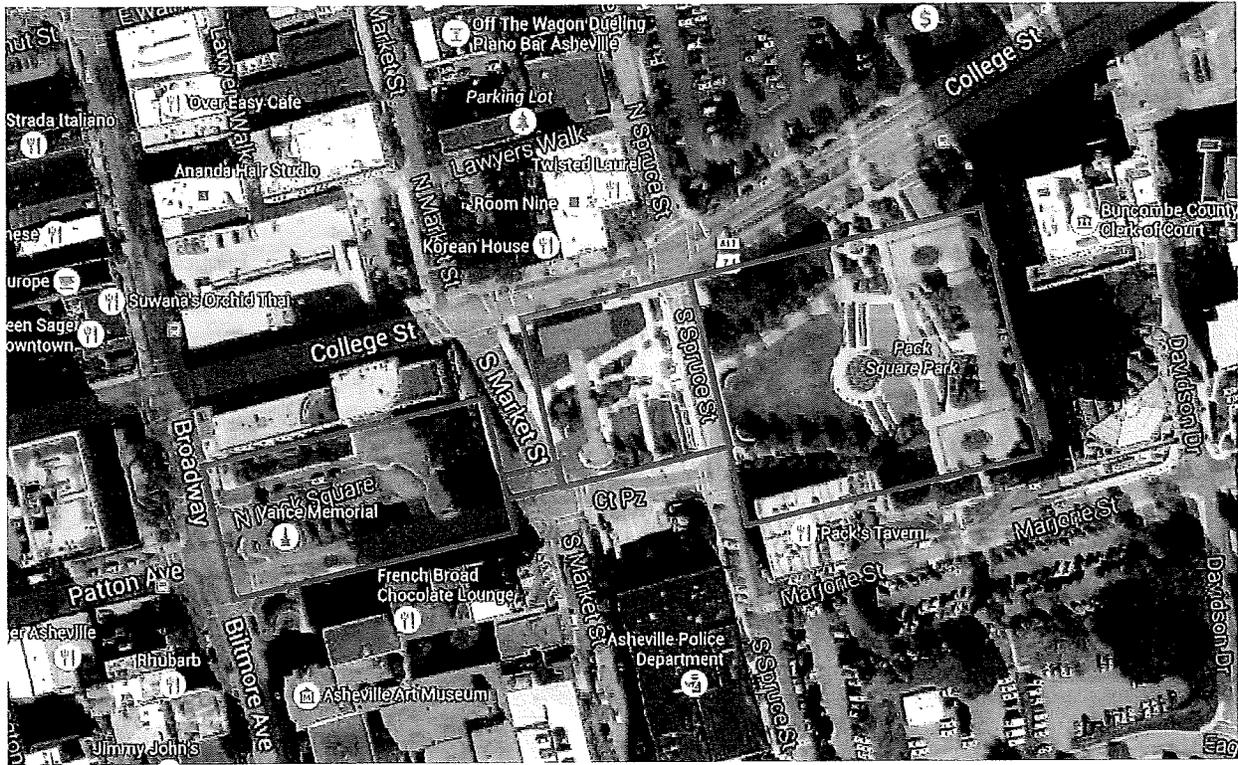

CITY ATTORNEY

EXHIBIT A



RESOLUTION NO. 16- 200

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE BREWGRASS FESTIVAL ON THE DATE OF SATURDAY, SEPTEMBER 17, 2016, FROM 1:00 PM – 7:00 PM

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 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 to make other provisions for the possession of malt beverages and/or unfortified wine at the Beer City Festival.

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

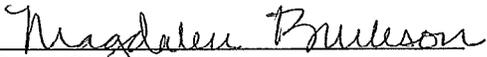
1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed within the Brewgrass event area, as set forth in Exhibit A, attached.

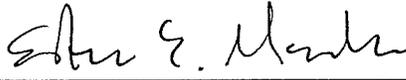
The Brewgrass Festival event area is within the boundaries of Memorial Stadium including a fenced extension onto adjacent City property.

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 Brewgrass Festival on Saturday, September 17, 2016 from 1:00 PM – 7:00 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 Brewgrass Festival 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 Brewgrass Festival 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 Brewgrass Festival, 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 event area.

Read, approved and adopted this 9th day of August, 2016.


CITY CLERK


MAYOR

Approved as to form:

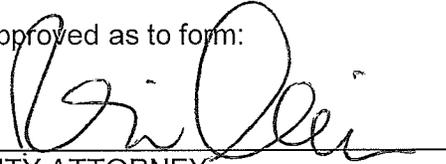
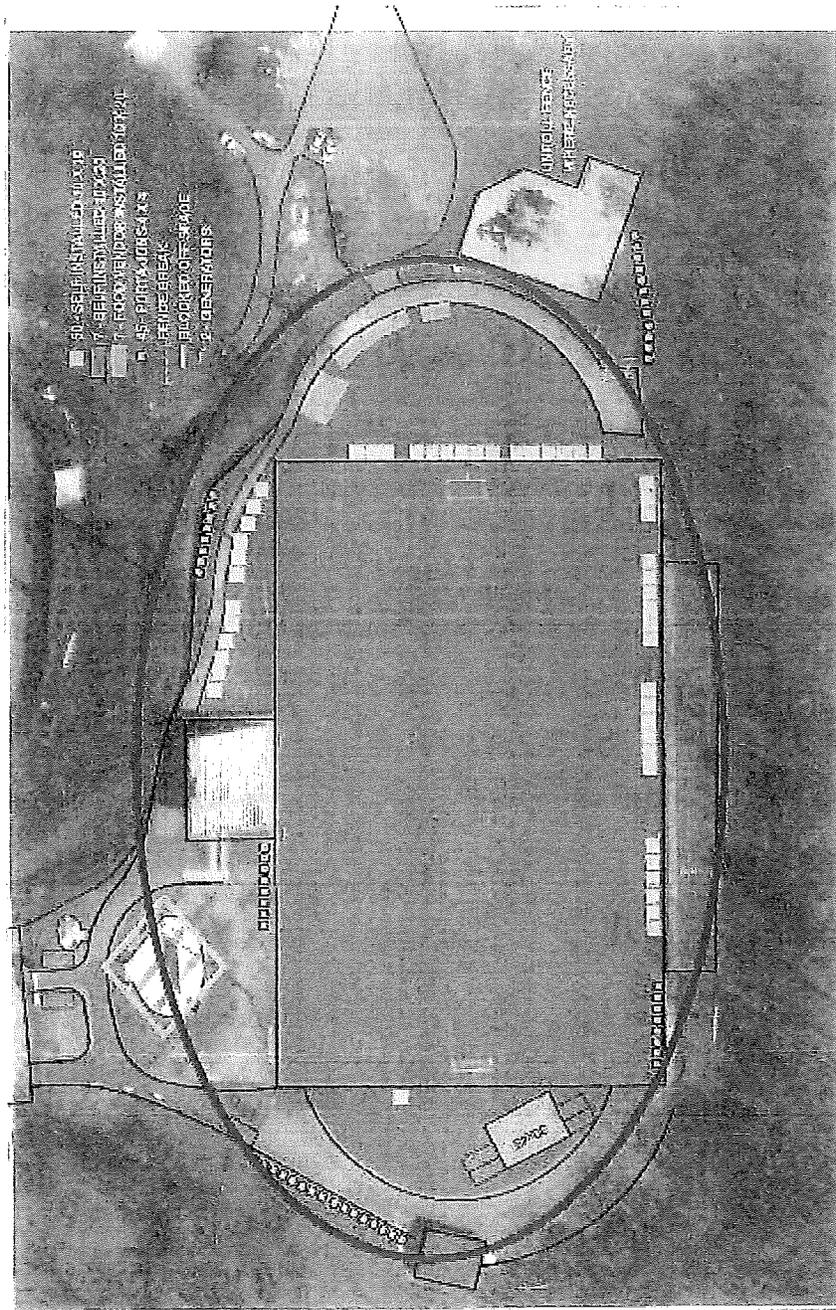

CITY ATTORNEY

EXHIBIT A



RESOLUTION NO. 16- 201

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT RIVERMUSIC ON THE DATES OF FRIDAY, SEPTEMBER 9, 2016, AND FRIDAY, OCTOBER 7, 2016, FROM 5:00 PM – 10:00 PM

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 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 to make other provisions for the possession of malt beverages and/or unfortified wine at RiverMusic.

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

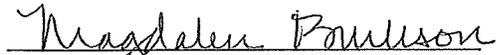
1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed within the RiverMusic event area, as set forth in Exhibit A, attached.

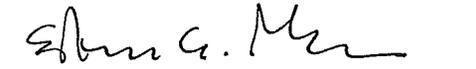
The RiverMusic event area is within the boundaries of Carrier Park's interior track field, located at 220 Amboy Road.

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 RiverMusic on Friday, September 9 and Friday, October 7, 2016 from 5:00 p.m. – 10:00 p.m.
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 RiverMusic 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 RiverMusic 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 RiverMusic, 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 event area.

Read, approved and adopted this 9th day of August, 2016.


CITY CLERK


MAYOR

Approved as to form:

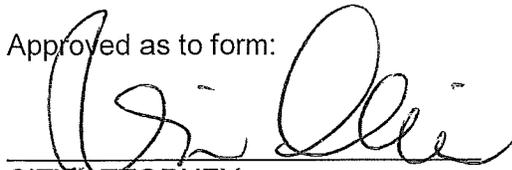

CITY ATTORNEY

EXHIBIT A

