

RESOLUTION REGARDING THE I-26 CONNECTOR

WHEREAS, the I-26 and I-240 corridors are critical to local and regional residents, visitors, interstate travelers, and regional commerce; and

WHEREAS, Alternatives 4 and 4B were the alternatives most strongly supported by the residents of Asheville and endorsed by City Council;

WHEREAS, the selection of Alternate 4B selection will put the interstate on a new location from the Patton Avenue interchange across the French Broad River, just north of the Captain Jeff Bowen bridges, and connect with U.S. 19/23/70; and

WHEREAS, the selection of Alternate 4B will return Patton Ave to a surface street, allowing the opportunity to create a new gateway into downtown and a truly urban, multi-modal boulevard with new, infill development – all of which will help Asheville grow sustainably and create opportunities for economic investment and development; and

WHEREAS, this alternative has the least amount of impact on the Burton Street community and would provide the opportunity for a new connection from Hillcrest directly to Patton Ave; and

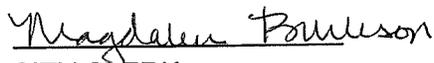
WHEREAS, this decision will help ensure the project provides benefits to the residents of Asheville in addition to those travelling through our city; and

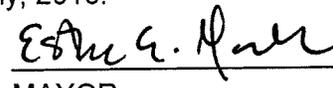
WHEREAS, there are still improvements needed to make this project context and neighborhood sensitive and to ensure it aligns with the City of Asheville's strategic vision and goals, including making the footprint as small as possible, minimizing the noise and visual impacts on all Asheville neighborhoods and historic resources, designing new bridges that will contribute to Asheville's scenic beauty, including more bike/pedestrian facilities, and maintaining accessibility to and the scenic nature of the French Broad River as an amenity for residents and visitors; and

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

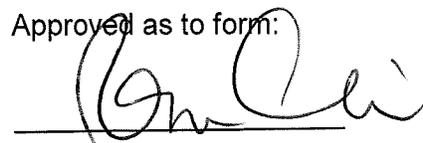
The City of Asheville is grateful to the North Carolina Department of Transportation and other state and federal agencies for responding to public input and selecting the Alternate 4B option in section B of the I-26 Connector project; and the City of Asheville looks forward to continuing the positive working relationship between the city's working group and NCDOT to address the remaining issues, and looks forward to positive decisions emerging from those discussions that will continue to improve the project for the residents of Asheville.

Read and approved and adopted this 5th day of July, 2016.


CITY CLERK


MAYOR

Approved as to form:


CITY ATTORNEY

RESOLUTION NO. 16-164

RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND A CONTRACT WITH BREKFORD, INC. FOR PARKING CITATION MANAGEMENT SERVICES

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A- 20.1 of the North Carolina General Statutes to enter into contracts for services with private entities; and

WHEREAS, parking citation management services are needed in the City's enforcement program; and

WHEREAS, the City previously entered into a general services contract with Brekford Inc. in April 2013 to provide parking citation management services to the City for \$200,000 over three years and two months, with the contract expiring on June 30, 2016 (see Resolution No. 13-62); and

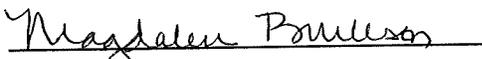
WHEREAS, the City would like to amend the contract with Brekford, Inc. to extend the contract term for up to an additional two years and \$140,000; and

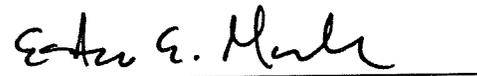
WHEREAS, the necessary funds for this amendment are already budgeted in the Parking Services' Operating Budget for FY 2016-17;

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

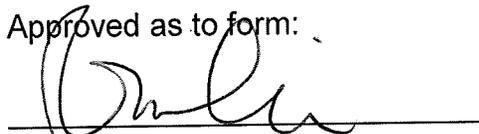
The City Manager is hereby authorized to amend a contract on behalf of the City of Asheville with Brekford, Inc. to extend the contract term for up to an additional two years and increase the contract amount by \$140,000 (not to exceed \$70,000 per fiscal year), for parking citation management services.

Read, approved and adopted this the 5th day of July, 2016.


City Clerk


Mayor

Approved as to form:


City Attorney

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL ENGINEERING SERVICES SUPPLEMENTAL AGREEMENT WITH CAVANAUGH & ASSOCIATES, P.A., FOR THE NON-REVENUE WATER PROGRAM PHASE II

WHEREAS, pursuant to N.C.G.S. § 160A-312, the City of Asheville has authority to operate a public enterprise; and

WHEREAS, pursuant to N.C.G.S. § 160A-20.1, the City of Asheville may enter into contracts with private entities to carry out any public purpose the City is authorized to engage in; and

WHEREAS, Cavanaugh & Associates, PA, was one of nine firms selected by Staff via a Request for Qualifications (RFQ) process to perform On-call Professional Engineering Services for General Projects; and

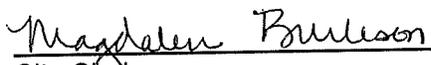
WHEREAS, the City of Asheville entered into a Master Agreement with Cavanaugh & Associates, PA, on April 21, 2015, for On-Call Professional Services for General Projects; and

WHEREAS, the Professional Engineering Services for the Non-Revenue Water (NRW) Program Phase II Project will be part of a Supplemental Agreement under aforesaid Master Agreement with Cavanaugh & Associates, PA, for the not-to-exceed amount of \$321,728.50.

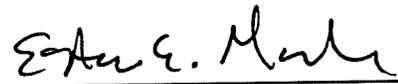
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager, on behalf of the City of Asheville, is hereby authorized to execute a professional engineering services supplemental agreement with Cavanaugh & Associates, P.A., for the Non-revenue Water (NRW) Program Phase II for the not-to-exceed amount of \$321,728.50 and further authorized to execute any change orders to said contract or documents which may arise during said project up to the budgeted amount.

Read, approved and adopted this 5th day of July, 2016.

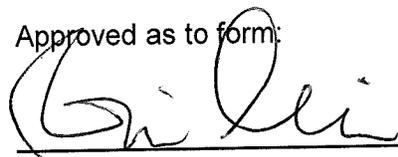


City Clerk



Mayor

Approved as to form:



City Attorney

RESOLUTION 16-166

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE, NORTH CAROLINA DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS

WHEREAS, pursuant to the Local Government Bond Act, Article 4 of Section 159 of the North Carolina General Statutes, the City Council (the "*City Council*") of the City of Asheville, North Carolina (the "*City*") is considering the issuance of general obligation bonds of the City which shall be for the following purposes and in the following maximum amounts:

\$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 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.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City Clerk is hereby directed to cause a copy of the "NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS" to be published in a newspaper of general circulation in the City on or about July 7, 2016.

Read, approved and adopted this 5th day of July, 2016.

Magdalen Foulson
City Clerk

E. Ann. Hall
Mayor

APPROVED AS TO FORM:

G. O. Li
City Attorney

RESOLUTION 16-167

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE, NORTH CAROLINA
AUTHORIZING THE CHIEF FINANCIAL OFFICER TO APPLY TO THE LOCAL GOVERNMENT
COMMISSION FOR APPROVAL OF THE CITY'S PROPOSED GENERAL OBLIGATION BONDS AND TO
SUBMIT SUCH APPLICATION TO THE LOCAL GOVERNMENT COMMISSION**

WHEREAS, pursuant to the Local Government Bond Act, Article 4 of Section 159 of the North Carolina General Statutes, the City Council (the "*City Council*") of the City of Asheville, North Carolina (the "*City*") proposes to set a public hearing on the following Bond Orders entitled:

"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

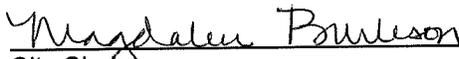
"BOND ORDER AUTHORIZING THE ISSUANCE OF \$17,000,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE CITY OF ASHEVILLE, NORTH CAROLINA;"

WHEREAS, it is necessary, as a condition to the consideration and adoption of the Bond Orders, to submit an Application to the Local Government Commission for Approval of the Bonds, all in the manner required by The Local Government Bond Act.

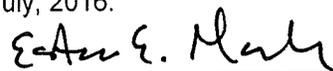
NOW, THEREFORE, be it resolved by the City Council that the Chief Financial Officer of the City is hereby directed to file with the Local Government Commission an application for its approval of the General Obligation Transportation Bonds, General Obligation Housing Bonds and General Obligation Parks and Recreation Bonds hereinbefore described, on a form prescribed by said Commission, and (1) to request in such application that said Commission approve the City's use of Parker Poe Adams & Bernstein LLP of Charlotte, North Carolina, as bond counsel for the City and (2) to state in such application such facts and to attach thereto such exhibits in regard to such General Obligation Transportation Bonds, General Obligation Housing Bonds and General Obligation Parks and Recreation Bonds and to the City and its financial condition, as may be required by said Commission.

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

Read, approved and adopted this 5th day of July, 2016.

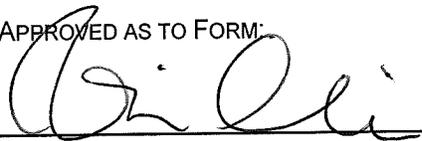


City Clerk



Mayor

APPROVED AS TO FORM:



City Attorney

RESOLUTION 16-168

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE

WHEREAS, pursuant to the Local Government Bond Act, Article 4 of Section 159 of the North Carolina General Statutes, the City Council (the "*City Council*") of the City of Asheville, North Carolina (the "*City*") is considering the issuance of bonds of the City 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 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.

WHEREAS, certain findings of fact by the City Council must be presented to enable the Local Government Commission of the State of North Carolina to make certain determinations as set forth in Section 159-52 the North Carolina General Statutes, as amended.

NOW, THEREFORE, BE IT RESOLVED that the City Council, meeting in open session on the 5th day of July, 2016, has made the following factual findings in regard to this matter:

A. **Facts Regarding Necessity of Proposed Financing.** The proposed bonds are necessary and expedient to pay (1) 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, (2) 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 acquisition of land and rights-of-way required therefor and (3) 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.

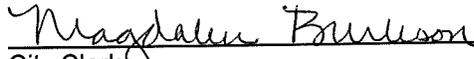
B. **Facts Supporting the Amount of Bonds Proposed.** The sums estimated for these bonds are adequate and not excessive for the proposed purposes. Estimates for the proposed construction and improvements have been carefully analyzed and determined by persons knowledgeable about the construction and improvements.

C. **Past Debt Management Procedures and Policies.** The City's debt management procedures and policies are excellent and have been carried out in compliance with law. The City employs a Chief Financial Officer to oversee compliance with applicable laws relating to debt management. The City Council requires annual audits of City finances. In connection with these audits, compliance with laws is reviewed. The City is not in default in any of its debt service obligations. The City Attorney reviews all debt-related documents for compliance with laws.

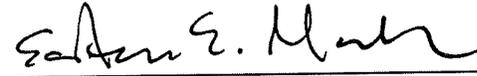
D. **Past Budgetary and Fiscal Management Policies.** The City's budgetary and fiscal management policies have been carried out in compliance with laws. Annual budgets are closely reviewed by the City Council before final approval of budget ordinances. Budget amendments changing a function total or between functions are presented to the City Council at regular City Council meetings. The Chief Financial Officer presents financial information to the City Council which shows budget to actual comparisons annually and otherwise as the City Manager deems necessary or as a member of the City Council may request.

E. **Increase in Taxes; Retirement of Debt.** The increase in taxes, if any, necessary to service the proposed debt will not be excessive. The schedule for issuance anticipates issuing all of the bonds in more than one series during the seven years following the adoption of the bond orders.

Read, approved and adopted this 5th day of July, 2016.



City Clerk



Mayor

APPROVED AS TO FORM:



City Attorney