

RESOLUTION NO. 16- 225

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR GENERAL SERVICES AGREEMENT WITH GENUINE PARTS COMPANY, INC. TO PROVIDE INVENTORY MANAGEMENT AND DISTRIBUTION SERVICES TO THE WATER RESOURCES DEPARTMENT

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, the Water Resources Department issued a Request for Proposals for Inventory Management Services and Genuine Parts Company, Inc. was the only vendor that responded; and

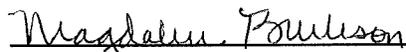
WHEREAS, the Water Resources Department desires to contract with the Genuine Parts Company, Inc. to provide inventory management and distribution services; and

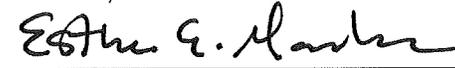
WHEREAS, the contract will be a three (3) year general services agreement with an option to renew for two (2) successive one-year periods contingent upon Council approval of each fiscal year budget; and City's and Genuine Parts Company, Inc.'s mutual agreement to extend the contract;

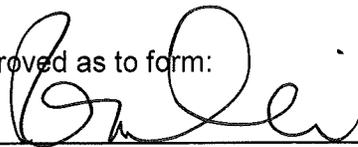
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager, on behalf of the City of Asheville, is hereby authorized to enter into a three (3) year general services agreement with an option to renew for two (2) successive one-year periods with Genuine Parts Company (GPC) for Water Resources Inventory Management for an amount not to exceed the City's approved fiscal year budget for each applicable fiscal year period, contingent upon Council approval of each fiscal year budget; and City's and Genuine Parts Company, Inc.'s mutual agreement to extend the contract.

Read, approved and adopted this 25th day of October, 2016.


CITY CLERK


MAYOR

Approved as to form:

CITY ATTORNEY

RESOLUTION NO. 16- 226

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT WITH GILBERT ENGINEERING COMPANY FOR THE WILLIAM DEBRUHL WATER TREATMENT PLANT BULK CAUSTIC TANK REPLACEMENT PROJECT

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, pursuant to N.C.G.S. § 143-131, bids were solicited for the project known as the William DeBruhl Water Treatment Plant Bulk Caustic Tank Replacement Project; and

WHEREAS, the project includes, but is not limited to: removal and replacement of an existing 9,000 gallon bulk storage tank and associated day tank, piping, secondary containment improvements, and associated electrical upgrades; and

WHEREAS, Gilbert Engineering Company was the lowest responsible, responsive bidder for the Project, in the amount of \$432,000.00, with the bid tabulation attached hereto as Exhibit "A"; and

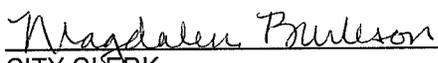
WHEREAS, the bids have been reviewed by the Water Resources Department and the City's Office of Economic Development (Minority Business Plan Compliance) with all officers recommending approval of the bid;

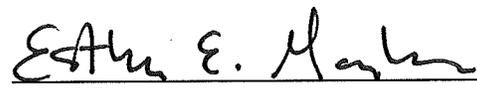
WHEREAS, the total project budget amount of \$475,200 is allocated within the Water Treatment Plan Improvements Project in the Water Resources Capital Improvement Projects fund.

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

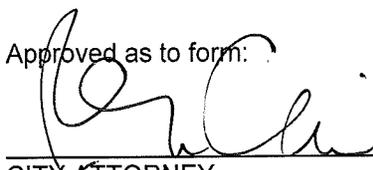
1. The Bid Tabulation attached hereto as Exhibit "A" be recorded in the minutes of the City Council.
2. The City Manager, on behalf of the City of Asheville, is hereby authorized to execute a construction agreement with Gilbert Engineering Company for the William DeBruhl Water Treatment Plant Bulk Caustic Tank Replacement Project for the bid amount of \$432,000 plus a 10% contingency in the amount of \$43,200 for a total project budget in the amount of \$475,200 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 25th day of October, 2016.


CITY CLERK


MAYOR

Approved as to form:


CITY ATTORNEY



October 11, 2016

Project City of Asheville, Water Resources Department From Michael E. Bisignani, P.E.
 Subject Bulk Caustic Tank Replacement Project Tel 980-221-8031
 Date October 10, 2016 Job No 111/10944/100
 Your Ref. 298-WDWTPBulkCausticTank

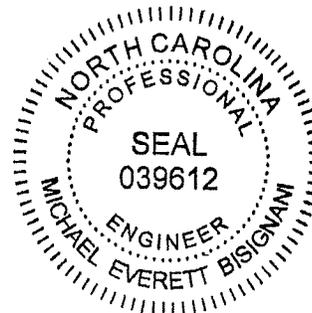
CERTIFIED BID TABULATION

BIDDER	Bulk Caustic Tank Replacement	Electrical Improvements	Total Bid Construction Cost
Gilbert Engineering Company	\$377,000.00	\$55,000.00	\$432,000.00
JS Haren Company	\$430,000.00	\$60,000.00	\$490,000.00

I hereby certify that the above bid tabulation is correct for bids received on October 7th 2016 for the construction of the Bulk Caustic Tank Replacement Project.

Name: *Michael E. Bisignani, P.E.*

Date: *10/11/2016*



111/10944/100/Bulk Caustic Certified Bid Tab 10-11-2016

RESOLUTION NO. 16- 227

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ASHEVILLE FORD TO PROVIDE SERVICE TO THE CITY FOR LIGHT VEHICLE MAINTENANCE

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, the Fleet Maintenance Division of the General Services Department desires to contract with the Asheville Ford LLC to provide service to the city for light vehicle maintenance; and

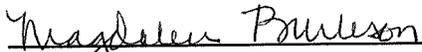
WHEREAS, the contract will be for an initial term of one (1) year with the option to renew the contract for four (4), one (1) year, extensions upon approval by the City, for a total not-to-exceed amount of \$200,000 annually, contingent upon City Council budgetary approval for each fiscal year; and

WHEREAS, funding for anticipated FY 2016-17 is included in the budget and the Fleet Maintenance would utilize funds from the operating budgets of the departments that are receiving the service provided for vehicle maintenance by an outside party.

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

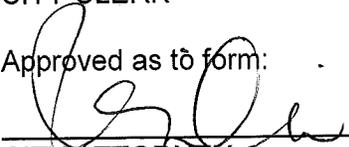
The City Manager, on behalf of the City of Asheville, is hereby authorized to execute an agreement with Asheville Ford LLC to provide service to the city for light vehicle maintenance for an initial term of one (1) year, with the option to renew the contract for four (4), one (1) year, extensions upon approval by the City, for a not-to-exceed amount of \$200,000 annually, contingent upon City Council budgetary approval for each fiscal year.

Read, approved and adopted this 25th day of October, 2016.


CITY CLERK


MAYOR

Approved as to form:


CITY ATTORNEY

RESOLUTION NO. 16- 228

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CAROLINA TRACTOR & EQUIPMENT CO. INC. TO PROVIDE SERVICE TO THE CITY FOR HEAVY VEHICLE AND EQUIPMENT MAINTENANCE

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, the Fleet Maintenance Division of the General Services Department desires to contract with the Carolina Tractor & Equipment Co. Inc. to provide service to the city for light vehicle maintenance; and

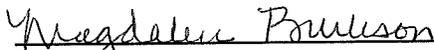
WHEREAS, the contract will be for an initial term of one (1) year with the option to renew the contract for four (4), one (1) year, extensions upon approval by the City, for a total not-to-exceed amount of \$200,000 annually, contingent upon City Council budgetary approval for each fiscal year; and

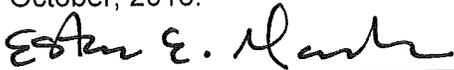
WHEREAS, funding for anticipated FY 2016-17 is included in the budget and the Fleet Maintenance would utilize funds from the operating budgets of the departments that are receiving the service provided for vehicle maintenance by an outside party;

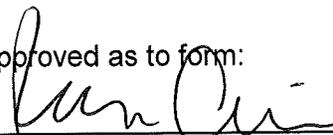
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager, on behalf of the City of Asheville, is hereby authorized to execute an agreement with Carolina Tractor & Equipment Co. Inc. to provide service to the city for light vehicle maintenance for an initial term of one (1) year, with the option to renew the contract for four (4), one (1) year, extensions upon approval by the City, for a not-to-exceed amount of \$200,000 annually, contingent upon City Council budgetary approval for each fiscal year.

Read, approved and adopted this 25th day of October, 2016.


CITY CLERK


MAYOR

Approved as to form:

CITY ATTORNEY

RESOLUTION NO. 16- 229

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MULTI-YEAR GENERAL SERVICES AGREEMENT WITH ATLANTIC EMERGENCY SOLUTIONS LLC TO PROVIDE SERVICE TO THE CITY FOR HEAVY FIRE EQUIPMENT MAINTENANCE

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, the Fleet Maintenance Division of the General Services Department desires to contract with the Atlantic Emergency Solutions LLC to provide service to the heavy fire equipment maintenance; and

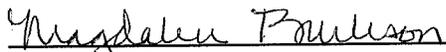
WHEREAS, the contract will be for a total not-to-exceed amount of \$200,000 annually for a term of one (1) year with four (4) possible one (1) year renewals contingent upon the mutual agreement between the City and Atlantic Emergency Solutions and Council annual budgetary approval for each fiscal year; and

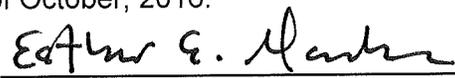
WHEREAS, if funding for anticipated FY 2016-17 is included in the budget and Fleet Maintenance would utilize funds from the Fire Department operating budget to provide for equipment maintenance by an outside party;

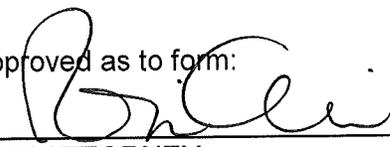
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager, on behalf of the City of Asheville, is hereby authorized to execute a multi-year general services agreement with Atlantic Emergency Solutions LLC to provide service to the City for heavy fire equipment maintenance for a not-to-exceed amount of \$200,000 annually for a term of one (1) year with four (4) possible one (1) year renewals, contingent upon the mutual agreement between the City and Atlantic Emergency Solutions to extend the contract and Council annual budgetary approval for each fiscal year.

Read, approved and adopted this 25th day of October, 2016.


CITY CLERK


MAYOR

Approved as to form:

CITY ATTORNEY

RESOLUTION NO. 16-230

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS UNDER THE NORTH CAROLINA OFFICE OF JUSTICE PROGRAMS THROUGH THE DEPARTMENT OF JUSTICE (DOJ)

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

WHEREAS, the US Department of Justice (DOJ), has granted the City of Asheville to submit a grant application in the amount of \$21,022 through the BVP program for partial purchase cost of ballistic vests;

WHEREAS, the City has a required match of \$21,022 in order to accept the grant funding;

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

The City Manager is hereby authorized to apply for and enter into an agreement with the US Department of Justice, for a grant in the amount of \$21,022.

Read, approved, and adopted this 25th day of October 2016.

Magdalena Paulson
CITY CLERK

Esther E. Mankin
MAYOR

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

RESOLUTION SETTING A PUBLIC HEARING FOR A LAND USE INCENTIVE GRANT AGREEMENT FOR SKYLAND EXCHANGE (HATHAWAY DEVELOPMENT LLC)

WHEREAS, the City of Asheville has the authority pursuant to N.C. Gen. Stat. § 158-7.1 and § 160A-456 to provide incentive grants (or appropriations) to encourage development projects that fulfill important public purposes in the City of Asheville.; and

WHEREAS, these public purposes include the development of affordable and workforce housing to increase the City's population, taxable property and business prospects, per N.C. Gen. Stat. § 158-7.1, and encourage the development of housing for persons of low and moderate income, per N.C. Gen. Stat. § 160A-456, which are also principal components of the City's annual strategic goals and other adopted plans; and

WHEREAS, the City Council of Asheville has adopted a Land Use Incentive Policy (LUIP) in order to encourage the development of projects that meet the aforementioned goals and plans; and

WHEREAS, the Skyland Exchange development represents the type of project envisioned for support within those goals and the LUIP; and

WHEREAS, at its meeting on October 25, 2016, the City Council provided City staff with direction to draft a land use incentive grant between the City of Asheville and Hathaway Development LLC for the Skyland Exchange development; and

WHEREAS, pursuant to N.C. Gen. Stat. sec. 158-7.1, a public hearing is necessary prior to City Council consideration;

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

The public hearing to consider a land use incentive grant for the Skyland Exchange (Hathaway Development LLC) is hereby set on Dec. 13, 2016, at 5:00 p.m. in the Council Chamber, located on the 2nd floor of the City Hall Building.

Read, approved and adopted this 25th day of October, 2016.

Magdalen Boulton
CITY CLERK

Estimote. H. H. H.
MAYOR

Approved as to form:
[Signature]
CITY ATTORNEY

RESOLUTION 16 - 232

RESOLUTION AUTHORIZING THE CITY MANAGER TO IMPLEMENT A FARE-FREE DAY
ON NOVEMBER 8, 2016 IN ORDER TO INCREASE OPPORTUNITIES FOR VOTERS ON
ELECTION DAY

WHEREAS, voting is the foundation of our democracy; and

WHEREAS, November 8th is the general election day for President, U.S. Senate, Governor, Lieutenant Governor, Attorney General, Commissioner of Labor, Treasurer, and Buncombe County Commission; and

WHEREAS, barriers to voting include difficulty accessing transportation; and

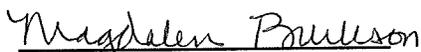
WHEREAS, the Asheville City Council affirms that all registered voters should have access to the polls; and

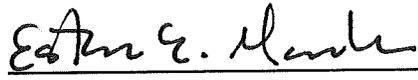
WHEREAS, fare-free transit days are an inexpensive way to demonstrate support for the population that does not have access to affordable transportation;

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

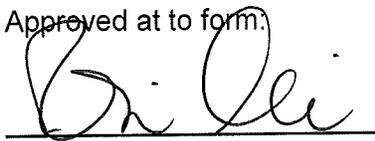
The City Manager is hereby authorized to implement a fare-free day on November 8, 2016 in order to reduce barriers to voting.

Read, approved and adopted this 25th day of October, 2016.


CITY CLERK


MAYOR

Approved at to form.


CITY ATTORNEY

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HENDERSON COUNTY TO LEASE ONE TRANSIT VEHICLE

WHEREAS, the City of Asheville 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; and

WHEREAS, Henderson County is a sub-recipient of Federal funds through the City of Asheville; and

WHEREAS, as part of the sub-recipient agreement, the City of Asheville is required to execute agreements and purchase and own all of Henderson County's capital assets that are purchased with Federal funding; and

WHEREAS, Henderson County has identified the need to buy one van as one of the priorities in their capital program; and

WHEREAS, the City has conducted the procurement process and ordered the van from a state contract; and

WHEREAS, Henderson County has identified all of the funding sources needed to fund the project; and

WHEREAS, a lease agreement has to be signed by both parties to define the terms and conditions to operate these vehicles, as required by the Federal Transit Administration;

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

City Council authorizes the City Manager to enter into an agreement with Henderson County to lease one transit vehicle.

Read, approved and adopted this the 25th day of October, 2016.

Magdalena Boulson
City Clerk

Esther E. Hinkle
Mayor

Approved as to form:
[Signature]
City Attorney

RESOLUTION NO. 16-234

RESOLUTION AUTHORIZING THE FIRE DEPARTMENT TO APPLY FOR A GRANT FROM THE US DEPARTMENT OF HOMELAND SECURITY TO OBTAIN FUNDING FOR STRUCTURAL FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT AND TO ACCEPT GRANT FUNDING IF AWARDED

WHEREAS, the City has authority pursuant to N.C.G.S. §160A-17.1 to apply for and receive grants from the State and Federal government, and

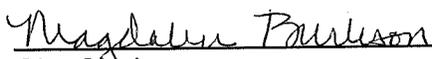
WHEREAS, the US Department of Homeland Security is taking applications for the Fiscal Year 2016 AFG grant program for the purpose of providing equipment and tools for firefighters, and

WHEREAS, the Asheville Fire Department wishes to apply for a grant in the amount of \$500,000 to obtain funding for Structural Firefighting Personal Protective Equipment,

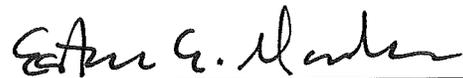
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The fire department is hereby authorized to apply for the Fiscal Year 2016 AFG grant with the US Department of Homeland Security, for a grant in the amount of \$500,000 to obtain funding for Structural Firefighting Personal Protective Equipment, and to accept grant funding if awarded.

Read, approved and adopted this 25th day of October, 2016

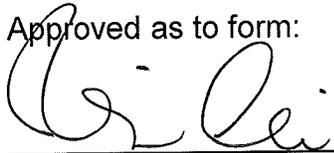


City Clerk



Mayor

Approved as to form:



City Attorney

RESOLUTION NO. 16-235

RESOLUTION AUTHORIZING THE CITY MANAGER TO CONVEY AN EASEMENT ON MARTIN LUTHER KING JR. PARK TO BELL SOUTH TELECOMMUNICATIONS, LLC DBA AT&T FOR UTILITY PURPOSES

WHEREAS, the N.C. General Statutes, Sec. 160A-273 grants authority to cities to convey easements across city property or right-of-way; and

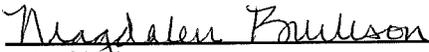
WHEREAS, the City of Asheville, hereinafter the City, is the owner of property located 50 Martin Luther King Jr. Drive, identified as PIN #964960446300000; and

WHEREAS, BellSouth Telecommunications, LLC dba AT&T has requested to purchase a Permanent Utility Easement totaling approximately 100 square feet over said property;

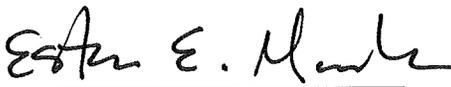
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to execute any and all documents, approved by the City Attorney, to convey a permanent easement across City-owned property located at 50 Martin Luther King Jr. Drive (identified as PIN# 964960446300000) to BellSouth Telecommunications, LLC dba AT&T. In addition, the City Manager is hereby authorized to execute any and all documents necessary to give effect to this resolution, subject to approval by the City Attorney, and in compliance with applicable North Carolina law.

Read, approved and adopted this 25th day of October, 2016.

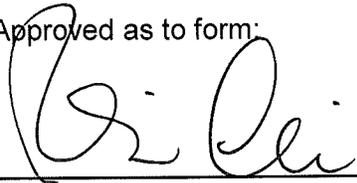


City Clerk



Mayor

Approved as to form:



City Attorney

RESOLUTION NO. 16-236

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND RECEIVE FUNDS FROM THE N.C. DEPT. OF TRANSPORTATION 2017 BICYCLE AND PEDESTRIAN PLANNING GRANT PROGRAM TO CONDUCT A GREENWAY CORRIDOR STUDY IN THE SWANNANOA RIVER GREENWAY CORRIDOR – PHASE TWO

WHEREAS, pursuant to N.C.G.S. §160A-17.1, the City is authorized to make contracts for and accept grants and loans from other governments and their agencies; and

WHEREAS The North Carolina Department of Transportation requested proposals for bike and pedestrian corridor studies to encourage the development of such comprehensive plans and have asked for proposals to be submitted on November 10, 2016; and

WHEREAS, these funds will assist in up to \$36,000 for a corridor study and requires a \$24,000 match from the City; and

WHEREAS, The City proposes the grant for a segment of the Swannanoa River Greenway Corridor that extends from Biltmore Avenue to South Tunnel Rd.; and

WHEREAS, this segment is identified as a priority project on the City's AIM Plan; the City's Greenway Master Plan and the Wilma Dykeman Plan; and

WHEREAS, this segment of the Swannanoa River Greenway Corridor would be a contiguous extension of the first phase of the same greenway; and

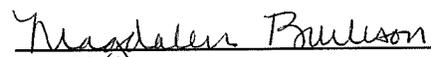
WHEREAS, the study area is experiencing rapid development growth and utility expansion and the need to create a plan that will identify the greenway type and location in a quickly changing environment;

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

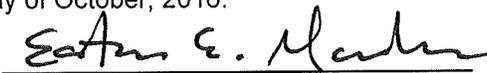
That the City of Asheville apply for the N.C. Department of Transportation 2017 Bicycle and Pedestrian Planning Grant Program and, if awarded, the City Manager accept the funds for a feasibility study for the East Asheville Greenway, a segment of the Swannanoa River Greenway.

The City Manager is hereby authorized to execute any and all documents, approved by the City Attorney, with NCDOT to accept the funds.

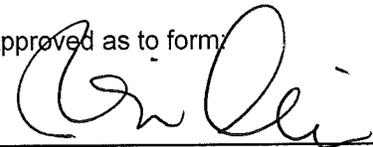
Read, approved and adopted this 25th day of October, 2016.



City Clerk



Mayor

Approved as to form:


City Attorney

RESOLUTION APPROVING A LAND USE INCENTIVE GRANT AGREEMENT FOR SIMPSON STREET (BEAUCATCHER COMMONS LLC)

WHEREAS, The City of Asheville has the authority pursuant to N.C. Gen. Stat. § 158-7.1 and § 160A-456 to provide incentive grants (or appropriations) to encourage development projects that fulfill important public purposes in the City of Asheville.; and

WHEREAS, these public purposes include the development of affordable and workforce housing to increase the City's population, taxable property and business prospects, per N.C. Gen. Stat. § 158-7.1, and encourage the development of housing for persons of low and moderate income, per N.C. Gen. Stat. § 160A-456, which are also principal components of the City's annual strategic goals and other adopted plans; and

WHEREAS, the City Council of Asheville has adopted a Land Use Incentive Policy (LUIP) in order to encourage the development of projects that meet the aforementioned goals and plans; and

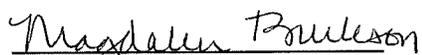
WHEREAS, the Simpson Street development represents the type of project envisioned for support within those goals and the LUIP; and

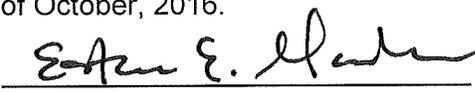
WHEREAS, in support of those strategic goals and the Land Use Incentive Grant policy adopted by the City Council, the Simpson Street development located at 43 Simpson Street will be a 70 unit multi-family rental development project that will fulfill an important public purpose, in that it will provide 70 units of affordable housing (defined as rents that require payment of no more than 30% of gross income for a household with an income not exceeding 60% of the area median income), for a period of no less than 20 years; and

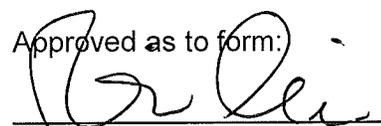
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Asheville City Council hereby agrees to enter into a Land Use Incentive Agreement with Beaucatcher Commons LLC to support the development of the Simpson Street project. The annual land use incentive grant will be the difference between the current City tax and the estimated post-completion City tax, said grant amount currently estimated to be \$22,610, the exact amount to be determined by the actual assessed value of the development upon completion. The grant is approved for a period of eleven (11) years and a 100% fee rebate is approved.
2. The City Manager is hereby authorized to execute a Land Use Incentive Program Agreement setting forth the conditions

Read, approved and adopted this 25th day of October, 2016.


CITY CLERK


MAYOR

Approved as to form:

CITY ATTORNEY