

RESOLUTION NO. 10-26

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO FUND THE TRANSIT PLANNING PROGRAM, SECTION 5503 GRANT OF THE FEDERAL TRANSIT ADMINISTRATION – METROPOLITAN PLANNING ORGANIZATION.

WHEREAS, funds for FY 2009-10 are available from the North Carolina Department of Transportation (NCDOT) through the Federal Transit Administration (FTA) Metropolitan Planning Organization (MPO) Section 5303 Planning Grant; and

WHEREAS, the City of Asheville has requested financial assistance in the amount of \$72,060 for the cost of transit planning from the North Carolina Department of Transportation; and

WHEREAS, the City of Asheville will comply with all applicable Federal and State requirements in accepting the grant; and

WHEREAS, the City of Asheville will provide a 10% local match in the amount of \$7,206; 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 ASHEVILLE CITY COUNCIL THAT:

The City Manager is hereby authorized to enter into an agreement with the North Carolina Department of Transportation (NCDOT) to fund the Asheville Transit Planning Program, Section 5303 Planning Grant of the Federal Transit Administration (FTA) Metropolitan Planning Organization (MPO).

Read, approved and adopted this 9th day of February, 2010.

Magdalen Bourleson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bourleson
City Clerk

RESOLUTION NO. 10-27

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT SUBGRANTEE FUNDS VIA NC EMERGENCY MANAGEMENT FROM THE DEPARTMENT OF HOMELAND SECURITY

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

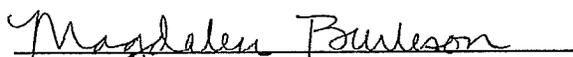
WHEREAS, the Asheville Police Department requests financial assistance to purchase a digital x-ray unit for the Hazardous Devices Unit to ensure maintenance of NIMS III Standards and FBI Accreditation Standards.

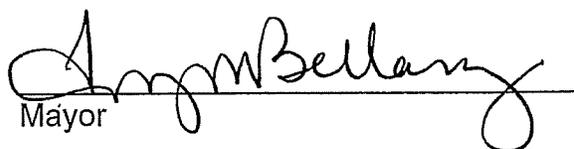
WHEREAS, the Department of Homeland Security has awarded North Carolina Emergency Management a full grant application to be shared with Asheville Police Department. The Asheville Police Department's share of the grant funds are \$57,000 for equipment purchase.

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 North Carolina Emergency Management for a Bomb Unit grant in the amount of \$57,000.

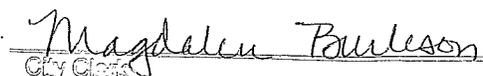
Read, approved and adopted this 9th day of February, 2010.


City Clerk


Mayor

Approved as to form:


City Attorney


City Clerk

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HUNTLEY CONSTRUCTION COMPANY, INC., FOR THE REYNOLDS MOBILE HOME PARK WATER SYSTEM IMPROVEMENTS PROJECT.

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 the Reynolds Mobile Home Park Water System Improvements Project; and

WHEREAS, Huntley Construction Company, Inc., of Asheville, NC, was the lowest responsible bidder for the Project, in the amount of \$167,496.00, with the bid tabulation attached hereto as Exhibit "A"; and

WHEREAS, the Project involves the construction and installation of: approximately 2,360 Linear Feet of 8-inch and 6-inch ductile iron pipe, and all necessary accessories and appurtenances to replace the existing private water system while maintaining service to the 40 customers, including valves, hydrants, and service connections; and

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

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 as required by N.C. Gen. Stat. § 143-129.
2. The City Manager is hereby authorized to execute the contract with Huntley Construction Company, Inc., in the amount of \$167,496.00 for the construction of the Reynolds Mobile Home Park Water System Improvements Project and further authorized to execute any change orders to said contract or documents which may arise during construction of said project up to the budgeted amount.

Read, approved and adopted this the 9th day of February, 2010.

Magdalen Bursleson
City Clerk

Angela Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bursleson
City Clerk

Bid Tabulation for the Reynolds Mobile Home Park Water System Improvements Project

Huntley Construction Company, Inc.
121 Charlotte Highway
Asheville, NC 28803
Phone: (828) 298-1686
Total Base Bid: \$167,496.00

Appalachian Environmental Services
PO Box 52
Webster, NC 28788
(828) 586-1973
Total Base Bid: \$188,429.25

T & K Utilities, Inc.
204 Charlotte Highway, Suite G
Asheville, NC 28803
(828) 299-8205
Total Base Bid: \$209,950.00

Buckeye Construction Company
654 Buckeye Cove Road
Canton, NC 28716
(828) 648-4511
Total Base Bid: \$214,961.55

Mackenzie Company
26 Old Charlotte Hwy
Asheville, NC 28803
(828) 296-7455
Total Base Bid: \$237,139.85

Spur Construction
2707 Asheville Highway
Waynesville, NC 28786
828-456-5222
Total Base Bid: \$270,538.71

Terry Brothers Construction
1109 Newfound Road
Leicester, NC 28748
(828) 683-2230
Total Base Bid: \$304,355.00

Fallon Utility Contractors, Inc.
99 Keasler Road
Asheville, NC 28805
(828) 299-7567
Total Base Bid: \$310,200.00

RESOLUTION NO. 10- 29

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A SERVICE AGREEMENT WITH HERSEY METERS CO., LLC, FOR THE FIVE-YEAR AUTOMATED METER READING (AMR) PROJECT

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 Water Resources Department has the desire to purchase and install approximately 52,000 Automated Meter Reading (AMR) Devices during the current and future four (4) fiscal years to complete installation throughout the water system; and

WHEREAS, Hersey Meters Co., LLC, was the lowest responsible bidder for the Project, with the bid tabulation attached hereto as Exhibit "A"; and

WHEREAS, the total amount of the Agreement with Hersey Meters Co., LLC, over the next five (5) fiscal years is \$4,234,859.86 and \$1,790,000.00 monies have been budgeted in the Water Resource's 2010 Fiscal Year Budget with future fiscal years to be funded as monies are available; and

WHEREAS, the bids have been reviewed by the Water Resources Department, the Finance Department (Purchasing), and the Information Technology Department, with all officers recommending approval of the bid.

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 as required by N.C. Gen. Stat. § 143-129.
2. The City Manager is hereby authorized to enter into a contract on behalf of the City of Asheville with Hersey Meters Co., LLC, for \$1,790,000 for the first fiscal year of the project (FY 2010) and remaining funds needed to complete the project within four (4) more years up to the total amount of \$4,234,859.86 contingent upon City Council approval for the purchase and installation of approximately 52,000 AMR Devices.

Read, approved and adopted this 9th day of February, 2010.

Magdalen Bourleson
City Clerk

Ang Bellamy
Mayor

Approved as to form:
[Signature]
City Attorney

Magdalen Bourleson
City Clerk

Exhibit A

Bid Tabulation for the Automated Meter Reading (AMR) Installation Project

Cost Breakdown	Hersey Meters Co., LLC	Metron-Farnier, LLC	Neptune Technology Group, Inc.	Vanguard Utility Service, Inc.
A. Total Up-Front AMR Bid Cost	\$2,758,670.86	\$3,877,160.00	\$3,589,650.00	\$3,329,235.00
B. Total Meter Exchange Cost	\$883,544.00	\$2,022,420.00	\$1,265,295.58	\$934,819.77
C. Total Meter Retrofit Cost	\$450,060.00	\$346,200.00	\$432,750.00	\$542,380.00
D. Performance Bond Pricing	\$122,585.00	\$127,500.00	\$72,275.00	\$40,000.00
E. Total Maintenance Cost	\$20,000.00	\$30,000.00	\$35,054.70	\$15,550.00
Total Estimated Contract Cost	\$4,234,859.86	\$6,403,280.00	\$5,395,025.28	\$4,861,984.77

RESOLUTION NO. 10-30

RESOLUTION AUTHORIZING THE CITY MANAGER TO WAIVE THE FORMAL BID REQUIREMENTS AND AWARD THE BID FOR FIVE DIESEL BUSES USING THE "PIGGY BACK" PROVISION FROM THE AWARD OF BID FROM THE CAPE FEAR PUBLIC TRANSPORTATION AUTHORITY TO GILLIG, LLC.

WHEREAS, pursuant to N.C.G.S 143-129(g) when in the best interest of a local municipality, the formal bid process may be waived for the purchase of apparatus, supplies, materials or equipment from a vendor after that vendor has participated in a formal bid process substantially similar to the need of the municipality with another local government within the last (12) months; and

WHEREAS, City staff has identified the replacement of 16 buses in the transit fleet as the number one priority in the capital program; and

WHEREAS, the five new buses are an essential part of operations, increasing reliability, fuel efficiency and reducing maintenance costs; and

WHEREAS, on June 25, 2009, the Cape Fear Public Transportation Authority after completing a formal bidding process, awarded a contract to Gillig LLC, for the purchase of diesel buses similar to the City's needs; and

WHEREAS, the vendor has agreed to allow the City to use the same terms in the Cape Fear Public Transportation Authority contract; and

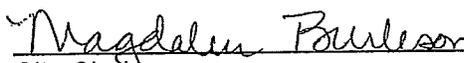
WHEREAS, the total budget for the purchase of the five vehicles is \$1,900,000; and

WHEREAS, pursuant to the above statute, the City Council has determined that it would be in the best interest for the City of Asheville to waive the formal bidding requirements for the purchase of five 35 foot low floor diesel buses using the terms and conditions from the Cape Fear Public Transportation Authority's formal bid process dated June 25, 2009

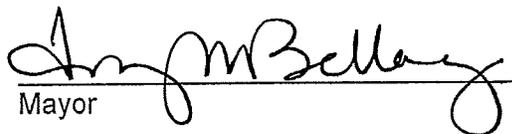
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to enter into a contract on behalf of the City of Asheville with Gillig LLC., for the purchase of five (5) 35-foot low floor diesel buses not to exceed the budgeted amount of \$1,900,000 and further authorized to execute any change orders to said contract or documents of said purchase up to the budgeted amount.

Read, approved and adopted this the 9th day of February 2010.



 City Clerk



 Mayor

Approved as to form:



 City Attorney



 City Clerk

RESOLUTION NO. 10- 31RESOLUTION ADOPTING THE CITY OF ASHEVILLE 2010-11 STRATEGIC OPERATING PLAN

WHEREAS, the Asheville City Council recognizes the importance of strategic leadership in achieving the mission of the City of Asheville; and

WHEREAS, achieving our mission of creating a community that provides an excellent quality of life for Asheville's citizens requires vision, goal setting, and strategic priorities; and

WHEREAS, the City Council met January 8 and 9, 2010, for a strategic planning retreat; and

WHEREAS, the City Council received input from each member, discussed the alternatives and established strategic priorities;

WHEREAS, City Council reviewed the previous year's strategic plan, financial forecasting, and a management report entitled *Asheville, NC 2010: A Financial Crossroads*; and

WHEREAS, City Council will continue to discuss the strategic plan through a series of worksessions while working to match goals and objectives with available resources; and

WHEREAS, the City Manager will produce a comprehensive quarterly report and City Council Committee Chairs will present updates on policy initiatives designed to further achievement of strategic goals; and

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

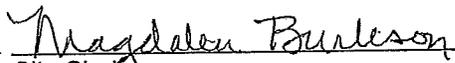
Reaffirms its strategic priorities to include:

- **Affordable** - *The City of Asheville will offer a standard of living that is affordable and attainable for people of all income levels, life stages and abilities.*
- **Fiscally Responsible** - *The City of Asheville will create a stronger, more prosperous community with smart investments that accomplish lasting, tangible returns.*
- **Green & Sustainable** - *Asheville will be the southeastern leader in clean energy and environmental sustainability.*
- **Job Growth & Community Development** - *Asheville will support a dynamic and robust economy with balanced and sustainable growth.*
- **Safe** - *Asheville will be one of the safest and most secure communities when compared to similar cities.*

BE IT FURTHER RESOLVED THAT:

The City Council adopts the goals and objectives as described in Exhibit "A" for 2010-11.

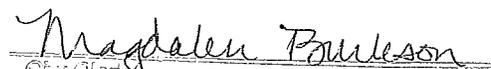
Read, approved and adopted this 9th day of February 2010.


City Clerk


Mayor

Approved as to form:


City Attorney


City Clerk

City of Asheville



STRATEGIC PLAN 2010-11

■ The City of Asheville will offer a standard of living that is affordable and attainable for people of all incomes, life stages and abilities.



>> Affordable:

■ **Goal: Hold the line on taxes and support tax and fee relief.**

Objectives & Action Items

- Improve the affordability of water and stormwater utility rates for residential customers and ensure effectiveness and value for fees charged.
- Explore opportunities to enhance affordability by reducing utility costs through innovative energy efficiency financing programs.
- Enhance the affordability of Asheville

Transit's bus pass program.

■ **Goal: Create and preserve affordable rental and home ownership opportunities in Asheville so that all citizens have access to safe, sufficient and affordable housing.**

- Implement reforms to Unified Development Ordinance to encourage affordable housing development; utilize zoning where possible to encourage and align affordable housing with transit.
- Explore opportunities for public/private partnerships and innovative financing

- mechanisms to incentivize affordable housing development.
- Support the Housing Authority to develop a comprehensive plan for public housing; continue to pursue redevelopment of public housing with a HOPE IV-type project.
- Support initiatives to end chronic homelessness in Asheville with an emphasis on the Housing First philosophy.
- Continue to provide funding for affordable housing development loans through the Housing Trust Fund.

■ The City of Asheville will support a stronger, more prosperous community by making smart investments that accomplish lasting, tangible returns.



>> Fiscal Responsibility:

■ **Goal: Operate the City of Asheville to the highest levels of fiscal responsibility.**

- Identify resources for strategic initiatives and create meaningful performance measures for programs and services.
- Sustain a healthy Fund Balance in accordance with recommended State standards; revisit Asheville's Fund Balance policy.

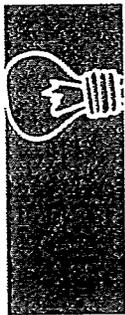
■ **Goal: Explore alternatives for enhancing**

the city's long-term financial commitment to master plan implementation, infrastructure maintenance, capital improvements, and public facilities.

- Leverage internal and external partnerships for pursuing capital improvements and infrastructure projects.
- Review analysis of revenue streams to identify opportunities for revenue diversification.

- Explore feasibility of a bond program now or in future years; learn more about financing options outside of a property tax increase.
- Seek efficiencies in master plan implementation by identifying plan interdependencies, funding sources and key partnerships.
- Continue to proactively pursue funding opportunities with state and federal economic stimulus packages.

■ Asheville will be the southeastern leader in clean energy and environmental sustainability.



■ **Goal: Set and develop a plan for implementing a community energy reduction goal.**

- including climate awareness, water conservation, recycling, stormwater, and sustainability.
- Integrate and implement a multi-modal transportation plan including sidewalks, bike paths, signal preemption, transit, greenways, and other system improvements resulting in a funding priority list.

- **Goal: Take the City of Asheville's sustainability program to the next level.**
- Identify strategies and costs for increasing the city's annual energy reduction goal to 4 percent.
- Implement ways to reduce city-wide solid waste.

>> **Green & Sustainable:**

■ Asheville will support a dynamic and robust local economy with balanced and sustainable growth.



■ **Goal: Create more collaborative and effective working partnerships between the City of Asheville, the business community, and other key organizations to effectively manage the city's regulatory environment while accomplishing economic development goals.**

- including health and wellness, workforce development, and sustainable economic development.
- Provide leadership in buying local products and services.
- Work cooperatively with state and county elected officials to enable the city to implement practical water system management and voluntary annexation policies.

- nership and formation of a dedicated office.
- Complete the Downtown Master Plan process and begin implementation.
- Pursue models for re-formatting the Unified Development Ordinance so that it is easy to use and understand.

>> **Job Growth & Community Development:**

- Support diversified job growth and small business development.
- Support small business through reductions in taxes, fees, and regulations.
- Partner in regional economic development strategies, including the HUB; continue partnership in the Economic Development Coalition.
- Expand partnerships with UNC-Asheville, A-B Tech, Mars Hill College and other institutions to achieve common goals,

■ **Goal: Support a strong local economy by continuing to implement sustainable growth and development policies.**

- Attract and retain quality employees with an emphasis on local labor pool development opportunities and by paying sound wages and benefits.
- Enhance diversity throughout the City as an organization so that the workforce more closely resembles the community, especially in the area of public safety.

■ **Goal: Maintain Asheville's commitment to being an "employer of choice" in the region.**

■ Asheville will be one of the safest and most secure communities when compared to similar cities.



■ **Goal: Make Asheville the safest city in America based on approved metrics for similarly sized cities; bring benchmark metric back to City Council for approval and tracking.**

- drug markets in Asheville.
- Track and monitor performance of nuisance court.
- Support recreation and employment alternatives for youth at risk of gang exposure.
- Support the Safe Routes to School program by implementing one school this year.

■ **Goal: Maintain accreditation and ISO ratings of Asheville Fire & Rescue Department.**

- Develop an action plan for maintaining fire and rescue standard of cover throughout the city.
- Increase participation in state fire code inspection schedule to 90 percent.

>> **Safe:**

RESOLUTION NO. 10-32

RESOLUTION AMENDING RULES OF PROCEDURE FOR ASHEVILLE CITY COUNCIL

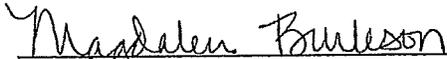
WHEREAS, the Asheville City Council has authority pursuant to N.C. Gen. Stat. Section 100A-71(c), to adopt and amend rules of procedure to govern itself and the conduct of its meetings; and

WHEREAS, the City Council has determined that it is in the public interest to amend its rules to provide for the placing items on the agenda for City Council meetings;

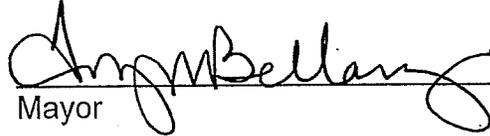
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

That Rule 4 of the Rules of Procedure of the Asheville City Council be and is hereby amended by adding Paragraph (a1) as provided in Exhibit A attached hereto.

Read, approved and adopted this 9th day of February, 2010.



City Clerk

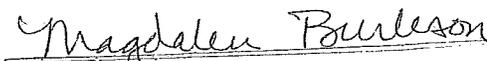


Mayor

Approved as to form:



City Attorney



City Clerk

Exhibit A

4. AGENDA

- (a) The city clerk shall prepare the agenda for each meeting as directed by the mayor and the city manager. Any council member may have an item placed on the agenda so long as the request is timely and is consistent with the notice requirements of Rule 2, if applicable, and subject to other requirements set out in these rules. A copy of all proposed ordinances shall be attached to the agenda.
- (a1) Any council member wishing to have an item placed on the agenda for a council meeting shall complete the "Agenda Item Request Form" in the appendix and submit the form to the city clerk. The Mayor may direct the item to be placed on the agenda for the next available council meeting or may direct that the item be submitted to one or more council committees. Items that have been reviewed by a council committee shall be placed on the agenda for the next available council meeting. If three or more council members request that an item be placed on council's agenda without first going to a council committee, said item shall be placed on the agenda for the next available council meeting. Nothing herein shall limit council's ability to add items to the agenda pursuant to paragraph (c) below.
- (b) An agenda package shall be prepared that includes, for each item of business placed on the agenda, as much background information on the subject as is available and feasible to reproduce. In order to facilitate preparation of the agenda package, written materials (including display materials) that will be used in presenting an agenda item, including presentations by Council members, shall be provided to the City Clerk no later than eight calendar days prior to the day of the meeting at which the item is scheduled. For example, information to be considered at a meeting scheduled for the third Tuesday should be submitted to the city clerk not later than 5:00 p.m. on the Monday preceding the second Tuesday. The preceding sentence does not apply to items originating with the city manager or city attorney, or that were considered by the council at a preceding worksession, and scheduled for a formal meeting at the direction of council. For good cause, the submission deadlines set out herein may be modified with the consent of the mayor. Each council member shall receive a copy of the agenda and the agenda package, and they shall be available for public inspection and distribution or copying when they are distributed to the council members.

RESOLUTION NO. 10- 33

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MOORE & SON SITE CONTRACTORS, INC. FOR THE WORK NECESSARY TO CONSTRUCT THE CLINGMAN AVENUE STREETScape PROJECT

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, Partial funding has been received through the North Carolina Department of Transportation (NCDOT), and

WHEREAS, The remaining funding is to be the responsibility of the City of Asheville, and

WHEREAS, The total cost of this contract is \$503,827.00

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 Moore & Son Site Contractors for \$503,827.00, for services necessary to construct the Clingman Avenue Streetscape Project and further authorized to execute any change orders to said contract or documents which may arise during construction of said project up to 20% of the original contract amount.

Read, approved and adopted this the 9th day of February, 2010.

Magdalen Bourleson
City Clerk

Angela Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bourleson
City Clerk