

RESOLUTION NO. 13-110

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
 AGREEMENT WITH SUN LIFE ASSURANCE COMPANY FOR SPECIFIC STOP
 LOSS INSURANCE

WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, the City is in need of Specific Stop Loss insurance to cover the cost of large or catastrophic claims paid during the contract period that exceed \$150,000; and

WHEREAS, the amount of the Agreement is \$761,000.00 and the monies have been budgeted in the Health Insurance Fund Fiscal Year Budget;

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 Sun Life Assurance Company for \$761,000 for Specific Stop Loss Insurance and further authorized to execute any change orders to said contract up to the budgeted amount.

Read, approved and adopted this the 28th day of May, 2013.

Margaret Boulson
 City Clerk

Jim Bellamy
 Mayor

Approved as to form:

[Signature]
 City Attorney

Margaret Boulson
 City Clerk

RESOLUTION NO. 13- 109RESOLUTION SETTING PUBLIC HEARING FOR ECONOMIC DEVELOPMENT INCENTIVES
(PROJECT X)

WHEREAS, the Asheville City Council proposes to consider entering in to a economic development incentive agreement for a project known as Project X; and

WHEREAS, N.C.G.S. 158-7.1 requires that a public hearing be held before the City makes appropriations for economic development purposes;

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

1. That a public hearing shall be held on the question of authorizing, certain expenditures for economic development purposes, and entering into an agreement to provide economic development incentives for Project X. Said public hearing shall be held on June 11, 2013, at the regular meeting of the Asheville City Council at 5:00 p.m. in the Council Chamber on the Second Floor of the City Building. Council Rules 7 and 7.5 shall apply to the public hearing;
2. That the City Clerk is directed to publish a notice of said public hearing as required by law.

Read, approved and adopted the 28th day of May, 2013.

Magdalen Brulson
City Clerk

Jimmy Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Brulson
City Clerk

RESOLUTION NO. 13 - 112

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDED ADOPT-A-PARK AGREEMENT WITH JUST FOLKS THAT INCLUDES A WAIVER OF FEES OF UP TO \$2,500 FOR FY 2013-2014.

WHEREAS, the City of Asheville has entered into an Adopt-a-Park Agreement with Just Folks to promote positive activities that reduce nuisance behaviors in and around the Triangle Park area; and

WHEREAS, the programs and events organized by Just Folks focus on community-building and have improved the appearance of the park, making it more attractive to downtown visitors and community members; and

WHEREAS, Just Folks is providing quality cultural programming and diversity in a city park not generally used for this purpose;

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

The City Manager is hereby authorized to sign the amended Adopt-a-Park agreement with Just Folks to waive park use fees of up to \$2,500 for FY 2013-2014 for the use of Triangle Park for community-building events that benefit the Eagle/Market Streets area and the community.

Read, approved and adopted this 28th day of May, 2013.

Margaret Burkson
City Clerk

Jeff Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Margaret Burkson
City Clerk

RESOLUTION NO. 13- 111

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH BUNCOMBE COUNTY FOR THE CTS WATERLINE INSTALLATION 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 need to execute a Memorandum of Understanding (MOU) with Buncombe County for the CTS Waterline Installation Project and to execute any and all contracts up to \$155,000.00 to implement the terms of the MOU; and

WHEREAS, the project will be funded from the Water Resources Capital Projects Fund and Buncombe County will reimburse Water Resources for all construction administration expenses relating to the project;

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 Memorandum of Understanding (MOU) with Buncombe County for the CTS Waterline Installation Project and to execute any and all contracts up to \$155,000.00 to implement the terms of the MOU; and the City Manager is further authorized to execute any change orders to said contract or documents which may arise during said project.

Read, approved and adopted this 28th day of May, 2013.

Maddalen Burlison
City Clerk

Imogene Bellamy
Mayor

Approved as to form:

Barndall
City Attorney

Maddalen Burlison
City Clerk

RESOLUTION NO. 13-114

RESOLUTION APPOINTING MEMBERS TO THE ASHEVILLE-BUNCOMBE HISTORIC RESOURCES COMMISSION

WHEREAS, Ashley Gaylord has resigned as a member of the Asheville-Buncombe Historic Resources Commission, thus leaving an unexpired term until July 1, 2013; and

WHEREAS, Hillary Cole has resigned as a member of the Asheville-Buncombe Historic Resources Commission, effective July 1, 2013, thus leaving an unexpired term until July 1, 2014; and

WHEREAS, the term of David Nutter, as a member on the Asheville-Buncombe Historic Resources Commission, will expire on July 1, 2013;

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

(1) Mr. Woody Farmer, 16 Cullowhee Street, Asheville, North Carolina, be and he is hereby appointed, as a member of the Asheville-Buncombe Historic Resources Commission, to serve the unexpired term of Ms. Gaylord, term to expire July 1, 2013, and then a full three-year term, term to expire July 1, 2016, or until his successor has been appointed.

(2) Ms. Sue Russell, 157 Tacoma Circle, Asheville, North Carolina, be and she is hereby appointed, as a member of the Asheville-Buncombe Historic Resources Commission, to serve the unexpired term of Ms. Cole, term to begin July 1, 2013, and expire on July 1, 2014, or until her successor has been appointed.

(2) Mr. David Nutter, 169 Flint Street, Asheville, North Carolina, be and he is hereby reappointed, as a member of the Asheville-Buncombe Historic Resources Commission, to serve an additional three-year term, term to expire on July 1, 2016, or until his successor has been appointed.

Read, approved and adopted this 28th day of May, 2013.

Magdalen Burlison
CITY CLERK

Jim Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Burlison
City Clerk

RESOLUTION NO. 13- 113-

RESOLUTION AUTHORIZING THE STANDARDIZATION PURCHASE OF THE ICS COMMUNICATIONS UNIT SUPPORT TRAILER FOR CONSISTENCY IN OPERATION AND FUNCTIONALITY

WHEREAS, N.C.G.S. 143-129 details the procedures for the letting of public contracts; and

WHEREAS, N.C.G.S. 143-129 (e) identifies exceptions to those procedures as they relate to procurement contracts; and

WHEREAS, item (6) of N.C.G.S. 143-129(e) states that the governing body of a political subdivision of the state shall approve the purchase of apparatus, supplies, material or equipment without formal bidding when "(ii) a needed product is available from only one source of supply or (iii) standardization or compatibility is the overriding consideration"; and

WHEREAS, the ICS Communications Unit Support Trailer is compatible with equipment already in use by the Fire Department and which other jurisdictions in NC are utilizing; and

WHEREAS, standardization of communications equipment is a necessity for interoperability and operational safety; and

WHEREAS, HLS grant funding has been approved by City Council to purchase equipment;

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

City Council hereby authorizes the purchase of the ICS Communications Unit Support Trailer as permitted under N.C.G.S. 143-129(e)(6) for equipment standardization.

Read, approved, and adopted this 28th day of May 2013.

Magdalen Baulson
CITY CLERK

Jim Bellamy
MAYOR

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

Magdalen Baulson
City Clerk