

RESOLUTION NO. 12-87

RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH RIVERLINK, INC. FOR THE PURPOSE OF INSTALLING AND OPERATING PUBLIC PARKING AND RIVER ACCESS ON CITY-OWNED REAL PROPERTY AT 706 RIVERSIDE DRIVE

WHEREAS, the City of Asheville is the owner of real property located at 706 Riverside Drive, identified as PIN #9639-65-6683-00000; and

WHEREAS, RiverLink, Inc., a North Carolina non-profit corporation, has offered to enter into a lease agreement in order to operate public parking and public river access at 706 Riverside Drive; and

WHEREAS, N. C. Gen. Stat. sec. 160A-272 authorizes the City to enter into leases of 10 years or less upon resolution of the City Council adopted at a regular meeting after 10 days' public notice; and

WHEREAS, the City Clerk published a Notice of Intent in connection with the proposed lease agreement on April 13, 2012, in the Asheville Citizen-Times; and

WHEREAS, the initial term of the license agreement will be for five (5) years with the option to renew for one (1) additional five (5) year period; and

WHEREAS, the proposed lease agreement continues to allow public use, therefore no monetary consideration will be provided for this lease;

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

Pursuant to North Carolina General Statute sec. 160A-272, the Mayor is hereby authorized to execute the Lease Agreement between the City of Asheville and RiverLink, Inc. for the purpose of installing and operating public parking and public river access at 706 Riverside Drive. In addition, the Mayor be, and is hereby authorized to execute any and all documents necessary to give effect to this resolution, subject to approval by the City Attorney, and compliance with applicable North Carolina law.

Read, approved and adopted this 24th day of April, 2012.

Magdalen Boulson
City Clerk

Jim Bellamy
Mayor

Approved as to form:
[Signature]
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 12-88

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CAROLINA MOUNTAIN ROOFING AND ANY CHANGE ORDER WITHIN THE BUDGETED AMOUNT FOR THE TRANSIT GARAGE ROOF REPLACEMENT PROJECT

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

WHEREAS, the City issued an informal request for bids to engage an external contractor to perform repairs to the roof at the Transit Garage; and

WHEREAS, the responsive low bid was presented by Carolina Mountain Roofing, City staff recommends that the City enter into a contract with Carolina Mountain roofing;

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 with Carolina Mountain Roofing for Transit Garage roof repair project, and to execute any charge orders up to the budgeted amount.

Read, approved and adopted this the 24th day of April, 2012.

Magdalena Bullison
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalena Bullison
City Clerk

RESOLUTION NO. 12-89

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE, NORTH CAROLINA DECLARING THE INTENT OF THE CITY OF ASHEVILLE, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE ACQUISITION OF COMPUTERS AND RELATED EQUIPMENT FROM THE PROCEEDS OF AN INSTALLMENT FINANCING CONTRACT TO BE EXECUTED AND DELIVERED IN THE FISCAL YEAR 2012.

WHEREAS, the City Council of the City of Asheville, North Carolina ("*City*") has determined that it is in the best interests of City to acquire computers and related equipment in lieu of leasing lifecycle replacements (the "*Project*");

WHEREAS, the City presently intends, at one time or from time to time, to finance all or a portion of the costs of the Project with proceeds of an installment financing contract and reasonably expects to execute and deliver an installment financing contract, the portion of the installment payments designated and paid as interest under which will be tax-exempt (the "*Contract*"), to finance, or to reimburse itself for, all or a portion of the costs of the Project; and

WHEREAS, the City desires to proceed with the Project and will incur and pay certain expenditures in connection with the Project prior to the date of execution and delivery of the Contract (the "*Original Expenditures*"), such Original Expenditures to be paid for originally from a source other than the proceeds of the Contract, and the City intends, and reasonably expects, to be reimbursed for such Original Expenditures from a portion of the proceeds of the Contract to be executed and delivered at a date occurring after the dates of such Original Expenditures;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheville, North Carolina as follows:

Section 1. *Official Declaration of Intent.* The City presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the City on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Contract. The City reasonably expects to execute and deliver the Contract to finance all or a portion of the costs of the Project and the maximum principal amount of Contract expected to be executed and delivered by City to pay for all or a portion of the costs of the Project is \$115,000.

Section 2. *Compliance with Regulations.* The City adopts this Resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the City's intent to reimburse itself for the Original Expenditures from proceeds of the Contract.

Section 3. *Itemization of Capital Expenditures.* The Chief Financial Officer of the City, and her designees, with advice from special counsel, are hereby authorized, directed and designated to act on behalf of the City in determining and itemizing all of the Original Expenditures incurred and paid by the City in connection with the Project during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of execution and delivery of the Contract.

Section 4. *Effective Date.* This Resolution shall become effective immediately upon the date of its adoption.

Read, approved and adopted this 24th day of April, 2012.

Magdalen Baulson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

Mr. [Signature]
City Attorney

Magdalen Baulson
City Clerk

RESOLUTION NO. 12-90RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH THE CITY OF ASHEVILLE AND BLUECROSS BLUESHIELD OF NORTH CAROLINA FOR THIRD PARTY ADMINISTRATOR SERVICES FOR THE CITY OF ASHEVILLE'S HEALTH INSURANCE PLAN

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

WHEREAS, the City has a need for a third party administrator for the health insurance plan; and

WHEREAS, the amount of the agreement is \$660,950 and the monies have been budgeted in the Health Insurance Fund 2012-2013 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 BlueCross BlueShield of NC for \$660,950 to provide third party administrator services for Fiscal Year 2012/2013, and further authorized to execute any change orders to said contract which arise during said project up to the budgeted amount, with the final form of said contract to be subject to the approval of the City Attorney

Read, approved and adopted this the 24th day of April, 2012

Magdalen Bullison
City Clerk

Shirley Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bullison
City Clerk

RESOLUTION NO. 12-91

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE CURRENT CONTRACT WITH RIVERTOP CONTRACTING, INC. FOR PACK SQUARE PARK GROUNDS MAINTENANCE TO ADD FOUNTAIN AND ADDITIONAL GROUNDS MAINTENANCE AND TO EXECUTE AN AMENDMENT TO THE CURRENT CONTRACT.

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 current contract with Rivertop Contracting Inc. for grounds maintenance at Pack Square Park does not include specialized maintenance for the park's three fountains and general grounds maintenance for the pavilion; and

WHEREAS, it is determined to add these services to the current Pack Square Park grounds maintenance contract with Rivertop Contracting, Inc.; and

WHEREAS, the amount of the change order is \$33,362.

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

The City Manager is hereby authorized to execute a change order to the current contract with Rivertop Contracting, Inc. for Pack Square Park grounds maintenance to add fountain and additional grounds maintenance in the amount of \$33,362 and to execute an amendment to the current contract incorporating these changes.

Read, approved and adopted this the 24th day of April, 2012.

Magdalen Bureson City Clerk Mayor Bellamy Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bureson
City Clerk

RESOLUTION NO. 12 - 92

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MUNICIPAL AGREEMENT WITH NCDOT APPROVING THE REPLACEMENT OF BRIDGE # 235 AND # 238 OVER SR 3431 (POND ROAD) AND HOMINY CREEK ON I-26 IN ASHEVILLE

WHEREAS, the North Carolina Department of Transportation (NCDOT) has prepared and adopted plans to make certain street and highway improvements within the City of Asheville under Project B-5178, Buncombe County, said plans to consist of the replacement of Bridge # 235 and # 238 over SR 3431 (Pond Road) and Hominy Creek on I-26; and

WHEREAS, the NCDOT and the City of Asheville propose to enter into an Agreement for the above-captioned project whereby the City agrees; (1) to effect the necessary adjustment of any utilities under franchise without cost to the NCDOT, and (2) to provide for the adjustment of any municipally-owned utilities without cost to the NCDOT, except that said NCDOT will reimburse the City in accordance with NCDOT's Municipally-Owned Utility Policy; and

WHEREAS, the NCDOT agrees to acquire the right-of-way and construct the project in accordance with the approved project plans; and

WHEREAS, the Agreement will further provide for the establishment, maintenance, and enforcement of traffic operating controls for the regulation and movement of traffic on the project upon its completion.

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

The City Council of the City of Asheville approves a resolution authorizing the City Manager to sign and execute a municipal agreement between the North Carolina Department of Transportation and the City of Asheville approving Project B-5178.

Read, approved and adopted this 24th day of April 2012.

Magdalen Paulson
City Clerk

Angela Bellan
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Paulson
City Clerk

RESOLUTION NO. 12- 93

RESOLUTION OF INTENT TO PERMANENTLY CLOSE A PORTION OF VICTORIA ROAD

WHEREAS, the City of Asheville is hereby declaring its intent to permanently close a portion of Victoria Road; and

WHEREAS, the portion of Victoria Road is not under the control of the North Carolina Department of Transportation;

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

1. The City Council hereby declares its intent to permanently close a portion of Victoria Road, and being more particularly described as follows:
Commencing at the National Geodetic Survey (NGS) survey monument Myrtle (PID AA5637, North Carolina NAD83(CORS96) state plane grid coordinates N: 684722.08, E: 943704.80); thence South 59°53'37" East, 587.87 feet to an existing iron pin found and the point of beginning of the parcel of land herein described; thence from said **POINT OF BEGINNING**, North 70°16'25" East, 32.37 feet to a point on the western margin of Victoria Road; thence along said western margin, South 25°45'57" East, 52.56 feet to a point at the beginning of a curve having a radius of 263.00 feet, a central angle of 40°33'00" and being subtended by a chord which bears South 05°29'27" East, 182.27 feet; thence southerly along said curve and western margin 186.13 feet to a point; thence South 14°47'03" West tangent to said curve, 81.07 feet to a point; thence leaving the western margin of Victoria Road, North 01°02'37" West, 24.06 feet to a point; thence continuing North 01°02'37" West, 79.66 feet to a point; thence North 14°16'00" West, 100.00 feet to a point; thence North 13°22'28" West, 47.87 feet to a point; thence North 14°16'00" West, 50.60 feet to the point of beginning. Containing 0.232 ACRES
1. A public hearing on the question of permanently closing a portion of Victoria Road is hereby called for on May 22, 2012, at the regular meeting of the City Council beginning at 5:00 pm, in the City Council Chamber, 2nd floor of the City Hall Building, Asheville, North Carolina.
2. This resolution shall be published in a newspaper of general circulation in Buncombe County, North Carolina, once per week for four successive weeks prior to the aforesaid public hearing on May 22, 2012.
3. The notice of closing and the public hearing herein ordered (copy of this resolution being sufficient for the purpose of said notice), shall be prominently posted in at least two places along the aforementioned portion of Victoria Road. Additionally, a copy of this resolution of intent shall be sent by registered or certified mail to all owners of property abutting the portion of Victoria Road, not joining in the petition to close, as shown on the Buncombe County tax maps. The persons effecting the said posting and mailing shall file an affidavit thereof with the City Clerk prior to the public hearing scheduled herein.

Read, approved and adopted this 24th day of April, 2012.

Magdalen Bourleson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bourleson
City Clerk

RESOLUTION NO. 12- 94

RESOLUTION OF INTENT TO PERMANENTLY CLOSE AN UNNAMED ALLEY IN BILTMORE VILLAGE

WHEREAS, the City of Asheville is hereby declaring its intent to permanently close an unnamed alley in Biltmore Village; and

WHEREAS, the unnamed alley in Biltmore Village is not under the control of the North Carolina Department of Transportation;

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

1. The City Council hereby declares its intent to permanently close an unnamed alley in Biltmore Village, BEGINNING with its intersection of Boston Way, also being the northeast corner of PIN 9647-69-7963-00000, proceeding then southerly to the southeast corner of PIN 9647-69-7834, proceeding then easterly to the intersection of Swann Street, also being the corner of PIN 9647-69-7746, proceeding then northerly to the intersection of Swann Street, also being the southeast corner of PIN 9647-69-8834-00000, proceeding then westerly to the southwest corner of PIN 9647-69-8834-00000, to the point of BEGINNING.
2. A public hearing on the question of permanently closing an unnamed alley in Biltmore Village is hereby called for on May 22, 2012, at the regular meeting of the City Council beginning at 5:00 pm, in the City Council Chamber, 2nd floor of the City Hall Building, Asheville, North Carolina.
3. This resolution shall be published in a newspaper of general circulation in Buncombe County, North Carolina, once per week for four successive weeks prior to the aforesaid public hearing on May 22, 2012.
4. The notice of closing and the public hearing herein ordered (copy of this resolution being sufficient for the purpose of said notice), shall be prominently posted in at least two places along the aforementioned unnamed alley. Additionally, a copy of this resolution of intent shall be sent by registered or certified mail to all owners of property abutting the portion of the unnamed alley, not joining in the petition to close, as shown on the Buncombe County tax maps. The persons effecting the said posting and mailing shall file an affidavit thereof with the City Clerk prior to the public hearing scheduled herein.

Read, approved and adopted this 24th day of April, 2012.

Magdalen Boulson
City Clerk

Sammy Bellamy
Mayor

Approved as to form:
[Signature]
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 12- 95

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH SITE DEVELOPMENT CORPORATION FOR THE PROJECT KNOWN AS NORTH LOUISIANA AVENUE SIDEWALK IMPROVEMENTS – EMMA ELEMENTARY SCHOOL TO MALLARD DRIVE

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 North Louisiana Avenue Sidewalk Improvements – Emma Elementary School to Mallard Drive; and

WHEREAS, Site Development Corporation, of Cliffside, NC, was the lowest responsible bidder for the project, in the amount of \$189,495.50, and

WHEREAS, the project involves the furnishing of labor, material, equipment and incidentals for the installation of drainage, curb and gutter, sidewalks, drive aprons, ADA ramps, retaining walls, and utility relocation ; and

WHEREAS, the bids have been reviewed by the Public Works Department 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 \$189,495.50 and any change order within the budgeted amount with Site Development Corporation for the project known as North Louisiana Avenue Sidewalk Improvements – Emma Elementary School to Mallard Drive, TIP# SR-5001D, City of Asheville Project # ENG-08-09-002.

Read, approved and adopted this the 24th day of April, 2012.

Magdalen Bullson
City Clerk

Jeff Bullum
Mayor

Approved as to form:

M. J. ...
City Attorney

Magdalen Bullson
City Clerk

RESOLUTION NO. 12- 96

RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE AMENDMENT TO EASEMENT FOR PACK PLACE EDUCATION ARTS & SCIENCE CENTER

WHEREAS, the City is the owner of certain real property as shown in Plat Book 56 at Page 65 in the Buncombe County Registry; and

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-273 to grant easements across any City property, and pursuant to N.C.G.S. 160A-489, is authorized to support public auditoriums; and

WHEREAS, it is in the public interest for the City to grant an easement to the Pack Place Education Arts & Science Center for the purposes hereinafter described.

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 an amendment to an easement agreement recorded in Deed Book 1538 at Page 806, Buncombe Registry, to provide for an electrical conduit to be installed on City property for a sign to be located on the western façade of the Pack Place Education Arts & Science Center in accordance with plans and specifications dated January 12, 2012, for the benefit of the Diana Wortham Theatre and Colburn Earth Science Museum, subject to the approval of the City Attorney.

Read, approved and adopted, this the 24th day of April, 2012.

Magdalen Buleson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Buleson
City Clerk

RESOLUTION NO. 12- 97

RESOLUTION AUTHORIZING SUBMISSION OF THE CITY'S CONSOLIDATED ANNUAL ACTION PLAN FOR 2012-2013 TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, the City of Asheville is an Entitlement City for the federal Community Development Block Grant (CDBG) program and is Lead Entity on behalf of the Asheville Regional Housing Consortium for the federal HOME Investment Partnership Act program; and

WHEREAS, the City has prepared a Consolidated Strategic Housing and Community Development Plan to provide a five-year framework of priorities and targets for the CDBG and HOME programs for 2010-2015; and

WHEREAS, each year the City must submit to the U.S. Department of Housing and Urban Development (HUD) a Consolidated Annual Action Plan detailing its proposed use of CDBG and HOME funds; and

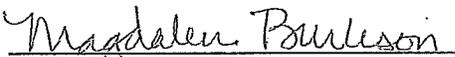
WHEREAS, the City's Housing and Community Development Committee and the Asheville Regional Housing Consortium Board have made recommendations, consistent with the Strategic Plan, for an Action Plan for fiscal year 2010-15; and

WHEREAS, three public hearings have been held to obtain citizen input and comments on the draft plan, including a public hearing in front of Council on April 24, 2012, and the draft plan has been made available to the public;

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

1. Council approves the submission to HUD of the Consolidated Annual Action Plan for 2010-15 which is incorporated by reference as if fully set forth herein.
2. Council authorizes the City Manager to sign all contracts and grant and loan agreements, after approval by the City Attorney, with HUD and with other designated agencies for the implementation of the Consolidated Action Plan.

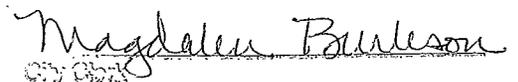
Read, approved and adopted this 24th day of April, 2012.


CITY CLERK


MAYOR

Approved As To Form:


CITY ATTORNEY


CITY CLERK

RESOLUTION NO. 12-98RESOLUTION ESTABLISHING A NEIGHBORHOOD ADVISORY COMMITTEE FOR THE
CITY OF ASHEVILLE

WHEREAS, the Asheville City Council has authority pursuant to N.C.G.S. 160A-141 to establish advisory boards and commissions; and

WHEREAS, the Council has determined that it is in the public interest to establish a committee to advise the council on issues affecting neighborhoods within the City's zoning jurisdiction; and

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

I. Creation. It is declared that the public welfare and interest of the citizens and residents of the City of Asheville will be served by the establishment of a commission to advise the City Council on neighborhoods within the City of Asheville's zoning and planning jurisdiction. To that end, there is hereby established an advisory board to the City Council to be known as the "Asheville Neighborhood Advisory Committee," referred to herein as the "Committee."

II. Membership. The Committee shall consist of nine members to be appointed by the Asheville City Council, in accordance with Council's Rules on Board and Commissions, with representations from specific community sectors as follows:

- a. At least one resident from each major geographic area of the City, as defined by the U.S. Postal zip codes assigned to the City: 28801 (Central), 28803 or 28704 (South), 28804 (North), 28805 (East), and 28806 or 28728 (West).
- b. The remaining four seats shall be at-large appointments.
- c. Members shall be residents of the City or the City's extra-territorial zoning jurisdiction, and shall reflect the socio-economic diversity of Asheville.

III. Terms. Except for initial terms as provided for herein, the terms of office shall be three years. Three of the initial terms shall expire one year from the date of commencement; three of the initial terms shall expire two years from the date of commencement; and three shall be full terms, expiring three years from the date of commencement. Council shall designate the initial terms in its resolutions of appointment. All initial terms shall be deemed to commence as of the appointment of the ninth member. Appointees may hold over beyond the expiration of their terms or until their successors are appointed and qualified.

IV. Powers and Duties. The Committee shall have the following powers and duties:

- a. Develop rules and by-laws for the conduct of its business, including but not limited to meeting schedules, officers, voting, sub-committees.
- b. Develop a plan to strengthen neighborhood identity and resilience, and to facilitate communication and cooperation between Asheville's neighborhoods and City offices.
- c. Develop benchmarks and standards by which progress towards implementing the plan can be measured.
- d. Work on special projects that are consistent with the goals of the committee, as assigned or directed by Council.

V. Reports to Council.

- a. Within 180 days from date of the commencement of the initial terms, the Committee shall provide a written report to Council setting forth its plan for carrying out its powers and duties as set forth above, and making other recommendations as to powers and duties, including whether the Committee should be established by ordinance.
- b. Following the initial report, the Committee shall provide a report to Council on an annual basis, or more frequently as directed by Council.

VI. Assistance. The City Manager shall upon request, make space available within City facilities for the Committee to conduct its meetings, and shall provide clerical assistance in fulfilling the legal requirements for said meeting pursuant to open meetings and public records laws of North Carolina, and such other assistance as is customary for boards and commissions.

Read, approved and adopted this 24th day of April, 2012.

Magdalen Buleson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Buleson
City Clerk

RESOLUTION NO. 12-99

RESOLUTION AUTHORIZING THE CITY MANAGER TO INSTITUTE A THREE WEEK FARE-FREE PROMOTION AS PART OF THE IMPLEMENTATION OF THE FIRST PHASE OF THE TRANSIT MASTER PLAN BEGINNING ON MAY 21, 2012

WHEREAS, the first phase of the Transit Master Plan (TMP) will be implemented on May 21, 2012; and

WHEREAS, the TMP implementation entails operational changes and at the same time unveils the system's new image, logo and brand; and

WHEREAS, there will be a period of adjustment for existing and potential riders; and

WHEREAS, free rides will ease the transition to the new system and riders will be able to focus on learning the new routes, schedules and stops;

WHEREAS, prior fare-free promotions have increased ridership, which has positively impacted the system's performance measures;

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

The City Manager is hereby authorized to implement a three week fare-free promotion as part of the implementation of the first phase of the Transit Master Plan, beginning on May 21, 2012.

Read, approved and adopted this the 24th day of April, 2012.

Magdalen Boulson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 12-100

RESOLUTION AUTHORIZING SUBSTANTIAL AMENDMENT OF THE CITY'S CONSOLIDATED ANNUAL ACTION PLANS FOR 2008-2009

WHEREAS, the City of Asheville is an Entitlement City for the federal Community Development Block Grant (CDBG) program and is Lead Entity on behalf of the Asheville Regional Housing Consortium for the federal HOME Investment Partnership Act program; and

WHEREAS, The City has prepared a Consolidated Strategic Housing and Community Development Plan to provide a five-year framework of priorities and targets for the CDBG and HOME programs for 2005-2010;

WHEREAS, on April 22, 2008 City Council approved an Annual Action Plan for the use of CDBG and HOME funds received in 2008-2009; and on May 26, 2009 City Council approved a Substantial Amendment to that Plan setting forth the City's plan to accept and distribute CDBG-R funds; and

WHEREAS, the City's Housing and Community Development Committee has made the recommendation, consistent with the Strategic Plan, to amend the Action Plan for fiscal years 2008-2009;

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

The Consolidated Annual Action Plan for FY 2008-2009 be amended as recommended by the Housing and Community Development Committee as follows: reduce the CDBG-R allocation to the City of Asheville for the North Louisiana sidewalk from \$123,648 to \$63,914.59; and reallocate \$59,733.41 to Mountain Housing Opportunities, Inc. for the Emergency Home Repair program.

Read, approved and adopted this 24th day of April, 2012.

Magdalen Boulson
CITY CLERK

Jim Ballamy
MAYOR

Approved As To Form:
[Signature]
CITY ATTORNEY

Magdalen Boulson
CITY CLERK

RESOLUTION NO. 12-101

RESOLUTION APPOINTING MEMBERS TO THE ASHEVILLE-BUNCOMBE COMMUNITY RELATIONS COUNCIL

WHEREAS, Ms. Kate Pett has resigned, thus leaving a vacancy on the Asheville-Buncombe Community Relations Council until on December 31, 2013; and

WHEREAS, Ms. Sharon West has also resigned, thus leaving a vacancy on the Asheville-Buncombe Community Relations Council until December 12, 2012; and

WHEREAS, in addition, the terms of Mike Hahn and Jill Fromewick, members of the Asheville-Buncombe Community Relations Council, expired on December 31, 2011;

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

(1) Ms. Itiyopiya Ewart, 100 Atkinson Street, Asheville, N.C., be and she is hereby appointed to the Asheville-Buncombe Community Relations Council, to serve the unexpired term of Ms. Pett, term to expire December 31, 2013, or until her successor has been appointed.

(2) Ms. Kathryn Liss, 11 Von Ruck Court, Asheville, N.C., be and she is hereby appointed to the Asheville-Buncombe Community Relations Council, to serve the unexpired term of Ms. West and then a full three-year term, term to expire December 31, 2015, or until her successor has been appointed.

(3) Mr. Mike Hahn, 17 Parkview Drive, Asheville, N.C., be and he is hereby reappointed to the Asheville-Buncombe Community Relations Council, to serve a three year term, term to expire December 31, 2014, or until his successor has been appointed.

(4) Ms. Rachael Tanksley-Russell, 19 Westgate Road, Asheville, N.C., be and she is hereby reappointed to the Asheville-Buncombe Community Relations Council, to serve an additional three year term, term to expire December 31, 2014, or until her successor has been appointed.

Read, approved and adopted this 24th day of April, 2012.

Magdalen Baulson
CITY CLERK

Imag B. Sullivan
MAYOR

Approved as to form:

Andrew
CITY ATTORNEY

Magdalen Baulson
CITY CLERK