

RESOLUTION NO. 12-233

RESOLUTION ENDORSING THE BUNCOMBE COUNTY GREENWAYS AND TRAILS MASTER PLAN

WHEREAS, Buncombe County has recently completed a Greenways and Trails Master Plan Update; and

WHEREAS, Buncombe County Parks, Greenways and Recreation Services worked with a representative of the City of Asheville throughout the planning process; and

WHEREAS, the planners conducting the study received a considerable amount of input from interested citizens of the City of Asheville through an online survey and public meetings; and

WHEREAS, the plan proposes several corridors within the city limits of Asheville that will connect the city neighboring towns and points of interest; and

WHEREAS, a countywide system of connected trails and greenways will provide recreational opportunities; increase health benefits by the provision of access to more physical activity opportunities; increase traffic safety with bike and pedestrian infrastructure; and increase economic prosperity for the City of Asheville through increased jobs, increased housing values and increased tourism and local spending by travelers of a greenway; and

WHEREAS, City Council is of the opinion that it is in the best interests of the citizens and residents of the City to support this plan that proposes countywide greenways with connected trails;

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

That the City Council hereby expresses its endorsement of the Buncombe County Greenways and Trails Master Plan.

Read, approved and adopted this 23rd day of October, 2012.

Margaret Boulson
City Clerk

Jimmy Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Margaret Boulson
City Clerk

RESOLUTION NO. 12- 234

RESOLUTION AUTHORIZING THE CITY MANAGER EXECUTE A CHANGE ORDER WITH BROWN AND CALDWELL TO INCREASE THE PROFESSIONAL SERVICES CONTRACT FOR THE WATER RESOURCES ASSET MANAGEMENT PLAN UPDATE

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 has the need to update the Asset Management Plan and Replacement Planning Model; and

WHEREAS, competitive bidding requirements were waived and Brown and Caldwell was selected as the most qualified firm for the update; and

WHEREAS, a change order is needed to increase the contract amount in order to incorporate Munis and SCADA Historian data into the Asset Information Management System in the amount of \$69,969 for a revised contract amount of \$169,849;

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 in the amount of \$69,969 to increase the professional services contract with Brown and Caldwell from \$99,880 to \$169,849 for the Water Resources Asset Management Plan Update 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 23rd day of October, 2012.

Magdalen Boulson
CITY CLERK

Jim Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Boulson
City Clerk

Resolution No. 12-235

RESOLUTION TO APPROVE LOAN DISBURSEMENT FROM THE CITY'S HOUSING TRUST FUND

WHEREAS, on September 12, 2000, the City Council of the City of Asheville first appropriated funds and adopted policies and detailed program guidelines for administering a Housing Trust Fund to assist in the development and preservation of affordable housing in the City; and

WHEREAS, on March 8, 2011, The City Council of the City of Asheville approved \$300,000 from the City of Asheville Housing Trust Fund to Mountain Housing Opportunities, Inc. for the development of sixty-two (62) units at Eagle Market Place; and

WHEREAS, Mountain Housing Opportunities, Inc. has requested authorization to proceed to loan closing subject to terms and conditions that do not comply with current City of Asheville Housing Trust Fund Policy Guidelines; and

WHEREAS, the City Council's Housing and Community Development Committee has reviewed the request from Mountain Housing Opportunities, LLC, requesting exceptions to current policy and has made its recommendation to Council to approve the request;

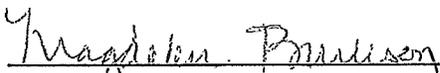
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Authorization to release Housing Trust Fund monies to Eagle Market Place, LLC for the development of sixty-two units at Eagle Market Place is approved subject to the following terms and conditions:

1. Funds to be released for reimbursement of "soft costs" in the amount of \$300,000. MHO to provide copies of paid invoices and/or copies of canceled checks for all predevelopment services provided prior to closing.
2. Funds to be released at closing for purposes other than land acquisition. The City must be provided a minimum of ten (10) business days to process check request.
3. MHO to draw all funds immediately rather than on a proportional basis with other funding sources.
4. Closing subject to receipt of firm Commitment Letter from a local lending institution at a loan amount of no more than \$1.3 million.
5. Closing subject to receipt of satisfactory property appraisal(s) for all five (5) parcels comprising the project development area. Combined Loan to Value (CLTV) is not to exceed 80%.
6. Seller to pay delinquent taxes in the amount of \$14,454.39 at closing from sale proceeds.
7. MHO to provide a Draw Schedule reflecting timing and amount of anticipated disbursements from all funding sources prior to closing.

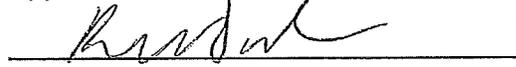
8. MHO to provide copies of Uniform Relocation Act (URA) disclosures provided to current tenants.
9. Closing is conditional on the satisfaction of additional requirements that may appear in the firm Commitment Letter from a local lending institution.
10. Closing Agent to provide Preliminary Title Commitment reflecting aggregation of all five (5) development parcels under one Property Identification Number (PIN).
11. City of Asheville to close in second lien position.
12. Loan to close at the following terms: \$300,000 at 2% annual interest-only payments, 20 year term.

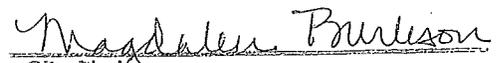
Read, approved and adopted this 23rd day of October, 2012.


CITY CLERK


MAYOR

Approved As To Form:


CITY ATTORNEY


City Clerk