

Worksession

Present: Mayor Terry M. Bellamy, Presiding; Vice-Mayor Diana Hollis Jones; Councilwoman Robin L. Cape; Councilman Jan B. Davis; Councilman Bryan E. Freeborn; Councilman R. Carl Mumpower; Councilman Brownie W. Newman; City Manager Gary W. Jackson; City Attorney Robert W. Oast Jr.; and City Clerk Magdalen Burleson

Absent: None

CHAMBER ECONOMIC OUTLOOK

Mr. Tom Tveidt, Director of Asheville Metro Business Research Center, said that the Asheville metro is experiencing strong and stable economic growth. A balance of forces, centered around the area's quality of life amenities, will continue to support this durable pattern.

Through the first quarter of 2006, the Asheville metro has participated in 27 straight months of record-setting job levels. Over the year, 5,200 net new jobs have been added, With current total employment of 170,600 and a growth rate of 1.9 percent through the first quarter, Asheville has settled into a pace close to its historic average.

At 3.2 percent, Asheville's unemployment rate holds well below the state, the nation, and all but two of North Carolina's 13 other metro areas.

Balanced economic growth in the Asheville metro is being led by: specialized healthcare industry; record-setting tourism activity; emerging professional services sector; resilient housing market; baby-boom fueled population growth; and transforming manufacturing sector.

The Asheville metro has developed a unique and balanced economy. Four major activities characterize the core strengths of the area. Together, these drivers underpin Asheville's special economic position and foretell its direction. Predictably, the actions of each driver overlaps and supports other drivers in the local economy. History has also shown that a period of weakness for one driver can lead to the expansion of another. This was the recent experience of the health services industry's growth throughout the transition in manufacturing.

The well-established leisure and hospitality sector is experiencing record-setting growth. Within the initial phases of an entirely new national branding campaign, the industry is looking at spearheading over \$15 million worth of media spending. Overnight accommodation sales are up 14 percent, and industry employment, up 3 percent, now stands at 21,700.

After several straight years of losses, the declines in local manufacturing employment have leveled out, with the first two months of 2006 showing gains. With 21,500 workers, the industry continues to be transformed into a high-skilled advanced sector, as exemplified by the major wage gains made over the last few years. In the Asheville metro economy, manufacturing alone contributes \$898 million annually in wages.

Health services has grown into one of the area's major job creators. At over 26,000 workers, health services is now the largest industry sector in the Asheville metro. Strong gains in well-paying health services had softened earlier losses in the traditional manufacturing sector. Stable growth continues at an annual rate of 4-5 percent, as it has done for most of the last 15 years.

-2-

Local health services will continue strong because (1) concentration of specialized care facilities and technologies; (2) growing baby-boomer market; (3) nationwide trend of growing utilization and per capita spending; and (4) expanding geographic market.

Population growth remains a consistent and stable contributor to the local economy. At no time within the last 35 years has population declined. Estimates indicate moderate growth patterns will continue between 1.5-2.0 percent per year.

The Asheville metro is distinct in that more than 90 percent of local population growth is from in-migration, the remaining from births over deaths. Other North Carolina communities supply about 40 percent of the in-migrants. Florida tops the states with the highest number of in-migrants, accounting for about 12 percent of the total.

Mild population increases, stable job growth, and comparatively affordable prices have kept the residential housing strong. Unlike other communities, the Asheville market has avoided dramatic price appreciation and the threat of falling prices. Currently, home sales are up 10.3 percent for the year, with the average price up 7.8 percent.

In summary, the economic strengths of the Asheville metro assure that it continues along its path of stable economic growth. A balance of economic drivers, centered around the area's quality of life amenities and major demographic trends, will support this durable pattern. Over the last year, 5,200 net new jobs have been added. Health services and the leisure and hospitality industries continue as the major job creators, with an emerging professional/business services sector playing an increasingly important role. Local manufacturing continues its major transformation to high-skilled production, marking the way with sizeable wage gains.

Stable population growth, owing to in-migration and fueled by the retiring baby-boom generation, will continue to fuel growing home sales and guide residential building activity.

Mr. Tveidt responded to various questions from Council, some being, but are not limited to; is there any information that looks at how the small businesses have grown around the manufacturing sector; what sector will new jobs occur and will those jobs be from new employers or current employers who are able to expand; how will the HUB Project play into the future of bringing in more jobs and will we see more diversity in service providers; how can we get areas that have a high unemployment rate connected with the new jobs; do we have any data about how Asheville compares to other parts of the state in terms of living wages; are there any economic development public policies where we can address wages; are we continuing to track the number of people coming to our area because of broadbanding, the Media Arts Project, etc.; are we making an aggressive attempt to reach the media arts group; and what is the average wage range per year in the private industry.

On behalf of City Council, Mayor Bellamy thanked Mr. Tveidt for his concise and informative presentation and looked forward to hearing more in the future.

EMERGENCY PLANNING

Public Health

Fire Chief Greg Grayson shared information on the emergency management principles and the good cooperation between the City, County state and federal agencies.

He said the system component representatives include City government efforts; County government efforts; NC Emergency Management efforts; Federal Emergency Management

-3-

efforts; and non-profit agencies as partners, such as American Red Cross, United Way 211, and a host of others.

The NC's system is an all-hazards approach to emergency assistance: severe weather (hurricane, snow, tornado, flood, drought); technological (hazardous materials/radiological, fixed nuclear facilities); man-made (weapons of mass destruction, cyber-terrorism); and lost person search/rescue.

The emergency management tradition phases include preparedness (training and equipment), response, recovery and mitigation.

The following is the NC Emergency Management system when disaster strikes in Asheville: (1) Disaster; (2) City of Asheville emergency services responds; (3) if disaster exceeds the City's capability, Buncombe County Emergency Medical assistance is requested; (4) If disaster exceeds Buncombe County capability, State Emergency Management activities; (5) If severity and magnitude of disaster exceeds state and local capacities, Governor requests federal assistance; and (6) if approved, State receives assistance from DHS/FEMA and other federal agencies.

The City of Asheville's primary emergency services are (1) Fire and Rescue; (2) Police; (3) Public Works (fleet and streets); (4) Water; and (5) support departments such as Finance, Information Technology, Engineering, Public Information, and Building Safety.

Key emergency rules for Asheville include (1) the City Manager keeps all elected officials apprised of emergency situations and obtains policy direction from elected officials when necessary; (2) Fire and Rescue has the key coordinating role to ensure that unified command and control is in place and operates in concert with Buncombe County and NC Emergency Management efforts;

and (3) all other operating departments perform specific services as needed for emergency.

The Buncombe County's primary emergency services include Emergency Medical Services, Emergency Management, Sheriff's Department, Health, and support departments.

The transition from County to State emergency management is (1) all 100 counties have an Emergency Management Director whose position is partially funded by state government; (2) the state has three geographical districts that the County directors connect with. The WNC branch headquarters is located in Conover; and (3) NC operates an Emergency Operations Center in Raleigh 7/24/365 and upgrades when needed for all significant emergencies.

Dr. Martha Salyers, Team Leader for the Public Health Regional Surveillance Team, provided Council with statistics on the pandemic influenza. She explained that outbreak means occurrence of disease above the expected; epidemic is essentially the equivalent to outbreak; pandemic is a very large outbreak that encompasses many regions and affects a large portion of the population; and influenza is a viral disease caused by the influenza virus, from the Italian "influence."

Dr. Salyers explained the influenza virus stating that mutations can range from minor (seasonal flu) to major genetic recombination (pandemic influenza). She then explained how new flu strains are created.

One of the three kinds of influence that is in the news is the seasonal influenza - (1) November through April; (2) usual peak January-February; (3) yearly vaccine; (d) 200,000 hospitalizations and 36,000 deaths per year in the U.S., mainly very young and elderly; and (4) partial immunity exists from year to year.

-4-

Another kind of the influenza that is in the news is the pandemic influenza – (1) caused by new flu virus that becomes transmitted easily between humans; (2) 10 worldwide pandemics in 300 years; 3 in the U.S. in 20th century; (3) little or no immunity exists; and (4) no existing vaccine. No one knows when the next pandemic will come. It is estimated at every 15-40 years and we are overdue. In facing a pandemic, what can we do ... (1) prevent it - (a) vaccine availability – probably 3-6 month after pandemic begins; (b) antiviral medication prophylaxis; (c) personal protection (masks, hand-washing, cough etiquette); and (d) "social distancing;" (2) treat it – antiviral medications (supply issues; and may not be effective for pandemic influenza strain); and (c) contain it – quarantine and isolation – limited effectiveness.

The third kind of influenza that is in the news is the Avian influenza, aka "Bird Flu." This is a type of flu that infects wild and domestic birds. This is currently spreading in southeast Asia and eastern Europe. It can be transmitted to humans or other mammals. The World Health Organization has documented 230 human cases as of July 14, 2006, resulting in 132 deaths and a case fatality rate of 57%. Human-to-human transmission has been very rare to date. The Bird Flu is bad for birds because North Carolina is the 3rd largest poultry producer in the U.S. It's bad for people because of the known transmission from birds to humans and the high case fatality rate. If it mutates and develops efficient human-to-human transmission, it could cause the next pandemic.

We are preparing for this. On the federal level, we have a Federal Pandemic Flu Plan: 2005-06. It includes: (1) purchase of H5N1 vaccine for 20 million persons; (2) increase U.S. ability to produce vaccine; (3) stockpile antiviral medications; (4) promote state and local preparedness; and (5) provide aid for international preparedness. On a state level, we have the NC Pandemic Flu Plan, which includes an October 2004 (updated in 2006) part of state Emergency Operations Plan to include: command and control; surveillance; vaccine preparedness; antiviral preparedness; mass case; healthcare facility preparedness; and communication.

There are several issues in local preparedness, which are (1) supplies of personal protective equipment, vaccine, medications (coordinate with state, federal, business, medical, and other response communities); (2) priorities for protection and treatment; (3) surge capacity; (4) continuity of operations (critical services, single points of failure, and plan for 40% staff absence); (5) command and control (partnerships and unified command); (6) communication (between responders and with our citizens; and (7) mobilizing the community.

Dr. Salyers responded to various questions/comments from Council, some being, but are not limited to: who should people contact for additional information; what is the solution to surge capacity response; how long do we have in the U.S. if there is an outbreak in Asia; is there a possibility that the 20 million doses of vaccinations will be ready, if necessary; what are some efforts that City Council can do to prepare for an outbreak; who is the most susceptible to the different flu types; and where can domestic bird owners find additional information to be better partners in mitigating that connection.

Dr. Salyers said that good planning and exercising is underway to address any outbreak in the U.S., and even though we

are not ready yet, the City, County, state and federal governments are working hard to get there.

On behalf of City Council, Mayor Bellamy thanked Dr. Salyers on her informative presentation.

-5-

PUBLIC ARTIST OF THE YEAR/ASHEVILLE FILM ARTIST OF THE YEAR

Councilman Mumpower presented information regarding a Public Artist of the Year and Film Artist of the Year. He said that (1) we know Asheville is a premier arts destination; (2) we know that the Arts have a significant impact on our economy; (3) We know that it is Council policy to support the arts in Asheville; and (4) we know that money is tight and that the private sector carries the Arts in Asheville.

He said that the arts are an economic engine – one of many that pulls an important train – Asheville. The arts, at least many of them, have a constructive impact on our quality of life. The arts, in one form or the other, touch every living person in Asheville – through everything from Country Music to Mozart, ballet to swing, finger painting to the grand masters, majestic art deco buildings to majestic mountain touched by the hand of God – art surrounds us...

What we do to help... (1) The city provides roads, streets, and sidewalks to help people access the arts; (2) We work hard to help Asheville remain a safe place for people to enjoy the arts; (3) We fund the Civic Center – a major venue for the arts in our community; (4) We provide limited funding to nudge the arts forward in our community; and (5) We keep it on the radar screen.

Some of us have philosophical disagreements with using forced tax payer monies to directly fund the arts. Yet we also realize that the arts need help – the City of Asheville can have a major impact on the arts through our policies. There are other ways we can help that involve limited dollars.

Let's use our clout...and appoint an official "City of Asheville Public Artist of the Year" and a "City of Asheville Film Artist of the Year." And once we've got it down, look toward other artistic groups we might support in similar fashion. It's a good place to start.

Regarding the Public Artist of the Year, (1) Use this honor to also garner public art for the community; (2) Open the competition to artists in Asheville and maybe add a few counties for spice; (3) Provide a \$10,000 honorarium to the creator of winning piece – which is in turn donated to the City of Asheville for the purposes of exhibition as public art; and (4) Create a special annual event during through which we raise funds for the arts and bestow this honor.

Regarding the Film Artist of the Year, (1) Provide a \$1,000 honorarium for the Film Artist of the Year; (2) Competition is open to Asheville residents; (3) Announce the winner at our annual Film Festival; and (4) Open the competition to all level of artistic involvement in film – acting, production, direction, screenplay, etc.

Where might we go from here... deliberate the merit of these requests; officially endorse the efforts if the majority wishes; refer the concepts to the respective Boards with some guidance and parameters for developing an implementation plan; and fund the \$11,000 per year, but only with the understanding that this program will result in our obtaining a public art piece for our community each year.

He does understand that money matters, but what really matters is the recognition and honor; through this program we can begin building our public art in meaningful, but economic fashion – it's past due; and we have an opportunity to use the national reputation of Asheville to propel local artists forward toward their own fuller potentials.

He presented this thought to the Public Art Board three years ago and it has been deliberated. He believes they need some policy guidance and parameters that can help them help us.

-6-

He suggested Council create some kind of fund that people can contribute to in order to raise these monies. If Council supports this, he offered to assume the responsibility in the first year to raise the \$11,000, with the understanding that the Public Art Board from that point forward is charged with trying to raise these monies and that the City "fill in the blanks" as necessary.

Councilwoman Cape supported the arts, however, she was concerned about the City getting involved in this when we have arts organizations in our community. She noted that our Public Art Board has been deliberating this idea for three years. We have an existing Arts Council that is doing incredible things in our community and had we funded them with \$11,000, she felt that they

could have then leveraged that amount, because of their existing fund-raising capabilities, into a larger amount of money. She felt we could make better use of our money in working with the Arts Council supporting them in their abilities to do this type of event. While she is very supportive of the idea of a local competition for public art, she questioned the need to compete with an existing structure that is trying to do those kinds of things now. She asked if Councilman Mumpower would be willing to consider working within the existing Arts Council structure.

Councilman Mumpower said that the City is already in the public art business with the Public Art Board and they have a mandate to bring public art to the community.

In response to Councilwoman Cape, Councilman Mumpower said that the Public Art Board only needs some policy guidance and some parameters to work with. He is confident that the Public Art Board can accomplish this if the City mandates it.

Councilman Freeborn felt this was a good way to get more public art to the community at a low cost. His only concern would be the unfunded aspect of this program. He would support this concept and ask that the Public Art Board look into this further.

Councilman Mumpower felt that if the Arts Council could have done this, they might have done it by now. He thinks it's very difficult for the arts community to focus, commit and execute something of this nature. He thinks there needs to be strong, central leadership and not to involve them would be unwise. However, he thinks we need to take a strong leadership role in this and focus ourselves and make it happen.

Councilman Davis spoke in support of this action and felt this type of incentive award to encourage film production is a great move forward. He offered to help Councilman Mumpower in the fund-raising.

When Vice-Mayor felt we needed the input from the Public Art Board, Councilman Mumpower said that the Public Art Board does have a Master Plan to guide them and this falls into their responsibility of creating public works of art for the City of Asheville. The Board has endorsed the idea but has not endorsed the parameters, i.e., only Asheville residents or region; whether or not to ask winner to contribute the public art, etc. Over the past three years, they have been trying to actualize this and we need to provide the guidance.

Councilman Newman said that based on this information he has, he thinks the most ambiguous part is the funding. He felt we need clear expectations on what the public will do and what the expectation is from the private sector, opposed to do as much as you can and the City will make up the rest.

Mayor Bellamy's preference would be that the competition be open only to City of Asheville residents. She felt the amount for the film artist should be a little more than \$1,000. She did support the concept, but felt the Board should not have to raise the money because the Public Art Board already has a fund to buy art. Our Superintendent of Cultural Arts David Mitchell

-7-

will work closely with this endeavor along with the Public Art Board. She noted that there is dialogue in the community with Mr. Mitchell to do something similar to this so she is glad it is coming forward now.

Councilman Mumpower thanked Mayor Bellamy for her support, but said he would like to try to raise that money.

In response to Councilwoman Cape, Parks & Recreation Director Irby Brinson explained the \$50,000 one-time appropriation by Council for the Public Art Board to purchase art. He would provide Council with the language of the ordinance regarding matching funds.

Mr. Bill Fishburne, member of the Public Art Board, responded to questions from Vice-Mayor Jones and explained that the Board does support Councilman Mumpower's concept. He said the Board would love to work on this if they can just get a handle on what the program will look like.

Councilman Mumpower liked the idea of supporting Asheville arts as well, but we have a regional responsibility. Even though he would not encourage Council to go beyond 16-18 counties, we should expand our pool and increase our potential for getting meaningful art from people from this region. He felt that \$10,000 provides enough compensation to provide some motivation for people to contribute their art.

Councilman Newman felt we should first take care of what we have and if there is any public support beyond that, then we could explore these creative ideas like this. He asked for feedback from the Public Art Board and others about what do we need to

be doing to take care of what we have before we do anything else.

In response to Vice-Mayor Jones, Mayor Bellamy said that Mr. Mitchell has already identified the next spot for public art, which will be Carrier Park.

Councilman Mumpower said that with Council's consensus, he would be happy to lay out a beginning parameter list (coming from Council's discussion and working with Mr. Mitchell), have it reviewed by City Council, and then send it to the Public Art Board. One of those parameters would certainly be some level of collaboration and input from the arts community in general.

Vice-Mayor Jones felt it would be fair and helpful that Mr. Mitchell and some members of the Public Art Board be involved in developing the parameter list. If that occurs, then she would endorse the concept.

Mayor Bellamy's endorsement of the concept will not be limited to the Public Art Board's endorsement. She is willing to move forward in order to make this happen, without any input from Council on the parameters.

Councilman Newman asked staff for information on how much money do we need to be investing annually, whether from private or public sources, to maintain the public art that we have.

Councilman Mumpower is asking that if the City does want a Public Artist Program to come out of a Public Art Board, in collaboration with others, some parameters need to be given, i.e., we are willing to fund a portion to be determined (we would like a fund-raising component); and would we like to include or not include counties outside of Asheville, etc. The parameters would be broad things, not whether we want sculpture one year, etc. He'd like to come back to Council with some of those broad parameters, coming out of this discussion, and then if there is a majority view, then take it forward to the Public Art Board and let them flesh out the specifics. It was the consensus of Council to ask Councilman Mumpower proceed in this direction.

-8-

At 4:50 p.m., Mayor Bellamy announced a 10-minute recess.

ILLEGAL IMMIGRATION

Councilman Mumpower said that this is a presentation to the Asheville City Council on our responsibilities and potential local interventions in addressing illegal immigration.

A quick review of the issues are (1) Illegal immigration is a national, state and local issue; (2) The response by national and state elected officials has been slow and largely ineffective; (3) We have a responsibility to address, at the city level, our abilities to intervene locally; and (4) we need to begin a dialog of possibilities.

He outlined the realities of illegal immigration: (1) There are 300,000 plus illegal immigrants in NC; (2) Access, under current law, to social services and medical care is complete and funded by citizen tax payers; (3) We are required to educate the children of illegal aliens – there has been a 600% increase in numbers over the past 10 years at a cost of \$8,500 per year per child; and (4) The majority of illegal immigrants are uneducated, unskilled, and do not speak English – their capacity for assimilation is dramatically impaired as a result.

Some myths surrounding illegal immigration include *We cannot survive without illegal immigrants* – 75% of our menial jobs (including agriculture) are completed by legal citizens; *Illegal immigrants have powerful economic impact* – yes, but when you factor in the costs for education, medical care, social services & entitlements – that impact is largely reversed; *We are a country of immigrants* – yes, all countries are, but the operative word is “illegal” – forcing your way through our borders represents a poor foundation for assimilation into a new country; and *American businesses have to have illegal immigration help to survive* – businesses and consumers may enjoy the savings of cheap labor and the opportunity to side-step a free market economy through hiring illegals, but that is more about selfish interests than necessity. Employers who hire illegal aliens transfer the hidden costs to tax payers.

Why Does It Matter? We are a nation upheld by a system of laws. We do not authentically support the citizens of Mexico neglected by the indifferences of their government through the patterned indulgences of our government. America lives on a thin veneer of sustainable civilization that must be nurtured and cared for much like the soil of the land – that is so quickly eroded when neglected.

So What Should We Do? (1) Fund/support the transportation of illegal immigrants who are arrested for violating city ordinances to the INS in Atlanta, starting with drug traffickers. There maybe funding available we can tap into; (2) Explore options

for city enforcement of immigration laws (Charlotte model), business permit restrictions for those who employ illegal aliens, and/or other local opportunities; and (3) Complete a resolution to submit to our local legislative delegation and congressional representatives supporting prompt and meaningful intervention policies with illegal immigrants and those who employ them.

He said that a brief personal take is that (1) It is the jobs that are the attraction – employers who side step our laws hold the key to containing and reversing the flow of illegal immigrants; (2) It is irresponsible of us to remain passive while our laws, social order, and economy are being harmed by something we can help influence; and (3) The operative word is “illegal” – we should not be comfortable in our willingness to selectively and timidly apply our laws.

He asked to begin the dialog on possibilities.

-9-

Vice-Mayor Jones asked what we do currently if someone is arrested and the police find they are illegal. Capt. Tim Splain responded that generally we base all our actions on what the actual crime is. If the person has committed a felony, we charge them and prosecute them through the court system and contact the Immigration & Naturalization Service (“INS”) so that at the end of their sentence they can then be deported. If they are a past-deported felon or someone who is in this country illegally and has a warrant out of them, then we contact INS and they come and pick them up from the Buncombe County Jail. These are exceptions for us. He could only recall a few instances in the recent past that we have had to do that, but by and large, most of the crimes we encounter are minor driving offenses.

In response to Councilwoman Cape, Capt. Splain said that if the crime is a minor traffic offense, we charge them by citation or take them to jail and have them charged and then the court process takes it’s course. We do not contact INS.

Upon inquiry of Vice-Mayor Jones, Capt. Splain said that we have had a few instances where we have come across a van or a bus that had 10-15 people in them that are undocumented and we can’t prove one way or another. In those instances we have not gotten the cooperation of the INS to pick them up. Basically, their base-line rule is it has to be at least 24-25 individuals, all in one location, before they will come and take them to Atlanta for deportation.

In response to Vice-Mayor Jones, Capt. Splain said that if the person is a hard-core criminal, INS will pick the individual up, especially if we have charged them with a state felony or federal crime. Otherwise they will only come if there is a big group.

Vice-Mayor Jones asked what happens if the person is arrested and convicted for drug trafficking. Capt. Splain said that it has been his experience that we have them go through our judicial system first and then they are deported, except in instances where this person is a past-deported felon and then they don’t even take them into the court system. INS just comes and picks them up and immediately deports them. He did explain that our experience is fairly limited so far. We don’t experience this on a daily basis.

Capt. Splain said the two issues recognized so far involving illegal immigrants is driving offenses and drug trafficking.

Councilman Davis said that the City Attorney’s Office has research local law enforcement enforcing immigration.

In response to Councilman Davis, Capt. Splain said that he would have to research how many times within a year that we should have had people picked up by the INS, but didn’t the group numbers necessary.

Councilman Newman was concerned that if someone is convicted of a serious crime or is a past convicted felon is deported, it seems like the absence of lack of security that our country has on our borders isn’t a very effective strategy.

Councilman Mumpower said that he sees this as a filtering opportunity to create at least some accountability, where none exists now, for people who come into this community illegally who will at least pause because they know there is some accountability.

In response to Councilman Mumpower, Capt. Splain said that the INS has picked up one individual from Asheville in the past year.

-10-

Responding to Councilman Newman, Capt. Splain that that we had approximately 20-25 illegal immigrants in our custody in the course of a year that we would have liked the INS, but they did not meet the qualifications for pick-up. In addition, there have been about twice that many for suspect cases.

In response to Councilwoman Cape, Capt. Splain said that it would have a positive impact if Asheville had the ability to transport people to the INS.

Councilwoman Cape felt she needed more information about the Charlotte model, the business permit restrictions, the other local opportunities, and information on what the INS' holding practices and mandates are. And if we were to consider any type a resolution to our local delegation, she would support that we simultaneously call for a methodology by which people can immigrate here legally and become contributing members of our society.

Mayor Bellamy asked if an illegal immigrant is arrested for drugs, can they post bail, get back out on the streets, over and over again. Capt. Splain said that yes, subject to the thresholds about past deportation, etc.

Councilman Mumpower said that his goal is to do what is going to be most effective in leading illegal immigrants who come into our community to pause and recognize that they are at risk for accountability and that includes any law, including employment and traffic offenses.

In response to Mayor Bellamy, Assistant City Attorney Curt Euler said that because illegal immigration is a federal statute, our police officers have limited jurisdiction in what they can and can't do in terms of detaining someone solely on an immigration matter. We would have to work with the federal government in getting Asheville officers the legal authority to detain persons.

Councilman Mumpower felt we should not just pick on illegal immigrants, but go after the people who employ these folks, and ask our leaders at the state and national level to do things to move forward. He asked that Council put this issue in the hands of our Legal Department and let them provide us with some guidance on possibilities.

Councilman Davis wondered if this is another layer we are using with our valuable resources. Regarding the employment issue, as a small businessman, he has employed an illegal immigrant, unknown to him, however; he was good employee but left when a threat that the INS was coming into the community. He said that typically illegals will have papers that will suit most employers, so he was concerned if we are stepping too far with the employment issue. Small businesses don't have the ability to go into the depth on possible employees and since there is not a national policy on this, how do we deal with this. He felt we needed to do some in-depth research on this issue because we will be placing a greater burden on businesses than at the national level.

Councilman Mumpower responded that we should take the measured steps that we are capable of in a responsible fashion and start asking our permitted businesses, if we can, to start paying the best attention they can. We have a lot of people that are actively looking for illegal immigrants to hire and he wants Asheville to do what we can do within the limits of our abilities.

Councilman Freeborn felt that from a public safety standpoint we need to give the tools to our officers to get illegal criminals out of our community. But again, some illegal immigrants who come to our community are honest, hard-working people, who just don't have proper documentation, and he doesn't have a problem with that necessarily. However, he does have a problem with employers who knowingly hire illegal immigrants because they know they can exploit them. The workers are being exploited and the employer is benefiting. He wondered whether or not we have the authority, or the resources, to tackle this issue at this point. He

-11-

would, however, support an effort towards helping our law enforcement officers get the resources they need in removing drug traffickers from our community.

Vice-Mayor Jones said this issue is very complex and there is not one answer. Regarding social services costs, they are mandated not to give their many services to illegal immigrants. Mental health reform is a big issue, which we should be talking about in our community. She asked to let our criminal justice experts, i.e., Police Chief, ask for what they need and then we can make an informed decision. This is a huge national, political issue and felt this was a good discussion for us to have as a community. If the Police Chief says this has risen to the level that we need to do some serious investigation, she will listen intently. The other end of the spectrum is that personally, she adopted her daughter 3.5 years ago and still she does not have her citizenship, after repeated attempts to obtain it. There are people who are trying to go through the proper channels but the system is a mess. She said we do have some good preventive issues taking place, i.e. there is a community effort lead by the District Attorney's Office to begin to infiltrate the Latino gangs forming targeting our young people. Again, she needed the Police Chief to advise Council that this is a big issue in terms of public safety and regarding the business permit restrictions, she felt we were out of our league as well. In terms of the resolution, it would have to be very comprehensive addressing both aspects - those people trying to become legal but are not able to because of the bureaucratic nightmare.

Mayor Bellamy said that she would support the transportation of illegal immigrants who are arrested for violating city ordinances to the INS in Atlanta starting with drug traffickers, because of the amount of resources that our police officers are putting on the street, i.e. community policing. Regarding the business permit restrictions, she was concerned about the enforcement mechanism. That would be very difficult for us to enforce. She would also be supportive of the resolution to our local legislative delegation and congressional representations as well.

Upon inquiry of Mayor Bellamy regarding the resolution, City Attorney Oast said that he would research this issue and provide Council with information about what we can do at a local level.

Councilman Newman is supportive of the Mayor's direction as well. Regarding the business permit restrictions, enforcement of this would not be a top law enforcement priority due to our resources.

Councilman Mumpower questioned if we have legal authority or not to transport illegal immigrants to the INS or not. He said there is a movement lead by Congressman Taylor to create a pilot program in Western North Carolina through the INS that they reimburse you for transport, etc. He would also like to suggest that we not take a line officer off the line and ask him to make the trip to Atlanta because there are lots of creative ways we can do this, i.e., off-duty officers, County officers, etc. Our policy guidance to the Police Chief should be what will help you. how can the City do it, what are the possibilities, and what are some creative opportunities for us to try to address this issue.

Councilman Davis asked if we have been talking with the Sheriff's Department to see if there is an opportunity for inter-departmental work. City Attorney Oast said that we have already been in touch with the Sheriff's Department and have begun exploring those issues, but are waiting on further direction from Council.

Vice-Mayor Jones said that as long as the system is broken about illegal immigrants being arrested, convicted and not going to jail, then she could support the transportation of individuals buying and selling hard core substances. The rest of the Councilman Mumpower's

-12-

request is beyond us and she will not be supportive at this time. In terms of the limited resources, we must be sensitive about what we ask our attorney's to research.

Mayor Bellamy felt that if we begin with an issue we are all against - drug trafficking – we can benchmark our success or failure over a year's time tracking the number of people taken off our streets and the impact it has had on our drug trafficking trade in our community. After that time, then we can begin to track the other crimes.

Vice-Mayor Jones said that she is not willing to go further than drug traffickers and if this is a pilot program for something broader, she is not supportive of it. Because drug-trafficking crime makes sense based on what we are seeing.

Councilwoman Cape said that when we look at violent crimes, she would like to have the option of getting people off the street.

Councilman Davis felt we should ask our City Attorney's Office to research what we can do, obtain the transportation cost, and see about the opportunity to work with the Sheriff's Department.

Councilman Mumpower felt there was clear direction by Council to (1) have our staff explore resolution potentials; (2) have our staff look into the transportation issue, i.e., partnership, etc.; and (3) have our staff look into our potential at the local level to address employers who intentionally violate our laws.

Mayor Bellamy said that there was not direction from Council to have our staff look into our potential at the local level to address employers who intentionally violate our laws.

Councilman Newman also raised a process question regarding the resolution because it was his understanding that City Council would consider issues regarding state or federal issues at one time. He didn't feel that Asheville is uniquely affected differently than every other community in North Carolina.

Mayor Bellamy noted that she did not get consensus from Council to have our staff explore resolution potentials either.

Councilwoman Cape said she would like more information on what is meant by business permit restrictions.

Councilman Freeborn is supportive of what is being requested, but not supportive, at this time, of spending staff resources on the business permit restrictions part of the issue. He suggested Councilman Mumpower, with a group of citizens, do some research and bring it back before Council with more information. He feels there is very little we can do as a City to go after employers, in light of all of the other things the City has to deal with, he is not willing to tackle that part of the issue at this time.

Councilman Mumpower said that he would be happy to undertake that research responsibility and asked to be placed on the next worksession agenda. Mayor Bellamy responded that she before she could commit to the next worksession agenda she would have to look at that agenda and let him know as soon as possible.

Mayor Bellamy asked that if Councilman Mumpower is going to get additional information, she would like to see more of a commitment from the District Attorney's Office regarding penalties for individuals who are arrested, so that we can ensure that we are not wasting anybody's time. Councilman Mumpower said that he will gather that information and be

-13-

very specific with clear recommendations. Mayor Bellamy also stated that the minutes of this meeting be included with the information when it comes back to Council.

SUSTAINABLE COMMUNITY ENVIRONMENTAL ADVISORY COMMITTEE & GREEN BUILDING INCENTIVES

Councilwoman Cape said that within the City of Asheville we have created a structure of boards and commissions as a means of being more inclusive of our citizens in the governance of this City. This structure has proven to serve an important role for the community, expanding the depth of discussion and acting as an agent to extend the resources and vision of local government.

She recommends the establishment of a citizen's advisory committee on energy and the environment because it is vital that our City, advance the principles of sustainability to enhance our quality of life. Sustainability means thinking about our behavior in the larger context and understanding that the choices we make now will have a profound effect on the future of our community.

Cities are the forefront of response and impact for the effects of economic, social and environmental stresses. Throughout this county, cities are leading their communities in discussions, exploration and actions to remedy and address these concerns. It is the role of community leaders to convene the discussions that can lead our City forward with a vision to the future, to seek to understand what the world is going to look like in 2050 and to determine how we can govern with that future in mind.

We are blessed with many residents within our City who have much to offer this endeavor in terms of their knowledge, interest and background in sustainability issues. With their help we can extend the opportunities for Council to think, plan and act in a manner that will allow us to more expediently address issues that affect the quality of life in our community, now and in the future.

The City of Asheville had had a tradition of undertaking initiatives to improve the environment, encourage green development, and support development of a healthy community. Additionally, we acknowledge that there are regional partners working toward these same goals. She recommended City Council establish a citizens' advisory committee on energy and the environment to address these issues at a City level and participate in the larger community and regional discussions of these same issues.

The committee would meet a minimum of once a month. This committee should consist of a diverse group of stakeholders including technical experts and interested citizens.

Councilman Newman said that he has been working with Councilwoman Cape on establishing this committee as well as opportunities for the City to be a leader on green building initiatives and creating incentives for green building and sustainability in the private sector. In anticipation of establishing this committee, he offered five ideas to either (1) charge this new committee; (2) give direction to City staff; and/or (2) City Council take the lead on working on them ourselves. Those issues regarding green building, environmental and energy sustainability in Asheville are: (1) should the City adopt a policy that all new municipal buildings over 5,000 square feet are certified under the LEED certification process; (2) create additional economic incentives for green building in the private sector; (3) whether or not the Council simply establish a goal for ourselves as a City for reducing our use of energy and also reducing our fuels; (4) ask staff to research the potential of converting our transit fleet to hybrid electric vehicles; and (5) ask staff to research is a parking cash-out policy for City employees which would create further incentives for City employees to use car-pool, use transit or walk to work.

Councilwoman Cape explained that the ICLEA organization is working on local level actions for climate protection. In order to benchmark our progress, she encouraged the City to join ICLEA (\$1,200 annually), which will allow us to amplify our voice on an international level and utilize the tools they give us regarding inventory assessments and benchmarks to move us forward in achieving the goals we set for ourselves.

Councilman Mumpower would be supportive of the committee if it was set up as an advisory committee and structure them with narrow parameters at the beginning. He felt it would be appropriate to refer this to one of our Council standing committees and charge them with providing some parameters and guidance for that new committee. He liked the concept of green building and could support it as long as we do that in a measured fashion and look for incentives. In terms of the parking initiative, as long as Council is willing to pay for their parking spaces as a model for City employees, then he would consider it, however, he doesn't think it is a good idea. Regarding Councilman Newman's other ideas, if we aid toward points of realism and reality on where we spend our limited tax dollars, those are worth exploring.

Councilman Freeborn was supportive of joining the ICLEA organization and also supporting researching the cash-out policy for City employee parking since we do provide them with free access to the transit system. He would support the green building incentives and felt staff can find some good benchmarking programs. He would also support the establishment of the advisory committee on the environment and energy. He noted we are working towards getting a Clean Cities designation and if the City is able to bring their diesel fleet on board with a flex fuel, such a bio-diesel, 100 extra vehicles would help our regionalized area meet that Clean cities designation. That would help trigger funding mechanisms that would help aid in that switch. He would also be interested in looking at where we have an abundance of street lamps in neighborhoods, since that was a significant increase in the budget.

Vice-Mayor Jones was supportive of Councilman Newman and Councilwoman Cape's economy savvy alternatives. One caveat around the parking cash-out policy is that she heard it more as a bonus, opposed to having to pay for parking. Some employees work 9-5, however, for others it may be a hardship in terms of their physical abilities or they may live outside in the County.

Councilwoman Cape said that the cash-out policy is the kind of an issue that she would like the committee to flesh out and let them bring it back to us with the varying degrees.

Councilman Davis supported the creation of the committee as well, with narrow parameters. He would like to see the implementation explained better and perhaps that could be the committee's first task. As far a green building incentives, he has some hesitations because some costs would be prohibitive. He realizes technology will get better through the years and hoped we will strive for that. He hoped we will continue working with the County in inventorying energy. He would like more information from City staff on the pros and cons of hybrid buses since hybrid is a good interim technology. In addition he would need additional information on the parking cash-out policy, and could only support it if it is a bonus for City employees.

Councilman Newman said that since it looks like Council is willing to establish the committee, he and Councilwoman Cape will go over the feedback from Council and work with City staff. They will bring it back to Council with a specific proposal for recommendations asking for (1) Council approval, (2) refer it to the committee, or (3) do more analysis on it.

Mayor Bellamy suggested that pros and cons be included when this matter is brought back to Council. Regarding the committee, we need to narrow the focus of the policy area going to the committee and make sure that any policy changes go through the same review process as other ordinances prior to coming back to Council, i.e., CAN, CIBO, etc. She is supportive of the

committee, however, she will not automatically approve the recommendations coming from the committee.

In response to Councilman Mumpower, Councilwoman Cape explained how City staff is involved in this and she envisions direct City staff involvement.

Councilman Jackson felt there would be a lot of City staff looking at these tactical issues. The City Manager's Office will provide support to this committee of the larger task of coming up with what is the environmental management plan for the community. The primary work is you form the committee and they will establish a master plan. He sees the committee using the investment in the goal setting tools of the ICLEA to begin its work by looking at what should be our long-range goals and how do we become an environmental setting and then you take the individual tactics and decide the priorities. Some may compete for your

financial resources. You can look at models of those kinds of environmental management plans that come as a result of months of effort by these kinds of committees to set a visionary long-range plan for the community.

In response to Councilman Mumpower's concern about Councilwoman Cape using a "staff" presentation for her presentation, she assured him that the staff report arose from various meetings she attended with City staff. Councilman Mumpower asked that this item be placed on a future agenda to deal with that issue. Mayor Bellamy said that the issue of who is making who's presentation would be placed on an agenda if the topic rises to that point. Councilman Mumpower's concern was duly noted.

It was the consensus of Council to establish a citizens advisory committee on energy and the environment and that Councilman Newman and Councilwoman Cape review the information from Council and work with City staff to bring back to Council a specific proposal for recommendations asking for (1) Council approval, (2) refer it to the committee, or (3) do more analysis on it.

In addition, Mayor Bellamy asked that the normal process for appointment take place.

At 6:40 p.m., Mayor Bellamy announced a 10-minute recess.

RETIRED EMPLOYEES HEALTH CARE

Councilman Davis thanked Council for placing this item on Council's worksession agenda. He understands that our policy is to provide continued coverage at the employee rate for those retirees who haven't access to other group health plans. Those employees having access through an employed spouse's group coverage do not receive the benefit of continuation, in our program, at the employee price. He understands that the policy was put in place several years ago and asked for an update.

He then introduced Mr. John Ferguson, the City's third-party advisor, who briefed Council on the actions to date regarding retiree health insurance.

Mr. Ferguson explained in detail the three options Council has regarding this issue – (1) increase the coverage for all; (2) reduce the benefit (a) go back to the policy of the 1980's; or (b) cost-neutral; or (3) do nothing and leave the current situation as it is. With both options one and two, there may be legal implications and he would have to work with the City Attorney if Council so directed.

He reviewed with Council his analysis of the cost of offering subsidized benefits for retirees that are eligible for other health insurance. If the City provides this for just future retirees,

-16-

the cost would be approximately \$18,680 in the first year, growing approximately \$28,065 each subsequent year, so \$53,114 in year 2 and \$91,179 in year 3, etc. If it is offered to past and future retirees, the estimated maximum additional annual cost would be about \$266,452 per year – even without considering cost increase trends of about 10% for retirees under the age of 65. He also confirmed that the number of employees offering retiree health coverage has decreased dramatically.

Mr. Ferguson responded to several questions/comments from Council, some being, but are not limited to: what happens with changes in relationships; how many retirees have elected to keep the City coverage at the higher rate; can you change your retirement option after you retire if circumstances change; can you cancel the insurance after you retire and then get back on it; what happens if the retired employee gets another job; is the insurance restricted to just the employee or is it extended to family members; and do retired employees have access to the Asheville Project.

Councilman Freeborn felt the City should look at the equity of our retirement package and felt this topic should be referred to the City's Revenue and Finance Committee for a recommendation.

Councilman Mumpower was more inclined to pass the equity question to City staff. He said that from a point of fairness and courage, the cost-neutral option has some potential.

Mayor Bellamy said that based on the last eight months regarding financial impacts, she could not support referring this to the City's Revenue and Finance Committee because of the nature of this, all of Council will want to have input. She would support, however, getting more information by City staff on the different options.

Personally, Mayor Bellamy would support keeping the retiree health insurance as it currently exists, especially since there

may be legal consequences to make changes.

Councilman Mumpower supported asking staff to explore in detail the cost neutral solution and other potential solutions that they might identify for us, with the understanding that we do see an inequity and we would like to address it, if possible. He also asked staff to look deeply at the risk factors for cost-neutral and explore other possibilities.

Councilman Newman felt strongly to treat all our employees fairly and would support moving in the direction of cost neutral, unless there is a legal reason we cannot.

Councilwoman Cape would be interested in getting more information in moving towards cost- neutral and questioned what the possibilities would be for starting a policy change with the next new hires.

Councilman Freeborn felt that if this means changing the policy away from providing affordable access to health insurance for future employees, he won't support the change. If a change is made, he would support the more expensive route of giving everyone the option of the lowest cost, because if you work for an organization for 30-35 years you deserve something substantial for that.

Vice-Mayor Jones would support more information on the cost neutral analysis option.

Upon inquiry of Councilman Davis, Mayor Bellamy asked City staff to look at some of our retention efforts, longevity pay

-17-

Mr. Ferguson said that he would work with City staff in providing Council with the following information (1) the legality for the second option; (2) cost options if we change this for future retirees; and (3) possibility of longevity pay.

CITY LAND REDEVELOPMENT AND FACILITIES PLANNING

Mayor Bellamy said that in looking where our City facilities are located throughout the City, she doesn't believe that we are making the highest and best use of that land. Our Purchasing Division is on Hunt Hill, overlooking Memorial Stadium and McCormick Field. It is an eyesore for the neighborhood. On our Charlotte Street corridor, we have some basic needs there and in the West End/Clingman Avenue neighborhood we have two other large facilities – the bus depot and the Parks & Recreation maintenance facility. Why don't we centralize where we put our facilities together and use our land for the best and highest use. She felt we needed to begin planning on how we want to grow our City facilities and needs with the amount of people anticipated to move to the Asheville area.

Planning & Development Director Scott Shuford said that this report is related to the City-owned property and redevelopment potential for Parkside and South Charlotte Street.

The goals for reuse or redevelopment include: Facilitate development of a Performing Arts Center; Provision of workforce housing; Significant tax base enhancement; and Smart Growth development pattern – infill, redevelopment and use of existing infrastructure.

With regard to the Parkside site redevelopment options, (1) Performing Arts Center Location; (2) Mixed use development – development mix may contain public and private parking, offices (including possibly some City offices), entertainment, retail, hotel, market residential and/or workforce housing; and (3) >\$200M private investment.

Goals met on the Parkside site include: (1) Facilitate development of a Performing Arts Center; (2) Provision of workforce housing; (3) Significant tax base enhancement; and (4) Smart Growth development pattern – infill, redevelopment and use of existing infrastructure.

He then reviewed several sample projects for the Parkside site.

Development challenges/opportunities for the Parkside site include: (1) City doesn't own entire block or Hayes-Hopson building; (2) Context issues - Mt. Zion, EMS, Pack Square design guidelines; (3) Parking logistics are excellent; (4) Considerable developer interest; (5) Proximity to Pack Square Renaissance; and (6) Possible linkage with other Downtown properties.

The method of transfer would be a Request for Qualifications (RFQ)/Request for Proposals (RFP).

Regarding the Public Works area, redevelopment options would include: (1) Mixed-use development; (2) Greater utilization

of South Charlotte Street; (3) Possible parking garage location; (4) Potential density > 50 units per acre; (5) Public space could be integrated into design >\$200M development potential; and (6) Good location for access & near Downtown.

Goals met would include: provision of workforce housing; Significant tax base enhancement; and Smart Growth development pattern – infill, redevelopment and use of existing infrastructure.

He then reviewed several sample projects for the Public Works area for the east side of Charlotte Street and west side of Charlotte Street.

-18-

Development challenges/opportunities at this location would be (1) Need to relocate and replace facilities for City Water and Public Works; (2) Possible opportunity to consolidate all City maintenance facilities; (3) Attractive site - gateway area to Downtown; (4) Possible to phase the project; (5) Attractive site(s) for public-private partnership; and (6) Possible linkage with other Downtown properties.

The method of transfer would be a RFQ/RFP.

Alternatives would be to (1) Pursue RFQ/RFP for each site as a stand-alone project; (2) Package Parkside and Public Works sites for a combined RFQ/RFP; and (3) Package larger selection of City-owned properties for a combined RFQ/RFP.

In evaluating the alternatives for a stand-alone RFP/RFQ, the pros would be (1) simpler to assess; (2) shorter-term; and (3) less reliance on phasing or a master developer. The cons would be (1) no synergy with other properties; (2) may not accomplish goals without heavy City investment due to small scale and (3) less opportunity for creative ideas.

In evaluating the alternatives for two sites combined RFP/RFQ, the pros would be (1) synergy with other properties; (2) potential for less City investment per amount of private investment; (3) more opportunity for creative ideas; and (4) more opportunity for workforce housing and tax base enhancement. The cons would be (1) not as simple to assess; (2) longer-term; phasing; and (3) reliance on a master developer.

The alternative description for a package larger selection of City-owned properties for a combined RFQ/RFP; (1) Combine with Civic Center and near Civic Center properties (Economic Development office; Rankin Street parking deck; etc.); (2) Offer opportunities to expand development opportunities to other areas (Eagle-Market Street; transit maintenance facility; etc.).

The evaluation of alternatives for many sites combined RFP/RFQ, the pros are (1) synergy with other properties may get whole Civic Center redeveloped; (2) potential for less City investment per amount of private investment; (3) greatest opportunity for creative ideas; (4) greatest opportunity for workforce housing and tax base enhancement; and (4) greatest opportunity to consolidate City maintenance facilities. The cons could be (1) not as simple to assess; (2) longer-term; phasing; and (3) reliance on a master developer.

The recommendation would be a package larger selection of City-owned properties for a combined RFQ/RFP to (1) Combine with Civic Center and near Civic Center properties (Economic Development office; Rankin Street parking deck; etc.); and (2) Offer opportunities to expand development opportunities to other areas (Eagle-Market Street; transit maintenance facility; etc.).

Implementation issues would be (1) Staff expertise in evaluating responses; (2) Staff expertise in negotiating deal; (3) Scale of project; and (4) Facilities consolidation. Response would be to (1) Hire consultant from RFQ/RFP fees; (2) Selected firm(s) fund independent consultant to assist staff; (3) Discrete phasing allows for market absorption and infrastructure installation; and (4) Develop facilities consolidation plan.

Mayor Bellamy noted that the West End/Clingman Avenue Plan calls for the removal of the bus depot and the Parks & Recreation maintenance facility. Council hasn't talked about creating a Tax Increment Financing (TIF) district and she felt there are a lot of opportunities out there, but more importantly looking long-range.

Mr. Shuford responded to various questions/comments from Council, some being, but are not limited to: do we own land or will we have to purchase land to consolidate our City services;

-19-

will the cost of the land to be purchased more than the tax benefit of putting our land on the tax rolls; how old is the Public Works

Facility; what is the anticipated cost of a new consolidated facility; are there any plans to use the West Asheville Armory site; has any thought been given to combining our services and development at the same location; Council would like to see the list of potential sites for combined City facilities when it is available; and how can we push the creative edge for what can be developed on our property.

Mr. Shuford said that this is an opportunity for us to take the Asheville name to get the best designer as possible. We would make our objectives known that (1) we would like to see park space as part of the South Charlotte Street redevelopment but certainly we are expecting a great deal of sensitivity to both the Eagle/Market Street commercial area and the Pack Square Renaissance Project; and (2) we are expecting there to be a substantial workforce housing component to the project. We will work with the consultant to tailor our RFQ to make sure that those issues are known and there will be opportunities for the responders to indicate to Council what their experience has been in addressing those issues so we will be able to accomplish many of those goals. He said that City Council will be highly involved in the RFP/RFQ process. He thinks we will be rewarded with ideas that exceed what we might even think about ourselves.

Councilwoman Cape said she would be a supporter of good, quality design, density and height in our downtown to make this the most functional environmentally supportive City we can.

Mayor Bellamy responded to Councilwoman's request to start preserving the 30 acres of greenspace behind Memorial Stadium.

Councilman Newman supported staff's recommendation to package a larger selection of City-owned properties for a combined RFQ/RFP. He was concerned that if we receive a big development interest, we don't want to shut out the smaller scale developers who may be interested in developing 1-5 acres. Mr. Shuford responded that Council has the option, in your criteria, to award some points for working with the local development and design community. Typically on something of this scale, there will be some major efforts to get the local players in the development game involved in a proposal for a variety of reasons – they know the area, they know a lot of the details about design and what works here, and also because there is a recognition they are local and they bring with it the perception of working fully with the community.

Mr. Shuford said that he will meet with the City Manager and see how we can move forward with Council direction.

STRATEGIC PLAN UPDATE

Assistant City Manager Jeff Richardson presented City Council with the short-term and long-term Strategic Plan updates based on Council's January 2006 retreat and subsequent budget worksessions during the Fiscal Year 2006-07 budget planning process.

The City Council adopted a Strategic Operating Plan approximately two years ago, in coordination with the adoption of the Fiscal Year 2004-05 budget. Since that time, staff has provided Council with quarterly operational updates on progress in each of the identified focus areas. At City Council's January 2006 planning retreat, Council discussed short-term and longer-term goals. Since that time, Council has discussed and modified these goals, in conjunction with any continuing interest identified in the 2004 Strategic Operating Plan. As result, he reviewed the final draft of the updated 2006 Strategic Operating Plan for council's review and direction.

Consideration:

- Multi-year Strategic Plans provide elected officials and staff the opportunity to do multi-year planning and prioritization of the city's longer term needs.

-20-

Once City Council reviews this document and provides any amendments necessary, staff recommends formal endorsement of this document.

Vice-Mayor Jones asked that the cleanliness of downtown be included. Mr. Richardson said that it is covered under "improve/enhance basic city services and customer services." He said it can be amended to focus on the downtown Central Business District, because we have enhanced garbage pick-up and are continuing to look at ways to spruce up the downtown area.

Councilman Davis did say there is a strong desire to more forward quickly with better core services in the Central Business District.

Councilwoman Cape suggested adding under economic development's short-term goals of pursuing available City property development opportunities.

Councilman Freeborn asked that we don't lose focus on the downtown bathrooms and hoped that if we have extra money this year, that some of it go toward that issue. Mayor Bellamy noted that our Economic Development Director has a presentation on that issue coming to Council soon.

Councilman Mumpower felt that a lot of the language we use in this document is arrogant and unrealistic to our abilities, i.e., provide sufficient, safe and affordable housing opportunities for all citizens. He felt our ability to implement most of the Strategic Operating Plan is marginal at least. Even though this is an attractive printed document, he felt we shouldn't spend our tax dollars or staff time on a printed-document such as this.

Upon inquiry of Councilwoman Cape, Mr. Shuford updated City Council on the ordinance amendment on the hillside and ridge top regulations, noting that his timeframe would be to gather public input in August, take the amendment to the Planning & Zoning Commission in September and to City Council the last Tuesday in September.

BOARDS AND COMMISSIONS:

It was the consensus of City Council to arrange interviews for Joseph Malki, Chip Hood, Tebbe Davis and Timothy Laughlin for vacancies on the Civic Center Commission.

Regarding the vacancies on the Community & Economic Development Alliance, Vice-Mayor Jones said that Council received very few applications and there is some expertise that Council wants to share on behalf of the City that did not come from the existing applications. Since the City has five appointments to make, she offered four options for Council (1) continue on in the process and interview from the existing resource list with interviews on August 22, 2006; (2) use the resource list in addition to two names each from Council and appoint the highest five vote-getters at this meeting; (3) re-open the application process with a deadline of August 10, and Council to interview on August 22, 2006 (noting that the City's five appointments will not be seated at the Committee's first meeting; however, noting that Mayor Bellamy and Councilwoman Cape are already members for City representation); or (4) if a member of Council recommends a name and all Council member support that appointment, then make that appointment at this meeting. It was the consensus of Council to re-open the application process with a deadline date of August 10, 2005, with Council members contacting two individuals, if they wish, would they feel will bring expertise to the Committee and have them fill out an application form.

It was the consensus of City Council to have the City Clerk prepare the proper paperwork to reappoint Stephanie Cooper and James Lewis to the Police Officers and Firefighters Disability Review Board. She said that the Buncombe County Medical Society is in the process of making a recommendation for the licensed physician.

-21-

It was the consensus of City Council to arrange interviews for Wendy Kussrow, William Langdon and Martha Jane Peiser for a vacancy on the River District Design Review Committee.

ADJOURNMENT:

Mayor Bellamy adjourned the meeting at 8:39 p.m.

CITY CLERK

MAYOR