

General Fund Operating Budget Worksession

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Gwen C. Wisler; Councilman Brian D. Haynes; Councilman Vijay Kapoor; Councilwoman Julie V. Mayfield; Councilwoman Sheneika Smith; Councilman W. Keith Young; Interim City Manager Cathy Ball; and City Clerk Magdalen Burleson

Chief Financial Officer Barbara Whitehorn explained the original budget gap was \$5.82 Million. After staff budget work the gap was reduced to \$3.2 Million. Council supported strategies include:

Reduce health insurance contribution	(\$ 255,000)
Debt fund capital maintenance	(\$ 700,000)
Reduce AFD Fleet allocation	(\$ 100,000)
Add Transit Planner	\$ 86,000
Employee compensation at 2.5%	(\$ 300,000)
Parking monthly rate & daily max increase	(\$ 160,000)
Use of Fund Balance above 16.6%	(\$ 300,000)
Adjusted Police Academy Budget Plan	(\$ 400,000)
Cost of County tax collection	(\$ 100,000)

The adjusted budget gap would then be \$971,000.

Significant research into firefighter cancer trends have led the National Fire Protection Association (NFPA) as well as other groups to recommend that firefighters not use turnout gear repeatedly without decontamination. There are two ways a fire department may address this issue: 1) upstaffing to allow for the four-hour decontamination of each set of turnout gear after a fire response, or 2) two sets of turnout gear for every firefighter. Option one is not recommended because the upstaffing required to ensure the same level of response to emergencies while gear is decontaminated would add millions in cost to the City's operating budget. Staff recommends option two. Turnout gear is considered personal protective equipment and has a useful life of 10 years. Staff recommends that for the safety and protection of firefighters, a new set of turnout gear for all firefighters be provided in FY 2018-19. This equipment would be included in the 59-month installment financing debt that the City issues annually for vehicles and equipment. The maximum cost for the gear is \$780,000, which can be added to the capital budget. The fire department has a replacement plan for existing gear in their operating budget, assuming replacement every five years. This existing allocation enables the City to debt fund the purchase of the additional gear in one year with the knowledge that the operating budget will cover the replacement of the gear over time. This addition will not affect the FY 2018-19 budget gap.

Ms. Whitehorn asked for Council direction on the following two points: (1) structure and use of parking revenues; and (2) allocation of Fund Balance.

Regarding the parking revenues, options are as follows:

- Eliminate the first hour free for all transactions - \$1,000,000
- Provide 30 minutes free parking for all transactions - \$500,000
- Provide free parking only for transactions less than 1 hour - \$800,000

In response to an earlier Council inquiry, Ms. Whitehorn said that the City cannot charge different parking rates based on residency - the City has authority to vary rates based on classes

of services - i.e.: monthly v. daily parking, parking garages v. parking lots and on-street parking - but there is no legal authority to charge different user fees for parking based on residency.

Regarding the use of Fund Balance, options are as follows:

Additional use of Fund Balance (16%)	\$ 750,000
Additional use of Fund Balance (15%)	\$1,300,000

In response to Councilman Kapoor, an additional alternative/additional strategy was suggested: Defer the FY 2018-19 allocation to the Housing Trust Fund to FY 2019-20 which would be a savings of \$500,000. There would be no impact on operation of Housing Trust Fund. Basically we would forego the \$500,000 Housing Trust Fund allocation for FY 2019-20 and put in \$1 Million in the Housing Trust Fund the following fiscal year.

Mr. Doug Carter, our financial advisor, spoke to Council regarding the use of Fund Balance to balance the budget. He felt the City is doing good financial management.

Staff recommends the following to balance the budget: (1) Provide free parking only for transactions less than 1 hour - \$800,000; and (2) add an additional \$171,000 of Fund Balance.

Interim City Manager Cathy Ball said that Council asked staff to evaluate the capacity of the Transportation Department staff to plan and implement an expansion of transit service hours. Due to ongoing work on the Transit Master Plan and an expected significant expansion of service in early FY 2019-20, staff recommends delaying any service enhancements until that time. This delay would allow staff to focus on implementation of the first year of Transit Master Plan recommendations and ensure effective outreach and promotion efforts in advance of FY 2019-20 service changes. There was considerable discussion and disappointment regarding not adding the additional 12 hours for transit service in this budget, due to staffing levels.

There was a brief discussion regarding employee compensation. In summary, it was the consensus of the majority of Council to provide the employees with a 2.5% compensation with the possibility of re-evaluating additional employee compensation in January, 2019.

Councilman Kapoor wanted to make sure that our resources are allocated properly and that we have staffing adequate to get the things done that Council wants done.

After discussion on each option, Vice-Mayor Wisler moved that staff proceed with balancing the budget as outlined above with the adjusted budget gap of \$971,000 being closed with the (1) Provide free parking only for transactions less than 1 hour - \$800,000; and (2) add an additional \$171,000 of Fund Balance. This motion was seconded by Councilman Kapoor and carried unanimously.

Mayor Manheimer adjourned the budget worksession at 3:48 p.m.

Tuesday – April 24, 2018- 5:00 p.m.

Regular Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Gwen C. Wisler; Councilman Brian D. Haynes; Councilman Vijay Kapoor; Councilwoman Julie V. Mayfield; Councilwoman Sheneika Smith; Councilman W. Keith Young; Interim City Manager Cathy Ball; City Attorney Robin T. Currin; and City Clerk Magdalen Burleson

Absent: None

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Manheimer asked for a moment of silence in remembrance of the victims of the tragic April 18 shooting that claimed the lives of an Asheville mother and two children. She asked us to also remember the other siblings who were harmed by this unspeakable act of gun violence.

Mayor Manheimer also acknowledged our public safety employees in the Asheville Police and Fire Departments who responded to this horrific shooting on Hansel Avenue that day. These public servants are not only trained and equipped to respond to calls for help in our community, they often confront issues of personal safety in the course of their duties. We commend them for their professionalism, dedication and compassion.

I. PROCLAMATIONS:

A. PROCLAMATION PROCLAIMING APRIL 24, 2018, AS “OSOGBO DAY” IN THE CITY OF ASHEVILLE

Councilwoman Smith read the proclamation proclaiming April 24, 2018, as "Osogbo Day" in the City of Asheville in recognition of our Sister City, Osogbo, State of Osun, Nigeria, Africa. She presented the proclamation to Ms. Karen Korp, along with a large group of 11 delegates and Otunba Grace Titilayo Tomori, the Deputy Governor of Osun State, who briefed City Council on some activities during the day.

B. PROCLAMATION PROCLAIMING APRIL 27, 2018, AS “STAND AGAINST RACISM DAY”

Councilman Young read the proclamation proclaiming April 27, 2018, as "Stand Against Racism Day " in the City of Asheville. He presented the proclamation to Ms. Sala Menaya-Merritt, Ms. Nona Workman and Ms. Betsey Russell, representing the YWCA, who briefed City Council on some activities taking place during the day.

C. PROCLAMATION PROCLAIMING MAY 2018 AS “NATIONAL PRESERVATION MONTH”

Councilwoman Mayfield read the proclamation proclaiming May 2018, as "National Preservation Month " in the City of Asheville. She presented the proclamation to Mr. Jack Thomson, Executive Director the The Preservation Society of Asheville and Buncombe County, and others, who briefed City Council on some activities taking place during the month.

D. PROCLAMATION PROCLAIMING MAY 2018 AS “MOTORCYCLE AWARENESS MONTH”

Councilman Kapoor read the proclamation proclaiming May 2018, as "Motorcycle Awareness Month " in the City of Asheville. He presented the proclamation to Mr. Jody Martin, and others, who briefed City Council on some activities taking place during the month.

E. PROCLAMATION PROCLAIMING MAY 6-12, 2018 AS "NATIONAL DRINKING WATER WEEK"

Vice-Mayor Wisler read the proclamation proclaiming May 6-12, 2018, as "National Drinking Water Week " in the City of Asheville. She presented the proclamation to Interim Water Resources Director David Melton, and others, who briefed City Council on some activities taking place during the month.

II. CONSENT AGENDA:

At the request of City Staff, Consent Agenda Item F was removed from the Consent Agenda to be scheduled at a later date.

A. APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON APRIL 10, 2018

B. ORDINANCE NO. 4665 - BUDGET AMENDMENT FROM THE N.C. DEPT. OF CRIME CONTROL & PUBLIC SAFETY FOR REIMBURSEMENT FOR HAZARDOUS MATERIALS RESPONSE AT 288 LYMAN STREET

Summary: The consideration of a budget amendment in the amount of \$25,779.10 from the N.C. Dept. of Crime Control and Public Safety, Division of Emergency Management for the reimbursement for Hazardous materials Regional Response Team 6 Mountain Energy at 288 Lyman Street on February 4, 2018.

The N.C. Dept. of Crime Control and Public Safety, Division of Emergency Management developed the Regional Response Teams (RRT) strategically located throughout the state. Asheville Fire Department hosts one of the seven state funded teams - RRT 6. The team responds to hazardous materials incidents in the twenty westernmost counties of North Carolina.

The strategy identifies the NC Hazardous Materials Regional Response Teams (RRT) as an integral component of North Carolina's preparation and response to manmade and natural emergencies and disasters. The City of Asheville adopted on March 22, 2016, with Resolution No. 16-56 the latest contract to continue the Regional Response Team -6. The contract allows for the City to accept reimbursement funds NCEM to refurbish the supplies used in order to make the team whole and ready for the next response.

Pro:

- The Department of Crime Control and Public Safety, Division of Emergency Management, has reimbursed RRT-6 in the amount \$25,779.10

Con:

- None identified

Upon City Council Approval, a budget amendment will be made in the current fiscal year to accept this reimbursement and reduce the impact to replace used/damaged equipment for the Asheville Fire Department in the amount of \$25,779.10

City staff recommends that City Council accept the non-matching grant from the N.C. Dept. of Crime Control and Public Safety, Division of Emergency Management, to enhance AFD's capabilities to protect Asheville and Western North Carolina, and the associated budget amendment.

C. RESOLUTION NO. 18-91 - RESOLUTION AUTHORIZING THE CITY EXECUTE A CONTRACT AMENDMENT WITH B. ALLEN CONSTRUCTION,LLC FOR THE DESIGN-BUILD SERVICES FOR THE WNC NATURE CENTER RED PANDA AND BREEDING FACILITY PROJECT

ORDINANCE NO. 4666 - BUDGET AMENDMENT FOR THE WNC NATURE CENTER RED PANDA AND BREEDING FACILITY PROJECT

Summary: The consideration of: 1) a resolution authorizing the City Manager to execute a Contract Amendment to the Construction Agreement with B. Allen Construction, LLC for the negotiated amount of \$154,200 for design-build services for the WNC Nature Center Red Panda Exhibit and Breeding Facility project; 2) a budget amendment in the amount of \$184,820 in the General Capital Projects Fund to fully budget the project, which is funded with a donation from from The Friends of the Western North Carolina Nature Center, Inc. and a transfer from the Parks and Recreation deferred maintenance budget.

The development of the Red Panda exhibit and breeding facility is identified as a priority in the WNC Nature Center 2020 Vision Plan, and as part of the Prehistoric Appalachians themed area. The Friends of the Nature Center will donate funds to support the cost associated with construction (\$154,200), and they have pledged to donate \$5,000 per year for 10 years to support operations & maintenance costs.

On September 19, 2017, the General Services Department issued a Request for Qualifications for Design-Build Services for the WNC Nature Center Red Panda Exhibit and Breeding Facility project. The contract includes the design and construction of a breeding facility and an outdoor viewing area and exhibit space. A Design-Build justification is required per NCGS 143-128.1A and City Council Resolutions 14-138 & 16-45, and it was approved by the Acting City Manager on June 30, 2017.

In response to the Request for Qualifications, the department received one submittal on October 11, 2017. The company responding was:

1. B. Allen Construction, LLC (Candler, NC)

Following a review of qualifications by City staff and the program manager, B. Allen Construction, LLC was selected as the qualified firm. In order to expedite design and ensure the project would be complete before the deadline to receive the pandas, the City awarded an initial contract to complete the design phase and professional services for \$15,200 on December 11, 2017. The negotiated fee for the remaining design-build services is \$154,200. The total design-build contract amount will be \$169,400. A 10% contingency on construction in the amount of \$15,420 will be added to the project budget, for a total project budget of \$184,820 for approval by City Council.

Pros:

- Provides the City with an opportunity to contribute to the restoration of an endangered species through participation in the red panda breeding program.
- Enhances the visitor experience and contributes to the mission of the Western North Carolina Nature Center.
- Contributes toward improvements cited in the 2020 Vision Master Plan for the Western North Carolina Nature Center.
- Continues the partnership with the Friends of the Nature Center with the donation of construction funds, in the amount of \$154,200, and the commitment to fund future operations & maintenance costs (\$5,000 per year for 10 years).

Cons:

- During the improvements, some modest disruption will be seen in the visitor experience at the adjacent exhibit.
- There will be an increase in maintenance for the additional species and exhibit.

As noted above, a portion of the cost of the project will be funded by a \$154,200 donation from the Friends of the Nature Center. The remaining \$30,620 will come from previously budgeted funds in the Parks and Recreation Department's deferred maintenance account. A budget amendment is included to budget the donation and the transfer of the Parks budget from the General Fund to the General Capital Projects Fund.

Staff recommends City Council adopt: 1) a resolution authorizing the City Manager to execute a Contract Amendment to the Design-Build Agreement with B. Allen Construction, LLC, for the amount of \$154,200 for the construction phase of the WNC Nature Center Red Panda Exhibit and Breeding Facility project, for a total contract amount for these design-build services being \$169,400; and 2) a budget amendment in the amount of \$184,820 in the General Capital Projects Fund to fully budget the project (including the \$169,400 total design-build contract value plus a 10% construction cost contingency in the amount of \$15,420), which is funded with a donation from from The Friends of the Western North Carolina Nature Center, Inc. and a transfer from the Parks and Recreation deferred maintenance budget.

In response to Councilwoman Mayfield, Director of the Nature Center Chris Gentile said that while red pandas currently live in the forest of the Himalayas and major mountain ranges of southwestern China, 5 million years ago their now extinct relative Bristol's Panda inhabited what is now known as the Southern Appalachians Mountains in North Carolina and Tennessee. They are an endangered species. Only 10,000 wild adult red pandas remain in the world. And red panda populations are on the decline in the wild. Bringing them to the WNC Nature Center is the next development in the center's Prehistoric Appalachia-themed area of the park. The exhibit will feature a den and breeding area, an interpretive exhibit and viewing areas.

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ORDINANCE BOOK NO. 32 - PAGE 54**

**D. MOTION TO DIRECT STAFF TO NEGOTIATE A CONTRACT WITH AN
EXECUTIVE SEARCH FIRM FOR THE CITY MANAGER**

Summary: The City of Asheville City Council intends to contract with an Executive Search Firm for the purpose of a national search for a new City Manager.

A Request for Proposal was open beginning March 1, 2018, and closed on April 2, 2018. There were nine (9) responses that include the following:

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| • Ralph Andersen & Associates, | Rocklin, California |
| • Find Great People, | Greenville, SC |
| • LLC GovHR USA, | Northbrook, Illinois |
| • Slavin Management Consultants, | Norcross, Georgia |
| • vTech Solution Inc., | Washington D.C. |
| • The Mercer Group, Inc., | Raleigh, NC |
| • Springsted Waters Executive Recruitment | Addison , Texas |
| • Strategic Government Resource, | Keller, Texas |
| • The Hawkins Company, | San Ramon, California |

Human Resources and City Manager staff will evaluate these proposals and make a recommendation to City Council.

The Search Firm will work with staff to establish dates for meeting with Council to develop the profile for the City Manager, finalize the timeline, and establish dates for community engagement meetings.

The fiscal impact will be negotiated but is not expected to exceed \$38,000.

Staff recommends Council allow Human Resources Director and Purchasing Manager to negotiate with selected vendor Springsted Waters Executive Recruitment.

E. RESOLUTION NO. 18-92 - RESOLUTION IN SUPPORT OF FEDERAL CONGRESSIONAL ACTION TO ADOPT LEGISLATION FOR A CARBON FEE & DIVIDEND POLICY TO ADDRESS CLIMATE CHANGE

Summary: The City of Asheville encourages Congress to enact legislation that address the significant risks posed by greenhouse gas emissions and that such legislation potentially include, but not be limited to, the following carbon fee and dividend policy components: (1) An annually increasing fee on carbon dioxide (or greenhouse gas equivalents) emissions produced by fossil fuels at the points of production and importation; (2) A dividend system that returns all the net revenues generated from the carbon dioxide fee to citizens; and (3) Carbon-based fees and rebates for imports and exports to and from nations that have not implemented a carbon fee and dividend policy, which incentivises trading partners to adopt similar laws to reduce greenhouse gas emissions.

Councilwoman Mayfield, along with four other individuals, spoke in support of the resolution noting that it is another step towards a clean, stable climate and a renewable America.

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F. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FRENCH BROAD PAVING INC. FOR THE PARKS SPORT COURT UPGRADES/RENOVATIONS BOND PROJECTS

BUDGET AMENDMENT TO FUND THE PARKS SPORT COURT UPGRADES/RENOVATIONS

These items were removed from the Consent Agenda to be considered at a later date.

G. MOTION TO ESTABLISHMENT OF I-26 CONNECTOR PROJECT AESTHETICS COMMITTEE

Summary: The consideration of a motion to establish an Aesthetics Committee for the I-26 Connector project (I-2513) including the process to identify, review, and approve committee members.

For the past several months, staff has been working closely with the North Carolina Department of Transportation (NCDOT) and its design consultant (AECOM) to prepare the "betterments list" and so far, many multi-modal features have been identified including pedestrian, bicycle, and greenway amenities. Once the "betterments list" is completed, it will be reviewed, tweaked, and approved by City Council as to which amenities will move forward to the construction phase.

It is quite common for this type of project that an Aesthetics Committee be established to help identify and suggest various aesthetics treatments including signage, bridge enhancements, retaining and/or noise walls, plantings, and landscaping. The objective of the Aesthetics Committee is to gather information and ideas about treatments that would make the project a cohesive and integrated part of Asheville. The final product for the Aesthetics Committee will be a list of suggested aesthetics treatments that will be included in the “betterments list” for City Council consideration.

At this time, it is anticipated that this committee would serve for about one year and complete their tasks before the final Environmental Impact Statement (EIS) is released. It’s hard to determine how often the committee would need to meet but it is anticipated that they would typically meet on a monthly basis with special meetings on a case-by-case basis. There probably should be 8 to 10 members on the committee. Sam Schwartz Consulting will be guiding the committee through the process and the NCDOT and their design consultant will be available as well.

The NCDOT has suggested that Alice Oglesby be involved since she previously served on the Aesthetics Committee for an I-40 widening project. Other individuals that have expressed an interest include Karen Cragolin, Sharon Henady, Julia Burr, Larry McDevitt, Joe Minicozzi, and David Nutter.

This action was reviewed and unanimously approved by the Boards and Commissions Committee on April 10, 2018.

Pros:

- Identify aesthetics treatments that would enhance the quality of life.
- Creates a partnership with the City of Asheville and the North Carolina Department of Transportation (NCDOT) regarding the successful completion of the project.

Con:

- Potential fiscal impact for the various aesthetics treatments.

There is no fiscal impact for the creation of the committee.

Staff recommends that City Council approve a motion to establish an Aesthetics Committee for the I-26 Connector project (I-2513) including the process to identify, review, and approve committee members.

Mayor Manheimer said that members of Council have been previously furnished with a copy of the resolutions and ordinances on the Consent Agenda and they would not be read.

Councilwoman Mayfield moved for the adoption of the Consent Agenda. This motion was seconded by Vice-Mayor Wisler and carried unanimously.

III. PRESENTATIONS & REPORTS:

A. CODE FOR ASHEVILLE’S “PETITION FOR POLICE ACCOUNTABILITY THROUGH DATA TRANSPARENCY”

Mr. Patrick Conant, representing Code for Asheville, provided Council with the following statement: They “believe that the community must play a vital role in addressing the structural issues that underlie incidents like the one that happened last August to Johnnie Jermaine Rush. To enable this, Code for Asheville asks that the Asheville City Council mandate a significant increase in the transparency of policing data. Data transparency alone won’t solve issues of trust

and accountability in Asheville, but it provides a foundation for the wider work necessary to improve equity and justice in our city.

As the Police Data Initiative noted in a recent post:

When data is open, community members are empowered to assess the data directly. Releasing open data is more than a gesture of goodwill and trust on behalf of law enforcement agencies; it is a shrewd use of resources and a means of enlisting communities to solve some of their most entrenched crime problems.

This request aligns with the City of Asheville Open Data Policy, with the March 5 statement by City Manager Gary Jackson that there is “strong direction... from the City Council that in all matters, especially those involving police, the City should be as transparent as possible to its citizens,” and with best practice recommendations from organizations like What Works Cities, the Governance Lab at New York University, and the Center for Governmental Excellence at Johns Hopkins University.

The release of these data sets will provide additional accountability within the Asheville Police Department (APD), and the commitment to transparency by our City will start the long process of rebuilding community trust in our police department. Our specific requests are enumerated below.

Specific Requests - **Datasets:**

1. Use of Force: We request the release of factual information related to use-of-force incidents by our police department, as part of the City of Asheville Open Data Portal. Specifically, we request that the data include the following information: location, date, type of force used, reportable action, type of resistance, nature of call (origin of interaction), primary offense, gender/race of subject of force, gender/race of officer, subject injury, officer injury, and whether the use of force originated from a 911 call.

2. Emergency Call Data: We request the release of emergency (911) call data as part of the City of Asheville Open Data Portal, to provide greater insight into the deployment of police resources in our community. Specifically, we request that the data include the following information: call date and time, general location of call, neighborhood, nature of call / crime type, call disposition, and case or incident id.

3. Crime Reports: We request the restoration of the complete crime report feed on the City of Asheville Open Data Portal, to include historical data from 2004 onward. Incidents prior to 2013 were removed from the current feed in late 2017.

We request that all categories of offenses be included in the feed and, if any are excluded, that fact be clearly documented.

4. Citation and Arrest Data: We request an additional feed containing all arrest and citation records generated by APD on the City of Asheville Open Data Portal. We request that this information include the date, location, neighborhood, offense type, and demographic information on on both the subject(s) of an arrest or citation and the officer(s). We request that records in this data feed be related to the records in the Crime Reports data feed.

5. Citizen Complaints: We request the release of data related to citizen complaints within the department. This information is compiled on an annual basis in the Professional Standards report. We request this information be provided in a data feed on the City of Asheville

Open Data Portal, including, at a minimum, the date a complaint is filed, the status of complaint and investigation, and the type of complaint.

6. Traffic Stop Report Data: We request that the City of Asheville publish on the City of Asheville Open Data Portal the raw data used to generate all of the analysis in the quarterly traffic stop report submitted to City Council. APD has enhanced their traffic stop report to include additional information that is not submitted to the state, including the geographic location of traffic stops. We request that this additional information be included with the other data.

7. Demographic Information on APD Officers: The APD multi-year work plan contains strategic goals related to increasing the diversity of their workforce. We request that APD release a data feed or monthly report detailing the demographic composition of APD employees, broken down by division and rank. This will allow the public to monitor the results of APD's multi-year work plan efforts.

Policies and Reports - These outline some additional items that are not data but should be released to the public to increase the transparency of the Asheville Police Department.

1. APD Policy Manual: We request that a redacted version of the complete APD Policy Manual be published to the City of Asheville website. The redactions should be limited to information that might put officers in danger by revealing APD operating tactics.

2. Internal Reports: We request that a blank copy of any internal reports used by the APD, such as the "Blue Team" report for Use of Force, be released to the public. This will allow the community to understand what information is collected with these reports, even if the content of completed reports is restricted by personnel or investigative concerns.

3. Internal Audits of Body Worn Cameras: APD conducts random audits of body worn camera footage, as specified in the Body Worn Camera Policy. We request that the results of those audits be provided to the Public Safety Committee on a monthly basis and published to the City website. We also request that the results of the annual audit of Body Worn Camera usage, as specified in the Body Worn Camera Policy, be published to the City website. This will enhance community trust in the police department by providing evidence that these critical audits are being conducted properly.

4. Recordings of Committee Meetings: We request that the City record all public meetings related to public safety, policing, or possessing significant community interest and post them promptly to the City website. This will allow community members who are not able to physically attend meetings the ability to engage with the City process and provide effective input.

Additional Actions - We ask that Council also consider taking the following actions.

1. Blue Ribbon Committee Recommendations for a Human Relations Commission: We request that the City of Asheville move quickly to accept the recommendations of the Blue Ribbon Committee and start the process of forming a Human Relations Commission. We also request the City accept the Blue Ribbon Committee's request for additional staff and modifications to the organizational structure of the Office of Equity and Inclusion.

2. NAACP and SCSJ Policy Reforms: We request that City Council adopt the policy recommendations presented by Ian Mance of the Southern Coalition for Social Justice in April 2017. We specifically request that Council adopt a Written Consent policy for searches of vehicles, pedestrians, and residences.

3. Anti-Retaliation Policy: We request that City Council adopt a comprehensive anti-retaliation policy to protect employees and citizens that expose wrongdoing within our government. In addition, there is apparently a system in place for city employees to submit whistleblower reports, but there is limited awareness among city employees that this exists. The City should ensure that all employees are trained on this system and on the anti-retaliation policy.

4. Police Data Initiative: We request that City Council direct staff to have the City of Asheville join the Police Data Initiative, a “law enforcement community of practice that includes leading law enforcement agencies, technologists, and researchers committed to engaging their communities in a partnership to improve public safety that is built on a foundation of trust, accountability and innovation.” Participating agencies in North Carolina already include Charlotte, Fayetteville, Chapel Hill and Kinston.

These actions are in line with best practices of city governments around the country and are in line with Asheville’s Open Data Policy. We ask that the City Council accept Code for Asheville’s recommendations and direct staff to begin implementing them without delay.

We have waited long enough. It is time to begin the hard work to create a more equitable and just community and to rebuild the trust between the community and those tasked with protecting it.”

Mr. Conant specifically requested Council to (1) provide clear direction to staff to prioritize the release of these data sets and documents; (2) establish a timeline and process for regular updates on progress; (3) invite the community to develop future policy solutions; and (4) request committees or Council to revisit additional actions at a future meeting.

Mr. Jesse Michel, member of Code for Asheville, provided Council with a folder which contained approximately 873 online and handwritten petition signatures, as well as a list of all the organizations they received endorsements from so far.

Interim City Manager Cathy Ball said that their goal, from a cross-functional departmental standpoint, is to put together a general overview to be presented at the May 15 Council meeting. That doesn’t mean that they’ll have all of the questions answered at that point. It just means that they are going to start the process of looking at the requests and specifically be able to speak to next steps, timeline, action items, benchmarking, etc. She appreciated the Information Technology (IT) Department’s work on this issue, but it is a collaborative effort between the Police Department and our Legal staff as well as the IT Department. We are committed to transparency and to providing information. We want to make sure that we protect the rights of all the individuals involved.

Councilman Young asked that prior to the May 15 meeting, if there are items that staff cannot have addressed by that time, he would like to be made aware of those.

Mayor Manheimer asked that we develop some sort of regular system for reviewing our police data so Council can determine what is and what is not working.

Councilman Haynes, Chair of the Public Safety Committee, said that his committee is eager to move forward with this goal.

Because Councilwoman Mayfield will not be at the May 15 Council meeting due to a previously committed event, she requested, in addition to figuring out a path to make data public, that we also figure out a way to bring a small group of people in to help interpret the data and be in agreement on what the data means.

IV. PUBLIC HEARINGS:

V. UNFINISHED BUSINESS:

A. RESOLUTION NO. 18-93 - RESOLUTION AUTHORIZING THE CITY MANAGER TO DIRECT STAFF TO MOVE FORWARD WITH THE CHARLOTTE STREETS IMPROVEMENT PROJECT IMPLEMENTING OPTION 1 AND 3 RECOMMENDATIONS

Director of Transportation Ken Putnam said that this is the consideration of a resolution authorizing the City Manager to direct staff to move forward with the Charlotte Streets Improvements project that is listed in the adopted General Capital Improvement Program implementing Option 1 and Option 3 recommendations.

The Charlotte Streets Improvements project has been listed in the General Capital Improvement Program since Fiscal Year (FY) 2014-15, and it includes the section of Charlotte Street between I-240 and Edwin Place. The adopted budget for the project is \$1,250,000; with assumed cash flows of \$200,000 in FY 2018-19 and \$1,050,000 in FY 2019-20.

City Council identified the North Charlotte Street corridor as an Asheville Innovation District in October 2014. While Innovation Districts were defined as special redevelopment areas where the City coordinates a variety of investments and resources to increase economic opportunities, promote safety and enhance sense of place, the most vocal discussion surrounding investment in the corridor has primarily focused on addressing specific transportation concerns. Some of the transportation concerns are outlined in the four transportation studies that have been created for the corridor in the past 20 years. The recent Council-adopted Asheville In Motion (AIM) Transportation Plan speaks to redeveloping the corridor to include better bicycle and pedestrian facilities. The recommendation reads:

“Primary Opportunities. Bicycle recommendations for Charlotte Street include shared lane markings (sharrows). It is recommended that shared lane markings are placed in the middle of travel lanes and “Bicycles May Use Full Lane” signage installed. A longer-term plan for Charlotte Street could include a road diet with enhanced bicycle facilities. However, this longer-term scenario will need additional feasibility studies.

With surrounding Traditional Neighborhood land uses, Charlotte Street needs a safer, walkable environment. Pedestrian improvements including wider sidewalks and safer roadway crossings should be prioritized.

Current transit conditions include the N route which runs around Klondyke, Montford, Charlotte, and Grove Park. This corridor should remain a priority investment route, particularly since the Montford portion of the N route serves as the northwest connection while the Charlotte portion serves the northeast and terminates at a major destination, the Grove Park Inn.

Primary Implementation Challenges. Existing space challenges exist for the corridor given buildings with frontage directly on the street in some parts of the corridor. The cost of adding sharrow markings and potential cost of widening sidewalks along the corridor are also challenges.”

Strategic Development Office and Transportation Department staff have engaged with Charlotte Street community members for a little over six months in order to build some relationships with stakeholders in advance of any planning or capital project development process. While this engagement has not been comprehensive, it has included enough input for

staff to assess that the implementation of a “road diet with enhanced bicycle facilities” is not fully accepted by the community at this time. A recent non-scientific survey produced by the Charlotte Street Business Association indicates that the majority of respondents would prefer the AIM vision be implemented.

This action was reviewed by the Planning and Economic Development Committee on March 12, 2018, and they considered the following five options for moving the subject project forward.

1. Road Diet Only: Recommendation that Council provide staff direction to issue an RFQ for engineering services to use programmed capital funds to produce construction drawings to implement a road diet with enhanced bicycle facilities with pedestrian improvements including improved sidewalks and safer roadway crossings, as recommended in the AIM plan. Bike lanes between sidewalks and moving vehicles would create a more pedestrian-friendly environment. Staff recommends that if this option is pursued, that Council also consider directing staff to eliminate the use of the “Innovation District” designation for this area in order to clarify the focus on increasing livability through multimodal improvements (only).
2. Corridor Improvement Approach: Recommendation that Council consider allocating up to \$35,000 in general funds to support an abbreviated land use planning process that identifies barriers to economic growth and sustainable development and supports policy reforms like updates to the current zoning for the corridor. Staff recommends that if this option is pursued, that Council also consider directing staff to eliminate the use of the “Innovation District” designation for this area in order to clarify the focus on increasing livability through multimodal improvements. Additional funds will be necessary above and beyond the \$1,250,000 in the current budget to complete this project.
3. Tactical Projects Approach: Recommendation that Council provide staff direction to use an amount up to \$1.25 Million in CIP funding for the design and implementation of spot neighborhood safety and streetscape improvements along the Charlotte Street Corridor that are focused on making the area more walkable and bikeable while still maintaining the existing 3 and 4 travel lane configurations. Staff has identified approximately 500 linear feet of sidewalk area that could be improved by either closing a non-operational driveway or by reducing driveways to the city’s maximum permitted driveway width for commercial properties: 36 feet.
4. Comprehensive Redevelopment Approach: Recommendation that Council prioritize allocation of general funds up to \$100,000 to work with a broad spectrum of the community to create a vision plan for the Charlotte Street Corridor, using a process similar to the Riverside Drive Redevelopment Plan, Riverfront Redevelopment process, or South Slope Vision Plan. The plan, which would identify goals and strategies for a more comprehensive set of community issues than multimodal service including other infrastructure issues like stormwater management, improvements to land use policies, and other livability issues like public/open spaces and public art and placemaking) can later be considered for adoption by Council and for subsequent (FY 20) use by staff as a guide for use of capital dollar investment. Additional funds will be necessary above and beyond the \$1,250,000 in the current budget to complete this project.
5. Reconsideration Approach: Recommendation to Council to reprogram current CIP allocation into another Council goal area.

The Planning and Economic Development Committee unanimously approved moving option # 1 - Road Diet Only and option # 3 - Tactical Projects Approach to City Council for review

and consideration of approval.

Pros:

- Currently listed in the FY 2017-18 adopted budget.
- Implements multi-modal principles.
- Enhances travel safety for multiple modes of transportation.

Con:

- Possible reduced levels of service for automobiles and increased cue lengths during peak hours.

According to the adopted budget, a total of \$1,250,000 is included in the Charlotte Street Improvements project; with cash flows of \$200,000 in FY 2018-19 and \$1,050,000 in FY 2019-20. As noted above, additional funding will be required to complete certain options that were considered by the Planning and Economic Development Committee.

Staff recommends that City Council approve a resolution authorizing the City Manager to direct staff to move forward with the Charlotte Streets Improvements project that is listed in the adopted General Capital Improvement Program implementing Option 1 and Option 3 recommendations.

The following individuals spoke in support of the resolution, but with a clarification in the resolution making it clear that a road diet with bike lanes is the preferred vision of Council and the community:

Mr. Benji Burrell, area resident
Mr. Clark Mackey
Ms. Deb Karash, area resident (also disappointment with elimination of Innovation District)
Mr. David Trophia, area resident
Ms. Meg Jamison, area resident
Mr. Jack Thomson, Executive of The Preservation Society of Asheville & Buncombe County
Ms. Grace Curry, area resident
Mr. Will Hornaday, representing the Charlotte Street Business Association
Mr. Jim Siemens, area resident (also supported Option 2)
Ms. Billie Lofland
Mr. Philip Jackson, area resident
Mr. Michael Soule, Executive Director of Asheville on Bikes
Ms. Jane Mathews, area resident

Mr. Max Alexander did not support the road diet as he was concerned with emergency vehicles being delayed.

Interim City Manager Cathy Ball said that in general Charlotte Streets Improvement Project feels like a transportation improvement project, not an Innovation District which typically comes with being able to make transformational placemaking changes; however, she did not feel like it is a big issue for it to remain as an Innovation District.

Councilwoman Mayfield also noted that at the Planning & Economic Development Committee (PED) they asked staff to look at the zoning in that corridor and to come back to PED with any recommendations around zoning changes that would help better foster the pedestrian corridor.

Councilwoman Mayfield requested the resolution before Council be amended with the following revisions (1) WHEREAS, Option 1 is a road diet only approach which consists of issuing an RFQ for engineering services to use programmed capital funds to produce construction drawings to implement a road diet with bike lanes and pedestrian improvements as the preferred and priority treatment; (2) WHEREAS, Option 3 is a tactical projects approach for the design and implementation of spot neighborhood safety, pedestrian, and streetscape improvements along the Charlotte Street Corridor; and (3) WHEREAS, City Council also requests the Planning staff review the zoning and land uses in the Charlotte Street Corridor to identify possible changes that would enhance a multi-modal, pedestrian-oriented experience.

Mayor Manheimer said that members of Council have been previously furnished with a copy of the resolution and it would not be read.

Vice-Mayor Wisler moved for the adoption of Resolution No. 18-93, with requested amendments outlined by Councilwoman Mayfield above. This motion was seconded by Councilwoman Mayfield and carried unanimously.

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VI. NEW BUSINESS:

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Five individuals spoke in support of the Code for Asheville's petition for police accountability through data transparency.

Ms. Suzanne Stowe and Mr. Claude Gable, Laborers 1 in the Parks and Recreation Department, reported that they make far less than \$13/hour but every other department in the City that has a Laborer 1 position has been earning at least \$13/hour. They felt this is unequal treatment and should be fixed immediately by raising their base pay to \$13/hour and making the raise retroactive to the date that every other Laborer 1 in the City was given that raise in base pay. Mayor Manheimer asked that Interim City Manager Ball investigate this statement and report back to the Finance Committee.

Mr. Chris Peterson spoke to Council about his feelings that the City Council is in debt up to \$70 Million.

Mayor Manheimer said that regarding the ICE operations in the Asheville area, cities in North Carolina do not provide social services or health services. Those are provided by the County and we don't own or operate any jails. But she has asked staff to reach out to ICE to see if they will sit down with us to start a discussion in order to establish a better relationship with ICE. She hoped they are receptive to sitting down and having an open discussion around that.

Councilman Kapoor noted that the issue of Asheville districts is back in the news. The legislation is asking for input and he encouraged residents to give their thoughts to redistricting in Asheville.

Closed Session

At 7:18 p.m., Councilwoman Smith moved to go into closed session for the following reasons: (1) to prevent disclosure of information that is privileged and confidential, pursuant to the laws of North Carolina, or not considered a public record within the meaning of Chapter 132 of the General Statutes. The law that makes the information privileged and confidential is

N.C.G.S. 143-318.10(a)(3). The statutory authorization is contained in N.C.G.S. 143-318.11(a)(1); and (2) To consult with an attorney employed by the City about matters with respect to which the attorney-client privilege between the City and its attorney must be preserved, including, but not limited to, a lawsuit involving the following parties: City of Asheville v. Robert H. Frost and Parkway Court, LLC v. City of Asheville. The statutory authorization is N.C. Gen. Stat. sec. 143-318.11(a)(3). This motion was seconded by Vice-Mayor Wisler and carried unanimously.

At 9:42 p.m., Vice-Mayor Wisler to come out of closed session. This motion was seconded by Councilwoman Mayfield and carried unanimously.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 9:42 p.m.

CITY CLERK

MAYOR