

Tuesday – April 14, 2020 - 3:00 p.m.

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Gwen C. Wisler; Councilman Brian D. Haynes (participating remotely via speaker phone); Councilman Vijay Kapoor; Councilwoman Julie V. Mayfield; Councilwoman Sheneika Smith (participating remotely via speaker phone); Councilman W. Keith Young (participating remotely via speaker phone); City Manager Debra Campbell; and City Clerk Magdalen Burleson

Budget Worksession

City Manager Campbell, along with Assistant Finance Director for Budget & Forecasting Tony McDowell, provided the City Council with an update on the current year budget and a review of the Fiscal Year (FY) 2020-21 budget process.

Ms. Cambell said that COVID-19 will severely impact revenues. Operational changes include fare-free transit; fee on-street and garage parking; deferring/waiving some leases, monthly charges and loan payments; contribution to One Buncombe Fund; and sheltering at the Harrah's Center.

She said some key takeaways are (1) we are operating in the grey; (2) decisions will need to be made with limited information about the length and severity of the economic downturn from COVID-19; and (3) Manager's FY recommended budget will likely be a continuation budget with no new services or enhancements.

Mr. McDowell said that regarding the current year summary, (1) spending will continue for essential services; (2) implementing targeted, strategic reductions and/or delays in spending where possible; (3) General, Parking and Harrah's Cherokee Center Asheville funds are likely needed to utilize fund balance, as expenses will exceed revenues; and (4) federal/state assistance will help to mitigate financial impact.

He showed a chart of the FY 2019-20 General Fund Revenues. Property Tax - (1) on budget, but lower estimate; and (2) most revenue comes in during winter - 99.15% of levy collected as of March; (3) County Tax Office estimated collection rate for Asheville: current year: 99.25% - 99.30%; last fiscal year: 99.95%. Sales Tax - (1) substantially under budget, but decline very difficult to predict; (2) march sales data not available until June; and (3) estimates for remainder of fiscal year: NC League of Municipalities 20% decline; and Buncombe County assuming 35% decline. Other losses (1) State utility taxes - electricity consumption down from reduced commercial activity; (2) Investment earnings - interest rate reduction; (3) Development fees - slowdown in new construction activity; (4) WNC Nature Center - currently closed; and (5) Recreation fees - no programming provided. Unknowns include (1) breadth and depth of decline in sales taxes; (2) potential state action to delay revenues (a) suspension of motor vehicle registrations; and (2) deferment of sales tax payments; and (3) potential for federal and state assistance. Using a chart, Mr. McDowell showed the FY 20 General Fund revenue losses - potential loss of \$4 Million.

General Fund expenditures (1) spending priorities (a) current personnel; (b) essential services; (c) COVID-19 response; and (d) implementing \$31,200 on May 8 paycheck and addressing the associated compression (estimated impact of \$75,000); and (2) targeted reductions (a) hiring freeze for existing vacancies; and (b) delay or forego operating expenses.

Mr. McDowell then reviewed the fiscal impact of COVID-19 for the current year on the Enterprise Funds - Harrah's Cherokee Center Asheville - estimated fund balance impact of \$100,000; Parking services - estimated fund balance impact of \$1.5 Million of \$2.2 Million

available; Transit Services - estimated shortfall of \$300-500,000 (federal assistance will help offset COVID-19 impacts); Water Services - overall, no major financial impact through June 30; and Stormwater & Street Cut - no major financial impact expected at this time.

The financial impact summary (1) General Fund projected fund balance decline of \$2.8 Million - \$5.5 Million; (2) Parking Services Fund projected fund balance decline of \$1.5 Million; and (3) other Enterprise Funds unlikely to experience major financial impact in the current year.

The FY 2020-21 budget planning summary includes (1) budget decisions for next fiscal year need to be delayed as long as possible; (2) General Fund revenue projections have been reduced; and (3) implementing new services or program enhancements will need to be delayed.

Mr. McDowell then reviewed the revised budget calendar to indicate the Manager's proposed budget will be presented on May 26 (not May 12); the budget public hearing will be held on June 9 (not May 26); and adoption of the budget on June 23 (not June 9).

Regarding an interim budget option (1) state statutes allow for the adoption of an interim budget; (2) Asheville and many North Carolina local governments adopted interim budgets in FY 03 due to uncertainty over state reimbursement revenue; (3) utilized interim budget in FY 03 for two month; and (4) consider only if other local governments in the state are doing the same.

FY 2020-21 unknown include (1) How far will sales tax revenue fall; (2) how quickly will economic growth return; (3) will property tax collection rates decline due to the economic crisis; (4) will City facilities have to shut down for any length of time after July 1; and (5) when and how much assistance will the City receive from the federal and state government.

He reviewed the FY 21 baseline revenues for sales tax, property tax and other.

He then reviewed the FY 21 budget baseline expenditures (which budget still includes funding) for (1) implementation of \$31,200 minimum and addressing related compression; (2) state mandated increase in retirement contribution; and (3) continuation of transit service enhancements that began in January 2020 and paratransit cost increase. Changes include (1) hiring freeze for currently vacant positions; (2) elimination of employee pay adjustment (cost of living adjustment); (3) maintenance of current year amount for OPEB contribution; capital debt model contribution; Health Fund contribution; and Department operating budgets; and (4) fund River Arts District Transportation Improvement Project maintenance for partial year.

FY 21 baseline budget summary includes options for balancing the budget (1) Fund Balance; (2) revenue adjustments; and (3) further reductions to operating budgets.

Mr. McDowell then reviewed some strategic investment requests along with strategic investments in transit, compensation, and sustainability.

Updates to the key takeaways from the retreat include (1) even more uncertain economic outlook; (2) minimal revenue growth will be used up by ongoing operating cost increases, even after making reductions to expenditures; and (3) while enhancements can be considered if the fiscal picture improves later in the year, additional revenue will be needed to fund any new capital and operating investments.

Next steps include (1) adjustment of the budget adoption schedule; (2) monitor economic trends and adjust estimates as needed; and (3) work to balance the general fund budget over the next few weeks.

Throughout the presentation, City Manager Campbell and Mr. McDowell responded to various questions/comments from Council. For those questions that were unable to be answered immediately, responses will be sent to Council.

Mayor Manheimer adjourned the budget worksession at 4:32 p.m.

Tuesday – April 14, 2020- 5:00 p.m.

Regular Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Gwen C. Wisler; Councilman Brian D. Haynes (participating remotely via speaker phone); Councilman Vijay Kapoor; Councilwoman Julie V. Mayfield; Councilwoman Sheneika Smith (participating remotely via speaker phone); Councilman W. Keith Young (participating remotely via speaker phone); City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Absent: None

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

I. PROCLAMATIONS:

II. CONSENT AGENDA:

At the request of Vice-Mayor Wisler, Consent Agenda Item “P” was removed from the Consent Agenda for discussion and/or individual votes.

- A. MOTION TO ALLOW REMOTE PARTICIPATION BY ALL COUNCIL MEMBERS DURING PUBLIC MEETINGS THROUGHOUT THE DURATION OF THE LOCALLY DECLARED STATE OF EMERGENCY. PARTICIPATION INCLUDES VOTING ON ALL MATTERS, AND SHALL COUNT TOWARDS A QUORUM OF THE COUNCIL**
- B. APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON MARCH 24, 2020**
- C. RESOLUTION NO. 20-58 - RESOLUTION SETTING A PUBLIC HEARING ON MAY 12, 2020, TO CONSIDER A LAND USE INCENTIVE GRANT FOR 2 RESTAURANT COURT RENTAL COMMUNITY, BEAUCATCHER VISTA LLC**

Action Requested: Adoption of a resolution to set a public hearing on May 12, 2020, to consider a Land Use Incentive Grant application for 2 Restaurant Court Rental Community, Beaucatcher Vista LLC.

Review::

- Kirk Booth d/b/a as Beaucatcher Vista LLC has proposed the development of a 40-unit, 100% affordable multifamily property on a 1.31 acre parcel located at 2 Restaurant Court (PIN #9658-08-2350) in Asheville directly off of Tunnel Road. All 40 units are intended to be 1 bedrooms, with 30 of the units set aside for households at or below 60% of Area Median Income (AMI) and the remaining 10 for 80% AMI households.

- The property is situated in close proximity to commercial and transit amenities, including an ART bus stop, an Ingles grocery and pharmacy, and a number of potential employers. These are all factors prioritized in the LUIG policy.

Proposal:

- The property's location and commitment to affordable housing merits a score of 150 on the LUIG scoring matrix, resulting in an award period of 21 years. The City's LUIG policy caps award terms at 20 years plus 1 from the date of release of all occupancy permits for the property.
- The current assessed value of the parcel is \$786,000 with an annual City tax obligation of \$3,371.15. An estimate of post-construction value from the developer is \$4,000,000. True valuation will be determined by Buncombe County Tax Assessor after project completion.
- A project valued at \$4,000,000 at the current City tax rate of 0.4289 would result in an annual grant award of \$13,784.85. Over the 21 year award period, the total value of the LUIG award would amount to \$289,481.85.
- This request will be presented in unison with a \$1,000,000 Housing Trust Fund request. The combined City subsidy should both awards be approved is \$1,289,481.85, or a total City subsidy of \$32,237.05 per affordable unit.

Council Goal(s):

- Quality Affordable Housing
- An Equitable and Diverse Community

Committee(s):

- None

Pro(s):

- The proposed project will create 40 affordable rental housing units made available to households earning 80% or less of AMI for a period of 21 years.
- The proposed project addresses the City's stated priority for one-bedroom apartments.

Con(s):

- None

Fiscal Impact:

- The parcel has a current tax value of \$786,000 and with an annual City of Asheville tax bill of \$3,371.15.
- The estimated tax value upon completion is \$4.0M, which at current rates would result in a City tax bill of \$17,156. The difference in tax payment is \$13,784.85. An equivalent amount would be granted back annually to the property owner for 21 years.
- The maximum term of a LUIG is 20 years plus 1. Therefore, over a period of 21 years, the estimated value of this LUIG award is \$289,481.85

Motion:

- Motion to adopt a resolution to set a public hearing on May 12, 2020, to consider a Land Use Incentive Grant application for 2 Restaurant Court Rental Community, Beaucatcher Vista LLC.

RESOLUTION BOOK NO. 41 - PAGE 267

D. RESOLUTION NO. 20-59 - RESOLUTION APPROVING (1) A MODIFICATION TO A 2018/19 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION, ORIGINALLY AWARDED TO POSITIVE YOUTH CHANGES MINISTRY

ALLOWING THE AWARD TO INSTEAD BE MADE TO THE YOUNG MEN'S INSTITUTE CULTURAL CENTER; (2) AUTHORIZATION FOR COMMUNITY DEVELOPMENT TO SUBMIT AN UPDATE TO THE 2018-29 CONSOLIDATED ACTION PLAN FOR CDBG AND THE HOME INVESTMENT PARTNERSHIPS PROGRAM PROGRAMS TO THE U.S. DEPT. OF HOUSING AND URBAN DEVELOPMENT; AND (3) AUTHORIZATION FOR THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO IMPLEMENT THE PLAN

Action Requested: Approval of (1) a modification to a 2018/19 CDBG Grant Application, originally awarded to Positive Youth Changes Ministry (PCYM) allowing the award to be made to the Young Men's Institute (YMI) Cultural Center (CC); (2) authorization for Community Development to submit an update to the 2018-19 Consolidated Action Plan for Community Development Block Grants (CDBG) and the HOME Investment Partnerships Program (HOME) programs to the U.S. Department of Housing and Urban Development (HUD); and (3) authorization for the City Manager to sign all documents necessary to implement the plan.

Background:

- The City awarded \$175,000 to PCYM, a new non-profit working in partnership with the Young Men's Institute Cultural Center (YMI CC), in the Spring of 2018 to implement a Youth Elevation Collaborative Program, a workforce development program.
- During the early stages of the program year, in conjunction with technical assistance from staff and consultants, and with the dissolution of the original partnership around PCYM, City Staff began working with YMI CC to find a way to move the application forward in the spirit of the original program while being mindful of HUD regulations.
- City Staff, working in partnership with YMI CC, came to the conclusion with PCYM and YMI CC that YMI CC would be a better fit as lead applicant with their experience in workforce development and community access and could offer a program substantially similar to the one PCYM had proposed as lead and that been awarded.
- A modified application is acceptable to HUD when partnership changes occur as long as the modified application is then added as an amendment to the appropriate HUD Consolidated Action Plan.

Proposal:

- This modified application, being submitted by the YMI (Young Men's Institute) Cultural Center, is a workforce and entrepreneurial development initiative of the YMI Cultural Center in collaboration with Positive Changes Youth ministries.
- The initiative will focus on employment and careers in Hospitality, Medical, Manufacturing, and Municipalities(HMMM), while also promoting economic upward mobility of our lower-income communities' members with the development of a skilled workforce in these 4 major industries in our area.
- With this initiative, YMI will be developing this "Continuum of Success" Program for the entrepreneur, unemployed, youth, hard to employ and the underemployed as well as with the employers/stakeholders.
- The business development and incubation component will support the building of capacity or the future development of minority businesses.
- Proposed outcomes will be job creation and job retention with a focus on our low income, marginalized and disenfranchised population..
- In considering economic upward mobility, YMI CC will also be introducing/reintroducing Asheville youth to the trade fields and other opportunities.
- A major focal point of this project will be the convening of a bi-monthly meeting of all the workforce development agencies and stakeholders to combine the siloed conversations and initiatives for a more strategic implementation of a solution based program that meets local economic/workforce development needs.

- YMI will establish the Asheville Workforce Action Team (AWAT) – which will consist of stakeholders, employees/participants, educators, community leaders and a member of the Community Development Division, to form a Public Private Workforce Development Team.

Council Goal(s):

- A Diverse Community
- Thriving Local Economy

Committee(s):

- None

Pro(s):

- Approval of this project and update to the 18/19 Consolidated Action Plan will assist in the movement of these HUD dollars into our community.
- “Continuum of Success”, when fully funded and operational, will lead to job creation and job retention.
- Approval of this project will support a Bi-monthly meeting of all Workforce Development Partners to work in collaboration, focus and partnership versus the siloed efforts of today.

Con(s):

- None

Fiscal Impact:

- None

Motion:

- Move to adopt the resolution to (1) approve modification to the 2018/19 CDBG Grant Application originally awarded to PCYM, allowing the award to instead be made to YMI CC; (2) authorize the update of the City’s Consolidated Annual Action Plan for 2018-2019 to the U.S. Department of Housing and Urban Development; and (3) authorize the City Manager to execute any and all documents giving effect to this resolution.

RESOLUTION BOOK NO. 41 - PAGE 268

E. RESOLUTION NO. 20-60 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND A CONTRACT WITH PASSPORT LABS FOR PARKING CITATION MANAGEMENT

Action Requested: Adoption of a resolution authorizing the City Manager to amend contract # 91800137 with Passport Labs, increasing the total value of the contract to \$405,000, for parking citation management.

Background:

- The City of Asheville entered into a contract with Passport Labs in September 2017 for management of the City’s parking citations.
- The fee structure paid to Passport Labs on a monthly basis is dependent on three factors including:
 - 1) the number of parking citations issued (\$3.00 per citation),
 - 2) the total amount of parking fines and late fees collected (35% of amount collected), and
 - 3) the number of delinquent payment letters mailed to vehicle owners (\$1.25 per letter).
- Staff initially estimated the average fee structure to be paid to Passport Labs at \$6,600 per month.

- Currently, the average monthly fees paid have been closer to \$9,000 per month, which is reflective of an increase in fines/fees paid to the City, an increase in the number of citations accruing late fees, and an increase in the actual monetary value of specific fines and late fees associated with all parking violations.

Vendor Outreach Efforts:

- N/A - this is a current contract.

Council Goal(s):

- Transportation and Accessibility.

Committee(s):

- None

Pro(s):

- Enables the City to continue to provide efficient parking management resources.

Con(s):

- None

Fiscal Impact:

- The cost of regulating and administering parking is included in the current operating budget.

Motion:

- Motion to approve a resolution authorizing the City Manager to amend contract #91800137 with Passport Labs, increasing the total value of the contract to \$405,000, for parking citation management.

RESOLUTION BOOK NO. 41 - PAGE 269

F. ORDINANCE NO. 4796 - BUDGET AMENDMENT FROM WORKERS' COMPENSATION INSURANCE RECOVERY FUNDS FOR OTHER WORKERS' COMPENSATION CLAIM EXPENSES THROUGH JUNE 30, 2020

Action Requested: Adoption of a budget amendment to appropriate \$465,000 in workers' compensation insurance recovery funds for other workers' compensation claims expenses through June 30, 2020.

Background:

- Since July 1, 2019, the City of Asheville (City) self-insured workers' compensation program has received workers' compensation insurance claim reimbursements that have exceeded the initial budget.
- \$465,000 of the reimbursed insurance funds are requested to be utilized for workers' compensation claims expenses to be incurred through June 30, 2020.

Council Goal(s):

- Vision - Smart City; striving to control City costs and provide the highest possible level of service.

Committee(s):

- N/A

Pro(s):

- Provides reimbursed funds to be utilized as needed through June 30, 2020.

Con(s):

- None.

Fiscal Impact:

- Insurance recovery funds were deposited into the City's Workers' Compensation Fund. Upon City Council approval, the funds will be utilized for workers' compensation claims expenses.

Motion:

- Motion to adopt a budget amendment in the Workers' Compensation Fund in the amount of \$465,000 from insurance recovery funds to be utilized for other claims expenses through June 30, 2020, as needed.

ORDINANCE BOOK NO. 33 - PAGE 59

G. RESOLUTION NO. 20-61 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, AND IF AWARDED, ACCEPT FUNDING FROM THE FRENCH BROAD RIVER METROPOLITAN PLANNING ORGANIZATION FOR FUNDING FOR FISCAL YEAR 2022 THROUGH FISCAL YEAR 2026 TRANSPORTATION FUNDING AND EXPRESSING SUPPORT FOR PROJECTS SUBMITTED BY THE N.C. DEPT. OF TRANSPORTATION DIVISION 13

Action Requested: Adoption of a resolution authorizing the City Manager to apply for, and if awarded, accept funding from the French Broad River Metropolitan Planning Organization (FBRMPO) for Fiscal Year (FY) 2022 through FY 2026 for approximately \$21,000,000 in transportation funding and expressing support for projects submitted by the North Carolina Department of Transportation (NCDOT) Division 13.

Background:

- In January 2020, the FBRMPO issued a call for projects as part of the Surface Transportation Block Grant (STBG-DA) and Transportation Alternatives (TAP-DA) programs. These federal funds are awarded on a competitive basis through a call for projects that is typically held every two years. In this funding cycle, the FBRMPO is awarding five years worth of funding instead of two.
- The total available amount of funding in this grant cycle for the three-county FBRMPO area is \$28.2 M and will be available in FY 2022 through FY 2026. The grant requires a minimum 20% local match.
- The call for projects is open to local governments in the FBRMPO area which includes the counties of Buncombe, Henderson, Haywood, and Madison. In addition, the NCDOT Division 13 and 14 Offices may apply for the funds with the support of the affected jurisdiction.
- The City proposes to apply for approximately \$21 M in grant funds for six multimodal projects.
- The projects that are proposed are priority projects that have not yet been funded through the City's Capital Improvement Program (CIP) (except for limited funding for the Hazel Mill Sidewalk project). Additionally, several of the projects were chosen because they have a higher potential for partnership funding, such as from the Tourism Development Authority (TDA), which would reduce or eliminate providing the local match from the City's budget.
- Additionally, NCDOT plans to apply for four projects within the City of Asheville and has requested City support/concurrence with their proposed projects. All of NCDOT's

suggested projects focus on pedestrian safety improvements. If NCDOT projects are awarded, the City would not be responsible for funding the match.

- City staff and NCDOT Division 13 intend to apply for grants for the projects listed below. The projects are not in priority order. The scoring matrix used by the MPO prioritizes all the projects. The City is responsible for submitting projects that we support that best meets the scoring matrix and has the best potential of being funded.
- The projects will be scored by the FBRMPO. The City's prioritization of the projects does not affect the outcome of the selected projects. The MPO's matrix determines which projects are selected.

City of Asheville Proposed Projects

Project Name	Requesting Agency	Proposed Federal Ask	COA Match	Total Project Cost
Coxe Avenue Complete Street	COA	\$9,040,000	\$2,260,000	\$11,300,000
Haywood St./Page Ave./Flint Street Improvements	COA	\$6,800,000	\$1,700,000	\$8,500,000
North RADTIP Greenway (Hill St. to Pearson Bridge Rd)	COA	\$2,560,000	\$640,000	\$3,200,000
Hazel Mill Rd. Sidewalk	COA	\$1,600,000	\$400,000	\$2,000,000
Pedestrian and School Zone Improvements	COA	\$660,000	\$165,000	\$825,000
Lee Walker Heights at Biltmore Ave. Traffic Signal	COA	\$352,000	\$88,000	\$440,000
COA Requests Total		\$21,012,000	\$5,253,000	\$26,265,000

NCDOT Proposed Projects

Project Name	Requesting Agency	Proposed Federal Ask	COA Match	Total Project Cost
Haywood Rd. Upgrades (pedestrian improvements, resurfacing, lighting)	NCDOT	\$7,775,000	\$0	\$9,723,624
Charlotte St./I-240 Interchange (pedestrian improvements)	NCDOT	\$628,250	\$0	\$1,378,250
NC112/Sandhill Rd. Intersection (turn lane and pedestrian improvements)	NCDOT	\$336,000	\$0	\$421,000
Broadway Sidewalk (existing to Riverside Dr.)	NCDOT	\$310,000	\$0	\$488,959
NCDOT Requests Total		\$9,049,250	\$0	\$12,011,833

Council Goal(s):

- Transportation and Accessibility

Committee(s):

- None

Pro(s):

- If awarded, these projects represent a significant investment in multimodal transportation infrastructure over a five-year period.
- All of the proposed projects are identified capital needs that align with city goals.
- Several of the projects present an opportunity for partnership with the TDA.

Con(s):

- Depending on which, if any, of the City’s proposed projects are awarded, the maximum total matching funds that would need to be programmed in the City’s CIP in FY 2022 to FY 2026 would be \$5,253,000. This represents a 20% match.

Fiscal Impact:

- The total required local match is \$5,253,000 over a five year period (if all projects were awarded). Except for the potential match for the Hazel Mill Road sidewalk project, none of the funding for the other matches is currently included in the City’s five-year CIP cash flow model. There may be an opportunity to leverage additional funding from outside organizations to contribute to the local match, however additional City resources may need to be dedicated to the CIP during upcoming budgets in order to fund the City match.

Motion:

- Motion to adopt a resolution authorizing the City Manager to apply for and, if awarded, accept funding from the French Broad River Metropolitan Planning Organization for FY 2022 through FY 2026 for approximately \$21,000,000 in transportation funding and expressing support for projects submitted by NCDOT Division 13.

RESOLUTION BOOK NO. 41 - PAGE 270

H. RESOLUTION NO. 20-62 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION CONTRACT WITH B.H. GRANING LANDSCAPING INC. FOR SHILOH PARK IMPROVEMENTS

Action Requested: Adoption of a resolution authorizing the City Manager to enter into a construction contract with B.H. Graning Landscapes, Inc. of Sylva, NC, in the amount of \$131,313.86 and to further authorize change orders up to the contingency amount of \$13,130 (10%) for Shiloh Park improvements.

Background:

- The project upgrades were identified in the Parks Equity Scoring Criteria and will address a maintenance backlog of facilities within the park including sport courts (basketball, tennis, pickleball), walking trails, and site furniture.
- This project will improve the appearance, usefulness, and safety of facilities, and help the department implement recommendations within the Parks, Recreation, Cultural Arts Master Plan adopted by City Council in 2009. The project is expected to last 60 days.
- The following three bids were received and opened on December 12, 2019:

○ B.H. Graning Landscapes, Inc., Sylva, NC	\$131,313.86
○ Bryant’s Land & Development, Burnsville, NC	\$153,950.00
○ French Broad Paving Marshall, NC	\$161,545.00

Vendor Outreach Efforts:

- Staff performed outreach to minority and women owned business enterprises (MWBE) through solicitation processes which include posting on the State’s Interactive Purchasing System, targeted outreach with the City’s Business Inclusion Manager, and requiring

prime contractors to reach out to MWBE service providers for subcontracted services. No MWBE firms submitted bids.

Council Goal(s):

- A Clean and Healthy Environment & a Well-Planned and Livable Community.

Committee(s):

- Recreation Advisory Board (November 10, 2019) - project status update

Pro(s):

- Addresses priority infrastructure and safety improvements in communities identified in the Parks Equity Criteria Based System.
- Implement recommendations within the Parks, Recreation, Cultural Arts Master Plan adopted by City Council in 2009.

Con(s):

- None

Fiscal Impact:

- Funding for this contract exists within the approved City Capital Budget.

Motion:

- Motion to adopt a resolution authorizing the City Manager to enter into a construction contract with B.H. Graning Landscapes, Inc. of Sylva, NC, in the amount of \$131,313.86 and to further authorize change orders up to the contingency amount of \$13,130 (10%) for Shiloh Park improvements.

RESOLUTION BOOK NO. 41 - PAGE 271

I. RESOLUTION NO. 20-63 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH HARRISON CONSTRUCTION COMPANY DIVISION OF APAC ATLANTIC, INC. FOR THE FISCAL YEAR 2020 ASPHALT RESURFACING CONTRACT

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Harrison Construction Company Division of APAC Atlantic, Inc. in the amount of \$1,989,899.25 plus a 15% contingency of \$298,484.89 (\$2,288,384.14 total) for the Fiscal Year (FY) 2020 Asphalt Resurfacing contract.

Background:

- The main scope of the project is the resurfacing of 19 streets for a total of 3.83 miles. Also included will be repairs to the concrete sidewalk, ADA improvements, and the installation of 3,800 feet of stand-up curb and 300 feet of curb and gutter.
- The project was advertised on February 21, 2020, and bids were opened on March 12, 2020.
- The following bids were received:

Harrison Construction Co. Division of APAC Atlantic Inc., Asheville, NC	\$1,989,899.25
French Broad Paving, Marshall, NC	\$2,120,623.50
Bryant Land and Development Industries, Burnsville, NC	\$2,497,616.25
Rogers Group, Inc., Nashville, TN	\$2,748,060.70
- Construction is anticipated to start in June and take six months.

Vendor Outreach Efforts:

- Staff performed outreach to minority and women-owned businesses through solicitation processes which included posting on the State's Interactive Purchasing System and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- No minority or women-owned business enterprises submitted a bid to be the prime contractor on the project.
- MWBEs will be performing the utility adjustments, pavement marking installations, and part of the paving. These items amount to 32% of the project expenditures.

Council Goal(s):

- This action complies with Council's 2036 vision for transportation and accessibility.

Pro(s):

- Provides for the repair and resurfacing of 19 poorly rated roads.
- Will make the sidewalks more ADA-compliant.

Con(s):

- Possible disruption to traffic flow.
- Efforts will be made to minimize disruptions to the neighborhoods and to traffic during construction.

Fiscal Impact:

- Funding is provided in the FY 2020 Streets Program. This funding is part of the annual resurfacing program and is not bond-funded. The total cost of this contract, including contingency, is \$2,288,384.14.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute on behalf of the City of Asheville a contract with Harrison Construction Company Division of APAC Atlantic, Inc. in the amount of \$1,989,899.25 plus a 15% contingency of \$298,484.89 for a total of \$2,288,384.14 total for the project known as FY 2020 Asphalt Resurfacing.

RESOLUTION BOOK NO. 41 - PAGE 272

J. RESOLUTION NO. 20-64 - RESOLUTION APPROVING A FEE WAIVER FOR AHOPE'S SHELTER REHABILITATION PROJECT LOCATED AT 19 NORTH ANN STREET (HOMeward BOUND) AND AUTHORIZATION FOR CITY MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY FOR THIS APPROVAL

Action Requested: Approval of a Fee Rebate/Waiver Request for the AHOPE Day Center Renovations for Homeward Bound.

Review:

- Homeward Bound submitted architectural drawings for the rehabilitation of their day center "AHOPE" at 19 N Ann Street, Asheville 28801. At this location, Homeward Bound provides services such as showers, bathroom facilities, mail, common areas among others to as many as 180 people daily who are experiencing homelessness.
- Homeward Bound has owned and operated this building for decades and it is now in need of a complete rehabilitation. The work to be done includes a new and bigger bathroom and shower facilities, to include a total of 6 showers, over 300 lockers for client storage, nap rooms, phone charging stations, common areas, mailroom, meeting rooms, offices and other spaces for various services.

- Since 1987, Homeward Bound, a non-profit 501 (c) 3 organization (Initially Hospitality House) has been working diligently to help members of our community experiencing homelessness find housing and access many other necessary community services.
- As a non-profit, Homeward Bound is requesting a Fee Rebate or Waiver from the Community Development Division / Development Services Department for the rehabilitation work to occur at AHOPE to assist with their budget and to fulfill their mission.

Proposal:

- In the Fee Rebate Policy updated on October 22, 2019, Resolution #19-244, the Affordable Housing Minimum Requirements to Qualify for a 100% grant rebate on the affordable unit as it pertains to this AHOPE Renovation -
 - The proposed development must be within Asheville City limits.
 - Affordability where at least 20% of the units target individuals & families under 30% AMI or those homeless or in danger of being homeless, i.e. taking an individual or family off the Homeless By-name List.
 - A project can be either new construction or rehabilitation.
- Under Additional Guidance & Underwriting, Housing Types in the Policy -
 - All housing types will be considered, including rental units and homeownership units, condos, townhomes & single-family homes. Other housing types may be considered upon request.
- Under Fee Waivers in the Policy -
 - Certain Fees eligible for rebates as described above, may be waived upfront on a case by case basis based on a developer's affordable housing experience and demonstrated financial need of the project upon approval by City Council. Fees related to utilities funded by enterprise funds (i.e. water) may not be waived.
- City Staff agrees that AHOPE should be considered as a Housing Type as it provides daily housing services to our most in need population, our homeless and in danger of being homeless.
- City Staff agrees that AHOPE meets all of the qualifications for a 100% rebate based on the Fee Rebate criteria noted above as it would pertain to a rehabilitation.
- City Staff recommends that AHOPE be considered for a Fee Waiver based on the fact that they qualify for a 100% fee rebate, that have demonstrated a financial need for the project that justifies a waiver and based on Homeward Bound's Affordable Housing & Homeless experience.

Council Goal(s):

- Quality Affordable Housing
- An Equitable and Diverse Community

Committee(s):

- None

Pro(s):

- The proposed rehabilitation will continue to provide daily housing services to our most vulnerable population;
- The proposed rehabilitation charges no daily housing charge;
- Homeward Bound uses the "Housing First" national best practice to end homelessness, in line with the City of Asheville's Community Development Division and our Continuum of Care Grant.
- AHOPE is often the only place that people who live outside and are homeless can go for services.
- AHOPE serves as a hub of information and connection to other community resources to assist our homeless population.

- Approving the fee waiver for this rehabilitation will allow AHOPE to remain open, expand and improve services for the homeless population, and continue to remain an asset and resource to our homeless population.

Con(s):

- None noted

Fiscal Impact:

- Fee Rebates had a limited budget of \$85,000 for Fiscal Year 19/20 which have been depleted. Fees associated with this rehabilitation are estimated at approximately \$12,000, not to exceed \$15,000. With a Council approved waiver, the Department of Development Services would receive no fees from this project and the Fee Rebate budget would not be affected.

Motion:

- Motion to approve a fee waiver for the rehabilitation of Homeward Bound's AHOPE Day Center.

RESOLUTION BOOK NO. 41 - PAGE 273

- K. RESOLUTION NO. 20-65 - RESOLUTION AMENDING THE 2020 CITY COUNCIL MEETING SCHEDULE TO CANCEL THE APRIL 28, 2020, FORMAL CITY COUNCIL MEETING**

RESOLUTION BOOK NO. 41 - PAGE 274

- L. RESOLUTION NO. 20-66 - RESOLUTION AUTHORIZING THE CITY MANAGER TO GRANT A DRIVEWAY EASEMENT TO A PROPERTY OWNER ON BEVERLY ROAD**

Action Requested: Adoption of a resolution authorizing the City Manager to grant a driveway easement to a property owner on Beverly Road.

Background:

- The City was approached by an attorney representing a new property owner on Beverly Road in Asheville. It had been discovered that the driveway of a long existing residence encroached on land owned by the City of Asheville and the property owner requested an easement from the City.
- The driveway was extending onto the Ann Patton Joyce Park by approximately 194 square feet.
- The Real Estate Division consulted the Parks and Recreation Department to determine whether they would object to the granting of this easement.
- The Parks and Recreation Department indicated that the driveway was on the northern tip of the passive park and would not impact the usability of the park or its aesthetics.
- The new property owner (Andrew Lanteri) supplied an appraisal and a survey and has agreed to pay fair market value for the easement area.

Council Goal(s):

- A Well Planned and Livable Community

Committee(s):

- None

Pro(s):

- This action by the City will allow the sale of a single family residence to proceed.
- The City is receiving compensation based on fair market rates.

Con(s):

- The easement will require staff time to process and action at a city council meeting.

Fiscal Impact:

- The City is disposing of a small amount of land (194 SF) and will receive revenue in the amount of \$1,202.80 plus the real estate transaction fee of \$280.

Motion:

- Motion to approve the resolution authorizing the City Manager to grant this easement to a private property owner.

RESOLUTION BOOK NO. 41 - PAGE 275

M. RESOLUTION NO. 20-67 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER WITH BROWN AND CALDWELL FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE NORTH FORK WATER TREATMENT PLANT'S SODIUM BICARBONATE SILO REPLACEMENT

RESOLUTION NO. 20-68 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER WITH HARPER GENERAL CONTRACTORS FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE NORTH FORK WATER TREATMENT PLANT'S SODIUM BICARBONATE SILO REPLACEMENT

Action Requested: Adoption of resolutions authorizing the City Manager to increase the professional services and contract amounts for Brown & Caldwell SA (#91800305) and Harper General Contractors (#94900315) for the North Fork Water Treatment Plant's Sodium Bicarbonate Silo Replacement.

Background:

- Sodium bicarbonate is an essential part of the water treatment process to help reduce the corrosion in the City's and customers' waterlines. The City is required to use sodium bicarbonate per our compliance with the Lead and Copper Rule.
- Original feed system was installed in 1996 and had reached the end of its useful life. Construction for the replacement of the silo started in August of 2019. During the course of the project, engineering services were expanded in oversight and design as a result of the discovery of complications associated with underground assets and poor soil conditions.
- The construction schedule was impacted due to the investigations, test results, and updating of the design due to the underground complications.

Vendor Outreach Efforts:

- Through a qualifications-based selection process beginning in August of 2014, City of Asheville staff selected nine consulting firms to provide on-call professional services for an array of different water system projects.
- Staff selected Brown and Caldwell as one of the selected firms due to their expertise in the areas of water treatment plant construction and upgrades.
- The City of Asheville entered into a master agreement with Brown and Caldwell on June 8, 2015 for on-call professional services valid for three years with the option to renew for two additional years.

- On April 19, 2018, the City of Asheville executed a renewal master agreement with Brown and Caldwell for the additional two years of on-call professional services.
- Harper General Contractors was one of three companies determined to be the lowest responsive, responsible bidder for construction of the Sodium Bicarbonate Silo and associated equipment and demolition services.
- This is a continuation of contracted services utilizing existing vendors. No additional outreach was performed.

Council Goal(s):

- A Clean and Healthy Environment

Committee(s):

- None

Pro(s):

- Increased funds will ensure the completion of the required project with proper functionality.
- The Water Resources Department will continue to meet the Environmental Protection Agency Lead and Copper Rule.

Con(s):

- City (Water Resources) would not be able to meet the Environmental Protection Agency Lead and Copper Rule.

Fiscal Impact:

- Brown and Caldwell (SA #91800305) - \$36,200
- Harper General Construction (#91900315) - \$20,000
- Funding for this repair will come from Water Resources capital improvement funding that was previously allocated to NCDOT projects which are delayed and will not require payment in the current fiscal year.

Motion:

- Motion to approve additional funds and change orders to the Brown and Calwell contract and the Harper General Contractors contract involved in the construction of the sodium bicarbonate silo and feed system at the North Fork Water Treatment Plant.

RESOLUTION NO. 20-67 - RESOLUTION BOOK NO. 41 - PAGE 276

RESOLUTION NO. 20-68 - RESOLUTION BOOK NO. 41 - PAGE 277

N. RESOLUTION NO. 20-69 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AGREEMENTS REGARDING DONATIONS TO THE HOUSING TRUST FUND, WITH PERMISSION OF THE DONOR, TO UTILIZE THOSE FUNDS IN A DIFFERENT CAPACITY IN ORDER TO SUPPORT AND ADVANCE AFFORDABLE HOUSING EFFORTS

ORDINANCE NO. 4797 - BUDGET AMENDMENT FOR THRIVE ASHEVILLE VOUCHER PILOT PROGRAM

Action Requested: Authorization for the City Manager to execute agreements regarding donations to the Housing Trust Fund, with permission of the donor, to utilize those funds in a different capacity in order to support and advance affordable housing efforts, and a budget amendment in the amount of \$100,000 from donated funds to establish a project budget in the Special Revenue Fund for the City's contribution to Thrive Asheville.

Background:

- The City of Asheville occasionally receives donations to the Housing Trust Fund (HTF) from private individuals and companies to support and advance affordable housing efforts.
- The City of Asheville Housing Trust Fund program was established in September 2000 with the goal of providing low cost financial assistance to incentivize the development and preservation of affordable housing within the city limits for the benefit of moderate to low income individuals and families.
- Donations to the HTF have traditionally been added to the HTF budget at the time of donation.

Proposal:

- Recently, individual pilot programs that have been vetted in the community have been identified as being in need of a capital injection for the program to enhance their efforts toward supporting and advancing affordable housing, including the development and preservation of affordable housing.
- One such program, Thrive Asheville, is in need of \$100,000 for their Landlord-Tenant Partnership Program which will link 25 families, who currently live in public housing developments, to privately-owned properties in neighborhoods with greater opportunities and safety.
- Working with the City Manager's Office and Economic and Community Development Department, the Deerfield Episcopal Retirement Community graciously agreed that \$100,000 of its previously made \$250,000 donation to the City's HTF, donated on October 22, 2019, could be used for this Thrive Asheville Voucher Pilot Program.
 - \$100,000 Thrive Asheville Voucher Budget / City of Asheville Funding
 - Landlords \$48,000
 - Tenant Training & Support \$13,060
 - Indemnification \$37,500
 - Non-profit Oversight \$1,440
- Moving forward, in order to most effectively utilize similar donations, and more directly invest non-City donated funding for affordable housing efforts, City Staff recommends that the City Manager be granted authority to execute agreements with donors regarding changes in the use of their donations.
- The City of Asheville's Community Development Division will attend monthly meetings with Thrive & other partner agencies as well as receive quarterly reports from Thrive on how the funding is being spent.
- A summary of the education sessions for both tenants and landlords, and outcomes to include the number of individuals successfully placed in privately-owned properties in neighborhoods with greater opportunities and safety.

Council Goal(s):

- A Diverse Community
- Thriving Local Economy
- A Financially Resilient City

Committee(s):

- None

Pro(s):

- Approval allows funding to be more directly invested into programs that will support and advance affordable housing efforts.

- City Council will remain updated on donations as well as executed agreements with donated funds that will support and advance housing efforts.

Con(s):

- None noted.

Fiscal Impact:

- As noted above, the donated funds have already been received by the City. The budget amendment will simply move the funds from the HTF to a project in the Special Revenue Fund established specifically to track and report on the contribution to Thrive Asheville.

Motion:

- Motion to authorize the City Manager to execute agreements regarding donations to the Housing Trust Fund, with the permission of the donor, to utilize those funds in a different capacity in order to support and advance affordable housing efforts, and approve a budget amendment in the amount of \$100,000 from donated funds to establish a project budget in the Special Revenue Fund for the City's contribution to Thrive Asheville.

Councilwoman Mayfield asked the City Manager to look for funds to go to the Asheville-Buncombe Community Land Trust.

**RESOLUTION BOOK NO. 41 - PAGE 278
ORDINANCE BOOK NO. 33 - PAGE 60**

O. RESOLUTION NO. 20-70 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE EXISTING CONTRACT WITH CAROLINA TRACTOR & EQUIPMENT FOR SERVICES RELATED TO THE REPAIR AND MAINTENANCE OF CITY VEHICLES AND EQUIPMENT

Action Requested: Adoption of a resolution authorizing the City Manager to amend the existing maintenance agreement with Carolina Tractor & Equipment to increase the annual contract value from \$500,000 to \$650,000 to supplement Fleet Maintenance capacity.

Background:

- The Fleet Management Division of the Public Works Department maintains over 1,000 city- owned vehicles and pieces of equipment.
- Subcontracted work is used to supplement existing staff resources at times of high demand or to provide services when the Fleet Division does not have suitable facilities or resources (e.g., paint shop, etc.).
- Under an earlier procurement process, Carolina Tractor & Equipment was selected to provide supplemental fleet maintenance services. Adopted on October 25, 2016, Resolution 16-228 authorized the City Manager to enter into a contract with this firm for an initial one-year term with up to four one-year renewals. The annual contract value was initially noted as \$200,000.
- Resolution 18-120 authorized the City Manager to amend the original agreement to increase the annual contract value from \$200,000 to \$300,000 due to an increased workload caused by vehicle accidents and repairs.
- Resolution 19-238 authorized the City Manager to further amend the agreement to increase the annual contract value from \$300,000 to \$500,000 due to significant repairs necessitated by aging equipment during FY19.
- Due to the COVID-19 pandemic, Fleet Management is requesting the annual contract value be increased from \$500,000 to \$650,000 to allow for continuity of essential City

operations in the event that Fleet Management is unable to perform heavy vehicle repairs.

Vendor Outreach Efforts:

- Staff performed outreach to minority- and women-owned businesses through the original contract solicitation process, which included posting on the City’s bid page, Twitter, and the State’s Interactive Purchasing System.

Council Goal(s):

- Thriving Local Economy
- Connected and Engaged Community
- Smart City

Pro(s):

- Allows third-party service work to continue as a supplement to in-house staff;
- Provides flexibility in service delivery without significant capital investment in equipment or facilities (e.g., paint shop, etc.) that aren’t used on a daily basis; and
- Supports vehicle “uptime” and returning vehicles to service after needed repairs.

Con(s):

- Potential increases of expenditures under the contract.

Fiscal Impact:

- Costs for these services are included in the General Fund fleet allocations for departments requiring vehicle repair and maintenance activities.

Motion:

- Motion to adopt a resolution authorizing the City Manager to amend the existing maintenance agreement with Carolina Tractor & Equipment to increase the annual contract value from \$500,000 to \$650,000 to supplement Fleet Maintenance capacity.

RESOLUTION BOOK NO. 41 - PAGE 279

P. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH BUNCOMBE COUNTY (COUNTY) AUTHORIZING QUALIFIED CITY OF ASHEVILLE (CITY) EMPLOYEES TO SERVE ON A TEMPORARY BASIS IN COUNTY JOB FUNCTIONS TO SUPPORT CONTINUITY OF COUNTY OPERATIONS AND SERVICE DELIVERY, AND TO ALLOW COUNTY EMPLOYEES TO SERVE IN JOB FUNCTIONS FOR THE CITY DURING THE COVID-19 STATE OF EMERGENCY

This item was removed from the Consent Agenda for discussion and/or an individual vote.

Mayor Manheimer said that public comment was allowed via phone; however, no one called in for comment on the Consent Agenda.

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.

Vice-Mayor Wisler moved for the adoption of the Consent Agenda, minus Consent Agenda Item “P”. This motion was seconded by Councilman Kapoor and carried unanimously.

ITEMS REMOVED FROM THE CONSENT AGENDA FOR INDIVIDUAL VOTES

- P. RESOLUTION NO. 20-71 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH BUNCOMBE COUNTY (COUNTY) AUTHORIZING QUALIFIED CITY OF ASHEVILLE (CITY) EMPLOYEES TO SERVE ON A TEMPORARY BASIS IN COUNTY JOB FUNCTIONS TO SUPPORT CONTINUITY OF COUNTY OPERATIONS AND SERVICE DELIVERY, AND TO ALLOW COUNTY EMPLOYEES TO SERVE IN JOB FUNCTIONS FOR THE CITY DURING THE COVID-19 STATE OF EMERGENCY**

Action Requested: Ratification of an interlocal agreement with Buncombe County (County) authorizing qualified City of Asheville (City) employees to serve on a temporary basis in County job functions to support continuity of County operations and service delivery, and to allow County employees to serve in job functions for the City during the COVID-19 State of Emergency.

Background:

- The County requested the City provide City employees to serve in County positions to support continuity of County operations during the COVID-19 State of Emergency including but not limited to: driving ambulances, driving individuals from quarantine to their homes, and other services if the City has capacity to allocate qualified City employees to provide assistance
- The City seeks to support County requests and redeploy City employees to serve in County positions, when appropriate to support the County's service delivery during the COVID-19 State of Emergency
- The City requests the County provide qualified employees to serve in City positions to support continuity of City operations during the COVID-19 State of Emergency, should the need arise and the County has capacity to support City requests
- The City seeks City Council's authorization for the City Manager to enter into an Interlocal Agreement with Buncombe County for the purpose stated above
- Employee redeployment will be coordinated by the City Human Resources Department
- Services related to the Interlocal may be considered through the duration of the COVID-19 State of Emergency.

Council Goal(s):

- Not Applicable. This measure is undertaken to respond to the COVID-19 crisis.

Committee(s):

- None

Pro(s):

- Provides human resources in support of the parties request for assistance to provide their respective continuity of operations during the COVID-19 State of Emergency

Con(s):

- None.

Fiscal Impact:

- City employees will be paid with approved Fiscal Year 2020 City budget funds.

In response to Vice-Mayor Wisler, City Manager Campbell explained how this will be utilized and how reimbursement will take place if we get federal or state COVID-9 funds. Vice-Mayor Wisler asked that Council be kept apprised of how many City staff and the number of hours that are associated with redeployment to the County.

Vice-Mayor Wisler moved to authorize the City Manager to enter into an Interlocal Agreement with Buncombe County to provide City employees to work temporarily for Buncombe County, and Buncombe County employees to work temporarily for the City, during the COVID-19 State of Emergency. This motion was seconded by Councilwoman Mayfield and carried unanimously.

RESOLUTION BOOK NO. 41 - PAGE 280

III. PRESENTATIONS & REPORTS:

IV. PUBLIC HEARINGS:

A. PUBLIC HEARING TO CONSIDER A LAND USE INCENTIVE GRANT FOR TRIBUTE DEVELOPMENT COLLIER AVENUE APARTMENTS

Vice-Mayor Wisler moved to continue the public hearing to consider a Land Use Incentive Grant for Tribute Development Collier Avenue Apartments until May 12, 2020. This motion was seconded by Councilman Young and carried unanimously.

B. PUBLIC HEARING CONSIDER ADOPTION OF AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE LEWIE MULLER GRIFFITH HOUSE, LOCATED AT 65 WOODLAND ROAD, AS A LOCAL HISTORIC LANDMARK

ORDINANCE NO. 4798 - ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE LEWIE MULLER GRIFFITH HOUSE, LOCATED AT 65 WOODLAND ROAD, AS A LOCAL HISTORIC LANDMARK

Director of Planning & Urban Design Todd Okolichany said that this is the consideration of an ordinance to designate the Lewie Muller Griffith House (Griffith House) located at 65 Woodland Road as a local historic landmark. This public hearing was advertised on March 13 and 20, 2020. On March 24, 2020, City Council continued the public hearing until this date.

Project Location and Contacts:

- The designation site consists of a 0.99 acre parcel located at 65 Woodland Road (PIN 9649.75-5465) that is owned by Doris-Marie C. Martin.
- Petitioners: Doris-Marie C. Martin, Josi Ward.

Summary of Petition:

- The subject property consists of a 0.99 acre lot located on Woodland Road within the Grove Park National Register Historic District.
- The property contains a single family residential two-story historic structure, known as the Griffith House, and a one story non-historic accessory structure.
- The subject property is listed as a “contributing” resource in the Grove Park National Register Historic District.
- The Griffith House, constructed in 1926, is significant architecturally as a highly intact example of a French Eclectic style dwelling.
- The Griffith House is also significant for being the work of master architect, Ronald Greene, who designed many of Asheville’s most well-known buildings.
- The designation includes the entire exterior and interior of the house, the accessory structure and the 0.99 acre lot on which the structures are located, including planting beds, open front lawn and rose garden in the rear yard as shown on the original landscape plan.

Comprehensive Plan Consistency:

- This action aligns with Goal 7 (Celebrate the Unique Identify of Neighborhoods Through Creative Placemaking) and Goal 8 (Elevate the Arts and Cultural Sectors to Strengthen and Preserve Heritage and History) of the Living Asheville Comprehensive Plan by continuing to support stewardship and preservation of historic properties and by celebrating and honoring the city's cultural and historic resources.
- This proposal also aligns with the 2036 Council Vision in the "Well-Planned and Livable Community" area. The local historic landmark designation would preserve a historic structure that contributes to Asheville's unique character.

Compatibility Analysis:

- The property is listed as a "contributing" resource in the Grove Park National Register District, and preservation of the property will aid in maintaining the historic character of the surrounding neighborhood.
- When a property is designated as a local historic landmark, design restrictions are placed on the property and any modification to the land or structures must receive a Certificate of Appropriateness from the Historic Resources Commission; thus, the historic character of the building(s) and site will be preserved.

Fiscal Impact:

- Designation of a site as a local historic landmark makes the property eligible for a 50% annual reduction in local property taxes. Currently, the tax appraisal for the property included in the proposed designation is \$490,900. If the property is designated as a local landmark the potential tax savings for the property owner, including city, county and school taxes, would be \$2,645 per year.

Council Goal(s):

- A Well-Planned and Livable Community

Committee(s):

- Historic Resources Commission - February 12, 2020 - recommended approval (10-0)

Staff Recommendation:

- Staff finds that the proposed local historic landmark designation is compatible with the Living Asheville Comprehensive Plan and the Historic Preservation Master Plan. The Historic Resources Commission reviewed this proposed designation on February 12, 2020.
- The Commission voted 10-0 in favor of the landmark designation and recommended Asheville City Council approval of this local historic landmark designation application.

Mayor Manheimer said that public comment was allowed via phone; however, no one called in for comment on this item.

Mayor Manheimer opened the public hearing at 5:22 p.m., and when no one spoke, she closed the public hearing at 5:22 p.m.

Mayor Manheimer said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilman Kapoor moved to adopt the ordinance designating the Lewie Muller Griffith House as a local historic landmark. This motion was seconded by Vice-Mayor Wisler and carried unanimously.

C. PUBLIC HEARING RELATIVE TO AMENDING THE UNIFIED DEVELOPMENT ORDINANCE TO UPDATE OPEN SPACE REQUIREMENTS

Councilwoman Mayfield moved to continue this public hearing until May 26, 2020. This motion was seconded by Councilman Kapoor and carried unanimously.

D. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO A PREVIOUSLY APPROVED CONDITIONAL ZONING AT 137 BROAD STREET FROM COMMUNITY BUSINESS I TO COMMUNITY BUSINESS I/CONDITIONAL ZONE TO INCLUDE AN ADJACENT PARCEL FOR THE CONSTRUCTION OF A NEW MIXED-USE BUILDING

At the request of City staff, Vice-Mayor Wisler moved to continue this public hearing until May 12, 2020. This motion was seconded by Councilman Young and carried unanimously.

E. PUBLIC HEARING TO CONSIDER APPROVAL TO PARTICIPATE IN THE ONE

BUNCOMBE FUND BY AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BUNCOMBE COUNTY SERVICE FOUNDATION FOR MANAGEMENT OF AN APPROPRIATION OF \$100,000 AND TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO GIVE EFFECT TO THIS RESOLUTION

RESOLUTION NO. 20-72 - RESOLUTION APPROVING A \$100,000 APPROPRIATION TO THE ONE BUNCOMBE FUND AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BUNCOMBE COUNTY COMMUNITY SERVICE FOUNDATION, INC. TO ADMINISTER THESE FUNDS FOR THE PURPOSES OF PROVIDING EMERGENCY LOANS TO SMALL BUSINESSES AND GRANTING FUNDS TO ASSIST INDIVIDUALS IMPACTED BY THE COVID-19 CRISIS

ORDINANCE NO. 4799 - BUDGET AMENDMENT TO PARTICIPATE IN ONE BUNCOMBE FUND

Community & Economic Development Director Sam Powers said that after this public hearing, Council is requested to approve of an appropriation of \$100,000 to the One Buncombe Fund to assist small businesses and individuals affected by COVID-19 and authorization for by the City Manager to enter into an agreement with the Buncombe County Service Foundation (BCSF) for management of the funds and to execute any and all documents necessary to give effect to the resolution; and adopt the associated budget amendment in the amount of \$100,000 from General Fund unassigned fund bala ... This public hearing was advertised on April 3, 2020. nce.

Background:

- In response to the COVID-19 crisis, Buncombe County local governments, the business community, and other stakeholders have joined together to create a single-point relief fund for individuals and small businesses, as well as a one-stop fund for donations to help individuals and small businesses impacted by COVID-19.
- This effort is the One Buncombe Fund. At the March 24, 2020 City Council meeting, Council endorsed the One Buncombe Fund concept, scheduled a Public Hearing for this

meeting (April 14, 2020), and tentatively agreed to appropriate \$100,000 to the Fund, subject to the Public Hearing.

- A donation/application website has been activated, www.OneBuncombe.org, with funds deposited to the Buncombe County Service Foundation (BCSF), which is an existing Non Profit organization created by Buncombe County.
- Funds placed into the BCSF One Buncombe Fund are managed by a nine-person board, which includes members of local governments including the City of Asheville, businesses, and philanthropic organizations. Funds will be used for individuals and small businesses that have been impacted by COVID-19.
- Funds for low and moderate income individuals who have lost employment due to COVID-19 will be delivered via the Buncombe County Health and Human Services (BCHHS) existing General Assistance (GA) program.
- Funds will be used for life-essential needs caused by the COVID-19 public health crisis, such as assistance with utilities, rent, and mortgages.
- Funds will be paid to the service providers, not directly to individuals. Individuals will be screened and referred to other HHS programs as needed.
- Funds for small businesses impacted by COVID-19 will be provided through loans of up to \$10,000 with an initial six-month period of deferred payments of principal and interest. Small businesses are defined as those that have 1-49 employees.
- An initial interest rate of 4% will accrue during that period and rolls up into the loan at the end of the six-month period.
- Loans will be designed to provide low cost “bridge funding” to help businesses stay open and limit job losses until businesses can apply for longer-term disaster funding from SBA or other sources. The BCSF will contract with a third party, Mountain BizWorks, a non-profit community development financial institution (CDFI), to administer this business program.
- The City Attorney has advised that this initiative meets the Economic Development requirements or the Community Development requirements in North Carolina. A public hearing is required as per N.C. Gen. Stat. 158-7.1.
- Both individuals and businesses will be encouraged to donate.
- As of Monday, April 13, 2020, BCHHS has received 2,050 applications for individual assistance. Seven hundred and seventy-five requests have been processed and 341 have been approved for a total of \$138,000 in expenditures. Began with 9 workers processing claims and now at 20.
- As of Monday, April 13, 2020, Mountain BizWorks received 133 applications for businesses thus far. There have been 26 loans approved totalling \$243,000 helping to retain 240 jobs, and are on track to approve a significantly larger round of loans this week.
- Partners include Buncombe County, City of Asheville, Asheville Area Chamber of Commerce, Mountain BizWorks; Land of Sky Regional Council, Town of Montreat, Biltmore Lake Charitable Fund, Ramble Charitable Fund, Buncombe County Tourism Development Authority; and over 400 friends and neighbors.

Council Goal(s):

- Financially Resilient City
- Equitable and Diverse Community
- Thriving Local Economy

Committee(s):

- None.

Pro(s):

- Provides immediate economic disaster assistance from a centralized fund, administered by existing experienced program management agencies.
- Supports both individuals and businesses in Asheville.

Con(s):

- The magnitude of this crisis may require additional resources. The City is limited in available funding.

Fiscal Impact:

- This economic development appropriation is not in the current adopted budget.
- The appropriation of \$100,000 would come from the General Fund unassigned fund balance.
- A budget amendment is required.

Mayor Manheimer said that public comment was allowed via phone; however, no one called in for comment on this item.

Mayor Manheimer opened the public hearing at 5:36 p.m., and when no one spoke, she closed the public hearing at 5:36 p.m.

In response to Councilman Kapoor, Mr. Powers said that all donations are tax deductible. Mr. Powers also said that this program is for those who don't have other options available to them.

Mayor Manheimer said that members of Council have previously received a copy of the resolution and ordinance and they would not be read.

Vice-Mayor Wisler moved to approve the appropriation of \$100,000 from General Fund unassigned fund balance to the Buncombe County Service Foundation (BCSF) to be used in the One Buncombe Fund. This motion was seconded by Councilwoman Mayfield and carried unanimously.

RESOLUTION BOOK NO. 41 - PAGE 281

Vice-Mayor Wisler moved to adopt a budget amendment to participate in One Buncombe Fund. This motion was seconded by Councilman Kapoor and carried unanimously.

ORDINANCE BOOK NO. 33 – PAGE 65

V. UNFINISHED BUSINESS:

VI. NEW BUSINESS:

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Thirteen individuals spoke about the need for the Tourism Development Authority and the City of Asheville to open up hotels for the homeless population, medical professionals and others who need safe housing.

One individual spoke about the need for a comprehensive urban forestry program and an urban forester.

In response to Councilman Haynes, Assistant City Manager Cathy Ball addressed the issues of hotels and what is taking place for the homeless population and others. Councilwoman Smith asked that the public be provided with updated information.

PRIMARY ELECTION RESULTS - CITY OF ASHEVILLE - MARCH 3, 2020

Attached is the abstract containing the number of legal votes in the Primary Election, City of Asheville, held on March 3, 2020.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 6:06 p.m.

CITY CLERK

MAYOR