

Tuesday – June 14, 2022 - 5:00 p.m.

Regular Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Sheneika Smith; Councilwoman Sandra Kilgore; Councilwoman S. Antanette Mosley (remote); Councilwoman Kim Roney; Councilwoman Sage Turner; Councilwoman Gwen C. Wisler; City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Councilwoman Wisler moved to allow Councilwoman Mosley to participate remotely due to illness. This motion was seconded by Councilwoman Turner and carried unanimously by roll call vote.

**PLEDGE OF ALLEGIANCE**

Mayor Manheimer led City Council in the Pledge of Allegiance.

**I. PROCLAMATIONS:**

**A. PROCLAMATION PROCLAIMING JUNE, 2022, AS “PRIDE MONTH”**

Mayor Manheimer read the proclamation proclaiming June, 2022, as “Pride Month” in the City of Asheville. She presented the proclamation to Allison Scott from Campaign for Southern Equality, who briefed City Council on some activities taking place during the month.

**B. PROCLAMATION PROCLAIMING JUNE 19, 2022, AS “JUNETEENTH 2022”**

Vice-Mayor Smith read the proclamation proclaiming June 19, 2022, as “Juneteenth 2022” in the City of Asheville. She presented the proclamation to Dewana Little, Daniel Young and Paul Howell , who briefed City Council on some activities taking place during the day.

**C. PROCLAMATION PROCLAIMING JUNE 20-26, 2022, AS “NATIONAL POLLINATOR WEEK”**

Councilwoman Turner read the proclamation proclaiming June 20-26, 2022, as “National Pollinator Week” in the City of Asheville. She presented the proclamation to Phyllis Stiles, Director of Bee City USA; Best Savely, Co-Chair of the Bee City Asheville Leadership Committee; and Greenworks Director Dawn Chavez, who briefed City Council on some activities taking place during the week.

**II. CONSENT AGENDA:**

**A. APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON MAY 24, 2022**

**B. RESOLUTION NO. 22-116 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH EAST ASHEVILLE YOUTH ACTIVITIES BOOSTER CLUB INC. FOR CHARLIE BULLMAN PARK LOCATED AT 719 NEW HAW CREEK ROAD, ASHEVILLE N.C.**

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute a lease agreement between the East Asheville Youth Activities Booster Club and the City of Asheville for Charlie Bullman Park, located at New Haw Creek Road and Bell Road.

**Background:**

- The recreation area known as the Charlie Bullman Park is owned by the East Asheville Youth Activities Booster Club (East Asheville).
- In 2011, the City of Asheville entered into a lease agreement with East Asheville for property located at New Haw Creek Road and Bell Road.
- The property and existing site improvements have been used exclusively for recreational purposes.
- The park is needed for recreational programming activities serving East Asheville.
- This lease is beneficial to the Parks and Recreation Department because it allows the department to support youth recreation sports, specifically baseball, softball and t-ball.
- The most recent lease expired in August 2021, and the City approached East Asheville expressing interest in renewing the lease for an additional 2 (two) years at the current rate of \$1.00 per year.
- East Asheville is agreeable to an extension of the lease for another 2 years.
- Existing terms of the lease will continue, such as the City's commitment to maintain the facilities, make any necessary repairs, and cover all utility costs.

**Council Goal(s)**

- A Well Planned and Livable Community

**Pro(s):**

- City utilizes the facility for nominal rent.
- City is free to make any improvements it deems appropriate.

**Con(s):**

- The City is responsible for maintaining the facility during the term of the lease.

**Fiscal Impact:**

- The lease commits the City to costs to maintain the facility.
- Parks and Recreation staff, however, negotiate with local leagues relative to the provisions of a Memorandum of Understanding (MOU).
- This MOU specifies and limits the City's obligation to issues such as field readiness for play.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to execute a lease agreement with East Asheville to continue recreational programming at this site.

**RESOLUTION BOOK NO. 43 - PAGE 146**

**C. RESOLUTION NO. 22-117 - RESOLUTION DIRECTING THE CITY ATTORNEY TO FORMALLY INTERVENE IN THE N.C. UTILITIES COMMISSION DOCKET E-100, SUB 179 OF DUKE ENERGY'S CARBON PLAN**

**Action Requested:** Adoption of a resolution directing the City Attorney to formally [isition Pathways Analysis](#) identifies the need to participate in State and Utility actions to achieve the City's renewable energy goals.

- This is an opportunity to highlight the success of the current partnership with Duke Energy and advocate for affordable, renewable electricity.
- If approved, this intervention will be the second time the City has officially intervened in a docket at the NCUC.
- The first time was in 2021 on the 2020 Integrated Resource Plan, that docket concluded in the NCUC providing guidance on what to include in the Carbon Plan which included several recommendations from the City's comments.

**Vendor Outreach Efforts:**

- Not applicable

**Council Goal(s):**

- Equitable and Diverse Community intervene in the North Carolina Utilities Commission Docket E-100 Sub 179 of Duke Energy's Carbon Plan

**Background:**

- In 2016, the City Council adopted [Resolution 16-64](#) which established a joint task force with Duke Energy and Buncombe County to collaborate on solutions to reduce energy consumption in the region and increase deployment of renewable energy.
- In 2018, the City Council adopted [Resolution 18-279](#) establishing a 100% renewable energy goal for all municipal operations by 2030 and to support the County's communitywide goal by 2042.
- Session Law 2021-165, more commonly referred to as House Bill 951 required Duke Energy to develop a Carbon Plan no later than December 31, 2022, outlining how utilities would achieve a 70% reduction in carbon dioxide emissions by the year 2030 and carbon neutrality by 2050.
- The Carbon Plan was submitted by Duke to the NCUC on May 16, 2022, following three stakeholder engagement sessions in which the city staff participated.
- The [Carbon Plan](#) modeled four scenarios. The most aggressive scenario still includes 5.8 gigawatts (GW) of electricity from non-renewable sources (nuclear and natural gas) in 2030.
- This means that the City would need to procure additional renewable energy to meet its 100% renewable energy goal by 2030.
- The NCUC hosts statutory reviews prior to approving carbon plans from utilities.
- To participate, the City must petition to become a formal intervenor by demonstrating they are a stakeholder in the proceeding.
- Intervention in the review allows the City to help shape the process and the final Carbon Plan content, potentially accelerating the transition to renewable energy in our utility territory.
- NCUC tends to give greater weight to public comments provided through this more formal intervention process, so the City's participation is critical to advance efficiency and renewable generation strategies aligned with our policies.
- The City of Asheville's [Moving to 100% - Renewable Energy Tran](#)
- A Clean and Healthy Environment

**Committee(s):**

- None

**Pro(s):**

- Supports [Resolution 17-104 Encouraging a State Goal of 100% Renewable Energy by 2050](#)
- Supports [Resolution 18-279 Establishing a 100% Renewable Energy Goal](#)
- Supports [Resolution 20-25 Declaration of a Climate Emergency](#)
- Action prioritized in [Moving to 100% Renewable Energy Roadmap](#)

**Con(s):**

- This will consume staff time to file the petition to intervene, draft comments, and monitor the docket

**Fiscal Impact:**

- None anticipated

**Motion:**

- Motion to adopt a resolution directing the City Attorney to formally intervene in the North Carolina Utilities Commission Docket E-100 Sub 179 of Duke Energy’s Carbon Plan

**RESOLUTION BOOK NO. 43 - PAGE 147**

**D. RESOLUTION NO. 22-118 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PYATT HEATING & AIR FOR THE PUBLIC WORKS CHILLER REPLACEMENT PROJECT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to enter into a contract with Pyatt Heating & Air in the amount of \$143,352.00 for the Public Works Building Chiller Replacement project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of \$13,943.00 (10% of base bid).

**Background:**

- The existing chiller and chilled water pump at Public Works Building A is at the end of its expected useful life and is in need of replacement.
- A request for bids was advertised May 5, 2022, and bids were received June 1, 2022.
- The following five (5) bids were received:

	<u>Base Bid</u>	<u>Bid Alternate</u>
<b>#01</b>		
■ Pyatt Heating and Air of Marion, NC	\$139,430.00	\$ 3,922.00
■ Nor-Well Company, Inc. of Elizabethton, TN	\$148,900.00	\$ 9,800.00
■ Renfrow Brothers, Inc. of Spartanburg, SC	\$150,532.00	\$ 7,728.00
■ Haynes Industrial of Asheville, NC	\$160,877.00	\$ 5,778.00
■ Smyre Refrigeration of Claremont, NC	\$525,656.00	\$59,574.00

- Pyatt Heating and Air of Marion, NC was determined to be the lowest responsive and responsible bidder, including the selected Bid Alternate #01.
- Due to long product lead times for mechanical equipment, the project duration is estimated at 297 consecutive calendar days.

**Vendor Outreach Efforts:**

- Staff performed outreach to minority owned businesses through solicitation processes which include posting on the State’s Interactive Purchasing System and requiring prime contractors to reach out to Minority Owned Business Enterprise (MWBE) service providers for subcontracted services.
- Dover Insulation of Marion, NC—a WBE enterprise—will be subcontracted for this project.

**Council Goal(s):**

- A Clean and Healthy Environment & A Financially Resilient City

**Committee(s):**

- None

**Pro(s):**

- This project will provide effective and reliable cooling to the Public Works building, for the comfort, health and safety of the building occupants.
- The new chiller will be more efficient than the existing equipment.

**Con(s):**

- None.

**Fiscal Impact:**

- The funding for this contract is already included in the Fiscal Year 2022 adopted operating budget.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to enter into a contract with Pyatt Heating & Air in the amount of \$143,352.00 for the Public Works Building Chiller Replacement project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of \$13,943.00 (10% of base bid).

**RESOLUTION BOOK NO. 43 - PAGE 148**

**E. RESOLUTION NO. 22-119 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENTS WITH WEAVERCOOKE CONSTRUCTION FOR THE CITY HALL ELEVATOR MODERNIZATION PROJECT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute construction and associated cost amendments with Weaver Cooke Construction up to a total of \$2,490,000.00 in order to complete the construction of the Asheville City Hall Elevator Modernization project.

**Background:**

- On August 25, 2020, the City Council authorized the City Manager to enter into a Design-Build contract with Weaver Cooke Construction and to execute any associated cost amendments up to a total of \$2,304,831.00.
- The elevator's historic qualities will be preserved in the execution of the improvements.
- Per City Council Resolution No. 17-09, City Hall is noted as a landmark historic structure, with specific references to the elevators.
- The Historic Resource Commission has issued a Certificate of Appropriateness for the City Hall Elevator Modernization Project as a major work project.
- The Design-Build delivery method was approved by the City Manager in January 2020 per the requirements of N.C. Gen. Stat. sec. 143-128.1A and City Council Resolution No. 16-45.
- On May 14, 2022, Council passed an amendment to authorize additional funds for a total of \$2,360,000.00.
- Later in the month, the elevator inspector was at City Hall for a review of elevator #1, which passed inspection, and started operations on May 24.
- Elevator #3, the City's last manually operated elevator, was decommissioned on the same day.
- During the elevator inspection, the inspector noted the need for additional fire rated walls in the elevator machine room on the 9th floor of City Hall.
- This work will be challenging due to the tight spacing of equipment and the age and design of the existing 94 year old elevator shaft.
- While elevators #1 and #2 are allowed to operate, the City must comply with the new requirements in order to complete the project.
- The requested funds will be added to the contract, and will incorporate sufficient contingency to address fire rating requirements as well as accommodate other potential new requirements.

- This amendment increases the City Manager's authority by an additional \$130,000.00 to a revised total of \$2,490,000.00.

**Vendor Outreach Efforts:**

- Staff performed outreach to minority and women owned businesses through solicitation processes which include 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.
- MWBE participation is anticipated to be \$119,221.00, or 5.04% which exceeds the City's goal of 4.6% for construction.

**Council Goal(s):**

- A clean and healthy environment & a financially resilient city

**Committee(s):**

- None

**Pro(s):**

- The amendment allows for the completion of the project.

**Con(s):**

- None

**Fiscal Impact:**

- Funding for this contract and any cost amendments up to a total of \$2,490,000.00 is already included in the project budget.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to execute construction and associated cost amendments with WeaverCooke Construction up to a total of \$2,490,000.00 in order to complete the construction of Asheville City Hall Elevator Modernization project.

**RESOLUTION BOOK NO. 43 - PAGE 149**

**F. RESOLUTION NO. 22-120 - RESOLUTION AUTHORIZING THE CITY MANAGER EXECUTE AN AGREEMENT WITH SEPI ENGINEERING & CONSTRUCTION INC. FOR THE AIRPORT ROAD SIDEWALK DESIGN PROJECT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to enter into an agreement with SEPI Engineering & Construction, Inc. in the amount of \$128,055.00, for the Airport Road Sidewalk Design project; and further authorizing the City Manager to execute any contract amendments that may arise during the project up to the contingency amount of \$12,805.50 (10%).

**Background:**

- The project includes installation of sidewalk, pedestrian signal crossings, wheelchair ramps, and bus pads along NC 280 Airport Road from US 25 Hendersonville Road to the southernmost entrance to Walmart.
- The area identified for the project has large pedestrian use and there is no sidewalk available or gaps missing between sections.

- The area identified will improve mobility options and help to ensure that the City of Asheville remains compliant with current City standards and the Americans with Disabilities Act (ADA).

**Vendor Outreach Efforts:**

- The Request for Qualifications (RFQ) was advertised on November 17, 2021.
- Staff performed outreach to minority and women owned businesses through solicitation processes which include posting on the State’s Interactive Purchasing System, direct contact of firms on City, Historically Underutilized Business (HUB), and Department of Transportation (DOT) Minority & Women-Owned Business Enterprise (MWBE) lists, and requiring prime contractors to reach out to service providers for subcontracted services.
- Design firms / Engineers that submitted included the following:
  - DRMP, Inc. (subconsultant GSC Geotechnical, is a Small Professional Service Firm (SPSF))
  - Mattern & Craig, Engineers & Surveyors
  - Parrish & Partners of North Carolina, PLLC (subconsultant New South Associates Cultural & Natural Resources, is SPSF)
  - SEPI Engineering & Construction, Inc. (MWBE found on HUB)
  - TGS Engineers (subconsultant GSC Geotechnical, is SPSF)
  - Threadcraft Engineering, Inc. (MWBE found on City list)
  - Vaughn & Melton Consulting Engineers (subconsultant Froehling & Robertson Geotechnical, is MWBE)
  - Wood Environment & Infrastructure Solutions, Inc. (subconsultant, Site Design Studios, is MWBE / subconsultant, Cole Surveying and Design, is SPSF)
- The highest-rated company, SEPI Engineering & Construction, Inc. of Raleigh, NC with offices in Asheville, NC, is a MWBE.

**Council Goal(s):**

- A well-planned and livable community.

**Committee(s):**

- None

**Pro(s):**

- Design of sidewalk that will meet City and National ADA standards.
- Improve mobility and safety on city streets.
- This action also aligns with the 2036 City Council Vision in that it will make “getting around Asheville easy” (Transportation and Accessibility).

**Con(s):**

- Construction will be disruptive to adjacent residences and businesses.

**Fiscal Impact:**

- Funding for this contract is already included in the 2016 General Obligation (G.O.) Bond Program.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to enter into an agreement with SEPI Engineering & Construction, Inc. in an amount not to exceed \$128,055.00 to design the Airport Road Sidewalk project; and further authorizing the City Manager to execute any contract amendments that may arise during the project up to the contingency amount of \$12,805.50 (10%).

**RESOLUTION BOOK NO. 43 - PAGE 150**

**G. RESOLUTION NO. 22-121 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH CREECH & ASSOCIATES, PLLC FOR THE OVERALL COMPREHENSIVE FACILITIES STUDY**

**RESOLUTION NO. 22-122 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BRIGHTLY SOFTWARE INC. FOR CAPITAL PREDICTOR SOFTWARE WITH SUPPORTING FACILITIES CONDITION ASSESSMENT**

**Action Requested:** Adoption of resolutions authorizing the City Manager to execute two contracts, one contract with Creech & Associates, PLLC in the amount of \$348,370.00 for the Comprehensive Facilities Study; and one contract with Brightly Software, Inc for Capital Predictor Software with supporting Facilities Condition Assessment in the amount of \$148,008.51.

**Background:**

- The City owns more than 1.6 million square feet of facilities, of which about 900,000 square feet are occupied or operational.
- The majority of City facilities are greater than 50 years old, and are in various states of their expected useful life.
- The current state of city facilities is not fully known, leading to the need for a comprehensive assessment which will be included in this study.
- This study will include a facilities condition assessment (FCA), future space needs and space utilization, and capital planning and prioritization.
  - Additionally, the study will include an assessment of sustainability goals as they relate to facilities, master planning for select sites, employee parking, remote work, and a location based analysis of fire and police facilities.
- The study is expected to start in July, and will take nine (9) months to complete.
- Staff will present the City Council with various scenarios and recommendations for investments, and strategic plans for City facilities according to Council's stated goals.
- A qualifications based selection process was followed according to the general statutes, and a request for qualifications was advertised on January 24, 2022.
- Five teams submitted statements of qualifications, and are listed as follows:
  - Creech & Associates, PLLC Charlotte, NC office
  - CPL, PC Charlotte, NC office
  - FEA, PC Fairfax, VA
  - FFF, Inc. & Gordian Burlington, VT & Greenville, SC office
  - SCN Architects, PA & Chinn Planning Gastonia, NC & Columbia, SC
- A committee consisting of representatives from the Capital Projects, Finance, Sustainability, Fire and Police Departments carefully evaluated the submissions, and selected Creech & Associates as the highest rated firm.
- During fee negotiations, staff determined that it is in the City's best interest to have assessment services provided by two companies.
- The overall Comprehensive Facilities Study will be performed by Creech and Associates, PLLC.
- These services will be integrated with a separate contract for capital planning software and Facility Condition Assessment to be performed by Brightly Software Inc.
- The services provided by Brightly Software Inc. will be contracted through a Cooperative Purchasing group, Sourcewell which was competitively solicited.



**Vendor Outreach Efforts:**

- Staff performed outreach to minority and women owned businesses through solicitation processes which include 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.
- Creech & Associates is subcontracting with Palacio Collaborative, Inc. of Atlanta, GA, which is a minority-owned enterprise, and Stewart Engineering, Inc. of Raleigh, NC, which is a woman-owned enterprise.

**Council Goal(s):**

- A financially resilient city, a clean and healthy environment, and a well-planned and livable community.

**Committee(s):**

- None

**Pro(s):**

- Provides the City with needed information regarding the condition of its facilities, space needs for current and future growth, and which will help in the prioritization and planning of future capital investments in City facilities.
- Long-term facility management will be aided through the addition of capital forecasting software.

**Con(s):**

- None

**Fiscal Impact:**

- Funding for the total value of the two contracts of \$496,378.51 is already included in the capital project budget within the adopted Capital Improvement Program (CIP).
- The Brightly contract will include the first year of software license in this contract.
- Subsequent years will require an ongoing software license cost starting at \$20,421.14 in Fiscal Year 2023-24.

**Motion:**

- Motion to adopt resolutions authorizing the City Manager to execute two contracts, one contract with Creech & Associates, PLLC in the amount of \$ 348,370.00 for the Comprehensive Facilities Study; and one contract with Brightly Software, Inc for Capital Predictor Software with supporting Facilities Condition Assessment in the amount of \$ 148,008.51.

**RESOLUTION NO. 22-121 - RESOLUTION BOOK NO. 43 - PAGE 151  
RESOLUTION NO. 22-122 - RESOLUTION BOOK NO. 32 - PAGE 152**

**H. RESOLUTION NO. 22-123 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HAYNES INDUSTRIAL, A DIVISION OF MB HAYNES CORPORATION, FOR THE SHILOH HVAC MODERNIZATION PROJECT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to enter into a contract(s) with Haynes Industrial, a Division of MB Haynes Corporation in the amount of \$440,172.00, for the Shiloh Community Center HVAC modernization project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of \$44,017.20 (10%).

**Background:**

- This project includes the modernization of boilers at the Shiloh Community Center as well as a transition from boilers to a rooftop package unit for heat and added air conditioning for the gymnasium.
- The Shiloh Community Center currently has HVAC equipment many years beyond its intended useful life, which has led to the system constantly failing, causing higher maintenance costs.
- A rebid was advertised on April 13th, 2022.
- The City received and opened 3 bids on May 5th, 2022.
- The names of the contractors and bid amounts (with selected alternates) are listed below:
  - Haynes Industrial (M.B. Haynes Corp.), *Asheville, NC* \$477,359.00
  - Bolton Construction & Services of WNC, Inc., *Asheville, NC* \$492,330.00
  - J. Bartholomew Construction, LLC., *Hendersonville, NC* \$519,844.00
- Haynes Industrial, a Division of MB Haynes Corporation, was the lowest responsive bidder with selected alternates.
- Through negotiations, the proposed construction fee was reduced to \$440,172.00.
- The primary construction contract will be valued at \$425,727.00.
- A secondary service contract valued at \$15,250.00 will be awarded via alternate means outside of this primary agreement.
- This project will start immediately with a target substantial completion in Winter 2022 or within 60 days from the date of equipment delivery.
- Due to Covid-19 related shortages, equipment delivery times may affect the project completion date.

**Vendor Outreach Efforts:**

- Staff performed outreach to minority and women-owned businesses through solicitation processes, which include posting on the State's Interactive Purchasing System, direct outreach, and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- No MWBE General Contractors or Subcontractors submitted bids for this solicitation.

**Council Goal(s):**

- A financially resilient city
- A clean and healthy environment
- A well-planned and livable community

**Committee(s):**

- None

**Pro(s):**

- This project works towards sustainability objectives by decreasing reliance on fossil fuels through electrification, which will make use of the newly installed solar PV system. (The solar PV system was oversized in anticipation of this project.)
- The new modernized modular boiler system will have enormous efficiency improvements as well as added redundancy in the event of failure during below freezing temperatures, making repair times less critical.
- The new systems will allow for remote monitoring, which allows facility maintenance staff the ability to review system conditions without having to physically visit the site, reducing employee expenses and freeing up staff resources.

**Con(s):**

- Because of material and contractor labor shortages the construction cost is significantly higher than estimates.

**Fiscal Impact:**

- Funding for this contract is included in the current Adopted Capital Improvement Program budget.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to enter into a contract(s) with Haynes Industrial, a Division of MB Haynes Corporation in the amount of \$440,172.00, for the Shiloh Community Center HVAC modernization project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of \$44,017.20 (10%).

**RESOLUTION BOOK NO. 43 - PAGE 153**

**I. RESOLUTION NO. 22-124 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH TERRACON CONSULTANTS INC. FOR ADDITIONAL ENGINEERING SERVICES FOR THE MUNICIPAL BUILDING CAPITAL REPAIRS & RESTORATION PROJECT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute an amendment with Terracon Consultants, Inc. in the amount of \$15,000 to provide additional building investigation and scope assessment services for the Municipal Building Capital Repairs and Restoration project.

**Background:**

- The Municipal Building, which houses Fire and Police Headquarters at 100 Court Plaza in Downtown Asheville, is in need of essential structural repairs and exterior renovations to the building facade and roof.
- A Request for Qualifications (RFQ) was advertised on October 22, 2021, for Architectural and Engineering Professional Services.
- The services requested in the RFQ included a pre-design building investigation and scope assessment; solar feasibility study; and architectural renovation design.
- Responses were due November 18, 2021.
- The City received five Statements of Qualifications from the consultants listed below:
  - Atlas Engineering, Inc.-- Raleigh, NC
  - NOVA Engineering and Environmental, Inc. –Charlotte, NC office
  - Tarchitects– Raleigh, NC
  - Terracon Consultants, Inc.-- Charlotte, NC office
  - WGI, Inc. – Charlotte, NC Office
- A committee consisting of representatives from the Asheville Fire Department, Asheville Police Department, and Capital Projects Department carefully evaluated the submissions.
- Terracon received the highest score.
- On February 21, 2022 the City Manager executed a contract with Terracon Consultants Inc., in the amount of \$33,200 for the initial building investigation and scope assessment phase of engineering.
- On May 25, 2022 the City Manager executed Amendment No. 1 in the amount of \$55,800 authorizing additional structural investigation.
- This additional work was based on the findings from the initial investigation.
- The total revised contract value including Amendment 1 is \$89,000.
- This Amendment No. 2 in the amount of \$15,000 will authorize additional investigation and testing of the building exterior and roof.
- This additional work is based on the findings from the initial investigation.
- The total revised contract value including Amendment 2 is \$104,000.

- The original contract duration for the preliminary investigation was four months through June 21, 2022. This Amendment No. 2 will add 45 days for the additional services, for a revised completion date of August 5, 2022.

**Vendor Outreach Efforts:**

- Staff performed outreach to minority and women owned businesses through the Request for Qualifications solicitation process which included posting on the State’s Interactive Purchasing System and encouraging consultants to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- Terracon Consultants, Inc. is subcontracting with Sud Associates, P.A. of Asheville, NC, which is a Minority-Owned Enterprise.

**Council Goal(s):**

- A clean and healthy environment & a financially resilient city

**Committee(s):**

- None

**Pro(s):**

- This amendment will allow the project scope to be fully defined so that the engineering of the construction documents can proceed.

**Con(s):**

- The services provided under this contract are likely to identify costly repairs to the Municipal Building.
- Addressing these needs will require most of the funding allocated to facility maintenance over the five year Capital Improvement Program (CIP), limiting the capacity to address maintenance needs at other facilities.

**Fiscal Impact:**

- Funding for this contract and any cost amendments up to a total of value of \$220,000 is already included in the capital project budget within the adopted Capital Improvement Program (CIP).

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to execute an amendment with Terracon Consultants, Inc. in the amount of \$15,000 to provide additional building investigation and scope assessment services for the Municipal Building Capital Repairs and Restoration project.

**RESOLUTION BOOK NO. 43 - PAGE 154**

**J. RESOLUTION NO. 22-125 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE MCADAMS COMPANY FOR COMMUNITY ENGAGEMENT, PLANNING AND URBAN DESIGN FOR THE PACK SQUARE IMPROVEMENTS PROJECT**

**ORDINANCE NO. 4950 - BUDGET AMENDMENT FOR THE PACK SQUARE IMPROVEMENTS PROJECT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to enter into a contract with the McAdams Company in the amount of \$111,000 for community engagement, planning and urban design; and the adoption of a budget amendment in the amount of \$111,000 in the Special

Revenue Fund for the Pack Square visioning process utilizing General Fund appropriations of \$81,000 and Buncombe County contributions of \$30,000.

**Background:**

- City Council allocated funds for the joint City-County planning process after approving a resolution in March 2021 to remove the Vance Monument.
- Buncombe County has pledged an additional \$30,000 to support a visioning process for Pack Square.
- The City issued an RFP for a Project Manager to lead this planning process on January 18, 2022; responses were due (under an extended deadline) on February 21, 2022.
- An inter-organizational team of 12 members of Buncombe County and City of Asheville staff assisted in the selection of McAdams as the top-ranked applicant.
- McAdams will use \$15,000 from their contract to pay local organizations and/or individuals to collaborate on this project.

**Vendor Outreach Efforts:**

- In addition to using standard outreach methods, such as posting on the State's Interactive Purchasing System, staff at the City and County made efforts to promote this opportunity to local and national MWBE vendors.
- The City received three proposals, one being MWBE.
- The MWBE firm was not the highest ranked during the proposal review process.

**Council Goal(s):**

- An Equitable and Diverse Community

**Committee:**

- None

**Pro(s):**

- Allows the City and County to begin the visioning process for Pack Square.
- While the McAdams Company is not a Minority/ Women-Owned Business Enterprise (MWBE), the Project Manager is an African American with extensive experience in engaging diverse communities, and the vendor has assured local economic benefit by committing part of the funds to hire local subcontractors.

**Con(s):**

- None.

**Fiscal Impact:**

- The City's contribution to this project is already budgeted in the Planning and Urban Design Department's General Fund budget, and Buncombe County has pledged an additional \$30,000.
- A budget amendment is needed to move the General Fund budget to the Special Revenue Fund and appropriate the Buncombe County contribution.
- Setting up the budget in the Special Revenue Fund will ensure that budget authority will not lapse on June 30.

**Motion:**

- Motion to authorize the City Manager to execute a contract with the McAdams Company to provide planning and urban design services for the Pack Square Improvements Project; and to adopt a budget amendment of \$111,000 to support the project utilizing General Fund appropriations of \$81,000 and Buncombe County contributions of \$30,000.

**ORDINANCE BOOK NO. 34 - PAGE 182**

**K. RESOLUTION NO. 22-126 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BLANCHARD, MILLER, LEWIS & ISLEY, P.A. FOR GOVERNMENT RELATION SERVICES**

**Action Requested:** Adoption of a resolution authorizing the City Manager to enter into a contract for 1 year with two one year renewal options with Blanchard, Miller, Lewis and Isley, P.A. in the amount of \$84,000 per year for government relation services.

**Background:**

- Approval of the contract will allow the city's lobbyist to continue providing legislative services.
- The current contract will expire on June 30, 2022.
- The City's lobbyist provides valuable services through advocating the City's legislative agenda, lobbying against bills which would be harmful to the City, and providing general counsel to the City and its elected officials on matters dealing with the State legislature..
- In order to maintain these services, it is necessary to initiate a new contract by July 1, 2022.

**Vendor Outreach Efforts:**

- N/A

**Council Goal(s):**

- A Well-Planned and Livable Community

**Committee(s):**

- N/A

**Pro(s):**

- Provide continued legislative services in the General Assembly

**Con(s):**

- None

**Fiscal Impact:**

- The previous contract for these services included a monthly rate of \$6,000, but has not been adjusted in many years.
- The proposed contract will increase the payment to \$7,000 per month, a rate still below other cities contracting for similar services.
- Funding for the contract is included in the General Fund Budget.

**Motion:**

- Move to adopt a resolution authorizing the City Manager to enter into a contract for legislative liaison services with Blanchard, Miller, Lewis and Isley, P.A. for one year with options to extend for an additional two years at a rate of \$84,000 per year.

**RESOLUTION BOOK NO. 43 - PAGE 156**

**L. RESOLUTION NO. 22-127 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADDENDUM TO THE 2019 TAX COLLECTIONS AGREEMENT WITH BUNCOMBE COUNTY TO CHANGE THE METHOD OF ELECTRONIC FUNDS DEPOSIT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute an Addendum to the 2019 Tax Collections Agreement with Buncombe County to change the method of electronic funds deposit.

**Background:**

- Buncombe County has billed and collected City property taxes, including the City's fee charged for motor vehicles licenses, for many years.
- In 2019, Buncombe County and the City of Asheville entered into an updated agreement for the County to continue billing and collecting property taxes under a revised fee structure.
- The 2019 agreement provided for a three-year extension of the agreement and delegated approval of that extension to the City and County Managers.
- Approval of the three-year extension by the Managers has occurred and will become effective on July 1, 2022.
- As a part of the extension, the County has requested a change in the method that electronic funds are deposited with the City.
- Historically funds have been deposited in the City's North Carolina Capital Management Trust (NCCMT) account.
- The County, for efficiency reasons, has requested that funds be deposited into the City's main operating account instead of into the NCCMT account, which follows the County's normal process for issuing payments.
- The City Finance Department supports this change and requests Council approval of the Addendum.
- The Buncombe County Board of Commissioners approved the Addendum at their June 7, 2022, meeting.

**Council Goal(s):**

- A Financially Resilient City

**Pro(s):**

- Allows the City to continue receiving tax revenue proceeds from the County utilizing an efficient and mutually agreed upon electronic funds deposit method.

**Con(s):**

- None

**Fiscal Impact:**

- There is no direct fiscal impact to approving this Addendum.
- Under the terms of the agreement, the City will pay the County a flat fee of \$877,666 in fiscal year 2023 for tax collection services.
- The fee for these services increases annually with an automatic annual escalation rate of 2.5% for each successive fiscal year of the agreement

**Motion:**

- Motion to adopt resolution authorizing the City Manager to execute an Addendum to the 2019 Tax Collections Agreement with Buncombe County to change the method of electronic funds deposit.

**RESOLUTION BOOK NO. 43 - PAGE 157**

**M. RESOLUTION NO. 22-128 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXTEND A GENERAL SERVICES AGREEMENT WITH**

## **BIO-NOMIC SERVICES INC. FOR THE WATER TREATMENT PLANT SLUDGE REMOVAL PROJECT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to extend a general services agreement with Bio-Nomic Services, Inc., contract #92000108, to complete year three of the original contract for the removal of treatment residuals (sludge), from the the North Fork, Mills River and William DeBruhl WTPs, not to exceed \$311,036.05.

### **Background:**

- The City of Asheville's Water Resources - Water Production Division operates three water treatment plants (WTPs) to produce clean, safe drinking water for people in The City of Asheville, Buncombe and Henderson Counties.
- Each of these plants remove impurities and residuals as part of the treatment process.
- These residuals (sludge) are stored in lagoons on site at each facility and are removed on a yearly basis to provide room and storage capacity to allow for water production.
- Each of these systems are permitted and regulated through the National Pollution Discharge Elimination System (NPDES), and are subject to those requirements.
- In 2019, the City of Asheville Water Resources - Water Production Division issued a RFP for the Water Treatment Plant Sludge Removal Project to provide removal of water treatment residuals from the Mills River, North Fork and William DeBruhl WTPs.
- This contract was a three year contract.
- Due to unforeseen circumstances, the first year of removal was conducted in 2020 and year two was delayed until 2021.
- Year three has not been conducted and the current contract will end in June 2022 if not extended.
- Due to Tropical Storm Fred, which impacted Western North Carolina on August 16 through 17, each of the treatment plants have accumulated excess solids and are in need of immediate removal.
- The extension of this contract to complete year three will allow this removal and provide adequate time to bid and establish a new multi year contract for future removals of treatment residuals.

### **Vendor Outreach Efforts:**

- The original contract was established after issuance of a Request for Proposals and a competitive process to establish the most capable vendor to perform residuals removal from the City of Asheville's Water Resources - Water Production Division water treatment plants.
- The City of Asheville entered into a general services agreement with Bio-Nomic Services, Inc. on August 13, 2019 for the removal of Water Treatment Plant Residuals for the three Water Resources - Water Production water treatment plants.
- Bio-Nomic Services, Inc. has provided residuals removal services for the City of Asheville's Water Resources - Water Production Division and have proven to be capable of performing all contracted services.

### **Council Goal(s):**

- A financially Resilient City, A Clean and Healthy Environment

### **Committee(s):**

- None

### **Pro(s):**

- Allow all water treatment plants to continue to operate as designed and for each plant to continue to produce high quality drinking water.



- Remove residuals to provide storage for treatment residuals for the next year,
- Reduce the risk of compliance violations.

**Con(s):**

- None

**Fiscal Impact:**

- Funding for this repair is currently allocated within the Water Resources - Water Production Operating Budget.

**Motion:**

- Move to adopt a resolution authorizing the City Manager to extend the general services agreement with Bio-Nomic Services, Inc. contract #92000108, to complete year three of the original contract for the removal of treatment residuals (sludge), from the the North Fork, Mills River and William DeBruhl WTPs, not to exceed \$311,036.05.

**RESOLUTION BOOK NO. 43 - PAGE 161**

**N. FIRST READING OF ORDINANCE NO. 4951 - ORDINANCE AUTHORIZING ASSIGNMENT OF THE FRANCHISE AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND THE EDUCATION AND RESEARCH CONSORTIUM OF THE WESTERN CAROLINAS, LLC TO ERC BROADBAND, LLC**

**Action Requested:** Adoption of an ordinance by City Council to authorize the assignment of the City of Asheville's franchise agreement with the Education and Research Consortium of the Western Carolinas, LLC ("ERC") to ERC Broadband, LLC.

**Background:**

- The Asheville City Council previously authorized the granting of franchises to install telecommunications facilities within the City of Asheville's right-of-ways.
- As a result, the City and the Education and Research Consortium of the Western Carolinas, LLC ("ERC") entered into a telecommunications franchise in 2004 (Ordinance No. 3127), and amended in 2012 (Ordinance No. 4124).
- This agreement provides fiber optic capability to the City of Asheville in lieu of franchise fees for the use of City right of way.
- ERC wishes to transfer this responsibility to a separate entity and requires consent of the City for the assignment.
- Assigning this agreement will allow the City to continue utilizing the fiber optic capability, and allow ERC to fully transfer ownership to a new entity, ERC Broadband, LLC.

**Vendor Outreach Efforts:**

- N/A

**Council Goal(s):**

- Core Services

**Committee(s):**

- N/A

**Pro(s):**

- Allows the City to continue receiving broadband services without interruption or changes to the existing terms of its franchise agreement.

**Con(s):**

- None noted.

**Fiscal Impact:**

- None. However, consenting to the assignment will allow the City to avoid the cost of installing its own fiber infrastructure, estimated at a cost of more than \$4.9 million in 2012.

**Motion:**

- Motion to approve consent for the assignment of the City's franchise agreement with the Education and Research Consortium of the Western Carolinas, LLC to ERC Broadband, LLC and to authorize an amendment to the franchise agreement to reflect the assignment.

**ORDINANCE BOOK NO. 34 - PAGE 183**

Mayor Manheimer asked for public comments on any item on the Consent Agenda, but received none.

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 Turner moved for the adoption of the Consent Agenda. This motion was seconded by Councilwoman Wisler and carried unanimously by roll call vote.

**III. PRESENTATIONS & REPORTS:**

**A. MANAGER'S REPORT - EMPLOYEE RECOGNITION**

City Manager Campbell said that City of Asheville employees are heroes in lots of ways. She was pleased to acknowledge their exemplary work all the time but especially when an employee does something extraordinary. She would like to acknowledge an employee in our Public Works Department for saving a co-worker's life. She thanked Larry Gault in Public Works for calling her to share this amazing act of compassion and heroism news with her. She said several Public Works inspectors were having lunch when Wayne Little started choking on his sandwich. Coworkers said that in less than 45 seconds from the start of the incident, Wayne's eyes rolled into his head and he began to pass out. Bobby Roberts was the first to respond to the situation and performed the Heimlich maneuver. After several attempts, the food was finally dislodged. Bobby's quick action and calmness saved his coworker's life. Bobby and Wayne are both inspectors in the Public Works Department. She said that Mr. Little was unfortunately not able to attend this meeting.

Community & Economic Development Director Nikki Reid was also pleased to recognize Sasha Vrtunski as the City's new Affordable Housing Officer.

**IV. PUBLIC HEARINGS:**

**A. PUBLIC HEARING TO CONSIDER A LAND USE INCENTIVE GRANT FOR HILLIARD FLATS LLC FOR DEVELOPMENT ON 217 HILLIARD AVENUE**

**RESOLUTION NO. 22-129 - RESOLUTION APPROVING A LAND USE INCENTIVE GRANT FOR HILLIARD FLATS LLC FOR DEVELOPMENT ON 217 HILLIARD AVENUE**

Affordable Housing Officer Sasha Vrtunski said that this is the consideration of a request to approve a land use incentive grant for Hilliard Flats LLC for development on 217 Hilliard Avenue. This public hearing was advertised on June 3, 2022.

**Review:**

- Hilliard Flats LLC has applied for a Land Use Incentive Grant (LUIG) for their development at 217 Hilliard Avenue per the LUIG policy adopted by City Council and amended on June 22, 2021.
- The development consists of 80 micro housing units and community space.
- For the purposes of this LUIG application, Hilliard Flats LLC is only asking for a LUIG on parcels containing the +/- 80 residential units of housing.
- Micro units each have a sink, area for a microwave or other small appliances.
- There is a full kitchen and a lounge for shared use on each floor.
- Housing represents 100% of all rentable square footage.
- Of the +/- 80 residential units, 16 rental apartments (20%) will be affordable, serving individuals and families earning at or below 80% of the Area Median Income (AMI) for a minimum of 20 years.
- The project encompasses 0.187 acres of land bound by Hilliard Avenue in Downtown Asheville, with the current pin number below that will be subdivided into two parcels, one with the existing house on Grove Street.
  - 9648-29-6171
- The developer estimates a total development cost of approximately \$7.2M.
- Estimated Tax Value of the property is \$7.2M post-completion. This is currently the same as the construction value.
- The project, as presented to staff, meets the following Eligibility Requirements:
  - The proposed development consists of two or more dwelling units for rent;
  - At least 20% of the units will meet the affordability standards set by the City of Asheville for households earning at or below 80% of the Area Median Income (AMI).
  - The affordable units will be affordable to and leased to income-eligible households for at least 20 years.
  - The proposed development is located inside the city limits.
  - The proposed development provides residents convenient access to jobs, schools, and services.
  - The proposed development is over the 70% residential threshold in use based on square footage not to include a parking structure if applicable.
- The LUIG policy requires that the grant be approved by Council before zoning approval.
- This project received zoning approval last fall at the Planning and Zoning Commission.
- As no building permits have been issued, staff believe the project falls within the intent of the policy.
- Per the LUIG Scoring Matrix and based upon the policy, the project will receive a total score of 105 points.

**Proposal:**

- Affordable Rental Housing
  - The proposed project will provide sixteen (16) affordable units (20% of the total units) to individuals and families earning at or below 80% AMI, with 8 (50% of the affordable units) accepting rental assistance, for an affordability period of twenty (20) years.
  - Under this category, the project qualifies for 20 points.
- Rental Assistance
  - The proposed project will accept 8 Housing Choice Vouchers / Rental Assistance in the community, and possibly consider more.
  - Under this category, the project qualifies for 10 points.

- Superior locational efficiency
  - The proposed project is located within the Central Business District, 0.25 mile of a 1/2 hour transit stop served by an existing or future sidewalk, within 1 mile from a job or urban center, and within a 0.5 mile from a Transportation Amenity.
  - Under this category, the project qualifies for 50 points.
- Energy Efficiency
  - The developer has committed to using Energy Efficiency (EE) / Energy Star Certification.
  - Under this category, the project qualifies for 5 points.
- Staff has scored the project with 105 points, which qualifies the project for twenty-one (21) years of Land Use Incentive Grant.

**Council Goal(s):**

- Quality Affordable Housing
- An Equitable and Diverse Community

**Committee(s):**

- Housing & Community Development Committee - April 27, 2022 - approved 2-1.
- Finance Committee - May 24, 2022 - approved 3-0.

**Pro(s):**

- The proposed project will provide 16 affordable rental housing units to households earning 80% or less of area median income;
- The proposed project will have an affordability period of twenty (20) years;
- The proposed project addresses the pressing need for affordable one-person housing units.
- The proposed project should have a significant economic impact.
- Construction wages and material purchases will positively affect the local and regional economy;
- The 16 affordable units are located in Downtown Asheville (walkability score of 89 - very walkable, bike score of 69 - bikeable, some bike infrastructure) and provide downtown employment & shopping options for individuals and families who fall within the 80% AMI incomes.
- Hilliard Flats LLC will communicate with the Asheville Housing Authority and others that they are accepting Housing Choice Vouchers and Rental Assistance as the development prepares to come online.

**Con(s):**

- Cost estimates are not yet fully developed, and project costs as presented may change as it moves towards development.

**Fiscal Impact:**

- The parcel will be subdivided and the vacant piece where the building will be built has an estimated current tax value of \$195,404 and pays city property taxes of approximately \$787 annually.
- Under the estimated tax value of \$7.2M post-completion, the annual city property tax will be approximately \$29,016.
- The difference is \$28,228 which would be granted to the property owner annually after payment for 21 years.
- For 21 years and 16 affordable units at or below 80% AMI, the city will grant back a total of \$592,790 over the 21 years of the LUIG which equals \$37,049 per unit of subsidy which is lower than the estimate of up to \$80,000 in subsidy for 80% AMI homes as noted in Council Work Sessions and a subsidy cap noted in the LUIG Policy.

- After year 21, the City will receive the approximate \$29,016 annually in city tax revenue (depending on future property tax increases, etc.).
- Please note the City will still receive property taxes of approximately \$787 per year in years 1 - 21.
- The City sets aside a budget annually for Land Use Incentive Grants.

Ms. Vrtunski said that the key takeaways for this project is (1) LUIG application for 217 Hilliard Avenue micro housing; (2) Project committing 16 units (20%) to be affordable for 20 years at 80% or below; (3) Project qualifies for 21 years of taxes paid; (4) Project has already been approved by Planning & Zoning, and will need a waiver for receiving a LUIG before zoning approval; and (5) The project has not received a zoning permit yet. The project background is (1) The development consists of 80 micro housing units and community space. For the purposes of this LUIG application, Hilliard Flats LLC is only asking for a LUIG on parcels containing the +/- 80 residential units of housing; (2) Housing represents 100% of all rentable square footage; (3) Of the +/- 80 residential units, 16 rental apartments (20%) will be affordable, serving individuals and families earning at or below 80% of the Area Median Income (AMI) for a minimum of 20 years; (4) The project encompasses .187 acres of land bound by Hilliard Avenue in Downtown Asheville; and (5) The developer estimates a total development cost of approximately \$7.2M. The taxable value after construction will likely be lower which would result in a lower yearly grant. The point summary is as follows: (1) 20% of units affordable at 80% AMI (20 points); (2) 10% Rental Assistance (5 points); (3) Location: (a) Within the Central Business District (30 points); (b) Within .25 mile of a ½ hour transit stop; (c) 1 mile from a job or urban center; and (d) .5 mile from a transit amenity; (4) Energy Efficiency / Energy Star (5 points); (5) Energy Efficiency / Green Built homes (10 points); and (6) Universal Design- 20% of units (10 points) - Total Points: 105 points = 21 years of grant. The LUIG specifics include (1) The parcel will be subdivided and the vacant piece where the building will be built has an estimated current tax value of \$195,404 and pays city property taxes of approximately \$787 annually; (2) Under the estimated tax value of \$7.2M post-completion, the annual city property tax will be approximately \$29,016; (3) The difference is \$28,228 which would be granted to the property owner annually after payment for 21 years; (4) For 21 years and 16 affordable units at or below 80% AMI, the city will grant back a total of \$592,790 over the 21 years of the LUIG which equals \$37,049 per unit of subsidy which is lower than the \$80,000 subsidy cap noted in the LUIG Policy; and (5) After year 21, the City will receive the approximate \$29,016 annually in city tax revenue (depending on future property tax increases, etc.). She explained the existing conditions - noting the historic house will remain; and a new 0.18 acre lot will be created. She reviewed some site and floor plans. She said that the Housing and Community Development Committee reviewed this LUIG request at their April 27 meeting and voted 2-1 in favor of approval. The Finance Committee reviewed the request at their May 24 meeting and voted 3-0 in favor of the approval. Staff recommends approval of the Land Use Incentive Grant application for Hilliard Flats LLC at 217 Hilliard Avenue.

Vice-Mayor Smith said that based on the housing need in that community, she didn't feel this meets the affordability level. With another development coming in across the street on Hilliard (about 300 units), she questioned how does new development affect the homeowners in the southside community, and what it does to their property values. Mayor Manheimer said that Buncombe County is still working on how to address disparity by neighborhoods; and City Manager Campbell said that the City and County have programs that help low and moderate income people with property taxes.

Councilwoman Turner noted that while 16 of the units will be affordable, serving individuals and families earning at or below 80% of the Area Median Income (AMI) for a minimum of 20 years, eight will also accept Housing Code vouchers.

Mr. David Moritz, developer, was excited to bring workforce housing to Asheville to address affordable housing. His partner has built 10 of these models in other cities and they feel this will be an asset to Asheville and the downtown community.

In response to Councilwoman Kilgore, Mr. Moritz explained the shared amenities and said the units would run around \$1,000/month with utilities included.

Councilwoman Roney, who appreciated their commitment to the Energy Star Certification, asked if they had any plans for future investments of solar or renewable energy options. Mr. Moritz said that they are looking at solar; however, they have not committed to that yet. He noted that they have other things like one electric meter that allows them to be a bit more sustainable.

In response to Mayor Manheimer, Mr. Moritz said that even though there is a home in the property they purchased, that land will not be included in this project. He noted though that they have agreed to extend and build a full sidewalk along that section of the street.

When Councilwoman Turner asked about the project timeline, Mr. Moritz said they would like to break ground this summer, with construction being about 12-18 months.

Mayor Manheimer opened the public hearing at 5:38 p.m.

Nina Tovish felt that the number of affordable units should be larger, that they all accept Housing Code vouchers, there be a longer affordability period; and lower the AMI.

Mayor Manheimer closed the public hearing at 5:42 p.m.

When Councilwoman Mosley asked if there has been any discussion with the developer about increasing the number of affordable units and/or the level of affordability to 60% AMI, Mr. Moritz responded that this is their best attempt to bring reasonably priced housing to downtown Asheville. With construction costs increasing, the project is tight and what they propose is all they can do. He agreed that when development occurs it shouldn't be at the detriment of the neighborhood, but they are just trying to bring workforce housing to downtown Asheville.

In response to Councilwoman Roney, City Attorney Branham said that these units would not be eligible to be short-term rentals and to do so would be a zoning violation.

Vice-Mayor Smith acknowledged that the developer meets all the requirements for the LUIG policy; however, we need to consider the location of the project. We must have developers consider the community that they will be building in and their income base. Since she didn't feel these concerns were addressed, she could not support this project.

Councilwoman Wisler noted that we are not approving the project at this time because it falls within the guidelines for staff approval. The only reason this is before City Council is because of the LUIG grant request. If we don't approve the grant, the developer can move forward with no affordability.

Ms. Vrtunski clarified that, if approved, the developer would get 21 years of taxes paid, but he keeps the units affordable for 20.

Councilwoman Roney hoped that we can work on a better policy to reflect our values.

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

Councilwoman Turner moved to approve the Land Use Incentive Grant application for Hilliard Flats LLC at 217 Hilliard Avenue. This motion was seconded by Councilwoman Kilgore and carried on a 5-2 roll call vote, with Vice-Mayor Smith and Councilwoman Mosley voting “no.”

## **RESOLUTION BOOK NO. 43 – PAGE 162**

### **B. PUBLIC HEARING ON THE FISCAL YEAR 2022-23 ANNUAL OPERATING BUDGET**

Finance Director Tony McDowell said that this is the consideration of a public hearing on the City of Asheville Fiscal Year (FY) 2022-23 Proposed Annual Budget and inclusion of public input in City Council’s consideration of the budget. This public hearing was advertised on June 3, 2022.

#### **Background:**

- The FY 2022-23 Proposed Annual Budget was presented to City Council on May 24, 2022, and totals \$216.9 million dollars.
- In summary the Proposed Budget includes the following:
  - Recommends no change to the current property tax rate of \$0.403 per \$100 of assessed valuation,
  - Funds employee compensation adjustments that reflect inflation in the labor market and local cost of living increases while building upon the Archer compensation study recommendations that were implemented in the current fiscal year;
  - Continues funding core community services in a time of rising costs and provides additional investments in key core service areas in alignment with Council priorities;
  - Strategically utilizes fund balance and American Rescue Plan (ARPA) funding to advance Council’s priorities and balance the budget.
- A detailed copy of the Proposed Budget is available for public review in the City Clerk’s office, as well as on the City’s website ([www.ashevillenc.gov](http://www.ashevillenc.gov)).
- In accordance with the North Carolina Local Government Budget and Fiscal Control Act (G.S. 159-12), a summary of the Proposed Budget along with a notice of the public hearing was published on June 3, 2022.
- At the Proposed Budget presentation on May 24, City Council discussed the potential for funding additional enhancements as a part of the FY 2022-23 Budget.
- Staff is recommending that Council consider the following additional enhancements when it votes on the FY 2022-23 Proposed Annual Budget on June 28, 2022:
  - Increase the FY 2022-23 budget for Repairs from \$365,000 to \$500,000. In addition, in future fiscal years staff will plan on budgeting Repairs similar to how the current annual funding is handled for the Housing Trust Fund (also \$500,000). Specifically, staff will include at least \$500,000 for Repairs in future base budgets, subject to financial feasibility and eventual final budget approval by City Council;
  - Adjust the compensation plan for FY 2022-23 to include an additional increase in January 2023 to bring the City’s minimum annual full-time salary to \$36,816 (for 40-hour per week employee) and make associated compression adjustments;
  - Add an Urban Forester position in FY 2022-23 to enhance staff capacity and professional expertise to implement the Tree Canopy Protection Ordinance Amendment (e.g., development project review, field implementation), disburse fee-in-lieu funds, provide cross-departmental coordination, and effectively engage community partners.

- In order to keep the FY 2022-23 General Fund Budget balanced staff is proposing the following revenue adjustments:
  - Fund the \$135,000 increase in the Reparations budget by making minor adjustments to several small revenues based on updated trend data.
  - Utilize an additional \$408,000 in American Rescue Plan (ARPA) funding to support the January 2023 salary adjustments (\$300,000) and the addition of the Urban Forester position (\$108,000).
- As noted above, adoption of the FY 2022-23 Budget Ordinance is scheduled for June 28, 2022, at the regularly scheduled City Council meeting.
- In addition to the staff recommendations noted above, the Proposed Budget may be further changed by City Council in any way before adoption.
- It may also be changed by budget amendment after adoption, with the only exception being the property tax rate, which cannot be changed once the budget is adopted.

**Council Goal(s):**

- A Financially Resilient City

**Pro(s):**

- Provides the opportunity for the public to comment on the Proposed Annual Operating Budget for FY 2022-23.

**Con(s)**

- None

**Fiscal Impact:**

- No impact to conducting the public hearing.

Mr. McDowell aid the key takeaways from this public hearing are (1) The Proposed Budget is a balanced and fiscally responsible spending plan that: (a) Recommends no change in the current property tax rate; (b) Continues funding core community services in a time of rising costs and provides additional investments that align with Council priorities; (c) Funds employee compensation adjustments that reflect inflation in the labor market and local cost of living increases; and (d) Strategically utilizes fund balance and American Rescue Plan (ARPA) funding to advance Council’s priorities and balance the budget; and (2) Staff is recommending additional investments based on May 24 Council feedback.

He provided a short recap of the May 24 proposed budget presentation of the timeline, the fund summary of the proposed budget; the guiding principles, the Council priorities; and the Fiscal Year (FY) budget investments - July compensation of adjusting compensation to (1) ensure all full-time employees earn at least \$35,360 annually; (2) Make adjustments for compression for the impacted positions; (3) Provide all other staff who do not receive an adjustment under the previous two items a 5.0% increase if hired on or before December 31, 2021 or a 2.5% increase if hired after that date; and (4) Continue to review additional options for recruitment and retention incentives.

He also reviewed the potential funding strategy of new investments of operations and staffing for each of Council’s priorities. New investments include: Reparations (\$365k); GIS management (\$105k); Human Resources software (\$250k); Budget software (\$50k), Sanitation & waste reduction (\$405k); Traffic signs and pavement markings (\$90k); Code Purple sheltering (\$50k); Disparity study (\$375k); Homeless Specialist (\$90k), Missing middle housing study (\$87k); Afterschool expansion (\$17k); Parks maintenance relocation (\$245k); Parks security cameras (\$75k), background check for Asheville Police Department recruitment (\$75k); emergency preparedness planning (\$200k); and EMT pay supplement (\$75k).



Council follow-up items from the May 24 proposed budget presentation includes evaluating the potential to (1) Adjust the minimum salary for all full-time employees to \$36,816 annually; (2) Provide additional funding for Reparations; and (3) Include funding for the Urban Forester position and/or the plan.

Staff recommendations for compensation are (1) Implement original proposed plan in July 2022: (a) Adjust the minimum salary for all full-time employees to \$35,360 annually and make adjustments for compression; (b) Provide all other staff a 5.0% increase if hired on or before December 31, 2021 or a 2.5% increase if hired after that date; and (c) Continue to review additional options for recruitment and retention incentives; and (2) *Additional adjustment in January 2023: (a) Adjust the minimum salary for all full-time employees to \$36,816 annually and make additional adjustments for compression; and (b) FY23 additional cost: \$300,000.*

Staff recommendations for Reparations are (1) Recommend increasing the FY 2022-23 budget for Reparations from \$365,000 to \$500,000; (2) Staff will include at least \$500,000 for Reparations in future base budgets, subject to financial feasibility and budget approval by City Council, similar to Housing Trust Fund (also \$500,000 annually); and (3) *FY 2023 additional cost: \$135,000.*

<b>City Funding To Date:</b>	
FY22 Initial Investment	\$ 2,100,000
FY23 Proposed Investment	\$ 500,000
<b>City Expenses To Date:</b>	
Tequity Contract	\$ 365,000
<b>Current Balance</b>	<b>\$ 2,235,000</b>
<b>Anticipated Future Funding:</b>	
County FY 2022-23 Proposed Budget	\$ 2,000,000
Community Benefits Table	TBD

Staff recommendations for the Urban Forest Program include (1) Development Services Department (DSD) staff prioritized adding the Urban Forester position higher than the Urban Forest Plan; (2) Therefore in FY23, staff is recommending adding the Urban Forest position to enhance staff capacity and professional expertise to implement the Tree Canopy Protection Ordinance Amendment; (3) Evaluate the potential to fund the Urban Forest Master Plan in a future budget cycle; and (4) *FY 23 additional cost: \$108,000.*

The staff recommendations are as follows:

January salary adjustment	\$ 300,000
Additional Reparations funding	\$ 135,000
Urban Forestry position	\$ 108,000

<b>Total FY23 Additional Cost</b>	<b>\$ 543,000</b>
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Potential funding strategies regarding fund balance are (1) Staff is currently estimating that year-end unassigned fund balance in the general fund will be between 16.5% - 17.0% - Proposed Budget already includes \$400,000 fund balance usage; (2) High uncertainty regarding this estimate - 3 months of sales tax revenue still to be received; and Balance sheet items that impact unassigned fund balance (cash and liabilities) difficult to estimate until after the year is closed in August; (3) Economists are warning that recession possibilities are high; and (4) Staff recommendation - No additional fund balance usage.

Regarding potential funding strategies - minor revenue adjustments and American Rescue Plan Act (ARPA), (1) Since Reparations funding is ongoing, increase base revenues by \$135,000 to fund - Staff has identified 5 minor general fund revenues to adjust based on updated collection trends; (2) Utilize additional \$408,000 in American Rescue Plan (ARPA) funding to support the January 2023 salary adjustments (\$300,000) and the addition of the Urban Forester position (\$108,000); and (3) Staff recommended approach.

Regarding the remaining ARPA funds, he reviewed the previously budgeted projects (\$19,784,469), the Fiscal Year 2023 budget usage (\$4,808,000); and the summary - \$26,293,853 was total award, and the total remaining is \$1,701,384.

From Council follow-up items from May 24, (1) Make operational adjustments to enhance community public safety response; and (2) Referred to Public Safety for further discussion.

Mayor Manheimer opened the public hearing at 6:12 p.m.

Several individuals spoke regarding the budget, some being, but are not limited to: need for more higher paid jobs; thank you for hiring an urban forester; defund, reduce and/or reallocate the police budget; thank you for paying a living wage but need more than just a living wage; more funds to be dedicated to transit; proposal to make the old Fun Depot a water park; allow sanctuary camping; need to combat climate change; funding be allocated to reserve any land not been cleared for nature reserves and a grant to the N.C. Nature Center to expand it's space to include habitats for certain species; concern that the use of ARPA funds is used to balance the budget; public hearing on budget should have been held earlier in the process; thank you for funding for track at Memorial Stadium and moving the Parks Facility out from Mountainside Park; need to keep current Boards/Commissions; need Urban Forest Master Plan funded; nothing has changed in the way you look at safety; and allow hybrid City Council meetings.

Mayor Manheimer closed the public hearing at 7:05 p.m.

Councilwoman Roney said it's not just about what we do, but how do we fund the budget that we present to the public. She has asked what would be impacted if we capped salary increases at \$5,000 and could we essentially provide a living wage immediately for City staff. She felt that if we continue to dip into our ARPA funds, she wondered what we have committed to in the second phase that we are now removing our commitment from. She wondered if we still have the funds earmarked for the commitments we made to address the needs we have for the unhoused and our neighbors who need emergency shelter response.

Mayor Manheimer said that it is important that the City remain committed and that we move forward in bringing a high access shelter forward. There are a lot of details to work out with partners, but we must still be committed to that concept.

Councilwoman Roney felt that if we continue to dip into our ARPA funds and perpetuate the scarcity narrative with competition with our community partners and we balance this budget on the ARPA funds that won't be here next year, are we potentially setting up our community for another property tax increase to balance next year's budget. And are we prepared to mitigate the property tax impact on our historic black neighborhoods and our renters, including residential and business renters.

Mayor Manheimer was confident that what our financial planners put together is predicated on some level of continued growth. If that doesn't happen, we will have to be prepared to make difficult decisions.

Councilwoman Roney suggested City Council consider a policy setting a percentage of our budget for reparations. City Attorney Branham said that there is no legal restriction from Council adopting a budget allocation based upon a percentage rather than a dollar amount. Also, he said there is no legal restriction recommending that this allocation continue into the future, as is done with the Housing Trust Fund. However, legal limitations will apply when a council, as an on-going legal entity, attempts to legislate away the future policy discretion of the Council. City Council can enter into contracts and future councils may be bound, but this generally cannot be done with policy items such as this. The existing Council, therefore, cannot bind future councils to make this allocation in the future. Council can say that they will set a goal to try to adhere to the policy decision. Mayor Manheimer suggested this topic be reviewed by the Finance & Human Resources Committee.

Mayor Manheimer said that City Council will consider adoption of the budget on June 28, 2022.

#### **V. UNFINISHED BUSINESS:**

#### **VI. NEW BUSINESS:**

##### **A. BOARDS & COMMISSIONS**

Regarding the Audit Committee, no applications were received. Therefore, it was the consensus of City Council to readvertise for that vacant seat.

#### **RESOLUTION NO. 22-130 - RESOLUTION APPOINTING A MEMBER TO THE AFRICAN AMERICAN HERITAGE COMMISSION**

Vice-Mayor Smith, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the African American Heritage Commission.

The term of Beverly Miller will expire on July 1, 2022.

The following individuals applied for the vacancy: Valeria Watson, Sherree Lucas and Diamond Sloan Couch.

Staff of the African American Heritage Commission recommended, and the Boards & Commissions Committee concur, to appoint Diamond Sloan Couch.

Vice-Mayor Smith moved to appoint Diamond Sloan Couch as a member of the African American Heritage Commission to serve a three-year term, term beginning July 1, 2022, and expiring on July 1, 2025, or until Diamond Sloan Couch's successor has been appointed. This motion was seconded by Councilwoman Turner and carried unanimously by roll call vote.

**RESOLUTION BOOK NO. 43 – PAGE 163**

**RESOLUTION NO. 22-131 - RESOLUTION APPOINTING A MEMBER TO THE AIRPORT AUTHORITY**

Vice-Mayor Smith, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Airport Authority.

The term of Brad Galbraith will expire on June 30, 2022.

The following individual applied for the vacancy: David Smith

The staff of the Airport Authority recommended, and the Boards & Commissions Committee concur, to reappoint Brad Galbraith.

Vice-Mayor Smith moved to reappoint Brad Gaibraith as a member of the Airport Authority to serve an additional three-year term, term to expire June 30, 2025, or until Brad Galbraith's successor has been appointed. This motion was seconded by Councilwoman Kilgore and carried unanimously by roll call vote.

**RESOLUTION BOOK NO. 43 – PAGE 164**

**RESOLUTION NO. 22-132 - RESOLUTION APPOINTING A MEMBER TO THE ASHEVILLE-BUNCOMBE AIR QUALITY BOARD**

Vice-Mayor Smith, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Asheville-Buncombe Air Quality Board.

The term of Joel Storrow will expire on July 1, 2022.

The following individual applied for the vacancy: Elyse Marder

The staff of the Asheville-Buncombe Air Quality Board recommended, and the Boards & Commissions Committee concur, to reappoint Joel Storrow.

Vice-Mayor Smith moved to reappoint Joel Storrow as a member of the Asheville-Buncombe Air Quality Board to serve an additional six-year term, term to expire July 1, 2028, or until Joe Storrow's successor has been appointed. This motion was seconded by Councilwoman Kilgore and carried unanimously by roll call vote.

**RESOLUTION BOOK NO. 43 – PAGE 165**

**RESOLUTION NO. 22-133 - RESOLUTION APPOINTING A MEMBER TO THE CIVIC CENTER COMMISSION**

Vice-Mayor Smith, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Civic Center Commission.

The term of Yvonne Cook-Riley will expire on June 30, 2022.

The following individuals applied for the vacancy: Kim Oliver, Kevin King, Todd Cash and Todd Dunnuck.

The staff liaison of the Civic Center Commission recommended, and the Boards & Commissions Committee concurred, to reappoint Yvonne Cook-Riley.

Vice-Mayor Smith moved to reappoint Yvonne Cook-Riley as a member of the Civic Center Commission to serve an additional three-year term, term to expire June 30, 2025, or until Yvonne Cook-Riley's successor has been appointed. This motion was seconded by Councilwoman Roney and carried unanimously by roll call vote.

**RESOLUTION BOOK NO. 43 – PAGE 166**

**RESOLUTION NO. 22-134 - RESOLUTION APPOINTING A MEMBER TO THE HISTORIC RESOURCES COMMISSION**

Vice-Mayor Smith, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Historic Resources Commission.

Georgene Falcon resigned as a member of the Historic Resources Commission, thus leaving an unexpired term until July 1, 2024. In addition the terms of James Vaughn and Sara Groce expire on July 1, 2022.

No one applied for the vacancies.

The staff of the Historic Resources Commission recommend, and the Boards & Commissions Committee concur, to reappoint Sara Groce and to readvertise for the other two vacant seats.

Vice-Mayor Smith moved to reappoint Sara Groce, to serve a three-year term, term to expire July 1, 2025, or until Sara Groce's successor has been appointed; and (2) readvertise for the other two vacant seats. This motion was seconded by Councilwoman Turner and carried unanimously by roll call vote.

**RESOLUTION BOOK NO. 43 – PAGE 167**

**RESOLUTION NO. 22-135 - RESOLUTION APPOINTING A MEMBER TO THE HOMELESS INITIATIVE ADVISORY COMMITTEE**

Vice-Mayor Smith, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Homeless Initiative Advisory Committee.

Dale Davidson has resigned, thus leaving an unexpired term until November 1, 2024.

The following individuals applied for the vacancy: Angelique Brickner, Emily Kirchmeyer, Louisa Shipnuck Jones, Barry Shoor, Sim Wilkes, Sydney Brodhead, Michael I. Fulbright, Jo Golson, Cheryl Antoncic, Kenny Hancock, Sherri M. Bagwell, William Snoddy, Jimmi Lang, Andrew Garrard, Josh Houde and Jessica Suplik.

The Homeless Initiative Advisory Committee Nominating Committee recommended appointing Jessica Supik; and the Boards & Commissions Committee concurred in that recommendation.

Vice-Mayor Smith moved to appoint Jessica Supikas a member of the Homeless Initiative Advisory Committee, to serve a three-year term, term to expire November 1, 2024, or until Jessica Supik's successor has been appointed. This motion was seconded by Councilwoman Roney and carried unanimously by roll call vote.

**RESOLUTION BOOK NO. 43 – PAGE 168**

**RESOLUTION NO. 22-136 - RESOLUTION APPOINTING MEMBERS TO THE HUMAN RELATIONS COMMISSION**

Vice-Mayor Smith, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Human Relations Commission.

Michael Brown has resigned, thus leaving an unexpired term until June 1, 2023. Alfred Green was removed from the Commission due to lack of attendance, thus leaving an unexpired term until June 1, 2022. Also, Emma Worthy was removed from the Commission due to lack of attendance, thus leaving an unexpired term until June 1, 2023. In addition, the terms of Brandon Oliver, Tiffany D'Bellott and Harvey Dean Harold expired on June 1, 2022.

The following individuals applied for the vacancy: Edie Weichert, Bethany Duke, Christopher Isaac Boyd, Diamond Sloan Couch and Alma G. Adams.

The staff of the Human Relations Commission recommend, and the Boards & Commissions Committee concur, to (1) reappoint Brandon Oliver and Harvey Dean Harold; (2) appoint Alma Adams and Christopher Isaac Boyd; and (3) readvertise for other two vacant seats.

Vice-Mayor Smith moved to (1) appoint Alma Adams and Christopher Boyd to each serve a two year term respectively, terms to expire June 1, 2024, or until their successors have been appointed; (2) reappoint Brandon Oliver and Harvey Dean Harold, terms to expire June 1, 2024, or until their successors have been appointed; and (3) readvertise for the other two vacant seats. This motion was seconded by Councilwoman Roney and carried unanimously by roll call vote.

**RESOLUTION BOOK NO. 43 – PAGE 169**

**RESOLUTION NO. 22-137 - RESOLUTION APPOINTING A MEMBER TO THE MULTIMODAL TRANSPORTATION COMMISSION**

Vice-Mayor Smith, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Multimodal Transportation Commission.

The term of Randy Warren (bike/ped interest) expires on July 1, 2022.

The following individuals applied for the vacancy: Joseph Chesler and Elyse Marder.

The Chair of the Multimodal Transportation Commission recommended, and the Boards & Commissions Committee concur, to reappoint Randy Warren.

Vice-Mayor Smith moved to reappoint Randy Warren (bike/ped interest) as a member of the Multimodal Transportation Commission to serve a three-year term, term to expire July 1, 2025, or until Randy Warren's successors have been appointed. This motion was seconded by Councilwoman Wisler and carried unanimously by roll call vote.

**RESOLUTION BOOK NO. 43 – PAGE 170**

**RESOLUTION NO. 22-138 - RESOLUTION APPOINTING MEMBERS TO THE NEIGHBORHOOD ADVISORY COMMITTEE**

Vice-Mayor Smith, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Neighborhood Advisory Committee.

The terms of Greta Buch and Elizabeth Likis-Werle (both at-large representatives) expire on July 1, 2022.

The following individuals applied for the vacancy: Dane Barrager, Tracy Fagan Brown, Michael L. Fulbright, Elyse Marder and Jaik Smith.

The Boards & Commissions Committee recommended to reappoint Elizabeth Likis-Werle and appoint Elyse Marder.

Vice-Mayor Smith moved to reappoint Elizabeth Likis-Werle (at-large representative) to the Neighborhood Advisory Committee to serve a three-year term, term to expire July 1, 2025, or until Elizabeth Likis-Werle's successor has been appointed; and (2) appoint Elyse Marder (at-large representative) to the Neighborhood Advisory Committee to serve a three-year term, term to begin July 1, 2022, and expire July 1, 2025, or until Elyse Marder's successor has been appointed. This motion was seconded by Councilwoman Turner and carried unanimously by roll call vote.

#### **RESOLUTION BOOK NO. 43 – PAGE 171**

#### **VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:**

Several individuals spoke to Council on various topics, some being, but are not limited to: others who should be recognized for their work for several years on Juneteenth celebrations; concern that first batch of neighborhood matching grant funds have not been received by group at Altamont; City should drop all charges against the 16 people who were arrested in December for caring for our houseless in Aston Park; request for the City to partner with Asheville City Schools (similar to the Charles Bullman Park lease) to provide long-term maintenance at Jones Park; support for Jones Park being rebuilt; and need for summer programs for youth.

Mayor Manheimer gave a brief update on Jones Park, noting that the Asheville City School Board will be meeting on June 30 to discuss the issue. Once they have reached a decision, then City Council will determine whether or not to enter into any partnership agreement for long-term maintenance of the Park.

Vice-Mayor Smith was concerned about the need for our children/families/elders to have safe places to have fun and gather. She asked that we expedite our vision to re-open our community centers and create other safe places for the children to be. In response to Councilwoman Roney, City Manager Campbell said that the streamlined strategic fund process application (4 page maximum) will be open from June 22 - July 12 and a letter to community partners was sent today.

Mayor Manheimer said that the City Council meetings will move back to City Hall Council Chamber, located on the 2nd Floor of City Hall. She also thanked Harrah's staff for hosting our meetings.

#### **VIII. ADJOURNMENT:**

Mayor Manheimer adjourned the meeting at 7:52 p.m.

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CITY CLERK

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MAYOR