

Thursday – March 23, 2023 - 11:00 a.m.

Agenda Briefing Worksession - For March 28, 2023 Council Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Sandra Kilgore; Councilwoman Kim Roney; City Manager Debra Campbell; Deputy City Attorney John Maddux; and City Clerk Magdalen Burleson

Absent: Councilwoman Mosley, Councilwoman Sheneika Smith, Councilwoman Turner and Councilwoman Ullman (All had unanticipated scheduling conflicts.)

City Council held an agenda briefing worksession to discuss the upcoming and future agenda items. In addition, City Council reviewed upcoming City Council committees that will be taking place during the next two weeks.

Discussion occurred on the following other issues and updates:

- Follow-up on Water User Fee Adjustments
- Hunt Hill Property Disposition Proposed Plans
- Purple Bag Waste Disposal Pilot Program
- Biltmore Parking Garage Closure Updates
- Development Services Department and Planning & Urban Design Department Director recruitment announcements
- Council Retreat Next Steps

At 12:20 p.m., Mayor Manheimer adjourned the agenda briefing worksession.

Tuesday – March 28, 2023 - 3:00 p.m.

Budget Worksession

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

Budget Manager Taylor Floyd said that today's key takeaways will be (1) Proposed Budget will reflect community priorities; (2) Recommending a variety of compensation and benefit adjustments to recruit and retain employees, especially for APD and other hard to fill positions; (3) Recommendations will meet Just Economics "Pledged" Living Wage; and (4) Capital plan changes already identified, additional planning will inform future Capital Improvement Program (CIP), including potential 2024 General Obligation (GO) bond package. He then reviewed the budget development process; City Council priorities; and guiding principles.

Regarding the budget public survey results, he provided Council with an in-depth Budget Public Engagement Report. Outreach effort examples include (1) Radio: WRES, iHeartRadio, AshevilleFM; (2) Print Media: La Noticia, Mountain Xpress; (3) City Channels: multiple e-newsletters & contact lists, social media (English & Spanish), Board & Commission Chairs, website banner, press release; (4) Flyers to libraries and recreation centers, digital display boards at recreation centers (both in English & Spanish); (5) Neighborhood Associations: Shiloh, Kenilworth, and WECAN shared with members; and (6) Community Groups: Chamber of Commerce, Downtown Association, YMI Cultural Center, Explore Asheville. He showed a chart of responses by location and filtered responses to include only those from a zip code within City

limits. Total of 2,253 valid responses. He then showed a chart of response demographics by age and race. He then summarized the public input summary - (1) increase investment in community safety and emergency response; (2) increase investment in water production and distribution; and (3) prioritize core infrastructure for the next five years of capital investment.

Finance Director Tony McDowell provided Council with an overview of compensation and benefits including base pay, overtime, on-call or standby, holiday, shift differential, car allowance and Quality of Service Award. He outlined additional compensation for Police & Fire Departments being (1) education incentive; (2) language incentive; and (3) various certifications. Compensation and benefits baseline changes in the General Fund are (1) Full year cost of mid-year adjustments and APD incentives; (2) Mandated increase in employer state retirement contribution: \$550k; (3) Increase in employer health care contribution: \$1-1.5M; and (4) Evaluating health plan design and employee contribution. Compensation under consideration include (1) Just Economics "Pledged" Living Wage; (2) Differential salary increases (including 6% for APD); (3) Increased night shift and on-call pay; (4) Certification incentive pay; (5) Wellness incentive; (6) Signing bonuses; (7) Career ladder for trades; and (8) 401(k) retirement account match. He said the across the board 5% increase (not including sworn) is \$2.9M, and across the board 6% increase for sworn positions is \$1.1M - for a total cost (General Fund only) being \$4.0M. He then reviewed a chart regarding the living wage. He outlined shift differential pay; on-call pay; other pay/benefits and areas of future study (career ladders and retiree health care). He then showed a chart of the compensation summary being \$9.3M.

Throughout the presentation on compensation, City Manager Campbell, along with Mr. McDowell and Mr. Floyd responded to various questions/comments from Council, some being, but are not limited to: when the down payment assistance program is operational, verification that our own staff is eligible to take advantage of that program; what is our fund balance and what has fund balance been used for in the past; how close to we get to salary savings each year from vacancies; request for a confirmed decision what ARPA funds are being used for and when will the sales tax revenue numbers be firm; and explanation on how we will always be chasing the living wage. Those responses not readily available would be provided to Council in a memorandum format.

After discussion, it was the consensus of Council to move the shift differential from \$0.75/hour to \$3.00/hour; and on-call pay be moved from \$20.00/day to \$40.00/day.

Mr. Floyd said that regarding the capital investments and planning, (1) Capital Improvement Program (CIP) is primarily funded with debt and supported by ~\$15M annual allocation from General Fund; (2) Current Capital Improvement Program (CIP) primarily consists of maintenance projects; (3) Limited capacity to add projects/costs to plan within existing resources; and (4) Significant needs and additions have already been identified. Significant adjustments are (1) McCormick Field - Requires additional contribution to capital program for FY24 (\$357k); (2) I-26 Betterments/Aesthetic Improvements (a) \$5.9M programmed in for FY27; and (b) Will work to identify funding opportunities; and (3) Municipal Building - Additional \$2M to complete essential repairs.

Building Construction Program Manager Walter Ear said that the Comprehensive Facility Assessment will (1) Assess the state of City facilities; (2) Measure the cost of doing business; and (3) Plan for the future (a) Growing operations; (b) Meeting current/future goals; and (c) Capital forecasting tools. The facility assessment key takeaways are (1) data-driven decision making; (2) baseline maintenance decisions; and (3) capital forecast tools and 10-year time horizon. He reviewed the products and progress, along with the Facility Condition Index. He then provided the facility study schedule, which in the winter they will incorporate the results into the capital budget.

Mr. Floyd said that identifying capital needs are (1) Complete (a) GAP Plan and (b) Municipal Climate Action Plan (MCAP); (2) Currently underway or funded (a) Comprehensive Facility Study; (b) Parks Master Planning; (c) Parking Garage Assessment; and (d) Considering for funding in FY24; and (3) (a) City-County Transit Master Plan and (b) Solid Waste Master Plan. He then identified capital funding sources of (1) identifying city needs that align with external funding opportunities - examples of Tourism Product Development Funds, Metropolitan Planning Organization, and other federal grants; (2) 2023 General Obligation Bond Refendua (a) could be held in March or November 2024; (b) will need to develop project lists in 2023; and (c) work programs size and tax rate impact will be key.

Mr. Floyd then reviewed the budget schedule.

In response Councilwoman Roney, Capital Projects Director Jade Dundas gave a brief update on the renovations to City Hall, specifically around the 7th floor. He said that they are trying to establish a cycle of capital updates, and the City Hall renovation, along pictures, timeline and potential costs will be forthcoming to Council.

At 4:12 p.m., Mayor Manheimer adjourned the budget worksession.

Tuesday – March 28, 2023 - 5:00 p.m.

Regular Meeting

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

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

I. PROCLAMATIONS:

II. CONSENT AGENDA:

At the request of Councilwoman Roney, Consent Agenda Item "1" was removed from the Consent Agenda for discussion and/or an individual vote.

- A. APPROVAL OF THE COMBINED MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON MARCH 9, 2023, AND THE FORMAL MEETING HELD ON MARCH 14, 2023**
- B. RESOLUTION NO. 23-53 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH FRENCH BROAD PAVING INC. FOR PAVING A WALKING TRAIL AND BASKETBALL COURT AT WALTON STREET PARK**

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with French Broad Paving, Inc., of Marshall, North Carolina, for paving a walking trail and basketball court at Walton Street Park.

Background:

- Walton Street Park is an important neighborhood park in the heart of the Southside Community.
- Reinvestment in the park is needed due to both the age of existing amenities and the desired change in use of the park.
- After extensive community outreach around prioritizing the recreation improvements that the Southside neighborhood would like to see in the park.
- A walking trail was the highest priority with 66% of respondents requesting this amenity followed by 63% requesting a resurfaced basketball court.
- Additional priorities were identified and will be implemented after receiving further input from the community.
- The Parks and Recreation department reserved \$500,000 in the FY 2022-23 budget to improve recreation amenities in the park.
- The first phase of the improvements will be the highest priorities including the walking trail and the basketball court resurfacing.
- Remaining funds will go towards other priority improvements.
- A request for bids was advertised for interested companies for paving services.
- French Broad Paving, Inc. was the only respondent.

Vendor Outreach Efforts:

- Staff performed outreach to minority- and women-owned businesses through direct outreach, through the solicitation processes which include posting on the State's Interactive Purchasing System (IPS) to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers, and through the use of both the City of Asheville approved vendor database and the State's IPS site.
- There was one (1) bid submitted and despite our outreach, no Minority & Women-Owned Business Enterprise (MWBE) submitted a bid.
- The base bid for an asphalt walking path and court surfacing total is \$198,420.00.
- Parks and Recreation plans to execute the alternate for an additional 6' concrete walk to easily access to the court from the walking trail for \$24,700.00.
- The total price for the construction contract includes the base bid and alternate, \$223,120.00.

Council Goal(s):

- A Well Planned and Livable Community
- Clean and Healthy Environment

Committee(s):

- Historic Resources Commission
 - At their meeting on March 8, 2023 the Historic Resources Commission (HRC) reviewed and approved the request for a Certificate of Appropriateness (CA) to replace the baseball diamond with a new walking path and multi-use field, relocate/rebuild basketball court, and replace playground equipment. The CA was issued with the following conditions:
 - 1. Playground equipment will be submitted for staff review and approval.
 - 2. Final lighting plan will be submitted to staff for review and approval.

Pro(s):

- Installing a walking trail and resurfacing the basketball court will provide the top two recreation amenities that were requested by the community through the most recent outreach efforts.
- The addition of the walking trail around a multi-use field will invite the community to use the currently under-used space where a fenced softball field is currently located. The current field is not used for any programming / organized softball games.

Con(s):

- None

Fiscal Impact:

- Funding for this contract was previously budgeted and is available in the General Capital Projects Fund.

Motion:

- Motion to authorize the City Manager to execute a contract with French Broad Paving, Inc. for paving a walking trail and basketball court at Walton Street Park.

RESOLUTION BOOK NO. 44 - PAGE 13

C. RESOLUTION NO. 23-55- RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH MOUNTAIN GOATSCAPES FOR INVASIVE PLANT MAINTENANCE SERVICES

Action Requested: Adoption of a resolution to authorize the City Manager to execute an amendment to the contract with Mountain Goatscapes for invasive plant maintenance services to increase the authorized contract amount and extend the contract period for an additional year for a total contract value not to exceed \$93,848.

Background:

- The Parks & Recreation Department is responsible for the maintenance of over 600 acres of open space.
- Invasive plants such as kudzu & poison ivy have continued to encroach on park land and compromise woodlands.
- This contract renewal will continue to provide invasive plant maintenance services at McCormick Field, Tempie Avery Center, Stephens Lee Center, and Seven Springs Park .
- A Request for Proposals was advertised for interested companies to provide invasive plant maintenance services for (1) year with an option to renew for an additional (2) years.
- Mountain Goatscapes was selected based on experience, qualifications, understanding of the scope of services, cost, and availability.
- The Parks Department entered into the contract for the first two years but now requires City Council approval for the contract amount for the third and final year.
- The contractor will provide all labor, materials, and supplies for the operations and management for invasive plant maintenance services, ensuring the parks will be maintained in a well kept, safe, efficient manner.

Vendor Outreach Efforts:

- Staff performed outreach to minority- and women-owned businesses through solicitation processes which included direct vendor outreach, and posting on the State's Interactive Purchasing System to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers.
- There was one (1) proposal submitted including (1) woman owned business.
- The contractor selected is a woman owned business.

Council Goal(s):

- A Well planned and Livable Community
- Clean and Healthy Environment

Committee(s):

- None

Pro(s):

- Will help continue to meet level of service standards for city-owned parks and greenways.

Con(s):

- None

Fiscal Impact:

- Funding for this contract is available in the Parks & Recreation Department operating budget.

Motion:

- Motion to authorize the City Manager to execute an amendment to the contract with Mountain Goatscapes, for invasive plant maintenance services to extend the contract for one year for an amount of \$32,820 for a total contract amount not to exceed \$93,848.

RESOLUTION BOOK NO. 44 - PAGE 14

D. RESOLUTION NO. 23-56 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DESIGN WORKSHOP INC. FOR THE DEVELOPMENT OF THE CITY OF ASHEVILLE PARKS AND RECREATION COMPREHENSIVE PLAN

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Design Workshop, Inc. for the development of a Comprehensive Parks & Recreation Master Plan for a total contract amount not to exceed \$238,000.

Background:

- The last comprehensive plan for the Asheville Parks and Recreation was developed and adopted by the City Council in 2009.
- An updated comprehensive master plan will allow the City to assess current and future community recreation needs, promote new ideas and partnerships to aid in innovation, prioritize recreation programs and capital improvements, provide strategies to fill gaps, and build public support.
- It is important that the City understands current resident recreation needs & existing parks facilities conditions, to appropriately plan for and meet the level of service desired by Asheville residents
- The Parks & Recreation Department advertised a Request for Proposals (RFP) for interested companies to provide consulting services for a Comprehensive Parks & Recreation Master Plan.
- Design Workshop, Inc. was selected based on experience, qualifications, understanding of the scope of services, cost, and availability.
- The planning project will take approximately 12 months and will consist of the following key milestones: 1.) Data Collection 2.) Assessment 3.) Community Needs 4.) Plan Recommendations 5.) Strategic Action Plan
- Staff and the consultant team in partnership with the departments of CAPE, Equity & Inclusion, and the City Manager's Office will develop an outreach strategy to ensure accessible engagement opportunities with the diverse Asheville community.

Vendor Outreach Efforts:

- Staff performed outreach to minority- and women-owned businesses through solicitation processes which included direct vendor outreach and posting on the State's Interactive

Purchasing System to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers.

- Four firms responded to the Request for Proposals (RFP), none identified as a Minority or Women-Owned Business Enterprise (MWBE) service provider.

Council Goal(s):

- A Well planned and Livable Community
- Clean and Healthy Environment

Committee(s):

- None

Pro(s):

- Building credibility, support, and consensus from current community members and stakeholders.
- Informing the community about park needs and community assets to maintain desired level of service.
- Identifying capital and operating improvement goals that are needed to assess fiscal requirements and fundraising needs.
- Equitably guiding critical decisions about Parks and Recreation facilities, infrastructure, programs, and services.
- Developing recommendations and an implementation strategy that will transform the community's vision into tangible plans to create outstanding recreation opportunities, well-maintained facilities, desired programming, and a customer-focused and responsive park & recreation system.

Con(s):

- None

Fiscal Impact:

- Funding for this contract is available in the Parks & Recreation Department operating budget.

Motion:

- Motion to authorize the City Manager to execute a contract with Design Workshop, Inc. for the development of a Comprehensive Parks & Recreation Master Plan for a total contract amount not to exceed \$238,000.

RESOLUTION BOOK NO. 44 - PAGE 15

- E. RESOLUTION NO. 23-57 - RESOLUTION AUTHORIZING THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES AND/OR UNFORTIFIED WINE AT THE ASHEVILLE DOWNTOWN AFTER FIVE EVENTS ON APRIL 21, MAY 19, JUNE 16, JULY 21, AUGUST 18 AND SEPTEMBER 15, 2023**

RESOLUTION NO. 23-58 - RESOLUTION AUTHORIZING THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES AND/OR UNFORTIFIED WINE AT THE BLOCK PARTY PRESENTED BY LOOKING GLASS REALTY ON APRIL 29, 2023

**RESOLUTION NO. 23-59 - RESOLUTION AUTHORIZING THE POSSESSION
AND CONSUMPTION OF ALCOHOLIC BEVERAGES AND/OR UNFORTIFIED
WINE AT GRINDFEST ON MAY 26-28, 2023**

Action Requested: Adoption of resolutions to permit the possession and consumption of malt beverages and/or unfortified wine at the Downtown After 5 series, The Block Party presented by Looking Glass Realty, and GrindFest.

Background:

- N. C. Gen. Stat. sec. 18B-300(c) authorizes the City by ordinance to regulate or prohibit the consumption and/or possession of open containers of malt beverages and unfortified wine on the public streets and on property owned, occupied or controlled by the City and to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events.
- The City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and that ordinance, codified as Section 11-11 in the Code of Ordinances of the City of Asheville, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a special event or community festival.
- The following organizations have requested that City Council permit them to serve beer and/or unfortified wine at their events and allow for consumption at the events:
 - Asheville Downtown Association for Downtown After 5, to occur within the 100 Block of Lexington Avenue from 5:00 p.m. - 9:30 p.m. on Fridays, April 21, May 19, June 16, July 21, August 18, and September 15, 2023
 - Pisgah Conservancy for The Block Party presented by Looking Glass Realty, to occur on S. Liberty Street on Saturday, April 29, 2023, from 2:00 p.m. - 7:00 p.m.
 - Black Wall Street AVL for GrindFest to occur in the vicinity of 8 River Arts Place, with alcohol contained to a beer garden located at 81 Riverside Drive on Friday, Saturday and Sunday, May 26, 27 and 28, 2023 from 9:00 a.m. - 6:00 p.m. daily.
- Alcohol boundaries are defined for each request as per the accompanying event site maps.

Council Goal(s):

- These actions have no direct connection with the City Council 2036 Vision.

Committee(s):

- None

Pro(s):

- Allows fundraising opportunities for the sponsoring nonprofit organizations

Con(s):

- None

Fiscal Impact:

- This action requires no City resources and has no fiscal impact.

Motion:

- Motion to adopt a resolution to permit the possession and consumption of malt beverages and/or unfortified wine at the Downtown After 5 series, The Block Party presented by Looking Glass Realty, and GrindFest.

RESOLUTION NO. 23-57 - RESOLUTION BOOK NO. 44 - PAGE 16
RESOLUTION NO. 23-58 - RESOLUTION BOOK NO. 44 - PAGE 19
RESOLUTION NO. 23-59 - RESOLUTION BOOK NO. 44 - PAGE 22

F. RESOLUTION NO. 23-60 - RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CHERRY BEKAERT LLP FOR AUDITING CITY ACCOUNTS FOR FISCAL YEAR ENDING JUNE 30, 2023

Action Requested: Adoption of a resolution authorizing the Mayor to execute a contract with Cherry Bekaert, LLP for auditing City accounts for fiscal year ending June 30, 2023.

Background:

- North Carolina General Statute §159-34 requires that local governments have its accounts audited each fiscal year and submit a copy of the audit report and financial statements to the Local Government Commission (LGC).
- In addition, per the City's Financial Policies, the City's auditor must be replaced at the end of each five-year engagement to enhance auditor independence unless lack of competition among audit firms fully qualified to perform public-sector audit make mandatory rotation counterproductive.
- The City reached the end of its prior engagement with PBMares, LLP after completion of the fiscal year 2022 audit; and as noted below, staff released a Request for Proposals (RFP) for a new external audit firm engagement in January.
- After review of the RFP submittals, staff recommends entering into a new contract for services with Cherry Bekaert, LLP to conduct an audit of the City's accounts for the fiscal year ending June 30, 2023.
- The estimated cost for fiscal year 2022-2023 audit includes a base fee of \$128,000, which covers 915 hours of audit work; and an additional \$21,000 for preparation of Basic Financial Statements, Combining Statements and document production if needed, for a maximum total fee of \$149,000.
- Execution of this contract complies with the City's Financial Policies which states that the City "shall enter into multi-year agreements of not more than five years in duration through a series of single-year contracts as consistent with applicable legal requirements."
- This will be the first year of contracting with the new auditor firm so staff will be recommending to contract with them for another 4 years assuming services are provided as outlined within the engagement letter.

Vendor Outreach Efforts:

- Competitive Bid Request for Proposals (RFP) was released for External Audit Services on Thursday, January 12, 2023.
- Proposal Submittal Deadline was Friday, February 3, 2023
 - 5 total proposals were received by the deadline
 - 4 proposals were reviewed, due to one being non-compliant
 - Review committee consisted of 4 City staff members from different departments and 1 member from the City's Audit Committee.
 - Proposals were scored and ranked per scoring. Highest ranking was awarded the contract.

Council Goal:

- Financially Resilient City

Committee::

- Proposed contract presented to the Policy, Finance, and Human Resources Committee on March 14, 2023 and to the City's Audit Committee on March 16, 2023.

Pro:

- Contracting with Cherry Bekaert, LLP aligns with City Council's financial policy and will help ensure the timely and successful completion of the annual audit.

Con(s):

- None

Fiscal Impact:

- The maximum total fee amount of \$149,000 for the annual audit is budgeted in the Internal Audit operating budget.
- Future estimated maximum audit fee for remaining 4 years' submitted in proposal:
 - 2023-2024: \$157,000
 - 2024-2025: \$165,200
 - 2025-2026: \$174,300
 - 2026-2027: \$182,400

Motion:

- Move to adopt a resolution authorizing the Mayor to execute a contract with Cherry Bekaert, LLP for auditing City accounts for the fiscal year ending June 30, 2023.

RESOLUTION BOOK NO. 44 - PAGE 25

G. RESOLUTION NO. 23-61 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NEOGOV TO IMPLEMENT A COMPREHENSIVE HUMAN RESOURCES SYSTEM

Action Requested: Adoption of a resolution to authorize the City Manager to enter into a contract with NEOGOV to implement a comprehensive Human Resources system.

Background:

- One of the organizational work plans for Fiscal Year (FY) 2022-23 is to implement a new HR system; benefits include:
 - Increase candidate experience by addressing recruitment inefficiencies and the introduction of new hire portals for consistent onboarding across the system.
 - Increase leadership visibility regarding the status of new hires and team members through Manager Self Service.
 - Increase employee engagement through Employee Self Service.
 - Increase HR efficiency through the reduction of manual data entry and inconsistent processes.
 - Increase HR data to support organizational decision making.
- Modules include: Core HR (HRIS), self-service (for leaders, employees, and candidates) data management, HR analytics, applicant tracking system (ATS), onboarding, learning management system (LMS), performance management, and employee voice (surveys).
- The current system has limited capabilities and capacity to support these functions.
- The City issued a Request for Proposals for these services.

Vendor Outreach Efforts:

- Currently, the City uses Munis as the HR information system and NEOGOV for recruitment and onboarding.
- Outreach efforts were performed by posting the RFP on the State's Interactive Purchasing System.

Council Goal(s):

- Improve/Expand Core Services

Pro(s):

- Provide the CMO and leaders with people metrics (for example, turnover, vacancy)
- Provide the organization with a modern, cloud-based system for HR applications
- Provide a frictionless experience for applicants, new hires, employees, leaders, and HR
- Increase consistency through decreasing process variation and workarounds
- Increase efficiency through reduction in administrative tasks and manual entry
- Increase workforce equity through data
- Increase people/team performance and engagement
- The City currently has a contract with NEOGOV for the Insight and Onboard modules
- APD and AFD currently have a contract with NEOGOV for PowerDMS for policy management

Con(s):

- Core HRIS and additional modules included in the NEOGOV product come at a higher cost than the City's current HR information system (Munis).

Fiscal Impact:

- The total five-year contract amount is not to exceed \$1,300,000.
- Funding to initiate this contract is available in the Human Resources operating budget.

Motion:

- Motion to adopt a resolution to authorize the City Manager to enter into a contract with NEOGOV to implement a comprehensive Human Resources system.

RESOLUTION BOOK NO. 44 - PAGE 26

H. RESOLUTION NO. 23-62 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND A CONTRACT WITH RESPONDER SUPPORT SERVICES LLC TO PROVIDE ONGOING EMBEDDED BEHAVIORAL HEALTH SUPPORT TO FIRE AND POLICE DEPARTMENT EMPLOYEES AND THEIR DEPENDENTS

Action Requested: Adoption of a resolution amending a contract with Responder Support Services, LLC to add funds to the contract in the amount of \$74,000 for a total three-year contract of \$470,000 to provide ongoing embedded behavioral health support to Fire and Police Department employees and their dependents.

Background:

- Responder Support Services currently provides embedded (on-site) behavioral health support to Fire and Police Departments four days per week for each department which is an increase from two days per week under the original scope of the contract.
- Utilization of the services provided by Responder Support Services has increased beyond initial projections, necessitating an increase in the contract amount.
- Behavioral support providers hold office hours on site in the City of Asheville Municipal Building for employees during regular business hours allowing access while on duty.
- Unique behavioral health services provided to police and fire employees only include:
 - One-on-one sessions available onsite with trained behavioral health providers.
 - Coordination of the City of Asheville Peer Response Network.

- Provide appropriate services following critical incidents, acute stressors, or debilitating cumulative stress.
- Implement a workforce resiliency plan for work-related stressors and symptoms/issues.
- The need by Fire and Police for behavioral health support has steadily increased since implementation of the contract.
- Ongoing uninterrupted behavioral health support to Public Safety employees is critical in maintaining the health and well-being of these employees and ensuring ongoing service delivery to the community.
- Human Resources is requesting an increase in the contract amount by \$74,000 for a total contract of \$470,000 in response to increased utilization of embedded behavioral health support to Fire and Police Department employees.

Vendor Outreach Efforts:

- Current vendor for embedded behavioral health support is Responder Support Services, LLC. This vendor provides specialized support for Fire and Police employees.
- Staff was unable to identify other local vendors that provide dedicated service to Fire and Police Departments.

Council Goal(s):

- A connected and engaged community.

Pro(s):

- Support for public safety employees dealing with trauma on a daily basis
- Known provider who specializes in supporting public safety employees

Con(s):

- If additional funding is not available, Fire and Police employees will not have access to ongoing behavioral health support.

Fiscal Impact:

- Additional \$74,000 added to the contract for a total investment of \$470,000 over the three-year contract.
- Funding for this contract is available in the Health Internal Service Fund budget.

Motion:

- Motion to authorize the City Manager to execute a contract amendment with Responder Support Services, LLC to increase the contract amount by \$74,000 for a total contract of \$470,000 to provide ongoing embedded behavioral health support to Fire and Police Department employees and their dependents.

RESOLUTION BOOK NO. 44 - PAGE 27

- I. **RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A DNA ANALYZER SYSTEM BUNDLE, SERVICE CONTRACTS (TO INCLUDE WARRANTY AND LICENSING) AND SUPPLIES THAT ARE USED TO RUN SAMPLES IN THE SYSTEM, AS NEEDED, FOR THE LIFE OF THE DNA ANALYZER SYSTEM, FROM LIFE TECHNOLOGIES CORPORATION**

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

- J. **RESOLUTION NO. 23-64 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH J. BARTHOLOMEW**

CONSTRUCTION LLC FOR THE STEPHENS-LEE RECREATION CENTER CAPITAL IMPROVEMENTS PROJECT

Action Requested: Adoption of a resolution authorizing the City Manager to enter into a contract with J. Bartholomew Construction, LLC in the amount of \$612,730 for the Stephens-Lee Recreation Center Capital Improvements project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of \$61,273 (10%).

Background:

- The Capital Projects Department is a subrecipient of the City's annual Community Development Block Grant (CDBG) award from the U.S. Department of Housing and Urban Development.
- The grant funds will be used on capital improvements for the historic Stephens-Lee Recreation Center. These improvements include:
 - Renovation of the locker rooms to bring the showers back into working order, install a new waterproofing system to prevent leaking through the shower floors, and bring the showers up to code for ADA accessibility.
 - Masonry repairs at the roof to prevent water penetration into the building.
 - A new suspended gypsum ceiling system in the multi-purpose room to mitigate sound transmission from the basketball court above.
- The grant award was approved for the 2022-23 CDBG Program Annual Action Plan.
- Staff is making concerted efforts to expend as much of that funding as possible by the end of the funding period, as per the terms of the subrecipient agreement.
- Bid 298-CP23-D2301-BID was advertised on January 6, 2023.
- Bids were due January 26, 2023, but were not opened, as the three bid minimum requirement was not met (N.C.G.S. 143-132).
- Bid 298-CP23-D2301-REBID was advertised on January 27, 2023.
- Bids were opened on February 16, 2023.
- The following bid was received:
 - J. Bartholomew Construction, LLC: Base Bid \$1,080,000
- Through negotiations, material substitutions and a reduction in the extent of the locker room, roof and ceiling renovation, the proposed cost was reduced to \$612,730.
- Final execution of a contract may be contingent upon obtaining a more detailed cost analysis if required by HUD to meet procurement requirements.

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 Minority & Women-Owned Business Enterprise (MWBE) service providers for subrequiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- Staff also performed outreach to Section 3 low- and very low-income businesses, including posting on HUD's Section 3 Opportunity Portal, and requiring prime contractors to do the same for subcontracted services.
- No MBE firms submitted bids with this prime contractor.

Council Goal(s):

- A Well-Planned and Livable Community; A Thriving Local Economy; & A Financially Resilient City

Committee(s):

- Historic Resources Commission - a Certificate of Compliance was issued 8/2/2022

Pro(s):

- The project is able to leverage federal grants for much needed improvements to a historically significant recreation center.
- The terms of the grant funding require efforts to include neighborhood businesses and workers in the project to maximize the localized benefits of the federal dollars.
- The improvements will improve the function and enjoyment of the recreation facilities, and will extend the useful life of the building.

Con(s):

- None

Fiscal Impact:

- Funding for this contract was previously budgeted and is available in the Community Development Block Grant (CDBG) Fund.
- The project is entirely funded by a federal grant, with no additional City resources required.

Motion:

- Motion authorizing the City Manager to enter into a contract with J. Bartholomew Construction, LLC in the amount of \$612,730 for the Stephens-Lee Capital Improvements project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of \$61,273 (10%).

In response to Tim Sadler, Capital Projects Director Jade Dundas said that vendor outreach was conducted, but no Minority & Women-Owned Business Enterprise providers bid.

RESOLUTION BOOK NO. 44 - PAGE 29

K. RESOLUTION NO. 23-65 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH LEGERTON ARCHITECTURE, P.A. FOR ADDITIONAL ARCHITECTURAL SERVICES ON THE STEPHENS-LEE RECREATION CENTER CAPITAL IMPROVEMENTS PROJECT

Action Requested: Adoption of a resolution authorizing the City Manager to execute an amendment with Legerton Architecture, P.A. in the amount of \$4,500 for additional architectural services on the Stephens-Lee Recreation Center Capital Improvements project.

Background:

- The Capital Projects Department received a subrecipient award from the City's Community Development Block Grant (CDBG) program to design and implement improvements to the Stephens-Lee Recreation Center.
- A Request for Qualifications for professional architectural services was issued on September 19, 2022 for the design of the project.
- Legerton Architecture, P.A. was the only firm to submit a qualification package. An evaluation committee of Capital Projects and Parks and Recreation staff reviewed the qualification package, and deemed Legerton Architecture qualified to perform the design of the Stephens-Lee Recreation Center Capital Improvements project.
- The City entered into a contract with Legerton Architecture, P.A. on November 14, 2022 in the amount of \$88,500.
- Amendment No. 1 for added lighting and fire life safety design was executed by the City Manager on February 1, 2023 in the amount of \$1,400.
- Total contract value through Amendment No. 1 is \$89,900.

- This Amendment No. 2 in the amount of \$4,500 is for additional design services to update the original plans and specifications to reflect the final project scope as negotiated with the contractor.
- The total revised contract value including this amendment is \$94,400.

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.
- No MWBE firms submitted bids with this professional services consultant.

Council Goal(s):

- A Well-Planned and Livable Community; A Thriving Local Economy; & A Financially Resilient City

Committee(s):

- None

Pro(s):

- This project, including the design contract, are funded by a Community Development Block grant award.
- Though initially over budget, through the architect's efforts in negotiations with the contractor, the project is able to proceed.

Con(s):

- None

Fiscal Impact:

- Funding for this contract was previously budgeted and is available in the Community Development Block Grant (CDBG) Fund.
- The project is entirely funded by a federal grant, with no additional City resources required.

Motion:

- Motion to authorize the City Manager to execute an amendment with Legerton Architecture, P.A. in the amount of \$4,500 for additional architectural services on the Stephens-Lee Recreation Center Capital Improvements project.

RESOLUTION BOOK NO. 44 - PAGE 30

- L. ORDINANCE NO. 5002 - ORDINANCE CHANGING THE SPEED LIMITS ALONG STATE-MAINTAINED HIGHWAY U.S. 25 (BILTMORE AVENUE) FROM HILLIARD AVENUE TO ASTON STREET FROM 35 MILES PER HOUR TO 20 MILES PER HOUR; THE ENTIRETY OF LEE GARDEN LANE FROM 35 MILES PER HOUR TO 15 MILES PER HOUR; THE ENTIRETY OF JOHN WALKER AVENUE FROM 35 MILES PER HOUR TO 15 MILES PER HOUR; PRUITT STREET FROM LOUISIANA AVENUE TO HERRON AVENUE FROM 35 MILES PER HOUR TO 20 MILES PER HOUR; AND DEAVERVIEW ROAD FROM PATTON AVENUE TO PISGAH VIEW ROAD FROM 35 MILES PER HOUR TO 30 MILES PER HOUR**

Action Requested: Adoption of an ordinance enacting (1) a 15 mph speed limit on Lee Garden Lane in its entirety and John Walker Avenue in its entirety, (2) a 20 mph speed limit on US 25 (Biltmore Avenue) from Hilliard Avenue to Aston Street and Pruitt Street from Louisiana Avenue

to Herron Avenue, and (3) a 30 mph speed limit on Deaverview Road from Patton Avenue to Pisgah View Road.

Background:

- N.C. Gen. Stat. § 20-141 gives the City the authority to regulate speed limits within its corporate limits.
- City staff received requests from the public to consider changes to speed limits.
- US 25 (Biltmore Avenue) is a state maintained street within the city limits.
- The N.C. Department of Transportation (NCDOT) conducted a traffic-engineering study for US 25 (Biltmore Avenue) and determined that 20 mph would be a more appropriate speed limit.
- City staff performed appropriate traffic-engineering studies along four streets: Lee Garden Lane, John Walker Avenue, Pruitt Street, and Deaverview Road.
- The speed limit on the following streets will be set at 15 miles per hour:
 - Lee Garden Lane in its entirety (the existing speed limit is the statutory 35 miles per hour)
 - John Walker Avenue in its entirety (the existing speed limit is the statutory 35 miles per hour)
- The speed limit on the following streets will be set at 20 miles per hour:
 - U.S. 25 (Biltmore Avenue) from Hilliard Avenue to Aston Street (the existing speed limit is 35 miles per hour)
 - Pruitt Street from Louisiana Avenue to Herron Avenue (the existing speed limit is the statutory 35 miles per hour)
- The speed limit on the following street will be set at 30 miles per hour:
 - Deaverview Road from Patton Avenue to Pisgah View Road (the existing speed limit is the statutory 35 miles per hour)
- The Asheville Police Department has reviewed the subject actions and they concur with the recommended changes.
- Once the subject action is approved and prior to the installation of appropriate signs on the City-maintained streets, Transportation Department staff will coordinate outreach and public education with the Communications & Public Engagement Department (CAPE) and the Asheville Police Department.
- NCDOT will install the appropriate signs on US 25 (Biltmore Avenue).

Council Goal(s):

- Transportation and Accessibility.

Committee(s):

- MMTC - February 22, 2023 - Approved 5 to 3

Pro(s):

- City staff have been able to respond favorably to public requests.
- Provides a more appropriate posted speed limit in residential areas.
- Provides more appropriate posted speed limits for pedestrians, transit, and bicycle riders.

Con(s):

- None

Fiscal Impact:

- The cost of installing and maintaining speed limit signs is included in the Transportation Department operating budget.

Motion:

- Motion to approve an ordinance enacting (1) a 15 mph speed limit on Lee Garden Lane in its entirety and John Walker Avenue in its entirety, (2) a 20 mph speed limit on US 25 (Biltmore Avenue) from Hilliard Avenue to Aston Street and Pruitt Street from Louisiana Avenue to Herron Avenue and (3) a 30 mph speed limit on Deaverview Road from Patton Avenue to Pisgah View Road.

Paul Tay felt that reducing speed is good; however, it just makes drivers impatient. He felt the City needed to re-design roadways to make them safe for pedestrians and bicyclists.

ORDINANCE BOOK NO. 43 - PAGE 363

M. RESOLUTION NO. 23-66 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE FRENCH BROAD RIVER METROPOLITAN PLANNING ORGANIZATION FOR REMAINING FUNDS IN AVAILABLE FISCAL YEAR 2022 SECTION 5307 JOB ACCESS REVERSE COMMUTE GRANT FUNDING TO FUND A PORTION OF ROUTE S3 (FIXED-ROUTE); AND IF SUCCESSFUL, TO ACCEPT THE FUNDS AND SIGN ALL OF THE APPROPRIATE AGREEMENTS

Action Requested: Adoption of a resolution authorizing the City Manager to apply to the French Broad River Metropolitan Planning Organization for the remaining \$153,674 in available FY 2021-22 Section 5307 Job Access Reverse Commute grant funding to fund a portion of Route S3 (fixed-route) and if successful, to accept the funds, sign all of the appropriate agreements, and include the funds in the City's FY 2023-24 budget.

Background:

- Each year, the City must apply to the French Broad River Metropolitan Planning Organization (FBRMPO) to receive FTA Section 5307 Job Access Reverse Commute (JARC) funds that are used to support existing transit operations.
- The City applies annually for this funding for Route 170, the fixed-route service operated between downtown Asheville and the Town of Black Mountain.
- This year, there is an additional \$153,674 in funding available from the JARC program.
- The MPO asked the City to apply for the additional funding and suggested that the S3 Route met the qualifications of the JARC program.
- Therefore, this action will allow the City to apply for and receive the additional available funds and offset existing expenses for this route.
- This will bring the total amount of JARC funds being provided to the City for FY 2023-24 at \$408,394.
- It should be noted that this year is likely the only year where additional funds will be available, therefore this additional grant funding should not be anticipated to continue beyond FY 2023-24.

Council Goal(s):

- Transportation and Accessibility
- Improve/Expand Core Services

Committee(s):

- None

Pro(s):

- Enables the City to use federal funds to help offset the existing annual operating cost of Route S3 fixed-route.

Con(s):

- None

Fiscal Impact:

- If awarded the grant funding (\$153,674), 50% local matching funds (\$76,837), and associated expenses will be included in the FY 2023-24 Proposed Budget for the Transit Fund.

Motion:

- Adopt a resolution authorizing the City Manager to apply to the French Broad River Metropolitan Planning Organization for the remaining \$153,674 in available FY 2021-22 Section 5307 Job Access Reverse Commute grant funding to fund a portion of Route S3 (fixed-route) and if successful, to accept the funds, sign all of the appropriate agreements, and include the funds in the City's FY 2023-24 budget.

RESOLUTION BOOK NO. 44 - PAGE 31

N. RESOLUTION NO. 23-67 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE N.C. DEPT. OF TRANSPORTATION - INTEGRATED MOBILITY DIVISION FOR SECTION 5303 METROPOLITAN PLANNING PROGRAM ANNUAL FUNDING TO FUND A PORTION OF THE EXISTING TRANSIT PLANNING DIVISION PERSONNEL BUDGET, AND IF SUCCESSFUL, TO ACCEPT THE FUNDS AND SIGN ALL OF THE APPROPRIATE AGREEMENTS

Action Requested: Adoption of a resolution authorizing the City Manager to apply to the North Carolina Department of Transportation - Integrated Mobility Division for FY 2023-24 Section 5303 Metropolitan Planning Program annual funding to fund a portion of the existing Transit Planning Division personnel budget, and if successful, to accept the funds, sign all of the appropriate agreements, and include the funds in the FY 2023-24 Transit Operations Budget.

Background:

- Annually the City must apply to the North Carolina Department of Transportation - Integrated Mobility Division to receive Section 5303 funds (Metropolitan Planning Program).
- The City uses the Section 5303 funding to fund existing transit planning activities, such as grant management, administration, and reporting; short and long-range transit planning; analyses of transit operations; and required semi-annual DBE program preparation and reporting.
- The funds are used to supplement the Transit Planning Division personnel budget including the Transit Planning Manager and additional transit planning staff positions.
- The FTA grant will provide 80% of the anticipated funding (\$151,900), with the North Carolina Department of Transportation and the City of Asheville each providing 10% of the remaining amount at \$15,190 respectively.

Council Goal(s):

- Transportation and Accessibility
- Improve/Expand Core Services

Committee(s):

- None

Pro(s):

- Supplements funding for multiple transit planning positions.

- Enables the City of Asheville to leverage \$151,900 in Federal funds and \$15,190 in State funds to support the City's transit planning activities.

Con(s):

- The City is responsible for 10% local match, which is \$15,190.

Fiscal Impact:

- If awarded the grant funding (\$151,900), 10% local matching funds (\$15,190), and associated expenses will be included in the FY 2023-24 Proposed Budget for the Transit Fund.

Motion:

- Motion to adopt a resolution authorizing the City Manager to apply to the North Carolina Department of Transportation - Integrated Mobility Division for FY 2024 Section 5303 Metropolitan Planning Program annual funding to fund a portion of the existing Transit Planning Division personnel budget, and if successful, to accept the funds, sign all of the appropriate agreements, and include the funds in the FY 2024 Transit Operations Budget.

RESOLUTION BOOK NO. 44 - PAGE 32

O. RESOLUTION NO. 23-68 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE EXPANDING DIGITAL OPPORTUNITIES IN WESTERN NORTH CAROLINA THROUGH LAND OF SKY REGIONAL COUNCIL AND THE DOGWOOD HEALTH TRUST TO MAKE PUBLIC WIFI AVAILABLE ON PUBLIC TRANSIT VEHICLES

Action Requested: Adoption of a resolution authorizing the City Manager to apply for the Expanding Digital Opportunities in Western North Carolina grant through Land of Sky Regional Council and the Dogwood Health Trust to make public WiFi available on public transit vehicles.

Background:

- Land of Sky Regional Council is applying for a Western North Carolina Digital Opportunities Grant through Dogwood Health Trust and has invited the City of Asheville to participate.
- The grant funds would cover all cradlepoint routers, antennas, five years of software support, and installation for the current 33 buses in the transit fleet at a total cost of \$184,927.
- If awarded, this grant would provide public WiFi on all ART buses and support business operations of the buses (e.g. route planning, fare payments, passenger counters, etc.)
- For future buses, the City would need to spend approximately \$5,000 per bus on WiFi equipment.
- The City would also cover future maintenance and support beyond the initial five years at approximately \$500 annually, or \$16,500 for all 33 buses.
- The anticipated grant award decision date is July 5, 2023.

Vendor Outreach Efforts:

- N/A

Council Goal(s):

- Improve and Expand Core Services

Committee(s):

- N/A

Pro(s):

- Public WiFi on all City buses
- Infrastructure to support transit business operations

Con(s):

- City is responsible for outfitting new buses and lifecycle refresh on installed equipment.
- The lifecycle refresh estimate to update WiFi technology for all transit buses is \$165,000 every 6 years.

Fiscal Impact:

- Future buses will cost approximately \$5,000 to equip with WiFi.
- The City will be responsible for maintenance after the initial 5 year period at approximately \$500 per bus per year, for a total of \$16,500 for all 33 buses.
- Lifecycle refresh estimate is \$165,000 every 6 years, based on a fleet of 33 buses.
- Fiscal impact will be in the Transit Fund.
- Matching funds are not required for this grant.

Motion:

- Motion to adopt a resolution authorizing the City Manager to join the Land of Sky Regional Council's application for the "Expanding Digital Opportunities in Western NC" Grant through the Dogwood Health Trust to make public WiFi available on all 33 Asheville Rapid Transit buses.

RESOLUTION BOOK NO. 44 - PAGE 33

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 Roney moved for the adoption of the Consent Agenda, with the deletion of Consent Agenda "I". This motion was seconded by Councilwoman Turner and carried unanimously.

ITEM REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND/OR AN INDIVIDUAL VOTE

- I. **RESOLUTION NO. 23-63 - RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A DNA ANALYZER SYSTEM BUNDLE, SERVICE CONTRACTS (TO INCLUDE WARRANTY AND LICENSING) AND SUPPLIES THAT ARE USED TO RUN SAMPLES IN THE SYSTEM, AS NEEDED, FOR THE LIFE OF THE DNA ANALYZER SYSTEM, FROM LIFE TECHNOLOGIES CORPORATION**

Action Requested: Adoption of a resolution to allow Asheville Police Department (APD) the initial purchase of a DNA Analyzer System bundle and service contracts (to include warranty and licensing), as well as supplies that are used to run samples in the system, in years two (2) and three (3), along with allowing the APD to purchase continued annual service contracts and supplies to be purchased as needed for the life of the DNA Analyzer system.

Background:

- The Asheville Police Department (APD) worked with the City of Asheville Purchasing

Department to create and post a formal bid for a Rapid DNA Analyzer Machine in December 2022.

- Life Technologies Corporation was selected for the award.
- The DNA Analyzer system consists of a Rapid DNA Platform and creates Forensic DNA profiles in 90 minutes to assist law enforcement personnel to identify and or clear suspects faster.
- Property Crimes processing currently takes 6-8 months through the State Lab.
- The cost of the DNA Analyzer system over the initial three year period is \$213,009.88.
- The Asheville Police Department (APD) will use forfeiture and already approved 2022 JAG grant funding to purchase the system.
- Although budget amendments have already been approved, given the dollar value and the nature of this purchase, a Council resolution is required to authorize the purchase even though it is already included in the budget.

Council Goal(s):

- Smart City

Committee(s):

- Presented Forfeiture with this as a planned purchase to the Public Safety Committee (now Environment & Safety Committee) and City Council on 8/23/22 and was approved.
- Presented JAG Grant with this as a planned purchase to the Public Safety Committee (now Environment & Safety Committee) on 11/17/22 and Council on 12/13/22; both approved.

Pro(s):

- Produce investigative leads
- Lessen reliance on State Crime Lab

Con(s):

- Continued annual costs

Fiscal Impact:

- Funding for this contract has been identified in the Asheville Police Department forfeiture funds and 2022 JAG grant funds.

Councilwoman Roney was concerned with the use of Civil Asset Forfeiture (CAF) funding. She said the ACLU cautions around use of CAF, plus she has not yet seen accounting for the neighborhoods the CAF were acquired from. Though, she expects that they are extracted from neighborhoods most vulnerable to violence who need investment targeted at the root cause of violence. Not an issue of should the work be done, but how we do it is important. To be consistent with concerns when this came to the former Public Safety Committee, she would be voting no.

Councilwoman Turner moved to approve a resolution to allow Asheville Police Department (APD) the initial purchase of a DNA Analyzer System bundle and service contracts (to include warranty and licensing), as well as supplies that are used to run samples in the system, in years two (2) and three (3), along with allowing the APD to purchase continued annual service contracts and supplies to be purchased as needed for the life of the DNA Analyzer system. This motion was seconded by Councilwoman Ullman and carried on a 6-1 vote, with Councilwoman Roney voting “no.”

RESOLUTION BOOK NO. 44 - PAGE 28

III. PRESENTATIONS & REPORTS:

A. MANAGER’S REPORT

2022 Crime Data & Response Strategies Including Recruitment

Police Chief David Zack said the following are the key takeaways from this presentation: (1) although violent crime trends are discouraging, Asheville Police Department (APD) is committed to ensuring Asheville continues to be a safe place to live, do business, shop, recreate and visit; (2) in 2022 violent crime trended at historically high rates both nationally and in Asheville; (3) the increase of violent crime in Asheville in 2022 is driven primarily by a 17.4 % increase in aggravated assaults; (4) in spite of the serious deficit of resources, APD aggressively deployed officers to respond to various types of crimes especially violent crime; and (5) to effectively address increasing crime in our community, we must continue to strengthen public safety as a responsibility of every sector of our community.

Police Chief Zack showed a chart of property crime from 2013 - 5,318 to 2022 - 4,672. Targeted Breaking and Entering and Window Smashing (downtown) - 2 arrested for window smashing/ breaking and entering downtown; 12 other arrests; 12 citations; 48 verbal warnings; and 658 individual business checks. Targeted Shoplifting Operations (S Tunnel Rd, Swannanoa River Rd, Brevard Rd, Smokey Park Highway) - 73 arrest; 127 charges, 33 of which were felonies; and 7.95 grams of methamphetamine, 0.5 grams of fentanyl, and two MDMA Pills were seized along with one firearm recovered. Targeted patrol to reduce aggravated assaults (downtown) - 60 arrests; 172 citations; and 277 verbal warnings.

Police Chief Zack showed a chart of violent crime from 2013 - 426 to 2022 - 716, and a homicide chart from 2013 - 6 to 2022 - 11. Over the past 5 years, there were 52 homicides reported in Asheville. In 2022 Criminal Investigations Detectives were staffed at 45%. Asheville Police Departments clearance rate in 2022 was 63%. The national clearance rate for homicides in 2020 and 2021 have been 50%.

He then showed charts for (1) shots fire calls for service from 2013 - 401 to 2022 - 536; gunshot victims from 2018 - 44 to 2022 - 36; aggravated assault from 2013 - 239 to 2022 - 525; rape from 2013 - 27 to 2022 - 47; robbery from 2013 - 154 to 2022 - 133; and armed robbery from 2013 - 62 to 2022 - 78.

Police Captain Brandon Moore said that regarding retention/replacements, (1) APD/City management teams continue work to ensure wages and benefits are competitive in the law enforcement marketplace; (2) 10 officers will be completing their field training in May 2023; (3) 5 officers are currently in Basic Law Enforcement Training (BLET). They are scheduled to graduate in July of 2023, and complete field training by November of 2023; and (4) APD is currently processing 8 applications for the July 2023 BLET class.

Regarding recruitment, Captain Moore said (1) the new EPIC recruitment website as well as the accompanying social media pages were launched on September 2, 2022. Digital advertising was launched on September 19, 2022; (2) a combination of organic social content along with ad campaigns is used to build an audience tailored for recruitment initiatives. Social media content from newly launched platforms on Facebook, Instagram, Twitter, and YouTube are tailored to increase recruitment awareness and drive interest; (3) since the inception of our launch with Epic we have seen an 8,560 increase in clicks to our website; and (4) the agency has also had over 1,763,000 Million impressions from these campaigns. He reviewed the Year to Date EPIC analytic ad summary.

City Manager Campbell, along with Police Chief Zack, responded to various questions/comments from Council, some being, but are not limited to: request for demographic make-up of victims of violent crime; difference between property crime vs. robbery; confirmation that some crimes are under-reported; concern of high property crime over the years, understanding that wherever there is heavy commerce, property crime numbers rise; confirmation that the trend of aggravated assault is rising, as well as other crimes and how the City is developing strategic plans to address these problems; need for a comprehensive street lighting plan for downtown and neighborhoods; and need to continue to work with our state legislature to obtain more occupancy tax.

Community Responder Pilot Program Update

Fire Chief Scott Burnette said the following are the key takeaways from this presentation: (1) The Asheville Fire Department (AFD) led pilot program will proactively support existing efforts of Buncombe County and other partners; (2) The plan for the pilot program is being created to evaluate the best way to positively impact the community; (3) Staffing for the program is on track with sufficient interest among current AFD members and new classes graduating; and (4) Working to finalize the initial plan and launch the pilot program. The Community Responder Vision is (1) AFD led a multidisciplinary pilot program to focus collective efforts to assist persons that are unsheltered and/or experiencing addiction or experiencing behavioral health issues; (2) Supports local businesses and residential areas by proactively addressing concerns and quality of life issues before they escalate; and (3) Coordinates with Buncombe County to respond to needs within the city.

Information gathering consisted of (1) Consistent check ins with internal and external partners; (2) Recommendations from National Alliance to End Homelessness; (3) Inter-city trip to assess low barrier shelters in Raleigh & Carrboro; and (4) Resources (a) 18 initial staff interested in this temporary assignment; (b) 30 new graduates; and (c) Looking into vehicles, equipment and office space needs.

The scope of work will be (1) two person teams working 12 hour shifts, 7 days/week; (2) outreach, education and engagement - unsheltered community, business community, neighbors; (3) prevention - fire, illness, injury, trespassing; and (4) connection and coordination - resources, behavioral health, addiction.

Next steps include (1) Selection of Asheville Fire Department members to staff the pilot program; (2) Finalize the initial plan for the pilot program; (3) Schedule and complete training with Buncombe County Programs; and (4) Launch pilot program. The tentative timeline is (1) Rough outline of plan complete - March 30, 2023; (2) Pilot program implemented - May 1, 2023; (3) Begin compiling evaluation from 2-month pilot - June 30, 2023; and (4) Report on pilot results - August 31, 2023.

In response to Vice-Mayor Kilgore, Chief Burnette explained there is no current number yet for residents or businesses to call to reach these teams; however, he said they will be doing

outreach during this pilot program to find out what is the best way for us to connect with individuals who need help. He felt that the best way is to call 911.

Mayor Manheimer felt we need to have a better level of understanding on how the system works in our community and what our role is in it to support that system.

Chief Burnette and City Manager Campbell responded to several questions/comments from Councilwoman Roney, those being, but are not limited to: what are the 12-hour shifts; what is the primary difference between our pilot program vs. Buncombe County's program; how does boots on the ground and surveillance fit in the role of community responders; need to provide critical training; and the need for emergency shelters.

Councilwoman Turner hoped that the City would explore partnership opportunities between the Asheville Police Department and the Sheriff's Office.

B. UPDATE ON INDEPENDENT REVIEW COMMITTEE - WATER

Capital Projects Director Jade Dundas said the following are the key takeaways from his presentation: (1) Committee making good progress and should be on track to meet the 90 day timeline for delivery of final report; (2) The Committees is principally doing its work in three subcommittees and include-Communications, Water System and Emergency Response and Operations; and (3) Delivery of final report tentatively scheduled for end of May with Council presentation early June.

He then reviewed the January 10, 2023, resolution in which it says "City Council hereby establishes an independent review committee to analyze the events and circumstances leading up to, and throughout the duration of, the recent prolonged water outage. This committee shall review the water outage in order to provide a comprehensive account of the event, an assessment of the City's operational and emergency response and communication efforts, and an analysis of needed infrastructure and process and policy changes that, if implemented, would maximize prevention of future events and improve communication, emergency response, and mitigation processes. The committee shall be composed of nine members with multidisciplinary backgrounds to include the following position classifications: Two Residential Water Customers, One Commercial Water Customer, One Emergency Response Professional, Two Communications Professionals, and Three Subject Matter Experts in Public Water Systems. Two appointments shall be made by the Buncombe County Commission, and the remaining appointments shall be made by the Asheville City Council. The committee shall engage an expert to prepare an initial report regarding the findings and recommendations of the committee, with updates on this process being shared with the City Council within 30 days of the committee being established. The Committee shall provide a final report, including the written report of the committee's contracted expert, with the City Council within 90 days of the committee being established.

He then reviewed the nine member committee of experts to include: John McLaughlin, Ted Tyree and Michael Holcombe as Water Subject Matter Experts; Mike McGill and Rob Brisley and Communication Subject Matter Experts; Dennis Fagnant as Emergency Management Subject Matter Expert; Michele Ashley and Kim "Dirt" Murphy as Residential Water Customers; and Carolyn Roy as Business Water Customer.

He said the subcommittees focus areas are (1) Communications (a) Internal and (b) External; (2) Water System (a) Treatment Plant Operations and (b) Transmission and Distribution System Operations; and (3) Emergency Response and Operations.

The schedule of Committee activities are as follows:

January 10	City Council Vote to create independent review committee
February 20	Committee Kickoff Meeting
February - May	Committee and subcommittee activities scheduled as required to complete the review
March 1	Roles and Responsibilities Meeting
March 21	Committee Check in Meeting
March 28	Update to City Council
May 30	Tentative Date for final report to City Council

Subcommittee activities include but have not been limited to the following: (1) Interviews with a broad range of stakeholders - internal and external to the City; (2) Collection and analysis of data related to the water system operations - normal and event operations; and (3) Developing plans that will allow for the appropriate analysis of the events and how this information will be processed into a final comprehensive report.

Regarding additional support services, (1) City Staff are providing administrative support to the Committee (a) Jade Dundas, Capital Projects Director; and (b) Beth Bechel, AFD Business Manager; (2) Meeting Coordination and Facilitation - KTO Strategies; (3) Report Generation and Technical Assistance - McGill Associates; and (4) Water Modeling - Hazen - Currently working through contract terms.

Regarding the 90-Day reporting deadline, (1) Target report delivery date - May 30, 2023; and (2) In-person presentation of findings and recommendations to City Council - First available Council meeting in June.

City Attorney Branham responded to Councilwoman Roney when she expressed disappointment that these meetings are not public meetings.

In response to Councilwoman Ullman, Mr. Dundas said that there is a lot of data collection and analysis going on now, but they are on track for a report in 90 days.

IV. PUBLIC HEARINGS:

A. PUBLIC HEARING TO CONSIDER CONDITIONAL ZONING OF 283 MERRIMON AVENUE FROM INSTITUTIONAL DISTRICT AND RM-8 RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY DISTRICT TO INSTITUTIONAL DISTRICT/CONDITIONAL ZONE

ORDINANCE NO. 5003 - ORDINANCE TO CONDITIONALLY ZONE 283 MERRIMON AVENUE FROM INSTITUTIONAL DISTRICT AND RM-8 RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY DISTRICT TO INSTITUTIONAL DISTRICT/CONDITIONAL ZONE

Principal Planner Will Palmquist said that this is the consideration of an ordinance to conditionally zone 283 Merrimon Avenue from Institutional District and RM-8 Residential Multi-Family Medium Density District to Institutional District/Conditional Zone. This public hearing was advertised on March 17 and 24, 2021.

Project Location and Contacts:

- The project site totals 3.4 acres located at 283 Merrimon Ave (PIN 9649-35-9489)
- Owner: Brookstone Baptist Church

Summary of Petition:

Project Site

- The project site consists of one property totalling 3.4 acres located at 283 Merrimon Ave, at the corner of Merrimon Ave and Annadale Ave.
- The site is currently zoned Institutional (INST) and Residential Multi-Family Medium Density (RM-8).
- The project site is the former site of the Brookstone Baptist Church and consists of a church building with one-story and three-story additions to the south, as well as a one-story residential structure located in the southeast corner of the lot.
- The site is designated "Traditional Corridor" and "Traditional Neighborhood" on the city's Future Land Use (FLU) Map.
- A change in the FLU designation will not be required.

Overall Project Proposal

- The petitioner is seeking a rezoning of the rear portion of the property from Residential Multi-Family Medium Density (RM-8) to Institutional - Conditional Zone (INST - CZ) in order for the existing parking to support future commercial use in the existing church buildings, which are currently zoned Institutional (INST).
- Surface parking is not an allowed principal use within the RM-8 zoning district.
- The existing Institutional (INST) zoning of the majority of the site does and will continue to allow for uses typically allowed in this zoning district.
- The proposed Institutional - Conditional Zone (INST - CZ) zoning of the rear portion of the site would restrict the use of that portion of the parking to surface parking, with the exception of the existing one-story residential structure which would allow for the following principal uses which are allowed in the Institutional (INST) zoning district: residential, day care, offices, clinics, financial institutions, health & fitness facilities, and studios/galleries/workshops.
- The project proposal does not include any construction plans.
- Any future adaptive re-use or redevelopment will likely be reviewed as a "by-right" development within the existing and proposed zoning districts.
- Landscaping of the parking lot and other improvements may be required at this time to bring the property into full compliance.

Access, Sidewalks and Parking

- The existing surface parking lot on-site consists of approximately 180 spaces.
- Access to the site is currently provided by two curb cuts on Annadale Ave.
- There are existing sidewalks on both Merrimon Avenue and Annadale Avenue.
- Merrimon Avenue is served by bus transit.
- The closest bus stops are located one block to the south of the project site at the corner of Merrimon Ave and Hillside St.

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- The proposed rezoning supports a number of goals in the Living Asheville Comprehensive Plan, including:
 - **Encourage Responsible Growth** - by providing infill development in targeted growth areas.
 - **Promote Great Architecture and Urban Design to Enhance Placemaking** - by promoting adaptive reuse as a means of conserving materials, history, and embodied energy in buildings.
 - **Enhance Parking Management Strategies** - by considering zoning strategies that locate surface parking areas to the rear of buildings in identified innovation districts and along transit-supportive corridors.
- The proposed rezoning is compatible with the Future Land Use designation of “Traditional Corridor” which is proposed, in part, as “a roadway with a large variety of land uses including commercial, office and residential uses at a variety of scales.
- The commercial and mixed-use areas along a traditional corridor are typically flanked by residential neighborhoods on one or both sides of the street”.
- The proposed rezoning is partially compatible with the Future Land Use designation of “Traditional Neighborhood” which is proposed, in part, as a “diverse range of housing types and an intersecting street pattern with cross streets forming blocks” and, “Commercial uses will be inappropriate in a traditional neighborhood, with the exception of uses compatible within a residential context including homestays, bed and breakfast inns and appropriately designed neighborhood centers”.
 - Staff recommends against amending the Future Land Use map because the “Traditional Neighborhood” designation at the rear of the property serves as a buffer between Merrimon Ave and the residential neighborhood. More intense commercial use located adjacent to the neighborhood, other than what currently exists on-site, may not be appropriate in the future.

Compatibility Analysis:

- The existing structures and surface parking lot are compatible with the surrounding land uses, including:
 - Commercial uses located along Merrimon Avenue to the north, south, and west of the project site.
 - Single-family residential neighborhoods located to the east of the project site.
 - The Claxton Elementary School located directly to the south of the project site across Annadale Ave.

Council Goal(s):

- This project is most closely aligned with the council goal of *A Well-Planned and Livable Community*.

Committee(s):

- Planning & Zoning Commission (PZC) - March 1, 2023 - The motion to approve failed (vote: 1-6). At the March 1 PZC hearing, the Commission expressed two main concerns about the proposed rezoning: 1) That the rezoning would remove residentially-zoned land near an existing neighborhood, and 2) That the rezoning did not include detailed site plans for what is being proposed at the property.

Staff Recommendation:

- Staff recommends approval of this rezoning request based on the reasons stated above.

Mr. Palmquist reviewed the existing and proposed zoning, the aerial imagery and the future land use map. About the site plan, he said (1) Existing church buildings to remain zoned INST and adaptively re-used for office and similar uses; (2) Surface parking currently zoned RM-8, which is not an allowed use in that district, would remain parking for future uses; (3) Existing one-story single-family house structure on Annadale Ave to be used for office and similar uses; and (4) No construction plans as part of this conditional zoning. He said the conditions are that the use of the portion of the property zoned Institutional - Conditional Zone (INST - CZ) is limited to surface parking to serve other uses on the property, with the exception of the existing one-story residential structure in the southeast corner of the site, which shall be permitted for the following principal uses which are allowed in the Institutional (INST) zoning district: residential, day care, offices, clinics, financial institutions, health & fitness facilities, and studios/galleries/workshops. The Planning & Zoning Commission did not recommend approval. The motion to approve failed on a 1-6 vote. The Commission expressed two main concerns about the proposed rezoning: 1) That the rezoning would remove residentially-zoned land near an existing neighborhood, and 2) That the rezoning did not include detailed site plans for what is being proposed at the property. He then explained how the project was consistent with the Living Asheville Comprehensive Plan. He said that staff recommends approval of the proposed conditional zoning.

There was considerable discussion surrounding the reason for the request, with Mr. Palmquist noting that if the site is developed, it must come into full compliance with the Unified Development Ordinance. Items of concern were not having a plan to review (even though it is not required for a conditional use request); impacts to the tree canopy; what will be the community benefits; removal of a residential district; what is the plan for renewable energy; and what can the small building on the site be used for.

Mr. Derek Alley, attorney for the applicant, and Mr. Brian Moffitt explained the need for the conditional zoning request (on the .785 parcel of land) as it related to the surface parking lot and the small house on the piece they are asking to conditionally zone.

Councilwoman Roney asked for a condition to keep the trees along Henrietta Street, to which the applicant agreed.

Mayor Manheimer opened the public hearing at 7:07 p.m.

Ben Mansel spoke in opposition to the request.

Mayor Manheimer closed the public hearing at 7:08 p.m.

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

Councilwoman Mosley moved to approve the conditional zoning request for the property located at 283 Merrimon Ave from Institutional (INST) and Residential Multi-Family Medium Density (RM-8) to Institutional (INST) and Institutional - Conditional Zone (INST - CZ) and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1) provides infill development in targeted growth areas; 2) promotes adaptive reuse as a means of conserving materials, history, and embodied energy in buildings; and, 3) locates surface parking areas to the rear of buildings in identified innovation districts and along transit-supportive corridors. This motion was seconded by Vice-Mayor Kilgore.

City Attorney Branham asked if Councilwoman Mosley wanted to add the two amendments to the motion (1) that the conditional zoning only refers to the eastern portion of the

property (approximately .785 acres); and (2) to preserve the trees currently existing on Henrietta Street.

Mr. Allen offered a modification to the condition which preserves the existing parking area within the .785 acre area to serve future uses on the site, to also allow the following principal uses which are allowed in the Institutional District: residential, day care, offices, clinics, financial institutions, health & fitness facilities, and studios/galleries/workshops.

Councilwoman Mosley and Vice-Mayor Kilgore withdrew their motion.

Councilwoman Mosley moved to approve the conditional zoning request for that portion of property on the eastern edge of the property, consisting of approximately .785 acres, located at 283 Merrimon Ave from Institutional (INST) and Residential Multi-Family Medium Density (RM-8) to Institutional (INST) and Institutional - Conditional Zone (INST - CZ) and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1) provides infill development in targeted growth areas; 2) promotes adaptive reuse as a means of conserving materials, history, and embodied energy in buildings; and, 3) locates surface parking areas to the rear of buildings in identified innovation districts and along transit-supportive corridors, with a revision to the project condition no. 3 to read: "The use of the portion of property zoned Institutional/Conditional Zone is limited to surface parking to serve other uses on the property, which shall be permitted for the following principal uses which are allowed in the Institutional zoning district: residential, day care, offices, clinics, financial institutions, health & fitness facilities, and studios/galleries/workshops." and the condition to preserve the existing trees on Henrietta Street unless the property is developed as residential. This motion was seconded by Vice-Mayor Kilgore and carried unanimously.

ORDINANCE BOOK NO. 34 - PAGE 365

B. PUBLIC HEARING RELATIVE TO ADOPTION OF THE SOUTH SLOPE: A SOUTHSIDE NEIGHBORHOOD VISION PLAN

RESOLUTION ADOPTING THE SOUTH SLOPE: A SOUTHSIDE NEIGHBORHOOD VISION PLAN

Affordable Housing Officer Sasha Vrtunski said that this is the consideration of a resolution adopting the South Slope: A Southside Neighborhood Vision Plan ("South Slope Vision Plan"), which includes a vision for the future planning and development of the South Slope study area, a part of the larger Southside area. This public hearing was advertised on July 15 and 22, 2022. On July 26, 2022, this public hearing was continued to October 11, 2022. On October 11, 2022, this public hearing was continued to November 15, 2022. On November 15, 2022, this public hearing was continued to January 10, 2023. On January 10, 2023, this public hearing was continued until February 28, 2023. On February 28, 2023, this public hearing was continued to this date.

Background:

- Development of the South Slope Vision Plan was recommended in the 2009 Downtown Master Plan and was a 2018 City Council strategic priority.
- The Living Asheville Comprehensive Plan also identified the South Slope as an important future area of growth and economic development.
- The South Slope Vision Plan process was started prior to the Covid19 pandemic.
- There were numerous community meetings, a charette, focus group meetings and a temporary design studio on Coxe Avenue where community meetings and open office

hours were held.

- A representative group of stakeholders participated on an Advisory Committee to provide feedback on the concepts and on the draft plan.
- The draft plan was released at the end of February 2022 and public comment was taken until April 8, 2022.
- The Public Input site received almost 5,000 comments from 275 participants.
- Many respondents live in or near the study area (43%).
- Much of the public comment received reinforces the plan's strategies.
- Common themes from public feedback included the community's desire for the area to be accessible through safe transportation modes, contain small local businesses, include trees and greenspace and that the history of the area is honored.
- The desire for a local grocery store was mentioned numerous times.
- Concerns about growth and tourism and the impacts on the surrounding neighborhoods were also reflected in the comments.
- Concerns about height were mentioned, which also reflects recommendations in the plan to lower heights from what is currently allowed in existing zoning.
- There were some minor edits made to the draft plan after the public comments.
- These included supporting electric vehicles, acknowledging the importance of the LGBTQ community, and map edits.

Plan Summary:

- The plan seeks to build on the existing assets, connect the adjacent neighborhoods and make it a great place that is welcoming to the entire community.
- The plan has five theme areas:
 - 1) Quality Built Environment
 - 2) Unique and Inclusive Sense of Place
 - 3) Strong Local Economy
 - 4) Multimodal Transportation
 - 5) Strategic Infrastructure and Natural Environment
- The plan also has 10 Key Initiatives, they are:
 - 1) Update Zoning and Design Guidelines to Achieve Community Goals
 - 2) Create a Gateway at Biltmore and Southside Avenues
 - 3) Honor African-American History
 - 4) Weave Art Throughout the District
 - 5) Develop City-Owned Property for Affordable Housing & Job Creation
 - 6) Enact Equitable Development
 - 7) Convert Banks & Buxton Avenues to Shared Streets
 - 8) Connect Neighborhoods Via the Southside Greenway Connector
 - 9) Make Coxe Avenue a Green Main Street
 - 10) Develop Successful Incentives for Sustainability

Comprehensive Plan Consistency:

- The South Slope Vision Plan: A Southside Neighborhood Vision Plan is aligned with a number of goals in the Living Asheville Comprehensive Plan including:
 - **Encourage Responsible Growth** - by prioritizing growth and development within designated growth areas, and by prioritizing form-based codes or design guidelines in designated growth areas and other innovation districts.
 - **Promote Great Architecture and Urban Design to Enhance Placemaking** - by reviewing and updating district design guidelines to elevate building and streetscape design and placemaking.

- **Celebrate the Unique Identity of Neighborhoods Through Creative Placemaking** - by supporting contextually appropriate infill development, protecting distinct neighborhood characteristics, and continuing to implement recommendations from the Downtown Master Plan.
- **Make Streets More Walkable, Comfortable and Connected** - by adding pedestrian infrastructure and eliminating gaps in the sidewalk network.
- **Increase Access to Safe Bicycling** - by continuing to maintain and expand bicycle facilities citywide.
- **Elevate the Arts and Cultural Sectors to Strengthen and Preserve Heritage and History** - by identifying strategies to honor history and contributions of the African American community in Asheville.
- **Increase and Diversify the Housing Supply** - by promoting zoning policies to encourage more housing and encouraging more affordable housing options.
- **Promote the Development and Availability of Affordable and Workforce Housing** - by locating affordable housing development within innovation districts, transit-supportive centers, and near parks and jobs.
- **Create and Promote the Infrastructure to Attract Jobs** - by collaborating with economic development organizations and stakeholders to ensure that the city's infrastructure, real estate, and development-ready sites are positioned to attract and/or retain major employers.
- **Promote Small and Independent Business, Entrepreneurship and the Maker Economy** - by supporting incentives for small businesses and to open and thrive.
- **Create a More Formal Neighborhood Planning Process** - by developing small area plans for identified transit-supportive corridors and adjacent neighborhoods to translate the ideas in Living Asheville into physical implementable solutions, establish neighborhood goals, and identify potential zoning and urban design changes.

Alignment with the Downtown Master Plan (DMP)

- The South Slope Vision Plan: A Southside Neighborhood Vision Plan is aligned with the DMP, specifically five of the seven chapters of the plan:
 - Enhance the Downtown Asheville experience by cultivating its creative, cultural and historic character.
 - Expand convenient choices for Downtown access and mobility
 - Inaugurate an urban design framework to extend Downtown's sense of place and community.
 - Shape building form to promote quality of place.
 - Update Downtown design guidelines.

Summary of Recent Changes to the Plan

- In late Summer 2022, several adjacent neighborhoods registered concerns with several aspects of the plan.
- Staff has been in touch with the neighborhoods since last Summer, although because of staff capacity, it has taken longer to work through the process.
- One set of concerns centered around potential heights on the edges of the study area and how potential rezonings were being described.
- There was also a concern that the plan was committing the City and community to future rezonings to particular districts.

- This was not the intent of the plan and language has been revised to describe potential changes more clearly.
- New zoning designations have not been chosen, nor are future height restrictions required by this plan.
- A second concern was how the map showed surrounding neighborhoods, and that it looked like a part of the East End Valley Street neighborhood was being renamed to South Slope, which was not the intention of the plan.
- Staff revised the maps showing neighborhoods to clarify these boundaries and added text about the plan's boundaries, which are a study area, not a new neighborhood boundary.
- South French Broad, East End Valley Street and Oakhurst have all expressed satisfaction with the changes.
- Staff has worked with leadership of these organizations, who have in turn been in touch with their larger neighborhoods.
- Staff reviewed the plan and explained the recent map changes with the Southside United Neighborhood Association in March 2023.

Council Goal(s):

- An Equitable and Diverse Community
- Thriving Local Economy
- A Clean and Healthy Environment
- Transportation and Accessibility
- A Well Planned and Livable Community
- Quality Affordable Housing

Committee(s):

- Planning and Economic Development - April 11, 2022
- Downtown Commission - June 10, 2022 - recommended the plan for adoption with a vote of 9-0. The Downtown Commission recommended that the plan include buffer areas next to neighborhoods to protect the integrity of adjacent neighborhoods.
- Planning & Zoning Commission - August 3, 2022 - recommended the plan for adoption with a vote of 7-0.

Pro(s):

- Provides direction for future city projects and partnerships

Con(s):

- None

Fiscal Impact:

- None. The plan suggests potential future city investments, but plan adoption does not constitute a commitment to specific capital projects or investments.
- Those will be considered on an individual basis as appropriate in the future.

Ms. Vrtunski said the key takeaways from this presentation are (1) The plan has five main themes, and ten key initiatives; (2) The plan strives to build on the existing assets, guide future growth and connect and serve the surrounding neighborhood; (3) The Vision: The South Slope area is one of a vibrant, safe, inclusive and welcoming place for everyone. It is seamlessly connected to the surrounding community, downtown and adjacent neighborhoods through business and community relationships, green infrastructure and multimodal transportation connections. The streets are safe and walkable with accessible pedestrian infrastructure and amenities; and (4) Public comment supports many of the plan concepts and highlights some of the ongoing concerns with growth that are throughout our community.

Regarding the background, the South Slope Vision Plan process was started before the pandemic. There were numerous meetings, a charette and an open studio on Coxe Avenue. An Advisory Committee gave feedback on the concepts and on the draft plan. The draft plan was released at the end of February and has been receiving comments throughout the month of March 2022. Additional comment was received from adjoining neighbors in the Summer/Fall of 2022 resulting in the final document.

She then reviewed the public input, the vicinity map, and the South Slope study area map.

Five themes are (1) Quality Built Environment; (2) Unique and Inclusive Sense of Place; (3) A Strong Local Economy; (4) Multimodal Transportation; and (5) Strategic Infrastructure and Natural Environment.

The ten key initiative are: (1) update zoning and design guidelines to achieve community goals; (2) create a gateway at Biltmore and Southside Avenues; (3) honor African-American history; (4) weave art throughout the district; (5) develop City-owned land for affordable housing and job creation; (6) enact equitable development to benefit residents; (7) convert Banks and Buxton Avenues to shared streets; (8) connect neighborhoods via the Southside Greenway Connector; (9) make Coxe a green “main street”; and (10) develop successful sustainability incentives.

Regarding the quality built environment theme, the goals are (1) Identify, respect, and celebrate the unique and historic character of areas within the South Slope; (2) Encourage and reinforce a more urban form; (3) Encourage uses that support local residents; and (4) Improve the quality of the public realm.

Regarding the unique and inclusive sense of place theme, the goals are to (1) Create social and economic connections within the South Slope and with surrounding areas; and (2) Make the South Slope area a welcoming and inclusive place for all of Asheville’s residents.

Regarding the strong local economy theme, the goals are (1) Encourage a mix of businesses which include local services and maker-spaces; (2) Support existing businesses to thrive and grow to their fullest potential; (3) Support development of new and existing BIPOC owned businesses; (4) Continue to strengthen organizational supports for businesses and the district; (5) Ensure that public infrastructure provides ample multi-modal access and gathering spaces; (6) Encourage a mix of unit types and sizes to attract a diverse population to the area; and (7) Encourage the production, preservation & protection of affordable housing for local residents and the business community.

Regarding the multimodal transportation theme, the goals are (1) Create Safe, Accessible, and Pedestrian Friendly Streets; (2) Pursue transportation improvements that promote public space and vibrant streetlife; (3) Provide safe connected bicycle facilities within and through the district; and (4) Increase viability of alleys for access to reduce driveways on major streets and provide additional pedestrian connections.

Regarding the strategic infrastructure and natural environment theme, the goals are (1) Implement Green Infrastructure to mitigate flooding and improve water quality; (2) Enhance the Urban Tree Canopy and Green Spaces; (3) Increase Energy Efficiency & Renewable Energy Production; and (4) Build Streetscape infrastructure.

With regard to honoring the African-American history, goals are to (1) Identify specific places that should be designated with public markers; (2) Coordinate with community leaders

who are working on markers throughout the city; (3) Bring property and business owners together to discuss the potential for interpretive panels, signs, and/or plaques throughout the South Slope and Southside commercial areas; (4) Work with the Buncombe County Library and the African American Heritage Commission; and (5) Explore the opportunity to work with Asheville City Schools and UNC-Asheville.

To enact equitable development to benefit the larger community, goals are to (1) Develop mixed use projects that include both affordable residential and commercial spaces; (2) Expand existing affordable housing efforts including a Community Land Trust; (3) Engage anchor institutions and local businesses in voluntary buy, train and hire programs; (4) Support neighborhood preservation and capacity building efforts; (5) Identify opportunities for incorporating equitable development goals into broader City policies and other initiatives; (6) Look for opportunities to build relationships, partnerships and then projects between the South Slope Neighborhood Association, Southside Rising, East End/Valley Street Neighborhood and the Oakhurst Neighborhood; and (7) Develop anti-displacement policies and strategies to counter the ever-increasing pressure on residents and businesses as the South Slope develops.

The South Slope Vision Plan is aligned with both the Downtown Master Plan and the Living Asheville Comprehensive Plan. The Downtown Master Plan called for the development of small area plans, with attention to an urban design framework extending the sense of place and community. There are a number of ways it aligns with the Living Asheville Plan including (1) make streets more walkable, comfortable and connected; and (2) promote small and independent business, entrepreneurship and the maker economy.

Regarding public comment on the draft plan (1) The Public Input site received close to 5000 comments from 276 participants. Many respondents live in or near the study area (43%); (2) Much of the public comment reinforces the plan's strategies; (3) The community cares deeply about the area being accessible through safe transportation modes, small local businesses and honoring the history of the area; (4) The desire for a local grocery store and supporting local businesses/services was mentioned numerous times; (5) Concerns about growth and tourism and the impacts on the surrounding neighborhoods are also reflected in the comments; (6) several neighborhoods were concerned about language in the plan around future rezoning near neighborhoods and/or the maps included in the plan; (7) staff worked with these three neighborhoods, South French Broad, East End/Valley Street and Oakhurst, during the Fall and Winter to make revisions to the plan that everyone could agree with; (8) language changes include clarification about the plan's boundaries, removal of language speculating on future zoning districts, an explanation of the potential height map and an explanation of how the rezoning process will work after plan adoption; and (9) two key maps were revised to better reflect neighborhood boundaries.

The Downtown Commission reviewed the plan and voted to recommend adoption in June 2022 with a vote of 9-0. The Planning & Zoning Commission voted to recommend adoption of the Plan on August 3, 2022 with a vote of 7-0.

Staff recommends adoption of the plan. The plan will serve as a guide for future investment, policies and engagement with the community. Adoption of the plan does not commit the city to carry out specific projects or regulatory changes, but rather suggests an overall vision for the area. Adoption of the plan will also give its recommendations more weight when considering capital improvements and other policy decisions.

Regarding the Southside United community, Ms. Vrtunski explained that they did meet with the Southside United community in Mid-March. The neighborhood organization was still forming for the first few years of the process. The South Slope Study boundary does not overlap with Southside United's boundaries on file with the city. Because a late minute request from that

community has been received to table this action, Councilwoman Mosley moved to continue this public hearing until April 11, 2023, in order to give Ms. Vrtunski time to revisit that community to address any of their concerns. This motion was seconded by Councilwoman Turner and carried unanimously.

V. UNFINISHED BUSINESS:

A. RESOLUTION NO. 23-69 - RESOLUTION TO SUBMIT TO THE U.S. DEPT. OF HOUSING & URBAN DEVELOPMENT THE HOME-ARP ALLOCATION PLAN

Community & Economic Director Nikki Reid said that this the consideration of a resolution to submit the HOME-ARP Allocation Plan as an amendment to the Fiscal Year (FY) 2021-2022 Annual Action Plan (AAP) to the U.S. Department of Housing and Urban Development (HUD). A public hearing was held on March 4, 2023.

Background:

- The Asheville Regional Housing Consortium (ARHC) consists of contiguous units of local governments that come together to qualify for a direct allocation of HOME Investment Partnerships Program (HOME) funds from the US Department of Housing & Urban Development (HUD).
- The Consortium consists of Buncombe County, Henderson County, Transylvania County, and Madison County and several member municipalities from those counties, including the City of Asheville. The City of Asheville serves as the participating jurisdiction (PJ) and administers the HOME program (also known as the lead entity).
- Annual HOME funds provide formula grants to states and localities to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing or providing direct rental assistance to low-income individuals and families.
- The City of Asheville received notification from HUD of a special allocation of HOME funds, known as the HOME Investment Partnerships American Rescue Plan Program (HOME-ARP), in the amount of \$4,699,862.
- This special allocation of HUD HOME-ARP funds is targeted specifically to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations.
- These grant funds are to be administered by the City of Asheville as the PJ through the HUD HOME program, with up to 15% of the allocation available for the planning and administration of the grant.
- HUD requirements provide a specific framework for the expenditure of these funds.
- The first major requirement is for the PJ to submit a HOME-ARP Allocation Plan by March 31, specifying how much funding will be dedicated to each eligible use.
- HUD requires that allocation plans be data driven and include public engagement and consultation with agencies and service providers that address the needs of the qualifying populations.
- The City engaged a consultant, Baker Tilly, to develop the allocation plan in compliance with HUD requirements.
- The draft HOME-ARP Allocation Plan represents the final results of the public survey, stakeholder and focus-group feedback sessions, and the needs assessment and gap analysis within the four county region.
- Based on that information, the plan indicates the amount of HOME-ARP funding to be allocated for each eligible activity type across the four counties of the ARHC that best addresses the needs of qualifying populations.

Recommendations from HOME-ARP Allocation Plan:

- HUD identified certain activities as eligible HOME-ARP uses in order to reduce homelessness and increase housing stability, specifically: the construction or

preservation of affordable housing, tenant-based rental assistance (TBRA), supportive services (e.g. homeless prevention services, and housing counseling), and /or acquisition and development of non-congregate shelter.

- Consultations with service providers during the development of the HOME-ARP Allocation Plan revealed that while TBRA and other HOME-ARP eligible activities would be beneficial for the community, they would have limited impact due to the scarcity of available affordable housing units.
- Non-congregate shelter was a stated need, yet it was noted that the limited amount of funding may not cover the high costs of acquiring and renovating a non-congregate shelter.
- Further, operational costs are not eligible expenses for this funding, which represent significant ongoing costs without an identified funding source.
- The data collected from the Citizen Participation Survey indicates that the public is in support of constructing new affordable rental housing units.
- Additionally, there is a need for permanent supportive housing and the community shows strong support of increasing mental health services.
- The needs assessment and gap analysis, including Census and Point-in-Time data from the four county region, concluded that close to 23,650 households are at great risk of housing instability within the Asheville Metropolitan Area.
- Rapidly rising rental prices and limited availability of affordable housing stock is impacting persons with incomes at 30% and below median income as well as those with incomes at 50% of the median but who also meet one of the definitions of at-risk of homelessness.
- Overall, the analysis concluded that the most significant unmet housing need for homeless persons and those at risk of homelessness is access to affordable housing units and supportive services including case management, mental health, and substance abuse services to connect these individuals to housing.
- Therefore, HOME-ARP Allocation Plan focuses on new affordable rental housing units and funds additional supportive services to allow for a greater utilization of existing unused housing vouchers and TBRA funding.
- The plan also outlines that the City will issue a special notice of funding availability (NOFA) via the Request for Proposals (RFP) process to solicit proposals from qualified organizations capable of administering supportive services and from affordable housing developers to produce housing units which will be available for rent to the qualifying populations.
- The proposal evaluation process will include the requirement that all proposals must have a Letter of Support from the Continuum of Care (CoC) for the county or counties where the project will be located or where services will be provided.

	Funding Amount	Percent of Grant	Statutory Limit
Supportive Services	\$1,000,000.00	21%	-
Acquisition and Development of Non-Congregate Shelters	\$0.00	0%	-
Tenant-Based Rental Assistance (TBRA)	\$0.00	0%	-
Development of Affordable Rental Housing	\$3,100,000.00	66%	-
Non-Profit Operating	\$0.00	0%	5%

Non-Profit Capacity Building	\$0.00	0%	5%
Administrative and Planning	\$599,862.00	13%	15%
Total	\$ 4,699,862.00	100%	

- The public comment period for the draft HOME-ARP Allocation Plan was conducted for the period of March 06, 2023 - March 20, 2023.
- A public hearing at Asheville City Council was held on March 14, 2023.
- Once adopted, the plan will be added to the FY 21-22 Annual Action Plan as a substantial amendment by the March 31, 2023 deadline and will be subject to final HUD approval.
- Once HUD approval has been granted, the City will issue a special notice of funding availability (NOFA) via a Request for Proposals (RFP).
- This RFP will request applications from agencies and developers within the four county region.
- The funding availability will be based on the amounts indicated in the table above for the selected eligible activities, with letters of support required from CoCs for the county or counties where the project will be located or where services will be provided.
- Qualifying applications will be reviewed by the HOME Consortium for recommendations and ultimately brought forward to Asheville City Council for final approval.

Council Goal(s):

- Quality Affordable Housing
- An Equitable and Diverse Community

Committee(s):

- The Asheville Regional Housing Consortium reviewed this item at their meeting on March 6, 2023 and recommended approval.

Pro(s):

- One-time funding source available to assist people experiencing homelessness, to reduce homelessness and to increase housing stability across the Consortium Counties.

Con(s):

- None

Fiscal Impact:

- This special allocation is fully funded from HUD and authorized by the American Rescue Plan Act.
- Staff costs to administer the program are also fully paid from federal sources.
- Timeline of Funding - Per HUD instructions, a local allocation plan must be submitted as an amendment to the FY21-22 Annual Action Plan by March 31, 2023.
- All funds must be spent before September 30, 2030.
- Specific allocation of \$4,699,882 of HOME-ARP funds will be made in accordance with the proposed HOME-ARP Allocation Plan as outlined above.

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

Councilwoman Turner moved to authorize the City Manager to submit the HOME-ARP Allocation Plan as an amendment to the FY 2021-2022 Annual Action Plan (AAP) to the U.S.

Department of Housing and Urban Development (HUD). This motion was seconded by Councilwoman Roney and carried unanimously.

RESOLUTION BOOK NO. 44 – PAGE 34

VI. NEW BUSINESS:

A. RESOLUTION NO. 23-70 - RESOLUTION ADOPTING THE MUNICIPAL CLIMATE ACTION PLAN FOR MUNICIPAL SUSTAINABILITY GOALS AND INITIATIVES

Sustainability Director Bridget Herring said that this is the consideration of adopting the Municipal Climate Action Plan for Municipal Sustainability Goals and Initiatives.

Background:

- The purpose of the Municipal Climate Action Plan (MCAP) is to update the City's 2009 Sustainability Management Plan with updated and newly adopted resolutions around climate mitigation and adaptation.
- The scope of the MCAP is municipal operations where there are significant opportunities to impact climate adaptation and mitigation.
- On June 8, 2021, City Council authorized the City Manager to execute a contract with AECOM to update the Sustainability Management Plan into a Municipal Climate Action Plan.
- AECOM reviewed existing City sustainability goals, plans and resolutions as well as interviewed staff and the Sustainability Advisory Committee to gain additional feedback on accomplishments and barriers.
- AECOM used this information to perform a gap analysis and best practice research to inform a list of high impact opportunities for climate action.
- AECOM also conducted a high level resource assessment on the final recommended actions.
- The MCAP recommends 22 high-impact activities – and an estimate of associated fiscal impacts to build a more resilient organization; and continue to address the City's goals for carbon mitigation.
- The 22 high-impact activities were selected based on three prioritization factors: impact, feasibility and the opportunity to advance equity.
- The MCAP suggests an implementation sequence to make the most out of limited resources and multiple priorities.
- The MCAP is a result of engagement with the Sustainability Advisory Committee (SAC) and City Staff from multiple departments.
- There were four opportunities between July 2022 - February 2023 for public input to be received on the MCAP during the SAC meetings.

Council Goal(s):

- A Clean and Healthy Environment
- Improve and Expand Core Services

Committee(s):

- Sustainability Advisory Committee - February 21, 2023 - Voted 8 - 0 to recommend adoption of the Municipal Climate Action Plan
- Environment and Safety Committee - March 28, 2023

Pro(s):

- Prioritizes Asheville's internal climate and sustainability activities
- Establishes a roadmap for continued sustainability and climate action progress

Con(s):

- The MCAP is a guiding document that provides policy, program, planning direction and high level resources needs but does not include a detailed scope for individual projects.

Fiscal Impact:

- Funding for the activities recommended in the MCAP will be considered during annual budget development processes.
- New activities being considered for funding in the FY 2023-24 budget development process include a Solid Waste Master Plan and fleet maintenance that would support carbon reduction and fleet electrification goals.

Ms. Herring said the key takeaways from this presentation will be (1) the purpose of the Municipal Climate Action Plan (MCAP) is to update the City's 2009 Sustainability Management Plan with updated and newly adopted resolutions around climate mitigation and adaptation; (2) the scope of the plan is municipal operations where there are significant opportunities to impact climate adaptation and mitigation; (3) it establishes a roadmap for continued sustainability and climate action progress; (4) the MCAP suggests an implementation sequence to make the most out of limited resources and multiple priorities; and (5) it has been reviewed by the Environment and Safety Committee. The purpose of the MCAP is to (1) update the 2009 Sustainability Management Plan (SMP); (2) prioritize Asheville's internal climate and sustainability activities; and (3) establish a roadmap for continued sustainability and climate action progress. She used a chart to show the development process of the MCAP. In the scope of the Plan, Goal 1 is City-owned assets are resilient, sustainable and efficient. Goal 2 is sustainability and climate priorities are embedded in city operations, participation, and decision-making. Goal 3 is the City supports sustainability and resilience for area residents and businesses. The final result was (1) 22 recommended activities; (2) recommended implementation sequence to maximize (a) overall impact; (b) time required for implementation; (c) manage staff capacity; and (d) leverage current opportunities; and (3) built as a tool to assist in evaluating new opportunities and priorities.

For Goal 1:

- 1. Continue Installation of Renewable Energy Resources on Municipal Property**
2. Utilize Alternatives to On-Site Solar to Meet Targets
3. Expand Energy Efficiency Standards for All New Construction to Retrofits and Upgrades
4. Establish Building Energy Efficiency Operations and Maintenance Requirements
5. Incorporate Equity and Sustainability into Processes to Address Aging Infrastructure*
6. Update City-Owned Building Standards for Resilience Considerations
7. Establish a Policy for the Purchase, Sale, or Adaptive Reuse of Highly Vulnerable or Underutilized Assets
8. Investigate and Install Building Automation for All City Facilities
9. Integrate Climate Justice, Equity, and Resilience Best Practices into All Hazards Planning Committee and Emergency Response Plans and Operations*
10. Measures for City-Owned Property*
11. Assess and Enhance Efficiency and Resilience of Municipal Water Distribution System
12. Utilize Green Fleet Policy for Fleet Electrification*
13. Conduct Low-Carbon Transit Assessment

For Goal 2:

- 14. Use Climate Justice and Sustainability Tools for Planning and Decision Making**
- 15. Monitor and Engage in State-Level and Utility Policies on Climate and Sustainability**

16. Establish Sustainable Oriented Procurement Procedures
17. Conduct Solid Waste Master Planning Process*

For Goal 3:

18. Utilize Urban Forestry Practices on City Land in Priority Neighborhoods to Reduce Heat Island Impacts and Sequester Carbon*
19. Explore City Supported Community Resilience Hub Sites
20. **Conduct Programs for Food Production, Community Gardening, and Edible Plantings on Public Lands**
21. Make Climate and Sustainability-related Data and Progress Toward Goals Publicly Accessible*
22. Create a Sustainability and Climate Ambassador program to Regularly Engage Frontline Communities

* Short Term: Initiate in Years 1 or 2
Bold: Existing Ongoing Activities

Councilwoman Ullman understood that the only way we can reach these goals and goals of other plans is through partnerships. When she asked if the Sustainability Department has the resources and staff to achieve these goals, Ms. Herring said that any requests will go through the budget process.

Ben Stockdale offered to work with the City of Asheville on clean energy.

Gerald Meyer explained why micro-grids would help with many strategies under Goal 1.

Tim Sadler urged Council to look at things outside the box.

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

Councilwoman Ullman moved to adopt the Municipal Climate Action Plan for Municipal Sustainability Goals and Initiatives. This motion was seconded by Councilwoman Roney and carried unanimously.

RESOLUTION BOOK NO. 44 – PAGE 35

B. ORDINANCE NO. 5004 - ORDINANCE ADOPTING THE FISCAL YEAR 2024 FEES & CHARGES MANUAL

Budget Manager Taylor Floyd said that this is the consideration of an ordinance establishing the fees and charges for FY 2023-24.

Background:

- Fees and charges comprise 35% of City-wide revenue and 10% of General Fund revenue.
- City Council has been provided with a memo that provides detailed information for fee adjustments under consideration for FY 2023-24, including impacts on revenues, customers, and service provision.
- Final recommendations to City Council are based on feedback received from the Policy, Finance and Human Resources Committee.
- Recommended fee adjustments will become effective July 1, 2023.

- Typical household impact of major fee changes proposed for FY24 are below:

Fee	Bi-Monthly Bill Increase	FY24 Annual Increase
Solid Waste	\$ 2.00	\$ 12.00
Stormwater (Tier 2)	\$ 1.76	\$ 10.58
Water (6 CCFs/month)	\$ 7.13	\$ 42.78
Total	\$ 10.89	\$ 65.36

Council Goal(s):

- A financially resilient city

Committee:

- The Policy, Finance and Human Resources Committee reviewed this information on March 24, 2023 and did not take action on the recommendations.
- The Committee requested additional information about the recommended changes to Water Resources Fees.
- That information is included in the information provided to City Council.
- Additional information has also been included on Parks and Recreation fees.

Pros:

- Provides for cost recovery from those that directly utilize or benefit from the service where appropriate, reducing the financial burden of City services on taxpayers.
- Provides additional revenue to help balance the FY 2023-24 budget.
- Allows staff to begin communicating fee changes to citizens, customers, and stakeholders so they are aware of changes that will be implemented on July 1, 2023.

Con:

- A minimal increase in the cost of city services.

Fiscal Impact:

- Impacts for each proposal are shown in the information provided to City Council.

Mr. Floyd said that they would be reviewing an overview of the fees and charges; water services; stormwater utility; solid waste; parks and recreation; and other changes under consideration. He said the key takeaways from this presentation will be (1) Staff reviews fees and charges as part of the budget process each year and bring forward recommendations for adjustments early in the process; (2) Fees and charges represent a small portion of General Fund revenues but are the major revenue source for Enterprise Funds, such as Water and Stormwater; (3) Staff recommendations for Fiscal Year 2023-24, include a continuation of modest increases in fees for water, stormwater, and solid waste that are paid by most households; and (4) No changes are recommended for transit, parking or special event fees.

He explained what we charge for services - Customer vs. community benefit; Ensure access; and Statutory requirements. Factors in setting fees and charges include cost to provide service; who benefits from service; and fee studies. Using charts, he then reviewed the General Fund Revenues, along with the Enterprise Funds Revenues. He used a chart to show the impact recommended fee changes on a typical household - solid waste bi-monthly bill increase - \$2.00; stormwater (tier 2) bi-monthly bill increase - \$1.76; and water (6 CCs/month) bi-monthly bill increase - \$7.13 - for a total of \$10.89 bi-monthly bill increase.

Regarding the Water Resources Fund, he used a chart to show the operating costs, capital & debt; and personnel. As of calendar year 2022, Asheville Water Resources had nearly 60,700 customer accounts that consumed 7.7M centum cubic feet (CCF) of water. He said they have (1) reviewed rate structures for 12 other peer systems in NC & SC; most peer rate structures include: (a) Tiered residential consumption rates; (b) Different rates for non-residential users; and (c) Different rates for customers outside of geographical limits (not permitted in Asheville by Sullivan Acts); and (3) Asheville customer costs are highly competitive and affordable compared to like systems. The recommended Water Fee changes are (1) an increase in base fees charged to customers according to meter size; (2) an increase in consumption fees charged to customers based on the volume of water used; and (3) an increase in hydrant meter rental deposits. *Note:* A cost of service study is underway which will provide an assessment of the rate structure. Any recommended changes to the structure will be considered for Fiscal Year (FY) 2024-25. He then reviewed a graph of the single family residential user impact. Planned service enhancements include (1) additional maintenance crew; (2) staffing to enhance night coverage at water treatment plants; (3) staffing to improve critical communication and customer engagement; (4) customer service staff to support meter project transition; and (5) continue to recover \$7.5M in lost revenue from loss of capital fee in FY19-20 using a combination of adjustments to the base fee and the volumetric rate.

Mr. Melton responded to several questions/comments from Council, some being, but are not limited to: update on when we might look at monthly billing; request to see the whole picture of flat fees; request for options for multi-family housing and commercial tiers; and request to add Boone into the benchmarking study.

There was discussion and consensus of Council to not approve the water rates at this meeting, but for staff to come back with a recommendation for a possible path forward to minimize or freeze residential water rates, as we are putting the burden of our infrastructure on full-time residents.

Regarding stormwater service and fees, he explained that aging infrastructure and deferred maintenance perpetuate funding challenges. A stormwater consultant review (1) will provide key information about the capital and operating resources required to maintain the system and provide services; (2) review of current fees and fee structure; and (3) expected to be completed in the summer of 2023. Using a chart, he explained the recommended stormwater fee changes. Planned service enhancements include (1) additional maintenance crew; (2) additional staffing to enhance inspections of constructed stormwater devices; (3) system mapping to improve asset management; and (4) vehicle and equipment purchases.

Regarding sanitation service and fees, he said maintaining sanitation services are (1) additional positions are needed to keep up with increasing number of collection points; (2) continued cost increases in new recycling contract and landfill tipping fees; and (3) review operations, financing and ordinances to address challenges and improve service delivery to customers. Recommended sanitation fee changes include (1) prior to this fiscal year, the last fee increase was approved in FY16-17; (2) current year (FY22-23) increase was \$2.00 per month; and (3) recommending \$1.00 per month increase for FY23-24. Planned service enhancements include (1) Solid Waste Master Plan; and (2) additional staffing to support increased number of collection points.

Regarding Parks and Recreation fees, (1) moderate increases to fees at Riverside Cemetery to support maintenance of facility; (2) reductions to usage fees for recreational and athletic facilities; (3) reductions to fees for weight rooms; and (4) increases to swimming pool fees. Regarding afterschool and summer programming, (1) increase to Fun Day Out/Inclement Weather programming (\$5 to \$10 per day) - Not paid if already enrolled in afterschool program;

(2) new fees provide flexibility for single day usage; and (3) installment payment plans offered to mitigate financial burden on afterschool and summer programming.

Other recommended changes include (1) Aston Park tournament entry; (2) WNC Nature Center fee flexibility; and (3) Stormwater development fees.

Katy Hudson was opposed to charging residential customers higher fees than commercial customers.

Jonathan Wainscott urged City Council to not give away our precious resource.

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

Councilwoman Ullman moved to approve an ordinance amending the fees and charges manual for Fiscal Year 2023-24, with the deletion of the water fees. This motion was seconded by Councilwoman Turner and carried unanimously.

ORDINANCE BOOK NO. 34 – PAGE 370

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Several individuals spoke to City Council about various matters, some being, but are not limited to: need to draw attention to Asheville for potential in renewal technologies; Asheville Howell-Reed Bill; and Asheville Tourists should help memorize something in the South Slope area.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 8:58 p.m.

CITY CLERK

MAYOR