

Thursday – March 20, 2025 - 11:00 a.m.

Agenda Briefing Worksession - For March 25, 2025, Council Meeting

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

Absent: Councilwoman Sheneika Smith

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:

- Natural and Cultural Resources Recovery Support Group Update
- Hazard Mitigation Grant Program Management and Interlocal Agreement

At 12:03 p.m., Mayor Manheimer adjourned the agenda briefing worksession.

Tuesday - March 25, 2025 - 3:00 p.m.

Budget Worksession

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor S. Antanette Mosley; Councilman Bo Hess; 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 Lindsay Spangler said the following are the key takeaways from this budget presentation: (1) Staff presented fiscal year 2026 (FY26) financial projections at the March 11th work session that indicated that both budget reductions and a property tax rate increase would likely be needed to balance the FY26 General Fund budget and maintain a fund balance of 15%; (2) As staff noted at the work session, there is still a great deal of uncertainty regarding FY26 General Fund revenue estimates, and staff is continuing to refine those estimates and evaluate funding options; (3) Council has indicated a desire to provide employees with a compensation increase in FY26 so staff has modelled several options for Council's input; and (4) As staff has indicated, due to the current fiscal situation, compensation increases in FY26 will not be possible without a property tax rate increase.

Using a chart, Ms. Spangler provided Council with the current year updates for the local economic impact as follows: (1) Unemployment in the Asheville area spiked to 9% in October; (2) Although it has decreased from its Oct. peak, it remains above normal; (3) The rise in Jan. is typical; (4) The State Department of Commerce predicts employment will return to pre-Helene levels by the end of 2025; (5) Sales tax collections were already down before Helene; (6) After large declines in Sept. and Oct. collections improved in Nov.; and (7) Down 5.8% to-date this fiscal year. She then showed a chart of the Helene expense impact.

Ms. Spangler then reviewed the FY26 General Fund revenue projects as follows: (1) Property taxes are currently projected to be down somewhere between 1.25%-1.5% (\$1.0M-\$1.5M) next year; the County is working to refine estimates; (2) Sales Taxes - A lot of uncertainty due to Helene and overall economic conditions; staff is currently estimating a range of

0%-5% below (\$0 to \$2.0M) the FY25 budget; (3) Estimating some variances in other General Fund revenues but overall those revenues are projected to be flat compared to current year; (4) *Overall early estimates are for FY26 General Fund revenues to be down \$1.0M to \$4.0M*; and (5) *Staff is continuing to review revenue projections and funding options and will provide an update at the April 8 work session.*

She reviewed the chart below for the FY26 General Fund revenue projections:

General Fund	FY25 Budget	FY26 Projected	Projected vs Budget
Property Taxes	\$86.1M	\$84.8M	-\$1.5M
Sales & Other Taxes	\$44.5M	\$42.5M	-\$2.0M
Intergovernmental	\$13.7M	\$14.1M	+\$0.4M
Fees & Charges	\$21.1M	\$20.3M	-\$0.8M
Investment Earnings	\$2.1M	\$2.2M	+\$0.1M
ABC Revenue & Other	\$4.5M	\$4.2M	-\$0.3M
Total	\$172.0M	\$168.0M	-\$4.0M

Ms. Spangler said (1) Budget staff instructed departments to keep initial operating budget submittals flat compared to current year and instructed departments to find offsets for increases as much as possible; (2) After reducing initial department submittals, the budget still includes approximately \$4.1M in unavoidable cost increases, mostly driven by health care costs and state-mandated retirement increases; and (3) To help offset those increases, staff identified approximately \$4.4M in additional cost reductions that were shared with Council at the March 11 work session.

Cost savings strategies for FY26 are outlined below:

Savings	Est. \$ (in millions)
Other Post Employment Benefit (OPEB) trust fund contribution	-\$1.3M
Personnel savings (hiring review plus FEMA/CDBG-DR reimbursement)	-\$1.2M
Minor health care plan adjustments	-\$0.6M
Training & travel reduction (50%)	-\$0.5M
Pause Housing Trust Fund contribution	-\$0.5M

Pause Strategic Partnership Grants	-\$0.3M
Reduce Neighborhood Matching Grants	-\$0.1M
Total	-\$4.4M

She then reviewed the chart below for FY26 General Fund revenues vs. expense:

General Fund	FY25 Budget	FY26 Projected (Before Cost Savings)	FY26 Projected (After \$4.4M Cost Savings)
Revenues	\$172.0M	\$168.0M	\$168.0M
Expenses	\$179.7M	\$183.8M	\$179.4M
Fund Balance Used	\$7.7M	\$15.8M	\$11.4M
Fund Balance %	15.9%	7.1%	9.7%

- Without additional action, the City would need to use \$11.4M in fund balance to balance the budget.
- This would bring the City's fund balance under 10%. City policy recommends a 15% balance.

Ms. Spangler said the chart below shows the property tax adjustment for Fund Balance:

Scenarios	Tax Rate Increase	Average Homeowner Impact (Annual)	Average Homeowner Impact (Monthly)
Maintain 15.0% Fund Balance (\$9.4M)	4.65 cents	\$163	\$13.56

The policy target is 15%. This is not a recommendation; it represents example tax increases for Fund Balance only and does not include salary increases. This chart also assumes a residential tax value of \$350,000 and every 1-cent tax rate increase generates \$2.0M.

Since there was no discussion by City Council on this topic, staff will continue to move forward preparing a budget that includes a property tax rate increase to maintain 15% fund balance in the General Fund. Staff will also continue to refine budget estimates and evaluate funding options to lower the tax rate increase and restore some proposed reductions.

Regarding compensation and benefits, Finance Director Tony McDowell said (1) compensation and benefits are the largest component of the City's budget; and (2) the City has invested significant resources in compensation and benefits over the last four fiscal years. He showed a chart of the budget history for compensation and benefits from 2018-19 through the present. In the current fiscal year, compensation adjustments include (1) Flat dollar increase of \$4,053 for beginning on-shift Firefighters to increase the lowest paid on-shift Firefighter by 8.8%; (2) 6.0% increase for employees on the Police Pay Plan; (3) Increase of \$2,400 or 4.11% whichever is greater for all regular full-time permanent employees on the City's other pay plans to increase the lowest paid employee pay by 6.3%; and (4) *Overall, the general fund budget included a \$6.6M increase in personnel costs.* Regarding the living wage status in this current fiscal year (1) The Just Economics 2025 pledged living wage amount is equivalent to an annual salary of \$39,520; (2) The salary adjustments that the City made this year brought the City's lowest full-time annual salary slightly above the pledged living wage; (3) The full living wage amount for 2025 equates to \$48,152; and (4) To align with the full living wage would require City pay increases of approximately 19%.

He showed a chart of the current base pay for full-time employees - noting that approximately 184 employees are making less than \$48,152.

He said that the FY26 compensation strategy considerations include (1) Council indicated an interest in exploring compensation increases for City employees; and (2) Staff focused on developing options that: (a) Are affordable within the current fiscal climate; (b) Help move employees closer to market rates; (c) Continue progress towards achieving an annual living wage for full-time employees; (d) Minimize impacts to compression; and (e) Move away from step-based public safety pay plans.

Regarding potential FY26 compensation adjustments, (1) Staff is prepared to present compensation options for Council consideration - Included in the options are proposals to move both Police and Fire off of their current step plans; (2) At this work session, staff is seeking Council's input on any issues and concerns with the options; and (3) We will seek final direction from Council on compensation at the April 8th Work Session.

Regarding public safety pay plan adjustments, (1) Both Police (APD) and Fire (AFD) have been utilizing step pay plans since the early-2000's; (2) The step pay plans were developed prior to the Great Recession (2008) when compensation increases typically included a cost of living adjustment and a merit-based increase; (3) The merit adjustments allowed officers and firefighters to move through the step plans based on performance; (4) Since the Great Recession the step pay plans have not functioned as initially intended due to the lack of a merit based component; (5) Both APD and AFD have worked with HR, Finance, and CMO to develop proposals to move away from the step plans to a new career ladder pay structure; (6) A career ladder approach will assist with: (a) Retention in APD & AFD and lateral recruitment in ADP; (b) Addressing compression issues, and (c) Provide a clear career progression track that encourages professional development; and (7) Overall, this change is aimed at improving job satisfaction, incentivizing experienced staff to stay, and making it easier to recruit qualified personnel.

Regarding the APD pay plan adjustment, to implement the new APD pay plan and address compression issues, some salary adjustments will be needed in FY26 - (1) Most adjustments will occur in the mid-ranks; (2) The average increase would be 7.7%; (3) Any officer who doesn't get an adjustment under the new plan would receive a one-time bonus of up to 3%; (4) Total Cost: \$1.1M; and (5) APD sworn staff would not receive an additional compensation increase on top of what is proposed in the pay plan adjustment.

Regarding the AFD pay plan adjustment, (1) AFD is proposing to address compression within their pay plan over a five year period as they implement their career tracks; (2) While

career ladder advancements and compression adjustments may lead to additional costs in future years, minimal budgetary impacts are expected in FY26; and (3) FY26 salary adjustments in AFD would mirror adjustments for general employees.

In summary for the public safety adjustments, (1) APD and AFD support moving away from step pay plans to pay structures that include a career ladder; (2) Implementing a new pay structure in APD will require compression adjustments that create an additional cost in FY26; (3) AFD has not identified any significant additional FY26 costs; (4) The career ladder structure in both APD and AFD will likely increase costs in future years as staff achieve advancements and receive pay increases; and (5) Even with the additional compression adjustments, APD pay still remains below market.

Regarding FY compensation options for general employees, staff has modelled two approaches for potential increases: (1) Percentage Option: Every employee gets the same percentage increase; and (2) Hybrid Option: A flat-rate increase or percentage increase, whichever is greater. (Same as last year's budget process).

For the Percentage and Hybrid options staff has modeled three different levels of increases: (1) 1.5% across the board increase or 1.5% increase above median and \$870 flat amount below median; (2) 2.0% across the board increase or 2.0% increase above median and \$1,160 flat amount below median; and (3) 3.0% across the board increase or 3.0% increase above median and \$1,740 flat amount below median. The General Fund costs for the Percentage and Hybrid options and the APD pay plan adjustments are shown below.

% Increase	Percentage Option	Hybrid Option
1.5%	\$2.15M	\$2.15M
2.0%	\$2.51M	\$2.54M
3.0%	\$3.22M	\$3.33M

The **Percentage Option** includes pros of (1) Progress toward aligning salaries with the market; (2) Standard for all employees - simple to explain; (3) Doesn't create compression; and (4) Low administrative burden. The cons is it doesn't lift up lower paid employees more than others

The Hybrid option includes pros of (1) Progress toward aligning salaries with the market; and (2) Provides higher increases for lower paid employees. The cons are (1) Creates some compression for employees who are close to the median salary; and (2) Slightly more expensive than the Percentage option.

He reviewed the chart below for salary increases and property tax scenarios:

Scenarios	Tax Rate Increase	Average Homeowner Impact (Annual)	Average Homeowner Impact (Monthly)
1.5% Percent & Hybrid + APD	1.08 cents	\$38	\$3.15
2% Percent & Hybrid + APD	1.26 - 1.27 cents	\$44 - \$45	\$3.68 - \$3.70
3% Percent & Hybrid + APD	1.60 - 1.65 cents	\$56 - \$58	\$4.67 - \$4.81

This is not a recommendation; it represents example tax increases for salary adjustments. The chart assumes an average residential tax value of \$350,000 and every 1-cent tax rate increase generates \$2.0M.

The chart below shows salary increases and 15% Fund Balance property tax scenarios:

Scenarios	Tax Rate Increase	Average Homeowner Impact (Annual)	Average Homeowner Impact (Monthly)
1.5% Percent & Hybrid + APD	5.73 cents	\$201	\$16.71
2% Percent & Hybrid + APD	5.91 - 5.92 cents	\$206 - \$207	\$17.24 - \$17.27
3% Percent & Hybrid + APD	6.25 - 6.30 cents	\$219 - \$221	\$18.23 - \$18.38

The Policy Target is 15% and that requires an estimated 4.65 cent property tax rate increase. This is not a recommendation; it represents example tax increases for Fund Balance and salary adjustments. The chart assumes an average residential tax value of \$350,000 and every 1-cent tax rate increase generates \$2.0M.

There was considerable discussion when Mr. McDowell asked if Council had any concerns with staff continuing to develop proposals to move both APD and AFD away from the step plans to a new career ladder pay structure starting next fiscal year. After discussion, there was general support of Council to have staff pursue compensation increases for staff.

He then reviewed the FY26 budget calendar process.

Throughout the presentation and discussion, City Manager Campbell, Mr. McDowell and Ms. Spangler responded to various questions/comments from Council, some being, but are not limited to: has the City looked at how we align with other certification programs; has staff done an analysis on a 5-year projection for police and fire plans; explanation of how the five-year career ladder for police would look like and what incentives are available; has staff looked at other wage calculations besides the Just Economics living wage; and if so, how do we compare to those other methods; if the step plans had been implemented correctly, what would that cost have been, and how is that different from the cost of this proposal; do we have plans for our Public Works and Water employees because they do not have outside groups advocating for them; if we had done a revaluation this year, what would our revenues/tax rate look like; is this the right year for these pay plan changes; updated vacancy list by department and pay grade; interest in seeing what the hybrid model looks like for individual employees and how many employees are lifted above the living wage with the hybrid option; is Buncombe County freezing wages or are County employees being given a raise; have we considered a bonus option; is the City paying \$250,000 a year for the five electric buses to sit in a lot since they are broken; request to add Strategic Partnership Grant funds back; and since Buncombe County is not contributing to the Reparations Fund in FY26, have we considered swapping those funds for the Strategic Partnership Grant funds.

City Manager Campbell said that those questions that could not be readily answered would be provided to Council in a follow-up document.

At 4:15 p.m., Mayor Manheimer adjourned the budget worksession.

Closed Session

At 4:15 p.m., Councilman Hess moved to go into closed session for the following reasons: (1) to prevent disclosure of information that is privileged and confidential, pursuant to the laws of North Carolina, or not considered a public record within the meaning of Chapter 132 of the General Statutes. The law that makes the information privileged and confidential is N.C.G.S. 143-318.10(a)(1). The statutory authorization is contained in N.C.G.S. 143-318.10 (e); and (2) To consult with an attorney employed by the City about matters with respect to which the attorney-client privilege between the City and its attorney must be preserved, including, but not limited to, providing instruction to an attorney concerning the handling of a claim. The statutory authorization is contained in N.C. Gen. Stat. § 143-318.11(a)(3). This motion was seconded by Councilwoman Ullman and carried unanimously.

At 4:53 p.m., Councilwoman Roney to come out of closed session. This motion was seconded by Councilwoman Turner and carried unanimously.

Tuesday – March 25, 2025 - 5:00 p.m

Regular Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor S. Antanette Mosley; Councilman Bo Hess; 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:

A. PROCLAMATION PROCLAIMING MARCH, 2025, AS “SOCIAL WORK MONTH”

Councilman Hess read the proclamation proclaiming March, 2025, as “Social Work Month” in the City of Asheville. He presented the proclamation to Dr. Kevin Rumley, Buncombe County Veterans Treatment Court Program Director, and others, who thanked City Council for this proclamation.

B. PROCLAMATION PROCLAIMING APRIL, 2025, AS “PARKINSON’S AWARENESS MONTH”

Councilwoman Ullman read the proclamation proclaiming April, 2025, as “Parkinson’s Awareness Month” in the City of Asheville. She presented the proclamation to Ruthy Fricke, and others, who thanked City Council for this proclamation.

C. STARS SERVIN’ UP LOVE RECOGNITION

Vice-Mayor Mosley said “If you build it, they will come...” This phrase indeed describes the efforts of a small group of Asheville locals who came together to forge a response to Hurricane Helene's generational weather damage. This group was led by a recent Asheville transplant, Jim Curley, a 15-year former director of the U.S. Open and a lifetime of tennis event experience. It also includes members and support from Explore Asheville, the Asheville Buncombe Regional Sports Commission, the City of Asheville Staff, and the Asheville Tennis Association. The event they created was called Stars Servin’ Up Love, and their efforts generated over 1 million dollars in donations back to your community. In less than two months, they enlisted tennis greats Andre Agassi, Andy Roddick, Emma Navarro, and Jessica Pegula, as well as celebrities such as Michael Kosta, Jeff Probst, Pete Wentz, and Esai (e-sy) Morales. In addition to the event, there was a nationally simulcasted charity fundraiser on the Tennis Channel and an internationally hosted charity auction featuring sports memorabilia and featured packages. The event even featured a match between our Police Department and Fire Department, which were competing for a chance to play with Agassi and Navarro. Mayor Manheimer had the privilege of sitting in the Umpire Chair and overseeing that latter match. Today, we are gathered to acknowledge the efforts of Jim Curley and the entire Stars Servin’ Up Love team as we give back to the four non-profit organizations designated to receive portions of the event proceeds. The Always Asheville Fund, Asheville Area Habitat for Humanity, United Way of Asheville and Buncombe County, and the Asheville Tennis Association have representatives here today to accept checks to help recover and rebuild our community. Before we hand out the checks, she introduced Chris Smith, President of the Asheville Buncombe Regional Sports Commission, and Jim Curley.

- The Always Asheville Fund aims to help small independent travel & hospitality businesses, and as we know, many of these businesses were devastated by Helene. Here to accept the check for Always Asheville Fund is Matthew Lehman.
- Asheville Area Habitat for Humanity lost a tremendous amount during the hurricane. The ReStore on Swannanoa River Road was closed for more than 5 months. The organization continues to rebound and assist local families with building affordable homes in our community. Here to accept the check is Andy Barnett, CEO, Asheville Area Habitat for Humanity.

- The United Way of Asheville and Buncombe County does so much for our community and has taken a lead in the recovery efforts, working hand-in-hand with the City and other response organizations beginning on day 1 after the storm. Here to accept the check is Dan Leroy, President & CEO, United Way of Asheville and Buncombe County.
- The Asheville Tennis Association is identifying tennis facilities in our region that suffered severe damage from the storm and need help rebuilding. President Mary Ann Myers is here to accept the check.

She thanked everyone involved who helped create this event, bought tickets, volunteered, sponsored the event, and worked to bring this event to life.

II. CONSENT AGENDA:

At the request of Councilwoman Roney, Consent Agenda Item “G 1 and 2, H 1 and 2, H, J and K” were removed from the Consent Agenda for discussion and/or individual votes.

- A. APPROVAL OF THE COMBINED MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON MARCH 6, 2025, AND THE FORMAL MEETING HELD ON MARCH 11, 2025**
- B. RESOLUTION NO. 25-60 - RESOLUTION RATIFYING THE CITY’S EMERGENCY CONTRACT WITH ENVIRONMENTAL TESTING SOLUTIONS FOR THE PROVISION OF LEAD AND COPPER TESTING**

Action Requested: Adoption of a resolution ratifying a contract with Environmental Testing Solutions (ETS) entered into on an emergency basis in the immediate aftermath of Tropical System Helene.

Background:

- Over the course of September 26-29, the City of Asheville experienced unprecedented rainfall both from Tropical Storm Helene, and a predecessor heavy rain event. A state of emergency has been in place in Asheville since September 25th in relation to these damaging storms.
- The damage caused by Helene required an immediate response by the City to secure public safety, provide aid to the community, and secure public infrastructure.
- In responding to this crisis, the City of Asheville entered into emergency contracts to address the needs of the community when those needs exceeded the capacity of City staff.
- Under one such contract, the City engaged Environmental Testing Solutions (ETS), to perform lead and copper analysis on the drinking water due to North Fork Water Treatment Facility not being able to provide corrosion control for an average of 19 days.
- This contract was determined to be necessary in order to address a special emergency involving the health and safety of the people or their property, and therefore exempt under N.C. Gen. Stat. § 143-129(e)(2) from the standard contracting processes in state law.
- This contract was further needed to address an emergency or exigency within the meaning of 2 CFR § 200.320(c)(3).
- The City has processed more than 3,300 lead and copper test kits since November 2024. The City is exceeding the federal and state regulation that ninety percent of samples are below the action level for lead and copper which indicates corrosion control remains effective.

Council Goal(s):

- Clean, Safe, and Healthy Environment

Committee(s):

- None

Pro(s):

- Allowed the City to immediately act to address an emergency without delay.

Con(s):

- None, aside from the expenses incurred.

Fiscal Impact:

- The total cost of this contract is \$350,000, and it is expected that 100% of this expense will be reimbursed by FEMA.

Motion:

- Motion to adopt a resolution ratifying the City's emergency contract with Environmental Testing Solutions (ETS), for the provision of lead and copper testing for the City of Asheville Water Resources Department.

RESOLUTION BOOK NO. 45 - PAGE 358

C. RESOLUTION NO. 25-61 - RESOLUTION TO ENTER INTO A CASHFLOW LOAN PROGRAM WITH THE STATE OF NORTH CAROLINA AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE ASSOCIATED DOCUMENTS

ORDINANCE NO. 5130 - BUDGET AMENDMENT TO BUDGET THE LOAN IN A NEWLY CREATED HELENE CASHFLOW LOAN FUND, AS REQUIRED BY THE LOAN AGREEMENT

Action Requested: Adoption of: 1) a resolution to enter into a cashflow loan agreement with the State of North Carolina and to authorize the City Manager to execute the associated documents; and 2) a budget amendment in the amount of \$2,791,793.35 to budget the loan in a newly created Helene Cashflow Loan Fund, as required by the loan agreement.

Background:

- The North Carolina General Assembly created a \$100 million cashflow loan program under the Disaster Recovery Act of 2024, which was passed on December 11, 2024.
- The goal of the program is to help local governments whose communities were devastated by Hurricane Helene while they wait for federal money to arrive.
- In late February, the City received notice that it was awarded a \$2,791,793.35 loan as part of this program.
- The loan, which is not structured as a forgivable loan due to duplication of benefit concerns with Federal Emergency Management Agency (FEMA) funding, comes with a 0% interest rate and a five-year payback schedule.
- To participate in the cashflow loan program, local governments must execute a loan agreement, promissory note, and other associated agreements with the State.
- Staff is recommending approval of a resolution accepting the first round of loan funding from the State and authorizing the City Manager to execute necessary documents to participate in the loan program.

- The loan agreement requires the City to create a separate fund for the loan proceeds, which therefore requires a budget amendment to also be adopted in order to transfer the loan proceeds to the FEMA project within the City's Special Revenue Fund.

Council Goal(s):

- A Financially Resilient City

Pro(s):

- While the loan can't be utilized to replace revenue that the City lost due to Helene, it will help with overall cash flow and strengthen the City's year-end balance sheet.
- The State has indicated the possibility of multiple rounds of cashflow loan support so acceptance of this first loan will help demonstrate to the State and other potential funders that there is a need for additional Helene-related assistance.

Con(s):

- None

Fiscal Impact:

- As noted above, the City will receive approximately \$2.8 million in cash from the loan to support Helene-related expenses incurred in the current fiscal year.
- The loan is designed to be a cash flow bridge until FEMA reimbursements are received, which will then be used to pay back the loan.

Motion:

- Motion to adopt: 1) a resolution to enter into a cashflow loan agreement with the State of North Carolina and to authorize the City Manager to execute the associated documents, and 2) a budget amendment in the amount of \$2,791,793.35 to budget the loan in a newly created Helene Cashflow Loan Fund, as required by the loan agreement.

RESOLUTION BOOK NO. 45 - PAGE 359

ORDINANCE BOOK NO. 35 - PAGE 189

D. RESOLUTION NO. 25-62 - RESOLUTION AMENDING THE TAX COLLECTION AGREEMENT BETWEEN BUNCOMBE COUNTY AND THE CITY OF ASHEVILLE RELATED TO THE COLLECTION OF TAXES FROM THE CITY OF ASHEVILLE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT (BID)

Action Requested: Adoption of a resolution amending the Tax Collection Agreement between Buncombe County and the City of Asheville related to the collection of taxes from the City of Asheville Downtown Business Improvement District (BID).

Background:

- The City and the County have an existing agreement in place for the County to bill and collect property taxes for the City.
- The County is requesting City approval of an addendum to that agreement to reflect the addition of property tax billing and collection for the City of Asheville Downtown Business Improvement District (BID).
- The County is requesting that the City pay a first year set up and implementation fee for the BID tax district of \$28,592.48 in the current fiscal year.
- In addition, the County is requesting the City pay an annual billing and collection fee of \$26,432.11 beginning in the current fiscal year with an automatic escalation rate of 2.5% for each successive year.

- The cost of these fees will be paid from the taxes collected from the Downtown Business Improvement District (BID).

Council Goal(s):

- A Financially Resilient City

Pro(s):

- Amends the Tax Collections Agreement as requested by Buncombe County.

Con(s):

- The tax collection fee reduces the overall amount of funding available to provide services in the BID.

Fiscal Impact:

- The cost of these fees will be paid from taxes collected from the BID; there will be no General Fund financial impact.

Motion:

- Motion to adopt a resolution amending the Tax Collection Agreement between Buncombe County and the City of Asheville related to the collection of taxes from the City of Asheville Downtown Business Improvement District (BID).

RESOLUTION BOOK NO. 45 - PAGE 360

E. RESOLUTION NO. 25-63 - RESOLUTION RATIFYING A CONTRACT WITH COMPASS GROUP (D/B/A CHARTWELLS) FOR MEALS FOR CITY EMPLOYEES DURING TROPICAL STORM HELENE

Action Requested: Adoption of a resolution ratifying a contract with Compass Group entered into on an emergency basis in the immediate aftermath of Tropical Storm Helene.

Background:

- Over the course of September 26-29, the City of Asheville experienced unprecedented rainfall both from Tropical Storm Helene, and a predecessor heavy rain event. A state of emergency was declared in Asheville on September 25th in relation to the damaging storms.
- The damage caused by Helene required an immediate response by the City and for employees to provide around the clock response to the storm.
- In order to keep essential work moving meals were secured and provided by Compass Group (Chartwells Higher Ed Division)
- From 9/30/24 - 10/11/24 Chartwells at UNCA prepared breakfast, lunch and dinner for City Employees.
 - Meal Preparation: three nutritious meals were provided each day.
 - Packaging: All meals were packaged in appropriate to-go containers that maintained food safety and quality
 - Delivery Coordination: All Meals were prepared for daily pick up by designated City staff
 - A daily review of the menu was completed and deliveries were scheduled on a weekly basis.

Council Goal(s):

- Improve and Maintain Infrastructure and Core Services

Committee(s):

- None

Pro(s):

- Allowed City employees essential to the event to perform needed work to respond to TS Helene.

Con(s):

- None

Fiscal Impact:

- The contract was in place from September 30, 2024 to October 11, 2024 for a cost of \$112,654.47. It is expected that 100% of this expense will be reimbursed by FEMA..

Motion:

- Adoption of a resolution ratifying a contract with Compass Group entered into on an emergency basis in the immediate aftermath of Tropical Storm Helene for meals for city employees.

RESOLUTION BOOK NO. 45 - PAGE 361

F. RESOLUTION NO. 25-64 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WHEREBY THE CITY RECEIVES COMPENSATION FROM BUNCOMBE COUNTY FOR FIRE PROTECTION AND AMBULANCE AND RESCUE SERVICES IN CERTAIN AREAS OF THE COUNTY

Action Requested: Adoption of resolution authorizing an agreement whereby the City receives compensation from Buncombe County for fire protection and rescue services in certain areas of the County.

Background:

- The Biltmore Estate has been served by the City of Asheville Fire Department since 1995 and Haw Creek has been served by the City of Asheville Fire Department since 2009 through contracts with Buncombe County.
- The Asheville Special Fire Protection and Rescue Service District of Buncombe County was established and created effective July 1, 2016. It comprises the Biltmore Estate property, and portions of the Haw Creek District. It is served by the Asheville Fire Department for fire protection, medical response, and rescue services.
- The County levies a special tax in the District and appropriates those funds to the City of Asheville.
- The taxes collected by the County from the District are paid to the City by the last day of each month in twelve equal monthly installments.
- At the end of the fiscal year, the County reconciles the monthly payments made to the City and the actual amounts collected to make a final adjusted payment in July of the following fiscal year.
- The current agreement with the County expired at the end of June 2024, and staff seeks approval of a new agreement with the County, retroactive to July 1, 2024, that will run through the end of the current fiscal year.

Council Goal(s):

- Improve and Maintain Infrastructure and Core Services

Committee(s):

-
- Pro(s):**
- This contract provides revenue for the City of Asheville that is greater than the cost of services.

- Con(s):**
- None

- Fiscal Impact:**
- The agreement will provide reimbursement for services provided to the County, which is already budgeted in the FY2025 Special Revenue Fund.

- Motion:**
- Motion to adopt a resolution authorizing an agreement whereby the City receives compensation from Buncombe County for fire protection and rescue services in certain areas of the County.

RESOLUTION BOOK NO. 45 - PAGE 362

- G. RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE U.S. DEPT. OF JUSTICE 2024 EDWARD BYRNE JUSTICE ASSISTANCE GRANT AND AUTHORIZE THE CITY MANAGER TO SIGN ALL OF THE APPROPRIATE AGREEMENTS**

BUDGET AMENDMENT TO ACCEPT THE 2024 EDWARD BYRNE JUSTICE ASSISTANCE GRANT

These items were removed from the Consent Agenda for discussion and/or individual votes.

- H. RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE 2024 BULLETPROOF VEST PARTNERSHIP GRANT FROM THE U.S. DEPT. OF JUSTICE**

BUDGET AMENDMENT TO ACCEPT THE 2024 BULLETPROOF VEST PARTNERSHIP GRANT

These items were removed from the Consent Agenda for discussion and/or individual votes.

- I. RESOLUTION TO APPLY FOR THE 2026 HIGH INTENSITY DRUG TRAFFICKING AREAS (HIDTA) GRANT ON BEHALF OF THE ASHEVILLE HIDTA BRANCH AND AUTHORIZE THE CITY MANAGER TO SIGN ALL OF THE APPROPRIATE APPLICATION DOCUMENTS**

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

- J. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SAFEGUARD RECRUITING LLC FOR THE CURRENT RENEWAL AND ONE ADDITIONAL YEAR'S OPTIONAL RENEWAL FOR CONTINUING POLICE RECRUITING SERVICES FOR THE ASHEVILLE POLICE DEPARTMENT**

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

K. RESOLUTION AUTHORIZING THE PURCHASING DIRECTOR TO APPROVE NON-COMPETITIVE PROCUREMENT OF SAFARILAND BRAND ITEMS THROUGH THE SOLE SOURCE AUTHORIZED DISTRIBUTOR OF THE PRODUCT IN NORTH CAROLINA, LAWMEN'S DISTRIBUTION LLC

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

L. RESOLUTION NO. 25-70 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE EXISTING MANAGEMENT AND OPERATIONS SERVICES LICENSING AGREEMENT WITH COMMONWEALTH GOLF PARTNERS II - ASHEVILLE FOR THE PURPOSE OF MANAGEMENT OF THE ASHEVILLE MUNICIPAL GOLF COURSE

Action Requested: Adoption of a resolution authorizing the City Manager to execute an amendment to the existing management & operations services license agreement with Commonwealth Golf Partners II - Asheville for the purpose of management of the Asheville Municipal Golf Course.

Background:

- The City of Asheville has owned the property located at 226 Fairway Dr, known as Asheville Municipal Golf Course, since the course opened in 1927, with a brief exception ending in the early 2000's when course ownership was transferred to Buncombe County.
- The City has owned the property consistently since 2006.
- In 2012 the City leased the property to Pope Golf LLC for a total term of 10 years.
- In the fall of 2022, the City filed a lawsuit against Pope Golf LLC for failure to pay rent payments as required within the lease agreement.
- The City elected not to renew an agreement with Pope Golf LLC and conducted an RFQ for a new management company.
- In total twelve companies submitted responses for varying types of operations agreements.
- Commonwealth Golf Partners II - Asheville (CGPA) was selected as the most qualified company for the City's needs in operation of the course.
- The City entered into a Management & Operations Services License Agreement with CGPA for a term of up to 10 years, beginning October 1, 2022.
- The agreement with CGPA provides the City with the ability to dictate maintenance levels for the course and retain control of maximum allowable green fee and passholder rates.
- Prior to the storm the agreement required a financial risk within the operation of the course, both for the City and CGPA.
 - In the case of a quarterly loss, the City was responsible for 65% of losses, CGP responsible for 35%.
 - In the case of a quarterly profit CGP earned 100% of the first \$5,000 and then 55% of remaining net revenue, City earned 45% of all net revenues after the first \$5,000.
- The course recently completed a \$2.8 million restoration in August 2024.
- Throughout construction CGPA accepted and covered operations losses per contract.
- The last two financial quarters prior to tropical storm Helene were profitable, showing the revenue share model created for the agreement worked.
- The course incurred significant damage to holes one through nine as a result of flooding caused by tropical storm Helene.

- CGPA acted quickly clearing numerous downed trees and other hazards throughout holes ten through eighteen to reopen the course as a nine-hole golf course beginning October 28, 2024.
- CGPA has made clear their desire to continue operating the course for the City and to return to a revenue share model when the course is able to reopen as an 18 hole course, however they cannot continue the revenue share model with a 9 hole course.
- In December 2024 City Council approved a temporary amendment to the existing agreement effective through March 31, 2025 to allow time for staff to bring to Council suggested long term plans for the course and the license agreement.
- Pro forma projections forecast the course operating at a loss of approximately \$420,000 per fiscal year until the course reopens as an 18 hole course.
- Best case, realistic timeline for the restoration project shows the course reopening in the summer of 2027.
- This current proposed amendment will adjust the following items within the agreement through the length of the term.
- Term:
 - 7 years, beginning April 1, 2025 with 3 year mutually agreeable extension and applicable opt out clauses throughout.
- Revenue share while a 9 hole operation:
 - COA to cover 100% of net losses up to \$350,000
 - CGP to cover 100% of net losses beginning at \$350,001
- Revenue share after reopening as an 18 hole course:
 - After the first \$5,000 quarterly a 65(CGP)/35(COA) revenue share of profits; a 35(CGP)/65(COA) split if losses.
- Facility Maintenance Fee:
 - Charged at up to \$2 per round, all collected fees reinvested in the course via the capital maintenance program.
- Protected Events:
 - All pre-existing protected tournaments and Buncombe County schools events remain protected.
- Youth Programming:
 - Requirement to maintain and grow Youth on Course and PGA juniors programs.

Council Goal(s):

- Thriving Local Economy
- Well Planned & Livable City
- Equitable & Diverse Community
- Neighborhood Resilience

Committee(s):

- None

Pro(s):

- Allows the City to dictate expense controls, rates and revenue management
- Allows the course to remain open to the public
- Caps the City's financial exposure to the operation of the facility.

Con(s):

- Funding for the course is not currently identified in the annual operating budget.

Fiscal Impact:

- Funding of \$34,000 is available in the FY2025 General Fund operating budget.
- FY2026 and potentially future years will have a maximum cost of \$350,000 until the course reopens as an 18 hole course. Funding will be budgeted in future years.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute an amendment to the existing management & operations services license agreement with Commonwealth Golf Partners II - Asheville for the purpose of continued management of the Asheville Municipal Golf Course.

RESOLUTION BOOK NO. 45 - PAGE 368

M. RESOLUTION NO. 25-71 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MOTT MCDONALD I&E, LLC FOR THE PAVEMENT CONDITION SURVEY CONTRACT

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Mott McDonald I&E, LLC in the not-to-exceed amount of \$243,063.00 for a Pavement Condition Survey contract

Background:

- The Public Works Streets Division has a pavement condition survey performed every five years.
- The survey will evaluate the presence and severity of cracking, potholes, defective patches, surface defects and roughness.
- This information will be used to produce a numerical score that reflects the condition of the road.
- This process will be used on all roads to ensure uniform evaluation of the entire road system.
- The data collected is entered into the Division's pavement management software.
- This software is used to help select the roads that are included in the Streets Division's annual resurfacing contract. The software selection algorithm uses the scoring information to select roads based upon the most economical path to increasing the overall system pavement condition score.
- Staff also takes factors such as complaints, traffic volume and the amount of private/utility construction to make the final road selections.
- A request for qualifications was issued on February 13, 2024, and responses were due by March 5, 2024.
- 8 responses were received:
 - Applied Pavement Technology, Inc. from Urbana, Illinois
 - AtkinsRealis from Orlando, Florida
 - ESP Associates, Inc. from Fort Mill, South Carolina
 - IMS Infrastructure Management Services from Largo, Florida
 - Mott McDonald I&E, LLC from Raleigh, NC
 - S & ME, Inc. from Raleigh, NC
 - Transmap Engineering, PLLC from Columbus, Ohio
 - Transystems from Raleigh, NC
- A committee consisting of Public Works staff from the Streets Division and Asset Management Division deemed Mott McDonald I&E, LLC to be the best qualified firm based upon their submission.
- Public Works staff negotiated tasks to be performed by the consultant to reach a not-to-exceed price of \$243,063.00.
- Negotiations of the contract were delayed through spring and summer due to scheduling conflicts with Mott McDonald staff and COA staff availability.
- These conflicts caused the negotiation process to take longer than anticipated.

- This contract was slated for approval in October but was again delayed due to Tropical Storm Helene and the onset of fall and winter making performing the survey impractical.
- Mott McDonald has honored their pricing after the storm delays.

Vendor Outreach Efforts:

- Staff performed outreach to minority and women owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- Staff also used the City of Asheville ABI Vendor spreadsheet and the NCDOT Vendor Database. One MWBE firm was located and directly contacted. This firm did not submit their qualifications.
- The selected firm of Mott McDonald I&E, LLC will use one subcontractor - ARRB Systems. This firm is not an MWBE.

Council Goal(s):

- Transportation and Accessibility

Committee(s):

- N/A

Pro(s):

- The data will provide updated information and aid City staff with road resurfacing decisions to optimize City funds.

Con(s):

- None

Fiscal Impact:

- Funding for this contract was budgeted in the FY25 budget and is available within the Street Maintenance Project in the General Capital Projects Fund.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute a contract with Mott McDonald I&E, LLC in the not-to-exceed amount of \$243,063.00 for a Pavement Condition Survey contract.

RESOLUTION BOOK NO. 45 - PAGE 370

N. RESOLUTION NO. 25-72 - RESOLUTION RATIFYING A SUPPLEMENTAL EQUIPMENT CONTRACT WITH CAROLINA 1926 LLC (D/B/A CAROLINA CAT)

Action Requested: Adoption of a resolution ratifying Public Works' supplemental contract with Carolina 1926 LLC (DBA Carolina Cat) and all prior spending and future spending under that contract, for a total authorized not-to-exceed amount of \$300,000, for equipment rental services needed for TS Helene-related recovery efforts.

Background:

- The City entered into the following contract on July 22, 2024: Contract No. 92500001, the Master Contract for On-Call Rental Equipment Services with Carolina 1926 LLC DBA Carolina Cat.

- Over the course of September 26-29, the City of Asheville experienced unprecedented rainfall both from Tropical Storm Helene and a predecessor heavy rain event, resulting in catastrophic damage, primarily from the ensuing flooding and landslides.
- A state of emergency went into effect in Asheville on September 25th in relation to these damaging storms.
- The equipment needed for recovery efforts exceeded that which was available of the City's internal capacity, rendering it necessary to rent certain equipment.
- The \$85,000 not-to-exceed limit was projected to be reached sooner than anticipated due to Tropical Storm (TS) Helene recovery efforts, and thus an amendment to increase the limit to \$170,000 was fully executed on December 31, 2024.
- It was then determined that in order to maximize potential eligibility for FEMA reimbursement, a supplemental contract with TS Helene-specific federal terms and conditions and any applicable certifications should be executed.
- Public Works determined that the supplemental contract should have a not-to-exceed amount of \$300,000 in order to be sufficient for the department's TS Helene-related equipment rental needs.

Vendor Outreach Efforts:

- This is a supplemental contract to Contract No. 92500001, the Master Contract for On-Call Rental Equipment Services with Carolina Cat.
- At the time the master contract was initially advertised, staff performed outreach to minority and women-owned businesses through solicitation processes, which included posting on the State's Electronic Vendor Portal (eVP) and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for any subcontracted services.
- No MWBE firms submitted bids with the prime contractor and all work will be self-performed by the prime contractor.

Council Goal(s):

- Improve and Maintain Infrastructure and Core Services
- Clean, Safe, and Healthy Environment

Committee(s):

- None

Pro(s):

- Public Works will continue to be able to access equipment needed to complete TS Helene-related recovery efforts via rental on an as-needed basis.
- The City will not need to purchase various equipment that may only be needed for short or intermittent periods.

Con(s):

- None.

Fiscal Impact:

- The fiscal impact will vary depending upon utilization, but will not exceed the contract limit of \$300,000.
- Each rental will be paid from the funds allocated to Public Works for the purposes of TS Helene-related expenses.
- Rentals used for recovery related to TS Helene are expected to be eligible for FEMA reimbursement.

Motion:

- Move to adopt a resolution ratifying the City's Public Works Department's supplemental contract with Carolina 1926 LLC (DBA Carolina Cat) and all prior spending and future spending under that contract, for a total authorized not-to-exceed amount of \$300,000, for equipment rental services needed for TS Helene-related recovery efforts.

RESOLUTION BOOK NO. 45 - PAGE 371

O. RESOLUTION NO. 25-73 - RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW A SERVICE CONTRACT WITH K2 IRRIGATION OF ASHEVILLE, NC, FOR IRRIGATION MAINTENANCE SERVICES IN CITY PARKS

Action Requested: Adoption of a resolution authorizing the City Manager to renew a contract with K2 Irrigation Services, INC., of Asheville, N.C. for irrigation maintenance within parks.

Background:

- The Parks & Recreation Department maintains over 11 Irrigation systems throughout the parks during the months of March through October.
- A Request for Proposals was advertised in 2022 for interested companies to provide irrigation maintenance services for (1) year with an option to renew for an additional (2) years.
- K2 Irrigation Services, INC., was selected based on the lowest bid costs, qualifications, understanding of the scope of services and availability.
- The contractor will provide all labor, materials, and supplies for the operations and management for irrigation maintenance services, ensuring the priority parks will be operated 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 proposal submitted including zero minority and zero woman owned business.
- The selected company is not a Minority or Women-Owned Business Enterprise (MWBE).
- The contractor was selected based on the lowest most responsive and responsible bid.

Council Goal(s):

- Improve and Expand Core Services

Committee(s):

- None

Pro(s):

- Contracting with a professional landscape irrigation company will allow for consistent, efficient maintenance
- Reduces the seasonal hiring impacts on the Human Resources/Parks & Recreation Departments to recruit, hire and on-board temporary/seasonal employees.

Con(s):

- None

Fiscal Impact:

- Funding for this contract exists within the currently approved Parks & Recreation Department operating budget.

Motion:

- Motion to authorize the City Manager to renew a service contract with K2 Irrigation Services, INC. of Asheville, NC for irrigation maintenance services in City Parks for a 3rd & final-year contract renewal of a not-to-exceed amount of \$96,093.

RESOLUTION BOOK NO. 45 - PAGE 372

P. RESOLUTION NO. 25-74 - RESOLUTION AUTHORIZING THE DONATION OF DECOMMISSIONED EV CHARGERS TO APPALACHIAN STATE UNIVERSITY

Action Requested: Resolution authorizing the City Manager to donate decommissioned EV chargers to Appalachian State University

Background:

- In 2020 the charging station equipment began to malfunction. The vendor was unable to repair, remove, or replace the non-operational EV equipment and offered to donate the equipment to the City.
- On May 31, 2022 City Council passed [Resolution 21-230](#) agreeing to receive the donation.
- The non-functional donated charging equipment was removed and has been in storage.
- The chargers would be donated to Appalachian State University which would distribute them to to-be-determined community colleges for a new workforce development training/curriculum around EV charging installation and maintenance as part of the STEP4GROWTH and EVeryone Charging Forward programs, which are run by the NC Business Committee on Education.
- The donation would include the following equipment:
 - One (1) Signet DCFC Charger
 - Two (2) ChargePoint Level 2 Chargers
- If the equipment is not donated, staff would need to start the dispossession process which includes transporting chargers to a salvage yard or to the landfill.

Council Goal(s):

- Clean, Safe and Healthy Environment

Committee(s):

- None

Pro(s):

- Avoid sending chargers to a salvage yard or the landfill and instead allow them to be used for training NC Community College students to repair chargers.

Con(s):

- None

Fiscal Impact:

- No anticipated fiscal impact

Motion:

- Motion to approve the donation of the decommissioned EV chargers to Appalachian State University and authorize the City Manager to sign off on all documents necessary to give effect to this Resolution.

RESOLUTION BOOK NO. 45 - PAGE 373

Q. RESOLUTION NO. 25-75 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND EXISTING SUBRECIPIENT AGREEMENTS WITH MOUNTAIN PROJECTS AND EXPEND AND DISBURSE FEDERAL TRANSIT ADMINISTRATION GRANTS FROM FISCAL YEAR 2019 FROM SECTION 5307 JOB ACCESS REVERSE COMMUTE FUNDING

Action Requested: Adopt a resolution authorizing the City Manager to amend existing subrecipient agreements with Mountain Projects and expend and disburse Federal Transit Administration Grants from Fiscal Year 2019 from Section 5307 Job Access Reverse Commute Funding.

Background:

- Mountain Projects is Haywood County's contracted transit operator that provides transit services throughout Haywood County.
- The City of Asheville's Transit Division is the Designated Recipient for Federal Transit Administration grants, meaning that the City administers all federal transit grants on behalf of the region's transit systems, including Haywood County, Henderson County, Buncombe County, and others.
- Funds intended for other agencies are budgeted in the City's budget and then disbursed to the grant subrecipient under a subrecipient agreement.
- This action authorizes the disbursement of FY 2019 Job Access Reverse Commute funds and execution of all necessary amendments to the existing agreement between the City of Asheville and Mountain Projects to allow for such disbursement.

Vendor Outreach Efforts:

- This is an existing agreement between the City and Mountain Projects.

Council Goal(s):

- Transportation and accessibility

Committee(s):

- None

Pro(s):

- The authorization will allow the City to process reimbursement requests for the City's Transit Subrecipient.

Con(s):

- None

Fiscal Impact:

- No Fiscal Impact.
- The \$206,091 amount the Federal Transit Administration (FTA) allocated to Mountain Projects remains unchanged and are pass-through funds.

Motion:

- Motion to adopt a resolution authorizing the City Manager to amend existing subrecipient agreements with Mountain Projects and expend and disburse Federal Administration Grants from Fiscal Year 2019 from Section 5307 Job Access Reverse Commute Funding.

RESOLUTION BOOK NO. 45 - PAGE 374

R. RESOLUTION NO. 25-76 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH BUNCOMBE COUNTY FOR THE FEDERAL ADMINISTRATION MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO THE HAZARD MITIGATION GRANT PROGRAM

Action Requested: Adoption of a resolution authorizing the City Manager to enter into an interlocal agreement with Buncombe County for the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP), and authorizing the City Manager to execute all documents related to the Hazard Mitigation Grant program.

Background:

- The Helene Hazard Mitigation Program (HMGP) is funded by FEMA and is currently administered utilizing the state-centric model.
- Buncombe County receives applications from the State that have been approved by FEMA for properties located within the county and municipalities.
- Buncombe County provides each municipality with a list of applications for review, information for each individual property and retains the second right of refusal should the municipality decline to accept an application.
- Mitigation priorities focus on risk reduction, resilient infrastructure, floodplain conservation, and future mitigation planning.
- The program supports private property owners in property acquisition, elevation, reconstruction, and landslide mitigation.
- Local governments decide on property acquisitions, with the city retaining the right to approve or refuse decisions.
- Property transferred to the City through this program must remain a property of the city in perpetuity and will be deed restricted for passive open space use per the program requirements.
- An interlocal agreement with Buncombe County is required to facilitate the transfer of buyout properties within the City of Asheville.

Council Goal(s):

- Clean, Safe and Healthy Environment
- Well-planned and Livable Community

Committee(s):

- None

Pro(s):

- Allows the City to participate in the Hazard Mitigation Grant Program and execute documents relevant to participation in the program.
- State centric model removes costs to the city to acquire and conduct demolition on acquisition parcels.

Con(s):

- Property acquired through this program will remove housing and commercial building stock, reduce tax revenue potential from these parcels and require ongoing maintenance.

Fiscal Impact:

- This action requires no City resources and has no fiscal impact.
- Parcels transferred to the City will require costs for any further investment and maintenance.

Motion:

- Motion to adopt a resolution authorizing the City Manager to enter into an interlocal agreement with Buncombe County to participate in the Hazard Mitigation Grant Program, and authorizing the City Manager to execute all documents related to the Hazard Mitigation Grant Program.

RESOLUTION BOOK NO. 45 - PAGE 375

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 Ullman moved for the adoption of the Consent Agenda with the deletion of Consent Agenda Items “G 1 and 2, H 1 and 2, I, J and K”. This motion was seconded by Councilwoman Turner and carried unanimously.

ITEMS REMOVED FROM THE CONSENT AGENDA FOR INDIVIDUAL VOTES

G. RESOLUTION NO. 25-65 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE U.S. DEPT. OF JUSTICE 2024 EDWARD BYRNE JUSTICE ASSISTANCE GRANT AND AUTHORIZE THE CITY MANAGER TO SIGN ALL OF THE APPROPRIATE AGREEMENTS

ORDINANCE NO. 5131 - BUDGET AMENDMENT TO ACCEPT THE 2024 EDWARD BYRNE JUSTICE ASSISTANCE GRANT

Action Requested: Adoption of a resolution authorizing the City Manager to accept the United States Department of Justice (DOJ) 2024 Edward Byrne Justice Assistance (JAG) Grant and authorize the City Manager to sign all of the appropriate agreements, and adopt a budget amendment in the City’s Special Revenue Fund in the amount of \$71,999.

Background:

- The City of Asheville receives an annual opportunity to apply for a Department of Justice (DOJ), Edward Byrne Justice Assistance Grant.
- The DOJ has preliminarily determined that the Asheville Police Department (APD) is eligible to receive a 2024 award of \$71,999 which is allocated to the APD and the Buncombe County Sheriff’s Office in the amounts of \$58,689 and \$13,310 respectively.
- APD will use the funds to help outfit a Real Time Intelligence Center (RTIC).
- 00Items to be purchased include a video wall, workstations, chairs, elevated desktops, and mobile base stations.
- Buncombe County will use the funds to purchase AED equipment packages for sworn personnel.

Vendor Outreach Efforts:

- Not applicable; Federally funded grant opportunity

Council Goal(s):

- A Connected and Engaged Community

Committee(s):

- Previously presented to and approved by the Environment & Safety Committee on 9/24/24 to apply for the grant.

Pro(s):

- Ensures the ability to better protect the safety of the residents of Asheville and Buncombe County.

Con(s):

- None

Fiscal Impact:

- Matching funds are not required for this grant.

Motion:

- Motion to adopt a resolution authorizing the City Manager to accept the United States Department of Justice (DOJ) 2024 Edward Byrne Justice Assistance (JAG) Grant and authorize the City Manager to sign all of the appropriate agreements, and adopt a budget amendment in the City's Special Revenue Fund in the amount of \$71,999.

Two individuals spoke against the City accepting the 2024 Edward Byrne Justice Assistance Grant.

Councilwoman Roney said that there are significant legal and social concerns about real-time intelligence and FUSUS, including 29 questions I compiled and submitted to staff and my colleagues on Council In the absence of Council committees and advisory committee meetings for input on what a real-time intelligence center means for our community. She spoke with legal experts and agreed that more time is needed for analysis and recommends that we delay this vote to a future agenda. She asked if anyone shares her concern on these questions during this moment, especially the security of the data and privacy of our residents and the implications of how this federally-funded equipment might not be used exclusively by our staff.

Councilman Hess said “Just to be clear, The Real Time Intelligence Center already exists. We’re not buying surveillance—we’re buying chairs and workstations for officers to do their job. When I speak to the BIPOC, LGBTQ+ residents, and our unhoused neighbors, they are the most vulnerable to vigilante violence. When you responsibly deploy tech—like drones or real-time intelligence—you’re not militarizing a community, you’re actually de-escalating risk. You’re removing the need to send an officer blindly into a dangerous situation. That lowers the chance of use-of-force incidents. But Councilwoman Roney, I am so glad you brought up Durham. I respect what Durham is doing—but let’s not cherry-pick. Durham uses a Real Time Intelligence Center. They use ShotSpotter. They’ve integrated tech and public health together. They didn’t throw out public safety—they modernized it. That’s what we’re doing here in Asheville too. I don’t think we can praise Durham’s HEART program and ignore that they also use tech, intel centers, and federal safety grants. The same things we are using here in Asheville. Yes, Durham has embraced data-driven public safety tools. Their Community Safety Department works alongside tech-enhanced policing and public health approaches. RTIC-style systems are integrated with their ShotSpotter and gun violence and domestic violence prevention initiatives, especially in neighborhoods requesting help. So Durham’s HEART program works alongside law enforcement not instead of. We need to be truthful with our constituents, this already exists and this actually de-escalates risk.

“And so, Thank you, Councilmember Roney, for your continued commitment to discussing public safety and community well-being. I appreciate any dialogue that centers on how we protect and serve Asheville's residents. That said, I believe it's important for us as leaders to ground these conversations in transparency, facts, and collaboration—not fear or misinformation. Let me be absolutely clear: The City of Asheville is not spending discretionary local funds on the grants in question. These are federal grants and designated resources we've pursued to enhance safety and capacity—resources our officers, first responders, and community partners have asked for and need.

“Let's talk specifics: (1) The JAG Grant helps outfit our Real Time Intelligence Center. The funding buys basic infrastructure—desks, chairs, workstations—not surveillance tech. That center has already been established and has already helped apprehend dangerous individuals quickly, often in places where our most vulnerable live—along the greenway, in abandoned lots, and near shelters. The request came not from government, but from women, BIPOC, and LGBTQIA residents concerned for their safety. Let's not dismiss those voices; (2) The Bulletproof Vest Partnership Grant will provide critical safety gear to officers whose vests are expiring. This protects the people who protect us. As public servants, we have a duty to ensure their safety—especially when 50% of the cost is covered by the DOJ and the rest is already in the budget; (3) The headset equipment for our Emergency Response Team is essential for communication during natural disasters and rescues—like during Hurricane Helene. These are modest investments with major impacts in saving lives; (4) The HIDTA grant targets regional, high-level trafficking operations—this isn't about criminalizing addiction or low-level possession. Asheville acts only as the fiduciary for a multi-agency WNC task force. This helps keep meth and fentanyl from devastating our neighborhoods; and (5) The recruitment contract we're renewing has already brought in 30 new cadets and is essential to closing our staffing gap. We have 67 vacancies. With continued momentum, we can have a fully staffed, well-trained force ready to serve the entire city. Let me be clear: public safety and community care are not mutually exclusive. I support our firefighters, our community paramedics, and yes—our police officers. Over 95% of our APD officers are trained in crisis intervention for mental health, addiction, and de-escalation. That's something we should be proud of. We are building a holistic model—supporting first responders, expanding shelter beds, strengthening partnerships with the county, investing in violence interrupters, and keeping neighborhood grants at current levels to ensure boots-on-the-ground programming continues. We are doing this while recovering from a major storm and under budget constraints. I support a conversation about HEART-like programs in Asheville. But let's not pretend we're doing nothing—we are doing the work. What we need is not more division, but good governance and collaboration. Let's come to the table with solutions, not just slogans. Let's focus less on performative politics and more on what actually works for the people of Asheville. Our residents want safe streets, supportive services, thriving wages for first responders, and trust in government. That takes us all to work together. That's what I'm committed to.”

Councilwoman Roney said that Councilman Hess has implied that she is not telling the truth, the truth is that we are cutting the neighborhood grants. We are also cutting and eliminating, unless something changes, the Strategic Partnership funds, which provides funds for our youth. We also have \$1.2 Million in new tax for a business improvement district downtown. And the need that was named was to increase safety in our community and safety has been explicitly cut from that program because she was in the same meeting that Councilman Hess was last week. Additionally, yes, Durham has a lot more tools than we do right now, but we are not funding behavioral health crises, homelessness, and intimate partner violence and youth violence programs like we could, because we just keep doing business as usual. Obviously this conversation needs to be continued and she looks forward to our City Council committees returning.

Police Chief responded to various questions from Councilwoman Roney, including, but not limited to: concern that data will not only be used by the Asheville Police Department, but also the company we contract with; do we currently have real-time intelligence set up similar to the Sheriff's Department; confirmation that we have not received the funding to install software for the real time intelligence; confirmation metadata, whether it's business or the Ring camera at your home can be optioned to feed into the public's real time intelligence center data, only with your permission and the permission of the company (i.e., Ring); and even though we are not living in the reality now, in the future the federal government might use that metadata to look for someone undocumented.

Councilman Hess moved to adopt a resolution authorizing the City Manager to accept the United States Department of Justice (DOJ) 2024 Edward Byrne Justice Assistance (JAG) Grant and authorize the City Manager to sign all of the appropriate agreements, and adopt a budget amendment in the City's Special Revenue Fund in the amount of \$71,999. This motion was seconded by Councilwoman Ullman and carried on a 6-1 vote, with Councilwoman Roney voting "no."

**RESOLUTION BOOK NO. 45 - PAGE 363
ORDINANCE BOOK NO. 36 - PAGE 190**

**H. RESOLUTION NO. 25-66 - RESOLUTION AUTHORIZING THE CITY
MANAGER TO ACCEPT THE 2024 BULLETPROOF VEST PARTNERSHIP
GRANT FROM THE U.S. DEPT. OF JUSTICE**

**ORDINANCE NO. 5132 - BUDGET AMENDMENT TO ACCEPT THE 2024
BULLETPROOF VEST PARTNERSHIP GRANT**

Action Requested: Adoption of a resolution authorizing the City Manager to accept the 2024 Bulletproof Vest Partnership (BVP) Grant from the United States Department of Justice and adopt a budget amendment in the City's Special Revenue Fund in the amount of \$58,546.94.

Background:

- The City of Asheville receives an annual opportunity to apply for a U.S. Department of Justice (DOJ), Bulletproof Vest Partnership (BVP) Grant.
- The DOJ has preliminarily determined that the Asheville Police Department (APD) is eligible to receive a 2024 award of \$29,273.47 which requires a dollar-for-dollar match by the City.
- Bulletproof vests expire after 5 years, and during the life of this grant 43 current officer's vests will expire and require replacement.
- The funding will allow the purchase of 73 bulletproof vests over the two-year life of the grant. This allows for APD to use the grant for 30 newly hired officer's vests as well.

Vendor Outreach Efforts:

- Not applicable; Federally funded grant opportunity

Council Goal(s):

- A Connected and Engaged Community

Committee(s):

- Previously presented to and approved by the Environment & Safety Committee on 3/26/24 to apply for the grant.

Pro(s):

- Increases officer safety by providing crucial safety equipment.
- Reduction in cost to the City of Asheville for the purchase of bulletproof vests

Con(s):

- None

Fiscal Impact:

- Funding for the required \$29,273.47 local match has been identified within the current fiscal year Asheville Police Department operating budget.
- This grant offsets the cost of equipment replacement that would otherwise be borne in full by the City.

Councilwoman Roney said that regarding Consent Agenda Items “H -K”, bullet proof vests are necessary for our police department. Her vote on Items H-K reflect her continued commitment to prioritize funding to bring a HEART program to Asheville with a community safety department like Durham and now Fayetteville have but we don't yet and need, as well as my concern about the lack of adequate funding for qualified specialists to be deployed to the real, serious public safety issues we have around behavioral health crises, substance use, homelessness, and the need to reduce intimate partner violence and gun violence among our youth. These crises are not yet a budget priority, but she hears the community expects they should be and that's why she is fiscally and morally responsible to use the weight of her vote to put pressure on the rudder of the ship to move us in a direction for transparency and accountability in our budgets, plans, and policies, and to invest in a hopeful, healthy, and safe future for the people who live, work, and visit Asheville.

Vice-Mayor Mosley moved to adopt a resolution authorizing the City Manager to apply for and accept the 2024 BVP Grant from the U.S. Dept. of Justice; and adopt a budget amendment in the City's Special Revenue Fund in the amount of \$58,546.94. This motion was seconded by Councilwoman Ullman and carried on a 6-1 vote, with Councilwoman Roney voting “no.”

**RESOLUTION BOOK NO. 45 - PAGE 364
ORDINANCE BOOK NO. 36 - PAGE 191**

I. RESOLUTION NO. 25-67 - RESOLUTION TO APPLY FOR THE 2026 HIGH INTENSITY DRUG TRAFFICKING AREAS (HIDTA) GRANT ON BEHALF OF THE ASHEVILLE HIDTA BRANCH AND AUTHORIZE THE CITY MANAGER TO SIGN ALL OF THE APPROPRIATE APPLICATION DOCUMENTS

Action Requested: Adoption of a resolution to apply for the 2026 High Intensity Drug Trafficking Areas (HIDTA) Grant on behalf of the Asheville HIDTA branch in the amount of \$154,638.00.

Background:

- The purpose of the HIDTA program is to reduce drug trafficking and especially production in the United States, specifically in areas where drug-related activities are having a significant harmful impact.
- This unit does not focus on, or adopt cases, that are for simple possession, but focuses only on cases that deal in trafficking, manufacturing, and distribution of illegal drugs.
- The Asheville Police Department acts only as the fiduciary for the grant.
- When expenses are incurred, the fiduciary settles the claims using appropriated City of Asheville funds and then requests a 100% reimbursement from the federal government.
- The Asheville HIDTA is the direct beneficiary of the grant funds and not the Asheville Police Department.

- The Asheville HIDTA is comprised of members of the United States Drug Enforcement Administration, one officer from the Asheville Police Department, and various individuals from the Sheriff Offices of several Western North Carolina Counties.
- A United States Drug Enforcement Administration supervisor, who is the Asheville HIDTA manager, determines how grant funds will be expended.
- All members of the Asheville HIDTA receive reimbursement when they incur qualified expenses conducting Asheville HIDTA business.
- The Office of National Drug Control Policy has determined that the City of Asheville is eligible to manage this grant totaling \$154,638.00.
- Grant funds are used for overtime, travel, services and supplies.
- All expenses are tracked and audited by local and federal authorities.

Vendor Outreach Efforts:

- None. Funding for this grant is provided by the Office of National Drug Control Policy (ONDCP).

Council Goal(s):

- A Connected and Engaged Community

Committee(s):

- N/A

Pro(s):

- Fosters partnerships with federal and local law enforcement agencies.

Con(s):

- None

Fiscal Impact:

- Matching funds are not required for this grant.

One individual spoke about the 2026 High Intensity Drug Trafficking Areas Grant.

Vice-Mayor Mosley moved to a resolution to apply for the 2026 High Intensity Drug Trafficking Areas (HIDTA) Grant on behalf of the Asheville HIDTA branch in the amount of \$154,638.00. This motion was seconded by Councilwoman Ullman and carried on a 6-1 vote, with Councilwoman Roney voting “no.”

RESOLUTION BOOK NO. 45 - PAGE 365

J. RESOLUTION NO. 25-68 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SAFEGUARD RECRUITING LLC FOR THE CURRENT RENEWAL AND ONE ADDITIONAL YEAR’S OPTIONAL RENEWAL FOR CONTINUING POLICE RECRUITING SERVICES FOR THE ASHEVILLE POLICE DEPARTMENT

Action Requested: Adoption of a resolution authorizing the City Manager to enter into an agreement with Safeguard Recruiting LLC for the current renewal and one additional year’s optional renewal for continuing Police Recruiting Services for the Asheville Police Department.

Background:

- The Asheville Police Department (APD) entered into a contractual agreement with Safeguard Recruiting LLC on 05/01/2024 for police recruiting services.
- The initial contract year ends on 04/30/2025.

- The APD has two one-year renewals available on the contract and would like approval to renew each year at our discretion.
- APD already includes this expense in the annual budget process, and additional funding is not required.
- Since the start of the Safeguard contract in May 2024, Safeguard received 1,394 interest form submissions from candidates seeking employment. Of those, 100 formally applied through the City of Asheville and participated in applicant testing.
- During this period, APD has hired 19 applicants.

Vendor Outreach Efforts:

- A Request For Proposal (RFP) was posted by the City of Asheville's Purchasing Department in January 2024 to solicit proposals for the recruiting service. The winning bidder was not an MWBE.

Council Goal(s):

- A Connected and Engaged Community

Committee(s):

- N/A

Pro(s):

- A proven strategy and marketing plan was developed to attract diverse applicants from a large audience
- Collaborating with an experienced police recruiting consultant assists the APD in reaching exceptional applicants through a nationwide online recruiting campaign

Con(s):

- Continued annual cost of contracting

Fiscal Impact:

- Funding for the current year of this contract (\$67,200) is available in the Asheville Police Department operating budget.
- The total contract amount over a 3-year period will be approximately \$215,100.

Vice-Mayor Mosley moved to adopt a resolution authorizing the City Manager to enter into an agreement with Safeguard Recruiting LLC for the current renewal and one additional year's optional renewal for continuing Police Recruiting Services for the Asheville Police Department. This motion was seconded by Councilwoman Ullman and carried on a 6-1 vote, with Councilwoman Roney voting "no."

RESOLUTION BOOK NO. 45 - PAGE 366

K. RESOLUTION NO. 25-69 - RESOLUTION AUTHORIZING THE PURCHASING DIRECTOR TO APPROVE NON-COMPETITIVE PROCUREMENT OF SAFARILAND BRAND ITEMS THROUGH THE SOLE SOURCE AUTHORIZED DISTRIBUTOR OF THE PRODUCT IN NORTH CAROLINA, LAWREN'S DISTRIBUTION LLC

Action Requested: Adoption of a Resolution authorizing the Purchasing Manager to approve non-competitive procurement of Safariland brand items through the sole authorized distributor of the product in North Carolina, Lawmen's Distribution LLC.

Background:

- Safariland brand items are approved by the Asheville Police Department as required uniform items per APD policy.
- The items are low cost per unit, but APD occasionally must buy bulk quantities of items for sworn officers.
- Competitive procurement of Safariland brand items is not possible as Lawmen's Distribution LLC has been deemed the only distributor authorized to sell them in North Carolina by the Safariland manufacturer.
- Expected purchases for FY26 include:
 - ERT Communications sets for up to 4 new members (\$8,000)
 - Suppressors for up to 4 new ERT members (\$3,000)

Vendor Outreach Efforts: None - Sole Source

Council Goal(s): A Connected and Engaged Community

Committee(s): N/A

Pro(s): Allows for standardization of officer uniform equipment

Con(s): Non-competitive procurement of items.

Fiscal Impact:

- The fiscal impact is dependent on the equipment needs of the department which may change throughout the year. The department will utilize existing funds for all purchases.
- Examples of past purchases include:
 - Communication headsets for specialty units (i.e. Emergency Response Team (ERT), Bomb Squad) - \$200 each
 - Suppressors for ERT - \$750 each
 - Misc standard issue uniform accessories (badges, holsters, wallet clips, etc)

Vice-Mayor Mosley moved to adopt a resolution authorizing the Purchasing Manager to approve non-competitive procurement of Safariland brand items through the sole authorized distributor of the product in North Carolina, Lawmen's Distribution LLC. This motion was seconded by Councilwoman Ullman and carried on a 6-1 vote, with Councilwoman Roney voting "no."

RESOLUTION BOOK NO. 45 - PAGE 367

III. PRESENTATIONS & REPORTS:

A. MANAGER'S REPORT

City Manager Campbell said that today we honor and recognize the outstanding achievements/recognitions of a few of our exemplary City employees. This will include recognitions for the following: (1) 2025 People of Action Water Sanitation and Hygiene Award Presented by the Asheville Rotary Club to our Water Resources staff; and (2) Asheville Firefighters who have supported multiple other communities since January by providing Hazardous Materials Response, Swift Water Rescue Response, Wildland Fire Suppression and Field Communications in the midst of our recovery efforts from Tropical Storm Helene and last.

2025 People of Action Water Sanitation and Hygiene Award presented by the Asheville Rotary Club

Awardee: Asheville Water Resources Department, David Melton representing. She said Water Resources Director David Melton accepted the award on behalf of the Asheville Water Resources Department, the City of Asheville, and the many individuals, agencies, contractors, and community members who united to restore potable water following Hurricane Helene. The department guided a coordinated response involving local and federal agencies, nonprofits, and private contractors to rebuild water infrastructure across the county. Heroes at every level worked tirelessly to assess the damage, engineer emergency and long-term solutions, and rebuild vital water infrastructure critical to Asheville and surrounding communities. Thanks to their dedication, potable water was restored in just 57 days. The City of Asheville's strategic coordination and clear communication helped mitigate the public health crisis, showcasing the strength, resilience, and spirit of our community.

Asheville Fire Department Support

City Manager Campbell recognized the Asheville Fire Department and outlined the following Fire Department mutual aids: (1) January 2025 - 12 FFs - Los Angeles County WildFires - Request of State of CA through NC OSFM - DID NOT DEPLOY - 30 days on call; (2) January 29th, 2025 - 2 FFs - Field Communications Unit - Provide Ability to Communicate w/Responders - McDowell County - Crooked Creek WildFire; (3) February 2025 - 11FFs - Middlesboro Kentucky - Severe Flooding - Swift Water Rescue Team 5 Day Deployment - 8 lives rescued & humanitarian aid to 30 residents; (4) March 2025 - 24 FFs over 3 Different Deployment request - ONGOING - Polk County North Carolina - Green River WildFires - 2 Request - Wildland Firefighters and Field Communications; (5) Jan-Mar 2025 - 30+ firefighters - Western North Carolina Waterways - Request of Federal EPA through the State Emergency Management - Hazardous Materials Recovery -2000 containers recovered; and (6) March 2025 - ONGOING - NC HART Team - Forest Fire Rescue Team Standby - 2 Firefighters - NC Army National Guard.

IV. PUBLIC HEARINGS:

V. UNFINISHED BUSINESS:

VI. NEW BUSINESS:

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Several individuals spoke to City Council about various matters, some being, but are not limited to: advocacy for a constructive and collaborative solution to the proposed design-build I-26 Connector project; appreciation for meaningful zoning changes; suggested homelessness solutions; CDBG-DR Action Plan; need for legacy neighborhood overlay; and need for City Council to listen to its residents.

In response to Councilwoman Turner. City Attorney Branham said that the I-26 Connector Project is not a City project - it is a N.C. Dept. of Transportation (NCDOT) Project. The City of Asheville's role in terms of action to this point has been for consideration, and it has been accepted by the NCDOT, for inclusion of some additional aesthetic improvements that the City helped fund, as part of the final project. However, the City has generally, as with the vast majority of NCDOT projects, no role in officially accepting or approving the final design project.

Councilwoman Roney, along with Councilman Hess, voiced support for a NCDOT representative to come back to a City Council meeting to explain how their plan has changed.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 6:37 p.m.

CITY CLERK

MAYOR