

Tuesday – September 25, 2018 - 3:00 p.m.

Budget Worksession

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

Budget Director Tony McDowell said that we are starting the budget process differently this year by sharing with Council and the public detailed budget information for each department earlier in the process. As you might recall from the previous budget workshop Asheville has unique challenges around its cost of living, demographics, affordable housing, as well as significant daytime growth in the city population. At this worksession, Council will continue to hear about how these challenges are impacting departmental budgets. Council will also continue to hear about the impact of the national economy on the City as an employer, and also hear about our focus on equity and how that is changing our service delivery models.

The City also continues to experience significant community interest in planning and zoning as we address growth and the impact of non-residents. All of these and other factors demand changes in how services are delivered, in the kind of technology and the equipment needs that exist. Keeping pace with changes in these areas allows us to have the best facilities and equipment to provide quality services to our residents and visitors.

As important as our facilities, equipment and technology needs are, people are still the organization's most important resource. The people we hire here are integral to quality of the service delivery. Throughout the presentations last month, we noted that a large part of the budget is dedicated to the employees who provide the services.

Department Directors from the Fire Department, Human Resources Department, Parks & Recreation Department, and Community & Public Engagement each reviewed their organizational chart; overview of core services; key partners; budget and Fiscal Year 2018-19 budget drivers; prior year spending trends; Fiscal Year 2018-19 budget changes; department challenges; and Fiscal Year 2018-19 department goals from their respective department.

Various staff responded to several questions/comments raised by Council, some being, but are not limited to: are some of the critical incident programs in the Fire Department shared with all other departments; why is the Fire Department's pay cycle different than other City departments; what is the cost of providing fire control for Biltmore Forest; do people take advantage of childcare services at community meetings; are additional resources needed for the audio/visual/graphic design services; what was the idea behind a citizen academy; clarification on the swim program at the YWCA; how much land does Buncombe County own in Pack Square Park and why don't they contribute to the maintenance of that Park; interest in reviewed the operation of Riverside Cemetery; how is it decided on which department maintains which facility; have there been adjustments to the fee structure for the different park facilities; how are we controlling health insurance costs; what is the internal process of selecting each health care carrier; why does our health plan look the way it does; outline the health plan features that help protect employees and reduce cost savings to the taxpayers; and describe the City's wellness program and what are the benchmarks to make sure that the wellness programs are working. For those questions not readily answered, they will be provided to Council via a memorandum.

Due to time restraints, it was the consensus of Council to hear the Planning & Urban Design Department budget information at their next budget worksession.

Vice-Mayor Wisler asked the Finance & Human Relations Committee receive a report on the cost of having all Fire Department specialized services vs. the cost of buying them on an as-needed basis.

Mayor Manheimer adjourned the worksession at 4:41 p.m.

Tuesday – September 25, 2018 - 5:00 p.m.

Regular Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Gwen C. Wisler; Councilman Brian D. Haynes; Councilman Vijay Kapoor; Councilwoman Julie V. Mayfield; Councilwoman Sheneika Smith; Councilman W. Keith Young; Acting City Manager Peggy Rowe; City Attorney Robin T. Currin; and Deputy City Clerk Sarah Terwilliger

Absent: None

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

I. PROCLAMATIONS:

- A. RECOGNITION OF DEPUTY CITY CLERK SARAH TERWILLIGER IN OBTAINING HER CERTIFIED MUNICIPAL CLERK DESIGNATION FROM THE INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS**
- B. ANNOUNCING THE LAST CITY COUNCIL MEETING OF CITY ATTORNEY ROBIN T. CURRIN WHO HAS ACCEPTED THE POSITION AS RALEIGH CITY ATTORNEY; AND WELCOMING INTERIM CITY ATTORNEY SABRINA ROCKOFF**
- C. PROCLAMATION PROCLAIMING OCTOBER 5, 2018, AS “ENERGY EFFICIENCY DAY”**

Councilwoman Mayfield read the proclamation proclaiming October 5, 2018, as "Energy Efficiency Day" in the City of Asheville. She presented the proclamation to Mr. Sam Ruark-Eastes from Green Built Alliance, who briefed City Council on some activities taking place during the day.

- D. PROCLAMATION PROCLAIMING OCTOBER 7-13, 2018, AS “FIRE PREVENTION WEEK”**

Vice-Mayor Wisler read the proclamation proclaiming October 7-13, 2018, as "Fire Prevention Week" in the City of Asheville. She presented the proclamation to Fire Marshal Kelly Hinz and Fire & Life Safety Educator Charley Cox, who briefed City Council on some activities taking place during the week.

- E. PROCLAMATION AGAINST GUN VIOLENCE IN ASHEVILLE**

Mayor Manheimer read the proclamation against gun violence in Asheville. She presented the proclamation to Derrick Lee Jr.'s grandparents Rev. Eddie and Mrs. Tolbert, his parents Neisha Mitchell and Derrick Lee Sr., Mr. Jack Logan, and Rev. L.C. Ray.

II. CONSENT AGENDA:

A. APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON SEPTEMBER 11, 2018

B. RESOLUTION NO. 18-245 - RESOLUTION AUTHORIZING THE ISSUANCE OF THE WATER REVENUE BOND ANTICIPATION NOTE

RESOLUTION NO. 18-246 - RESOLUTION FOR THE APPROVAL OF THE WATER REVENUE BOND ANTICIPATION NOTE FINANCING FOR CAPITAL PROGRAMS ASSOCIATED WITH CITY'S WATER SYSTEM

Summary: The consideration of the resolutions authorizing the issuance of the Water Revenue Bond Anticipation Note ("Water BAN") and directing the Interim City Manager and Chief Financial Officer to pursue debt financing for capital projects associated with City's water system. Such program includes the issuance of an interim, variable rate Water BAN in an amount not to exceed \$40,000,000. The interim Water BAN will provide financing for projects which, upon completion, will be permanently financed through longer-term, fixed rate Water Revenue Refunding Bonds.

The City has reimbursement resolutions for Council approved capital projects associated with the City's water system authorized as part of the Fiscal Year (FY) 2019 Budget. The Water BAN draw program will reimburse the City for costs incurred to date and for costs that occur approximately over the next two years, and allow the City to complete many of the projects.

As a next step in the process, staff is seeking City Council's approval to complete the Water BAN financing with Bank of America, as the purchaser of the debt, which provided the lowest cost financing for the draw program interim financing. A summary of the proposals submitted by the competing banks was provided.

The resolution seeking approval of the Water BAN financing also authorizes the Interim City Manager and Chief Financial Officer to proceed with the Water BAN financing and execute and deliver the necessary documents to complete the financing.

Pro:

- Allows the City to move forward with the capital projects associated with the City's water system and Draw Program financing.

Con:

- None noted.

The initial draw on the Water BAN facility for costs incurred through to October's closing date is approximately \$10,200,000. At current variable rates associated with this facility (roughly 2%), the annualized interest expense on the initial draw is \$204 thousand. As further draws are made on the facility, the interest expense will increase accordingly. Funds are included in the City's FY 2018-2019 proposed debt service budget to cover these costs. They are also included in the City's multi-year capital improvements debt model.

Staff recommends that City Council approve the resolutions as they are proposed.

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RESOLUTION NO. 18-246 - RESOLUTION BOOK NO. 40 -PAGE 139**

C. RESOLUTION NO. 18-247 - RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE BLUE RIDGE PRIDE FESTIVAL ON SEPTEMBER 29, 2018

Summary: The consideration of a resolution authorizing the City Manager to approve a resolution making provisions for the possession and consumption of malt beverages and/or unfortified wine at the Blue Ridge Pride Festival.

Blue Ridge Pride has requested through the City of Asheville Community & Economic Development Department that City Council permit them to serve beer and/or unfortified wine at the Beer City Cup and allow for consumption at this event.

The Blue Ridge Pride Festival will be held on Saturday, September 29, 2018, from 11:00 a.m. to 7:00 p.m. within the boundaries of Pack Square Park as per the area limits referenced on the accompanying site map.

Pro:

- Allows fundraising opportunities for Blue Ridge Pride

Con:

- Potential for public safety issues

There is no fiscal impact.

Staff recommends City Council adopt a resolution authorizing the City Manager to approve a resolution making provisions for the possession and consumption of malt beverages and/or unfortified wine at the Blue Ridge Pride Festival.

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D. RESOLUTION NO. 18-248 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE U.S. DEPT. OF HOUSING & URBAN DEVELOPMENT 2018-19 CONTINUUM OF CARE GRANT CONSOLIDATED APPLICATION AND ACCEPT ANY SUBSEQUENT AWARD OF PROJECT FUNDING

Summary: The consideration of a resolution authorizing submittal of the Fiscal Year (FY) 2018 U.S. Dept. of Housing and Urban Development Continuum of Care (CoC) Consolidated Grant Application for annual CoC Competition on behalf of NC-501 Asheville-Buncombe Continuum of Care (CoC), accepting any funds subsequently awarded, and authorizing the City Manager to sign awarded HUD contracts.

The City of Asheville serves as the Continuum of Care Lead for the Asheville-Buncombe CoC (NC-501). Each CoC Lead is responsible for submitting the community's Consolidated Application for project funding during the CoC Competition. For FY 2018-19, the Asheville-Buncombe CoC is eligible to apply for \$1,254,274 in renewal funding. The renewal projects currently assist in housing more than 150 formerly homeless individuals with case management support. HUD CoC funding also provided the financial support necessary to operate the Homeless Management Information System (HMIS) in NC-501. Additional bonuses are available for \$75,256 and \$59,044 for a Permanent Supportive Housing expansion project and a project targeted to serve survivors of domestic violence (DV). There is also \$37,628 available for a CoC Planning Grant. The Planning Grant assists the Community and Economic Development Department in staff costs for CoC responsibilities related to homelessness.

The Homeless Initiative Advisory Committee (HIAC) annually appoints an ad-hoc Finance Subcommittee, comprised of individuals and agencies who did not apply for CoC funds, to review, score, and rank the Continuum of Care project applications and make funding recommendations to the HIAC with an order of project priority. The Finance Subcommittee's funding and ranking recommendations were approved unanimously by the HIAC. The HIAC recommended the following projects and order of priority to the Housing and Community Development Committee for the 2018 CoC Consolidated Grant Application.

At their September 18, 2018, meeting, the City Council Housing and Community Development Committee reviewed the application, and voted to recommend that City Council approve the application and associated actions.

Tier 1			
Project Application	GIW/ Funding	Project Type	Project Score/Rank
Permanent Supportive Housing Extreme Needs 2: Homeward Bound of WNC	\$ 59,388	Permanent Supportive Housing	1
Shelter Plus Care Asheville-Buncombe: Homeward Bound of WNC	\$315,748	Permanent Supportive Housing	2
Bridge to Recovery: Homeward Bound of WNC	\$ 303,069	Permanent Supportive Housing	3
Permanent Supportive Housing Extreme Needs: Homeward Bound of WNC	\$ 218,798	Permanent Supportive Housing	4
Homeless Management Information System: City of Asheville	\$ 67,500	HMIS	5
Permanent Supportive Housing Extreme Needs 3: Homeward Bound of WNC	\$ 73,311	Permanent Supportive Housing	6
Permanent Supportive Housing Extreme Needs 5: Homeward Bound of WNC	\$ 141,204	Permanent Supportive Housing	7
Tier 2			

Permanent Supportive Housing Extreme Needs 5: Homeward Bound (Straddle)	\$ 20,065	Permanent Supportive Housing	-
Rapid Rehousing Domestic Violence Bonus: Helpmate	\$59,044	Bonus Project	8
New Project Expansion for PSH: Homeward Bound	\$75,256	Bonus Project	9
Not Ranked			
Project Application	Funding	Project Type	Not ranked
CoC Planning Project: City of Asheville	\$37,628	Planning Grant	n/a

Pro:

- Continuum of Care funding is a key resource for permanent supportive housing for homeless individuals and families, as well as operating the Homelessness Management Information System, which is necessary for NC-501 to receive this vital funding.

Con:

- Program funding does not meet the full demand for the housing subsidy needed to assist all the low-income homeless households in the community that need secure permanent housing.

Program funding is entirely from the U.S. Department of Housing and Urban Development. Existing Community Development division staff will administer the program. Matching funds for the CoC Planning Grant will come from Buncombe County. No general funds are requested to support this program.

Staff recommends City Council adopt a resolution authorizing the submission of the FY 2018 Continuum of Care Consolidated Grant Application and authorizing the City Manager to sign all necessary documents with the U.S. Department of Housing and Urban Development to accept the funds subsequently awarded.

RESOLUTION BOOK NO. 40 - PAGE 145

- E. RESOLUTION NO. 18-249 - RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE US GEOLOGICAL SURVEY APPLICATION TO NAME A CREEK IN WEST ASHEVILLE "ORCHARD CREEK"**

RESOLUTION NO. 18-250 - RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE US GEOLOGICAL SURVEY APPLICATION TO NAME A CREEK NORTHEAST IN DOWNTOWN ASHEVILLE AS "GORDON'S BRANCH"

Summary: The consideration of a resolution authorizing the City Manager to sign the US Geological Survey applications to name a creek in West Asheville “Orchard Creek” and a creek off Murdock Avenue “Gordon’s Branch.”

RiverLink’s Name that Creek program is a local, grassroots program in which communities submit name suggestions for unnamed creeks and vote for the most fitting name. After a name is chosen, it is submitted first to the Asheville City Council for approval, and then to the U.S. Geological Survey (USGS) Board of Geographical Names for consideration. Once approved, the creek name will appear on official USGS maps.

Recently, RiverLink worked with residents to select names for two nameless creeks in Asheville city limits. The first naming campaign initiated by a West Asheville resident, focused on a small tributary of Rhododendron Creek that flows through West Asheville Park. The second campaign focused on a tributary of Reed Creek, and was led by a North Asheville resident. RiverLink create an online poll (Google Doc) for both campaigns to collect potential names from neighbors who live along the creeks and along with flyers being distributed by RiverLink. Additionally, a North Asheville resident volunteered to distribute more flyers to their neighbors regarding the online poll. After a month, RiverLink gathered the name suggestions and created a city-wide poll to select the official name. City residents were made aware of the poll through RiverLink’s website, newsletter, and social media pages.

In order to complete the application to the United States Geological Survey (USGS) to name the two unnamed creeks noted in this report, it is submitted first to the Asheville City Council for approval and then signed by a local government official to demonstrate support and to certify that the naming process followed USGS guidelines.

Staff presented information on the two campaigns for creek naming to the Council Planning and Economic Committee on September 10, 2018, with an unanimous vote to move it forward for approval by City Council based on the documentation by RiverLink on the outreach and voting for the naming of the two aforementioned unnamed creeks.

Pros:

- Naming of a creek or stream can bring attention to its existence, help identify it as a part of neighborhoods ecosystem, and encourage environmental stewardship that enhances quality of life.
- Supporting this community-driven effort further develops partnerships between groups like RiverLink, West and North Asheville neighborhoods and the City.

Con:

- None identified.

There is no fiscal impact related to this item.

City staff recommends City Council authorize the City Manager to sign the USGS form to name the creek in West Asheville to “Orchard Creek” and the creek in North Asheville off Murdock Ave. to “Gordon’s Branch.”

RESOLUTION NO. 18-249 - RESOLUTION BOOK NO. 40 - PAGE 146
RESOLUTION NO. 18-250 - RESOLUTION BOOK NO. 40 - PAGE 147

F. RESOLUTION NO. 18-251 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS UNDER THE EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF NATIONAL DRUG CONTROL POLICY FOR THE HIGH INTENSITY DRUG TRAFFIC AREA 2017 GRANT

ORDINANCE NO. 4700 - BUDGET AMENDMENT THROUGH THE OFFICE OF NATIONAL DRUG CONTROL POLICY TO MODIFY THE HIGH INTENSITY DRUG TRAFFIC AREA 2017 GRANT

Summary: The consideration of (1) a resolution authorizing the City Manager to accept grant funds under the Executive Office of the President, Office of National Drug Control Policy, for the High Intensity Drug Traffic Area (HIDTA) 2017 grant in which the Asheville Police Department (APD) serves as the fiduciary for the Asheville Area HIDTA Task Force; and (2) a budget amendment in the City's Special Revenue Fund in the amount of \$55,639.69.

This modification of \$55,639.69 is an increase to the previously approved award of \$47,335.00 for a new total of \$102,974.69 which reflects the full fiduciary responsibility assumed by APD.

The mission of the HIDTA program - authorized by the Anti-Drug Abuse Act of 1988 and administered by the Office of National Drug Control Policy - is to reduce drug trafficking in the most critical areas of the county, thereby reducing the impact of illegal drugs in other areas. Asheville has for many years been designated as a HIDTA site. Asheville's HIDTA serves as a key drug trafficking reduction effort, critically positioned between the Atlanta HIDTA and the Appalachia HIDTA.

The Asheville HIDTA is comprised of members of the United States Drug Enforcement Administration (DEA), Asheville Police Department, Buncombe County Sheriff's Office, Henderson County Sheriff's Office and McDowell County Sheriff's Office. The Asheville HIDTA is a component of the Asheville DEA Task Force. The HIDTA task force primarily concentrates on high volume, high value drug trafficking. As an example, the task force was recently involved in a case involving the large seizure of controlled substances from persons with local and National ties, involved in the trafficking of narcotics in this region and beyond.

The City of Asheville currently serves as the partial fiduciary for the Asheville HIDTA and has recently agreed to expand this service to include all program expenses. The allotted funds from the Federal government will be used for investigative purposes and other program expenses including employee overtime, mobile phones and miscellaneous supplies. The expenditure of all funds are tracked and audited by both local and Federal authorities.

This request for a budget amendment will be presented to the Finance and Human Resources Committee on September 25, 2018, and any response other than unanimous approval to move forward to the full City Council will be noted at that meeting.

Pros:

- Federal HIDTA funds will be used for investigative purposes and program expenses.
- Continue to foster partnerships with Federal and local law enforcement agencies.

Con:

- Funding from the Office of National Drug Control Policy is awarded annually.

There is no impact to the City's General Fund Budget.

Staff recommends City Council adopt (1) a resolution authorizing the City Manager to accept the grant funds; and (2) a budget amendment in the amount of \$55,639.69 through the Office of National Drug Control Policy to modify the HIDTA 2017 Grant.

**RESOLUTION BOOK NO. 40 - PAGE 148
ORDINANCE BOOK NO. 32 - PAGE 213**

**G. ORDINANCE NO. 4701 - BUDGET AMENDMENT FOR DWI TASK FORCE
2019 YEAR #06 GRANT**

Summary: The consideration of budget amendment, in the amount of \$232,438.25, from the North Carolina Governor's Highway Safety Program (NCGHSP) for a grant extension to fund 1 year of the multi-jurisdictional DWI Task Force involving the Asheville Police Department (APD) and Buncombe County Sheriff's Office (BCSO)

In Asheville and Buncombe County, the number of impaired drivers has been a serious concern to citizens and law enforcement for many years. In October 2013, the North Carolina Governor's Highway Safety Program granted the Asheville Police Department a four year grant to combat impaired driving incidents within Buncombe County. The Asheville Buncombe DWI Task Force (DWI Task Force) was developed and put into action August 2014. Since then, the DWI Task Force has made 920 Driving While Impaired arrests and has conducted 54 drug evaluations.

Public education on the dangers of impaired driving is a focus area of the DWI Task Force. Through partnerships with the Asheville Police Department Traffic Safety Unit and the Asheville Downtown Business Association this educational effort has been directed to some key audiences. These educational efforts have included presentations at local high schools and downtown festivals. These educational efforts have included the following:

- Distribution of information on the impaired driving laws and alternative ways to get home.
- Surveying festival participants anonymously about their willingness to drive at a point where they believe their blood alcohol levels exceed the legal limit.
- Allow festival goers to use roadside instruments to check their breath to determine their level of intoxication.

These interactions allow the team to engage the public in conversations and educate them on what the Illegal Per Se law is and what a 0.08 BAC feels like. The DWI Task Force efforts have directly resulted in a 40 % reduction with impaired driving fatalities in Buncombe County as of October 2016. The DWI Task Force is also a member of the board for Buncombe County Sobriety Court. Members actively assist defendants assigned to this program through direct interaction following a DWI charge.

In reviewing these statistics, the NCGHSP contacted APD and suggested the DWI Task Force continue with its efforts of reducing the number of DWI related collisions, injuries and deaths in Asheville and Buncombe County, as well as educating the public on impaired driving and its effects. NCGHSP has recommended the continuation of the existing grant and authorized additional funding in the amount of \$451,278.90 in FY 2019. This funding covers the cost to train and pay for six officers focused on DWI enforcement and training. The City of Asheville will match this grant at 75% for a cost of \$232,438.25. Buncombe County will match their portion of the grant at 75% for a cost of \$106,020.93. Under this grant, APD would continue to supply one sergeant and three officers while BCSO would continue to supply two deputies. These six officers would continue to conduct DWI enforcement throughout Asheville and Buncombe County and conduct Traffic Safety Checking Stations throughout the County. The appointed officers will also continue to hold educational events for the public.

This action was recommended unanimously by the Finance and Human Resources Committee on December 19, 2017.

Pros:

- NCGHSP grant funds used to pay for 25% of the costs of salary, benefits and training for officers participating in the DWI Task Force.
- Potential reduction in impaired driving collisions, injuries and deaths throughout Asheville and Buncombe County.

Con:

- Funding from NCGHSP is evaluated annually and not fully guaranteed beyond this year.

The City match for this grant was included in the Adopted FY 2018-2019 General Fund Police Department budget. An additional match amount will need to be included in the FY 2019-2020 budget.

City staff recommends City Council adopt a budget amendment in the amount of \$232,438.25 to establish a budget for this year's DWI Task Force 2019 Year # 06 grant.

ORDINANCE BOOK NO. 32 - PAGE 215

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

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

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

III. PRESENTATIONS & REPORTS:

A. ACTIONS ITEMS FROM 21ST CP SOLUTIONS REPORT

Police Chief Tammy Hooper and Community & Public Engagement Director Dawa Hitch provided Council with the following report: Below are present actions and updates from the Asheville Police Department and City

Manager's Office undertaken to implement recommendations from the 21 CP Solutions Report.

In April 2018, 21 CP Solutions, LLC was hired by the City of Asheville to conduct a policy and procedure review of the excessive force incident involving the arrest of Johnnie Jermaine Rush in August 2017. The city requested an assessment that included: a review of the incident that gave rise to arrest, the tactics utilized in affecting the arrest, the police department response, the city administration response, and the community response. The report with recommendations delivers on the police and city administration components. Representatives from 21 CP Solutions presented the key findings and recommendations to City Council on August 28, 2018. This memo serves as an update on the recommendations made to the Asheville Police Department, City Manager's Office, and City Council.

Update:

Recommendation: Revise the Field Training Officer (FTO) selection and recruitment process.

- APD has finalized the comprehensive review and revisions to Field Training Program Policy and the Field Training Manual.
- The revised manual includes a more robust application and selection process for FTO, including the following:
 - Field Training Officer Selection processes will be announced by the Recruitment and Career Development Section, with the announcement outlining all eligibility requirements. Interested eligible officers must submit an Application for In-House Reassignment (P-14) accompanied by a Supervisor Recommendation Form (P-16) endorsed by their chain of command. The selection process will include, at a minimum, a panel interview and an applicant review by the department's FTO committee. The FTO committee should consider each applicant's quality of work, work ethic, and disciplinary/safety record. A final banded list will be supplied to the Patrol Operations Commander. The list will be forwarded through the chain of command to the Chief of Police for final approval.

Recommendation: Officers returning to patrol from another assignment should be re-assessed prior to resuming FTO duties

- The revised Field Training Manual and Policy states the following:
 - FTOs who have been inactive or on assignment outside of patrol for an extended period of time will be reviewed for suitability as a FTO before returning to active status. Returning FTOs may be required to attend refresher training prior to the assignment of a trainee.
 - Removal of Field Training Officers from the FTO program is at the discretion of the Chief of Police.

Recommendation: APD should routinely assess its early intervention system triggers, adjusting when necessary.

- APD has updated and revised its Early Intervention System policy. This policy establishes guidelines for a Personnel Early Intervention System (EIS), a pro-active, non-disciplinary system that seeks to identify and positively influence conduct or performance related problems exhibited by individual employees. The purpose is to provide systematic reviews of specific, significant events involving agency employees. Revisions include:
 - Lower thresholds that trigger review
 - Added review of body worn camera if appropriate
 - All reviews go to Deputy Chiefs and Chief
 - Professional Standards will ensure that the employee's progress is monitored until the established end date regardless of changes in the employee's assignment or supervision.

Recommendation: Consider adopting a peer intervention program.

- 21 CP Solutions will assist APD in coordinating EPIC, Ethical Policing is Courageous, training. EPIC is a peer intervention program developed by the NOPD, in collaboration with community partners, to promote a culture of high-quality and ethical policing. EPIC

educates, empowers, and supports the officers on the streets to play a meaningful role in “policing” one another. EPIC is a peer intervention program that teaches officers how to intervene to stop a wrongful action before it occurs.

At its core, EPIC is an officer survival program, a community safety program, and a job satisfaction program. EPIC represents a cultural change in policing that equips, encourages, and supports officers to intervene to prevent misconduct and ensure high-quality policing. Everyone benefits when potential misconduct is not perpetrated or when a potential mistake is not made. See more: <http://epic.nola.gov/home/>

Recommendation: All APD personnel and Asheville EMS should be notified and trained regarding medical treatment requirements in the use of force policy.

- This is included in the Use of Force policy. All officers have been reminded of the following portion of the policy:
 - 402.5 RENDERING AID A. Following any use of force, and/or apprehension when safe to do so officers will evaluate the subject for injuries and render appropriate medical aid within their training as soon as practical. Officers will observe the subject for any possible changes. [4.1.5]
 - B. Officers must immediately request an ambulance, paramedics or other appropriate medical personnel for all subjects who show signs of injury or complain of injury following any use of force and/or apprehension. [4.1.5]

Recommendation: APD should implement a more structured policy regarding BWC audits, particularly for officers identified as possibly being problematic.

- A more robust Body Worn Camera policy incorporates viewing of body worn camera footage in coordination with the Early Interventions System.

Recommendation: APD should prioritize the timely release of information and response to the release of information.

- PIO working on crisis communication templates and will complete a SWOT analysis, to include public input, to inform a plan for release of information in coordination with City Council and the City Manager’s Office.

Recommendations: APD should consider developing a policy and training for appropriate engagement with community members on social media, particularly with regard to police events.

- APD has adopted a new Social Media policy that provides guidelines to department members on the professional and personal use of social media. The policy is intended to address only such social media activity that is fundamentally inconsistent with agency values, bears on an employee’s official duties, or suggests that the employee is posting on behalf of the APD. This policy does not prohibit department members from engaging in any social media activity protected by the First Amendment.

Recommendation: Develop clear protocols for when individuals at different levels of city government should be informed about particular events.

- This task has been added to Communication and Public Engagement (CAPE) Department's work plan as a priority for this fiscal year.

Recommendation: Develop clear notification procedures to inform individuals on the City Council of possible high-profile issues in a way that is consistent with policy and allows the information to remain confidential if necessary

- In the coming weeks, a SWOT analysis will be performed. This analysis will be used to provide a foundation for standard operating procedures (SOP) for high-profile issues. The City will engage outside resources to complete the SOP which will include standards and procedures for departments, City Manager and City Council.

Recommendation: Implement a crisis communication policy within the City Council, City Manager, and Mayor's office to coordinate press releases and correspondence in concert with APD's PIO when communication with the media.

- A SWOT analysis, which will be used to inform the development of standard operating procedures (SOP) for high-profile issues, will be performed in the coming weeks. The analysis will provide foundational information for the outside resource the City engages to complete the (SOP) for high-profile issues. The SOP will include but not be limited to a statement of roles, responsibilities and decision-making authority for information shared in press releases.

Recommendation: The City should consider retaining a firm to provide crisis response services to the APD and the City of Asheville in the future.

- This recommendation is being discussed as a priority in the current budget process.

In response to Councilwoman Mayfield, Police Chief Hooper said that they would review all complaints of excessive force prior to initiating any type of internal or administrative investigations or actions. In addition, they are working with the District Attorney on a document that lays out a process for this.

When Councilman Kapoor asked if it was a fair statement to say that for all the recommendations the 21st CP Solutions made, the Police Department has either adopted them or is in the process of adopting them as it relates to the Police Department, Police Chief Hooper replied yes.

Acting City Manager Rowe said that regarding the recommendation regarding the Civil Service Board, they are continuing to work with the City Attorney's Office to differentiate what takes legislative action and what we can do in-house. We will report back to Council in the near future.

In response to Councilwoman Mayfield, Ms. Hitch said that there are now templates in place for communication with the Council and the public if we find ourselves in an unfortunate

situation.

B. UPDATE ON EQUITY & TRANSPARENCY ITEMS FROM MARCH 20, 2018, WORKSESSION

Interim City Manager Cathy Ball updated Council on equity and transparency items from the Council's March 20, 2018, worksession. She said that on March 20, 2018, Mayor Manheimer and Council held a special work session for the purpose of reaching consensus regarding direction they would give staff to explore and make changes to increase equity and transparency following the Mr. Johnnie Rush and former Officer Hickman incident that took place in August 2017. An initial update was provided to Council on the status of those requests on May 22, 2018. The purpose of this memo is to provide an additional update (shown in bold) on the status of these requests.

- The first topic discussed was a third-party review of the Asheville Police Department (APD). Specifics include implementation of any recommendations of the review, to include:
 1. All excessive use of force complaints to be reviewed criminally, immediately.
UPDATE: This change has been implemented.
 2. Change administrative procedures to ensure Council notification of excessive use of force occurrences and/or complaints, and adopt a plan for notifying the DA and the SBI in all cases.
UPDATE: A formalized process has been initiated with the DA.

Next steps: In coordination with City's Legal Department, APD will be entering into a formal agreement with the DA in the near future.

- A third-party will conduct a review around Mr. Johnnie Rush and former Officer Hickman and to give Council a set of recommendations around that incident.
UPDATE: 21CP completed their report and presented their findings to Council at their August 28, 2018 meeting.

Next steps: An update will be provided by Chief Hooper at the September 25, 2018 Council Meeting on the recommendations made in this report.

- The next topic discussed was the establishment of the Human Relations Commission of Asheville (HRCA) per the Blue Ribbon Task Force recommendations, to include:
 1. HRCA or Police Advisory Subcommittee to review all use of force occurrences and excessive use of force complaints.
UPDATE: HRCA has been formed and is meeting regularly.
 2. Enhance Equity and Inclusion Department staffing.
UPDATE: Three additional positions were approved and budgeted. The office is in the interview process for the Inclusive Engagement and Leadership Manager position, which is expected to be filled in October 2018. The Training Consultant for Equity and Inclusion position is currently posted and interviews will begin in October.

Next steps: The Human Relations Analyst position is expected to be filled in January 2019.

- Council instructed City Attorney Currin to explore whether a staff person from the Equity and Inclusion Department is allowed to review APD body camera footage.
UPDATE: Person in the Equity and Inclusion Department is not allowed to view body camera videos under NC General Statute 132-1-4A.

Next steps: Council is consider requesting a change in this legislation.

- It was the consensus of Council that the third-party review of the APD include a review of the APD policy of auditing body cam footage, along with a revisit of the 60-day retention of body cam footage.
UPDATE: The completed 21CP report includes this APD policy. The body cam footage retention period was revisited and has now been changed to 90 days.

Next steps: An update will be provided by Chief Hooper at the September 25, 2018 Council Meeting on the recommendations made in this report.

- It was suggested that the City explore how it might fund an outside legal position to advocate for individuals filing complaints against law enforcement. At the time, Mayor Manheimer stated the idea is to fund an attorney, perhaps at a non-profit like Pisgah Legal Services, who could represent people who are bringing complaints against law enforcement - APD and/or Sheriff's Department. Some preliminary discussions with the Chairman of the Buncombe County Commissioners and the Mayor about the possibility of co-funding this position had taken place as of the date of the worksession.
UPDATE: In the report provided to you in May we stated that some meetings have taken place to explore this concept. City and County Officials met to discuss options. The Interim City Manager, Mayor Manheimer, and County staff met with local nonprofits to evaluate their ability to provide this service, but no service provider has been identified at this time.

Next steps: The Interim City Manager will continue to work on this item.

- The next topic discussed was review of City of Asheville Personnel Policies and Civil Service Board Rules to allow the city to remove employees who demonstrate terminatable conduct.
UPDATE: The City's Personnel Policies are still in the process of being reviewed and updated. Human Resources is working with legal to move forward.

Next steps: Once finalized, the updated Personnel Policies will be adopted.

- The next topic discussed was to create an aggressive plan to hire minority officers. As Mayor Manheimer stated during the worksession, work is well underway to do this.
UPDATE: Human Resources and the Office of Equity & Inclusion have been working together to address City-wide recruiting policies, practices and procedures that are barriers. All job postings include a statement about the equity, inclusion and diversity values of City government. Additionally, minimum

qualification are be reviewed and changed for accuracy, and open positions are being posted where more diverse applicants will see opportunities.

The Equity Action Plan includes specific items to eliminate disparities in citywide hiring, promotion and retention over time. Recruiting and retaining people of color to live and work in Asheville is a challenge for all major employers. Barriers include affordable housing, a reputation for an unwelcoming and exclusive environment and culture, lacking a visible and thriving People of Color middle class, and low wages, and lack of People of Color in Leadership roles being visible. A recruiting plan, plus actions to address the challenges listed is necessary to see change in the future.

The Equity and Inclusion Office, Human Resources Department and community members have provided feedback on APD's Recruiting Plan.

Next steps: APD will continue to implement its recruiting plan.

- The next topic discussed suggested that the City encourage and educate citizens about the process of bringing forward complaints against law enforcement coupled with the use of an unbiased policing hotline.

UPDATE: The complaint form (which can be submitted in person, by email, or online) and other contact information are currently available on the APD homepage. APD has made this information more visible and accessible. In 2018, APD developed a professional standards brochure that explains how to file a complaint and the complaint process.

Next steps: CAPE and APD will continue to explore viable options for a hotline and other ways to provide the community with additional access to the complaint process.

- The final topic discussed was to support legislative changes, to include (1) Support for HB 165 (citizen review of police complaints); (2) Civil Service Board changes; and (3) Personnel law changes (not just for police, but any employee) to allow complainants to learn the results of their complaint. Council voted to support legislative changes to (1) support HB 165; (2) Civil Service Board changes; and (3) Personnel law changes to allow complainants to learn the results of their complaint.

UPDATE: These considerations are underway. A meeting with legislative delegate has taken place and language was proposed.

Next steps: This will likely be revisited prior to the next legislative session.

In response to Councilwoman Mayfield, Acting City Manager Rowe said that staff is still working with the City Attorney's Office on the personnel policy changes. It is anticipated that the Civil Service Board will review and adopt their Rules in October and then onto City Council for their consideration.

IV. PUBLIC HEARINGS:

V. UNFINISHED BUSINESS:

VI. NEW BUSINESS:

A. RESOLUTION NO. 18-252 - RESOLUTION ADOPTING THE BURTON STREET NEIGHBORHOOD PLAN

Planning & Urban Development Director Todd Okolichany said that this is the consideration of adoption of the Burton Street Neighborhood Plan.

The proposed I-26 Connector project (State Transportation Improvement Project (STIP) I-2513) is a seven mile interstate freeway that would connect I-26 in southwest Asheville to U.S. 19/23/70 in northwest Asheville. The Burton Street neighborhood is one of 10 communities being impacted by the proposed I-26 improvements and has been classified as an Environmental Justice population that has incurred reoccurring impacts. With an Environmental Justice designation, the N.C. Dept. of Transportation (NCDOT) can provide additional mitigation opportunities to lessen the burden of the project on the Burton Street neighborhood.

To address and remedy the anticipated impacts to the Burton Street community as a result of the I-26 improvements, a community driven mitigation strategies plan was initiated by NCDOT. At the request of the City of Asheville Planning and Urban Design Department, a neighborhood planning component was added to the project scope. The goal of the project was to develop a *Burton Street Neighborhood Plan* that would be adopted by the city as a revision to the 2010 *Burton Street Community Plan* and that includes a list of mitigation strategies related to the I-26 Connector project, as well as other neighborhood goals and strategies. NCDOT retained Public Participation Partners (“the consultant”) to prepare the plan and act as the liaison between the Burton Street community, NCDOT and City of Asheville.

In partnership with the Burton Street Community Association and Burton Street neighborhood, the consultant developed a neighborhood plan over an approximately 10-month long period. The initial draft was released for public review on April 29, 2018, and updated in June and August 2018 based on input from the public, City of Asheville staff, the Planning and Economic Development (PED) Committee and the NCDOT. A number of community meetings and surveys were also conducted during this time. At its July 2018 meeting, PED members recommended moving forward with the plan for review and consideration by the Planning and Zoning Commission and the full City Council.

The plan is organized by the following sections:

- Introduction
- Burton Street History
- Existing Conditions
- Local Area Plans
- Burton Street Neighborhood
- Themes, Goals and Strategies
- NCDOT Mitigation
- Implementation

The main strategies are found in the Themes, Goals and Strategies chapter of the plan. This section also includes an analysis of how the plan’s goals and strategies align with the recently adopted *Living Asheville Comprehensive Plan*. All strategies have been designed in accordance with NCDOT and National Environmental Policy Act (NEPA) policies and procedures.

The Implementation chapter includes a list of all the plan's strategies, including those to be coordinated and/or implemented by NCDOT to mitigate community impacts resulting from the I-26 Connector project, by the City of Asheville or Burton Street Community Association. As part of the process, community members were also asked to priority strategies in the plan. The following strategies were ranked the highest:

- Improve Community Center infrastructure
- Improve existing sidewalks to meet ADA standards
- Support design guidelines and policies that aim to preserve or enhance neighborhood character
- Expand Community Center programming
- Construct a new park and community gathering space at Smith Mill Creek that will include an access point to the future greenway
- Install historic markers throughout the neighborhood
- Install Burton Street community gateway signs
- Establish and implement programs to reinvest into current residential properties
- Stabilize property tax rates by promoting affordability by design principles in new development

This project was funded by NCDOT as part of the I-26 Connector Project. Staff resources were used throughout the project to provide technical assistance, review materials and during community engagement.

The *Burton Street Neighborhood Plan* aligns with the 2036 Council Vision in the *A Well-Planned and Livable Community area*. The *Burton Street Neighborhood Plan* includes recommended mitigation measures for impacts related to the I-26 Connector project, while also including a neighborhood plan element that includes updated information and strategies for the Burton Street neighborhood that will align with city goals. The plan also aligns with Goal 23: Continue to work toward achieving goals on I-26, which includes minimizing impacts adjacent to neighboring communities.

The Planning and Zoning Commission held a public hearing on September 5, 2018, to review the plan. The commission voted unanimously (7-0) to recommend approval of the *Burton Street Neighborhood Plan*.

He then introduced Simone Robinson, project consultant, who said that over the course of the I-26 project planning process, the N.C. Dept. of Transportation (NCDOT) met with the Burton Street community to discuss and develop ways to minimize and mitigate project impacts. The Burton Street Neighborhood and Mitigation Strategies Plan project was established to address the anticipated I-26 Connector impacts to the Burton Street community and provide residents with an opportunity to be involved in the mitigation development process. And in an effort to ensure the inclusion of a Burton Street neighborhood plan in the comprehensive plan update, the City of Asheville Planning and Urban Design Department requested that a neighborhood planning component be added to NCDOT's mitigation planning process for the Burton Street neighborhood.

Since the projects inception in 2017, 3 community meetings and one stakeholder group meetings were held to obtain feedback from Burton Street neighborhood residents, businesses and community organizations on their priorities and concerns.

Based on the community feedback provided during the Burton Street community open houses, stakeholder group meeting and online community survey, a neighborhood vision, plan themes, community goals and strategies were developed. These components serve as the framework for the draft Burton Street Neighborhood Plan.

The Burton Street Neighborhood Plan was developed by the Burton Street Community Association in partnership with NCDOT and the City of Asheville to address potential impacts resulting from the I-26 Connector project and current community concerns, enhance the quality of life of the Burton Street community, and preserve the strong sense of community among Burton Street residents.

The Burton Street Neighborhood Plan is comprised of the following components: a project background, plan development process overview, neighborhood overview including: history, existing conditions, community resources and demographic data; 2 Themes – A livable built environment with 6 goals and 15 strategies addressing infrastructure needs and improvements, and A Healthy community with 6 goals and 12 strategies addressing community resource improvements, affordable housing, and measures to increase community safety. Each goal details its compatibility with the Living Asheville Comprehensive Plan.

The plan also includes a section dedicated to NCDOT mitigation, and plan implementation that outlines Burton Street community priorities, the responsible agency and necessary coordination for each strategy. NCDOT anticipates that the strategies that they are responsible for will be incorporated into the I-26 project contract for completion.

Mr. DeWayne Barton, resident of the Burton Street community, Ms. Vivian Conley, President of the Burton Street Association, and Ms. Margaret Fuller hoped that the plan will be implemented soon.

Councilwoman Mayfield felt it would be helpful to have the neighborhood association to provide to Council their top three priorities that the City can work on in order to begin implementation of the plan.

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

Vice-Mayor Wisler moved for the adoption of Resolution No. 18-252 to adopt the *Burton Street Neighborhood Plan* in that the plan: (1) Includes mitigation strategies related to the I-26 Connector project; (2) Was developed with community input and reflects the Burton Street neighborhoods' vision for the future; (3) Provides guidance on goals and strategies that aim to improve the neighborhood; and (4) Aligns with the *Living Asheville Comprehensive Plan*. This motion was seconded by Councilman Young and carried unanimously.

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B. RESOLUTION NO. 18-253 - RESOLUTION APPROVING A TUNNEL ROAD/SOUTH TUNNEL ROAD CORRIDOR STUDY (FROM BEAUCATCHER TUNNEL TO SWANNANOA RIVER ROAD)

Urban Planner Vaidila Satvika said that this is a report on the upcoming two-year pilot for corridor studies and a consideration of a resolution authorizing the City Manager to select Tunnel Road for a corridor study that would be managed by the Transportation Department and the Department of Planning and Urban Design.

During the Fall of 2017, the French Broad River Metropolitan Planning Organization (MPO) presented an opportunity to member jurisdictions to conduct corridor studies to better inform local priorities and needs. The MPO demonstrated that there is a missing gap for priority projects that are identified as significant corridors in planning documents that fail to have the data

and conceptual framework to be able to advance projects for funding in the State Transportation Investment Program.

The MPO's federally mandated Congestion Management Process (CMP) highlights priority congestion corridors to inform local planning work, aiming to transcend the historical reaction to add capacity to the system by providing more lane miles, which has been demonstrated to induce demand that over time adds to the problem. The problem is not insignificant as the conventional response to congestion has been to plan for more automobiles, leading to fewer transport options, more suburban land development, increased parking and more dispersed development patterns. It is understood now that, if left unchecked, this cycle continues to lead to more automobile dependency and sprawl. By better understanding our priority corridors we can plan for an alternative to the auto-oriented cycle.

Asheville and Buncombe County have each agreed to an increase in dues paid to the MPO to provide a local match to fund a corridor study in each jurisdiction. Asheville and Buncombe County will each receive a total of \$157,500 for a corridor study of their choosing (with \$17,500 per study set aside for MPO staff administrative and operations costs to manage the studies; each study totals \$175,000).

The recently adopted Living Asheville Comprehensive Plan has also prioritized corridor studies/small area planning as a way to achieve several of the plan's strategies, such as the creation of transit-supportive corridors and more robust neighborhood planning (see Goal #34). By collaborating with the Transportation Department, we ensure that land use and zoning considerations dovetail with transportation issues.

The Planning and Urban Design Department with Transportation Department and MPO support, ranked corridors throughout the city using several criteria, including crash rates, traffic volumes, equity, redevelopment potential, growth projections, and various transit data. Based on this criteria the highest ranked priority corridors are Patton Ave (Haywood Rd to I-240), Tunnel Rd/S Tunnel Rd (Beaucatcher Tunnel to Swannanoa River Rd), and Hendersonville Rd (I-40 to Mills Gap Rd). He reviewed the highest ranked corridor locations. Buncombe County is selecting Hendersonville Road for their preferred corridor study, focusing the study on the area from the Blue Ridge Parkway to Mills Gap Road.

He showed the context of the corridors in relation to the Future Land Use map that was developed through Living Asheville. The Patton Avenue corridor would link two Urban Centers (near Haywood Rd and K-Mart) with large parcels interconnected by the Urban Corridor future land use designation. If selected, this corridor study would need to coordinate the intersection of the future I-26 reconfiguration where I-240 meets the Jeff Bowen Bridge. The Tunnel Road corridor would link an Urban Center (Innsbruck Mall area) with a larger Town Center future land use designation (the Asheville Mall) that is already beginning to attract mixed-use residential development. The two nodes are connected by the Urban Corridor future land use designation.

Both corridors are served by current and future high frequency transit that by 2022 will provide 15-20 minute service frequency. Staff has identified the following considerations:

Patton Avenue



- Wider right-of-way (~150 Ft)
- Potential synergy with I-26 Project design/build and other planning efforts (e.g. Burton Street Neighborhood Plan)
- More potential to improve safety (greater number and more severe crashes)
- Higher volumes (~46,000 AADT)



- Further from downtown (~1.3 Miles)
- Uncertainty with future I-26 Project alignment and related land use impacts
- Smaller commercial nodes (~66 Acres)
- Floodplain and stormwater challenges (south side of Patton Ave)

Tunnel Road/South Tunnel Road



- Lower volumes (~20,000 AADT)
- Closer to downtown (~0.5 Mile)
- Larger commercial nodes (~183 Acres), including the Innsbruck and Asheville malls
- Recent growth and development trends
- Historical lack of planning in this area



- Narrower right-of-way (~100 Ft)

Once a corridor has been selected, the MPO will collaborate with city staff to develop a request for qualifications to select a team of transportation engineers and planning and land use professionals. Likely deliverables include a study area that defines the corridor and reviews existing conditions, detailed review of constraints and opportunities that explain the need for the study, public participation component, real estate and demographic analysis, land use and urban design analysis, transportation analysis, and implementation plan, which would might include short- and long-term transportation infrastructure recommendations, policy recommendations for land use and zoning, and marketing, housing, and real estate considerations).

On August 13, 2018, City Council's Planning and Economic Development Committee (PED) recommended that staff move forward with the first study focused on the Tunnel Road corridor.

This project aligns with the 2036 Council Vision in the following areas: (1) A Well-Planned and Livable Community. Corridor studies will support community planning that results in pedestrian-oriented development for all ages and abilities, harmonized with an integrated transportation system. This project would also help to implement the Living Asheville Comprehensive Plan; and (2) Transportation and Accessibility. Corridor studies will help to make getting around easier, whether you drive a car, take the bus, ride a bike or walk. The studies will support the recent Transit Master Plan and Living Asheville Comprehensive Plan, which aim to create urban corridors that support transit and walkability.

Asheville's local share for the first year of the corridor studies pilot has already been approved and is reflected in the FY 2019 budget (Transportation Department). Over the two years of the study, Asheville is contributing 36.6% of the \$70,000 local match, a total of \$25,593. Additional staff resources may be required for neighborhood planning and engagement, land use and zoning analyses, and other planning-related tasks.

Staff recommends that City Council consider a resolution to authorize the City Manager to select Tunnel Rd/South Tunnel Rd for a corridor study and to direct staff to conduct a comprehensive review and analysis in order to enhance safety, multimodal transportation, and to recommend zoning changes to guide development that aligns with Living Asheville, the City's Comprehensive Plan.

Vice-Mayor Wisler said that what convinced the Planning & Economic Development Committee to recommend Tunnel Road is there is just so much that looks like it will happen very soon that we did not want to miss the opportunity to look at the corridor before things changed.

Councilwoman Mayfield noted that the MPO is paying the bulk of this cost. Another reason to choose Tunnel Road is that a piece of that segment (Tunnel to the Mall) is also a project that we are trying to get prioritized for funding in terms of access management. That wouldn't happen for at least 5 years out so if we can do the study and figure out the recommendations, then funding from the N.C. Dept. of Transportation could be close behind that.

In response to Councilman Kapoor, Planning & Development Director Todd Okolichany said that Planning staff is negotiating working with the MPO on the Tunnel Road Request for Proposals (RFP) and we also waiting to receive the draft RFP for Hendersonville Road. In the meantime we have been in contact with Buncombe County Planning staff to coordinate our efforts. As we work on the RFP process, we will determine whether Buncombe County can also allocate some of their resources to help us with the community engagement efforts for Hendersonville Road. But nonetheless, Planning staff is available to conduct that community engagement portion for Hendersonville Road as well as Tunnel Road.

One individual felt the City should be thinking of adapting our corridors for emergency situations.

Mr. Timothy Sadler suggested the City should back up our corridors with solar power for when the electricity goes out.

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

Councilwoman Mayfield moved for the adoption of Resolution No. 18-253. This motion was seconded by Councilman Kapoor and carried unanimously.

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VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Ms. Carolyn Anderson, member of the WNC Renewables Coalition, urged City Council to hire a City Manager who has expertise and experience in sustainability.

Ms. Ashley Cooper made suggestions for other details to be included in Council's future budget worksessions.

Mr. Jonathan Wainscott spoke about gentrification in Asheville.

Closed Session

At 6:22 p.m., Councilwoman Smith moved to go into closed session for the following reasons: (1) To prevent disclosure of information that is privileged and confidential, pursuant to the laws of North Carolina, or not considered a public record within the meaning of Chapter 132 of the General Statutes. The law that makes the information privileged and confidential is N.C.G.S. 143-318.10(a)(3). The statutory authorization is contained in N.C.G.S. 143-318.11(a)(1); and (2) To consult with an attorney employed by the City about matters with respect to which the attorney-client privilege between the City and its attorney must be preserved, including litigation involving the following parties: James Robert West v. City of Asheville. The statutory authorization is N.C. Gen. Stat. sec. 143-318.11(a)(3); and (3) To consider the qualifications of appointment of an individual public officer or employee. The statutory authorization is contained in N.C.G.S. 154-318.11(a)(6); and to prevent the disclosure of information that is confidential pursuant to N.C.G.S. 160A-168, the Personnel Privacy Act. The

statutory authorization is contained in N.C.G.S. 154-318.11(a)(1). This motion was seconded by Vice-Mayor Wisler and carried unanimously.

At 8:59 p.m., Vice-Mayor Wisler to come out of closed session. This motion was seconded by Councilman Kapoor and carried unanimously.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 8:59 p.m.

CITY CLERK

MAYOR