

Tuesday – November 13, 2018 - 3:00 p.m.

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; Acting City Manager Cathy Ball; and City Clerk Magdalen Burleson

We have started the budget process differently this year by sharing with Council and the public detailed budget information for each department earlier in the process. 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 Public Works Department, Development Services Department, General Services Department and Capital Projects Department 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: clarification of Capital Projects Department organizational chart as it relates to the bonds; as we move towards electronic submissions, will leases go down; clarification of why benefits vary from department to department; what is the sense of development in Asheville; when will we start seeing the projects from the Facilities Assessment Report; what is the status of pay as you throw program; how can we divert more waste from the landfill; and does Public Works have mutual aid agreements with other municipalities, agencies or Buncombe County. For those questions not readily answered, and for any additional questions Council members submit, they will be provided to Council via a memorandum.

Mayor Manheimer adjourned the worksession at 4:28 p.m.

Tuesday – November 13, 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 Cathy Ball; Interim City Attorney Sabrina Rockoff; and City Clerk Magdalen Burleson

Absent: None

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

Mayor Manheimer expressed Council's deepest sympathy for the families and friends of the 11 congregants who were killed at Tree of Life Synagogue on October 27, 2018, in Pittsburgh, Pennsylvania; and the families and friends of the 12 individuals killed at the mass shooting at the Borderline Bar & Grill in Thousand Oaks, California, in early November, 2018.

I. PROCLAMATIONS:

A. PROCLAMATION PROCLAIMING NOVEMBER, 2018, AS "DIABETES AWARENESS MONTH"

Councilman Young read the proclamation proclaiming November, 2018, as "Diabetes Awareness Month" in the City of Asheville. He presented the proclamation to Ms. Jackie Steward, JDRF Advocacy Team Chair, and others, who briefed City Council on some activities taking place during the month.

B. PROCLAMATION PROCLAIMING NOVEMBER 16, 2018, AS "CARE FOR CAREGIVERS DAY"

Vice-Mayor Wisler read the proclamation proclaiming November 16, 2018, as "Care for Caregivers Day " in the City of Asheville. She presented the proclamation to Ms. Terry Bellamy, and others, who briefed City Council on some activities taking place during the day.

II. CONSENT AGENDA:

A. APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON OCTOBER 23, 2018

B. RESOLUTION NO. 18-280 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH GREENLIGHT ELECTRIC INC. FOR THE BOND TRAFFIC SIGNALS - PHASE 2 PROJECT

Summary: The consideration of a resolution authorizing the City Manager to execute, on behalf of the City of Asheville, a contract in the amount of \$191,595.00 plus a contingency of 10% (\$19,159.50) with Greenlight Electric, Inc. for the project known as Bond Traffic Signals – Phase 2, and further authorizing the execution of any change orders to said contract which may arise during execution of said contract up to the budgeted amount of \$210,754.50.

This contract is for a General Obligation Bond project. Phase 2 will include one (1) of the four (4) proposed traffic signals approved by the 2016 Bond referendum (Along Patton Avenue, the intersections with Lexington Ave).

The project was advertised on September 5th, due to a lack of bidders, the project was re-advertised on September 21st with the following bid results on September 22nd:

Greenlight Electric, Inc. of Weaverville, NC	\$191,595.00
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Pros:

- Will upgrade aging traffic and pedestrian signals
- Project works towards fulfillment of General Obligation Bond

Con:

- Work will cause some traffic delays during construction

There is \$750,000 set aside for the four intersections identified for traffic signals in the General Obligation Bond Program. Three of these intersections are currently under construction in phase 1. Phase 2 will be the last of the intersections of the Bond program project that was identified for improvement. The combined total of phase 1 and phase 2 equals \$460,954.50, leaving \$289,045.50 for a potential phase 3 bond signal work.

Staff recommends City Council adopt a resolution authorizing the City Manager to execute, on behalf of the City of Asheville, a contract in the amount of \$191,595.00 plus a contingency of 10% (\$19,159.50) with Greenlight Electric, Inc. for the contract known as Bond Traffic Signals – Phase 2, and further authorizing the execution of any change orders to said contract which may arise during execution of said contract up to the budgeted amount of \$210,754.50.

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C. RESOLUTION NO. 18-281 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH DUKE ENERGY FOR PROPERTY ACROSS 34 HIAWASSEE STREET

Summary: The consideration of a resolution to convey an easement to Duke Energy Progress, Inc. (DEP) over a portion of City-owned property that is currently used as the employee parking lot for the U.S. Cellular Center.

The City of Asheville owns real property at 34 Hiwassee Street (PIN 9649-31-5500). It is located behind the US Cellular Center and is currently being used as the employee parking lot. The lot is paved with asphalt and lined for individual spaces. Approximately 32 cars can be parked in the lot and there are two entry and exit points.

DEP approached the City in the summer of 2017 requesting an easement on City property that would enable them to construct and maintain sections of overhead and/or underground electrical facilities between the Vanderbilt Substation and the West Asheville Substation. At that time, DEP wanted to replace a pole located in the parking lot of the US Cellular Center and stabilize its base with concrete. Time was of the essence and they requested a Right of Entry (ROE) in order to complete the work immediately. DEP was granted the ROE on August 21, 2017 and this work was done in the grassy area next to the parking lot. DEP worked with Chris Corl, the General Manager of the U.S. Cellular Center to minimize the number of spaces lost during construction and to maintain access for employees during the construction period.

In 2018, DEP requested a permanent easement over the employee parking lot in order to make and maintain overhead improvements to the existing line. DEP maintains that they have an easement already but their contention is debatable because many of the structures in the area have been torn down and replaced and streets have been changed or eliminated. The City of Asheville is also concerned that the improvements that exist under the power line (i.e., stairs, entry ways, and parking lot) could be removed by DEP under the language used in their standard easement agreement. The City Legal Department has worked with DEP's attorney to revise

DEP's standard easement language to allow the City's existing and planned improvements to remain within the easement area and to make DEP responsible for any damages to such existing improvements related to their work in the easement area. Additionally, the City has negotiated language with DEP which makes clear that the easement will terminate should the Vanderbilt Substation, which is located behind the U.S. Cellular Center, is removed and/or relocated.

Duke Energy Progress is requesting an easement that is approximately 0.136 acres under the existing overhead electrical cables.

The Real Estate Coordinator has briefed the Manager of the U.S. Cellular Center and he does not object to the project as long as he continues to have use of the parking lot without a loss of parking spaces.

Pros:

- City of Asheville retains use of an important parking area.
- City of Asheville supports DEP's efforts to maintain quality service to the Vanderbilt Substation serving the downtown area.

Cons:

- There is no compensation associated with this permanent easement.
- The easement limits certain uses on the property (e.g., new buildings).

Compensation is not offered when DEP is connecting to an existing pole.

Staff recommends City Council adopt a resolution granting the permanent easement for the electrical conduit and associated distribution lines at 34 Hiawassee Street behind the U.S. Cellular Center.

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D. RESOLUTION NO. 18-282 - RESOLUTION AUTHORIZING THE CITY MANAGER TO DISPOSE OF 1.72 ACRES OF CITY-OWNED REAL PROPERTY LOCATED AT THE MILLS RIVER WATER TREATMENT PLANT TO THE CITY OF HENDERSONVILLE FOR AN EMERGENCY WATER INTAKE

Summary: The consideration of a conveyance of 1.72 acres of real property located at the Mills River Water Treatment Facility to the City of Hendersonville for the purposes of installing an emergency municipal water intake system.

The City of Asheville owns over 300 acres in Henderson County that serves as the Mills River Water Treatment Facility. Asheville has been approached by the City of Hendersonville with a request to acquire 1.72 acres of said property to develop a new emergency water intake on the French Broad River to serve Hendersonville water customers.

Hendersonville wishes to acquire 1.72 acres of property located along the French Broad River. This parcel is located within the French Broad River floodplain and is located at the very northeastern edge of Asheville's property. This proposed intake is located downstream from Asheville's water intake and does not conflict with the future operations of the Asheville Water treatment facility. The subject parcel is not contiguous to the main treatment facility property and is part of a larger 50 acre tract of land that is separated from the main property by the convergence of the Mills River and French Broad River (see the enclosed map for clarification.)

Currently, there is no roadway access to the property except through a private driveway owned and controlled by the adjacent landowner, Super Sod.

At one time, the City leased the 50 acre tract of land to Super Sod for sod production. Once the Super Sod lease expired, the City contemplated utilizing the 50 acre site property to support local food production, but ultimately determined that preserving the property as a water quality buffer was the preferred land use. The City has identified no other public use for this property, given the flood plain and access concerns.

In response to the City of Hendersonville's request, City staff procured a third-party appraisal of the 1.72 acre property. Given the floodplain and access issues, the property appraised at \$14,625. The City of Hendersonville has offered to pay the appraised amount and acknowledges the need to obtain deeded, legal access to the property. A conveyance of property to another unit of government does not require a public bidding process and must be approved by City Council.

This item was endorsed by the Finance and Human Resources Committee on October 23, 2018.

Pros:

- Sale of property at fair market value.
- No conflicts with Mills River Water Treatment Facility.

Con:

- None noted.

Sale of property would benefit the Water Resources Enterprise fund.

Staff recommends the conveyance of 1.72 acres of real property located at the Mills River Water Treatment Facility to the City of Hendersonville for the purposes of installing a municipal water intake system.

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- E. RESOLUTION NO. 18-283 - RESOLUTION AMENDING THE 2018 CITY COUNCIL MEETING SCHEDULE TO INCLUDE A WORKSESSION ON NOVEMBER 27, 2018, AT 3:00 P.M. IN THE COUNCIL CHAMBER, 2ND FLOOR OF CITY HALL, TO DISCUSS CITY OF ASHEVILLE REVENUE SOURCES**

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- F. RESOLUTION NO. 18-284 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ALTA PLANNING + DESIGN, INC. FOR THE DESIGN SERVICES FOR THE ASHEVILLE GREENWAY CONNECTORS PROJECT, PHASE TWO**

Summary: The consideration of a resolution authorizing the City Manager to execute a contract with Alta Planning + Design, Inc. (Alta) for services necessary to create design and construction documents for the project known as the Asheville Greenway Connectors, in the amount of \$95,087.40, plus a contingency of 20% (\$19,017.48).

This project is to design two on-street bicycle and pedestrian connections that will connect the Town Branch Greenway to Memorial Stadium (future Beaucatcher Greenway) and the Bacoate Branch Greenway. The work includes but is not limited to data collection, base mapping, street engineering, streetscape design and wayfinding, public engagement, utility coordination, and design plans.

Alta was selected from a pool of eleven respondents to the City's request for qualifications advertisement, issued on December 13, 2016. The selection process included a qualifications-based, individual and group review by a committee of City staff. Phase 1 of the project consisted of a feasibility study and was undertaken in a February 2018 contract with Alta, contract #91800250 for \$24,912.60. The anticipated budget of Phase II of this project, consisting of design and construction documents, is a lump sum price of \$95,087.40. A 20% contingency has been added to account for:

- N.C. Dept. of Transportation (NCDOT) administrative costs associated with NCDOT administration of the project grant;
- the possibility of temporary construction easements being needed;
- and any unforeseen costs that typically arise during construction and design.

Pros:

- Increases access to the City's growing inventory of greenways
- Works towards defining Asheville as a recreation destination

Con:

- Eventual construction will be disruptive to the area.

The total amount of the contract is \$114,104.88, including contingency. This contract is funded through the Federal Highway Administration and administered by the NCDOT, via the Moving Ahead for Progress in the 21st Century Act.

City staff recommends City Council adopt a resolution awarding the contract to Alta and authorizing the City Manager to execute the contract for the design services necessary to perform the Asheville Greenway Connectors, Phase Two: Design and Construction Documents project, in the amount of \$95,087.40 plus a contingency of \$19,017.48 (20%).

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G. RESOLUTION NO. 18-285 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH WNC LANDSCAPING, LLC, FOR THE FISCAL YEAR 2019 DOWNTOWN CLEANING CONTRACT

Summary: The consideration of a resolution authorizing the City Manager to execute a contract in the amount of \$226,202 plus a contingency of 15.0% (\$33,930) with WNC Landscaping, LLC. for the project known as Fiscal Year 2019 Downtown Cleaning Contract.

This contracts includes provisions for the pressure washing of City owned sidewalks in the Central Business District (CBD), weed control on City owned sidewalks and curblines, general cleanup services to remove loose litter and debris from City owned sidewalks and the cleaning of City owned garbage and recycle cans.

Specifically, Zone A of the CBD will be pressure washed six times in one year and Zone B will be pressure washed 2 times. The contractor will provide weed control on an as needed basis and patrol daily for loose litter and debris. Garbage and recycle cans will be cleaned four times per year.

The current version of this contract only provides for 4 cycles of Zone A and weed control in Zone A and B. It does not contain provisions for litter patrol or cleaning of garbage cans.

The project was advertised on August 29, 2018, and bids were opened on September 20, 2018, with the following results:

WNC Landscaping, LLC of Cedar Mountain, NC	\$226,202
Harper Professional Janitorial Services of Black Mountain, NC	\$288,434
Rivertop Contracting of Swannanoa, NC	\$406,266

A 15.0% contingency (\$33,930) has been added to allow payment for any unforeseen costs that typically arise during projects.

Staff have compared the impacts of contracting vs in-house staff completing the downtown cleaning work and staff is recommending that the work be brought in house. Staff will request a new crew and equipment as part of next year's budget. The suggestion to add these items in Fiscal Year 2020 will be made as part of the budget process in the Spring of 2019. If this request is authorized by City Council as part of the normal budgeting process, the purchase of equipment and staffing the program should be completed by October 2019. By the renewal date of this contract, equipment and staffing can be in place to provide in house maintenance service in the CBD and no contract renewal will be necessary. Authorizing this contract and following the set budget process will allow for these maintenance services to go uninterrupted over the next year. Following this recommendation will also provide City Council with adequate opportunity to review and approve the additional budget items.

Pros:

- Will increase the cleaning rates of the most heavily used areas of the CBD.
- Will provide for the cleaning of City owned garbage and recycle cans which are a source of complaint.

Con:

- Project management and contract administration will consume staff time.

Funding for this contract is in the Fiscal Year 2018-2019 budget.

City staff recommends City Council adopt the resolution awarding the contract to WNC Landscaping, LLC. and authorizing the City Manager to execute a contract in the amount of \$226,202 plus a contingency of \$33,930 (15.0%) for the FY 19 Downtown Cleaning contract.

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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.

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

III. PRESENTATIONS & REPORTS:

A. ASHEVILLE POLICE DEPARTMENT OPEN DATA UPDATE

Assistant to the City Manager Jaime Matthews updated City Council on the Asheville Police Department (APD) Open Data requests. She said that APD CAD 911 calls and APD citizen complaints data has been added to the Open Data. Datasets now completed include emergency call data, crime reports, citizen complaints and traffic stop reports. Policies and reports include the APD policy manual, and internal reports. Additional actions include the Blue Ribbon Committee, and recordings of committee meetings. Data upgrades include (1) Use of Force - estimated release in upcoming weeks; (2) Citation and Arrest Data - CJIS staff has begun working on data; and (3) Demographics information on all City employees - working with Human Resources to update data. Next steps include (1) continued work with Asheville Police Department, Information Technology Department, and community partners to release remaining data; and (2) continued work to validate and improve data sets that have been released.

In response to Councilwoman Mayfield, Ms. Matthews said that staff is working on the breakdown on the number of Asheville Police Department calls for services.

B. CITY COUNCIL'S STRATEGIC PRIORITIES UPDATE

Interim Assistant City Manager Scott Burnette briefly reviewed Council's Strategic Plan update. For an Equitable & Diverse Community, (1) an Inclusive Engagement & Leadership Manager was hired, (2) an Equity Core Team #2 began their training to support the implementation and tracking of the Equity Action Plan as well as develop a Budget Analysis Tool; and (3) the Office of Equity & Inclusion has been working closely with Human Resources to analyze and change practices to become a more equitable employer. In the Well Planned and Livable Community section, (1) the City is working toward a late fall completion of the northern half of the French Broad River Greenway East; (2) paving has now been completed, from the current Lyman Street/Riverside Drive intersection to just north of the railroad trestle bridge; (3) a community celebration of the newly installed Big Fish sculpture and the first section of paved greenway on the west bank of the French Broad River was recently held on November 9; (4) we have plans to begin construction in the Spring of 2019 on future French Broad River West; (5) we are preparing to begin work on the Charlotte Street Corridor Improvement Project; and (6) work is underway on the first group of playgrounds and sport courts to be renovated with funding from the bond referendum passed in 2016. For a Clean & Health Environment, (1) the Office of Sustainability in collaboration with Development services earned the City of Asheville a Gold designation from the national SolSmart program for making it faster, easier and more affordable for homes and businesses to go solar; (2) Council established a 100% renewable energy goal and the City has partnered with the County to develop a renewable energy roadmap; (3) funding for solar panels on the ART station bus canopy has been secured; (4) the Riparian Enhancement Plan Project was recently completed; and (5) the City's Climate resilience assessment was adopted as an appendix to the comprehensive plan in June and efforts are currently underway to develop a toolkit to help residents build resilience on their own property. For Quality Affordable Housing, (1) the City is working on a strategy to solve affordable housing challenges through the redevelopment of City-owned land; (2) the Lee Walker Heights redevelopment project has received a 4% tax credit approval, and plans are set to move forward with construction in the Spring of 2019; and (3) a workshop co-sponsored by the City of Asheville was held for residents to have a chance to learn how to take advantage of updated zoning regulations. Under Transportation & Accessibility, (1) work is ongoing on the River Arts District Transportation Improvement Project (RADTIP); (2) as part of a collaboration with Asheville on Bikes and other organizations, a tactical urbanism project has been completed on a stretch of Coxe Avenue, between Banks & Buxton Avenues; (3) improvements to the downtown ART station are expected to start in early 2019; (4) a new real-time app has been launched for Asheville ART bus riders; and (5) Asheville's Comprehensive Plan calls for the City to transition in a direction that strengthens urban transit corridors and connects urban centers. For a Thriving Local Economy,

(1) the final stages of the Disparity Study have been completed; and (2) we have a supporting role in Mountain BizWorks Test-Drive Program. For a Connected & Engaged Community. For a Connected & Engaged Community, (1) beginning in the month of October, Asheville residents were invited into City budget process through neighborhood meetings; (2) in the inaugural year of the Visiting Artist Project, the finalist -Art Ecologie- was chosen in October by a leadership team; their choice was informed by a community engagement process that included an online survey with over 200 responses; (3) this year's Festival of Neighborhoods, organized by the City of Asheville's Neighborhood Advisory Committee, brought together neighborhoods from all parts of the city, representing 14 associations to hear more about the City's next steps with implementing the Living Asheville Comprehensive Plan, Development Update/Tools and continued neighborhood planning through the Plan on a Page process; and (4) The International Association of Public Participation (IAP2) just held a training session on planning and techniques for better public engagement. In the Financial Resilient Community, (1) in an effort to increase transparency and engagement leading into FY 2019-2020 budget processes, staff have been providing detailed departmental information to Council and the community in budget worksessions, beginning in August, and ending in December this year; (2) City staff and Council members have been participating in public meetings throughout different Asheville regions in October and November in order to break down information on the budget process for our residents, and allow them to provide input as well as give feedback about budget priorities; and (3) the City also has an online dashboard available for anyone to access, allowing community members to stay engaged and informed about City spending and bond use.

C. I-26 CONNECTOR UPDATE

Transportation Director Ken Putnam provided the following update: "The purpose of this memorandum is to provide an update to City Council regarding the I-26 Connector project (Project # I-2513).

"The North Carolina Department of Transportation (NCDOT) and their design team are currently working to finalize the Final Environmental Impact Statement (FEIS) including additional coordination with the US Fish and Wildlife Service (USFWS) regarding two Federally Listed Endangered Species that were "identified" in the project area within the last year. Specifically, the species are the gray bat and the elktoe mussel. A biological assessment must be prepared outlining the measures needed to minimize harm to both species. Once prepared, the biological assessment will be submitted to the USFWS for review and comment and they will issue a biological opinion that serves as concurrence to enable the project to move forward to the construction phase. The Federal Highway Administration (FHWA) has indicated that they will not sign the FEIS document until the biological assessment is submitted and they will not sign the Record of Decision (ROD) until the biological opinion is issued.

"In order to keep moving forward with the project, the NCDOT is adjusting the schedule as follows:

- Schedule a public hearing the first week of December 2018 prior to the signing of the FEIS (scheduled for Tuesday, December 4, 2018).
- Release the signed FEIS during January 2019.
- Sign the Record of Decision (ROD) during May 2019.

"There will be a comment period following the public hearing and the release of the FEIS. All of the comments received will be considered prior to signing the ROD.

"Since Project # U-5868, which is identified as a widening project along SR 1477 (Riverside Drive) from NC 251 / SR 1781 (Broadway) to Hill Street, and Project # I-2513 are "linked" because of overlapping study areas, the NCDOT has made the decision to delete Project

U-5868 and absorb all the work into Project # I-2513. This decision was made in coordination with the FHWA and it will create efficiencies for all parties by reducing the number of required environmental documents as well as simplifying further agency coordination as the projects move forward. The U-5868 project number and description will be included in the public hearing advertisement and on the public hearing maps. In addition, information will be available at the public hearing explaining this change. This change does not affect the scope and proposed improvements that have already been discussed.

“The City’s consulting firm, Sam Schwartz Consulting, prepared a technical memorandum dated September 19, 2018, that is intended to be included in the FEIS as an official record of the City’s preferred vision for the I-26 Connector project and it was submitted to the NCDOT and their design team on September 27, 2018.

“The City’s Aesthetics Committee had their first meeting on October 3, 2018, from 1:00 pm until 4:00 pm at the Municipal Building on the 4th floor in the Police & Fire Training Room. The purpose of the meeting was for the committee members to learn about their roles and responsibilities for suggesting aesthetics treatments for the subject project and to hear from the NCDOT regarding resources available to them and examples of treatments that have been used by other communities throughout the state.

“City Council has sent out a request for additional committee members and the application deadline is Monday, November 5, 2018 at 5:00 pm. Additional information and applications can be found on the City’s Boards and Commissions webpage.

“The second meeting is scheduled for Friday, November 30, 2018, from 9:00 am until noon at a location to be determined. All of these meetings are “noticed” and the public is welcome to attend. The purpose of the second meeting will be to provide an appropriate background (history) for the committee members including newly appointed members and to begin the actual work. Sam Schwartz Consulting will be facilitating this meeting.”

Councilwoman Mayfield announced a N.C. Dept. of Transportation will hold a public hearing on December 4, 2018, to review the latest maps on I-26, and another public hearing in January on the final Environmental Impact Statement on I-26.

IV. PUBLIC HEARINGS:

A. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE MAKING ALL SUBDIVISIONS IN HISTORIC OVERLAY DISTRICTS AND ON LOCAL HISTORIC LANDMARK PROPERTIES A MAJOR WORK

Councilman Young moved to continue this public hearing until December 11, 2018. This motion was seconded by Councilwoman Smith and carried unanimously.

V. UNFINISHED BUSINESS:

VI. NEW BUSINESS:

A. RESOLUTION NO. 18-286 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH TRAFFIC PLANNING & DESIGN INC. FOR THE CHARLOTTE STREET IMPROVEMENT PROJECT

Capital Projects Director Jade Dundas said that this is the consideration of a resolution authorizing the City Manager to execute a design contract with Traffic Planning and Design, Inc. for the Charlotte Street Improvement Project.

The Charlotte Streets Improvements project has been listed in the General Capital Improvement Program since Fiscal Year (FY) 2014-15, and is consistent with City Council's direction related to the Charlotte Street Road Diet and safety improvement recommendations provided in April 2018. This project includes the section of Charlotte Street between I-240 and Edwin Place. The adopted budget for the project is \$1,250,000.

In March, 2018 the Planning and Economic Development Committee considered five options for moving the subject project forward and made a recommendation that City Council put forward in resolution #18-93 in April, 2018. A portion of that resolution is outlined below:

(1) WHEREAS, Option 1 is a road diet only approach which consists of issuing an RFQ for engineering services to use programmed capital funds to produce construction drawings to implement a road diet with bike lanes and pedestrian improvements as the preferred and priority treatment; (2) WHEREAS, Option 3 is a tactical projects approach for the design and implementation of spot neighborhood safety, pedestrian, and streetscape improvements along the Charlotte Street Corridor; and (3) WHEREAS, City Council also requests the Planning staff review the zoning and land uses in the Charlotte Street Corridor to identify possible changes that would enhance a multi-modal, pedestrian-oriented experience.

Following this direction, City staff issued a Request for Qualifications for design services for the Charlotte Street Improvement project. In response to the RFQ, the City received nine (9) Statements of Qualifications to be considered for the project. After thorough review, evaluation and interviews, staff recommended Traffic Planning & Design, Inc. (TPD) as the most qualified to perform the surveying, design and construction administration services for this project. The scope for TPD includes community outreach, surveying, technical design, bidding and construction administration. The tentative project outline is shown below:

Surveying/Design/Public Engagement	Fall/Winter 2018
Bidding for Construction	Winter 2018
Construction Begin	Spring/Summer 2019
Construction Complete	Summer/Fall 2019

Pros:

- Currently listed in the adopted capital budget.
- Implements multi-modal principles.
- Enhances travel safety for multiple modes of transportation.

Con:

- Possible reduced levels of service for automobiles and increased queue lengths during peak hours.

The adopted capital budget already includes \$1,250,000 for the Charlotte Street Improvements project.

Staff recommends City Council adopt the resolution authorizing the City Manager to execute a contract with Traffic Planning & Design, Inc. to provide survey, public engagement, design, bidding and construction administration services for the Charlotte Street Improvement project for an amount not to exceed \$155,000, and further authorizing the City Manager to execute any contract amendments up to 10% (\$15,500) above of the contract price.

Transportation Director Ken Putnam briefly reviewed the project comprehensively.

Several individuals spoke in support of the Charlotte Street Improvement Project, for some reasons, some being, but are not limited to: much needed safety improvements to the street; needed stormwater improvements, remilling and repaving Charlotte Street, need to bury electrical lines; need to widen sidewalks and move electrical poles; smaller road will be safer for pedestrians and make people realize they are in a residential area and not a cut through to commercial area; and bike lanes will also help with pedestrian safety.

Several individuals spoke in opposition of the Charlotte Street Improvement Project, for several reasons, some being, but are not limited to: postpone the design process; review past traffic studies, conclusions and recommendations; plan ahead by looking at any new developments on Charlotte Street; return to the original priority of pedestrians first; restart neighborhood engagement; with three lanes, instead of spending money for three-lanes, the money will be better spent on sidewalks and stormwater system; Americans with Disabilities Act sidewalk improvements are not included in the plan; narrowing a major commuter artery will cause major congestion and backups; drivers are already trying to find alternative routes creating congestion; and traffic and safety issues on the side streets.

Mayor Manheimer said the scope of the project is not as comprehensive as might we might have hoped. She explained how the vision of the long-term full scope of the project is the street improvement now, noting that the sidewalk issue will be incorporated into the long-range plan. One of the challenges is the number of curb-cuts that Charlotte Street has and it's always difficult for cities to get private property owners to close up their curb cuts so there is more level sidewalk, as well as the width.

Mayor Manheimer has had the personal experience of running and walking with a stroller on Charlotte Street for many years. She is very supportive of this project. She has had the opportunity to visit other cities to see how they have experienced changes and we are not the first to try this out. There is a lot of good information about this. Charlotte Street is very dangerous and she is very hopeful it will be a positive improvement for north Asheville. She said that it's inevitable that Asheville will grow and the answer is not to widen roads. Cities are trying to reclaim their urban vibrancy to make sure it remains a place where you can walk, ride a bus or ride a bike.

Councilwoman Mayfield said that change is hard and scary and this is a big change. However, there is a lot of good information available, especially an AARP document on road diets including a myth-busting section.

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. 18-286. This motion was seconded by Councilman Haynes and carried unanimously.

RESOLUTION BOOK NO. 40 - PAGE 187

B. RESOLUTION NO. 18-287 - RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED PROPERTY AT 360 HILLIARD AVENUE TO THE KASSINGER DEVELOPMENT GROUP FOR AN AFFORDABLE HOUSING DEVELOPMENT

RESOLUTION NO. 18-288 - RESOLUTION TO APPROVE LOANS FROM THE CITY'S HOUSING TRUST FUND

Mr. Jeff Staudinger, representing the Community & Economic Development Department, said that this is the consideration of a revised proposal from Kassinger Development Group for the development of mixed-income housing at the City-owned 360 Hilliard Street

On June 13, 2017, City Council approved a proposal from Kassinger Development Group for a 64 unit rental development on the city-owned "Parks Maintenance" site, located at 360 Hilliard Avenue. At the time, the project, which had an estimated development cost of \$7.9 million, incorporated the following elements:

- 64 units total, of which 33 were affordable at 80% and below AMI, and 31 were market rate;
- 49 one bedroom and 15 two bedroom units;
- third party sustainability certification.

Two other key elements were proposed:

- 50 year land lease from the City; with a lease payment of 10% of net cash flow made annually to the City for the term of the lease;
- 50 year period of affordability

The City committed \$1,280,000 of Housing Trust Funds to the development, at 2% interest for a 50 year term. The City also agreed to a Land Use Incentive Grant (LUIG) for a period of 10 years, with an estimated value (in current dollars at the time of approval) of \$291,430. This was a total incentive per unit of \$24,554 and \$47,619 per affordable unit.

The Developer sought financing with a HUD guarantee, and hoped to be under way by the summer of 2018. During this time frame, although the HUD financing was ultimately approved, significant increases in construction costs, reflecting national conditions, made the project as proposed unfeasible.

Kassinger, committed to the project regardless, sought staff feedback and suggested that a for-sale condominium development might make financial sense. Staff responded positively to this proposal, and Kassinger is now making that proposal.

New Proposal - Kassinger now proposes a 64-unit mixed income for-sale community to be located at 360 Hilliard Avenue. In summary, the proposed project would be comprised of:

- 49 1-BR units and 15 2-BR units.
- 33 (52%) affordable
 - 28 1-bedroom units at \$135,000
 - 5 2-bedroom units at \$155,000
 - Income restricted to 80% AMI, with an affordability period of 50 years.
 - The developer would provide the 1st year of HOA payments on each affordable unit.
- 31 Market Units
 - 21 1-bedroom units, priced at \$224,738
 - 10 2-bedroom units, priced at \$312,800
 - No deed restrictions on market units.

The developer is seeking the purchase of the land based on the appraised value from Fred Beck and Associates of \$750,000, dated July 3rd, 2018. They propose that 50% of the land

value be left in the project to subsidize the cost of the affordable units. The remaining 50% of the land value would be paid in the take down of the units. They also propose that the current land parcel would be subdivided out to allow the back parking to remain in the control of the city.

Thirteen of the affordable units must be sold to households earning 60% or less of median income. Priority for purchase will be given to Housing Choice Voucher holders, with a goal of sale to 20 voucher holders. Currently, 50 households are participating in the Housing Authority's homeownership qualification program. The developer and City staff will initiate an education and marketing program to those participating households, and make down payment assistance available to qualified households. The Housing Authority will actively market this development to their those participating households.

Kassinger seeks the following incentives:

\$1,280,000 Housing Trust Fund loan. The loan request amount is unchanged from the original proposal, but now is proposed to be used for construction financing. The request is for interest only payments during the period of construction, with full pay-back of principal as units are sold, with an estimated full repayment occurring in three years.

\$375,000 Land Value Discount. As stated above, the developer proposes that one-half of the appraised land value remain in the project as subsidy for the affordable units.

Because this is a for-sale project, no LUIG is requested.

The proposed schedule for development is:

Activity	Completion Date
Property Acquisition Completed	1/15/2019
Zoning Approvals Obtained	N/A – Zoning is already in place
Final Bid Specifications Completed	Completed
Detailed Architectural Design Completed	Completed
Building Permits Obtained	12/15/2018
Construction and All Subordinate Financing Committed	1/15/2019
Housing Trust Fund Loan Close	1/15/2019
Site Clearance	2/15/2019
Construction Started	3/1/2019
Construction 50% Completed	7/15/2019
Marketing and Lease-up Begins	7/15/2019
Construction Completed	1/15/2020

Final Sale (homebuyer)	3/15/2020
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Pros:

- The project as proposed is fully designed, and the developer indicates that all required construction financing is pending;
- 64 units of new mixed-income ownership housing will be developed in the City's Central Business District, with excellent transportation access as well as walkable proximity to jobs, schools, services, and amenities ;
- As originally proposed, 33 of those units will be affordable to low and moderate income households for 50 years;
- The new construction will be National Green Building Standard (NGBS) certified (<http://ngbs.com/the-ngbs-green-promise>);
- The City's HTF investment will be repaid as units are sold, making these funds again available to support affordable housing development;
- Half of the City land value will also be returned to the City, with the remainder helping bridge the gap to make the affordable units possible;
- If the City so desires, sale of units to the Community Land Trust or directly to lower income purchasers will be possible using City bond resources to further write-down the cost of the units at the time of purchase; the use of bond resources for Down Payment Assistance will be governed by the City's Down Payment Assistance Policy, currently under development by staff for review by the Housing and Community Development Committee;
- The City will have expanded its toolbox of public-private partnership for the development of affordable housing, and potentially create a model for consideration for the Cedar Hill property as well as other projects.

Con:

- In order to facilitate both construction financing and ultimate individual unit sale, the developer maintains that sale of the property, rather than lease as originally approved, is necessary. Staff has researched this issue and concludes that the current finance situation makes bank participation on both construction and ultimately mortgage financing for individual buyers much more attainable when the developer and homebuyers have fee simple title to the property.

This revised proposal was reviewed by the Housing and Community Development Committee on October 16, and recommended for action to City Council.

The project seeks a total upfront investment from the City of \$1,280,000 in a construction loan from the Housing Trust Fund, and a further investment of \$375,000 in land value, for a total investment of \$1,655,000. The full HTF loan would be repaid, at 2% interest. The \$375,000 invested from land value is \$12,098 per affordable unit.

Staff recommends that City Council accept the revised Kassinger proposal for the redevelopment of 360 Hilliard Avenue as a mixed-income for-sale development, including accepting the revised proposal for the use of \$1,280,000 of Housing Trust Funds, eliminating the commitment of a Land Use Incentive Grant, and agreeing to subdivide the 360 Hilliard Avenue parcel and sell to Kassinger the portion of that parcel to be used for the construction of the project.

In response to Vice-Mayor Wisler, Mr. Staudinger explained what tools we will use to make sure that the affordability period of 50 years will remain. She then stated that she can support the project as long as we can make sure those details are part of the sale and that the affordability period is in effect as long as possible.

Mr. Chip Kassinger said that they are excited about this project and confirmed that all details of the sale will be agreed to up front.

Councilman Young said that the HCD Committee has made some policy changes in order to adopt to the changing needs of Asheville to support affordable housing needs while also trying to address gentrification issues. He noticed the absence of subsidies for low income homeowners and the extremely low homeownership rate amongst subsidized households. That previously suggested to him that there was a strong policy bias against homeownership and a preference for any rental units. We also found out that Asheville was the second fastest gentrified city in America with a lack of affordable homeownership options at the lower price points. This project is a direct reflection of the recent policy changes and will be the first project before Council that will directly secure ownership opportunities for those at the lower price points of our community. He relayed a message to Council from Shaunda Sandford, the Program Manager for the Family Self-Sufficiency Program, stating that "This opportunity has the potential to be a major vehicle for our residents who face significant barriers to become homeowners and build wealth and economic opportunity right here in the City of Asheville. Other positive effects identify with homeownership include improved outcome for our children who we hope will want to live here and become future leaders of our community. ... Just in case folks are wondering how many Housing Authority residents are eligible for housing choice vouchers that will commit funds towards their mortgages, I can't give you an exact number, but it's every single one of them."

When Mayor Manheimer asked for public comments, none were received.

Mayor Manheimer said that members of Council have been previously furnished with copies of the resolutions and they would not be read.

Councilman Young moved for the adoption of Resolution No. 18-287. This motion was seconded by Councilwoman Smith and carried unanimously.

RESOLUTION BOOK NO. 39 – PAGE 188

Councilman Young moved for the adoption of Resolution No. 18-288. This motion was seconded by Councilwoman Smith and carried unanimously.

RESOLUTION BOOK NO. 39 – PAGE 189

C. BOARDS & COMMISSIONS

Regarding the Board of Electrical Examiners, since no applications for the layman seat were received, it was the consensus of Council to re-advertise for the position.

Regarding the Citizens-Police Advisory Committee, since no applications for the resident of property owned by the Housing Authority were received, it was the consensus of Council to re-advertise for the position.

RESOLUTION NO. 18-289 - RESOLUTION APPOINTING MEMBERS TO THE ALCOHOLIC BEVERAGE AND CONTROL BOARD

Vice-Mayor Wisler, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Alcoholic Beverage and Control Board.

The terms of Robin Cape and Edward Hay expire on November 13, 2018.

The following individuals applied for the vacancy: Mychal Bacoate, Lakota Denton, Januarie West, Max Haner and Charlie Hodge. However, Mr. Hodge had a conflict of interest

It was the consensus of the Boards & Commissions Committee to appoint Januarie West and Max Haner.

Vice-Mayor Wisler moved to appoint Januarie West and Max Haner as members of the Alcoholic Beverage Control Board to each serve a 3-year term respectively, terms to expire November 13, 2021, or until their successors have been appointed. This motion was seconded by Councilman Haynes and carried unanimously.

RESOLUTION BOOK NO. 40 - PAGE 190

RESOLUTION NO. 18-290 - RESOLUTION APPOINTING A MEMBER TO THE HOMELESS INITIATIVE ADVISORY COMMITTEE

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

The term of Dale Davidson expires on 1, 2018.

The following individuals applied for the vacancy: Thomas Cash, Tamarie Macon and Tim McElyea.

It was the consensus of the Boards & Commissions Committee to reappoint Dale Davidson.

Vice-Mayor Wisler moved to reappoint Dale Davidson to serve a three-year term, term to expire November 1, 2021, or until his successor has been appointed. This motion was seconded by Councilman Haynes and carried unanimously.

RESOLUTION BOOK NO. 40 - PAGE 191

RESOLUTION NO. 18-291 - RESOLUTION APPOINTING MEMBERS TO THE I-26 CONNECTOR PROJECT AESTHETICS COMMITTEE

Vice-Mayor Wisler, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the I-26 Connector Project Aesthetics Committee.

The following individuals applied for the vacancy: Kenneth Dierks, Susan Bigbie Loftis and Larry McDevitt.

It was the consensus of the Boards & Commissions Committee to appoint Kenneth Dierks and Susan Loftis.

Vice-Mayor Wisler moved to appoint Kenneth Kierks and Susan Loftis to the I-26 Connector Project Aesthetics Committee, to serve approximately one year or until their tasks are complete before the Environmental Impact Statement is released. This motion was seconded by Councilwoman Mayfield and carried unanimously.

RESOLUTION BOOK NO. 40 - PAGE 192

RESOLUTION NO. 18-292 - RESOLUTION APPOINTING A MEMBER TO THE NEIGHBORHOOD ADVISORY COMMITTEE

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

Mr. Ken Miller has resigned, thus leaving an unexpired term until July 1, 2019, for the representative of 28806 or 28728.

The following individuals applied for the vacancy: Bob Swanson, Gretchen Gudites, Nan Huebner, Steven Rasmussen, Anna Sexton, Grace Davidson and Geoff Grant

Vice-Mayor Wisler moved to appoint Anna Sexton to serve the unexpired term of Mr. Miller, term to expire July 1, 2019, or until her successor has been appointed. This motion was seconded by Councilman Kapoor carried unanimously.

RESOLUTION BOOK NO. 40 - PAGE 193

RESOLUTION NO. 18-293 - RESOLUTION APPOINTING A MEMBER TO THE PUBLIC ART & CULTURAL COMMISSION

Vice-Mayor Wisler, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Public Art & Cultural Commission.

Mr. Guillermo Rodriguez has resigned, thus leaving an unexpired term until June 30, 2020.

The following individuals applied for the vacancy: Cate Ryba, Mariana Llorente, Karven Depew, Valeria Watson, Karin Peterson, Travis Smith, Jasmine Washington, Nandita Vyas and Honor Moor.

Vice-Mayor Wisler moved to appoint Valeria Watson to serve the unexpired term of Mr. Rodriguez, term to expire June 30, 2020, or until her successor has been appointed. This motion was seconded by Councilman Haynes and carried unanimously.

RESOLUTION BOOK NO. 40 - PAGE 194

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Ms. Tammy Summey expressed to Council a concern of harassment she experienced while voting in west Asheville. She did state that she voiced her concerns to the Board of Elections.

Ms. Velvet Hawthorne showed a video of truck parking on the sidewalks on Maxwell Street.

Mr. Ben Airing, student at Warren Wilson College, asked Council if they felt it was appropriate for the Vance Monument should be displayed on public property downtown. Mayor Manheimer said that she would be happy to sit down and meet with Mr. Airing or he could submit any questions to all of Council.

Mr. Jonathan Wainscott asked for information to be presented at the budget worksessions to include a growth chart of the African American community.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 7:21 p.m.

CITY CLERK

MAYOR