Thursday – December 4, 2025 - 11:00 a.m.

Agenda Briefing Worksession - For December 9, 2025, Council Meeting

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

Absent: Mayor Esther E. Manheimer and Councilwoman Sheneika Smith

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

At 11:20 a.m., Vice-Mayor Mosley adjourned the agenda briefing worksession.

Tuesday – December 9, 2025 - 5:00 p.m

Regular Meeting

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

Absent: Councilwoman Sheneika Smith

**PLEDGE OF ALLEGIANCE**

Mayor Manheimer led City Council in the Pledge of Allegiance.

Mayor Manheimer read a statement regarding Chamber decorum.

**I. PROCLAMATIONS/ADMINISTRATION:**

**A. PROCLAMATION PROCLAIMING DECEMBER 21, 2025, AS "EVERGREEN ARBOR DAY"**

Councilwoman Ullman read the proclamation proclaiming December 21, 2025, as "Evergreen Arbor Day " in the City of Asheville. She presented the proclamation to the City's Urban Forester Keith Aiken and Zoe Hoyle who briefed City Council on some activities taking place during the day.

**II. CONSENT AGENDA:**

Mayor Manheimer announced that Consent Agenda Item "C" will be removed from consideration at this meeting.

**A. APPROVAL OF THE MINUTES OF THE (1) SPECIAL MEETING HELD ON NOVEMBER 13, 2025; (2) SPECIAL MEETING HELD ON NOVEMBER 14, 2025; (2) SPECIAL MEETING HELD ON NOVEMBER 16, 2025; (4) AND THE COMBINED MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON NOVEMBER 13, 2025, AND THE FORMAL MEETING HELD ON NOVEMBER 18, 2025**

**B. RESOLUTION NO. 25-282 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH JR MERRIMON & CO., LLC TO PERFORM SERVICE LINE INVENTORY IN THE SHILOH COMMUNITY FOR THE WATER RESOURCES DEPARTMENT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute a contract with JR Merrimon & Co., LLC to perform service line inventory in the Shiloh Community for the Water Resources Department.

**Background**:

- Water Resources is required to build an inventory per US EPA & NC Department of Environment Quality (NCDEQ) regulations.
- Water Resources was awarded a total of $4M in principal forgiveness loans from NC Department of Water Infrastructure (NCDWI) to perform find and replace projects in the Shiloh Community.
- The first phase of the project is to complete a service line inventory, which will require digging holes on either side of the water meter to determine the service line material on both the utility and customer owned sections.
- JR Merrimon & Co., LLC was selected to perform the service line inspections required for the project after Water Resources performed the RFP process.

**Vendor Outreach Efforts:**

- Vendor outreach was performed following the Federal Terms and Conditions.
- A search for utilities contractors was performed on the city's vendor list, NCDOT DBE list and NC HUB lists. All vendors were emailed from the list.
- The RFP was posted on the City website and NC DOA HUB websites.

**Council Goal(s):**

- Improve/Expand and Maintain Core Services

**Committee(s)**:

- N/A

**Pro(s):**

- This project is aligned with the City and the Water Resources Department goal of continued investment and improvement of the City's water system, in order to provide safe and reliable service.
- The inventory project will provide a list of sites that qualify for service line replacement on both the utility owned and customer owned sections of the service line in the project area of the Shiloh Community

**Con(s):**

- There are no cons with entering into this contract.

**Fiscal Impact**:

- Funding will be reimbursed from the principal forgiveness loan from NCDWI.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to sign a contract with JR Merrimon & Co., LLC to perform the Shiloh Community service line inventory for the Water Resources, the services not to exceed $296,625.00

**RESOLUTION BOOK NO. 46 - PAGE 189**

**C. RESOLUTION TO RATIFY THE EXECUTION OF A LEASE WITH TANGER ASHEVILLE LLC AT 822, TANGER OUTLET "SHOPPING CENTER," ASHEVILLE, N.C., TO PROVIDE ONGOING A NEW RESOURCE CENTER LOCATION FOR THE ASHEVILLE POLICE DEPARTMENT WEST**

This item was removed from consideration.

**D. RESOLUTION NO. 25-284 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN EASEMENT AGREEMENT WITH EMERSON RIDGE SUBDIVISION HOMEOWNERS' ASSOCIATION, INC., FOR PROPERTY LOCATED ON SPIVEY MOUNTAIN ROAD**

**Action Requested:** Adoption of a resolution to authorize the City Manager to execute an Easement Agreement with Emerson Ridge Subdivision Homeowners' Association, Inc. for property located on Spivey Mountain Road.

**Background:**

- Emerson Ridge subdivision maintains two wells on its property.
- The second well failed due to the impacts of Hurricane Helene.
- The City owns utility property adjacent to the Emerson Ridge subdivision.
- The Emerson Ridge subdivision home owners have requested a permanent easement (subsurface and above ground) from the City to install a below-ground tank with a submersible pump that will operate as a new back up system to the primary well as well as appurtenant above ground structures such as a fence and above-ground utilities.
- The permanent easement area requested is 40 feet in length and 15 feet in width (approximately 650 +/- square feet , not to exceed six (6) feet below the surface at the most southwestern corner of 221 Spivey Mountain Road on city-owned property acquired by Deed Book 2040 at Page 384 in the Buncombe County Registry and identified as PIN 9619-83-2058.
- In determining whether to grant an easement for purposes of water connection or not, the Water Department considers several key factors to guide its decision including:
    - *Public v. Private Benefit*-in this case the Emberson Ridge Subdivision HOA has demonstrated a compelling need to connect to the City's water system due to a potential health and safety issue (well failure) and in this way, will be able to maintain redundant access to water.
    - *Feasibility and Impact*-i.e. whether the requested infrastructure would conflict with existing or future City utilities. The property subject to the easement is currently utilized for Water operations with no critical City infrastructure requiring additional protection or relocation as part of the agreement.
    - *Liability & Maintenance*-in this case the Subdivision HOA will retain full responsibility for installation and maintenance of the small pump station and the City will have no liability.
- The Subdivision HOA will go through the standard Water Availability (WAV) process required of all customers requesting COA Water.
- The Subdivision HOA will pay the assessed market value of the easement area of $550.

**Council Goal(s):**

- A well-planned and livable community.

**Committee(s):**

- None

**Pro(s):**

- The subsurface nature of the easement minimizes impact on future surface use of the City-owned property.

**Con(s):**

- Requires ongoing coordination with Emerson Ridge Subdivision Homeowners' Association, Inc. to ensure City property and utility lines are protected during and after construction.

**Fiscal Impact:**

- The offer of $550 (fair market value for easement area) from Emerson Ridge Subdivision Homeowners' Association, Inc. will be recorded as revenue in the General Fund.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to execute an agreement granting an easement on city-owned property to the Emerson Ridge Subdivision Homeowner's Association for the purpose of constructing a subsurface pump station to allow the Subdivision to connect to the City's water system; to accept payment for the easement; and to take all actions necessary to give effect to this resolution.

**RESOLUTION BOOK NO. 46 - PAGE 191**

**E. RESOLUTION NO. 25-285 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND A GENERAL SERVICES CONTRACT WITH BENEVATE LLC, D/B/A NEIGHBORLY SOFTWARE TO INCLUDE FUNDING AND MODULES FOR COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY GRANT MANAGEMENT**

**Action Requested:** Resolution authorizing the City Manager to amend a general services contract with Benevate LLC, dba Neighborly Software to include funding and modules for CDBG-DR grant management.

**Background**:

- In September 2024, the City of Asheville (City) was severely impacted by Tropical Storm Helene (DR-4827-NC), producing unprecedented impacts on the City's infrastructure, economy, and housing.
- When a community's recovery needs exceed what is available through recovery resources from FEMA or other federal agencies, Congress may appropriate additional recovery funding through the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) Program.
- HUD allocated $225,010,000 in funds to the City of Asheville on January 16, 2025.
- CDBG-DR grantees must use the Disaster Recovery Grant Reporting (DRGR) System for formal reporting and financial draws to HUD, but must also maintain their own robust, internal system of record to ensure all supporting documentation for every decision, expenditure, and compliance requirement is preserved and "audit-ready."
- The City will utilize a system of record to oversee all grant management activities and to navigate the complex layering of multiple funding sources. City departments and the CED CDBG-DR team will be responsible for inputting all project activity data into the

established system of record. Project activity data may include solicitations, evaluation documentation, invoices, proof of payment, and more.
- The current contract with Benevate, LLC is used for the grant management cycles of the steady-state CDBG and HOME programs. The contract began in 2023 and is in effect for up to five years or a total $150,000, whichever comes first. The contract is currently using general funds from Community and Economic Development's contracted services budget.
- We anticipate expanding the scope and funding amount of our existing contract with Benevate LLC, dba Neighborly Software, to provide long-term software services in support of and funded by the City's CDBG-DR grant. This will entail the system configuration to activate required additional modules and data fields for DR, user training, and annual user subscriptions to meet the requirements of the CDBG-DR grant. This system will serve as the City's mandated, internal system of record, managing the entire CDBG-DR application, eligibility, case management, and compliance process across all programs.

**Vendor Outreach Efforts:**
- The City sought an Independent Cost Estimate (ICE) on 10/13/2025 to establish a reasonable cost expectation for the system of record needs to administer the CDBG-DR programs. Benevate, INC. d.b.a Neighborly Software, Inc. submitted a proposal with a total cost of $58,000 for the initial year to include program implementation plus user costs, and a subsequent annual fee of $42,000 per year, which was 7% percent less than the ICE, and amounting to a total service cost of no more than $275,000, for the life of the CDBG-DR grant. The cost proposal was deemed allowable, reasonable, and allocable to the CDBG-DR program.
- This addition of $275,000 for CDBG-DR related services would result in a total contract amount of $425,000, with $275,000 dedicated to and funded by CDBG-DR grant funds and $150,000 funded by general fund dollars.

**Council Goal(s):**
- Well Planned and Livable Community
- Clean, Safe & Healthy Environment
- Quality Affordable Housing

**Committee(s)**:
- N/A

**Pro(s):**
- We currently use Benevate LLC, dba Neighborly Software for steady-state CDBG grant management software and are familiar with the functions.
- Using Benevate LLC, dba Neighborly Software adds value by substantially reducing delays in CDBG-DR administration.

**Con(s):**
- None.

**Fiscal Impact**:
- The proposed contract amendment is not to exceed $275,000.
- This amount is expected to be fully offset by reimbursements from the CDBG-DR grant.

**Motions:**
- Motion to adopt a resolution authorizing the City Manager to amend a general services contract with Benevate LLC, dba Neighborly Software to provide additional services,

adding modules for CDBG-DR grant management, and increase the contract amount by $275,000, for a new total contract amount not to exceed $425,000.

**RESOLUTION BOOK NO. 46 - PAGE 192**

**F. ORDINANCE NO. 5187 - BUDGET AMENDMENT IN EACH OF THE CITY'S ANNUAL OPERATING FUNDS TO (1) APPROPRIATE FROM RESTRICTED AND ASSIGNED FUND BALANCE THE REQUIRED BUDGET AUTHORIZATION FOR PRIOR YEAR CONTRACTS, PURCHASE ORDERS, AND OTHER CARRY-OVER APPROPRIATIONS THAT ROLLED FROM FISCAL YEAR 2024-25 TO FISCAL YEAR 2025-26; AND (2) ADJUST THE BUDGET TO REFLECT A CHANGE IN THE ACCOUNTING TREATMENT OF COST ALLOCATION CHARGES IN THE GENERAL FUND**

**Action Requested:** Adoption of a budget amendment in each of the City's annual operating funds to: 1) Appropriate from restricted and assigned fund balance the required budget authorization for prior year contracts, purchase orders, and other carry-over appropriations that rolled from Fiscal Year 2024-25 (FY25) to Fiscal Year 2025-26 (FY26); and 2) Adjust the budget to reflect a change in the accounting treatment of cost allocation charges in the General Fund.

**Background:**

- As part of its ongoing operations, the City enters into various contracts and purchase order agreements throughout the fiscal year.
    - Budget funds are encumbered for the full amount of the expected purchase.
    - These contracts and purchase orders are often not fully completed and paid in one fiscal year.
    - North Carolina General Statutes provide authorization for local governments to reserve the unexpended portion of these prior year commitments and roll those budgets forward to the new fiscal year.
- As a part of the FY25 annual audit, staff identified prior year commitments and carry-over appropriations to roll forward to FY26.
    - These dollar amounts were deducted from the unassigned fund balance amounts that were reported in the Annual Comprehensive Financial Report (ACFR).
    - The budget amendment will provide authorization to officially appropriate these amounts in the FY26 budget for each of the City's annual operating funds.
    - It is standard practice for staff to bring forward this budget amendment each year at the same City Council meeting in which the external auditors present the annual audit results.
- Also as a part of the FY25 annual audit, the City's external auditors recommended that the City change its accounting treatment of cost allocation charges from the Enterprise Funds to the General Fund to record those charges as an offset to expenses as opposed to revenue in the General Fund.
- This change in the accounting treatment of cost allocation charges results in an equal reduction in both revenues and expenses in the FY26 General Fund budget.

**Council Goal(s):**

- A Financially Resilient City

**Committee(s):**

- None

**Pro(s):**

- Provides budget authorization for prior year contracts, purchase orders, and other carry-over appropriations that rolled forward to FY26.
- Aligns the City's accounting practices with auditor recommendations.

**Con(s):**
- None.

**Fiscal Impact:**
- There is no impact on unassigned or available fund balance in the City's operating funds.
- The change in accounting for cost allocation charges results in an overall decrease of $5.7M in the City's FY26 General Fund budget.

**Motion:**
- Motion to adopt a budget amendment in each of the City's annual operating funds to: 1) Appropriate from restricted and assigned fund balance the required budget authorization for prior year contracts, purchase orders, and other carry-over appropriations that rolled from Fiscal Year 2024-25 (FY25) to Fiscal Year 2025-26 (FY26); and 2) Adjust the budget to reflect a change in the accounting treatment of cost allocation charges in the General Fund.

**ORDINANCE BOOK NO. 36 - PAGE 360**

**G. MOTION ADOPTING THE 2026-27 BUDGET CALENDAR**

**Action Requested:** Adoption of the Fiscal Year 2026-27 (FY27) Budget Calendar.

**Background:**
- As a part of the Fiscal Year 2026-27 operating and capital budget development process, staff is proposing the calendar for City Council and Council Committee meetings.
- Staff have already begun work to develop estimates for costs to deliver existing programs and services, needed capital infrastructure and facility investments, and major revenue sources.
- In addition to meeting the statutory requirement that City Council adopt a balanced budget before July 1, 2026, the FY27 budget process is intended to align the budget with ongoing organizational work planning, City Council priorities, Tropical Storm Helene recovery efforts, and community input.
- Community engagement efforts for the budget development are already underway, and include an early opportunity for public comment at the January 27th City Council meeting.
- The process culminates with the following actions as required by state law:
    - Formal presentation of the City Manager's Proposed Budget on May 12, 2026.
    - A public hearing on the Proposed Budget on May 26, 2026.
    - Budget adoption on June 9, 2026.

**Council Goal(s):**
- A Financially Resilient City
- A Connected and Engaged Community

**Committee(s):**
- None

**Pro(s):**
- Provides City Council, staff, and the community with a calendar of upcoming dates related to development of the FY27 budget.

**Con(s):**
- None.

**Fiscal Impact:**
- This action requires no City resources and has no fiscal impact.

**Motion:**
- Motion to adopt the Fiscal Year 2026-27 Budget Calendar.

**H. RESOLUTION NO. 25-286 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT DONATION OF A PICK-UP TRUCK, A TRAILER, AND AN ALL-TERRAINE VEHICLE FROM THE ASHEVILLE POLICE FOUNDATION TO THE ASHEVILLE POLICE DEPARTMENT**

**Action Requested:** Adoption of a resolution accepting the donation of items from the Asheville Police Foundation, for use by Asheville Police Department (APD.)

**Background**:
- A municipal government is authorized to accept donations of personal or real property pursuant to North Carolina General Statute 160A-11.
- Under North Carolina General Statute 160A-12, the City Council may delegate the authority to accept donations to one or more staff members.
- The authority to accept donations was delegated to the City Manager pursuant to City Council Resolution 25-134 at the June 24, 2025 Council meeting.
- The terms of that same resolution require City Council approval for donations of $90,000 or greater.
- Asheville Police Foundation, a registered North Carolina nonprofit corporation, has made donations of the following items to the Asheville Police Department:
    - 2025 GMC Sierra 3500 HD pickup truck, MSRP $74,431
    - 2023 Continental Cargo Trailer Model TXAMG8.544TTA4 Silver/Black-Out $50,400
    - Defender Max Lone Star Cab All Terrain Vehicle, MSRP $36,699
    - Upfit costs for all items to make ready for APD's use $44,850
    - Total value of the donation $206,424
- Without this donation, APD would not have purchased the donated items at this time.

**Vendor Outreach Efforts:**
- Not applicable for a donation.

**Council Goal(s):**
- Fiscally Resilient City

**Committee(s)**:
- Not applicable.

**Pro(s):**
- Adds to first responders' search and rescue capabilities in areas that may not be easily and quickly accessible.
- The donation is a complete package including an ATV, a trailer to carry the ATV and other necessary equipment and supplies into the field, and a vehicle capable of towing the trailer.

**Con(s):**

- None known.

**Fiscal Impact**:
- Vehicle and trailer license fees paid for with existing Police Department operating funds.
- These vehicles will also impact the department's spending on fleet maintenance, which will be absorbed into the existing operating budget.

**Motion:**
- Motion to accept the donations of a pickup truck, a trailer and an ATV from the Asheville Police Department Foundation.

**RESOLUTION BOOK NO. 46 - PAGE 193**

**i. RESOLUTION NO. 25-283 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXTEND THE CONTRACT WITH LOOMIS ARMORED US, LLC, FOR SAFEPOINT, CASH PICKUP AND DELIVERY SERVICES FOR AN ADDITIONAL 5 YEARS THROUGH DECEMBER 2030**

**Action Requested:** Adoption of a resolution authorizing the City Manager to extend the contract between the City and Loomis Armored US, LLC, for safepoint, cash pickup and delivery services for an additional 5 years through December 2030.

**Background**:
- Various City departments and divisions accept cash payments for services - including Water, Parking, Harrah's Cherokee Center Asheville and Development Services.
- State Statute (NC 159-32) requires that cash receipts in excess of $500 be deposited with a financial institution on a daily basis.
- To ensure compliance with State statute and improve employee safety, Finance and the aforementioned departments have undertaken an effort to standardize cash deposit activities across the City using Smart Safes and armored car pickup.
- Under the proposed contract, Loomis Armored US, LLC will continue to provide armored vehicle cash pick-up & delivery services as well as State Statute compliant "smart safes" for the periods of time in between cash pickup.
- The original resolution authorized services through fiscal year 2025 but all safes were not installed until December 2020 causing the end of the 5 year contract to be December 2025.
- Under this new resolution, the contract amount will not exceed $160,000 over the 5 year term.

**Vendor Outreach Efforts:**
- N/A - Completed in FY21 when original contract was executed.

**Council Goal:**
- Fiscally Resilient City

**Committee:**:
- No prior committee approval.

**Pro:**
- Continuity of service with existing vendor
- Improved employee safety, ensuring that employees are not responsible for carrying cash to the bank.
- Compliance with State Statute though the use of Smart Safes on site.

- Efficient use of City resources, APD officers no longer needed to escort Water Resources or Parking deposits to the bank.

**Con(s):**
- None

**Fiscal Impact**:
- Annual contracted services costs are already included in each department's respective operating budgets. The 5 year extension is estimated at $160,000 for all departments.

**Motion:**
- Motion to adopt a resolution authorizing the City Manager to execute a contract extension between the City and Loomis Armored US, LLC, for safepoint, cash pickup and delivery services for an additional 5 years through December 2030.

**RESOLUTION BOOK NO. 46 - PAGE 190**

**J. RESOLUTION NO. 25-287 - RESOLUTION SUPPORTING THE FRENCH BROAD RIVER METROPOLITAN PLANNING ORGANIZATION'S SAFE STREETS FOR WNC SAFETY PLAN**

**Action Requested:** Adoption of a resolution adopting the French Broad River Metropolitan Planning Organization's Safe Streets for Western North Carolina Safety Plan.

**Background**:
- The French Broad River Metropolitan Planning Organization (MPO), of which the City is a member, developed a regional multimodal transportation safety plan.
- City staff from multiple departments participated in preparing this regional plan throughout its development.
- The MPO adopted the plan on August 21, 2025.
- A key goal of the plan is to reduce fatalities and injuries from crashes.
- The plan will provide regional counties and municipalities with detailed information about crash and safety histories and offer strategies and countermeasures as the region strives for safer roadways for all users.
- This plan is advantageous for the City of Asheville because its adoption and implementation will also create opportunities for grant applications, which are often contingent on having a safety plan in place for our region.

**Vendor Outreach Efforts:** N/A

**Council Goal(s):**
- Transportation and accessibility

**Committee(s)**: N/A

**Pro(s):**
- Implementing this plan will reduce crashes, fatalities, and injuries caused by poor driving habits and inadequate infrastructure.
- The plan provides strategies and countermeasure suggestions for various circumstances to assist decision-making for improved design, engineering, and enforcement methods.

**Con(s):**
- None

**Fiscal Impact**:

- There is no fiscal impact associated with supporting this resolution.

**Motion:**

- Motion to adopt a resolution adopting the French Broad River MPO's (Metropolitan Planning Organization) adopted Safe Streets for WNC.

**RESOLUTION BOOK NO. 46 - PAGE 194**

**K. RESOLUTION NO. 25-288 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT, EXPEND, AND DISBURSE FEDERAL TRANSIT ADMINISTRATION GRANTS APPORTIONED TO THE ASHEVILLE URBANIZED AREA FOR FISCAL YEAR 2017 AND FISCAL YEAR 2018 FROM THE SECTION 5307 URBAN TRANSIT FUNDING, SECTION 5307 JOB ACCESS REVERSE COMMUTE, AND SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM; AND TO EXECUTE ALL NECESSARY AGREEMENTS BETWEEN THE CITY OF ASHEVILLE AND APPLICABLE TRANSIT SUBRECIPIENTS FOR THE DISBURSEMENT OF APPROVED FUNDS**

**Action Requested:** Adoption of a resolution authorizing the City Manager to accept, expend, and disburse previously apportioned Section 5307 and 5310 Federal Transit Administration Grants from FY 2017 and 2018; and to execute all necessary agreements between the City of Asheville and applicable transit subrecipients for the disbursement of these funds.

**Background:**

- This action seeks to authorize the disbursement of federal transit grant funds from FY 2017 and FY 2018 that subrecipients have recently requested reimbursement for, but for which a Council resolution authorizing the City to disburse the funds was not previously brought forward to Council.
- The City's purchasing division has requested that a resolution be recorded and that specific amounts for each subrecipient from these grants be included in the resolution, as well as authorization to accept the grant funds from FTA and execute agreements with the subrecipients.
- Therefore, this action will allow the City to process requests for reimbursement from the subrecipients from the following three annual programs:
    - *Section 5307 Urban Transit Funds* - these funds are allocated annually to the Asheville Urbanized Area (AUZA) and are split between the City and Subrecipients based on a formula determined by the French Broad River MPO (FBRMPO).
    - *Section 5307 Job Access Reverse Commute (JARC)* - the total amount of funds for this program originates from a 10% set-aside of Section 5307 Urban Transit funds. Each year, agencies must apply to the FBRMPO for JARC Funds. The City typically receives JARC funds to offset some of the cost of the Route 170, and more recently the S3.
    - *Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities* - these funds are allocated annually to the AUZA. Each year, agencies must apply to the FBRMPO for 5310 funds.
- The following tables outline the amounts disbursed to each entity by program for FY 2017 and FY 2018.

**Section 5307 Urban Transit Funds**

| FY17 Section 5307 Urban Transit Funding | |
|---|---|
| **Subrecipient** | **Allocation Amount** |
| JARC Set-Aside | $266,999 |
| City of Asheville | $1,312,887 |
| Buncombe County | $461,131 |
| Haywood County | $165,207 |
| Henderson County | $463,767 |
| **Total** | **$2,669,991** |

| FY18 Section 5307 Urban Transit Funding | |
|---|---|
| **Subrecipient** | **Allocation Amount** |
| JARC Set-Aside | $277,732 |
| City of Asheville | $1,065,620 |
| Buncombe County | $715,414 |
| Haywood County | $208,482 |
| Henderson County | $510,067 |
| **Total** | **$2,777,315** |

**Section 5307 Job Access Reverse Commute Funds**

| FY17 & 18 Section 5307 JARC Funds | | | |
|---|---|---|---|
| **Subrecipient** | **Project** | **Amount Funded** | **Local Match (Varies)** |
| City of Asheville | City of Asheville Black Mountain Transit Route 170-Continued Support for Operations, two years of operations, starting in January 2019 | $128,276 | $128,276 |
| Buncombe County | Buncombe County Black Mountain Trailblazer Operating Assistance - 15 months of operating expenses, | $190,515 | $190,515 |

| FY17 & 18 Section 5307 JARC Funds | | | |
|---|---|---|---|
| | starting in December of 2018 | | |
| Mountain Projects (Haywood County) | Mountain Projects (Haywood County) New Deviated Fixed Route-Capital | $68,236 | $17,059 |
| Mountain Projects (Haywood County) | Mountain Projects (Haywood County) New Deviated Fixed Route - Operations | $80,450 | $80,450 |
| City of Asheville | JARC Administrative of Mountain Projects at 10% | $14,869 | $0 |
| City of Asheville | JARC Administrative Fee at 10% | $35,421 | $0 |
| | **Total** | **$517,767** | **$416,300** |

**Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities**

| FY17 Section 5310 Funds | | | |
|---|---|---|---|
| **Subrecipient** | **Project** | **Amount Funded** | **Local Match (varies)** |
| City of Asheville | ADA Paratransit acquisition of services | $135,000 | $33,750 |
| Buncombe County | Buncombe County Additional Elderly and Disabled Transportation | $46,575 | $11,644 |
| Buncombe County | RIDE Vouchers Program-Support for Taxi Services for Individuals with Disabilities | $60,053 | $60,053 |
| Council on Aging-Buncombe County | Council on Aging CAR Volunteer Driver Program for Older Adults | $16,311 | $16,311 |
| Land of Sky Regional Council | Expansion of Senior Companion Program in Buncombe and Henderson | $33,426 | $33,426 |

| FY17 Section 5310 Funds | | | |
|---|---|---|---|
| Madison County | Madison County Senior Transportation to Meal Sites | $5,000 | $5,000 |
| City of Asheville | 5310 Program Administration Fee at 10% | $32,929 | $0 |
| | **Total** | **$329,294** | **$160,184** |

| FY18 Section 5310 Funds | | | |
|---|---|---|---|
| **Subrecipient** | **Project** | **Amount Funded** | **Local Match (varies)** |
| City of Asheville | ADA Paratransit acquisition of services | $99,156 | $24,789 |
| Buncombe County | Buncombe County Additional Elderly and Disabled Transportation | $73,036 | $18,259 |
| Buncombe County | RIDE Vouchers Program-Support for Taxi Services for Individuals with Disabilities | $52,337 | $52,337 |
| Council on Aging-Buncombe County | Council on Aging CAR Volunteer Driver Program for Older Adults | $13,690 | $13,690 |
| Land of Sky Regional Council | Expansion of Senior Companion Program in Buncombe and Henderson | $32,340 | $32,340 |
| Madison County | Madison County Senior Transportation to Meal Sites | $7,920 | $7,920 |
| Vocational Solutions-Henderson County | Henderson County Vocation and Life Skills Training Transportation for Individuals with Disabilities | $15,996 | $3,999 |
| Vocational Solutions-Henderson | Henderson County Vocation and Life Skills | $4,950 | $4,950 |

| FY18 Section 5310 Funds | | | |
|---|---|---|---|
| County | Training Transportation for Individuals with Disabilities | | |
| City of Asheville | Program Administration | $33,269 | $0 |
| | **Total** | **$332,694.00** | **$158,284.00** |

**Vendor Outreach Efforts:**

- N/A. These funds are apportioned to the Asheville Urbanized Area (AUZA) annually by the Federal Transit Administration and are disbursed by the City of Asheville, as the Designated Recipient, to the regional transit agencies (Subrecipients), including Buncombe County, Henderson County, Haywood County, etc.

**Council Goal(s):**

- Transportation and accessibility

**Committee(s):**

- N/A

**Pro(s):**

- This action would authorize the acceptance, expenditure and disbursement of City and subrecipient transit grant funds for FY 2017 and FY 2018 from three annual programs that support *existing* transit services.
- The authorization will allow the City to process reimbursement requests for the City's Transit Subrecipients.

**Con(s):**

- None

**Fiscal Impact:**

- This action seeks to authorize the disbursement of federal transit grant funds from FY 2017 and FY 2018 that transit subrecipients have recently requested reimbursement for, but for which a Council resolution authorizing the City to disburse the funds was not previously brought to Council.
- The City "passes through" funding to each subrecipient and is not responsible for their local match.
- This action may require a budget amendment at a later date as staff reviews the existing grant budget. It will be submitted at a later date if needed.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to accept, expend, and disburse previously apportioned Section 5307 and 5310 Federal Transit Administration Grants from FY 2017 and 2018; and to execute all necessary agreements between the City of Asheville and applicable transit subrecipients for the disbursement of these funds.

**RESOLUTION BOOK NO. 46 - PAGE 195**

**L. RESOLUTION NO. 25-289 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH VERTOSOFT UNDER THE INTERLOCAL PURCHASING SYSTEM COOPERATIVE PURCHASING**

**AGREEMENT FOR THE PURCHASE OF SWIFTLY REAL-TIME TRANSIT PLANNING SOFTWARE UNDER A THREE-YEAR CONTRACT PLUS TWO ONE-YEAR OPTIONS**

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute a contract with Vertosoft under the The Interlocal Purchasing System (TIPS) Cooperative Purchasing Agreement for the purchase of Swiftly Real-Time Transit Planning Software under a three-year contract plus two one-year options for a total contract amount of $648,345.

**Background**:

- The City currently utilizes a software called Swiftly to provide various transit-related data and information services that are integral to Asheville Rides Transit (ART) daily operations.
- These services include:
    - GPS-enabled real-time data showing the location of each bus on a route and when the bus is expected to arrive at a stop.
    - This data is pushed out by apps such as Google Maps and Transit App.
    - Trip planning capabilities - riders can enter where they want to go and the software will recommend routes and times.
    - Monitoring and reporting of on-time-performance for the overall system and for each route.
    - Bus operators and dispatchers use Swiftly for navigation and driver training.
- The City's current contract for the use of Swiftly began in January 2023 and will expire at the end of December 2025. Therefore, a new contract is necessary in order to ensure the continued use of the software.
- The TIPS Cooperative Purchasing Agreement allows the City to contract for the required software at a discounted price.

**Vendor Outreach Efforts:**

- None since a cooperative purchasing agreement is being used.

**Council Vision:**

- Transportation and Accessibility

**Committee(s)**: N/A

**Pro(s):**

- Executing this agreement allows City staff to monitor transit performance, provide passengers with trip planning tools, and communicate service issues to the public in real-time

**Con(s):**

- None

**Fiscal Impact**:

- The total contract amount, including potential option years, is $648,345.
    - Year 1 (January 1 - December 31, 2026): $120,069
    - Year 2 (January 1 - December 31, 2027): $118,983
    - Year 3 (January 1 - December 31, 2028): $127,312
    - Year 4 (January 1 - December 31, 2029): $136,223
    - Year 5 (January 1 - December 31, 2030): $145,759
- Funding to support the first year of the contract is already budgeted in the City's FY 2026 Transit Operations Fund.
- Subsequent years will be funded in the Transit Operations Fund.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to execute a contract with Vertosoft under the The Interlocal Purchasing System (TIPS) Cooperative Purchasing Agreement for the purchase of Swiftly Real-Time Transit Planning Software under a three-year contract plus two one-year options for a total contract amount of $648,345.

**RESOLUTION BOOK NO. 46 - PAGE 200**

**M. RESOLUTION NO. 25-290 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR A FISCAL YEAR 2027 UNIFIED PLANNING WORK PROGRAM GRANT FROM THE FRENCH BROAD RIVER METROPOLITAN PLANNING ORGANIZATION FOR A PLANNING STUDY FOR THE HILLIARD AVENUE CORRIDOR, AND IF AWARDED, ACCEPT THE FUNDS AND SIGN NECESSARY AGREEMENTS**

**Action Requested:** Adoption of a resolution authorizing the City Manager to apply for a Fiscal Year 2027 Unified Planning Work Program grant for $312,500 from the French Broad River Metropolitan Planning Organization for a planning study for the Hilliard Avenue corridor, and if awarded, accept the funds and sign all necessary documents to effect the grant.

**Background**:

- The call for projects is for funding through the FY 2027 Unified Planning Work Program (UPWP), a competitive grant for which all member governments are eligible to apply.
- Eligible activities include feasibility studies, small-area plans, conceptual designs, bike/ped plans, transit plans, traffic studies, local transportation asset inventories, economic impact analyses for transportation investments, and more, as defined by federal eligibility.
- The submitted project for the grant is a feasibility study for multimodal transportation improvements to Hilliard Avenue.
- This plan is intended to coordinate future changes associated with NCDOT's I-26 Connector project, specifically addressing functionality changes on Patton Avenue and surrounding streets, including improvements at the Clingman Avenue and Hilliard Avenue intersection.
- The study will also examine the existing extents of the Hilliard Avenue corridor from Clingman Avenue to Biltmore Avenue for future improvements.
- The investigation will include assessments of rights-of-way, above-ground and subsurface utilities, topography, accessibility needs, intersection improvements, and possible configurations, along with planning-level cost estimates.
- This project is intended as a scoping analysis for future capital projects in the corridor.
- Hilliard Avenue is a top-ranked corridor for ADA improvements in the GAP Plan Prioritization List.
- MPO funding can be used to pay for 80% of eligible project expenses for selected projects. A 20% local match is required.
- The total cost of the proposed planning study is $312,500. The City's required local match will be $62,500.
- The deadline for submitting the grant application is December 30, 2025.

**Goal(s):**

- Well-Planned and Livable Community
- Transportation and Accessibility

**Committee(s)**:

- NA

**Fiscal Impact**:

- If awarded, the City of Asheville must provide matching funds equal to 20% of the project's total cost ($62,500). If needed, the City will allocate funds from the General Capital Projects Fund.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to apply for $312,500 in grant funding, which requires a $62,500 local match, from the French Broad River Metropolitan Planning Organization's UPWP program, and if awarded, accept the funds and sign all necessary documents to effect the grant and fund the local match in an amount up to $62,500.

**RESOLUTION BOOK NO. 46 - PAGE 201**

**N. RESOLUTION NO. 25-291 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE FRENCH BROAD RIVER METROPOLITAN PLANNING ORGANIZATION FOR THE ANNUAL FISCAL YEAR 2025 SECTION 5307 JOB ACCESS REVERSE COMMUTE GRANT PROGRAM TO FUND EXISTING TRANSIT OPERATIONS FOR ROUTES 170, S3 AND S6**

**Action Requested:** Adopt a resolution authorizing the City Manager to apply to the French Broad River Metropolitan Planning Organization for the annual Section 5307 Job Access Reverse Commute Grant Program to fund existing transit operations for Routes 170, S3, and S6.

**Background**:

- The City applies to the FBRMPO each year to receive FTA Section 5307 JARC funding to support existing transit operations.
- The Call-for-Projects from the FBRMPO was released on October 21, 2025 with applications due January 15, 2026.
- Section 5307 (JARC) Background:
    - Funding received from this grant source is used to fund existing service for Route 170 (the fixed-route service operated between downtown Asheville and the Town of Black Mountain) and Routes S3 and S6 (the fixed-route service operated between downtown Asheville, Arden, and the Airport).
    - For the last three years, the City has applied for the entire amount available, which this year is $420,732, with a 50% match ($420,732), for a total project cost of $841,464.
    - For the last four years, the Town of Black Mountain has provided $25,000 toward the required matching funds, specifically for Route 170. City staff will be requesting the same amount for FY 2026-27.
    - Buncombe County has also provided funding toward the required match the previous four years for Route 170. The City requests funds from the County based on the service cost per hour and the number of hours the route operates within the County.
    - For FY 2026-27, City staff anticipates requesting approximately $125,000 from the County for this route (subject to change upon execution in 2026 of a new Operations and Maintenance Contract).
    - The City will provide the remainder of matching funds and this is already budgeted within the Transit Operations Budget.
- If awarded, City staff will return to City Council to accept the grant, authorize the City Manager to sign all of the appropriate agreements, and approve a budget amendment to include the funds in the budget (if needed).

**Vendor Outreach Efforts:** N/A

**Council Goal(s):**
- Transportation and Accessibility

**Committee(s)**: N/A

**Pro(s):**
- Enables the City to use federal funds to help offset the annual operating cost of Routes 170, S3, and S6 fixed-route services.
- Buncombe County and Black Mountain contribute funds toward the required match.

**Con(s):**
- The City is responsible for the 50% local match for the Section 5307 JARC Funding programs, however Buncombe County and Black Mountain contribute funds toward the required match.
- No administrative funding is awarded to the City for administering the 5307/JARC grant program.

**Fiscal Impact**:
- If awarded the Section 5307 (JARC) funding ($841,464 total), including the 50% local matching funds ($420,732), and associated expenses will be included in the FY 2026-27 Proposed Budget for the Transit Fund.

**Motion:**
- Motion to adopt a resolution authorizing the City Manager to apply to the French Broad River Metropolitan Planning Organization (FBRMPO) for the annual FY 2025 Section 5307 (JARC) grant funding in the amount of $420,732 to fund existing transit operations for Routes 170, S3, and S6.

**RESOLUTION BOOK NO. 46 - PAGE 202**

**O. RESOLUTION NO. 25-292 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE N.C. DEPT. OF TRANSPORTATION (NCDOT) PUBLIC TRANSIT APPRENTICESHIP GRANT PROGRAM AND IF AWARDED, AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH NCDOT TO FUND THE APPRENTICESHIP FOR FISCAL YEAR 2027**

**Action Requested:** Adoption of a resolution authorizing the City Manager to apply for the North Carolina Department of Transportation (NCDOT) Public Transit Apprenticeship Grant Program and if awarded, authorize the City Manager to enter into an agreement with NCDOT to fund the Apprenticeship for Fiscal Year (FY) 2027.

**Background**:
- The NCDOT funds and manages an annual program that places recent university graduates with an interest in public transit within a city/transit agency for 1 year as a full-time, paid staff member.
- NCDOT provides 90% of the funding for the salary and benefits of the apprentice; the City Transit Operations Fund would provide the remaining 10%. State costs would amount to $51,137. Local costs would amount to $5,682. Total wages + benefits would amount to $52,000, FICA to $3,819 and travel allowance to $1,000.

- The City has participated in this program several times over the last decade.
- The transit apprentice would work within the Transit Division of the Transportation Department and would assist the division with ongoing work program items related to transit service.
- The apprentice is also required by the NCDOT to prepare a research report at the end of the apprenticeship.

**Vendor Outreach Efforts:**
- N/A

**Council Goal(s):**
- Transportation and Accessibility

**Committee(s)**:
- None

**Pro(s):**
- Ninety percent of apprentice costs are covered by NCDOT.
- Supports the Transit Planning Division to assist in transit-related projects and programs.

**Con(s):**
- The City provides 10% of the cost, not to exceed $5,682.

**Fiscal Impact**:
- NCDOT provides 90% of the funding for the salary and benefits of the Apprentice; the City Transit Operations Fund would provide the remaining 10%. The total cost for the Apprentice for FY27 is $56,819, with the State paying $51,137 and the City paying $5,682.

**Motion:**
- Motion to adopt a resolution authorizing the City Manager to apply for the North Carolina Department of Transportation (NCDOT) Public Transit Apprenticeship Grant Program and if awarded, authorize the City Manager to enter into an agreement with NCDOT to fund the Apprenticeship for Fiscal Year (FY) 2027.

**RESOLUTION BOOK NO. 46 - PAGE 203**

**P. RESOLUTION NO. 25-293 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH CDR MAGUIRE INC. FOR THE PURPOSE OF TROPICAL STORM HELENE-RELATED DEBRIS REMOVAL MONITORING RECOVERY EFFORTS**

**ORDINANCE NO. 5188 - BUDGET AMENDMENT FOR THE PURPOSE OF TROPICAL STORM HELENE-RELATED DEBRIS REMOVAL MONITORING RECOVERY EFFORTS**

**Action Requested:** Adoption of resolution authorizing the City Manager to execute a contract with CDR Maguire, Inc., for a total not-to-exceed amount of $4,000,000, for the purpose of Tropical Storm Helene-related debris removal monitoring recovery efforts; and the associated budget amendment in the amount of $4,000,000 to be reimbursed with FEMA-PA and State of NC funds.

**Background**:

- Over the course of September 26-29, 2024, the City of Asheville experienced unprecedented rainfall both from Tropical Storm Helene and a predecessor heavy rain event, resulting in catastrophic damage, primarily from the ensuing flooding and landslides.
- A state of emergency went into effect in Asheville on September 25th in relation to these damaging storms.
- The equipment and staffing capacity needed for recovery efforts exceeds that which is available of the City's internal capacity, rendering it necessary to contract for these services.
- The City will be contracting for additional debris removal services in Bee Tree and North Fork Reservoirs, which requires a debris monitor for FEMA documentation and reimbursement purposes.
- This contract will be executed under NC State Contract 19-IFB-1586245803-PTW.
- Contracted services consist of monitoring disaster debris removal operations.

**Vendor Outreach Efforts:**
- This General Services Contract will be executed under NC State Contract 19-IFB-1586245803-PTW, thus no outreach efforts will be conducted by the City.

**Council Goal(s):**
- Clean, Safe, and Healthy Environment

**Committee(s)**:
- None

**Pro(s):**
- Public Works will be able to contract for services needed to complete Tropical Storm Helene-related recovery efforts, which exceeds the department's internal capacity.

**Con(s):**
- None.

**Fiscal Impact**:
- The fiscal impact will depend upon the extent of contract utilization, but current project invoicing is estimated not-to-exceed $4,000,000.
- The contracted services are for the purposes of Tropical Storm Helene-related recovery efforts and are expected to be eligible for reimbursement at 90% from FEMA and the remaining 10% from the State.

**Motion:**
- Motion to adopt the resolution authorizing the City Manager to execute a not-to-exceed contract with CDR Maguire, Inc., for a total amount of $4,000,000, for services rendered for Tropical Storm Helene-related recovery efforts; and the associated budget amendment in the amount of $4,000,000 to be reimbursed with FEMA-PA and State of NC funds.

**RESOLUTION BOOK NO. 46 - PAGE 204**
**ORDINANCE BOOK NO. 36 - PAGE 362**

**Q. RESOLUTION NO. 25-294 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE NOT-TO-EXCEED CONTRACT WITH SOUTHERN DISASTER RECOVERY LLC, TO INCLUDE ALL PRIOR SPENDING AND FUTURE SPENDING UNDER SAID CONTRACT FOR THE**

**PURPOSE OF TROPICAL STORM HELENE-RELATED DEBRIS REMOVAL RECOVERY EFFORTS**

**ORDINANCE NO. 5189 - BUDGET AMENDMENT FOR THE PURPOSE OF TROPICAL STORM HELENE-RELATED DEBRIS REMOVAL RECOVERY EFFORTS**

**Action Requested:** Adoption of resolution authorizing the City Manager to amend the not-to-exceed contract with Southern Disaster Recovery, LLC, for a total amount of $26,000,000, to include all prior spending and future spending under said contract for the purpose of Tropical Storm Helene-related recovery efforts; and the associated budget amendment in the amount of $26,000,000 to be reimbursed with FEMA-PA and State of NC funds.

**Background**:

- Over the course of September 26-29, 2024, the City of Asheville experienced unprecedented rainfall both from Tropical Storm Helene and a predecessor heavy rain event, resulting in catastrophic damage, primarily from the ensuing flooding and landslides.
- A state of emergency went into effect in Asheville on September 25th in relation to these damaging storms.
- The equipment and staffing capacity needed for recovery efforts exceeds that which is available of the City's internal capacity, rendering it necessary to contract for these services.
- General Services Contract 92500520 was executed on June 16, 2025, with Southern Disaster Recovery, LLC, with a Not-To-Exceed limit of $6,000,000, for the purposes of Tropical Storm Helene-related recovery efforts.
- This contract was executed under NC State Contract 19-IFB-015120-DAD.
- Hagerty Consulting reviewed the contract during the drafting process.
- Contracted services consist of the hauling and removal of disaster debris.
- The City will be undertaking several additional debris removal projects, including removal of FEMA eligible vegetative debris from the Bee Tree reservoir, necessitating a change in the not-to-exceed amount of the debris removal contract.

**Vendor Outreach Efforts:**

- General Services Contract 92500520 with Southern Disaster Recovery, LLC, was completed under NC State Contract 19-IFB-015120-DAD, thus no outreach efforts were conducted by the City.

**Council Goal(s):**

- Clean, Safe, and Healthy Environment

**Committee(s)**:

- None

**Pro(s):**

- Public Works will be able to continue to contract for services needed to complete Tropical Storm Helene-related recovery efforts, which exceeds the department's internal capacity.

**Con(s):**

- None.

**Fiscal Impact**:

- The fiscal impact will depend upon the extent of contract utilization, but an additional $20,000,000 will be added to the contract, bringing it to not-to-exceed $26,000,000.

- Services rendered will be paid from the funds allocated for the purposes of Tropical Storm Helene-related expenses.
- The contracted services are for the purposes of Tropical Storm Helene-related recovery efforts and are expected to be eligible for reimbursement at 90% from FEMA and the remaining 10% from the State.

**Motion:**

- Motion to adopt the resolution amending the contract with Southern Disaster Recovery, LLC, for additional debris removal services and an additional contract amount of $20,000,000, for services rendered for Tropical Storm Helene-related recovery efforts for a total contract amount not to exceed $26,000,000; and the associated budget amendment in the amount of $26,000,000 to be reimbursed with FEMA-PA and State of NC funds.

**RESOLUTION BOOK NO. 46 - PAGE 205**
**ORDINANCE BOOK NO. 36 - PAGE 363**

**R. RESOLUTION NO. 25-295 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BOLTON CONSTRUCTION AND SERVICES OF WNC, INC. FOR THE CITY HALL CHILLER REPLACEMENT DESIGN BUILD CONTRACT; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY CHANGE ORDERS THAT MAY ARISE DURING THE PROJECT UP TO THE CONTINGENCY AMOUNT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to enter into a contract for the City Hall Chiller Modernization Project with Bolton Construction and Services of WNC, Inc. in the amount of $750,000; further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $75,000 (10%).

**Background**:

- The existing 18 year old chiller at City Hall is rapidly approaching the end of life expectancy and needs to be replaced.
- Construction is anticipated to happen during the upcoming winter season in order to have the new chiller operational in time for the summer cooling season.
- Staff will work with the designer and contractor to maximize opportunities to meet the City's efficiency and sustainability goals.
- Staff determined that a design-build procurement method was best suited for the project. The design-build delivery method was approved by the City Manager on September 15, 2025, as per N.C.G.S 143-128.1A and City Council Resolution No. 16-45.
- Request for Qualifications was issued on September 18, 2025 soliciting qualifications from design-build teams, which required a minimum of three responses, as per general statutes.
- Qualification packages were received on October 16, 2025 from the following teams:
    - Bolton Construction and Services of WNC, Inc. and Moore-Hubbard Company PLLC both located in Asheville, NC.
    - STR Mechanical and Shultz Engineering Group both located in Charlotte, NC.
    - Sylvester & Cockrum, LLC. and Shultz Engineering Group, P.C. both located in Charlotte, NC.
    - TICH2-JV, LLP and B&B Technical Solutions, LLC located in Charlotte, NC.
- An evaluation committee composed of staff from the Capital Management Department reviewed the qualification packages.
- The team of Bolton Construction and Services of WNC, Inc. and Moore-Hubbard Company PLLC was ranked as the most qualified for the project. Bolton Construction and Services of WNC, Inc is the primary contract holder for the purposes of city procurement.

**Vendor Outreach Efforts:**

- Staff performed outreach to minority and women owned businesses through solicitation processes using the State's Electronic Vendor Portal and direct communications with minority and women owned businesses.
- The terms of the RFQ require that the solicitation for subcontractors for the construction work follow the City's Asheville Inclusion Policy, including minority outreach efforts.
- On the selected design-build team, Bolton Construction and Services of WNC, Inc. is using a subcontracted vendor that is a woman-owned business, Chaparral Insulation (formerly Dover Insulation) located in Marion, NC.

**Council Goal(s):**

- Fiscally Resilient City
- Clean,Safe & Healthy Environment

**Committee(s)**:

- None

**Pro(s):**

- The design-build method will allow for the quick and efficient implementation of the upfit improvements needed to have the installation operational by the upcoming summer season.
- The design-build contract will allow the designer and contractor to work together to ensure that the project adheres to budget and schedule constraints.
- The selected firm will be using a subcontractor that is a woman-owned business.

**Con(s):**

- The design-build selection process lacks the lowest responsive, responsible bidder solicitation process.
- The result may be a higher initial cost, but greater value to the city through the design-build negotiation process.

**Fiscal Impact**:

- Funding for this contract is included in the adopted Capital Improvement Program (CIP).

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to enter into a contract with Bolton Construction and Services of WNC, Inc. in the amount of $750,000; further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $75,000 (10%).

**RESOLUTION BOOK NO. 46 - PAGE 206**

**S. RESOLUTION NO. 25-296 - RESOLUTION ADOPTING THE 2026 CITY COUNCIL MEETING SCHEDULE**

The following schedule of the meetings of the Asheville City Council for 2026 be, and the same is, hereby established as follows:

City Council Agenda Briefing Worksessions
11:00 a.m.

1st and 3rd Thursday of each month (except for the months of January, April, July and October, which agenda briefing worksessions will be held on the 2nd and 4th Thursday of each month)
Remote

City Council Formal Meetings
5:00 p.m.
2nd and 4th Tuesdays of each month
Council Chamber – 2nd Floor
City Hall Building, Asheville, N.C.
In-Person

The following formal meetings are hereby cancelled: Tuesday, July 14, 2026; Tuesday, August 11, 2026; Tuesday, November 24, 2026; and Tuesday, December 22, 2026.

The following agenda briefing worksessions are hereby canceled: Thursday, July 9, 2026; Thursday, August 6, 2026; Thursday, November 19, 2026; and Thursday, December 17, 2026.

The formal meeting of the Asheville City Council on January 27, 2026, will be rescheduled from 5:00 p.m. to **10:00 a.m**. in the Council Chamber, located on the 2nd Floor of City Hall, 70 Court Plaza, Asheville, N.C.

**RESOLUTION BOOK NO. 46 - PAGE 207**

**T. RESOLUTION NO. 25-297 - RESOLUTION APPROVING THE ISSUANCE OF UP TO $24,000,000 MULTIFAMILY HOUSING REVENUE BONDS OR NOTES TO PROVIDE FINANCING FOR ROCKY RIVER APARTMENTS TO SATISFY SECTION 147(f) OF THE INTERNAL REVENUE CODE**

**Action Requested:** Adoption of a resolution approving the issuance of bonds by the Housing Authority of the City of Asheville for Rocky River Apartments.

**Background:**
- The Asheville Housing Authority was created by the City of Asheville in 1940 in accordance with Chapter 157 of the NC General Statutes.
- It is a public body and is independent from the City with its own powers as outlined in North Carolina General Statute Chapter 157.
- The Housing Authority is governed by a Board of Commissioners, consisting of 7 members, who serve for a 4 year term and are appointed by the Mayor of the City of Asheville.
- The Internal Revenue Service requires that any bonds issued by the Housing Authority for developments such as the one described herein, have the financing plan approved by the City Council, following a public hearing with respect to such a plan.
- Rocky River Apartments NC, LLC, a North Carolina limited liability company, or an affiliated or related entity (the “Borrower”) has requested that the Asheville Housing Authority (the “Issuer”) issue up to $24,000,000 in multifamily housing revenue bonds for the acquisition and construction of a new 120-unit affordable rental development known as Rocky River Apartments located on a 7.99 acre site at 28 Reynolds Mountain Boulevard in Woodfin, parcel identified as PIN 9730799689 in the Buncombe County Registry.
- The project will consist of 1 building. There will be a mix of 1,2 and 3-bedroom units. All units will be set aside for individuals and families at 30% (28 units), 60% (64 units) and 80% (28 units) or less of Area Median Income (“AMI”).

- The affordability period will be 30 years.
- Fitch Irick Corporation is the developer and manager of this project and is an affiliate of the owner.
- Construction is scheduled to commence in December 2025 and has an expected completion date of September 2027.
- Staff notes that approval does not obligate the City in any way to issue or pay for the bonds, or for any debt taken on by the developer.

**Council Goals:**
- Quality Affordable Housing

**Pro(s):**
- 120 units of new housing affordable to households at or below 80% of AMI will be constructed.
- The affordability period will be at least 30 years.

**Con(s):**
- None.

**Fiscal Impact:**
- This action requires no City resources and has no fiscal impact.

**Motion:**
- Motion to adopt a resolution approving the issuance by the Housing Authority of the City of Asheville of up to $24,000,000 of multifamily housing revenue bonds to provide financing for Rocky River Apartments and to satisfy Section 147(f) of the Internal Revenue Code.

**RESOLUTION BOOK NO. 46 - PAGE 208**

**U. RESOLUTION NO. 25-298 - RESOLUTION APPOINTING A MEMBER TO THE BOARD OF ELECTRICAL EXAMINERS**

Christopher Serzan is hereby appointed as the utility representative to the Board of Electrical Examiners, to fill the unexpired term of Travis Brooks, with a term lasting until July 1, 2027, or until a successor has been appointed or unless modified by Council action. Notwithstanding the foregoing, all members shall serve at the pleasure of Council, and may be removed at any time with or without cause.

**RESOLUTION BOOK NO. 46 - PAGE 213**

**V. MONTHLY MUNICIPAL PROPERTY TAX REFUNDS OR RELEASES PER N.C. GEN. STAT. SEC. 105-381**

**Action Requested:** Adoption of City of Asheville property tax refunds and releases for the month of October 2025.

**Background**:
- Buncombe County currently bills and collects City property taxes
- At the August 22, 2023, meeting, City Council approved an addendum to the existing tax collection agreement with Buncombe County to ensure that it fully conforms to the provisions of Chapter 105 of the North Carolina General Statutes, entitled The Revenue Act.

- As part of that compliance, the City Council must, on a monthly basis, approve all property tax releases and refunds that have been approved by the Buncombe County Board of Commissioners.
- City of Asheville refunds and releases for October 2025 are included in the document.

**Council Goal(s):**
- A Financially Resilient City

**Pro(s):**
- Ensures compliance with provisions of Chapter 105 of the North Carolina General Statutes, entitled The Revenue Act.

**Con(s):**
- None

**Fiscal Impact**:
- None.

**Suggested Motion:**
- Motion to adopt City of Asheville property tax refunds and releases for the month of October 2025.

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

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

**III. PRESENTATIONS & REPORTS:**

**IV. PUBLIC HEARINGS:**

**V. UNFINISHED BUSINESS:**

**VI. NEW BUSINESS:**

**A. RESOLUTION NO. 25-299 - RESOLUTION APPOINTING A MEMBER TO THE PLANNING & ZONING COMMISSION**

Vice-Mayor Mosley, former Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Planning & Zoning Commission.

Due to the removal of Jared Wheatley, there exists a vacancy until August 14, 2026.

The following individuals applied for the vacancy: Liz Avery, Mike Thomas Carpenter, Christopher Horton, Micah Rogers, Michael Speciale, David Russell, Julie O'Dwyer, Robert Sack, Matthew Doran, Will Deter, Jonathan Anzollitto, Randall Barnett, Bandon Bryant, Joseph Chesler, Seth Connelly, Jason Hambley, Michael Pesant and Evar Hecht.

On November 18, City Council interviewed Michael Speciale, Seth Connelly, Jonathan Anzolitto and Randall Barnett. Julie O'Dwyer was unable to attend; however, she submitted information to Council.

After each Council member voted, Jonathan Anzolitto received 4 votes and Michael Speciale received 2 votes. Therefore, Jonathan Anzolitto was appointed to serve as a member of the Planning & Zoning Commission to serve the unexpired term of Jared Wheatley, for a term lasting until August 14, 2026, or until their successor has been appointed or unless modified by Council action. Notwithstanding the foregoing, all members shall serve at the pleasure of Council, and may be removed at any time with or without cause.

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

Several individuals spoke to City Council about various matters, some being, but are not limited to: need referral system for harm reduction; stop delaying the implementation of the Missing Middle Housing Study and Displacement Risk Assessment options and opportunities and move forward with housing policy; need for multi-modal transportation; and suggestions of practical steps by the Legacy Neighborhoods Coalition for housing and displacement policies.

Mayor Manheimer, along with Vice-Mayor Mosley, Councilman Hess, Councilwoman Roney and Councilwoman Turner, all spoke in support of moving forward on the Missing Middle Housing Study and the Displacement Risk Assessment.

**VIII. ADJOURNMENT:**

Mayor Manheimer adjourned the meeting at 6:09 p.m.

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CITY CLERK MAYOR