Thursday – June 8, 2023 - 11:00 a.m.

Agenda Briefing Worksession - For June 13, 2023 Council Meeting

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

Absent: Councilwoman Sheneika Smith and Councilwoman Sage Turner

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

Discussion occurred on the following other issues and updates:

- Discuss Agenda for June 13 Council Worksession on Strategic Priorities - 2:00 p.m. in Council Chamber
- Independent Review Committee Completion of Work (submission of final report and presentation schedule)
- Update on the Advanced Metering Initiative (AMI)

At 12:36 p.m., Mayor Manheimer adjourned the agenda briefing worksession.

Tuesday – June 13, 2023 - 2:00 p.m.

City Council Retreat Follow-Up Worksession

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

Facilitator Ed Manning reviewed with Council the Exhibit A (attached) goals/statements identified for each strategic priority. After discussion, the following goal statements were identified under each strategic priority:

Improve and Expand Core Services - Hiring and retaining excellent staff; improving public facing amenities;and creating an ambitious funding plan for infrastructure investment.

Reparations - Grow reparations investments by increasing funding and continuing to look for more revenue sources and partners. Maximize collaboration with the Community Reparations Commission and partners to effectively implement short and long term recommendations and grow reparations investment by increased funding and continue to look for more revenue sources and partners.

Reimagining Public Safety - Improve safety outcomes by securing funding and increasing and expanding programming and partnerships to address quality of life issues.

Homelessness Strategies - Make homelessness rare, brief and non-recurring by supporting implementation of National Alliance to End Homelessness recommendations.

Equitable and Affordable Housing and Stability - We want to maximize efforts and tools and plans and regulations to increase housing supply, prioritize access for low income residents/households, reduce barriers to construction and prepare for the Unified Development Ordinance updates and the 2024 Housing Bond.

Neighborhood and Climate Resilience - Prioritize resources and capacity across our climate, sustainability plans to maximize impact.

Mr. Manning said that one next step will be to wordsmith the goals of Neighborhood and Climate and Homelessness Strategies to include bringing our zoning in line with our Comprehensive Plan. Staff will follow-up on other next steps.

At 4:33 p.m., Mayor Manheimer adjourned the worksession.

Tuesday – June 13, 2023 - 5:00 p.m

Regular Meeting

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

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

I. PROCLAMATIONS:

II. CONSENT AGENDA:

A. APPROVAL OF THE MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON MAY 18, 2023, AND THE FORMAL MEETING HELD ON MAY 23, 2023

B. RESOLUTION NO. 23-125 - RESOLUTION ACCEPTING THE FLOOD MITIGATION ACTIONS REPORT WHICH IS PART OF THE REPETITIVE LOSS AREA ANALYSIS; AND AUTHORIZING THE CITY MANAGER TO SUBMIT THE REPORT AND RECERTIFICATION FOR THE COMMUNITY RATING SYSTEM PROGRAM

Action Requested: Adoption of a resolution accepting the Flood Mitigation Actions Report which is part of the Repetitive Loss Area Analysis, and authorizing the City Manager to submit the report and recertification for the Community Rating System program.

Background:

- The City of Asheville joined the Community Rating System (CRS) program, a program through the Federal Emergency Management Agency (FEMA), and administered by the Insurance Services Office (ISO) in 2014.
- As required by the CRS program, a Repetitive Loss Area Analysis (RLAA) was prepared in 2013 by Brown and Caldwell to supplement the Buncombe-Madison Regional All Hazards Mitigation Plan.
- CRS provides lower flood insurance premiums, higher regulatory standards, and improved community outreach in accordance with the National Flood Insurance Program.

- The premium reduction is based on our current CRS classification. The City of Asheville is a Class 8 program.
- The classes are obtained by actions that are above and beyond the requirements of the National Flood Insurance Program administered by FEMA.
- Currently, citizens in Asheville receive a 10 percent reduction in their flood insurance premiums through the City's participation in the CRS program.
- In order to maintain the current status in the CRS program, staff is required to provide to council the annual report of the Flood Mitigation Actions Items that were part of the RLAA report from Brown and Caldwell adopted by Council on December 10, 2013.
- Highlighted in the report, staff from multiple departments continue to work together, looking for ways to reduce flooding and damage from floods.
- This occurs through community outreach from the City website, social media, flyers, and events.
- Additionally, staff work across departments, such as Fire and Public Works, and other partners on flood mitigation opportunities, and work with developers and property owners on ways to protect their properties from flooding.

Vendor Outreach Efforts:
- N/A.

Council Goal(s):
- A Clean and Healthy Environment
- Thriving Local Economy

Committee(s):
- None

Pro(s):
- The citizens of Asheville will continue to receive a 10% reduction on their flood insurance premiums.
- Provides a higher level of protection through the current flood ordinance and improves resilience.
- Promotes public education of the dangers of flooding and the Special Flood Hazard Areas.
- The CRS program will be annexed to the Emergency Operations Plan(EOP).

Con(s):
- Considerable amount of staff time is necessary to maintain these requirements, and improve the local program.

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

Motion:
- Motion to approve a resolution accepting the Flood Mitigation Actions Report, and authorizing the City Manager to submit the report and recertification for the Community Rating System program

RESOLUTION BOOK NO. 44 - PAGE 113

C. RESOLUTION NO. 23-126 - RESOLUTION AUTHORIZING THE CITY MANAGER EXECUTE A CONTRACT WITH WASTE MANAGEMENT OF CAROLINAS FOR CITY FACILITY BULK WASTE COLLECTION

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Waste Management of Carolinas for City facility bulk waste collection.

Background:

- The City contracts collection of bulk waste (trash and recycling) for various City facilities.
- The contractor provides and services receptacles (dumpsters) as needed by each facility.
- The current bulk waste contract ends 6/30/2023.
- The City posted an invitation to bid on May 2, 2023, and bids were opened on May 24, 2023.
- Four bids were received, and Waste Management of Carolinas, Inc. is the lowest responsive, responsible bidder.
- The new contract will be for (3) three years, with the option for (2) two additional (1) one year extensions.
- The resolution will authorize the City Manager to execute the contract, as well as to execute any optional contract extensions and contract amendments up to 5% above the contract price for each annual renewal period.

Vendor Outreach Efforts:

- Staff performed outreach to minority and women owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System and contacting MWBE companies directly who were listed on the North Carolina HUB website and NCDOT Directory of Firms.
- No MWBE firms submitted bids and all work will be self performed by the contractor.

Council Goal(s):

- A Clean and Healthy Environment

Committee(s):

- N/A

Pro(s):

- Provides adequate waste disposal options for City facilities
- Supports Council's goal for a Clean and Healthy Environment
- Supports Citywide cleanliness efforts

Con(s):

- None

Fiscal Impact:

- Each department maintains an on-going operating budget for their requested service.
- The initial year will be Not-to-Exceed $100,000. Rate increase is capped at 5% annually for each additional year. Total five year contract will be Not-to-Exceed $560,000.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute a contract for City facility bulk waste collection for an amount not to exceed $560,000 over the next five (5) years, and further authorizing the execution of any contract amendments up to 5% above the contract price for each annual renewal period and the execution of any optional contract renewals.

RESOLUTION BOOK NO. 44 - PAGE 118

D. RESOLUTION NO. 23-127 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH

BUNCOMBE COUNTY FOR ZONING REVIEW OF 1310 FANNING BRIDGE ROAD

Action Requested: Adoption of a resolution authorizing the City Manager to execute an Interlocal Agreement with Buncombe County for zoning review of 1310 Fanning Bridge Road.

Background:

- The parcel known as 1310 Fanning Bridge Road is within the City limits of Asheville.
- In 2012, this parcel was owned by the Airport and then removed from the City's zoning jurisdiction by the North Carolina General Assembly.
- The parcel currently exists partially within the City of Asheville's zoning jurisdiction and partially within Buncombe County's zoning jurisdiction.
- In accordance with GS §160D-203 and § 160A-461, local governments may, by mutual agreement and with the written consent of the landowner, assign exclusive planning and development regulation jurisdiction under Chapter 160D of the North Carolina General Statutes for the entire parcel to any one of those local governments when a parcel of land lies within the planning and development regulation jurisdiction of more than one local government.
- City and County staff agree that Asheville should have exclusive planning and development regulation jurisdiction for the entire parcel and the landowner has provided its written consent by signing the Inter-Local Agreement.
- The parcel was previously zoned *Industrial* within the city and will retain that zoning designation.

Council Goal(s):

- Improve/Expand Core Services

Committee(s):

- N/A

Pro(s):

- Improves the consistency in application of zoning regulations on a single, combined parcel that exists fully within the City limits of Asheville.

Con(s):

- None

Fiscal Impact:

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

Staff Recommendation:

- Staff recommends approval of the Resolution authorizing the City Manager to execute an Interlocal Agreement with Buncombe County for zoning review of 1310 Fanning Bridge Road.

Motion:

- Motion to approve the resolution authorizing the City Manager to execute an Interlocal Agreement with Buncombe County for zoning review of 1310 Fanning Bridge Road as creates consistent application of zoning regulations within the City limits of Asheville.

RESOLUTION BOOK NO. 44 - PAGE 119

E. ORDINANCE NO. 5018 - BUDGET AMENDMENT IN THE CITY'S GENERAL FUND ASSOCIATED WITH THE FEBRUARY 2023 REFUNDING OF THE 2020 GENERAL OBLIGATION BOND ANTICIPATION NOTE

Actions Requested: Adoption of budget amendment in the amount of $25,286,496 in the City's Capital 2100 Fund (General Fund) to account for the refunding of debt.

Background:

- On November 8, 2016, Asheville voters approved a $74 million General Obligation (GO) Bond Referendum - $32 million for Transportation improvements, $25 million for Affordable Housing initiatives and $17 million for Parks and Recreation improvements.
- In association with this GO Bond Referendum, the City issued a three-year short-term General Obligation Bond Anticipation Note in an amount not to exceed $25,000,000 in June 2020.
- In December 2022, Council approved a Bond Order authorizing City staff to proceed with the issuance of long-term fixed rate General Obligation Refunding Bonds to pay off the 2020 General Obligation Bond Anticipation Note.
- The long-term fixed rate General Obligation Refunding Bonds were issued in February 2023.
- The funds generated from the issuance of the Refunding Bonds, which totaled $25,286,496, were used to pay off the existing Bond Anticipation Note and the costs associated with the debt issuance and thus do not represent additional money available for City use.
- Since long-term debt refundings are non-routine and difficult to accurately forecast ahead of time, the budget associated with these transactions is not included in the adopted annual budget.
- This technical amendment incorporates these appropriations into the budget in order to ensure that the General Fund does not exceed the approved annual budget in the City's annual financial reporting.

Council Goal(s):

- A Financially Resilient City

Committee(s):

- None

Pro(s):

- Amends the Fiscal Year (FY) 2022-23 Capital 2100 Fund (General Fund) budget in order to ensure statutory budgetary compliance.

Con(s):

- None

Fiscal Impact:

- There is no net fiscal impact from this technical budget amendment.
- It will amend the FY 2022-23 budget in the Capital 2100 Fund (General Fund) to reflect the receipt of refunding proceeds and the subsequent payment to pay off the prior debt issuance.

Motions:

- Motion to adopt a budget amendment in the amount of $25,286,496 in the City's Capital 2100 Fund (General Fund) to account for the refunding of debt.

ORDINANCE BOOK NO. 34 - PAGE 430

F. **ORDINANCE NO. 5019 - ORDINANCE TO SET THE FISCAL YEAR 2023-24 RENTAL FEE FOR EACH ADDITIONAL 95 GALLON TRASH CAN AT $17.00 PER CART PER MONTH IN ALIGNMENT WITH THE SOLID WASTE FEE**

Action Requested: Adoption of an ordinance to set the FY 2023-24 rental fee for each additional 95 gallon trash cart at $17.00 per cart per month in alignment with the Solid Waste Fee.

Background:

- City Council adopted the ordinance establishing the fees and charges for FY 2023-24 at their March 28, 2023 meeting.
- Included in the fee changes for the next fiscal year was a $1.00 increase (from $16.00 to $17.00 per household per month) in the Standard Municipal Solid Waste Fee.
- The rental fee for each additional 95 gallon trash cart should also have been increased by $1.00 to $17.00 per cart per month, but was omitted from the staff recommendations.
- The projected revenue from the increase in both fees was used in completing the FY 2023-24 Proposed Budget presented to City Council on May 9, 2023.

Council Goal(s):

- A Financially Resilient City

Committee(s):

- Not Applicable

Pro(s):

- Provides for cost recovery from those that directly utilize or benefit from the service, reducing the financial burden of City services on taxpayers.
- Provides additional revenue to help balance the FY 2023-24 budget.

Con(s):

- A minimal increase in the cost of city services.

Fiscal Impact:

- Without updating the additional cart rental fee to align with the Council-approved increase to the Standard Municipal Solid Waste Fee, the projected revenue for Sanitation services will be lower than presented in the FY 2023-24 Proposed Budget.

Motion:

- Motion to approve an ordinance to set the FY 2023-24 rental fee for each additional 95 gallon trash cart at $17.00 per cart per month in alignment with the Solid Waste Fee.

ORDINANCE BOOK NO. 34 - PAGE 431

G. **RESOLUTION NO. 23-128 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR CONTRACT WITH ESRI INC. FOR GIS SOFTWARE MAINTENANCE**

Action Requested: Adoption of a resolution authorizing the City Manager to enter into a three-year contract with ESRI, Inc. for GIS software maintenance.

Background:

- On August 22, 2017, the City Council approved Resolution No. 17-185 ESRI, Inc. for a three-year contract for GIS software maintenance.
- On May 26, 2020, Council approved Resolution No. 20-87 to renew the GIS contract with ESRI, Inc. for an additional three years.
- Currently, the ESRI software is how spatial assets and data are collected, analyzed, and visualized throughout the City, including recent updates to the new Fire Station 13 service areas.
- This contract would allow the City of Asheville to continue to enhance its GIS program using the ESRI software for GIS dashboards, Map Asheville, the open data program, water utility management, public safety, asset management, equity mapping and storytelling, and much more.

Vendor Outreach Efforts:

- Because of the standardization needed to maintain the City's current GIS maps, no outreach was conducted.
- A waiver was approved by the City Manager's Office on April 13, 2023, in accordance with Outreach Exceptions Per State Statute § 143-129. Procedure for letting of public contracts (e) 6. iii.
- ESRIi provides a competitive enterprise license agreement for public sector clients.
- Changing the City's underlying GIS infrastructure would result in significant costs in terms of lost productivity and the need to rebuild existing GIS assets.

Council Goal(s):

- Improve/Expand Core Services

Committee(s):

- N/A

Pro(s):

- Increased support of departmental business requirements via greater options for GIS software licensing.
- Ability to install additional software without additional purchases.
- Mitigate impacts of increasing software maintenance costs.

Con(s):

- If continued funding for the future is not appropriated, some staff will lose the ability to utilize GIS software and data.
- The City would lose many highly-used public GIS platforms such as the Open Data Portal, Map Asheville, Equity Story Maps, Climate Justice Index Map, and the Police Transparency Dashboard. As well as internal resources such as Water Infrastructure maps and Asset Management services for Capital Projects and Public Works.
- Without access to ESRI, the City would lose GIS integration with current Asset Management software, Cityworks and Asset Essentials.

Fiscal Impact:

- Funding for the first year of this contract ($62,375 in total) is planned in the Water Services Fund ($5,675) and Information Technology Services operating budget ($56,700) for FY 2023-2024.
- Future years will be planned in the annual budget development process.
- The total three-year contract cost is $187,125 .

Motion:

- Motion to approve the adoption of the resolution authorizing the City Manager to enter an agreement with ESRI, Inc. for a 3-year contract for GIS Software Maintenance.

RESOLUTION BOOK NO. 44 - PAGE 123

H. RESOLUTION NO. 23-129 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND AN AGREEMENT WITH AZTECA SYSTEMS LLC FOR HOSTING THE ENTERPRISE ASSET MANAGEMENT SYSTEM

Action Requested: Adoption of a resolution authorizing the City Manager to amend an agreement with Azteca Systems, LLC for hosting the Cityworks enterprise asset management system software license, maintenance, and support.

Background:
- Cityworks asset management software provides a platform for Water Resources' and Public Works' asset management, work orders, inventory management, and reporting.
- This software is utilized to track the use and costs of assets and to determine when preventative maintenance should occur.
- The software tracks the cost of work performed by field personnel and allows for tracking of performance and reaction times for service calls received by customer service.
- It also allows for a paperless workflow within departments and across departments using the system.
- This is an annual software renewal that will allow for the continued use of the Cityworks software.
- Cityworks is highly integrated with the City's GIS program and includes all major physical assets maintained by Water Resources and Public Works (water mains, valves, hydrants, streets, fleet vehicles, etc.).
- In the upcoming fiscal year, FY 2023-24, there are plans to begin expansion of Cityworks for use in the Transportation and Parks & Recreation Departments.
- Past resolutions related to the City's Cityworks contract include: 23-27 and 22-23.

Vendor Outreach Efforts:
- No outreach was required as this is amending an existing contract.
- The City of Asheville conducted a competitive procurement process for an asset management software system for both Public Works and Water in 2016 and 2017.
- The asset management system is designed to be used with any other city departments as needed.
- There are a limited number of vendors providing enterprise asset management software, and after reviewing all available options, Azteca Cityworks was selected as the best overall value for the City of Asheville.

Council Goal(s):
- Improve/Expand Core Services

Committee(s):
- N/A

Pro(s):
- Amending the current contract will provide a fully hosted product (Software As A Service). This allows for better security, data backup, and disaster recovery.
- More efficient management of Water Resources and Public Works physical assets and infrastructure.
- Automation of work orders and reporting.

Con(s):

- Without this system, Water Resources and Public Works will not be able to proactively manage and maintain critical infrastructure.

Fiscal Impact:

- Funding for this contract is available in the Water Resources and Public Works departmental operating budgets.
- Year 1: 05/10/2023 – 03/09/2024 $29,473.75 (Prorating this year's fee to include hosting- $74,623.50 original amount)
- Year 2: 03/10/2024 – 03/09/2025 $116,233.50

Motion:

- Motion to adopt a resolution authorizing the City Manager to amend an agreement with Azteca Systems, LLC for hosting the Cityworks enterprise asset management system software license, maintenance, and support.

RESOLUTION BOOK NO. 44 - PAGE 124

I. RESOLUTION NO. 23-130 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TOWN OF BLACK MOUNTAIN TO PROVIDE FUNDING SUPPORT FOR ROUTE 170 FOR BOTH FISCAL YEAR 2023 AND FISCAL YEAR 2024

Action Requested: Adopt a resolution authorizing the City Manager to execute an agreement with the Town of Black Mountain to provide $25,000 in funding support for transit Route 170 for both Fiscal Years (FY) 2022-2023 and 2023-2024.

Background:

- Asheville Rides Transit (ART) provides daily service between Downtown Asheville and Black Mountain via Route 170.
- The total cost of operating the route is approximately $500,000 annually and the City received Federal transit grant funding through the Job Access Reverse Commute (JARC) program from the French Broad River Metropolitan Planning Organization to pay for 50% of the cost to operate route 170 for FY 2022-2023 and FY 2023-2024.
- Earlier this calendar year, the City requested a contribution from the Town of Black Mountain to support a portion of the costs associated with operating the route.
- Black Mountain agreed to provide $25,000 for the current fiscal year (FY 2022-2023) and next.
- An executed agreement is necessary in order to receive and expend the funds for transit operations. This agreement will cover both fiscal years.
- The Town of Black Mountain's contribution will help offset the non-grant funded portion of the operational cost of the route.

Vendor Outreach Efforts:

- N/A

Council Goal(s):

- Improve and Expand Core Services

Committee(s):

- N/A

Pro(s):

- The $25,000 in revenue for FY 2022-2023 and $25,000 in revenue for FY 2023-2024 will help to offset existing transit service costs, reducing the overall General Fund contribution to the Transit Operating Fund.

Con(s):

- The City and Town of Black Mountain have not discussed future contributions beyond FY 2023- 2024, nor the possibility of an increased level of support in future years.
- In the coming months, staff will work with Black Mountain to explore this possibility for FY 2024-2025.

Fiscal Impact:

- The $25,000 in revenue for FY 2022-2023 and FY 2023-2024 will help to offset existing transit service costs, reducing the overall General Fund contribution to the Transit Operating Fund.
- The cost for this route is already included in the Transit Operating Fund for FY 2022-2023 and in the FY 2023-2024 Proposed Budget.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute an agreement with the Town of Black Mountain to provide $25,000 in funding support for Route 170 for both Fiscal Year 2023 and Fiscal Year 2024.

RESOLUTION BOOK NO. 44 - PAGE 125

J. RESOLUTION NO. 23-131 - RESOLUTION AUTHORIZING THE CITY MANAGER TO RATIFY AND AMEND EXISTING TRANSIT SUBRECIPIENT AGREEMENTS FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES FUNDS

Action Requested: Adoption of a resolution authorizing the City Manager to ratify and amend existing transit Subrecipient Agreements for Federal Transit Administration Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funds.

Background:

- There are a number of existing Federal Transit Administration (FTA) grants from between Fiscal Year FY 2017-18 and FY 2019-20 that have funds *remaining* that are encumbered under existing Subrecipient Agreements.
- These Subrecipient Agreements were executed several years ago for the expenditure of FY 2017-18 and 2019-20 funds and expired in spring 2023. These existing agreements need to be extended so that Transit Division staff may process the remaining reimbursements.
- Subrecipient Agreements will be extended based on confirmation of Subrecipient spending plans and in accordance with the timelines outlined in each FTA grant funding agreement.
- City staff will provide outreach to Subrecipients semiannually to monitor progress on projects and spending plans.

Agreement	Subrecipient	Description	Funds Remaining

92100144	BUNCOMBE COUNTY PLANNING DEPAR(7155)	FFY 2018 5310 - RIDE Voucher Program	52,337.00
92100163	BUNCOMBE COUNTY PLANNING DEPAR(7155)	FFY 2019 5310 - RIDE Voucher Program	13,508.00
92200181	BUNCOMBE COUNTY PLANNING DEPAR(7155)	FFY 2020 5310 - RIDE Voucher Program	20,112.00
92100160	COUNCIL ON AGING OF BUNCOMBE COUNTY, INC(30754)	FFY 2019 5310 - Call a Ride Program	15,196.00
92100142	LAND-OF-SKY REGIONAL COUNCIL(1535)	FFY 2018 5310 - Senior Companion Program	24,755.39
92100159	LAND-OF-SKY REGIONAL COUNCIL(1535)	FFY 2019 5310 - Senior Companion Program	11,815.00
92200180	LAND-OF-SKY REGIONAL COUNCIL(1535)	FFY 2020 5310 - Senior Companion Program	42,838.00
92100158	MADISON COUNTY(5440)	FFY 2019 5310 - Mars Hill Transportation	17,426.00
92100162	MADISON COUNTY(5440)	FFY 2019 5310 - Nutrition Access Program	14,745.00
92200178	MADISON COUNTY(5440)	FFY 2020 5310 - Nutrition Access Program	9,757.16
92200179	MADISON COUNTY(5440)	FFY 2020 5310 - Mars Hill Transportation	17,426.00
92100161	MOUNTAIN PROJECTS INC./ Haywood County (25067)	FFY 2019 5310 - Deviated- Fixed Route	45,250.00

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, and area non-profit organizations receiving Section 5310 funds.

Council Goal(s):

- Improve and Expand Core Services

Committee(s):

- N/A

Pro(s):

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

Con(s):

- Expending the grant funds is dependent on the Subrecipients, which includes Buncombe County, Henderson County, Haywood County, and area non-profit organizations receiving Section 5310 funds.

Fiscal Impact:

- This action requires no additional City resources and has no fiscal impact, funding for these agreements were previously budgeted and encumbered.
- The City passes through funding to each subrecipient and is not responsible for their local match.

Motion:

- Motion to adopt a resolution authorizing the City Manager to ratify and amend existing transit subrecipient agreements for Federal Transit Administration Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funds.

RESOLUTION BOOK NO. 44 - PAGE 126

K. RESOLUTION NO. 23-132 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH WITT O'BRIEN'S LLC FOR THE PURPOSE OF SECURING ADMINISTRATIVE AND TRAINING SUPPORT FOR PROCESSING AND MANAGING FEDERAL TRANSIT ADMINISTRATION GRANTS

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Witt O'Brien's in an amount not to exceed $124,982 for the purpose of securing administrative and training support for processing and managing Federal Transit Administration Grants.

Background:

- The City of Asheville is the Designated Recipient of Federal Transit Administration (FTA) grant funding that is allocated to the urbanized area. As the Designated Recipient, the City is responsible for administering the funding and processing the grants for the City's transit program, as well as those of other area transit agencies (subrecipients).
- The City is responsible for the timely administration of all grant funding and for ensuring that the City and the eight subrecipients are complying with the requirements of FTA funding.
- There have been numerous staffing transitions in the Transit Grant Analyst position (currently vacant) over the last five years, and the number of FTA grants being administered has increased significantly since the pandemic.
- This has created the need for additional grants management support and training of new Transit staff as well as additional support for assisting with the increased number of grants awarded to the area.
- Transit Division staff issued a Request For Proposals (RFP) at the end of February 2023 seeking qualified professionals with FTA grant experience to provide grant administration support and training to transit staff. Proposals were due April 3, and seven proposals were received, including two DBE firms.
- Witt O'Brien's was selected by the selection committee and a contract not to exceed $124,982 is being proposed.

Vendor Outreach Efforts:

- The Request for Proposals was posted on the NC HUB website and direct outreach was done to individual certified DBE firms with experience related to federal transit grants and compliance.
- A total of seven proposals were received including two proposals from certified DBE firms and one proposal that indicated it would utilize a MWBE/DBE firm as a subcontractor.
- A selection committee of staff from Purchasing, Accounting, and Transit reviewed and ranked proposals, ultimately selecting Witt O'Brien's.

- The selected contractor is not a MWBE/DBE firm.
- The selected contractor has indicated they have the ability and capacity to perform all services in-house.
- They do not intend to outsource for any services under this contract.

Council Goal(s):
- Improve and Expand Core Services

Committee(s):
- N/A

Pro(s):
- The selected consultant will provide needed grant administration support while also training existing staff.

Con(s):
- Funding for the consultant contract is partially funded through savings from the vacant Transit Grants Analyst position.

Fiscal Impact:
- Funding for the contract is available in the Transit Services Fund.

Motion:
- Motion to adopt a resolution authorizing the City Manager to execute a contract with Witt O'Brien's in an amount not to exceed $124,982 for the purpose of securing administrative and training support for processing and managing Federal Transit Administration Grants.

RESOLUTION BOOK NO. 44 - PAGE 128

L. RESOLUTION NO. 23-133 - RESOLUTION REAFFIRMING SUPPORT OF ASHEVILLE'S LGBTQIA+ + COMMUNITY

Resolution reads: "WHEREAS, Asheville is committed to interwoven equity for all residents, has passed an LGBTQIA+-inclusive Non-Discrimination Ordinance, and established a Human Relations Commission; and WHEREAS, hate crimes targeting LGBTQIA+ (lesbian, gay, bisexual, transgender, & queer) people have increased every year for the past four years; and mass shootings by domestic terrorists at LGBTQIA+ gathering spaces such as Club Q and Pulse have created fear and trauma in LGBTQIA+ communities across the country; and WHEREAS, events celebrating the existence, success and achievement of Asheville's LGBTQIA+ community are often subject to harassment and disruption by a very small population; and WHEREAS, there has been a sharp increase in anti-LGBTQIA+ legislation in the US, with 474 anti-LGBTQIA+ bills filed in state legislatures across the country as of May of 2023 - representing a significant and nationwide attack on the rights of LGBTQIA+ people; and WHEREAS, the City of Asheville understands that certain legislative initiatives would have a significantly detrimental impact on the rights of LGBTQIA+ people in our community. Specific examples of concern include the following: (1) Legislation that would explicitly prohibit Asheville's educators from using "locally developed curriculum" which reflects our community's values and provides accurate information about the existence, experiences, and history of all our residents, including our LGBTQIA+ neighbors; (2) Legislation that would unfairly restrict the ability of Asheville's transgender and gender-nonconforming youths to equally participate in "interscholastic or intramural athletic activities" by creating new "biological participation requirements" based on new interpretations of sex and gender; and (3) Legislation that would limit the ability of Asheville's residents to access medical care, especially reproductive healthcare and gender-affirming healthcare, by reducing access to funding and criminalizing procedures; and WHEREAS, access to safe, affirming spaces and gender-affirming healthcare is critical for the mental and physical health of LGBTQIA+ people

and teens in particular, who are four times more likely to consider suicide than their cisgender and heterosexual peers; NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT: The Asheville City Council hereby reaffirms support of Asheville's LGBTQIA+ community, and that we celebrate LGBTQIA+ culture as part of the vibrancy of our city including, but not limited to, Pride celebrations, drag performances and LGBTQIA+ inclusion in every aspect of civic life, and that we condemn all violence, hatred, and discrimination against LGBTQIA+ people; LGBTQIA+ spaces, and LGBTQIA+ events; that we stand in opposition to all legislation that erodes the safety, health, civil rights, and/or bodily autonomy of LGBTQIA+ people; and that we will commit to using all of the tools at our disposal to shield our residents from the harmful impacts of such legislation."

George Swan was grateful for the City's support of the LGBTQAI+ community, but there is much more work to be done.

Jonathan Wainscott spoke about transgender athletes.

Councilwoman Roney said that we have been working towards a resolution reaffirming LGBTQAI+ rights in our community and appreciated the specific inclusion of our youth and for live performances including drag performances. This is not only a matter of art and culture, but also an economic impact. In the face of such intense legislation in our county, now is the time to stand up for our youth. She said that the resolutions are a value statement but we have a lot of work to do in our community to make it safe for those who live and work here..

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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. This motion was seconded by Councilwoman Ullman and carried unanimously.

III. PRESENTATIONS & REPORTS:

A. MANAGER'S REPORT - EMPLOYEE RECOGNITION

City Manager Campbell said that City of Asheville employees are heroes in many ways. We want to acknowledge their exemplary work all of the time, but especially when employees accomplish something extraordinary. Tonight, we recognize Sarah Gross for obtaining her Master Municipal Clerk designation from the International Institute of Municipal Clerks. She said that (1) In July of 2018, Deputy City Clerk Sarah Gross obtained her North Carolina Certified Municipal Clerk designation; (2) In 2019, Sarah obtained her Master's Degree in Public Administration; and (3) On May 9, 2023, Sarah obtained the highest designation from the International Institute of Master Municipal Clerks - Master Municipal Clerk. Sarah has served as Deputy City Clerk since 2016 and in her role, she has shown exemplary dedication not only in her role as Deputy City Clerk, but also as the Manager of our Boards & Commissions. Sarah's outstanding service to the City has been recognized by the School of Government as they have asked her to participate in panel discussions, along with using her Board and Commission Manuals in their course work.

B. INDEPENDENT REVIEW COMMITTEE ON WATER OUTAGE AFTER-ACTION REPORT

Mr. Jade Dundas, Capital Projects Director and liaison to the Independent Review Committee recognized their hard work.

IRC member Keith Webb introduced members of the Independent Review Committee - Rob Brisley, Dennis A. Fagnant, Michael L. Holcombe, Mike McGill, John W. McLaughlin, PE, Kim "Dirt" Murphy, Carolyn Roy, and Ted Tyree, PE He, along with other members of the Committee, reviewed the following presentation:

"The Kick off Meeting was held on February 20, 2023. They were divided into three subcommittees for efficiency - Water System / Operations; Communications (COMMS); and Emergency Response. Each subcommittee has a chair / co-chair presenting the findings and recommendations from that subcommittee.

The report represents 3 months of hard work. There were numerous interviews, and more than 90 Requests for Information (RFI). The IRC wants to express its thanks to Jade Dundas, the City's liaison and all staff members who took the time to openly answer questions and respond to RFIs.

Water System / Operations

Ted Tyree, Co-Chair of the Water System / Operations subcommittee said that the subcommittee members of the Water System / Operations are: Ted B. Tyree, P.E., Co-Chair - Engineer, *Knoxville Utilities Board (TN);* John W. McLaughlin, P.E., Co-Chair - Director of Internal Development, *Highfill Infrastructure;* Michael L. Holcombe, Sr., Co-ChairFormer Director, *Water Resources Department;* Mike McGill, *President, WaterPIO;* Kim "Dirt" Murphy, Co-owner / Farm Manager, *Rainbow Path Wellness, LLC, and* Carolyn Roy, Owner, *Biscuit Head Restaurant.*

Their directives were (1) Review the outage and provide a comprehensive account of the event; (2) Assess City's operational response; and (3) Make recommendations that will maximize prevention of future events.

They gave the water system overview (1) 60,000 water connections; (2) 3 water treatment plants; (3) 1,700+ miles of pipe, ranging from 2" - 36" diameter; and (4) average daily demand = 21.5 MGD. The following is what happened: (1) Coldest weather conditions to hit Asheville since January 2014; (2) Unprecedented water system demand, exceeded 31-32 MGD (a) Total of 27 water main breaks throughout system; (b) High customer consumption (i) Letting faucets drip / run; and (ii) On-premise leaks / breaks due to cold; (3) Mills River WTP taken off-line due to cold-induced treatment issues - Off-line from 8:00 AM Saturday, Dec. 24th to 10:00 AM Wednesday, Dec. 28th; (4) North Fork and William DeBruhl Water Treatment Plants (WTP) remained in service (gravity inputs) (a) 36 MGD combined capacity; (b) Both plants located in far northeast sector of the system; and (c) Water must be conveyed West and South; (5) Low pressures and no water experienced in parts of South and West; (6) Thousands of customers in the South and West with no water service; (7) Isolated most of South system at 7:00 PM on Monday, Dec. 26th; (8 Portable pumps deployed near Candler Knob tanks; (9) Key storage tanks rapidly depleted and were valved off; (10) Eventual system recovery was slow; (11) CLOSED 24" transmission valve found at 6:45 PM on Monday, Jan. 2nd - When opened, tanks began to fill more quickly; (12) Final Boil Water Advisory lifted on Wednesday, Jan. 4th; and (13) City Council created IRC on Jan. 10, 2023.

Data analysis was (1) 1-minute data from Supervisory Control & Data Acquisition (SCADA) System enabled detailed analysis; (2) Major storage tanks in west and south rapidly drained once Mills River WTP taken off-line; (3) Virtually NO refilling of tanks during off-peak periods (overnight); (4) Excess capacity (36 MGD) available, but still couldn't meet demand; and (5) Hazen modeling scenarios.

Findings - Underlying cause = inability to supply enough water to meet high demands (1) Closed 24" transmission valve in River Arts District (feeds Western portion) (a) WRD learned on Jan 10, 2022 from Hazen of probability of a closed 24" valve in RAD; and (b) WRD staff looked for but did not find closed valve (until Jan 2, 2023 during event); (2) Hazen identified another 24" valve was only open 10% (feeds Southern portion) - Configured in SCADA to only open to 10% ("100% Open" = 10% Open); (3) Need for greater system resilience - East Asheville Booster Pump Station (EABPS) unavailable for use since ~2010; and (4) Other factors indirectly contributed to the event, its scope and duration. Bottom Line: Magnitude and duration of event was largely avoidable and preventable.

Immediate Recommendations are (1) Conduct an independent *Valve Assessment* of all large transmission mains; and (2) Enable *SCADA control of South Control Valve* for full range of flow.

Short-Term and Long-Term Recommendations are (1) Evaluate existing pumps; generate *EABPS Preliminary Engineering Report; (2)* Within the SCADA Historian, derive *Total_Daily_Demand;* (3) Expedite implementation of *Advanced Metering Infrastructure (AMI)* system-wide; (4) Re-evaluate the role of *WRD's Engineering Division;* (5) Conduct a *Knowledge Retention* assessment within WRD; identify "gaps"; (6) Plan and conduct targeted *Table-Top Exercises* at least semi-annually, both internal to WRD and with external agencies; (7) Accelerate the installation of *District or Zone Meters;* and (8) Consider the creation of a *Water Utility Advisory Panel.*

Communications (COMMS)

Mike McGill of the Communications subcommittee said the subcommittee members of the Communications team are Mike McGill, President, *WaterPIO* - Firm handles customer & crisis COMMS for water utilities nationwide. Conducted similar report for Austin, TX post-Winter Storm Uri.; Rob Brisley - Co-Chair, *North Carolina Incident Management Team; and* Kim "Dirt" Murphy - Co-owner, *Rainbow Path Wellness. Special thanks to Jade Dundas, appreciation for all City staff tasked with making the discovery / RFI process run smoothly.* The process involved more than 50 hours of one-on-one interviews with: City staff, elected officials, news media, community leaders, business leaders, and Impacted customers. The process also invoiced document review, including COMMS and emergency response plans.

SITREP at Start - SITREP needed to provide fair review of the initial response (1) Holiday timing - Staff and public at home enjoying the holiday weekend or out of town; (2) Belief took shape that a few breaks were the main cause - led to guarded COMMS; (3) Mills River going offline not a major concern - "Operational COMMS approach" begins; (4) Unfair to treat decision-makers as if this event happened during a typical work week - Holiday timing played into the initial COMMS decisions; (5) "Hope" by water staff could address situation without alarming public on Christmas - belief main break repairs could end incident drove initial COMMS. (Ex. 1st AVL Alert.); (6) "Operational approach" to public COMMS leads response; Water team leads COMMS. Can work for minor events. Creates problems during major events; and (7) COMMS staff, while asking right questions, strictly in a "producer" role. Not in lead for COMMS decisions. Lack of knowledge of the system.

First 72 hours: Key finding - "Operational Approach" to Public Communications used. (1) Prioritizes operational objectives - finding & fixing problems - over public information. Often used. Holds difficult COMMS that should be made hoping they won't be necessary. If issues are quickly found & fixed, works well. If not, instant COMMS trouble; (2) "Operational approach" kept Water Team in charge of COMMS. COMMS on-call staffer followed procedures but not experienced with water system. Couldn't fully advise Water Team but asked proper questions. Produced the information as provided; (3) Water Team internally declared a "major emergency" on Christmas Day. COMMS didn't relay level of concern. Water Team believed emergency could be solved with break repair(s). Experience with loss of plant led to restrained COMMS.; (4) "Emergency" definition kept Water Team in control of the response, including COMMS; (5) Loss of plant should've triggered widespread public COMMS. Best practice: Inform about changes in water source. Water Team stated composition change was minor; and (6) Unnecessary DHS concern caused confusing COMMS re: Mills River. MR not named.

First 72 hours: Key finding - Lack of proper crisis COMMS plan, structure, and process. (1) National Incident Management System (NIMS) / Incident Command System (ICS) was not used for public information decisions and process. Public Information Officer was not placed in the proper role or given the appropriate level of responsibility; (2) Under NIMS / ICS, PIO only reports to the Incident Commander. Able to determine COMMS with limited interference; (3) With the lack of a strong, outlined structure, COMMS adversely impacted overall response. Never achieved COMMS rhythm. Getting into a constant, consistent public information process is essential to crisis COMMS; (4) Lack of an established COMMS process led to subject matter and COMMS staff recommendations being overridden by politicians; (5) Distrust of news media factored into COMMS process. Mass media is #1 outlet for crisis COMMS but was not properly used; (6) Press conferences supplement regular release of information. Not well executed; (7) Water Team control over AVL Alert usage led to using AVL Alerts as a primary vehicle for public notifications; (8) Notification systems should not be the primary vehicle for emergency alerts; (9) AVL subscription number falsely given as an outage estimate. "About 38,000." Inappropriate attempt to give scope. However, it OVERestimated outage numbers; (10) City Manager involved early in the response. Contrary to coverage, CM carried out proper response role, especially re: COMMS. CM does not serve in a COMMS role during a crisis. Facilitator for overall response; and (11) One area for acknowledged improvement from CM was failure to manage elected officials' involvement in crisis response and COMMS process/messaging.

First 72 hours: Key Finding - Lack of crisis Comms and water system training kept COMMS staff from fully serving in a COMMS leadership role (1) Largely reduced to "producers," creating/delivering content as directed from multiple leaders; (2) Without NIMS/ICS in place, quality control/final approval processes overrun by multiple players, resulting in significant delays that created information gaps. Info gaps cause major public problems during crisis situations; (3) Political leaders directly involved in COMMS decisions & messaging. Not a best practice, especially in crises. Answer politician questions? Yes. Direct COMMS involvement, including final decisions? No.; (3) "All hands" led to harmful delays. Resulted in "kitchen sink" press releases that included every possible detail, overwhelming key facts. Messaging for pressers changed on the fly; (5) Asheville's infrastructure limitations harmed the ability to arrive at - and release - important information. "Electric outage" map not possible. (Common in water.); and (6) "Radio read" meters can't deliver the information key stakeholders & the public expect.

24-48 Hours - Second major focus of the report: The decision to tell the public that service would be restored in 24 to 48 hours on December 27th when there was little chance service would be restored by that timeframe (tanks had not started refilling). (1) Why? Not a message Water or COMMS staff would use because of possible impacts on public health. Different public choices are made when it's "1 or 2 days" v. "3 to 5 days" (or longer.); (2) Frustration from elected officials understandable. Couldn't provide information that seemed basic to provide. However, pressure was put on staff to provide information that shouldn't have been

given. Placed public health at risk; (3) Multiple staff from multiple departments, including the Mayor, confirmed Mayor placed direct pressure on Water Team and COMMS staff to release a "restoration" timeframe. Water and COMMS staff strongly objected. No timeframe could be confirmed as true; and (4) "Job-threatening" levels of pressure brought by Mayor. Led Melton to say: "I guess we can say we have a goal of 24 to 48 hours." Became public message. Expectations set with public. When missed, all public trust lost. No other COMMS mattered.

Recommendations - The "operational COMMS approach" needs to be replaced with a system where COMMS professionals are elevated in importance. Not just influence, but direct oversight of the crisis communications planning and implementation. *This can be accomplished in several ways*: (1) The hiring of a Public Information Officer dedicated to the WRD (already in motion); (2) Crisis COMMS training for ALL CAPE staff, based on the Incident Command training program, to provide redundancy and Incident Command System (ICS) shift flexibility; (3) The institution of the COMMS portion of the ICS under the National Incident Management System. This can be used by COMMS, even if Asheville does not incorporate NIMS and ICS into emergency response plans (all indications are these steps are being recommended by other committees); (4) Using the COMMS portion of ICS places the COMMS responsibility with the Incident Commander and the Public Information Officer. No one else is responsible for leadership over COMMS decisions or staffing; (5) Media training for all COMMS-related staff and department leaders; (6) NIMS / ICS training and certifications for City staff responsible for crisis COMMS. Certifications include NIMS/ICS 29, 42, 100, 200, 700, 800, and FEMA Basic PIO L105 (FEMA class is already being given with numerous COA and Buncombe County members participating); and (7) Regular engagement with Buncombe County COMMS staff.

Emergency Response

Dennis Fagnant of the Emergency Response subcommittee said the subcommittee members are Dennis A. Fagnant, Jr., CFO - Fire Chief, *West Buncombe Buncombe Fire Department;* Rob Brisley, Co-Chair, *North Carolina Incident Management Team; and* Kim "Dirt" Murphy, Co-owner, *Rainbow Path Wellness.*

The Emergency Response Subcommittee has established five major findings: (1) The use of the Incident Command System was not implemented as outlined in the National Incident Management System guide and as directed by Homeland Security Presidential Directive 5; (2) Inconsistent or complete lack of training for elected officials, city management, and operational staff surrounding emergency management/response; (3) There was no consideration for the implementation of a Unified Command although the incident extended beyond the municipal borders of Asheville; (4) Emergency Response approach was appropriately guided by FEMA Community Lifelines but failed to acknowledge the community perception and reaction to the crisis. Communications with community partners was either absent, lacked consistency, and/or was inaccurate; and (5) Outdated and vague Emergency Operations and Continuity of Operations Plans.

Recommendations (Incident Command System) (1) Implement, train, and exercise one Incident Command System; and (2) Preplan (train and exercise) who will fill command staff and general staff positions.

Recommendations (Emergency Response Training) (1) Establish minimum training for elected, city management, and senior leaders, and supervisors (customer forward centers) within the City of Asheville; (2) Establish training surround the Emergency Operations Plan and Continuity of Operations Plan; and (3) Establish and implement an exercise schedule to include the opening of an Emergency Operation Center (EOC) and Unified Command/Multi Agency Coordination Group.

Recommendations (Unified Command) (1) Ensure community stakeholders have a voice when incidents spill outside municipal boundaries; (2) Buncombe County should take an active roll to ensure inclusion in such events; and (3) Form a joint Incident Management Overhead team between the City of Asheville and Buncombe County.

Recommendations (Communications / Response) (1) Pulse of the community; (2) Training to operate within an Incident Command System; (3) Activation of an EOC to monitor and plan for crisis response; and (4) Information pushed to the community needs to be timely and accurate.

Recommendations (Emergency Operations Plan / Continuity of Communications Plan) (1) Both plans are in the process of being revised. The sub-committee urges a commitment to remain within the established 5-year revision cycle; and (2) Vague wording [throughout] requires attention. The current EOP calls for the mayor to: "monitor the emergency response during disaster situations and provide direction where appropriate." Without training, what does this mean and what are those duties?"

On behalf of City Council, Mayor Manheimer thanks the Committee members so much for their hard work and the professional quick deliverable. The Committee has done exactly what Council needed. City Council had a worksession earlier in the day and they generally agreed to implement the recommendations made.

There was considerable discussion and questions raised by Council directed at the IRC. Some questions were, but are not limited to: why was the East Asheville Booster Pump Station (EABPS) taken off line in 2019 and are the factors that were prevalent in 2019 still prevalent today; what is the City's thought on bringing the EABPS back online; when was the 24" line closed in the River Arts District; can data be added to the SCADA so we will know when valves are closed; can the SCADA be configured into to open the other 24" value from 10% to 100% and what would be the repercussions of that; do we know how many people lost water during that outage; request for more details on an independent value assessment of all large transmission mains; what is the future plan for the Mills River Plant winterization; and does the Committee have any recommendations from other cities, other than going back to the 1990 phone tree system; to meet people where they are on social media challenges.

Mayor Manheimer felt the public had an expectation around emergencies (as experienced during COVID) for press conferences to be held. She looked forward to fine tuning our emergency response around actual physical response with a crisis team and communications; and is hopeful our plan works to incorporate what is the best practice, keeping in mind what the community expects.

City Manager Campbell said that on behalf of City staff, we are committed to taking a much more deeper dive into the study and recommendations. She believes City Council and staff are committed to making the type of necessary changes and upgrades, but cautioned the community that it will not happen overnight, as many recommendations have a budgetary impact. She suggested we come back to perhaps an agenda briefing to have a deeper dive about what some of the short term things we can do immediately.

IV. PUBLIC HEARINGS:

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

Councilwoman Turner moved to continue this public hearing until July 25, 2023. This motion was seconded by Councilwoman Roney and carried unanimously.

B. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO CHAPTER 7 OF THE CODE OF ORDINANCES TO REVISE NEIGHBORHOOD MEETING REQUIREMENTS FOR LEVEL 2 PROJECTS, MAJOR SUBDIVISIONS AND CONDITIONAL ZONINGS

ORDINANCE NO. 5020 - ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES TO REVISE NEIGHBORHOOD MEETING REQUIREMENTS FOR LEVEL 2 PROJECTS, MAJOR SUBDIVISIONS AND CONDITIONAL ZONINGS

Planning & Development Division Manager Chris Collins said that this is the consideration of an ordinance to amend Chapter 7 of the Code of Ordinances to revise neighborhood meeting requirements for Level 2 projects, major subdivisions and conditional zonings. This public hearing was advertised on June 2 and 9, 2023.

Background:

- The UDO currently has a requirement for prospective land developers to hold community/neighborhood meetings with nearby residents and owners prior to submitting an application for review of a Level II site plan, Major Subdivision or Conditional Zoning by the City.
- City staff have worked with several groups including the Coalition of Asheville Neighborhoods, Legacy Neighborhoods Coalition and the Development Customer Advisory Group to create a set of clarified and standardized requirements to assist in making these meetings function well.
- City staff have created several administrative tools such as notification letter templates, a guide to conducting and attending neighborhood meetings and a registration process whereby prospective developers can report scheduled and held pre-application neighborhood meetings.
- While many of the detailed requirements and improvements are housed within these administrative tools, a change in the ordinance to require adherence to these guidelines and tools is necessary.
- In addition to supporting the administrative framework to improve these meetings, the ordinance also increases the notification radius from 200' to 400' in all areas outside of the Central Business District and increases the minimum duration of notification from 10 days to 14 days.
- At the March 1 PZC meeting, commissioners asked staff to investigate increasing the notice and time requirements for UDO required city sent notifications. Currently, the UDO requires that city staff send notice in the following circumstances to all property owners within 200 feet of the subject parcel:
    - Legislative Hearings (Such as conditional rezonings)
    - Major Subdivision Plats (Notice is sent after Technical Review Committee action (TRC))
    - Level II Site Plan Reviews (Notice is sent after TRC action)
- The following application types require notification of all abutting property owners only:
    - Zoning Variances
    - Quasi-Judicial Hearings (Such as variances and special/conditional use permits)
- After staff review of the ordinance it is recommended that no changes be made to the City notice requirement radius of the items shown above.
- Quasi-Judicial hearings require that participants have legal standing, and increasing the number of people notified will very likely increase those with concern but with no standing to participate.

- Level II and Major Subdivision notifications are an after-action notification once the TRC has approved or denied a plat and/or site plan. This does not serve the same purpose as a pre-development application notification as it is meant to inform property owners likely to have legal standing to file an appeal.
- Legislative hearings currently require notification of far more individuals than is required by NCGS Chapter 160D, which requires only abutting parcel owners be notified. In addition, all conditional zoning applicants will have been required to follow community meeting requirements and will have held a meeting per UDO provisions.
- The City has worked toward ease of transparency and following of applications through the Development Notification Tool and individual application pages on simplicity.ashevillenc.gov.

Comprehensive Plan Consistency:

- This proposal aligns with a number of themes within the *Living Asheville Comprehensive Plan* including 'A Livable Built Environment' and 'Interwoven Equity". The following goals are applicable to this zoning amendment:
    - Celebrate the Unique Identity of Neighborhoods Through Creative Placemaking; prioritize growth and development within designated growth areas
    - Improve Community Involvement in Decision-Making
    - Create a More Formal Neighborhood Planning Process
    - Increase Access to Opportunities for All

Council Goal(s):

- Neighborhood Resilience

Committee(s):

- Planning & Zoning Commission: Recommended Approval by vote of 3-1 on 05/03/2023
- Neighborhood Advisory Committee: Heard report on 02/27/23

Pro(s):

- Improves the consistency, clarity and access to UDO required pre-application neighborhood meetings.
- Creates a formalized opportunity for possibly affected neighborhood residents to begin a dialogue with the prospective developer.
- Creates multiple means of notification to promote equity in the pre-development neighborhood meeting process.
- Creates a permanent record of the neighborhood input on development projects that will be attached to staff reports throughout the hearing and review process.

Con(s):

- May increase some administrative costs of developing property.
- As more property owners would be notified (outside of the CBD) may promote resident opposition to some development.

Fiscal Impact:

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

Staff Recommendation:

- Staff recommends approval of the proposed zoning text amendment to establish new standards zoning text amendment to revise Sections 7-5-8, 7-5-9, 7-5-9.1 and 7-7-8 of the UDO in order to create new and improve existing requirements for pre-development application community meetings because this is consistent with the *Living Asheville* comprehensive plan in that it directly furthers several goals of the plan while promoting specific Council goals as well.

Mr. Collins said that the key takeaways from this presentation are (1) This text amendment will create UDO requirements for the notification, commencement and reporting of required community meetings for Level II, Level III, Conditional Zoning and Major Subdivision development applications; (2) This text amendment will replace very general code language with specific requirements and parameters for required pre-development community meetings; and (3) Staff has worked with the Coalition of Asheville Neighborhoods, the Development Customer Advisory Group and the Legacy Neighborhoods Coalition in developing these new requirements. He then reviewed the current and proposed regulations of the notification timing and radius. Regarding the proposed regulations on the Central Business District, (1) Changes in the notification radius are not proposed for properties within the CBD zoning district; (2) Section 7.5.9.1 currently requires notification be sent to all addresses (rather than only property owners) for CBD zoned projects; (3) CBD zoned properties exist in a denser environment and 200 feet casts a wider net; and (4) Expansion to all addresses within 400' would be quite burdensome to potential applicants. He said that regarding future phases - Notification vs. Simplicity, (1) The City's Development Notification & Information tool currently allows all residents to opt-in to receive email notifications of development applications; (2) The proposed requirements will allow the same opt-in process to receive email notifications of scheduled *community meetings;* and (3) If ordinances are adopted, planned implementation will begin in the Summer of 2023.

There was considerable discussion by Council, in which Mr. Colllins responded to various questions from Council. Some questions/comments surrounded why not have the same notification requirements inside the Central Business District; need for hybrid meetings; why aren't mailed notices sent to all physical addresses and property owners; and what triggers the staff to require a developer to hold another neighborhood meeting.

Council recommended, and Mr. Collins agreed that all mailed notices should be sent to all physical addresses and property owners with 400 feet of the proposed development site.

Mayor Manheimer opened the public hearing at 7:31 p.m.

Six individuals spoke in support of the amendment to the Unified Development Ordinance; and some relayed a disastrous developer/neighborhood community meeting.

Mayor Manheimer closed the public hearing at 7:49 p.m.

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

maggie - moton
notification requirement to property owners and residents

Councilwoman Ullman moved to approve the proposed wording amendments to Chapter 7 of the Asheville Code of Ordinances, with the amendment that mailed notices shall be sent to all physical and property owners within 400 feet of the proposed development site; and find that the proposed amendments are reasonable, are in the public interest, are consistent with the City's comprehensive plan and meet the development needs of the community in that the amendment will: 1) help promote equity within the pre-application process of land development; 2) increase opportunities for constructive dialogue between residents and land developers; and, 3) create a clear and well-documented process. This motion was seconded by Councilwoman Roney and carried unanimously.

V. UNFINISHED BUSINESS:

A. ORDINANCE NO. 5021- ORDINANCE ADOPTING THE FISCAL YEAR 2024 ANNUAL OPERATING BUDGET

ORDINANCE NO. 5022 - BUDGET AMENDMENT IN THE AMOUNT OF $100,000 IN THE GENERAL FUND TO ALLOCATE BUDGET FROM CITY MANAGER'S CONTINGENCY TO FUND THE CITY'S ANNUAL CONTRIBUTION TO NONPROFITS WITH WHICH MEMBERS OF COUNCIL ARE ASSOCIATED (ECONOMIC DEVELOPMENT COALITION)

ORDINANCE NO. 5023 - BUDGET AMENDMENT IN THE AMOUNT OF $45,000 IN THE GENERAL FUND TO ALLOCATE BUDGET FROM CITY MANAGER'S CONTINGENCY TO FUND THE CITY'S ANNUAL CONTRIBUTION TO NONPROFITS WITH WHICH MEMBERS OF COUNCIL ARE ASSOCIATED (SPORTS COMMISSION)

City Manager Campbell said that tonight will be the final step in the budget process that started (1) For staff in September with internal discussions; (2) With Council in December of 2022 with a discussion of the Capital Budget; (3) January - May, We provided numerous and early opportunities for public comment, that included an online survey and two public comment sessions starting in February and the required public hearing being held last Month; and (4) Also since January, Council has had 4 Budget workshops. She believed we can say we have had a pretty thorough budget process and hopefully you are ready to adopt the Manager's Proposed Fiscal Year 2023-2024 Budget. She thanked our incredibly hard working staff. As you know, the Budget process takes a village with input provided by staff in all of our City Departments. She especially acknowledged and thanked staff in our Finance and Management Department, Finance Director Tony McDowell, staff in the Budget Division, led by Taylor Floyd, and our budget analysts- Heather Curry, Abigail Riley and Liz Greene for their patience throughout this process. And, she wanted to thank Mayor Manheimer and City Council Council for your service to this great City and for your time, for the input and guidance you have provided throughout this process. And last but certainly not least, she thanked community members who provided their input.

In summary, the Proposed Budget totals approximately $240 million: (1) Recommends no change to the current property tax rate; (2) Includes employee compensation adjustments that reflect inflation in the labor market and local cost of living increases including a 5% salary increase for existing employees (6% for sworn police officers); (3) Continues funding core community services in a time of rising costs and provides additional investments in key core service areas in alignment with Council priorities; and (4) Strategically utilizes fund balance to advance Council's priorities and balance the budget.

As was discussed at your agenda briefing, staff would like to add one additional item to the proposed budget that wasn't presented last month (1) What: North Carolina Advanced Firefighter Certification 5.0% Incentive Pay; (2) Rationale: This was a request from the AFD but wasn't recommended in the initial proposed budget. A similar request was also requested and recommended for the Asheville Police Department. The addition of this incentive pay will hopefully strengthen our competitive edge in terms of recruiting and retaining public safety employees. The incentive pay encourages employees to further educate themselves which will result in a more skilled and highly trained workforce for the City of Asheville; (3) Estimated Annual Cost: Approximately $250,000; (4) Funding Strategy: Source of funds would be an Additional

Fund Balance Appropriation which would leave approximately 16% available above your 15% policy; and (5) Additional Compensation Consideration: We believe this type of incentive pay is beneficial not only for public safety employees but also for trades and labor positions. In the next budget cycle we will be aggressively pursuing these types of opportunities outside of the public safety plans. She wanted to send a clear message to our existing and potential employees that they can have a career with us and not just a job. Part of that process is what we are calling a Career Ladder plan which sends a clear path of upward mobility to our employees. As your training and skills are upgraded, your pay will be upgraded as well. She strongly believes that the best recruitment strategy is a good retention strategy. We think this is a good retention and recruitment strategy both for the Asheville Fire Department, Asheville Police Department, but also those in labor and trade positions.

Staff Report: " Actions Requested: (1) Adoption of an ordinance adopting the Fiscal Year 2023-24 Annual Budget; (2) Motion to recuse Mayor Manheimer from voting on the budget amendment in accordance with N.C. Session Law 2021-191 (S.B. 473) (Economic Development Coalition); (3) Adoption of a Fiscal Year 2023-24 budget amendment in the amount of $100,000 in the General Fund to allocate budget from City Manager's Contingency to fund the City's annual contribution to nonprofits with which members of council are associated (Economic Development Coalition); (4) Motion to recuse Councilwoman Turner from voting on the budget amendment in accordance with N.C. Session Law 2021-191 (S.B. 473) (Sports Commission); and (5) Adoption of a Fiscal Year 2023-24 budget amendment in the amount of $45,000 in the General Fund to allocate budget from City Manager's Contingency to fund the City's annual contribution to nonprofits with which members of council are associated (Sports Commission).

Background:

- The Fiscal Year (FY) 2023-24 Proposed Annual Operating Budget was presented to City Council on May 9, 2023.
- In accordance with the North Carolina Local Government Budget and Fiscal Control Act, a summary of the Proposed Budget along with a notice of the Public Hearing was published on May 9, 2023.
- The Proposed Budget, which totals $239.7 million: is a balanced and fiscally responsible spending plan that:
    - Recommends no change to the current property tax rate of $0.403 per $100 of assessed valuation;
    - Includes employee compensation adjustments that reflect inflation in the labor market and local cost of living increases including a 5% salary increase for existing employees (6% for sworn police officers).
    - Continues funding core community services in a time of rising costs and provides additional investments in key core service areas in alignment with Council priorities;
    - Strategically utilizes fund balance to advance Council's priorities and balance the budget.
- City Council conducted a Public Hearing on the Proposed Budget on May 23, 2023.
- One adjustment to the Proposed Budget is included in the budget ordinance under consideration - adding a 5.0% pay for firefighters achieving advanced firefighter certification at an approximate cost of $250,000 to encourage and incentive advanced training resulting in a more skilled labor force. This change is funded through an additional appropriation of fund balance.
- Under N.C. Session Law 2021-191 (S.B. 473), Councilmembers are prohibited (subject to certain exceptions) from participating in making or administering a contract, including the award of money, with any nonprofit with which the public official is associated.

- In accordance with this law, funding that was included in the Proposed Budget for the Economic Development Coalition and the Sports Commission has been moved to City Manager's Contingency.
- City Council must take separate actions via the budget amendments to allocate funding to the Economic Development Coalition and the Sports Commission.

Council Goal(s):
- A Financially Resilient City

Committee(s):
- N/A

Pro(s):
- Ensures City's compliance with North Carolina General Statutes that require local governments to adopt a balanced budget ordinance by July 1 of each year.
- General Fund and Enterprise Fund budgets are balanced for ongoing operating expenses, and all essential City services are continued.

Con(s):
- None

Fiscal Impact:

- As noted above, the FY 2023-24 General Fund budget is balanced and recommends no change to the current property tax rate of $0.403 per $100 of assessed valuation."

Mayor Manheimer said that the public hearing on this was held on May 23, 2023.

Councilwoman Roney felt it would be good in the future to know how much extra we would have in our Fund Balance before making the one-time allocations.

Councilwoman Roney said that "Budgets are moral documents that fund our public services and represent our community values through allocation of our public tax dollars. This is my 8th budget cycle, 5 years from the audience, where I often didn't hear reasons behind budget votes. Tonight, it is both a privilege and responsibility to make a statement on my budget position: (1) Starting with gratitude: thanks to neighbors who engaged through the process, including surveys, public hearings, and the additional comment period. Thanks to our Urban Forestry Commission and advocates for recommending partnership to fund and implement an Urban Forestry Master Plan to repair our tree canopy. Thanks to those pushing us to send the right responder with the right tools and training as we partner and work to expand emergency and proactive responses during public safety crises. Thanks for living wage advocates; (2) This budget **includes** Transit Study funding to explore collaboration between the City and County for coordination and expansion, and Urban Forestry Master Plan, and Reparations funding that I understand reflects the Community Reparations Committee recommendation with inclusion of compounding interest thanks to retreat input and recommendation by Councilwoman Moseley. The budget also includes shift and training incentives for public works and public safety staff; (3) This budget does **not** include: the full $20.10 living wage compliance based on the cost of housing to recruit and retain staff for the quality, equitable services our community deserves, and there's more funding needed for our stated climate crisis and for Strategic Partnership Funds for youth programming; (4) There is serious work ahead to meet obligations and address gaps in our public safety response. I am thankful for the conversation about our strategic priorities in the worksession before this meeting that is archived on the city's website. As our community recovers from overlapping crises, my number one objective is supporting partnership to improve public safety and wellbeing. This looks like addressing root causes of violence by expanding our public

safety response so behavioral health specialists are deployed to behavioral health crises, partnering for violence interruption programming, moving our community responder pilot to a fully-realized program as well as addressing root causes of crime by investing in community safety. **I think a great first step forward doesn't require imagining, it requires acting** on bolstering partnership with the County's Community Paramedicine Program to address deep needs addressing substance use poisoning, and mental and behavioral health since health and human services are roles and responsibilities of the County. If we limit investment in a strong, reliable public safety system moving forward by focusing solely on attempting to go back to a business as usual model, then we will miss the opportunity to shift to data-driven options that are available when the community needs us to pivot to meet this moment; (5) How we fund the budget matters. A significant amount of fund balance is being used as well as some ARPA/COVID-relief funds, which means identifying funding for future budgets will be a challenge; and (6) Lastly, We're having hard conversations in City Hall because our community is having hard conversations, I'm going to support the seeds that are in this budget including transit, urban forestry to address climate crisis and neighborhood resiliency, a growing reparations fund, and the community responder pilot program. I'm committed to the work to ensure quality, equitable service outcomes with this Council of caring and capable colleagues, and I'm encouraged in this work because I know our neighbors care and demand better."

Councilwoman Mosley thanked the City Manager for the inclusion of the North Carolina Advanced Firefighter Certification 5.0% Incentive Pay. She also appreciated the comments made by Councilwoman Roney and hoped we ask the City Manager to look into everything she mentioned so we might possibly amend the budget in the future.

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

When Councilwoman Turner inadvertently omitted that she had a conflict in accordance with N.C. Session Law 2021-191 (S.B. 473) (Asheville Downtown Association), City Attorney Branham suggested that she be recused from voting on all the budget adoption items presented at this meeting.

Councilwoman Mosley moved to recuse Councilwoman Turner from voting on the budget in accordance with N.C. Session Law 2021-191 (S.B. 473) (Asheville Downtown Commission). This motion was seconded by Councilwoman Ullman and carried unanimously on a 6-0 vote, with Councilwoman Turner being recused.

Councilwoman Ullman to adopt the Fiscal Year 2023-24 Annual Operating Budget. This motion was seconded by Councilwoman Mosley and carried on a 6-0 vote, with Councilwoman Turner being recused.

ORDINANCE NO. 5021 - ORDINANCE BOOK NO. 34 - PAGE 436

Councilwoman Ullman moved to recuse Mayor Manheimer from voting on the budget amendment in accordance with N.C. Session Law 2021-191 (S.B. 473)(Economic Development Coalition). This motion was seconded by Vice-Mayor Kilgore and carried on a 5-0 vote, with Mayor Manheimer and Councilwoman Turner being recused.

Mayor Manheimer handed over the gavel for Vice-Mayor Kilgore to conduct this portion of the meeting.

Councilwoman Ullman moved to adopt a Fiscal Year 2023-24 budget amendment in the amount of $100,000 in the General Fund to allocate budget from City Manager's Contingency to fund the City's annual contribution to nonprofits with which members of council are associated

(Economic Development Coalition). This motion was seconded by Councilwoman Smith and carried on a 5-0 vote, with Mayor Manheimer and Councilwoman Turner being recused.

ORDINANCE NO. 5022 - ORDINANCE BOOK NO. 34 - PAGE 445

Vice-Mayor Kilgore handed the gavel over to Mayor Manheimer to conduct the remainder of the meeting.

Councilwoman Ullman moved to adopt a Fiscal Year 2023-24 budget amendment in the amount of $45,000 in the General Fund to allocate budget from City Manager's Contingency to fund the City's annual contribution to nonprofits with which members of council are associated (Sports Commission). This motion was seconded by Vice-Mayor Kilgore and carried on a 6-0 vote, with Councilwoman Turner being recused.

ORDINANCE NO. 5023 - ORDINANCE BOOK NO. 34 - PAGE 446

VI. NEW BUSINESS:

A. BOARDS & COMMISSIONS

Regarding the Planning & Zoning Commission, the following individuals applied for the vacancy: Paul Zay, Scott Lewandowski, Trent Hall and Susan Bean. It was the consensus of the Boards & Commissions Committee, and City Council to re-advertise for the seats until July 31, 2023, and then the Boards & Commissions Committee to interview all candidates on August 22, 2022.

Regarding the Sustainability Advisory Committee (SAC) , the following individuals applied for the vacancies: Djuna Roberts, Sophie Loeb, Anna Alsobrook, Tod M. Leaven and Justin Young. It was the consensus of City Council, after recommendation from the SAC Chair and staff liaison, and the Boards & Commissions Committee, to readvertise to recruit for special expertise that has been lost with some of the turnover in the past year.

RESOLUTION NO. 23-134 - RESOLUTION APPOINTING A MEMBER TO THE AFRICAN AMERICAN HERITAGE COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the African American Heritage Commission.

The term of Ashley Wilberding will expire on July 1, 2023.

The following individuals applied for the vacancy: TiffanyFlunory DeBellott, Karon D. Johnson, Paul Tay and ShaLinda Pruitt.

It was the consensus of the Boards & Commissions Committee concur, to appoint ShaLinda Pruitt..

Vice-Mayor Kilgore moved to appoint ShaLinda Pruitt as a member to the African American Heritage Commission to serve a three-year term, term to begin on July 1, 2023, and term to expire on July 1, 2026, or until ShaLinda Pruitt's successor has been appointed This motion was seconded by Councilwoman Ullman and carried unanimously.

RESOLUTION BOOK NO. 44 – PAGE 131

RESOLUTION NO. 23-135 - RESOLUTION APPOINTING A MEMBER TO THE

AIRPORT AUTHORITY

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Airport Authority.

The term of Susan Russo Klein will expire on June 30, 2023.

The following individuals applied for the vacancy: David Smith, Wayne Bailey, Paul Tay, Sandra Frempong, Bryan Sklar, Tal Frankfurt and Robert Sponder.

The Chair and Airport President and CEO recommended, and the Boards & Commissions Committee concurred, to reappoint Susan Russo Klein.

Vice-Mayor Kilgore moved to reappoint Susan Russo Klein as a member of the Airport Authority to serve an additional four-year term, term to expire June 30, 2027, or until Susan Russo Klein's successor has been appointed This motion was seconded by Councilwoman Ullman and carried unanimously.

RESOLUTION BOOK NO. 44 – PAGE 132

RESOLUTION NO. 23-136 - RESOLUTION APPOINTING A MEMBER TO THE BUNCOMBE COUNTY TOURISM DEVELOPMENT AUTHORITY

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing a member to the Buncombe County Tourism Development Authority.

The term of Andrew Celwyn (representing an owner of restaurant, brewery, distillery, or winery open for tours/tasing, or executive director of ticketed arts organization) expires on August 31, 2023.

The following individuals applied for the vacancy: Lucious Wilson, James Donaldson, Mindi McGlynn and Steven Goff.

The Chair of the Buncombe County Tourism Development Authority recommended, and the Boards & Commissions Committee concur, to appoint Lucious Wilson.

Councilwoman Roney said that all applicants were great and she would have preferred to interview for our state and judicial boards; however, she was excited to support Mr. Wilson.

Vice-Mayor Kilgore moved to appoint Lucious Wilson as a member of the Buncombe County Tourism Development Authority representing an owner of restaurant, brewery, distiller, or winery open for tours/tasing, or executive director of ticketed arts organization, to serve a three-year term, term to begin on August 31, 2023, and term to expire on August 31, 2026, or until Lucious Wilson's successor has been appointed This motion was seconded by Councilwoman Mosley and carried unanimously.

RESOLUTION BOOK NO. 44 – PAGE 133

RESOLUTION NO. 23-137 - RESOLUTION APPOINTING MEMBERS TO THE CIVIC CENTER COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Civic Center Commission.

The terms of Corey Atkins, John Ellis and Chad Evans, as members on the Civic Center Commission, expire on June 30, 2023.

No one applied for the vacancies.

The Chair and staff liaison of the Civic Center Commission recommended, and the Boards & Commissions Committee concurred, to appoint John Ellis and Chad Evans and re-advertise for the third vacant seat.

Vice-Mayor Kilgore moved to reappoint John Ellis and Chad Evans as members of the Civic Center Commission to each serve a three-year term, terms to expire June 30, 2026, or until their successors have been appointed; and (2) re-advertise for the third vacant seat. This motion was seconded by Councilwoman Ullman and carried unanimously.

RESOLUTION BOOK NO. 44 – PAGE 134

RESOLUTION NO. 23-138 - RESOLUTION APPOINTING MEMBERS TO THE HISTORIC RESOURCES COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Historic Resources Commission.

The terms of Emily Spreng and Will Hornaday, as members on the Historic Resources Commission, expire on July 1, 2023.

The following individual applied for the vacancies: Claire Thomas.

The staff of the Historic Resources Commission recommend, and the Boards & Commissions Committee concur, to reappoint Will Hornaday and appoint Claire Thomas..

Vice-Mayor Kilgore moved to (1) reappoint Will Hornaday, to serve an additional three-year term, term to expire July 1, 2026, or until Will Hornaday's successor has been appointed; and (2) appoint Claire Thomas to serve a three-year term, term to begin on July 1, 2023, and expire on July 1, 2026, or until Claire Thomas' successor has been appointed. This motion was seconded by Councilwoman Roney and carried unanimously by roll call vote.

RESOLUTION BOOK NO. 44 – PAGE 135

RESOLUTION NO. 23-139 - RESOLUTION APPOINTING MEMBERS TO THE HUMAN RELATIONS COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Human Relations Commission.

The terms of Daniel Young, Crystal Michelle Reid, Ellen Kathrein, Donald Post, Tanya Rodriguez and DeLores Venable expired on June 1, 2023. In addition, Brandon Oliver resigned, thus leaving an unexpired term until June 1, 2024.

The following individuals applied for the vacancy: Diamond Sloan Couch (applicant withdrew her name), Babette Freund, Susan Ann Sacco, Candace Blanchard, David Shaw, John Miall, Robyn Hite, Andy Bobowski and Willa Grant.

It was noted that the membership was reduced from 15 to 9 members, so while there are seven vacancies, Council needs only to fill six seats for the nine member board.

The Chair of the Human Relations Commission recommends, and the Boards & Commissions Committee concur, to (1) reappoint Daniel Young, Crystal Michelle Reid, Ellen Kathrein and Donald Post; and (2) appoint Susan Ann Sacco and Willa Grant.

After discussion, Vice-Mayor Kilgore moved to appoint Susan Ann Sacco and Candace Blanchard, to each serve a two-year term, terms to expire June 1, 2025, or until their successors have been appointed; and to re-advertise for the other four seats. This motion was seconded by Councilwoman Roney and carried unanimously.

RESOLUTION BOOK NO. 44 – PAGE 136

RESOLUTION NO. 23-140 - RESOLUTION APPOINTING MEMBERS TO THE MULTIMODAL TRANSPORTATION COMMISSION

Vice-Mayor Kilgore, Chair of the Boards & Commissions Committee, said that this is the consideration of appointing members to the Multimodal Transportation Commission.

The terms of Dennis Wencel and Jack Ingelman (all at-large representatives) expire on July 1, 2023. In addition, Patricia Katz resigned as an at-large representative), thus leaving an unexpired term until July 1, 2023.

The following individuals applied for the vacancy: Abigail Griffin, Lance Ball, Shelley McKechnie, Tom Hunter, Marian Ladner, Joseph Barker, Scott Lewandowski, Jerad Crave, Brendan Connor, Jaik Smith, Prabhu Kannan, Jonathan Robinson, Victoria Whitley, Nathan Weber,, Paul Tay, Mike Zukoski, Ashley Greenstein and Benjamin Stover.

The Multimodal Transportation Commission recommends, and the Boards & Commissions Committee concur, to reappoint Jack Ingelman and appoint Joseph Barker and Mike Zukoski.

Vice-Mayor Kilgore moved to (1) reappoint Jack Ingelman (at-large) as a member of the Multimodal Transportation Commission to serve a three-year term, term to expire July 1, 2026, or until Jack Ingelman's successor has been appointed; and (2) appoint Mike Zukowski (at-large) as a member of the Multimodal Transportation Commission to serve a three-year term, term to begin on July 1, 2023, and term to expire on July 1, 2026, or until Mike Zukowski's successor has been appointed; and (3) appoint Joseph Barker (at-large) as a member of the Multimodal Transportation Commission, to serve the unexpired term of Patricia Katz, term to begin immediately and expire July 1, 2026, or until Joseph Barker's successor has been appointed. This motion was seconded by Councilwoman Roney and carried unanimously.

RESOLUTION BOOK NO. 44 – PAGE 137

RESOLUTION NO. 23-141 - RESOLUTION APPOINTING MEMBERS TO THE NEIGHBORHOOD ADVISORY COMMITTEE

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

The terms of Sharon Sumrall (28805), Wendy Haner (28804) and Peter Abzug (at-large) expire on July 1, 2023.

The following individuals applied for the vacancies: Dane Barrager, Sandra Frempond and Jo Taylor.

The Boards & Commissions Committee recommend appointing Dane Barrager (at-large representative), Joe Taylor (28804 representative) and Sandra Frempond (28805 representative).

Vice-Mayor Kilgore moved to appoint Sandra Frempond (28805 representative), Jo Taylor (28804 representative) and Dane Barrager (at-large representative) to the Neighborhood Advisory Committee to each serve a three-year term, terms to begin on July 1, 2023, and terms to expire on July 1, 2026, or until their successors have been appointed. This motion was seconded by Councilwoman Roney and carried unanimously.

RESOLUTION BOOK NO. 44 – PAGE 138

RESOLUTION NO. 23-142 - RESOLUTION APPOINTING MEMBERS TO THE PUBLIC ART & CULTURAL COMMISSION

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

The terms of Andrew Fletcher, Katie Cornel, Pete Perez, Marsha Almodovar, Shirley Walker Whitesides and Pat Kappes, as members on the Public Art & Cultural Commission, expire on June 30, 2023.

The following individuals applied for the vacancies: Carlos A. Fernandez, Kurt Perschke, Parker Browne, Thomas McLaughlin, Paul Tay and Kevin King.

The Chair and staff of the Public Art & Cultural Commission recommended, and the Boards & Commissions Committee concur, to reappoint Pete Perez, Shirley Walker Whitesides and Pat Kapes; and to re-advertise for the other three vacant seats.

Vice-Mayor Kilgore moved to reappoint Pete Perez, Shirley Walker Whitesides and Pat Kappes, as members to the Public Art & Cultural Commission, to each serve a three-year term, terms to expire June 30, 2026, or until their successors have been appointed; and to re-advertise for the other three vacant seats. This motion was seconded by Councilwoman Turner and carried unanimously.

RESOLUTION BOOK NO. 44 – PAGE 139

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Three individuals spoke to City Council about various matters, some being, but are not limited to: appreciation for the Memorial Day Service; and comments regarding the Independent Review Committee's Report on the Water Outage.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 8:34 p.m.

CITY CLERK MAYOR

Strategic Priority		Dots / top 3	Draft Goal/Statements
Improve & Expand Core Services	1	7	Review and/or assess infrastructure needs to prioritize and develop a financial plan for investments or bond package
	2	3	Implement findings of the Independent Review Committee to improve water infrastructure and emergency planning
	3	0	Advance community engagement and information sharing *(also found in Neighborhood & Climate Resilience)*
	4	7	Fill or contract out staffing positions to provide basic functions like cleanliness, public safety, and service provision
	5	1	Clean and safe environment for residents
	6	3	Improve public-facing amenities like parking signage, garage maintenance, lighting trash receptacles, potholes, parks, etc.
Reparations	7	4	Define the scope and implement recommendations from Stop the Harm Audit
	8	3	Formulate a plan to effectively respond to the Reparations Commission
	9	1	Implement short term goals of the Community Reparations Commission
	10	5	Increase funding, modify by adding compounding percentage
	11	3	Look for more revenue streams, i.e. community benefits table or dedicated funding
	12	3	Continue to lean on and look to Community Reparations Commission for their recommendations and guidance
Reimagining Public Safety	13	4	Pursue funding and increase programming and partnerships to interrupt patterns of violence particularly with youth, young adults and intimate partners.
	14	1	Fill and/or contract out staffing positions to reduce vacancies
	15	4	Pilot a community responder program, collaborating with the County to address quality of life issues, mental health disorders, substance abuse and intimate partner violence
	16	0	Review Unified Development Ordinance for safety and crime prevention through environmental design
	17	3	Diversify and target responses to/for unique neighborhood needs around safety
	18	2	Strengthen and develop our partnerships with youth development organizations
	19	4	Improve safety and community building in high crime neighborhoods
	20	3	Reduce crime by pursuing short term innovative solutions while APD returns to full staffing levels (i.e. an ambassador program and non-sworn officer traffic stop method)
Homelessness Strategies	21	2	Support the Continuum of Care recommendations with particular focus on high access shelter with wrap around services
	22	1	Collaborate to leverage community partners' expertise to make homelessness rare, brief, and nonrecurring
	23	5	Support implementation of the National Alliance to End Homelessness recommendations, prioritizing the reconfiguration of the Continuum of Care Board
	24	2	Finalize the opening of two permanent supportive housing communities
	25	1	Continue funding supportive services via HOME, CDBG, & HOME ARP
	26	5	Improve communication and partnership between existing organizations that are working on this issue, including joint strategies for data collection
	27	2	Do more point in time counts and collect more data
	28	2	Align funding with requirements for reporting that move us forward together
	29	1	Partner with larger cities that have more resources and programs
Equitable & Affordable Housing and Stability	30	5	Increase housing supply for our lowest income residents by incentivizing affordable housing and reducing land use and zoning barriers to creating affordable housing
	31	0	Promote walkable, mixed use and mixed income neighborhoods including those near transit
	32	2	Continue property tax mitigation program
	33	2	Pause the Land Use Incentive Grant Program (LUIG), move to use-by-right with a community benefits table and overlay map
	34	3	Review all affordability tools and programs for effectiveness and update where needed to increase impact
	35	3	Move large housing applicants to a benefits table (like hotels) to expedite quality, affordable housing
	36	0	Increase by right number of units from 49 to 99
	37	5	Prepare for a 2024 Housing Bond to increase supply of affordable housing
	38	1	Increase repair programs and rental assistance to keep people in their homes
	39	0	Complete missing middle study and implement upcoming where needed
	40	7	Create the environmental component of the Environment and Safety Committee work plan by reviewing the municipal climate action plan, the community 100% renewable energy policy, food security plan, the community 50% waste reduction policies, and others to prioritize resources and efforts
	41	0	Update and support the emergency operations plan and continuity of operations plan

Neighborhood and Climate Resilience	42	2		Reduce food insecurity/desserts by x% using Climate Justice, Food Action, and Neighborhood Plans
	43			~~Fund Urban Forestry Master Plan~~ see below
	44		1	Adopt and Implement Municipal Climate Action Plan
	45		0	Implement Plastic Reduction Plan
	46		0	Strengthen Neighborhood Coalitions and Resource Centers
	47		1	Grow solar-municipal or community
	48		0	Begin long term solid waste management planning
	49		0	Update Electric Vehicle charging availability throughout the city
	50		3	Utilize Facilities Assessment to identify location of resilience hubs
	51		1	Enact the use of available tree funds and plant in low-income areas that would benefit from shade/lowered utility use

5 43) Bring our zoning in line with our comp plan by prioritizing areas in the UDO to update.