THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: July 25, 2023

Subject: Interlocal Agreement with Buncombe County for “Stop the Harm” Audit

Staff Resource(s): Brenda Mills, Director of Equity & Inclusion

Action Requested: Adoption of a resolution authorizing the City Manager to enter into an interlocal agreement with Buncombe County to conduct and share the costs of the “Stop the Harm” audit as recommended by the Community Reparations Commission, up to a total amount of $174,375.

Background:

- The Community Reparations Commission has recommended that the City and County undertake a comprehensive audit targeted to cease the harms impacting the African American Community of Asheville and Buncombe County.
- The City Council adopted a resolution committing to conduct the recommended audit on January 24, 2023, followed by a vote from the Buncombe County Board of Commissioners on February 7, 2023.
- With assistance and support of City staff, Buncombe County issued an RFP for qualified firms to conduct this audit.
- Staff from both local governmental agencies, as well as representatives from the CRC, have participated in the review and selection process for the firm selection.
- Buncombe County will contract directly with the winning firm to conduct the audit, and have requested support and cost sharing from the City of Asheville.
- This interlocal agreement will bind the parties to share equally in the costs of the audit, up to a total amount of $174,375 (the City’s total cost share for the audit would represent up to $87,187.50). The interlocal agreement would also permit either party to request additional scope of work to be performed at the sole cost of the requesting entity.
- The jointly selected firm is minority owned.

Vendor Outreach Efforts:

- Targeted outreach was made to firms noted for their research and compliance expertise.
- All bidders were minority owned.

Council Goal(s):

- Reparations

Committee(s):

- Equity and Engagement

Pro(s):

- Fulfills the recommendation of the Community Reparations Commission
- Assists the City and County with determining policies, practices, or other areas of ongoing harm to the African American Community.

Con(s):

- None

Fiscal Impact:

- That portion of the audit costs to be paid by the City has already been allocated to reparations, and no additional funding is needed.

Suggested Motion:

- Motion to adopt a resolution authorizing the City Manager to enter into an interlocal agreement with Buncombe County to conduct and share the costs of the “Stop the Harm” audit as recommended by the Community Reparations Commission.

Attachment(s)

- Resolution
- Jan. 24 Stop the Harm Commitment Resolution

RESOLUTION NO. 23-____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH BUNCOMBE COUNTY TO CONDUCT AND SHARE THE COSTS OF THE “STOP THE HARM” AUDIT AS RECCOMENDED BY THE COMMUNITY REPARATIONS COMMISSION

WHEREAS, the Asheville City Council passed Resolution 20-128 supporting community reparations for Black Asheville on July 14, 2020; and

WHEREAS, on August 2, 2020, the Buncombe County Board of Commissioners passed its Resolution to support community reparations for Black people in Buncombe County; and

WHEREAS, the Community Reparations Commission (“CRC”) has requested a comprehensive audit targeted to cease the harms impacting the African American community and a request for proposals (“RFP”) was issued inviting qualified firms to apply; and

WHEREAS, City and County staff along with representatives from the CRC have reviewed responses to the RFP, interviewed the applicants, and have selected the best qualified applicant for recommendation to the CRC membership, City Council and the Board of Commissions to conduct the audit; and

WHEREAS the City of Asheville has authority pursuant to North Carolina General Statute § 160A-461 to enter into interlocal agreements with other governmental entities; and

WHEREAS, the Asheville City Council is of the opinion that it is in the best interest of the parties involved to enter into this interlocal agreement with Buncombe County;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to enter into an interlocal agreement with Buncombe County to conduct and share the costs of the “Stop the Harm” audit as recommended by the Community Reparations Commission. The agreement shall include provisions for the City to pay 50% of the total expenses of the audit, except for any additional tasks beyond the original scope of work requested to be added after contract execution by Buncombe County. The agreement shall further provide that the City pay 100% of the costs of any additional tasks beyond the original scope of work requested to be added after contract execution by the City of Asheville.

Read, approved and adopted this the 25th of July, 2023.

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City Clerk Mayor

Approved as to form:

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City Attorney