City of Asheville Staff Report

City Council Meeting Date: May 12, 2026

Staff Resources: Walter Ear, Director, Asset & Capital Management
Jill Weissman, Project Manager, Capital Projects Division

Action Requested: Adoption of a resolution authorizing the City Manager to execute a Utility Relocation Agreement with Duke Energy, to award funding in the amount of $348,394.83, and to execute any change order that may arise during the project up to the contingency amount of $34,839.48 (10%) for Johnston Boulevard Sidewalk utility relocations.

Background:

- Johnston Boulevard Sidewalk is part of the 2016 Transportation Bond funded sidewalk improvements.
- This project will construct around 1 mile of sidewalk along Johnston Boulevard (S.R. 1319) between Patton Avenue (U.S. 19) and Iona Circle, near the Johnston Elementary School in Buncombe County.
- The purpose of this project is to improve mobility and safety on City streets and provide pedestrian connections to local schools.
- The project is in the construction phase (Council Resolution 25-220 dated, October 14, 2025) and requires the relocation of Duke electrical utilities.

Vendor Outreach:

- No vendor outreach opportunities exist with the Duke Energy Progress utility relocation agreement.

Council Vision 2036 Focus Area(s):

- Transportation and Accessibility
- Connected and Engaged Community

Council Priority Recovery Area(s):

- Infrastructure & Environment

Committee(s): None.

Fiscal Impact:

- Funding for this Utility Relocation Agreement in the amount of $383,234.31 is included in the budget allocation for the Johnston Boulevard Sidewalk project within the General Capital Projects fund.

Suggested Motion:

- Motion to authorize the City Manager to execute a Utility Relocation Agreement with Duke Energy, and further, to award funding in the amount of $348,394.83, and further, to execute any change order that may arise during the project up to the Contingency amount of $34,839.48 (10%) for a Total Not to Exceed amount of $383,234.31 for Johnston Boulevard Sidewalk utility relocations.

Attachment(s):

- Resolution

City of Asheville Resolution Number 26-___

Resolution authorizing the City Manager to execute a Utility Relocation Agreement with Duke Progress Energy for the Johnston Boulevard Sidewalk Project

Whereas, pursuant to N.C.G.S. § 160A-20.1, the City can contract with and appropriate funding to any person, association, or corporation, in order to carry out any public purpose that the City is authorized by law to engage in; and

Whereas, Utility relocations are necessary for construction of programmed transportation improvements as part of the Johnston Boulevard sidewalk project; and

Whereas, City Council has identified implementation of the Johnston Boulevard sidewalk project as a key strategic goal; and

Whereas, the City of Asheville and secondary utility providers work in partnership to arrive at relocation agreements and reimbursement procedures;

Now, therefore, be it resolved by the City Council of the City of Asheville that:

The City Manager is hereby authorized to execute a Utility Relocation Agreement with Duke Progress Energy for Johnston Boulevard Sidewalk, and further, to award funding in the amount of $348,394.83 and further, to execute any change order that may arise during the project up to the Contingency amount of $34,839.48 for a total not to exceed amount of $383,234.31 for Johnston Boulevard Sidewalk utility relocation.

Read, approved and adopted this 12th day of May, 2026.

_____
Esther E. Manheimer, Mayor

_____
Brad Branham, City Attorney

_____
Magdalen Burleson, City Clerk