

RESOLUTION NO. 20- 124

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PATTON CONSTRUCTION GROUP, INC. FOR THE PROJECT KNOWN AS FISCAL YEAR 2021 UTILITY CUT CONCRETE REPAIR CONTRACT

WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. § 143-129, bids were solicited for the project known as FY 2021 Utility Cut Concrete Repair; and

WHEREAS, Patton Construction Group, Inc. was the lowest responsible bidder for the project; and

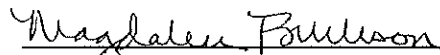
WHEREAS, Patton Construction Group, Inc., shall provide all labor, materials and equipment for the construction of the Fiscal Year 2021 Utility Cut Concrete Repair; and

WHEREAS, the bids have been reviewed by the Public Works Department and the City's Business Inclusion Program Manager with all officers recommending approval of the bid;


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

The City Manager is hereby authorized to execute a contract with Patton Construction Group, Inc. in the amount of \$236,930.00 plus a 15% contingency of \$35,539.50 for a total of \$272,469.50 total for the project known as Fiscal Year 2021 Utility Cut Concrete Repair..

Read, approved, and adopted this the 14th day of July 2020.




City Clerk



Mayor

Approved as to form:



City Attorney

RESOLUTION NO. 20- 125

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE ASHEVILLE AREA ARTS COUNCIL TO INSTALL A TEMPORARY DISPLAY OF PUBLIC ART

WHEREAS, the City, especially through its public art program, understands that Asheville's identity is largely built on its wealth of memorable places, its rich cultural heritage, and the excellent arts, crafts and maker communities that exist here today, including underrepresented African American artists and makers; and

WHEREAS, the City of Asheville desires to make a statement about racial equity and systemic racism through the installation of an artistic mural; and

WHEREAS, AAAC has substantially completed fundraising \$22,100 of private donations for the purpose of designing, installing, and removing a BLM Mural on behalf of the City on the streets of Pack Square in order to galvanize solidarity and celebrate our collective movement towards addressing systemic issues locally; and

WHEREAS, elected officials from City and County passed a joint resolution in June 2020 to create a task force to study and recommend a future for several monuments that "are widely perceived as offensive and painful public reminders of the legacy of slavery and present realities of systemic racism in our country", including monuments within Pack Square Plaza; and

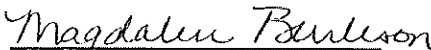
WHEREAS, the City and AAAC desire to set forth terms and conditions for an Agreement to install a temporary piece of art expressing the City's viewpoint in order to promote continued dialogue; and

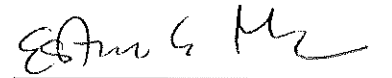
WHEREAS, the City desires to commission a Black Lives Matter mural to express its position on a matter of public concern. This installation shall constitute a statement by the City of Asheville as a municipal entity, and the contents thereof shall be government speech;

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 Agreement with the Asheville Area Arts Council to create a Black Lives Matter Mural around Pack Square Plaza.

Read, approved and adopted this 14th day of July, 2020.


City Clerk


Mayor

Approved as to Form:


City Attorney

RESOLUTION NO. 20- 127

RESOLUTION APPROVING THE HUD PROPOSAL FOR SUBMITTAL FOR THE CITY OF ASHEVILLE'S SPECIAL ALLOCATION OF CDBG FUNDS FOR COVID-19 AND AUTHORIZING THE CITY MANAGER TO SIGN ALL CONTRACTS AND LOAN AGREEMENTS, AFTER APPROVAL BY THE CITY ATTORNEY, WITH HUD AND OTHER DESIGNATED AGENCIES FOR THE IMPLEMENTATION OF THE AMENDED 19-20 ANNUAL ACTION PLAN

WHEREAS, the City of Asheville is an Entitlement City for the federal Community Development Block Grant (CDBG) program; and

WHEREAS, a Special Allocation of CDBG funds has been allocated to the City of Asheville as part of the federal CARES Act of 2020 in response to COVID-19; and

WHEREAS, this allocation in the amount of \$615,934 is to be used to prevent, prepare for, and respond to the coronavirus / COVID-19; and

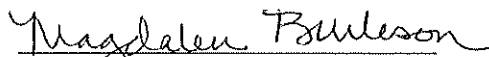
WHEREAS, the Community Development staff must submit a proposal to HUD to be awarded this special allocation that shows "Clarity of Need" and assists individuals and families under 80% Area Median Income (AMI) and/or Low & Moderate Income (LMI) areas that have been affected by COVID-19;

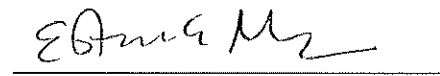
WHEREAS, a public hearing has been held on June 23, 2020, to obtain citizen input and comments on the proposal, and the proposal has been made available to the public;

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


The Asheville City Council hereby approves the HUD proposal for submittal for the City of Asheville's special allocation of CDBG funds for COVID-19 / \$615,934. City Council authorizes the City Manager to sign all contracts and grant and loan agreements, after approval by the City attorney, with HUD and other designated agencies for the implementation of the amended 19-20 Annual Action Plan

Read, approved and adopted this 14th day of July, 2020.


CITY CLERK


MAYOR

Approved as to form:


CITY ATTORNEY

RESOLUTION NO. 20- 128

RESOLUTION SUPPORTING COMMUNITY REPARATIONS FOR BLACK ASHEVILLE

WHEREAS, Black People have been unjustly Enslaved; and

WHEREAS, Black People have been unjustly Segregated; and

WHEREAS, Black people have been unjustly Incarcerated; and

WHEREAS, Black People have been denied housing through racist practices in the private realty market, including redlining, steering, blockbusting, denial of mortgages, and gentrification; and

WHEREAS, Black People have been denied housing, displaced and inadequately housed by government housing policies that include discriminatory VA/FHA practices, Urban Renewal, and a variety of local and federal "affordable" housing programs; and

WHEREAS, Black People have been consistently and widely impoverished by discriminatory wages paid in every sector of the local economy regardless of credentials and experience; and

WHEREAS, Black People have experienced disproportionate unemployment rates and reduced opportunities to fully participate in the local job market; and

WHEREAS, Black People have been systematically excluded from historic and present private economic development and community investments and, therefore, black-owned businesses have not received the benefits of these investments; and

WHEREAS, Black people have been segregated from mainstream education and within present day school programs that include AG, AP, and Honors; and

WHEREAS, Black students have experienced the denial of education through admission, retention and graduation rates of every level of education in WNC and through discriminatory disciplinary practices; and

WHEREAS, Black People historically and presently receive inadequate, if not detrimental, health care as exemplified by disproportionate morbidities and mortality rates that result from the generational trauma of systemic racism, discriminatory treatment by medical professionals, and discriminatory medical practices such as involuntary sterilizations, denial of adequate testing, denial of preventative and curative procedures; and

WHEREAS, Black People have been unjustly targeted by law enforcement and criminal justice procedures, incarcerated at disproportionate rates and subsequently excluded from full participation in the benefits of citizenship that include voting, employment, housing and health care; and

WHEREAS, Black People have disproportionately been forced to reside in, adjacent to, or near Brown Zones and other toxic sites that negatively impact their health and property; and

WHEREAS, Black People have disproportionately been limited to the confined routes of travel provided by public transportation; and

WHEREAS, Black People have disproportionately suffered from the isolation of food deserts and childcare deserts;

WHEREAS, systemic racism was created over centuries and will take time to dismantle;

WHEREAS, state and federal governments have a responsibility to adopt programs, policies, and funding to address reparations;

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

The City Council of the City of Asheville:

(1) apologizes and makes amends for its participation in and sanctioning of the Enslavement of Black People;

(2) apologizes and makes amends for its enforcement of segregation and its accompanying discriminatory practices;

(3) apologizes and makes amends for carrying out an urban renewal program that destroyed multiple, successful black communities;

(4) calls on other organizations and institutions in Asheville that have advanced and benefitted from racial inequity to join the city in its apologies and invites them to address racism within their own structures and programs and to work with the city to more comprehensively address systemic racism;

(5) calls on the State of North Carolina and the federal government to initiate policymaking and provide funding for reparations at the state and national levels;

(6) directs the City Manager to establish a process within the next year to develop short, medium and long term recommendations to specifically address the creation of generational wealth and to boost economic mobility and opportunity in the black community;

(7) fully supports its equity department, staff and its work, and encourages the city manager to utilize their talents when forming policy and programs that will establish the creation of generational wealth and address reparations due in the black community as mentioned above;

(8) seeks to establish within the next year, a new commission empowered to make short, medium and long term recommendations that will make significant progress toward repairing the damage caused by public and private systemic Racism. Other local government community

organizations may also be invited to have representation on the Commission. The task of the Community Reparations Commission is to issue a report in a timely manner for consideration by the City and other participating community groups for incorporation into their respective short and long term priorities and plans. Accountability for achieving equity will be enforced in the appropriate offices. The report and the resulting budgetary and programmatic priorities may include but not be limited to increasing minority homeownership and access to other affordable housing, increasing minority business ownership and career opportunities, strategies to grow equity and generational wealth, closing the gaps in health care, education, employment and pay, neighborhood safety and fairness within criminal justice;

(9) calls on the city manager to give, at minimum, a bi-annual update to the city council on the progress of work performed pursuant to this resolution.

Read, approved and adopted this 14th day of July, 2020.

Magdalen Boulson
City Clerk

Estan G. M...
Mayor

Approved as to form:

[Signature]
City Attorney