

RESOLUTION NO. 24- 119

RESOLUTION REGARDING STRUCTURE OF A  
DOWNTOWN BUSINESS IMPROVEMENT DISTRICT

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WHEREAS, the Asheville City Council recognizes the importance of fostering economic growth and enhancing the vitality of local businesses to support Asheville, Buncombe County, and Western North Carolina at large; and

WHEREAS, a Business Improvement District (BID) is a proven mechanism to improve and enhance the overall quality of life for residents and the business environment; and

WHEREAS, BIDs provide a structured framework for businesses to collaboratively fund and manage needed services and improvements within a defined geographic area, which are above and beyond those already provided by the municipality; and

WHEREAS, it is vital to be transparent and accountable to the public by defining the structure and services of the BID; and

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

The following serves as a statement of intent and direction to City staff to guide the preparation of the request for proposals (RFP) for a contracted service provider to administer the BID. This is not an exhaustive list.

**BID Objectives**

- Be intentional about creating a downtown environment that is welcoming and inclusive to all, with a focus on engaging Asheville businesses, residents, and workers.
- Provide services and management that improve the downtown experience and quality of life such as complimenting public safety, hospitality, enhancing cleanliness, and beautifying public spaces.
- Create a nimble mechanism for championing and sustaining downtown improvement efforts for the long-term.
- Increase business activity and attract new investment, with intention to support small independent businesses.

**City Services:** The City of Asheville has established a documented base level of pre-BID City services. By law, the BID will not replace any pre-existing basic City services. Instead, BID services are supplemental, and intended to enhance overall service delivery within its boundaries. [City of Asheville Current Level of Service document](#).

**BID Services:** The BID will enhance services and support improvements as outlined through an initial 3-5 year strategic plan presented to the Asheville City Council by the BID service provider. Initial services will fit within the following general categories:

- **Safety & Hospitality Services:** Direct, provide, manage, and/or enter into contracts for dedicated unarmed Community Stewards, sometimes referred to as ambassadors, who receive anti-racist training, equity training, mental health first aid training, and de-escalation training and who ideally have lived experience with poverty. Community Stewards will provide a highly visible presence; proactively engage with the public; provide directions and assistance; offer safety escorts on an on-call basis; and connect members of the unhoused community to resources like the Community Responders, Community Paramedics, homeless service providers, etc. Community Stewards will receive training as described herein, and to be further specified in the forthcoming RFP.
- **Enhanced Cleaning Services:** Direct, provide, manage, and/or enter into contracts for enhanced cleaning and maintenance within the district. These activities will focus on: litter removal, debris sweeping, graffiti abatement, pressure washing, street furniture cleaning, weed removal, etc.
- **Special Projects:** Special projects that enable the BID to react and respond to changing needs over time in a nimble way. Services in this category may look like: beautification and capital improvements, landscaping, holiday décor, activating underutilized public spaces, special events, services to support the retention and attraction of small independent businesses, etc. No lobbying will be supported with BID funds.
- **BID administration:** BID funds shall pay for the costs of BID management, Steering Committee governance, overhead, etc.

**Public Accountability:** The guiding values for the BID are to have integrity, to be collaborative and nimble, to be transparent, and to be inclusive. To support this the following measures will ensure public accountability:

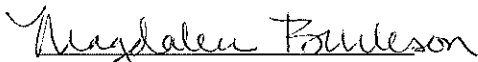
1. **BID Service Provider:** The City of Asheville intends to develop an RFP to hire a contracted service provider to deliver services of the BID and develop a BID Steering Committee in accordance with this resolution and subsequent contract. Pursuant to North Carolina law, the length of a service contract shall have a maximum duration of five years. In addition, the selected service provider shall be contractual bound to comply with Federal MWBE subcontracting requirements.
  - 1.1. **Competitive RFP and Public Hearing:** Pursuant to N.C.G.S 160A-536, a contracted service provider for the BID may be secured through a competitive request for proposals following BID formation. The City intends to issue an RFP within 3 months of the adoption of this resolution. As required by statute, the City shall solicit additional input from residents and property owners within the BID as to the needs of the service district, and hold a public hearing before executing a contract with a service provider for the provision of BID services.
  - 1.2. **Public Records and Open Meetings:** The BID Service Provider will comply with all public records and open meetings law for work associated with the BID contract and BID Steering Committee.
  - 1.3. **BID Steering Committee:** The City of Asheville shall require the contracted service provider to establish a committee of local businesses and residents to steer the services and operations of the BID. This committee is subject to the following:
    - **Terms:** Members will serve staggered three-year terms, with a maximum of two successive terms, and will sign a conflict of interest form.
    - **Steering Committee members must live within Buncombe County.**

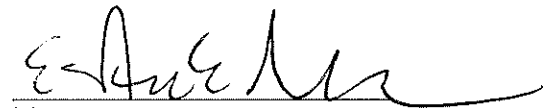
- **Voting Members**
    - 4 Commercial Property Owners
    - 4 Business Renters
    - 3 Residential Property Owners
    - 3 Residential Renters
    - 1 Representative from the Block
    - 1 Representative from the Continuum of Care
    - 1 At-Large
  - **Industry Representation:** The following industries shall be represented within the makeup of the voting membership above: Food and Beverage; Entertainment; Hospitality; Office; and Retail.
  - **Geographic Representation:** The following geographies will be represented within the makeup of the voting membership above: North West of Patton / Broadway (Pritchard); South West of Patton / Broadway (South Slope); South East of Biltmore/College (The Block); and North East of Broadway / College (Pack Square).
  - **Ex Officio Members:** The following non voting members will participate in the Steering Committee: a current City Council Member, the City Manager or Designee, and the County Manager or Designee
- 1.4. **BID Steering Committee Appointments:** The application, nomination, and appointment process for membership on the BID Steering Committee will be subject to public records and open meetings laws. The initial BID Steering Committee will be compiled by the BID Service Provider and submitted to the City Council who may accept these nominations, or request that the BID Service Provider submit alternative nominees. All Committee applications will be made available to the City Council and the public for review prior to its consideration of the recommended nominations. To fill vacancies, the BID Steering Committee will submit nominations to the City Council who may accept nominations, or request alternative nominees.
- 1.5. **Community Engagement:** The BID service provider solicits opinions, feedback, and input annually, or more as needed, regarding the effectiveness of BID operations consistent with minimum requirements provided by BID statute, and otherwise to the reasonable satisfaction of the City. Input should be sought from individuals and groups that represent business, residents, and workers. This will ensure the voices of a cross-section of downtown stakeholders are taken into consideration.
- 1.6. **Annual reports to Asheville City Council:** The BID service provider shall be required to report at least annually to the City Council by presentation and through a written report regarding the needs of the service district, completed projects, and pending projects. In addition, the BID service provider shall provide an appropriate accounting for funds expended pursuant to the BID contract at the end of each fiscal year or other appropriate period. Prior to the annual report, the BID service provider shall seek input from the property owners, business owners, and residents of the BID regarding service needs for the upcoming year.
- 1.7. **Annual BID budget and Tax rate:** The Asheville City Council shall maintain final authority to approve the annual BID budget and set the yearly tax rate.

- 1.8. **Five Year BID evaluation:** In Year 4, the BID will undergo a formal evaluation to determine that services and assessment methods are consistent with the needs of the district.


**Term of the District:** The BID will be established with an initial term of 10 years. To extend the BID beyond the initial 10- year term, a new operating plan will be developed and made available to property owners and residents within the BID area, with the BID Steering Committee providing a recommendation to the City Council as to the need to continue the BID or pursue dissolution before the City Council.

Read, approved and adopted this 11th day of June, 2024.

  
City Clerk

  
Mayor

Approved as to form:

  
City Attorney