

ORDINANCE NUMBER 2015-20

AN ORDINANCE SUPPORTING PUBLIC AND SECONDARY SCHOOL TRACK AND FIELD ATHLETICS IN BREVARD

Whereas, the City Council notes as a result of certain eleemosynary donations made by Frank and Donna Patton, Brevard College has a new track in place, and fully operational, and Brevard High School has new artificial turf on its football field, in place and in use; and

Whereas, due to such efforts on behalf of the Pattons, Brevard College Corporation and the Transylvania County Board of Education have entered into an inter local agreement whereby each has agreed to allow the other to use its respective (track and football stadium) facilities; and

Whereas, it has come to the attention of City Council that neither the Brevard College Corporation nor the Transylvania County Board of Education has adequate track and field facilities or equipment; and

Whereas, it has also come to the attention of the City of Brevard that neither entity presently has funds or a means of fundraising to come up with the monies necessary for the procurement of such facilities and equipment; and

Whereas, City Council is also aware that the Brevard College Corporation and the Transylvania County Board of Education have approached the County Commissioners with a request for funds to use to procure the needed equipment and facilities, but that the County Commissioners have denied the joint request; and

Whereas, City Council is very much aware of the positive impact that student athletics, including track and field, have on young people in our community, as well as on the economic strength of our community; and

Whereas, it is the City Council's understanding that Transylvania County Schools have not been able to host a "home" track meet in more than ten years; and

Whereas, City Council believes that it is consistent with the highest and best use of certain funds presently held for Pedestrian and Bike Path Capital Improvements, that they be transferred to the General Fund, and then immediately placed into the Trust Account of the City Attorney, to be held by the City Attorney until such time as (1) specific plans for the equipment to be purchased and for the facilities to be constructed are approved by both Brevard College Corporation and the Board of Education; and (2) appropriate amendment to the agreement referred to herein above is made and approved by both Brevard College Corporation and the Board of Education, for a sharing of such equipment and facilities by both entities, for the benefit of their respective student athletes.

NOW, THEREFORE, CITY COUNCIL HEREBY ENACTS THE FOLLOWING ORDINANCE:

Section 1. The sum of two hundred fifty thousand (\$250,000.00), is hereby transferred from the Pedestrian and Bike Path Fund, to the General Fund, and to be immediately disbursed therefrom to the Trust Account of City Attorney Michael K. Pratt.

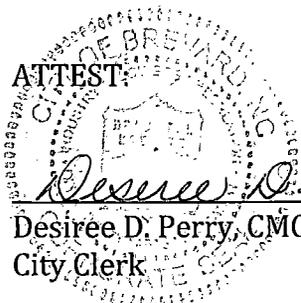
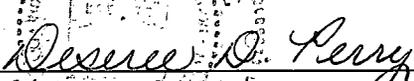
Section 2. The City Attorney is instructed to monitor and assist the Brevard College Corporation and the Transylvania County School Board in complying with the two conditions set forth herein above, and to then disburse those funds from his trust account, for the uses described herein above, all at the earliest time that those two conditions are, in his opinion after review, met (all of which, it is noted, the City Attorney has agreed to do without charge).

Section 3. This Ordinance shall be effective upon its adoption and approval by City Council.

Adopted and approved by City Council this the 21st day of September, 2015.



Jimmy Harris
Mayor

ATTEST:



Desiree D. Perry, CMC, NCCMC
City Clerk

APPROVED AS TO FORM:



Michael K. Pratt
City Attorney