

28 April 27, 1992

RESOLUTION

Resolution Book 29, Page 28

EXTRACT FROM THE MINUTES OF A REGULAR
MEETING OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NC
HELD ON APRIL 27, 1992

The following Resolution was introduced by Councilmember McCrory
seconded by Councilmember Wheeler, read in full, considered
and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND
RATIFYING THE EXECUTION OF GRANT AGREEMENT FOR PROJECT NUMBER
AIP 3-37-0012-17 BETWEEN THE UNITED STATES OF AMERICA AND
CITY OF CHARLOTTE, NC

BE IT RESOLVED, by the City Council of the City of
Charlotte

SECTION 1. That said City Council hereby authorizes,
adopts, approves, accepts and ratifies the execution of Grant Agreement
between the Federal Aviation Administration on behalf of the United
States of America and City of Charlotte

SECTION 2. That the Execution of said Grant Agreement in
quadruplicate on behalf of said City of Charlotte, NC
by Del Borgsdorf; Assistant City Manager
and the impression of the official seal of the City of Charlotte, NC
(if there is no seal, so state
and the attestation by Brenda Freeze; City Clerk
is hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the Aviation Director is hereby
(Title of Position, Airport
Manager, City Manager, etc.)
to execute payment requests under this Grant Agreement on behalf of said
City of Charlotte, NC.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 27th day of April, 19 92 the reference having been made in Minute Book 99, and recorded in full in Resolution Book 29, Page(s) 28-29.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of April, 19 92

Brenda R. Freeze
Brenda R. Freeze, City Clerk

A RESOLUTION TO AUTHORIZE THE CITY ENGINEER TO APPROVE THE ISSU-
ANCE OF NOTICES TO PROCEED FOR CONSTRUCTION CONTRACTS ON THE NEW
CONVENTION CENTER.

BE IT RESOLVED by the City Council of the City of Charlotte,
North Carolina that the City Engineer, or his designee, is author-
ized to approve the issuance of notices to proceed for contracts
approved by the City Council or the City Manager for the construc-
tion of the new Convention Center pending execution of such con-
tracts by the appropriate officials of the City of Charlotte.

Adopted on the 27th day of April, 1992.

Approved as to form:

H. Michael J.
Asst. City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North
Carolina, do hereby certify that the foregoing is a true and exact copy
of a Resolution adopted by the City Council of the City of Charlotte,
North Carolina in regular session convened on the 27th day of
April, 1992, the reference having been made in Minute
Book , and recorded in full in Resolution Book 29,
Page(s) 30.

WITNESS my hand and the corporate seal of the City of Charlotte, North
Carolina, this the 29th day of April, 1992

Brenda R. Freeze
Brenda R. Freeze, City Clerk

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember McCrory and seconded by Councilmember Wheeler for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans for the construction of the Charlotte Outer Loop from east of the interchange with Johnston Road Extension to the interchange with Rea Road: and,

WHEREAS, said Department of Transportation and the Municipality of Charlotte propose to enter into an agreement whereby said Department will include in its construction contract provisions to relocate and adjust certain municipally-owned water and sewer lines located along the project; and,

WHEREAS, the Municipality agrees to reimburse the Department of Transportation for the cost of said work with reimbursement to be made in a lump-sum amount upon completion of the work.

NOW, THEREFORE, BE IT RESOLVED that Project R-0211 DB, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of April, 1992, and the reference having been made in Minute Book 99, and recorded in full in Resolution Book 29, Page 31-32.

WITNESS, my hand and the corporate seal of the City of
Charlotte, North Carolina, this the 29th day of April,
19 92 .

(SEAL)

Brenda R. Freeze
Brenda Freeze, City Clerk

APPROVED AS TO FORM

BY: Henry W. Underhill Jr.
CITY ATTORNEY

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of The City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the Belmont Neighborhood Improvements; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

Lorie Baker and spouse, if any; Sol A. Jaffa and Michael I. Jaffa, Trustees; Robert W. Lindsey, Jr., Trustee; Sovran Equity Mortgage Corporation, Beneficiary; Possible interest of Pamela G. Gantt; Any Other Parties in Interest

Property Description

610 square feet for a temporary construction easement; and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel No. 081-165-13

Appraised Value

\$1.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the

Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of The City of Charlotte, North Carolina, in regular session convened on the 27th day of April, 1992, and the reference having been made in Minute Book 99, Page 33-34.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 29th day of April, 1992.

Brenda R. Freeze
City Clerk

April 27, 1992
 Resolution Book 29, Page 35

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
 FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for airport and public roadway purposes as provided for in the Charlotte/Douglas International Airport Master Plan; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

Aubrey J. Elam and wife, Jackie C. Elam; and any other Parties in Interest.

Property Description

A right-of-way and permanent easement for roadway and related purposes over approximately .382 acre of land, together with all improvements located thereon, being a portion of Tax Parcel Number 141-014-01, all as shown on the boundary survey of said property prepared by Concord Engineering & Surveying, Inc. dated January 16, 1992, which survey is incorporated herein by reference.

Appraised Value

\$ 31,000.00, or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal regulations.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of April, 1992, and the reference having been made in Minute Book 99, Page , and recorded in full in Resolutions Book 29, Page 35.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of April, 1992.

Brenda R. Freeze
 City Clerk

April 27, 1992
 Resolution Book 29, Page 36

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
 FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for airport and public roadway purposes as provided for in the Charlotte/Douglas International Airport Master Plan; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

Richard L. Petty and wife, Lynda O. Petty; Maurice E. Petty and wife, Patricia H. Petty; Robert B. Lloyd, Jr., trustee and Lee A. Petty, beneficiary U/D/T; and any other Parties in Interest.

Property Description

Approximately 9.45 acres, together with all improvements located thereon, in fee simple, being a portion of Tax Parcel Number 143-101-01, all as shown on the boundary survey of said property prepared by Jack R. Christian & Associates dated January 24, 1992, which survey is incorporated herein by reference.

Appraised Value

\$ 543,000.00, or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal regulations.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of April, 1992, and the reference having been made in Minute Book 99, Page , and recorded in full in Resolutions Book 29, Page 36.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of April, 1992.

Brenda R. Freeze
 City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for airport and public roadway purposes as provided for in the Charlotte/Douglas International Airport Master Plan; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

Marc H. Silverman and wife, Mattye B. Silverman; Sol Levine, trustee and Richard L. Petty and Maurice E. Petty, beneficiaries U/D/T; and any other Parties in Interest.

Property Description

Approximately 6.258 acres, together with all improvements located thereon, in fee simple, being a portion of Tax Parcel Number 143-101-07, all as shown on the boundary survey of said property prepared by Jack R. Christian & Associates dated January 24, 1992, which survey is incorporated herein by reference.

Appraised Value

\$483,000.00, or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal regulations.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of April, 1992, and the reference having been made in Minute Book 99, Page , and recorded in full in Resolutions Book 29, Page 37.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of April, 1992.

Brenda R. Freeze
City Clerk

April 27, 1992
 Resolution Book 29, Page 38

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
 FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for airport and public roadway purposes as provided for in the Charlotte/Douglas International Airport Master Plan; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

Mattox Land Corp.; James R. Bryant, trustee and Southern National Bank, beneficiary U/D/T; and any other Parties in Interest.

Property Description

A right-of-way and permanent easement for roadway and related purposes over approximately .508 acre of land, together with all improvements located thereon, being a portion of Tax Parcel Number 143-091-03, all as shown on the boundary survey of said property prepared by Concord Engineering & Surveying, Inc. dated January 15, 1992, which survey is incorporated herein by reference.

Appraised Value

\$ 34,300.00, or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal regulations.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of April, 1992, and the reference having been made in Minute Book 99, Page 38, and recorded in full in Resolutions Book 29, Page 38.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of April, 1992.

Brenda R. Freeze
 City Clerk

April 27, 1992
 Resolution Book 29, Page 39

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
 FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for airport and public roadway purposes as provided for in the Charlotte/Douglas International Airport Master Plan; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

Joseph Stephen Byrum, as Substitute Trustee U/W of Joseph E. Byrum; Nancy B. Byrum, David Wesley Byrum and Joseph Stephen Byrum, trust beneficiaries U/W of Joseph E. Byrum; and any other Parties in Interest.

Property Description

Approximately 1.242 acres, together with all improvements located thereon, in fee simple, being a portion of Tax Parcel Number 141-014-16, all as shown on the boundary survey of said property prepared by Yarbrough-Williams & Associates, Inc. dated December 24, 1991, which survey is incorporated herein by reference.

Appraised Value

\$ 90,500.00, or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal regulations.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of April, 1992, and the reference having been made in Minute Book 99, Page 39, and recorded in full in Resolutions Book 29, Page 39.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of April, 1992.

Brenda R. Freeze
 City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of The City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the Park/Johnston Road Widening-Phase II, Segment IV; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

American Schlafhorst Company; Harold Hoak, Trustee; Wachovia Bank & Trust Company, Beneficiary; Any Other Parties in Interest

Property Description

7,313 square feet for fee-simple; 6,850 square feet for a temporary construction easement; and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel Nos. 207-011-04.

Appraised Value

\$ 11,130.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the

Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of The City of Charlotte, North Carolina, in regular session convened on the 27th day of April, 1992, and the reference having been made in Minute Book 99, Page .

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 29th day of April, 1992.

Brenda R. Freeze
City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of The City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the Park/Johnston Road Widening-Phase II, Segment IV; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

American Schlafhorst Company; Harold Hoak, Trustee; Wachovia Bank & Trust Company, Beneficiary; Any Other Parties in Interest

Property Description

12,509 square feet for fee-simple; 14,272 square feet for a temporary construction easement; 314 square feet for a drainage and utility easement; 141 square feet for a down-guy easement; and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel Nos. 207-011-01, 207-011-02, 207-011-03, 207-011-06, 207-011-07, 207-011-08, 207-011-09

Appraised Value

\$ 93,320.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the

Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of The City of Charlotte, North Carolina, in regular session convened on the 27th day of April, 1992, and the reference having been made in Minute Book 99, Page .

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 29th day of April, 1992.

Brenda R. Freeze
city clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of The City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the Sterling Avenue Sanitary Sewer Replacement; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

Barry Scott Burke; Ann Marie Burke; Neal G. Helms, Trustee; Dover Mortgage Company, Beneficiary; Any Other Parties in Interest

Property Description

3,178 square feet for fee-simple; 794 square feet for a temporary construction easement; and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel No. 151-113-50

Appraised Value

\$ 1,000.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the

Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of The City of Charlotte, North Carolina, in regular session convened on the 27th day of April, 1992, and the reference having been made in Minute Book 99, Page .

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 29th day of April, 1992.

Brenda R. Freeze
City Clerk

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Personnel Rules and Regulations heretofore adopted by the City Council to be effective October 6, 1969, as subsequently amended, is hereby further amended as follows:

Rule I, General Provisions; Rule II, Classification Plan; Rule III, Pay Plan; and Rule IV, Leave of Absence to be revised to reflect clarification of existing practices. Additionally, four other changes are recommended as follows:

1) Rule III, Section 9.3, Demotion

Demotion is defined as the change of an employee from a position in one class to a position in another class at a lower pay range level. The pay of an employee who is demoted shall be adjusted to the maximum of the new range or to 4 percent below his/her former pay, whichever is lower. However, in no case shall the employee's pay be lower than the minimum rate of the new pay range. An employee who is demoted is not eligible for a pay increase until one year from the effective date of demotion. An employee who has not served in the new class into which he/she is demoted will be required to serve a six month probationary period with no probationary increase. See Rule III. Section 5 and Rule III. Section 9.1.

2) Rule IV, Section 2, Sick Leave With Pay

Individuals designated as regular employees may be granted sick leave with pay in case of personal illness or disability, or serious illness within the immediate family if such illness requires the personal care and attention, as indicated in the following subsections. For the purpose of this section, immediate family shall be defined as spouse, parent or child residing either within or outside of the home or other immediate family members (brother, sister, grandparent) residing within the employee's home. Sick leave shall be accumulated without limit and may be taken in increments of one hour or more (For exceptions, see Rule IV. Section 2.3 (g)).

3) Rule IV, Section 7, Absence Without Official Leave (AWOL)

AWOL is defined as "Absence Without Official Leave" or when the excuse for the absence is unacceptable to the supervisor. All employees must notify their supervisor they will be unable to report for work. When an employee fails to call in or give a written notice of the reason for the absence that is acceptable to the department, the employee is considered AWOL.

Each AWOL is considered a separate occurrence and any two AWOL occurrences within a 12-month period will result in the immediate suspension of an employee with a recommendation that the employee be terminated, with the exception cited in Section 8.

4) Rule IV, Section 8, Presumed to Have Quit Without Notice

Employees who are absent from work without notifying their department on two consecutive workdays are considered to have "quit without proper notice," and are therefore not entitled to pay for accumulated vacation leave.

BE IT FURTHER RESOLVED that this resolution shall be effective on the date of its adoption.

APPROVED AS TO FORM

Henry W. Underhill Jr.
City Attorney

April 15, 1992

Date

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 27th day of April, 1992, the reference having been made in Minute Book 99, and recorded in full in Resolution Book 29, Page(s) 46-47.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of April, 1992.



Brenda R. Freeze, City Clerk

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
CONCERNING PROCUREMENT OF ARCHITECTURAL AND/OR ENGINEERING
SERVICES FOR THE STATESVILLE AVENUE LANDFILL PROJECT

WHEREAS, North Carolina General Statute 143-64.31 establishes a general public policy that procurement of engineering and architectural services for state and local construction projects should normally be based upon a merit selection process with later negotiation on the fee, rather than through a competitive bidding process based primarily on the fee; and

WHEREAS, North Carolina General Statute 143-64.32 allows a governing body to deviate from the general public policy and use estimated costs as a factor in the selection process, if the particular project is exempted in the sole discretion of the local governing body; and

WHEREAS, the City Council of the City of Charlotte has determined that it is desirable and in the best interests of the City of Charlotte to exempt the Statesville Avenue Landfill Cleanup project from the requirements of the act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that:

(1) For the following reasons, the City Council of the City of Charlotte hereby finds that the Statesville Avenue Landfill Cleanup project shall be exempt from the general public policy requirements concerning the selection of architectural and engineering services:

Since the "level of approach" taken by an engineering firm in providing an environmental clean-up characterization study can vary greatly, it is advantageous to have the firms submit a range for their fee in addition to recommended action steps to adequately evaluate the site.

(2) The City Council hereby authorizes the City Manager to use whatever method or procedure is most manageable and likely to result in the acquisition of competent, professional architectural or engineering services at a reasonable cost for said project.

THIS AGREEMENT, entered into as of the day and year first written above.

CITY:

ATTEST:

By:

[Signature] 5/4/92
Mayor Date

Brenda R. Freeze 5/4/92
City Clerk Date

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 27th day of April, 1992, the reference having been made in Minute Book 99, and recorded in full in Resolution Book 27, Page(s) 48-49.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of April, 1992.

Brenda R. Freeze
Brenda R. Freeze, City Clerk