

**A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES**

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 10th day of June, 1996 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set ut and that the schedule and this resolution be spread upon the minutes of this meeting.

**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 10th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 188-189.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

Brenda R. Freeze  
Brenda R. Freeze, City Clerk

**TAXPAYERS AND REFUNDS REQUESTED  
MORE THAN \$100**

<u>Name</u>	<u>Amount of Refund</u>
Group Five Sales Inc	\$ 550.28
Draine-Elm Properties	1,583.56
City-County Tax Collector	3,896.51
Marsh Realty Co Inc	216.05
Marsh Realty Co Inc	186.72
March Realty Co Inc	185.57
Talent Tree Staffing Services	214.00
Total	<u>\$6,832.69</u>

RESOLUTION DECLARING AN INTENT TO ABANDON AND  
CLOSE POINSETT LOCATED IN FRONT OF 839 MCARTHUR  
AVE. AND ADJACENT TO 905 MCARTHUR AVE. IN THE CITY  
OF CHARLOTTE, MECKLENBURG, NORTH CAROLINA

WHEREAS, Cathy Price and Maggie Coleman has filed a Petition to close Poinsett in the City of Charlotte; and

WHEREAS, Poinsett petitioned to be closed lies in front of 839 McArthur Ave. and adjacent to 905 McArthur Ave. as shown in a map marked "Exhibit A", and is more particularly described by metes and bounds in a document marked "Exhibit B," both of which are available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statue further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, as it regularly scheduled session of June 10, 1996, that it intends to close Poinsett in front of 839 McArthur Ave and adjacent to 905 McArthur Ave. said street (or portion thereof being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 p.m., on Monday, the 22nd day of July, 1996, in the CMGC Meeting Chamber, 600 E. Fourth St., Charlotte, NC.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing, as required by N.C.G.S. 160A-299.

**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 10th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 190.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

Brenda R. Freeze  
Brenda R. Freeze, City Clerk

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
ADOPTING THE FIVE YEAR CAPITAL INVESTMENT PLAN FOR FISCAL YEARS  
1997 TO 2001.**

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WHEREAS, the City of Charlotte recognizes the importance of developing long-range capital investment planning to maintain the growth and vitality of the community; and

WHEREAS, the City of Charlotte continuously develops and reviews the policy, financial and planning assumptions and impacts of capital investment projects for the City; and

WHEREAS, the City of Charlotte has a five year Capital Investment Plan based on policy assumptions, so stated in the FY97-2001 Capital Investment Plan that balances the potential physical development planning with long-range financial capability.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby adopt the Capital Investment Plan for fiscal years 1997 to 2001.

This 10th day of June, 1996

Approved as to form:

  
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 10th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 191.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

  
Brenda R. Freeze, City Clerk

RESOLUTION RELATING TO BOND REFERENDUM  
FOR UP TO APPROXIMATELY \$98,375,000 GENERAL  
OBLIGATION BONDS, TO INCLUDE UP TO  
APPROXIMATELY \$66,375,000 STREET BONDS AND  
\$32,000,000 NEIGHBORHOOD REINVESTMENT BONDS

RESOLVED, by the City Council (the "City Council") of the City of Charlotte (the "Issuer") that the appropriate officers of the Issuer be, and they hereby are, authorized to proceed with a general obligation bond referendum to authorize general obligation bonds in an estimated principal amount up to approximately \$98,375,000, to include up to approximately \$66,375,000 street bonds and \$32,000,000 neighborhood reinvestment bonds to finance street and neighborhood reinvestment capital projects.

FURTHER RESOLVED, by the City Council that it is hereby determined that said capital projects and said bonds are necessary and expedient, the amount of the proposed general obligation bonds is adequate and not excessive to fund said capital projects, and the debt management and the budgetary and fiscal management policies of the Issuer have been carried out in strict compliance with applicable law; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized to submit an Application for Approval of Issuance of General Obligation Bonds to the North Carolina Local Government Commission and that the Director of Finance, the Deputy Director of Finance and the City Treasurer of the Issuer be, and each of them hereby is, authorized to serve as a representative of the Issuer and to sign and file said application and that any actions taken by any of such persons to file said application are hereby ratified, approved and confirmed; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized to publish a related Notice of Intent to Apply for Approval of Bonds; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized and directed to do any and all things necessary, appropriate or convenient to carry into effect the foregoing resolutions.

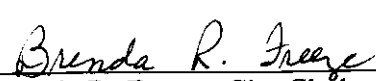
Approved as to form:

  
\_\_\_\_\_  
City Attorney

**CERTIFICATION**

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

  
\_\_\_\_\_  
Brenda R. Freeze, City Clerk

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING CHANGES TO THE CITY PAY PLANS AND EMPLOYEE GROUP INSURANCE PLANS FOR FISCAL YEAR 1997.**

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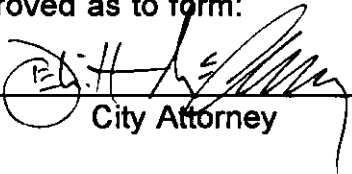
WHEREAS, the City of Charlotte recognizes the importance of rewarding employees for their performance; and

WHEREAS, the City of Charlotte desires to provide its employees with a competitive benefits package;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby adopt the pay and benefits recommendations for fiscal year 1997.

This tenth day of June, 1996.

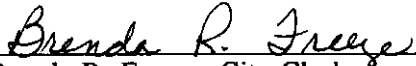
Approved as to form:

  
\_\_\_\_\_  
City Attorney

**CERTIFICATION**

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

  
\_\_\_\_\_  
Brenda R. Freeze, City Clerk

**CHARLOTTE CITY COUNCIL  
RESOLUTION  
ESTABLISHING AN ENTERPRISE FUND FOR THE  
CHARLOTTE STORM WATER PROGRAM**

**WHEREAS**, management of the risks to the public health, safety and welfare associated with storm water can be addressed through: constructing, operating and maintaining needed drainage facilities; regulating and controlling the use and development of land to reduce the adverse effects of storm water; meeting State and Federal requirements and other measures to insure adequate quality of water in streams, rivers, and lakes in and around the City; and coordinating with other agencies as necessary or desirable to facilitate the management of storm water; and

**WHEREAS**, on December 14, 1992, the Charlotte City Council adopted Ordinance No. 3475 which established the City's Storm Water Services Program effective January 1, 1993; and

**WHEREAS**, the City's Storm Water Services Program has been funded through a combination of storm water service charges and an earmarked 1 cent property tax contribution from the City's general fund; and

**WHEREAS**, the Charlotte City Council recognizes that an enterprise fund is used to account for operations which provide goods or services and recover costs through user charges, and that an enterprise fund facilitates the use of a variety of financing mechanisms; and

**WHEREAS**, as part of the Fiscal 1997 budget approval process, the City Council has begun the phase out of the general fund contribution to the City's Storm Water Services Program in order to make the program a self-sustaining enterprise; and

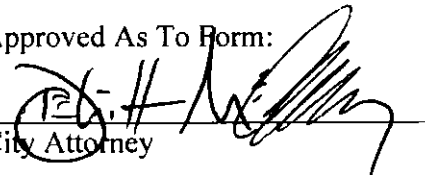
**WHEREAS**, as a self-sustaining enterprise, the storm water service charge and associated revenues will provide for all operating and capital investment expenses, including depreciation, debt service cost, and any other cost associated with an enterprise operation;

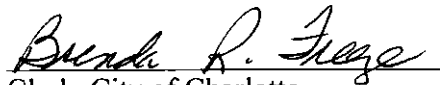
**WHEREAS**, a method for calculating annual service charge fees has been developed, called the "Storm Water Rate Methodology," that bases the fee on the operating and capital investment expenditures approved by the City Council each year as part of the annual budget approval process; and now, therefore, be it

**RESOLVED** that the City of Charlotte's Storm Water Services Program shall become a self-sustaining enterprise and shall phase out the general fund contribution to the Program on the schedule in and the manner described in the "Storm Water Rate Methodology" dated May 13, 1996, a copy of which is on file in the Office of the City Clerk.

ADOPTED the 10th day of June, 1996.

Approved As To Form:

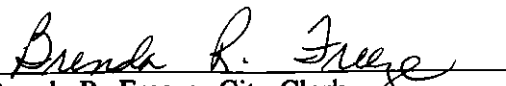
  
City Attorney

  
Clerk, City of Charlotte

**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 10th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 194.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

  
Brenda R. Freeze, City Clerk

EXTRACT FROM MINUTES OF  
MEETING OF CITY COUNCIL OF THE  
CITY OF CHARLOTTE, NORTH CAROLINA

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on June 10, 1996.

Present: Mayor Pat McCrory, presiding, and Councilmembers Cannon, Greene, Jackson, Majeed, Reid, Rousso, Scarborough, Sellers, Spencer, and Wheeler

Absent: Councilmember Baker

Also Present: Pam Syfert, Acting City Manager, DeWitt F. McCarley, City Attorney, and Brenda R. Freeze, City Clerk

\* \* \* \* \*

Councilmember Rousso introduced the following resolution, a summary of which had been provided to each Councilmember, a copy of which was available with the City Clerk and which was read by title:

RESOLUTION RELATING TO INSTALLMENT CONTRACT  
(LEASE/PURCHASE) FINANCING OF CERTAIN GENERAL  
EQUIPMENT IN A PRINCIPAL AMOUNT UP TO  
APPROXIMATELY \$6,000,000

RESOLVED, by the City Council (the "City Council") of the City of Charlotte (the "Issuer") that the appropriate officers of the Issuer be, and they hereby are, authorized to acquire, purchase or lease certain equipment to be used in connection with the Issuer's ongoing general operations and to finance the acquisition of such



property in an estimated principal amount up to approximately \$6,000,000 by installment contract (lease/purchase) financing, including without limitation the use of notes or other financing under North Carolina General Statutes § 160A-20 (including the financing of issuance and all other costs necessary in connection with such financing), and, if required, to seek the approval of the North Carolina Local Government Commission of such financing and to investigate and negotiate the selection and terms of such financing, and to solicit bids or proposals or negotiate with underwriters in connection with such financing; and

FURTHER RESOLVED, by the City Council that it is hereby determined that such acquisition of equipment is necessary and expedient, that financing by installment contract, under the circumstances, is preferable to a bond issue, that the sums to fall due under an installment contract are adequate and not excessive for its purpose, that the debt management and the budgetary and fiscal management policies of the Issuer have been carried out in strict compliance with applicable law, that the increase in taxes, if any, necessary to meet the sums to fall due under an installment contract will not be excessive and that the Issuer is not in default under any of its debt service obligations; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized to consolidate for sale and delivery the installment contract (lease/purchase) financing authorized by the foregoing resolutions with any other installment contract (lease/purchase) financing as may be authorized concurrently by the Issuer; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized to publish any notices that may be required in connection with such financing; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized and directed to do any and all things necessary, appropriate or convenient to carry into effect the foregoing resolutions; and

FURTHER RESOLVED, by the City Council that this resolution shall take effect upon its passage.

Upon motion of Councilmember Rouso, seconded by Councilmember Greene, the foregoing resolution entitled: "RESOLUTION RELATING TO INSTALLMENT CONTRACT (LEASE/PURCHASE) FINANCING OF CERTAIN GENERAL EQUIPMENT IN A PRINCIPAL AMOUNT UP TO APPROXIMATELY \$6,000,000" was passed by the following vote:

Ayes: Councilmembers Cannon, Greene, Majeed, Rouso, Scarborough, and Spencer

Noes: Councilmembers Jackson, Reid, Sellers, and Wheeler

\* \* \* \* \*

I, Brenda R. Freeze, \_\_\_\_\_ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the recorded proceedings of the City Council of said City at a regular meeting held June 10, 1996, as relates in any way to the passage of a resolution providing for the installment contract financing of certain general equipment in a principal amount of up to approximately \$6,000,000 and that a

reference regarding said proceedings is recorded in Minute Book No. 109 of the minutes of said City Council, beginning at page \_\_\_ and ending at page \_\_\_, and a full copy of the foregoing resolution is recorded in Resolution Book No. 34 of said City Council, beginning at page 195 and ending at page 198.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, in the Conference Center on the first Monday of each month at 5:00 P.M. (workshop); and in the Meeting Chamber on the second Monday of each month at 7:00 P.M., the third Monday of each month at 6:00 P.M. (zoning), and the fourth Monday of each month at 7:00 P.M., has been on file in the office of the City Clerk as of a date not less than seven days before the date of said meeting in accordance with G.S. § 143-318.12.

WITNESS my hand and the seal of said City, this 13th day of June, 1996.

Brenda R. Freeze  
Brenda R. Freeze, City Clerk

(SEAL)

Approved as to form:

[Signature]  
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 13th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 195-198.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

Brenda R. Freeze  
Brenda R. Freeze, City Clerk

**CHARLOTTE CITY COUNCIL  
RESOLUTION  
AUTHORIZING AMENDMENT TO  
CONSOLIDATED SHARED PROGRAMS JOINT UNDERTAKING AGREEMENT  
PROVIDING FOR CITY ENFORCEMENT OF THE  
COUNTY FALSE ALARM ORDINANCE**

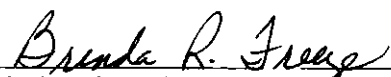
**WHEREAS**, on April 16, 1996, at the request of the Charlotte-Mecklenburg Police Department, the Mecklenburg County Board of Commissioners adopted a "False Alarm Ordinance" which is substantially similar to the City of Charlotte "False Alarm Ordinance" adopted by the Charlotte City Council on July 24, 1995; and

**WHEREAS**, the City of Charlotte has amended its contract with Electronic Data Systems Corporation to obtain for the enforcement of the County's False Alarm Ordinance the same alarm tracking and billing services which Electronic Data Systems Corporation is providing with respect to the City's False Alarm Ordinance; and

**WHEREAS**, an Amendment has been proposed to the City's Consolidated Shared Programs Joint Undertaking Agreement with Mecklenburg County which would provide the terms and conditions pursuant to which the City would contract with Electronic Data Systems Corporation with respect to the provision of those alarm tracking and billing services to enforce the County's False Alarm Ordinance; now, therefore, be it

**RESOLVED** that the Charlotte City Council approves and authorizes the execution of the "Amendment to Consolidated Shared Programs Joint Undertaking Agreement Providing for City Enforcement of the County False Alarm Ordinance" which is attached hereto as Exhibit A.

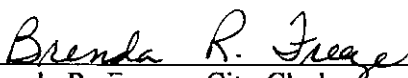
ADOPTED the 10th day of June, 1996.

  
Clerk, City of Charlotte  
Brenda R. Freeze

**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 10th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 199.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

  
Brenda R. Freeze, City Clerk