

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 **Duke Power/McGuire Sanitary Sewer Line Project**; 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 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:

PROPERTY DESCRIPTION:

Amount necessary for the **Duke Power/McGuire Sanitary Sewer Line Project**; and estimated to be approximately 25,734 square feet (.59 ac.) for a 20-foot permanent sanitary sewer easement and 19,316 square feet (.44 ac.) for a 15-foot temporary construction easement; and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 013-062-19 said property currently owned by **LARRY D. SHERMAN and spouse, if any**; or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for 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.

February 10, 1997
Resolution Book 34, Page 575

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 February, 1997, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 574-575.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 1997.


Brenda R. Freeze, City Clerk

February 10, 1997
Resolution Book 34, Page 576

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 **1995 Sewer Lines-Mint Hill Project**; 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 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:

PROPERTY DESCRIPTION:

Amount necessary for the **1995 Sewer Lines-Mint Hill Project** and estimated to be approximately 3,272 square feet (.0751 ac.) for a 15-foot permanent sanitary sewer easement and 5,402 (0.1240) for a 25-foot temporary construction easement; and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 135-271-70, said property currently owned by **GORDEN E. KLOCKO and wife, KATHLEEN A. KLOCKO** or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

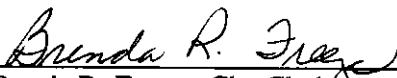
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

February 10, 1997
Resolution Book 34, Page 577

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 February, 1997, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 576-577.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 1997.



Brenda R. Freeze, City Clerk

February 10, 1997
Resolution Book 34, Page 578

RESOLUTION OF THE CHARLOTTE CITY COUNCIL ESTABLISHING ITS PROCEDURE FOR THE NOMINATION, CONSIDERATION, AND APPOINTMENT OF PERSONS TO CITY BOARDS, COMMITTEES, AND COMMISSIONS, AND STATING COUNCIL'S POLICY FOR PUBLIC NOTIFICATION, CONSECUTIVE TERMS, OATHS OF OFFICE, RESIDENCY REQUIREMENTS, REVIEW REPORTS OF BOARDS AND COMMISSIONS, AND ATTENDANCE REQUIREMENTS.

WHEREAS, the City Council of the City of Charlotte, NC, has reviewed its process for nominating and appointing volunteer citizens to its 35 boards, committees, and commissions, and

WHEREAS, the City Council has reviewed its policies regarding public notification of vacancies, consecutive terms, residency requirements, review reports of boards and commissions, and attendance requirements;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that it hereby establishes its new procedure for the nomination, consideration and appointment of persons to City boards, committees and commissions, and states its new policy regarding public notification of vacancies, consecutive terms, residency requirements, submittal of reports by boards, committees, and commissions, and attendance requirements as follows:

Section 1. PROCESS FOR NOMINATIONS AND APPOINTMENTS

Appointments to City boards, committees, and commissions shall be made quarterly. At the first regular meeting of the first month of each calendar quarter (January, April, July and October), provided that meeting falls during the first fifteen days of the month, each member of the City Council may nominate one person for appointment to each of the positions to be filled. Should the first regular meeting not fall during the first fifteen days of the first month of a calendar quarter, nominations shall be made at the last regular meeting of the preceding quarter. After nominations are closed, no further nominations may be made. If there is only one nominee for a position, the appointment may be made by voice vote at the same meeting at which the nomination is made.

At least four weeks prior to the quarterly date for nominations, the City shall publicize vacancies and that nominations for appointment will be made by the Council as follows: (i) at the Council Meeting four weeks prior to nominations, the City Clerk will read announcements of upcoming vacancies; (ii) the City Clerk shall provide such information to local print, radio and television media; and (iii) the information will be provided with water bill mailings.

Any vacancies created by resignation or automatic removal shall be included with the next group of quarterly nominations. Terms expiring during any quarter shall remain filled by the person then holding the position until a successor is appointed and qualified.

By nominating a person who has not submitted an application for the subject board, committee, or commission, the nominating Council Member certifies that the person has indicated an interest in serving and that the nominee will file an application with the City Clerk's Office by noon the day before the appropriate Council agenda for appointment is delivered to Council. If such application is not made, the nomination will be deemed to have been withdrawn. The City Clerk's Office will notify the nominee of the actual deadline for filing the application the day following the nomination.

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At the regular meeting four weeks after the close of nominations, the Council shall vote on the nominees for the positions to be filled. The appointments shall be determined by written ballot. A ballot containing the names of nominees, as well as a space for "None of the Above", shall be distributed to each Council Member. Each Council Member shall vote for a nominee, or for "None of the Above", sign the ballot and return it to the City Clerk who shall tally and announce the votes and the results.

In accordance with the City Charter, no nominee shall be deemed appointed unless he or she receives at least six votes. If no nominee receives at least six votes on the first ballot, a second ballot shall be cast. Only the top two vote getters shall be candidates on the second ballot. If as a result of the first ballot a tie vote situation produced more than two top vote getters, (i.e., 3-3-3-2; 5-3-3; 4-2-2-2-1), the Council shall cast ballots on the top candidates to narrow the field of candidates to two. Then a third ballot shall be cast on the top two vote getters. If no nominee receives at least six votes after the third ballot, all nominations shall lay on the table until the next regular meeting, at which time balloting shall be done in accordance with this paragraph.

Nominees to the following boards or commissions shall complete a separate, confidential information card containing their Place of Birth, Social Security #, and N.C. Driver's License # in order to facilitate required background checks:

Auditorium/Coliseum/Convention Center Authority	
Civil Service Board	Domestic Violence Adv Comm
Housing Appeals Board	Housing Authority
Parole Accountability Comm	Taxicab Review Board
Youth Involvement Council	Zoning Board of Adjustment

Any departure or deviation from the above process shall not affect the validity of an otherwise valid Council appointment.

Section 2. CONSECUTIVE TERMS/MULTIPLE BOARDS

No member of any board, committee, or commission may serve more than two full consecutive terms. After serving two full consecutive terms, a person must be off that board, committee, or commission for one full term before being eligible for appointment to the same body. An exception to this rule may be made on a case by case basis (i.e., a need for continuity or experience).

An individual may not serve on more than two boards, committees, or commissions at one time.

Section 3. OATHS OF OFFICE/ORIENTATION

For a board, committee, or commission requiring an oath of office, a new member may not vote on any matter until the oath of office has been administered. Reappointed members shall also be administered the oath of office.

Staff advisors shall conduct an orientation session for new members with the chair in attendance prior to or at the first regular meeting after appointment. Expectations shall be given concerning attendance, conflicts of interest, information on City Government, etc.

Section 4. RESIDENCY REQUIREMENTS

A member of any City board, committee or commission must at all times be a resident of Mecklenburg County. For this purpose, a "resident" shall be defined as a person who is **continually domiciled** in Mecklenburg County.

Exceptions to the above statement may exist for some boards for purposes of regional membership (i.e. the Airport Advisory Committee). These exceptions will be handled on a case by case basis.

Section 5. REPORTS OF BOARDS, COMMITTEES, AND COMMISSIONS

The Mayor and City Council find it appropriate to periodically review each standing board, committee, and commission to which they make exclusive appointments for the purpose of assessing whether said board, committee, or commission should be renewed, dismantled, expanded or its charge redefined. To this end, each board, committee, and commission is required to submit periodic written reports that must contain in depth reviews of the body's activities including goals, objectives, successes, problems, and/or the need for City Council assistance. These reports will be staggered through the year according to a schedule established by the City Clerk with the following frequencies:

Every Six Months

Auditorium/Coliseum/Convention Center Authority
Certified Development Corp
Civil Service Board
Competition/Privatization Advisory Committee
Housing Appeals Board
Housing Authority
Minority/Women's Business Dev.
Parole Accountability Committee
Zoning Board of Adjustment

Annually

Airport Advisory Committee
Area Fund Board of Directors
Citizens Oversight Committee for Cable TV
Clean City Committee
CMUD Advisory Committee
Community Housing Development Corp Board of Trustees
Community Relations Committee
Domestic Violence Advisory Committee
Firemen's Relief Board of Trustees
Mint Museum
Neighborhood Matching Grants Fund Review Team
Parade Permit Committee
Spirit Square Board of Directors
Storm Water Advisory Committee
Taxicab Review Board
Transit Advisory Committee
Tree Advisory Commission

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Veterans Service Committee
Waste Management Advisory Committee

Annually as part of the Budget Process

Convention & Visitors Bureau
Historic District Commission
Historic Landmarks Commission
Planning Commission
Sister Cities Committee
Uptown Development Corp
Youth Involvement Council

In addition to required written reports, the City Council may request on a case-by-case basis that an oral report be made to the Council.

Section 6. ATTENDANCE POLICY

In order for a board, committee, or commission to be effective and efficient, and to accomplish its purpose, its membership must be actively involved and attendant to the business of the body. Therefore, all members are required to attend at least 75% of the regular and special meetings held in any one calendar year with **NO EXCUSED ABSENCES**. Effective January 1, 1998, a member of any City board, commission, or committees appointed by the Mayor, Council or City Manager shall be automatically removed from said body for failure to attend at least 75% of all regular and special meetings and assigned committee or subcommittee meetings held during the immediately preceding calendar year. For persons not serving for an entire calendar year, the 75% attendance requirement shall apply to meetings held during the portion of the year during which the person served. In addition, any member of a board, commission or committee shall be automatically removed from said body for failure to attend any **THREE CONSECUTIVE REGULAR MEETINGS** of the body.

The City Clerk shall send a letter to anyone who is removed from a board, committee, or commission for failure to meet the attendance policy. Vacancies resulting from the removal of a member shall be filled by the same method as provided for initial appointments.

The City Clerk shall send a letter to any member who is in danger of violation of the attendance requirement, asking them to be mindful of said requirement.

Staff advisors shall file attendance reports with the City Clerk by the end of the first month following the close of a calendar quarter. **STAFF ADVISORS SHALL CALCULATE THE PERCENTAGE OF ATTENDANCE BEFORE** submitting the quarterly report to the City Clerk.

Section 7. CONFLICT OF INTEREST

Council's January 24, 1983 Conflict of Interest Resolution established for boards, commissions, and committees shall continue as it is in its entirety.

Section 8. REPEALER

All prior resolutions of the City Council establishing procedures for the nomination,

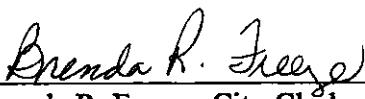
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consideration, and appointment of persons to City boards, committees, and commissions, and setting forth the policy for public notification, consecutive terms, oaths of office, residency requirements, review reports and attendance requirements are, except to the extent that they are supplementary to and consistent herewith, repealed.

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 February, 1997 the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Pages 578-582.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 1997.



Brenda R. Freeze, City Clerk

February 10, 1997
Resolution Book 34, Page 583

**RESOLUTION TO REQUEST FEDERAL FUNDS FOR A TRANSITWAY PROJECT
FOR THE SOUTH CORRIDOR OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the Charlotte-Mecklenburg 1977 Long Range Transit Plan recommended the development of a future rapid transit system for Charlotte including the South corridor, and

WHEREAS, a 1989 Systems Planning Study conducted consistent with all Federal guidelines, determined that a rapid transit system for Charlotte was both reasonable and feasible and that the South corridor would be a high priority component of that system, and

WHEREAS, a 1994 Alternatives Analysis conducted consistent with all Federal guidelines, determined that the South corridor should be one of three corridors considered for initial implementation of light rail or bus rapid transit, and

WHEREAS, the South corridor is one of the five corridors in the "Centers and Corridors" land use plan recommended by the "Committee of 100", and approved by City Council, and

WHEREAS, the Mayor's Committee of 10 recommended development of a rapid transit facility in the South corridor, and

WHEREAS, recent studies have confirmed that both light rail and busway concepts are feasible for the South corridor, and

WHEREAS, the City is actively pursuing acquisition of rail right-of-way scheduled to be abandoned in the South corridor, and

WHEREAS, a rapid transit facility in the South corridor would provide access to many homes and employment opportunities, and

WHEREAS, the City of Charlotte, in its Capital Improvement Program, has set aside funding to conduct a major investment study including the South corridor,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte hereby requests federal participation to fund \$50 million of a \$100 million effort to construct rapid transit facilities in the South corridor with the remaining \$50 million to be funded jointly by the City of Charlotte and the North Carolina Department of Transportation.

February 10, 1997
Resolution Book 34, Page 584

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 10th day of February, 1997, and the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page 583-584

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 1997.

(SEAL)

Brenda R. Freeze
Brenda Freeze, City Clerk

February 10, 1997
Resolution Book 34, Page 585

**RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS
IN SUPPORT OF A DAY OF UNITY**

WHEREAS, this spring, at a date to be determined, all of the Charlotte ministerial denominations will unite at Memorial Stadium and to sponsor a Day of Unity; and

WHEREAS, the purpose of this event is to acknowledge the differences and celebrate the similarities of all of our diverse communities within Mecklenburg County; and

WHEREAS, it is hoped that this event will help attack unrestfulness in our city by stressing the value of human life and love and by eliminating fear; and

WHEREAS, at this event the participants will join hands with each other in a full circle to commit to bring about meaningful change within our community, recognizing that all people can work together to become a major vehicle for the residents of Mecklenburg County. Now, therefore,


BE IT RESOLVED by the Mecklenburg County Board of Commissioners that it fully supports the Day of Unity event at Memorial Stadium to be held this spring by waiving the fee for use of the Stadium in the hopes that the event will improve race relations, support diversity, and help everyone reach common ground.

Adopted this the 10th day of February, 1997.

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 February, 1997, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 585.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 1997.


Brenda R. Freeze, City Clerk