

RESOLUTION PROVIDING CONSENT TO MULTIFAMILY HOUSING  
FACILITY KNOWN AS BARRINGTON OAKS APARTMENTS IN THE CITY  
OF CHARLOTTE, NORTH CAROLINA AND THE FINANCING THEREOF  
WITH MULTIFAMILY HOUSING REVENUE BONDS IN THE PRINCIPAL  
AMOUNT OF UP TO \$5,000,000

WHEREAS, the City Council of the City of Charlotte (the "City") met in Charlotte, North Carolina at 7 p.m. on the eighth day of September, 2003; and

WHEREAS, the of the County of Mecklenburg (the "Mecklenburg Authority"), [a public body and body corporate and politic organized and operating pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (the "Act"),] has tentatively agreed to assist Barrington Oaks LLC, a North Carolina Corporation (the "Borrower") in the financing of the acquisition and rehabilitation of a multifamily residential rental project to be known as Barrington Oaks Apartments, consisting of approximately 102 units (the "Development"), located on approximately 10 acres at 7123-E Barrington Drive in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the Authority's tentative agreement to issue its multifamily housing revenue bonds in an amount not to exceed \$5,000,000 (the "Bonds") is evidenced by the adoption of an inducement resolution with respect to the financing of the Development by the Mecklenburg Authority on April 15<sup>th</sup> and July 8<sup>th</sup>, 2003; and

WHEREAS, the proposed bonds have been allocated volume cap by the North Carolina Federal Tax Reform Allocation Committee after review by the North Carolina Housing Finance Agency;

WHEREAS, under Section 157-39.1 of the Act, before a county housing authority can exercise any one of its powers within the jurisdiction of a city, the city must request the county housing authority to do so; and

WHEREAS, the City has determined that it has no objection to the issuance by the Mecklenburg Authority of its revenue bonds to finance the Development; and

WHEREAS, the City acknowledges that there is a need for affordable housing within the City of Charlotte;

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

1. The City Council hereby requests the County of Mecklenburg to issue its multifamily housing revenue bonds in an amount not to exceed \$5,000,000 in order to finance the acquisition, construction and equipping by Barrington Oaks, LLC, of an affordable multifamily residential rental project to be known as Barrington Oaks Apartments located at 7123-E Barrington Drive in the City of Charlotte, North Carolina.

2. This resolution shall take effect immediately upon its passage.

Councilmember Tabor moved the passage of the foregoing resolution and Councilmember Cogdell seconded the motion, and the resolution was passed by the following vote:

Ayes: Cannon, Carter, Graham, Mumford, Spencer, White

Nays: None

Not voting: Lochman, Mitchell, Wheeler

\* \* \* \* \*

CERTIFICATION

I, Nancy S. Gilbert, CMC, Deputy 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 for the City of Charlotte, North Carolina, in regular session convened on the eighth day of September, 2003, the reference having been in Minute Book 119, and recorded in full in Resolution Book 38, Pages 568-569.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9<sup>th</sup> day of September, 2003.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

(SEAL)

**RESOLUTION**

EXTRACT FROM THE MINUTES OF A \_\_\_\_\_ regular  
MEETING OF THE \_\_\_\_\_ Charlotte City Council  
HELD ON \_\_\_\_\_ September 8, 2003

The following resolution was introduced by Councilmember Tabor,  
seconded by Councilmember Cogdell, read in full, considered  
and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND  
RATIFYING THE EXECUTION OF THE GRANT AGREEMENTS FOR PROJECT  
NUMBERS 3-37-0012-49 BETWEEN THE UNITED STATES OF  
AMERICA AND THE CITY OF CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the \_\_\_\_\_ CITY COUNCIL \_\_\_\_\_ of  
THE CITY OF CHARLOTTE, NORTH CAROLINA

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

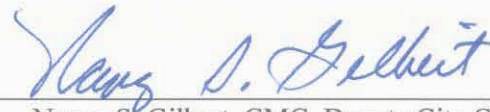
SECTION 2. That the Execution of said Grant Agreement in  
quadruplicate on behalf of said \_\_\_\_\_ City Council \_\_\_\_\_ by  
T. J. Orr, \_\_\_\_\_ Aviation Director and the impression of  
the official seal of the City of Charlotte and the attestation  
by Brenda Freeze; \_\_\_\_\_ City Clerk \_\_\_\_\_ is  
hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the \_\_\_\_\_ Aviation Director \_\_\_\_\_ is hereby  
authorized to execute payment requests under these Grant Agreements  
on behalf of said \_\_\_\_\_ City of Charlotte \_\_\_\_\_.

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy 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 8th day of September, 2003 the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Page(s) 570-571.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of September, 2003.



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Nancy S. Gilbert, CMC, Deputy City Clerk

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
AUTHORIZING ITS AVIATION DIRECTOR TO ACCEPT FEDERAL AVA  
ADMINISTRATION (FAA)GRANTS**

WHEREAS, the City of Charlotte expects to be offered FAA grants through the Airport Improvement Program; and

WHEREAS, these FAA grants can be offered and must be accepted during a specific time limit which may not meet City Council's meeting schedule; and

WHEREAS, the Charlotte City Council must approve and authorize any appropriation and expenditure of these FAA grant funds; and

Whereas, the Charlotte City Councils desires to authorize the City's Aviation Director to accept FAA grants on behalf of the City.

Now, therefore, be it resolved by the City Council of the City of Charlotte, in regular session duly assembled, as follows:

Pursuant to N.C.G.S. 160A-12, the City's Aviation Director is hereby authorized to accept on behalf of the City of Charlotte FAA grants.

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy 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 8th day of September, 2003 the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Page(s) 572.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of September, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

North Carolina Governor's Highway Safety Program  
**LOCAL GOVERNMENTAL RESOLUTION**  
**Form GHSP-06-A**

(To be completed, attached to and become part of Form GHSP-06, Highway Safety Equipment Project Contract.)

WHEREAS, the City of Charlotte (herein called the "Agency")  
(THE APPLICANT AGENCY)  
has completed an application contract entitled Speed Photo Radar Cameras;  
and that The Charlotte City Council (herein called the "Governing Body")  
(THE GOVERNING BODY OF THE AGENCY)  
has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE Charlotte City Council IN OPEN  
(GOVERNING BODY)  
MEETING ASSEMBLED IN THE CITY OF Charlotte, NORTH CAROLINA

THIS 8th DAY OF September, 2003, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Chief Darrel W. Stephens be authorized to file, on behalf of the  
(NAME AND TITLE OF REPRESENTATIVE)  
Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$54,900 to be made to the  
(FEDERAL DOLLAR REQUEST)  
Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$54,900  
(LOCAL CASH APPROPRIATION)  
as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by Patrick McCrory, Mayor  
(CHAIRPERSON/MAYOR)

ATTESTED BY Margaret A. Gilbert, Clerk  
(CLERK)

SEAL

DATE 9-8-03

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy 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 8th day of September, 2003 the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Page(s) 573-574.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of September, 2003.



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Nancy S. Gilbert, CMC, Deputy City Clerk

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

A motion was made by \_\_\_\_\_ Councilmember Tabor \_\_\_\_\_ and seconded by \_\_\_\_\_ Councilmember Cogdell \_\_\_\_\_ for the adoption of the following Resolution, and upon being put to a vote was duly adopted.

WHEREAS, the North Carolina Department of Transportation and the City of Charlotte had jointly undertaken the implementation of a centrally controller, computerized signal system to control traffic signals within the Municipality; and,

WHEREAS, the construction of said computerized signal system is now complete; and,

WHEREAS, the Department and the Municipality propose to enter into an Agreement for the maintenance of that portion of the project which is on the State Highway system; and,

WHEREAS, the Municipality has agreed to maintain and operate the computerized traffic signal system on the streets which are a part of the State Highway System within the Municipality, subject to reimbursement by the Department as set forth in this Agreement; and,

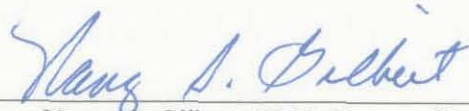
WHEREAS, this Agreement shall cover the maintenance and operation of this system for the period from July 1, 2003 through June 30, 2004, with mutually agreed upon extensions being made in one (1) year increments, up to a total duration of five (5) years.

NOW, THEREFORE, BE IT RESOLVED that this Agreement is hereby formally approved by the City Council of the City of Charlotte and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the Agreement between the City of Charlotte and the Department of Transportation.

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy 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 8th day of September, 2003 the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Page(s) 575.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of September, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk



**RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON SEPTEMBER 8, 2003**

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

WHEREAS, The City plans to design and install a coordinated fiber optic communications system of  
all traffic signals on Brookshire Boulevard from I-85 to the County line; and, design and install  
traffic management cameras along Brookshire Boulevard from I-85 to the County Line.

WHEREAS, The North Carolina Department of Transportation (NCDOT) will be reimbursing the City  
approximately ninety percent of the project costs, up to \$1,979,438; and,

WHEREAS, The format and cost sharing philosophy with NCDOT is consistent with past municipal  
agreements.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Agreement between the North Carolina  
Department of Transportation and the City of Charlotte Department of Transportation, is hereby  
formally approved by the City Council of the City of Charlotte and the Director of Transportation and  
Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the  
Department of Transportation.

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy 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 8th day of September, 2003 the reference having been made in  
Minute Book 119, and recorded in full in Resolution Book 38, Page(s) 576.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the  
9th day of September, 2003.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

**RESOLUTION APPROVING AMENDMENT NUMBER ONE  
TO THE  
CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM ACT**

THIS AMENDMENT NUMBER ONE made as of the 8<sup>th</sup> day of September, 2003, by the **CITY OF CHARLOTTE** (the "Sponsor") to the Charlotte Firefighters' Retirement System (the "Plan").

RECITALS:

It is deemed advisable to amend the Plan in order to receive an Internal Revenue Service determination letter for the Plan.

NOW, THEREFORE, it is declared that the Plan shall be and hereby is amended as follows:

1. Effective July 1, 2002, the first sentence of Section 2(9) is revised to read as follows:

"'Compensation' means the remuneration reportable on Form W-2 earned by a Member for services performed as an employee of the Charlotte Fire Department prior to any reductions pursuant to Sections 125, 401(k), 402(e)(3), 414(h)(2), 403(b), 408(k)(6) and 457 of the Internal Revenue Code."

2. Effective July 1, 2001, the third sentence of Section 2(9) is revised to read as follows:

"Effective July 1, 2001, for purposes of applying the limitations described in Section 51 of this Act, compensation paid or made available during such limitations years shall also include elective amounts that are not includible in the gross income of the Member by reason of Section 132(f)(4) of the Internal Revenue Code."

IN WITNESS WHEREOF, this Amendment Number One has been executed in behalf of the City on the day and year first stated above.

CITY OF CHARLOTTE

By: \_\_\_\_\_

Attest:

\_\_\_\_\_

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy 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 8th day of September, 2003 the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Page(s) 577-578.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of September, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk