

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a 10-foot alleyway running off of Cleveland Avenue in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Bailey Family of Mecklenburg County Alpha, LLC** has filed a petition to close a **10-foot alleyway running off of Cleveland Street** in the City of Charlotte; and

Whereas, the 10-foot alleyway to be closed lies within the Dilworth Community beginning from beginning from Cleveland Avenue continuing northwestwardly approximately 189 feet turning westward continuing approximately 50 feet turning northwardly continuing approximately 10 feet, turning eastwardly continuing 50 feet, turning northwest continuing approximately 40 feet to its terminus at parcel #121-05-516. as shown in the 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 City Council first adopt a resolution declaring it's 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

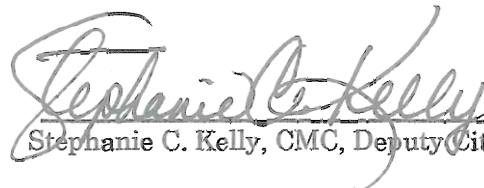
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of May 29, 2007 that it intends to close a 10-foot alleyway running off of Cleveland Avenue and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, June 25, 2007 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

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, Stephanie C. Kelly, 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 29th day of May, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 641.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of June, 2007.


Stephanie C. Kelly, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY 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:

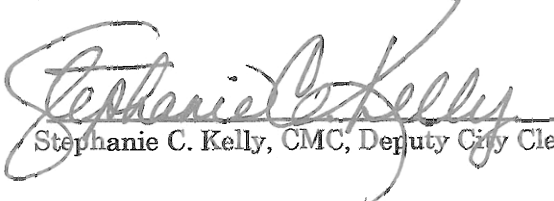
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 29th day of May 2007 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Stephanie C. Kelly, 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 29th day of May, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (642-643).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of June, 2007.


Stephanie C. Kelly, CMC, Deputy City Clerk

**TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)**

NAME	AMOUNT
MEADOWHILL RESIDENTIAL ASSOC	\$ 199.03
BALMAR DEVELOPMENT GROUP	4,980.86
CLARK JOHN	151.80
DISSINGER THOMAS DUNCAN	17.81
FENTRESS JONATHAN M	93.50
HERNANDEZ CARLOS	51.05
HONOUR ROBERT E	140.93
ISENHOUR JAMES P SR	43.11
MCALISTER DONNA S	343.72
PATTERSON ROBERT M	243.52
PULLMAN JAMIE	41.27
REID KASHIRA M	248.64
ROBINSON DIANNA R	99.97
S MECKLENBURG PAINTING CONTRS	479.74
TESI ALDO B	356.05
THARPE KRISTIN ANN	100.13
WHITE FLOYD	<u>112.36</u>
TOTAL	<u><u>\$ 7,703.49</u></u>

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON MAY 29, 2007**

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

WHEREAS, NCDOT authorized the installation of traffic signals at the I-485 ramp intersections with Harris Boulevard; and,

WHEREAS, A Municipal Agreement between the City and NCDOT will allow the City to be reimbursed for the work; and,

WHEREAS, The Municipal Agreement provides for reimbursement not to exceed \$275,400; and,

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

NOW, THEREFORE, BE IT RESOLVED, that this resolution authorizing the Key Business Executive of the Charlotte Department of Transportation to execute a municipal agreement with the NCDOT for NCDOT to reimburse the City up to \$275,400 to install traffic signals at the I-485 ramp intersections with Harris Boulevard, 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 aforementioned groups.

CERTIFICATION

I, Stephanie C. Kelly, 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 29th day of May, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 644.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of June, 2007.


Stephanie C. Kelly, CMC, Deputy 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 **HUBBARD ROAD SIDEWALK 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 **HUBBARD ROAD SIDEWALK PROJECT** and estimated to be approximately **36,311 square feet (.834 acre) of fee-simple area, existing right-of-way, and 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. 043-162-08, said property currently owned by **BISHOP S. C. MADISON, SOLE TRUSTEE AND CHIEF EXECUTIVE OFFICER OF THE UNITED HOUSE OF PRAYER FOR ALL PEOPLE OF THE CHURCH ON THE ROCK OF THE APOSTOLIC FAITH (a/k/a United House of Prayer for All People of the Church on the Rock of the Apostolic Faith) and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

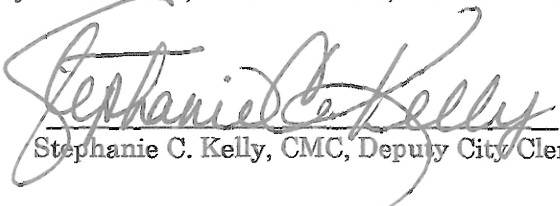
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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.

CERTIFICATION

I, Stephanie C. Kelly, 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 29th day of May, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 645.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of June, 2007.


Stephanie C. Kelly, CMC, Deputy 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 **TUCKASEEGEE ROAD 5035 through 5109 - 8" SANITARY SEWER 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 **TUCKASEEGEE ROAD 5035 through 5109 - 8" SANITARY SEWER PROJECT** and estimated to be approximately **1,895 square feet (.044 acre) of sanitary sewer easement and 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. 061-171-90, said property currently owned by **SUMMERLAKE OF NC, LLC; MECKLENBURG COUNTY TAX COLLECTOR, and Any Other Parties in Interest**, 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.

CERTIFICATION

I, Stephanie C. Kelly, 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 29th day of May, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 646.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of June, 2007.


Stephanie C. Kelly, CMC, Deputy City Clerk

City of Charlotte Commitment to Greenhouse Gas Emissions Reduction

WHEREAS in accordance with the Clean Smokestacks Act (CSA) passed in June 2002, the North Carolina Division of Air Quality (DAQ) has completed studies and made recommendations to the North Carolina Environmental Management Commission and the North Carolina Environmental Review Commission regarding greenhouse gas (GHG) emissions and steps that can be taken to reduce GHG emissions, especially reducing the use of energy;

WHEREAS, the North Carolina General Assembly passed legislation in the summer of 2005, the NC Global Warming Act (S1134), that established the Legislative Commission on Global Climate Change to study issues related to global warming, the emerging carbon economy and whether it is appropriate and desirable for North Carolina to establish global warming pollutant reductions goals for North Carolina; and

WHEREAS, The North Carolina Climate Action Plan Advisory Group (CAPAG) was formed and charged with developing an inventory and forecast of greenhouse gas emissions in North Carolina and presenting to the Governor, the Legislature, and Environmental Management Commission an action plan with recommendations to reduce the state's greenhouse gas emissions. CAPAG's actions are intended to complement those of the Legislative Commission.

WHEREAS, in October 2005, the North Carolina Department of Environment and Natural Resources published a report entitled *Draft North Carolina Greenhouse Gas Inventory and Reference Case Projections 1990-2020* that identifies electricity use and transportation as the principal sources of GHG emissions in North Carolina; and

WHEREAS, the City of Charlotte has adopted the "Environment" as one of five Focus Areas (priorities) for City government and is committed to safeguarding the environment, balancing environmental health, sound fiscal policy and growth; and

WHEREAS the City has a number of policies and practices in place which already support the following targets of the U.S. Mayors Climate Protection Agreement:

- Adopt and enforce land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities;
- Promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit;
- Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money;

- Purchase only energy efficient equipment and appliances, *e.g.*, Energy Star, for City use;
- Practice and promote sustainable building practices, using the U.S. Green Building Council's LEED program or a similar system to identify existing and emerging sustainable design practices;
- Increase the average fuel efficiency of municipal fleet vehicles; reduce the number of such vehicles; launch an employee education program including anti-idling messages; convert diesel vehicles to bio-diesel;
- Evaluate opportunities to increase pump efficiency in water and wastewater systems; recover wastewater treatment methane for energy production;
- Increase variety of materials recycled and recycling rates in City operations and in the community; and
- Maintain healthy urban forests; promote tree planting to increase shading, lower urban temperatures and to absorb greenhouse gases.

WHEREAS the City Council of Charlotte, North Carolina is committed to lead by example in matters related to the environment and climate protection,

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina, that the City will continue to support the initiatives outlined above, and

BE IT FURTHER RESOLVED, the City will strive to take additional actions to reduce further GHG emissions as follows:

- Conduct an inventory of GHG emissions from City operations by June 2008; establish as aggressive and realistic a GHG emissions reduction target as can be met by the year 2012; and create an action plan, prepare a cost-benefit analysis and adopt a budget designed to meet the established GHG emissions reduction target;
- Utilize the resources of ICLEI-Local Governments for Sustainability to identify ways in which GHG emissions can be reduced from City operations;
- Monitor the recommendations and actions of the NC Legislative Commission on Global Climate Change, the NC Climate Action Plan Advisory Group and Federal agencies so as to inform the City's efforts to reduce GHG emissions;

AND BE IT FURTHER RESOLVED, the City Council, using the appropriate City Council review process, will consider the feasibility of the City undertaking the following actions to reduce GHG emissions:

- o Support the use of clean, alternative energy, by, for example, the use of renewable energy in City operations and recovering methane for energy production, where practicable;
- o Developing partnerships with the private sector in the greater Charlotte metropolitan community so as to leverage the private sector's expertise and experience on GHG emissions reduction;
- o Collaborating with Mecklenburg County and other neighboring communities to conduct an inventory of GHG emissions for the greater Charlotte metropolitan area. Once this inventory has been completed, continue this regional collaboration in an effort to reduce GHG emissions in the greater Charlotte metropolitan area;
- o Collaborating with Mecklenburg County and other neighboring communities to educate the greater Charlotte metropolitan community about the need for and benefits of reducing GHG emissions; and
- o Other additional actions as the City Council determines to be appropriate.

Adopted this 29 day of May, 2007.

CERTIFICATION

I, Stephanie C. Kelly, 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 29th day of May, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (647-649).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of June, 2007.


Stephanie C. Kelly, CMC, Deputy City Clerk

RESOLUTION

WHEREAS The Department of Homeland Security, through its Transportation Security Administration, is authorized to make grants to States to strengthen the nation's ability to prevent, protect against, respond to, and recover from terrorist attacks, major disasters, and other emergencies that could impact the country's critical infrastructure.

WHEREAS State Administrative Agencies are authorized to apply for funding for enhancing security for critical transit infrastructure in key high-threat urban areas;

WHEREAS the Homeland Security Branch of the Division of Emergency Management of the North Carolina Department of Crime Control and Public Safety, recognizing Charlotte's unique status as the nation's second-largest banking center in the U.S. and the Charlotte Area Transit System as the largest mass transit system between Washington D.C and Atlanta, has obtained grants from the Department of Homeland Security's Transit Security Grant Program (TSGP);

WHEREAS the Department of Homeland Security, through the Transportation Security Administration's Infrastructure Protection Program (IPP), has approved Grants for the Charlotte Area Transit System in the amount of \$578,788.00 to be administered through Homeland Security Branch of the Division of Emergency Management of the North Carolina Department of Crime Control and Public Safety;

WHEREAS, as a condition for receiving these Grants, the City of Charlotte shall comply with all Federal laws, Executive Orders, Regulations and policies governing this program, including but not limited to Federal statutes relating to nondiscrimination; the Hatch Act; the Davis-Bacon Act; Federal and State environmental standards; and other applicable directives.

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

1. That the City Manager is authorized to accept and sign, on behalf of the City of Charlotte, any and all agreements and Grants in partnership with Federal and State agencies or any other state or federal agency, necessary for the activation of said agreements and Grants;
2. That the City Manager, is authorized to undertake, on behalf of the City of Charlotte as SubGrantee of the State of North Carolina, through the Homeland Security Branch of the Division of Emergency Management of the North Carolina Department of Crime Control and Public Safety, any and all obligations aforementioned;
3. That the Chief Executive Officer of the Charlotte Area Transit System is authorized to undertake all activities and measures necessary for the completion of these Grants, and is authorized to furnish such additional information as may be required by State or Federal agencies to accept and complete these Grants.

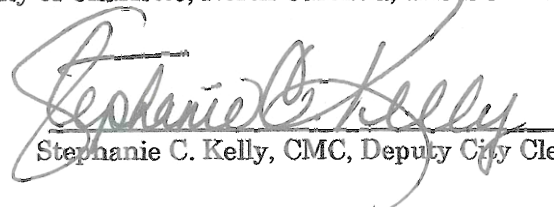
is authorized to execute and file with such applications an assurance or any other document required by the North Carolina Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That the Chief Executive Officer of the Charlotte Area Transit System is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the project
4. That the City Manager or designee is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the City Manager or designee is authorized to execute grant agreements and any amendments thereto on behalf of the City of Charlotte with the U.S. Department of Transportation for aid in the financing of the transit assistance projects; and that the Chief Executive Officer or designee is authorized to execute grant agreements and any amendments thereto on behalf of the Charlotte Area Transit System with the North Carolina Department of Transportation for aid in the financing of the transit assistance projects.

CERTIFICATION

I, Stephanie C. Kelly, 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 29th day of May, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (650-651).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of June, 2007.


Stephanie C. Kelly, CMC, Deputy City Clerk