

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 14th day of April, 2008 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, 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 14th day of April, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (191-192).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of April, 2008.


Brenda R. Freeze, CMC, City Clerk

TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)

<u>NAME</u>	<u>AMOUNT</u>
D J & COMPANY	\$ 615.47
D J & COMPANY	534.40
AUTEN BRENDA T	244.89
SUNTRUST LEASING CORPORATION	3,148.05
SUNTRUST LEASING CORPORATION	165.12
SUNTRUST LEASING CORPORATION	41.79
REYNOLDS JANE LEE ET AL	1,474.62
REYNOLDS JANE LEE ET AL	1,610.14
FRAZIER ELEASE	139.19
DESIGN CENTER CAROLINAS LLC	8,481.14
BYRDS LAWN CARE & LANDSCAPING	413.09
BYRDS LAWN CARE & LANDSCAPING	883.50
BYRDS LAWN CARE & LANDSCAPING	1,349.25
BYRDS GROUP INC	2,018.83
BYRDS GROUP INC	2,192.03
TOTAL	<u>\$ 23,311.51</u>

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on April 14, 2008.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on April 14, 2008 (the "Meeting"), after proper notice, and was called to order by the Mayor and on the roll being called, the following members of the City Council answered present:

Councilmembers: Barnes, Burgess, Carter, Cooksey, Dulin, Foxx, Kinsey, Mitchell, Peacock, and Turner.

The following members of the City Council were absent:

Also present:

Councilmember Burgess 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:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE

WHEREAS, the City Council is considering the issuance of bonds of the City of Charlotte, North Carolina (the "City") which shall be for the following purposes and in the following maximum amount:

Not to exceed \$170,000,000 of General Obligation Refunding Bonds to pay the costs of refunding in advance of their maturities \$161,900,000 aggregate principal amount of the City of Charlotte, North Carolina General Obligation Refunding Bonds, Series 1998 maturing on and after February 1, 2009.

WHEREAS, certain findings of fact by the City Council must be presented to enable the Local Government Commission of the State of North Carolina to make certain determinations as set forth in Article 4 of Chapter 159 of the General Statutes, Section 52.

NOW, THEREFORE, BE IT RESOLVED that the City Council meeting in open session on the 14th day of April, 2008, has made the following factual findings in regard to this matter:

A. *Facts Regarding Necessity of Proposed Financing.* The proposed bonds are necessary and expedient to lower debt service costs to the City.

B. ***Facts Supporting the Amount of Bonds Proposed.*** The sums estimated for these bonds are adequate and not excessive for the proposed purpose.

C. ***Past Debt Management Policies.*** The City's debt management policies have been carried out in compliance with law. The City employs a Director of Finance to oversee compliance with applicable laws relating to debt management. The City Council requires annual audits of City finances. In connection with these audits, compliance with laws is reviewed. The City is not in default in any of its debt service obligations. The City Attorney reviews all debt-related documents for compliance with laws.

D. ***Past Budgetary and Fiscal Management Policies.*** The City's budgetary and fiscal management policies have been carried out in compliance with laws. Annual budgets are closely reviewed by the City Council before final approval of budget ordinances. Budget amendments changing a function total or between functions are presented to the City Council at regular City Council meetings. The Director of Finance presents financial information to City Council which shows budget to actual comparisons annually and otherwise as the City Manager deems necessary or as a member of the City Council may request.

E. ***Retirement of Debt.*** The schedule for issuing the bonds does not require a property tax increase. The schedule for issuance calls for issuing all of the bonds in Fiscal Year 2008, but issuance may be delayed until such time as the City receives sufficient net present value savings therefrom.

F. ***Direction to Retain Bond Counsel and Financial Advisor.*** That the City Manager and the Director of Finance, with advice from the City Attorney, are hereby authorized and directed to retain the assistance of Parker Poe Adams & Bernstein LLP, Charlotte, North Carolina, as bond counsel, and the City Manager and the Director of Finance are authorized to retain DEC Associates, Inc., Charlotte, North Carolina, as financial advisor.

Upon motion of Councilmember Burgess, seconded by Councilmember Mitchell, the foregoing order titled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE" was adopted by the following vote:

AYES: _____

NAYS:

April 14, 2008

Resolution Book 41, Page 195a

PASSED, ADOPTED AND APPROVED this 14th day of April, 2008.

STATE OF NORTH CAROLINA

)

)

SS:

)

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 14th day of April, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (193-195).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of April, 2008.



Brenda R. Freeze, CMC, City Clerk

Councilmember Burgess introduced the following bond order by reading the title thereof:

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$170,000,000
GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City of Charlotte, North Carolina (the "City") has issued \$240,475,000 aggregate principal amount of its General Obligation Refunding Bonds, Series 1998 (the "1998 Bonds");

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "City Council") deems it advisable to refund \$161,900,000 in aggregate principal amount of the 1998 Bonds maturing on and after February 1, 2009;

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte, North Carolina, as follows:

Section 1. The City Council deems it advisable to refund \$161,900,000 in aggregate principal amount of the 1998 Bonds maturing on and after February 1, 2009.

Section 2. To raise the money required to pay the costs of refunding the 1998 Bonds as set forth above, General Obligation Refunding Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such General Obligation Refunding Bonds authorized by this bond order shall be and not exceed \$170,000,000.

Section 3. A tax sufficient to pay the principal of and interest on said General Obligation Refunding Bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 5. This bond order shall take effect on its adoption.

Adopted by unanimous consent without change or amendment.

The City Clerk is directed to publish a notice of adoption as prescribed by The Local Government Bond Act, the bond order titled, "**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$170,000,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**", which was introduced at the meeting of the City Council held on April 14, 2008

Introduced and adopted by unanimous consent.

April 14, 2008

Resolution Book 41, Page 197a

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 14th day of April, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (196-197).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of April, 2008.



Brenda R. Freeze, CMC, City Clerk

North Carolina Department of Crime Control and Public Safety, any and all obligations aforementioned;

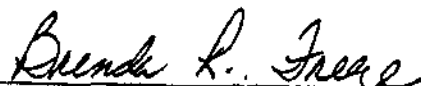
3. That the Chief Executive Officer of the Charlotte Area Transit System is authorized to undertake all activities and measures necessary for the completion of these Grants, and is authorized to furnish such additional information as may be required by State or Federal agencies to accept and complete these Grants;
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.

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, 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 14th day of April, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (198-199).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of April, 2008.


Brenda R. Freeze, EMC, City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON APRIL 14, 2008**

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

WHEREAS G.S. 180-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS the City of **Charlotte**, County of **Mecklenburg**, wishes to notify the NC ABC Commission of its designation as required by G.S. 18B-904(f);

BE IT THEREFORE RESOLVED that the Deputy Chief for the Investigations Group, the Commander of the Special Investigations Bureau or the Commander of the Vice and Narcotics Division is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the City of **Charlotte**, County of **Mecklenburg**, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED that notices to the City of **Charlotte**, County of **Mecklenburg**, should be mailed or delivered to the official designated above at the following address:

Mailing Address: Charlotte-Mecklenburg Police Department
601 East Trade Street
Office Location: 2nd Floor-Vice and Narcotics Division
City: Charlotte, North Carolina 28202
Phone Number: 704-336-8402

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 14th day of April, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 200.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of April, 2008.


Brenda R. Freeze, CMC, City Clerk

April 14, 2008

Resolution Book 41, Page 201a

RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON APRIL 14, 2008

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

WHEREAS, NCDOT plans to make street improvements on Providence Road; and,

WHEREAS, NCDOT authorized the design and modification of two existing traffic signals to include metal strain poles at the intersections of Providence Road at Ardrey Kell Road and Providence Road at Providence Country Club Drive; and,

WHEREAS, NCDOT also authorized the design and installation of a new traffic signal to include metal strain poles at the intersection of Providence Road and Bellicourt Drive; and,

WHEREAS, A Municipal Agreement between the City and NCDOT is needed in order for the City to be reimbursed for the work it has done; and,

WHEREAS, The Municipal Agreement provides for the City to be reimbursed for all work it has performed on this project not to exceed \$431,438.00

NOW, THEREFORE, BE IT RESOLVED, that this resolution provides for the City to be reimbursed by the NCDOT for all work it will perform on this project not to exceed \$431,438. 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, 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 14th day of April, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 201.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of April, 2008.



Brenda R. Freeze, CMC, 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 **ALBEMARLE/HARRIS INTERCHANGE (A/K/A LAWYERS ROAD EXTENSION) PROJECT**;

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 **ALBEMARLE/HARRIS INTERCHANGE (A/K/A LAWYERS ROAD EXTENSION) PROJECT** and estimated to be approximately **780 square feet (.017 acre) storm drainage easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 103-261-09, said property currently owned by **55 SPRING STREET, LLC; REGENCY CEDARS, LLC; HARDIN G. HALSEY, ESQ., Trustee; COLLATERAL MORTGAGE CAPITAL, LLC, Beneficiary; CHARLES B. LEE, JR., Trustee; GENERAL ELECTRIC CAPITAL CORPORATION, Beneficiary; CHICAGO TITLE COMPANY, ROBERT HETLAGE, ESQ., DAVID EVANS, ESQ., Co-Trustees; SWISS BANK CORPORATION, Beneficiary; CHICAGO TITLE COMPANY, ROBERT HETLAGE, ESQ., DAVID EVANS, ESQ., Co-Trustees; CENTRE MORTGAGE CAPITAL, L.L.C., Beneficiary; NETWORK MULTI-FAMILY SECURITY CORPORATION, Lessee; SEAGULL ENTERPRISES, INC. and SEAGULL FLOORS OF NORTH CAROLINA, LLC, d/b/a SEAGULL FLOORS, Lienholder; LANDMARK SECURITY, INC., Possible Judgment creditor; FLORES CLEANING CORP., Possible Judgment creditor, 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, 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 14th day of April, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 202.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of April, 2008.


Brenda R. Freeze, CMC, City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE,
NORTH CAROLINA ON FEBRUARY 14, 2008**

A motion was made by Burgess and seconded by Mitchell for the adoption of the following Resolution, and upon being

put to a vote was duly adopted:

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 \$977,518.00 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