

CONCURRENT RESOLUTION OF THE
CHARLOTTE CITY COUNCIL AND
MECKLENBURG COUNTY BOARD OF COMMISSIONERS
ESTABLISHING A CHARTER STUDY COMMISSION

WHEREAS, Chapter 153A, Article 20 of the General Statutes authorizes the City of Charlotte and Mecklenburg County to establish a Charter Study Commission which may be charged with, among other things, preparing a report on and plan for consolidating the City and County into a single governmental unit; and

WHEREAS, in 1995 the Charlotte City Council and the Mecklenburg County Board of Commission established a Charter Study Commission which prepared a report on and plan for governmental consolidation and which recommended such governmental consolidation; and

WHEREAS, the recommended governmental consolidation did not proceed to a referendum because the recommendation was not approved by both governing bodies; and

WHEREAS, given the passage of time, continued changes to the City's and County's organizational structure, evolving priorities and citizen expectations regarding governmental services, and changes in the economy, a renewed consideration of governmental consolidation is warranted.

NOW THEREFORE, BE IT RESOLVED by the Charlotte City Council and the Mecklenburg County Board of Commissioners that a Charter Study Commission is hereby established. The Study Commission shall have such powers and duties set forth in this Resolution and those set forth in G.S. 153A-404.

BE IT FURTHER RESOLVED that:

- (1) The Study Commission shall consist of twenty five members, thirteen appointed by the County and twelve by the City, all of whom shall serve without compensation. In making its appointments, the County and City shall ensure that the other incorporated municipalities located in Mecklenburg County are fairly represented. The Mayor of Charlotte and Chair of the Mecklenburg County Board of Commissioners shall jointly select a Chair and Vice-Chair from the members appointed. Upon his or her selection, the Chair of the Commission shall call an organizational meeting.
- (2) The work of the Study Commission shall be funded by private contributions of \$150,000. In the event that commitments for such an amount has not been secured by February 1, 2012, the Study Commission shall be disbanded and this resolution terminated. The Study Commission may receive additional amounts of private funds as required to complete its work.

- (3) Taking into consideration and building upon the work and report of the 1995 Commission, the Study Commission is hereby charged and authorized as follows:
 - a. To study the powers, duties, functions, responsibilities, and organizational structures of the City of Charlotte and Mecklenburg County;
 - b. To prepare a report on its studies and findings;
 - c. To make a recommendation for or against governmental consolidation;
 - d. If the Study Commission recommends in favor of governmental consolidation, prepare a plan for consolidating the City of Charlotte and Mecklenburg County into a single government;
 - e. If the Study Commission recommends in favor of governmental consolidation, prepare drafts of any agreements, a charter, and any additional legislation necessary to effect the plan of governmental consolidation; and
 - f. If the Study Commission recommends in favor of governmental consolidation, make a recommendation regarding (i) whether to hold a referendum prior to referral to the North Carolina General Assembly and, if so, when; and (ii) when to refer any recommendation for consolidation to the General Assembly.
- (4) The Study Commission shall complete its work and deliver its recommendation, report on its studies and findings, and any plan, draft agreements, charter, additional legislation, and any additional materials to the City Council and Board of Commissioners within six months of the Study Commission's organizational meeting.
- (5) Upon delivery of a recommendation and report against governmental consolidation, the Study Commission shall be abolished and the City and County Managers are directed to complete a study of functional consolidation within nine months of delivery of the recommendation of at least one of the following: permitting, MEDIC and fire services, government television, and human resource departments. .
- (6) In the event that the Study Commission recommends in favor of governmental consolidation, the Study Commission shall remain in existence in order to perform such additional work as may be requested by the City Council and Board of Commissioners until dissolved by either the City Council or the Board of Commissioners.
- (7) In the event that the funds provided pursuant to (2) are privately held, the City and County Managers, in consultation with the Chair and Vice Chair of the Study Commission, are hereby authorized to provide input regarding the selection of a consultant and other providers of goods and services that will assist the Study Commission in completing its work.
- (8) In the event that the funds provided pursuant to (2) are granted to the City, the City Manager, in consultation with the Chair and Vice Chair of the Study Commission and the County Manager, is hereby authorized to contract with a consultant and other providers of goods and services that will assist the Study Commission in completing its work.
- (9) In the event that the funds provided pursuant to (2) are granted to the County, the County Manager, in consultation with the Chair and Vice Chair of the Study Commission

and the City Manager, is hereby authorized to contract with a consultant and other providers of goods and services that will assist the Study Commission in completing its work.

(10) This resolution shall not be effective unless adopted by the Mecklenburg County Board of Commissioners by December 31, 2012.

ADOPTED by the Charlotte City Council on the 12 day of December, 2011.

ADOPTED by the Mecklenburg County Board of Commissioners on the ____ day of _____, 201_.

APPROVED AS TO FORM:

Robert E. Hay

City Attorney

Ashleigh M. Price

City Clerk

County Attorney

Clerk to the Board of Commissioners

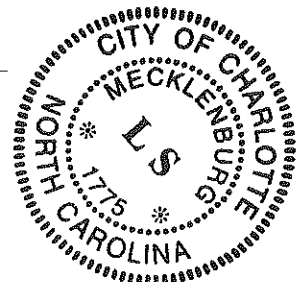
CERTIFICATION

I, Ashleigh Martin, 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 12th day December, 2011, the reference having been made in Minute Book 132, and recorded in full in Resolution Book 43, Pages (463-465).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of December, 2011.

Ashleigh M. Price

Ashleigh M. Price, Deputy City Clerk



**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF
CHARLOTTE, NORTH CAROLINA ON DECEMBER 12, 2011**

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

WHEREAS, a Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) will allow the City to be reimbursed for the preparation of the I-277/I-77 Loop Study which focuses on the evaluation of long-term, cost-effective operational improvements and recommendations for future projects for the I-277 Loop around Center City; and,

WHEREAS, the Municipal Agreement provides for reimbursement of \$150,000 which is a portion of the total cost of the project; and,

WHEREAS, the format and cost sharing philosophy is consistent with past Municipal Agreements; and,

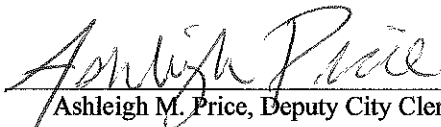
WHEREAS, NCDOT and MUMPO will fund this study, and no matching funds are required.

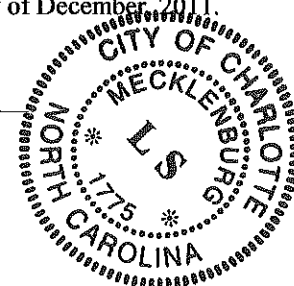
NOW, THEREFORE, BE IT RESOLVED that this resolution from the City of Charlotte authorizing the Key Business Executive of the Charlotte Department of Transportation to execute a municipal agreement with the NCDOT for NCDOT to reimburse the City \$150,000 for preparation of the I-277/I-77 Loop Study is 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, Ashleigh Martin, 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 12th day December, 2011, the reference having been made in Minute Book 132, and recorded in full in Resolution Book 43, Page 466.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of December, 2011.


Ashleigh M. Price, 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:

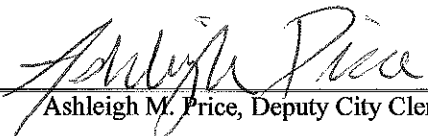
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

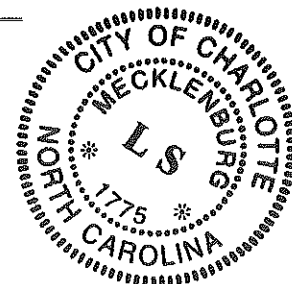
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of December 2011 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein ~~set up and that the schedule and this resolution be spread upon the minutes of this meeting~~

CERTIFICATION

I, Ashleigh Martin, 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 12th day December, 2011, the reference having been made in Minute Book 132, and recorded in full in Resolution Book 43, Pages (467-468).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of December, 2011.


Ashleigh M. Price, Deputy City Clerk



**TAXPAYERS AND REFUNDS REQUESTED
(CLERICAL ERROR)**

CAFE MONTE	\$ 3,659.87
CAHILL, WILLIAM PHILLIP	176.54
CHAMBERS TRANSPORTATION SERVICES INC	17.34
COUNTRYWOODS MH PARK	255.21
CREATIVE WEALTH MANAGEMENT, INC.	65.75
CTIC-SERVICE LINK DIVISION:PNC CD LDTA	210.20
ESCROW	
FSP PARK SENICA LIMITED	5,991.70
GREEN STREET IV LLC	600.87
HEARTWOOD TREE SVC	1,888.69
OM SHIVA CORP	3,848.59
PETERS, CHRISTOPHER K	32.78
QUALITY EQUIPMENT & SUPPLY CO INC	219.99
ROSKAM, KATHRINE	8.30
SHARPE, MINNIE A	174.80
TEAM CHARLOTTE MOTORSPORTS	632.54
THORNBURG, WILLIAM L	317.26
TICE MCNINCH CAPITAL MANAGEMENT INC	7.28
WHITLEY, ROBERT L JR	117.55
	<u>\$ 18,225.26</u>

**A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN BUSINESS PRIVILEGE LICENSES**

Reference is made to the schedule of "Business Privilege License 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:

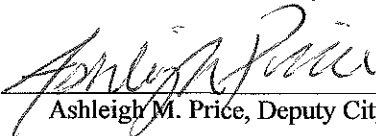
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

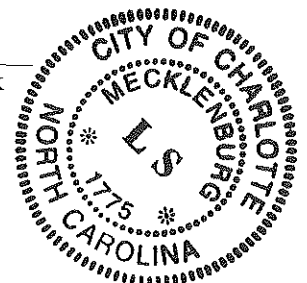
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of December 2011 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Ashleigh Martin, 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 12th day December, 2011, the reference having been made in Minute Book 132, and recorded in full in Resolution Book 43, Pages (469-470).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of December, 2011.


Ashleigh M. Price, Deputy City Clerk



Business Privilege License Refunds Requested

Name	Amount
Charlotte Accountants LLC	\$50.00
Darron Cooper dba On the Rise Trucking	50.00
Hoffman & Hoffman Inc	1,375.94
Intercontinental Hotels Group / Sales Tax Dept	188.46
Jerry R Hurtt III	50.00
Kelly McArdle Construction	3,483.35
Lock Journey LLC	96.00
Orion Commercial Services Inc	15.44
URET-US / Transport	50.00

\$5,359.19

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 **BROOKSHIRE-HOVIS-OAKDALE INTERSECTION IMPROVEMENT 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 **BROOKSHIRE-HOVIS-OAKDALE INTERSECTION IMPROVEMENT PROJECT** and estimated to be **681 square feet (.016 acre) of fee-simple area; 512 square feet (.012 acre) of storm drainage easement; 81 square feet (.002 acre) of utility easement, and 5,433 square feet (.125 acre) of 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.: 035-012-25, said property currently owned by **WACHOVIA BANK AND TRUST COMPANY (n/k/a "Wells Fargo Bank, National Association")**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

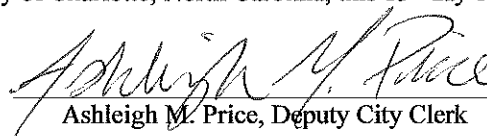
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Ashleigh Martin, 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 12th day December, 2011, the reference having been made in Minute Book 132, and recorded in full in Resolution Book 43, Page 471.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of December, 2011.


Ashleigh M. Price, 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 **CITY BOULEVARD EXTENSION-PH. I 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 **CITY BOULEVARD EXTENSION-PH. I PROJECT** and estimated to be **18,382 square feet (.422 acre) of fee-simple area** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 047-281-61, said property currently owned by **BLUE MOON CITY TRUST; SCME MORTGAGE BANKERS, INC.; Lender; MORTGAGE ELECTRONIC REGISTRATION SERVICES ("MERS"), Beneficiary**, 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, Ashleigh Martin, 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 12th day December, 2011, the reference having been made in Minute Book 132, and recorded in full in Resolution Book 43, Page 472.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of December, 2011.


Ashleigh M. Price, Deputy City Clerk

