

A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN 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 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 April, 1993 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set ut and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, in a regular session convened on the 10th day of May, 199 3, the reference having been made in Minute Book 102 and recorded in full in Resolution Book 31, page(s) 47-49.

Brenda Freeze
City Clerk

TAXPAYERS AND REFUNDS REQUESTED
LESS THAN \$100

<u>Name</u>	<u>Amount of Refund</u>
James Lewis Ritchie	\$ 30.14
Robinn Kellyann Cooper	32.61
Tonya Michelle Nicks	3.82
Christopher Dean Pittman	43.18
Kamel Lynn Thompson	25.00
Kamel Adel Fouad	50.00
Marine Midland Automotive	75.10
Industrial Leasing Corp.	58.04
U S Factory Outlets	76.20
Schaefer, Yvonne Fisher	13.90
Geiger, Daniel Thomas	69.39
Hale, William Michael	6.54
King, David Derwen	65.15
King, David Derwen	65.15
King, David Derwin	65.15
King, David Derwen	65.15
King, David Derwen	65.15
King, David Derwen	65.15
Muirhead, Mark A.	96.28
Nardelli, David Eugene	83.68
Curtis, Mark Paul	61.55
Stuart, George J., Jr. & Wf.	25.00
Stuart, George J., Jr., & Wf.	25.00
Dataserv Financial	13.15
Dataserv Financial	24.89
Dataserv Equipment Inc.	39.42
World Omni Leasing Inc	62.41
Shue, Don A., Jr. & Wf. Janet G.	25.00
Shue, Don A., Jr. & Wf. Janet G.	25.00
Howard Brothers	45.91
Shue, Don A., Jr. & Wf. Janet G.	20.00
Shue, Don A., Jr. & Wf. Janet G.	20.00
Shue, Don A., Jr. & Wf. Janet G.	20.00
Bass, Billy Mack	33.40
Arnies Comic Cafe	54.40
Arnies Comic Cafe & Comic Food	72.53
Baldwin, Garza III	87.29
Kauffman, Robert & Kim	41.58
Total	<u>\$ 1,751.31</u>

**TAXPAYERS AND REFUNDS REQUESTED
MORE THAN \$100**

<u>Name</u>	<u>Amount of Refund</u>
Trotter, William Dev. Co.	\$ 695.42
Trotter, William Dev. Co.	401.34
Trotter, William Dev. Co.	263.89
Trotter, William H.	264.50
Newton, Miller H.	682.28
Equity Source 85	2,055.63
City County Tax Collector	1,053.86
Pinehurst Ltd. Ptnrshp.	17,220.67
PC Shop & Process	393.64
Process Applications Inc.	456.38
Process Applications Inc.	407.49
Process Applications Inc.	448.51
Crescent Resources Inc.	2,037.64
Crescent Resources Inc.	1,615.29
Craig & Debra Brown	421.50
Layne, John W.	1,274.02
Jamestown Management Co.	1,098.24
Jamestown Management Co.	370.87
Jamestown Management Co.	3,815.08
Providence Square	5,567.21
Providence Square	2,006.73
Providence Square	8,330.47
Billy Graham Parkway	371.86
BGP Partners II Ltd.	125.37
Debrun, Brian	<u>120.09</u>
Total	<u>\$51,497.98</u>

Recd. 5/13/93

CHARLOTTE CITY COUNCIL

RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY BY PUBLIC AUCTION

WHEREAS, G.S. 160A-270(b) allows the City to sell personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the property at public auction; and

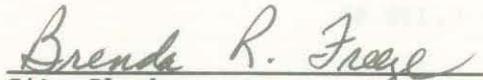
WHEREAS, the City Manager has recommended that the property listed on the attached Exhibits A, B & C should be sold at public auction as surplus property, now, therefore,

BE IT RESOLVED by the Charlotte City Council that the City-County Purchasing Director is authorized to sell at public auction on the 19th day of June, 1993 at 10:00 a.m. at the Old Holman-Moody Hangar Site), on Warren Road, Charlotte, N. C. the surplus property described on Exhibits A, B & C as per the terms and conditions and in accordance with the "Auction Services" contract approved by this Council. The terms of the sale of the surplus property shall be net cash. The City-County Purchasing is directed to publish at least once and not less than ten (10) days before the date of the auction a copy of this resolution or a notice summarizing its content as required by G.S. 160A-270.

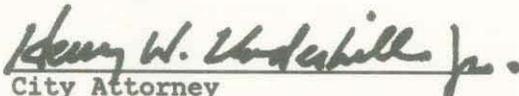
Adopted on the 10th day of May, 1993.


Mayor/City Manager

ATTEST:


City Clerk

APPROVED AS FORM:


City Attorney

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 10th day of May, 1993 the reference having been made in Minute Book 102, and recorded in full in Resolution Book 31, at Page(s) 50-58.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 12th day of May, 1993

Nancy S. Gilbert, Deputy City Clerk

AUCTION LISTS

LEGEND: 1 = CITY 2 = COUNTY 3 = SCHOOLS

LOCATION: S = SEIGLE L = LOUISE SW = SWEDEN T = TUCKASEEGEE A = AIRPORT CO = COUNTY

SELLER	YEAR	ID	DESCRIPTION	VIN #	MILEAGE	LOCATION
1	1989	PDA-035	FORD CV 8 CYL POLICE PKG.	2FABP72GXKX181402		S
1	1989	PDA-037	FORD CV 8 CYL POLICE PKG.	2FABP72G5KX181405	89,198	S
1	1989	PDA-039	FORD CV 8 CYL POLICE PKG.	2FABP72G9KX181407	117,878	S
1	1989	PDA-706	FORD CV 8 CYL POLICE PKG.	2FABP72G3KX214014	102,796	S
1	1989	PDA-708	FORD CV 8 CYL POLICE PKG.	2FABP72G7KX214016	93,288	S
1	1989	PDA-710	FORD CV 8 CYL POLICE PKG.	2FABP72G0KX214018		S
1	1989	PDA-712	FORD CV 8 CYL POLICE PKG.	2FABP72G9KX214020	96,147	S
1	1989	PDA-714	FORD CV 8 CYL POLICE PKG.	2FABP72G2KX214022	108,312	S
1	1989	PDA-716	FORD CV 8 CYL POLICE PKG.	2FABP72G6KX214024	93,089	S
1	1989	PDA-720	FORD CV 8 CYL POLICE PKG.	2FABP72G1KX214030	114,605	S
1	1989	PDA-722	FORD CV 8 CYL POLICE PKG.	2FABP72G9KX214034		S
1	1989	PDA-726	FORD CV 8 CYL POLICE PKG.	2FABP72G8KX214039	103,625	S
1	1989	PDA-730	FORD CV 8 CYL POLICE PKG.	2FABP72G1KX214044	116,683	S
1	1989	PDA-734	FORD CV 8 CYL POLICE PKG.	2FABP72G1KX214058		S
1	1989	PDA-735	FORD CV 8 CYL POLICE PKG.	2FABP72G2KX214067	108,200	S
1	1989	PDA-741	FORD CV 8 CYL POLICE PKG.	2FABP72G1KX214027	90,681	S
1	1989	PDA-760	FORD CV 8 CYL POLICE PKG.	2FABP72G3KX214076	100,709	S
1	1989	PDA-763	FORD CV 8 CYL POLICE PKG.	2FABP72G2KX214084	105,166	S
1	1989	PDA-769	FORD CV 8 CYL POLICE PKG.	2FABP72G3KX214093	116,462	S
1	1989	PDA-770	FORD CV 8 CYL POLICE PKG.	2FABP72G7KX214095	97,496	S
1	1989	PDA-776	FORD CV 8 CYL POLICE PKG.	2FABP72G8KX214090	108,343	S
1	1989	PDA-788	FORD CV 8 CYL POLICE PKG.	2FABP72G5KX214094	108,000	S
1	1989	PDA-790	FORD CV 8 CYL POLICE PKG.	2FABP72G4KX214099	98,917	S
1	1989	PDA-794	FORD CV 8 CYL POLICE PKG.	2FABP72G8KX214106	110,301	S
1	1989	PDA-800	FORD CV 8 CYL POLICE PKG.	2FABP72G9KX214065	109,194	S
1	1989	PDA-801	FORD CV 8 CYL POLICE PKG.	2FABP72G6KX214105	118,422	S
1	1988	PDA-052	FORD CV 8 CYL POLICE PKG.	2FABP72G2JX215878	109,451	S
1	1988	PDA-074	FORD CV 8 CYL POLICE PKG.	2FABP72G0JX215880	113,198	S
1	1988	PDA-075	FORD CV 8 CYL POLICE PKG.	2FABP72G9JX215912	102,463	S

1	1988 PDA-114	FORD CV 8 CYL POLICE PKG.	2FABP72G3JX215937	99,784	S
1	1988 PDA-115	FORD CV 8 CYL POLICE PKG.	2FABP72G5JX215938		S
1	1988 PDA-138	FORD CV 8 CYL POLICE PKG. TOW TRANSMISSION BAD	2FABP72G3JX215940	100,633	S
1	1988 PDA-140	FORD CV 8 CYL POLICE PKG.	2FABP72G7JX139672	101,230	S
1	1988 PDA-148	FORD CV 8 CYL POLICE PKG.	2FABP72G0JX215913	102,418	S
1	1988 PDA-153	FORD CV 8 CYL POLICE PKG.	2FABP72G8JX139695	99,942	S
1	1988 PDA-193	FORD CV 8 CYL POLICE PKG.	2FABP72G2JX139661	109,560	S
1	1988 PDA-236	FORD CV 8 CYL POLICE PKG.	2FABP72G9JX215926	105,998	S
1	1988 PDA-702	FORD CV 8 CYL POLICE PKG.	2FABP72GXKX214009	101,885	S
1	1988 PDA-728	FORD CV 8 CYL POLICE PKG.	2FABP72G6KX214041	107,111	S
1	1988 PDA-771	FORD CV 8 CYL POLICE PKG.	2FABP72G9KX214096	97,754	S
1	WRE CKS TOW				
1	1988 PDA-070	FORD CV 8 CYL POLICE PKG.	2FABP72G5JX215910	67,698	S
1	1989 PDA-705	FORD CV 8 CYL POLICE PKG.	2FABP72G1KX214013	56,158	S
1	1988 PDA-756	FORD CV 8 CYL POLICE PKG.	2FABP72G4KX214071	27,794	S
CARS					
1	1987 USA-017	FORD 8 CYL 4X4 BRONCO	1FMOU15N1HLA66353		S
1	1987 UCA-004	CHEV 4 CYL CAVALIER	1G1JC5113HJ186146	104,732	S
1	1986 USA-002	FORD 4 CYL TEMPO	2FABP22X0GB263128		S
1	1986 USA-001	FORD 4 CYL TEMPO	2FABP22X30B233914		S
1	1986 UDA-006	FORD 4 CYL TEMPO	2FABP22XXGB263122		S
1	1986 UCA-010	FORD 4 CYL TEMPO	2FABP22X1GB233913	107,993	S
1	1986 TEA-003	FORD 4 CYL TEMPO	2FABP22X1GB237654		S
1	1986 FDA-019	FORD 4 CYL TEMPO	2FABP22X9GK195661		S
1	1986 USA-015	CHEV 4X4	1G8CT18E1G8181402	111,287	S
1	1986 UCA-011	FORD 4 CYL TEMPO	2FABP22XOGB237659	95,574	S
1	1985 UCA-002	CHEV 4 CYL CAVALIER	1G1JC69P0FK143714	81,210	S
1	1985 TEA-017	CHEV 4 CYL CAVALIER	1G1JC69P1FJ215915	64,319	S
1	1985 FDA-042	CHEV 4 CYL CAVALIER	1G1JC69P9FJ186678	92,471	S
1	1985 FDA-014	CHEV 4 CYL CAVALIER	1G1JC69P8FJ186672		S
1	1984 TPA-016	CHEV 4 CYL CAVALIER	1G1JC69P3E7171265	58,274	S
1	1984 EDA-123	FORD 4 CYL 4X4 BRONCO II	1FMCU14S6EUA18520		S
1	1984 SSA-008	FORD 4 CYL ESCORT SW	1FABP094BET164571	50,695	S

1	1983 UAA-008	CHEV MALIBU 6 CYL SW	1G1AW3597DR185766		S
1	1983 EDA-124	FORD 4 CYL ESCORT SW	1FABP0928DW244920		S
1	1983 TEA-004	FORD 6 CYL FAIRMONT	1FABP36X7DK169829		S
1	VANS/BUS				
1	1985 FDB-070	FORD 8 CYL PASSENGER VAN	1FBHE21H2FHB89754	86,578	S
1	1983 ESB-004	FORD 8 CYL CARGO VAN	1FTEE14Y6DHB11320		S
1	1983 PDB-401	FORD 8 CYL PASSENGER VAN	1FBHS31GXDHA84642		S
1	1980 ESB-003	FORD 8 CYL CARGO VAN NO TITLE BOND RECEIVED	E14GBHG0214		S
1	1976 CDB-002	FORD 8 CYL PASSENGER VAN	E23HHD02700		S
1	1971 CDB-022	INTERNATIONAL 38 PASS BUS	416360H098293	228	L
1	COMPRESSORS				
1	1985 USC-802	JOY WHEEL AIR COMPRESSOR 185 C.F.M.	202397	N/A	SW
1	DUMP TRUCKS				
1	1973 EPD-300	FORD 8 CYL DUMP TRUCK 20K	F60DVR62243	2,904	L
1	BACKHOES				
1	1977 PRH-600	JOHN DEERE SMALL BACK HOE	35356268909	N/A	SW
1	1980 UDH-603	CASE 4 CYL SMALL BACK HOE	8992527	N/A	SW
1	1980 USH-605	CASE 4 CYL SMALL BACK HOE	9132122	N/A	SW
1	1989 USH-610	JCB 4 CYL HEAVY BACK HOE	K17BT20593455947	N/A	SW
1	TRUCKS WITH SPECIAL JOB PLANNED BODIES				
1	1988 TOJ-475	MARK RITE 8 CYL LINE STRIPER TRUCK	722572	N/A	L
1	1988 TOJ-474	MARK RITE 8 CYL LINE STRIPER TRUCK	7225711	N/A	L
1	1986 SMJ-267	FORD TRUCK CATCH BASIN SEWER CLEANER	1FDYD80U0GVA42461	7,937	L
1	1982 ACJ-017	CHEV TRUCK CAB & CHASIS NO BODY	1GCBS14A3C2142086		S
1	1982 ACJ-024	CHEV TRUCK CAB & CHASIS NO BODY	1GCBS14A2C2126252		S

1	1975 USJ-861	INTL 8 CYL TRUCK 10 GWW WITH FLAT BED DUMP BODY	DO512EHA49582	50,837	L
1	1984 SMJ-254	LIQUID ASPHALT DISTRIBUTOR F-700 TRUCK	1FDWF70H3EVA49500	29,030	L
1	1984 TEJ-400	CHEV 8 CYL TRUCK	2GBGC24M8E1203569		S
1	1984 USJ-800	FORD TRUCK CATCH BASIN SEWER CLEANER	1FDXF7OK6EVA49491	104,245	L
1	1978 SMJ-364	INTL 6 CYL DO ALL TRUCK MULTI PURPOSE SPREADER	DO522HHB30069		L
1	1977 MTJ-296	FORD TRUCK FLAT BED SERVICE BODY	F37SLY55110	57,319	L
1	FRONT END LOADERS				
1	1981 UWL-655	CASE 4 CYL FRONT LOADER	1216804	N/A	SW
1	1981 UWL-652	CASE 4 CYL FRONT LOADER	1189866	N/A	SW
1	REFUSE PACKERS				
1	1983 SNP-404	FORD 8 CYL 25 YD PACKER	1FDYH80U1DVA07184	108,852	SW
1	1983 SNP-402	FORD 8 CYL 25 YD PACKER	1FDYH80U8DVA07182	99,503	SW
1	1983 SNP-401	FORD 8 CYL 25 YD PACKER	1FDYH80U6DVA07181	113,099	SW
1	1983 SNP-391	FORD 8 CYL 25 YD PACKER	1FDYH80U3DVA07171	110,389	SW
1	1983 SNP-388	FORD 8 CYL 25 YD PACKER	1FDYH80U3DVA07168	90,820	L
1	1983 SNP-386	FORD 8 CYL 25 YD PACKER	1FDYH80U4DVA02996	92,902	L
1	1983 SNP-384	FORD 8 CYL 25 YD PACKER	1FDYH80U7DVA02992	96,489	L
1	1983 SNP-369	FORD 8 CYL 25 YD PACKER	1FDYH80U4DVA02979	81,757	L
1	1980 SSP-334	FORD 8 CYL 20 YD PACKER	D80UVGG8303	5,438	L
1	ROLLERS				
1	1987 SMR-725	BOMAG 4-6 TON ROLLER	101550100168	N/A	L
1	PICKUP TRUCKS				
1	1987 UCU-116	FORD 6 CYL RANGER 6500 GWW	1FTCR10T9HUD12048	117,233	S
1	1987 UCU-119	FORD 6 CYL RANGER 6500 GWW	1FTCR105T9HUD2051	101,574	S
1	1987 UCU-120	FORD 6 CYL RANGER 6500 GWW	1FTCR1050HUD12052	108,656	S
1	1986 UCU-105	CHEV 6 CYL S-10 6500 GWW	1GCCS14R2G2203024	101,128	S
1	1986 UCU-112	CHEV 6 CYL S-10 6500 GWW	1GCCS14RXG2203627		S
1	1986 UEU-028	CHEV 4 CYL	1GCCS14R6G8181409		S

1	1985 SSU-015	CHEV 8 CYL 6500 GWW CREW CAB	1GCGC23M1FS173720		S
1	1982 TOU-029	FORD 8 CYL 6500 GWW	1FTHF25G4CNA33741		S
1	1982 MTU-017	CHEV 6 CYL 6500 GWW	1GCCS14B9C2142042	63,086	S
1	1981 CSU-011	CHEV 8 CYL 6500 GWW	1GCEC14B388142755		S
1	1979 MTU-012	FORD 8 CYL 6500 GWW	F15GNEK4894	86,502	S
1	1978 SNU-026	FORD 8 CYL 6500 GWW	TCL448B505100	98,006	S
1	MISCELLANEOUS EQUIPMENT				
1	1982 PRN-752	TURF 3 CYL LAWNMOWER	10014		T
1	UNK NONE	VEMEER STUMP GRINDER	779		L
1	UNK NONE	SUN VAT 40	90U885C-5777		S
1	UNK NONE	SUN ANALYZER	17895		S
1	UNK NONE	AMMCO DISK BRAKE LATHE FLOOR MTG. ELECTRIC			S



Charlotte Transit System

inner-office communication

DATE: April 26, 1993
TO: Karen King
FROM: Joe Miller *Joe*
SUBJECT: Surplus Equipment and Bus Storage

Charlotte Transit has several items for the June equipment auction. One is a large truck tire regroover, 2 part cleaning machines, 1 cylinder block and 2 transmissions out of silverside buses; 55 gallon drum racks, an engine cradle and an old electrical tester.

I will keep them at our facility until I hear from you. FN 4's have been completed on these items.

As for the buses we have stored in the Holman Moody Hangar we will work with you in whatever way we can. We've stored those 14 buses there for the past year as we do not have room at our Davidson St. complex. Right now we have no plans to move them. If you know of another secured storage site we can use permanently let me know and I'll arrange to move the.

We don't expect to surplus them within the next year. If you would like them moved to a corner or out of the way area of that facility during the auctions I'd be happy to do that for you. Just let me know.

JEM/ed

cc: Dave Hines
Johnny Gullett

May 10, 1993
 Resolution Book 31, page 58

CITY OF CHARLOTTE
INTER-OFFICE COMMUNICATION

April 28, 1993

DATE:

C. D. Smith

Clayton Smith

FROM:

Landscape Management

TO: Karen King
 Purchasing

SUBJECT: Equipment for Auction

ITEM	DESCRIPTION/LOCATION	ITEM #
(2) FLAIL ATTACHMENT TO MOWER	RIDING MOWER GRASS CUTTING ATTACHMENT - ALONG BACK FENCE OF EMPLOYEE PARKING LOT	NO #'S
(6) 36" BOB CAT WALK BEHIND MOWER	WALK BEHIND (PUSH) MOWERS AT SMALL ENGINE SHOP	BC-103, BC-108 PRN-612, BC-400 BC-101, BC-102
(NOTE: ALL THE REMAINING EQUIPMENT IS LOCATED AT SMALL ENGINE SHOP WHICH IS LOCATED BEHIND THE LANDSCAPE MANAGEMENT ADMINISTRATION OFFICES - TUCKASEEGEE ROAD)		
(5) MISC. EDGERS	GRASS EDGERS - 1) TORO, PRP-134 (SER # 8000966; 2) HOGG, E-25; 3) MCLEAN, E-330; 4) HOGG, E-30; 5) TORO, E-31	
(13) JACOBSEN PUSH MOWERS	20" LAWN MOWERS - PRP-087; D-100; D-94; D-31; D-62; D-103; D-73; D-81; D-109; D-122; D-55; D-87; D-??	
(1) RYAN PUSH MOWERS	20" LAWN MOWER	D-35
(1) MISC MOWER	24" - NO ID NAME	NO #
(2) TEN TON FLOOR JACKS	FLOOR JACKS	NO #
(1) TORO MOWER	20" PUSH MOWER	SER. # 7002011
(6) WHEEL BLOWER	I-223; I-81; I-175; I-174; I-20	
(6) BACK PACK BLOWERS	RED MACK, PRP-017; KAAS, PRP-165; RED MACK, PRP-015; TORO, PRP-80; KAAS, BP-59; TORO, BP-79	

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

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

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements within this Municipality under Project U-0209, Mecklenburg County, said plans consisting of the improvement of US 74 (Independence Boulevard) to include High Occupancy Vehicle Lanes between Brookshire Freeway and Sharon Amity Road; and,

WHEREAS, the Department and the Municipality now wish to amend the Agreement to add the provision stipulating that the Department, subject to reimbursement by the Municipality, shall relocate the utilities, acquire the right of way and construct the project; and,

WHEREAS, upon completion of the project, the Municipality shall reimburse the Department eighty seven and one-half percent (87.5%) of the actual project cost of the project. Said reimbursement shall be made within thirty (30) days of billing by the Department.

NOW, THEREFORE, BE IT RESOLVED that Project U-0209; Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

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 10th day of May, 1993, and the reference having been made in Minute Book 102, and recorded in full in Resolution Book 31, Pages 59-60.

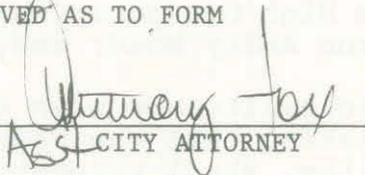
WITNESS, my hand and the corporate seal of the City of
Charlotte, North Carolina, this the 12th day of May,
1993.

(SEAL)

Nancy S. Gilbert, Deputy City Clerk

APPROVED AS TO FORM

BY:



CITY ATTORNEY

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY FOR WIDENING OF SOUTH BOULEVARD/ARCHDALE ROAD INTERSECTION.

BE IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an encroachment agreement with the Norfolk Southern Corporation for widening of South Boulevard/Archdale Road Intersection for the grade crossing and warning devices.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

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 a regular session convened on the 10th day of May 19 93, the reference having been made in Minute Book 102, page _____, and recorded in full in Resolution Book 31, page 61. Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of May, 19 93.

Nancy S. Gilbert, Deputy City Clerk

A RESOLUTION RESTRUCTURING THE CHARLOTTE-MECKLENBURG PUBLIC ART
COMMISSION AND AUTHORIZING THE ALLOCATION OF FUNDS
FOR PUBLIC ART PROGRAMS

WHEREAS, the Charlotte City Council and the Mecklenburg County Board of Commissioners recognize that cultural heritage and artistic development are vital to the health of Charlotte/Mecklenburg; and

WHEREAS, the character, identity and educational environment of Charlotte and Mecklenburg County have been enhanced by public interest and support of the arts; and

WHEREAS, Public Art Programs contribute to economic development and tourism while humanizing the impact of rapid urbanization; and

WHEREAS, Public Art Programs within and around public buildings add warmth, dignity, beauty, and accessibility to public spaces; and

NOW, THEREFORE, BE IT JOINTLY RESOLVED by the City Council of Charlotte and the Mecklenburg County Board of Commissioners to provide a system of support for Public Art Programs as follows:

Section 1. Purpose.

Charlotte and Mecklenburg County accept a responsibility for expanding the experience and direct participation of citizens in the visual arts. A policy, therefore, is established to direct the inclusion of Public Art Programs in City and County public construction projects as hereinafter defined.

Section 2. Definitions.

a. "Art Commission" shall mean the Charlotte-Mecklenburg Public Art Commission.

b. "Construction project" means any capital project paid for wholly or in part by the City of Charlotte or Mecklenburg County to construct or remodel any building or public space, such as offices, park buildings, parking facilities, court facilities, recreation centers, or any portion thereof within Mecklenburg County, which are normally visited by the public, with the exception of restoration of historic properties. Construction projects also shall not include street, highway or transportation projects.

c. "Capital Improvement Program" means the City and County's program for advance planning of capital development.

d. "Works of art" includes, but is not limited to, original paintings, sculptures, fountain sculptures, frescoes, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, silk screens, etchings, lithographs, and other physical elements of design. The term "works of art" shall not include any reproduction of original art by mechanical means.

e. "Artist" refers to a practitioner in the visual and design arts, generally recognized by critics and his peers as a professional who produces works of art.

f. "Construction Cost" means actual construction cost, excluding engineering, administrative, architectural and legal services; permit fees; as well as indirect and interest costs. It shall also exclude Federal or State funds, if such funds are not permitted to be used for works of art.

Section 3. Funds for Works of Art.

a. All City and County department heads shall include in all estimates of necessary expenditures and all requests for authorization or appropriations for construction projects 1% of the construction cost for works of art. This amount will be based on the construction cost of any such project, as estimated in the Capital Improvement Program for the year in which such estimates or request is made.

b. Funds authorized and/or appropriated pursuant to this section for City or County construction projects but not spent on that project in total or in part may be expended for Public Art Programs in other City or County projects or existing public facilities and spaces which are owned by the City or County, if legally permissible.

c. Such funds shall be provided as above for all construction projects authorized by the County and the City after the date this Resolution has been approved by the City Council and the Board of County Commissioners.

Section 4. Art Commission Composition and Responsibilities.

Composition. The Art Commission shall have twelve (12) members appointed for three-year terms in the following manner:

Six members shall be appointed by the Charlotte City Council from persons nominated by either the Art Commission or the Arts and Science Council. Six members shall be appointed by the Board of County Commissioners from persons nominated by either the Art Commission or the Arts and Science Council.

The members shall be appointed by the City and County from various segments of the population as designated below:

	County	City
3 from field of Education	2	1
3 from Artistry/Architecture	1	2
3 from Business	1	2
3 at Large (no restriction)	2	1

The Chairman of the Art Commission shall be elected by the Art Commission.

Terms shall be staggered with terms of four initial appointees for one (1) year (two by City and two by County); four for two (2) years (two by City and two by County); and four for three (3) years (two by City and two by County). Thereafter, all appointments shall be for three years, however, no member shall serve more than two consecutive three-year terms.

The Art Commission may select advisors for a particular project to adjust to the size and complexity of art projects. These advisors shall assist the commission but shall have no vote. A representative from the interested City or County department and the construction project architect shall also be non-voting advisors. The Art Commission shall encourage community participation.

Responsibilities.

a. The Art Commission shall make periodic reviews of all construction projects authorized by the City Council and Board of County Commissioners. The Art Commission shall determine which construction projects are appropriate for inclusion in the Public Art Program. An annual presentation of all construction projects selected for inclusion in the Public Art Program for the upcoming year shall be made to the City Council and Board of County Commissioners. The City Council and Board of County Commissioners have final approval of the annual work program and budget of the Art Commission, as well as the amount of funds (up to 1% of the construction costs) to be spent for works of art. All private money proposed for inclusion in any annual budget of the Art Commission must be either raised or pledged prior to any public money being transferred to the Art Commission for that annual budget.

b. Once a construction project is included in the Public Art Program, the Art Commission shall be responsible for the selection of artists, the commissioning of works of art and/or the purchase of works of art. The use of works of art by local and North Carolina artists should be emphasized. The Art Commission shall be responsible for condition monitoring of artworks; inventory/cataloging; educational programs; promotional activities; technical services to public and private entities; and management of the City/County approved Public Art budget.

c. The Art Commission shall examine annually the condition of works of art selected and make a report to managers of artwork sites. It is the responsibility of site managers to provide for the maintenance of works of art in their routine site maintenance program.

d. The Art Commission may encourage and help obtain additional grants and gifts from outside sources.

Section 5. Placement.

Works of art, selected and implemented pursuant to the provisions of this Resolution and any amendment thereto, may be placed in, on or about City or County construction projects. They may be attached or detached within or about such property and may be either temporary or permanent. City or County officials responsible for the design and construction of such projects shall make appropriate space available for the placement of works of art.

Section 6. Ownership.

All art objects acquired pursuant to this Resolution shall be acquired in the name of the City of Charlotte or Mecklenburg County, and title shall vest in the City of Charlotte or Mecklenburg County.

Section 7. Repeal of Previous Resolution.

The previous Resolution establishing the Charlotte-Mecklenburg Art Commission approved by the City Council on November 23, 1981, and by the County Commission on February 15, 1982 is hereby repealed.

Section 8. This Resolution shall be effective upon its approval by both the City Council and the Board of County Commissioners for the period ending June 30, 1994, and shall remain effective thereafter for additional fiscal-year periods unless notice of cancellation is given in writing by either party on or before the April 30 which is immediately prior to the next fiscal-year period.

PASSED AND APPROVED on the 10th day of May, 1993 by the City Council; and on the 15th day of February, 1993 by the Board of County Commissioners.

Approved as to form:

M A Bethune
County Attorney

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 10th day of May, 1993, the reference having been made in Minute Book 102, and recorded in full in Resolution Book 31, at Pages 62-66.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 12th day of May, 1993.

Nancy S. Gilbert
Nancy S. Gilbert, Deputy City Clerk

EXTRACT FROM MINUTES OF
MEETING OF THE CITY COUNCIL OF
THE CITY OF CHARLOTTE

The City Council (the "City Council") of the City of Charlotte, North Carolina (the "City"), met in regular session in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 p.m. on May 10, 1993. The following were:

PRESENT: Mayor Richard Vinroot, presiding, and Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler.

ABSENT: Councilmembers: None

ALSO PRESENT: City Manager, O. Wendell White; City Attorney, Henry Underhill and Deputy City Clerk, Nancy S. Gilbert.

* * * * *

Mayor Vinroot announced that this was the date and hour fixed for the public hearing for the purpose of considering whether the City Council should approve a proposed Installment Payment Contract between the City and First Union Securities, Inc. or another counterparty to be designated under such document (the "Contract") and certain related documents under which the City would obtain financing from funds raised from the sale of Certificates of Participation in the Contract pursuant to North Carolina General Statutes § 160A-20, as amended, to pay a portion of the costs of construction of a Law Enforcement Center with adjoining parking facilities (the "Complex"), which Complex was described in the notice of such public hearing which was published in The Charlotte Observer on April 30, 1993 (the "Notice"), and under which the City would secure the repayment by it of moneys advanced pursuant to such Contract by granting a security interest in and lien on the Complex and the property on which the Complex is to be located.

It was noted that there have been provided to the City Finance Department for review preliminary forms of the following documents (the "Financing Documents") with respect to such financing:

- (1) Installment Payment Contract (the "Contract") between the City and the counterparty designated therein (the "Counterparty"), pursuant to which the Counterparty causes funds to be advanced to the City and the City agrees to make installment payments (the "Installment Payments") to repay the amount so advanced, with interest;

(2) Trust Agreement (the "Trust Agreement") between the Counterparty and First Union National Bank of North Carolina or another trustee to be designated therein, as trustee (the "Trustee"), pursuant to which there are to be issued Certificates of Participation ("COPs") representing interests in the Installment Payments under the Contract;

(3) Deed of Trust and Security Agreement from the City to Deed of Trust Trustee covering the Complex (as described in the Contract) (the "Deed of Trust");

The City Council first ratified and approved the designation of the meeting as a public hearing on the proposed plan of financing, the call of the public hearing and publication of the Notice.

It was then announced that the City Council would immediately hear anyone who might wish to be heard on such matter.

No one appeared, either in person or by attorney, to be heard on such matter and the Clerk to the City Council announced that no written statement relating to such matter had been received other than the following:

It was then announced that the public hearing was closed.

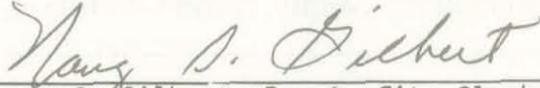
* * * * *

I, Nancy S. Gilbert, Deputy City Clerk, of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of said City Council at a regular meeting held on May 10, 1993 as relates in any way to the conduct of a public hearing in connection with an installment contract financing by said City, that such public hearing was duly called, that all required notices of such meeting were given and that references regarding said proceedings are recorded in Minute Book 102 of the minutes of said City Council, on pages _____ and a full copy of the foregoing resolution is recorded in Resolution Book 31 on page(s) 67-69.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina in the Conference Center on the first Monday of each month at 5:00 P.M. (workshop); and in the Meeting Chamber on the second Monday of each month at 7:00 P.M., on the

third Monday of each month at 6:00 P.M. (zoning), and the fourth Monday of each month at 7:00 P.M., has been on file in the office of the City Clerk pursuant to North Carolina General Statutes, Sec. 143-318.12, as of a date not less than seven days before said meeting.

WITNESS my hand and the corporate seal of said City, this
12th day of May, 1993.



Nancy S. Gilbert, Deputy City Clerk

(SEAL)