A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE DESIGNATING THE MECKLENBURG COUNTY TAX SUPERVISOR AS THE PERSON AUTHORIZED TO RECEIVE REQUESTS FOR EXEMPTIONS FROM CITY AD VALOREM TAXES.

WHEREAS, the 1973 General Assembly amended G.S. 105-282 to require municipalities to appoint someone to receive applications for property tax exemptions from City taxes and to make decisions as to whether or not the property should be exempted under the General Statutes; and

WHEREAS, as a matter of convenience, both to the taxpayer and to the City, it is the desire of the City Council to appoint and designate this responsibility to the Mecklenburg Tax Supervisor.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session, duly assembled, that the Mecklenburg County Tax Supervisor is hereby appointed to receive applications from owners desiring exemptions from City property taxes, and to render the initial decision as to whether the property should be exempted in accordance with the General Statutes.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, 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 January, 1974, the reference having been made in Minute Book 59, page _____, and recorded in full in Resolutions Book 9, page 374.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of January, 1974.

City Clerk

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
T. & C. International, Inc.	$ 146.19	Illegal levy
Chestnut Fleet Rentals, Inc.	31.86	Clerical error
Central Motor Lines, Inc.	80.98	Clerical error
Pansy Diana Keeton	30.95	Illegal levy
Leland L. Jones, and wife, Martha S.	23.95	Clerical error
Theodore H. Caldwell, Jr.	122.10	Illegal levy
Paul H. Buchanan	26.11	Clerical error
Network Computing Corp.	94.67	Clerical error
Lawton-Scharf Div. Wallace-Murray Corp.	2,421.35	Clerical error
Gardner Webb College	902.46	Clerical error
Gardner Webb College	140.34	Clerical error
Altoma Investment Corp.	442.07	Clerical error
Betty A. Hobson	19.57	Clerical error
William Lewis Callum, III and wife, Hannah B.	39.85	Clerical error
Stanford R. Brookshire, Jr. and wife, Sara M.	30.62	Clerical error
Gardner Webb College	875.76	Clerical error
Gardner Webb College	136.19	Clerical error
Altoma Investment Corp.	411.51	Clerical error

Betty A. Hobson	24.44	Clerical error
William Lewis Callum, III and wife, Hannah B.	39.85	Clerical error
Stanford R. Brookshire, Jr. and wife, Sara M.	29.72	Clerical error
General Battery Corporation	218.97	Clerical error
	$ 6,289.51	

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING ROBERT'S RULES OF ORDER, NEWLY REVISED EDITION, AS RULES OF PARLIMENTARY PROCEDURE FOR THE CONDUCT OF COUNCIL MEETINGS.

WHEREAS, written rules of parlimentary procedure are necessary to insure the orderly transactions of business in meetings of the City Council; and

WHEREAS, that Robert's Rules of Order, newly revised edition, is universally accepted as an authoritative manual of parlimentary procedure; and

WHEREAS, the City Council is desirous of formally establishing Robert's Rules of Order, newly revised edition, as the rules to apply in the conduct of its meetings to facilitate the smooth functioning of the Council and provide a firm basis for resolving questions of procedure that may arise.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session ,duly assembled,that Robert's Rules of Order, newly revised edition, is hereby formally adopted as the rules of parlimentary procedure to be used in the conduct and transaction of business of all official meetings of the Charlotte City Council.

RESOLVED this the 14th day of January, 1974.

APPROVED AS TO FORM:

(signed) Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of January, 1974, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9,at Page 375.

Ruth Armstrong, City Clerk

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 collected taxes from the taxpayers set out on the list attached to the Docket.

2. The City-County Tax Collector has certified that those taxpayers made demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid

3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 14th day of January, 19 74, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested", be refunded the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

APPROVED AS TO FORM:

(Signed by)Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of January, 1974, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, at Page 376.

Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO BEATRICE B. BEARD, (WIDOW), LOCATED ON BYRUM/WILMOUNT WIDENING PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Beatrice B. Beard, (Widow), located on Byrum Drive, in Mecklenburg County, for right of way purposes in connection with the Byrum/Wilmount Widening Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte as amended by Chapter 216, 1967 Session Laws of North Carolina, and further amended by Chapter 384, 1969 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Beatrice B. Beard, (Widow), located on Byrum Drive in Mecklenburg County, Berryhill Township, under the procedures set forth in Article 9, Chapter 136, of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that $1,350.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

APPROVED AS TO FORM:

(Signed by Henry W. Underhill, Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, 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 January, 1974, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, at Page 377.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of January, 1974.

Ruth Armstrong, City Clerk

A RESOLUTION OF THE CITY COUNCIL APPROVING THE EXECUTION OF A LEASE PURCHASE AGREEMENT WITH MCGUIRE PROPERTIES, INC. FOR THE CONSTRUCTION OF AN OFF-STREET PARKING FACILITY, SUBJECT TO THE APPROVAL OF THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION.

1. The City of Charlotte has received a proposal from McGuire Properties, Inc., to construct a five and one-half level parking garage containing approximately 460 parking spaces. The proposed facility is to be located on land immediately across South McDowell Street from the Law Enforcement Center. It is proposed that the City lease the parking facility from McGuire Properties, Inc. for a term of eleven (11) years with an annual rental payment of $250,300.00. The total lease payments for the term will be $2,753,300.00. At the end of the lease period, McGuire Properties, Inc. will convey the land and the improvements thereon to the City. It is estimated that construction will take approximately 420 days from the date of the Agreement.

2. The need for off-street parking in the Governmental Plaza Area has become critical in the past few years, and the continued change in land use indicates that by 1980, three times the present demand for parking will be needed. A survey of the area shows a present need for 2,307 private and public off-street parking spaces. There currently exists a shortage of approximately 360 spaces to meet the present needs. The survey further indicates that several of the lots currently used for parking will be converted to other business, commercial and governmental use by 1980. In order to meet the existing need and to accommodate future development, a parking structure to provide adequate parking is necessary and expedient in this area.

The proposed new Courthouse facility by Mecklenburg County in the Governmental Plaza Area will be constructed on property currently being utilized for off-street parking. Present construction plans by the County call for no increase in the number of parking spaces to serve the new Courthouse facility over and above those presently existing. In the opinion of the City's Traffic Engineering Department, the construction of the Courthouse will further increase the need for additional off-street parking in the area.

In addition, certain legal obligations binding upon Charlotte and Mecklenburg County further demonstrate an immediate need for a parking structure in this area. In October of 1967, the City and Mecklenburg County entered into a Consent Judgement with Charlotte Law Building, Inc. to resolve a then pending lawsuit concerning the closing of a portion of Myers Street and the removal of certain off-street parking facilities.

One of the conditions imposed in the Consent Judgement required the City and Mecklenburg County to plan for and eventually construct off-street parking to replace the parking removed by the closing of Myers Street and the construction of a new jail facility by Mecklenburg County. The construction of the proposed multi-level parking structure will, at least in part, satisfy the obligation of the City imposed by the terms of the Consent Judgement.

3. A review of the proposal submitted by McGuire Properties, Inc., has been conducted by the City's Department of Public Works and by the Director of Finance. In the opinion of the Department of Public Works, the proposed costs of construction for the facility are comparable with construction costs of other off-street parking facilities recently constructed in the Charlotte area. The Director of Finance has analyzed the annual rental payments and the financing arrangements of McGuire Properties, Inc. and find them to be reasonable and not excessive for the proposed purpose.

4. The City Attorney has rendered an opinion that the proposed undertaking is authorized under the provisions of Article 16, Chapter 160A of the General Statutes, and pursuant to Article V, Section 4(2) of the North Carolina Constitution and further, that off-street parking facilities are a purpose for which public funds may be expended pursuant to the Constitution and the laws of North Carolina.

5. The primary advantage of the proposed Agreement over a general obligation bond issue is the time element. There is an immediate need for the facility and based on presently available information, it likely can become operational about twelve months earlier if the lease purchase agreement is used. It appears that the proposed facility will generate insufficient revenues to provide the necessary coverage to enable revenue bond sales at reasonable rates.

It is proposed to use currently available appropriations and unappropriated fund balances to the extent that a rise in the current tax rate can be avoided. Of the total purchase price of $2,327,905.00, an amount of $686,000.00 is proposed to be financed from current revenues rather than be debt financing.

It is not expected that there will be an opportunity to use non-voted bonds within the next two years.

6. In comparing costs under the proposed lease purchase agreement with costs under bond financing, factors that are likely to affect costs due to delays in starting construction should be considered.

Assuming that it will not be feasible to hold a bond election within the next twelve months and that the rising trend in construction costs continues, the cost of land and construction will likely increase to about $1,837,000.00. Additional bond election and issue expense would probably increase the amount required to be financed to about $1,866,000.00.

Interest costs on $1,866,000.00 for twelve years at 5-3/4% would total about $768,000.00 compared with charges of about $1,111,000.00 under the proposed lease purchase agreement. Considering, however, the likely increase in costs due to delay in starting construction if bond financing is used, the lease purchase agreement method appears to reasonably compare with the bond finance approach, as shown by the computations contained in Exhibit "A", attached hereto and made a part hereof.

7. Charlotte's debt is being kept at realistic levels in relation to community needs and financial resources. Bond sales and debt repayments are scheduled to keep a relatively stabilized tax rate for debt purposes, and at the same time allow for future bond sales at reasonable intervals to meet the needs of a growing community for public facilities. Only about 1/3 of total debt service costs are financed by property tax levy, leaving about 2/3 paid for from non-property tax sources. The ratio of debt to assessed valuation decreased during the year. The City's credit is rated AAA by Moody's Investors. Projections show that it can be reasonably expected that the present tax rate equivalent for debt costs can be maintained in the future.

8. Charlotte's debt is being maintained at levels necessary to keep a relatively stabilized tax rate for debt purposes. Projections shows that a tax rate requivalent to the present 25 cents per $100 assessed value can be maintained in the future.

9. The parking facility will provide 707 spaces. It is estimated that initially each available space will generate about $15.00 monthly, totaling about $127,000.00 annually. Operating expenses are estimated at about $15,000.00 annually.

10. The City of Charlotte has never defaulted in meeting debt service obligations, as evidenced by Annual Financial Reports audited and certified by independent Certified Public Accountants.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session, duly assembled, that, based upon the above findings of fact and conclusions, the Lease Purchase Agreement with McGuire Properties, Inc. for the proposed off-street parking facility is hereby approved, and the Mayor is hereby authorized to execute said Agreement on behalf of the City, subject to the approval of the North Carolina Local Government Commission.

RESOLVED this 14th day of January, 1974.

APPROVED AS TO FORM:

(Signed) Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of January, 1974, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, beginning on Page 378.

Ruth Armstrong, City Clerk

EXHIBIT "A"

LEASE PURCHASE METHOD:

Total lease payments ($250,300 x 11)		$2,753,300.

BOND FINANCING:

Estimated current cost		1,641,000
Estimated additional costs using bond financing:		
Bond Election and issue expense	$29,000	
Increased land costs ($646,000 - $360,000 X 12%)	35,000	
Increased construction costs ($1,671,905 - $326,000 X 12%)	161,000	225,000
Total		$1,866,000
Interest costs ($1,866,000 X 5-3/4%)		768,000
Total		$2,634,000
Estimated revenue loss for 12 months (707 X 15 X 12)		127,260
Total costs under bond financing approach		$2,761,260

RESOLUTION OF APPLICANT AUTHORIZING FILING OF APPLICATION FOR GRANT TO ACQUIRE BICENTENNIAL PLANNING FUNDS

WHEREAS, the United States National Endowment for the Arts can provide financial assistance to communities which will engage in special Bicentennial activities; and

WHEREAS, preliminary and special planning must be accomplished in preparation of detailed plans for the Bicentennial celebrations; and

WHEREAS the City of Charlotte will be directly involved in said study design and planning operations;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, that the Mayor be authorized to join with Mecklenburg County in an application for Bicentennial planning funds in the amount of $12,685 (total project cots $26,085 will include $13,400 of local in-kind salary and supplies contributions).

APPROVED AS TO FORM:

_____
(signed by) Henry W. Underhill, Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, 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 January, 1974, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9,at Page 383.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 1974.

_____
City Clerk