

October 24, 1983
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RESOLUTION OF THE CHARLOTTE CITY COUNCIL APPROVING AN EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION PLAN AND MINORITY/WOMEN'S BUSINESS ENTERPRISE (M/WBE) PLAN FOR CITY CONSTRUCTION AND PROCUREMENTS.

WHEREAS, it is the policy of the city of Charlotte to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs and to prohibit discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, religion, sex, age, handicap or veterans status; and

WHEREAS, in furtherance of this policy, the City Council has received and examined certain evidence to determine whether or not prior discrimination has existed against minorities and women that might require remedial action by the City to remedy past discrimination; and

WHEREAS, the Congress of the United States in 1977 found that while minority persons comprise about 16% of the nation's population, of the 13,000,000 businesses in the United States, approximately 3% were owned by minority individuals, concluding that past discriminatory systems have resulted in present economic inequities; and

WHEREAS, in 1982 the City commissioned the Urban Institute of the University of North Carolina at Charlotte to perform a study of minority and women firms involvement in the City's contracts; and

WHEREAS, in a report dated June 15, 1983, Dr. William J. McCoy of the UNCC Urban Institute found that:

- a. Based upon a review of City contracts from the Engineering and Utility Departments for the period July 1, 1977 to June 30, 1982, 3% of all prime contracts were awarded to minority firms accounting for .5% of the dollar amount awarded during the study period; and
- b. That during the same study period 12% of all contracts involved sub-contracts with minorities excluding those contracts with federal MBE requirements; and
- c. That during the same study period federal MBE set aside provisions resulted in a 15.3% minority participation rate; federal MBE goal provisions lead to a 6.6% minority participation; and, no MBE provisions produced a 1 to 2% minority participation rate; and

WHEREAS, the City Council conducted a public hearing on October 10, 1983 for the purpose of receiving testimony and other evidence as to existence of past illegal discrimination and the need for a remedy

to address said past discrimination and its effects; and

WHEREAS, at the October 10, 1983 public hearing, 10 persons addressed the City Council and a number of written statements were received by the Council and made a part of the public hearing record; and

WHEREAS, based upon evidence developed by the United States Congress, the study of June 15, 1983 prepared by the Urban Institute of UNCC and the statements and written evidence received at the October 10, 1983 public hearing, the Charlotte City Council concludes that a plan is needed to provide minorities and women equal opportunity for participating in City construction, contracting and procurement programs and to provide procedures that would enable the City to fulfill requirements of the federal and state governments related to minority and women's business enterprise participation in its construction and procurement programs; and

WHEREAS, the 1983 North Carolina General Assembly enacted Chapter 692 which requires state agencies and political subdivisions to cooperate in efforts to promote the use of small, minority, physically handicapped and women contractors in public construction and purchasing contracts; and

WHEREAS, the North Carolina Attorney General's office, by letters dated August 22, 1983 and September 22, 1983 concluded that the City possesses sufficient constitutional and statutory authority to enact and implement the attached plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte in regular session duly assembled that it hereby approves and adopts the attached plan captioned "City of Charlotte Equal Employment Opportunity/Affirmative Action Plan (EEO/AA) and Minority/Women's Business Enterprise (M/WBE) Plan for Construction and Procurements" and hereby directs the City Manager to take those steps necessary to implement this plan.

BE IT FURTHER RESOLVED that the City Manager shall submit a report to City Council on an annual basis regarding the effectiveness of the attached plan.

This the 24th day of October, 1983.

Approved as to form:

Henry W. Claderhill Jr.
City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 24th day of October, 1983, the reference having been made in Minute Book 81, and recorded in full in Resolution Book 19, at Page(s) 432-433.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of October, 1983.

PAT SHARKEY, CITY CLERK

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RESOLUTION

WHEREAS, since 1981, the National Municipal Policy of the League has called for the pursuit of federal cable television legislation which protects local regulatory authority; and

WHEREAS, the NLC has provided valuable leadership in developing such legislation; and

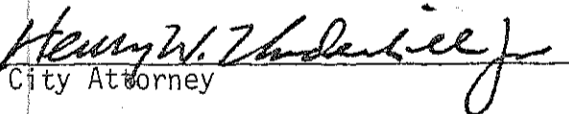
WHEREAS, the U.S. House of Representatives will soon begin deliberations on federal cable television legislation; and

WHEREAS, the NLC recognizes that since the U.S. Senate adopted S. 66, circumstances have changed due in part to the complexity of the legislative agenda involving telephone deregulation as well as to rapidly developing technology in the field of telecommunications;

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities continue its efforts to achieve legislation, provided that such legislation:

1. Not limit the option of local governments to regulate the rates charged by cable operators, and that basic services shall be defined by negotiations between the cable operators and local franchising authorities,
2. Provide maximum competition in the franchise renewal process with no expectancy or presumption of renewal on the part of the franchise holder, and
3. "Grandfather" all existing franchises and their terms and conditions and all franchise processes in which a Request for Proposals has been issued.

Approved as to form:


City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 24th day of October, 19 83, the reference having been made in Minute Book 81, and recorded in full in Resolution Book 19, at Page(s) 434.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of November, 19 83.

PAT SHARKEY, CITY CLERK

A RESOLUTION AUTHORIZING THE CHARLOTTE-MECKLENBURG HISTORIC PROPERTIES COMMISSION TO ENTER INTO ANY CONTRACTS OR MEMORANDUM OF AGREEMENTS WITH THE GOVERNMENT OF THE UNITED STATES OR THE GOVERNMENT OF THE STATE OF NORTH CAROLINA FOR THE PURPOSE OF RECEIVING GRANTS TO CARRY OUT THE STATUTORY PURPOSES OF A HISTORIC PROPERTIES COMMISSION IN THE STATE OF NORTH CAROLINA.

WHEREAS, North Carolina General Statute § 160A-399.3, "Powers of the properties commission", (7), provides that a historic properties commission can cooperate with the Government of the United States and the Government of the State of North Carolina in carrying out the purposes of historic properties commissions as found in N.C.G.S. § 160A-399.1 et seq.; and

WHEREAS, N.C.G.S. § 160A-399.3(7) requires that the commission may enter into a contract with the State of North Carolina or the Government of the United States, or any agency of either, when authorized by the City Council of the City of Charlotte; and

WHEREAS, the City Council of the City of Charlotte wishes to authorize the Charlotte-Mecklenburg Historic Properties Commission to enter into such agreements and contracts with the Government of the United States and with the State of North Carolina.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Charlotte does hereby authorize:

1. That the Charlotte-Mecklenburg Historic Properties Commission is authorize to enter into contract or memorandum of agreement with the Government of the United States or with the State of North Carolina, or any agent of either, for the purpose of carrying out the purposes of historic properties commissions as stated in Article 19, Part 3B, "Historic Properties Commission", of the North Carolina General Statutes.

2. That the Historic Properties Commission shall provide a copy of any such contract or memorandum of agreement to the City of Charlotte's Finance Department, Budget and Evaluation Department, City Attorney's Office and City Clerk's Office.

3. That the City's Finance Department shall be authorized and shall be permitted by the Charlotte-Mecklenburg Historic Properties Commission to conduct an audit of any such grants at anytime and the Charlotte-Mecklenburg Historic Properties Commission shall at all times maintain accurate records or invoices, cancelled checks, and all expenditures which shall be available for review upon reasonable notice by the City's Finance Department.

Approved as to form:

Henry W. Woodruff, Jr.
City Attorney
David M. Smith
Assistant City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 24th day of October, 19 83, the reference having been made in Minute Book 81, and recorded in full in Resolution Book 19, at Page(s) 435.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of October, 19 83.

PAT SHARKEY, CITY CLERK

October 24, 1983
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A RESOLUTION REQUESTING THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES TO SURPORT LEGISLATION REQUIRING LOCAL GOVERNMENTS TO CONTRIBUTE AT A HIGHER RATE TO THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

WHEREAS, retirees of the North Carolina Local Governmental Employees Retirement System did not receive a cost-of-living increase in their benefits for the current fiscal year;

WHEREAS, the Board of Trustees of the North Carolina Local Governmental Employees Retirement System did not grant a cost-of-living increase to retirees because the system's actuarial gains were offset by adverse factors and

WHEREAS, the only other manner in which retirees of the North Carolina Local Governmental Employees Retirement System may receive cost-of-living increases is through an increase in the rate of contributions to the retirement system by local governments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the North Carolina League of Municipalities is requested to support legislation which would require local governments to contribute to the North Carolina Local Governmental Employees Retirement System at an increased rate, for the purpose of providing cost-of-living increases to retirees of the system.

Approved as to form:

I. Douglas Cant
City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 24th day of October, 1983, the reference having been made in Minute Book 81, and recorded in full in Resolution Book 19, at Page(s) 436.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of October, 1983.

PAT SHARKEY, CITY CLERK