

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: May 18 , 2017

The following is my report to the City Council on several issues in which our office has been engaged since the last Council meeting:

1. Charter Amendments. In this packet, you will find two City Council resolutions which provide for an amendment to Chapter 7 of the Charter of the City of Charlotte. At Section 7.6, the Charter provides for “special accounts” which are accounts established by Council for accumulating money to be used for public improvements. I have proposed an amendment to Section 7.6 which would provide for the establishment of a “special revolving fund” which is the \$800,000 recovered in the Owens-Brockway litigation. I am adding a new subsection (f) that provides the conditions and circumstances under which that special revolving fund may be used.

Along with the charter amendments, I have a memorandum more fully discussing the amendments.

2. Peddlers Ordinance. I met with the City Clerk and City Manager to discuss the issue of fees to be charged. The concern is that the City would not recover its costs (including staff time). Under the case law, the City cannot make money on the collection of fees, only charge those fees which would be adequate to cover its costs. I will keep the Council apprized as we proceed toward proposing an amendment establishing those adequate fees.

3. Real Estate Transactions. I am reviewing documents for 2000 BTSK Holdings and also Alro Steel.

TMH:ddy