

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1993**

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**HOUSE BILL 691\***

Short Title: Downtown School.

(Local)

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Sponsors: Representatives Gray; Decker, Esposito, Oldham, and P. Wilson.

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Referred to: Local and Regional Government I.

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March 31, 1993

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF  
3 EDUCATION AND THE FORSYTH COUNTY COMMISSIONERS  
4 "DOWNTOWN SCHOOL" PROJECT FROM CERTAIN STATUTORY  
5 REQUIREMENTS.

6                   Whereas, the Winston-Salem/Forsyth County Board of Education is the  
7 recipient of a Next Century Schools grant to develop an integrated learning center for  
8 children ages 3-11 on the site of or near a successful business;

9                   Whereas, the learning center, now known as the Downtown School, began its  
10 first year of operation during the 1991-92 school year in leased premises located in the  
11 Old City Market Building in the downtown business district in the City of Winston-  
12 Salem, North Carolina;

13                  Whereas, the Board of Education elected to lease the premises for this  
14 innovative educational program for the following reasons:

- 15                   (1) The program is experimental and is being implemented incrementally;  
16                   (2) Before making the long-term financial commitment of purchasing a  
17 site and constructing a facility for the program, the Board wanted to  
18 evaluate the quality of the program; and  
19                   (3) The availability of sites for a school in the downtown area of the City  
20 of Winston-Salem is limited;

21                  Whereas, the premises that the Board is leasing for the Downtown School can  
22 not accommodate the third year expansion of the program;

1           Whereas, the owner of the premises being leased to the Board of Education  
2 for the Downtown School has expended considerable sums renovating the lower floor of  
3 the Old City Market Building, for public school purposes; has offered to construct the  
4 additional space needed to expand the Downtown School on the same site; and has  
5 offered to lease the premises to the Board of Education for a term of 20 years at a fixed  
6 rate with the Board of Education having the option to purchase the leased premises plus  
7 the entire Old City Market Building at a fixed price after the seventh year of the lease  
8 and each year thereafter through and to the twentieth year of the lease; and

9           Whereas, the Winston-Salem/Forsyth County Board of Education and the  
10 Board of Forsyth County Commissioners have entered into the lease-purchase  
11 agreement with the owner of the Old City Market Building under the provisions of  
12 N.C.G.S. § 115C-441(c1) as a Continuing Contract for Capital Outlay. Now, therefore,  
13 The General Assembly of North Carolina enacts:

14           Section 1. The provisions of G.S. 115C-521(d), 143-128, 143-129, 143-131  
15 and 143-132 shall not apply to the Downtown School project of both the Winston-  
16 Salem/Forsyth County Board of Education and the Board of Forsyth County  
17 Commissioners.

18           Sec. 2. This act is effective upon ratification.