



# City Council Agenda

Thursday, June 8, 2023

6:00 PM

3rd floor Council Chambers at City Hall

Cell phones are to be turned off or placed on vibrate during the meeting. Please exit the Council Chambers before using your cell phone.

The agenda is prepared and distributed on Friday preceding the meeting to Council and news media. A work session is then held on the Tuesday preceding the regular meeting at 4:00 pm.

**I. Call to Order**

**II. Pledge of Allegiance and Moment of Silent Prayer**

**III. Approval of Minutes**

April 18, May 9, and May 11, 2023.

**IV. Presentations**

**1. Presentation of a Proclamation recognizing June 19-25, 2023 as National Pollinator Week.**

National Pollinator Week is a national initiative that offers opportunities to individuals and communities to help restore native habitat, support local pollinator species, and pollinator health. The City of Concord will continue to support local, state, and national efforts that protect, restore, and conserve habitat for pollinators, as well as foster a greater connection between residents and wildlife.

**2. Presentation of a Proclamation to Mrs. Ruth Brooks**

**3. Presentation of a Proclamation recognizing June 19, 2023 as Juneteenth Day.**

**V. Unfinished Business**

**VI. New Business**

**A. Information Items**

**B. Departmental Reports**

Downtown Streetscape Update

**C. Recognition of Persons Requesting to be Heard**

**D. Public Hearings**

**1. Conduct a public hearing to consider the Raftelis Consultants System Development Fee study regarding the City's water and sewer system development fees.**

The attached report, from Raftelis Financial Consultants, details the requested amendments to the City's water and sewer development fees. Raftelis was contracted to update and review the City's system development fees to ensure compliance pursuant to NCGS 162A, Article 8. The report represents an analysis as to how to calculate the system development fees and includes supporting documentation for the calculations. The City did publish this report, which includes the recommended fees, on the City's web site. The law requires that the City "furnish the means" for providing public comments. The option for public comment was included in the electronic posting and the public input requirement was open for 45 days. All public comment is considered before recommending the system development fees. If the City chooses to update the current fees with the new fees, supported by a professional analysis, the fees will need to be in place by July 1, 2023. The fees will be adopted each year as part of the City's annual budget process. The study will be updated every 5 years as required by NCGS 162A, Article 8.

**Recommendation:** Consider making a motion to approve the City's water and sewer system development fees as presented in the Raftelis Consultants System Development Fee Study.

**2. Conduct a public hearing, pursuant to N.C. General Statutes, Section 159-12, to receive public comments relative to the proposed FY 2023- 2024 budget for the City of Concord; following public comments, consider adopting the proposed FY2023-2024 Budget, and consider adopting the Cabarrus Arts Council portion of the External Agencies pursuant to NC General Statutes, Section 14-234.3.**

The City Manager has submitted his recommended budget to the City Council for consideration. Before adopting the budget ordinance, Council must hold a public hearing. Once the Council holds the public hearing, and considers input, it may adopt the budget ordinance at any time before the end of June 2023. The Cabarrus Arts Council portion of the External Agencies will be considered separately in order to comply with the requirements of NC General Statutes, Section 14-234.3.

**Recommendation:** Conduct the public hearing to solicit citizen input, consider adopting the FY 2023-2024 budget, and consider adopting the Cabarrus Arts Council portion of the External Agencies.

**3. Conduct a public hearing and consider adopting a request from Childress Klein Properties/Affiliates to adopt a resolution to enter into a mutual agreement with the City of Charlotte to assign planning/development regulations to 11.54 acres at 8847, 8755 and 8699 Quay Road. (PINs 4589-62-4465, 52-8820).**

Sections 160D-203 and 204 of the General Statutes allow two jurisdictions to mutually agree to assign development regulations from one jurisdiction to another. Childress Klein owns a 48.21-acre parcel, 11.54 acres of which are in Concord and are zoned C-2 General Commercial. The owners received approval of a zoning petition on the Charlotte property in December of 2021 for the development of 488 multifamily units. They wish to extend the multifamily uses to the Concord portion. It should be noted that the traffic impact analysis approved with the rezoning factored in the potential development of multifamily on the Concord side (212 potential units).

Approval of the proposed resolution by Concord and Charlotte would allow the Charlotte development regulations to apply to the property, subject to rezoning of the Concord side through the Charlotte process. Should the resolution not be approved by one of the jurisdictions, or the rezoning not be approved by Charlotte, Concord development regulations would still apply to the property.

Concord C-2 zoning allows multifamily development, but only on 30% of the overall tract, and subject to a Special Use Permit, however if the resolution is approved by both jurisdictions, Charlotte zoning requirements would govern instead. If the property is developed under Charlotte Development regulations., water and sewer would be provided by Charlotte.

Emergency services and schools would be provided by Concord/Cabarrus County within Concord's city limits and by Charlotte/Mecklenburg County within their jurisdiction. The 11.54 acres would remain in Concord and the taxation status would not change. Consideration by Charlotte City Council is expected in a subsequent month.

Staff has closely coordinated with the applicant and with Charlotte staff relative to development options on the property. The owner has also been in conversations with elected officials in both jurisdictions.

**Recommendation:** Consider adopting a resolution to assign planning/development regulations to Charlotte for 11.54 acres generally located at 8847, 8755 and 8699 Quay Road. (PINs 4589-62-4465, 52-8820).

**4. Conduct a public hearing and consider adopting an ordinance annexing +/- 3.34 acres of road generally located at Amalia St NE and Northeast Gateway Ct. NE, PIN 5622-63-5846, owned by Copperfield, Inc.**

The request is for voluntary annexation of +/- 3.34 acres on Amalia St NE and Northeast Gateway Dr. The property is currently zoned C-2 (General Commercial) in the City of Concord ETJ.

**Recommendation:** Conduct a public hearing and consider adopting the annexation ordinance and set the effective date for June 8, 2023.

**5. Conduct a public hearing and consider adopting an ordinance annexing +/- 47.52 acres at 1085 Copperfield Blvd, p/o PIN 5622-65-8770, owned by Copperfield, Inc.**

The request is for voluntary annexation of +/- 47.52 acres of property on Copperfield Blvd. The property is currently zoned C-2 (General Commercial) and I-1 (Light Industrial) in the City of Concord ETJ. If approved, a rezoning hearing will not be required as this parcel is located in the ETJ. The subject parcel is located within the Mixed Use Activity Centers (MUAC) Land Use Category of the 2030 Land Use Plan.

**Recommendation:** Consider adopting the annexation ordinance and set the effective date for June 8, 2023.

## **E. Presentations of Petitions and Requests**

**1. Consider adopting a reimbursement resolution declaring the intent of the City of Concord to reimburse itself for capital expenditures incurred in connection with the financing of a fire station and communications building from the proceeds of an installment financing contract to be executed during fiscal year 2024.**

The City plans to finance a fire station to be constructed at Concord-Padgett Regional Airport and a Communications Building on property behind Fire Station 3. The fire station will also include a David District substation. These projects are in the FY24 CIP. These projects may have costs before the City completes the financing. The reimbursement resolution will allow the finance director to reimburse the City for these expenditures from the proceeds of the installment financing deal.

**Recommendation:** Motion to adopt a reimbursement resolution declaring the intent of the City of Concord to reimburse itself for capital expenditures incurred in connection with the financing of a fire station and communications building from the proceeds of an installment financing contract to be executed during fiscal year 2024.

**2. Consider authorizing the City Manager to negotiate and execute a one year contract extension (Addendum 3) with the Town of Harrisburg for continued treated water purchases from the City of Concord.**

The current water Second Contract Addendum expires July 31, 2023. The City of Concord and Harrisburg are engaged in conversations concerning a long term water purchase agreement. Several water use and water source studies are currently underway. It would be beneficial to both parties to execute a third addendum that would extend through June 30, 2024. The agreement includes a temporary raising of the water volumes allowed before incurring a higher rate and the removal of references to paid storage capacities that is no longer relevant since Harrisburg has completed their second elevated storage tank.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute a one year contract extension with the Town of Harrisburg for continued treated water purchases from the City of Concord.

**3. Consider approving the Concord Co-Sponsorship application for the Downtown Concord-Cabarrus Arts Council Art Walk on Union.**

The event organizers are requesting assistance for police presence before and during the event, as well as transportation barricades to be provided the Friday before the event and picked up on the Monday following the event. Organizers are also requesting 4 trash cans to be provided by solid waste to be dropped off before the event and picked up after the event.

**Recommendation:** Motion to approve the Concord Co-Sponsorship application for the Downtown Concord-Cabarrus Arts Council Art Walk on Union taking place on June 24, 2023.

**4. Consider approving the Concord Co-Sponsorship application for the Juneteenth Celebration on June 17, 2023 at Caldwell Park.**

Event organizer and applicant, Wilma Means and the HBCU Hero Optimist Club, is requesting that the 85/15 revenue split agreement be waived for vendors on site. The applicant is also requesting resources from Concord Police and Concord Fire for a "Bike Rodeo" event during the Juneteenth celebration.

**Recommendation:** Motion to approve the Concord Co-Sponsorship application for the Juneteenth celebration at Caldwell park to be held June 17, 2023 from 10am-2pm.

**5. Consider awarding a bid and authorize the City Manager to execute a contract for Williams Electric Company to provide contract labor and equipment for installation and maintenance of the City of Concord's electric infrastructure.**

Six bids were received on 4/20/23 for the provision of contract labor and equipment to install and maintain electric infrastructure to meet customer demands for electric services. Bid package specifications called for hourly pricing for all individual crew positions, work equipment, and for total crew costs. The lowest responsive bid was submitted by Williams Electric Company in the evaluated amount of \$6,077.83 per hour for all possible types of crews and equipment. As a result, Electric Systems staff recommends acceptance of the Williams Electric Company bid and recommends that the City Manager execute a contract to facilitate these services.

**Recommendation:** Motion to award a bid and authorize the City Manager to execute a contract for Williams Electric Company to provide contract labor and equipment for installation and maintenance of the City of Concord's electric infrastructure.

**6. Consider authorizing the City Manager to negotiate and execute a contract with McAdams for full design services for the bond project at David Phillips Activity Center Park Area located at 946 Burrage Road NE in the amount of \$290,620.**

City Council adopted the David Phillips Activity Center Park Area Master Plan in September 2020. The existing park, located at 946 Burrage Road, is approximately 10 acres. Parks and Recreation has selected the firm, McAdams, through an RFQ process for professional design services for the park. The original master plan was completed by Viz Design and staff guided the public input process. The project was identified in the General Obligation Bond funded project in group 1. This design phase will include Schematic Design, Design Development Plans, Construction Documents at 50%, 95% and 100% level, architectural services for proposed shelter on the property, and cost estimation services. The park will also serve as a trailhead for the McEachern Greenway along Three Mile Branch with future connectivity Atrium Health Cabarrus Hospital.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute a contract with McAdams in the amount of \$290,620 for Full Design services for the David Phillips Activity Center park area.

**7. Consider authorizing the City Manager to negotiate and execute a contract with Performance Managed Construction, Inc. for the George Liles-Roberta Farm pavement repair.**

In July 2022, a water pipe owned by the City ruptured under the state-owned George Liles Parkway near the intersection of Roberta Farm Ct. SW. Our city crews promptly repaired the pipe and patched the damaged Pavement. The subgrade soils became saturated due to the water spill and when traffic was allowed back on the road it caused additional pavement damage. NCDOT is requiring the City to repair an area of approximately 5,000 square feet pavement.

The project for the repair was put out for bids under the formal bidding process on April 3, 2023 and bids were received on April 24, 2023. Only one bid was received and, as required by G.S. 143- 132, staff was not able to open and the bid was returned to the bidder. The project was then put out for bids a second time on April 25, 2023 and bids were received on May 3, 2023. This time two bids were received and staff was able to open the bids as allowed by G.S.143-132. The lowest responsible bidder was Performance Managed Construction, Inc. in the amount of \$486,205.50.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute a contract with Performance Managed Construction, Inc. for the repair of damaged pavement on George Liles Blvd. in the amount of \$486,205.50.

**8. Consider approving the change in speed limit from 35mph to 25mph for the entire Allen Mills neighborhood in accordance with the City's Speed Limit Change Policy.**

The Allen Mills neighborhood requested staff consideration for speed limit signs to be posted due to concerns of speeding along the residential streets. The roads within the Allen Mills neighborhood currently do not have posted speed limits and default to the Citywide Speed Limit of 35mph under City Code Sec. 58-165.

Transportation staff performed a traffic engineering investigation on Old Trace Rd. NW and McGruden Dr. NW. Results of the investigation showed the 85th percentile speeds were 32 and 33mph. The Manual on Uniform Traffic Control Devices (MUTCD) guidelines for speed limits state that a posted speed limit should be within +/-5mph of the 85th percentile speed. With the results of the investigation being within MUTCD guidelines and under the default speed limit, it was the recommendation of Transportation and the Traffic Safety Advisory Committee (TSAC) to not post the 35mph speed limit as posting the current speed limit would likely increase the travel speeds.

The Allen Mills HOA pursued the petition process to reduce the speed limit to 25mph under the City's Speed Limit Change Policy. The City's Policy requires at least 75% of property owners to sign support of the change. 355 of the 466 (76.2%) signed in support of the speed limit change.

**Recommendation** Motion to approve the change in speed limit from 35mph to 25mph for the entire Allen Mills neighborhood in accordance with the City's Speed Limit Change Policy.

**9. Consider authorizing the City Manager to negotiate and execute a contract with Rummel, Klepper & Kahl, L.L.P. for engineering services relating to the intersection improvement of Poplar Tent Road and Harris Road.**

At the April 14, 2022, City Council approved entering into an agreement with the North Carolina Department of Transportation for intersection improvements at Poplar Tent Road and Harris Road. In September 2022, the City received letters of interest for the engineering services for this project. Rummel, Klepper & Kahl, L.L. P. (RK&K) was selected by a review committee as the top firm to complete the work. The municipal agreement spells out the approvals required by NCDOT with one of the first ones being a pre-audit conducted by the external audit department of NCDOT of the proposed scope and fee hence the approval is contingent on NCDOT approval. The contract with RK&K would be for the first phase of work which includes roadway design, traffic analysis, NEPA permitting, natural resources & permitting, and location surveys. The contract would be a fixed fee for engineering services not to exceed \$201,840.23. The second phase of final design plans would come back to Council for approval.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute a contract with Rummel, Klepper & Kahl, L.L.P. for engineering services related to intersection improvements at Poplar Tent Road and Harris Road contingent on NCDOT approval.

**10. Consider accepting a preliminary application from James Castonguay**

In accordance with City Code Chapter 62, James Castonguay has submitted a preliminary application to receive water service outside the City limits. The property is located at 182 Central Heights Drive. This parcel is zoned county LDR and is developed with a single family house. There is both water and sewer available to the parcel so the recommendation is to require annexation as the parcel is contiguous to the existing city limit.

**Recommendation:** Motion to accept the preliminary application and have the owner proceed to the final application phase including annexation.

**11. Consider making appointments / reappointments to various City of Concord Boards and Commissions and making a reappointment to the CDDC Board of Directors.**

Attached is a list of Board and Commission appointments for the City of Concord. This list notes the members that have expiring terms and can or cannot be reappointed.

**Recommendation:** Motion to make appointments/reappointments to various Boards and Commissions and a reappointment to the CDDC Board of Directors.

**VII. Consent Agenda**

**A. Consider approving a budget ordinance amendment to establish the FSS Escrow Forfeiture Fund and adopt an initial budget.**

HUD published the FSS Final Rule June 16, 2022 that established new rules for the forfeiture of escrow funds. The forfeited funds are no longer put back into the original program and used as program funds. Forfeited funds are now to be tracked together regardless of the original program source. Staff felt it was appropriate to track the forfeitures in their own fund to ensure they are kept separate to be spent only the purposes allowed by the final rule.

**Recommendation:** Motion to approve a budget ordinance amendment to establish the FSS Escrow Forfeiture Fund and adopt an initial budget.

**B. Consider authorizing the City Manager to negotiate and execute a contract with Wells Fargo for banking services.**

The Finance Department has collected proposals from interested banks for the City's banking services. The proposal for banking services would begin December 1, 2023 and expire November 30, 2026. Staff reviewed each proposal and recommended the contract be awarded to Wells Fargo. Staff is also recommending that lockbox services be moved from Truist to Wells Fargo pending additional investigation/testing to ensure the service would be adequate. Wells Fargo currently serves as the City's central depository and is able to provide all services requested by the City at a competitive price.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute a contract with Wells Fargo for banking services.

**C. Consider readopting a resolution of intent on the matter of closing the right-of-way of an unopened +/- 15-foot wide alley running parallel to Corban Ave. SE.**

The Council adopted the resolution at the May meeting but the resolution contained an incorrect date for the hearing. Adopting a corrected resolution would allow for the hearing to be conducted at the July 13, 2023 meeting.

The proposal includes the abandonment of the right -of-way for a +/- 225- foot long alley that runs behind 125 Corban Ave SE. This alley was originally part of the M.L. Widenhouse subdivision, which was platted in 1914. The alley was never opened and is unimproved.

Charles Stapleton and Stephanie Stapleton filed the application, and they are the owners/developers of Greenway Village Park, an eight-unit single family development proposed on adjacent land at 164 Wilkinson Court, SE. The applicant owns a majority of the property adjacent of the alley and each property owner adjacent to the alley will receive half of the portion of the alley being abandoned. However, the General Statutes have a provision to alter the division of the abandoned right-of-way by the filing of a plat, signed by all adjacent owners.

The General Statutes require that the City 1) post signs in two (2) places along the right-of-way; 2) send copies of the approved resolution of intent to all neighboring owners after adoption; and 3) advertise in the newspaper once a week for four (4) successive weeks.

**Recommendation:** Motion to adopt a revised resolution of intent to correct the public hearing for July 13, 2023.

**D. Consider awarding a bid and authorize the City Manager to execute a contract for Lewis Tree Services to provide labor and equipment for maintaining proper line clearance of the City of Concord's electric infrastructure.**

Lewis Tree Services submitted a proposal as the apparent low bidder to provide tree trimming services for the City of Concord. Bid package specifications called for hourly pricing for personnel and equipment. The subtotal for labor and equipment for these services is \$9,490.80 per week. As a result, Electric Systems staff recommends acceptance of Lewis Tree Services and recommends that the City Manager execute a contract to facilitate these services.

**Recommendation:** Motion to award a bid and authorize the City Manager to execute a contract for Lewis Tree Services to provide labor and equipment for maintaining proper line clearance of City of Concord's infrastructure.

**E. Consider awarding a bid to authorize the City Manager to execute a services contract for Southern Cross LLC to provide contract labor and equipment to locate the City of Concord's electric infrastructure.**

Southern Cross submitted a proposal as the apparent low bidder to provide locating services for the City of Concord. Bid package specifications called for hourly pricing for personnel and equipment. The subtotal for labor and equipment for these services is \$2,456.00 per week. As a result, Electric Systems staff recommends acceptance of Southern Cross and recommends that the City Manager execute a contract to facilitate these services. Bid request were sent to Amerimark and Centerline for locating services and neither company responded by the April 21st, deadline.

**Recommendation:** Motion to award a bid and authorize the City Manager to execute a contract for Southern Cross to provide contract labor and equipment for locating the City of Concord's infrastructure.

**F. Consider authorizing Concord-Padgett Regional Airport to apply for the FY24 North Carolina Department of Transportation Airport Infrastructure Grant.**

The N.C. Department of Transportation Airport Infrastructure Grant provides state aid in the form of loans and grants to cities, counties and public airport authorities for the purpose of planning, acquiring, constructing, or improving municipal, county and other publicly owned or controlled airport facilities. Projected FY24 N.C.DOT A.I.P funds of \$2,760,225 are anticipated to be utilized for FY24 Debt Service as well as Hangar Taxi Lane Rehabilitation.

**Recommendations:** Motion to authorize Concord-Padgett Regional Airport to apply for the FY24 North Carolina Department of Transportation, Airport Infrastructure Grant.

**G. Consider authorizing the Concord Police Department to apply for the Fiscal Year 2023 Patrick Leahy Bulletproof Vest Partnership Grant from the United States Department of Justice: Office of Justice programs.**

The Patrick Leahy Bulletproof Vest Partnership Grant reimburses agencies up to 50% of the costs of new uniquely fitted bulletproof vests. The Department projects needing to purchase 116 vests over the next two fiscal years at a cost of \$74,820, of which, the City would receive reimbursement of \$37,410 under grant guidelines if the total amount is awarded.

**Recommendation:** Motion to authorize the Concord Police Department to apply for the Fiscal Year 2023 Patrick Leahy Bulletproof Vest Partnership Grant from the United States Department of Justice: Office of Justice programs.

**H. Consider authorizing the city manager to sign a Memorandum of Understanding (MOU) to collaborate with Cannon School to cross the proposed Coddle Creek greenway with a future secondary access for the school.**

Cannon School has plans to construct a secondary access across Coddle Creek that would allow them to connect to Poplar Crossing Dr. NW. This secondary access would cross our proposed greenway alignment within a parcel owned by the Needham, Coble and Cook families. The intent of the MOU is for the City to collaborate with Cannon School in the design of a crossing that will allow for the secondary access to cross the greenway alignment. This can be accomplished by the school providing a pedestrian control crosswalk and the future maintenance of the crossing.

**Recommendation:** Motion to authorize the city manager to sign the attached Memorandum of Understanding with Cannon School for the future Coddle Creek Greenway.

**I. Consider approving the purchase of a 0.235-acre easement for the proposed Coddle Creek Greenway from Cannon School.**

The easement area along this section of the greenway is 0.235 acres. The purchase price is \$500. The property is critical for greenway connectivity from Dorton Park to Weddington Road and to the existing greenway along George Liles.

**Recommendation:** Motion to authorize the purchase of a 0.235-acre easement for the proposed Coddle Creek Greenway for \$500.00 from Cannon School.

**J. Consider authorizing the City Manager to negotiate an easement agreement for 3 areas with Cabarrus County at Cox Mill Elementary School Property for Jim Ramseur Park and greenway connectivity.**

The new Jim Ramseur Park will be developed at 1252 Cox Mill Road, directly adjacent to the Cox Mill Elementary School Campus, which also includes Athletic Fields currently under lease by the City of Concord. The original easements were approved by the Cabarrus County Board of Commissioners in June 2022 and City Council in July 2022. The easements are needed to be changed to remove the County conservation property and allow for additional infrastructure and connectivity for the park. The easement request consists of approximately 4.09 acres adjacent to and including the existing driveway for additional access to the park, improvements to the driveway, maintenance access for the new park and the fields, and a multi-use path connection for the future greenway and infrastructure for the new maintenance building and park. The easement will include a 20- foot sidewalk easement along Cox Mill Road to install a public sidewalk in the future to assist with connectivity and future greenway access for area neighborhoods. All easements have been approved by the Cabarrus County Board of Education and the Cabarrus County Board of Commissioners.

**Recommendation:** Motion to authorize the City Manager and City Attorney to execute three (3) permanent easements with Cabarrus County at Cox Mill Elementary School for the future development of Jim Ramseur Park and Clarke Creek Greenway and neighborhood connectivity.

**K. Consider authorizing the City Manager to execute the 2023 Carolina Thread Trail Implementation Grant agreement in the amount of \$70,000.**

The City of Concord was awarded the 2023 Implementation Grant from Carolina Thread Trail in the amount of \$70,000. Acceptance of the 2023 Carolina Thread Trail Implementation Grant agreement will help fund the construction of the Irish Buffalo Creek Greenway within Caldwell Park with future connection to Lincoln Street and Melrose Drive.

**Recommendation:** Motion to authorize the City Manager to execute the 2023 Carolina Thread Trail Implementation Grant agreement attached and approve the attached project amendment to appropriate the funds.



**L. Consider establishing the 2023 filing fees for the seats of Council Members.**

The NC General Statutes gives City Council the authority to establish filing fees. Per the Statutes, "the fee shall not be less than \$5 nor more than one percent (1%) of the annual salary". Based upon this formula, the 2023 filing fees will be \$106 for each Council Member's seat.

**Recommendation:** Motion to establish the 2023 filing fees as \$106 for the Council Member seats.

**M. Consider approving a contribution in the amount of \$2,500 from the Mayor's Golf Tournament Fund to the Cabarrus County Youth Orchestra and to adopt a budget ordinance appropriating the funds.**

Cabarrus County Youth Orchestra is a nonprofit extracurricular music education program that serves Cabarrus County School students grades K-12. Focus is on the art of playing instruments that make up the violin family (violin, viola, cello and double bass). CCYO's inaugural season will begin in the Fall of 2023. Classes will be held after school in downtown Concord at a location soon to be determined. Classes include elementary music for grades K-3, and beginning, intermediate and advanced strings classes for students in grades 4-12. CCYO is requesting the funds to assist in equipping the program.

**Recommendation:** Motion to approve a contribution in the amount of \$2,500 from the Mayor's Golf Tournament Fund to the Cabarrus County Youth Orchestra.

**N. Consider accepting an Offer of Dedication of utility easements and public rights-of-ways in various subdivisions.**

In accordance with CDO Article 5, the following final plats and easements are now ready for approval: Piper Landing Phase 3 Map 1, Annsborough Park Phase 2 Map 1, and Cannon Run Phase 1-B. Various utility easements and public rights-of-ways are offered by the owners.

**Recommendation:** Motion to accept the offer of dedication on the following plat and easements: Piper Landing Phase 3 Map 1, Annsborough Park Phase 2 Map 1, and Cannon Run Phase 1-B.

**O. Consider accepting an offer of infrastructure at Kasen Bluff Subdivision, Highway 29 Mini-Storage, Evolve Apartments, The Goddard School, Steris-Charlotte offsite reprocessing center, and Amalia Street NE.**

In accordance with CDO Article 5, improvements have been constructed in accordance with the City's regulations and specifications. The following are being offered for acceptance: 821 LF of 8-inch water line, 31 LF of 6-inch water line, 309 LF of 2-inch water line, 9 valves and 3 fire hydrants, 1,611 LF of 8-inch sanitary sewer line, 11 manholes. 2,753 LF of roadway.

**Recommendation:** Motion to accept an offer of infrastructure at Kasen Bluff Subdivision, Highway 29 Mini-Storage, Evolve Apartments, The Goddard School, Steris-Charlotte offsite reprocessing center, and Amalia Street, NE.

**P. Consider adopting a capital project ordinance amendment for the Affordable Housing Fund.**

The amendment is needed to increase the budgeted amount by \$125,912 to account for actual revenue.

**Recommendation:** Motion to adopt a capital project ordinance amendment for the Affordable Housing Fund.

**Q. Consider adopting an ordinance to amend the Airport operating budget to adjust budget to year end actual projections.**

The attached budget amendment adjusts the Airport operating budget to year end projections.

**Recommendation:** Motion to adopt an ordinance to amend the Airport operating budget to adjust budget to year end actual projections.

**R. Consider authorizing the City Manager to accept and execute Federal Aviation Administration Grant Offer 3-27-0015-016-2023 in the amount of \$1,413,227 for Airport Improvement Projects at Concord-Padgett Regional Airport and adopt a budget ordinance appropriating the grant funds.**

The Aviation Department has received confirmation the grant amount this year will be \$1,413,227. FY23 grant funds will include the following projects: Hangar Taxi Lane Rehabilitation, the Hangar Taxi Lane Rehabilitation have been approved by FAA..

**Recommendation:** Motion to approve the City Manager to accept and execute the grant agreement and to adopt a budget ordinance appropriating the grant funds.

**S. Consider adopting an ordinance to amend the Airport project budget to cleanup various project budgets.**

The attached budget ordinance adjusts the budget for various projects based on actuals.

**Recommendation:** Motion to adopt an ordinance to amend the Airport project budget to cleanup various project budgets.

**T. Consider adopting two American Rescue Plan Fund grant project budget amendments and a General Fund operating budget amendment.**

The attached budget ordinances reflect changes to how the American Rescue Plan funds will be spent. Staff became aware of the potential eligibility of additional salaries under the category "Responding to COVID and Its Negative Economic Impact," specifically expenditure category 3.2. The City is eligible to use the funds not previously applied in the Revenue Replacement category to hire new employees in any position to fill a specified number of positions above its pre -pandemic baseline. Based on the guidance provided by the US Department of Treasury, the City can use these funds for 41 positions hired since 3/3/21. Staff is recommending that the City spend \$6,255,872 of the City's ARPA allocation in this manner. These expenditures reduce the compliance burden and ensure the funds will be spent in a timely manner. The City will then use the freed up General Fund dollars to fund the previously planned ARPA projects; however, these projects will no longer have the compliance burden associated with ARPA. The first American Rescue Plan amendment removes the grant funding for the previously considered projects and moves the planned use to a transfer to the General Fund to cover salaries and benefits for those eligible new hires since 3/3/21. The second American Rescue Plan amendment allocates the funds being transferred back into the project fund from the General Fund to cover the previously considered projects. The General Fund budget amendment appropriates the funds received from the ARPA fund back to the grant fund to cover the non-grant items that these freed up funds will fund.

**Recommendation:** Motion to adopt two American Rescue Plan Fund grant project budget amendments and a General Fund operating budget amendment.

**U. Consider adopting an ordinance to amend the Electric operating budget to adjust budget to year end actual projections.**

The attached budget ordinance adjusts the Electric fund budget to year end projections.

**Recommendation:** Motion to adopt an ordinance to amend the Electric operating budget to adjust budget to year end actual projections.

**V. Consider adopting an ordinance to amend the General Fund operating budget to adjust budget to year end actual projections.**

The attached budget ordinance adjusts the General Fund budget to year end projections.

**Recommendation:** Motion to adopt an ordinance to amend the General Fund operating budget to adjust budget to year end actual projections.

**W. Consider adopting an ordinance to amend the Golf budget to adjust budget to year end actual projections.**

The attached budget amendment adjusts the Golf budget to year end projections.

**Recommendation:** Motion to adopt an ordinance to amend the Golf budget to adjust budget to year end actual projections.

**X. Consider adopting an ordinance to amend the Housing Operations budget to adjust budget to year end actual projections.**

The attached budget ordinance amends the Housing Operations budget to estimated year end actuals.

**Recommendation:** Motion to adopt an ordinance to amend the Housing Operations budget to adjust budget to year end actual projections.

**Y. Consider adopting an ordinance to amend the Housing Vouchers budget to adjust to year end estimates.**

The attached budget ordinance amends the Vouchers budget to estimated year end actuals.

**Recommendation:** Motion to adopt an ordinance to amend the Housing Vouchers budget.

**Z. Consider adopting an ordinance to amend the Internal Service Fund budget to year end actual projections.**

The attached budget ordinance amendment adjusts the Internal Service Fund budget to year end projections.

**Recommendation:** Motion to adopt an ordinance to amend the Internal Service Fund budget to year end actual projections.

**AA. Consider adopting an ordinance to amend the Market Rate Units Fund budget to adjust to year end estimates.**

The attached budget ordinance amends the Market Rate Units Fund budget to estimated year end actuals.

**Recommendation:** Motion to adopt an ordinance to amend the Market Rate Units Fund budget to adjust to year end estimates.

**BB. Consider adopting an ordinance to amend the Municipal Service District Fund operating budget to adjust budget to year end actual projections.**

The attached budget ordinance adjusts the Municipal Service District fund budget to year end projections.

**Recommendation:** Motion to adopt an ordinance to amend the Municipal Service District Fund operating budget to adjust budget to year end actual projections.

**CC. Consider adopting an ordinance to amend the Parks and Recreation project budget to cleanup the J E Jim Ramseur project budget.**

The attached budget amendment cleans up the J E Jim Ramseur project budget based on actual amounts to date.

**Recommendation:** Motion to adopt an ordinance to amend the Parks and Recreation project budget to cleanup the J E Jim Ramseur project budget.

**DD. Consider adopting an ordinance to amend the Stormwater Fund operating budget to adjust budget to year end actual projections.**

The attached budget ordinance adjusts the Stormwater fund budget to year end projections.

**Recommendation:** Motion to adopt an ordinance to amend the Stormwater Fund operating budget to adjust budget to year end actual projections.

**EE. Consider adopting an ordinance to amend the Transportation Capital Project fund budget to cleanup various project budgets.**

The attached budget ordinance amendment allocates savings from the TMC project to the Upfit-Cabarrus County facility project.

**Recommendation:** Motion to adopt an ordinance to amend the Transportation Capital Project fund budget to cleanup various project budgets.

**FF. Consider adopting an ordinance to amend the Wastewater Fund operating budget to adjust budget to year end actual projections.**

The attached budget ordinance adjusts the Wastewater fund budget to year end projections.

**Recommendation:** Motion to adopt an ordinance to amend the Wastewater Fund operating budget to adjust budget to year end actual projections.

**GG. Consider adopting an ordinance to amend the Wastewater project budget to cleanup various project budgets.**

The attached budget amendment cleans up system development fee revenue based on actual amounts to date and allocates undesignated funds to the future projects account.

**Recommendation:** Motion to adopt an ordinance to amend the Wastewater project budget to cleanup various project budgets.

**HH. Consider adopting an ordinance to amend the Water Fund operating budget to adjust budget to year end actual projections.**

The attached budget ordinance adjusts the Water fund budget to year end projections.

**Recommendation:** Motion to adopt an ordinance to amend the Water Fund operating budget to adjust budget to year end actual projections.

**II. Consider amending the City's Personnel Policies and Procedures manual to add 6.3 Leave Without Pay (Exclusive of the Family and Medical Leave Act).**

Staff recommends an update to the City's Personnel Policies and Procedures manual to reflect the City's current practice associated with employee eligibility for leave without pay.

**Recommendation:** Motion to amend the City's Personnel Policies and Procedures manual to add Article 6.3 Leave Without Pay (Exclusive of the Family and Medical Leave Act) to the City's Personnel Policies and Procedures manual.

**JJ. Consider approving the transfer of delinquent miscellaneous receivables to collection losses.**

In preparation for year-end closing of the accounting records and preparing for the annual independent audit, staff must review accounts receivable balances to determine if any balances are uncollectable. The accounts that are deemed uncollectable should be transferred to collection losses. Miscellaneous receivables that have been classified as uncollectable amount to \$3,175.06. Staff continues to work with legal to pursue collection methods available as well as using the Debt Setoff Program offered through the State and a private contract for collections.

**Recommendation:** Motion to approve the transfer of delinquent miscellaneous receivables to collection losses.

**KK. Consider adopting a resolution transferring delinquent accounts to collection loss.**

Some Market Rate Unit residents have moved out of their dwelling units leaving balances on their accounts. The Housing Department has attempted to collect these amounts but have been unsuccessful. It is now appropriate to adopt a resolution transferring the delinquent accounts to collection losses. Efforts will continue to collect these losses.

**Recommendation:** Motion to adopt a resolution to write-off the delinquent accounts in the amount of \$1,208.49.

**LL. Consider adopting a resolution transferring delinquent accounts to collection loss.**

Some Public Housing residents have moved out of their dwelling units leaving balances on their accounts. The Housing Department has attempted to collect these amounts but have been unsuccessful. It is now appropriate to adopt a resolution transferring the delinquent accounts to collection losses. Efforts will continue to collect these losses.

**Recommendation:** Motion to adopt a resolution to write-off the Public Housing delinquent accounts in the amount of \$22,528.17.

**MM. Consider acceptance of the Tax Office reports for the month of April 2023.**

The Tax Collector is responsible for periodic reporting of revenue collections for the Tax Collection Office.

**Recommendation:** Motion to accept the Tax Office collection reports for the month of April 2023.

**NN. Consider Approval of Tax Releases/Refunds from the Tax Collection Office for the month of April 2023.**

G.S. 105-381 allows for the refund and/or release of tax liability due to various reasons by the governing body. A listing of various refund/release requests is presented for your approval, primarily due to overpayments, situs errors and/or valuation changes.

**Recommendation:** Motion to approve the Tax releases/refunds for the month of April 2023.

**OO. Receive monthly report on status of investments as of April 30, 2023.**

A resolution adopted by the governing body on 12/9/1991 directs the Finance Director to report on the status of investments each month.

**Recommendation:** Motion to accept the monthly report on investments.

**VIII. Matters not on the Agenda**

Transportation Advisory Committee (TAC)  
Metropolitan Transit Committee (MTC)  
Centralina Regional Council  
Concord/Kannapolis Transit Commission  
Water Sewer Authority of Cabarrus County (WSACC)  
WeBuild Concord  
Public Art Commission  
Concord United Committee

**IX. General Comments by Council of Non-Business Nature**

**X. Closed Session (If Needed)**

**XI. Adjournment**

\*IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE CITY CLERK AT (704) 920-5205 AT LEAST FORTY-EIGHT HOURS PRIOR TO THE MEETING.