



City Council Agenda

Thursday, November 14, 2024

6:00 PM

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

September 24, October 8, October 10, October 15, and October 22, 2024. **APPROVED**

IV. Presentations

1. Presentation of a Proclamation recognizing Saturday, November 30th, as Small Business Saturday in Concord.
2. Presentation of a Proclamation in remembrance of Marvin H. Caldwell and recognition of the 50th anniversary of Echo Park being renamed to Marvin Caldwell Park.
3. Presentation of a Resolution in Remembrance of Bradley Eugene Cohen.

V. Unfinished Business

VI. New Business

A. Informational Items

1. Concord United Committee Annual Presentation.

B. Departmental Reports

1. Parks and Recreation Bond update
2. Downtown Streetscape update

C. Recognition of Persons to be Heard

D. Public Hearings

1. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a one year / 85% tax based Center City Economic Development Incentive Grant to Hood Ventures, LLC to locate at 112, 116, 130, and 142 Cabarrus Ave. E, Concord, NC.

Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Hood Ventures, LLC is proposing a mixed-use development between Bonnie St. SE and Woodsdale Pl. SE along Cabarrus Ave. E within the geographic boundary of the Center City Economic Development Grant Program. The proposed project includes approximately 210 residential units (62 one bedroom and 148 two bedroom) in addition to approximately 10,379 SF of commercial space. Hood Ventures, LLC proposed investment represents a total of approximately \$48,300,000 in real and personal property within Concord's Center City which is an area that encompasses several older established residential neighborhoods and five major transportation corridors.

The 2021 Downtown Master Plan states, "The entire Cabarrus Avenue East corridor from Church St. to Reed St. NE has multiple opportunities for high density residential development and creating a streetscape that strengthens this area's connection to downtown. These improvements along with the plans for the Church St. corridor will help expand the footprint and influence of downtown, growing the local economic base." The intersection of Cabarrus Ave. E and Reed St. NE is specifically identified in

the plan as one of the 9 “opportunities” in the development framework “where key public interventions can leverage private investments.”

The 2030 Land Use Plan recommends completing the array of housing, infrastructure, service and recreation needed to solidify the identity competitive position of downtown as a daytime and nighttime activity center. The LUP recommends creating incentives to encourage compatible-character development in underutilized areas, Cabarrus Ave. being identified as one of three areas listed along with Church Street and Corban Avenue.

The total value of the city’s one year grant is estimated to equal \$172,431 based on an estimated investment of \$48,300,000. The actual payment will be based on the actual investment made by the company. The City of Concord would still collect a 1-year net revenue of \$30,429 after the incentive payment. See the attached grant analysis for additional details.

Recommendation: Conduct a public hearing and consider offering a contract for one year at 85% tax-based Center City Economic Development Incentive Grant to Hood Ventures, LLC to locate at 112, 116, 130, and 142 Cabarrus Ave E. **APPROVED**

2. Conduct a public hearing and consider adopting an ordinance annexing +/- 1.905 acres at 618 Springbrook Ave. NE (PIN 5631-16-8364) owned by Amelia Black.

Voluntary annexation petition of +/- 1.905 acres of property at 618 Springbrook Ave. NE. The property is currently zoned RM-1 (in ETJ). The City Council reviewed the preliminary application for water and sewer at the September 12, 2024 regular council meeting and voted to have the applicant proceed to the final application phase, including the voluntary annexation process as outlined in Section 62-81 of the City Code prior to residential water and sewer service application.

Recommendation: Conduct a public hearing and consider a motion adopting the annexation ordinance and set the effective date for November 14, 2024. **APPROVED**

3. Conduct a Public Hearing for case Z(CD)-27-23 and consider adopting an ordinance amending the official zoning map for +/- 13.44 acres of property located at 805 Branchview Dr. from RM-1 (Residential Medium Density) to RV-CD (Residential Village – Conditional District).

The Planning and Zoning Commission heard the above referenced petition at their October 15, 2024 meeting and voted 7-1 to deny the proposed rezoning request. The applicant is requesting to rezone the subject property from RM-1 (Residential Medium Density) to RV-CD (Residential Village – Conditional District) to construct a single-family attached (town-homes) development. The site would contain a maximum of eighty (80) town-homes on individual lots. One person spoke in support of the request, five people spoke in opposition to the request.

Recommendation: Conduct a public hearing and consider adopting an ordinance amending the official zoning map from RM-1 (Residential Medium Density) to RV-CD (Residential Village – Conditional District). **TABLED**

4. Conduct a public hearing to consider adopting an ordinance amending Articles 5 “Subdivision Plats, Site Plans, Construction Plans”, Article 7 “Base Zoning Districts”, Article 8 “Use Regulations,” Article 9 “Special Purpose and Overlay Districts,” Article 10 “Development and Design Standards,” Article 12 “Sign Standards”, and Article 14 “Definitions” of the Concord Development Ordinance (CDO) to correct errors, provide clarity and comply with the North Carolina General Statutes.

In the day-to-day administration of the CDO, staff has identified numerous opportunities to make administration more efficient to make corrections, and to bring the requirements into compliance with the NC General Statutes. This amendment involves minor changes and is essentially corrective in nature but does include minimal changes that the staff finds reasonable.

The changes involve, but are not limited to plat certificate requirements, bonding of stormwater facilities, addition of consistent setback requirements for large multifamily developments, corrective changes to the use table and the associated requirements of Article 8, minor modification of day care and home

occupation requirements, slight reorganization of Article 9 and location requirement clarification for ground mounted signs. The Planning Commission staff report, including a complete strike-through document, are included. The staff report details all of the changes. At their October 15, 2024 meeting, the Planning and Zoning Commission unanimously recommended the amendment to Council.

Recommendation: Motion to adopt an ordinance amending Articles 5, 7, 8, 9, 10, 12 and 14. **APPROVED**

E. Presentations of Petitions and Requests

1. Consider naming a street in the Brown Operations Center to Public Works Way SW.

There is an existing unnamed drive that connects Warren C. Coleman Blvd S to Alfred Brown Jr Ct SW. This drive is now serving the Traffic Management Center and the Fleet Services Facility, currently under construction.

In accordance with the Addressing Ordinance, the naming of the drive and subsequent posting of street name signs will necessitate new addresses being assigned to the Traffic Management Center (currently 880 Warren C. Coleman Blvd S) and Fleet Services Facility (currently 605 Alfred Brown Jr Ct SW). Those addresses will change to Public Works Way SW addresses.

Recommendation: Motion to approve the naming of this street to Public Works Way SW. **APPROVED**

2. Consider adopting a resolution authorizing an eminent domain action for a parcel located at 3625 Rock Hill Church Road.

This property is currently owned by all heirs, known and unknown, of Helen C. Allison (DOD March 25, 1993). Acquisition of this property is necessary for the reconstruction of a 100kv electric transmission line. The permanent utility easement is appraised at a value of \$9,875.

Recommendation: Consider making a motion to adopt a resolution authorizing an eminent domain action for a permanent utility easement located at 3625 Rock Hill Church Road. **APPROVED**

3. Consider approving the 2025 funding request from WeBuild Concord.

WeBuild Concord's FY 25 request is for \$1.8 million of construction funds. The funds will be directly spent on the 114 Kerr Street Church, Corban Ave 55+, and 266 Malvern Ave projects. The funding will also help offset costs for the Wilson Street, Ramseur Home, and potential 240 Pitts Road Church projects. These funds will be used to supplement or offset projects totaling well over \$9 million in their current stages and will exceed this amount if WeBuild moves forward with the larger project at 240 Pitts Road.

Recommendation: Motion to approve the 2025 funding request from WeBuild Concord in the amount of \$1.8 million. **APPROVED**

4. Consider authorizing the City Manager to negotiate and execute Amendment 3-Work Authorization 2204 with Talbert, Bright and Ellington, Inc. (TBE) for North Apron Access Road.

TBE will provide engineering, design services for a sanitary sewer lift station to be included in the North Apron Access Road project at Concord-Padgett Regional Airport. The sanitary sewer lift station is required by the City after utility design review. The cost for the Amendment 3 is \$43,958. To date, the cost of services for engineering is \$448,559 including original contract and Amendment 1 and 2.

The project is being funded through a special appropriation with the General Assembly with a \$5 million grant.

Recommendation: Motion to authorize the City Manager to negotiate and execute Amendment 3 with TBE for the designing the lift station as part of the North Apron Access Road. **APPROVED**

5. Consider awarding material bids to Substation Enterprises, Virginia Transformer Corporation, Siemens Industry, Inc, and Avail Switchgear systems in the amount of \$4,334,604 for Substation N on Vinehaven Drive.

Substation N is located at 1050 Vinehaven Dr. It will be a 100kV delivery point as well as a 13kV retail substation. Sub N is being built to increase capacity in the Copperfield area as growth continues.

A formal bid was held on October 22, 2024 for materials at Substation N. For schedule I, Substation Enterprises submitted a bid for the steel structure totaling \$374,324. For schedule II, Virginia Transformer Corporation submitted a bid for two power transformers totaling \$3,026,600. For schedule V, Siemens Industry, Inc. submitted a bid for two 15kV circuit breakers totaling \$63,680. For schedule VI, Avail Switchgear Systems submitted a bid for the metal clad switchgear totaling \$870,000.

Schedule III only received one bid, and it didn't meet our minimum specifications. Schedule IV did not receive any bids.

Recommendation: Motion to award material bids to Substation Enterprises, Virginia Transformer Corporation, Siemens Industry, Inc. and Avail Switchgear systems in the amount of \$4,334,604 for Substation N on Vinehaven Drive. **APPROVED**

6. Consider purchasing two 115kV Circuit Switchers for Substation N from Wesco Distribution using Sourcewell contract for competitive bid pricing.

Substation N will require two 115kV circuit switchers to enable transformer protection at the City of Concord's delivery point from Duke Energy. These 115kV circuit switchers are available for purchase from Wesco Distribution using their Sourcewell contract for efficient and competitive procurement and are quoted at \$250,384.28. The circuit switchers bid by Wesco are manufactured by S&C Electric Company and meet the required specifications for this site. The City has numerous S&C circuit switchers on the system and is satisfied with the performance of this equipment.

Recommendation: Motion to purchase two 115kV Circuit Switchers from Wesco Distribution using Sourcewell contract bid for \$250,384.28. **APPROVED**

7. Consider approval to move forward with the conveyance based on the preliminary plat of 25.127 acres of the Red Hill Development open space located off Troxler Circle and Lucky Drive. Authorize the City Manager to negotiate and execute the Memorandum of Understanding (MOU) between the City of Concord and Niblock Homes and move forward with the finalized plat.

The 25.127 acre property under consideration for conveyance already includes two developed trailhead parking lots with a total of 21 parking spaces, 0.75 miles of natural surface trail, and a bridge crossing an intermittent tributary. The area near the larger parking lot has a cut curb to accommodate bus unloading and loading for visits to the historic area. The Memorandum of Understanding (MOU) establishes an agreement between Niblock Homes and the City of Concord to build a replica of the Red Hill Tavern as a Community Room, which will include two restroom facilities. This building will then be transferred to the City for Parks and Recreation to manage, providing a new amenity for the citizens of Concord. The 0.75 miles of natural surface trail is identified in our Open Space Connectivity Plan as part of the Irish Buffalo Creek Greenway Corridor. The future restrooms would serve as a convenience for trail users along this corridor. The community room would offer reservable space for citizens to use for meetings and birthday parties. The City of Concord would incur operational impacts associated with the conveyance of the building and greenway. There would be a one-time cost of \$61,575 and an additional \$9,750 in recurring annual costs. This greenway corridor is a future connection that will link Kannapolis to Gibson Mill and Downtown Concord. It is also designated as a priority corridor for the Carolina Thread Trail. Once the City receives the finalized plat lines and the deed is transferred, we will seek Council approval for acceptance.

Recommendation: Motion to accept the preliminary conveyance of the 25.127 acres and authorize the City Manager to execute the attached MOU. **APPROVED**

8. Consider authorizing the City Manager to negotiate and execute a contract with GMV Syncromatics Corporation for a CAD/AVL system, automated passenger counters, and on-board WiFi for Rider Transit.

Rider Transit released an RFP in August 2024 for a computer aided dispatch/automatic vehicle location system, automated passenger counters, and on-board WiFi. As an upgrade to our current system, GMV's product will provide more modern, enhanced, and user-friendly real-time vehicle location information to both Rider Transit staff and customers. Automated passenger counters will provide precise ridership data on a stop-level basis at 98 percent accuracy. Dedicated on-board WiFi will provide a high-capacity, and more reliable network for customers. Five proposals were received and evaluated by staff. Following evaluation and product demonstrations from finalists, GMV was selected as the most responsive, responsible, and best value to the City.

Total cost of the contract over three years will not exceed \$469,975. Federal grant funding from the Federal Transit Administration has been secured to cover 75% or \$352,494 of the total project cost. The remaining 25% or \$117,482 will be split evenly by the City of Concord and City of Kannapolis resulting in a cost to Concord of \$58,741.

The Concord Kannapolis Area Transit Commission unanimously recommended to approve this contract at its October 2024 meeting.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with GMV Syncromatics Corporation for a CAD/AVL system, automated passenger counters, and on-board WiFi for Rider Transit. **APPROVED**

9. Consider adopting a resolution in support of the NCDOT project to modify the intersection of Bruton Smith Blvd (SR 2894) and Weddington Rd.

North Carolina Department of Transportation (NCDOT) is proposing to modify the intersection of Bruton Smith Blvd (SR 2894) and Weddington Rd to improve safety and operations. The project is to include re-configuring turning movements on the Weddington Rd approaches, establish a right turn lane in the eastbound direction on Bruton Smith Blvd, and repaving and re-striping of the intersection as well as coordinate new timing patterns to more efficiently move traffic. City of Concord Transportation staff, through agreements with NCDOT, will continue to monitor and refine operations of the mentioned intersection. NCDOT is asking for local municipal support from Concord of this project. NCDOT will fully fund the improvements noted to the intersection.

Recommendation: Motion to adopt a resolution in support of the NCDOT project to modify the intersection of Bruton Smith Blvd (SR 2894) and Weddington Rd. **TABLED**

10. Consider authorizing the City Manager to negotiate and execute a construction contract with BRS Inc. for the construction of the 12" Public Sewer Extension Phase 3 and to adopt a capital project ordinance amendment.

Bids were received on November 1, 2024 for the construction of a 12" Public Sewer Extension located along Coddle Creek Tributary to serve The Grounds at Concord. BRS Inc. was the low bidder with a total bid of \$2,075,932.10.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with BRS Inc. in the amount of \$2,075,932.10 for the construction of the 12" Public Sewer Extension Phase 3 and to adopt a capital project ordinance amendment. **APPROVED**

11. Consider adopting changes to the City of Concord's Sewer Allocation Policy.

The proposed changes include general text cleanup and revisions to better reflect the project prioritization process. It also removes all remaining references to the policy score which is no longer used.

Recommendations: Motion to adopt changes to the City of Concord's Sewer Allocation Policy. **APPROVED**

12. Consider modifying the Economic Development Agreement with Bootsmead LeaseCo. LLC

The City of Concord is requesting an intermediate reimbursement for work on the 12" Public Sewer Extension that has been completed. The current agreement does not allow for an intermittent disbursement. By modifying the terms of the existing agreement initially approved in May of 2020, the escrow company will be able to disburse funds back to the City for sewer that has been installed. An additional reimbursement will be made at the completion of the final phase of the sewer extension project.

Recommendation: Motion to modify the Economic Development Agreement with Bootsmead LeaseCo. LLC. **APPROVED**

13. Consider a Preliminary Application from Zil McCurty.

In accordance with City Code Chapter 62, Zil McCurty has submitted a preliminary application for water service at 9750 Dewitt Rd. Concord NC which is located outside of Concord City limits. The property is currently undeveloped, and the owners would like to construct a single family home. The parcel is zoned LDR, and City sanitary sewer is not available to the parcel.

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

14. Consider a Preliminary Application from Robert Rahilly

In accordance with City Code Chapter 62, Robert Rahilly has submitted a preliminary application for water service at 5615 Zion Church Rd, Concord, NC 28025 which is located outside of the Concord city limits. The property is currently undeveloped and the owners would like to construct a single family home. The parcel is zoned LDR and City sanitary sewer is not available to the parcel.

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

15. Consider approving a change to the classification/compensation system to include the following classification: Civilian Traffic Crash Investigator.

The addition of this new classification will increase the ability to attract and retain employees and provide enhanced expertise for the City of Concord.

Recommendation: Motion to approve the addition of the Civilian Traffic Crash investigator (Grade 55) with a salary range of \$53,144.64 (minimum) - \$70,416.65 (midpoint) - \$87,688.65 (maximum). **APPROVED**

VII. Consent Agenda **APPROVED ALL IN ONE MOTION**

16. Consider authorizing the Division of Emergency Management to apply for the FY2025 FEMA Public Assistance Grant.

Cabarrus County was recently added to the North Carolina disaster declaration area as a result of Tropical Storm Helene. The FEMA Public Assistance Grant allows areas within the declared area to submit for the reimbursement of eligible funds spent, related to emergency response, storm damages, and debris removal.

Recommendation: Motion to authorize the Fire Department's Division of Emergency Management to apply for reimbursement funds through the FY2025 FEMA Public Assistance Grant.

17. Consider authorizing the City Manager to execute the 2023 NCEM State & Local Cybersecurity Grant Program (SLCGP) agreement in the amount of \$74,542.

The City of Concord was awarded the 2023 NCEM State & Local Cybersecurity Grant Program (SLCGP) in the amount of \$74,542. Acceptance of the 2023 NCEM State & Local Cybersecurity Grant Program

(SLCGP) agreement will help augment our visibility over our internal network traffic allowing us to view and respond to network traffic anomalies or cybersecurity incidents much faster.

Recommendation: Motion to authorize the City Manager to execute the 2023 NCEM State & Local Cybersecurity Grant Program (SLCGP) along with the attached budget ordinance to appropriate the funds.

18. Consider authorizing the City Manager to negotiate and execute a contract with the NC Sheriffs' Association (NCSA) Purchasing Program for the purchase of a USAR (Urban Search and Rescue) and Deacon Haz-Mat unit replacements.

The Fire Department is requesting to purchase two support vehicles using the NCSA cooperative contract for two fire apparatus. The City can purchase these units for a total cost of \$686,644, which includes a chassis with the latest safety features available. The pre-payment method is required for the chassis only. The requested amount is within the approved funding for the vehicle capital account in the FY 24-25 budget. The truck will be purchased from Fastlane Emergency Vehicles and will have a 10-month build time on the apparatus.

Motion to approve the City Manager to negotiate and execute a contract with Fast Line Emergency Vehicles for the purchase of two Freightliner M2 apparatus using the North Carolina Sheriffs' Association purchasing contract.

19. Consider authorizing the City Manager to pursue cost-recovery litigation for possible insulin price-fixing.

The City is seeking to recover the difference between the cost charged for insulin and the "true" cost of the drug.

Recommendation: Motion to authorize the City Manager to pursue potential cost-recovery litigation for insulin price-fixing.

20. Consider abandoning a portion of public utility easement across property at 76 and 74 Reed Street (PIN 56219082780000 and 56219083840000).

There is a public utility easement recorded in Deed Book 8 Page 481 to the City of Concord. The water line has been abandoned, and this easement is not necessary.

Recommendation: Motion to approve the attached resolution authorizing the Abandonment of Easement.

21. Consider authorizing the City of Concord Housing Department to enter into a Tenant Participant Fund Agreement with the Resident Council.

The agreement establishes the parties' relationship as it relates to Tenant Participation Funds and governs decisions on how Tenant Participation Funds are budgeted, disbursed, and audited. This agreement establishes a collaborative partnership, provides flexibility, and supports the independence and leadership of the Resident Council. This agreement is based on 24 CFR 964.150 and HUD Notice PIH 2021-16 (HA), Guidance on the use of Tenant Participation Funds.

Recommendation: Consider authorizing the Housing Department to enter into an agreement with the Resident Council for the use of Tenant Participation funds.

22. Consider Authorizing the City Manager to negotiate and execute a task order with current on-call consultant RK&K for the City of Concord's Pavement Evaluation Services.

This task order consists of the selected service provider performing a thorough, objective, 3rd party evaluation of all City maintained streets and recommending preventative maintenance and rehabilitation schedules as well as other measures to increase the effectiveness of the City's street maintenance program and optimize the City's maintenance budget. Funds for this task order are part of the FY2024-2025 Transportation Department Powell Bill allotment.

Proposals were requested from the current Transportation on-call consultants, with RK&K providing information in line with the scope. The base cost estimate provided in the proposal is \$138,522.50.

Recommendation: Motion to authorize the City manager to negotiate and execute a task order with current on-call consultant RK&K for Pavement Evaluation Services.

23. Consider authorizing the City Manager to execute an agreement with the North Carolina Department of Transportation (NCDOT) for acceptance of a supplemental award of federal Congestion Mitigation and Air Quality (CMAQ) program funds for TIP Project C-5603I, US 601 at Flowes Store Rd/Miami Church Rd.

In January 2017, City Council passed a resolution supporting the application for Congestion Management Enhancements on US 601 at Flowes Store Rd/Miami Church Rd involve constructing an additional lane and sidewalk on US 601 from Flowes Store Rd/Miami Church Rd to Zion Church Rd., E/NC 49 Interchange. The additional lane, with taper, will begin 550' east of Flowes Store Rd and be added in the westbound direction. A municipal agreement was executed between NCDOT and the City of Concord in August 2018. The total cost at the time was \$2,361,470, split 80/20 (\$1,889,176 CMAQ and \$472,294 City). The project was suspended November 2019 due to NCDOT funding and subsequently lifted in November 2020. In July 2023, City Council supported applying for additional funding due to cost inflation.

The revised agreement, including the current engineering phase, future right-of-way, and construction phases totals \$5,631,400. Staff is requesting approval to accept additional funding and to make this whole in the total amounts of \$4,505,114 in CMAQ funding (80%), and match \$1,126,279 from the City's Transportation Project Fund (20%).

Recommendation: Motion to consider authorizing an agreement with the North Carolina Department of Transportation (NCDOT) for acceptance of a supplemental award of federal Congestion Mitigation and Air Quality (CMAQ) program funds for TIP Project C-5603I, US 601 at Flowes Store Rd/Miami Church Rd.

24. Consider accepting an Offer of Dedication of an access easement and approval of the maintenance agreement from Buffalo Terrace, LP.

In accordance with the CDO Article 4, the following access easements and maintenance agreements are now ready for approval: SCM Maintenance & Access Easement to serve 307 Concord Parkway N. Access easements and SCM maintenance agreements are being offered by the owners.

Recommendation: Motion to approve the maintenance agreements and accept the offers of dedication to the following properties: Buffalo Terrace, LP property located at 307 Concord Parkway N. (PIN) 5610-95-7618.

25. Consider Accepting an Offer of Dedication of an access easement and approval of the maintenance agreement from HSREI, LLC and HGREI, LLC.

In accordance with the CDO Article 4, the following access easements and maintenance agreements are now ready for approval: SCM Maintenance & Access Easement to serve 4325 Papa Joe Hendrick Blvd. Access easements and SCM maintenance agreements are being offered by the owners.

Recommendation: Motion to approve the maintenance agreements and accept the offers of dedication to the following properties: 4325 Papa Joe Hendrick Blvd. (PINs): 4598-19-8312, 4598-39-0082, 4598-28-6566, 4598-28-0939.

26. 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: 95625 and 95618 Axial Bonds Farm Tracks 1 and 2, Buffalo Terrace Apartments, Sycamore at Christenbury, Copperfeild Blvd, Cannon Run Revision Plat, Corrie's Meadow Ph 1, Tribek-Morris Tract

Industrial, 94521 Lilly Concord Sudivision, and 96189 Concord Commerce Park Ph1 Map1. 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: 95625 and 95618 Axial Bonds Tracks 1 and 2, Buffalo Terrace Apartments, Sycamore at Christenbury, Copperfeild Blvd, Cannon Run Revision Plat, Corrie's Meadow Ph 1, Tribek-Morris Tract Industrial, 94521 Lilly Concord Subdivision, and 96189 Concord Commerce Park Ph1 Map1.

27. Consider amending the Fees, Rates and Charges Schedule for the Aviation Department to update the Long-Term Lot Parking fee and add a Corporate Hangar Stacking/Towing fee.

This update would change the title of the Long-Term Lot Parking fee to the Overflow Lot Parking fee to better describe the lot. In addition, the Overflow Lot Parking fee will increase to \$12/day from the current \$10/day.

The second change to the Fees, Rates and Charges Schedule will be to add a Corporate Hangar Stacking/Towing fee of \$1,000/month. Corporate hangars are defined as those that are rented out completely to one entity. These often have multiple aircraft stored in them. The current lease payments cover the rent of the building and do not include the time of Aviation staff and the wear and tear on Aviation equipment to move multiple aircraft on a day-to-day basis. This fee will cover the rising costs of personnel, replacing towing equipment as needed, and cover the liability associated with moving aircraft in and out of the hangar. Both of these fees will go into effect on December 1, 2024.

Recommendation: Motion to adopt the Fees, Rates and Charges Schedule Overflow Lot Parking fee and Corporate Hangar Stacking/Towing fee update for the Aviation Department.

28. Consider adopting a budget ordinance amendment to appropriate a \$685 donation from Mayor Golf Tournament reserves to Cabarrus Victim's Assistance Network (CVAN).

The annual Mayor's Golf Tournament was held Friday, October 4, 2024. As in previous years, players could make a donation to CVAN at Hole 11. This year, \$685 was raised. A budget ordinance amendment is needed to appropriate the donation amount to CVAN.

Recommendation: Motion to adopt a budget ordinance amendment to appropriate a \$685 donation from Mayor Golf Tournament reserves to Cabarrus Victim's Assistance Network (CVAN).

29. Consider adopting ordinances to amend the FY2024/2025 Budget Ordinance to appropriate insurance reimbursements received.

The City of Concord received insurance reimbursements to cover repairs of damaged vehicles and equipment. The attached budget amendments will appropriate these funds to the respective impacted departments.

Recommendation: Motion to adopt ordinances to amend the FY2024/2025 Budget Ordinance to appropriate insurance reimbursements received.

30. Consider adopting an ordinance to amend the FY 2024/2025 Budget Ordinance for the Electric Fund and an ordinance to amend the Utility Capital Reserve Fund project budget.

The attached Electric Fund budget amendment funds three separate items; (1) replacement of a load tap changer at Sub H that is not working correctly; (2) transfer of \$5 million to the utility capital reserve fund for future CIP projects; and (3) increase the electric rate stabilization reserve by \$4,500,000. All three of these items are being funded by FY24 earnings that closed to retained earnings. The rate stabilization reserve balance will be \$15,000,000 after this budget amendment is approved.

The utility capital reserve budget amendment allocates the \$5,000,000 being transferred from the Electric Fund to future project reserves. These funds will be available to fund projects in the CIP in future years.

Recommendation: Motion to adopt an ordinance to amend the FY 2024/2025 Budget Ordinance for the Electric Fund and an ordinance to amend the Utility Capital Reserve Fund project budget.

31. Consider adopting an ordinance to amend the Rider Transit ARPA Operating Assistance grant project budget.

The attached budget amendment increases revenue to the City of Concord by \$334,342 in the form of American Rescue Plan Act funds from the Federal Transit Administration at 100% federal share. These funds were reallocated from Cabarrus County Transportation Services and the Rowan Transit System to Rider Transit (City of Concord) after Cabarrus County Transportation Services and the Rowan Transit System determined that they would be unable to use the funds prior to the federal lapse date.

Recommendation: Motion to adopt an ordinance to amend the Rider Transit ARPA Operating Assistance grant project budget.

32. Consider adopting an ordinance to amend the Rider Transit 5339 Bus and Bus Facilities Grant Project Budget.

The attached budget amendment of \$90,444 increases federal revenue to the City of Concord by \$72,355 in the form of 5339 formula funds from the Federal Transit Administration at 80% federal share. These funds were reallocated from Cabarrus County Transportation Services and the Rowan Transit System to Rider Transit (City of Concord) after Cabarrus County Transportation Services and the Rowan Transit System determined that they would be unable to use the funds prior to the federal lapse date.

Recommendation: Motion to adopt an ordinance to amend the Rider Transit 5339 Bus and Bus Facilities Grant Project Budget.

33. Consider receiving quarterly report on water and wastewater extension permits issued by the Engineering Department in the third quarter of 2024.

In accordance with City Code Chapter 62 are the attached reports outlining the water and wastewater extension permits that were issued between July 1, 2024 and September 30, 2024.

Recommendation: Motion to receive the third quarter water and wastewater extension report for 2024.

34. Consider the required reporting related to the annual information on the Identity Theft Program.

Staff is required to review the City's Identity Theft Detection and Prevention Program each year to ensure that the City is in compliance and also to ensure that the policy remains current. Staff is also required to disclose to City Council any identity theft issues that have been noted in the past 12 months. Staff has reviewed the current policy and has found no issues. The identity theft issues are detailed in the attached document for your review. There were no incidents of identity theft during this reporting period.

Recommendation: Accepting the annual report on the City's Identity Theft Program.

35. Consider acceptance of the Tax Office reports for the month of September 2024.

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 September 2024.

36. Consider Approval of Tax Releases/Refunds from the Tax Collection Office for the month of September 2024.

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 over-payments, situs errors and/or valuation changes.

Recommendation: Motion to approve the Tax releases/refunds for the month of September 2024.

37. Receive monthly report on status of investments as of September 30, 2024.

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)
- Concord/Kannapolis Transit Commission
- Centralina Regional Council
- 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.