

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA ON OCTOBER 11, 2021**

A motion was made by _____ and seconded by _____ for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, North Carolina General Statute §160A-461 authorizes units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

WHEREAS, In 1995, Charlotte City Council approved a Water and Sewer Agreement between the City of Charlotte and the Water and Sewer Authority of Cabarrus County (WSACC), under which the City of Charlotte would construct certain sanitary sewer lines along Rocky River in northeast Mecklenburg County, and whereby WSACC would accept and treat wastewater discharged into those lines from Charlotte Water's wastewater collection system (the "Water and Sewer Agreement"); and

WHEREAS, In 1997, 1998, and 1999, the City of Charlotte and WSACC modified the Water and Sewer Agreement to provide for construction of additional sanitary sewer lines along a tributary of Rocky River known as Clarke Creek, which would serve other basins within eastern Mecklenburg County ("Phase I Amendment 1," "Phase II and III Amendment 2," and "Phase IIIB Amendment 3"); and

WHEREAS, In 2004, the City of Charlotte and WSACC modified the Water and Sewer Agreement to provide for construction of additional sanitary sewer lines along Reedy Creek, McKee Creek, and Caldwell Creek, whereby WSACC would accept and treat wastewater discharged into those lines from both eastern Mecklenburg County and Cabarrus County, and whereby WSACC would accept and treat wastewater discharged into those lines from Charlotte Water's wastewater collection system ("Amendment 4"); and

WHEREAS, In 2005, the City of Charlotte and WSACC modified the Water and Sewer Agreement to provide for construction of additional sanitary sewer lines in both Mecklenburg and Cabarrus Counties to serve the Fuda Creek Basin in eastern Mecklenburg County ("Amendment 5"); and

WHEREAS, In 2019, the City of Charlotte and WSACC modified the Water and Sewer Agreement to partially fund a project originating in Cabarrus County, extending to Mecklenburg County in order to bypass the Back Creek Pumping Station near University City Boulevard ("Amendment 6"); and

WHEREAS, In 2020, the City of Charlotte and WSACC modified the Water and Sewer Agreement to partially fund the Rocky River Regional Wastewater Treatment Plant (RRWWTP) Expansion Study, which was aimed at evaluating the expansion needs for the RRWWTP, located in Cabarrus County, to accommodate increasing flows from Mecklenburg County ("Amendment 7"); and

WHEREAS, The City of Charlotte and WSACC now seek to modify the Water and Sewer Agreement to partially fund the Lower Rocky River Pump Station Expansion project to provide Charlotte Water with additional wastewater treatment capacity in Cabarrus County, to accommodate increasing flows from northeastern and southeastern Mecklenburg County, including portions of surrounding towns.

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

That the Modification to the Water and Sewer Agreement between the City of Charlotte and the Water and Sewer Authority of Cabarrus County is hereby approved and ratified

and the Director of Charlotte Water and any successor so titled, or her designees, is authorized to execute same.

Adopted this the 11th day of October 2021 at Charlotte, North Carolina.

Vi Lyles, Mayor, City of Charlotte