

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA ON February 22, 2016**

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, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, and

WHEREAS, The City of Charlotte has need for and intends to construct a wastewater treatment works project described as the Sugar Creek WWTP Reliability Upgrades Project, and

WHEREAS, The City of Charlotte intends to request state loan assistance for the project,

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

That the City of Charlotte, (**Applicant**), will arrange financing for all remaining costs of the project, if approved for a State loan award.

That the City of Charlotte will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the City of Charlotte agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Charlotte to make scheduled repayment of the loan, to withhold from the City of Charlotte any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the City of Charlotte will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Randy J. Harrington, Chief Financial Officer, and Robert Campbell, Finance Director, and successors so titled, are hereby authorized to execute and file an application on behalf of the City of Charlotte with the State of North Carolina for a loan to aid in the construction of the project described above.

That, if accepted into the loan program by the state, Randy J. Harrington, Chief Financial Officer, and Robert Campbell, Finance Director (**Authorized Officials**), and successors so titled, individually or collectively, are hereby authorized to execute and accept a loan offer on behalf of the City of Charlotte with the State of North Carolina for a loan to aid in the construction of the project described above in an amount of \$20,969,169 plus or minus up to 10% in accordance with the loan program based on actual project costs.

That Randy J. Harrington, Chief Financial Officer, and Robert Campbell, Finance Director, and successors so titled, individually or collectively, are hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the City of Charlotte has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the _____ day of _____, 2016 at Charlotte, North Carolina.

Jennifer Roberts, Mayor, City of Charlotte

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting _____ of the City of Charlotte does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council of the City of Charlotte duly held on the 22th day of February, 2016; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of February, 2016.

(Signature)

(Title)