

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA ON SEPTEMBER 10th, 2018**

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 Mallard Creek WWTP Reliability and UV Improvements Project at the Mallard Creek Wastewater Treatment Plant, 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, 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 the City of Charlotte, Angela Lee (Director), and any successor so titled, or her designees, is 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, Robert Campbell (Finance Officer) and any successor so titled, or his designee, is hereby authorized to execute and accept a loan offer and promissory note 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 the amount of \$24,877,892.00 plus or minus 10% in accordance with the loan program based on actual project costs.

That except as set forth above, Angela Lee (Director), and Robert Campbell (Finance Officer), and successors so titled, 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 10th day of September, 2018 at Charlotte, North Carolina.

Vi Lyles, Mayor, City of Charlotte

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Deputy City Clerk 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 10th day of September, 2018; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. In Minute Book _____, Resolution Book _____, Page _____ - _____.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of September, 2018.

(Signature)

Deputy City Clerk

(Title)