

**RESOLUTION OF THE PUBLIC WORKS COMMISSION OF THE CITY OF  
FAYETTEVILLE, NORTH CAROLINA TO DIRECT THE FILING OF AN  
APPLICATION FOR STATE LOAN ASSISTANCE**

**WHEREAS**, The Federal Clean Water Act Amendments of 1987, Federal Safe Drinking Water Act Amendments of 1996, and the North Carolina 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 planning, design and construction of water and wastewater system improvements, and

**WHEREAS**, The Public Works Commission of the City of Fayetteville, North Carolina ("COMMISSION") has need for and intends to construct drinking water and wastewater system projects as listed in the attached Exhibit A ("PROJECTS"), and

**WHEREAS**, The COMMISSION intends to request state loan assistance for the planning, design and construction of the PROJECTS,

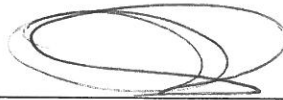
**NOW THEREFORE BE IT RESOLVED BY THE COMMISSION THAT:**

1. The COMMISSION will arrange financing for all remaining costs of the PROJECTS, if approved for a State loan award.
2. The COMMISSION will adopt and place into effect on or before completion of the projects a schedule of fees and charges 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, if applicable.
3. The COMMISSION agrees, upon approval of the City of Fayetteville, NC ("CITY"), to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the COMMISSION to make scheduled repayment of the loan, to withhold from the CITY any State funds that would otherwise be distributed to the CITY in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.
4. The COMMISSION will provide for efficient operation and maintenance of the PROJECTS on completion of construction thereof.
5. Steven K. Blanchard, General Manager of the COMMISSION, and successors so titled, is hereby authorized to execute and file an application on behalf of the COMMISSION with the State of North Carolina for a loan to aid in the construction of the PROJECTS described above, furnish such information as the appropriate State agency may request in connection with such application or the PROJECTS, to make the assurances as contained above, and to execute such other documents as may be required in connection with the application or PROJECTS.

6. The COMMISSION has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the PROJECTS and to Federal and State grants and loans pertaining thereto.
7. The COMMISSION requests the City Council of the CITY to adopt this Resolution in the form presented above.

**ADOPTED** this 12<sup>th</sup> day of September, 2012.

PUBLIC WORKS COMMISSION OF THE  
CITY OF FAYETTEVILLE, NORTH CAROLINA



---

Michael G. Lallier, Chairman

ATTEST:



---

Terri Union, Secretary

## Exhibit A

<u>Wastewater Collection System Project</u>		<u>Cost Estimate</u>
Sanitary Sewer Replacement on Person Street at the Lobster House		\$ 3,027,000
Total Wastewater Projects		<u>\$ 3,027,000</u>
<u>Drinking Water Treatment Works Projects</u>		
PO Hoffer WTF Improvements, Phase 1 – Reliability		\$ 17,396,000
PO Hoffer WTF Improvements, Phase 2 – Water Treatment Expansion (from 32 MGD to 48 MGD)		\$ 31,500,000
PO Hoffer WTF Improvements, Phase 3 – Residuals Treatment		\$ 10,200,000
Total Drinking Water Projects		<u>\$ 59,096,000</u>
Total All Projects		<u><u>\$ 62,123,000</u></u>