

RESOLUTION #22-0207  
2022 RESOLUTION BOOK, PAGE 86

**RESOLUTION APPROVING AN APPLICATION FOR NORTH CAROLINA DIVISION  
OF WATER INFRASTRUCTURE GRANT FUNDING AVAILABLE THROUGH THE  
AMERICAN RESCUE PLAN ACT OF 2021 FOR PHASE 1 OF THE LEAD AND  
COPPER RULE REVISIONS COMPLIANCE PROGRAM**

**WHEREAS**, the American Rescue Plan Act of 2021 has authorized the distribution of grants to aid eligible units of government in financing necessary investments in water and wastewater infrastructure. The North Carolina Department of Environmental Quality Division of Water Infrastructure (DWI) will administer these funds through the State Fiscal Recovery Fund appropriated in the state budget for drinking water, wastewater, and stormwater projects; and

**WHEREAS**, the Lead and Copper Rule Revisions (LCRR), effective December 16, 2021, require water utilities to be compliant with this new EPA regulation by October 16, 2024. The LCRR program includes corrosion control treatment evaluations, distribution system materials assessment and replacement, testing for lead at eligible school and childcare facilities, developing a service line inventory, and making public the locations of known lead service lines. Phase 1 of the program began in November 2021 and is planned to last through December 2023. Tasks specific to Phase 1 include evaluating and modifying information technology systems to facilitate LCRR compliance, developing a plan to replace potentially hazardous service lines (lead and galvanized requiring replacement), and testing at all schools and licensed childcare facilities with plumbing systems installed before January 1, 2014 (the date on which the Reduction of Lead in Drinking Water Act went into effect, which prohibited the installation of lead service lines or fixtures). On October 11, 2021, the Winston-Salem/Forsyth County Utility Commission awarded a contract to Black & Veatch, Inc. in the amount of \$2,516,355 to provide services needed for Phase 1 of the Lead and Copper Rule Compliance Program; and

**WHEREAS**, this work is included in the City of Winston-Salem Capital Improvement Program; and

**WHEREAS**, potential stimulus funds have been made available from the Division of Water Infrastructure through the American Plan Rescue Act's State Fiscal Recovery Fund for this project; and

**WHEREAS**, the City of Winston-Salem intends to submit an application for \$400,000 in State grant assistance for the project in order to receive stimulus money.

**NOW THEREFORE, BE IT RESOLVED** that the following be approved by the City Council of the City of Winston-Salem:

**Section 1.** The City of Winston-Salem (the "Applicant") will arrange financing for all remaining costs of the Project, if approved for a state grant award.

**Section 2.** The Applicant 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.

**Section 3.** Not used.

**Section 4.** The Applicant will provide for efficient operation and maintenance of the Project on completion of construction thereof.

**Section 5.** The City Manager, (the "Authorized Official"), or designee so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a grant to aid in the completion of the Project described above.

**Section 6.** The Authorized Official and designees 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.

**Section 7.** That the Applicant 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.

**CERTIFICATION BY RECORDING OFFICER**

The undersigned duly qualified and acting City Clerk of the City of Winston-Salem 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 Winston-Salem duly held on the 18th day of April, 2022; 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 18 day of April 2022.

(SEAL)

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SANDRA KEENEY  
City Clerk  
City of Winston-Salem, North Carolina