

RESOLUTION NO. 1052

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNDEN WASHINGTON, AUTHORIZING SUBMISSION OF AN APPLICATION FOR A COMMUNITY ECONOMIC REVITALIZATION BOARD LOAN UP TO \$6,000,000 AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR SUCH FUNDING

WHEREAS, Community Economic Revitalization Board (CERB) funds are available to support economic development projects which are ready to implement and for which jobs are to be created or retained; and

WHEREAS, the City Council desires to fund improvements to Main Street and the intersection of Main Street and Berthusen Roads with a roundabout which is a project consistent with the purposes of the CERB; and

WHEREAS, the improvements to Main Street and the intersection of Main Street and Berthusen Roads are included in the Whatcom County adopted 2022 Comprehensive Development Strategy (CEDS); and

WHEREAS, the CERB Public Facilities Project would be funded in recognition of the over \$40 million investment being made by a Alliance Freeze Dry (USA) as committed private business in Lynden's economy, providing new employment opportunities for the City of Lynden, together with increased tax revenues; and

WHEREAS, City of Lynden's CERB Public Facility and this particular private investment by Alliance Freeze Dry does not result in the transfer/relocation of jobs from one part of the state of Washington to another; and

WHEREAS, in the event the application for CERB funding is approved, and the funding accepted by the City Council, the City of Lynden will comply with all applicable federal and State requirements in regard to environmental impact of the project; and

WHEREAS, the City Council of the City of Lynden finds and determines that an application should be submitted to appropriate agencies for consideration of CERB funding the Main Street Arterial Street Improvements and Berthusen Roundabout Project, and that such submission will promote economic development within the City of Lynden.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lynden, Washington as follows:

SECTION 1: Proposition.

1. That the Mayor, or his designee, is hereby authorized to submit an application to the Community Economic Revitalization Board, for and on behalf of the City of Lynden,

for CERB funding in the approximate amount of \$6,000,000 for the CERB Project;
and

2. That the Mayor is hereby further authorized to provide such additional information as may be necessary to secure approval of such application; and
3. That, in the event such application is approved, the Mayor is authorized to enter into an agreement for such funding; and
4. That this Resolution shall be effective upon passage and signatures hereon in accordance with law.

SECTION 2: Severability.

If any section, sentence, clause or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional.

PASSED BY THE CITY COUNCIL OF THE CITY OF LYNDEN BY AN AFFIRMATIVE VOTE,
_____ IN FAVOR _____ AGAINST, AND SIGNED BY THE MAYOR THIS _____ DAY OF
SEPTEMBER, 2022.

MAYOR SCOTT KORTHUIS

ATTEST:

CITY CLERK PAMELA D. BROWN

APPROVED AS TO FORM:

CITY ATTORNEY ROBERT A. CARMICHAEL