

## RESOLUTION NO. 1041

A RESOLUTION APPROVING CITY OF LYNDEN USE OF CLEAN WATER STATE REVOLVING FUND AND STORMWATER FINANCIAL ASSISTANCE UNDER AGREEMENT NUMBER WQC-2022-LYNDPW-00002 FOR CONSTRUCTION OF JUDSON STREET DOWNTOWN LID DEMONSTRATION PROJECT – PHASE 1

**WHEREAS**, the Department of Ecology, a Washington state agency, has established a Stormwater Financial Assistance Program (SFAP) and Clean Water State Revolving Fund (CWSRF) for providing financial assistance for municipal work; and

**WHEREAS**, the City of Lynden applied for an SFAP Grant and CWSRF Loan to finance construction of Judson Street Downtown LID Demonstration Project – Phase 1; and

**WHEREAS**, the City has received approval for an SFAP Grant in the amount of \$644,959.00, and a CWSRF Loan in the amount of \$214,986.33 at a 1.2% interest rate plus 0.3% administrative charge, all for stormwater improvements on 8<sup>th</sup> Street from Judson Street to Front Street and adjacent alleys; and

**WHEREAS**, the Washington State Department of Ecology (WSDOE) requires the City to approve the scope of work and use of said SFAP Grant and CWSRF Loan Funds per Agreement WQC-2022-LyndPW-00002; and

**WHEREAS**, the foregoing recitals are a material part of this resolution;

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Lynden, Whatcom County, Washington that:

Section 1: The City of Lynden City Council does hereby accept, authorize and approve the use of a WSDOE SFAP Grant and CWSRF Loan as described above to finance the construction of stormwater infiltration trenches, pervious concrete, Filterra treatment devices, and other improvements, in a residential neighborhood in the City of Lynden including 8<sup>th</sup> Street from Judson Street to Front Street and adjacent alleys, and further authorizes the Mayor to enter into an agreement with WSDOE for this work and take other such action as necessary and relevant to receiving funding under the applicable SFAP Grant and CWSRF Loan.

Section 2: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Council hereby declares that it would have passed this code and each section, regardless of whether any one or more

sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if for any reason this Resolution is declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 3: This Resolution shall be in full force and effect on \_\_\_\_\_, 2021.

**PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE OF \_\_\_\_ IN FAVOR AND \_\_\_\_ IN OPPOSITION, AND SIGNED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

\_\_\_\_\_  
Mayor Scott Korthuis

ATTEST:

\_\_\_\_\_  
City Clerk Pam Brown

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney Bob Carmichael