

**RESOLUTION NO. 23-1083**

**A RESOLUTION APPROVING CITY OF LYNDEN USE OF CLEAN WATER STATE REVOLVING FUNDS UNDER AGREEMENT NUMBER WQC-2024-LYNDPW-00003 FOR DESIGN OF WASTEWATER TREATMENT PLANT (WWTP) EXPANSION – PHASE 1B**

**WHEREAS**, the Washington State Department of Ecology (“WSDOE”), a Washington state agency, has established the Clean Water State Revolving Fund (CWSRF) to provide financial assistance for municipal wastewater projects; and

**WHEREAS**, the City of Lynden applied for a CWSRF Loan to finance design of the WWTP Expansion – Phase 1B; and

**WHEREAS**, the City has received WSDOE approval for a CWSRF Loan in the amount of \$1,978,000.00, for design of the WWTP Expansion – Phase 1B; and

**WHEREAS**, the Washington State Department of Ecology (WSDOE) requires the City to approve the scope of work and use of said CWSRF Loan Funds per Agreement WQC-2024-LyndPW-00003; 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 CWSRF Loan as described above to finance the final design of the following scope of work:

A Modified Ludzak-Etinger (MLE) retrofit of the oxidation ditches, aerobic digestion supplemental aeration, dewatering capacity increase, RAS/WAS reconfiguration, air gap system, and replacing the existing WWTP transformers.

The City Council further authorizes the Mayor to enter into an agreement with WSDOE for this scope of work and take other such action as necessary and relevant to receiving funding under the applicable 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 \_\_\_\_\_, 2023.

**PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE OF \_\_\_\_ IN FAVOR AND  
\_\_\_\_ IN OPPOSITION, AND SIGNED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
2023.**

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

ATTEST:

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

APPROVED AS TO FORM:

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