

RESOLUTION NO. 23-1081

A RESOLUTION APPROVING CITY OF LYNDEN USE OF CLEAN WATER STATE REVOLVING FUND AND STORMWATER FINANCIAL ASSISTANCE UNDER AGREEMENT NUMBER WQC-2024-LYNDPW-00002 FOR CONSTRUCTION OF JUDSON STREET DOWNTOWN LID DEMONSTRATION PROJECT – PHASE 3

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

WHEREAS, the City of Lynden applied for an SFAP Grant and CWSRF Loan to finance construction of the Judson Street Downtown LID Demonstration Project – Phase 3; and

WHEREAS, the City has received WSDOE approval for an SFAP Grant in the amount of \$1,525,419.00 and a CWSRF Loan in the amount of \$201,893.00 (including \$67,298.00 forgivable principal), with terms of 20 years and a 1.2% interest rate, for stormwater improvements on 10th 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-2024-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 final design, permitting construction and construction management of the following scope of work:

Stormwater infiltration trenches, pervious concrete, stormwater treatment devices, and other improvements, in a residential neighborhood in the City of Lynden including Judson Street from 8th Street to 10th Street and 10th Street from Judson Street to Front Street.

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 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 _____, 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