

RESOLUTION NO. 2021- 003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, RATIFYING THE MAYOR'S SIGNATURE ON THE COVID AMERICAN RESCUE PLAN ACT (ARPA) REQUIRED AGREEMENTS AND DOCUMENTS AND CONFIRMING THE CITY COUNCIL'S INTENT TO USE THE ARPA FUNDS FOR THE PURPOSE OF PAYING FOR A PORTION OF THE COST OF SEWER INFRASTRUCTURE.

WHEREAS, the American Rescue Plan Act ("ARPA") authorizes the City of Deer Park ("City") to receive funds in the amount of \$1,218,202; and

WHEREAS, in order to receive these funds, the City needed to comply with timelines for receipt of the funds which required the City Mayor to sign as the authorized recipient of the funds and contractually obligate the City and sign other documents related to receipt of the ARPA funds prior to a vote of the Council to accept the funds; and

WHEREAS, the City Council finds that receipt of the funds is in the best interest of the City and therefore desires to ratify the actions of the Mayor taken on behalf of the City and its citizens with respect to the ARPA funding; and

WHEREAS, the Mayor and City staff have reviewed the authorized uses of these funds and determined that the best method for use of these funds that will have the greatest benefit for all of the citizens of the City is to use the funds to pay for a portion of sewer infrastructure costs which will result in economic benefits to all City sewer ratepayers by reducing the amount of City utility funds that will be needed to pay debt service on improvements to this utility system; and

WHEREAS, City Resolution 2021-001 contains construction of a new wastewater lagoon as a capital improvement project scheduled for construction in 2022 and 2023; and

WHEREAS, without the use of the ARPA funds for the purpose recommended by the Mayor and City staff to pay for a portion of the cost of this sewer infrastructure, the projected average monthly rate cost increase according to financial working documents produced by the State of Washington Department of Ecology is nearly \$54 per month per ratepayer; and

WHEREAS, City staff, the Mayor, and the City Council find that the Coronavirus pandemic has affected all citizens within the City and utilizing the funds in the manner set forth in this

Resolution for the purpose identified herein will have the greatest benefit to all citizens of the City; and

WHEREAS, the Mayor and City Council find that passage of this Resolution is in the best interest of the public health, safety, and welfare of the citizens of the City; **NOW THEREFORE**

THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON HEREBY RESOLVE AS FOLLOWS:

Section 1. All documents contractually obligating the City to receive and use the American Rescue Plan Act ("ARPA") funds are approved and the Mayor's signature on all documents related thereto that have been signed are ratified and the Mayor is authorized to sign any additional documents that are necessary in order to comply with the requirements of the ARPA to enable the City to receive and use the funds estimated to be in the amount \$1,218,202.

Section 2. The City Council finds that the ARPA funds identified in this Resolution should be used to pay for City sewer infrastructure in order to enable the City to offer the most affordable rates it is able to provide for this utility service to the City ratepayers.

Section 3. If any section, sentence, clause, or phrase of this Resolution shall 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.

Section 4. This Resolution shall be effective immediately upon passage by the City Council.

APPROVED by the City Council of the City of Deer Park, Washington at an Open Public Meeting the 7th day of July, 2021.


TIMOTHY VERZAL, MAYOR

ATTEST/AUTHENTICATED:


DEBY CRAGUN, CITY CLERK/TREASURER

APPROVED AS TO FORM:


CHARLES D. ZIMMERMAN, CITY ATTORNEY