

RESOLUTION NO. R24-04

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA (WIFA), AND THE CITY OF GLENDALE FOR DISBURSEMENT OF GRANT FUNDS.

THIS GRANT AGREEMENT (the “Agreement”) is made effective as of the date of signature of the last signatory hereto (the “Effective Date”), by and between the Water Infrastructure Finance Authority of Arizona (the “Authority”), a body corporate and politic, and The City of Glendale (the “Grantee”). The Authority and the Grantee may individually be referred to as “Party” or collectively as the “Parties.”

RECITALS

WHEREAS, Title VI of the Social Security Act (42 § U.S.C. 801 et seq.) (the “Act”) was amended by section 9901 of the American Rescue Plan Act (“ARPA”), Pub. L. No. 117-2 (March 11, 2021), to add section 602, which authorizes the United States Department of Treasury’s (“Treasury”) to make payments from the Coronavirus State and Local Fiscal Recovery Funds (“SLFRF”), and

WHEREAS, the funds are purposed for use in responding to the COVID-19 public health emergency and its economic impacts through the categories of eligible uses and activities described in 31 C.F.R. Part 35, Subpart A, including for making necessary investments in water, sewer, and broadband infrastructure, and

WHEREAS, the source of funding for the Award is the ARPA, specifically the SLFRF, with Catalog of Federal Domestic Assistance (“CFDA”) Assistance Listing 21.027 for all activity pursuant to this Agreement, and

WHEREAS, the State of Arizona established the Water Conservation Grant Fund (“WCGF”) under Title 49, Chapter 8, Article 5 of the Arizona Revised Statutes. A.R.S. §§ 49-1331 – 1335, to be administered by the Authority, and

WHEREAS, the Office of the Governor, in fulfilling its duty to administer the Coronavirus State and Local Fiscal Recovery Funds allocated to the State of Arizona, entered into an Interagency Service Agreement (ISA-ARPA-WIFA-070122-01), as amended on November 3, 2023, to provide funding to the Authority through the WCGF to support COVID-19 related activities in accordance with State Fiscal Recovery Fund Expenditure Category 5.8 Clean Water: Water Conservation, and

WHEREAS, the Authority is authorized to issue grants from the WCGF to eligible entities for water conservation programs and projects that are expected to result in: (1) long-term

reductions in water use; (2) improvements in water use efficiency; or (3) improvements in water reliability, and

WHEREAS, WCGF grants may be issued for any of the purposes specified in A.R.S. § 49-1332(B), and

WHEREAS, Grantee meets the Treasury's definition of a subrecipient and has applied for a grant, pursuant to the Application attached to this Agreement as Exhibit A [Grant Application]; and

WHEREAS, by the Board resolution attached to this Agreement as Exhibit B [Board Resolution], the Authority has determined Grantee is eligible for financial assistance from the WCGF and has reviewed and approved the Grantee's Application in accordance with the requirements of A.R.S. §§ 49-1331 – 1335.

NOW THEREFORE, in consideration of the mutual promises and covenants set forth in the Agreement,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That it is deemed in the best interest of the City of Glendale and the citizens thereof that the Intergovernmental Agreement between The Water Infrastructure Finance Authority of Arizona, and City of Glendale for acceptance of the Water Conservation Graft Fund totaling \$3,000,000, be entered into, which agreement is now on file in the office of the City Clerk of the City of Glendale.

SECTION 2. That the City Manager or designee and the City Clerk be authorized and directed to execute and deliver any and all documents necessary to effectuate said Agreement on behalf of the City of Glendale.

[Signatures on the following page.]

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 23rd day of January, 2023.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager