

RESOLUTION NO. 2024-09

RESOLUTION AUTHORIZING AND ADOPTING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY AND THE PUBLIC WORKS DEPARTMENT TO OBLIGATE ARPA FUNDS TO GO TOWARDS THE EXPANSION OF THE SEWER PLANT AND DEFINING THE SEWER DEPARTMENT UNDER THE PUBLIC WORKS DEPARTMENT.

WHEREAS, the City of Walnut Grove received federal funding under the State and Local Fiscal Recovery Funds (SLFRF) program under the American Rescue Plan Act ("ARPA"); and

WHEREAS, the City of Walnut Grove currently has \$506,753.00 in funds received under the State and Local Fiscal Recovery Funds (SLFRF) program under the American Rescue Plan Act ("ARPA") for qualified projects;

WHEREAS, the City has more projects that qualify for funds than the remaining balance of ARPA funds and the City desires to designate and unconditionally commit the remaining funds to projects that are currently in the formal design and engineering stages; and,

WHEREAS, the largest, most expensive and most critical project currently underway is the expansion of the City's wastewater treatment plant to increase the treatment capacity of the current city plant;

WHEREAS, the City was designing the wastewater treatment plant during the outbreak of the COVID pandemic which substantially delayed the planning and implementation of the project while at the same time triggering a significant increase in the cost of materials and labor required to build the plant;

WHEREAS, the deadline for obligating these funds is December 31, 2024; and

WHEREAS, the agreement shows that the City agrees to committing the funds to this new expansion of the sewer plant .

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Walnut Grove, Georgia, and it is hereby **RESOLVED** by authority of same, as follows:

SECTION 1. Sewer Department.

1. For purposes of confirming the unconditional commitment of the remaining balance of ARPA funds in the amount of \$506,753.00, the City hereby formally establishes the Sewer Department as a separate division under the Public Works Department for the City of Walnut Grove and this new division employees and contractors shall report to the Manager of the Public Works Department.

2. Brian Pilgram is the current Manager of the Public Works Department. He is hereby granted department head status to oversee the Sewer Department, to implement the commitments of the Sewer Department to the terms of this resolution and to the attached Intergovernmental Agreement.
3. The Manager of Public Works is hereby given authority to sign the Intergovernmental Agreement with the City and the Mayor to bind the commitment of ARPA funds to the design and construction of the expansion of the sewer treatment plant.
4. During the term of this Intergovernmental Agreement the ARPA funds shall remain segregated for accounting purposes in a separate fund within the bookkeeping of the City and no draws shall be made by the Manager for payment of design and construction costs without the express written approval of the Mayor and City Council. The Manager is hereby directed to only seek draws for the costs of design and construction related to the expansion of the sewer treatment plant.

SECTION 2. Obligating Funds.

1. The Intergovernmental Agreement attached as Exhibit "A" is a duly adopted contractual commitment binding the City to expend the remaining ARPA funds for the expansion of the sewer treatment plant, which is a public purpose, and for no other purpose. The Mayor is hereby authorized by formal approval to the City Council to sign and commit the City to the terms of the Intergovernmental Agreement.

SECTION 3. Except as provided otherwise herein, all resolutions, or parts of resolutions in conflict with this resolution are hereby repealed.


SECTION 4. This resolution shall become effective immediately upon its adoption by the Mayor and Council of the City of Walnut Grove, Georgia.

SECTION 5. It is hereby declared that if any phrase, sentence, or paragraph hereof shall be found or declared unconstitutional or invalid by a court of competent jurisdiction, the remaining phrases, sentences and paragraphs hereof shall remain in full force and effect as if enacted without the phrase, sentence, or paragraph declared unconstitutional or invalid.

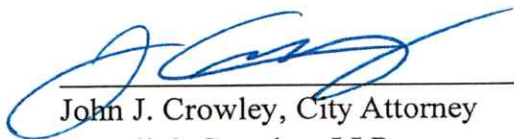
SO RESOLVED this 5 day of December, 2024.


Stephanie Moncrief, Mayor

ATTEST:


~~Susan Cox, Interim~~ City Clerk
Lynn Heard

APPROVED AS TO FORM:


John J. Crowley, City Attorney
Powell & Crowley, LLP

Adopted by the City Council at a
regular called meeting on

December 5, 2024

4 Council members voting in favor

0 Council members voting against

0 Council members abstaining

STATE OF GEORGIA

COUNTY OF WALTON

INTERGOVERNMENTAL
AGREEMENT

THIS AGREEMENT is executed this 5 day of December, 2024, by
and between City of Walnut Grove, Georgia, a municipal corporation ("City"),
and the Public Work Department of Walnut Grove ("Public Works").

WITNESSETH

WHEREAS, the City has received \$506,753.00 in funds under the State and
Local Fiscal Recovery Funds (SLFRF) program under the American Rescue
Plan Act ("ARPA"); and

WHEREAS, the City desires to obligate these funds for a public purpose;
and

WHEREAS, the City approved formal plans and designs for the
expansion of their sewer plant;

WHEREAS, the City has also segregated other funds of the City necessary
for the design and construction of the sewer treatment plant and is in the process
of securing a GIFA loan from the State of Georgia for the balance of the

construction costs of the sewer treatment plant; **WHEREAS**, the City desires to obligate the ARPA funds entirely to this sewer plant expansion, which is estimated to cost the City in excess of \$2,000,000.00.

NOW, THEREFORE, in consideration of the City of Walnut Grove's agreement to provide funding and establish the Sewer Department under the Public Works Department, the City hereby agrees to:

1.

The City of Walnut Grove hereby unconditionally pledges the entire balance of ARPA funds to the Sewer Department of the City of Walnut Grove, Georgia which funds in the amount of \$506,753.00 shall be exclusively set aside for the payment of the cost of designing and constructing the sewer plant expansion currently underway.

2.

All money expended from this fund shall be approved by the Mayor and City Council before it is expended, and the Sewer Department agrees not to expend any of the committed funds until written approval is given by the Mayor and City Council.

3.

The Public Works Department under the direction of the Mayor and the City Engineer shall oversee the funding of the costs and design of expanding the sewer plant with these committed ARPA funds.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement
as of the ___ day of December 2024.


SEWER DEPARTMENT
CITY OF WALNUT GROVE, GEORGIA

By: Brian P. G.

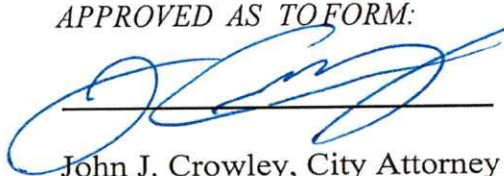
Brian Pilgrim, Manager of Public Works
Department

CITY OF WALNUT GROVE,
GEORGIA

By: 
Stephanie Moncrief, Mayor

Attest: 
Lynn Heard, City Clerk

APPROVED AS TO FORM:


John J. Crowley, City Attorney

Powell & Crowley, LLP