RESOLUTION NO. _____- 2019

A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF $29,500.00 TO THE COMMONWEALTH OF KENTUCKY, KENTUCKY STATE TREASURER, AND $29,500.00 TO THE UNITED STATES DEPARTMENT OF JUSTICE, AS STIPULATED PENALTIES UNDER THE CONSENT DECREE, AND AUTHORIZING THE MAYOR, ON BEHALF OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, TO EXECUTE ANY NECESSARY DOCUMENTS RELATED TO THE PAYMENT.

WHEREAS, the Urban County Government, the United States Environmental Protection Agency, and the Commonwealth of Kentucky have entered into a Consent Decree in a case styled *United States, et al. v. Lexington-Fayette Urban County Government*, United States District Court for the Eastern District of Kentucky, Case No. 5:06-CV-00386, which includes a provision for stipulated penalties; and

WHEREAS, the Urban County Government has received a demand for payment in the amount of $59,000.00 for stipulated penalties; and

WHEREAS, the Consent Decree requires payment of fifty percent (50%) of the stipulated penalties to the Kentucky State Treasurer and fifty percent (50%) of the stipulated penalties to the United States Department of Justice.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That an amount, not to exceed the sum of $29,500.00, be and hereby is authorized for payment to the Commonwealth of Kentucky, Kentucky State Treasurer, and a further amount, not to exceed the sum of $29,500.00, be and hereby is authorized for payment to the United States Department of Justice, from account # 4002 – 303401 – 78321, pursuant to the terms of the Consent Decree.

Section 2 – That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized to execute any necessary documents related to the payment.

Section 3 – That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

_____
MAYOR

ATTEST:

_____
CLERK OF URBAN COUNTY COUNCIL