

RESOLUTION NO. 089 - 2026

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, OR HER DESIGNEE ON BEHALF OF THE URBAN COUNTY GOVERNMENT AND THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT PUBLIC FACILITIES CORPORATION, TO EXECUTE A GROUND LEASE AGREEMENT (AWARDED PURSUANT TO RFP #35-2025 HALEY PIKE SOLAR LEASE) AND ANY ADDITIONAL NECESSARY DOCUMENTS RELATED THERETO, EXCEPT THE COMMUNITY BENEFIT AGREEMENT REFERENCED THEREIN WHICH SHALL REQUIRE SEPARATE APPROVAL BY THE URBAN COUNTY COUNCIL PRIOR TO EXECUTION AND WHICH SHALL RETURN TO COUNCIL FOR APPROVAL COINCIDING WITH THE INDUSTRIAL REVENUE BOND, WITH SOCIAL IMPACT SOLAR LLC, LEASING APPROXIMATELY 357 ACRES OF THE HALEY PIKE LANDFILL FOR THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF A SOLAR PHOTOVOLTAIC PROJECT, IN CONSIDERATION OF ANTICIPATED REVENUE IN THE AMOUNT OF \$30,345.00 AS A BASE LEASE PAYMENT IN THE FIRST YEAR, AS AMENDED.

WHEREAS, the Lexington-Fayette Urban County Government (the "Government") received an unsolicited bid to lease parts of the Haley Pike Landfill which is currently owned by the Government and the Lexington-Fayette Urban County Government Public Facilities Corporation for the private entity to develop, construct, and operate a solar photovoltaic project thereupon;

WHEREAS, the Government complied with KRS 65.028(17), ultimately determining that it was in the best interest of the local government to implement some or all of the concepts contained within the unsolicited proposal and began an open, competitive procurement process through the issuance of RFP 35-2025;

WHEREAS, the Government has determined that it would be most advantageous for it to utilize a public-private partnership method ("P3") of procurement provided under KRS 65.028 and solicited proposals under that statutory section (RFP No. 35-2025 Haley Pike Solar Lease);

WHEREAS, in addition to being the most transparent method of procurement for the project and the one that would best serve the public, the majority of the qualitative regulatory evaluation factors contained in 200 KAR 5:355 weigh in favor of using a P3;

WHEREAS, RFP No. 51-2024 included all requirements provided in KRS 65.028(7);

WHEREAS, the Government desires to award a Ground Lease Agreement to Solar Impact Solar, LLC (pursuant to RFP No. 35-2025) to allow the entity to develop, construct, and operate a solar photovoltaic project on approximately 357 acres of the Haley Pike

Landfill; and

WHEREAS, a quantitative analysis pursuant to 200 KAR 5:355 will be performed which should verify that the P3 procurement method is most advantageous to the Government.

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

Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government and the Lexington-Fayette Urban County Public Facilities Corporation, be and hereby is authorized to execute a Ground Lease Agreement (awarded pursuant to RFP No. 51-2024) and any additional necessary documents related thereto, except the Community Benefit Agreement referenced in the Ground Lease Agreement which shall require the separate approval by the Urban County Council prior to execution and which shall return top Council for approval coinciding with the Industrial Revenue Bond request, with Social Impact Solar LLC, leasing approximately 357 acres of the Haley Pike Landfill for the development, construction, and operation of a solar photovoltaic project, in consideration of anticipated revenue in the amount of \$30,345.00 as a base lease payment in the first year.

Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: March 26, 2026



MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL
0098-26:EPT_4920-2561-7298, v. 3