

RESOLUTION NO. \_\_\_\_\_ - 2020

A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF \$48,500.00 TO THE COMMONWEALTH OF KENTUCKY, KENTUCKY STATE TREASURER, AND \$48,500.00 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 \$97,000.00 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 \$48,500.00, 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 \$48,500.00, 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

718-20\_MSC\_:X:\Cases\WATER-AIR\20-LE0002\LEG\00691682.DOCX