



Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Details (With Text)

File #: 0344-24 **Version:** 2 **Name:** Request Council authorization to execute a Final Assistance Agreement to accept an award of federal funding from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) in the amount of \$2,955,383 for the above referenced Consent Decree

Type: Resolution **Status:** Approved

File created: 3/25/2024 **In control:** Urban County Council

On agenda: 4/25/2024 **Final action:** 4/25/2024

Enactment date: 4/25/2024 **Enactment #:** R-180-2024

Title: A Resolution of the Lexington-Fayette Urban County Government accepting the Grant of \$2,955,383 in Federal funds from the Ky. Cleaner Water Round 2 Grant (ARPA) for the acquisition and remediation of the parcel located at 299 Southland Drive, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, approving the Grant Assistance Agreement, authorizing the amendment of the Lexington-Fayette Urban County Government's annual Budget, and authorizing a representative to sign all related documents. [Div. of Water Quality, Martin]

Sponsors:

Indexes:

Code sections:

Attachments: 1. 24 - Blue Sheet Memo 22CWS010 Southland Dr, 2. Exhibit 4, 3. Exhibit 5, 4. KIA_GrantAssistanceAgreement_22CWS010, 5. 0344-24 (revised) 4895-9131-1794 v.1.pdf, 6. R-180-2024, 7. Contract #101-2024

Date	Ver.	Action By	Action	Result
4/25/2024	2	Urban County Council	Approved	Pass
4/11/2024	2	Urban County Council	Received First Reading	
4/9/2024	2	Urban County Council Work Session	Approved and Referred to Docket	Pass

A Resolution of the Lexington-Fayette Urban County Government accepting the Grant of \$2,955,383 in Federal funds from the Ky. Cleaner Water Round 2 Grant (ARPA) for the acquisition and remediation of the parcel located at 299 Southland Drive, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, approving the Grant Assistance Agreement, authorizing the amendment of the Lexington-Fayette Urban County Government's annual Budget, and authorizing a representative to sign all related documents. [Div. of Water Quality, Martin]

Authorization to execute a Final Assistance Agreement to accept an award of federal funding from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) in the amount of \$2,955,383 for the acquisition and remediation of the parcel located at 299 Southland Dr., a Consent Decree project. No matching funds are required. (L0344-24) (Martin/Albright)

Budgetary Implications: Yes

Advance Document Review:

Law: Yes, Completed by Brittany Smith, 1/24/2023

Risk Management: N/A

Fully Budgeted: Yes

Account Number: 3230-303204-3334-92211

This Fiscal Year Impact: \$2,955,383

Annual Impact: \$0

Project: BROWNFLDS_2023

Activity: FED_GRANT

Budget Reference: 2023

Current Balance:

WHEREAS, the Kentucky General Assembly has appropriated funds for infrastructure projects in House Bill 1 of the 2022 Regular Session of the Kentucky General Assembly for the Cleaner Water Program; and

WHEREAS, the Lexington-Fayette Urban County Government (the "Grantee") has previously determined that it is in the public interest to acquire and construct certain facilities and improvements to the Grantee's utility system (the "Project"); and

WHEREAS, the Grantee desires funding from the Kentucky Infrastructure Authority (the "Authority") for the purpose of acquisition and construction of the Project; and

WHEREAS, in order to obtain a Grant from the Cleaner Water Program for the Project, and administered by the Authority, the Grantee is required to enter into an assistance Agreement (the "Agreement") with the Authority.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Lexington-Fayette Urban County Government as follows:

SECTION 1- The Grantee hereby accepts the Grant award and approves the Assistance Agreement between the Grantee and the Authority to provide the necessary funds to the Grantee for the Project.

SECTION 2- That the Mayor, on behalf of the Urban County Government, is hereby designated to be the Grantee's "Authorized Official" for this Project and is hereby directed and empowered by the Grantee to execute the Agreement, related documents and Agreements, and to otherwise act on behalf of the Grantee to effect such Grant award, and to engage a qualified Project Administrator.

SECTION 3- That the Grantee hereby agrees and commits to include, by Amendment to its annual Budget and audit process, the receipts and expenditures of funds subject to the Agreement up to and including the date of Project closeout, and that subject to the provisions of Section 7-48 of the Lexington-Fayette Urban County Government Code of Ordinances, the Mayor is hereby authorized, in her discretion as the Chief Executive Officer of the Urban County Government, to transfer the unencumbered balance of any operating or capital account appropriation to another operating or account appropriation within the Grant Budget previously established for this Grant.

SECTION 4- That this Resolution shall take effect at the earliest time provided by law.

ADOPTED on _____202____.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Authorized Signatory

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

0344-24:bgs:4895-9131-1794, v. 1