

RESOLUTION NO. 090, SERIES 2022

AN EMERGENCY RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT AMONG LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, THE CITY OF HILLVIEW, AND THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT RELATING TO WASTEWATER SERVICES AND ACQUISITION OF FACILITIES.

SPONSORED BY: COUNCIL PRESIDENT DAVID JAMES

WHEREAS, the Kentucky Interlocal Cooperation Act KRS 65.210 through 65.300, permits units of local government to make the most efficient use of their powers by enabling them to cooperate on a basis of mutual advantage and to thereby provide services and facilities in a manner and form that will best accord with geographic, economic, population and other factors which influence the needs and development of local communities; and

WHEREAS, the City of Hillview has expressed its desire to sell the Prologis Wastewater Treatment Plant (the "Prologis WWTP") to the Louisville and Jefferson County Metropolitan Sewer District ("MSD"); and

WHEREAS, the City of Hillview and MSD have determined this transfer will be beneficial to the residents of the City of Hillview and throughout Bullitt County; and

WHEREAS, the approval of the Attorney General of Kentucky of this Interlocal Cooperation Agreement is contingent upon full approval and execution by the Louisville Metro Mayor and Council President as required by KRS 65.241; and

WHEREAS, it is the intent of the Louisville/Jefferson County Metro Government, the Mayor of the City of Hillview, and the Executive Director of MSD that this Agreement be executed to allow for and govern the transference of the Prologis WWTP from the City of Hillview to MSD; and

WHEREAS, action on the request is required to be taken and notice of the action sent to MSD within 30 days of Metro Council's receipt of the request, which date was July 26, 2022, or the Agreement is deemed approved as a matter of law.; and

WHEREAS, this Ordinance requires emergency consideration as authorized by Council Rule 7.01 because the limitations of the regular Council calendar would make it impossible to review and return this matter without emergency passage.

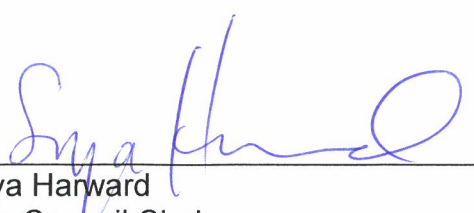
NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("THE COUNCIL") AS FOLLOWS:

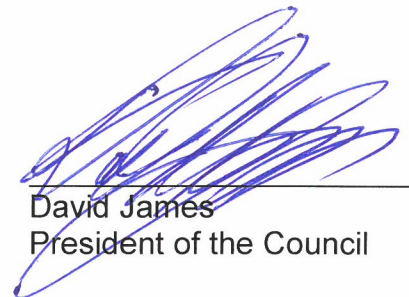
SECTION I. The Council approves and authorizes Louisville Metro to execute and enter into the Interlocal Cooperation Agreement for Wastewater Services and Acquisition of Facilities among Louisville/Jefferson County Metro Government, the City of Hillview, and the Louisville and Jefferson County Metropolitan Sewer District substantially in the form attached hereto as Exhibit A (the "Agreement").

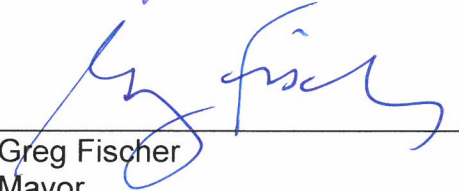
SECTION II. The Council approves and authorizes the President of the Council to sign the Agreement on the behalf of the Council.

SECTION III. The Mayor and other officers and employees of Louisville Metro are authorized to execute and deliver the Amended Agreement and to perform any and all actions necessary or convenient to undertake and perform the duties and obligations thereunder.

SECTION IV. This Resolution shall take effect upon its passage and approval or otherwise becoming law.


Sonya Harward
Metro Council Clerk


David James
President of the Council


Greg Fischer
Mayor

8/18/2022
Approval Date

APPROVED AS TO FORM AND LEGALITY:
Michael J. O'Connell
Jefferson County Attorney

LOUISVILLE METRO COUNCIL
ADOPTED
August 11, 2022

By: *Travis J. Fiechter*

R-114-22 Approving Interlocal Cooperation Agreement for Wastewater Services and Acquisition of Facilities.docx (TF)