

No. 43-06-RE

A RESOLUTION

Authorizing the Urban Redevelopment Authority of Pittsburgh to develop a tax increment financing plan for a proposed TIF District to include portions of the Fifth and Penn Redevelopment Area (pending certification) and designating a representative from the County to participate in the development of a tax increment plan for this proposed TIF District.

Whereas, Pennsylvania's Tax Incremental Financing Act (53 P.S. §6930.01 *et seq.*, as amended) (the "Act") provides local taxing bodies with legal authority to cooperate in providing financing for development of blighted areas within their respective jurisdictions in order to increase the tax base and improve the general economy; and

Whereas, under the Act, the Urban Redevelopment Authority of Pittsburgh (the "Authority") is legally empowered to prepare a Tax Increment Financing ("TIF") project plan to provide financing for the elimination and prevention of the development or spread of blight within specified tax increment districts located in the City of Pittsburgh (hereinafter the "TIF Project Plan") and to present such TIF Project Plan to the County of Allegheny for its consideration; and

Whereas, a developer (the "Developer") is working on a mixed-use development expected to include office, commercial, residential, and hotel space and a parking facility to be located at Fifth Avenue and Penn Avenue in the Fifth and Penn Redevelopment Area (pending certification) of the Larimer Neighborhood of Pittsburgh (the "Project"); and

Whereas, the County of Allegheny is expected to benefit from the use of tax increment financing for portions of the Fifth and Penn Redevelopment Area (pending certification) by stimulation of private investment, increases in property values, creation of employment opportunities and improvement of surrounding properties; and

Whereas, the implementation of any TIF Project Plan is fully dependent on the cooperation and participation of all local taxing bodies, namely, the City of Pittsburgh, the School District of Pittsburgh and the County of Allegheny.

The Council of the County of Allegheny hereby resolves as follows:

Section 1. Exploration of TIF

The County of Allegheny is willing to explore the use of TIF financing to fund a portion of the cost of the Project located in the Fifth and Penn Redevelopment Area (pending certification). The County of Allegheny hereby requests that the Urban Redevelopment Authority of Pittsburgh prepare a detailed TIF Project Plan for portions of the Fifth and Penn Redevelopment Area (pending certification), as required by the Act.

Section 2. Notification

Council directs that the respective governing bodies of the City of Pittsburgh and School District of Pittsburgh be notified of this action and be requested to undertake similar action and cooperation in considering a TIF Project Plan with respect to portions of Fifth and Penn Redevelopment Area (pending certification).

Section 3. Cooperative Actions

The appropriate public officials of the County of Allegheny are hereby directed to take such actions in cooperation with the Urban Redevelopment Authority of Pittsburgh and any participating taxing bodies in furtherance of the development of an acceptable TIF Project Plan that will be brought before the Council of the County of Allegheny and to schedule and conduct any and all public hearings required by the Act to permit public comment prior to final approval and implementation of any TIF Project Plan.

Section 4. Other Actions

The Director of Economic Development, or his designee, is hereby designated as the County of Allegheny's representative to work with the Urban Redevelopment Authority of Pittsburgh in preparing the TIF Project Plan.

Section 5. Non-binding

This resolution is non-binding on the County. The County's participation in the TIF Project Plan committee shall not in any way be construed as constituting approval, acceptance, or endorsement of the TIF Project Plan. The County reserves the right to opt out of participation in any phase of the TIF Project Plan at any time, with or without cause.

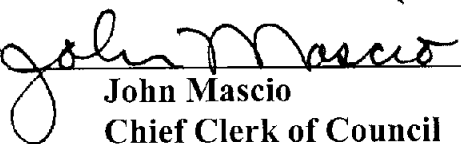
Section 6. Severability. If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.

Section 7. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

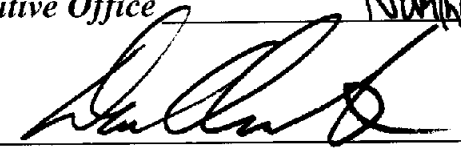
Enacted in Council, this 21st day of November, 2006,

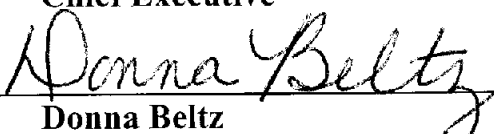
Council Agenda No. 283606


Rich Fitzgerald
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Chief Executive Office November 29, 2006.

Approved: 
Dan Onorato
Chief Executive

Attest: 
Donna Beltz
Executive Secretary

SUMMARY PAGE
FIFTH AND PENN TIF RESOLUTION
SUBMITTED FOR COUNCIL MEETING 11/08/06


The Urban Redevelopment Authority ("URA") is working with a developer to construct a mixed-use development to include office, commercial, residential, and hotel space and a parking facility to be located at Fifth Avenue and Penn Avenue in the Fifth and Penn Redevelopment Area of the Larimer Neighborhood of Pittsburgh (the "Project").

The URA requests that the County of Allegheny Council:

- (a) consider a resolution of intent to explore the use of a tax increment financing ("TIF") to fund a portion of the cost of the Project; and
- (b) appoint the Director of Economic Development, or his designee, as representative to the TIF Committee to work with the URA in preparing the TIF Plan.

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: James M. Flynn, Jr. 
County Manager

DATE: November 2, 2006

RE: Proposed Resolution

ALLEGHENY COUNTY COUNCIL

'06 NOV 2 AM 9:22

Attached is a Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to develop a tax increment financing plan for a proposed TIF District to include portions of the Fifth and Penn Redevelopment Area (pending certification) and designating a representative from the County to participate in the development of a tax increment plan for this proposed TIF District.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

Please place this on the next agenda for County Council approval.

Thank you.