

*Bill No. 4402-08*

*No. 440-08-RE*

## **RESOLUTION**

A Resolution of the Council of the County of Allegheny authorizing pursuit of a Tax Increment Financing plan in the City of Pittsburgh, Allegheny County, Pennsylvania.

**Whereas**, Pennsylvania's Tax Increment Financing Act, 53 P.S. §6930.1 *et seq.*, (the "Act") provides local taxing bodies authority to cooperate in providing financing for development of blighted areas within their respective jurisdictions in order to increase the tax base, provide new employment opportunities and improve the general economy; and

**Whereas**, under the Act the Urban Redevelopment Authority of Pittsburgh ("URA") may prepare a Tax Increment Financing ("TIF") Plan to provide financing for the elimination and prevention of the development or spread of blight within designated tax increment districts located within the City of Pittsburgh (the "City") and to present such Plan to the Allegheny County Council (the "Council") for consideration; and

**Whereas**, a developer is working to construct a commercial development and necessary public infrastructure improvements (the "East Liberty Gateway Project") situated within the East Liberty Neighborhood of the City; and

**Whereas**, Allegheny County (the "County") is expected to benefit from the use of tax increments to pay certain project costs as defined by the Act, 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 Plan is fully dependent on the cooperation and participation of all local taxing bodies, namely the City, the County, and the School District of Pittsburgh (the "School District"); and

**Whereas**, the respective governing bodies of the City and the School District are expected to pass resolutions designating representatives to work on the TIF Committee and cooperate in implementing a TIF Plan with respect to the East Liberty Gateway Project.

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

***Section 1. Incorporation of Preamble.***

The provisions set forth in the preamble to this Resolution are incorporated by reference in their entity herein.

***Section 2. Exploration of TIF***

The County is hereby authorized to explore the use of TIF financing to fund a portion of the cost of the East Liberty Gateway Project; and the URA is requested to prepare a detailed TIF Plan for a redevelopment area in the City, as required by the Act.

***Section 3. County's Representative***

The Director of Economic Development or his designee is hereby designated as the County's representative to work with the URA, the City of Pittsburgh, the School District of Pittsburgh and any other parties in preparing the TIF Plan, as required by the Act.

***Section 4. Cooperative Actions***

The appropriate public officials of the County of Allegheny are hereby directed to take such actions in cooperation with the URA and any participating taxing bodies in furtherance of the development of an acceptable TIF Plan that will be brought before the Council 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 Plan.

***Section 5. Other Actions***

The proper officers of the County are hereby authorized and directed to take such other actions and to execute such other documents as may be necessary or proper to carry out the intent and purpose of this Resolution.

***Section 6. Non-binding***

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

***Section 7. 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 8. 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 5<sup>th</sup> day of November, 2008.

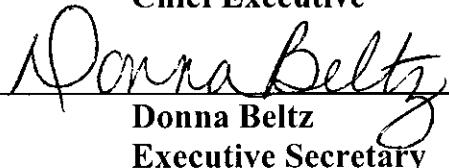
Council Agenda No. 4402-08

  
Rich Fitzgerald  
President of Council

Attest:   
John Mascio  
Chief Clerk of Council

Chief Executive Office  NOVEMBER 12, 2008

Approved:   
Dan Onorato  
Chief Executive

Attest:   
Donna Beltz  
Executive Secretary

SUMMARY OF LEGISLATION  
EASTSIDE V RESOLUTION  
SUBMITTED FOR COUNCIL MEETING OCTOBER 21, 2008

The Urban Redevelopment Authority of Pittsburgh (the “URA”) is working with a developer (currently Eastside V, LP) to construct a commercial development and necessary public infrastructure improvements (the “East Liberty Gateway Project”) situated within the East Liberty Neighborhood of the City of Pittsburgh. The proposed development will include a 160,000 square foot Target Department Store. TIF proceeds will be used to fund a portion of the costs associated with public infrastructure, including streetscape improvements, public space and improvements to Penn Circle. Total engineering and construction costs, including the private development, are estimated at \$45.3 million.

The URA requests that the County of Allegheny Council:

- (a) consider a resolution of intent to explore the use of Tax Increment Financing (“TIF”) to fund a portion of the cost of the East Liberty Gateway 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.

**M E M O R A N D U M**

**OFFICE OF THE COUNTY MANAGER**

TO: John Mascio  
Chief Clerk

FROM: James M. Flynn, Jr.  
County Manager

DATE: October 16, 2008

RE: Proposed Resolution

ALLEGHENY COUNTY COUNCIL

'08 OCT 16 AM 9:47

*JM*

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Attached is a Resolution authorizing pursuit of a Tax Increment Financing plan in the City of Pittsburgh, Allegheny County, Pennsylvania.

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

I am requesting that this item be placed on the agenda at Tonight's Regular Meeting of Council.