

Bill No. 4894-09

No. 15-09-RE

A RESOLUTION

A Resolution of the Council of the County of Allegheny extending the duration of the time for the exemption of certain taxes within a specified geographic area designated as a Keystone Opportunity Zone within the City of Duquesne, Allegheny County.

Whereas, the County of Allegheny (the "County") recognizes the need to encourage investment in a defined geographic area described as set forth in Exhibit A, hereinafter the "Keystone Opportunity Zone," that is experiencing economic distress; and

Whereas, the Keystone Opportunity Zone and Keystone Opportunity Expansion Zone Act, as amended by Act 79 of 2008 (the "Act") authorizes political subdivisions to apply to the Pennsylvania Department of Community and Economic Development ("DCED") for an extension of time that an area may be designated as a Keystone Opportunity Zone ("KOZ") within the respective political subdivision and, as a precondition of such application, to enact a binding resolution that provides, within the designated and approved geographic area, exemptions, deductions, abatements or credits from all local taxes identified in the Act, which resolutions will be contingent upon DCED's approval of the application; and

Whereas, extension of the duration of the KOZ will support further development of the RIDC City Center of Duquesne and redevelopment of the Cochrandale site.

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 entirety herein.

Section 2. Proposed KOZ Boundary.

The County does hereby find that the specific geographic area situated in the City of Duquesne bounded and described in Exhibit A attached hereto, which area is referred to herein as the proposed Keystone Opportunity Zone, constitutes an unoccupied property under the Act.

Section 3. KOZ Application.

The County will participate with the City of Duquesne and Duquesne City School District in an application to DCED seeking approval of an extension of time so the area set forth in Exhibit A may continue to be designated as a KOZ.

Section 4. Exemption.

1. Real Property in the KOZ is exempt from County property taxes in accordance with the provisions and limitations hereinafter set forth within the boundaries of the KOZ in accordance with the Act. The exemption shall be 100% of the real property taxation on the assessed valuation of property within the KOZ.

2. Sales at retail of services or tangible personal property, other than motor vehicles, to a qualified business or a construction contractor pursuant to a construction contract with a qualified business, landowner or lessee for the exclusive use, consumption and utilization of the tangible personal property or service by the qualified business at the qualified business's, landowner's or lessee's facility located within the KOZ are exempt from the one percent (1%) Sales and Use Tax levied by the County under Article II of the Tax Reform Code of 1971, except for such limitations set forth in the Act.

3. Such exemptions granted in accordance with the Act shall be extended beyond the original December 31, 2010 expiration date of the KOZ for a period of ten years from the date of occupancy, provided that the parcel(s) is/are occupied on or before December 31, 2015, but no longer than December 31, 2025.

Section 5. Incorporation of Provisions of the Act.

The provisions of the Act not herein enumerated shall, nevertheless, be incorporated as part of this resolution by reference.

Section 6. Effective Date.

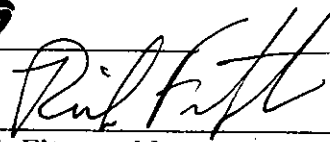
This resolution shall become effective January 1, 2011, contingent and conditioned on the approval of DCED of the application with respect to an extension of the duration of time of the KOZ set forth in Exhibit A.

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 16th day of June, 2009.

Council Agenda No. 4894-09



Rich Fitzgerald
President of Council

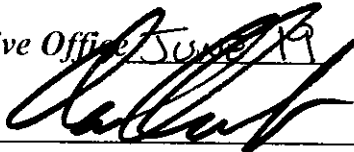


Attest: _____

Allegheny County Council

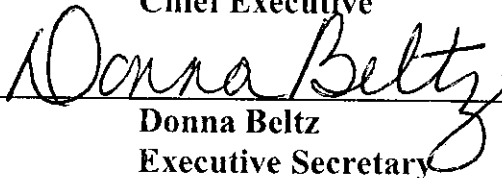
Chief Executive Office June 19, 2009

Approved: _____



Dan Onorato
Chief Executive

Attest: _____



Donna Beltz
Executive Secretary

EXHIBIT A

DESCRIPTION OF KEYSTONE OPPORTUNITY ZONE (KOZ)

The Upper Mon-Valley KOZ Sub-Zone consists of the parcels at the City Center of Duquesne and Cochrandale Redevelopment site illustrated below. Unoccupied and undeveloped parcels will be eligible for application to DCED to grant an extension of the duration of time that the KOZ will be eligible for benefits identified in the Act. These parcels are recorded with the Office of Property Assessments by the following tax identification numbers (lot & block):

378-K-27	378-K-104	378-K-2
378-K-375-01	378-K-4	378-K-6
379-F-207-01	378-K-8	378-K-20
379-K-25	378-K-22	378-K-96
378-K-98	378-K-100	378-K-102
378-K-103	378-K-106	378-K-110
378-K-173	378-K-175	378-K-177
378-K-178	378-K-179	378-N-269
378-N-271	378-N-275	378-N-279
378-N-330-1	378-N-350	378-N-352
378-N-330-2	378-N-354	378-N-356
378-N-360	378-N-362	378-N-364
378-P-93	378-P-96	378-P-98
378-P-105	378-P-107	378-P-109
378-P-111	378-P-140	378-P-192
378-P-193	378-P-197	378-P-198
378-P-199	378-P-200	378-P-216
378-P-218	378-P-220	378-P-222
378-P-224	378-P-226	378-P-228
378-P-230	378-P-232	378-P-236
378-P-237	378-P-238	378-P-239
378-P-240	378-P-241	378-P-242
378-P-243	378-P-244	378-P-259
378-P-260	378-P-268	378-P-270
378-P-271	378-P-272	378-P-273
378-P-274	378-P-275	378-P-276
378-P-277	378-P-278	378-P-279
378-P-280	378-P-282	378-P-284
378-P-145	378-P-152	378-P-153
378-P-154	378-P-156	378-P-158
378-P-163	378-P-168	378-P-185
378-P-186	378-P-187	378-P-188
378-P-189	378-P-190	378-P-191
378-P-313	378-P-314	378-P-287

378-P-288
378-P-294
378-P-300
378-P-295
378-P-296
378-P-297
378-P-298
378-P-312

378-P-305
378-P-308
378-P-310
378-P-301

378-P-307
378-P-309
378-P-311
378-P-303

Duquesne KOZ



Chief Executive Dan Onorato



SUMMARY OF LEGISLATION
DUQUESNE KOZ RESOLUTION
SUBMITTED FOR COUNCIL MEETING JUNE 2, 2009

The Keystone Opportunity Zone (“KOZ”) Program provides for State and local tax benefits for businesses and residents located within areas designated by local communities and approved by the State. The Keystone Opportunity Zone and Keystone Opportunity Expansion Zone Act, as amended by Act 79 of 2008 (the “Act”) authorizes political subdivisions to apply to the Pennsylvania Department of Community and Economic Development (“DCED”) for extension of duration of time that an area may continue to be designated as a Keystone Opportunity Zone (“KOZ”) within the respective political subdivision. The City of Duquesne (the “City”) and Duquesne City School District (the “School District”) have enacted binding resolutions that provide, within the designated and approved geographic area, exemptions, deductions, abatements or credits from all local taxes identified in the Act, contingent upon DCED’s approval of the application.

The Allegheny County Economic Development requests that the Council of the County of Allegheny:

(a) participate with the City and School District in an application to DCED seeking DCED’s approval of an extension of the duration of time of the KOZ for the area set forth in Exhibit A;

(b) consider a resolution authorizing the exemption of County real property taxes and one percent Sales and Use Tax within the boundaries of the KOZ set forth in Exhibit A in accordance with the Act, contingent on DCED’s approval of the KOZ application; and

(c) direct the appropriate public officials of the County to take such additional actions in cooperation with the City and the School District to implement the KOZ.

Extension of the duration of time of the KOZ will support further development of the RIDC City Center of Duquesne and redevelopment of the Cochrandale site.

MEMORANDUM

OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: James M. Flynn, Jr.
County Manager

DATE: May 28, 2009

RE: Proposed Resolution



Attached is a Resolution extending the duration of the time for the exemption of certain taxes within a specified geographic area designated as a Keystone Opportunity Zone within the City of Duquesne, Allegheny County.

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 the next Regular Meeting of Council.