

No. **28-08-RE**

Bill No. **4071-08**

RESOLUTION

A Resolution of the County of Allegheny authorizing the acceptance of a distribution from the Pennsylvania Gaming and Economic Development and Tourism Fund for the restricted purpose of distribution to a community infrastructure development fund of a county of the second class to fund construction, development, improvement and maintenance of infrastructure projects through the Economic Development, Community Infrastructure and Tourism Fund established by the Redevelopment Authority of Allegheny County.

Whereas, pursuant to the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S.A. §1101, *et seq.* (the “Act”), the Commonwealth of Pennsylvania established the “Pennsylvania Gaming and Economic Development and Tourism Fund” (the “State Fund”); and

Whereas, in 2007 the Commonwealth adopted the “Pennsylvania Gaming Economic Development and Tourism Fund Capital Budget Itemization Act of 2007; itemizing projects to be assisted by the Department of Community and Economic Development, together with their estimated financial costs; authorizing recurring payments for certain projects; and making appropriations” (the “State Budget”); and

Whereas, under the provisions of the State Fund and State Budget, for a twelve year period, the State Fund will provide monies to support certain restricted and specified projects, as set forth in greater detail in the Act, within cities and counties of the first and second class; and

Whereas, one of the restricted and specified projects identified in the Act and State Budget is to pay \$80 million to a county of the second class “for distribution to a community infrastructure development fund of a county of the second class to fund construction, development, improvement and maintenance of infrastructure projects” 4 Pa.C.S.A. §1407(d)(5); and

Whereas, in April 2006, shortly after the Act was passed, the Redevelopment Authority of Allegheny County (“RAAC”) established the Economic Development, Community Infrastructure and Tourism Fund (the “County Fund”); and

Whereas, the County Fund was established to receive distributions of monies generated by the State Fund and to make distributions of those monies to eligible applicants, pursuant to program guidelines developed by RAAC in accordance with the gaming legislation and approved

by the Commonwealth, in furtherance of the stated purpose and restrictions as set forth in the Act; and

Whereas, the first distribution of monies from the State Fund to the County Fund will be available by the end of the June 2008, in the amount of \$6,600,000; and

Whereas, at the request of the Chief Executive and the County's Department of Economic Development, County Council desires to amend the 2008 Grants and Special Accounts Budget as set forth herein.

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

Section 1. Incorporation of the Preamble.

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

Section 2. Amendment of the 2008 Grants and Special Accounts Budget

The County Council of Allegheny County approves the receipt of the distribution of monies from the Pennsylvania Gaming and Economic Development and Tourism Fund in the amount of \$6,600,000 for the restricted purpose of distribution to a community infrastructure development fund of a county of the second class to fund construction, development, improvement and maintenance of infrastructure projects.

The County Council of Allegheny County also approves and the transfer of those funds to the Economic Development, Community Infrastructure and Tourism Fund established by RAAC to administer the program.

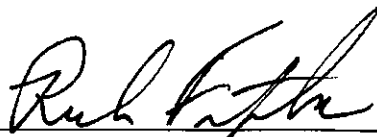
The County Council of Allegheny County approves amendment to the Allegheny County 2008 Grants and Special Accounts Budget, to process these actions.

Section 3. 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 4. 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.

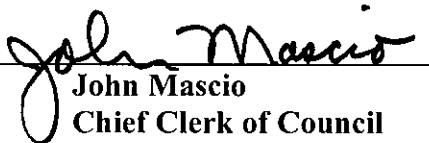
Enacted in Council, this 17th day of June, 2008

Council Agenda No. 4071-08.



Rich Fitzgerald
President of Council

Attest:



John Mascio
Chief Clerk of Council

Chief Executive Office

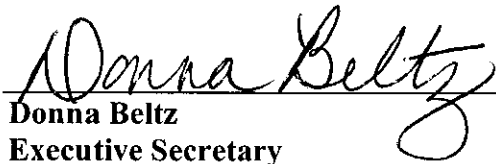
June 20, 2008

Approved:



Dan Onorato
Chief Executive

Attest:



Donna Beltz
Executive Secretary

SUMMARY OF LEGISLATION

This Resolution authorizes the acceptance of a distribution from the Pennsylvania Gaming and Economic Development and Tourism Fund for the restricted purpose of distribution to a community infrastructure development fund of a county of the second class to fund construction, development, improvement and maintenance of infrastructure projects through the Economic Development, Community Infrastructure and Tourism Fund established by the Redevelopment Authority of Allegheny County.

MEMORANDUM

OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: James M. Flynn, Jr.
County Manager

ALLEGHENY COUNTY COUNCIL

DATE: May 29, 2008

'08 MAY 29 AM 11:45

RE: Proposed Resolution

Attached is a Resolution authorizing the acceptance of a distribution from the Pennsylvania Gaming and Economic Development and Tourism Fund for the restricted purpose of distribution to a community infrastructure development fund of a county of the second class to fund construction, development, improvement and maintenance of infrastructure projects through the Economic Development, Community Infrastructure and Tourism Fund established by the Redevelopment Authority of Allegheny County.

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.