

No. _____

A RESOLUTION

A Resolution of the County Council of Allegheny County dissolving the Westport Tax Increment Financing District and authorizing related actions.

Whereas, pursuant to the Tax Increment Financing Act, 53 PA. Cons. Stat. Ann. §6930.1 *et. seq.* (“**Act**”), and in cooperation with the Township of Findlay (the “**Township**”), the West Allegheny School District (the “**School District**”) and the Redevelopment Authority of Allegheny County (the “**Redevelopment Authority**”), the County of Allegheny, Pennsylvania (the “**County**”) and together with the Township and the School District, the “**Taxing Bodies**”) adopted legislation on March 18, 2014 creating the “Westport Tax Increment Financing District” (the “**TIF District**”); and

Whereas, pursuant to a Cooperation Agreement dated as of April 30, 2014 by and among the Redevelopment Authority, the County, the Township and the School District (as amended, the “**Cooperation Agreement**”), the Taxing Bodies pledged certain portions of the incremental real estate tax revenue resulting from increases in property values as a result of redevelopment within the TIF District to pay debt service on and costs related to execution of the TIF Plan (as defined herein); and

Whereas, development within the TIF District occurred substantially in accordance with the tax increment financing plan (as amended, the “**TIF Plan**”); and

Whereas, pursuant to a Trust Indenture dated as of April 30, 2014 (the “**Trust Indenture**”) between the Redevelopment Authority and U.S. Bank Trust Company, National Association (the “**Trustee**”), the Redevelopment Authority issued Tax Increment Financing Funding Note, Series A of 2014 (Westport Tax Increment Financing District – Imperial Project) in the maximum principal amount of \$3,579,361.00 (the “**2014A Note**”), and its Tax Increment Financing Funding Note, Series B of 2014 (Westport Tax Increment Financing District – Pittsburgh DC Project), in the maximum principal amount of \$2,272,201.00 (the “**2014B Note**” and together with the 2014A Note, the “**2014 Notes**”) for the purpose of paying certain costs of implementing the TIF Plan; and

Whereas, on October 1, 2021, the 2014A Note was paid in full, and all excess funds related to the 2014A Note held under the Indenture were previously disbursed to the Taxing Bodies; and

Whereas, on April 1, 2024, the 2014B Note was paid in full; and

Whereas, the County has benefitted from the TIF District and the TIF Plan by stimulation of private investment, increases in property values, creation of employment opportunities and improvement of surrounding properties; and

Whereas, because positive tax increments are no longer allocable to the TIF District, the TIF District should be terminated pursuant to §6930.8 of the Act.

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 Resolution are incorporated by reference in their entirety herein.

SECTION 2. Terms Defined.

Terms used in the Preamble to this Resolution are herein used as therein defined.

SECTION 3. Dissolution of TIF District.

(a) As of the effective date of this Resolution, the TIF District shall be dissolved and the pledge of incremental tax revenues from each of the Taxing Bodies shall be terminated (the “**TIF Termination Date**”).

(b) The Cooperation Agreement shall be terminated by operation of law and shall no longer be of any further force and effect as of the TIF Termination Date.

(c) Pursuant to the Trust Indenture, the Trustee shall distribute any remaining balance due to the Taxing Bodies.

SECTION 4. Notification of Actions.

The appropriate County officials are directed to deliver a copy of this Resolution to the Township and the School District, as provided in the Act.

SECTION 5. Cooperative Actions.

The appropriate public officials of the County are hereby directed to take such additional action in cooperation with the Authority, the City, and the School District in furtherance of the purpose of this Resolution.

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.

[Remainder of Page Intentionally Blank.]

SECTION 8. Effective Date. This Resolution shall become effective immediately upon its approval.

Enacted in Council, this _____ day of _____, 2024.

Council Agenda No. _____

President of Council

Attest: _____
Chief Clerk of Council

Chief Executive Office _____, 2024

Approved: _____
County Executive

Attest: _____
Executive's Secretary

SUMMARY OF LEGISLATION
WESTPORT TIF
SUBMITTED FOR COUNCIL MEETING _____, 2024

Dissolution of the Westport Tax Increment Financing (TIF) District due to the successful completion of the project and the early repayment of outstanding TIF obligations on April 1, 2024.

**CERTIFICATE OF ALLEGHENY COUNTY
RE: DISSOLUTION OF THE WESTPORT TIF DISTRICT**

In connection with the dissolution of the Westport TIF District, the undersigned certifies that:

1. I am the County Manager of Allegheny County, Pennsylvania (the "County") and am authorized to execute and deliver this Certificate on behalf of the County.

2. No litigation or proceeding is pending or, to our knowledge, threatened in any court or by or before any administrative body seeking to restrain or enjoin, or restraining or enjoining the collection of the County's portion of the TIF Payments (as such term is defined in the Cooperation Agreement Regarding the Westport Tax Increment Financing District dated as of April 30, 2014 among the Township of Findlay, the County, the West Allegheny School District and the Redevelopment Authority of Allegheny County).

3. The County confirms that it shall receive the sum of \$188,800.89 as its share of the excess funds held by U.S. Bank Trust Company, National Association, as trustee under the Trust Indenture dated as of April 30, 2014 between the Redevelopment Authority of Allegheny County and U.S. Bank Trust Company, National Association.

COUNTY OF ALLEGHENY, PENNSYLVANIA

By: _____
County Manager

APPROVED AS TO FORM:

County Solicitor

Dated: December ____, 2024

MEMORANDUM

OFFICE OF THE COUNTY SOLICITOR

TO: John Fournier
County Manager

FROM: Rosalyn Guy-McCorkle
County Solicitor

DATE: November 19, 2024

RE: Proposed Resolution/

Attached are the following Resolution and Dissolution:

1. Westport TIF District Resolution
2. Dissolution of the Westport TIF District

The Allegheny County Law Department has reviewed the Resolution and Dissolution prior to submitting it to the Council.

I am requesting that these items be placed on the agenda at the next Regular Meeting of the Council.