



# Allegheny County Council

County of Allegheny  
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## Legislation Text

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### A RESOLUTION

A Resolution of the County Council of Allegheny County approving an amendment to the Clinton Industrial Park Phase I and II Tax Increment Financing Plan and authorizing related actions.

**Whereas**, pursuant to the Tax Increment Financing Act, 53P.S.. §6930.1 *et. seq.* (the "*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"), on June 21, 2005, the County of Allegheny, Pennsylvania (the "County") adopted legislation creating the "Clinton Industrial Park - Phase I and II Tax Increment Financing District (the "TIF District"); and

**Whereas**, development within the TIF District has occurred substantially in accordance with the tax increment financing plan attached hereto and incorporated herein as Exhibit "A" (the "*Original TIF Plan*"); and

**Whereas**, the Redevelopment Authority and the Allegheny County Airport Authority (the "Developer") have requested that the County, the Township and the School District amend the Original TIF Plan by removing the currently undeveloped parcels of property identified in Exhibit "B" to this Resolution (the "Released Parcels") from the TIF District; and

**Whereas**, pursuant to Section 6930.5 (a)(8) of the Act, the governing body of the municipality creating a tax increment financing district may at any time adopt an amendment to a TIF plan, which shall be subject to approval in the same manner as the original project plan; and

**Whereas**, the Redevelopment Authority has made formal presentations to the governing bodies of each of the Township, the County, and School District, describing the proposed amendments to the Original TIF Plan, and each of the Taxing Bodies designated its representative to meet with the Redevelopment Authority to discuss the amendments to the Original TIF Plan and to prepare the First Amendment to the Original TIF Plan for the Clinton Industrial Park Phase I & II Tax Increment Financing Project attached hereto as Exhibit "B" (the "*First Amendment*") and submitted it to their respective governing bodies, as required by the TIF Act (the Original TIF Plan, as amended by the First Amendment, is referred to hereinafter as the "*Amended TIF Plan*"); and

**Whereas**, the County is expected to benefit from the Amended TIF Plan by stimulation of private investment, increases in property values, creation of employment opportunities and improvement of surrounding properties; and

**Whereas**, the Council of the County (the "*Council*") believes that approval of the First Amendment and amendment of the Original TIF Plan will benefit the health, safety, and welfare of the citizens of the County.

***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 Recitals to these Resolutions are herein used as therein defined.

**SECTION 3.        Amendment of TIF Plan.**

- (a) The First Amendment to the TIF Plan prepared by the Redevelopment Authority for financing certain costs of construction within the TIF District, attached hereto as Exhibit B is hereby adopted.
- (b) The boundaries of the TIF District shall be as identified in the Amended TIF Plan and shall include only those whole units of property assessed or to be assessable for general property tax purposes.
- (c) The life of the TIF District shall not be extended beyond its current expiration date, which is June 30, 2025.
- (d) The name of the TIF District shall continue to be the “*Clinton Industrial Park Phase I and II Tax Increment Financing District*”.

**SECTION 4.        Findings.**

After due consideration, the Council finds as follows:

- (a) the TIF District, as amended, is a contiguous geographic area within a redevelopment area;
- (b) the improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the TIF District;
- (c) the aggregate value of equalized taxable property of the TIF District, plus all existing tax increment districts, does not exceed 10% of the total value of equalized taxable property within the County;
- (d) the area comprising the TIF District as a whole has not been subject to adequate growth and development through investment by private enterprise and would not reasonably be anticipated to be adequately developed or further developed without the amendment of the Original TIF Plan;
- (e) no individuals, families and small businesses will be displaced by the Amended TIF Plan and there exists no need for relocation;

- (f) the Amended TIF Plan conforms to the County's Master Plan, if any;
- (g) the Amended TIF Plan will afford maximum opportunity, consistent with the sound needs of the community as a whole, for the rehabilitation or the redevelopment of the TIF District by private enterprise; and
- (h) the Amended TIF District is a blighted area containing characteristics of blight as described in the Urban Redevelopment Law and the TIF Project to be undertaken is necessary to eliminate such conditions of blight.

**SECTION 5. Notification of Actions.**

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

**SECTION 6. 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 amendment of the TIF Plan.

**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.***