



Text File

Introduced: 9/10/2013

Bill No: 2013-1824, **Version:** 2

Committee: Committee on Intergovernmental Affairs

Status: Passed Finally

Resolution signifying the intention and desire, of the City of Pittsburgh, Allegheny County, Pennsylvania to organize an authority under the provisions of the Municipality Authorities Act (53 PA.C.S.A. §5601 et.seq.), as amended, setting forth and authorizing execution of Articles of Incorporation; appointing and fixing terms of the first members of the board of such authority; authorizing all such other necessary action; and repealing all inconsistent ordinances, resolutions or parts of ordinances or resolutions. (Council Districts 7, 8 and 9)

Whereas, the Transit Revitalization Investment District Act, Act of December 8, 2004, P.L. 1801, No. 238 ("Act") provides local taxing bodies with authority to cooperate in establishing transit oriented development and value capture areas, as defined in the Act, within their respective jurisdictions to increase the tax base and improve the general economy of their communities; and

Whereas, pursuant to the Act, the Urban Redevelopment Authority of Pittsburgh ("URA") is legally empowered to prepare transit revitalization investment district ("TRID") plans to provide financing for local, county and regional economic development and revitalization activities through private sector investment, reinvestment and joint development activities in conjunction with public transportation improvements in TRID districts located in the City of Pittsburgh, Allegheny County, Pennsylvania (the "City"); and

Whereas, by Resolution No. 443, effective July 2, 2013, the City authorized the creation of East Liberty TRID District, the adoption of a Phase I TRID Plan prepared by the URA, the agreement of the City to participate in the TRID District and the authorization empowering appropriate public officials of the City to execute and deliver in the name of and on behalf of the City all documents required in connection with the creation of the TRID District and administration of the TRID Plan; and

Whereas, as requested by the URA and provided in the Act, the City wishes **agrees** to organize and establish a municipal authority (the "Authority") in accordance with the requirements of the Municipality Authorities Act (53 Pa. C.S.A. §5601 et. seq.), as amended, (the "Authorities Act") to act as a so-called management entity to manage and facilitate the TRID implementation; and

Whereas, pursuant to the Authorities Act, the City wishes to authorize and direct the Executive Director or Acting Executive Director of the URA and the City Clerk of the City of Pittsburgh, to execute on behalf of the Authority, Articles of Incorporation for such Authority.

Now, therefore, be it resolved by the Council of the City of Pittsburgh, as follows:

Section 1. The City Council of the City of Pittsburgh, Allegheny County, Pennsylvania signifies its intention and desire to organize an Authority under the Municipality Authorities Act (53 Pa. C.S.A. §5601 et. seq.), as amended, (the "Authorities Act").

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Section 2. The Executive Director or Acting Executive Director of the URA and the City Clerk of the City of Pittsburgh, Allegheny County, Pennsylvania, are authorized and directed to execute on behalf of the Authority, Articles of Incorporation for such Authority in substantially the following form:

ARTICLES OF INCORPORATION

TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:

In compliance with the requirements of the Municipality Authorities Act (53 Pa.C.S.A. §5601 et. seq.), as amended, (the "Act"), and pursuant to a resolution adopted by the City Council of the City of Pittsburgh, Allegheny County, Pennsylvania (the "Municipality"), expressing the intention and desire of the Municipality to organize an Authority under the provisions of the Act, the Municipality hereby certifies:

1. The name of the Authority is "EAST LIBERTY TRID REVITALIZATION AUTHORITY".
2. The Authority is formed under the provisions of the Municipality Authorities Act, as amended, (53 Pa.C.S.A. §5601 et. seq.).
3. Other municipal authorities have been organized by the City of Pittsburgh under the Act, or under the former Act of June 28, 1935, P.L. 463, No. 191, as amended, or the act of May 2, 1945 (P.L. 382, No. 164), known as the Municipality Authorities Act of 1945, and are currently in existence.
4. The name of the incorporating municipality **or one of the incorporating municipalities** is the City of Pittsburgh and the names and addresses of its municipal authorities are, as follows:

Name and Address of Authority

- a) City of Pittsburgh Equipment Leasing Authority
414 Grant Street
Pittsburgh, PA 15219
- b) Allegheny County Sanitary Authority
3300 Preble Avenue
Pittsburgh, PA 15233
- c) Pittsburgh Water and Sewer Authority
Penn Liberty Plaza I
1200 Penn Avenue
Pittsburgh, PA 15222
- (d) Steel Valley Authority
1112 South Braddock Street - Suite 300
Swissvale, PA 15218

5. The names/titles, addresses and terms of office of the first members of the board of the Authority are, as

follows:

<u>Name/Title</u>	<u>Address</u>	<u>Term</u>
Robert Rubinstein, Acting Executive Director Urban Redevelopment Authority of Pittsburgh 200 Ross Street Pittsburgh, PA 15219		5 years
Scott Kunka, Director of Finance, City of Pittsburgh 414 Grant Street Pittsburgh, PA 15219		4 years
Dennis Davin, Director of Economic Development Allegheny County Economic Development One Chatham Center, Suite 900 112 Washington Place, Pittsburgh, PA 15219		3 years
Ronald Joseph, Chief Operations Officer Pittsburgh Public Schools 341 S. Bellefield Ave. Pittsburgh, PA 15213		2 years
Wendy Stern, Assistant General Manager of Planning Port Authority of Allegheny County 345 Sixth Avenue Third Floor Pittsburgh, PA 15222		1 year

6. The Authority shall not exercise the power of eminent domain.
7. The City of Pittsburgh shall not be liable for any debt of the Authority.
8. The Authority shall remain in existence until no later than December 31, 2036.
9. All ordinances, resolutions and parts of ordinances and resolutions inconsistent herewith are expressly repealed.

Section 3. Said Articles of Incorporation will be filed with the Secretary of the Commonwealth of Pennsylvania in accordance with the Act on or after October 25, 2013.

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Section 4. Additionally, the Executive Director or Acting Executive Director of the URA is authorized to execute an operating agreement for the Authority referenced herein above in Section 2(1) and do any and all acts and things and to execute, acknowledge, and deliver any and all certificates, documents, instruments or other writings as may be deemed necessary or advisable to form the Authority.

Section 5. This legislation shall become effective on the date of the Mayor's signature.

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