

City of Philadelphia



(Bill No. 051089)

AN ORDINANCE

Authorizing the Philadelphia Authority for Industrial Development (“PAID”) to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an amount not to exceed Six Million Dollars (\$6,000,000) to assist in the development of the Point Breeze Performing Arts Center; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions.

WHEREAS, The City and the Philadelphia Authority for Industrial Development (“PAID”) desire to obtain funds from the Commonwealth of Pennsylvania’s Office of the Budget, in an amount not to exceed Six Million Dollars (\$6,000,000) for the undertaking of an approved Capital Budget project under Section 4(c) of the Housing and Redevelopment Assistance Law as amended; and

WHEREAS, Guidelines issued pursuant to the Housing and Redevelopment Assistance Law, as amended, define a blighted area to include portions of an urban community with economically undesirable land uses; and

WHEREAS, The City and PAID recognize that blighting influences exist due to economically undesirable land use throughout the City; and

WHEREAS, A project (“Project”) is being proposed to eliminate the existing blighting influence by relocation and expansion of a performing arts training center; and

WHEREAS, The City and PAID desire to advance the necessary development of the above-referenced Project; and

WHEREAS, The Housing and Community Development Program authorizes PAID to file applications for grants; and

WHEREAS, The Commonwealth regulations require the City and/or its designated project recipients to assume the provision of the full matching share of the project costs above the aggregate amount of Six Million Dollars (\$6,000,000); and

WHEREAS, The Commonwealth regulations require the City to obligate itself to reimburse the Commonwealth for expenditures found to be ineligible and not reimbursed by the project recipient; and

WHEREAS, The Commonwealth regulations require the City to enter into a Cooperation Agreement between PAID and the City to create the mechanism to reimburse the state for project expenses found to be ineligible and not reimbursed by the

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project recipient; and to reimburse the state when warranted for project expenses on projects not completed within the agreed upon term of the grants; and

WHEREAS, The Commonwealth regulations require City Council's approval prior to PAID's submission of an application; now, therefore,

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The City of Philadelphia authorizes the Philadelphia Authority for Industrial Development ("PAID") to file an application for a Redevelopment Assistance Capital Program Grant through the Commonwealth of Pennsylvania's Office of the Budget, including all understandings and assurances contained therein, in an amount not to exceed Six Million Dollars (\$6,000,000) to assist in the development of the Point Breeze Performing Arts Center, as described in the Capital Budget Project Itemization Act of 2004-40 and as described in Exhibit "A" attached hereto and incorporated herein.

SECTION 2. The City of Philadelphia authorizes PAID to enter into a grant agreement with the Commonwealth of Pennsylvania's Office of the Budget to carry out the purposes of this Ordinance.

SECTION. 3. The City and/or its designated project recipient will assume the provision of the full matching share of project costs above the amount of Six Million Dollars (\$6,000,000).

SECTION 4. The City or the designated project recipient will reimburse the Commonwealth for the State's share of any expenditure awarded pursuant to this Ordinance that is found by the Office of the Budget to be ineligible.

SECTION 5. The City of Philadelphia and/or its designated project recipient also agree to guarantee that it shall fully complete the project within the agreed upon term of the grant (including reasonable extensions requested by the City and/or its designated project recipient).

SECTION 6: The City Council of Philadelphia also authorizes the City to enter into an agreement with the Philadelphia Authority for Industrial Development ("PAID") whereby the City and/or its designated project recipient, at the discretion of the City, will assume the provision of the full local share of the project costs above Six Million Dollars (\$6,000,000); or to reimburse the Commonwealth for project expenditures for a project not completed within the agreed upon term of the grant.

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EXHIBIT "A"

PROJECT DESCRIPTION

Point Breeze Performing Arts Center:

Recent trends in the Philadelphia real estate market have caused the Point Breeze Performing Arts Center to re-envision the economic and community impact of the proposed Performing Arts Training Center on the revitalization of the Point Breeze neighborhood. This planning process has resulted in a unified vision and the conclusion that the Performing Arts Center must be developed in a location more central to the Point Breeze commercial core. This new location will create a critical mass of activity to boost the revival of economic growth in Point Breeze. The Performing Arts Training center has become the cornerstone of a mixed-use project for the revitalization of the Point Breeze neighborhood: "Artful Living on the Breeze." The project entails acquiring a new site and increasing working space for the performing arts center. The approximate project cost is \$12,000,000.

RACP Grant 6,000,000

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on October 26, 2006. The Bill was Signed by the Mayor on November 16, 2006.



Patricia Rafferty
Chief Clerk of the City Council