

**RESOLUTION R-2020-97
LUZERNE COUNTY COUNCIL**

A Resolution of the Luzerne County Council Approving KBJ Real Estate Investment LLC's Cooperation/Indemnity Agreement for Grant Funding for the KBJ Startup Community Project, and Authorizing Luzerne County to Reimburse the Commonwealth for the Commonwealth's Share of Ineligible Costs Incurred.

WHEREAS, the Commonwealth of Pennsylvania ("Commonwealth"), through the Office of the Budget, is authorized to approve for funding projects which have been listed in a Capital Budget Project Authorization Act as Redevelopment Assistance Projects and which meet the standards established in the Capital Facilities Debt Enabling Act ("CFDEA"); and

WHEREAS, the Greater Wilkes-Barre Industrial Fund, Inc., as grantee, and KBJ Real Estate Investment, LLC ("KBJ"), as funding recipient, has requested approval for the project known as the KBJ Startup Community (the "Project"); and

WHEREAS, the Project involves the acquisition of two vacant commercial properties, located at 16 and 24 South River Street, Wilkes-Barre, Pennsylvania 18701, and interior renovations to prepare the building for commercial lease opportunities; and

WHEREAS, the Office of the Budget of the Commonwealth has determined that the Project meets the requirements of the CFDEA and has approved the Project for funding (\$1,000,000 Grant); and

WHEREAS, KBJ has been designated as the recipient of a Commonwealth Redevelopment Assistance Capital Program grant, Contract No. ME 300-1863 of the Commonwealth of Pennsylvania for the KBJ Startup Community Project, Wilkes-Barre, Pennsylvania; and

WHEREAS, the Office of the Budget of the Commonwealth requires that the host municipality, in this instance, Luzerne County, provide a commitment that it will reimburse the Commonwealth for the Commonwealth's share of any expenditures related to the Project found to be ineligible under the Grant program; and

WHEREAS, Luzerne County Council desires to support Greater Wilkes-Barre Industrial Fund, Inc. and KBJ's Project and approve the underlying Cooperation/Indemnity Agreement for which funding was requested.

NOW, THEREFORE, BE IT RESOLVED, Luzerne County Council hereby supports the KBJ Startup Community Project and approves the underlying Cooperation/Indemnity Agreement for the Project for which funding was requested.

BE IT FURTHER RESOLVED that in conjunction with the expenditure of the funds by KBJ, in connection with the Project, the County will reimburse the Commonwealth for the Commonwealth's share of any expenditure related to the Project found to be ineligible under the Grant program, if any.

BE IT FURTHER RESOLVED and UNDERSTOOD that KBJ hereby agrees to reimburse the County for any monies paid by the County to the Commonwealth pursuant to this Resolution.

This Resolution shall become effective six (6) days after adoption.

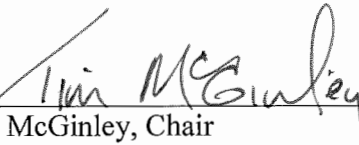
ADOPTED at a meeting of Luzerne County Council held on September 22, 2020.


ROLL CALL VOTE (7-4)

YES: McDermott, McGinley, Perry, Radle, Saidman, Schnee and Vough

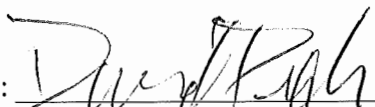
NO: Griffith, Haas, Houck and SJ Urban

LUZERNE COUNTY COUNCIL

By: 
Tim McGinley, Chair

Attest: 
Sharon Lawrence, Clerk of Council

LUZERNE COUNTY MANAGER

By: 
C. David Pedri, Esq., County Manager