



## Text File

**Introduced:** 4/23/2021

**Bill No:** 2021-1413, **Version:** 1

**Committee:** Committee on Finance and Law

**Status:** Passed Finally

Resolution amending Resolution No. 400 of 2020, authorizing the Mayor and Directors of the Departments of Public Safety, Finance and/or Public Works to enter into an Agreement or Agreements for acquisition of real property and execution of related Agreements for the site of the former U.S. Department of Veterans Affairs facility known as the Highland Drive Medical Center, located along the east side of Washington Boulevard (Highway PA-8) at 7180 Highland Drive, Pittsburgh, Pennsylvania ("Property"), for construction of new facilities and renovation of existing facilities for emergency management and law enforcement uses by City's Department of Public Safety.

WHEREAS, the U.S. Department of Veterans Affairs ("VA") is the federal agency that has administrative control, custody, and accountability on behalf of the United States of the approximately 165-acre Highland Drive Medical Center, formerly part of the Veterans Affairs Pittsburgh Healthcare System ("VAPHS") and located along the east side of Washington Boulevard (Highway PA-8) at 7180 Highland Drive, Pittsburgh, Pennsylvania ("Property"), also known as the former VAPHS Highland Drive Division or the Leech Farm Veterans Hospital; and

WHEREAS, in May 2017, after thoroughly considering various reuse alternatives, the U.S. Department of Veterans Affairs ("VA") determined the Property to be in excess of the agency's needs and, pursuant to 40 U.S.C. §101 *et. Seq.* (Title 40), submitted its Report of Excess to the General Services Administration ("GSA"); and

WHEREAS, the U.S. Department of Justice and the Federal Emergency Management Agency approved the City's application for use of the Property as a law enforcement and emergency management center.

WHEREAS, pursuant to authorities provided to the Administrator of the GSA by federal law under Title 40, and the Federal Management Regulations (41 CFR §102-75, *et. seq.*), GSA is proposing to convey the Property for public benefit to the City at nominal consideration (i.e. \$1.00) as a public benefit conveyance for emergency management use and law enforcement use ("Undertaking"); and

WHEREAS, in consultation, GSA determined the Area of Potential Effects ("APE") of the Property, and GSA considered whether the Undertaking poses effects to historic properties within the APE; and

WHEREAS, GSA applied the Criteria of Adverse Effect (36 CFR § 800.5) and found the Undertaking will have an adverse effect on historic properties as a result of the anticipated demolition of buildings in the APE, and, in accordance with 36 CFR § 800.6, GSA consulted with the Pennsylvania Historic Museum Commission ("SHPO") and notified the U.S. Advisory Council on Historic Preservation ("ACHP") of its adverse effect determination, with specified documentation, and ACHP chose to participate in the consultation; and

WHEREAS, notwithstanding the above, GSA and SHPO shall ensure that certain mitigation measures will be taken by the City, as stipulated herein and as set forth in separate respective Agreements with GSA and SHPO, to resolve adverse effects associated with the Undertaking.

**Be it resolved by the Council of the City of Pittsburgh as follows:**

**Section 1.** The Mayor and/or Directors of the Departments of Public Safety, Finance and Public Works are hereby authorized to enter on behalf of the City of Pittsburgh into an Agreement or Agreements and Deed or Deeds with GSA and/or VA (or any other designated federal agencies) relating to the transfer of the real property location known as Highland Drive Medical Center, 7180 Highland Drive, Pittsburgh, PA (as further described in Exhibit A that is attached hereto) to the City at the nominal amount of One Dollar (\$1.00) and in accordance with the provisions of related Agreements as set forth in this Resolution. Said Agreement(s) shall be inclusive of any that provide for the City's temporary license to enter upon the Property during the period of ~~July 1, 2020 through September 30, 2020~~ **March 30, 2021 through July 30, 2021** in order to perform due diligence as the City prepares to take ownership thereof, conduct limited training and provide storage capacity for its Department of Public Safety. All such Agreement(s) and Deed(s) as provided herein shall be in a form approved by the City Solicitor.

**Section 2.** The Mayor and Directors of the Departments of Public Safety, Finance and/or Public Works are hereby authorized to enter on behalf of the City of Pittsburgh into a Memorandum of Agreement ("MOA") or Agreements, by and between GSA, as lead agency, the City, SHPO and ACHP regarding the conveyance of the Property.

**Section 3.** The Mayor and Directors of the Departments of Public Safety, Finance and/or Public Works are additionally authorized to enter on behalf of the City into a Supplemental Memorandum of Agreement or Agreements ("SMOA") with SHPO regarding the conveyance of the Property.

**Section 4.** To the extent that the real property transfer and related Agreements seek to include costs to be borne by the City in relation to any proposed construction, renovation, testing, title insurance, real estate closing costs, public art projects or any other related expenses, further authorization from City Council will be sought accordingly.