



Text File

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Bill No: 2021-1964, **Version:** 1

Committee: Committee on Public Works

Status: Passed Finally

Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a license agreement or agreements with the University of Pittsburgh, on behalf of the Steam Lines Management Committee and/or Owners of common steam distribution lines and equipment connected to the Bellefield Boiler Plant to in order permit the replacement of an existing steam line at the rear of plant and to perform supporting site work for the benefit of Schenley Park.

WHEREAS, Mary Schenley's conveyance of property to the City for the creation of Schenley Park included a 19-acre tract (the "Parcel") that specifically permits the erection of a free library and institutions for the promotion of fine arts in the park; and

WHEREAS, per various enactments, including Ordinances 244 of 1891, 192 of 1903, 193 of 1903, and 198 of 1966, City Council has authorized the Board of Trustees of the Carnegie Library of Pittsburgh (the "Carnegie Library") to construct and maintain library buildings and boiler houses (and extensions thereto) on the Parcel, with locations of designated buildings and extensions subject to the approval of the Director of the Department of Public Works; and

WHEREAS, the boiler plant continues to produce steam today and is now known as the Bellefield Boiler Plant ("BBP"). It is owned by a consortium of Oakland institutions including the Carnegie Library, Carnegie-Mellon University, Carnegie Institute, Children's Hospital of Pittsburgh, the City of Pittsburgh, Presbyterian Hospital, the School District of Pittsburgh, and the University of Pittsburgh of the Commonwealth System of Higher Education ("the University") (collectively the "Owners"), who are parties to an agreement, dated as of July 1, 1979, and various amendments (collectively known as the "Basic Agreement"). The Basic Agreement sets forth the understanding of the Owners as to the maintenance, improvement, management, and operation of the BPP; and

WHEREAS, certain of the aforementioned Owners also are parties to a separate agreement, also dated as of July 1, 1979 and various amendments (collectively the "Steam Line Agreement"), which dictates the various responsibilities of the parties thereto regarding three existing common steam distribution lines and associated condensate and trap discharge lines and equipment connected to the BBP (the "Common Lines") and sets forth the agreement between those parties with respect to ownership, cost-sharing of costs, and other matters in connection with the management and operation of such lines; and

WHEREAS, the Common Lines are managed and operated by the Steam Lines Management Committee, composed of representatives of the applicable Owners; and

WHEREAS, pursuant to the Steam Line Agreement, the Steam Lines Management Committee is authorized to make Common Lines repairs and replacements; and

WHEREAS, the Steam Lines Management Committee has, from time to time, designated the University of Pittsburgh as an agent to perform maintenance and improvement projects necessary for the continued operation of the Common Lines; and

WHEREAS, in that role, the University has now requested permission to repair and replace an existing steam line in the rear of the BPP, including the replacement of the existing steam line bridge and the addition of a new abutment, (collectively “the Project”)); and

WHEREAS, the Steam Lines Management Committee, on behalf of the applicable Owners, will be responsible for future repair, improvement, and replacements of the Project work; and

WHEREAS, in conjunction with the Project, the Department of Public Works is also requiring the University to undertake additional supporting site work and long-term maintenance for the protection of Schenley Park, such as the re-establishment of impacted trees, planting of groundcover, and removal of invasive species.

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

Section 1. The Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, are hereby authorized to enter into a license agreement or agreements with the University of Pittsburgh, on behalf of the Steam Lines Management Committee and/or Owners of common steam distribution lines and equipment connected to the Bellefield Boiler Plant (“BPP”) to repair and replace an existing steam line in the rear of the BPP, including the replacement of the existing steam line bridge and the addition of a new abutment (the “Project Work”.) The license agreement or agreements will also include authorization for required supporting site work for the protection of Schenley Park, such as the re-establishment of impacted trees, planting of groundcover, and removal of invasive species. The license agreement or agreements shall be in a form approved by the City Solicitor. The location of the authorized Project work and supporting site work is further described on the Project Site Plan attached hereto as Exhibit A.

EXHIBIT A: PROJECT SITE PLAN