



## Text File

**Introduced:** 5/20/2022

**Bill No:** 2022-0376, **Version:** 3

**Committee:** Committee on Intergovernmental and Educational Affairs

**Status:** Passed Finally

Resolution amending Resolution Number 661 of 2017, entitled “Resolution amending Resolution Number 432 of 2017, entitled, ‘Resolution authorizing a Cooperation Agreement or Agreements with the City of Pittsburgh (“City”), the Urban Redevelopment Authority of Pittsburgh (“URA”) and the Pittsburgh Land Bank “PLB” to provide for future shared administrative services and the transfer of property among agencies for governmental, redevelopment, and portfolio management purposes (All Districts)’, by providing for City Council review of the Policies and Procedures of the Pittsburgh Land Bank pursuant to §174A.13(d) of the Pittsburgh Code of Ordinances” to authorize an amendment to the Cooperation Agreement.

*(Briefing held 12/13/22)*

*(2nd Briefing held 4/25/23)*

*(Post Agenda held 6/13/23)*

*(Public Hearing held 7/20/23)*

WHEREAS, the Commonwealth of Pennsylvania, pursuant to the Pennsylvania Land Bank Act, 68 Pa.C.S.A. § 2101 et seq. (the “Act”), authorized the creation of land banks to address issues related to vacant, abandoned, and tax-delinquent properties through the Commonwealth; and

WHEREAS, on April 14, 2014, the City passed an ordinance authorizing the creation of the Land Bank, see Pittsburgh Code, Title One, Article IX, Chapter 174(A); and

WHEREAS, the provisions of the Land Bank Ordinance and the provisions of the Act authorize the Land Bank to engage in various activities related to the acquisition, maintenance, and disposition of real property within the City; and

WHEREAS, historically, real property transfers between the Authority and the City were governed by City Resolution No. 255, Bill No. 402, effective June 25, 1998 (the “Property Reserve Resolution”), and a memorandum of understanding developed thereunder; and

WHEREAS, Section 174A.07 of the Land Bank Ordinance authorizes the PLB to contract with the City and URA to provide staffing services to the Land Bank, and Section 174A.12(d) of the Land Bank Ordinance directs the Land Bank to coordinate with the City and the URA for synchronized acquisition, maintenance, and disposition of real estate; and

WHEREAS, Section 174A.08(c)(2) of the Land Bank Ordinance requires all transfers of city-owned property be approved by Council; and

WHEREAS, Section 174A.12(h) of the Land Bank Ordinance requires City Council to have final approval of the disposition of all real property during the oversight period of the Land Bank; and

WHEREAS, Section 174A.13(d) of the Land Bank Ordinance requires an agreement between the City and the Land Bank and said agreement may provide City Council review and approval of the initial policies and procedures of the Land Bank; and

WHEREAS, the Intergovernmental Cooperation Act, 53 Pa.C.S.A. §§ 2301 et seq. authorizes intergovernmental cooperation between a local government and other governmental entities located within or outside the Commonwealth of Pennsylvania in the exercise of their respective governmental functions, powers, or responsibilities; and

WHEREAS, the City now desires to enter into the aforementioned Cooperation Agreement to establish procedures and protocols for the shared administrative services and transfer of properties between included parties.

WHEREAS, The Pittsburgh Land Bank wishes to have a standardized procedure to request properties from the City of Pittsburgh, and;

WHEREAS, the City wishes to recycle properties in the most productive way possible, and;

WHEREAS, land recycling and development must center the vision and needs of the community, and;

WHEREAS, in order to ensure that development and land recycling are pursued in the community's best interest, the process of transferring publicly owned properties must be clear and transparent with substantial opportunity for communities to provide public feedback, and;

WHEREAS, land use authority is one of the core responsibilities of the City Council;

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

**Section 1.** Resolution Number 661 of 2017, entitled "Resolution amending Resolution Number 432 of 2017, entitled, 'Resolution authorizing a Cooperation Agreement or Agreements with the City of Pittsburgh

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(“City”), the Urban Redevelopment Authority of Pittsburgh (“URA”) and the Pittsburgh Land Bank “PLB” to provide for future shared administrative services and the transfer of property among agencies for governmental, redevelopment, and portfolio management purposes (All Districts)’, by providing for City Council review of the Policies and Procedures of the Pittsburgh Land Bank pursuant to §174A.13(d) of the Pittsburgh Code of Ordinances” is hereby amended as follows:

The Mayor and the Director of the Departments of Finance are hereby authorized and directed to enter into a Cooperation Agreement or Agreements and an amendment or amendments thereto with the Urban Redevelopment Authority of Pittsburgh and the Pittsburgh Land Bank (individually, “Party” or collectively, the “Parties”), in form approved by the City Solicitor, providing for future shared administrative services and the transfer of property among agencies for governmental, redevelopment, and portfolio management purposes.

**Section 2.**

- 1) The purpose of this Agreement is to enable the Parties to interact with regards to administrative and shared services, as well as the transfer of real property between respective public inventories.
- 2) The term of this Agreement runs from the execution of the document by all parties, and shall cease upon 180 days advance written notice of one Party to all other Parties.
- 3) No new intergovernmental entity is created under the terms of this Agreement.

**Section 3.**

Pursuant to §174A.13(d) of the Pittsburgh Code of Ordinances, said Cooperation Agreement shall provide for City Council review and approval of the Land Bank’s initial Policies and Procedures

**Section 4.**

Any Resolution or Ordinance of part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

**Additional Conditions for Approval of Cooperation Agreement**

It is the goal of the City, the URA, and the Pittsburgh Land Bank to conduct business with as much transparency as possible. To accomplish this mission, the following commitments will be made:

- A) Requests for the transferring of City property to the Pittsburgh Land Bank or the URA shall be made by submitting a resolution to the City Clerk.
- 1) The Pittsburgh City Council may vote to approve or deny the request.
  - 2) No city-owned property will be transferred to the Pittsburgh Land Bank or the URA without the approval of the City Council.
- B) Disposal of properties by the Pittsburgh Land Bank shall occur as follows
- 1) The disposal of properties by the Pittsburgh Land Bank will be done with the goal of respecting and stabilizing existing communities, especially adherence to existing, adopted community plans.
  - 2) Properties transferred to the Pittsburgh Land Bank by the City of Pittsburgh may only be disposed of to the URA if one of the following conditions are met:
    - a) The resolution transferring the property to the Pittsburgh Land Bank indicates the final disposition of the property to the URA
    - b) The Land Bank Manager files an official communication with the City Clerk
  - 3) As a goal, 80% of the properties disposed of by the Pittsburgh Land Bank will be for the development of Affordable Housing
    - a) Affordable Housing shall mean housing-related expenses will not exceed 30 percent of the household gross income.
    - b) For affordable rental housing, household incomes must not exceed 50% AMI.
    - c) For affordable owner-occupied housing, household incomes must not exceed 80% AMI.
  - 4) Any Pittsburgh Adopt-A-Lot current as of this enactment date of this Cooperative Agreement that is transferred to the Pittsburgh Land Bank will be disposed to the current leaseholder.
- C) The Pittsburgh Land Bank will be required to submit quarterly updates to the Pittsburgh City Council reporting on the following:
- 1) Number of properties held
  - 2) Number of properties transferred
  - 3) Number of housing units created
  - 4) Number of affordable housing units created
  - 5) All Financial Statements