



## Text File

**Introduced:** 6/24/2022

**Bill No:** 2022-0500, **Version:** 1

**Committee:** Committee on Public Works

**Status:** Passed Finally

Resolution authorizing the Mayor, the Director of the Department of Finance, and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements with the University of Pittsburgh granting the University of Pittsburgh a temporary construction easement(s) and permanent easement(s) in order to permit the implementation of a comprehensive stormwater management strategy for the benefit of Schenley Park on, under and about a certain parcel of real property known as Mazeroski Field located within Schenley Park in the 4<sup>th</sup> Ward of the City of Pittsburgh.

WHEREAS, in 1891 Mary Schenley conveyed approximately 19 acres (the "Parcel") to the City of Pittsburgh, now part of Schenley Park and improved with the University of Pittsburgh Frick Fine Arts Building and Mazeroski Field; and

WHEREAS, the 1891 deed permits the erection of an art building and institutions for the promotion of fine arts in the Park, and in 1963, the City granted (1) a license to the University of Pittsburgh to construct and maintain the Frick Fine Arts Building on a portion of the Parcel and (2) an easement to enter upon, use and occupy so much of the other land contained in the Parcel for the installation and maintenance of utility requirements for the Frick Fine Arts Building; and

WHEREAS, the University of Pittsburgh proposes to install additional underground stormwater facilities, including an underground collection basin and pipes, supplementing the existing chilled water lines under Mazeroski Field, as an integrated part of the chilled water/air conditioning utility for the Frick Fine Arts Building and other facilities; and

WHEREAS, the proposed stormwater facilities will improve drainage on Mazeroski Field allowing the field to dry faster thereby increasing usage time, and following installation of the stormwater facilities, the University will (1) replace other aging improvements at Mazeroski Field including a new fence, soil and natural turf (grass), and (2) will place educational signage relating to the stormwater facilities and the history of the field itself; and

WHEREAS, the proposed stormwater facilities will reduce stormwater runoff into the public sewer system serving Schenley Park and decrease the number of flooding events in and around the Park, providing the public with a safe environment and uninterrupted use of the Park and maintaining Mazeroski Field's accessibility and longevity; and

WHEREAS, the University of Pittsburgh desires a temporary construction easement and permanent easement (s) to permit the implementation of this stormwater management strategy for the benefit of Schenley Park, including the installation, maintenance, repair and replacement of certain stormwater improvements therein; and

WHEREAS, the City is willing to give the University of Pittsburgh a temporary construction and a permanent easement with consideration of a one-time, lump-sum payment totaling Three Hundred and Sixteen Thousand Dollars (\$316,000.00).

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

**Section 1.** The Mayor, the Director of the Department of Finance, and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, are authorized to execute all relevant documents to transfer to the University of Pittsburgh, a non-exclusive right of way and temporary construction easement(s) and a non-exclusive permanent easement(s) over, upon and through certain properties which are portions of the Parcel and which are designated as Lot and Block Numbers 28-D-2 and 27-S-150-0-3, along with sections of Schenley Drive and Roberto and Vera Clemente Drive, in the 4<sup>th</sup> Ward of the City of Pittsburgh, in order to permit the implementation by the University of Pittsburgh of a comprehensive stormwater management strategy, including, without limitation, the installation, maintenance, repair and replacement of certain stormwater improvements. Drawings showing the exact area of the permanent easement(s) and the area requested for the temporary construction easement are appended hereto as Exhibit A.

The City Solicitor shall approve the Agreement(s) as to form.

**Section 2.** In consideration of the granting of these easement(s), the University of Pittsburgh will pay to the City a one-time, lump-sum payment totaling Three Hundred Sixteen Thousand Dollars (\$316,000.00). This amount will be paid by a check to Treasurer, City of Pittsburgh and deposited into the deposited into the Facilities Trust Fund, Budget Year 2022, 29075.0730125015.43409.00.

**Exhibit A**