



Legislation Details (With Text)

**File #:** 2020-0436    **Version:** 1  
**Type:** Resolution    **Status:** Passed Finally  
**File created:** 6/19/2020    **In control:** Committee on Public Works  
**On agenda:** 6/23/2020    **Final action:** 7/7/2020  
**Enactment date:** 7/7/2020    **Enactment #:** 313  
**Effective date:** 7/9/2020

**Title:** Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a Temporary Right of Entry and License Agreement between the City of Pittsburgh and the four HOMEOWNERS for the purpose of repairing the slope through soil stabilization at the rear of the HOMEOWNERS' property adjacent and in FRICK Park.

**Sponsors:**

**Indexes:** LEASE/LICENSE AGREEMENT

**Code sections:**

**Attachments:** 1. 2020-0436 Cover Ltr ROE Frick Park, 2. Summary 2020-0436

Date	Ver.	Action By	Action	Result
7/9/2020	1	Mayor	Signed by the Mayor	
7/7/2020	1	City Council	Passed Finally	Pass
7/1/2020	1	Standing Committee	Affirmatively Recommended	Pass
6/23/2020	1	City Council	Read and referred	

Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a Temporary Right of Entry and License Agreement between the City of Pittsburgh and the four HOMEOWNERS for the purpose of repairing the slope through soil stabilization at the rear of the HOMEOWNERS' property adjacent and in FRICK Park.

**WHEREAS**, Shaina L. Kaiser, Charles D. Kaiser, and Laura A. Kaiser, owning 7324 Trevanion Avenue, Swissvale, and Alexander Mychovsky, owning 7326 Trevanion Avenue Swissvale, (collectively "THE HOMEOWNERS") own homes adjacent to FRICK Park at which a retaining wall failed, causing landslide and other unsafe terrain and soil conditions in FRICK Park; and

**WHEREAS**, THE HOMEOWNERS seek temporary access to City owned property to do the needed work, repairing the slope through soil stabilization at the rear of the HOMEOWNERS' property; and

**WHEREAS**, THE HOMEOWNERS has represented that they will cover the complete cost of repairing the slope through soil stabilization at the rear of THE HOMEOWNERS' property; and

**WHEREAS**, THE CITY OF PITTSBURGH, as the owner of FRICK Park and the Trustee of FRICK Park for the benefit of the people of the City, seeks to preserve the safety of its people and the integrity of FRICK Park; and

**WHEREAS**, THE CITY OF PITTSBURGH is willing to grant a Temporary Right of Entry allow to THE

HOMEOWNERS to repair the slope through soil stabilization at the rear of THE HOMEOWNERS' property in FRICK Park subject to the terms and conditions set forth herein; and

**WHEREAS**, THE CITY OF PITTSBURGH is also willing to grant a Temporary License to THE HOMEOWNERS to allow the HOMEOWNERS and repair the slope through soil stabilization at the rear of THE HOMEOWNERS' property in FRICK Park subject to the terms and conditions set forth in a Temporary Right of Entry and License Agreement.

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

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

**Section 1.** Intending to be legally bound, for and in consideration of the mutual premises hereinafter set forth, the parties hereto agree as follows:

**Section 2.** The Mayor and the Director of the Department of Public Works of the City of Pittsburgh to enter into a Temporary Right of Entry and License Agreement with Shaina L. Kaiser, Charles D. Kaiser, and Laura A. Kaiser, private individuals owning the residential property at 7324 Trevanion Avenue, Swissvale, and Alexander Mychovsky, a private individual owning the residential property at 7326 Trevanion Avenue Swissvale, (collectively "THE HOMEOWNERS"), abutting Frick Park for the purpose of repairing the slope through soil stabilization at the rear of the HOMEOWNERS' property abutting Frick Park. The Temporary Right of Entry and License Agreement shall be approved by the City Solicitor as to form and substance.