



Legislation Details (With Text)

**File #:** 2021-1348      **Version:** 1

**Type:** Resolution      **Status:** Passed Finally

**File created:** 3/26/2021      **In control:** Committee on Intergovernmental Affairs

**On agenda:** 3/30/2021      **Final action:** 4/13/2021

**Enactment date:** 4/13/2021      **Enactment #:** 251

**Effective date:** 4/14/2021

**Title:** Resolution authorizing an Intergovernmental Cooperation Agreement or Agreements between the City of Pittsburgh (“City”) and the Commonwealth of Pennsylvania, Department of Transportation (“PennDOT”) to establish ownership and maintenance responsibilities for a Flood Early Warning System within the right-of-ways of Washington Boulevard, Allegheny River Boulevard, Butler Street, Highland Drive and further amending Resolution No. 797 of 2017, effective December 28, 2017, as amended, entitled “Resolution adopting and approving the 2018 Capital Budget and the 2018 Community Development Block Grant Program, and the 2018 through 2023 Capital Improvement Program” by increasing FLOOD CONTROL PROJECTS by \$170,899.79 to reflect reimbursement of previously expended City funds.

**Sponsors:**

**Indexes:** COOPERATION AGREEMENT/S

**Code sections:**

**Attachments:** 1. 2021-1348 Cover Ltr-Washington Boulevard FLOOD Gates Letter, 2. Summary 2021-1348

Date	Ver.	Action By	Action	Result
4/14/2021	1	Mayor	Signed by the Mayor	
4/13/2021	1	City Council	Passed Finally	Pass
4/7/2021	1	Standing Committee	Affirmatively Recommended	Pass
3/30/2021	1	City Council	Read and referred	

Resolution authorizing an Intergovernmental Cooperation Agreement or Agreements between the City of Pittsburgh (“City”) and the Commonwealth of Pennsylvania, Department of Transportation (“PennDOT”) to establish ownership and maintenance responsibilities for a Flood Early Warning System within the right-of-ways of Washington Boulevard, Allegheny River Boulevard, Butler Street, Highland Drive and further amending Resolution No. 797 of 2017, effective December 28, 2017, as amended, entitled “Resolution adopting and approving the 2018 Capital Budget and the 2018 Community Development Block Grant Program, and the 2018 through 2023 Capital Improvement Program” by increasing FLOOD CONTROL PROJECTS by \$170,899.79 to reflect reimbursement of previously expended City funds.

**WHEREAS**, In order to alleviate public safety concerns regarding flooding on its State-designated highways, PennDOT designed and installed a Flood Early Warning System within the right-of-ways of Washington Boulevard, Allegheny River Boulevard, Butler Street, Highland Drive and Negley Run Blvd (collectively, the “Site”); and

**WHEREAS**, The Flood Early Warning System remains a temporary solution pending a permanent engineered solution by PennDOT regarding the subject State-designated highways and the management of storm water in the watershed; and

**WHEREAS**, Until a permanent solution is designed, constructed, and operational, the City of Pittsburgh has agreed to accept ownership and future responsibility for the maintenance and operation of the retrofitted system subject to the certain terms and reimbursements to be set forth in a Cooperation Agreement with PennDOT; and

**WHEREAS**, the City now wishes to enter into an agreement with PennDOT to establish reimbursement, ownership and maintenance responsibilities for the Flood Early Warning System; and

**WHEREAS**, the City also wishes to amend City budgets and Community Development Block Grant Programs in accordance with funding to be received under this agreement.

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

**Section 1.** The Mayor, and Director of the Department of Public Works, and Director of the Department of Mobility and Infrastructure on behalf of the City of Pittsburgh, are hereby authorized to enter into a multi-year Intergovernmental Agreement with the Commonwealth of Pennsylvania, Department of Transportation to establish ownership and maintenance responsibilities for a Flood Early Warning System within the right-of-ways of Washington Boulevard, Allegheny River Boulevard, Butler Street, Highland Drive.

**Section 2.** The term of the Agreement shall continue until the Flood Early Warning System is removed or replaced with a permanent engineering solution.

**Section 3.** The Agreement shall provide reimbursement from PennDOT to the City for certain expenditures including but not limited to payments made toward the retrofit of the Flood Early Warning System currently estimated to be one hundred and seventy thousand eight hundred and ninety-nine dollars and seventy-five cents (\$170,899.79). Any and all funds received hereunder shall be deposited into the following account(s) 6030090118.45527.00.

**Section 4.** The Agreement shall determine which maintenance and operation responsibilities shall be at City's expense. Specific funding for such responsibilities shall be authorized by subsequent legislation.

**Section 5.** The Agreement shall condition City's acceptance of the ownership, maintenance, and operation of the Flood Early Warning System on PennDOT's agreement to pursue a permanent engineered solution to reduce flooding on its State-designated highways in the Washington Boulevard corridor.

**Section 6.** Resolution No. 797 of 2017, effective December 28, 2017, as amended, which presently reads **Current Budget Amount**, is hereby amended to read as per **Revised Budget Amount**.

<b>Fund</b>	<b>Job</b>	<b>Description</b>	<b>Dept.</b>	<b>Current Budget Amount</b>	<b>Change</b>	<b>Revised Budget Amount</b>
40118	6030090118	FLOOD CONTROL PROJECTS	DOMI	\$0.00	\$170,899.79	\$170,899.79