

Bill No. 0826-02

No. 44-02

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of one (1) license agreement to Duquesne Light Company over, under and across County owned property leased to the Allegheny County Airport Authority at the Allegheny County Airport to install, operate and maintain an electrical system for the purpose of providing electrical service to the terminal building.

WHEREAS, the County of Allegheny (hereinafter referred to as "County") owns certain property in the West Mifflin Borough known as Allegheny County Airport (hereinafter referred to as "ACA"); and

WHEREAS, the County transferred its interest in ACA to the Allegheny County Airport Authority (hereinafter referred to as "Authority") pursuant to the "Airport Operation Management and Transfer Agreement and Lease" (hereinafter referred to as the "Transfer Agreement") dated September 16, 1999; and

WHEREAS, the Authority has entered into an Agreement with Duquesne Light Co to replace the main power feed to the terminal building at ACA; and

WHEREAS, Duquesne Light Company requires both the County and the Authority to execute a license/right of way agreement before it will provide electrical service to said site; and

WHEREAS, Article IV, Section 2.K of the Allegheny County Home Rule Charter vests the County's Council with the power and duty by ordinance to lease or permit the use of land owned by the County.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE
COUNTY COUNCIL OF THE COUNTY OF ALLEGHENY, IN LAWFUL
SESSION DULY ASSEMBLED, AND IT IS HEREBY ORDAINED AND
ENACTED AS FOLLOWS:

*The Council of the County of Allegheny hereby enacts as
follows:*

Section 1. Incorporation of Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by
reference in their entirety herein.

**Section 2. Authorization to enter into a Right of Way Agreement,
in conjunction with the Authority, with Duquesne
Light Company.**

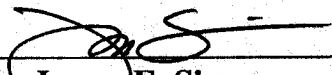
The County Council of Allegheny County does hereby grant authority to the
County Executive to take any and all actions, including but not limited to, the execution
of all documents and papers necessary to enter into a License and/or Right of Way
Agreement over, under and across County owned property at ACA for the purpose
installing owning, using, operating, maintaining, repairing and removing an electric
system necessary to provide electric service to the terminal building at ACA as more
particularly described on Duquesne Light Co. Drawing Nos. 40729-T1,T2,T3,T4, and T5
located in located in the Borough of West Mifflin, subject to the approval of the County
Manager and the County Solicitor.

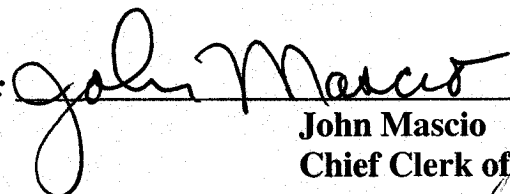
SECTION *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.*

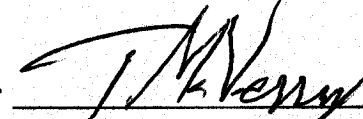
SECTION *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*

Enacted in Council, this 10th day of September, 2002.

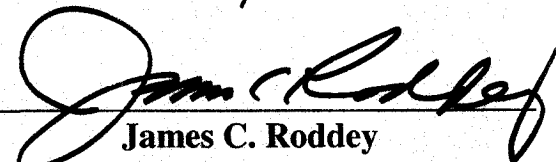
Council Agenda No. 0826-02

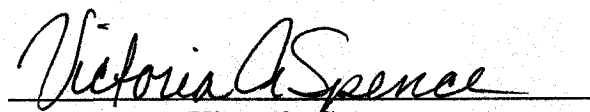

James E. Simms
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Approved as to form: 
Terrence McVerry
County Solicitor

Chief Executive Office September 16, 2002.

Approved: 
James C. Roddey
Chief Executive


Attest: 
Victoria Spence
Executive's Secretary

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MEMORANDUM

OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: Robert B. Webb 
County Manager

DATE: August 12, 2002

RE: Requesting County Council Approval

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of one (1) license agreement to Duquesne Light Company over, under and across County owned property leased to the Allegheny County Airport Authority at the Allegheny County Airport to install, operate and maintain an electrical system for the purpose of providing electrical service to the terminal building. This request is submitted by the Law Department.

Please put on the next agenda for County Council approval.

Thank you.