



Cooperation Agreement Renewal And Extension

Made this 12th day of December 2011

BY AND BETWEEN

THE CITY OF PITTSBURGH, Department of Parks and Recreation

Hereinafter referred to as "City"

AND

The PITTSBURGH PARKS CONSERVANCY, INC.

Hereinafter referred to as the "PPC"

WITNESSETH:

WHEREAS, Pursuant to Resolution No. 285 of 1998, approved May 29, 1998 and effective May 29, 1998, the City entered into a Cooperation Agreement (the "Cooperation Agreement"), dated April 10, 2000, with the PPC to establish an alliance to provide improvements, special care, and restoration for the City's four regional parks; and

WHEREAS, the Resolution No. 285 and the Cooperation Agreement provide for a limited term; and

WHEREAS, the Cooperation Agreement expressly provides that it "may be renewed upon mutual written agreement of the parties"; and

WHEREAS, the PPC and the City now wish to renew and extend the Cooperation Agreement to reflect their desire and intention to continue to cooperate in preserving, restoring, improving, and maintaining the City's regional parks and such other parks as may be specified by the City.

NOW; THEREFORE, in consideration of the mutual premises and intending to be legally bound hereby, the parties hereto agree as follows:

I. Initial Renewal Term

The Parties agree that the term of the Cooperation Agreement shall be renewed and extended through and including December 31, 2020.

II. Automatic Annual Renewal After Initial Renewal Term

Starting on January 1, 2021, and on each January 1st thereafter unless and until a timely notice of intent to terminate has been provided by either party, the Cooperation Agreement shall automatically be extended by one year. As specified in Paragraph XVIII of the Cooperation Agreement, a terminating party must give the other party six months advance written notice of its intent to terminate.

III. Cooperation Agreement Remains In Effect

In all other respects, the terms of the original Cooperation Agreement shall remain in effect, except that certain provisions are hereby amended as follows:

A. The preamble to Article I is hereby amended to read:

For the purposes of this Agreement, City approval or notice to the City shall be accomplished by written notice to the Mayor and the Directors of Parks and Recreation, City Planning, and Public Works. In all references to "City" herein, the City shall be defined as the Mayor and the Directors of Parks and Recreation, City Planning, and Public Works. The Mayor shall obtain such approval of City Council to the extent required by Resolution 285 of 1998, effective May 29, 1998, attached hereto as Exhibit "A".

B. Section I.A.1.e is hereby amended to read:

The Conservancy shall prepare and present to the City a proposed strategic plan for the Regional Parks for the City's review. To this end, the City and the Conservancy hereby establish that the Conservancy shall schedule quarterly or as-needed meetings of the Parks Oversight Committee, which will create an ongoing forum during which the Conservancy shall update the City on the progress of current projects and concepts of future projects. The Oversight Committee shall consist of the Conservancy and City staff authorized by the Mayor and the Directors of Parks and Recreation, City Planning, and Public Works to be representatives of the City on this Committee.

C. Section I.A.1.h. is hereby amended to read:

The Conservancy shall make its best efforts to communicate to community-based organizations and property owners adjacent to the four (4) Regional Parks about any plans or activities affecting changes in the parks. Prior to the Conservancy's communication to any community group regarding any planned changes or activities in the parks, the City Planning Department shall be consulted and involved in the planning process in regard to public meetings, existing community groups and engagement. The Conservancy and the City Planning Director shall agree on a standard process for such consultation and involvement. Attached hereto as Exhibit A is the General Project Protocol, which is subject to revision by mutual consent of the parties during the term of this Cooperation Agreement. It is understood that this process is not meant to and does not supersede any City Code or other approval requirements of applicable Commissions (as may be amended from time to time).

IV. Authorizing Resolution

This Amendment is authorized pursuant to Resolution No. 364, effective May 26, 2011.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the parties have duly executed this Agreement the day and year first above written.

City of Pittsburgh

Attest:

Laurie Dierkes

By: Luke Ravenstahl
Luke Ravenstahl, Mayor

Department of Parks and Recreation

Nelva Gibson

By: Michael T. Radley
Director, Mike Radley

Department of Public Works

Jeannie Byrne

By: Robert Kaczorowski 2/1/12
Director, Robert Kaczorowski

Department of City Planning

Meredith Gray

By: Noor Ismail
Director, Noor Ismail

Pittsburgh Parks Conservancy, Inc.

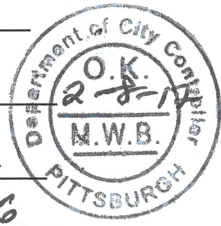
Richard Redge

By: Mary M. Cheever
President & CEO, Mary M. Cheever

Examined: [Signature]
Associate City Solicitor

Approved as to form by: [Signature]
City Solicitor

Countersigned by: Michael E. James 3-9-12
City Controller 49506



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EXHIBIT A: GENERAL PROJECT PROTOCOL

For each Project being proposed by the Conservancy, it will strive to follow the following protocol:

1. Present Project idea to City Directors of Public Works, Planning, and Parks and Recreation for initial conceptual approval of plans and location.
2. Engage affected community groups by making them aware of the Project plans in concert with City Planners and other City staff as needed.
3. Present Project conceptual and subsequent final designs and plans of projects to the pertinent City Commissions (e.g. members of Art Commission) who have purview over the proposed Project/location.
4. Coordinate with affected City department(s) that will be drafting/presenting a resolution to City Council authorizing the relevant Project Agreement.
5. Work with affected City Departments to draft and execute a Project Agreement, subject to approval of applicable Directors and the City Solicitor.
6. Upon completion of the Project, provide as-built documents to the City Directors of Public Works, Planning, and Parks as well as any pertinent Commissions that may require said documentation.