



## Legislation Details (With Text)

<b>File #:</b>	2008-0353	<b>Version:</b>	1
<b>Type:</b>	Resolution	<b>Status:</b>	Passed Finally
<b>File created:</b>	4/29/2008	<b>In control:</b>	Committee on Urban Recreation
<b>On agenda:</b>		<b>Final action:</b>	5/13/2008
<b>Enactment date:</b>	5/13/2008	<b>Enactment #:</b>	276
<b>Effective date:</b>	5/23/2008		
<b>Title:</b>	Resolution amending Resolution No. 210 of 1989, effective April 3, 1989, which authorized a lease with the Pittsburgh Center for the Arts of Buildings known as the Marshall Residence, the Scaife Residence and the Marshall Garage, located on the corner of Fifth and Shady Avenues, and pursuant to Resolution No. 810 of 2005, effective December 31, 2005, which authorized the assignment of the City's Lease with the Pittsburgh Center for the Arts, dated August 1, 1989, to Pittsburgh Filmmakers, Inc., the entity created by the merger of the Pittsburgh Center for the Arts and Pittsburgh Filmmakers, to now authorize the Mayor and the Director of the Department of Parks and Recreation and/or the Director of the Department of Finance to enter into an Agreement with Pittsburgh Filmmakers, Inc., amending the Lease dated August 1, 1989, with the Pittsburgh Center for the Arts, as amended by the Agreement for Assignment of and Amendment to Lease, effective as of January 1, 2006.		
<b>Sponsors:</b>			
<b>Indexes:</b>	LEASE/LICENSE AGREEMENT		
<b>Code sections:</b>			
<b>Attachments:</b>	1. 2008-0353.DOC		

Date	Ver.	Action By	Action	Result
5/23/2008	1	Mayor	Signed by the Mayor	
5/13/2008	1	City Council	Passed Finally	Pass
5/7/2008	1	Committee on Urban Recreation	AFFIRMATIVELY RECOMMENDED	Pass
4/29/2008	1	City Council	Read and referred	

Presented by Mr. Dowd

Resolution amending Resolution No. 210 of 1989, effective April 3, 1989, which authorized a lease with the Pittsburgh Center for the Arts of Buildings known as the Marshall Residence, the Scaife Residence and the Marshall Garage, located on the corner of Fifth and Shady Avenues, and pursuant to Resolution No. 810 of 2005, effective December 31, 2005, which authorized the assignment of the City's Lease with the Pittsburgh Center for the Arts, dated August 1, 1989, to Pittsburgh Filmmakers, Inc., the entity created by the merger of the Pittsburgh Center for the Arts and Pittsburgh Filmmakers, to now authorize the Mayor and the Director of the Department of Parks and Recreation and/or the Director of the Department of Finance to enter into an Agreement with Pittsburgh Filmmakers, Inc., amending the Lease dated August 1, 1989, with the Pittsburgh Center for the Arts, as amended by the Agreement for Assignment of and Amendment to Lease, effective as of January 1, 2006.

WHEREAS, the City and the Pittsburgh Center for the Arts entered in 1989 into a multi-year lease (the "Lease") for the buildings collectively known as the Marshall Residence, the Scaife Residence, and the Marshall Garage; and

WHEREAS, the Pittsburgh Center for the Arts merged with Pittsburgh Filmmakers and the Lease was amended by an Agreement for Assignment of and Amendment to Lease with the new merged entity which is now known as Pittsburgh Filmmakers, Inc.; and

WHEREAS, Pittsburgh Filmmakers, Inc., desires to expand the Demised Premises to include a building to use as a public exhibition space known as the Youth Hostel building, which is located at 6300 Shady Avenue in the Fourteenth Ward of the City; and

WHEREAS, the Youth Hostel Building is not currently used by the City and it appears to the City that the use of the Youth Hostel Building will comport with the Permitted Uses set forth in Section 5.01 of the Lease; and

WHEREAS, the parties wish to amend the Lease to add the Youth Hostel Building to the Demised Premises and to update certain other necessary terms.

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

**Section 1.** Resolution No. 210 of 1989, effective April 3, 1989, which authorized a lease with the Pittsburgh Center for the Arts of Buildings known as the Marshall Residence, the Scaife Residence and the Marshall Garage, located on the corner of Fifth and Shady Avenues, and Resolution No. 810 of 2005, effective December 31, 2005, which authorized the assignment of the City's Lease with the Pittsburgh Center for the Arts, dated August 1, 1989, to Pittsburgh Filmmakers, Inc., the entity created by the merger of the Pittsburgh Center for the Arts and Pittsburgh Filmmakers, are amended and the Mayor and the Director of the Department of Parks and Recreation and/or the Director of the Department of Finance are authorized to enter into an Agreement with Pittsburgh Filmmakers, Inc., amending the Lease dated August 1, 1989, with the Pittsburgh Center for the Arts, as amended by the Agreement for Assignment of and Amendment to Lease, effective as of January 1, 2006.

**Section 2.** The Amendment shall include the following provisions:

- A. The Demised Premises shall be amended to add the Youth Hostel Building at 6300 Shady Avenue in the Fourteenth Ward of the City to the Demised Premises.
- B. The Lease Amendment shall require Pittsburgh Filmmakers, Inc., to limit the use of the Youth Hostel building to the uses specified in Section 5.01 of the Lease.
- C. The Pittsburgh Filmmakers, Inc., shall agree to pay all utility and telecommunications costs associated with the Youth Hostel Building as well as the remainder of the Demised Premises.

**Section 3.** Other terms of the Lease shall be amended as needed to update the Lease to reflect the current understanding of the parties.

**Section 4.** The Lease Amendment shall be approved by the City Solicitor as to form and substance.

**Section 5.** All other terms of the Lease dated August 1, 1989, as amended by the Agreement for Assignment and Amendment of Lease, effective as of January 1, 2006, shall remain in full force and effect.