# CITY OF BETHLEHEM
OFFICE OF THE CITY SOLICITOR

## INTEROFFICE MEMORANDUM

To: Tad J. Miller, City Clerk

From: John F. Spirk, Jr., Esq., City Solicitor

Re: Amendment No. 1 to Use Permit Agreement for Public Property
Permittee Name: ArtsQuest
Purpose: 2024 SteelStacks Gated Summer Concert Series
Location: 1st Street from Polk Street to the eastern terminus; and
Founders Way between 1st Street and 2nd Street

Date: July 10, 2024

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Attached is a proposed Resolution and associated Amendment No. 1 to Use Permit Agreement for Council's consideration.

Please place this matter on City Council's agenda for review and appropriate action.

John F. Spirk, Jr.
John F. Spirk, Jr., Esq., Solicitor

Cc: J. William Reynolds, Mayor
Michael Alkhal, Director of Public Works
Eric Bauder, ArtsQuest

RESOLUTION NO. 2024-____

Authorization For Amendment No. 1 to Use Permit Agreement

BE IT RESOLVED by the Council of the City of Bethlehem that the Mayor and the Controller and/or such other City officials as deemed appropriate by the City Solicitor, are hereby authorized to execute Amendment No. 1 to Use Permit Agreement and such other agreements and documents as are deemed by the City Solicitor to be necessary and/or related thereto, according to the terms and conditions indicated therein and made a part hereof, with the following named permittee, for the uses and purposes indicated below:

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|---|---|---|
| 1. | Name of Permittee: | ArtsQuest |
| 2. | Premises: | 1st Street from Polk Street to the eastern terminus; and Founders Way between 1st Street and 2nd Street |
| 3. | Purpose: | 2024 SteelStacks Gated Summer Concert Series |
| 4. | Use Permit Duration: | Additional Date:<br>September 8, 2024 from 12:00 noon to 12:00 midnight |
| 5. | Event Dates/Times: | Additional Date:<br>September 8, 2024 from 6:00 pm to 10:00 pm |

Sponsored by _____

_____

ADOPTED by Council this day of , 2024.

_____
President of Council

ATTEST:

_____
City Clerk

AMENDMENT NO. 1 TO
USE PERMIT AGREEMENT FOR PUBLIC PROPERTY
BY AND BETWEEN
CITY OF BETHLEHEM
AND
ARTSQUEST

THIS AMENDMENT is entered into this _____ day of _____, 2024, by and between the CITY OF BETHLEHEM, Pennsylvania, hereinafter referred to as the "City" and ARTSQUEST, hereinafter referred to as "Permittee".

WHEREAS, the parties entered into a Use Permit Agreement dated May 6, 2024, pursuant to which the City granted a Use Permit to the Permittee for the use of 1st Street from Polk Street to the eastern terminus and Founders Way between 1st Street and 2nd Street, for the purpose of the 2024 SteelStacks Gated Summer Concert Series and for the duration described therein; and

WHEREAS, the parties desire to amend the Use Permit Agreement on the following terms and conditions.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto, intending to be legally bound hereby, covenant and agree as follows:

1. The Event Dates/Times set forth in Section B of Exhibit A to the Use Permit Agreement is hereby amended to include September 8, 2024 from 6:00 pm to 10:00 pm.

2. The Use Permit Duration set forth in Section B of Exhibit A to the Use Permit Agreement is hereby amended to include September 8, 2024 from 12:00 noon to 12:00 midnight.

3. All other terms and conditions contained in the original Use Permit Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties have caused this Amendment to Use Permit Agreement to be duly executed and delivered on the date and year first above written.

PERMITTEE:
ARTSQUEST

ATTEST:

_____
Secretary

By:_____
Title:

CITY:
CITY OF BETHLEHEM

ATTEST:

_____
City Controller

By:_____
J. William Reynolds
Mayor

The within Amendment to Use Permit Agreement
is certified to be needed, necessary and appropriate.

By:_____
City of Bethlehem Department Head
Print Name: Michael Alkhal