

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to exercise a lease agreement (the "Lease") between the City of Dallas, as tenant, hereinafter referred to as "City" and R. G. Colling, LLC, or its successor and assigns, as landlord, hereinafter referred to as "Landlord", for approximately 8,333 square feet of office and warehouse space located at 10903 Shady Trail, Building A, Suite 160, Dallas, Dallas County, Texas (the "Premises") to be used by the Women, Infants and Children ("WIC") Program Services for the Office of Community Care.

**SECTION 2.** That the special terms and conditions of the lease are:

- (a) The lease is for a term of ten (10) years, beginning July 1, 2022 and ending June 30, 2032.
- (b) Monthly "Base Rental" payments during the term shall be as follows: (subject to annual appropriations):

July 1, 2022 – June 30, 2023	\$6,944.17
July 1, 2023 – June 30, 2024	\$7,152.49
July 1, 2024 – June 30, 2025	\$7,367.07
July 1, 2025 – June 30, 2026	\$7,588.79
July 1, 2026 – June 30, 2027	\$7,817.67
July 1, 2027 – June 30, 2028	\$8,055.23
July 1, 2028 – June 30, 2029	\$8,298.28
July 1, 2029 – June 30, 2030	\$8,548.27
July 1, 2030 – June 30, 2031	\$8,805.20
July 1, 2031 – June 30, 2032	\$9,069.08

- (c) City shall pay fixed monthly common area maintenance fees ("CAM"), as "Additional Rental". CAM includes pro-rata costs for Operating Costs which shall include expenses for insurance, Premise utility and maintenance and common area maintenance and repairs and exterior operations. The fixed monthly Additional Rental cap payments during the term shall be as follows otherwise contemplated under the Amended and Restated Lease Agreement, a sum of money not to exceed as follows (subject to annual appropriations)

July 1, 2022 – June 30, 2027	\$1,388.33
July 1, 2027 – June 30, 2032	\$1,429.98

The monthly rental payments shall begin upon the latter of (i) July 1, 2022, or (ii) the date certain leasehold improvements and conditions as specified in the Lease are completed by Landlord and accepted by City and a Certificate of Occupancy for the Premises is delivered to City ("Rental Commencement Date"). If the Rental

**SECTION 2 (continued)**

Commencement Date is other than the first of the month, rent for the resulting partial month shall be prorated by days.

- (d) City shall be responsible for the installation, maintenance and expense of its electrical, gas, telephone, communication and premise security services or systems it elects to obtain to the Premises; janitorial and routine maintenance, which routine maintenance shall include interior bulb replacements and interior HVAC filters on a quarterly basis, interior pest control and treatments for the Premises; Premise plumbing, i.e., clogged toilets or drains, janitorial sinks, unless the problem is part of the general plumbing main lines.
- (e) Landlord shall pay all charges for water, sewer and sanitation charges for the Premises; all utility connections to the Premises; outdoor property pest control and treatments, building repairs and maintenance and general property security, i.e., fencing, gates, electrical gates, repair and maintenance of common areas, including without limitation parking areas; all equipment and systems, including, but not limited to, all electrical, mechanical and plumbing systems, including heating and air conditioning equipment, front and rear doors, interior and exterior light fixtures and exterior bulb replacements, exhaust fans, and windows.
- (f) Landlord shall repair and maintain in good repair the roof, foundation, exterior walls, exterior lighting.
- (g) Landlord shall provide adequate dumpster facilities for City's trash removal requirements.
- (h) Landlord shall provide City with a Certificate of Occupancy for the Premises.
- (i) Landlord shall make any improvements, and repairs or maintenance to the Premises necessary to comply with the Americans with Disabilities Act, Texas Accessibility Standards and the City of Dallas' Fire Code at its sole expense.
- (j) Landlord shall certify to City no asbestos containing material ("ACM") nor other hazardous material is located on the Premises or used in the leasehold improvement materials. If any ACM or other hazardous material is discovered, Landlord, at its sole cost and expense, will remove the ACM or other hazardous material and City reserves the right, in its sole determination, to terminate the Lease upon the determination of ACM or other hazardous material with no penalty or other claim.
- (k) Landlord shall pay all real estate taxes when due on the Premises.

**SECTION 2** (continued)

- (l) City has the right to terminate the Lease on the last day of any current fiscal year due to non-appropriation of funds.
- (m) City shall have an additional one-time right to terminate at the end of the fifth year of the Lease, without penalty, by providing Landlord, "Notice to Terminate" within ninety (90) days of the end of the fifth year.

**SECTION 3.** That the Chief Financial Officer be and is hereby authorized to draw warrants for the Base Rental payable to R. G. Colling, LLC, or its successors and assigns on the first day of each month in advance during the lease term beginning July 1, 2022 in the amount specified below:

July 1, 2022 – September 30, 2022: (subject to annual appropriations)	\$6,944.17 per month
October 1, 2022 – June 30, 2023: (subject to annual appropriations)	\$6,944.17 per month
July 1, 2023 – September 30, 2023: (subject to annual appropriations)	\$7,152.49 per month
October 1, 2023 – June 30, 2024: (subject to annual appropriations)	\$7,152.49 per month
July 1, 2024 – September 30, 2024: (subject to annual appropriations)	\$7,367.07 per month
October 1, 2024 – June 30, 2025: (subject to annual appropriations)	\$7,367.07 per month
July 1, 2025 – September 30, 2025: (subject to annual appropriations)	\$7,588.79 per month
October 1, 2025 – June 30, 2026: (subject to annual appropriations)	\$7,588.79 per month
July 1, 2026 – September 30, 2026: (subject to annual appropriations)	\$7,817.67 per month
October 1, 2026 – June 30, 2027: (subject to annual appropriations)	\$7,817.67 per month

**SECTION 3 (continued)**

July 1, 2027 – September 30, 2027: (subject to annual appropriations)	\$8,055.23 per month
October 1, 2027 – June 30, 2028: (subject to annual appropriations)	\$8,055.23 per month
July 1, 2028 – September 30, 2028: (subject to annual appropriations)	\$8,298.28 per month
October 1, 2028 – June 30, 2029: (subject to annual appropriations)	\$8,298.28 per month
July 1, 2029 – September 30, 2029: (subject to annual appropriations)	\$8,548.27 per month
October 1, 2029 – June 30, 2030: (subject to annual appropriations)	\$8,548.27 per month
July 1, 2030 – September 30, 2030: (subject to annual appropriations)	\$8,805.20 per month
October 1, 2030 – June 30, 2031: (subject to annual appropriations)	\$8,805.20 per month
July 1, 2031 – September 30, 2031: (subject to annual appropriations)	\$9,069.08 per month
October 1, 2031 – June 30, 2032: (subject to annual appropriations)	\$9,069.08 per month

**SECTION 4.** That the payments will be charged as follows:

July 1, 2022 – September 30, 2022: Fund FY 2022 WIC Program - Women, Infants and Children Grant Fund, Fund F679, Department MGT, Unit 211C, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$6,944.17.

October 1, 2022 – June 30, 2023: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$6,944.17.

**SECTION 4 (continued)**

July 1, 2023 – September 30, 2023: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$7,152.49.

October 1, 2023 – June 30, 2024: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$7,152.49.

July 1, 2024 – September 30, 2024: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$7,367.07.

October 1, 2024 – June 30, 2025: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$7,367.07.

July 1, 2025 – September 30, 2025: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$7,588.79.

October 1, 2025 – June 30, 2026: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$7,588.79.

July 1, 2026 – September 30, 2026: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$7,817.67.

October 1, 2026 – June 30, 2027: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$7,817.67.

July 1, 2027 – September 30, 2027: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$8,055.23.

October 1, 2027 – June 30, 2028: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$8,055.23.

July 1, 2028 – September 30, 2028: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$8,298.28.

**SECTION 4** (continued)

October 1, 2028 – June 30, 2029: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$8,298.28.

July 1, 2029 – September 30, 2029: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$8,548.27.

October 1, 2029 – June 30, 2030: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$8,548.27.

July 1, 2030 – September 30, 2030: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$8,805.20.

October 1, 2030 – June 30, 2031: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$8,805.20.

July 1, 2031 – September 30, 2031: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$9,069.08.

October 1, 2031 – June 30, 2032: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$9,069.08.

**SECTION 5.** That the Chief Financial Officer be and is hereby authorized to draw warrants for the Additional Rental payable to R. G. Colling, LLC, or its successors and assigns on the first day of each month in advance during the lease term beginning July 1, 2022 in the amount specified below:

July 1, 2022 – September 30, 2022: (subject to annual appropriations)	\$1,388.33 per month
October 1, 2022 – September 30, 2023: (subject to annual appropriations)	\$1,388.33 per month
October 1, 2023 – September 30, 2024: (subject to annual appropriations)	\$1,388.33 per month

June 22, 2022

**SECTION 5 (continued)**

October 1, 2024 – September 30, 2025: (subject to annual appropriations)	\$1,388.33 per month
October 1, 2025 – September 30, 2026: month (subject to annual appropriations)	\$1,388.33 per
October 1, 2026 – June 30, 2027: (subject to annual appropriations)	\$1,388.33 per month
July 1, 2027 – September 30, 2027: (subject to annual appropriations)	\$1,429.98 per month
October 1, 2027 – September 30, 2028: (subject to annual appropriations)	\$1,429.98 per month
October 1, 2028 – September 30, 2029: (subject to annual appropriations)	\$1,429.98 per month
October 1, 2029 – September 30, 2030: (subject to annual appropriations)	\$1,429.98 per month
October 1, 2030 – September 30, 2031: (subject to annual appropriations)	\$1,429.98 per month
October 1, 2031 – June 30, 2032: (subject to annual appropriations)	\$1,429.98 per month

**SECTION 6.** That the payments will be charged as follows:

July 1, 2022 – September 30, 2022: Fund FY 2022 WIC Program - Women, Infants and Children Grant Fund, Fund F679, Department MGT, Unit 211C, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,388.33.

October 1, 2022 – September 30, 2023: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,388.33.

October 1, 2023 – September 30, 2024: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,388.33.

**SECTION 6 (continued)**

October 1, 2024 – September 30, 2025: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,388.33.

October 1, 2025 – September 30, 2026: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,388.33.

October 1, 2026 – June 30, 2027: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,388.33.

July 1, 2027 – September 30, 2027: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,429.98.

October 1, 2027 – September 30, 2028: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,429.98.

October 1, 2028 – September 30, 2029: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,429.98.

October 1, 2029 – September 30, 2030: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,429.98.

October 1, 2030 – September 30, 2031: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,429.98.

October 1, 2031 – June 30, 2032: TBD Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-WIC-2022-00018927, Commodity 97145, Vendor VC24267, Amount \$1,429.98.



June 22, 2022

**SECTION 7.** That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone, electric, gas, communications, premise security, signage, janitorial, pest control and treatment, tax service fee companies and reimbursement of pro-rata share of ad valorem taxes to Landlord upon receipt of a bill for such services or other applicable charges throughout the lease term.

**SECTION 8.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.

APPROVED AS TO FORM:  
CHRISTOPHER J. CASO, City Attorney

BY: *Consuelo Tankersley*  
Assistant City Attorney