

**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 execute a ground lease agreement (the "Lease") between Martha Morguloff and Danna Morguloff-Hayden, or their successors and assigns, as landlord, hereinafter referred to as "Landlord", and the City of Dallas, as tenant, hereinafter referred to as "City" for approximately 17,150 square feet of vacant land having a street address of 5807 Royal Lane and being all of Lot 10, Block 1/5501 in the City of Dallas, Dallas County, Texas (the "Premises") to be used by Dallas Fire-Rescue Fire Station No. 41.

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

- a) The lease is for a two-year term beginning August 1, 2020 and ending July 31, 2022.
- b) Monthly rental payments during the term shall be as follows (subject to annual appropriations):

August 1, 2020 – July 31, 2022                      \$1,000.00 per month

The payments shall begin August 1, 2020.

- c) City shall be responsible for the installation, maintenance and expense of the temporary improvements and all repairs and modifications required to establish the temporary fire station. All temporary improvements shall be performed in a good and workmanlike manner and in compliance with applicable Building Codes.
- d) City shall be responsible for the installation, maintenance and expense of its own telephone, communication and security services to the Premises.
- e) City shall be responsible for the repair and maintenance of the improvements, including, without limitation, parking areas.
- f) City shall be responsible for the installation, expense and pay all charges for utilities, including electric, water, sewer, gas, sanitation, and janitorial services to the Premises.
- g) City shall pay all charges for ground maintenance.

**SECTION 2. (continued)**

- h) City shall apply for and obtain all necessary zoning, building permits and approvals for the use of the Premises as a temporary fire station.
- i) City shall allow Landlord to display and maintain a "For Sale" sign on the Premises with at least one traffic roadway exposure from Dallas North Tollway or Royal Lane. City shall not obstruct, remove or damage the sign during the term of the Lease.
- j) City shall pay any applicable taxes, fees or governmental assessments against any equipment, personal property and/or improvements owned, leased or operated by City or directly associated with City's use of the Premises.
- k) City reserves the right to terminate the lease, (1) with a ninety (90) day notice to Landlord that construction of Fire Station #41 is completed; (2) with a thirty (30) day notice of any budget amendments/changes by City Council to budget appropriations; and/or (3) on the last day of the then current fiscal year due to non-appropriation of funds.
- l) City shall remove any improvements made during the lease term, except for utilities installed by the City and restore the Premises to its original unimproved condition upon the expiration or termination of the lease.

**SECTION 3.** That the Chief Financial Officer be and is hereby authorized to draw warrants payable to Martha Morguloff and Danna Morguloff-Hayden, or its successors and assigns on the first day of each month in advance during the lease term beginning August 1, 2020 in the amount specified below:

August 1, 2020 – September 30, 2020 (subject to annual appropriations)	\$1,000.00 per month
October 1, 2020 – September 30, 2021 (subject to annual appropriations)	\$1,000.00 per month
October 1, 2021 – July 31, 2022 (subject to annual appropriations)	\$1,000.00 per month

May 27, 2020

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

August 1, 2020 – September 30, 2020: General Fund, Fund 0001, Department DFD, Activity DF01, Unit ER00, Object 3330, Encumbrance/Contract No. CX-DFD-2020-00012851, Commodity 97145, Vendor VC21410.

October 1, 2020 – September 30, 2021: General Fund, Fund 0001, Department DFD, Activity DF01, Unit ER00, Object 3330, Encumbrance/Contract No. CX-DFD-2020-00012851, Commodity 97145, Vendor VC21410.

October 1, 2021 – July 31, 2022: General Fund, Fund 0001, Department DFD, Activity DF01, Unit ER00, Object 3330, Encumbrance/Contract No. CX-DFD-2020-00012851, Commodity 97145, Vendor VC21410.

**SECTION 7.** That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone, communications, security, sanitation, janitorial, grounds maintenance companies and taxing authority 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:

  
Assistant City Attorney