

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 06/25/24

M&C FILE NUMBER: M&C 24-0538

LOG NAME: 12TGC LAWSUIT 2024

SUBJECT

(ALL) Adopt Resolution Authorizing the City Attorney to File Suit Against Texas Garden Clubs, Inc. to Resolve the Ownership of Certain Property Located within the Fort Worth Botanic Garden

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution and authorize the City Attorney to file a lawsuit against Texas Garden Clubs, Inc. to resolve the ownership of certain property located within the Fort Worth Botanic Garden.

DISCUSSION:

The City of Fort Worth owns approximately 10.291 acres of property located within the Fort Worth Botanic Garden (the "Property"). Texas Garden Clubs, Inc. ("TGC") maintains their headquarters building on the Property and also claims to own the Property through a December 9, 1959 agreement executed by the President of the Board of Park Commissioners, but unauthorized by City Council. Since 2019, City staff has attempted to resolve the competing claims of ownership and reach a settlement with TGC. However, TGC has declined the City's offers.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that approval of this recommendation will have no material effect on City funds.

Submitted for City Manager's Office by: ALL ACMs 6122

Originating Business Unit Head: Leann Guzman 8973

Additional Information Contact: Leann Guzman 8973