

# Mayor and Council Communication

**DATE:** 12/12/23

**M&C FILE NUMBER:** M&C 23-1059

**LOG NAME:** 217650 MCCART THIRD LEASE AMENDMENT

**SUBJECT**

(CD 6) Authorize the Execution of a Third Amendment to City Secretary Contract No. 37785 to Extend the Term and Revise the Rental Rate of the Lease with Barket Corporation dba McCart Village for the Fort Worth Police Department Patrol Facility Located at 7650 McCart Avenue, Fort Worth, Texas

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**RECOMMENDATION:**

It is recommended that the City Council authorize the execution of a third amendment to City Secretary Contract No. 37785 to extend the term and revise the rental rate of the lease with Barket Corporation dba McCart Village for the Fort Worth Police Department patrol facility located at 7650 McCart Avenue, Fort Worth, Texas.

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**DISCUSSION:**

On July 8, 2008, City Council approved a Lease Agreement between the City and JPMCC2005-CIBC13 McCart Avenue (Lessor) to lease approximately 6,587 square feet of space located at 7650 MCart Avenue to be used by the Fort Worth Police Department (FWPD) as a storefront (Mayor and Council Communication No. C-22891). Since 2008, this lease has been assigned to various entities and is currently between the City and Barket Corporation dba McCart Village.

The Lease Agreement (as amended by subsequent renewals, modifications and assignments) expired on September 30, 2023. However, by agreement of all parties, the FWPD are still using the property.

The City and Lessor desire to extend the lease term and amend the lease as follows:

- Term Extension: Extend the lease term for a period of twelve (12) months, retroactively effective October 1, 2023 and expiring September 30, 2024.
- Revised Base Rent: The Base Rent for the renewal term reflects a 6% increase from the previous year rental rate. The revised annual rate is \$97,131.72, to be paid monthly at a rate of \$8,094.31, retroactively starting October 1, 2023.
- Early Termination Option: Starting on January 1, 2024, both parties will have the option to terminate the Lease by providing a one hundred twenty (120) day written notice of termination to the other party.

This property is located in COUNCIL DISTRICT 6.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the recommendation, funds are available in the current operating budget, as previously appropriated, in the General Fund. Prior to an expenditure being incurred, the Police Department has the responsibility to validate the availability of funds.

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