

Mayor and Council Communication

DATE: 05/11/21

M&C FILE NUMBER: M&C 21-0329

LOG NAME: 21MONTH TO MONTH LEASES

SUBJECT

(ALL) Authorize the Adoption of the Attached Ordinance Amending Chapter 2, "Administration", Section 2-9(c), "Contract Execution; Amendments; Change Orders," of the City Code Related to the City Manager's Authority to Execute Month-To-Month Leases, Leases With a Duration Of Up To 31 (Thirty-One) Days, or Licenses with Some Exceptions

RECOMMENDATION:

It is recommended that the City Council authorize the adoption of the attached ordinance amending Chapter 2, "Administration", Section 2-9(c), "Contract Execution; Amendments; Change Orders," of the City Code related to the City Manager's authority to execute month-to-month leases, leases with a duration of up to 31 (thirty-one) days, or licenses with some exceptions.

DISCUSSION:

Section 2-9(c) under Chapter 2, "Administration," "Contract Execution; Amendments; Change Orders," of the Code of the City of Fort Worth (2015) (City Code) currently requires that any contract or other legal instrument for sale, purchase, or lease of real property must be approved by the City Council prior to execution by the City Manager.

The existing language allows execution of "leases for a term not exceeding 30 days and involving an amount not exceeding \$50,000" by the City Manager without City Council approval and has long been interpreted and applied as allowing for the execution of leases that are below the dollar threshold and that constitute month-to-month leases or may otherwise be terminated with 30 days' notice.

To clarify the extent of the City Manager's authority and to memorialize long-standing practice, staff proposes to amend Chapter 2, "Administration", Section 2-9(c), "Contract Execution; Amendments; Change Orders," of the City Code to provide the City Manager the explicit authority to execute (i) month-to-month leases; (ii) leases with a duration of up to 31 days; and (iii) licenses, with the exception of licenses that involve the use of public right of way for a period in excess of six months.

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.

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