

April 10, 2013

**WHEREAS**, on April 26, 2006, the City Council of the City of Dallas approved Resolution No. 06-1204, authorizing the City Manager to execute a lease agreement dated May 2, 2006, (the "Lease") with Gaston Biomedical, L.P., as Lessor ("Landlord") and City of Dallas, as Lessee ("City") for approximately 5,360 square feet of office space located at 3910 Gaston Avenue, Suite 250, Dallas, Dallas County, Texas to be used by the Housing/Community Services' Women, Infants and Children Program (WIC); and

**WHEREAS**, the Lease was amended by the First Amendment to Lease Agreement dated June 23, 2006, changing the property description (the "Premises") from Suite 250 to Suite 140 and expanding the Premises from 5,360 square feet to 5,403 square feet of office space; and

**WHEREAS**, the Lease, as amended, expires by its own terms on June 30, 2013; and

**WHEREAS**, the parties desire to extend the lease term for seven (7) years;

**NOW, THEREFORE,**

**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 Second Amendment to Lease Agreement between Gaston Biomedical, L.P., a Texas limited partnership and the City of Dallas.

**SECTION 2.** That the special terms and conditions of the Second Amendment to Lease Agreement are:

- (a) The term of the Lease is extended for seven (7) years, effective July 1, 2013 and ending June 30, 2020, provided however, that City and Landlord retain the right to terminate the Lease as provided elsewhere therein.
- (b) Monthly rental payments shall be as follows (subject to annual appropriations):

July 1, 2013 – June 30, 2014	\$8,104.50 per month
July 1, 2014 – June 30, 2015	\$8,254.00 per month
July 1, 2015 – June 30, 2016	\$8,404.00 per month
July 1, 2016 – June 30, 2017	\$8,554.00 per month
July 1, 2017 – June 30, 2018	\$8,704.00 per month
July 1, 2018 – June 30, 2020	\$8,854.00 per month

- (c) Landlord shall designate and mark "WIC only" to a minimum of ten of the allotted thirty parking spaces to be reserved for use by City and its patrons.
- (d) Landlord shall paint the Premises at the beginning (July 2013) of this extended term for the Lease and at the beginning of July 2017.
- (e) All other terms of the Lease, as previously amended, not expressly amended hereby shall remain unchanged and in full force and effect.

**SECTION 3.** That the City Controller be and is hereby authorized to draw warrants payable to Gaston Biomedical, L.P. or its successors and assigns on the first day of each month in advance during the lease term effective July 1, 2013 in the amounts specified below:

July 1, 2013 – June 30, 2014 (subject to annual appropriations)	\$8,104.50 per month
July 1, 2014 – June 30, 2015 (subject to annual appropriations)	\$8,254.00 per month
July 1, 2015 – June 30, 2016 (subject to annual appropriations)	\$8,404.00 per month
July 1, 2016 – June 30, 2017 (subject to annual appropriations)	\$8,554.00 per month
July 1, 2017 – June 30, 2018 (subject to annual appropriations)	\$8,704.00 per month
July 1, 2018 – June 30, 2019 (subject to annual appropriations)	\$8,854.00 per month
July 1, 2019 – June 30, 2020 (subject to annual appropriations)	\$8,854.00 per month

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

July 1, 2013 through September 30, 2013: Fund F369, Department HOU, Unit 3896, Object 3330, Encumbrance No. HOULEASEG04, Commodity Code 97145, Vendor No. VS0000005103.

October 1, 2013 through September 30, 2014: Fund TBD, Department HOU, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. VS0000005103.

October 1, 2014 through September 30, 2015: Fund TBD, Department HOU, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. VS0000005103.

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October 1, 2015 through September 30, 2016: Fund TBD, Department HOU, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. VS0000005103.

October 1, 2016 through September 30, 2017: Fund TBD, Department HOU, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. VS0000005103.

October 1, 2017 through September 30, 2018: Fund TBD, Department HOU, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. VS0000005103.

October 1, 2018 through September 30, 2019: Fund TBD, Department HOU, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. VS0000005103.

October 1, 2019 through June 30, 2020: Fund TBD, Department HOU, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. VS0000005103.

**SECTION 5.** That the City Controller is hereby authorized to draw warrants payable to the respective telephone, communication and security companies upon receipt of a bill for charges throughout the term of the lease.

**SECTION 6.** 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:**

**Thomas P. Perkins, Jr., City Attorney**

By: 

Assistant City Attorney

APPROVED BY  
CITY COUNCIL

APR 10 2013

  
City Secretary