

**ORDINANCE NO. 2019- 09**

AN ORDINANCE AUTHORIZING THE LEASE OF A PORTION OF THE PROPERTY COMMONLY KNOWN AS THE SAN JOSE SENIOR CENTER, 2814 SAN JOSE BOULEVARD, CARLSBAD, NEW MEXICO, TO THE SOUTHEAST NEW MEXICO COMMUNITY ACTION CORPORATION FOR USE AS A MEAL SITE.

WHEREAS, the City of Carlsbad is the owner of the San Jose Senior Center building located at 2814 San Jose Boulevard, Carlsbad, New Mexico, hereinafter referred to as the "Center"; and

WHEREAS, the Center is intended to provide a variety of services to senior citizens in the Carlsbad area; and

WHEREAS, the Southeast NM Community Action Corporation, hereinafter "SENMCAC", is a New Mexico non-profit corporation which provides various services to low income families in Carlsbad and southeast New Mexico; and

WHEREAS, for a number of years, SENMCAC has used a portion of the Center as its Meal Site at which it provides its Nutritional Program for residents of Carlsbad who are sixty years of age or older; and

WHEREAS, a qualified appraiser has submitted a written appraisal to the City in which the portion of the Center to be leased to SENMCAC was found to have an appraised value of Seventy-Three Thousand Five Hundred Dollars (\$73,500); and

WHEREAS, the qualified appraiser has determined that the fair market rental of the portion of the Center to be leased to SENMCAC is Five Thousand Six Hundred Dollars (\$5,600); and

WHEREAS, SENMCAC has agreed to pay the City the appraised fair market rent either with cash, with approved services, or with a combination of both; and

WHEREAS, the Governing Body of the City of Carlsbad believes it would be beneficial to the community to renew the lease with SENMCAC for the provision of its Nutritional Program services to senior adults at a portion of the Center; and

WHEREAS, the City has published notice of this lease prior to the consideration of this Ordinance as required by NMSA 1978, Sec. 3-54-1(D), (1999).

NOW, THEREFORE, be it ordained by the Governing Body of the City of Carlsbad that:

1. The lease of a portion of the San Jose Senior Center, upon the terms and conditions set forth in Exhibit "A", incorporated herein by reference, is hereby approved.
2. The Southeast NM Community Action Corporation shall have the use of that portion of the Center as its Meal Site for its Nutritional Program.
3. The Southeast NM Community Action Corporation shall compensate the City of Carlsbad in an amount equal to the monthly fair market rental in the manner set forth in Exhibit "A".
4. The Mayor and City Administrator are authorized to execute all documents necessary to implement the terms of this ordinance.
5. Notice shall be published pursuant to the terms of NMSA 1978, Sec. 3-54-1 (1999).

DONE AND APPROVED this 26th day of February, 2019.

/s/Dale Janway  
DALE JANWAY, MAYOR

ATTEST:

/s/Nadine Mireles  
CITY CLERK