

**ORDINANCE NO. 2020-16**

AN ORDINANCE AUTHORIZING THE LEASE OF THE PROPERTY COMMONLY KNOWN AS THE CARLSBAD ADULT RESPITE FACILITY, 201 E. CASCADES AVENUE, CARLSBAD, NEW MEXICO, TO THE SOUTHEAST NEW MEXICO COMMUNITY ACTION CORPORATION

WHEREAS, in 2010 the City of Carlsbad constructed an adult respite facility on the property commonly known as 201 E. Cascades Avenue, Carlsbad, New Mexico, and more particularly described as Lot 23A, Amended Cascades No. 6 Subdivision, utilizing State of New Mexico legislative funding, such facility hereinafter referred to as the “Premises”; and

WHEREAS, a qualified appraiser has submitted a written appraisal to the City in which the Premises was found to have an appraised value of Six Hundred Sixty-six Thousand Dollars (\$666,000); and

WHEREAS, the qualified appraiser has determined that the fair market rental of the Premises is Sixteen Thousand Dollars per year (\$16,000.00/year) or One Thousand Three Hundred Thirty-Three Dollars and 34/100ths per month (\$1,333.34/month); and

WHEREAS, pursuant to the legislative appropriation, the City of Carlsbad is obligated to utilize the Premises to provide services to adults in need of daycare services; and

WHEREAS, the City of Carlsbad requested proposals for the provision of adult respite services at the Premises pursuant to RFP No. 2020-09; and

WHEREAS, the Southeast NM Community Action Corporation submitted a proposal for such respite services; and

WHEREAS, the Southeast NM Community Action Corporation is a New Mexico non-profit corporation which provides various services to low income families in Carlsbad and southeast New Mexico and is willing and able to provide adult respite services at the Premises; and

WHEREAS, the Southeast NM Community Action Corporation’s proposal was accepted by the City of Carlsbad for the provision of adult respite services at the Premises; and

WHEREAS, the Southeast NM Community Action Corporation has agreed to pay the appraised fair market annual rent of \$16,000 either in cash, or by the provision of in-kind services, or by a combination of both cash and services; and

WHEREAS, the Governing Body of the City of Carlsbad believes it would be beneficial to the community to lease the facility to the Southeast NM Community Action Corporation for the provision of adult respite services at the Premises.

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

1. The lease of the Carlsbad Adult Respite Facility, 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 the Premises to provide adult respite services.
3. The Southeast NM Community Action Corporation shall compensate the City of Carlsbad in an amount equal to the annual fair market rental of Sixteen Thousand Dollars per year (\$16,000.00/year) or One Thousand Three Hundred Thirty-Three Dollars and 34/100ths per month (\$1,333.34/month) 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 14<sup>th</sup> day of July, 2020.

/s/Dale Janway  
DALE JANWAY, MAYOR

ATTEST:

/s/Nadine Mireles  
CITY CLERK