



ORDINANCE NO. 2020-002

AN ORDINANCE FOR THE LEASE OF MUNICIPAL PROPERTY BY THE CITY OF ANTHONY NEW MEXICO TO SOUTH CENTRAL SOLID WASTE AUTHORITY.

WHEREAS, the City of Anthony, New Mexico (“City”) and South Central Solid Waste Authority (“SCSWA”) are interested in entering into an agreement for the lease of municipal property;

WHEREAS, the municipal property that would be leased to SCSWA is described in the *Public Facility Rental Agreement*, attached hereto as Exhibit A;

WHEREAS, NMSA 1978, Section 3-54-1 allows municipalities to lease municipal real property having an appraised value of \$25,000 or more so long as an appraisal by a qualified appraiser is submitted in writing to the governing body;

WHEREAS, the Governing Body has received a written appraisal by ***Karen I. Mundy, MAI, New Mexico State Certified General Appraiser #01219-G*** indicating that the property to be leased has a value of **\$26,550 Per Annum, or \$18.00 per Square Foot, Annually. (Exhibit B -Fair Market Rental Study)**;

WHEREAS, the proposed lease will benefit the City by generating money from otherwise unused real property;

WHEREAS, SCSWA has fully reviewed and agreed to the terms in the *Public Facility Rental Agreement* (Ex. A);

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF ANTHONY, NEW MEXICO:

Section 1. PURPOSE.

The purpose of this Ordinance is to lease municipal property to SCSWA.

Section 2. AUTHORITY.

This ordinance is adopted pursuant to NMSA 1978, Section 3-54-1.

Section 3. EFFECTIVE DATE.

This ordinance shall be in full force and effect forty-five days after its adoption, approval, and publication as provided by law, unless a referendum election is held pursuant to Section 6 herein.



Section 4. ADOPTION OF AGREEMENT FOR THE LEASE OF REAL PROPERTY

- a. The Governing Body hereby approves and adopts the *Public Facility Rental Agreement*.
- b. The Mayor is hereby authorized, empowered and directed to execute the *Public Facility Rental Agreement* on behalf of the City.
- c. The City Manager is hereby authorized, empowered and directed to take all action necessary to implement the terms of the *Public Facility Rental Agreement* on behalf of the City.

Section 5. PUBLICATION.

This Ordinance shall be published prior to its adoption pursuant to NMSA 1978 Section 3-1-2(J) and Section 3-17-3, and at least once within one week following adoption pursuant to NMSA 1978 Section 3-1-2(J).

Section 6. REFERENDUM

This Ordinance may be challenged by referendum as set forth in NMSA 1978 Section 3-54-1(E-I).

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF SEPTEMBER 2020.


Diana M. Trujillo, Mayor



ATTEST:



Esther Motongo, City Clerk

{SEAL}

ROLL CALL VOTE:

Mayor Pro Tem, Fernie Herrera

☒ YES

NO



Trustee Gloria Gameros

☒ YES

NO



Trustee Elva Flores

☒ YES

NO



Trustee Javier Silva

☒ YES

NO

