

ORDINANCE NO. 2023- 05

**AN ORDINANCE AUTHORIZING THE LEASE
OF PROPERTY COMMONLY KNOWN AS
PORT JEFFERSON, 814 E. RIVRSIDE DR.,
CARLSBAD, NM AND TO ENTER INTO A
LEASE AGREEMENT WITH THE CARLSBAD
CHAMBER OF COMMERCE FOR
CONCESSION SERVICES**

WHEREAS, Port Jefferson, which is owned by the City, is located at the Carlsbad Beach and is a suitable location to operate concession services; and

WHEREAS, the Carlsbad Chamber of Commerce, a non-profit community based organization, seeks to operate concession services at Port Jefferson, which is a popular gathering space for area residents and the general public; and

WHEREAS, a qualified appraiser has submitted a written appraisal to the City; and

WHEREAS, the Carlsbad Chamber of Commerce has agreed to pay the City rent of Five Hundred Dollars (\$500.00) per month, payable in cash and due on the 7th day of each month beginning on the 28th day of March, 2023, and continuing each month until the 27th day of March, 2025; and

WHEREAS, the Governing Body of the City of Carlsbad believes it would be beneficial to the community for the Carlsbad Chamber of Commerce to provide concession services to area residents and the general public; 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), (2018).

NOW THEREFORE, be it ordained by the Governing Body of the City of Carlsbad, County of Eddy, State of New Mexico, as follows:

1. The lease of the property commonly known as Port Jefferson, 814 E. Riverside Dr., Carlsbad, NM, and more particularly described as a building and boat docks with Coordinates of -104.21922 21.42982.9 (See Map attached) to the Chamber of Commerce upon the terms and conditions set forth in Exhibit "A", incorporated herein by reference, is hereby approved.
2. Carlsbad Chamber of Commerce shall have the use of the property for the purpose of providing concession services to area residents and the general public.
3. Carlsbad Chamber of commerce shall compensate the City of Carlsbad in the amount of Five Hundred dollars (\$500.00) per month.
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, (2018).

INTRODUCED, PASSED, ADOPTED AND APPROVED this 28th day of March, 2023.

/s/Dale Janway

DALE JANWAY, MAYOR

ATTEST:

/s/Nadine Mireles

CITY CLERK