

**ORDINANCE NO. 1255**

**AN ORDINANCE APPROVING AN OPERATING AND LEASE AGREEMENT PROVIDING FOR A LONG-TERM LEASE WITH HIDALGO MEDICAL SERVICES, INC. TO MANAGE AND PROVIDE SERVICES TO THE SILVER CITY SENIOR CITIZENS CENTER, UNDER THE PROVISIONS OF CHAPTER 48, SECTION 48-24 OF THE TOWN OF SILVER CITY MUNICIPAL CODE**

**WHEREAS**, the Town of Silver City is the owner of the Silver City Senior Citizens Center, located at 205 West Victoria Street, Silver City, New Mexico (the “facility”); and

**WHEREAS**, the Town desires to enter into an Operating and Lease Agreement with Hidalgo Medical Services, Inc. (“HMS”) wherein the Town will lease the facility to HMS for the purpose of managing the facility and providing particular services with regard to the facility and those who use the facility; and

**WHEREAS**, Chapter 48, Section 48-24 permits the long-term lease of Town-owned property to a private non-governmental entity where such property has been acquired through funding from a federal or state legislative allocation; and

**WHEREAS**, HMS has warranted that it has the personnel and expertise to accomplish the purposes described in the aforementioned Agreement; and

**WHEREAS**, the Town finds HMS to be well qualified to accomplish the purposes so described and finds that a long-term lease for providing management of and services to the facility is in the Town’s and the public’s best interest; and

**WHEREAS**, the Town Council of the Town of Silver City desires to authorize the Town Manager to execute the Operating and Lease Agreement with HMS and the lease contained therein; and

**WHEREAS**, the Town Council finds that the adoption of this ordinance is necessary for the health, safety and welfare of the Town and its inhabitants;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, that:**

(A) The Town Council authorizes the Town Manager to execute the Operating and Lease Agreement between the Town and HMS relating to the managing of and providing services to the Silver City Senior Citizens Center located at 205 West Victoria Street, Silver City, New Mexico, a copy of which is attached hereto as Appendix “A”; and

(B) The Town Council authorizes the Town Manager to modify the long-term lease referenced in the Operating and Lease Agreement during the terms thereof if circumstances shall arise which require such modification to further the interests of the parties.

**PASSED, ADOPTED AND APPROVED** by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 11th day of April, 2017.

(Seal)

TOWN OF SILVER CITY

/s/ \_\_\_\_\_  
Ken Ladner, Mayor

Attest:

/s/ \_\_\_\_\_  
Ann L. Mackie, Town Clerk