

PROPOSED ORDINANCE 17-05

AN ORDINANCE OF THE CITY OF ROSWELL APPROVING THE PROJECT AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT AND A PROJECT PARTICIPATION AGREEMENT, ACCEPTING FROM THE NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT \$1,000,000 FOR ECONOMIC ASSISTANCE TO SUPPORT THE CONSTRUCTION AND REPAIR OF FACILITIES CURRENTLY UTILIZED BY DEAN BALDWIN PAINTING LLP

WHEREAS, the City of Roswell has passed Ordinance No. 11-05, relating to Economic Development Planning; and

WHEREAS, the purpose of the Economic Development Plan is to "allow public support of economic projects to foster, promote and enhance local economic development efforts while continuing to protect against the unauthorized use of public money and other public resources;" and

WHEREAS, Dean Baldwin Painting LP ("Dean Baldwin"), meets the requirements as stated in Ordinance No. 11-05, as a qualifying entity;

WHEREAS, the State of New Mexico Economic Development Department desires to support Dean Baldwin's expansion by entering into a Contract with the City of Roswell to contribute \$1,000,000 toward the construction and repair of Dean Baldwin's current premises; and

WHEREAS, the City of Roswell City Council desires to enter into an agreement with Dean Baldwin in the form of a Project Participation Agreement, as provided for in Ordinance No. 11-05.

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

Section 1. The Dean Baldwin Project application is hereby approved, and the City Manager is authorized to execute on behalf of the Roswell City Council an Intergovernmental Agreement in substantially the form attached with the State of New Mexico Economic Development Department to accept \$1,000,000 to be used specifically for the construction and repair of its current premises at the Roswell International Air Center.

Section 2. The City Manager is authorized to execute on behalf of the City of Roswell a Project Participation Agreement in substantially the form attached with Dean Baldwin, for the construction for the construction and repair of its current premises.

Section 3. Repealer. All ordinances or parts of ordinances or provisions of the City of Roswell Code in conflict or inconsistent herewith be, and the same hereby are repealed to the extent only of such conflict or inconsistency, and as to all other ordinances, this ordinance is hereby made cumulative. This repealer shall not be construed to revive any ordinance or parts of any ordinance heretofore repealed .

Section 4. Severability. If any section, paragraph, clause or provision of this ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

Section 5. Effective date. This ordinance shall be effective five days after publication.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO
THIS ___th DAY OF March, 2017.

Mayor

(SEAL)

Attest:

City Clerk

ON HOLD