

AN ORDINANCE OF THE CITY OF ROSWELL AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT AND A PROJECT PARTICIPATION AGREEMENT ACCEPTING FROM THE NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT \$100,000.00 FOR ECONOMIC ASSISTANCE FOR IMPROVEMENT OF THE ROSWELL RAIL SPUR

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, *Nu-Mex Plastics* meets the requirements as stated in Ordinance No. 11-05, as a qualifying entity by being "an industry for manufacturing, processing, or assembling of any agriculture or manufactured products;" and

WHEREAS, *RLC Supply and Logistics* meets the requirements as Stated in Ordinance No. 11-05, as a qualifying entity by being a commercial enterprise for storing, warehousing, distributing or selling product of agriculture, mining or industry; and

WHEREAS, *Roswell Rail Spur* serves a number of industries and businesses and improvement of the Roswell Rail Spur will allow the creation of jobs for *Nu-Mex Plastics* and *RLC Supply and Logistics*, as well as for other additional business entities; and

WHEREAS, the State of New Mexico Economic Development Department desires to support *Roswell Rail Spur* through its 2011 Capital Outlay Fund by entering into a Contract with the *City of Roswell* to contribute \$100,000.00 toward the construction of the *Roswell Rail Spur*; and

WHEREAS, the *City of Roswell City Council* wishes to enter into an agreement with *Nu-Mex Plastics* and *RLC Supply and Logistics*, 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.** That the Mayor is authorized to execute on behalf of the *Roswell City Council* an Intergovernmental Agreement with the State of New Mexico Economic Development Department to accept \$100,000.00 under Ordinance 11-05 to be used specifically for the *Roswell Rail Spur*.

**Section 2.** That the Mayor is authorized to execute on behalf of the *City of Roswell Council* a Project Participation Agreement with *Nu-Mex Plastics & RLC Supply and Logistics*, users of the *Roswell Rail Spur*.

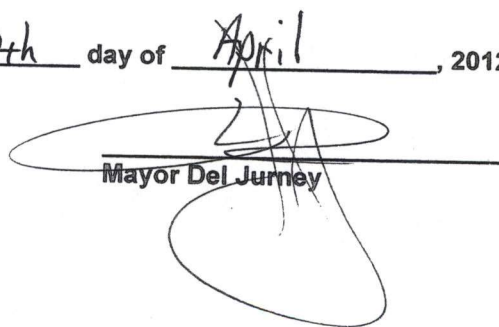
**Section 3.** Repealer. All ordinances or parts of ordinances or provisions of the *City of Roswell Code* in conflict or inconsistent herewith be, and the same hereby are repealed to the extent only of such conflict or inconsistency, and as to all other ordinances, this ordinance is hereby made cumulative. 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.

PASSED, ADOPTED, AND APPROVED this 12th day of April, 2012.



  
Mayor Del Journey

