

**ORDINANCE NUMBER 14-06**

**AN ORDINANCE OF THE CITY OF ROSWELL AUTHORIZING THE EXECUTION OF A CONTRACT AND A PROJECT PARTICIPATION AGREEMENT REQUESTING FROM THE NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT \$350,000.00 FOR ECONOMIC ASSISTANCE FOR DEAN BALDWIN PAINTING.**

**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* 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**, the hangar currently occupied by Dean Baldwin Painting has been under renovation to improve the economic viability of the Roswell International Air Center and Dean Baldwin Painting; and

**WHEREAS**, the current project, due to unforeseen construction problems, necessary adjustments and change orders have put the total completion of the project in a shortfall of \$275,000; and

**WHEREAS**, the *City of Roswell City Council* wishes to enter into an agreement with *Dean Baldwin Painting*, in the form of a Project Participation Agreement (PPA), as provided for in Ordinance No. 11-05; and

**WHEREAS**, the *City of Roswell City Council* wishes to request from the State of New Mexico Economic Development Department, \$350,000.00 from their FY15 LEDA Capital Outlay funds, to complete renovations of the hangar currently occupied by Dean Baldwin Painting.

**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* a Contract with the State of New Mexico Economic Development Department to accept \$350,000.00 under Ordinance 11-05 to be used specifically for *Dean Baldwin Painting hangar improvements*.

**Section 2.** That the Mayor is authorized to execute on behalf of the *Roswell City Council* a Project Participation Agreement with *Dean Baldwin Painting*, to transfer this \$350,000.00 to *Dean Baldwin Painting* to go toward the *Dean Baldwin Painting hangar improvements project*.

**Section 3.** Repealer. All ordinances or parts of ordinances or provision 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 theretofore 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 14th day of August, 2014.**



CITY SEAL

ATTEST:

*Sharon Coll*  
Sharon Coll, City Clerk

*Dennis Kintigh*  
Dennis Kintigh, Mayor