



**Sandoval County, New Mexico**  
**Ordinance No. 11-1-13.10**  
**LOCAL ECONOMIC DEVELOPMENT ACT PLAN**

WHEREAS, The County of Sandoval is a political subdivision of the State of New Mexico under the laws of the State of New Mexico (the "State"); and,

WHEREAS, Article 9, Section 14 of the State Constitution permits counties to create new job opportunities by providing land, building or infrastructure for facilities to support new or expanding businesses, provided that adequate safeguards are employed to protect public monies and resources; and,

WHEREAS, Pursuant to the Local Economic Development Act, Sections 5-10-1 through 5-10-13 NMSA 1978 (the "Act"), no assistance may be provided until a county has adopted by ordinance and economic development plan, or a comprehensive plan which includes an economic development component, which plan may be specific to a single economic development goal or strategy or may include several goals or strategies; and,

WHEREAS, the County of Sandoval desires to adopt an economic development plan and encourage economic development of areas within its limits by use of authority available under the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE SANDOVAL COUNTY BOARD OF COUNTY COMMISSIONERS:

**Section 1. Short Title.** This ordinance is cited as the "Local Economic Development Act Plan Ordinance."

**Section 2. Purpose.** This ordinance is adopted as part of the County's economic development plan. In accordance with the Act, the purpose of the Local Economic Development Plan Ordinance is to allow public support of economic development projects to foster, promote and enhance local economic developments efforts while continuing to protect against the unauthorized use of public money and other public resources.

**Section 3. Economic Development Plan.** The County hereby adopts an economic development plan as described in this Local Economic Development Plan Ordinance. The County may assist economic development projects in any legally permissible manner, including but not limited to the provision of land, building and infrastructure. The County will provide/sell County-owned land, buildings and infrastructure it already owns, or it may build, purchase or lease the facilities needed for an economic development project. The County may also contribute to the payment of costs for professional services contracts, including industry feasibility studies and planning and design services with respect to the project.

The County may consider offering all forms of assistance allowed under this section and any other form of assistance allowed under the Act, as amended from time to time; however, the County has no obligation to offer any specific type or level of assistance.

**Section 4. Application for Assistance.** Any qualifying entity, as such term is defined in the Act, may propose an economic development project to the County and apply for assistance from the County. The applicant's proposal shall describe the proposed project including the name and the addresses of the

person with an interest in the project, the number and types of jobs to be created, wages and benefits associated with the jobs to be created, the type and amount of assistance sought from the County, and all other information requested by the County. The County will evaluate the applications, the form and extent of assistance proposed projects on a case-by-case basis. The County may accept or reject proposals at its sole discretion.

**Section 5. Substantive Contribution; Project Participation Agreement.** If the County approves a request for assistance, it will do so by ordinance. In addition, the County and the recipient of the assistance will enter into a project participation agreement in accordance with the Act. The County may require that all recipients of the assistance, pursuant to the Act and the Ordinance, provide the County with prescribed reports with respect to the project for which assistance was received.

**Section 6. Severability.** If any section, paragraph, sentence, clause or word or phrase of this Ordinance is for any reason held to be invalid or unenforceable, by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

**Section 7.** All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repeal shall not be construed to revive an ordinance, or resolution, or part thereof, heretofore repealed.

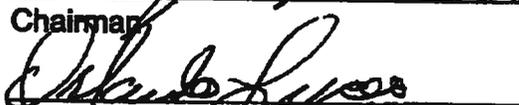
**Section 8. Effective Date.** This ordinance shall become effective thirty (30) days after adoption by the Sandoval County Board of Commissioners.

**DONE this 13th day of January, 2011.**

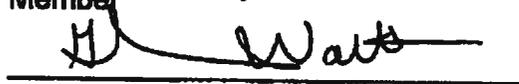
**SANDOVAL COUNTY BOARD OF  
COUNTY COMMISSIONERS**

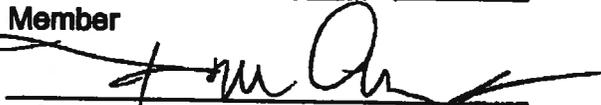
  
Sally Padilla, County Clerk

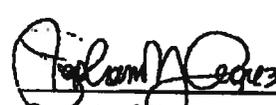
  
Chairman

  
Vice-Chairman

  
Member

  
Member

  
Member

  
County Attorney