

1 **CITY OF SANTA FE, NEW MEXICO**

2 **BILL NO. 2016-29**

3 **INTRODUCED BY:**

4  
5 Mayor Javier M. Gonzales

6 Councilor Peter N. Ives

7 Councilor Joseph M. Maestas

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10 **AN ORDINANCE**

11 **RELATING TO THE CITY OF SANTA FE ECONOMIC DEVELOPMENT PLAN**  
12 **ORDINANCE, ARTICLE 11-11 SFCC 1987; APPROVING AND ADOPTING A LOCAL**  
13 **ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN**  
14 **THE CITY OF SANTA FE AND WILDFLOWER INTERNATIONAL, LTD FOR THE**  
15 **COSTS RELATED TO A COMPANY EXPANSION INCLUDING THE REMODEL OF AN**  
16 **EXISTING BUILDING, AND THE NECESSARY INFRASTRUCTURE, EQUIPMENT**  
17 **INSTALLATION AND UPGRADES NEEDED TO CREATE A TECHNOLOGY FACILITY,**  
18 **A LOCAL ECONOMIC DEVELOPMENT PROJECT.**

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20 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

21 **Section 1. Short Title.** This Ordinance shall be known as the “Wildflower  
22 International, Ltd Local Economic Development Project Ordinance.”

23 **Section 2. Recitals.**

24 A. The Local Economic Development Act, Sections 5-10-1 et. seq. NMSA 1978  
25 explicitly permits municipalities to assist qualifying entities with economic development projects

1 through the use of public resources; and

2 B. The City of Santa Fe has complied with the requirements of the Local Economic  
3 Development Act by adopting an Economic Development Fund Ordinance (11-14 SFCC (1987)),  
4 incorporating within that ordinance its community economic development plan and its economic  
5 development strategy for implementation dated May 21, 2008; and

6 C. Wildflower International, Ltd is a qualifying entity pursuant to 5-10-3(I)(3) NMSA  
7 1978 and 11-11.4(C) SFCC 1987, was founded in 1991 as an in-home business, and has since grown  
8 to a \$250 million company with offices in three states and 80 total employees.

9 D. In 2016, the State Legislature appropriated \$75,000 to purchase land, equipment,  
10 engineering and design for Wildflower International, Ltd in Santa Fe. This project will permit the  
11 continued expansion of Wildflower International, Ltd, and will include the addition of 40 new jobs  
12 with a minimum average wage of \$18/hour over the next three years.

13 E. This project address the objectives of the Santa Fe Economic Development  
14 Implementation Strategy as adopted by Resolution 2008-42 which included calls to “diversify the  
15 Santa Fe economy with an emphasis on high wage jobs and career paths”, “pursue overall  
16 affordability where local wages can support living in Santa Fe”, and “bolster Santa Fe’s leadership  
17 position and/or potential in innovation.”

18 **Section 3. Findings.** The governing body hereby finds:

19 A. The City of Santa Fe has determined that it is in the interest of the welfare of the  
20 citizens of Santa Fe to enter into an Economic Development Project Participation Agreement for the  
21 purposes of effectuating its Economic Development Plan and the Project.

22 B. In compliance with the City’s Economic Development Fund Ordinance, 11-14 SFCC  
23 (1987), this Project Participation Agreement between Wildflower International, Ltd and the City  
24 clearly state the following:

- 25 (1) The economic development goals of the project;

- 1 (2) The contributions of the City and Wildflower International, Ltd;
- 2 (3) The specific measurable objectives upon which the performance review will
- 3 be based;
- 4 (4) A schedule for project development and goal attainment;
- 5 (5) The security being offered for the City's investment;
- 6 (6) The procedures by which the Project may be terminated and the City's
- 7 investment recovered;
- 8 (7) The time period for which the City shall retain an interest in the Project; and
- 9 (8) Wildflower International, Ltd is a qualifying entity; and
- 10 (8) A "sunset" clause after which the City shall relinquish interest in and
- 11 oversight of the project.

12 **Section 4. Approval and Adoption of the Project Participation Agreement.** The  
13 governing body hereby approves the 2016 PPA (attached as Exhibit A) whereby the City will be the  
14 Fiscal Agent for the State Legislative appropriation of \$75,000. The City will pass through the State  
15 Legislative appropriation of \$75,000 to Wildflower International, Ltd and the funds shall be used to  
16 purchase land, equipment, engineering and design related to construction of a technology facility at  
17 the main office of Wildflower International, Ltd in Santa Fe.

18 **Section 5. Severability Clause.** If any section, paragraph, clause, or provision of this  
19 ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder  
20 shall for any reason be held to be invalid, unlawful, or unenforceable, the invalidity, illegality, or  
21 unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the  
22 remaining portions of this ordinance or the regulation so challenged.

23 **Section 6. Effective Date.** This ordinance shall become effective immediately upon  
24 adoption.

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1 APPROVED AS TO FORM:

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4 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Bills 2016/Wildflower International PPA*