CITY OF SANTA FE, NEW MEXICO

BILL NO. 2022-______

Introduced By
Mayor Alan Webber

AN ORDINANCE

RELATING TO THE CITY OF SANTA FE ECONOMIC DEVELOPMENT PLAN ORDINANCE, ARTICLE 11-11 SFCC 1987; APPROVING AND ADOPTING A LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND EARTH TRAVELER TEARDROP TRAILERS, LLC, FOR DESIGN, DEVELOPMENT, AND CONSTRUCTION OF TENANT IMPROVEMENTS; LEASE PAYMENTS; AND TO EXPAND A MANUFACTURING CENTER AND SILICON VACUUM SYSTEM, A LOCAL ECONOMIC DEVELOPMENT PROJECT.

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

Section 1. Short Title. This Ordinance shall be known as the “Earth Traveler Local Economic Development Project Ordinance.”

Section 2. Recitals.

A. The Local Economic Development Act, NMSA 1978, Sections 5-10-1, et seq. (“LEDA”) explicitly permits municipalities to assist qualifying entities with economic development projects through the use of public resources; and
B. The City of Santa Fe has complied with the requirements of the Local Economic Development Act by adopting an Economic Development Fund Ordinance, Section 11-14 SFCC 1987, incorporating within that ordinance its community economic development plan and its economic development strategy for implementation dated May 21, 2008; and

C. Earth Traveler Teardrop Trailers, Inc., (“Qualifying Entity” or “Earth Traveler”) is a Santa Fe-based manufacturer of the world’s lightest outdoor camper, which meets the definition of Qualifying Entity under the Economic Development Ordinance, Section 11-14.4(A) SFCC 1987; and LEDA, NMSA 1978, Section 5-10-3 (J). The Qualifying Entity creates economic base jobs in the outdoor recreation business by manufacturing the world’s lightest camper located in Santa Fe.

D. The State of New Mexico has appropriated One Hundred Thousand Dollars and No Cents ($100,000.00) from the New Mexico LEDA Fund and the City of Santa Fe will provide Twenty-Five Thousand Dollars and No Cents ($25,000.00) from the Local Economic Development Fund for the project to pay for design, developments, construction of tenant improvements, lease payments, expansion of a manufacturing center, and Silicon Vacuum System. The facility is located at 3217 Richards Lane, Suite B, and the expansion will be located at 27 Ridgeline Road both in Santa Fe, New Mexico. The expansion may include construction costs, materials associated with the interior renovation of its facilities, and improvements or construction of telecommunications, broadband connectivity, and other infrastructure necessary to improve service to the facility. This project identified as the “Project” will expand the manufacturing center and the tax base, generating more taxes, fees, and other revenues for the State of New Mexico and City of Santa Fe.

E. The facility will be used to design, develop, and manufacture campers, which causes the company to fall under the definition of a “manufacturer” under LEDA.

Section 3. Findings. The governing body hereby finds:

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

B. In compliance with the City’s Economic Development Fund Ordinance, Section 11-14 SFCC (1987), the Project Participation Agreement between Qualifying Entity and the City clearly states the following:

(1) Earth Traveler is a qualifying entity;

(2) The contributions of the City, the City as a fiscal agent of the State, and the Qualifying Entity;

(3) The specific measurable objectives upon which the performance review will be based;

(4) A schedule for Project development and goal attainment;

(5) The security being offered for the City's investment;

(6) The procedures by which the Project may be terminated and the City's investment recovered;

(7) The time period for which the City shall retain an interest in the Project;

(8) The economic development goals of the project; and

(9) A "sunset" clause after which the City shall relinquish interest in and oversight of the project.

Section 4. Approval and Adoption of the Project Participation Agreement. The governing body hereby approves the 2022 PPA (attached as Exhibit A) whereby the City will be the Fiscal Agent for the State legislative appropriation of One Hundred Thousand Dollars and No Cents ($100,000.00) and will designate the Twenty-Five Thousand Dollars and No Cents ($25,000.00) in City Funds. The City will pass the State Legislative appropriation of $100,000.00 to the Qualifying Entity and provide the City funds of $25,000.00 to the Qualifying Entity and the funds will be used for design, developments, and construction of tenant improvements, lease payments, expansion of a manufacturing center, Silicon Vacuum System, and infrastructure. In exchange, the Qualifying Entity will expand the
tax base and generate more taxes, fees, and other revenues for the State of New Mexico and City of Santa Fe.

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

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

PASSED, APPROVED, and ADOPTED this ____day of _____, 2022.

_________________________________
ALAN WEBBER, MAYOR

ATTEST:

_________________________________
KRISTINE BUSTOS MIHELCIC, CITY CLERK

APPROVED AS TO FORM:

_________________________________
ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2022/Bills/Earth Traveler Teardrop Trailers LEDA Project