

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

ORDINANCE NO. 2011-7

**AN ORDINANCE AMENDING ORDINANCE NO. 2008-13 AND ITS
RELATED AND AUTHORIZED PROJECT PARTICIPATION
AGREEMENT BETWEEN SANTA FE COUNTY AND
BICYCLE TECHNOLOGIES INTERNATIONAL LTD.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTE FE
COUNTY THAT PARAGRAPHS 2.3, 6.1 AND 28.2 OF THE PROJECT PARTICIPATION
AGREEMENT OF ORDINACNE NO. 2008-13 ARE AMENDED AS SET FORTH BELOW:**

**I. PARAGRAPH 2: ECONOMIC DEVELOPMENT GOALS OF THE PROJECT;
CONTRIBUTIONS OF THE QUALIFYING ENTITY**

Subparagraph 2.3 of Paragraph 2 of the Project Participation Agreement (PPA) of Ordinance No. 2008-13 is replaced with the following:

2.3 The Qualifying Entity will directly provide 83,200 new hours of Above-Minimum Wage employment the approximate equivalent of 40 net new full time jobs in connection with the Project above and beyond the jobs with BTI which existed at the time of execution of the Project Participation Agreement. The 83,200 new hours of Above-Minimum Wage employment shall include qualifying hours of BTI employees hired into positions created following execution of the Project Participation Agreement. The Qualifying Entity shall fulfill its obligation to finance 83,200 hours new of Above-Minimum Wage employment within five (5) years after the County enters into a Memorandum of Understanding with the State of New Mexico Economic Development Department regarding funding for this project. The 83,200 hours of Above-Minimum Wage employment will be for services provided within Santa Fe County. The Qualifying Entity shall begin financing 83,200 new hours of Above-Minimum Wage employment as soon as is practicably possible after the County enters into a Memorandum of Understanding with the State of New Mexico Economic Development Department regarding funding for this Project.

II. PARAGRAPH 6: SCHEDULE FOR PROJECT DEVELOPMENT

Paragraph 6 of the PPA of Ordinance No. 2008-13 is replaced by the following:

The project shall commence no later than June 30, 2012 and shall be completed no later than twenty-four months later.

III. PARAGRAPH 28: INDEMNITY, INSURANCE

Subparagraph 28.2 of Paragraph 28 of the PPA of Ordinance No. 2008-13 is replaced by the following:

PASSED, APPROVED AND ADOPTED this 27 day of Sept., 2011.

SANTA FE COUNTY

Virginia Vigil
Virginia Vigil, Chair

APPROVED AS TO FORM:

Stephen C. Ross
Stephen C. Ross
Santa Fe County Attorney

ATTEST:

Valerie Espinoza
VALERIE ESPINOZA
COUNTY CLERK

8-4-11
Date



QUALIFYING ENTITY:

Andrew Wright
Andrew Wright, President

09.27.2011
Date

OWNER, MW HOLDINGS LLC:

Andrew Wright
Andrew Wright, President

09.27.2011
Date



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC ORDINANCE
PAGES: 4

I Hereby Certify That This Instrument Was Filed for
Record On The 29TH Day Of September, 2011 at 11:38:40 AM
And Was Duly Recorded as Instrument # **1646576**
Of The Records Of Santa Fe County

Deputy *Marcella [Signature]* Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

Publishing of Title and Summary of Ordinance NO. 2011-____, An Ordinance
Amending Ordinance No. 2008-13 and Its Related and Authorized Project
Participation Agreement Between Santa Fe County and Bicycle Technologies
International Ltd.

SFC CLERK RECORDED 03/23/2011

**TITLE AND GENERAL
SUMMARY
OF A PROPOSED ORDI-
NANCE 2011-
AN ORDINANCE
AMENDING ORDI-
NANCE NO. 2008-13
AND ITS
RELATED AND
AUTHORIZED PRO-
JECT PARTICIPATION
AGREEMENT BE-
TWEEN SANTA FE
COUNTY AND
BICYCLE TECHNOLO-
GIES INTERNATIONAL
LTD.**

**NOTICE OF PUBLIC
HEARING**

Notice is hereby given that on the 27th day of September, 2011 at 1:00 /p.m., the Board of County Commissioners will conduct a public hearing concerning possible adoption of an ordinance amending Ordinance No. 2008-13 and its related and authorized Project Participation Agreement Between Santa Fe County and Bicycle Technologies International Ltd.

Copies of the proposed Ordinance are available on-line at www.santafecounty.org and are also available for inspection in the Santa Fe County Clerk's Office, and the Attorney's Office, second floor, Santa Fe County Courthouse, 102 Grant Avenue, Santa Fe.

All interested parties will be heard at the Public Hearing prior to the Commission taking action. All comments, questions and objections to the proposal may be submitted to Duncan Sill, Economic Development, in writing, addressed to P.O. Box 276, Santa Fe, New Mexico 87504-0276; or presented in person at the hearing.

Please forward affidavit of publication to Duncan Sill, Economic Development, P.O. Box 276, Santa Fe, New Mexico 87504-0276
Legal # 92444
Pub. Sept. 12, 2011

SFC CLERK RECORDED 09/29/2011