

ORDINANCE NO. 565

AN ORDINANCE OF THE CITY OF LOVINGTON AUTHORIZING THE AMENDMENT OF THE HOUSING PRODUCTION SERVICES AGREEMENT BETWEEN THE CITY AND M&L DEVELOPMENT LLC FOR COMPLETION OF PHASE II OF THE SUNRISE ADDITION HOUSING PROJECT

WHEREAS, pursuant to the Local Economic Development Act, NMSA 1978 §§ 5-10-1 through 5-10-13, (LEDA), the City adopted the Ordinance #495, authorizing the City to consider applications for economic development assistance, to include cultural facilities; and

WHEREAS, the M&L Development, LLC met the requirements for economic assistance and is a qualified entity as stated in Ordinance No. 495; and

WHEREAS, the City of Lovington City Commission entered into an agreement with M&L Development, LLC, in the form of a Housing Production Services Agreement on May 22, 2017; and

WHEREAS, the developer faced multiple delays in completing the project that was beyond their control; and

WHEREAS, despite the delays, the developer has continued to produce housing for the City of Lovington.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON, NEW MEXICO:

Section 1. That the Mayor is authorized to execute on behalf of the Lovington City Commission an amendment to the Housing Production Services Agreement with M&L Development, LLC that was executed on May 22, 2017. As stated in the original agreement, the City will provide a maximum reimbursement of \$6,000 dollars per completed new home within the Sunrise Addition to the City of Lovington. The Agreement will be for no more than twelve (12) new homes, with the total contribution not to exceed \$72,000.

Section 2. Repealer. All ordinances or parts of ordinances or provisions of the City of Lovington Code in conflict or inconsistent herewith be, and the same hereby are repealed to the extent only of such conflict or inconsistency, and as to all other ordinances, this ordinance is hereby made cumulative. This repealer shall not be construed to revive any ordinance or parts of any ordinance heretofore repealed.

Section 3. 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 4. Effective date. This ordinance shall be effective thirty days after publication.

PASSED, ADOPTED, AND APPROVED THIS 10TH DAY of DECEMBER, 2018.

DAVID TRUJILLO, MAYOR

ATTEST:

ANNA JUAREZ, CITY CLERK