



TAOS COUNTY
VALERIE PAEL MONTOVA CLERK
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10/04/2023 10 00 50 AM
BY BLANCA

**TAOS COUNTY
ORDINANCE 2023-2**

**APPROVING AND ADOPTING A LOCAL ECONOMIC DEVELOPMENT
PROJECT PARTICIPATION AGREEMENT AND CONTRACT BETWEEN TAOS
COUNTY AND RED RIVER BREWING COMPANY, LLC. TO EXPAND A
MODERN DISTILLERY PRODUCTION AND SALES FACILITY**

BE IT ORDAINED BY THE GOVERNING BODY OF TAOS COUNTY:

Section 1. Short Title. This Ordinance shall be known as the "Red Brewing Company, LLC. Local Economic Development Project Ordinance."

Section 2. Recitals.

A. The Local Economic Development Act ("LEDA"), Sections 5-10-1 et. seq. NMSA 1978 explicitly permits municipalities to assist qualifying entities with economic development projects using public resources; and

B. Taos County has complied with the requirements of LEDA by adopting an Economic Development Plan Ordinance (Ordinance No. 2016-6) incorporating within that ordinance its community economic development plan and its economic development strategy for implementation approved by Resolution 2017-6 on January 23, 2017; and

C. Red River Brewing Company, LLC. ("Qualifying Entity") is a for profit company in good standing with the New Mexico Secretary of State's Office; and

D. The production and sales facility will be used for all aspects of distilled product production including brewing, fermenting, distilling, packaging, shipping, and marketing/sales activities and therefore is a "manufacturer" pursuant to LEDA.

Section 3. Findings. The Governing Body hereby finds:

The Taos County has determined that it is in the interest of the welfare or the citizens of Taos County to enter into an Economic Development Project Participation Agreement for the purposes or effectuating the Counties Economic Development Plan and the Project.

**NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF TAOS COUNTY,
NEW MEXICO:**

1. That the Taos County Commission is authorized to execute on behalf of the Governing Body of Taos County a contract with the State of New Mexico Economic Development Department under Ordinance No.2023-2 to be used specifically for Red River Brewing Company, LLC Production Facility.

2. That Taos County Commission is authorized to execute on behalf of the Governing Body or Taos County a Project Participation Agreement with Red River Brewing Company, LLC

3. Severability of any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid, unlawful, or unenforceable, the unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the remaining portions of this ordinance.

4. Effective date. This ordinance shall become effective 30 days after publication.

PASSED, APPROVED AND ADOPTED, this 3rd day of October, 2023.

**BOARD OF COUNTY COMMISSIONERS
OF TAOS COUNTY, NEW MEXICO**


AnJanette Brush, Chairperson

Attest:


Valerie Montoya, Taos County Clerk

Approved as to legal form:


Randy Aulis, Contract County Attorney
Cory Strife

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VOTE RECORD:				
FR Bob Romero	<u>yes</u>	no	abstain	absent
M. Romero Jr.	<u>yes</u>	no	abstain	absent
D. Vigil	<u>yes</u>	no	abstain	absent
A. Brush	<u>yes</u>	no	abstain	absent
R. Mascarenas	<u>yes</u>	no	abstain	absent

