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1           WHEREAS, the State’s Loan Program is intended to provide short-term  
2 financing for qualified entities with repayment of the loan due within two years  
3 and with the loan amount being fully securitized for the protection of the State  
4 and public funds; and

5           WHEREAS, the City seeks to support to the State’s Loan Program and  
6 the related benefit to qualified entities within the corporate limits of the City to  
7 help address the economic conditions resulting from the COVID-19 pandemic;  
8 and

9           WHEREAS, given the two year maturity of the State’s Loan Program, the  
10 City LEDA Plan requirement of a ten year commitment from the qualifying  
11 entity under Section 2-14-1-9(D) should be temporarily suspended to allow the  
12 City to assist the State and local qualifying entities.

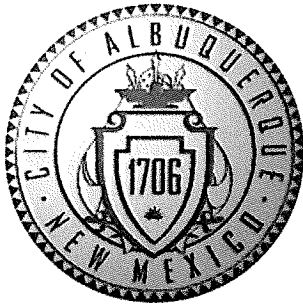
13 **BE IT ORDAINED BY THE CITY COUNCIL, THE GOVERNING BODY OF CITY**  
14 **OF ALBUQUERQUE:**

15           Section 1.       Section 2-14-1-9(D) of the LEDA Plan is hereby  
16 temporarily suspended for the limited purpose to allow the City to serve as the  
17 State’s fiscal agent related to the State Loan Program. The temporary  
18 suspension of Section 2-14-1-9(D) shall be in effect until June 30, 2022 unless  
19 otherwise extended by action of the City Council.

20           Section 2.       If any section, paragraph, sentence, clause, word or  
21 phrase of this Ordinance is for any reason held to be invalid or unenforceable  
22 by any court of competent jurisdiction, such decision shall not affect the  
23 validity of the remaining provisions of the Ordinance. The Council hereby  
24 declares that it would have passed this Ordinance and each section,  
25 paragraph, sentence, clause, word or phrase thereof irrespective of any  
26 provision being declared being declared unconstitutional or otherwise invalid.

27           Section 3.       This Ordinance shall take effect five days after  
28 publication by title and general summary.

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CITY OF ALBUQUERQUE  
Albuquerque, New Mexico  
Office of the Mayor

Mayor Timothy M. Keller

**INTER-OFFICE MEMORANDUM**

May 8, 2020

**TO:** Pat Davis, President, City Council

**FROM:** Timothy M. Keller, Mayor *TK*

**SUBJECT:** Ordinance Temporarily Suspending 10 Year Commitment Safeguard under the City's LEDA Plan Section 2-14-1-9(D)

Attached is an ordinance authorizing the temporary suspension of the City's LEDA Plan Section 2-14-1-9 (D). In response to the COVID-19 pandemic, the State Economic Development Department created a zero-interest loan program (the "Loan Program") for qualified entities that meet the requirements of the Act. The State's Loan Program is intended to provide short-term financing for qualified entities with repayment of the loan due within two years and with the loan amount being fully securitized for the protection of the State and public funds. The purpose of this ordinance allows the City to serve as the State's fiscal agent related to the State Loan Program. The temporary suspension of Section 2-14-1-9(D) would be in effect until June 30, 2022 unless otherwise extended by action of the City Council. The City seeks to support the State's Loan Program and the related benefit to qualified entities within the corporate limits of the City to help address the economic conditions resulting from the COVID-19 pandemic.

Approved:

*Sarita Nair*  
\_\_\_\_\_  
Sarita Nair Date 5/11/20  
Chief Administrative Officer

Approved:

DocuSigned by: 5/11/2020  
*Esteban A. Aguilar Jr.*  
\_\_\_\_\_  
Esteban Aguilar Date  
City Attorney

Recommended:

DocuSigned by: 5/9/2020  
*Synthia Jaramillo*  
\_\_\_\_\_  
Economic Development Department Date  
Synthia Jaramillo

## **Cover Analysis**

**1. What is it?**

Legislation to approve Ordinance Suspending LEDA Provision Section 2-14-1-9(D).

**2. What will this piece of legislation do?**

Approves Ordinance authorizing Section 2-14-1-9(D) of the LEDA Plan to be temporarily suspended for the limited purpose to allow the City to serve as the State's fiscal agent related to the State Loan Program. The temporary suspension of Section 2-14-1-9(D) would be in effect until June 30, 2022 unless otherwise extended by action of the City Council.

**3. Why is this project needed?**

In response to the COVID-19 pandemic, the State Economic Development Department created a zero-interest loan program (the "Loan Program") for qualified entities that meet the requirements of the Act. The State's Loan Program is intended to provide short-term financing for qualified entities with repayment of the loan due within two years and with the loan amount being fully securitized for the protection of the State and public funds. The City seeks to support the State's Loan Program and the related benefit to qualified entities within the corporate limits of the City to help address the economic conditions resulting from the COVID-19 pandemic.

**4. How much will this cost and what is the funding source?**

There is no cost to the City associated with this Ordinance.

**5. Is there a revenue source associated with this project? If so, what level of income is projected?**

No. There is no direct revenue to the City.