



# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 8 Ordinance/Resolution# 12-078

For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of November 7, 2011  
(Adoption Date)

**TITLE: A RESOLUTION AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY.**

**PURPOSE(S) OF ACTION:**

To authorize and approve the New Mexico Finance Authority Resolution.

<b>COUNCIL DISTRICT: 1</b>		
<b><u>Drafter/Staff Contact:</u></b> Augie Henry, III	<b><u>Department/Section:</u></b> Financial Services / Grants Administration	<b><u>Phone:</u></b> 541-2281
<b><u>City Manager Signature:</u></b>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

This is the first program for an economic development grant offered by the New Mexico Finance Authority (NMFA).

The requested funding, as much as \$50,000.00 will be determined by the NMFA after a review of the City's accepted budget and most recent unaudited financial statements.

Funding will be used to produce an economic development feasibility study in the Tax Increment Development District (TIDD) to determine the viability of the City partnering with private organizations. Said partnerships should produce a cost effective project for all parties involved with the overall purpose of providing improved/needed services to the public. The study will include a parking structure with the possibility of multi-use development.

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", New Mexico Finance Authority Local Government Planning Fund Application.

**SOURCE OF FUNDING:**

Is this action already budgeted?  N/A	Yes	<input type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?  N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

Currently NMFA is utilizing a process of approval to apply an evaluation to determine the amount of the grant funds to be allocated. Until that determination, which will also amount to approval of the grant, there is no need to adjust the budget. The City is projecting completing this application to meet NMFA deadline of November 17<sup>th</sup> and anticipate notification of funding sometime in December 2011.

**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will accept the New Mexico Finance Authority Resolution and apply for an economic development feasibility study grant in the TIDD area, specifically in regard to a parking structure.
2. Vote "No"; this will terminate the application to the New Mexico Finance Authority.
3. Vote to "Amend"; this is not an option at this time as the City is only applying for a grant and will have no liability.
4. Vote to "Table"; this is not an option at this time.

**REFERENCE INFORMATION:**

N/A

RESOLUTION NO. 12-078**A RESOLUTION AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY.**

The City Council is informed that:

**WHEREAS**, the City of Las Cruces ("Governmental Unit") is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"), and the City of Las Cruces Council ("Governing Body") is authorized to borrow funds and/or issue bonds for financing on public projects for benefit of the Governmental Unit; and

**WHEREAS**, the New Mexico Finance Authority ("Authority") has instituted a program for financing of projects from the public project revolving fund created under the Act and has developed an application procedure whereby the Governing Body may submit an application ("Application") for financial assistance from the Authority for public projects; and

**WHEREAS**, the Governing Body intends to undertake acquisition, construction and improvement of Mainstreet Downtown ("Project") for the benefit of the Governmental Unit and its citizens; and

**WHEREAS**, the application prescribed by the Authority has been completed and submitted to the Governing Body and this resolution approving submission of the completed Application to the Authority for its consideration and review is required as part of the Application.

**NOW, THEREFORE**, be it resolved by the governing body of the City of Las Cruces:

**(I)**

**THAT** all action (not consistent with the provision hereof) heretofore taken by the Governing Body and the officers and employees thereof directed toward the Application and the Project, be and the same is hereby ratified, approved and confirmed.

**(II)**

**THAT** the completed Application submitted to the Governing Body, be and the same is hereby approved and confirmed.

**(III)**

**THAT** the officers and employees of the Governing Body are hereby directed and requested to submit the completed Application to the Authority for its review, and are further authorized to take such other action as may be requested by the Authority in its consideration and review of the Application and to further proceed with arrangements for financing the Project.

**(IV)**

**THAT** all acts and resolutions in conflict with this resolution are hereby rescinded, annulled and repealed with this resolution taking effect immediately upon its adoption.

**(V)**

**THAT** City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

**DONE AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

VOTE:

Mayor Miyagishima: \_\_\_\_\_

Councillor Silva: \_\_\_\_\_

Councillor Connor: \_\_\_\_\_

Councillor Pedroza: \_\_\_\_\_

Councillor Small: \_\_\_\_\_

Councillor Sorg: \_\_\_\_\_

Councillor Thomas: \_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney



NMFA Use Only:

App. #: -PG

FA assigned:

**NEW MEXICO FINANCE AUTHORITY**  
**LOCAL GOVERNMENT PLANNING FUND APPLICATION**

**I. GENERAL INFORMATION**

**A. APPLICANT /ENTITY**

Application Date:

<b>Applicant/Entity:</b>	City of Las Cruces		
<b>Address:</b>	700 N. Main St., Las Cruces, NM 88001		
<b>County</b>	Dona Ana	<b>Census Tract:</b>	39380
<b>Federal Employer Identification Number (EIN) as issued by the IRS:</b>		85-6000147	
<b>Legislative District:</b>	<b>Senate:</b>	02	<b>House:</b>
			02
<b>Phone:</b>	575-541-2281	<b>Fax:</b>	575-541-2600
<b>Email Address:</b>	auhenry@las-cruces.org		
<b>Individual Completing Application:</b>	Auguie Henry III, M.P.A., Grants Administrator		
<b>Address:</b>	700 N. Main St., Las Cruces, NM 88001		
<b>Phone:</b>	575-541-2281	<b>Fax:</b>	575-541-2600
<b>Email Address:</b>	auhenry@las-cruces.org		

**B. CONSULTING PROFESSIONALS (Bond/Legal Counsel, Architect, Engineer, etc.), if available:**

<b>Firm:</b>			
<b>Contact:</b>			
<b>Address:</b>			
<b>Phone:</b>		<b>Fax:</b>	
		<b>Email Address:</b>	

**C. PRIMARY CONTACT PERSON:**

<b>Name:</b>	Auguie Henry III, M.P.A., Grants Administrator		
<b>Contact:</b>	City of Las Cruces		
<b>Address:</b>	700 N. Main St., Las Cruces, NM 88001		
<b>Phone:</b>	575-541-2281/1	<b>Fax:</b>	575-541-2600
<b>Email Address:</b>	auhenry@las-cruces.org		

**D. Organizational Readiness-to-proceed (Municipalities & Counties Skip to II) N/A**

1. Are you formally organized? Yes  No

2. Do you have formally adopted by-laws? Yes  No

If yes, please provide a copy.

3. Are you incorporated? Yes  No

If yes, please provide a copy of your Articles of Incorporation.

4. Do you have regular board meetings? Yes  No

If yes, please identify when and how often.

5. Do you keep formalized records of your Board meetings? Yes  No

6. Do you have written Board rules and regulations? Yes  No

If yes, please provide a copy.

**II. PROJECT SUMMARY**

**A. Project Description.** Complete the following information, using additional paper if necessary. Include any additional documents that may be useful in reviewing this project, i.e. architectural designs, feasibility studies, business plan, etc.

**1. Type of Project**

- Preliminary Engineering Report (PER)
- Water Master Plan
- Wastewater Master Plan
- Water Conservation Plan
- Local Economic Development Act plan
- Economic Development Feasibility Study (please attach a comprehensive description of the proposed economic development opportunity proposed to be studied)

**The City is seeking support for redevelopment through a grant for implementation of a parking management plan and feasibility study and schematic design for a parking structure.**

**The parking management plan is in anticipation of increased demand for parking as the downtown revitalization effort progresses. The City of Las Cruces is well along with an ambitious downtown revitalization effort that has produced significant results. Over the last 6 years, the City has reconstructed seven blocks of Main Street, turning around an economically and visually blighted area. As expected, this project has caught the**

attention of the development community with an eye to pursuing opportunities that take advantage of a stable employment base and other amenities. The City has completed a master plan for the area, market analysis and housing studies, and schematic design for the Main Street business district.

The City of Las Cruces' role in the effort is to provide the utility, transportation, and public safety services necessary to make the area a viable business, entertainment, and population center. With the public infrastructure in place, the private sector (land owners, businesses and residents) will make revitalization a reality by investing in redevelopment of existing properties, creating housing opportunities downtown, and developing new retail, employment and entertainment venues.

The City owns various vacant parcels in the downtown which have excellent potential for sale and/or public/private redevelopment. The City is looking to partner with private sector developers by providing significant land assets or could utilizing long term leases or development agreements to share in the up front risk and long-term benefits of a project.

**B. Sources of Funding (for water and wastewater feasibility studies) N/A**

NMFA Planning Funds Requested

Non-NMFA Funds (specify source & terms: \_\_\_\_\_ )

**Total**

From what source(s) of funding do you plan to permanently\* fund this project?

What is your anticipated time frame for receipt of permanent funding?

*\*Note: PER Grants MUST be repaid if permanent project funding is received from any source other than the New Mexico Finance Authority*

**III. Water & Wastewater System Rates & Information**

**A. 1. What are the current residential rates and when were they last adjusted? N/A**

	Wastewater Rate per 6000 Gallons	Water Rate per 6,000 Gallons	Last Adjusted
<b>Residential</b>			

2. Is the water system metered? Yes  No   
If yes, what percentage?

3. Is the wastewater system metered? Yes  No   
If yes, what percentage?

**IV. READINESS TO PROCEED ITEMS****A. The following items must accompany this application in order for this application to be considered complete:**

- Map of service area, including census tract information
- Most recently completed fiscal year audit report
- Current unaudited financials – Currently under review by State. Cannot release until State approval.
- Current fiscal year budget
- NMFA Application Resolution
- By-laws (if applicable)
- Articles of incorporation (if applicable)
- Board rules and regulations (if applicable)
- Open Meetings Act Resolution
- Documentation that each non-NMFA project funding source has been approved, or is in the process of being approved (if applicable)
- Joint Powers Agreement (if applicable)

*Please Note: All water and wastewater planning documents must conform to Rural Utilities Services (RUS) Guidelines which is available from NMFA upon request. The scope and writer of any economic development feasibility study must be approved in advance by the Economic Development Department. A copy of any final report must be submitted to and accepted by the NMFA prior to disbursement of NMFA funds. NMFA may consult with the Departments of Environment, Economic Development or Finance & Administration in determining acceptability of any report.*

**V. CERTIFICATION**

**I certify that:**

**We have the authority to request and incur the debt described in this application and, upon award, will enter into a contract for the repayment of any NMFA loans and/or bonds.**

**We will comply with all applicable state and federal regulations and requirements.**

**To the best of my knowledge all information contained in this application is valid and accurate and the submission of this application has been authorized by the governing body of the undersigned jurisdiction.**

**Signature:**

**Title: Mayor**

\_\_\_\_\_  
(highest elected official)

**Jurisdiction:**

City of Las Cruces  
\_\_\_\_\_

**Print Name:**

Ken Miyagishima  
\_\_\_\_\_

**Date:**

**Signature:**

**Date:**

**Finance Officer/Director:**

Mark Winson, Assistant City Manager/Chief  
Administrative Officer  
\_\_\_\_\_