



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 3 Ordinance/Resolution# 14-002

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of July 1, 2013
(Adoption Date)

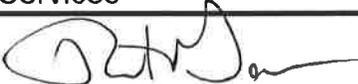
Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING A BIENNIAL MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAS CRUCES, THE NEW MEXICO MAINSTREET PROGRAM, AND THE DOWNTOWN LAS CRUCES PARTNERSHIP.

PURPOSE(S) OF ACTION:

Approve Memorandum of Understanding.

COUNCIL DISTRICT: 1		
<u>Drafter/Staff Contact:</u> Andy Hume 	<u>Department/Section:</u> Community Development / Planning & Neighborhood Services	<u>Phone:</u> 528-3048
<u>City Manager Signature:</u> 		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The City of Las Cruces and the Downtown Las Cruces Partnership (DLCP) have been members of the New Mexico MainStreet Program for more than ten years. This association has yielded significant benefits in both technical and financial support. Following the MainStreet approach to revitalization, DLCP has generated a high level of public participation to plan and implement the downtown revitalization. The Partnership has also received funding to start a micro-lending program; secured grants for the Holiday Light Show and Music on Main Street; and organized monthly business breakfasts.

Membership in New Mexico MainStreet was instrumental in receiving State funding for planning, designing, and constructing various projects. New Mexico MainStreet also provided design and planning assistance through the University of New Mexico and supported the feasibility analysis and pre-charrette meeting on the Camunez Building. The support from New Mexico MainStreet led to the receipt of \$100,000.00 of capital outlay funds for the Camunez Building.

Financial support for this program is through a separate Memorandum of Understanding (MOU) with the Las Cruces Downtown Partnership. The MOU will be subject to Council review and action.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A," Biennial Memorandum of Understanding.

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:
	Budget Adjustment Attached	<input type="checkbox"/>	Expense reallocated from: _____
	<input type="checkbox"/>	<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

N/A

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 approve the Resolution authorizing a Biennial Memorandum of Understanding between the City of Las Cruces, The New Mexico MainStreet Program, and the Downtown Las Cruces Partnership.
2. Vote "No"; this will not approve the Resolution authorizing a Biennial Memorandum of Understanding between the City of Las Cruces, The New Mexico MainStreet Program, and the Downtown Las Cruces Partnership, and the City will no longer qualify to receive services from the New Mexico MainStreet Program.
3. Vote to "Amend"; this action could modify the terms of the Resolution.
4. Vote to "Table"; this action could prevent staff from implementing the Memorandum of Understanding.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. N/A

RESOLUTION NO. 14-002**A RESOLUTION AUTHORIZING A BIENNIAL MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAS CRUCES, THE NEW MEXICO MAINSTREET PROGRAM, AND THE DOWNTOWN LAS CRUCES PARTNERSHIP.**

The City Council is informed that:

WHEREAS, the City has benefited from the New Mexico MainStreet Program through its partnership with the Downtown Las Cruces Partnership for more than ten years; and

WHEREAS, New Mexico MainStreet is an affiliated program of the National Trust Main Street Center through the New Mexico Department of Economic Development and fosters community economic development and business district revitalization; and

WHEREAS, New Mexico MainStreet offers research, training, and technical assistance focused on the revitalization of the traditional commercial and cultural center; and

WHEREAS, this Memorandum of Understanding (MOU) offers supplemental services of special value to the City; and

WHEREAS, the City will enter into a companion two-year MOU with the Downtown Las Cruces Partnership for planning and revitalization services.

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

(I)

THAT the Biennial Memorandum of Understanding between the City of Las Cruces and the New Mexico MainStreet Program and the Downtown Las Cruces Partnership as shown in Exhibit 'A,' attached hereto and made part of this Resolution, is hereby approved and adopted.

(II)

THAT the City Manager is authorized to execute the Memorandum of Understanding on behalf of the City.

(III)

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

DONE AND APPROVED this _____ day of _____, 2013.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

City Attorney

VOTE:

Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Smith: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

New Mexico



Main Street

Biennial Memorandum of Understanding (MOU), 2014 -2015 Downtown Las Cruces Partnership – A MainStreet Project

New Mexico MainStreet Program (NMMS), of the New Mexico Economic Development Department, is an economic development partnership program with local, eligible communities. The Department is licensed and certified to offer the *Main Street Four-Point Approach*® in downtown revitalization by the National Main Street Center, Inc. (NMSC). The Department, by New Mexico State Statute (3-60B-1 to 3-60B-4 NMSA 1978), is authorized to select affiliate communities based on the standards and principles as set forth by NMSC, that wish to partner local economic development resources to create jobs and build a strong downtown business environment. The municipality supports the work of community economic development within the dedicated MainStreet district through a services contract with the state-designated MainStreet organization (local non-profit affiliate). The local affiliate organization agrees to raise funds for the operation of a local non-profit downtown revitalization organization including a paid Executive Director. The local MainStreet organization is an economic development organization comprised of district stakeholders, whose programs, projects and activities enhance the local downtown economy and contribute to the health and well-being of its citizens. The Department will provide technical assistance, services, resources and professional support for local projects and activities through NMMS staff, Program Associates and Consultants.

NMMS as an affiliated "State Coordinating" program of the National Main Street Center, Inc. fostering community economic development by supporting local MainStreet commercial districts and neighborhood business district revitalization organizations that wish to utilize the *Main Street Four-Point Approach*® as the framework of their revitalization efforts. NMMS provides local affiliate organizations and municipalities with resources, training and technical services that enhance local culture, heritage and stimulate the economic vitality of each participating community's downtown; village plaza, town center, courthouse square, historic commercial corridors or traditional neighborhood central business district.

This Memorandum of Understanding (MOU) is based on the eligibility criteria and services defined in the accompanying document "Program Performance Standards and Technical Assistance, Resources, Services - Fiscal Years 2014-2015," which sets forth state and national accreditation criteria, services, resources and technical assistance available from New Mexico MainStreet and the requirements for participation by the local municipality in partnership with the MainStreet Project affiliate. This MOU covers a period of two-years beginning July 1, 2013. Once fully executed, it replaces any previous Letters of Agreement or Memorandum of Understanding related to the New Mexico MainStreet Program of the Economic Development Department.

New Mexico MainStreet is delegated by state statute and through the Economic Development Department to assist communities in building capacity in community economic development that benefits the local economy and raises the quality of life for its residents. New Mexico MainStreet is responsible for coordinating and orchestrating resources, services and professional technical assistance to its affiliates through the following programs and initiatives:

- A. The Main Street Revitalization Program
 - a. Emerging Community
 - b. Start-Up MainStreet Organization
 - c. State Certified Program
 - d. Nationally Accredited Program
 - e. The MainStreet Revolving Loan Fund

- B. The New Mexico Arts and Cultural District Program
- C. The Frontier Communities Initiative
- D. The Historic Movie House Theatres Initiative

I. PARTICIPATION RESPONSIBILITIES OF MAINSTREET COMMUNITIES

The City of Las Cruces and the Local MainStreet organization Downtown Las Cruces Partnership – A MainStreet Project agree to abide by the eligibility and participation requirements as set forth in "Program Performance Standards and Technical Assistance, Resources, Services - Fiscal Years 2014-2015." The City's official representative and the board of the local MainStreet Project have read and understand the "Good Standing," requirements of New Mexico MainStreet Program and the "National Main Street Center Inc.'s Ten Standards of Accreditation" as set forth in that document (see www.mainstreet.org). Furthermore, the City of Las Cruces and the board of the local MainStreet organization Downtown Las Cruces Partnership agree to abide by the New Mexico MainStreet's Good Standing requirements.

II. EXPECTATIONS OF AFFILIATED COMMUNITIES THROUGH THEIR MAINSTREET ORGANIZATION: Downtown Las Cruces Partnership

- A. Provide community economic development revitalization services to the property and business owners and residents of the district through the Main Street Four-Point Approach®.
- B. Maintain a fiscally stable, resilient and sustainable non-profit organization to do the work of the MainStreet Four-Point Approach® within the District.
- C. Work with the municipality to ensure the appropriate financial revitalization tools created through state statute for economic development are adopted by the municipality for the MainStreet District and meet any statutory changes Local Economic Development Act (LEDA), Metropolitan Redevelopment Area (MRA) and its related finance mechanism a Tax Increment Finance District (TID), the Quality of Life Tax, a Tax Increment Development District (TIDD) and/or Business Improvement District (BID).
- D. Maintain an adequate budget to support board training for all board members in non-profit management and leadership.
- E. Maintain the fiscal and legal integrity of the non-profit organization, completing its annual reporting to the IRS, NMPRC and Office of the New Mexico Attorney General.
- F. Adopt and implement policies, practices and procedures that advance MainStreet goals and priorities while maintaining consistency with the intents and purposes of tax-exempt organizations set forth under Internal Revenue Code.
- G. Ensure all required reports and surveys of the local affiliated organization by the National Main Street Center, Inc., the State Legislature, the Economic Development Department, and municipal and governmental partners, are filed in a timely fashion.
- H. Hire a paid Executive Director to oversee day-to day operations of the organization provide outreach and support to the MainStreet District's constituents and support the board and its committees in meeting the goals, projects, and activities the board has established for itself.
- I. Ensure the Executive Director has an office equipped to conduct the work of the program.
- J. Provide funding for the Executive Director's expenses in building skills knowledge and expertise to assist the organization, through the trainings and programs offered by New Mexico MainStreet and the National Main Street Center, Inc.
- K. Maintain a collaborative partnership with the municipality and other governmental entities to complete revitalization work in the District.
- L. Build local partnerships to leverage resources and buy-in into the revitalization of the District.
- M. Recruit, train, manage and maintain a core of volunteers to implement projects under each of the elements of the Main Street Four-Point approach®.

N. The board of the local MainStreet Project agrees to strive toward annually meeting all ten of the National Main Street Center Accreditation Standards.

III. RESOLUTION OF THE CITY COUNCIL AND/OR COUNTY COMMISSION

The Main Street Four-Point Approach® to comprehensive revitalization of historic and traditional commercial neighborhoods requires a cooperative partnership of the public and private sectors to succeed. In conjunction with the execution of this MOU, New Mexico MainStreet Program requires each affiliated community to have in place a resolution adopted by the local government stating its support and funding commitment to the local MainStreet Project. The resolution(s) must be valid for the full term of this agreement of this MOU. New Mexico MainStreet encourages the municipality to enter into a contract for such financial support with the local MainStreet Project with deliverables and/or services clearly spelled out. Failure to adopt such resolution of financial support could result in the suspension of the Project and decertification as a MainStreet affiliated community.

IV. AGREEMENT

A.) The parties hereunder do mutually agree that they have read and fully understand the obligations and responsibilities in affiliating as a local MainStreet Project with New Mexico MainStreet Program as stated in the document "Program Performance Standards and Technical Assistance, Resources, Services - Fiscal Years 2014-2015," accompanying this MOU. They further agree to abide by the terms of this memorandum of understanding, implementing it to the best of their ability, and with the assistance of services provided through the New Mexico MainStreet Program, and in accordance with the Main Street Four-Point Approach® as defined by the National Main Street Center, Inc.

B.) The municipality agrees to support the vision, principles and values of comprehensive commercial district revitalization through the Main Street Four-Point Approach®, assist in financial support as defined in "Program Performance Standards and Technical Assistance, Resources, Services - Fiscal Years 2014-2015," developing and administering funding opportunities for operations of the Project and its activities, projects and programs in partnership with the local MainStreet Project and the New Mexico MainStreet Program.

C.) The New Mexico MainStreet Program of the Economic Development Department agrees to provide technical professional assistance and resources based on its Annual Quality Improvement visit for district Master Plan or annual MainStreet board work plan, to assist the local affiliated MainStreet Project in setting goals and implementing MainStreet District revitalization.

We do hereby sign:

On behalf of New Mexico MainStreet Program, a program of the New Mexico Economic Development Department:

Director, New Mexico MainStreet Program Date

Division Director, Economic Development Division Date

On behalf of the local MainStreet Project, the President certifies the board has read both the "Program Performance Standards and Technical Assistance, Resources, Services - Fiscal Years 2014-2015" and this MOU before executing:

President of the Downtown Las Cruces Partnership Date

Office Address City State Zip

On behalf of the Municipality:

Mayor or City Manager of City of Las Cruces Date

If Applicable – County Administrator Date

Please enclose a resolution of the City Council or County Commission identifying financial support for the MainStreet organization during the two-year time period of this agreement. Also attach any working agreement, Memorandum of Understanding or agreement between the municipality and the local MainStreet organization.

Revised and approved May 14, 2013