



MEETING OF AUGUST 1, 2023

TO: Mayor Jordan and City Council

THRU:

FROM: Susan Norton, Chief of Staff

DATE:

SUBJECT: Memorandum of Agreement with the Fayetteville Advertising and Promotion Commission for Collaborative Services to Establish a Downtown Fayetteville Organization

RECOMMENDATION:

Chief of Staff and the Mayor recommend a Memorandum of Agreement with the Fayetteville Advertising and Promotion Commission to manage the development of a Downtown Fayetteville Organization to serve as a point of contact for the city and collaborator among downtown businesses and residents related to matters of historic and long range planning; collaboration for large scale events in the downtown area, including the Ramble; infrastructure improvements, parking, mobility, beautification, and safety; and to provide downtown business advocacy and support. The agreement also provides for an appointment to the Downtown Fayetteville Coalition as a voting member as the organization embarks on its next phase of strategic planning.

BACKGROUND:

In May of 2019, the City Council passed Resolution 148-19 expressing the City's intent to work with the Fayetteville Advertising and Promotion Commission to develop a scope of work and contract for the programming, marketing, operations for the public spaces being designed and constructed in the Cultural Arts Corridor project in the heart of downtown. Experience Fayetteville began working with the City of Fayetteville's internal teams through the design of that project, and in September of 2019, the City Council passed Resolution 197-19 to authorize a contract with Experience Fayetteville to assist with the development of various aspects of the Cultural Arts Corridor Project, including the naming and branding of the emerging transformative downtown project, The Ramble. The success of that collaboration with Experience Fayetteville for The Ramble development has continued to date and since that time, other collaborations continue to occur on a regular basis. Ongoing collaborations with Experience Fayetteville have included marketing and event management for the UCI Cyclocross International and other mountain biking events on Centennial Mountain, as well as downtown Fayetteville events such as First Thursday.

Many changes influenced the direction of collaborative planning with Experience Fayetteville, not the least of which was COVID. As we all abided the pandemic and the public stayed home, organizational changes were introduced by the new Chief of Staff within the City. A new Parks, Natural Resources and Cultural Affairs Director was hired to manage the traditional programs within Parks and to develop new programs to embrace natural resources and the city's open spaces, as well as its cultural arts scene. The City successfully established its new Cultural Arts Program, with the support and assistance from the Arts Council, the City Council, and CACHE. The City hired its first Cultural Arts Director and successfully cut the ribbon on the Lower

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Ramble in Fay Jones Woods, establishing a new Weekend Starts series highlighting artist activations brought forward through the Arts Council and a music series in collaboration with the University of Arkansas School of Music. The momentum for an exciting and dynamically changing downtown developed as the public emerged from lockdown, the Outdoor Refreshment Area promoted opportunities for businesses in the Downtown Entertainment District to emerge, and the idea for a Downtown Organization took shape as Experience Fayetteville hired its first Director of Downtown Initiatives in November of 2022.

Since that time, the City has worked in collaboration with Experience Fayetteville to become a contributing member of the emerging Downtown Fayetteville organization. The Director of Downtown Initiatives has jumped in and provided outreach and support for a number of city efforts in the downtown area since last Fall, including coordination and communication with downtown businesses regarding Dickson Street improvements and downtown entertainment parking system changes that are anticipated to coincide with the opening of the new parking deck.

DISCUSSION:

Our intent is that the Director of Downtown Initiatives will have a strong role in collaborating with downtown businesses as our Development Services Long Range Planners roll out the new Downtown Master Planning initiative in 2024 and 2025. And, as we prepare for the opening of The Ramble in 2024, we are excited to bring this Memorandum of Agreement to formalize the efforts we find will be mutually beneficial to the downtown businesses, to the city's tax base, and to the events that add quality of life for the residents of Fayetteville. Through the City's contributions and assistance in this effort, Experience Fayetteville will be able to continue to fund the Director of Downtown Initiatives and to support the Downtown Fayetteville organization through its developmental phase and path to becoming an independent non-profit.

Our Parks, Natural Resources and Cultural Affairs, Economic Vitality, Public Works, Parking/Event Management, and Development Services Departments all endorse this effort with the belief that better and stronger coordination and collaboration among our city and our downtown businesses will help us continue to grow a vibrant and healthy downtown. Downtown hosts the city's largest concentration of businesses, sales/property tax revenue, and arts/culture organizations. Downtown is the heart of our community and belongs to all of Fayetteville. The Mayor and staff want to ensure the success of this new downtown organization for Fayetteville's quality of life and the benefit of all residents and downtown businesses.

BUDGET/STAFF IMPACT:

The initial funding during Q4 of 2023 will come from the Economic Vitality office professional services funds balance. Subsequent funding for 2024 and 2025 will be brought forward during fiscal year budget discussions.

ATTACHMENTS: SRF Downtown Organization, FAP_Downtown Funding Memo July 2023, Signed Contract FAP Downtown Coalition

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City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Legislation Text

File #: 2023-938

Memorandum of Agreement with the Fayetteville Advertising and Promotion Commission for Collaborative Services to Establish a Downtown Fayetteville Organization

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A CONTRACT WITH THE FAYETTEVILLE ADVERTISING AND PROMOTION COMMISSION FOR THE FUNDING OF THE DOWNTOWN FAYETTEVILLE COALITION IN THE AMOUNT OF \$60,000.00 FOR SERVICES THROUGH THE END OF 2023

WHEREAS, economic development activity throughout Fayetteville continues to rise, and new public investments in downtown such as the Ramble provide an opportunity to help shape meaningful and intentional investments that will provide benefits to existing businesses, help realize the City's goals outlined in numerous master plans, and continue to increase tax revenue; and

WHEREAS, in May of 2022, the Fayetteville Advertising and Promotion Commission voted to allocate \$100,000 toward the creation of a new staff position, a director of downtown initiatives, with the intent a new downtown organization could be formalized; and

WHEREAS, Experience Fayetteville committed to fund the position for three years, contingent upon additional financial support from the City; and

WHEREAS, the Fayetteville Advertising and Promotion Commission is seeking an agreement with the City for funding to support the start-up of the Downtown Fayetteville Coalition; and

WHEREAS, the contract provides for payments of \$60,000.00 in 2023, \$125,000.00 in 2024, and \$125,000.00 in 2025 contingent on budget approval and the City's satisfaction that the contract terms have been fulfilled each year.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to sign a contract with the Fayetteville Advertising and Promotion Commission, a copy of which is attached to this Resolution, for funding of the Downtown Fayetteville Coalition.

Memo



To: Mayor Lioneld Jordan
Susan Norton, City of Fayetteville, Chief of Staff

From: Molly Rawn, CEO Fayetteville Advertising and Promotion Commission

Date: July 11, 2023

Re: Support for Experience Fayetteville's Downtown Initiatives

Background

Experience Fayetteville leadership firmly believes that a strong downtown is vital to not only tourism, but to our city's overall success. A vibrant entertainment district is a critical economic engine, with the ability to propel Fayetteville forward. It is our city's front door, and shapes perceptions of Fayetteville to tourists and residents alike. The Dickson Street Merchants, Block Street Businesses, and now the new Downtown Fayetteville Coalition have done tremendous work in our downtown by creating, sponsoring and promoting events; promoting our entertainment district and our ORA; advocating for beautification efforts; and supporting legacy initiatives like the establishment of the Walton Arts Center and its subsequent expansion, the construction of Theatre Squared and the soon to be debuted Ramble. Impressively, all of this has been accomplished largely by volunteers over many years.

Downtown Fayetteville is the heart of our city, home to the highest concentration of bars, restaurants, and small businesses that, in 2022, employed over 3,000 full time employees and 2,040 part time employees. The State's flagship campus, the University of Arkansas, abuts downtown and employs nearly 5,000 faculty and full-time staff.

This is an incredibly important time for Downtown Fayetteville. Economic development activity throughout Fayetteville continues to rise, and new public investments in downtown such as the Ramble, provide an opportunity to help shape meaningful and intentional investments that will provide benefits to existing businesses, help realize the City's goals outlined in numerous master plans, and continue to increase tax revenue.

Experience Fayetteville has been working for several years to lay the ground-work for such an organization. To this end, in May of 2022, the Fayetteville Advertising and Promotion Commission voted to allocate \$100,000 toward the creation of a new staff position, a director of downtown initiatives, with the intent a new downtown organization could be formalized. Experience Fayetteville committed to fund the position for three years, contingent upon additional financial support from the City of Fayetteville.

A hiring committee made up of representatives from the University of Arkansas, City of Fayetteville, A&P Commission, Experience Fayetteville staff, and a variety of downtown

businesses was assembled and a nation-wide search was conducted. Kelly Rich was offered the role of Director of Downtown Initiatives in November of 2022. Since hiring Ms. Rich, the organization formerly known as the Dickson Street Merchants has officially become the Downtown Fayetteville Coalition (DFC); the board has expanded to members beyond Dickson street and new website and related social media channels has launched. Under her leadership, and with the stability provided by Experience Fayetteville, the Downtown Fayetteville Coalition is well positioned to bring tremendous success to our city. More details about these accomplishments is attached.

The Request

The Fayetteville Advertising and Promotion Commission is seeking an agreement with the city of Fayetteville, to begin August 1, 2023, valued at \$125,000 annually for a total budget impact of \$310,000 through the end of 2025.

Experience Fayetteville will use the funds to support the start-up of the Downtown Fayetteville Coalition, a non-profit organization working for the benefit of our downtown area. Capital challenges that traditionally hinder the development of similar organizations are mitigated as Experience Fayetteville is matching the city's investment.

Proposal Deliverables

- The Downtown Organization will support community engagement efforts for the city's downtown master plan, working closely with the Development Services team.
- Serve as point of contact for the city on behalf of downtown businesses and residents related to matters of parking, mobility, infrastructure improvement, historic preservation, long range planning, and beautification and safety.
- Provide downtown small business advocacy and support.
- Administration of the ORA program providing resources, education on compliance, and marketing support for participating businesses and events.
- Play a role in the city's special event permit approval process including:
 - Sign-off for events occurring within the downtown area to ensure collaboration with the downtown organization when needed
 - Ensure permitted events are added to the downtown events calendar
 - Support the event notification efforts, helping to ensure downtown businesses are aware of pending event permit requests
- Develop and produce six signature events for the downtown area, conservative economic impact estimates 5.25 million dollars.
 - One event in Q4 2023, estimated 10k attendance and quarter million-dollar impact
 - Spring and Fall events in 2024, estimated 10k attendance and quarter million-dollar economic impact at each
 - Spring and Fall events in 2025, estimated 10k attendance and quarter million-dollar economic impact at each
 - New multi-day festival in 2025, estimated attendance of 20k+ and 4 million-dollar economic impact

Reporting and Metrics

- Experience Fayetteville will measure the success of this endeavor by evaluating the following outputs:
 - Completion of a strategic plan
 - Number of placemaking projects completed by the DFC
 - Number of businesses, organizations and residents served through DFC as measured by attendance at meetings; audience reach as measured through website sessions, social media and newsletter; and community engagement at special events
 - Number of new festivals produced in downtown and their associated economic impact as measured by an industry accepted tool
 - Number of residents engaged in outreach efforts for the city's downtown master plan
 - Dollars raised through successful fundraising efforts

- Experience Fayetteville will provide an annual report to the city council detailing the status of each deliverable, key updates, and estimated economic impact of events.

CONTRACT FOR THE FUNDING OF THE DOWNTOWN FAYETTEVILLE COALITION

Between the City of Fayetteville, Arkansas and
the Fayetteville Advertising & Promotion Commission

WHEREAS, Downtown Fayetteville is the heart of our city, home to the highest concentration of bars, restaurants, and small businesses that, in 2022, employed over 3,000 full time employees and 2,040 part time employees; and

WHEREAS, economic development activity throughout Fayetteville continues to rise, and new public investments in downtown such as the Ramble provide an opportunity to help shape meaningful and intentional investments that will provide benefits to existing businesses, help realize the City's goals outlined in numerous master plans, and continue to increase tax revenue; and

WHEREAS, in May of 2022, the Fayetteville Advertising and Promotion Commission voted to allocate \$100,000 toward the creation of a new staff position, a director of downtown initiatives, with the intent a new downtown organization could be formalized; and

WHEREAS, Experience Fayetteville committed to fund the position for three years, contingent upon additional financial support from the City of Fayetteville; and

WHEREAS, a hiring committee made up of representatives from the University of Arkansas, City of Fayetteville, A&P Commission, Experience Fayetteville staff, and a variety of downtown businesses was assembled and a nation-wide search was conducted; and

WHEREAS, Kelly Rich was offered the role of Director of Downtown Initiatives in November of 2022 and, since that time, the organization known as the Dickson Street Merchants Association, Inc. has been re-branded and registered with the Arkansas Secretary of State to do business as the Downtown Fayetteville Coalition (DFC); the board has expanded to members beyond Dickson street; and new website and related social media channels have launched; and

WHEREAS, the Fayetteville Advertising and Promotion Commission is seeking an agreement with the city of Fayetteville for funding to support the start-up of the Downtown Fayetteville Coalition.

NOW, THEREFORE, THIS CONTRACT is made by and between the City of Fayetteville, Arkansas ("City") and the Fayetteville Advertising and Promotion Commission

("A&P Commission"), or the parties, in exchange for the mutual obligations and covenants contained herein, agree as follows:

A. Term. This contract shall commence on August 1, 2023, and shall expire on December 31, 2025. The contract may be extended upon written agreement of the City and the A&P Commission.

B. Project Deliverables. The A&P Commission shall utilize the funding provided by the City for the following:

1. Support community engagement efforts for the city's downtown master plan, working closely with the City's Development Services team.
2. Serve as point of contact for the city on behalf of downtown businesses and residents related to matters of parking, mobility, infrastructure improvement, historic preservation, long range planning, and beautification and safety.
3. Provide downtown small business advocacy and support.
4. Administration of the Downtown Outdoor Refreshment Area program providing resources, education on compliance, and marketing support for participating businesses and events.
5. Play a role in the city's special event permit approval process including:
 - a. Advising the City on events occurring within the downtown area to ensure collaboration with the Downtown Fayetteville Coalition and its members when necessary.
 - b. Ensuring permitted events are included in the downtown events calendar.
 - c. Supporting event notification efforts, helping to ensure downtown businesses are aware of pending event permit requests.
6. Develop and produce six signature events for the downtown area including:
 - a. One event in Q4 2023, estimated 10,000 attendance and \$250,000.00 economic impact.
 - b. Spring and Fall events in 2024, estimated 10,000 attendance and \$250,000.00 economic impact at each.
 - c. Spring and Fall events in 2025, estimated 10,000 attendance and \$250,000.00 economic impact at each.
 - d. New multi-day festival in 2025, estimated attendance of 20,000 and \$4,000,000.00 economic impact
7. The A&P Commission may, in its discretion, utilize the funds provided by the City directly or may work with or through the Downtown Fayetteville Coalition to meet the above project deliverables.

C. Reporting and Metrics:

1. Experience Fayetteville will measure the success of this endeavor by evaluating the following outputs:
 - a. Completion of a strategic plan;

- b. Number of placemaking projects completed by the DFC;
 - c. Number of businesses, organizations and residents served through DFC as measured by attendance at meetings; audience reach as measured through website sessions, social media and newsletter; and community engagement at special events;
 - d. Number of new festivals produced in downtown and their associated economic impact as measured by an industry accepted tool;
 - e. Number of residents engaged in outreach efforts for the city's downtown master plan; and
 - f. Dollars raised through successful fundraising efforts
2. Experience Fayetteville shall provide an annual report to the Fayetteville City Council detailing the status of each deliverable, key updates, and estimated economic impact of events.

D. The City of Fayetteville's Rights and Responsibilities:

1. The City shall make a payment in the amount of \$60,000.00 after the City is satisfied, in its discretion, that the project deliverables through the end of 2023 have been met.
2. Funding of \$125,000 in 2024 and \$125,000 in 2025 shall be contingent upon annual budget approval by the Fayetteville City Council and satisfaction, in the City's discretion, that the project deliverables for the previous year have been met. If funds are not appropriated for any year, this Contract shall be terminated at the end of the then current term. If funds appropriated are less than the full amount contemplated by this Contract, then the parties shall agree upon amended Project Deliverables. In the event the parties are unable to reach an agreement on amended Project Deliverables, then the Contract shall be terminated at the end of current month.
3. The Mayor of the City of Fayetteville, or the Mayor's designee, shall serve as a voting member of the DFC board of directors for as long as this contract remains in effect.

E. Termination

This Agreement may be terminated by mutual consent of the parties. An agreement to terminate must be in writing, signed by the parties. Any such termination of the Agreement is without prejudice to any obligations or liabilities of any party already accrued prior to such termination.

F. Amendment

Changes, modifications, or amendments in scope, price or fees to this contract shall not be allowed without a prior formal contract amendment approved by both parties in **advance** of the change in scope, cost or fees.

G. Miscellaneous

1. No transfer or assignment of this Agreement, or any part thereof or interest therein, shall be made unless both parties first approve such transfer or assignment in writing.
2. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations, oral or written, not specified within this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused their signatures to be set by their authorized representative effective the date set forth below.

**FAYETTEVILLE ADVERTISING
AND PROMOTION COMMISSION**

By: 
Molly Rawn, CEO

Date: July 14, 2023

**CITY OF FAYETTEVILLE,
ARKANSAS**

By: _____
Lioneld Jordan, Mayor

Date: _____

ATTEST:

Kara Paxton, City Clerk-Treasurer