

RESOLUTION 19-R-37

A RESOLUTION OF THE CITY OF ALVIN, TEXAS, ADOPTING THE CITY OF ALVIN REVISED BUSINESS INCENTIVES GRANT PROGRAM GUIDLINES; AND SETTING FORTH RELATED MATTERS THERETO.

WHEREAS, the purpose of this program is to promote the development and expansion of new and existing business enterprises within the City of Alvin, Texas; and

WHEREAS, the program enhances the economic welfare of the citizens of the City by securing and retaining business enterprises and maintaining a higher level of employment, economic activity, and stability; and

WHEREAS, the City of Alvin receives direct benefit from in-city businesses that create jobs, promote capital investment, and have an overall improvement to our local economy; and

WHEREAS, the program was established in 2017 and has awarded 8 grants to projects that has equated to over \$150,000 in private investment; and

WHEREAS, the guidelines have been revised to better promote the development and expansion of new and existing business enterprises and attract more people to the target areas that will generate additional sales and activity within the target areas of the City; and

WHEREAS, the boundaries of eligible businesses have been enlarged to include Gordon Street from State Highway 6 south to FM 1462; and

WHEREAS, the City Council has considered the matter and deems it in the public interest to authorize this action;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Proceedings. That the City of Alvin Downtown Business Improvement Grant Program, which has been amended to enlarge the boundaries for eligible businesses, which is attached hereto as Exhibits A and B, is hereby adopted, effective as of the passing of this Resolution.

Section 3. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public as required and that public notice of

the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 4. Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND APPROVED on this the 3rd day of October 2019

CITY OF ALVIN, TEXAS

ATTEST



Paul A. Horn, Mayor



Dixie Roberts, City Secretary



City of Alvin

GUIDELINES, CRITERIA, AND APPLICATION FOR CITY OF ALVIN BUSINESS IMPROVEMENT GRANT PROGRAM

Section 1. Program Objective

To promote the development and expansion of new and existing business enterprises and attract more people to the target areas that will generate additional sales and activity within the target areas of the City of Alvin, Texas, (the “City”), as shown in the included maps, and to enhance the economic welfare of the citizens of the City, by securing and retaining business enterprises and maintaining a higher level of employment, economic activity, and stability. The City has budgeted \$50,000.00 to fund this grant program.

The program is intended to assist projects that promote retail activities, create an attractive environment, encourage neighborhood character and architectural design, use quality materials, and incorporate good design concepts. Furthermore, the program is intended to assist property owners or tenants with improvements or restorations of the esthetics and architectural appearance of a complete building façade. The program is not intended for repairs or maintenance activities.

Section 2. Eligibility

- (A) Any new business planning to locate or any existing business within the target areas of the City as shown on the included maps (Exhibits A and B) at the time of adoption of these guidelines, shall be eligible for this program.
- (B) Property owners of service or commercial/mixed-use permanent structures and building tenants, with leases of more than one (1) year in length, located within the target areas, are eligible for funding. Governmental entities, public and quasi-public agencies are ineligible for funding for this program.

Section 3. Target Areas

The eligible areas are detailed below and reflected on the attached maps (Exhibits A and B):

Exhibit A – Downtown Development Area:

- Hill Street from Lobbitt Street to Sidnor Street
- Taylor Street from Lobbitt Street to Sidnor Street
- Hood Street from Willis Street to Blum Street
- Hardie Street from Willis Street to Blum Street
- Depot Centre Boulevard from Sidnor Street to Gordon Street
- Magnolia Street from Sidnor Street to Bell Street
- Willis Street from Hill Street to Gordon Street
- Sealy Street from Hill Street to Depot Centre Boulevard
- Sidnor Street from Hill Street to Magnolia Street
- Blum Street from Hood Street to Gordon Street
- Bell Street from Gordon Street to Magnolia Street

Exhibit B – Gordon Street Corridor

- Gordon Street from Highway 6 to FM 1462

Section 4. Application and Approval

Applications filed with the City of Alvin’s Economic Development office on or before the first Monday of each month shall be reviewed by a City appointed review committee (the “Committee”), considered, and responded to within 30 days. An applicant shall be notified in writing within ten (10) days of final approval or disapproval of the application. Applications are available at the City of Alvin Economic Development office at 216 West Sealy Street, Alvin, TX 77511, or online at www.alvin-tx.gov under the Economic Development tab.

Section 5. Guidelines

- (A) Proof of applicant’s ownership of the subject facility or facilities, or proof that the owner of such facility has approved the application for such grant funds, and current property tax receipt shall be required.
- (B) The owner of a business to be operated within a leased facility and the owner of such leased facility must apply jointly for the program. Copies of a lease agreement, proof of ownership of the leased facility, and current tax receipt shall be required.
- (C) An eligible applicant may apply for one (1) or more grants set forth herein within any calendar year. A business that receives grant funding during a calendar year shall not be prohibited from making subsequent applications for funding in the same or subsequent years.
- (D) All grants are reimbursement grants and will only be funded after completion of the project with proof of receipts for all applicable materials and labor submitted to the City of Alvin’s Economic Development office. Photographs of the completed work shall also be required.
- (E) The applicant shall be obligated to make the improvements in accordance with the approved application. Thereafter, any modifications must be submitted in writing and approved by the Committee. Failure to obtain written approval prior to making any modifications shall render the applicant ineligible to receive grant funding.
- (F) The applicant shall be responsible for obtaining all applicable permits related to the improvement project and must comply with all current city ordinances. Failure to do so will render the applicant ineligible to receive grant funding. Failure to complete all of the stated improvements shall render the applicant ineligible to receive grant funding.
- (G) The applicant shall not begin any improvements prior to receiving written approval from the Committee. All improvement projects must be completed within six (6) months of the approval date. Failure to complete the improvements within the required time period may render the applicant ineligible to receive grant funding.
- (H) Extensions to the six (6) month completion period may be granted for inclement weather, or the ordering of special building materials. The applicant must request an extension in

writing. The Committee will notify the applicant in writing of the approval or denial of an extension.

- (I) Grants may be used for comprehensively restoring, substantially beautifying, or enhancing the entire façade or elevation of a commercial building. Eligible items include uncovering and restoring historical facades, removing existing façade materials and replacing them with more appropriate and attractive designs and materials, and other detailing which leads to a substantially enhanced appearance.
- (J) Although not eligible for funding on their own, the following may be funded as part of a more comprehensive façade improvement: windows, doors, exterior cleaning, tuckpointing, shutters, gutters, awnings and historical architectural elements. The program will fund projects that significantly improve the visual appearance of the property from the street. Sales taxes and permit fees associated with the construction are also eligible project costs.

Section 6. Funding

- (A) The applicant shall confirm that the project has been completed in accordance with the application. Such notification shall include, but not be limited to, a certificate of completion, documentation of paid receipts for materials and labor and photos of the completed project. The City may request other items reasonably deemed necessary for determining the project's completion. An inspection will be performed within ten (10) business days of notification by applicant. If needed, a letter will be issued to the applicant indicating all areas of noncompliance.
- (B) When all areas of the project are in compliance, the inspector will approve the Certificate of Completion and submit to the City of Alvin Finance Department for payment. The City of Alvin Finance Department will authorize the release of grant funds equal to 50% of the approved costs of such improvements.

Section 7. Default

The applicant shall be considered in default under this agreement for failure to comply with the following provisions.

- (A) The applicant must remain in business for twelve (12) months from the date of the Certificate of Completion. If the subject business is closed, sold, transferred or relocated within a twelve (12) month period, the applicant may be required to reimburse the City for 100% of grant funds received. Consideration shall be given for any permanent improvements that are left at the site and that would enhance the future location of a new business to the site.
- (B) Reimbursement payments due to default must be paid in full within thirty (30) days after the date of written notification by the City that the applicant is in default of any of the funding requirements set forth herein. Payment will only be accepted in the form of a cashier's check or money order, made payable to the City of Alvin.
- (C) The applicant must agree that, in the event of default of its obligations, the City has the right to reimbursement for all attorney's fees and costs, which may be incurred as a result of any

legal action required to seek reimbursement of all grant funding received by applicant.

Section 8. Notice

- (A) The City of Alvin shall deliver a copy of these guidelines to any applicant for his/her review and the delivery hereof does not constitute an offer of a business improvement grant to the applicant.

- (B) The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this business improvement grant program, and venue for any lawsuit or other proceeding involving this program shall be in Brazoria County, Texas. If any provision of this business improvement grant program is held to be invalid or unenforceable, the validity and enforceability of the remaining provisions shall not be affected thereby.



City of Alvin

APPLICATION FOR BUSINESS IMPROVEMENT GRANT PROGRAM

Please carefully read the following:

A business may receive assistance from the following program that is not to exceed \$50,000 in total during the fiscal year (October 1 to September 30). Funding assistance is approved and awarded at the discretion of a committee designated by the City of Alvin. Funding assistance is distributed as reimbursement after the applicant submits paid receipts for the approved project.

Photographs of the completed project shall also be required when receipts are submitted.

Applicant Name: _

Business Name: _

Property Address: _

Mailing Address: _

Phone: _

Fax: _

Other: _

E-Mail Address: _

Please provide one of the following:

- | | |
|---------------------|---------------------------|
| 1. Individual owner | Recorded DBA Certificate |
| 2. Partnership | Partnership Agreement |
| 3. Corporation | Articles of Incorporation |

Date business was established or opened in City of Alvin: _

Brief description of business (attach additional sheet if necessary): _

Number of employees: _____ Full-Time: _____ Part-Time: _____

Description of proposed project (attach additional sheet if necessary): _

Estimated date of completion for this project: _____

Estimated Material cost: _____ Labor cost: _____

The undersigned acknowledges and agrees to abide by and subject to the terms and conditions of the business improvement grant program described herein.

I certify that no improvements, as described in this application, shall begin prior to receiving written approval of grant funding from the City of Alvin.

Business Owner's Signature: _

Printed Name: _

Date: _

Property Owner's Signature: _

Printed Name: _

Date: _

If a successful applicant does not use the funds as intended and described by the application, then he or she will be liable for those funds and must repay the City of Alvin.

Applications may be delivered to City of Alvin Registered Agent, Economic Development Department, 216 West Sealy Street, Alvin, TX 77511.

For more information, please call the office of the City of Alvin Economic Development at 281-388-4281.

Checklist:

- _ Completed application
- _ Entity legal documents
- _ Proof of ownership
- _ Current paid tax receipts (real & personal property)
- _ Copy of lease agreement

City of Alvin Timeline

| | | | |
|---|----------------|----------|---------------|
| Application received by City Registered Agent | _ | / | / |
| Submitted to Alvin Grant Program Committee | _ | / | / |
| Applicant notified of decision to approve/disapprove (10 days) | _ | / | / |
| Completion deadline (6 months from approval) | _ | / | / |
| Certificate of Completion received by City | _ | / | / |
| Inspection performed on (10 business days) | _ | / | / |
| If applicable, letter of non-compliance to applicant | _ | / | / |
| Final approved Certificate of Completion received by Register Agent | _ | / | / |
| Total of receipts submitted for reimbursement | \$ | | |
| Less 50% | - | | |
| Amount of eligible grant funding | \$ | | |
| Release of grant fund by Registered Agent | Pd Amt. \$ | Ck # | _ / _ / _ |

City of Alvin-Certification of Completion

Applicant Name: _

Business Name: _

AFFIDAVIT

I CERTIFY that all improvements have been satisfactorily completed in accordance to the approved application, that all charges or bills for labor or services performed or materials furnished, and other charges against the subcontractors, have been paid in full and in accordance with the terms of the contract; that no liens have been attached against the property and improvements of owner; that no notice of intention to claim liens is outstanding; that no suits are pending by reason on the project under the contract; that all Worker’s Compensation claims have been settled and no public liability claims are pending.

Affidavit is made for the purpose of reimbursement of funds according to the City of Alvin Business Improvement Program.

Total of Paid Receipts submitted for reimbursement \$ _

Business Owner’s Signature: _

Printed Name: _

Date: _

Property Owner’s Signature: _

Printed Name: _

Date: _

Attachments:

- _ Copies of paid receipts
- _ Photographs of completed work
- _ Other _

Sworn to and subscribed before me, a notary public,

This _ day of _ , .

(seal)

Notary Public Signature

INSPECTION

I CERTIFY that I have inspected the project and have found all improvements to be satisfactorily completed in accordance to the approved application and in compliance to any applicable city ordinances.

Inspector's Signature: _

Printed Name: _

Date: _

Exhibit "B" Gordon Street Coverage Map

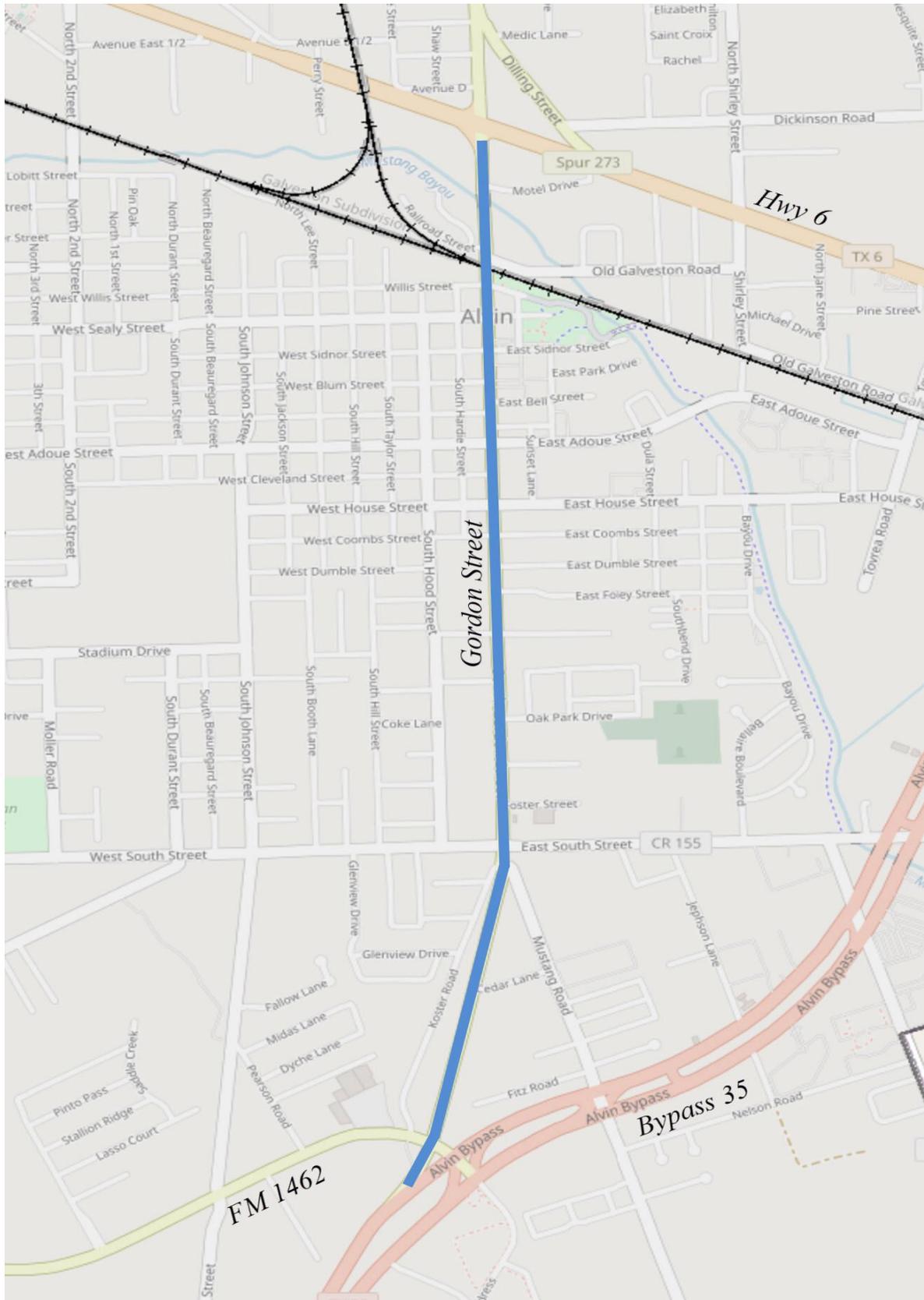


Exhibit "A" Downtown Development Area

