

RESOLUTION 20-R-33

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

WHEREAS, the purpose of the City of Alvin's Business Incentives Grant 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 within the City; 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 twelve (12) grants to projects that has equated to over \$133,000 in private investments; and

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

WHEREAS, the Guidelines have been revised to provide assistance to defer the costs of physically moving an existing business to a vacant downtown storefront, or to assist a new business that will occupy a vacant building to include the consideration of internal improvements to facilities in the downtown area. This will help to promote the development and expansion of new and existing business enterprises and attract more people to the downtown area that will generate additional sales and activity within the downtown area of the City; 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 Business Incentives Grant Program, which has been amended to allow for the consideration of internal improvements to facilities in the downtown area as depicted in Exhibit A, 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 December 2020.

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 AND DOWNTOWN LOCATION ASSISTANCE 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, which 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 within the City.

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: Business Improvement Grant Categories

Business Improvement:

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 façades, 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. Please refer to Section 6: Business Improvement Grant Guidelines for further details.

Downtown Location Assistance:

Assistance is available to help defer the costs of physically moving an existing business to a vacant downtown storefront or to assist a new business that will occupy a vacant downtown storefront. Please refer to Section 7: Downtown Location Assistance Guidelines for further details.

Section 3: Eligibility

A new business planning to locate or an existing business planning to relocate in the Downtown Development Area (Exhibit A) shall be eligible for Downtown Location Assistance. A new or an 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 the Business Improvement Grant.

Section 4: 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 5: 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, Texas 77511, or online at www.alvin-tx.gov under the Economic Development tab.

Section 6: Business Improvement Grant 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 tax receipt(s) 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 Business Improvement Grant program. Copies of a lease agreement, proof of ownership of the leased facility, and current tax receipt(s) shall be required.
- (C) An eligible applicant may apply for one (1) or more Business Improvement Grant(s) 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 following years. An approved project must be completed prior to the filing of an additional application.

- (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 approved application 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) Properties with active Code Enforcement violations will be prohibited from participation unless the proposed application will satisfy the violations, and building occupancy is expected upon the conclusion of the project.
- (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 and gutters. 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 7: Downtown Location Assistance Guidelines

- (A) Downtown Location Assistance is available to existing businesses that will occupy a vacant downtown storefront, or to a new business that will occupy a vacant downtown storefront contingent on the submittal of an executed lease agreement or proof of ownership of the subject facility following approval.
- (B) Downtown Location Assistance is available to an existing business that will infill a vacant downtown lot or to a new business that will infill a vacant downtown lot. If approved by the Committee, the Applicant must provide proof of ownership of the subject facility and property or a lease agreement with the owner of the subject facility and property, current tax receipt(s) and a copy of the Certificate of Occupancy following inspection from the City of Alvin.
- (C) The owner of an existing business or a potential owner of a new business to be operated

within a leased facility and the owner of such leased facility must apply jointly for the Downtown Location Assistance program. Copies of a lease agreement, proof of ownership of the leased facility, and current tax receipt(s) shall be required following approval by the Committee. An applicant need not have an existing lease agreement or current ownership of the subject facility prior to filing an application.

- (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 Downtown Location Assistance funding.
- (F) The Applicant shall be responsible for obtaining all applicable permits related to the approved application and must comply with all current City ordinances. Failure to do so will render the Applicant ineligible to receive Downtown Location Assistance funding. Failure to complete all of the stated improvements shall render the Applicant ineligible to receive same funding.
- (G) The Applicant shall not begin any improvements prior to receiving written approval from the Committee. All Downtown Location Assistance 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 Downtown Location Assistance 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) Eligible costs may include, but are not limited to, purchase and installation of equipment required for the business that also remedies code compliance violations (grease trap, fire sprinkler system, fire alarm system, etc.), accessibility improvements for ADA compliance, and restoration of historic interior architectural features such as ceilings, light fixtures, floors and architectural detailing. Improvements not specifically listed as eligible or ineligible are subject to review on a case by case basis.
- (J) Ineligible costs may include, but are not limited to, acquisition of land or buildings, product inventory, furniture, cabinetry, carpets, office equipment, day-to-day operational costs (rent, utilities, taxes, maintenance, payroll, etc.), and soft costs (soft cost is a construction industry term but more specifically a contractor accounting term for an expense item that is not considered direct construction cost. Soft costs include architectural, engineering, financing and legal fees, and other pre-construction and post-construction expenses). Improvements not specifically listed as eligible or ineligible are subject to review on a case by case basis.
- (K) Applications containing the following characteristics will be given priority for funding: projects containing a high ratio of private to public investment, projects designed to alleviate

deteriorated, inappropriate or unsightly conditions that have existed for many years, projects that enhance pedestrian movement within downtown, and projects designed to restore the historic condition of a building's façade.

- (L) The following list of businesses is not comprehensive, and each application will be reviewed on a case by case basis. However, the following types of businesses will be given priority for funding: full-service/fine dining restaurant, coffee shop, bakery, ice cream parlor, entertainment/family fun venues, clothing merchants, specialty merchant stores, candy store, art related retailer (galleries, photography studios, pottery and crafts, etc.), and other service related businesses that drive foot traffic and pedestrian involvement.
- (M) Properties with active code compliance violations will be prohibited from participation in the Downtown Location Assistance program unless the proposed application will satisfy the violations and building occupancy is expected upon the conclusion of the project.

Section 8: 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 pictures 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 9: 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 twenty-four (24) months from the date of the Certificate of Completion. If the subject business is closed, sold, transferred or relocated within a twenty-four (24) 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 10: Notice

- (A) The City of Alvin shall deliver a copy of these Guidelines to any applicant for their review, and the delivery hereof does not constitute an offer of a Business Improvement Grant or Downtown Location Assistance to the applicant.

- (B) The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Business Improvement Grant and Downtown Location Assistance 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 and Downtown Location Assistance 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 AND DOWNTOWN LOCATION ASSISTANCE 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 and a Certificate of Completion is issued to the Applicant.

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

Please indicate for which program you are applying:

Business Improvement Grant **Downtown Location Assistance**

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, Texas 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 Registered Agent	/	/	
 Total of receipts submitted for reimbursement			\$
Less 50%			-
Amount of eligible grant funding			\$
 Release of grant fund by Registered Agent	Pd Amt. \$	Ck #	/ /

INSPECTION

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

Inspector's Signature:

Printed Name:

Date:

Exhibit "A" Downtown Development Area

