

**GUIDELINES AND CRITERIA
FOR
BUSINESS IMPROVEMENT GRANT PROGRAM
BY THE
BELLVILLE ECONOMIC DEVELOPMENT CORPORATION**

Section 1. Purpose.

The purpose of this program is to promote the development and expansion of new and existing business enterprises within the City of Bellville, Texas (the "City"), and 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.

Section 2. Type and amount of grants.

- (A) **FACADE IMPROVEMENT:** Improvements to storefronts including, but not limited to, painting, reconstruction, and/or remodeling. The grant amount shall be an amount not to exceed fifty percent (50%) of the cost of such improvements, up to a maximum of \$2,000.00.
- (B) **SIGN IMPROVEMENT:** New signs and/or renovation or removal of existing signs. The grant amount not to exceed fifty percent (50%) of the cost of such improvements, up to a maximum of \$1,000.00.
- (C) **PROPERTY IMPROVEMENT:** Items such as, but not limited to landscaping, parking lot resurfacing, striping, driveway improvement, and lighting. The grant amount shall be equal to fifty percent (50%) of the cost of such improvements, up to a maximum of \$2,000.00.

Section 3. Eligibility.

- (A) Any new business planning to locate within the City or any business currently located within the City limits shall be eligible for this program.
- (B) All buildings and facilities located within the City at the time of adoption of these guidelines shall be eligible for this program.
- (C) A business is defined as an occupation, profession or trade in the purchase or sale of goods in an attempt to make a profit.

Section 4. 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 shall be required.

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- (B) The owner of a business to be operated within a leased facility and the owner of such lease facility must apply jointly for the program. Copies of a lease agreement and proof of ownership of the leased facility shall be required.
- (C) A business or property owner may apply for one (1) or more of the three (3) types of grants per physical location (address) set forth herein within any fiscal year (October 1 to September 30). A business that receives grant funding during a fiscal year shall not be precluded from making subsequent applications for funding in following years.
- (D) The maximum amount of funding available to any one applicant, business establishment or property owner at one (1) physical location (address) shall be \$5,000.00 per fiscal year. Such \$5,000.00 annual maximum shall only apply if all three (3) grant types, as set forth in Section 2(A), (B), and (C) above, are requested and approved.
- (E) All grants are reimbursement grants, and will only be funded after completion of the project in accordance with drawings and specifications approved by the Bellville Economic Development Corporation (the "BEDC"), and after the applicant submits to BEDC proof of paid receipts for all applicable labor and materials. Photographs of the completed work shall also be required.
- (F) Reimbursement grants are a cash match for funds disbursed by the applicant and are not to exceed the limits set forth in Section 2 (A), (B), and (C) above. In-kind contributions may not be used as any part of the applicant's match. Only cash matches of the applicant's expenditures may be used.
- (G) The applicant shall be obligated to make the improvements in accordance with the application submitted to and approved by the BEDC. Thereafter, any modifications must first receive the written approval of either the BEDC or its President. Failure to obtain such written approval prior to making any such modifications shall render the applicant ineligible to receive grant funding.
- (H) The applicant shall be responsible for obtaining all applicable permits related to the improvement project, and failure to do so will render the applicant ineligible to receive grant funding.
- (I) The improvements, as presented in the application, must be completed in their entirety. Failure to complete all of the stated improvements shall render the applicant ineligible to receive grant funding.
- (J) Upon approval of a grant application, and during the construction of the improvements, a representative or representatives of the BEDC shall have the right, at all reasonable times, to have access to and inspect the work in progress.
- (K) The applicant shall not begin any improvements prior to receiving written approval of grant funding from the BEDC.

- (L) The applicant must agree that a business establishment will be open for business and in operation within one hundred and twenty (120) days from grant approval by the BEDC board. Failure to open the business establishment shall be considered a default and applicant shall be required to reimburse the BEDC 100% of the grant amount received.
- (M) The applicant must complete the improvement project within nine (9) months of receiving written approval therefore from the BEDC. Failure to complete the improvements within the required time period shall result in the loss of the grant funds allocated for the project.
- (N) The applicant must agree to remain in business and to not sell or assign such business to another person or entity for a period of six (6) months from the date of approval of his/her application.
- (O) Approval of all applications shall be with the understanding and agreement that, in the event the business (applicant) fails to remain open, or the business or property is sold or transferred, within six (6) months after the funding of the grant, the applicant shall be considered in default of its obligations under the grant, and shall be required to reimburse the BEDC the grant money received in accordance with the requirements of Section 6 below.
- (P) The applicant must agree that, in the event of default of its obligations, the BEDC 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.
- (Q) The applicant must certify that the applicant does not employ nor will it employ any undocumented workers (an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or, authorized under law to be employed in that manner in the United States). The applicant must agree that if, after receiving grant funds, it is convicted of a violation under 8 U.S.C. Section 1324a(f), applicant shall repay the amount of the grant funds with interest, at the rate of twelve percent (12%) per annum, within 120 days after the BEDC notifies the applicant of the violation. The BEDC shall have the authority to bring a civil action to recover any amounts which the applicant must repay the BEDC under this provision, and in such action may recover court costs and reasonable attorney's fees.

Section 5. Application and Approval.

- (A) Applications filed with the board on or before the second Thursday of each month shall be considered at the next regular BEDC Board meeting or at such special Board meeting that may be called.
- (B) Applications must be made on a form provided by the BEDC, which form shall be made available at the BEDC offices located at 30 S. Holland, Bellville, Texas 77418 or on the BEDC website, at WWW.BellvilleEDC.com.
- (C) All applications must be approved by the Board of Directors of the BEDC.
- (D) An applicant shall be notified in writing of the BEDC's decision to approve or disapprove the application.
- (E) The BEDC may award grant funds to an applicant, with certain provisions, conditions, or other requirements the BEDC deems necessary or appropriate.
- (F) The BEDC may only approve funding of applications which are consistent with the Development Corporation Act, chapters 501 to 505 of the Texas Local Government Code.

Section 6. Funding.

- (A) Upon notification to the BEDC by the applicant that a project has been completed, an inspection by an BEDC representative or representatives shall be made to confirm that such project has been completed in accordance with the application, or any approved modifications thereto. Such notification shall include, but not be limited to, documentation of paid receipts for materials, labor, permits, inspection reports, or any other item that the BEDC may deem necessary for determining the project's completion.
- (B) Within thirty (30) days following the inspection required in paragraph (A) above, and confirmation of completion of the project in accordance with the application, or any approved modifications thereto, a representative of the BEDC shall inspect the project and report completion to the Board of Directors. Funding authorization shall take place at the next regular BEDC Board meeting following the date of the inspection.
- (C) Within fourteen (14) days following an inspection and the presentation of the receipts as provided in Section 6(A) above, and after a determination is made by the BEDC's representative that the project has not been completed in accordance with the application, or any approved modifications thereof, the President shall issue a letter to the applicant indicating all areas of non-compliance. The applicant shall then have sixty (60) days, from the date of the President's letter, to make the modifications necessary to bring the project

into compliance. Failure to complete such modifications within said 60-day period shall be deemed a default of applicant's obligations under the grant.

- (D) Available funding: The BEDC has budgeted \$15,000.00 per fiscal year (October 1 to September 30) to fund this grant program. Grant applications received after the available funding has been exhausted may be accepted and held until the following fiscal year. The BEDC retains sole discretion to accept or reject applications received after the available funding has been exhausted.
- (E) If the subject business is closed, sold, or transferred within a six (6) month period after funding approval is received, the applicant shall be required to reimburse the BEDC for 100% of the grant amount received.
- (F) Payments due pursuant to the paragraph (E) above must be paid in full within thirty (30) days after the date of written notification by the BEDC that the applicant/owner is in default of any of the funding requirements set forth herein. The form of such payment shall be a cashier's check or money order, made payable to the Bellville Economic Development Corporation.

Section 7. Notice.

- (A) THE BELLVILLE ECONOMIC DEVELOPMENT CORPORATION 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. 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