

# **BUSINESS IMPROVEMENT GRANT PROGRAM**

## **GUIDELINES & CRITERIA**

### **Section 1 Sponsor**

Development Corporation of Needville (Corporation)

### **Section 2 Purpose**

To enhance the economic vitality of the City of Needville through the creation of a visually appealing commercial environment

### **Section 3 Grant Description**

Grants provided are Reimbursement Grants; such grants being a cash match for funds disbursed by an applicant, and are granted in the amounts as provided for in Section 4. In-kind contributions may not be used as a part or whole of an applicant's match. Only applicant's cash expenditures may be used as a grant match. In such cases as an applicant provides the labor, any materials purchased remain eligible for grant funding.

### **Section 4 Types of Grants**

- |    |                       |   |
|----|-----------------------|---|
| A. | FAÇADE IMPROVEMENT:   | Improvements to buildings which enhance their visual appearance to the general public, including, but not limited to items such as painting, repair, and reconstruction |
|    |                       | A cash-matching grant up to a maximum grant of \$5,000  |
| B. | SIGN IMPROVEMENT:     | New signs and/or removal of existing non-functioning or deteriorated signs  |
|    |                       | A cash-matching grant up to a maximum grant of \$1,000  |
| C. | PROPERTY IMPROVEMENT: | Items such as, but not limited to, landscaping and lighting   |
|    |                       | A cash-matching grant up to a maximum grant of \$2,000  |

### **Section 5 Eligibility**

- A. Any new or existing business within the Needville, Texas City limits
- B. Owners of vacant and/or occupied business buildings within the Needville, Texas City limits
- C. Business buildings also serving as a residence are not eligible for grant funding.

### **Section 6 Funding cycle**

A funding cycle shall be from October 1<sup>st</sup> to September 30<sup>th</sup>. For each funding cycle the Corporation shall designate an amount of funding for that cycle. Upon depletion of those funds the Corporation will

be under no obligation to fund additional grants. Likewise, the Corporation is under no obligation to establish future funding cycles.

## **Section 7 Guidelines**

- A. **Improvements may not have commenced prior to having received approval of a grant application.**
- B. Proof of ownership will be required of applicants operating a business in a leased building, or of owners of a business building.
- C. An applicant operating a business in a leased building must apply jointly with the property owner. Copies of a lease agreement and proof of ownership will be required.
- D. Applicant is eligible to receive grant funding for any two (2) of the three (3) grant types during a funding cycle. Successful recipients of grant funding are likewise eligible to apply for additional grants in a subsequent funding cycle, should such be established.
- E. Improvements must be made in accordance with project drawings, specifications, and/or information provided in the application, such having been approved by the Corporation. Failure to do so will render the applicant ineligible to receive grant funding. Any modifications sought to be made after application approval must first receive written approval of the Corporation or its designee. Failure to do so will likewise render the applicant ineligible to receive grant funding.
- F. Applicant is obligated to obtain all applicable permits related to the improvement project. Failure to do so will render the applicant ineligible to receive grant funding.
- G. Improvements must be completed in their entirety. Incomplete improvements will not be eligible for whole or partial grant funding.
- H. Upon approval of a grant application by the Corporation, and during the implementation of the improvements, a representative(s) of the Corporation shall have the right of access to inspect the work in progress.
- I. Improvement must be completed within six (6) months of receiving grant approval from the Corporation. Failure to do so will render the application approval null and void and applicant will no longer be eligible for grant funding.

## **Section 8 Application and Approval**

- A. Applications must be made on a form provided by the Corporation, and may be obtained at the Needville City Hall, 9022 Main Street, Needville, Texas 77461.
- B. Applications will be considered on a monthly basis and must be submitted by the tenth day of the month.
- C. Monthly consideration of applications may be delayed in the event the Corporation fails to seat a quorum for a regular monthly meeting, elects for any reason not to hold a regular monthly meeting, requires additional time for application review, or elects for any reason not to consider applications at any particular meeting.
- D. One (1) original and one (1) copy of an application must be submitted.

- E. The Corporation reserves the right to utilize whatever outside resources it deems necessary for assistance in its decision-making process.
- F. Applicants will be notified within five (5) days of Corporation approval or disapproval of an application.
- G. The Corporation may award applicant a grant with certain provisions, conditions, or other requirements, as it may from time to time deem appropriate.
- H. The Corporation may on a case-by-case basis alter or waive certain requirement(s) contained in its Guidelines and Criteria and Grant Application form.
- I. **The Corporation reserves the right to exercise its absolute discretion in determining approval or disapproval of an application, whether or not such discretion is deemed arbitrary, or without basis in fact.**
- J. **The Corporation reserves the right to exercise its absolute discretion in determining the amount of funding to be provided, whether or not such discretion is deemed arbitrary, or without basis in fact.**

## **Section 9 Standards**

The following factors, among such others as the Corporation may deem necessary, shall be considered in determining whether or not to award a grant:

- A. The extent to which the improvements convey a historic appearance by way of colors and design
- B. The amount of additional funding being provided by the applicant beyond the required cash match
- C. The amount of current deterioration or blight the improvement will alleviate
- D. The visual attractiveness and/or historic significance of the improvements as determined by the Corporation in the exercise of its absolute discretion in such determination
- E. Traffic levels of roadways adjacent to the improvements
- F. Health and safety issues which may be mitigated by the improvements
- G. Level of improvement the project will make to the overall appearance of the facility
- H. Thoroughness of information provided in the application
- I. Productive life of the improvements

## **Section 10 Funding**

- A. Funding will only be provided upon the completion of the project in accordance with Section 7 above.

- B. Applicant shall provide the Corporation with written notification of project completion. Such notification shall include:
1. A statement that all improvements have been completed in accordance with the application and/or approved modifications, and that full payment has been made for all labor and/or materials involved in the project
  2. A copy of all paid receipts for labor and/or materials involved in the project
  3. In the case of plants involved in a landscaping project, a letter signed by the grant recipient(s) warranting the life of the plants for a period of one (1) year after the date of grant payment. Such warranty shall provide for, upon notice for payment from the Corporation, repayment to the Corporation of grant funds provided for any plants not in place or alive within the warranty period.
  4. Any other items the Corporation may reasonably deem necessary for determining the successful completion of the project.
- C. Upon receipt of a notification of completion, an on-site inspection will be made by a representative(s) of the Corporation to confirm completion in accordance with the application and/or approved modifications. An inspection shall take place no more than thirty (30) days following receipt of a notification of completion. Such inspection shall not be construed in any way as the Corporation's or its representative's attestation as to the quality, safety, or reliability of the improvements, such being the sole responsibility of the grant recipient(s).
- D. At the next regular Corporate meeting following the on-site inspection, a statement issued by the inspector(s) shall be provided to the Corporation stating either (1) Compliant project completion, or (2) Non-compliant project completion. In the event of a "non-compliant report", the Corporation will review the findings, and if in agreement with the report, a letter shall be issued to the applicant stating the area(s) of non-compliance. The project will be subject to re-inspection to confirm the successful completion of the project. Failure to correct the area(s) of non compliance within sixty (60) days of the date of the "non-compliant letter" shall be cause for cancelation of the grant.
- E. At the regular Corporate meeting at which a "compliant" report is issued, the Board of Directors will authorize grant funding. Issuance of payment shall take place within seven (7) days of such authorization.

## **Section 11 Amendment**

The Corporation reserves unto itself the right to amend these Guidelines and Criteria as it may from time to time find desirable.

## **Section 12 Notice**

- A. **The adoption and provision or delivery of these Guidelines and Criteria does not create any property, contract, or other legal right in any person or entity to have the Corporation provide grant funding.**

- B. The adoption of these Guidelines and Criteria does not limit the discretion of the Corporation to decide whether to provide or not provide a grant, and the amount of grant funding, to an applicant, and/or grant the total amount of eligibility, which absolute right of discretion the Corporation reserves unto itself, whether or not such discretion may be deemed arbitrary or without basis in fact.**
  
- C. The Corporation, its employees, agents, representatives, and designees do not testify to the quality and safety of the construction of a project receiving grant funding, both during project implementation and afterward. Therefore the applicant, by requesting and receiving grant funding, does attest to holding harmless the Development Corporation of Needville, its employees, agents, representatives, and designees for any and all claims for personal and/or property damages to themselves or others as a result of the planning, construction, and subsequent existence of any project which has received application approval, or has received actual grant funding.**
  
- D. 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 program shall be held invalid or unenforceable, the validity and enforceability of the remaining provisions of this Program shall not be affected thereby.**