



**Historic District
and
Business
Improvement Grant**

POLICY & GUIDELINES

Adopted on September 7, 2021

SEALY ECONOMIC DEVELOPMENT CORPORATION
HISTORIC DISTRICT & BUSINESS IMPROVEMENT GRANT
POLICY & GUIDELINES

PROCESS OF APPROVAL, APPROXIMATELY 90 DAYS:

DO NOT BEGIN ANY WORK PRIOR TO APPROVAL FROM SEDC & CITY COUNCIL

Generally, within the first 30-60 days:

1. Contact the SEDC to determine if annual **allocated grant funds are available** for the remainder of the fiscal year, October 1 – September 30, and if so, determine if the EDC is currently accepting grant applications.
2. **Completed application and all required attachments** presented to EDC Executive Assistant **by the 1st day of the month**, or per Policy and Guidelines, Section 5.
3. EDC Executive Assistant **processes the application**, determines eligibility compliance and completes verification of good standing requirements.
4. The **project is scored** per Policy & Guidelines Section 6.
5. A **public hearing** about the project will be published in The Sealy News prior to the Public Hearing at the SEDC Board Meeting.
6. Following the public hearing, the Board will **discuss the project and possibly approve** the request for grant funds.
7. The EDC will **authorize legal to draft an Economic Development Performance Agreement** between the SEDC and applicant, which the Applicant and EDC Director must approve, followed by SEDC Board approval.

Generally, within the next 30 days after SEDC approval:

8. If project is approved by the SEDC, the performance agreement and SEDC expenditure of funds for the project will be discussed and **possibly approved by City Council**. Applicant requests of grant funds that are \$10,000.00 or greater will require two separate meeting approvals from City Council.
9. The project must be completed as approved within dates specified in the performance agreement, and according to the terms agreed in the performance agreement.

SEALY ECONOMIC DEVELOPMENT CORPORATION
HISTORIC DISTRICT & BUSINESS IMPROVEMENT GRANT
POLICY & GUIDELINES

Section 1. Purpose.

The purpose of this program is to enhance the economic vitality of the Sealy Historic District and the businesses located along the main thoroughfares in Sealy's city limits, to include Highway 36/Meyer, US Highway 90 and Interstate 10, with an emphasis on improving the historic district, by encouraging businesses to make visually appealing, or business sustainability improvements to business establishments, which would result in new or expanded business activity, generating more sales tax, or the promotion thereof. These Historic District and Business Improvement Grant opportunities serve to eliminate blighted structures and signs, eliminate property maintenance code violations and potential nuisances and to revitalize typically older structures and/or repurpose such structures for new use that generates economic growth and opportunity.

This grant program is sponsored by the Sealy Economic Development Corporation Board of Directors (SEDC) who may amend, adjust or eliminate the program or parts thereof at any time.

Section 2. Types of Grants.

(A) HISTORIC DISTRICT FAÇADE IMPROVEMENT:

Visually appealing, or business sustainability improvements to storefronts in the historic district which would result in new or expanded business activity. The historic district façade improvements serve to eliminate blighted structures or structures that have fallen in disrepair and thus eliminate property maintenance code violations and potential nuisances, as well as to revitalize typically older structures and/or repurpose such structures for new use that generates economic growth and opportunity. The amount of funds granted will be at the Board's discretion on a matching basis in an amount not to exceed \$10,000.00.

(B) MAIN THOROUGHFARE BUSINESSES FAÇADE IMPROVEMENT:

Visually appealing, or business sustainability improvements to storefronts on the main thoroughfares in Sealy's city limits that includes Highway 36/Meyer, US Highway 90 and Interstate 10, which would result in new or expanded business activity. The main thoroughfare façade improvements serve to eliminate blighted structures or structures that have fallen in disrepair and thus eliminate property maintenance code violations, or nuisance structures along the gateway corridors of the City, which are the most travelled and the first impression visitors get of the City. In addition, these façade improvements serve to revitalize typically older structures and/or repurpose such structures for new use that generates economic growth and opportunity. The amount of funds granted will be at the Board's discretion on a matching basis in an amount not to exceed \$10,000.00.

(C) SIGN IMPROVEMENT FOR BUSINESSES LOCATED IN THE HISTORIC DISTRICT AND MAIN THOROUGHFARES IN SEALY'S CITY LIMITS:

Visually appealing sign improvement projects serve to eliminate old, broken, or signs in disrepair that cause visual blight and reduce potential customer base, thus eliminating property maintenance code violations, or nuisance sign/structures. Sign improvement projects may include renovations or removal of existing signs to replace with a new sign. The amount of funds granted will be at the Board's discretion on a matching basis, not to exceed \$1,500.00.

(D) ADA (Americans with Disabilities Act) COMPLIANCE IMPROVEMENTS:

Improvements necessary to meet ADA Standards may be considered as part of a façade improvement project in a matching funds grant amount not to exceed \$1,000.00.

Section 3. Eligibility.

- (A) Any new business planning to locate within the Sealy Historic District, or any business currently located within the Sealy Historic District that will expand its operations, or a new business on a main thoroughfare in Sealy's city limits or any business currently located on a main thoroughfare that will expand its operations, to include Highway 36/Meyer, US Highway 90 and Interstate 10, shall be eligible for grants listed in Section 2.
- (B) A business is defined as an occupation, profession or trade in the purchase or sale of goods or services in an attempt to make a profit. A non-profit is defined as a corporation or an association that conducts business for the benefit of the general public without shareholders and without a profit motive, and that qualifies for tax-exempt status. Priority will be given to businesses that generate local sales tax.
- (C) Grants are generally not awarded for work that has been started, in progress or completed but all applications will be considered.
- (D) New construction of buildings is not eligible for this program.
- (E) Business facilities and/or properties and property owners which have outstanding financial obligations to the City of Sealy are not eligible.
- (F) Business facilities and/or properties and property owners which have an ongoing lawsuit or are in any way parties to litigation against the City of Sealy or the SEDC are not eligible.
- (G) The business and/or property owner must be in good financial standing upon verification with the Secretary of State or other means of verification by the SEDC Executive Director.

- (H) Sales tax generating business applicant may be required to show proof of sales tax certificate that is registered to the physical location of the business to ensure that sales tax revenue generated by the project is received by the City of Sealy and SEDC.

Section 4. Guidelines.

- (A) Proof of applicant's ownership of the subject property, or proof that the property owner has approved the application for such grant funds, shall be required. The EDC may require Applicant to provide proof of ownership. The business owner operating within a leased facility shall provide written consent of building owner to allow improvement project to the site as identified in the application. Written consent of the building owner shall be attached to the application. Use consent Page 22 of the application to comply with building owner consent requirement.
- (B) An eligible business or property owner may make an application for grant projects, under Section 2, per location/building address no more than once every five (5) years.
- (C) Maximum amount of funding available to any one applicant, business establishment or property owner at one physical location/building (address) shall not exceed amounts specified in Section 2. Types of Grants.
- (D) All grants are reimbursement grants and will only be funded after completion of the project in accordance with project bids, drawings and specifications previously approved by the SEDC, and after the applicant submits to the SEDC proof of paid receipts (ex. cancelled checks, credit card receipts) for all applicable labor, materials and related expenses to the project. The applicant has ninety (90) days from completion of work to submit required documentation for reimbursement.
- (E) Reimbursement grants are a cash match for funds disbursed by the applicant In-kind contributions (work performed by the business and/or property owner) may not be used as any part of the applicant's match. Only cash expenditures by the applicant may be used in calculating the cost of improvements.
- (F) Applicant shall be obligated to make the improvements in accordance with the application submitted to and approved by the SEDC and the City where applicable. Any modifications must first receive approval of the Executive Director. The Executive Director may require SEDC and City Council approval of a request for modification. Failure to obtain such approval prior to making any such modifications could render the applicant ineligible to receive grant funding. Any modifications that result in legal fees which may be incurred as a result of any legal action required to amend the performance agreement will be the responsibility of the grant recipient.
- (G) Applicant shall be responsible for obtaining all applicable permits related to the

- improvement project, and failure to do so could render the applicant ineligible to receive grant funding.
- (H) Improvements, as presented in the application, must be completed in their entirety unless otherwise approved by the SEDC and City Council. Failure to complete all stated improvements could render the applicant ineligible to receive grant funding.
 - (I) Upon grant application approval, and during construction of the improvements, the SEDC, and City of Sealy staff shall have the right of access to inspect the work in progress.
 - (J) Improvements generally may not commence prior to having received approval for a grant from the SEDC and City Council.
 - (K) Applicant must complete the improvement project and agree that a new or expanded business will be open for business and in operation, generally, within six (6) months from grant approval by the SEDC and City Council. Vacant buildings that are being improved to be available for lease will be open for business and in operation, generally, within 12 months from grant approval by the SEDC and City Council. Failure to complete the improvements and open the business establishment within the required time period could be considered in default and result in the loss of the grant funds, at the sole discretion of the SEDC Board. Extension of the six (6) month timeframe may be authorized by the SEDC Executive Director upon presentation in writing of just cause, unless otherwise provided by written agreement.
 - (L) New or expanding business applicant may be required to remain in business and to not sell or assign such business to another person or entity for a certain period of time as provided for in a performance agreement. Not applicable to vacant building projects that are being improved for the purpose of preparing the site for sale or lease.
 - (M) Applicant must agree that the improvement project will create or retain full-time on-site employment at the project site as defined by the performance agreement upon approval of the project by the SEDC and City Council.
 - (N) Application approval shall be with the understanding and agreement that failure to comply could be considered in default of its obligations under the grant, and could be required to reimburse the SEDC the grant money received.
 - (O) Applicant must agree that, in the event of default of its obligations, the SEDC 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 the applicant.

- (P) The applicant agrees that it will comply with all local, state, and federal laws, rules and regulations regarding employment of workers and the SEDC may terminate the agreed performance agreement and applicant shall be required to pay back SEDC all grant funds for any employment violations.
- (Q) All façade improvement project applications must be submitted with a minimum of two estimates for the project.
- (R) All ADA Compliance grants approved and funded for restroom facilities require that updated restrooms are open and available for public use.
- (S) Applicants agree to enter into a performance agreement contract for funding.

Section 5. Application and Approval.

- (A) Applications will be reviewed by the SEDC Executive Director and EDC staff to determine eligibility to be considered for approval by the SEDC and City Council.
- (B) Grant funds for the Historic District and Business Improvement Grant will be allocated by the SEDC and City Council for each fiscal year, October 1 – September 30. Once Historic District and Business Improvement Grant funds are depleted or if the SEDC is no longer able to meet financial obligations, generally, no new applications will be accepted by the SEDC for the remainder of the fiscal year.
- (C) Applications must be made on a Historic District and Business Improvement Grant Application made available by the SEDC, and must be submitted complete with all required attachments, by the first day of the month, or next regular weekday, if the first falls on a weekend day. Applications that are received later, generally, will be considered for the following month's agenda.
- (D) Applications must be approved by the SEDC. Following approval by SEDC, City Council must approve the expenditure by either a one-reading approval for an EDC expense of less than \$10,000.00, or by a two-reading approval for an EDC expenditure of greater than \$10,000.00.
- (E) Applicant shall be notified of the SEDC's approval or disapproval of an application.
- (F) The SEDC may award grant funds to an applicant, with certain provisions, conditions, or other requirements it may, from time to time, deem necessary.

Section 6. Evaluation and Criteria Standards.

The following factors may be considered in determining whether or not to award a grant. Grant applications should generally score a minimum of 75% of the total possible value of applicable impact standard and criteria to be considered eligible for funding. A score of 75% of the total possible value of applicable impact standard and criteria or more points does not guarantee funding. All funding is contingent on remaining funds availability, as stated in Section 5. Application and Approval (B), and requires SEDC and City Council approval. Applicant shall self-evaluate their project as included on the Historic District and Business Improvement Grant Application.

The evaluation standard is a guide used to assist the SEDC in the evaluation process. The Applicant does not need to address each criterion in the impact standard to receive the total number of allotted points. The criteria within each impact standard are examples of the types of criteria the SEDC and EDC staff may consider. In addition, the evaluation panel may write in additional points that were considered in the evaluation:

Impact Standard & Criteria	Point Recommendations	Awarded Points
<p>Economic, Employment & Community Impact</p> <ul style="list-style-type: none"> • Visually appealing and significant improvement in the attractiveness of the location and the level of blight or deterioration removed; eliminates property maintenance code violations or eliminates nuisances resulting in expanded business and customer base. Unique and new design elements of the façade and/or sign project that gives a fresh and updated look to attract attention to the business and area or Mitigates health & safety issues • Improvement project generates economic growth & opportunity, new or expanded business opportunity to generate more sales tax or the promotion thereof • Paint color/scheme chosen are tasteful and as applicable are consistent with the Sealy Historic District; or the main thoroughfare project improves visitor's first impression of the community. Paint chips/sign, materials/landscaping, materials, drawings, pictures, examples are submitted with application • Level of improvement's impact on overall appearance of facility; how noticeable and attention getting • Productive life of improvements – durability and quality of the products used for the improvement to resist exposure to the elements of nature 	<p>10</p> <p>10</p> <p>10</p> <p>10</p> <p>10</p>	

<ul style="list-style-type: none"> • Design is tasteful and enhances the style and overall character of the project area and location 	<p>10 10</p>		
<ul style="list-style-type: none"> • Creates or retains full time on-site employment opportunities 	<p>10</p>		
<ul style="list-style-type: none"> • Creates new lease opportunity; Reuse/repurposing of vacant or underutilized property 	<p>10</p>		
<ul style="list-style-type: none"> • Amount of additional funding expended by the business, reinvestment in the property tax base 	<p>10</p>		
<ul style="list-style-type: none"> • Meets Comprehensive Plan goals; Meets identified Priorities; Meets Main Street Strategic Plan goals 	<p>10</p>		
<ul style="list-style-type: none"> • Level of historical significance of building/area being improved, as applicable; Level of attention to historical architecture (if applicable) 	<p>10 10</p>		
<ul style="list-style-type: none"> • Improvements will promote tourism and hotel occupancy; 	<p>10</p>		
<ul style="list-style-type: none"> • Increase in foot traffic and use of the building, business or facility by the community; 	<p>10</p>		
<ul style="list-style-type: none"> • Funding of the ADA compliance project results in providing publicly accessible restrooms to an area of the community that needs them 	<p>10</p>		
<ul style="list-style-type: none"> • Promotes the establishment or expansion of an EDC identified target business; Level of interest/desire for business in the community; Level of value added to the community by the business; 			
<ul style="list-style-type: none"> • OTHER: 			

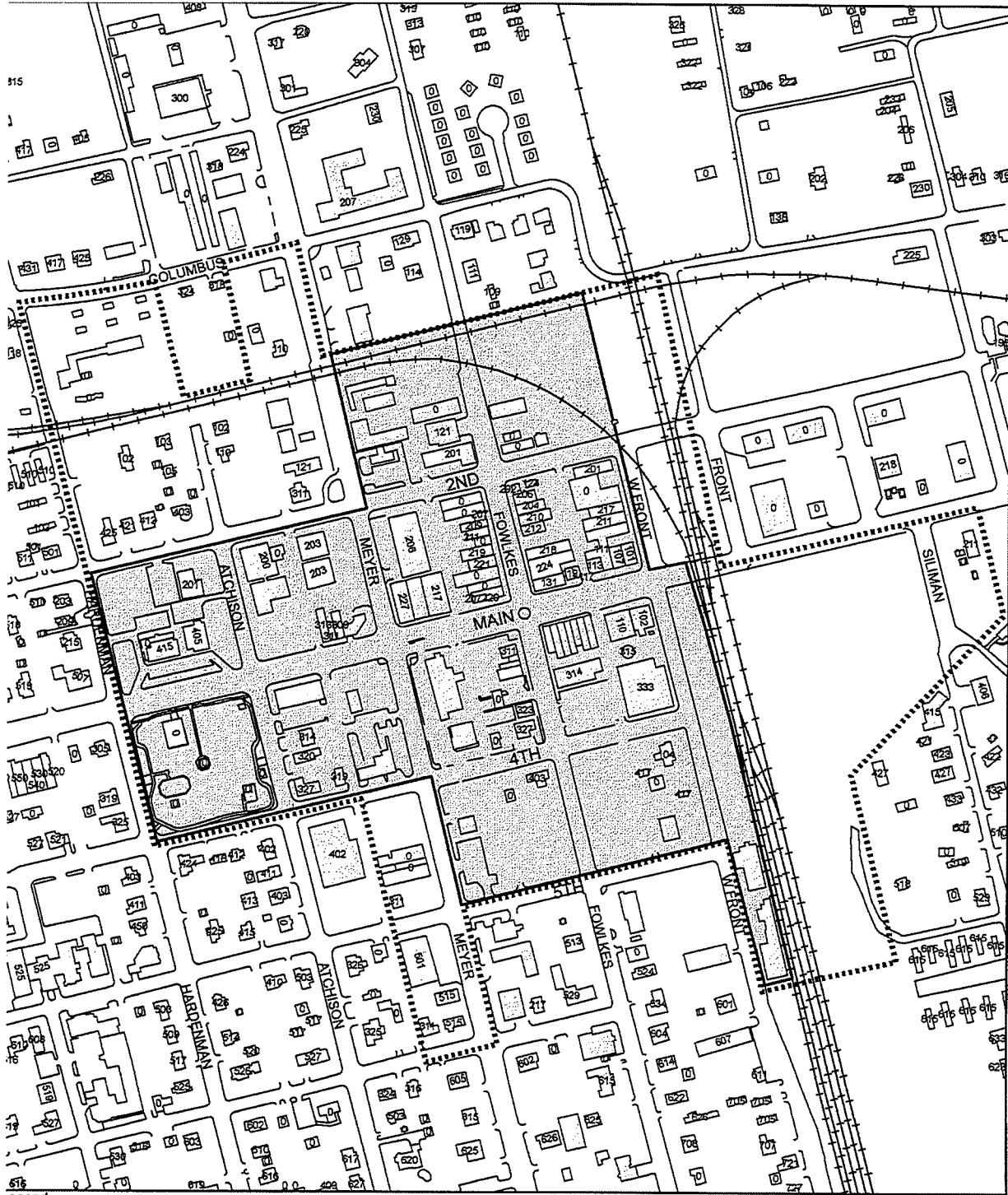
Section 7. Funding.

- (A) Funding will only be provided on a reimbursement basis upon the completion of the project in accordance with Section 4 and following an on-site inspection of the improvements.
- (B) The SEDC and City shall be granted the right to inspect the improvement work in progress and upon completion.
- (C) Applicant shall provide the SEDC with notification of project completion, either by email or letter, stating 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 materials involved in the project. Also included in such notification shall be such documents as, but not limited to, paid receipts/invoices for materials and labor, permits, inspection reports, project photographs, or any other items the SEDC may reasonably deem necessary for determining the successful completion of the project. All expenditure documentation must be submitted within ninety (90) days from project completion. Failure to submit the information within the required time period may be considered in default and result in the loss of the grant funds.
- (D) The project shall be subject to re-inspection to confirm the successful completion of the project. Failure to correct the area/areas of non-compliance within thirty (30) days of the date of the "non-compliant letter" may be cause for cancellation of the grant.
- (E) If the subject business is closed, sold, or transferred within a two (2) year period after funding approval is received, the Applicant may be required to reimburse the SEDC for 100% of the grant amount received. The SEDC will submit written notification of default to the Applicant/Owner. Payments must be paid in full within thirty (30) days after the date of written notification of default of any of the funding requirements, such payment shall be a cashier's check or money order, made payable to the SEDC.
- (F) Available funding: The SEDC has budgeted funds available for this grant program. The SEDC retains sole discretion to accept or reject applications received after the available funding has been exhausted. There is no guarantee of funding even if funds are available.

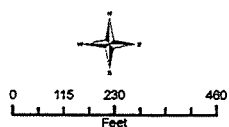
Section 8. Notice.

- (A) THE PROVISION OR DELIVERY OF THESE GUIDELINES AND CRITERIA TO AN INTERESTED PARTY DOES NOT CONSTITUTE AN OFFER OF AN IMPROVEMENT GRANT TO THAT PARTY.

- (B) THE ADOPTION OF THESE GUIDELINES AND CRITERIA DOES NOT LIMIT THE DISCRETION OF THE SEDC TO DECIDE WHETHER TO PROVIDE OR NOT PROVIDE A GRANT TO AN APPLICANT, WHICH ABSOLUTE RIGHT OF DISCRETION THE SEDC RESERVES UNTO ITSELF, WHETHER OR NOT SUCH DISCRETION MAY BE DEEMED ARBITRARY OR WITHOUT BASIS IN FACT.
- (C) THE ADOPTION OF THESE GUIDELINES AND CRITERIA DOES NOT CREATE ANY PROPERTY, CONTRACT, OR OTHER LEGAL RIGHTS IN ANY PERSON TO HAVE THE SEDC PROVIDE GRANT FUNDING.
- (D) THE LAWS OF THE STATE OF TEXAS SHALL GOVERN THE INTERPRETATION, VALIDITY, PERFORMANCE, AND ENFORCEMENT OF THIS GRANT PROGRAM. IF ANY PROVISION OF THIS PROGRAM SHALL BE HELD TO BE INVALID OR UNENFORCEABLE, THE VALIDITY AND ENFORCEABILITY OF THE REMAINING PROVISIONS OF THIS PROGRAM SHALL NOT BE AFFECTED.
- (E) THE SEDC, THE CITY, ITS EMPLOYEES, AND ITS AGENTS DO NOT ATTEST TO THE QUALITY, SAFETY, OR CONSTRUCTION OF A PROJECT ELIGIBLE FOR, OR RECEIVING GRANT FUNDING; THEREFORE, THE SEDC, THE CITY, ITS EMPLOYEES, AND ITS AGENTS SHALL BE HELD HARMLESS BY THE APPLICANT/APPLICANTS FOR ANY AND ALL DAMAGES ASSOCIATED WITH THE PLANNING, CONSTRUCTION, AND SUBSEQUENT EXISTENCE OF ANY PROJECT WHOSE APPLICATION HAS BEEN APPROVED, OR HAS RECEIVED ACTUAL GRANT FUNDING.



- Structures
- Curbs
- Railroads
- - - Main Street Boundary
- Downtown District



City of Sealy
Downtown District
&
Main Street Boundary



Produced By: City of Sealy GIS
Planning and
Community Development
Date: August 18, 2017
This product is for informational
purposes and may not have
been prepared or suitable for
legal, engineering, or surveying
purposes. It does not represent
an on-the-ground survey.

