



It's real.

City of Seguin Business Improvement Grant (BIG) Program

Section 1. Purpose

The purpose of this program is to promote the development and expansion of business enterprises within the City of Seguin, Texas (the "City"), and enhance the economic welfare of the citizens of the City of Seguin by securing and retaining business enterprises and maintaining a higher level of employment, economic activity, and stability.

Section 2. Grant Type

Grants provided are reimbursement grants, such grants being a cash match for funds disbursed by an Applicant and are in amounts not to exceed those provided under Section 4, "Type of Grants" below. In-kind contributions, or other grant funds, may not be used by an Applicant for matching funds. Only Applicant's cash expenditures may be used as a grant match.

Section 3. Funding Cycle

Funding cycles shall be August 11, 2021, through September 30, 2022. For each funding cycle, the City shall designate an amount of funding for that cycle. Upon depletion of those funds, the City will be under no obligation to fund additional grants. Likewise, the City is under no obligation to establish future cycles.

Section 4. Type of Grants

Applicant may be eligible to receive up to a 75 percent matching grant, with a maximum grant awarded to an applicant not to exceed \$10,000. Improvements and other expenditures eligible under the Seguin BIG Program include the following:

Business Improvement Grants

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|---------------------------------|---|
| A. Building Improvements | Improvements to buildings, including but not limited to, items such as painting, roofing, reconstruction, and remodeling. |
| B. Sign Improvements | New signs, and renovation and/or removal of existing signs. |
| C. Property Improvements | Items such as, but not limited to parking lot resurfacing, striping, driveway improvements, lighting, decorative fencing, new curb and sidewalk, and landscaping. |

D. Interior and/or Business Machinery/Equipment Improvements

Items such as, but not limited to replacing electrical wiring, plumbing, masonry repair, foundation stabilization, asbestos and lead abatements, fire sprinkler or fire alarm system, HVAC and any other business machinery and/or equipment as approved by the City BIG Review Committee.

COVID-19 Pandemic Impact Grants

E. COVID-19 Pandemic Related Business Improvements and Expenditures

Items such as, but not limited to Property and Interior and/or Business Machinery/Equipment Improvements made by the applicant between March 1, 2020, and March 10, 2021, in response to the COVID-19 Pandemic, as approved by the City BIG Review Committee.

In addition, certain financial expenditures such as commercial rent payments and/or commercial utility payments made by the Applicant during a time period when Business was impacted by State mandated business closures, and business licensing and inspection payments paid by the applicant between March 1, 2020, and March 10, 2021, as approved by the City BIG Review Committee.

Section 5. Eligibility – Business Improvement Grants

Applicant seeking Grant funding under Section 4.A – D, must meet the following eligibility requirements:

- A.** Eligible Applicant includes any new or existing for-profit business facilities, commercial property owner, or commercial tenant physically located within the Seguin City Limits. Applicant’s tax status will be verified with the State Comptroller’s office. All tenants must attach a Lease Agreement and written approval from property owners to participate in the Business Improvement Grant Program.
- B.** Businesses operating on the same property as the business owners’ residence are not eligible.
- C.** Applicants who have outstanding financial obligations to the City of Seguin, including but not limited to liens, court fines, delinquent City utility bills, or delinquent taxes are not eligible.
- D.** Applicants that received funding through the Seguin Strong Stimulus Program that are not in compliance with the terms of their agreement with the City are not eligible.
- E.** Applicants are not eligible to receiving funding under the Seguin BIG Program if the applicant is receiving funding under the Seguin Main Street FIX-IT Façade Grant Program for identical improvement projects.
- F.** Applicants who have an ongoing lawsuit or are in any way parties to litigation against the City of Seguin are not eligible.

- G. Applicant may be eligible to receive up to a 75 percent matching grant, with a maximum grant awarded to an applicant not to exceed \$10,000.

Section 5. Eligibility – COVID-19 Pandemic Impact Grants

Applicant seeking Grant funding under Section 4.E – COVID-19 Pandemic Related Business Improvements and Expenditures, must meet the following eligibility requirements:

- A. Eligible Applicant includes any existing for-profit business facilities, commercial property owner, or commercial tenant physically located within the Seguin City Limits. Applicant’s tax status will be verified with the State Comptroller’s office.
- B. Businesses operating on the same property as the business owners’ residence are not eligible.
- C. Applicants who have outstanding financial obligations to the City of Seguin, including but not limited to liens, court fines, delinquent City utility bills, or delinquent taxes are not eligible.
- D. Applicants that received funding through the Seguin Strong Stimulus Program (SSSP) that are not in-compliance with the terms of their agreement with the City are not eligible.
- E. If Applicant received grant funding through the Seguin Strong Stimulus Program, Applicant cannot use funding for the same use as identified on their SSSP application.
- F. Applicants who have an ongoing lawsuit or are in any way parties to litigation against the City of Seguin are not eligible
- G. Applicant business must be classified within an industry not deemed an “essential services” by the [State of Texas Executive Order GA-14](#) during Stay Home, Work Safe orders. Industries eligible for grant funding under Section 4.E include, but are not limited to, retail (storefront), food and beverage; personal care (barber shop, nail salons, spas, etc.), automobile maintenance, education training, health/wellness, and art galleries.
- H. Applicant business must be able to demonstrate a high level of impact to their typical operations, and a reduction in revenue and/or employment between March 1, 2020, and March 10, 2021, as a result of the COVID-19 Pandemic.
- I. Grant funding provided under Section 4.E may be used by the applicant to recoup costs associated with Property and Interior and/or Business Machinery/Equipment Improvements made by the applicant between March 1, 2020, and March 10, 2021, in response to the COVID-19 Pandemic. *Examples of eligible improvement projects include the addition of a drive-thru at a restaurant or the purchase of a new POS system allowing for more digital and touchless sale transactions.*

In addition, Grant funding provided under Section 4.E may also be used by the applicant to recoup certain financial expenditures such as business licensing and inspection fees paid by the applicant between March 1, 2020, and March 10, 2021, and/or, rent and utility payments made by the application during a time period when Business was impacted by State mandated business closures as a result of the COVID-19 Pandemic. *Examples of eligible expenditures include payment of TABC’s Annual Licenses and Permits fees paid by the applicant between March 1, 2020, and*

March 10, 2021.

- J. Applicant business may not have more than 75 employees.
- K. Corporately owned national retail chains, financial institutions, RV parks, apartment complexes, permanently closed businesses, and non-profit organizations are not eligible for the grant funding under Section 4.F.
- L. Applicant may be eligible to receive up to a 75 percent matching grant, with a maximum grant awarded to an applicant not to exceed \$10,000.

Section 6. Guidelines – Business Improvement Grant

The following guidelines are for applicants seeking Grant funding under Section 4.A – D:

- A. Applicant will be required to provide proof of ownership of an existing facility, or if applicant is a business tenant, they must attach written approval from property owner.
- B. Eligible Applicants may submit multiple applications during a grant funding cycle. However, an applicant is limited to receiving funding for only one (1) grant during a funding cycle.
- C. Improvements shall be made in accordance with project drawings, specifications, applicable codes, and/or other pertinent information provided in the application, such having been previously approved by the City. Failure to do so will render the Applicant ineligible to receive grant funding. Any modifications must first receive the written approval of the City. Failure to do so will likewise render the Applicant ineligible to receive grant funding.
- D. Applicant is obligated to obtain all applicable permits and inspections related to the improvement project. Failure to do so will render the Applicant ineligible for grant funding.
- E. The improvements, as presented in the application, must be completed in their entirety, unless otherwise approved by the City. Incomplete improvements will render the Applicant ineligible for grant funding.
- F. Applicant shall include photos of the existing conditions to be improved with their application.
- G. Upon approval of a grant application, and during the implementation of the improvements, a representative or representatives of the City shall have the right of access to inspect the work in progress.
- H. Improvements may not commence prior to having received written approval for a grant from the City.
- I. In order to be eligible to receive the grant funding, improvements must be completed within nine (9) months of the funding approval.
- J. All applications must contain a cost estimate (bid) from at least one (1) qualified contractor or supplier.

- K. Labor provided by the Applicant or their employees may not be included in the cost estimate of the project and is not reimbursable through this Program.

Section 7. Guidelines – COVID-19 Pandemic Impact Grants

The following guidelines are for applicants seeking Grant funding under Section 4.E – COVID-19 Pandemic Related Business Improvements and Expenditures:

- A. Applicants applying for BIG Program funding under Section 4.E – COVID-19 Pandemic Related Business Improvements and Expenditures, must provide financial records and other relevant documents to support grant request.
- B. Eligible Applicants may submit multiple applications during a grant funding cycle. However, an applicant is limited to receiving funding for only one (1) grant during a funding cycle.
- C. Applicant must show proof that they obtained all applicable permits and inspections related to the Property and Interior and/or Business Machinery/Equipment Improvements made March 1, 2020, and March 10, 2021, in response to the COVID-19 Pandemic project. Failure to do so may render the Applicant ineligible for grant funding.
- D. Property and Interior and/or Business Machinery/Equipment Improvements made by the applicant between March 1, 2020, and March 10, 2021, in response to the COVID-19 Pandemic, as presented in the application, must be completed in their entirety. Incomplete improvements will render the Applicant ineligible for grant funding under Section 4.E.
- E. Applicant may be eligible to receive up to a 75 percent matching grant, with a maximum grant awarded to an applicant not to exceed \$10,000.

Section 8. Application & Approval

- A. Applications must be made on a form provided by the City and may be obtained on the City of Seguin's Website at www.SeguinTexas.gov, or the Seguin Economic Development Corporation's website at www.SeguinEDC.com.
- B. Applicants can submit their completed application via email to economicdevelopment@seguintexas.gov, via mail to the City of Seguin 205 N. River Street, Seguin, TX 78155, or applications can be physically dropped off at the City of Seguin's Economic Development Department located at 211 N. River Street, Seguin, TX 78155.
- C. Applications will be considered on a monthly basis and must be submitted by the 15th date of the month in order to be considered the following month.
- D. Applications will be reviewed internally by the Seguin BIG Program Review Committee.
- E. Monthly consideration of applications may be delayed in the event the City elects for any reason

not to consider grant applications for any particular month.

- F. All Applicants must include a signed W-9 form with their application. Seguin BIG Program checks will be remitted to the entity named on the W-9.
- G. The City reserves the right to utilize whatever outside resources it deems necessary for assistance in its decision-making process.
- H. Applicants will be notified in writing of the City's approval or disapproval of an application.
- I. The City may award Applicant a grant with certain provisions, conditions, or other requirements as it may from time to time deem appropriate.
- J. The City reserves unto itself the absolute right of discretion in deciding whether or not to approve a grant relative to this application. The Applicant accepts that all decisions relating to the award of grant funds involves subjective judgements on the part of the decision-making entity related to the aesthetics of the proposed project and the granting of award funds for said project.
- K. The City reserves the right to waive any requirement(s) herein contained, and/or add any requirement(s) it deems appropriate in making its determination of approval or disapproval of a grant(s) application.

Section 8. Funding – Business Improvement Grants

The following section applies to Grant funding provided for improvements and other expenditures under Section 4.A – D:

- A. Grant funding provided for improvements and other expenditures eligible under Section 4.A – D will only be provided on a reimbursement basis upon the completion of the project in accordance with Section 6 above and following an on-site inspection of the improvements.
- B. The City shall be granted the right to inspect the improvement work in progress and upon completion.
- C. Applicant shall provide the City with written notification of project completion. Such notification shall include a letter signed by the Applicant 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 for materials and labor, permits, inspection reports, project photographs, or any other items the City may reasonably deem necessary for determining the successful completion of the project.
- D. Upon receipt of a notification of completion, an on-site inspection shall be made by a representative or representatives of the City to confirm completion in accordance with the application and/or approved modifications; such inspection shall not be considered in any way as a reflection of the City's approval on the quality, safety, or reliability of the improvements, such being the sole responsibility of the Applicant.

- E. In order to receive approval of a reimbursement, all projects should be completed within nine (9) months of the grant application approval.

Section 9. Funding – COVID-19 Pandemic Impact Grants

The following section applies to Grant funding provided for improvements and other expenditures under Section 4.E – COVID-19 Pandemic Related Business **Improvements and Expenditures**:

- A. Grant funding provided for improvements and other expenditures eligible under Section 4.E will only be provided upon the review and approval of application, completion of the project in accordance with Section 7 above and following an on-site inspection of the improvements.
- B. The City shall be granted the right to inspect the completed improvement work submitted for grant funding under Section 4.E.
- C. Applicant shall provide the City with financial records and other relevant documents to support grant request.
- D. Applicant shall provide the City with written notification that property and interior and/or Business Machinery/Equipment Improvements made by the applicant between March 1, 2020, and March 10, 2021, in response to the COVID-19 Pandemic, as presented in the application, are completed in their entirety. Such notification shall include a letter signed by the Applicant 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 for materials and labor, permits, inspection reports, project photographs, or any other items the City may reasonably deem necessary for determining the successful completion of the project.

Section 9. Review Committee

The Business Improvement Grant Review Committee will review and score all applications. Said Review Committee will be comprised of the City's Director of Economic Development, the City's Assistant Director of Economic Development, the City's Director of Main Street, the City's Assistant Director of Main Street, and the City Manager.

Section 10. Amendment

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

Section 11. Termination

Grants approved for improvements and other expenditures eligible under Section 5.A – D will automatically terminate if the project is not completed within nine (9) months of City approval of the grant application.

Section 12. Notice

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.

THE ADOPTION OF THESE GUIDELINES AND CRITERIA DOES NOT LIMIT THE DISCRETION OF THE CITY TO DECIDE WHETHER TO PROVIDE OR NOT PROVIDE AGRANT TO AN APPLICANT, WHICH ABSOLUTE RIGHT OF DISCRETION THE CITY RESERVES UNTO ITSELF, WHETHER OR NOT SUCH DISCRETION MAY BE DEEMED ARBITRARY OR WITHOUT BASIS IN FACT.

THE ADOPTION OF THESE GUIDELINES AND CRITERIA DOES NOT CREATE ANY PROPERTY, CONTRACT, OR OTHER LEGAL RIGHTS IN ANY PERSON TO HAVE THECITY PROVIDE GRANT FUNDING.

THE LAWS OF THE STATE OF TEXAS SHALL GOVERN THE INTERPRETATION, VALIDITY, PERFORMANCE, AND ENFORCEMENT OF THIS BUSINESS ASSISTANCE 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 THEREBY.

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 CITY, ITS EMPLOYEES, AND 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 WHO'S APPLICATION HAS BEEN APPROVED, OR HAS RECEIVED ACTUAL GRANT FUNDING.