

City of Batavia Downtown Improvement Grant

INTRODUCTION

The Downtown Improvement Grant Program is designed to enhance the overall economic viability and appearance of downtown Batavia by assisting in the funding of improvements that will lead to additional business activity in the downtown. The City of Batavia will provide matching grants to encourage improvements to the interior of downtown buildings to make them safe, accessible and code compliant for new and expanding businesses. Under the program, building or business owners are eligible for up to 50% of the actual improvement costs, up to a maximum amount of \$25,000. Applications will be accepted on an ongoing basis and grants will be awarded based on goals for the downtown contained in adopted Redevelopment Plans, the Comprehensive Plan and other City Council objectives. Grants will be awarded depending on the availability of funds.

The Director of Community and Economic Development (the Director), or his/her designee, is responsible for staff administration of the Downtown Improvement Program.

APPLICATION POLICIES

A. Eligibility

1. Projects are required to comply with the Illinois Prevailing Wage Act (820 ILCS 130/0.01 et. seq.). By submitting an application for these grants, applicant acknowledges and agrees that they will comply with the provisions of the Act.
2. Projects must be located in an active Tax Increment Finance (TIF) district.
2. Projects must have a minimum total budget of \$1,000.00.
3. Projects eligible for grants may receive reimbursement for up to 50% of the actual improvement costs to a maximum grant of \$25,000.
4. Eligible improvements include, but are not necessarily limited to:
 - Accessibility improvements for handicapped persons
 - Design services, including architectural and interior design
 - Energy conservation improvements
 - Electrical work, including service upgrades
 - Fire alarm systems

- Fire sprinkler system installation or upgrade, including any needed water service improvements
- Heating, ventilation and air conditioning
- Lighting
- Plumbing
- Restoration of historic interior architectural features, including ceilings, light fixtures, floors and architectural detailing
- Utility service upgrades, including water and sewer

5. Projects and expenses such as the following are not eligible:

- Building or land acquisition
- Emergency or safety-related demolition expenses
- Exterior improvements eligible under the Façade Grant Program
- Flood or water damage repairs
- Furnishings, equipment or personal property not affixed to the real estate
- Legal fees
- Maintenance work
- New construction or building expansion projects
- Painting
- Parking lot resurfacing
- Pest extermination
- Structural repairs
- Work begun prior to application submittal or done without a required building permit; work done after application submittal may be eligible for grant funding at the discretion of the City Council
- Work proposed on property with an active code compliance citation
- Work that is tenant related or that is transient and relocatable from the building

6. No applicant shall be eligible for grant funds if they have any current delinquencies to the City, or if they have been delinquent or past due on City accounts more than four (4) times in a calendar year.

7. Applicants are only eligible for buildings/properties that have or will have paid into the TIF increment via tax payments during the life of the TIF.

8. One (1) grant is allowed per parcel/PIN every ten (10) years. An additional grant of up to \$25,000 is allowed for fire sprinkler or related water service upgrade improvements.

B. Evaluation Criteria

The City will evaluate applications based on the information submitted as well as the economic environment which the project is located within. As part of the evaluation process, staff will review and evaluate the applicant's tax returns, business plan, financial statements, credit and background checks. The City reserves the right to review these materials against those of comparable businesses located in the downtown area. City staff will make recommendations to the Committee of the Whole (COW) and the City Council as part of this application.

In addition, the Secretary of the Interior's Standards for Rehabilitation, in conjunction with the Batavia Historic Preservation Commission Design Guidelines, shall be used as the evaluation criteria for exterior work. Interior work will be evaluated based on the contribution the project will make to downtown redevelopment and business expansion goals.

C. Demolition

While emergency, safety-related and minor exploratory demolition may be necessary, such demolition may be excluded from any grant award.

D. Contractors

Qualified Applicants may serve as their own contractor, but only the cost of materials will be considered eligible expenses to be funded by the grant.

E. Lien

The Property Owner and Applicant shall agree and consent to the City recording a lien on the property in the amount of the grant. Said lien will remain with the property until the end of the third year following the payment of the grant when it will then be released by the City. If the property is sold prior to the end of the third year, the lien shall be repaid to the City on a prorated annual basis. (i.e. if the property is sold during the first year following a grant award, 100% of the grant must be repaid. If it is sold during the third year following a grant award, 33% of the grant shall be repaid)

APPLICATION PROCEDURES

1. Applicants shall contact the Community and Economic Development Department to establish potential eligibility of proposed improvements.
2. A complete application form and required submittals shall be submitted to the Community and Economic Development Department, including appropriate drawings, budget estimates, two current bids for the proposed work, and proof of ownership or executed lease with owner's written consent. Building Owners are required to be co-applicants on any grant application.

3. Grant applications may be submitted at any time.
4. Applicants shall submit at least two (2) formal written bids for all work being proposed in the project. The application shall contain the names of contractors, copies of all bids and anticipated dates of construction and completion. Sole source bidding may be approved by the COW for specialized work if reasonable attempts to obtain a second bid have been unsuccessful. Contractor Applicants shall submit copies of estimates for all materials, along with anticipated dates of construction and completion, as part of the application.
5. The Applicant or a designated representative is expected to attend all meetings of the COW when the application is being discussed. The COW will not take action on an application unless the Applicant or a representative is present.
6. The COW shall make a formal recommendation to the City Council on each application.
7. Revised plans shall be submitted to the Director prior to scheduling the application for a City Council agenda if the COW requests changes.
8. If the COW recommends approval, the application and a Grant Agreement shall be forwarded to the City Council for approval.
9. If approved by the City Council, the Agreement shall be signed by the Applicant, Property Owner and the City of Batavia as provided in section 6 of Administrative Procedures, below.
10. Applicants shall apply for and receive a building permit prior to undertaking any work requiring a permit under the Building Code.
11. Construction shall proceed according to the approved plans and subject to periodic inspections. Construction must be completed within 180 days of execution of the Agreement, unless a written extension is granted by the Director.
12. Applicants shall submit final receipts and lien waivers to the Community and Economic Development Department to request reimbursement.
13. Applicants shall maintain the property without changes or alterations to work funded by the Downtown Improvement Grant Program for a period of three (3) years from the date of completion. The City Council will require the owner of the benefiting property to consent to imposition of a lien on the property to insure that the property continues to be maintained in

accordance with the terms of the grant and that there are no alterations or removal of improvements funded by the grant without the express written consent of the City. In the event there are unauthorized alterations or removal of improvements funded by the grant that result in diminution of value of the grant, the owner shall reimburse the City for the lost value. In the event the owner refuses to so compensate the City, the City shall have the right but not the obligation to foreclose the lien in order to collect the debt. The lien shall be released by the City at the end of the grant period unless foreclosure activity is taking place, it appears reasonably likely that foreclosure will be necessary or there has been a refusal by the owner to compensate the City and the City has chosen to defer foreclosure of the lien.

ADMINISTRATIVE PROCEDURES

1. Upon submittal, the Director will review the application to ensure that it contains all necessary information, including drawings and specifications, preliminary cost estimates, bids and proof of ownership or executed lease with owner's written consent. The Director will prepare written notification to the Applicant confirming receipt of the application. If the application is incomplete, a detail of all remaining items will be included. When the application is complete the Director will notify the Applicant of the date of the COW meeting when the application will be discussed.
2. If the application proposes exterior work, the Director will schedule that portion of the application for a Historic Preservation Commission (HPC) meeting for review. The Applicant is expected to attend this meeting to discuss the proposal with the HPC. The HPC may schedule a site visit to assist in their review. The HPC comments will be forwarded to the COW for their consideration.
3. The Director shall prepare a report to the COW transmitting the application, staff recommendation, the HPC recommendation, if any, and a draft Resolution for the awarding of the grant. All reports shall include bid information and any revisions requested by the HPC.
4. The COW shall review each application, together with the Resolution, and make a recommendation for approval or disapproval to the City Council.
5. If the COW recommends approval, the Director shall prepare a Downtown Improvement Grant Program Agreement, as an exhibit to the Resolution, and forward to the City Council for approval.
6. If approved by City Council, the Agreement shall be signed by the Applicant and the City of Batavia.

7. When the project is completed, the Director or their designee shall inspect all work done and document that the Applicant has made the improvements as per the Agreement and approved plans.
8. Upon determination that the work has been satisfactorily completed and all lien waivers have been received, the Director shall approve the release of a check in the amount of the approved grant to the Applicant.
9. The Director shall maintain a permanent record of each complete application.



City of Batavia
 Community Development Department
 100 North Island Avenue
 Batavia IL 60510
 Phone (630) 454-2700
 Fax (630) 454-2775

Application for Downtown Grant Improvement Programs

Grant Applying for (Check One only):

_____ Façade Grant

_____ Downtown Improvement Grant

All Tax Increment Financing Grant application funds are subject to compliance with the Illinois Prevailing Wage Act (820 ILCS 130/0.01 et. seq.). By submitting an application for these grants, applicant acknowledges and agrees that they will comply with the provisions of the Act.

Property / Project
 Address _____

Name of Tenant _____

Lease Expiration Date _____

Number of Tenants _____

Number of Commercial Units _____

Number of Residential Units _____

Current/Proposed Use of Building _____

Historic District Designation _____

Submittal Date ____/____/____

Property Owner's Name

Phone Number _____

Mobile Number _____

E-Mail _____

Business/Applicant Name _____

Business Address _____

Phone Number _____

Mobile Number _____

E-Mail _____

Business/Applicant
 Signature _____

Property Owner Signature

Project Description :

Additional Information to be Submitted with Application
Check Each Completed Item

- Total Anticipated Budget: \$ _____
- Design Services Grant Requested? Y__ N__. Amount: \$ _____ (Maximum \$1,000)
- Total Anticipated Grant Request (Maximum 50% of total cost, Limit of \$500 to \$25,000 for Downtown Improvement Grant, \$500 to \$5,000 for Façade Grant):
\$ _____
- Completed Certificate of Appropriateness (COA) Application Form (attached) (Façade Grants Only)
- Itemized List of Proposed Improvements
- Completed Bids, Based on Prevailing Wage, From Two Contractors For Work Specified on the Itemized List
- Digital Photographs of Façade Elevations (include CD or flash memory, or copies of photos already sent to the City of Batavia via email) (Façade Grants Only)
- Drawings and/or Modified Photographs Showing Proposed Improvements
- Paint and Material Samples
- Proof of Ownership of Property and Executed Lease
- Three (3) years of immediate past tax returns for business (Business Owner Only)
- Business Financial Statements (Business plan, income statement) (Business Owner Only)
- Authorization to Conduct Credit and Background Check (Business Owner Only)
- Authorization to Record Lien on property (Property Owner Only)
- Proprietary Information Certification (Optional)

Background and Credit Check Authorization

I, _____ (print name), do hereby give permission for the City of Batavia to conduct a background and credit check in relation to my application for a Downtown Façade or Improvement Grant. I will provide information that is necessary for the City to conduct such investigations.

Signature

Date

Printed Name

Lien Authorization

I, _____ (print name), as owner of the building at _____
(PIN _____) do hereby give permission for the City of Batavia to record a lien on this
property in the amount of \$_____ for a City Façade or Downtown Improvement Grant.
Said lien shall run to the City of Batavia, and shall be released at the end of the third year after which it
is recorded. Said lien may be foreclosed on by the City if the property is sold prior to the three (3) year
term for a prorated amount from the original lien date on a calendar year basis. Said lien shall be
secondary to any primary mortgage lien on the property.

Owner Signature

Date

Printed Name

Proprietary Information Certification

I, _____ (print name), do hereby attest that the financial information provided with this grant application is proprietary, privileged and confidential, and disclosure of the trade secrets, commercial and financial information contained within will cause competitive harm to my business interests.

Signature

Date

Printed Name