



Community Redevelopment Agency BUSINESS INCENTIVE PROGRAM

BUSINESS RELOCATION AND EXPANSION PROGRAM (“BREP”) GUIDELINES

The Homestead CRA has established the Business Relocation and Expansion Grant Program (BREP) to award funds to incentivize business relocation and expansion within the City’s HCRA District. This is a one-time reimbursement grant opportunity for eligible businesses located outside of the HCRA District that seek to open, relocate to, or expand to an additional location with the HCRA District. Businesses that are expanding must add at least half of the existing square footage. For example current 1000 sq. ft. expansion to at least 1,500 sq. ft. A property owner or lessee/tenant interested in participating in the Program should review the priorities that were identified by the HCRA Board:

Open past 5 pm and on weekends

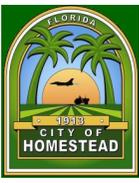
- ❖ ***Restaurants***
- ❖ ***Breweries***
- ❖ ***Distilleries***
- ❖ ***Businesses relocating or expanding to and in the downtown district***

1. Information Requested

- *A completed application*
- *A copy of the property owner’s or business owner’s government identification*
- *A copy of the lease agreement for any building tenants or occupants on the property affected by the rehabilitation work.*
- *Proof of property ownership, or signed documents showing a bona fide intent to purchase in the HCRA.*
- *A signed lease of at least 3 years or documentation showing an intent to sign a lease of at least 3 years to a property in the HCRA*
- *At least 2 years of performance activity documentation in a similar business.*
- *Proof of property taxes on the property proposed for rehabilitation, including current year’s taxes, if due, and prior years.*
- *Certificate of Appropriateness from the Historic Preservation Board, (if applicable)*
- *A minimum of three photos. Pictures to include the front, side, rear, interior and areas to be remodeled (if applicable)*
- *A quote per scope of work type, (if applicable)*
- *A copy of the business owner’s Miami Dade and City of Homestead Business License.*
- *Proof of payment of all utility charges due on the property.*
- *A PowerPoint presentation will be required for the HCRA Board meeting.*
- *The number of jobs to be created and the quantifiable benefits to the community.*
- *A completed W9*
- *Additional information may be requested.*

2. Terms and Conditions

- a. The approved grantees will pay the contractor directly and will be responsible for all additional costs beyond the approved grant amount. The funds will be reimbursed once the rehabilitation work is complete, permits are closed and the property has received a certificate of occupancy. Any grantee who does not adhere to any of the guidelines shall be required to repay any grant funds received.



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- b. No property owner, lessor, lessee, tenant, occupant, employee, or immediate relative of the same, either personally or in a corporate capacity, shall be paid or compensated in any manner to serve as a contractor, subcontractor, laborer, or material man in connection with any rehabilitative work or labor performed on a BREP funded property.
- c. The tenant and the property owner shall keep the property in good condition. All work done under BREP shall be consistent with any general architectural or design plan and concept approved by the City of Homestead Development Services Department, the HCRA, and the Historic Preservation Board (as applicable to designated landmarks).
- d. Must have a visible improvement to the property or area.
- e. Must align with current HCRA Redevelopment Plan goals and objectives
- f. Must show quantifiable benefits to the community.

3. Grant Security

- a. All applicants receiving grant funds must execute a note and mortgage in favor of the HCRA in an amount equal to the grant funds received (the "Security Instruments"). Should a property owner sell or transfer the property within two (2) years of completion of the rehabilitation work the grant funds shall be paid back to the HCRA within thirty (30) days of the sale of the property. In the event a grant awardee fails to repay the grant funds to the HCRA as required in the Security Instruments, or otherwise defaults, the HCRA shall have the right to enforce collection of the grant funds using all legal and equitable remedies available, including the filing and collection of the lien against the property.

5. Program Eligibility

- a. The Commercial property **must** be located within the boundaries of the **HCRA District**.
- b. Grant funds **may not** be used for new construction.
- c. The commercial property owner or its tenant with at least a 3-year lease is eligible to apply. Additionally, applicants with signed documents proving a bona fide intent to purchase a property in the HCRA are welcome also.
- d. Each applicant may only submit one (1) application per fiscal year. However, if an applicant receives funding through BREP, the applicant is not eligible to apply again.
- e. If the property is zoned as mixed-use (commercial/residential), only the commercial portion of the property is eligible for grant assistance.
- f. Rehabilitation of the property must be structurally feasible.
- g. There shall be no outstanding fines, liens, violations, mortgages, or assessments on the property,

6. Application

- a. Participation in the Program is voluntary.
- b. The HCRA reserves the right to reject any applications.
- c. Applicant(s) and property owners shall disclose in writing at the time of application submittal the existence of any business or personal relationship with HCRA Board Members or City of Homestead employees.



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- d. Applications made by a tenant **must be** joined by an affidavit of the property owner consenting to his/her participation in the Program.
- e. The HCRA Board or designee will establish application deadlines and procedures and will accept applications and note the date and time of receipt on each. An incomplete application will not be processed and will be returned to the applicant along with a notification of status. All applications are to be submitted online, hand-delivered, or sent via email to cragrants@cityofhomestead.com or the HCRA to the following address:

**Homestead Community Redevelopment Agency
212 NW 1st Avenue
Homestead, FL 33030**

- f. The HCRA Board or designee reserves the right to prioritize potential grant recipients by consideration of any or all of the following:
 - *Amount of funds leveraged (other funds provided by the applicant in addition to HCRA grant funds to complete renovation of the property).*
 - *Type of business*
 - *Continuity of Ownership*
 - *Completeness of Application*
 - *Benefit to the Community and Financial Impact to the area (number of jobs created)*
 - *Location of the property within the HCRA District.*
 - *Proximity to other properties being renovated with grant funds or other funds.*
 - *Willingness of property owner to rehabilitate the property to design standards with or without the HCRA funding.*
 - *Proof of matching funds.*
- e. The HCRA Board or designee shall review applications, and design criteria, recommend additional policies or procedures as necessary, and provide a venue for applicants' inquiries. The HCRA Board or designee must approve applications before the award of grant funds
- f. It is the intent of these policies that every grant recipient shall evidence a willingness to continue and encourage business development in the HCRA District, preserving beautifying plants located on the property, and participating in community enhancement projects.
- g. **Any work that began before the approval of the grant application will not be reimbursed under this grant.**

7. Method of Award

- a. The award of grant funds under the Program shall be made at the discretion of the HCRA. No award shall be final until (1) the award has been approved by the HCRA Board, and (2) the applicant and HCRA enter into a grant agreement memorializing the terms of the grant award and the applicant has executed the required Security Instruments.
- b. This Program intends to reimburse the applicant's cost for interior/exterior approved work based on the applicable percentage.

8. Eligible Expenses. The following are examples of eligible improvements:



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- *Refurbishing of an interior/exterior wall, including repainting, repairs, re-siding, or similar cosmetic improvements*
- *Removal of false enhancements (i.e., historically inconsistent façade improvements)*
- *Pressure cleaning*
- *Installation of permanent, immobile fixtures, which are permanently attached or affixed to or annexed to the property or have been adapted to use with the property, including but not limited to plumbing, sewer and sprinkler fixtures, fans, flooring, ceiling, refrigeration systems, garages, concrete foundations, wall to wall carpeting, windows, doors, lighting fixtures, countertops, vanities or built-in counters and shelving, and built-in appliances.*
- *Stucco restoration*
- *Painting*
- *Signage*
- *Awnings or canopies over windows, or walkways*
- *Glazing*
- *Electrical wiring*
- *Electrical (directly related to the exterior or display window lights, security lighting or the illumination of attached signage or awnings)*
- *Providing handicapped access*
- *Purchasing of plants, palms, and trees (excluding seasonal plants)*
- *Purchasing of landscape materials*
- *Improvement or repair of property's parking, inclusive of asphalt or paving installation, repairs, or resurfacing*
- *Irrigation system and installation*
- *Dumpster enclosures*
- *Installation of trash receptacles*
- *Fire suppression*
- *Improvements required for code compliance purposes relating to a change of use of the property*
- *Septic tank conversion and/or sewer connection*
- *Roof repair or installation only if the roof can be seen from the street*
- *Rent*

Work not identified herein, as well as architectural and engineering design services shall be paid by the property owner or business owner.

9. Design Criteria Requirements

- a. Enhancement designs must be of high quality and must include a sealed set of plans and specifications, as required pursuant to all applicable building, zoning codes, and master plan requirements.
- b. The improvements must contribute to the aesthetic of the property and/or the expansion of a business (see lists of eligible expenses below).
- c. All designs must be in compliance with the laws and regulations of the State of Florida, applicable federal code, all applicable City of Homestead Building and Zoning requirements, and the City Code provisions, including but not limited to Historic Preservation Requirements (as applicable), as set forth in Chapter 14 of the City's Code of Ordinances.



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- d. No substantial changes that could alter improvements previously made with grant funds shall be made to the property for a minimum of two (2) years after completion of the rehabilitation, unless said changes are previously approved, in writing by HCRA. If any changes are made without the prior written consent of the HCRA as required herein, the grantee will be notified of any noted violations and given sixty (60) days to cure said violations. If the violations are not cured within the prescribed time frame, the grant funds shall be paid back to the HCRA in full within thirty (30) days of notification by the HCRA that changes were made and not approved in violation of this section.
- e. Strikingly different treatments from one enhancement to the adjacent property or structure shall be avoided and may be disallowed for grant assistance.
- f. All grant applications must include designs for review and approval by the HCRA Board or designee before construction to be eligible.
- g. Exterior paint colors shall be from the approved City of Homestead color palette.
- h. Where feasible, designs should consider the removal of material and architectural barriers that restrict the mobility and accessibility of elderly or handicapped persons.
- i. Provide a Certificate of Appropriateness from the Historic Preservation Board, where applicable, for those structures that are designated landmarks.

10. Renovation and Construction Assistance

- a. **Construction Assistance** -The City will assist the applicant(s) with eligible costs toward the reimbursement of labor, materials, equipment, fees, and related services associated with improvements to commercial property located in the HCRA District. The application must include a written quote from an eligible licensed contractor willing to complete the work. The HCRA Board or designee will review all quotes provided by the applicant for contractors to perform the work, for a reasonable cost, and give final approval before the owner enters into a contract for the work to be performed.
- b. **Contractors** - All contractors must have a General or Building contractor's license (Class A or B) as per Florida Statute 489, Part 1, Department of Business and Professional Regulation, and must provide proof of same to the CRA Board or designee.
- c. **Permits and Approvals** - The applicant(s) must comply with all requirements of the City of Homestead for obtaining permits and approvals of the work, including building permits, sign permits, certificates of appropriateness, certificates of completion, and any other related approvals and permits. Work must begin after permits are issued. Therefore, if work of any kind is started or performed without proper permits, sealed plans (any structural improvements requiring sealed plans), and specifications, if applicable, will not be eligible for program assistance or reimbursement.

11. Construction Contract

- a. The construction contract shall be entered into between the applicant(s) and the eligible and selected contractor, as well as any contracts with vendors or suppliers. By applying for grant funds through the Programs, the applicant and the property owner agree to be bound by the terms and conditions of the Program and these Policies and Procedures.

13. Reimbursement Process and Conditions



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- a. The contract or agreement between the applicant(s) and contractor/vendors will require compliance with the terms and conditions of the Program and these Policies and Procedures, including but not limited to the following:
- b. The HCRA Board or designee reviewing and approving the design plans shall determine if the proposed interior/exterior improvements or renovation is eligible for the award of grant funds.
- c. The following documentation shall be required and must be submitted for reimbursement of renovation construction costs:
 - *Detailed invoices and proof(s) of payment(s);*
 - *Contractor's Final Affidavit, Release, and Waivers of Lien in favor of the property owner, HCRA, where applicable;*
 - *Final inspection and certificate of completion indicating final approval of all work, and approval of the work by the HCRA Board or designee and Homestead Historic Preservation Board, where applicable.*
- d. The HCRA Board or designee reserves the right to verify any and all costs associated with the design and construction work for which reimbursement is requested and require additional documentation from the applicant(s) and the contractor. All records and documentation of the property owner and contractor pertaining to work under this Program shall be subject to review and audit by the HCRA for two (2) years after completion of the work as evidenced by a final certificate of completion.
- e. All change orders must be approved by the HCRA Board or designee. Any costs associated with a change order that is not previously approved by the HCRA Board or designee will not be allowed for reimbursement. Any costs that exceed the maximum reimbursable amount will be exclusively the responsibility of the applicant(s).
- f. All checks for reimbursement will be issued to the applicant(s)
- g. The applicant and owner of the property must agree to defend, indemnify, and hold the City of Homestead, its respective directors, officers, employees, associates, contractors and subcontractors, HCRA, and the Historic Preservation Board harmless from and against any and all liability, damages, costs or expenses (including reasonable attorneys' fees, costs, and expenses at both the trial and appellate levels) arising from the acts or omissions of the property owner or the contractor, and its agents, invitees, material men, laborers, and subcontractors, in connection with the Program and all work to the property pursuant to the BREP.
- h. In the event of any legal dispute between the applicant/property owner and contractor in connection with work to the property pursuant to this Program, no funds will be reimbursed or paid by the HCRA until the dispute has been resolved or settled by the parties and the HCRA Board or designee is provided with proof of settlement.
- i. The grant funds provided to the applicant(s) pursuant to the Program shall be deemed a zero-interest (0%) rate loan, secured by the Security Instruments, which may include a subordinated mortgage lien on the property and note. The Security Instruments provide for the repayment of grant funds to the HCRA within thirty (30) days of a notice of violation of the terms and conditions of these Policies and Procedures to the property owner. Should the property owner fail to remedy the violation or repay the grant funds, the City of Homestead shall have the right to enforce the collection of the mortgage lien on the property by all appropriate legal and equitable remedies. The City of Homestead may require, as a condition of the grant award, that a notice of mortgage lien be recorded in the public records of Miami-Dade County, Florida evidencing and securing the lien on the property.

14. Caveats



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The HCRA Board or designee shall have the final determination. Notwithstanding anything contained in these Policies and Procedures to the contrary, the HCRA Board shall have the right to assign its rights and obligations hereunder to a third party or other designee, including the right to administer the Program.

EXHIBIT "A" MAP OF HCRA

