

COMMERCIAL PROPERTY
INCENTIVE PROGRAM

August 2022

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SUMMARY & PROGRAM DESCRIPTION

The purpose of the Building Improvement Incentive Program is to provide an incentive to business and/or property owners to encourage renovation and rehabilitation of commercial buildings in the City of Comanche. Funding for the program is provided by the Comanche, Texas Economic Development Corporation(CTEDC). This program aims to improve the aesthetics within the City of Comanche since attractive and updated commercial buildings positively impact the marketability and perception of the city. Thus, the Building Improvement Program consists of a one-dollar to one-dollar match of up to \$20,000.00 for approved improvements. Incentives will be awarded for commercial building improvements that restore, rehabilitate, enhance or beautify a structure. The program does not include residential housing of any kind whether owned or rented.

The program will be administered by the CTEDC. An application form is to be submitted with a description of the work to be completed. Applications will be reviewed by the CTEDC Board of Directors, and subsequently, to the Comanche City Council. Funding of projects will be determined through acceptance and submission by the CTEDC Board of Director, the Comanche City Council and approval by the voters of the City of Comanche through a May or November ballot proposition.

PROGRAM GOALS

Revitalize and improve the appearance of Comanche commercial buildings to positively impact the aesthetics, marketability, and perception of the City of Comanche while revitalizing downtown and major thoroughfares.

Serve as a catalyst for continued private sector investment through visible improvements.

ELIGIBLE APPLICANTS

Property owners and tenant/business owners of properties located within the City of Comanche are eligible to apply, but weight is given to projects that are in downtown or along major thoroughfares.

Business owners/tenants must have been at the location for at least six months or submit a written Business Plan and have the property owner's express consent for the proposed improvements.

To participate in the Program, Applicants must complete and submit the Program application form provided by the CTEDC along with the required attachments.

Retroactive applications for improvement work that has already been completed will not be accepted.

Property taxes must be current, and participants must represent that to the best of their knowledge they have no debts in arrears to the City when a commitment letter is issued.

Further, the Applicant must certify that there are no current code enforcement actions pending against the property that would not be mitigated by the project.

ELIGIBLE COSTS

The Commercial Property Program is a matching funds program, which means that matching funds must be matched dollar for dollar (1:1 ratio) by the Applicant for qualified expenditures. The Applicant must provide an equivalent dollar match to the incentive request.

The maximum incentive amount under the Program is \$20,000.00 for approved improvements per project.

Incentive funds are disbursed on a reimbursement basis only.

Labor, design, and material costs are eligible costs.

Further, permit fees associated with the proposed renovation/rehabilitation and fees for architectural design and engineering for the project are eligible program costs.

In-kind, donated, "sweat equity" or similar no cost to the Applicant improvements, services, or materials will not be matched and are ineligible costs under the Program.

ELIGIBLE IMPROVEMENTS

Subject to application approval and funding availability, incentives will be awarded for commercial building improvements that restore, rehabilitate, enhance or beautify a structure.

Any and all Improvements must be permanently affixed to the structure, and must remain with the structure if the property is sold or transferred to another owner.

DESIGN IMPROVEMENTS

Applicants are encouraged to promote historic preservation, energy efficiency, and accessibility standards in designing improvements, to the extent that they are financially feasible or required by law.

All improvements must conform to applicable city commercial building codes, zoning ordinances, local and state laws.

FUNDING AVAILABILITY

Funding is limited and incentive awards will be subject to funding availability.

Project Applicants will be prioritized on a first-come, first-serve basis.

A commitment letter allocating the project funds for a particular approved project will be issued and a commitment period established so that if funds are not used within that period, program funds can be reallocated for other eligible projects.

APPLICATION PROCESS

An application with the following information, at a minimum, is to be submitted for consideration:

- Property address.
- Applicant and Property owner name(s), address(es) and signature(s).
- Proof of ownership or if tenant, copy of lease or other property agreement and written consent of Property owner to complete the proposed improvement.
- Verification that property taxes on the property are paid and current.
- Project Scope description, to include a detailed plan and sketch.
- Hard copy and digital photograph of existing commercial building.
- Project budget (detailed estimated costs by materials, labor, services and fees).

COMMERCIAL PROPERTY INCENTIVE PROGRAM

The required application forms are available at the offices of the CTEDC, or online at www.CityofComancheTexas.net/EconomicDevelopment.

The Board will review and approve applications and select Incentive recipients on a first-come, first served basis.

The CTEDC will be responsible for processing applications and assisting the City in facilitating the process.

The CTEDC Compliance Committee and CTEDC Staff will conduct an initial review of the submitted application to determine whether the application is complete and will contact Applicants as necessary to obtain any missing documents or information.

Applicants may be invited to present their applications before the Board.

Applicants will be notified in writing as to whether his/her application has been rejected or approved by the CTEDC Board of Directors via a commitment letter issuance that allocates funds to the project, if approved upon the election vote canvass.

Upon approval, the Applicant must enter into a reimbursement agreement with the CTEDC regarding the terms and conditions of his/her participation in the Program and receipt of the reimbursement funds, to include the following:

- Project scope and property location and attachment(s) identifying the specific improvements to be undertaken.
- Maximum amount of the allowed reimbursement incentive.
- Work commencement date.
- Submission of commercial building permit(s) and other applicable permits or approvals.
- Acknowledgment of the reimbursement claim procedure and requisite supporting documentation for reimbursement processing to the CTEDC (W-9 and/or Vendor List required).
- Monitoring and right of final inspection by two members of the CTEDC Board and Development Director.
- Compliance with applicable local, state, and federal laws.
- Promotional Rights to the CTEDC.
- Maintenance Requirements and Repayment Penalty for Removal of Improvements within two years.
- The City's and the CTEDC's standard contract terms and provisions (e.g., liability, indemnification, termination, and insurance requirements).
- Completion of Texas Ethics Commission Form 1295.

APPLICATION SCORING

The Commercial Property Incentive Program application is scored on the following categories and considerations:

- Location
- Sales Tax Producing
- Existing Business / Sustainability
- Visibility of Improvements

THE CTEDC BOARD OF DIRECTORS RETAINS THE RIGHT TO OR NOT TO SUPPORT ANY PROJECT REGARDLESS OF RATING.

COMMERCIAL PROPERTY INCENTIVE PROGRAM GUIDELINES

The project must begin within ninety (90) consecutive business work days from the date of the written notification of the election canvass by the City Council and must be completed within one hundred eighty (180) consecutive business work days after beginning construction, except where the CTEDC Board of Directors have granted in writing the Applicant's written request for an extension stating a reasonable cause for the delay.

As appropriate, CTEDC Directors, staff and/or authorized City personnel will monitor the construction process.

Requests for reimbursement will only be processed after the rehabilitation/ improvement work is completed and approved following a final field inspection by two members of the CTEDC Board of Directors and Development Director in order to verify compliance with the project scope. All incentives will be awarded via check.

Reimbursement claims must be accompanied by the following supporting documents:

- Proof of payments (e.g., cancelled checks, paid invoices/receipts of eligible expenses).
- Statements from architects, contractors and/or subcontractors acknowledging that all payments have been received.
- Notarized final lien waivers from all contractors and/or subcontractors, if applicable.
- Proof of final City permit approval.
- A digital "after" photograph of the commercial building improvements.

Applicant must complete, sign and submit a request for reimbursement in order for disbursement of funds per the CTEDC guidelines.

- A photocopy of all Credit/Debit Card receipts and/or the front and back of all cancelled checks must be submitted for reimbursement along with an invoice marked "paid."
- All invoices must clearly indicate the work that was performed, the amount of the invoice as well as the corresponding Credit/Debit Card receipt(s) and/or check number(s).
- All payments are subject to the review and approval of the CTEDC. Please allow up to ten (10) business days for receipt of the reimbursement check.

MAINTENANCE REQUIREMENTS

By accepting Incentive funds, the Applicant commits to properly maintain all commercial building improvements, clean and free of graffiti for a minimum of two (2) years at the Applicant's own cost and expense.

Any damage to the commercial building is to be repaired immediately by the Applicant so that the property remains in good condition and positively contributes to the City of Comanche.

Applicant will be strongly encouraged to touch up painted areas and perform any other repairs needed on an ongoing basis and to maintain commercial building appearance including the cleaning of any awnings at least once a year

PROMOTIONAL RIGHTS

By accepting Incentive funds, Applicant authorizes the CTEDC to promote the project and property including, but not limited to, displaying a sign at the site during and after construction indicating participation in the Program, and using photographs and descriptions of the project and property in the CTEDC's printed promotional materials, press releases, and websites.

CONDITIONS AND ACKNOWLEDGEMENTS:

This Commercial Property Incentive Program is subject to change or cancellation at any time by a vote of the Comanche CTEDC Board of Directors.

In addition, any policy or procedure described herein may be waived by official action of this same committee. The CTEDC reserves the right to reject any and/or all applications.

APPLICATION

IN ORDER TO BE ELIGIBLE FOR FUNDING, THIS APPLICATION AND ALL ADDITIONAL DOCUMENTS MUST BE SUBMITTED AND APPROVED BY THE CTEDC BOARD OF DIRECTORS PRIOR TO COMMENCEMENT OF WORK. SUBMITTAL OF THIS APPLICATION IS NOT A GUARANTEE THAT A MATCHING GRANT WILL BE APPROVED. IT IS SUGGESTED THAT AN APPLICANT READ THE ENTIRE COMMERCIAL PROPERTY INCENTIVE PROGRAM DOCUMENT PRIOR TO FILLING OUT AND SUBMITTING THIS APPLICATION.

Please Return Completed Application to: **CTEDC, PO Box 144, Comanche, TX 76442**

Applicant Information:

Applicant(s): _____

Applicant(s) Mailing Address: _____

Phone: _____ Email: _____

What is your legal interest in the property? Property Owner Tenant Other

If other please specify: _____ - _____

If applicant is not a legal property owner, please complete the following:

Property Owner(s) Name: _____

Property Owner(s) Mailing Address: _____

Phone: _____ Email: _____

If property owner is a business entity, please complete the following:

Form of Ownership:

Proprietor _____

Partnership _____

Corporation _____

in Texas

Owner Name(s): _____ Title: _____ % Ownership _____ %

Primary Contact Name: _____

Phone: _____ Email: _____

Property Information:

Property Address: _____

Tax ID Numbers: _____

Property Zoning Classification: _____

Description of Property: _____

Type of Business (Retail, Service, etc.): _____

Occupancy Information:

Please provide the following information for ALL current business occupants:

Business Name:	Owner/ Manager Name:	Phone Number:
_____	_____	_____
_____	_____	_____
_____	_____	_____

Project Description: *Please provide as much detail as possible*

1. Proposed commercial building improvements:

2. Anticipated start date: _____ Anticipated completion date: _____

3. Anticipated total cost of entire project (including all improvements): \$ _____

4. Name of contractor or person who will manage construction/work: _____

5. Address: _____

6. Phone: _____ Email: _____

7. Applicant's architect or sign/designer/installer: _____

8. Anticipated total cost of commercial building improvements: \$ _____

9. Additional comments: _____

ADDITIONAL REQUIREMENTS:

Please submit the following with completed application:

- I. PHOTOGRAPHS OF EXISTING COMMERCIAL BUILDING**
- II. PLANS AND/OR ELEVATIONS OF PROPOSED IMPROVEMENTS**
- III. LIST AND/OR DESCRIPTION OF MATERIALS TO BE USED**
- IV. DETAILED COST ESTIMATES/BIDS FOR PROPOSED IMPROVEMENTS**
- V. *If applicant is property owner:* **PROOF OF PROPERTY OWNERSHIP**
If applicant is not property owner: **LETTER OF CONSENT BY PROPERTY OWNER****

If I am successful in obtaining a Comanche Building Improvement Incentive from the CTEDC, I am obligated to maintain the funded improvements for a minimum of two (2) years from the time I receive reimbursement. If the improvements are removed or changed prior to the two-year timeline without prior approval, I agree to reimburse the CTEDC for the entire amount of the Incentive, this will be guaranteed through an Economic Development Performance Agreement.

I fully understand that the approval of any grant is at the sole discretion of the CTEDC Board of Directors and submission of this application is not a guarantee that I will be awarded a grant.

I have read, understand and will comply with the criteria described in this application, as well as the timeline, and I certify that the above information is true and correct to the best of my knowledge. I certify that I am current with all local, state and federal taxes and business fees. I hereby acknowledge my application for an Incentive, and do authorize CTEDC to obtain verifications from any source named in this application.

Applicant's signature: _____ Date: _____

For questions and information contact:

CTEDC
325-356-2032
CTEDC@Verizon.net

PROPERTY OWNER CONSENT FORM:

The undersigned owner of the existing commercial building located at: _____

_____ (ADDRESS)

Certifies that _____ (APPLICANT) operates or intends to operate a business at the above location. The undersigned agrees to permit APPLICANT and his contractors or agents to implement improvements listed on the CTEDC Commercial Property Incentive Program application dated: _____.

The undersigned hereby waives any claim against the CTEDC and the CITY OF COMANCHE arising out of the use of said program funds for the purposes set forth in the APPLICATION. The undersigned agrees to hold the CTEDC and the CITY OF COMANCHE harmless for any charges, damages, claims or liens arising out of the APPLICANT's participation in the Commercial Property Incentive Program.

WITNESS my hand and seal this the _____ day of _____, 20_____

WITNESSES

OWNER

Name/Title _____

Signature _____

WITNESSES

OWNER

Name/Title _____

Signature _____

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)

- Form 1099-C (canceled debt)

- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.*

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a

number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.



1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20 _____, to certify which, witness my hand and seal of office.

 Signature of officer administering oath

 Printed name of officer administering oath

 Title of officer administering oath

ADD ADDITIONAL PAGES AS NECESSARY

APPLICATION CHECK LIST:

- APPLICATION
- SCORE SHEET WITH APPLICANT COMMENTS
- PHOTOGRAPHS OF EXISTING COMMERCIAL BUILDING
- PLANS AND/OR ELEVATIONS OF PROPOSED IMPROVEMENTS
- LIST AND/OR DESCRIPTION OF MATERIALS TO BE USED
- DETAILED COST ESTIMATES/BIDS FOR PROPOSED IMPROVEMENTS
- PROOF OF PROPERTY OWNERSHIP OR LETTER OF CONSENT BY PROPERTY OWNER
- W-9 FORM (REQUIRED BY IRS) *See Page 13, 14*
- 1295 ONLINE FORM (REQUIRED BY TEXAS ETHICS COMMISSION) *See Page 15*

Please visit www.CityofComancheTexas.net/EconomicDevelopment to download this application online and for additional information regarding the Commercial Property Incentive Program.

Please submit application and all additional documentation to:

CTEDC

PO Box 144

Comanche, TX 76442

CTEDC@Verizon.net