

MARGATE COMMUNITY REDEVELOPMENT AGENCY

RESOLUTION NO. 605

A RESOLUTION OF THE MARGATE COMMUNITY REDEVELOPMENT AGENCY ("MCRA") APPROVING THE AMENDED GUIDELINES FOR THE NEW BUSINESS INCENTIVE GRANT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF THE MARGATE COMMUNITY REDEVELOPMENT AGENCY:

SECTION 1: That the Board of the Margate Community Redevelopment Agency hereby approves the New Business Incentive Grant Program Guidelines, a copy of which is attached hereto, and made a part of this Resolution.

SECTION 2: That this Resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS 29TH day of July, 2019.



Chair Tommy Ruzzano

RECORD OF VOTE

Arserio

Schwartz

Simone

Caggiano

Ruzzano



Margate Community Redevelopment Agency

New Business Incentive Grant Program

1. Overview

The New Business Incentive Grant Program (the “Program”) is designed to help facilitate the establishment of new businesses within the Margate Community Redevelopment Agency (“MCRA”). The Program provides financial assistance in form of a grant to new businesses to reduce cost associated with the construction of new building(s) that will house the new business.

Objectives

- Attract new businesses
- Increase economic activity within the community.
- Promote job creation.
- Incentivize private sector investment.
- Expand the tax base.
- Preserve the quality of life for residential and corporate residents.
- Promote the objectives of the Margate Community Redevelopment Plan.
- Create positive momentum towards community development.

Program Description



The Program will provide financial assistance as a reimbursement after project completion to eligible new businesses for costs associated with the construction of the commercial operating space and related improvements. The incentive consists of a 5% reimbursement of eligible construction costs up to a maximum of \$500,000.00, subject to the requirements of the Program.

Eligible Businesses

- a. Operating space (commercial property) must be located within the boundaries of the Margate Community Redevelopment area (map below). Residentially zoned properties, as well as properties that will be occupied by business that are exempt from ad-valorem taxes are not eligible.



- b. The commercial business must provide proof that it is properly registered with the State of Florida's Division of Corporations at the time of application. The security agreement

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shall require that the commercial business obtain and maintain for the term of the security agreement and promissory note all required business tax receipts, licenses, and authorizations from all state, county, and local government entities for the business to be operated at the property.

- c. Operating space must be a new commercial building with commercial elements with uses permitted by applicable land use codes. A new commercial building is defined as a standalone building which is not an expansion of an existing building that has not received a final building permit inspection.
- d. Eligible participants may be individuals, sole proprietorships, partnerships or any other legally identified form of a for profit business owner.
- e. The applicant must own the real property in fee simple at the time of the execution of the security agreement and promissory note. The grant award shall contain a condition that MCRA shall not provide any grant funds to the applicant unless the applicant provides proof of ownership of the real property. Proof of ownership shall be provided through a copy of the recorded deed, and a title opinion issued within thirty (30) days of the execution of the security agreement and promissory note.
- f. The proposed project must comply with the MCRA Redevelopment Plan, applicable City of Margate land use regulations and current City of Margate Code requirements, subject to review/approval by the City of Margate's Development Services Department, Building Department, MCRA staff and MCRA Board.
- g. Improvements must support the objectives and goals of the MCRA Redevelopment Plan.

Eligible Expenses

Eligible expenses are those reasonable costs associated with the undertaking of construction of a new commercial building or the demolition of an existing structure, if the demolition is required for the construction of the new commercial building. The construction and demolition activities shall take place within the Margate Community Redevelopment Area. A new commercial building is a standalone structure constructed for commercial activities. The expansion of an existing building is not an eligible expense. The amount of eligible expenses entitled to reimbursement shall be based on a minimum of two bids/quotes from licensed and insured contractors. All quotes shall be prepared based on the same scope and plans. Amount of the grant will be determined by the dollar amount of the lower valued quote. The MCRA shall be final determiner of each quotes consistency with the scope and plans.

Property owner shall obtain all necessary building permits before beginning any work.

Costs not eligible for reimbursement include architectural fees, legal fees, land costs, engineering costs, permitting costs, contractor overhead and profit, and inventory.

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Ineligible Businesses

The following businesses are considered ineligible for assistance under the Business Incentive Program:

- a.** Nonprofit businesses or organizations,
- b.** Business that are exempt from ad-valorem taxes,
- c.** Any business that the MCRA Board of Commissioners (MCRA Board) determines not to be consistent with the goals and objectives of the MCRA Redevelopment Plan.

2. Funding Guidelines

- The Program is available to new businesses within the Community Redevelopment Area in the form of a reimbursable grant after project completion in an amount equal to 5% of the eligible expenses up to a maximum grant award of \$500,000.00 (the "Grant").
- If the MCRA Board approves the Program Grant application, the Property Owner shall be required to enter into a grant agreement, security agreement, and a promissory note in favor of the MCRA for the grant amount. At the time the MCRA issues the reimbursement payment, the Applicant must execute a security agreement in favor of the MCRA as well as a promissory note equal to the amount of the Grant.
- The grant agreement, security agreement, and promissory note shall provide that if the Applicant sells or otherwise conveys the property where the improvements are constructed during the first five (5) years after receipt of the Grant funds, then the Applicant shall reimburse the MCRA for the total amount of Grant funds provided to Applicant.
- The Program is available to reimburse the property owner for eligible expenses associated with the construction of a new building, and any demolition costs associated with the demolition of the existing building that is necessary to allow for the construction of the new building. Renovation, expansion, repairs, restoration, and similar activities associated with existing structures are not eligible for this program. The Applicant shall not undertake any work intended to be reimbursed through the Program prior to the execution of the grant agreement, consistent with the approval of the grant by the MCRA Board.
- Nonprofit businesses or organizations, business that are exempt from ad-valorem taxes, and business that the MCRA Board of Commissioners (MCRA Board) has determined, at their sole and absolute discretion, not to be consistent with the MCRA Redevelopment Plan are not eligible for this program.

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- The grant agreement, security agreement, and promissory note shall also provide that the applicant's new business must create at least fifteen (15) full-time equivalent jobs, (1 FTE = 2,080 hours per year) in Margate no later than one year after the payment of the grant funds, and for the next four years thereafter. If the Applicant fails to maintain the fifteen (15) full-time equivalent jobs, the Applicant shall pay the MCRA the amount of Grant funds provided to the Applicant pursuant to the security agreement and promissory note.

Other Conditions

- Program will be available on a first-come, first-served basis. The MCRA makes no assurance of funding availability.
- All property taxes and City utilities must be current in order to apply and remain current.
- All work must be done by licensed contractors.
- Any applicant that is delinquent on any other assistance from the MCRA is not eligible for any further assistance.
- The Property shall not have any open Code violations.
- The Property shall be maintained free of any Code violations through the five (5) year term of this agreement. Violation of this provision may require the entire grant amount to be returned to the MCRA at the MCRA's sole discretion.
- The property must be free of all municipal and county liens, judgments or encumbrances of any kind and must remain free of all municipal and county liens, judgments or encumbrances of any kind during the term of the security agreement and promissory note.
- The MCRA reserves the right, at its sole discretion, to make any final determinations as to how this program will be offered and implemented. This may include, but not limited to ranking of applicants, which applicants will be funded, all conditions of funding, approval of plans, designs and materials to be utilized. Applicants, even those that meet the eligibility requirements, may not be approved if a project conflicts with the objectives and goals in the MCRA Plan as determined by the sole discretion of the MCRA.
- All construction shall be undertaken in compliance with all provisions of the City of Margate Code, and the Florida Building Code.

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3. Procedures

Applicants are advised that upon receipt of a complete application, it may take up to thirty (30) days to fully process a New Business Incentive Grant Application, depending upon the information contained in the Application, and the MCRA Board meeting schedule. The MCRA Board meets on a monthly basis. Once an application is fully complete it is anticipated that it will be presented to the Board at the next available meeting.

Submitting the New Business Incentive Grant Program Application

Every documentation provided to the MCRA as part of the application will become a Public Record and as such are viewable to the public and not considered confidential, subject to any exemptions provided by Florida Law. The process for submitting an application for a New Business Incentive Grant shall include, but not be limited to the following:

1. Schedule an appointment with MCRA staff as early in the process as possible to discuss project and make sure it meets program intent. Please call 954-935-5307 or e-mail cra@margatefl.com.
2. Meet with the MCRA, the City of Margate Building Department, and the City of Margate Development Services Department for a preliminary review of proposed construction and development plans.
3. Compile application materials and submit complete application to the MCRA Office.
4. MCRA staff reviews application, conducts a site inspection and notifies applicant of any missing information. Application must be completed in its entirety, including attaching all required documents. Incomplete applications will be returned to the applicant and not processed, nor considered for participation in the program.
5. Complete application package and New Business Incentive Grant Agreement signed by applicant are presented to MCRA Board for consideration. Applicants will be notified of the date and time that their applications will be considered by the MCRA Board. The decision of the MCRA Board shall be final.
6. MCRA staff notifies applicant of MCRA Board approval or denial. Applicants not approved may apply again one year from denial.
7. Project commences

Completing your New Business Incentive Grant Project

1. The Applicant is responsible for obtaining all City required building permits to complete the project.

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2. All work agreed to in Grant Agreement must be commenced no later than 180 calendar days after the effective date of the Grant Agreement, and all work shall be completed no later than 180 calendar days after the date of the commencement of the work. After the expiration of either 180 day period, the MCRA will close out the grant award, and the funds will be recaptured, unless an extension has been granted by the MCRA Board of Commissioners.
3. Expenses not pre-approved through the application process are not reimbursable.

Reimbursement

No grant funds will be disbursed prior to the receipt of a Certificate of Occupancy, the necessary inspection approvals, including inspection by the MCRA, and closed permits. In addition, prior to the disbursement of any grant funds, the Applicant shall execute the Program Security Agreement, Promissory Note. MCRA shall also record UCC's (Uniform Commercial Code) against equipment funded through reimbursement.

To receive reimbursement, the applicant must provide the following:

- a. Detailed invoices from the contractor or vendor corresponding to the completed approved improvements and a summary sheet of all invoices showing invoice number, contractor, amount paid, and total amounts. Total costs shall not exceed the estimate submitted with program application.
- b. Proof of payment in the form of cancelled checks (front and back), or credit card statements clearly indicating that payment for the specific item has been made. Payment amounts must correspond with invoice amounts. Cash payments to contractors or vendors will not be considered for reimbursement.
- c. Paid in full receipt for each invoice.
- d. Proof of closed Building permits.
- e. Title opinion showing ownership of the Property in Applicant's name, and no liens or encumbrances on the Property other than duly recorded easements, dedications, and construction loan (if applicable).

The MCRA may impose any additional or alternate terms and conditions it deems appropriate to protect the assets of the organization, with regards to funding and reimbursement.

Staff will review the supporting documents provided. If everything is in order, the MCRA will declare the project complete and process payment to the property owner for the amount allowed by the Program Grant Agreement. The MCRA will only make one payment of the grant funds to the Applicant. No partial payments to the Applicant shall be permitted.

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I have read, understand and accept the program overview and guidelines set forth above for the New Business Incentive Grant Program.

Property Address

Applicant Name

Applicant Signature

Date

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4. Application Checklist

Every application package must include **ALL** of the following items before it will be processed and considered for approval.

- Signed and completed application form.
- Hard copy of color photographs of existing conditions of the property. Digital file emailed to cra@margatefl.com.
- Current survey and legal description of the property.
- Sample of colors and materials being considered.
- Architectural renderings of the proposed building including all sides and a 3-D rendering.
- Warranty deed (for property owners).
- Title Opinion evidencing ownership of the property.
- Broward County Property Appraiser Report.
- Articles of Incorporation; Articles of Organization (or other corporate structure).

- Business insurance.
- Business Plan for the business, which describes the company's mission, a brief history and description of the company, overview of operations, product information, customer base, method and areas of distribution, primary competitors and suppliers within the County.
- Recent (within 60 days) complete consumer credit report(s) for all business owners.
- Narrative description of entire project being undertaken.
- Detailed budget for entire project with breakdown of improvements for which reimbursement is being requested from Program.
- A minimum of three bids/quotes from licensed and insured contractors. Amount of the grant will be determined by the middle quote submitted.

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- Evidence of financial ability to pay for the complete project (approved loan, cash balance, line of credit, etc.).
- Preliminary construction schedule.
- Verification of approved site plan or site plan modification application from City of Margate.
- Executed New Business Incentive Program Grant Agreement.

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5. Grant Application

BUSINESS INFORMATION

Name of Business and d/b/a (if applicable)

Type of Business

- Sole Proprietor
- Partnership
- Joint Venture
- Corporation
- Cooperative
- Limited Liability Company
- Non-profit Organization
- Other: _____

Current Business Address

Website

Email

Telephone Number

New Business to Margate: Yes _____ No _____

New Business Address:

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Square Footage of New Location: _____

Type of Business: _____

Number of Employees: _____

Hours of Operation: _____

List all lienholders, mortgage holders, or any other creditors for the business:

Lienholder/Creditor	Balance	Monthly Payment

APPLICANT INFORMATION

Name

Mailing Address

Email

Telephone Number

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PRINCIPAL/OWNER INFORMATION

(If more than 4 principals/owners additional sheet may be used)

1. Principal/Owner Name: _____

Date of Birth: _____

Email: _____

Residential Address: _____

Cellphone Number: _____

2. Principal/Owner Name: _____

Date of Birth: _____

Email: _____

Residential Address: _____

Cellphone Number: _____

3. Principal/Owner Name: _____

Date of Birth: _____

Email: _____

Residential Address: _____

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Cellphone Number: _____

4. Principal/Owner Name: _____

Date of Birth: _____

Email: _____

Residential Address: _____

Cellphone Number: _____

ADDITIONAL BUSINESS AND OWNER(S) INFORMATION

Have any of the business owners ever been convicted of a felony or misdemeanor?

Yes _____ No _____

If yes, please explain: _____

List and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the business, its parent or subsidiaries or predecessor organizations during the past five years. Include in the description the disposition of each such petition. If there are none, write "none" on the following line.

List all current claims, arbitrations, administrative hearings and lawsuits brought by or against the business. If there are none, write "none" on the following line:

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List and describe all criminal proceedings or hearings concerning business related offenses in which the business was a defendant. If there are none, write "none" on the following line:

PROPERTY INFORMATION

Property Owner Name

Owner Type (Check one):

- Individual
- Proprietorship
- Partnership
- Corporation
- LLC

Property Address

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PROJECT INFORMATION

Project Description

Select all applicable anticipated improvements in the property.

- | | |
|--|---|
| <input type="checkbox"/> Foundation | <input type="checkbox"/> HVAC system |
| <input type="checkbox"/> Plumbing | <input type="checkbox"/> Hood and fire suppression |
| <input type="checkbox"/> Flooring | <input type="checkbox"/> Grease trap installation |
| <input type="checkbox"/> Electrical System and interior lighting | <input type="checkbox"/> Commercial kitchen improvements and permanently attached commercial-grade kitchen equipment/systems are eligible for consideration |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Exterior lighting |
| <input type="checkbox"/> Parking lot | <input type="checkbox"/> On-site water management |
| <input type="checkbox"/> Walls and roof | <input type="checkbox"/> Other _____ |

Name of General Contractor for the Project:

Address of General Contractor:

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Phone Number of General Contractor

Email for General Contractor:

Estimated Total Project Cost: _____

Estimated New Business Incentive Grant Amount Requested:

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6. Application Agreement

I (we), the owner(s) of the above described business understand that the intent of this application is only for purposes of pre-qualifying for a New Business Incentive Program Grant, and does not guarantee acceptance or approval and no commitment is hereby made on the part of either the applicant or the Margate Community Redevelopment Agency (MCRA).

I (we) certify that to the best of my (our) knowledge, all the information in this application and all information furnished in support of this application is true and correct. Any property assisted under this program will not be used for any illegal or restricted purpose.

Any intentionally false or fraudulent statement or supporting documents will constitute cancellation of my (our) application. The MCRA is hereby authorized to verify any of the above information and to inspect the property prior to approval. I (we) agree to have no claim for defamation, violation of privacy or other claims against any person, firm or corporation by reason of any statement or information released by them to the MCRA.

I give permission to the MCRA or its agents to take photos of myself and business to be used to promote the program.

Applicant Name

Applicant Signature **Date**

Applicant Name

Applicant Signature **Date**

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7. Program Disclaimer Acknowledgement

Please read the section below carefully. After you have read the program guidelines for this program, sign the form below and submit your completed application to the CRA office.

I, the undersigned, being a principal of the business applying for the New Business Incentive Grant assistance from the Margate Community Redevelopment Agency ("MCRA"), hereby certify that the business represented herein is a legally operating business and is or will be in the City of Margate Community Redevelopment Area's boundaries.

I understand that this application is not a guarantee of assistance. Should my application be approved, I understand that I am committing to completing the project I have represented in this application, and to obtaining a Certificate of Occupancy or the necessary satisfactory inspection notices signifying that any improvements have been done in accordance with city ordinances and codes. I agree to maintain a valid Margate business tax receipt at all times, and to obtain all necessary City approvals prior to beginning any work. I understand that a failure to do so may jeopardize my ability to receive MCRA assistance under any assistance program.

I understand that any proposed improvement project as represented in this application must receive MCRA Board approval before any construction commences in order to be eligible for reimbursement.

I understand that because Florida has a very broad public records law, some or all of the information contained within this application may be subject to public disclosure in accordance with Florida law. Any information that I believe to be protected as a trade secret shall be appropriately labeled when provided to the MCRA.

I have read the program guidelines in their entirety and by signing below accept the terms of the program. I understand that if this application is incomplete, contains false information or is not accompanied by the necessary documents, it will not be processed.

Applicant's Signature **Date**

Printed Name **Title**

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