

# **Exhibit A**

## **Cocoa and Diamond Square Community Redevelopment Agencies**

### **Commercial Façade Improvement Program Policy**

#### **I. Program Goal**

The Commercial Façade Improvement Program (CFIP) is designed to improve the appearance and value of commercial properties in the Cocoa Redevelopment Area (Cocoa CRA) by providing financial assistance for the improvement and enhancement of commercial building facades and exterior areas. The intent of this public investment is to remove slum and blight and increase property value in the Cocoa CRA, resulting in increased TIF revenue, and to encourage private investment in close proximity to properties receiving financial assistance.

#### **II. Financial Assistance and Grant Eligibility**

Financial assistance in the form of matching grants or loans<sup>1</sup> of up to \$10,000.00 is available per project. All funding is subject to approval by the Cocoa CRA Board (Board), which will review applications on a schedule approved by the Board. Only one (1) grant per property owner may be awarded during any one year period. When an owner owns multiple properties that are adjacent, the grant funding may be shared between these properties for a unified improvement plan. When an owner owns multiple properties that are not adjacent, only one property may receive grant monies in that particular fiscal year.

To be eligible to receive a grant, the Applicant must:

- Own the subject property (property owners may designate a tenant as their agent, but only the owner may sign the CFIP Application);
- Own property in a commercially zoned area within the Cocoa CRA that is not used for residential purposes;
- Have a current City of Cocoa local business tax receipt or obtain one prior to reimbursement of funds;
- Be current on all property taxes and utility charges; and
- Own property suitable for façade improvement, as determined at the sole discretion of the Cocoa CRA.

The following Applicants/properties are ineligible to receive a grant:

- Owners of properties used solely for residential purposes, including multi-family and single-family residences. Vertically-mixed uses with a non-residential component are permitted at the discretion of the Board;

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<sup>1</sup> The CFIP is intended to provide grants to property owners which do not have to be repaid. However, if the property owner fails to maintain the improvements for the five-year period following installation, then the grant is converted to a loan and must be repaid with interest as provided in the Grant Agreement. For purposes of this Policy, references to a “grant” shall also mean a loan to the extent the improvements are not maintained for the required period.

- Owners of non-profit corporations, unless (i) a substantial portion of the property is used for commercial purposes and is subject to ad valorem taxation; or (2) the non-profit corporation's property is of historic or cultural significance in the City of Cocoa; and
- Owners of vacant land

The amount of any grant shall be determined at the Board's sole discretion based on the following general factors:

- The estimated value of the proposed private investment;
- The extent that the private investment incorporates more primary improvements versus ancillary improvements such as building cleaning and painting;
- The historical and cultural significance of the property;
- The potential economic and fiscal impact of the proposed project on the City of Cocoa; and
- Whether the applicant is a for-profit or non-profit entity

Applicants may receive up to \$10,000.00 on a one-to-one (public to private fund) matching basis. Funds will be provided on a reimbursement basis once all work is complete. Therefore, proof of adequate funds for the entire project will be an Application requirement. All receipts and invoices reflecting payment in full for any qualifying costs and expenses are required for reimbursement, as described below in Section VI.

The Applicant will be required to agree to maintain the eligible improvements for a period of five years. The Agreement will contain a covenant running with the land that binds future successors to also maintain the improvements. Failure to maintain the improvements shall be a breach of the covenant and will result in having to pay back the entire amount of the grant, plus interest.

### **III. Eligible and Ineligible Expenses**

All improvements eligible for matching funds must be visible from the public right-of-way and must be intended to preserve and protect the structure or aesthetic integrity of the commercial building.

Eligible primary improvements for grant matching funds include:

- Façade rehabilitation
- Removal of deteriorated or undesirable exterior alterations
- Stucco restoration
- Replacement or reconstructive woodwork
- Replacement, repair, or restoration of cornices, eaves, parapets, or other architectural features
- New doors and windows
- Restoration of historically appropriate doors, windows, or building features
- Signs, awnings, and canopies
- Exterior lighting
- Entranceway modifications that improve the appearance or access to the commercial building
- Landscaping, including hardscaping around the perimeter of the property and irrigation if needed to support landscaping. Preference given to drought-tolerant trees and plants. Must be consistent with City of Cocoa Code.

- Fencing around the perimeter of the property (must be substantially visible from the right-of-way)

The following ancillary work may be eligible for matching funds only when performed in conjunction with a primary improvement:

- Building cleaning (non-sandblasting)
- Painting

Ineligible improvements include:

- New building construction or new building additions
- Roof repairs
- Interior improvements
- Portable signs, such as sandwich boards or A-frame signs
- Flags and banners
- Tables, chairs, and umbrellas
- Acquiring property
- Improvements completed prior to Application submittal
- Parking lot improvements
- Improvements that are not substantially visible from the public right-of-way

The CFIP will be administered on a first-come, first-served basis, up to the limit of available funding. Priority for certain improvements will be given as follows:

- Projects that promise a greater economic impact or incorporate more primary improvements to the subject property.
- Those which address the safety or security of customers or employees
- Those which make access to the property more convenient for customers or employees
- Those which will prevent, diminish or eliminate a blighted condition
- Those which reflect a greater proportion of private funds to be utilized over those funds being provided under the CFIP
- "Partner projects" which will upgrade two or more properties simultaneously

#### **IV. Application Requirements and Processing**

Application requirements shall be as written on the CFIP Application, including but not limited to:

- Copy of deed/proof of ownership with owner signature
- Copy of City of Cocoa Local Business Tax Receipt (required prior to grant award disbursement)
- Color Photographs/Slides of current condition of the subject property
- Site Survey (only for landscaping improvements)
- Estimates/quotes/bids for all costs associated with the project by a licensed contractor in Florida/Brevard County pursuant to Chapter 489, Florida Statutes, unless otherwise exempt under Section 489.103. NOTE: Funds will not be reimbursed for "sweat equity" and Owner-completed improvements.

- Complete, written scope of rehabilitation work with detailed sketches or drawings of the proposed improvements. Paint samples of the colors chosen, including accent or trim colors will be required.
- Complete, written description of the project's ability to meet the design criteria for funding
- Evidence (such as a letter from the Applicant's bank) of available private funds to pay for the improvements
- Proof of insurance coverage (Accord form)

The Application will be processed in the following manner:

- The Office of Economic Development will review all filed Applications for completeness and will return any Application that is not deemed complete.
- A site inspection must be scheduled by the building inspector to determine if the building is suitable for the façade improvements proposed, i.e., that the building's current condition will support the improvements. The Applicant shall agree to provide access to the property for purposes of inspection.
- The Office of Economic Development will evaluate all filed Applications in accordance with the above-described priorities and requirements of this Policy.
- Completed and evaluated Applications will be scheduled for consideration by the Cocoa CRA
- Applicants shall be present and prepared to discuss their project and request in detail at a scheduled CRA Board meeting.

## **V. Program Requirements**

If the Board approves an application for match funds, the Applicant must sign the following documents:

- Grant Funding Agreement. Through the Grant Funding Agreement, the Applicant will agree to:
  - Obtain all necessary permits required by law to construct the project, including building permits or other architectural review permits for historic buildings.
  - Agree to comply with all zoning and design restrictions applicable to the Cocoa CRA area in performing the improvements.
  - Maintain the improvements for a period of five years, which shall be a covenant running with the land. To the extent the covenant is not complied with, immediate repayment of the entire grant amount funded, plus interest, may be demanded by the Cocoa CRA and Grantee shall be required to refund the amount to the Cocoa CRA within thirty (30) days of receiving the demand.
  - Agree to grant the City access to the subject property to inspect the improvements.
- Covenant Running with the Land

## **VI. Grant Disbursements**

The Grant amount approved by the Cocoa CRA Board is the maximum amount that may be disbursed. Cost savings from the bid estimates received shall reduce the Grant award on an equal basis with the Grantee's Grant match. Grantee is not required to utilize the lowest bid/estimate/quote received, but the Grantee shall be solely responsible for the cost difference.

The Grant is awarded on a reimbursement basis. Grant funds shall only be disbursed to the Grantee upon completion of the work, which shall constitute issuance of a final inspection, certificate of completion, or similar instrument issued by the City of Cocoa's Building Division for the improvement work. Grantees shall not be reimbursed if outstanding code enforcement or building code citations or code enforcement liens have not been corrected and paid or released upon completion of the work.

To be reimbursed, the Applicant must provide to the Office of Economic Development paid receipts from laborers, suppliers, materialmen, contractors, and subcontractors. The receipts must include the following information:

- Name, address, and telephone number of laborer, supplier, materialmen, contractor, and subcontractor performing work or supplying material;
- Date of work or material provided;
- Description of property upon which the work was provided or to which the material was delivered;
- Itemized description of work provided (e.g., who performed the work, how many hours involved, charge for work, type of work performed) or material supplied (e.g., number of gallons of paint, quantity and measurements for each new dome style awning, feet of fence installed, description of LED wall pack);
- Itemized cost of work performed or material supplied;
- Statement of what work or material was for (e.g., supplied 2 coats of coal tar emulsion sealer with sand and latex additive to cover approximately 10,647 square feet of asphalt surface, supplied 26 feet of fence for privacy to hide parking lot dumpster)
- Statement signed by laborer, supplier, materialmen, contractor or subcontractor that the amount billed has been paid by the Grantee

Paid receipts are subject to Cocoa CRA review and approval. In no event shall more than 50% of the amount noted on a Cocoa CRA-approved paid receipt be reimbursed to the Grantee. All work must be substantially completed within 365 days of the date the Grant Agreement is executed. Reimbursement shall be denied for any instance in which these conditions or any other terms of the Grant Agreement are violated.

Grantee shall be required to submit at least one photo of the improvements after they are completed.

## **VII. Maintenance of Improvements**

As stated above, each Grantee will be required to agree to maintain the improvements for five years. Grantee shall provide access to the property to allow the City to inspect the improvements and determine proper maintenance has occurred, to the extent necessary. Grantee shall maintain current insurance coverage for the subject property, which shall include the Board-approved improvements. The obligation to maintain the improvements shall be a covenant running with the land binding future successors and assigns.

Failure to maintain the improvements shall result in an immediate demand for repayment of the grant amount in full, plus interest. Grantee shall be required to refund the amount to the Cocoa CRA within thirty (30) days of receiving the demand.

## **VIII. Disclosures**

The Cocoa CRA expressly reserves the right to reject any and all applications or to request additional information from any and all applicants and grantees. The Cocoa CRA retains the right to amend this CFIP Policy and any supporting documents, including the Grant Agreement. The Cocoa CRA also retains the right to display and advertise properties that receive matching funds.