1. JUNE 2019 HHC AGENDA
   Documents:
   
   JUNE 2019 HHC AGENDA.PDF

2. JUNE 2019 HHC AGENDA PACKET
   Documents:
   
   JUNE 2019 HHC AGENDA PACKET.PDF
Historic Heritage Committee Meeting Agenda
June 19, 2019 at 6:00 P.M.
CITY COUNCIL CHAMBERS, CITY HALL
7351 Rosanna Street, Gilroy CA 95020

HISTORIC HERITAGE COMMITTEE MEMBERS

Chair: Steve Seebart  Council Member Peter Leroe-Muñoz
Vice Chair: Fabian Morales Medina  Planning Commission Representative: Tom Fischer
Joseph Robinson

Comments by the public will be taken on any agenda item before action is taken by the Historic Heritage Committee. Persons speaking on any matter are asked to state their name for the record. Public testimony is subject to reasonable regulations, including but not limited to time restrictions on particular issues and for each individual speaker. Please limit your comments to no more than 3-minutes.

Materials related to an item on this agenda submitted to the Historic Heritage Committee after distribution of the agenda packet are available for public inspection with the agenda packet in the lobby of Administration at City Hall, 7351 Rosanna Street during normal business hours. These materials are also available with the agenda packet on the City website at www.cityofgilroy.org.

In compliance with the American Disabilities Act (ADA), the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the Clerk 72 hours prior to the meeting at (408) 846-0491. A sound enhancement system is available in the City Council Chambers.

I. OPEN MEETING

II. PLEDGE OF ALLEGIANCE

III. REPORT ON POSTING THE AGENDA AND ROLL CALL

IV. APPROVAL OF MINUTES: May 15, 2019 meeting minutes

V. PRESENTATIONS BY MEMBERS OF THE PUBLIC: (Three-minute time limit).
This portion of the meeting is reserved for persons desiring to address the Historic Heritage Committee on matters not on the agenda. The law does not permit Historic Heritage Committee action or extended discussion of any item not on the agenda except under special circumstances. If Historic Heritage Committee action is requested, the Historic Heritage Committee may place the matter on a future agenda. All statements that require a response will be referred to staff for reply in writing.

VI. OLD BUSINESS:
A. Discussion regarding Historic Heritage Committee strategic goals, processes and improvements
   1. Presentation: Chair Seebart
   2. Public Comment:
   3. Possible Action: Receive report and discuss

VII. NEW BUSINESS:

A. Report from High Speed Rail Citizen’s Working Group (Links Below)
   1. Presentation: Chair Seebart
   Video of California High Speed Rail Authority Project Section: Ranges of Alternative – February 2019 https://www.youtube.com/watch?v=Wn3ynHNZ5A
   Video of California High Speed Rail Authority Project Section: Ranges of Alternative – October 2017 https://www.youtube.com/watch?v=goC-9oD-1t4
   2. Public Comment:
   3. Possible Action: Receive report and discuss

B. Report on Downtown Façade Improvement Pilot Program
   1. Presentation: Julie Wyrick
   2. Public Comment:
   3. Possible Action: Receive report and discuss

VIII. INFORMATIONAL ITEMS:

IX. ORAL REPORTS BY MEMBERS OF THE HISTORIC HERITAGE COMMITTEE:
   Miscellaneous information and updates (no action)

X. PLANNING DIVISION MANAGER REPORT:
   Miscellaneous information and updates (no action)
   • California Preservation Foundation upcoming webinars

ADJOURNMENT to the Next Regular Meeting of July 17, 2019 at 6:00 pm

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Know your rights under the Gilroy Open Government Ordinance

Government’s duty is to serve the public reaching its decisions in full view of the public. Commissions, task forces, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that the City operations or deliberations are conducted before the people and that the City operations are open to the people's review. For information on your rights under the open Government Ordinance, to receive a free copy of the ordinance, or to report a violation of the Ordinance, contact the open Government Commission staff at (408) 846-0204 or e-mail Shawna.freels@cityofgilroy.org
Historic Heritage Committee Meeting Agenda  
June 19, 2019 at 6:00 P.M.  
CITY COUNCIL CHAMBERS, CITY HALL  
7351 Rosanna Street, Gilroy CA 95020  

HISTORIC HERITAGE COMMITTEE MEMBERS  
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Historic Heritage Committee Meeting  
May 15, 2019 at 6:00 P.M.

I. OPEN MEETING

Chair Seebart called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

III. REPORT ON POSTING THE AGENDA AND ROLL CALL

Management Assistant Christina Ruiz reported the amended agenda for the Regular Historic Heritage Committee meeting of May 15, 2019 was posted on Wednesday, May 8, 2019 at 3:30 p.m.

Roll Call:
Present: Chair Seebart, Committee Member Robinson, Committee Member Morales Medina and Committee Member Fischer.

Absent: Council Member Leroe-Muñoz.

III. APPROVAL OF ACTION MINUTES October 17, 2018 and February 26, 2019

Motion on Item III

Motion to approve the minutes of October 17, 2018 as written

Moved by Committee Member Fischer, seconded by Committee Member Morales Medina

Vote: Motion carried 4-1-0-0

Yes: Chair Seebart, Vice Chair Morales Medina, Committee Member Robinson and Committee Member Fischer.

Absent: Council Member Leroe-Muñoz

No: None

Abstain: None

Motion to approve the minutes of February 26, 2019 as written

Moved by Committee Member Fischer, seconded by Committee Member Morales Medina

Vote: Motion carried 4-1-0-0
Yes: Chair Seebart, Vice Chair Morales Medina, Committee Member Robinson and Committee Member Fischer.

Absent: Council Member Leroe-Muñoz

No: None

Abstain: None

IV. PRESENTATION BY MEMBERS OF THE PUBLIC:

Chair Seebart opened public comment.

Public Member Carol DeSantis spoke. DeSantis, requested from the Committee to post the complete agenda packet to be readily available on the city website.

Chair Seebart closed public comment.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

A. Presentation of the City of Gilroy Board, Commission & Committee Member Handbook by City Clerk Freels

City Clerk, Shawna Freels presented the first City of Gilroy Board, Commission and Committee Member Handbook.

B. California Environmental Quality Act (CEQA) training by DUDEK (report attached)

Cultural Architectural Historian, Samantha Murray provided a comprehensive training on CEQA focusing on: Historical Resources, Identification, Evaluation, Impacts Assessment and Mitigating impacts.

C. Discussion regarding annual presentation to City Council dates

Senior Planner, Pamela Wu had asked the Committee to select two City Council dates to present their annual presentation to City Council.

The Committee selected October 21, 2019 as first choice and October 7, 2019 as second choice to make its annual presentation to Council.
E. Introduction discussion regarding Historic Heritage Committee strategic goals, processes and improvements (report attached)

Chair, Steve Seebart provided a brief presentation to the Committee to further discuss on developing a strategic plan and involvement process to Arch & Sites approvals.

Chair Seebart opened public comment.

Public Member Connie Rogers spoke.

Chair Seebart closed public comment.

VII. INFORMATIONAL ITEMS:

None.

VIII. ORAL REPORTS BY MEMBERS OF THE HISTORIC HERITAGE COMMITTEE

Chair Seebart provided a brief report on last month’s High Speed Rail meeting.

IX. PLANNING DIVISION MANAGER REPORT
Planning Manager, Julie Wyrick presented a brief report on the Downtown façade improvement.

Chair Seebart requested a presentation be provided on the Downtown façade improvement on next regular HHC meeting scheduled for June 19, 2019.

Senior Planner, Pamela Wu provided a brief report on the 2020 California Preservation Foundation conference attendance.

ADJOURNMENT at 8:30 p.m. to the Next Regular Meeting of June 19, 2019 at 6:00 p.m.

Christina Ruiz, Management Assistant
Executive Summary

Generally, façade improvement programs provide property and business owners with financial assistance to construct mutually beneficial improvements. For property and business owners, the program provides financial incentives to make improvements to their building exterior, which in theory could increase their customer traffic. For local governments, the potential benefits include more appealing commercial districts which may lead to an increase in municipal revenue.

The aim of the Downtown Façade Improvement Pilot Program is to provide a mutually beneficial service to all economic stakeholders in the City of Gilroy. For one year from July 1, 2019 to June 30, 2020, the City is piloting a program to provide 1:1 matching grants of up to $5,000 to property owners and tenants within a portion of Downtown to assist with exterior improvements to the façade, or face, of the building. These improvements include a new coat of paint, awnings, windows, doors, and other improvements that can help improve the exterior of a building.

The following policies and procedures provide the details about the program, the requirements to apply, and the application process. Please read this document thoroughly and when you are ready, fill and submit an application, which is attached to the end of this document, along with the required supplemental material.

We hope to see you apply and we look forward to working with you to improve your property, our downtown, and our City.
Downtown Façade Improvement Pilot Program

Section I: Program Components
Subject to the availability of program funds, commercial property owners and tenants located in a portion of Downtown within the City of Gilroy may qualify for funding through the program. Funds are offered on a 50/50 matching basis with those contributed by the property owner or tenant for a given project, with the City funding 50% of the cost up to $5,000 and the grantee funding 50%. Should the cost of improvements exceed the maximum grant amount of $5,000 plus the grantee’s share of $5,000, the grantee shall be responsible for any excess costs. Grant funding must be used for façade improvements, including signage; awnings; and paint.

Section II: Eligibility

A. Eligible Properties
Eligible properties are those that abut to that portion of Monterey Street beginning at the intersection of First Street and ending at the intersection of Tenth Street.

B. Eligible Applicants
(1) Commercial Property Owners: Applications may be submitted by the property owner.
(2) Lessees: With the written approval of the property owner, an authorized representative of a lessee may apply for funding under the Downtown Façade Improvement Pilot Program. Written consent may be either in the form of a lease indicating the lessee’s responsibility for façade improvements or documentation of the property owner’s agreement to the proposed improvements.
(3) No member of the governing body, review committee, or any other official, employee, or agent of the City who exercises decision-making functions or responsibilities in connection with the implementation of this program is eligible for financial assistance under this program.
(4) Applicants shall not be disqualified based on age, race, religion, color, handicap, sex, physical condition, development disability, sexual orientation or national origin.

C. Ineligible Businesses
The following businesses are ineligible to participate in the program: liquor stores, adult entertainment enterprises, massage establishments, pawn shops, cigarette stores, gambling establishments, and tattoo parlors.

D. Eligible Activities
The Downtown Façade Improvement Pilot Program is designed to improve and enhance the design and quality of small business facades that are highly visible along the City’s Downtown Monterey Street. To achieve this goal, program grants shall be available for the following activities:
(1) Grant proceeds may be used for qualifying façade improvements. These include:
   a. Signage
   b. Awnings
   c. Exterior Paint
   d. Windows
   e. Anti-graffiti film coating on windows
f. Front Entrance Doors  
g. Exterior lighting  
h. Planter boxes  
i. Approximate barriers to define a dining space

(2) Grant proceeds may be used to fund or offset the cost of architecture and design fees, as well as any building, review or permitting fees required by the City of Gilroy as part of the approved project.

(3) Activities must be in compliance with the City of Gilroy’s Design Guidelines.

(4) Work must be in accordance with the City of Gilroy Zoning Ordinance, Downtown Specific Plan, City of Gilroy Architecture and Design Guidelines, and Uniform Building, Plumbing, Electrical and Mechanical Codes as applicable. All required permits must be obtained.

E. Ineligible Activities/Properties

Program grants shall not be available for the following:

(1) Property acquisition  
(2) Working capital, advertising, training, start-up costs, cash for operating expenses, etc.

(3) Work in progress or performed prior to project’s approval  
(4) Tax-delinquent properties or businesses  
(5) Special-assessment-delinquent properties  
(6) Property subject to litigation  
(7) Property in condemnation or receivership  
(8) Property owned by nonprofit groups  
(9) Exclusively residential buildings  
(10) Property not in compliance with the City’s Unreinforced Masonry Building (URM) Ordinance (Gilroy City Code Chapter 6, Article VI)

Section III: Application Procedures

A. Timeline

The Downtown Façade Improvement Pilot Program will launch on July 1, 2019 pending approval by the Gilroy City Council. The program will continue through June 30, 2020 or until funds allotted to the program are depleted; whichever occurs first. This program is a one-year pilot and future continuance of the program depends on the evaluation of whether the program meets the goals, objectives, and criteria set forth.

B. Application Materials

Application materials will be maintained and available in hard copy at 7351 Rosanna Street or on the City’s website at www.cityofgilroy.org.

C. Pre-Application Conference

Prior to submitting an application, the applicant may meet with staff to discuss the program features and terms.

D. Application Submittal

Prospective program participants must submit a complete application (Attachment A). As a limited amount of funding is available, applications are accepted on a competitive basis. Applications may be submitted at any time during the effectiveness of the program.
Applications will be reviewed for completeness and to verify that the proposed project meets the minimum requirements for eligibility. If the application is not complete, the applicant will be informed of the deficiencies. All financial information will be kept in a secured place with limited access by authorized personnel only.

The application must include the following information.

1. **Project Description.** A full scope of work for each of the project components.
2. **Project Budget.** A preliminary budget is required at the time of the initial application.
3. **Financial Capacity.** Evidence of applicant’s ability to make progress payments as required by the project budget and construction contract.
4. **Site Control.** Evidence of property ownership or leasehold interest of 2 years or greater.
5. **Existing Conditions.** Photographs illustrating current conditions of building(s) and property. Photos of adjoining properties shall be included.
6. **Additional Information.** Additional information as may be requested.

**Note:** False or misleading information shall be considered a default of the grant agreement, and may cause the City to seek remedies as stated in the Grant Agreement.

**Section IV: Project Approval Procedures**

**A. Grant Committee Review and Approval**

Applications will be evaluated by a Grant Committee composed of representatives of the City Administrator’s Office and Community Development Department. Based on input from the Grant Committee, the City Administrator of the City of Gilroy will have the authority to execute the agreement.

The committee shall meet monthly as needed to review and act on grant applications. If the Committee deems that additional information is required before acting on an application, it may postpone action until all necessary information is available to the committee.

The applicant will be notified in writing of all Committee and City Administrator determinations.

**B. Evaluation Criteria**

As limited funding is available, grants are offered on a competitive basis. The following criteria will be used to evaluate rank and select project applications for program grants. Priority will be given to those projects which best meet the following evaluation criteria.

1. **Small Business Concerns.** Is the business a small, locally-owned, entrepreneurial business?
2. **Strategic Location.** Would a façade improvement for this business enhance the shopping center or area in which it is located?
3. **Tax Base Expansion.** Does/will the business contribute to the expansion of the City’s tax base and the synergy of the surrounding commercial area?
4. **Downtown Specific Plan.** Does the façade improvement align with the Downtown Specific Plan?
Section V: Grant Terms

A. Type of Grant
The Downtown Façade Improvement Pilot Program provides grant funding on a matching basis with funds contributed by the property owner or tenant. The maximum grant amount for each individual business is $5,000.

B. Indemnity
The recipient shall commit to defend, indemnify and hold the City, including its elected officials, officers, employees and agents, free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure of the grant recipient or its contractors or consultants to comply with applicable laws.

C. Payment of Prevailing Wages
Work funded through the Downtown Façade Improvement Pilot Program may be considered a “Public Work” and may be subject to the payment of prevailing wages (California Labor Code Sections 1720 et seq and 1770 et seq, as well as California Code of Regulations, Title 8, Section 16000 et seq). The recipient must ensure that all bids solicited and all contracts for work funded through a grant made by the City comply fully with Prevailing Wage Laws.

D. Covenants
Within the agreement, the applicant must agree to the following covenants.

(1) Operating Covenant. The business shall be required to continue operating in the same location for a specified period of time after having received grant funding. The time period may vary for different projects and shall be mutually agreed upon between the City and the business owner or tenant.

(2) Maintenance Covenant. Included in the Operating Covenant shall be a Maintenance Agreement which will provide for ongoing maintenance of the property and program improvement, including, but not limited to, keeping the property free from litter, graffiti, peeling paint, unkempt landscape, and other unsightly features as determined by the City of Gilroy. Business owners are required to ensure that the business is legal and compliant with the requirements of the zone applicable to the property. Tenants should be aware that property owners will be required to acknowledge the terms of the Maintenance Agreement.

(3) Nondiscrimination Covenants. The Participant shall not discriminate against person or group of persons on account of race, color, creed, religion, sex, marital status, handicap, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Site, nor shall the Participant or any person claiming under or through it or them establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees of the Site.

E. Construction Schedule
Recipients shall initiate the improvement project within 30 days following the award of the grant and complete the project within 90 days following the award. The City Administrator is authorized to extend these time limits by up to 30 days. Failure to comply with the project schedule will constitute a condition of default.
F. Other Obligations of the Recipient

In addition to the preceding terms and conditions of the grant, all recipients shall acknowledge and comply with the following:

1. Grant proceeds shall be used only to pay for the cost of approved improvements and according to the approved budget.
2. All improvements must be in accordance with the City of Gilroy Zoning Ordinance and all required permits must be obtained.
3. The recipient shall be responsible for payment of all costs in excess of the approved budget.
4. Recipient shall attend meetings with staff and decision makers as requested during the course of application review and approval.
5. All improvements to be done on the project shall be the sole responsibility of the property owner or tenant. The City of Gilroy administers the grant program and is not responsible for any work undertaken under the program.
6. The recipient must obtain lien releases from the contractor upon progress payment and project completion. Copies shall be provided to the City with each request for reimbursement.
7. Photographs of the completed project must be provided to the City upon completion of the project file.

Section VI: Awarding of the Grant

A. Award Schedule and Conditions

If the grant application is approved by the City Administrator, a date for awarding the grant will be set by the City. Prior to releasing funds, the following documentation must be in the project file:

1. Notice of Award issued by the City.
2. Executed Downtown Façade Improvement Pilot Program Agreement.
3. Casualty Insurance binder.
4. Evidence of Permits, Licenses, and any other required registrations.
5. Design drawings and material specifications.
6. Approved project budget.

Section VII: Post-Award Procedures

A. Grant Servicing

A grant servicing file shall be established and maintained for each grant recipient that includes all written correspondence; a record of important telephone conversations; a list of applicable grant covenants; certificates of insurance for builders risk; property-casualty, and life, as applicable. The recipient will regularly deliver to the City those materials deemed necessary to monitor compliance with the grant terms and conditions, and advise to City promptly of any changes in terms and coverage.

Grant servicing files will be maintained in a secure place with access limited to authorized personnel. The City’s legal counsel shall be consulted in regard to compliance with state and municipal open records laws.

B. Distribution of Grant Proceeds
The recipient is responsible for viewing and approving contractor requests for payment. The recipient is further responsible to make timely payments for approved work. The City will reimburse recipient according to the terms of the grant.

When submitting a request for disbursement of grant proceeds, recipient shall provide evidence of program expenditures consistent with the approved project budget. Documentation shall include bills and invoices of receipts for materials, final bills of sale, canceled checks and lien waivers. All documentation shall be reviewed and approved by City staff prior to disbursement of grant proceeds.

Requests for reimbursement shall be submitted by the tenth day of the month. Requests received after the tenth day of the month shall be processed for payment during the following month. The request for reimbursement shall (1) identify each item of reimbursable project costs by line item category in the project budget separately, (2) aggregate all costs by line item category as set forth in the Project budget, and (3) include a report setting forth the total amount, by line item category from the project budget, of all reimbursable project costs set forth in the then-current request for reimbursement and all prior requests for reimbursement approved by the City, or for which approval is pending.

C. Default

Any default in any term or condition of a Program Grant or a Maintenance Agreement shall be a default entitling the City to issue a Notice of Default to the grant recipient which shall specify the following:

(a) The specific nature of the default.
(b) The action required to cure the default.
(c) A date, not less than thirty (30) days from the date of notice, by which the default must be cured to avoid action by the City to recover the grant funds invested in the project.
(d) Any penalties incurred as a result of the default.

In the event the default is not cured by the date specified in the Notice of Default, the City may take action to recover the funds granted to the business through the program, plus any penalties. The City Administrator may, in his sole discretion, offer to negotiate a repayment schedule with the grant recipient, pursuant to which monthly grant payments will be calculated to amortize the unforgiven remainder of the original grant amount.

D. Program Report

A separate accounting record for each grant shall be kept to account for all funds granted. The Downtown Façade Improvement Program Fund account shall be reviewed following the end of the program on June 30, 2020 and a report will be presented to the City regarding the use of program funds.
## Attachment A - The Downtown Façade Improvement Pilot Program Application and Agreement

### City of Gilroy Downtown Façade Improvement Pilot Program Application and Agreement

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<tr>
<th>Applicant Information</th>
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<th>Owner Information (if different from applicant)</th>
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### Subject Property Information

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<tr>
<th>Is your business privately owned and</th>
<th>Yes</th>
<th>No</th>
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<td>Is your business a chain or</td>
<td>Yes</td>
<td>No</td>
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<th>How many people does the business</th>
<th>Full-time employees:</th>
<th>Part-time employees:</th>
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<th>Is this a new business, or a business expanding to a second location, that will fill an</th>
<th>Yes</th>
<th>No</th>
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If not, how long has the business been in operation in

### Property Improvements

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<th>What is the proposed project budget?</th>
<th>What amount are you requesting in grant funding? (A business may receive up to 50% of the project costs, to a maximum of $5,000.)</th>
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<th>Do you currently have a licensed contractor engaged to complete this project?</th>
<th>Yes</th>
<th>No</th>
</tr>
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<th>Are you aware of prevailing wage laws related to receiving a grant under this program?</th>
<th>Yes</th>
<th>No</th>
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<tr>
<th>Will the proposed improvements include more than one commercial business or storefront?</th>
<th>Yes</th>
<th>No</th>
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If yes, please explain:
What is the proposed timeline for this project?

Please provide a brief description of the proposed improvements.

Supporting Documents

Please enclose the following supporting documents to complete the application packet:

- Project Description. A full scope of work for each of the project components.
- Draft contract with project architect
- Project Budget. A preliminary budget is required at the time of the initial application.
- Financial capacity. Evidence of ability to make progress payments as required by the project budget and construction contract
  - A copy of your up-to-date business plan
- Site control: Evidence of property ownership or leasehold interest of two years or greater
  - A signed copy of the Property Owner Authorization form
- Photographs illustrating the existing façade/s (front and rear) and property conditions (please include adjoining properties)

Applicant/Owner Acknowledges and Agrees as Follows
I certify that I have received and reviewed the City of Gilroy’s Downtown Façade Improvement Pilot Program Policies and Procedures. I agree to comply with all of the policies and regulations described therein in order to be eligible to receive grant funding through this program.

I understand that grant funding is offered on a competitive basis and that the submission of this application in no way guarantees that I will receive funding through this program.

If selected, the final inspection of the work shall be done prior to the Owner paying the contractor. The Property Owner is responsible for paying the contractor in full for all the work provided. The City will reimburse the owner for completed and accepted work for fifty percent of the approved scope of work, up to a $5,000 award.

Three bids are required from appropriately licensed contractors with active Department of Industrial Relations registration and an active City of Gilroy business license. The qualified bidder with the lowest or best bid price, and whose business and financial capabilities, past performance, and reputation meet the required standards shall be used to provide the work.

I also certify that all information contained in this application is accurate and complete; the above noted scope of work shall be the complete scope of work included in the project and constructed per the most recent City standards and specifications. City standard details and specifications are available on the City’s website.

Signature

Date