

AGENDA

CITY OF SINTON

SINTON (4B) ECONOMIC DEVELOPMENT CORPORATION MEETING

DATE: June 29, 2020 TIME: 5:30 P.M.

CITY HALL

Notice is hereby given that the Sinton (4B) Economic Development Corporation Meeting will be held on the 29th day of June, 2020 at 5:30 p.m. in the Council Chambers, City Hall, 301 East Market Street, Sinton, Texas. The items below are placed on the agenda for discussion and/or action.

This notice is posted pursuant to the Texas Government Code, Chapter §551-Open Meeting.

A. CALL TO ORDER

B. ROLL CALL

- _____ Tim Rogers, Chairperson
- _____ Anna Franklin
- _____ Mary Speidel
- _____ Edward Adams
- _____ Lesly Mora Sence
- _____ Carol Pardo
- _____ Gwen Duhart
- _____ John Hobson, City Manager
- _____ Desiree Voth, City Attorney
- _____ Cathy Duhart, City Secretary

C. ACTION ITEMS TO BE CONSIDERED

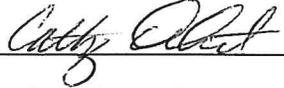
1. Discussion and Action on the minutes from the Sinton 4B Economic Development Board minutes from the meeting held on March 17, 2020.
2. Consideration of Sinton Economic Development Corporation 4B Financial Statement.
3. Discussion and Action on a Building Improvement Grant Application submitted by Kelly Adams for the property located at 111 E. Sinton Street, Sinton, Texas, Lumberyard Events.

D. ADJOURNMENT

Executive Session: The Sinton Economic (4B) Development City of Sinton reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.086 (Deliberations,

vote or final action about competitive matters of the public power utility), and 551.087 (Economic Development).

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the City of Sinton official website, www.sintontexas.org and official bulletin board, places convenient and readily accessible to the general public at all times and said Notice was posted and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting, in compliance with Chapter 551, Texas Government Code.



Cathy Duhart, City Secretary

Posted: 6/25/2020 by 5pm am/pm

Taken Down: _____ am/pm

Notice of Assistance at the Public Meetings: The City Council Chamber is wheelchair accessible. Persons with special needs who plan to attend this meeting and who may need assistance should contact City Hall at 361-364-2381 two (2) days prior to the meetings so that appropriate arrangements can be made.

CITY OF SINTON
SINTON 4B ECONOMIC DEVELOPMENT CORPORATION
March 17, 2020
5:00 p.m. City Hall

Members Present:

Tim Rogers	Chairperson
Mary Speidel	
Edward Adams	
Lesly Mora Sence	
Gwen Duhart	

Staff Present

John Hobson	City Manager
Desiree Voth	City Attorney
Cathy Duhart	City Secretary

Citizens Present: Irma Cantu, Trish Marion, Kelly Adams, Ashley Adams, Oscar Israel

The Sinton Economic Development Corporation 4B Meeting was called to order at 5:00 p.m. by Tim Rogers, Chairperson. Mr. Rogers took Roll Call. Members present: Tim Rogers, Mary Speidel, Edward Adams, and Gwen Duhart. City Staff: John Hobson and Cathy Duhart. Lesly Mora Sence came in at 5:06 p.m.

Members Absent: Anna Franklin, Carol Pardo

Action Items to be considered:

1. Action on the minutes from the Sinton 4B Economic Development Board minutes from the meeting held on January 27, 2020.

Edward Adams made the motion to approve the minutes from the Sinton 4B Economic Development Board minutes from the meeting held on January 27, 2020. The second was made by Mary Speidel. The motion carried 4-0.

2. Consideration of Sinton Economic Development Corporation 4B Financial Statement.

Mr. Rogers advised that the beginning balance on the Sinton Development 4B Revenue Financial Statement as of 10/1/2019 was \$1,384,622.12 and the ending balance as of 2/29/20 was \$1,536,479.20.

The motion to approve the Sinton Economic Development Corporation 4B Financial Statement was made by Edward Adams. The second was made by Mary Speidel. The motion carried 4-0.

3. Action on a Building Improvement Grant Application submitted by Bill Moore for the property located at 200 South Rachal Street, Sinton, Texas.

This was on a previous agenda and had been denied, due to the assumption that the work had been completed prior to the application being submitted. The work had not been done yet by Mr. Moore, so this application was placed back on the agenda for consideration from the Sinton Economic Development 4B. The total project amount is \$5800, but the portion to be covered would be \$2900 plus the sign for \$5000. The covered portion of the project (paint repair) includes 2 of the four sides visible to the street (east and north sides) in the amount of \$1450 and the sign for \$500. The total amount of the project to be reimbursed would be \$1950.

The motion to approve the Building Improvement Grant Application submitted by Bill Moore for the property located at 200 South Rachal Street, in the amount of \$1950 (2 of the 4 sides (north and east side) visible to the street paint repair and the sign), was made by Mary Speidel. The second was made by Edward Adams. The motion carried 4-0.

4. Action on a Building Improvement Grant Application submitted by Kelly Adams for the building located at 111 E. Sinton Street, Sinton, Texas.

The application was for work to be performed at 111 East Sinton Street to consist of pressure washing the complete exterior of the building to remove any dirt, mildew, etc., caulk all window and door trims and painting the building two colors. The total amount for labor and materials \$16,000. The maximum reimbursement is \$5000, for the north side, south side and portion of the west side, so the amount to be reimbursed will be \$5000.

The motion to approve the Building Improvement Grant Application submitted by Kelly Adams for the building located at 111 E Sinton Street, in the amount of \$5,000 (to the extent of the north side, south side and a portion of the west side), was made by Mary Speidel. The second was made by Edward Adams. The motion carried 5-0.

5. Action on a Building Improvement Grant Application submitted by Oscar Israel for the building located at 111 E Sinton Street, Sinton, Texas.

The correct address to the building in question is 100 N. Rachal. The majority of the building is facing Rachal Street and Market Street. The application is for work to be performed at 100 N. Rachal which will consist of washing the complete exterior of building: prepping windows, doors and trim; painting complete exterior two colors with 100% Acrylic Enamel. Total cost of labor and materials is \$4800.00, with a reimbursement amount of \$2400.00 from Sinton 4B Economic Development.

The motion to approve the Building Improvement Grant Application submitted by Oscar Israel for the building located at 100 N. Rachal (correct address) in the amount of \$1400, was made by Mary Speidel. The second was made by Edward Adams. The motion carried 4-1, with Lesly Mora Sence opposing. For the approval: Tim Rogers, Mary Speidel, Edward Adams and Gwen Duhart.

6. Action on the RFQ submitted for the Sinton 4B Economic Development Board.

Mr. Hobson advised that no requests were received for the EDC Director position advertised. Discussion ensued regarding: what will happen next; if the position will be full-time or part-time; if the RFQ can be revised; what does the City have for guidelines for the Sinton EDC; if there can be a joint workshop with the City Council and the Sinton EDC 4B; where the RFQ was advertised; if Doug Dowler would be interested in the position—he advised he could not do both jobs at the same time (Mathis & Sinton); the board will need to come up with what they will need to put on the RFQ; the length of time the request has been out; what the vision of the City Council for the Sinton 4B EDC; the EDC being kept separate from the City Council; come up with a definition of what the EDC needs—a director or consultant and what will be required of that person selected; possibly bringing Doug Dowler back to talk to the Sinton 4B Board; new infrastructure versus old infrastructure; is downtown the focus; is beautification part of Sinton 4B.

No action taken.

7. Action on the Sinton Historical Museum wanting to establish a process for maintaining the building owned by 4B.

Sinton Historical Museum has some areas that need maintenance on the building that belongs to Sinton Economic Development 4B. Irma Cantu and Patricia Marion were present on behalf of the Sinton Historical Museum. Mrs. Cantu advised that they have done as much

as they can on the maintenance for the building, that is within their reach, with volunteers and reasonably priced handymen. They need assistance with the big projects like: front of the building—green tiles are cracking; issue with the awning which was repaired after the hurricane—which is now leaking water through the awning and insects coming in; leaky wall shared with The Rialto; the main concern being the tile. Mr. Hobson stated that he would prefer the Sinton Historical Museum to work with the contractor and then let the City know the bid information. As the landlord being Sinton 4B, and the authorization the Board has given the City to manage the funds, the City would then expend those funds. The Sinton Historical Museum was given instructions to get three different bids and bring those to the City Manager.

No action taken.

The motion to adjourn was made by Edward Adams. The second was made by Mary Speidel. The motion carried 5-0. Meeting adjourned.

Chairperson

Attest: _____
City Secretary Cathy Duhart

**ACKNOWLEDGMENT OF RECEIPT OF GUIDELINES AND
CRITERIA FOR BUSINESS IMPROVEMENT GRANT PROGRAM BY
THE SINTON ECONOMIC DEVELOPMENT CORPORATION**

Applicant: Kelly Adams

Address: 16784 Hwy 234 Odem, TX 78370

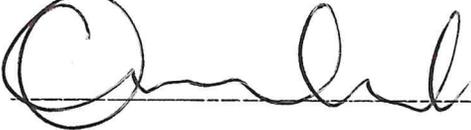
Phone Number: 361-877-1307

Signature: Kelly Adams

Property Owner/Landlord: Oscar Israel

Address: PO BOX 753

Phone Number: 361-319-5434

Signature: 

****The acknowledgement page must be signed and returned to the Chairman. Please include photographs. Please retain the guidelines and criteria for your records.**

APPLICATION FOR BUSINESS IMPROVEMENT GRANT PROGRAM

I (We), hereinafter referred to as "APPLICANT", on behalf of the identified entity, submit to the Sinton Economic Development Corporation, hereinafter referred to as "SEDC", this application for consideration of a Business Improvement Grant under the provisions of the SEDC's Business Improvement Grant Program.

As part of this application, APPLICANT represents to SEDC the following:

APPLICANT has received a copy of the SEDC's Guidelines and Criteria for the Business Improvement Grant Program. APPLICANT acknowledges to SEDC that in making this application APPLICANT understands the terms and provisions thereof, and all questions relating to any needed interpretation thereof have been answered by authorized representatives of SEDC prior to the submission of this application

APPLICANT has secured such legal, accounting, and/or other advice that may be necessary for APPLICANT to determine the desirability of making this application and/or accurately and correctly answering any questions as hereinafter set out. APPLICANT acknowledges that it has completely relied on the advice and counsel of experts and/or appropriate persons retained, employed, or compensated by APPLICANT, and that it has not relied upon, nor is APPLICANT now attempting to rely upon the advice and counsel of SEDC, its servants, agents, employees, and/or elected or appointed officers.

By signing this document, "Application for Business Improvement Grant" either in an individual capacity, jointly, or in a representative capacity, APPLICANT acknowledges and verifies that all of the facts, information, and allegations as herein set out are true, correct and accurate, and that SEDC may rely thereon as if the same had been signed by APPLICANT or APPLICANT'S agent before a Notary Public or other authorized officer permitted by law to administer oaths and to take acknowledgements. APPLICANT further acknowledges and understands that any materially false or misleading statements of fact may be considered a violation of the criminal laws of the State of Texas.

If APPLICANT is a corporate entity, APPLICANT swears and affirms that all applicable franchise taxes or other taxes paid for the privilege of conducting business have been fully paid, and that the APPLICANT is fully authorized to transact business in the State of Texas, and in the state of incorporation if different from the State of Texas. In addition, APPLICANT, whether a corporate entity, partnership, or other legal type business entity, or an individual, acknowledges and verifies that it is current on all current tax obligations, assessments, or other governmental levies and assessments, and that the same have paid when due and payable, and that no delinquencies exist at this time.

BUSINESS APPLICATION INFORMATION:

Business Entity Name: Lumberyard Events

Mailing address: 16784 Hwy 234 Odem, TX 78370

Location in the City of Sinton for which the improvement is being requested.

Street Address: 111 E. Sinton St. Sinton, TX 78387

Other companies and locations owned and/or operated by the APPLICANT N/A

Company Name: _____

Street Address: _____

City: _____

1. Please attach a separate document providing a legal description of the property upon which the contemplated improvements will be located as *Exhibit A*.

2. New or existing business: New Existing

If new business, please provide approximate opening date: April/May 2020

If existing, please provide how long you have been in operation: _____

New jobs: Full-time: 1 Part-time: _____

Existing # of jobs: _____ (if applicable) Full-time _____ Part-time _____

3. If leased facility, provide the following information (*attach copy of current lease*):

Current Landlord: _____

Address: _____

Phone Number: _____

4. What other cities and/or buildings is the Applicant considering to establish a new business if this application is not approved:

N/A

5. Proposed Improvements: (Include description, total estimated cost, start and completion date)

Landscaping

A. Please furnish detailed drawings, plans, specifications, color schemes, or any other available supporting documents for proposed improvements and cost estimates as *Exhibit B*.

6. Additional Information:

Please provide any additional information regarding applicants funding request:

N/A

7. Project Financing:

Describe in detail project financing, amount of debt, terms of debt service, name of issuer of debt, etc. (if applicable).

Has financing been secured?

Yes (Attach documentation) No

Pending With whom? _____

- 8. Please provide a copy of the State sales tax reporting form for the most current three (3) month period (if applicable).
- 9. Prior to applicants execution of this application, APPLICANT had this reviewed by an Attorney of the APPLICANT, or has had the opportunity to do so, and the parties hereto agree that based on the foregoing, this application for the business improvement grant program shall not be construed in favor of one party over the other based on the drafting of this application.
- 10. APPLICANT and owner/landlord indemnify, defend and hold SEDC and the City of Sinton harmless from any liability, injury, claim, expenses and attorney's fees arising out of a contractor, builder or contract for performance of improvements, or repair to buildings and facilities.
- 11. SEDC has delivered a copy of the guidelines and criteria for a business improvement grant program to applicant for review, and the delivery hereof does not constitute an offer of an improvement grant.
- 12. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of the application for business improvement grant program. If any provision of this application for business improvement grant program should be held to be invalid or unenforceable, the validity and enforceability of the remaining provisions of this application shall not be affected thereby.

VERIFICATION

I (We), the undersigned APPLICANT(S), certify that all the information furnished to the SEDC has been furnished freely by the APPLICANTS (S), herein, and further acknowledge that no rights or privileges may be relied on as a part of any application. In addition, it is acknowledged that the Sinton Economic Development Corporation may or may not grant a Business Improvement Grant based upon application or request hereunder purely as a matter of discretion, and that there is no legal right to rely on any previous actions taken in same or similar applications, or previous actions taken on other applications concerning the same or similar property.

Signed and submitted to the Sinton Economic Development Corporation on this, the 26 day of March, 2020.

Applicant Kelly Adams Signature Kelly Adams
Address 16784 Hwy 234 Odem, TX 78370

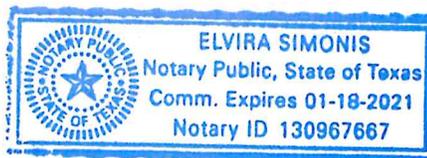
Property Owner Oscar Israel Signature Oscar Israel
Address PO Box 753 Sinton, TX 78387

The State of Texas
County of San Patricio

Before me, the undersigned authority, on this day personally appeared Kelly Adams known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me and that they executed the same for the purposes therein expressed.

Elvira Simonis
Notary Public in and for the State of Texas My Commission

Expires: 01-18-2021

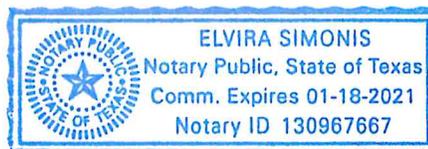


The State of Texas
County of San Patricio

Before me, the undersigned authority, on this day personally appeared Oscar Israel known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me and that they executed the same for the purposes therein expressed.

Elvira Simonis
Notary Public in and for the State of Texas My Commission

Expires: 01-18-2021



DOWNTOWN BUSINESS IMPROVEMENT GRANT PROGRAM ADDENDUM

If Applicant is a Tenant:

If I, as Applicant, am a tenant leasing the property described in the Grant Application to which this Addendum is attached, then as further consideration for the award of any such grant for Sign Improvements, or Building Facade Improvements, of this property, I hereby transfer, sell and convey to my landlord any and all of my interest in the equipment or materials purchased and installed with all, or any portion, of such grant. I agree that any and all of said equipment or materials purchased in part or in whole with such grant funds shall become attached and affixed to the property (in accordance with the approved installation specifications) so as to become a fixture and may not be removed by me upon the termination of my tenancy. I agree not to remove any such equipment or materials and the removal of same may be a criminal act for which I may be prosecuted.

If Applicant is the Property Owner:

If I, as Applicant, am the owner of the property described in the Grant Application to which this Addendum is attached, then as further consideration for the award of any such grant for Sign or Building Façade Improvements of this property, I agree that such equipment or materials, upon attachment to the property (in accordance with the approved installation specifications), becomes a fixture and all of such equipment and materials shall remain attached to the property upon the conveyance of the real property to a Third Party.

Kelly Adams
Applicant's Signature

Kelly Adams
Name Printed

3-26-20
Date

Applicant's Signature

Name Printed

Date

DOCUMENTATION CHECKLIST FOR BUSINESS IMPROVEMENT GRANT PROGRAM

As a part of this application, the following documentation is being provided by the applicant, if applicable:

- Establishment of business entity name
(copy of Articles of Incorporation, dba, etc.)
- Copy of lease agreement (if applicable)
- Legal description of subject property (Exhibit A)
- Estimates of proposed improvements (Exhibit B)
- ~~NA~~ Documentation of approved financing (if applicable)
- ~~NA~~ State sales tax reporting form for most current three month period
(if applicable)
- W-9; Request for Taxpayer Identification Number and Certification
- Signed Acknowledgement of Receipt of Guidelines
- Signed Verification Statement
- Signed Addendum

Exhibit B

CKB Landscaping

ESTIMATE

15605 CR 1196
Sinton, TX 78387
Phone: 361.877.5604

DATE: 03.12.2020:FOR SPRING 2020

TO:

Event Center

COMMENTS OR SPECIAL INSTRUCTIONS:

QUANTITY	DESCRIPTION	TOTAL
	Materials-	
114	2 cubic foot bags hardwood mulch	454.86
18	2 cubic foot bags acidified cotton burr compost	216.00
2	Cactus soil bags	20.00
	Drip irrigation system	71.00
27	Landscape timbers for new bordering	135.00
1 box	screws	12.00
	Plants (1 Japanese yew, 4 desperado sage, 20 yellow hybrid lantana, 1 san pedro cactus, 1 flowering cactus, 2 red yucca, 1 fountain grass, 2 pineapple agave, 2 aloe, 1 dwarf crepe myrtle)	718.00
	Planter box and soil	175.00
1 sheet	Lattice and framing	45.00
	hardware	8.00
	Planter box plants	35.00
	Labor	810.00
	SUBTOTAL	2699.86
	SALES TAX	155.91
	TOTAL DUE	2855.77

Make all checks payable to CKB Landscaping
If you have any questions concerning this invoice, contact:
Cheston Bilbo
361.877.5604
ckbilbo23@gmail.com

Thank you for your business!

GUIDELINES FOR BUSINESS IMPROVEMENT GRANT PROGRAM BY THE SINTON ECONOMIC DEVELOPMENT CORPORATION

Section 1. Purpose.

The purpose of this program is to promote the development and expansion of new and existing business enterprises within the designated downtown district of the City of Sinton, Texas, (the "City"), and enhance the economic welfare of the citizens of the City, by securing and retaining business enterprises and maintaining a higher level of employment, economic activity, and stability as well as to improve existing buildings as to attract new business. The program is designed to reverse the deterioration of the commercial structures in the targeted areas while enhancing efforts to market downtown properties and attract new businesses.

Section 2. Type and amount of grants.

(A) FACADE IMPROVEMENT: 50/50 matching basis. Maximum grant amount is up to \$5,000.00.

Rehab of building facades visible to the street including new doors and windows, cornices, gutters, downspouts, awnings, canopies, painting (color, masonry cleaning, architectural features, exterior lighting fixtures) stucco, and brick work. Roof repairs, interior remodeling and replacement of broken glass in windows or doors are not eligible improvements. Facade Improvements are subject to required building permit application, application fees, however, will be waived for grant recipients. The grant amount shall be up to but not exceeding 50% of the cost of such improvements.

(B) SIGN IMPROVEMENT: 50/50 matching basis. Maximum Grant amount is up to \$1000.00.

All signs shall comply with the City's Ordinance and are subject to application for a Sign permit. Sign Permit application fee, however, will be waived for grant recipients. New signs and/or renovation or removal of existing signs. The grant amount shall be up to but not exceeding 50% of the cost of such improvements.

(C) PROPERTY IMPROVEMENT: 50/50 matching basis. Maximum Grant amount is up to \$1000.00.

Items such as, but not limited to landscaping, parking lot resurfacing, striping, driveway improvement, and lighting. The grant amount shall be up to but not exceeding 50% of the cost of such improvements.

Section 3. Eligibility.

(A) Any new business planning to locate within designated downtown district of the City or any business currently located within the designated downtown district of the City shall be eligible for this program.

(B) All buildings and facilities located within the downtown district of the City at the time of adoption of these guidelines shall be eligible for this program.

(C) A *business* is defined as an occupation, profession or trade in the purchase or sale of goods in an attempt to make a profit.

Section 4. Guidelines.

- (A) Proof of applicant's ownership of the subject facility or facilities, or proof that the owner of such facility has approved the application for such grant funds, shall be required. Photographs of building and/or project should be included with the application
- (B) The owner of a business to be operated within a leased facility and the owner of such lease facility must apply jointly for the program. Copies of a lease agreement and proof of ownership of the leased facility shall be required.
- (C) A business or property owner may apply for one (1) or more of the three (3) types of grants per physical location (address) set forth herein within any fiscal year (October 1 to September 30). A business that receives grant funding during a fiscal year shall not be precluded from making subsequent applications for funding in following years.
- (D) All grants are reimbursement grants, and will only be funded after completion of the project in accordance with drawings and specifications approved by the Sinton Economic Development Corporation (the "SEDC"), and after the applicant submits to SEDC proof of paid receipts for all applicable labor and materials. Photographs of the completed work shall also be required.
- (E) Reimbursement grants are a cash match for funds disbursed by the applicant and are not to exceed the limits set forth in Section 2 (A), (B), and (C) hereof. In-kind contributions may not be used as any part of the applicant's match.
- (F) The applicant shall be obligated to make the improvements in accordance with the application submitted to and approved by the SEDC. Thereafter, any modifications must first receive the written approval of either the SEDC or its President. Failure to obtain such written approval prior to making any such modifications shall render the applicant ineligible to receive grant funding.
- (G) The applicant shall be responsible for obtaining all applicable permits related to the improvement project, and failure to do so will render the applicant ineligible to receive grant funding.
- (H) The improvements, as presented in the application, must be completed in their entirety. Failure to complete all of the stated improvements shall render the applicant ineligible to receive grant funding.
- (I) Upon approval of a grant application, and during the construction of the improvements, a representative or representatives of the SEDC shall have the right, at all reasonable times, to have access to and inspect the work in progress.
- (J) The applicant shall not begin any improvements prior to receiving written approval of grant funding from the SEDC. Work started prior to approval of grant funding shall not be eligible for reimbursement.
- (K) The applicant must complete the improvement project and agree that a business establishment will be open for business and in operation within six (6) months from grant approval by the SEDC board. Failure to complete the improvements and open the business establishment within the required time period shall be considered in default and result in the loss of the grant funds.

(L) The applicant must agree that, in the event of default of its obligations, the SEDC has the right to reimbursement for all attorney's fees and costs, which may be incurred as a result of any legal action required to seek reimbursement of all grant funding received by applicant.

Section 5. Application and Approval.

- (A) Applications filed with the President on or before the first day of each month shall be considered at the next regular SEDC Board meeting or at such special Board meeting that may be called.
- (B) Applications must be made on a form provided by the SEDC, which form shall be made available at City Hall located at 301 E. Market St, Sinton, Texas 78387.
- (C) All applications must be approved by the Board of Directors of the SEDC.
- (D) An applicant shall be notified, in writing, of the SEDC's decision to approve or disapprove the application.
- (E) The SEDC may award grant funds to an applicant, with certain provisions, conditions, or other requirements the SEDC deems necessary or appropriate.

Section 6. Funding.

- (A) Upon notification to the SEDC by the applicant that a project has been completed, an inspection by a SEDC representative or representatives shall be made to confirm that such project has been completed in accordance with the application, or any approved modifications thereto. Such notification shall include, but not limited to, documentation of paid receipts for materials, labor, permits, inspection reports, or any other item that the SEDC may reasonably deem necessary for determining the project's completion.
- (B) Within thirty (30) days following the inspection required in paragraph (A) hereof, and confirmation of completion of the project in accordance with the application, or any approved modifications thereto, the President of the SEDC shall issue a letter of approval to the Board of Directors. Funding authorization shall take place at the next regular SEDC Board meeting following the date of the President's approval letter.
- (C) Within fourteen (14) days following an inspection and the presentation of the receipts as provided in Section 6(A) above, and after a determination is made by the SEDC's representative that the project has not been completed in accordance with the application, or any approved modifications thereof, the President shall issue a letter to the applicant indicating all areas of non-compliance. The applicant shall then have sixty (60) days, from the date of the President's letter, to make the modifications necessary to bring the project into compliance. Failure to complete such modifications within said 60-day period shall be deemed a default of applicant's obligations under the grant.
- (D) Available funding is based on the SEDC budget per fiscal year (October 1 to September 30) to fund this grant program. Grant applications received after the available funding has been exhausted may be accepted and held until the following fiscal year. The SEDC retains sole discretion to accept or reject applications received after the available funding has been exhausted.

Section 7. Notice.

A. THE SINTON ECONOMIC DEVELOPMENT CORPORATION SHALL DELIVER A COPY OF THESE GUIDELINES TO ANY APPLICANT FOR HIS/HER REVIEW AND THE DELIVERY HEREOF DOES NOT CONSTITUTE AN OFFER OF A BUSINESS IMPROVEMENT GRANT TO THE APPLICANT.

B. THE LAWS OF THE STATE OF TEXAS SHALL GOVERN THE INTERPRETATION, VALIDITY, PERFORMANCE, AND ENFORCEMENT OF THIS BUSINESS IMPROVEMENT GRANT PROGRAM. IF ANY PROVISION OF THIS BUSINESS IMPROVEMENT GRANT PROGRAM IS HELD TO BE INVALID OR UNENFORCEABLE, THE VALIDITY AND ENFORCEABILITY OF THE REMAINING PROVISIONS SHALL NOT BE AFFECTED THEREBY.