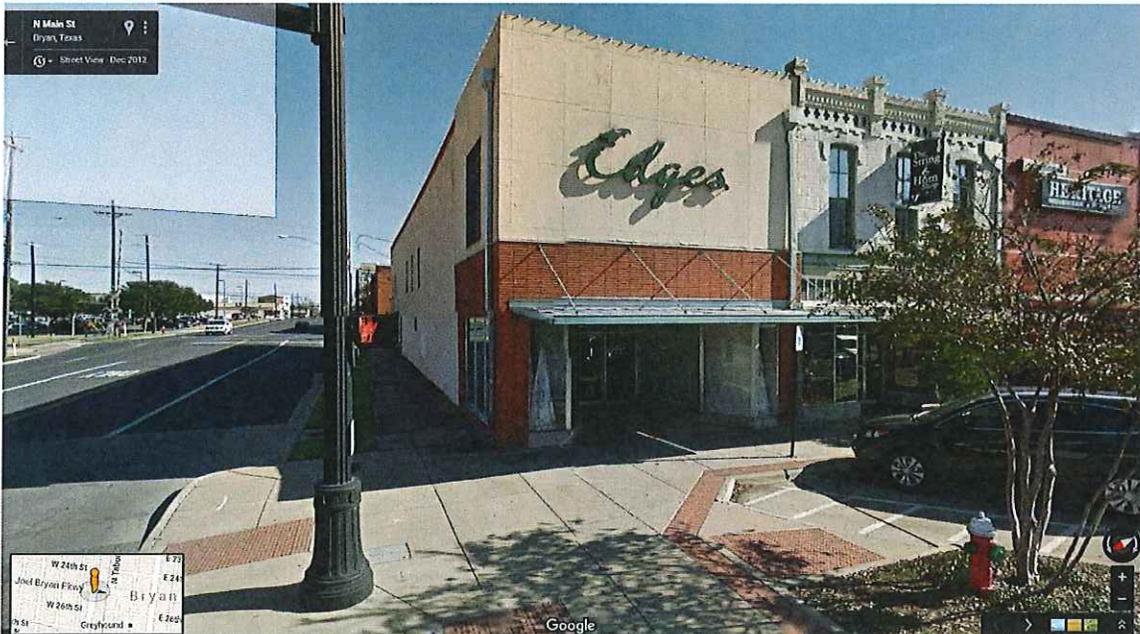


Subject Property: The Edge Building
Part of Lot 1 in Block 258 of the Bryan Original Townsite

- REQUESTED FUNDING:** \$35,000 – Sprinkler System
 \$7,399 – Site Fire Line
 \$6,431 – Safety Alarm
 \$48,830 – Total
- APPLICATION STATUS:** The application meets the minimum submittal requirements
- EXISTING LAND USE:** Vacant
- PROPOSED LAND USE:** Nightclub
- ZONING:** Downtown South District (DT-S)
- APPLICANT:** Michael Schaeffer
- COST ESTIMATE #1:** \$102,492 – Standard Automatic Fire Enterprises
- COST ESTIMATE #2:** \$106,600 – Southeast Fire Protection (SEFP)
- PREVIOUS FUNDING:** No funds accepted for this property as of June 20, 2016



Google Street View

Review Panel Recommendation:
Approve applicants request for \$48,830 in matching grant funds

Downtown Life Safety Grant Application

Date Received: _____

Case Contact: _____

Owner's Name	EDGE OF DOWNTOWN LLC	Telephone No.	979 575 4180	Fax No.	mschaefer @ Schaefercustomhomes.net	E-Mail	
Owner's Mailing Address	18599 ANASAZI BLUFF DR. College Station TX 77845						
Agent's Name	MICHAEL SCHAEFER	Telephone No.	979 575 4180	Fax No.	mschaefer @ Schaefercustomhomes.net	E-Mail	
Agent's Mailing Address	(same as above)						
Building Name and Address	THE EDGE BUILDING 121 NORTH MAIN ST.						
Subdivision	CITY OF BRYAN TOWNSITE	Block	102	Lot(s)	5		
Zoning of Property:	COMMERCIAL						
Current Use of Property:	VACANT			Proposed Use of Property:	NIGHT CLUB		
Cost Estimate No. 1 prepared by:	STANDARD AUTOMATED FIRE ENTERPRISES S.A.F.E.			Total for Cost Estimate No. 1:	\$ 74,934 -		
Cost Estimate No. 2 prepared by:	SOUTH EAST FIRE PROTECTION SEFP			Total for Cost Estimate No. 2:	\$ 77,500		
Please note that both Cost Estimates must be attached to this application.							
Grant Request:	\$ 35,000			(sprinkler)			
Has this property received any other funding through the City of Bryan? <u>HAVE NOT</u>							
<u>ACCEPTED ANY FUNDS AS OF 6/20/16</u>							
Source	Amount						
Project description: Please provide a narrative of the project describing the work to be completed (maximum of 750 words). Please attach additional pages if necessary.							

Downtown Life Safety Grant Application

Date Received: _____

Case Contact: _____

<u>EDGE OF DOWNTOWN, LLC</u>	<u>979 575 4180</u>		<u>mschaefer@</u>
Owner's Name	Telephone No.	Fax No.	E-Mail
<u>18599 ANASAZI BLUFF DRIVE</u>	<u>College Station TX</u>	<u>77845</u>	<u>Schaefer custom homes.net</u>
Owner's Mailing Address			
<u>MICHAEL SCHAEFER</u>	<u>979 575 4180</u>		<u>mschaefer@</u> <u>schaefer custom homes.net</u>
Agent's Name	Telephone No.	Fax No.	E-Mail
<u>(same as above)</u>			
Agent's Mailing Address			
<u>THE EDGE BUILDING</u>	<u>121 NORTH MAIN STREET</u>		
Building Name and Address			
<u>CITY OF BRYAN TOWNSITE</u>	<u>102</u>	<u>5</u>	
Subdivision	Block	Lot(s)	
Zoning of Property: <u>Commercial</u>			
Current Use of Property: <u>VACANT</u>		Proposed Use of Property: <u>NIGHT club</u>	
Cost Estimate No. 1 prepared by: <u>SAFE</u>		Total for Cost Estimate No. 1: \$ <u>14797</u>	
Cost Estimate No. 2 prepared by: <u>SEFP</u>		Total for Cost Estimate No. 2: \$ <u>15,800</u>	
Please note that both Cost Estimates must be attached to this application.			
Grant Request: \$ <u>7,399</u>		<u>(Site five line)</u>	
Has this property received any other funding through the City of Bryan? <u>HAVE NOT</u>			
<u>ACCEPTED ANY FUNDS AS OF 6/20/16</u>			
Source	Amount		
Project description: Please provide a narrative of the project describing the work to be completed (maximum of 750 words). Please attach additional pages if necessary.			

Downtown Life Safety Grant Application

Date Received: _____

Case Contact: _____

EDGE OF DOWNTOWN LLC	979 575 4180	mschaefer @	mschaefer @
Owner's Name	Telephone No.	Fax No.	E-Mail
18599 ANASAZI BLUFF Dr.	College Station TX	77845	schaefer custom homes, net
Owner's Mailing Address			
MICHAEL SCHAEFER	979 575 4180	mschaefer @	mschaefer @
Agent's Name	Telephone No.	Fax No.	E-Mail
(Same as above)			schaefer custom homes, net
Agent's Mailing Address			
THE EDGE BUILDING	121 NORTH MAIN STREET		
Building Name and Address			
CITY OF BRYAN TOWNSITE	102	5	
Subdivision	Block	Lot(s)	
Zoning of Property:	COMMERCIAL		
Current Use of Property:	VACANT	Proposed Use of Property:	NIGHT CLUB
STANDARD AUTOMATIC FIRE EQUIPMENT			
Cost Estimate No. 1 prepared by:	SAFE	Total for Cost Estimate No. 1:	\$ 12,861
SOUTHEAST FIRE PROTECTION			
Cost Estimate No. 2 prepared by:	SEFP	Total for Cost Estimate No. 2:	\$ 13,300
Please note that both Cost Estimates must be attached to this application.			
Grant Request: \$	6,431	(SAFETY ALARM)	
Has this property received any other funding through the City of Bryan?	HAVE NOT		
ACCEPTED ANY FUNDS AS OF JUNE 20, 16			
Source	Amount		

Project description: Please provide a narrative of the project describing the work to be completed (maximum of 750 words). Please attach additional pages if necessary.

**CITY OF BRYAN
LIFE SAFETY GRANT PROGRAM**

This Agreement is by and between the CITY OF BRYAN, a Texas Home Rule Municipal Corporation (hereinafter referred to as "CITY"), and EDGE OF DOWNTOWN LLC, property owner of 121 NORTH MAIN ST, located in Downtown Bryan. (herein after referred to as "Grant Recipient").

As part of the City's Downtown Life Safety Grant, both parties agree that this program aides downtown business owners in the rehabilitation and restoration of Historic Downtown Bryan to encourage the elimination of conditions that could be injurious to public health, safety and welfare; to encourage private investment in commercial and multi-family housing that may otherwise be cost prohibitive; and to stimulate redevelopment to increase sales tax revenues and property values.

The Grant Recipient agrees and accepts funding from the City up to 50% of the cost of the approved Life Safety improvement(s), not to exceed \$ _____. The Grant Recipient agrees to comply with the requirements of the Downtown Life Safety Grant Guidelines outlined in Exhibit "A."

The Grant Recipient shall complete all work in the scope approved by the City of Bryan according to Exhibit "B." The Grant recipient shall complete all Extra Work in connection therewith. All work and materials shall be in strict conformity with the specifications. The Substantial Completion of the work shall not excuse the Grant recipient from performing all the work undertaken, whether of a minor or major nature, and thereby completing the Project in accordance with the Grant Program guidelines and scope of work. In the event that the Grant recipient fails to perform the work as required for Final Completion, Grant recipient shall reimburse the City for all costs; or the City may contract with a third party to complete the work and the Grant recipient shall assume and pay the costs of the performance of the work as contracted.

By: Michael Sutafer
Printed Name: MICHAEL SUTAFAER
Title: MEMBER / PRESIDENT
Date: 06/20/16

CITY OF BRYAN:

City Manager Date: _____

City Attorney Date: _____

Chief Financial Officer Date: _____



SOUTHEAST FIRE PROTECTION

SCR# 0167 ACR# 1675734

BID PROPOSAL

DATE: June 17, 2016
COMPANY: Schaefer Custom Homes
ATTENTION: Michael Schaefer
PROJECT: Edge Building

INCLUSIONS: Wet pipe sprinkler system per NFPA-13. Backflow preventer is located on riser. Sprinkler heads to be recessed pendent type in areas with ceiling and brass upright sprinkler in exposed areas. Pipe, fittings & valves as per NFPA #13, and at the Seller's option. Price is based on an assumed flow test of 60 psi static pressure, 50 psi residual flowing 1,300 gpm. All work to be performed during standard business hours. Shop drawings. Sales Tax. Permits.

SITE: Site fire line to consist of: 40' of 4" ductile iron, (1) 6" Isolation valve (1) 5'-0" stub-outs, Site fire line to utilize stabilized backfill. Saw cut & removal of existing pavement. Replacement of paving after completion of work. All work to be performed during standard business hours Shop drawings. Sales Tax. Permits.

ALARM: Installation of new alarm system per NFPA72. System based on a A-2 occupancy. System components include fire control panel, with battery backup, wire & devices. (power to be provided by others, 2 POTS lines to FACP to be provided by others) All work to be performed during standard business hours. Shop drawings. Sales Tax. Permits.

Price is based on receipt of Auto-Cad files (at no cost) from the Architect and/or Engineer for the preparation of shop drawings.

EXCLUSIONS: Utility District Tap and/or Tap Fee. Painting and/or protection from painting. Removal and/or haul of excess site spoils 120 yards. OSHA trenching system if depth exceeds 5'-0". Composite clean up (we will clean up our own identifiable scrap). Removal and or replacement of existing ceilings. Rework of piping for other trades. MIC testing. Monitoring of alarm system.

***** PRICE IS VALID FOR THIRTY DAYS *****

This Bid Proposal will be subject to and conditioned upon either usage of the AIA Document A401 or a subcontract form otherwise acceptable to Southeast Fire Protection, Inc.

P. O. Box 87728 * Houston, Texas 77287-7728 * 713-910-3242 * Fax 713-910-3780



SOUTHEAST FIRE PROTECTION

SCR# 0167 ACR# 1675734

ADDENDA'S: None

BID PRICE: \$ 77,500.00 – Building Sprinkler System (Starting @ 1'-0" A.F.F)
\$ 15,800.00 – Site fire Line
\$ 13,300.00 – Alarm
\$106,600.00 – Total

ADD:

SENT BY: Chip Bateman

***** PRICE IS VALID FOR THIRTY DAYS *****

This Bid Proposal will be subject to and conditioned upon either usage of the AIA Document A401 or a subcontract form otherwise acceptable to Southeast Fire Protection, Inc.

P. O. Box 87728 * Houston, Texas 77287-7728 * 713-910-3242 * Fax 713-910-3780



Standard Automatic Fire Enterprises

500 Graham Road, College Station, TX 77845 | PO Box 10408, College Station, TX 77842-0408
Phone 979-690-0301 | Fax 979-690-6741

www.safesprinklers.com



03/14/2016 (Revised 06/01/2016) (6-17-2016)

Revised to include Basement Sprinklers, Fire Alarm & Underground

Michael Schaefer

Schaefer Custom Homes

979-575-4180

Mschaefer@schaefercustomhomes.net

Re: Edge Building Sprinkler System
121 North Main
Bryan, Texas 77803

Dear Michael,

We appreciate the opportunity to bid on the referenced project. We are pleased to offer the following proposal to furnish and install a wet pipe sprinkler system for the Edge Building. Also included is the fire alarm and monitoring quotes along with the 4" underground supply line.

We have bid this project from plans dated 02-11-2016.

Specifically included in the proposal are the following:

- ⌚ We are basing this proposal on working standard hours, no schedule provided.
- ⌚ Inside bid starts at a point 12" AFF inside the building. **We have provided an alternate price for the dedicated 4" underground supply line.**
- ⌚ NFPA #13 adopted edition 2010 and per specifications. All materials are UL listed and/or FM approved.
- ⌚ Wet pipe riser to include certified backflow preventer with butterfly control valves, tamper switch, flow switch, and water motor gong with retard chamber or electric bell. Single zone to protect both floors.
- ⌚ Pipe for wet pipe systems to be black schedule 10 & 40 ASTM A795, A135 or A53, sellers' choice, per NFPA#13.
- ⌚ Fittings for screwed pipe to be black 125# cast iron or 150# malleable iron.
- ⌚ Fittings for grooved pipe to be rolled grooved ends with 300# ductile iron mechanical grooved fittings or couplings.
- ⌚ Sprinkler heads are semi-recessed, quick response pendants for all areas with ceilings, and not necessarily located in the center of tiles in areas with acoustical ceilings. We



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AMERICAN
FIRE PROTECTION
GROUP, INC.
www.afpgusa.com

- will use brass upright or pendant type sprinkler heads for exposed construction areas. Spare sprinklers, storage box and installation wrenches are furnished and installed.
- Wall mounted fire department connection to be mounted on exterior wall outside of fire sprinkler riser room.
- All hangers to be installed per NFPA#13.
- Sleeves and fire caulk per plans. We have not included acoustical sealants for other wall penetrations.
- Valve tags and pipe markers as required by NFPA #13.
- Test and flushing as required by NFPA #13.
- Fees and permits for the City of Bryan, TX.

Specifically excluded from this proposal are the following:

- Underground fire line. **(Priced separately)**
- Fire sprinkler protection above ceilings.
- Removal of any ceilings to conceal fire sprinkler pipe.
- We have based our proposal on a minimum of 60 psi static, 59 psi residual, and flowing 1,250 GPM. This is a new flow test conducted on 5/9/2016 from City of Bryan, Texas..
- Adequate heat, controlled at 40 degrees F., in all areas that include a wet pipe system.
- Insulation and or heat tracing.
- Post indicator valve.
- Professional engineering.
- Pre-action or dry sprinkler systems.
- Fire sprinkler protection of non-combustible canopies and overhangs.
- Central station fire alarm monitoring or electrical connections to any electrical devices furnished under this scope such as, tamper, solenoids or flow switches. **(Priced As Fire Alarm Quote Separately)**
- Seismic Bracing.
- Cost of the CAD DWG files from architect for development of shop drawings.
- MIC system testing or MIC systems. (Can be furnished if requested at \$600.00 per test)
- Miscellaneous materials to reinforce structure in any manner. We have assumed the structure as designed is capable of supporting water filled weight of the fire sprinkler systems.
- Painting, priming or cleaning of pipe that is scheduled to be painted. Painter is responsible to protect the sprinkler heads from overspray.
- Cutting holes in ceiling tiles or sheetrock for sprinkler head penetrations.
- Fire extinguishers or FE cabinets. **(Priced Separately.)**
- We have not seen a wage scale for this project. Our standard rates apply.



Standard Automatic Fire Enterprises

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Phone 979-690-0301 | Fax 979-690-6741

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FIRE ALARM SYSTEM

SAFE shall perform the following fire alarm scope:

Our proposal is based on a A-2 occupancy with more than 300 and less than 1000 persons.

- 🔧 Furnish and install new fire alarm control panels and power supplies with battery backup.
- 🔧 Furnish and install a manual fire alarm system as required.
- 🔧 Furnish and install fire alarm occupant notification as required.
- 🔧 Furnish and install new wire for devices as required.
- 🔧 Provide addressable fire alarm system.
- 🔧 Submit drawings for city approval and secure require permits.
- 🔧 Perform all testing and customer training.

General exclusions to fire alarm scope are as follows:

- 🔧 Others to provide primary power sources to FACP and power supplies.
- 🔧 Others to provide two POTS lines to FACP for remote monitoring station.
- 🔧 Delays or additional mobilization cause by owner or contractor will be charged additionally.
- 🔧 Price is predicated on reasonable access, parking, and staging area for tools and materials in close proximity to work area.
- 🔧 Construction schedule to be provided and agreed between parties.
- 🔧 The installation will be performed under the supervision of a certified NICET level III Fire Alarm.
- 🔧 Owner to provide 24/7 Monitoring (SAFE can provide this service with a signed agreement).

Underground Scope:

- 4" Cut in on existing 6" City of Bryan Texas Water-line. Install new 6" isolation valve on city line per local requirements and install a 4" fire sprinkler isolation valve. Roadway boxes.
- Approximately 30LF of 4" cement lined ductile iron fire-line with river bed sand bedding.
- The underground line will be installed below the wood floor on the ground level. All access to areas below wood floor to be furnished by others.
- Saw cut, jack hammer and removal of pavement, replacement of same.
- Core hole through foundation and provide proper anchorage per NFPA#24.



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FIRE PROTECTION
GROUP, INC.**
www.afpgusa.com

- Installation shall be flushed and tested per NFPA#24.
- Backhoe & Operator.
- Fees & Permits

Inside base proposal furnished and installed FOB jobsite:	\$69,500.00
Remodel Tax:	\$ 5,334.00
Total:	\$74,834.00
Underground:	\$13,670.00
Remodel Tax:	\$ 1,127.00
Total:	\$14,797.00
Fire Alarm:	\$11,881.00
Remodel Tax:	\$ 980.00
Total:	\$12,861.00

Fire Extinguishers: 10# ABC, Wall hung brackets with inspection tags \$115.00 each

Sincerely,

Keith Watson

Keith Watson
SAFE
Texas License Number-SCR-G-1734091

The Edge of Downtown, LLC

Life Safety Grant Request for the City Of Bryan
June 20, 2016

The Edge Building located at 121 North Main Street had a fire in June 2015. Luckily there were no injuries or fatalities. The building had damages but not extensive enough to impact of the structural integrity of the structure.

We explored many scenarios of converting the space to a different use. In the end, we feel that the previous nightclub owners did an excellent job of bringing 300-400 people to downtown Bryan each week. These visitors would most likely not have come to downtown otherwise.

In an attempt to reopen the nightclub after the fire, we learned that there are several life safety items that we are required to upgrade and install prior to opening. The cost of the life safety improvements have been calculated by two separate contractors. Without assistance the cost to repair the building and bring the building in compliance with the current building code and fire code would be cost prohibitive. We believe that improving our property to the current life safety requirements will help prevent a tragedy in Bryan.

The separate required Life Safety improvements include:

1. Installation of a fire sprinkler system in all three floors of the structure, including the basement, ground level floor and upstairs as required by the building code.
2. Installation of an emergency alarm system that will notify first responders of an emergency on the property.
3. Installation of a site fire line (water line) for the exterior FDC and to fuel the sprinkler system.
4. In addition, installation of the required exit lighting on the property, such as "grass hopper" lights located throughout the building at each exit (we are not asking for assistance in doing this requirement).

TAX RECEIPT

10/29/2015 10:27AM

KRISTEEN ROE, CTA PH# (979) 775-9930
 BRAZOS COUNTY TAX ASSESSOR COLLECTOR
 4151 COUNTY PARK CT
 BRYAN, TX 77802

Receipt Number
2516172

Date Posted 10/29/2015
 Payment Type P
 Payment Code Full
 Total Paid \$7,122.10

PAID BY:

ANDERSON SCHAEFER I LTD
 18599 ANASAZI BLUFF DR
 COLLEGE STATION, TX 77845-6396

Property ID	Geo	Legal Acres	Owner Name and Address								
22458	191000-0102-0051	0.0000	ANDERSON SCHAEFER I LTD 18599 ANASAZI BLUFF DR COLLEGE STATION, TX 77845-6396								
Legal Description											
CITY OF BRYAN TOWNSITE, BLOCK 102, LOT 5 (PT OF)											
Situs	DBA Name										
121 N MAIN ST ,	HALO BAR										
Entity	Year	Rate	Taxable Value	Stmnt #	Void	Original Tax	Discnts	P&I	Att Fees	Overage	Amount Pd
BRYAN ISD	2015	1.35000	225,000	3687	N	3,037.50	0.00	0.00	0.00	0.00	3,037.50
BRAZOS COUNTY	2015	0.48500	225,000	3687	N	1,091.26	0.00	0.00	0.00	0.00	1,091.26
CITY OF BRYAN	2015	0.62999	225,000	3687	N	1,417.48	0.00	0.00	0.00	0.00	1,417.48
											5,546.24

Balance Due As Of 10/29/2015: .00

Property ID	Geo	Legal Acres	Owner Name and Address								
23311	191000-0256-0020	0.0000	ANDERSON SCHAEFER I LTD 18599 ANASAZI BLUFF DR COLLEGE STATION, TX 77845-6396								
Legal Description											
CITY OF BRYAN TOWNSITE, BLOCK 256, LOT 2 & 3 (PTS OF)											
Situs	DBA Name										
112 S MAIN ST ,	AGGIELAND AWARDS										
Entity	Year	Rate	Taxable Value	Stmnt #	Void	Original Tax	Discnts	P&I	Att Fees	Overage	Amount Pd
CITY OF BRYAN	2015	0.62999	63,930	3688	N	402.75	0.00	0.00	0.00	0.00	402.75
BRAZOS COUNTY	2015	0.48500	63,930	3688	N	310.08	0.00	0.00	0.00	0.00	310.08
BRYAN ISD	2015	1.35000	63,930	3688	N	863.05	0.00	0.00	0.00	0.00	863.05
											1,575.86

Balance Due As Of 10/29/2015: .00

Tender	Details	Description	Amount
Check	1385M		7122.10
			7122.10

Operator Batch Total Paid
 jpankonien 14323 (JP_10292015) 7,122.10

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

GENERAL WARRANTY DEED

Date: May 27, 2016
Grantor: ANDERSON SCHAEFER I, LTD., a Texas limited partnership
Grantee: EDGE OF DOWNTOWN, LLC, a Texas limited liability company
Grantee's Mailing Address: 18599 ANASAZI BLUFF DR.
College Station Tx 77845
Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration

Property (including any improvements):

The North one-half (N/2) of Lot Five (5), Block One Hundred Two (102), City of Bryan, Townsite, according to plat thereof recorded in Volume "H", Page 721, Deed Records, Brazos County, Texas.

Reservations from Conveyance:

None.

Exceptions to Conveyance and Warranty:

This conveyance is made subject to all valid and subsisting easements, restrictions, rights of way, conditions, exceptions, reservations, and covenants of whatsoever nature of record, if any, and also the zoning laws and other restrictions, regulations, ordinances and statutes of municipal or other governmental authorities applicable to and enforceable against the described property.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way

belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

ANDERSON SCHAEFER I, LTD.

By: ANDERSON SCHAEFER, LLC, its general partner

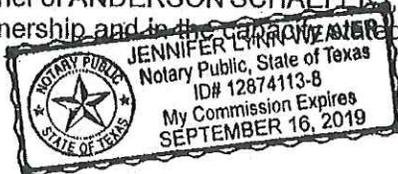
By: Zane Anderson
Zane Anderson, Director and Vice President

By: Michael Schaefer
Michael Schaefer, Director and President

STATE OF TEXAS

COUNTY OF BRAZOS

This instrument was acknowledged before me on the 27 day of May, 2016, by Zane Anderson, Director and Vice President of ANDERSON SCHAEFER, LLC, general partner of ANDERSON SCHAEFER I, LTD., a Texas limited partnership, on behalf on said partnership and in the capacity stated therein.

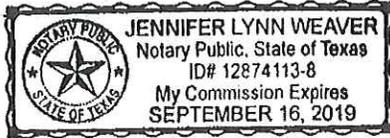


Jennifer Lynn Wheeler
NOTARY PUBLIC, State of Texas

STATE OF TEXAS

COUNTY OF BRAZOS

This instrument was acknowledged before me on the 27 day of May, 2016, by Michael Schaefer, Director and President of ANDERSON SCHAEFER, LLC, general partner of ANDERSON SCHAEFER I, LTD., a Texas limited partnership, on behalf on said partnership and in the capacity stated therein.



Jennifer Lynn Weaver
NOTARY PUBLIC, State of Texas

RECORDING PAID FOR BY: HLEP# _____
AFTER RECORDING RETURN TO:
CULLY LIPSEY
1021 University Drive East
College Station, Texas 77840
GENERAL WARRANTY DEED

PREPARED IN THE LAW OFFICE OF:
HOELSCHER, LIPSEY, ELMORE & POOLE, P.C.
1021 University Drive East
College Station, Texas 77840
WCL/RE/ ANDERSON SCHAEFER I EDGE OF DOWNTOWN WD (kt)

ANDERSON SCHAEFER I, LTD.
to EDGE OF DOWNTOWN, LLC

RESOLUTION NO. 3660

A RESOLUTION OF THE CITY OF BRYAN, TEXAS, APPROVING A LIFE SAFETY AND ECONOMIC DEVELOPMENT PROGRAM TO ASSIST IN REVITALIZATION, PROMOTE PUBLIC SAFETY AND LOCAL ECONOMIC DEVELOPMENT AND TO STIMULATE BUSINESS AND COMMERCIAL ACTIVITY OF DOWNTOWN BRYAN, DESIGNATING AREAS OF ELIGIBILITY AND ESTABLISHING REQUIREMENTS FOR THE SUBMITTAL OF APPLICATIONS FOR THE LIFE SAFETY AND ECONOMIC DEVELOPMENT MATCHING GRANT PROGRAM, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan (the "City") is engaged in a long range endeavor to rehabilitate and restore the historic Downtown which had fallen into a state of blight, with buildings and infrastructure in disrepair and many buildings being vacant; and

WHEREAS, the City has undertaken efforts to facilitate restoring and preserving the historical fabric and character of Downtown Bryan, ensuring the survival of the area's rich architectural and cultural history, stimulating redevelopment to increase sales tax revenues and property values and eliminating slum and blight conditions in downtown Bryan; and

WHEREAS, many buildings in Downtown were constructed long before current fire and safety codes were in place and before current practices and technology were available, and the cost of retrofitting these buildings can be cost prohibitive and often cause efforts to retain existing business and attract new business and housing resources to the area to be impractical; and

WHEREAS, the buildings in the Downtown were developed in close proximity, with common walls or closely spaced exterior walls, thus creating a heightened fire hazard and safety issues, including risk of fire in one building spreading across the Downtown area; and

WHEREAS, the City desires to stimulate economic development, create or maintain jobs, provide housing opportunities and promote public safety in the Downtown area, while preserving and enhancing Bryan's architectural and cultural history; and

WHEREAS, the City has determined that it is necessary that the City establish and approve a program under the authority granted to the City by Chapter 380 to promote economic development and to stimulate business and commercial activity, and the program to be herein established is consistent with the Downtown Bryan Master Plan,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

Section 1.

That the facts and recitations contained the preamble of this Resolution are hereby found and declared to be true and correct.

Section 2.

That the City Council hereby establishes, pursuant to authority granted to the City by Chapter 380, a program where the City will make grants in the manner hereinafter provided, to assist in and effectuate the goals and objectives of the program, to-wit, to improve fire and life safety in Downtown Bryan in conjunction with the restoration and preservation of the historic structural and aesthetic features Downtown buildings. The City Council hereby finds that the economic development program outlined in

this Resolution is necessary to stimulate business and commercial activity within an area of the City that is underdeveloped or blighted. Authority is hereby granted for the appropriate officials and employees of the City to execute agreements as necessary for the Project and approved as to form by the City Attorney with respect to any loan or grant of funds.

Section 3.

The City will provide a matching grant of an amount not to exceed \$35,000 to Owners of Properties located along Main Street and Bryan Avenue between West Martin Luther King Street and West 29th Street. The grant shall be for construction or installation of Life Safety improvements required by the Bryan Code of Ordinances in order for Owner to obtain certificates of occupancy for Owner's intended use(s) of the Property. The aggregate total of grants awarded to a property may not exceed \$50,000.

Section 4.

The program will be in accordance with the requirements outlined in Exhibit "A" attached hereto.

Section 5.

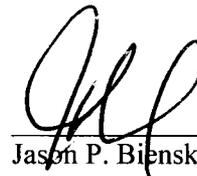
This Resolution shall be effective immediately upon its adoption by the Bryan City Council.

APPROVED AND ADOPTED by the City Council of the City of Bryan, at a regular meeting on the 7TH day of June, 2016.

ATTEST:


Mary Lynne Stratta, City Secretary

CITY OF BRYAN:


Jason P. Bienski, Mayor

APPROVED AS TO FORM:

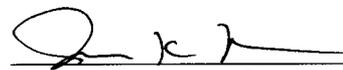

Janis K. Hampton, City Attorney

Exhibit "A"

I. DOWNTOWN LIFE SAFETY GRANT GUIDELINES

A. **Goal:** The Downtown Life Safety Grant seeks to provide financial assistance for the installation and compliance of the International Building Code fire suppression and safety code requirements. The program will benefit the City of Bryan by assisting Downtown Bryan property owners to improve existing vacant commercial buildings in the form of a reimbursement program. The program will increase the economic vitality of the buildings, increase sales tax and property values, while preserving and enhancing Bryan's architectural and cultural history.

B. **Objectives:**

- a. Encourage elimination of conditions that could be a serious growing menace, injurious to public health, safety and welfare;
- b. Encourage private investment in commercial and multi-family housing downtown through the use of public incentives;
- c. Stimulate economic and business development downtown by providing safe environments for workers, businesses and the public;
- d. Stimulate redevelopment to increase sales tax revenues and property values;

C. **Eligible Area:** Properties located along Main Street and Bryan Avenue between West Martin Luther King Street and West 29th Street. Refer to "Eligible Area" shown in blue on ATTACHMENT "1," attached.

D. **Eligible Improvements:** Eligible improvements must be required Life Safety improvements required by the Bryan Code of Ordinances. Examples include, but are not limited to the following:

- a. Fire separation between floors or adjacent occupancies;
- b. Fire/smoke alarm/sprinkler systems;
- c. Fire proofing of stairwells;
- d. Repair/replacement/installation of fire escapes, fire rated walls or windows;
- e. Additional means of egress, (for example doors and windows);

E. **Program Eligibility:**

- a. Grant recipient must be the owner of record or the tenant with the owner's approval of the proposed changes to the building.
- b. Owner must have clear title of the property with no adverse judgments of liens
- c. The property must be located within the eligible area.
- d. Qualifying buildings are to be used for commercial or multi-family uses; structures used exclusively for single-family residences will not qualify.

- e. New commercial development will not qualify, only structures in existence at the time this ordinance is adopted are eligible.
- f. Work that has been completed or is underway at the time the grant application is submitted will not qualify.
- g. The property owner must be willing to comply with all local and state laws and regulations affecting the property, its rehabilitation and future use.
- h. Property owner must be in good standing with the City of Bryan, any fines, fees or unpaid taxes owed to the City of Bryan by the property owner are paid in full prior to the application being accepted.

F. Policy and Conditions of the Grant Program: Matching grants will be awarded for any approved Downtown Life Safety Grant applications. Project proposals must be reviewed and approved before rehabilitation work begins. Guidelines are as follows:

- a. Matching grant amounts are awarded for up to 50% of the total estimated cost, up to \$35,000 of each life safety improvement, on a reimbursable basis. Qualified applicants will be required to match the awarded grant funds dollar for dollar. Grants will be awarded based on the number of life safety improvements and the costs of each improvement. For example; if the property has three separate life safety improvements required prior to opening, then the property owner is eligible for three separate grant awards, each limited to up to 50% of the total estimated repair cost, up to \$35,000.
- b. The aggregate total of grants awarded to a property may not exceed \$50,000.
- c. Qualified applicants will be required to match the awarded grant funds dollar for dollar. Agents of the property owner are not eligible to receive reimbursement. Reimbursement checks will only be issued to the owner of the property, the business owner and/or the property owner's or business owner's designated financial institution.
- d. The total funds available in the Downtown Life Safety Grant account at any given time may restrict the City's ability to meet a grant request.
- e. Professional Fees (Architectural and/or Engineering fees) incurred by the applicant are not eligible for reimbursement.
- f. The City of Bryan Historic Landmark Commission will review exterior changes to buildings requesting funding from the Downtown Life Safety Grant.

G. Reimbursement Procedure: As a general rule, all commercial or private funding for a project must be expended prior to the use of the City funding. Matching grant monies will be disbursed at the completion of improvements and with the acceptance of work by the City of Bryan. Documentation of proof of payment must be submitted with a written request for reimbursement. Acceptable proofs of payment for reimbursement include, but are not limited to the following:

- a. Itemized contractor and/or sub-contractor's invoices with the corresponding receipts and /or cancelled checks

- b. Paid Invoices for materials and/or supplies with the corresponding receipts and/or cancelled checks, or
- c. A release of lien from contractors, sub-contractors, and/or suppliers (A sample of the release of lien is available upon request)

The owner of the property will supply any additional documentation as required by the City of Bryan to confirm expenses.

- H. Project Duration:** Approved Construction must begin within sixty (60) days from the date of grant approval, and must be completed within three hundred and sixty five (365) days or monies will be recycled back into the program and reimbursement will not be made.
- I. Changes to Approved Scope of Work:** The City of Bryan must approve any changes made to the scope of work. Funding will not be awarded for any changes under construction without prior approval. Significant changes to the scope of work will require the authorization of the City Council. Minor changes (those less than the amount set forth in spending authorization ordinances § 26-28 of the Bryan City Code) may be approved by staff.
- J. Eligible Labor:** Matching grant monies may not be used to pay the property owner or members of the owner's family for labor on the project.
- K. Grant Limitations:** Life Safety improvements must comply with all state and local laws including all ordinances and regulations of the City of Bryan. The total funds available in the matching grant program at any given time may restrict the City's ability to fully fund a grant request. Matching grants shall be processed on a first come – first served basis, as grant monies are limited, and can be competitive. Consideration will include the necessity of the repairs or improvements, and the benefit to the building and the general public.

II. INITIATING REQUESTS FOR THE DOWNTOWN LIFE SAFETY GRANT

- A. Submittal Requirements:** Eligible property owners (see ATTACHMENT "1") interested in the program should submit six (6) copies of the following on compact discs to the City of Bryan Planning Department. Staff will review the provided information and may request additional information, if needed.
 - a. A completed application form.
 - b. A narrative of the project describing the work to be completed (max. 750 words).
 - c. Drawings/plans detailing the proposed improvements (PDF format).
 - d. Two (2) itemized cost estimates from two independent sources. Cost estimates from the property owner or any entity to which the property owner is associated will not be accepted.
 - e. Current tax certificate showing no delinquent taxes for the property.
 - f. Owner's certification and proof of ownership.

B. Downtown Life Safety Program Review Panel: The program applications will be reviewed by the Downtown Life Safety Program review panel to ensure all funds are awarded to viable improvements that are in compliance with the cities adopted International Building Code fire suppression and safety code requirements. The Review Panel shall consist of the following individuals; Fire Marshal, Chief Building Official, and an Economic Development representative. Please be aware that in an effort to assist as many applicants as possible with the limited program funds available, the City of Bryan cannot guarantee that all matching grant requests will be funded.

C. City Council Review: With recommendations from the Historic Landmark Commission regarding projects changing the exterior of the structure, and recommendations for the Review Panel, all matching grant applications will be forwarded for consideration by the Bryan City Council. The City Council may vote to approve, approve with modifications, or deny each matching grant application. If approved, a pre-construction conference will be held before the project can commence.

D. Project Construction: Upon application approval by the City Council, City staff will schedule a mandatory pre-construction conference for each approved application within thirty (30) days. Project construction must begin within sixty (60) days from the City Council approval date and must be completed within three hundred and sixty five (365) days from the beginning of construction, or monies for said project will not be distributed and returned to the program fund for the following fiscal year.

E. Contact Information:

Development Services
City of Bryan
300 South Texas Avenue
Bryan, Texas 77803
Ph: 979-209-5030
Fax: 979-209-5035

III. APPLICATION PROCESS FOR THE DOWNTOWN LIFE SAFETY GRANT PROGRAM

There are several steps to obtaining funds through the Downtown Life Safety Program depending on the type of improvements proposed. City staff will review the application for completeness and eligibility before initiating the review process.

A. Design Approval: The proposed changes must be reviewed and approved by the Bryan City Council before the grant can be awarded.

B. Review Process: City staff will work with the owner to determine the appropriate review process(s). At a minimum, the owner will need to supply the reviewing entity with a written description and detailed plans of the proposed changes. Descriptions should be specific as to materials to be used and any technical specifications pertinent to the proposal. Owner will also supply an itemized cost estimate for the improvements from a minimum of two (2) contractors. The International Building Code fire suppression and safety code requirements

and the City of Bryan Code of Ordinances will serve as the basis for reviewing the correctness of the proposed life safety improvements. Copies of these guidelines are available in the Development Services Department. Additional information may be required by staff as needed.

- C. **Building Standards Approval:** If funds are to be used to add construction, improvements within a right-of-way; correct code violations; improve structural stability; the City of Bryan Building Services Division and/or the Site Development Review Committee (SDRC) must review the planned changes and issue the required permit(s) before the grant can be awarded. Submissions will vary depending on the improvements planned. Applicants should contact the Development Services Department, at 209-5030, for information specific to their project. All work undertaken will be inspected and must be found in compliance with all applicable building codes and regulations before the grant is awarded.

- D. **Financial Approval:** Development Services staff will review the two (2) itemized cost estimates for the project, proof of title to the building and proof that taxes are current. The applicant is required to have completed the design and/or building standards review(s) and received approval(s) before staff will review the grant application. The Life Safety Grant Panel will review all submitted materials and the grant request will then be placed on the next available City Council agenda. City Council will approve or deny the grant request based upon their review of the application packet.

- E. **Inspections:** Inspections may occur periodically throughout the construction phase. At the completion of construction, the applicant will submit a written request for final inspection. A final inspection is required prior to requesting reimbursement, and will verify that all work approved for the grant is completed, and in keeping with the approved Certificate of Appropriateness, if any.

- F. **Reimbursement:** Once the City of Bryan has accepted the completed construction, the applicant may submit for reimbursement. Documentation of proof of payment must be submitted with the request in accordance with Section G "Reimbursement Procedure" of the Downtown Life Safety Grant document.

ATTACHMENT "1"
Eligible Area for the Downtown Life Safety Grant

