

City of Tustin

COVID-19 Related

Temporary Outdoor Expansion Grant Program

Program Guidelines



Program Overview

About the Program

The City of Tustin (City) has created the Temporary Outdoor Expansion Grant Program (Program), which will provide funding to assist eligible businesses such as restaurants and retailers (including gyms) to expand their outdoor areas and activities to mitigate restrictions placed on indoor activities due to COVID-19 related State and County health orders. The Program is based on the availability of funds, program guidelines and submission of all required information and supporting documentation. Eligible businesses may be eligible to receive a grant of up to two thousand dollars (\$2,000) per location. The grant may be used to purchase or rent* furniture, landscaping, barricades/railing, décor, shade structures (with one wall only), outdoor dining ware, lighting, personal protective equipment (PPE) or other items to support allowable outside activities. The grant can only be used for a new or expanded outdoor area, not existing, that was approved after June 2, 2020 under a City Temporary Use Permit (TUP). Information and the application for a TUP can be found at <https://www.tustinca.org/CivicAlerts.aspx?AID=257>.

**Total cost of rental agreements are allowable expenditures*

Funding Availability

Source of funds for the Program are provided through the Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funds received from the State. The City has allocated \$100,000 of these funds for the Program at this time.

The City's Economic Development Department (EDD) will be responsible for oversight of the Program and disbursement of funds will take place through the City's Finance Department. City staff is obligated to fulfill the terms and conditions of the funds as established by the City Council, these program guidelines, and Federal, State, and local applicable rules and regulations.

City Reserved Rights

The City reserves the unqualified right, in its sole and absolute discretion at any time: (1) to amend or terminate the Program with no recourse for any proposing applicant; (2) to choose or reject any or all applications received in response to the Program; (3) to modify any deadlines; (4) to request additional information of the applicants as deemed necessary and appropriate by the City; (5) to conduct further due diligence with applicants or any third party; (6) to modify the City's objectives or the scope of the Program; (7) to modify the Program requirements, general terms and conditions, or eligible activities; and/or (8) to disqualify any proposing applicant on the basis of any real or perceived conflict of interest that is disclosed or revealed by materials submitted or by any data available to the City.

Eligibility

To apply for the Program, businesses must meet certain criteria that have been established by the City and the CARES Act for activities utilizing funds. Businesses must also provide a Use of Grant Funds Report to show that funds have been expended for the Program's purpose, or that the business has

expended their own funds that the Program funds will help reimburse.

General Terms and Conditions

The applicant must meet the following minimum requirements to be considered for grant funding:

- Business must be a restaurant or retailer (gyms included)
- Business must have an **approved and active** TUP issued after June 2, 2020 for new or expanded outdoor activities through the City's Community Development Department;
- Business must be in good standing with the City (current on bills, no liens or judgements, etc.), unless directly correlated to COVID-19 impacts; and
- Business must submit the application and all required supporting documentation

** City employees and elected and appointed officials are not eligible to participate in the Program.*

Eligible Activities

Eligible activities for the use of funds should be used to cover expenses for the business in procuring equipment for or maintaining new or expanded outdoor areas subject to an approved TUP. This can include (but is not limited to) furniture, fixtures, shade structures (with one wall only), landscaping, décor, barricades, outdoor dining ware, lighting, etc. Applicants will fill out a use of funds section of the application form that will provide a general summary of how the funds have or will be spent. Each applicant will need to sign and verify that the use of funds will be spent on these eligible activities. Any use of funding other than the eligible activities is prohibited. A Use of Grant Funds Report on all purchases made (or rental agreements executed) with grant funds must be provided to the City **within 3 weeks** of the business receiving the funds. Failure to provide the report or using funds for eligible activities may result in the business's TUP being revoked. A sample Use of Grant Funds Report is attached with the grant application.

Equal Opportunity Policy

The City shall not discriminate upon the basis of sex, age, race, creed, color, religion, national origin, marital status, ancestry or physical handicap in accepting applications and processing applications.

Marketing and Outreach

The City will create marketing and outreach pieces to promote the Program. The goal will be to alert eligible businesses throughout the City about the Program and bring awareness to those that are interested in this financial support.

Application Process

Application

The Program application includes a request for general information about the business, loss of customers due to COVID-19 State and County health orders, and a plan or summary for how to create or expand outdoor activity options with a TUP. The active and approved TUP must be attached to the

application. **Applications without approved TUPs will not be accepted.** A W-9 form must also be submitted with the application. A blank W-9 form has been included with the application documents online.

Application Period

Funds from the Program will be distributed on a first come, first serve basis until funding is exhausted. The application is available online at www.tustinca.org/outdoorexansiongrant. Completed applications will be accepted electronically **only**, and can be emailed to TustinEconDevDept@tustinca.org. Applications will be accepted until the funding for the Program has been expended.

Grant Review and Approval Process

Review

The application will be reviewed by the City to determine application completeness and eligibility.

Grant Disbursement

After the City approves the business's application, funds will be dispersed to the business within ten (10) days. The business shall submit a Use of Grant Funds Report to the City demonstrating how the funds were expended no later than three (3) weeks from receipt of funds, which shall: (1) identify and itemize (to the extent possible) all expenses paid for (or rental agreements entered into) with the funds; (2) demonstrate how the business expended the funds consistent with the use requirements set forth in the application and guidelines; and (3) identify the balance of the funds that the business has not spent, if any. Any portion of funds not expended on eligible expenses shall be returned to the City by no later than three (3) weeks from receipt of funds. A sample Use of Grant Funds Report for businesses to provide to the City is attached to the application.

Post Grant Follow Up

The City may contact you to understand how the Program has benefitted Tustin businesses. There may be a need to collect additional data for City reports and/or audits. By acceptance of the grant the business agrees to comply with City information requests that may include use of photos or business logos.

Program Complaint and Appeal Process

Complaints concerning the Program should be made to the City's Economic Development Department. If unresolved in this manner, the complaint or appeal shall be made in writing and filed with the City Manager's Office.

Contact Information

For additional information regarding the Program, please contact the following:

City of Tustin
Economic Development Department
300 Centennial Way
Tustin, CA 92780
(714) 573-3117
TustinEconDevDept@tustinca.org