

City of Austin – Economic Development
Austin Legacy Business Relief Grant Program
DRAFT Program Guidelines

1.0 Introduction and Purpose

The Austin City Council created the Austin Legacy Business Relief Grant program through [Ordinance No. 20201001-052](#). The Austin City Council approved a one-time allocation of \$5,000,000 for this program. The Austin Legacy Business Relief Grant will be structured as a grant program for eligible public-facing businesses that have been established in the City of Austin for at least 20 years. The one-time grant awards will be either \$40,000 or \$60,000, depending on the business' tenure and number of employees.

1.1 Community Benefits

The community benefits to be achieved through this program include job creation and retention, maintaining a strong tax base, maintaining civic infrastructure, and preserving the City of Austin's unique culture, character, heritage and brand.

2.0 Program Fund and Fund Source

Funding in the amount of \$5,000,000 is available in the Fiscal Year 2020-2021 General Fund Emergency Reserve Fund. Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funds are not used for this program.

3.0 Eligibility Criteria

Businesses must meet the following criteria to be eligible for this grant program:

- Business operates in one of the following industry sectors:
 - Art service organizations
 - Arts venues
 - Bars
 - Childcare providers
 - Live performance and music venues
 - Restaurants
 - Studio spaces
- Business operates from a publicly-facing, physical building
- Business has operated for 20 years in an area that is currently in a City of Austin Council District
 - Business must have operated continuously with no more than a two (2) year break in operations
 - Business may have changed locations during its twenty (20) years but must have been located and/or headquartered in an area that is currently in a City of Austin Council District during all twenty (20) years
- Business has headquarters and/or its first location in an area that is currently in a City of Austin Council District
- Business contributes to Austin's civic infrastructure and helps to define the City's character and brand
- Business demonstrates a substantial likelihood of closing permanently absent assistance

- Business demonstrates that there is a low likelihood of a similar business reopening in the same or nearby location due to increased rents or other market factors
- Business demonstrates challenges pivoting to alternative operating models for generating revenues sufficient for survival under extended COVID-19 public health orders
- Business demonstrates that assistance through this program reasonably ensures the business will not fail
- Business is committed to maintaining the physical features, traditions, and operations that define the business
- Business is current on all local and state license requirements
- Business has no delinquent local, county, state, or federal tax obligations
- Business meets or exceeds the City of Austin’s recommended COVID-19 safety guidelines, which can be found online at www.austintexas.gov/covid19

3.1 Ineligibility Criteria

Businesses are ineligible for this grant program if any of the following apply:

- Businesses that do not meet the eligibility requirements
- Businesses that are closed permanently
- Businesses receiving assistance through another Save Austin’s Vital Economic Sectors (SAVES) Fund grant program.
- Businesses debarred from contracting with the federal government (disclosure)
- Businesses without an Employer Identification Number
- Businesses engaged in multi-level marketing
- Businesses that derive more than a third of their annual revenue from gambling activities
- Businesses whose service to customers includes adult entertainment
- Businesses whose primary activities involve lobbying
- Governmental entities
- Non-Profit entities
- Businesses not able to meet all eligibility criteria
- Full time, permanent City of Austin employees

3.2 Previous COVID-19 Grant or Loan Recipients

Businesses receiving assistance through another SAVES Fund grant program are not eligible for this program.

3.3 Applicants with Multiple Sites

Business owners with multiple eligible operations may only apply for the fund once.

3.4 Commercial Tenants

Applicants who rent or lease their property must demonstrate a commitment from the property owner to enter into a more favorable rent or lease agreement for the applicant. If a property owner is unwilling to enter into a more favorable rent or lease agreement, the applicant can submit documents demonstrating a good faith effort to work with their property owner to negotiate a more favorable agreement.

4.0 Workers Rights

Applicant will adhere to labor peace provisions and worker safety protections as applicable to the facility and business operations in accordance with local, state, and federal laws.

5.0 Eligible Expenses

The funds provided through the Austin Legacy Business Relief Grant are grant funds that can be applied towards business expenses.

6.0 Grant Award

The minimum grant award amount will be \$40,000 and the maximum grant amount will be \$60,000. Grant amounts are determined by the business' tenure and number of full-time employees.

Grant Award \$40,000	Grant Award: \$60,000
<p>Criteria:</p> <ul style="list-style-type: none">• Businesses with less than 25 full-time equivalents (FTEs). For the purposes of this program, a full-time employee counts as 1 FTE. A part-time employee counts as .5 FTE if they work between 20 hours per week and 40 hours per week, and .25 FTE if they work less than 20 hours per week.• Businesses who meet all eligibility criteria and have been in operation for more than 20 years.	<p>Criteria:</p> <ul style="list-style-type: none">• Businesses with more than 25 full-time equivalents (FTEs) and no more than 100 FTEs. For the purposes of this program, a full-time employee counts as 1 FTE. A part-time employee counts as .5 FTE if they work between 20 hours per week and 40 hours per week, and .25 FTE if they work less than 20 hours per week. <p>OR</p> <ul style="list-style-type: none">• Businesses who meet all eligibility criteria and have been in operation for more than 30 years.

The City of Austin anticipates awarding \$4,500,000 to \$5,000,000 to eligible program applicants. The total amount dispersed will depend on whether the City of Austin contracts with a third-party to administer the grant program. Administrative fees for third-party administrators can be as high as 10 percent of the total program fund.

7.0 Funding Disbursement

The City of Austin or a third-party program administrator will make every effort to distribute funding within thirty (30) days after the application period closes and any necessary documentation from applicants is received. Program funding will be awarded via a random lottery among eligible applicants.

8.0 Public Disclosure

All information submitted by applicants as part of the grant application and administration are subject to the Texas Public Information Act.