



Downtown Mural Grant Program Guidelines

A Program of:

El Paso Downtown Management District (DMD)

Effective November 16, 2020

DMD - Program Administrator Contact Information:

El Paso Downtown Management District
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Downtown Mural Grant Program

Thank you for your interest in the Downtown Mural Grant Program. We encourage you to read the following guidelines thoroughly and then contact the El Paso Downtown Management District to set up an appointment to discuss your project and the grant process. These small steps will help ensure a smooth and efficient application process.

1. **Program Description**

The purpose of the Downtown Mural Grant Program (the “Program”) is to provide funding to existing business and/or property owners to establish or restore murals within the boundaries of the El Paso Downtown Management District (DMD).

NOTE: Standard paint and/or artistic design element improvements will not be considered under this program. See Downtown Commercial Façade Improvement Grant Program.

The Program will provide matching grant funds on a reimbursement basis only for approved mural projects that are adjacent to the public right-of-way or surface parking lots, or visible from public right-of-way within the eligible areas of Downtown El Paso.

Subject to approval and funding availability, the matching grant funds when awarded are a dollar for dollar match (1:1 ratio) meaning once the total approved eligible mural project costs are confirmed paid in full, The Program **reimburses** The Participant for one half of these project costs which is the grant amount awarded

Example of Matching Requirements:

Total <i>Approved Eligible</i> Mural Project Costs	Required Matching Investment Amount by Property/Business Owner	Possible Grant Program Award
\$3,000	\$1,500	\$1,500
\$10,000	\$5,000	\$5,000
\$20,000 and above	\$10,000 and above	\$10,000

The Program grant award amount limits of reimbursement for an approved eligible mural project per eligible property project are:

Maximum grant program award amount	\$10,000.00
Minimum grant program award amount	\$1,000.00

Grant applications are considered on a first-come, first-serve basis. One application per legal parcel as identified by a City of El Paso property tax account number for Real Property.

Important Note: An eligible commercial Property is defined as a legal parcel identified by a City of El Paso property tax account number for *Real Property*.

2. Program Goals

- a. Establish suitable and recognizable murals within the downtown.
- b. Positively impact the aesthetics, activation, marketability, and perception of the downtown area.
- c. Increase property values.
- d. Serve as a catalyst for continued private sector investment through visible improvements.
- e. Offer the private sector an incentive program to invest in downtown.

3. Eligible Applicant Criteria

- a. Legal property owner and/or business owner/tenant with written property owner consent.
- b. Must actively pay property taxes on proposed project's property maintaining a current account status.
- c. No other debts in arrears to the City of El Paso to the best of their knowledge.
- d. Must obtain and provide proof of no current code enforcement actions pending against the property that would not be mitigated by the mural project by visiting website: <http://epermit.elpasotexas.gov/citizenaccess/>. Searches are available for all violations, i.e. Building, Enforcement, Environmental, Animal, Fire and Health.
- e. Must not have received an award(s) under this program exceeding \$10,000.00 within the previous eight (8) years.

4. Eligible Improvements / Costs include the following:

- a. Artist Services
- b. Demolition deemed necessary to facilitate the proposed improvements
- c. Wall Preparations
- d. Artist Supplies
- e. Equipment Rental
- f. Lighting

5. Ineligible Improvement / Costs include the following:

- a. Brand Advertising (or any other revenue generating use)
- b. Barricades
- c. Debris clean-up/control, dumpster fees
- d. Demolition deemed **not** necessary to facilitate the proposed improvements
- e. Improvement costs completed prior to receipt of the DMD's written Formal Notice to Proceed
- f. In-kind, donated, "sweat equity" or similar no cost improvement work
- g. Interior renovations or improvements
- h. Parking Meter rental
- i. Permits
- j. Sales Tax
- k. Standard building exterior renovations, improvements, painting or artistic design elements (See Downtown Commercial Façade Improvement Grant Program)
- l. Surveys – asbestos, lead testing
- m. Utility costs

6. Design Requirements

Applicants are encouraged to promote historic preservation by respecting original features of the building including the use of color and suitable materials, energy efficiency, accessibility standards in the design of the improvements, limiting additional signage by

incorporating it into the building's design; and using suitable landscaping that will aid in the preservation of community scale and character, to the extent that they are financially feasible or required by law. All improvements must conform to applicable city building codes, zoning ordinances, local and state laws and to the design guidelines adopted for the area (i.e., The Union Plaza District) and approved by the Façade Review Committee (The Committee) for The Program.

Historic District

Applicants whose project is associated with a property determined to be a historically designated building or located within the City of El Paso Historic District must first obtain written certification and/or Administrative Review Approval of the project from the City of El Paso Historic Preservation office or Historic Landmark Commission. Office contact and location information:

Address: 801 Texas Ave., El Paso, Texas 79901
Phone: (915) 212-1567

To obtain more information about Historic Design Requirements/Guidelines visit:

<https://www.elpasotexas.gov/planning-and-inspections/historic-preservation/guidelines-for-el-paso-historical-districts>

7. Funding Availability

Grant funding is limited and subject to availability. Applicants will be kept informed of funding availability as part of the application process.

8. Application Process

The required Mural Grant Program Application form is available at the DMD's principal office (location listed on the cover page of this document) and at the DMD website www.downtownelpaso.com click About DMD, then under the Programs section of that page click Downtown Grant Programs. The application must be completed in its entirety and include the required additional documentation listed on page 2 of the application, including, but not limited to, as summarized below:

- Color conceptual rendering (8 ½ x 11) and/or construction drawings of the proposed mural.
- Artist information including resume and examples of past work.
- Brief description of project (150 words or less).
- Project budget to include the identification of any grants, donations, contributions, etc. received or being requested by the applicant or persons associated with the project.
- **Certified** City of El Paso Tax Certificate of corresponding legal parcel of proposed façade improvement project indicating property taxes are paid and account is in a current status.
- Costs estimates and project scope (detailed itemized breakdown) of proposed mural.
- Proof of current property ownership.
- Current color photograph(s) of site and structures relating to the improvement work area.

Important Note: Application requires notary certified signature(s).

a. Application Submission

The completed required Application Form and accompanying documents (The Application) must be submitted for review to the DMD at a minimum, **two weeks** prior to the next

scheduled Grant Review Committee Meeting (Review Meeting). The deadline for acceptance of applications is 12 noon two weeks prior to the second Thursday of the month. Completed applications received by the deadline will be reviewed by a panel of art professionals and if approved, will be scheduled for the next Review Meeting (typically held monthly every 2nd Thursday at 10:00 a.m. in the DMD office). The DMD is charged with conducting the initial review of submitted applications. To ensure The Application is reviewed in a timely manner, it is **highly recommended that Applicants schedule an appointment** with the DMD Office & Project Coordinator. Should the Office & Project Coordinator be unavailable, an appointment may be scheduled with the Operations Manager. (Contact information for applicable DMD staff members is located on the cover page of this document). The Application will be date/time stamped at the time of submission/receipt at the DMD office.

b. Application Review

Preliminary review of the Application will be performed at the time of the scheduled appointment to determine whether it is complete and the requirements for submission have been fulfilled with subsequent advice to the Applicant of necessary changes or missing items that will need to be corrected as soon as possible. The DMD will then conduct a more extensive review of The Application and will again advise the Applicant if any insufficiencies or discrepancies remain to be corrected.

The mural depiction, artist resume, wall preparations, and materials list will be reviewed by a panel of local art professionals (The Panel) to determine the suitability of the proposed mural, and make a recommendation to the Grant Review Committee. Should the Panel determine that the proposed mural is not suitable, for whatever reason, the application process will stop at that point.

The complete application along with the Panel's recommendation is then presented to the Grant Review Committee (The Committee) for review to make a recommendation for approval or rejection to the DMD Board of Directors (BOD) at the next scheduled monthly BOD meeting. The Committee is comprised of DMD Board members, two City of El Paso staff members and when applicable, an officer of the City of El Paso Historic Preservation Office. Applicants are invited to attend the Review Meeting when their application is scheduled for review and recommendation. For clarification purposes, questions may be posed to The Applicant regarding the mural project.

Applications and potential grant awards will be based on how well the project addresses the following criteria:

- **Does the mural project revitalize; improve the appearance; positively impact the aesthetics, marketability, and / or perception of the downtown area?**
- **Does the mural add substantial visible improvement to the exterior appearance of the building; have the probability to increase the parcel's property value?**
- **Is the mural accessible or approachable to the general public?**
- **Does the property where the mural project is located currently have an operating business or signed lease?**
- **Does the parcel face an identified pedestrian corridor as identified by the Downtown Wayfinding Plan, El Paso Street, or the Streetcar route?**

The Committee will make their recommendation decision and present the Application to the BOD for the final determination. The BOD has discretion to approve, modify or reject the Application and is not bound by any committee recommendation. The BOD typically meets every 4th Thursday of the month at 11:30am. The meeting location is identified on the published agenda. Applicants are invited to attend the monthly BOD meeting.

Applicants will be notified in writing as to the status of The Application, approved, amended or rejected. The BOD reserves the right to postpone the decision.

9. Reimbursement Grant Agreement

In the event, the Application has received final BOD approval, a Commitment Letter will be issued to the Applicant stating the amount of approved grant funds allocated to the mural project, the establishment of a commitment period for completion of the project and information regarding the execution of the required Reimbursement Grant Agreement (The Agreement) between the Applicant, now referred to as The Participant (individual or entity responsible for payment of the mural project expenses), and the DMD. The Agreement will have been prepared and will accompany the Commitment Letter. The mural project information and specifics and the terms and conditions of the Participant's obligations for receipt of grant funds are outlined in the Agreement including, but not limited to, the following:

- a. Property and project scope location/identification along with Exhibit attachments identify the specific mural project to be undertaken;
- b. Maximum amount of the approved allowed reimbursement grant funds;
- c. Contract performance deadlines and dates including, but not limited to, submission of building permit(s) and other applicable permits or approvals
- d. Project monitoring and right of final inspection by DMD staff or other City of El Paso personnel;
- e. Compliance with applicable local, state, and federal laws;
- f. Promotional rights to the City of El Paso and the DMD;
- g. Maintenance requirements;
- h. Removal / alteration of the mural project within three (3) years from the date of completion of the mural project and subsequent recapture of prorated grant funds.

Important Note: The Participant must promptly return the executed Agreement to the DMD office. In the event the Participant is not the legal property owner, the property owner must also provide signature consenting to the mural project, BOTH signatures require notary certification.

10. Final Field Inspection

Requests for reimbursement will only be processed after the mural project work is completed and approved following a final field inspection by the Program Administrator and/or authorized City of El Paso personnel in order to verify compliance with the project scope.

11. Reimbursement Requests

Along with written inspection approval of the Work from the DMD, The Participant will receive a Downtown Mural Grant Program Reimbursement Request Form and Form W-9 in order to properly submit a reimbursement request. The Downtown Mural Grant Program Reimbursement Request must be submitted and received in the DMD office within twenty-one (21) calendar days from the date of the written final inspection approval notice. The Participant agrees that reimbursement of the eligible mural project costs are subject to the following terms and conditions contained within The Agreement under "Section 6. Payment Processing" relating to the required proper documentation to be included with the Reimbursement Request Form:

- a. A completed and signed Downtown Mural Grant Program Reimbursement Request Form and Form W-9 (completed with The Participant's information) as provided by the DMD;
- b. Proof of payment of all mural project costs (copies of cancelled checks along with corresponding invoices marked "PAID") must demonstrate payment was made by The Participant. Invoices shown to be paid by other than The Participant will not be

- included in payment of the Reimbursement Grant;
- c. Statements from architects, contractors and/or subcontractors acknowledging that all payments have been received;
- d. Notarized final lien waivers from all contractors and/or subcontractors, where applicable;
- e. Proof of any applicable final governmental inspections (e.g., planning or building permits or certificates of occupancy); and
- f. Hard copy color photograph(s) (8 ½ x 11) and if requested digital photograph(s) that accurately reflect the completion of the Work.

Documentation submitted along with the Reimbursement Request Form is subject to the review and approval of the Program Administrator. Further, reimbursement under The Program means that no reimbursement payment will be issued until The Participant has paid for the mural project work in **full**.

Allow 30 days for processing of the Grant Reimbursement payment which will be processed in the form of a check made payable to The Participant. The Participant will be notified once the check is available for release and will require signature by an authorized party.

Important Note: Grant funds are subject to the IRS reporting guidelines related to the reporting of Miscellaneous Income via a Form 1099-MISC.

12. Maintenance Requirements

By accepting grant funds, The Participant commits to properly maintain the mural, keeping it clean and free of graffiti, for a minimum of three (3) years at the Participant's own expense. Any damage to the mural is to be repaired immediately by The Participant so that it remains in good condition. The Participant is required to touch up painted areas and perform any other repairs needed on an ongoing basis and to maintain appearances.

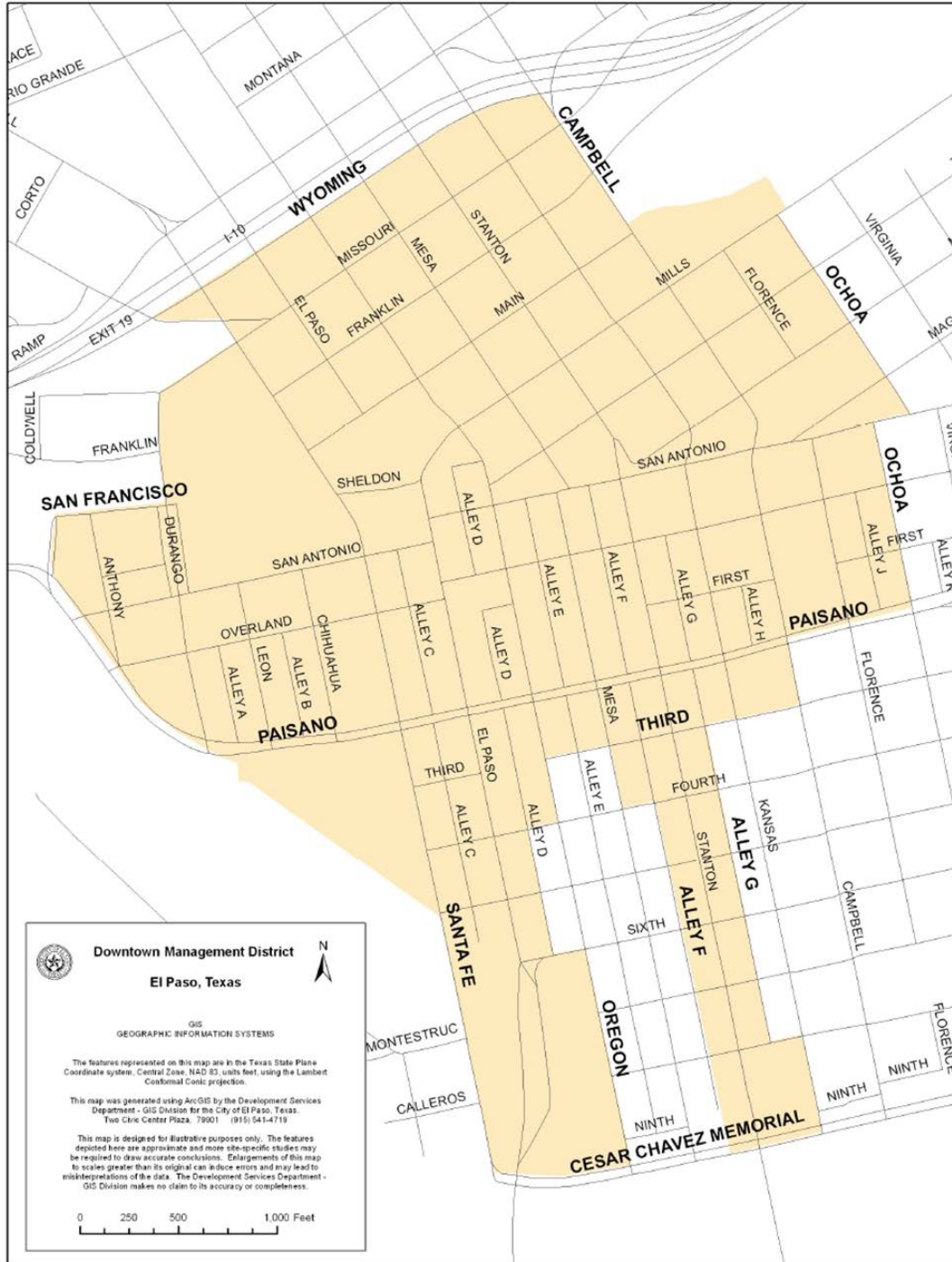
The Participant also agrees to return a pro-rated amount of the grant funds received if any portion of the mural project is removed within three (3) years of the project completion date.

13. Promotional Rights

By accepting grant funds, the Participant authorizes the City of El Paso and the DMD to promote the project and property including, but not limited to, displaying a sign at the site during and after construction indicating participation in the Program, and using photographs and descriptions of the project and property in the City of El Paso's and the DMD's printed promotional materials, press releases, and websites.

EXHIBIT A - Eligible Areas of Downtown El Paso

El Paso Downtown Management District (DMD) Boundary



El Paso Downtown Wayfinding Plan

El Paso Downtown Wayfinding Plan

