



## City of Sebastopol Design Review Board Staff Report

Meeting Date: September 7, 2022  
Agenda Item: 7A  
To: Design Review Board  
From: John Jay, Associate Planner  
Subject: Façade Improvement grant extension  
Recommendation: Approval of one-time grant extension to Façade improvement program awardee

### **Introduction:**

The Façade improvement program has been a successful program the City of Sebastopol has implemented for local businesses to provide financial help, through a grant, to exterior renovations to the awardee’s buildings. During the 2021-2022 fiscal year the City and Design Review Board awarded the allotted \$20,000 to local businesses and the program is expected to be extended into the 2022-2023 fiscal year by City Council.

### **Discussion:**

Due to the pandemic and other worldwide events we have seen an overall shake up of businesses and operations. The issues seen on a global scale are supply chain issues, businesses no longer operating, and a variety of other things. Staff has received notification from two of last years’ (FY 21-22) applicants/awardees that they were unable to complete the improvements by the June 30 deadline. They would like to request an extension of the reimbursement window to be allowed to submit their reimbursement request now (ie by June 30, 2023, for the current fiscal year). Although funding has passed for the FY 21-22 these extensions would be requesting from the FY 22-23 pool of \$20,000.

Staff believes these actions are consistent with the intent of the City’s program, which is to support the small local businesses who are working to improve facades of businesses within town. Staff also believes this would also be consistent with the intent of the program’s requirement that the work be awarded prior to being done, as the awardee had submitted and been awarded a FIP grant by the DRB prior to performing the work.

2022-23 Fiscal Year Funds Available:	20,000
Granting the extension of 127 North Main Street:	2,500
Granting the extension of 156 North Main Street:	2,500
Granting the application of 128 North Main Street:	<u>2,500</u>
	12,500

### **Recommendation:**

Staff is recommending the Design Review Board approve an extension for Global Village and Tombe Realty to submit for reimbursement by June 30, 2023, and for the City to reimburse these funds, as the new fiscal year was renewed to \$20,000.

Attachments:  
Application

# *City of Sebastopol Façade Improvement Program*



*Planning Department  
City Hall, 7120 Bodega Avenue  
Sebastopol, CA 95472  
707-823-6167  
<http://ci.sebastopol.ca.us>*

*City of Sebastopol  
Planning Department*

CITY OF SEBASTOPOL  
FAÇADE IMPROVEMENT REBATE PROGRAM

**APPLICATION FORM**

1. Applicant Name: Tombe Realty Contact Person: Craig Goldstein

Phone # 707-823-6475 E-Mail: Craig.goldstein@sonic.net

Business Name: Tombe Realty DBA: \_\_\_\_\_

Web site: TombeRealty.com

Property Address: 127 North Main Street

Mailing Address: Same City: Sebastopol Zip: 95472

Total Building Sq. Ft: \_\_\_\_\_ Building Street Frontage: 25 feet Parcel # \_\_\_\_\_

Are you the:  Owner/Occupant  Tenant Expiration of Lease: \_\_\_\_\_

Please check one:  Proprietorship  Partnership  Corporation

2. Type of Business or Businesses in Building: Real Estate

3. Project Description: Replace old "Tombe Realty" sign with new ones.

**4. Estimated Costs:**

Category	Bid Costs
A. Painting	\$ _____
B. Signage	\$ <u>7054.49</u>
C. Awnings	\$ _____
D. Landscaping and Irrigation	\$ _____
E. Exterior Lighting	\$ _____
F. City Permit Fees	\$ _____
G. Other (Attach separate complete list of all proposed improvements and breakdown of bid costs)	\$ _____
<b>Total Estimated Cost \$ <u>7054.49</u></b>	

CITY OF SEBASTOPOL  
FAÇADE IMPROVEMENT REBATE PROGRAM

5. City permits required for the improvement:

- Design Review approval  
 Encroachment Permit  
 Building Permit
- Other Permits \_\_\_\_\_  
 No permits required

If permits are required, please indicate status of applications or approvals: \_\_\_\_\_

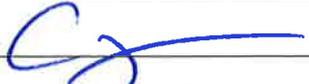
6. Estimated Date of Façade Project Completion: June 7th 2022

**Prior to submitting please verify that the following items have been filled out and provided:**

- |   |  |  |
|---|--|--|
| 1. Copies of signed bids for all improvements                 | <input checked="" type="checkbox"/> Provided |  |
| 2. Applicable, Architectural, Landscape, Sign, plans          | <input checked="" type="checkbox"/> Provided |  |
| 3. Awning design (if applicable)                              | <input type="checkbox"/> Provided            | <input checked="" type="checkbox"/> Not Applicable |
| 4. Color and material samples for paint, awnings, signs, etc. | <input type="checkbox"/> Provided            | <input type="checkbox"/> Not Applicable            |
| 5. Copy of Sebastopol Business License                        | <input checked="" type="checkbox"/> Provided |  |
| 6. Copies of any permits obtained                             | <input type="checkbox"/> Provided            | <i>-Submitted w/<br/>Rebate program</i>            |
| 7. Application Form, signed and dated                         | <input checked="" type="checkbox"/> Provided |  |
| 8. Terms and Conditions Form, signed and dated                | <input checked="" type="checkbox"/> Provided |  |
| 9. Maintenance Agreement Form, signed and dated               | <input checked="" type="checkbox"/> Provided |  |
| 10. Indemnification Agreement Form, signed and dated          | <input checked="" type="checkbox"/> Provided |  |

**NOTE: IMPROVEMENTS COMPLETED PRIOR TO APPROVAL ARE INELIGIBLE**

Name of Applicant: Tombe Realty / Craig Goldstein

Signature:  Date: 4/15/22

Name of Building Owner if different from Applicant:

Tombe Realty / Chris Pellascini 707-823-6475 Tombelesonic.net  
(Print name) (Phone number) (Email address)

Property Owner signature:  Date: 4-14-2022

## **TERMS AND CONDITIONS**

### **I. Purpose**

To encourage rehabilitation of commercial business fronts in designated target areas through the improvement of new signage, painting, landscaping, new facades, and more.

### **II. Eligible Improvements**

- Landscaping and irrigation
- Painting
- New signage and awnings
- Exterior lighting
- Parking lot improvements
- New Facades
- In addition, Planning, Building and Public Works permit fees are eligible (i.e. Design Review Board, Building and encroachment permit fees)

### **III. Program Benefit**

Cash rebate for 75% of the work, not to exceed \$2,500 for eligible improvements.

### **IV. Project Requirements**

- Project location must be within the City of Sebastopol in a commercial or industrial zoning district.
- Building to be improved must be commercial or industrial in use, as determined by the Planning Department.
- Evidence of a current Sebastopol Business License is required.
- Evidence of property owner approval for the improvements shall be provided.
- Complete rebate application, including estimated costs, must be submitted and approved by the Planning Department *prior* to commencement of work.
- Evidence of any required Caltrans or City permits will be required for *all* applicable improvements *prior* to issuance of any rebate.
- All project improvements shall comply with current Sebastopol City codes and ordinances.
- All project costs must be documented and include invoice.
- Requests for reimbursements must be submitted to the City no later than June 1 of the same Fiscal Year that the project was approved, unless otherwise specified by the Planning Department.
- Contractors must be properly licensed.
- Applicant must provide evidence of liability and Workers Compensation Insurance.
- Contractor(s) and subcontractor(s) must comply with all laws and regulations pertaining to wages.

### **V. Exclusions**

- Property with illegal sign(s). Applicant must remove illegal sign(s) prior to receiving the rebate.
- Project improvements that are started, but not completed.
- New construction projects.
- Buildings termed as high or medium seismic risks or having other serious code violations with no plans to correct deficiencies within a reasonable time frame.
- Interior improvements
- Improvements not clearly visible from street frontage.
- Exterior improvements not approved by the Planning Department.
- Improvements without proper and clearly defined documentation. (i.e. City Permits)

CITY OF SEBASTOPOL  
FAÇADE IMPROVEMENT REBATE PROGRAM

- Trading one type of service/job for another, rather than paying to have the service/job performed (i.e. no “bartering”)
- Project costs paid for by CASH. (Must be paid for by check, credit card, or other approved, documented method)
- Seismic work
- Property improvements for a building sold within three (3) years.
- A property and/or an individual tenant space is not eligible for this program more than once in a three-year (3) period.
- Owners of more than one (1) eligible property in the City are not eligible for more than two (2) grants per Fiscal year.

**VI. Application Approval Process**

- The Planning Department shall receive, review, and batch applications to be reviewed and acted on by the Design Review Board.
- The Design Review Board will review and approve all applications at quarterly meetings. It is anticipated that the Board will hear the applications at their November 4, 2020, February 3, 2021, and May 5, 2021 meetings.
- Applications are required to be submitted a minimum of two (2) weeks before the scheduled meeting in order to be placed on the agenda.
- The project may be denied without cause, due to such events as, lack of funds or a change in the scope or priority of the program or other program factors determined by the Planning Department, City Manager, or Design Review Board.
- The City reserves the right to cancel the program at any time.

**VII. Display of Rebate Program Sign**

Applicant *may be* required to display a Façade Improvement Rebate Program sign, from the date of rebate approval until the date of rebate funding.

**VIII. Property Maintenance Agreement**

The applicant must sign and submit the “*Façade Improvement Rebate Program Property Maintenance Agreement*” which states that the property must remain in good and attractive condition for a minimum term of three (3) years. It shall be the responsibility of the owner/lessee to inform subsequent owner(s)/lessee(s) of the provisions of this agreement.

**IX. Sale of Property within 3 years of Rebate Funding**

In the event the property is sold within three (3) years of the rebate funding, the building owner, whether they are the original applicant or not, agrees either to maintain the approved improvements or agrees to repay the City a prorated amount equal to the proportion of the remaining three (3) years, rounded to the nearest year. Example, if the building is sold two (2) years after the rebate, the repayment amount would be 1/3 of the original rebate funding; alternatively, if the improvements remain in effect for a three-year period, then repayment is not required.

**X. Accomplishment of Work**

The applicant agrees to all improvements specified in the application and the Planning Department’s recommendations and/or stipulations that work will conform to City standards. Under certain submittals applicant plans may be subject to design review or other requirements.

Applicant shall carry out the design, construction, and operation of the Project in substantial conformity with all applicable laws, ordinances, statutes, codes, rules, regulations, orders, and decrees of the United States, the State of California, the County of Sonoma, the City, or any other political subdivision in which the property is located, and of any other political subdivision, City, or instrumentality exercising jurisdiction over the City, the Applicant or the Property, including all applicable federal, state, and local occupation, safety and health laws, rules, regulations and standards, applicable state and labor standards,

CITY OF SEBASTOPOL  
FAÇADE IMPROVEMENT REBATE PROGRAM

prevailing wage requirements, the City zoning and development standards, City permits and approvals, building, plumbing, mechanical and electrical codes, as they apply to the Property and Project, and all other provisions of the City and its Municipal Code (as they apply to the Property and the Project), and all applicable disabled and handicap access requirements, including, without the limitation, the Americans With Disability Act, 42 U.S.C. § 12101 *et seq.*, Government Code § 4450 *et seq.*, and the Unruh Civil Rights Act, Civil Code § 51 *et seq.*

Supporting documentation may include an architectural rendering (depending upon the extent of the proposed improvements), landscape and irrigation plans, sign plans, paint chips and types of materials to be used and color schemes.

A deadline for the completion of all agreed-upon improvements will be determined at the Rebate Planning Department meeting and conveyed to the applicant in writing after application approval. If the improvements have not been completed by the deadline, the file may be closed, and the applicant may have to reapply for the program with written substantiation as to why they were unable to meet the deadline.

Upon completion of all agreed upon improvements, applicant MUST submit copies of cancelled checks (both sides), paid invoices/receipts, permit copies, proper prevailing wage documentation and a description of completed work and costs involved.

**XI. Inspection of Project**

Before, during and after improvements are being made, the City of Sebastopol or its designee shall have the right to inspect all work authorized under this program. No rebate check shall be issued until all improvements have been completed to the satisfaction of the inspectors, and the appropriate documentation have been received, reviewed and processed accordingly.

Name of Applicant: Chris Pellascini / Tombe Realty  
(Please Print)  
Signature:  Date: 4-14-2022

Name of Building Owner If Different from Applicant: \_\_\_\_\_  
(Please Print)  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PROPERTY MAINTENANCE AGREEMENT**

The undersigned Chris Pellascini / Tombe Realty ("Applicant") proposes to undertake certain building exterior renovation and/or landscaping improvement work on commercial or industrial property located at 127 North Main Street (Property Address) in the City of Sebastopol, California.

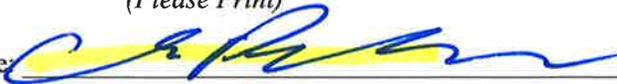
This agreement is conditional upon Participant's receiving a Rebate from the City. By executing this agreement and accepting the Rebate from the City, the Participant promises to maintain the Property in good attractive condition for the term of this agreement, as specified below, as follows:

1. The appearance of the building exterior shall not be allowed to deteriorate due to such reasons as chipped or cracked paint.
2. Awnings shall be kept in good condition, safely secured, fully intact, clean and free from tears or tattered edges.
3. Landscaping on the grounds of the Property shall be kept in proper condition by watering and gardening work.
4. The Property shall be maintained in compliance with applicable building and zoning regulations of the City of Sebastopol.

In the event the Participant fails to maintain the Property in good and attractive condition as stated above within a three (3) year period commencing on the date the rebate is paid, and further fails to correct such defective maintenance within 60 days after receiving notice from a representative of the City of Sebastopol to do so, the Participant agrees to repay the City a prorated amount of the Rebate, and the Participant shall be liable to the City for such amount. The prorated amount shall be equal to the remaining three (3) year period.

This agreement shall be binding upon the owner/lessee and its successors, to said property for a period of three (3) years from and after the date of completion and approval of the improvements provided herein. It shall be the responsibility of the owner/lessee to inform subsequent owner(s)/lessee(s) of the provisions of this agreement. In the event the property is sold within three (3) years of the improvements, the owner agrees to repay the rebate back to the City in the form of a prorated amount of the remaining three (3) year period and the owner shall be liable to the City for such amount.

Name of Applicant: Chris Pellascini / Tombe Realty  
(Please Print)

Signature:  Date: 4-14-2022

Name of Building Owner If Different from Applicant:

\_\_\_\_\_  
(Please Print) (Phone Number) (Email Address)

Property Owner signature: \_\_\_\_\_ Date: \_\_\_\_\_

**INDEMNIFICATION AGREEMENT**

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which may accompany it or otherwise arises out of or in connection with the City's action on this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City.

If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.



*Applicant Signature*



*Date*

NOTE: The purpose of the indemnification agreement is to allow the City to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.

CITY OF SEBASTOPOL  
FAÇADE IMPROVEMENT REBATE PROGRAM

Dear Business/Building Owner:

The City of Sebastopol offers a program aimed at encouraging local businesses and property owners to improve commercial and industrial buildings. Upgrades, maintenance, and aesthetic enhancements will benefit the entire community and enhance the local economy.

With these objectives in mind, subject to funding availability, the Sebastopol Façade Improvement Program will provide a *rebate* for expenses incurred on new exterior property improvements made to commercial or industrial buildings within the City of Sebastopol.

The program will reimburse a property owner or tenant for 75% of new improvements up to \$2,500. Eligible improvements include painting, new signage, awnings, landscaping, exterior lighting, and local permit fees. Façade building improvements (new windows, changing materials, etc.) are also eligible; however, note that larger changes may require Design Review approval as well.

The objective of the Façade Improvement Program is to provide an incentive to property owners and/or tenants to enhance the physical appearance of buildings and landscapes. This public/private partnership investment is intended to leverage private capital with public funds for greater community economic benefit.

To apply for the program a building owner or tenant, with the owner's approval, should fill out the attached application and include bid estimates for the proposed improvement(s). The Planning Department then reviews the submitted application for completeness and batches them to be reviewed on a quarterly basis by the Design Review Board for approval. Deadlines for applications for Fiscal Year 2021-2022 are:

- January 18, 2022
- April 19, 2022

It is anticipated that the Board will hear the Façade Improvement Submittals on Feb 16, 2022 (Jan applications) and May 4 (April applications).

Note, funding is limited based on the adopted City Budget. Funding may be entirely allotted in early rounds.

Applications are required to be submitted a minimum of two (2) weeks before the scheduled Design Review Board Meeting. If an application is submitted after the quarterly deadline it may be pushed to the following meeting.

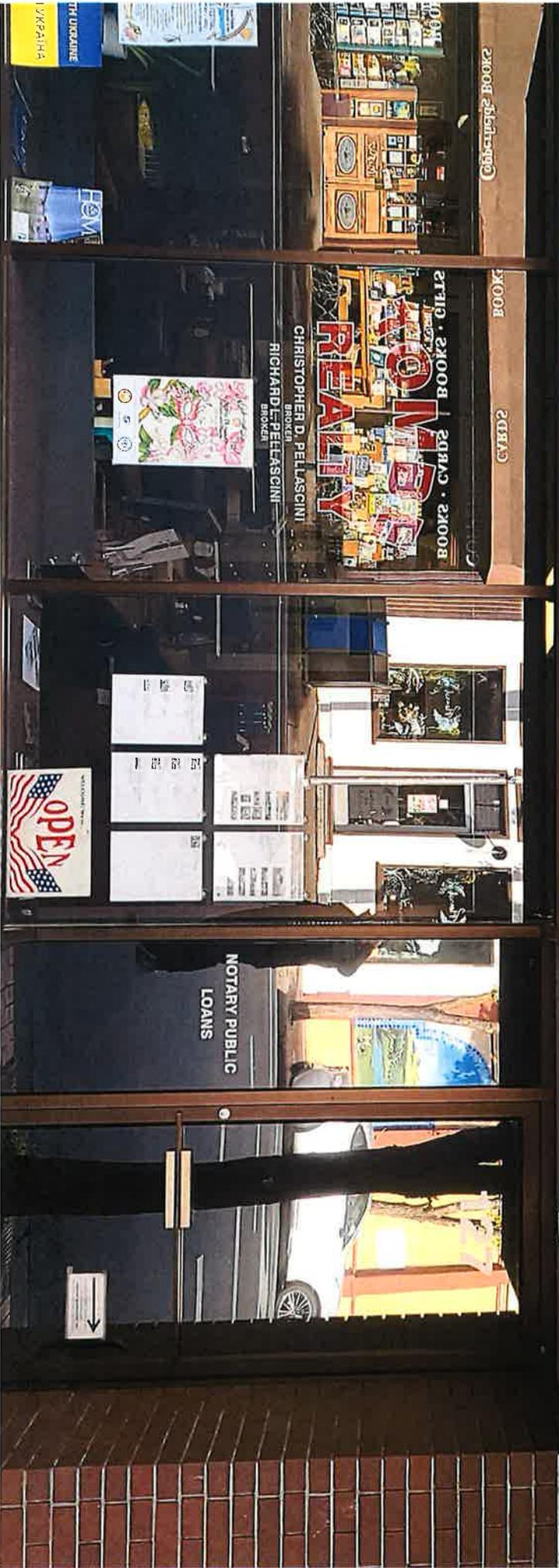
*For approved projects, work must be done by June 30, 2021, and requests for reimbursement must be made in the same Fiscal Year as when the project was approved, no later than July 1, 2021.*

If you would like to apply for or discuss the program in more detail, please contact Kari Svanstrom, Planning Director at (707) 823-6167 or [ksvanstrom@cityofsebastopol.org](mailto:ksvanstrom@cityofsebastopol.org).

Sincerely,

Kari Svanstrom  
Planning Director

# TOMBE REALTY



# TOMBE REALTY

New font Signage replacing  
old signage.

**APPLICATION FORM**

1. Applicant Name: **GV Imports Inc. dba Global Village** \_\_\_\_\_

Contact Person: **Anya Concoff** \_\_\_\_\_ Phone # **707-829-**

**1926** \_\_\_\_\_ E-Mail: **anya@globalvillageimports.com** \_\_\_\_\_

Business Name: **GV Imports DBA: Global Village** \_\_\_\_\_

Web site: **www.globalvillagesebastopol.com** (online sales), **www.facebook.com/globalvillagesebastopol**

Property Address: **156 N Main Street** \_\_\_\_\_

Mailing Address: **\_same\_** \_\_\_\_\_ City: **Sebastopol** \_\_\_\_\_ Zip: **95472** \_\_\_\_\_

Total Building Sq. Ft: approx. **3000** \_\_\_\_\_ Building Street Frontage: **yes** \_\_\_\_\_ Parcel # **004-243-**

**013-000** \_ Are you the:  Owner/Occupant **x Tenant Expiration of Lease: June 1 2025** Please

check one:  Proprietorship  Partnership **x Corporation**

2. Type of Business or Businesses in Building: **\_\_\_Retail storefront and online sales of imported and domestic apparel, gifts, decor and misc. On Main Street since 1992. Now in the second generation of family management.**

3. Project Description:

**A. Exterior painting of front of store up to roof in colors that reflect the 1900 character of the building (swatches attached)**

**B. Removal of former tenant' signage (Artist Supplies)**

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4. Estimated Costs:

**Category Bid Costs**

**A + B. Painting and signage removal \$4300** F. City Permit Fees \$ **unknown,**

**concurrently applying for encroachment permit for the day of work and a review of the colors from the Planning dept. \_\_\_\_\_**

G. Other (Attach separate complete list of all proposed improvements and breakdown of bid

costs)

\$ \_\_\_\_\_

**Total Estimated Cost \$4300** \_\_\_\_\_

3

Rev. 04.21.2021

CITY OF SEBASTOPOL

FAÇADE IMPROVEMENT REBATE PROGRAM

**5. City permits required for the**

**improvement:** xDesign Review approval

x Encroachment Permit

Building Permit

Other Permits \_\_\_\_\_  No permits required

**If permits are required, please indicate status of applications or approvals:** \_\_\_\_\_

**Currently being filed** \_\_\_\_\_

**6. Estimated Date of Façade Project Completion:** May 10th (May 22nd is 30th anniversary)

**Prior to submitting please verify that the following items have been filled out and provided:**

1. Copies of signed bids for all improvements **x Provided**

2. Applicable, Architectural, Landscape, Sign, plans **x Provided**

3. Awning design (if applicable)  Provided **x Not Applicable**

4. Color and material samples for paint, awnings, signs, etc. **x Provided**  Not Applicable

5. Copy of Sebastopol Business License **x Provided**

6. Copies of any permits obtained  Provided

7. Application Form, signed and dated **x Provided**

8. Terms and Conditions Form, signed and dated **x Provided**

9. Maintenance Agreement Form, signed and dated **x Provided**

10. Indemnification Agreement Form, signed and dated **x Provided**

**NOTE: IMPROVEMENTS COMPLETED PRIOR TO APPROVAL ARE INELIGIBLE**

Name of Applicant: **Anya Concoff / Global Village** \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Name

of Building Owner if different from Applicant:

**Gail Hayssen/Hayssen Property Management** \_\_\_\_\_ (Print name) **707-888-2299** (Phone number) **ghayssen@sonic.net** (Email address)

Property Owner signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **TERMS AND CONDITIONS**

### **I. Purpose**

To encourage rehabilitation of commercial business fronts in designated target areas through the improvement of new signage, painting, landscaping, new facades, and more.

### **II. Eligible Improvements**

- Landscaping and irrigation
- Painting
- New signage and awnings
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- In addition, Planning, Building and Public Works permit fees are eligible (i.e. Design Review Board, Building and encroachment permit fees)

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- Evidence of property owner approval for the improvements shall be provided. • Complete rebate application, including estimated costs, must be submitted and approved by the Planning Department *prior* to commencement of work.
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- Contractors must be properly licensed.
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### **V. Exclusions**

- Property with illegal sign(s). Applicant must remove illegal sign(s) prior to receiving the rebate. • Project improvements that are started, but not completed.
- New construction projects.
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- Exterior improvements not approved by the Planning Department.
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CITY OF SEBASTOPOL  
 FAÇADE IMPROVEMENT REBATE PROGRAM

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- Project costs paid for by CASH. (Must be paid for by check, credit card, or other approved, documented method)
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- The City reserves the right to cancel the program at any time.

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#### **IX. Sale of Property within 3 years of Rebate Funding**

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#### **X. Accomplishment of Work**

The applicant agrees to all improvements specified in the application and the Planning Department’s recommendations and/or stipulations that work will conform to City standards. Under certain submittals applicant plans may be subject to design review or other requirements.

Applicant shall carry out the design, construction, and operation of the Project in substantial conformity with all applicable laws, ordinances, statutes, codes, rules, regulations, orders, and decrees of the United States, the State of California, the County of Sonoma, the City, or any other political subdivision in which the property is located, and of any other political subdivision, City, or instrumentality exercising jurisdiction over the City, the Applicant or the Property, including all applicable federal, state, and local occupation, safety and health laws, rules, regulations and standards, applicable state and labor standards,

CITY OF SEBASTOPOL  
FAÇADE IMPROVEMENT REBATE PROGRAM

prevailing wage requirements, the City zoning and development standards, City permits and approvals, building, plumbing, mechanical and electrical codes, as they apply to the Property and Project, and all other provisions of the City and its Municipal Code (as they apply to the Property and the Project), and all applicable disabled and handicap access requirements, including, without the limitation, the Americans With Disability Act, 42 U.S.C. § 12101 *et seq.*, Government Code § 4450 *et seq.*, and the Unruh Civil Rights Act, Civil Code § 51 *et seq.*

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Name of Applicant: **Anya Concoff** \_\_\_\_\_ (*Please Print*)  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Building Owner If Different from Applicant: **Gail Hayssen** \_\_\_\_\_ (*Please Print*)  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PROPERTY MAINTENANCE AGREEMENT**

The undersigned Global Village (“Applicant”) proposes to undertake certain building exterior renovation and/or landscaping improvement work on commercial or industrial property located at 156 N Main Street\_\_\_\_\_ (Property Address) in the City of Sebastopol, California.

This agreement is conditional upon Participant’s receiving a Rebate from the City. By executing this agreement and accepting the Rebate from the City, the Participant promises to maintain the Property in good attractive condition for the term of this agreement, as specified below, as follows:

1. The appearance of the building exterior shall not be allowed to deteriorate due to such reasons as chipped or cracked paint.
2. Awnings shall be kept in good condition, safely secured, fully intact, clean and free from tears or tattered edges.
3. Landscaping on the grounds of the Property shall be kept in proper condition by watering and gardening work.
4. The Property shall be maintained in compliance with applicable building and zoning regulations of the City of Sebastopol.

In the event the Participant fails to maintain the Property in good and attractive condition as stated above within a three (3) year period commencing on the date the rebate is paid, and further fails to correct such defective maintenance within 60 days after receiving notice from a representative of the City of Sebastopol to do so, the Participant agrees to repay the City a prorated amount of the Rebate, and the Participant shall be liable to the City for such amount. The prorated amount shall be equal to the remaining three (3) year period.

This agreement shall be binding upon the owner/lessee and its successors, to said property for a period of three (3) years from and after the date of completion and approval of the improvements provided herein. It shall be the responsibility of the owner/lessee to inform subsequent owner(s)/lessee(s) of the provisions of this agreement. In the event the property is sold within three (3) years of the improvements, the owner agrees to repay the rebate back to the City in the form of a prorated amount of the remaining three (3) year period and the owner shall be liable to the City for such amount.

Name of Applicant: **Anya Concoff / Global Village**\_\_\_\_\_  
*(Please Print)*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Building Owner If Different from Applicant:

**Gail Hayssen**\_\_\_\_\_  
*(Please Print)*

**707-888-2299**\_\_\_\_\_*(Phone Number)*    **ghayssen@sonic.net**\_\_\_\_\_*(Email Address)*

Property Owner signature: \_\_\_\_\_ Date: \_\_\_\_\_

**INDEMNIFICATION AGREEMENT**

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which may accompany it or otherwise arises out of or in connection with the City’s action on this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City’s action on this application, whether or not there is concurrent passive or active negligence on the part of the City.

If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

**Anya Concoff** \_\_\_\_\_ *Applicant Signature Date*

NOTE: The purpose of the indemnification agreement is to allow the City to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.