



THE CITY OF

*Perris, California*

**City of Perris**  
**Restaurant Broker Incentive Program**  
**Community Economic Development Corporation**

**I. REWARDING MOTIVATED AGENTS**

Substantial anticipated residential growth in Perris combined with a thriving work force has created a need to balance industrial, retail, and commercial business within the community. As new commercial retail is anticipated to be developed, there is a growing gap of sit-down full service restaurants to serve the City of Perris community, and many Perris residents are currently traveling outside City limits for dining and employment opportunities. Many regional and national restaurant chains are represented by commercial real estate brokers to identify and negotiate lease and/or purchase agreements to facilitate the development of the restaurant within the best area matching their desired demographics. To incentivize the brokers to take a better look at the City, the Community Economic Development Corporation (“CEDC”) is proposing a “Restaurant Broker Incentive Program,” in which the City will further motivate real estate brokers to select the City of Perris as the next prime area to expand.

As a token of the City of Perris’s appreciation, an attractive incentive has been devised to motivate real estate brokers to present Perris and its vast opportunities to prospective full service, sit-down restaurants.

**II. PROGRAM OVERVIEW**

The Restaurant Broker Incentive Program (“Program”) will compensate the restaurant’s real estate broker who causes the execution of a lease agreement that (as determined by the CEDC at its sole discretion) will result into the opening of a full service, sit down restaurant in the City of Perris. The Program will match the restaurant agent’s commission up to twenty-five thousand dollars (\$25,000) for any lease agreement that directly results in a new restaurant development occurring in a specified time frame. The incentive will be disbursed upon the restaurant receiving a business license, a final Certificate of Occupancy, and the restaurant opened for business. The Program incentive will match up to 100% of the commission up to \$25,000 for the restaurant’s agent only.

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### III. REQUIREMENTS

The Program is designed to attract full service, sit down restaurants to the City of Perris. An applicant must meet the established criteria to be eligible for participation in the Program. However, eligibility for the Program does not guarantee the receipt of any specific incentive or incentive combination. In addition, the applicant must enter into a Restaurant Broker Incentive Agreement (RBIA) with the CEDC. Full service restaurants shall also include specified buffet style restaurant tenants such as Souplantation, Golden Corral, or any other national or regional retail chain as approved by the CEDC Board of Directors. The CEDC Board of Directors reserves all rights to approve or disapprove restaurant tenants in its sole and absolute discretion.

The Broker Incentive Program will match the agent's commission up to a maximum of twenty-five thousand dollars (\$25,000), pursuant to the following requirements:

1. The Restaurant Broker must complete an approved application for the Restaurant Broker Incentive Program through the CEDC prior to the execution of a lease on the subject property;
2. The lease must be at a minimum, longer than a five (5) year term with extensions. Longer terms with extensions are preferred;
3. The Restaurant Broker must have a current City of Perris Business License;
4. The Restaurant Broker must be licensed in California, be in good standing with the California Department of Real Estate (DRE), and be independent from the buyer/developer of the proposed site;
  - a. If a licensed Salesperson is applying, a valid Broker/Agent contract must be presented identifying the Restaurant Broker to receive incentive, who must also be in good standing with the DRE.
5. The incentive will be disbursed upon meeting all of the requirements set forth in Section VI of this Program and RBIA;
6. Real property must be vacant and/or unoccupied and within the city limits, as defined by the current City boundaries;
7. Proposed development must be constructed within a specified time frame as outlined in the RBIA;
8. Tenants of the new development are required to commit to occupancy in the City for a specified period of time;
9. Proposed site must be consistent with the General Plan;

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10. Must result in creation of new jobs;
11. Creation of jobs must be consistent with minimum wage pursuant to California and Federal labor laws to include legally documented workers;
12. This incentive is not available for the previously opened restaurants prior to the approval of this Program;
13. **The Restaurant Broker is required to enter into a RBIA (or any other form of agreement as identified by the CEDC) and such RBIA approved by the Board of Directors of the CEDC;**
14. Any disputes between broker and restaurant that delays opening could result in immediate termination of incentive agreement;
15. This incentive is only valid up to one time per proposed site, parcel, and/or development as determined by CEDC staff; and,
16. **The City and CEDC reserves all rights to select which restaurants to provide any and all financial assistance as provided for in any Restaurant Incentive Programs.**

#### IV. DEFINITIONS

Below are terms used in this Program description that is defined by the California Business and Professions Code:

##### ***Broker Defined***

**10131.** A real estate broker within the meaning of this part is a person who, for a compensation or in expectation of a compensation, regardless of the form or time of payment, does or negotiates to do one or more of the following acts for another or others:

- (a) Sells or offers to sell, buys or offers to buy, solicits prospective sellers or purchasers of, solicits or obtains listings of, or negotiates the purchase, sale or exchange of real property or a business opportunity.
- (b) Leases or rents or offers to lease or rent, or places for rent, or solicits listings of places for rent, or solicits for prospective tenants, or negotiates the sale, purchase or exchanges of leases on real property, or on a business opportunity, or collects rents from real property, or improvements thereon, or from business opportunities.
- (c) Assists or offers to assist in filing an application for the purchase or lease of, or in locating or entering upon, lands owned by the state or federal government.
- (d) Solicits borrowers or lenders for or negotiates loans or collects payments or performs services for borrowers or lenders or note owners in connection with loans secured directly or collaterally by liens on real property or on a business opportunity.
- (e) Sells or offers to sell, buys or offers to buy, or exchanges or offers to exchange a real property sales contract, or a promissory note secured directly or collaterally by a lien on real property or on a business opportunity, and performs services for the holders thereof.

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***Salesman Defined***

**10132.** A real estate salesman within the meaning of this part is a natural person who, for a compensation or in expectation of a compensation, is employed by a licensed real estate broker to do one or more of the acts set forth in Sections 10131, 10131.1, 10131.2, 10131.3, 10131.4, and 10131.6

**V. APPLICATION REQUIREMENTS**

Simply complete an application for the Restaurant Broker Incentive Program and submit copies of the following documents:

1. Evidence that the Restaurant Broker represents the restaurant tenant/buyer (any legal instrument between the restaurant Broker and tenant/buyer);
2. Valid City of Perris Business License;
3. A completed W-9 form (I.e. Request for Taxpayer Identification Number and Certification) from the proposed payee;
4. Valid California State Broker/Salesperson License;
5. Current Restaurant Broker/Salesperson contract identifying the Salesperson and their respective restaurant Broker (if applicable); and,
6. Proof of legal right to work in the United States

**VI. DISBURSEMENT SCHEDULE**

Program disbursement will be released upon meeting all the following criteria:

1. All requirements as stated in this Program, including but not limited to Section III and IV are satisfied;
2. All requirements as stated in the RBIA (or any other form of agreement as identified by the CEDC) and approved by the Board of Directors of the CEDC are satisfied;
3. Broker has provided any and all necessary documents to confirm compliance and completion of all requirements;
4. The restaurant building has received a Final Certificate of Occupancy without any outstanding issues by the City of Perris;
5. The restaurant has received and paid for a Business License to operate a full service, sit down restaurant;
6. The restaurant has opened for business;
7. This program is limited to payment disbursement timeframe as outlined in the RBIA;

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8. If development ceases construction and/or is not completed and opened for business within the agreed upon timeframe as outlined in the RBIA (i.e. 12 months from execution of agreement), the CEDC reserves all rights to immediately terminate said agreement and Applicant shall not have any claims for financial disbursements under this Program; and
9. Maximum attainable matching commission incentive is up to \$25,000 per site.

**V. TIME IS OF THE ESSENCE**

The Restaurant Broker Incentive Program is a limited offer and may be subject to program caps and number of qualified applicants. It is a discretionary program that may be modified or cancelled at any time without notice, and is subject to available funding. The CEDC has budgeted \$200,000 to this Program and funding is provided on a first come, first served basis.

**VI. INTERESTED PARTIES ARE INVITED TO CONTACT:**

Michele Ogawa, Business Liaison  
Community Economic Development Corporation  
135 N. "D" Street  
Perris, California 92570-1998  
Phone: (951) 943-6100

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