

MORROW COUNTY BOARD OF COMMISSIONERS MEETING AGENDA

Wednesday, December 30, 2020 at 9:00 a.m.

Bartholomew Building Upper Conference Room

110 N. Court St., Heppner, Oregon

See Zoom Meeting Info on Page 2

1. **Call to Order and Pledge of Allegiance - 9:00 a.m.**
2. **City/Citizen Comments:** Individuals may address the Board on issues not on the agenda
3. **Open Agenda:** The Board may introduce subjects not already on the agenda
 - a. **Consent Calendar – No Items**
4. **Business Items**
 - a. CARES Funds Update and Progress Report
5. **Department Reports – None Scheduled**
6. **Correspondence**
7. **Commissioner Reports**
8. **Executive Session:** Pursuant to ORS 192.660(f), to consider information or records that are exempt by law from public inspection.
9. **Adjournment**

Agendas are available every Friday on our website (www.co.morrow.or.us/boc under “Upcoming Events”). Meeting Packets can also be found the following Monday.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Roberta Lutcher at (541) 676-5613.

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Board may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend. Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media. The Board may recess for lunch depending on the anticipated length of the meeting and the topics on the agenda. If you have anything that needs to be on the agenda, please notify the Board office before noon of the preceding Friday. If something urgent comes up after this publication deadline, please notify the office as soon as possible. If you have any questions about items listed on the agenda, please contact Darrell J. Green, Administrator at (541) 676-2529.

Zoom Meeting Information

Join Zoom Meeting:

<https://zoom.us/j/5416762546> /**PASSWORD: 97836**/Meeting ID: 541-676-2546

Zoom Call-In Numbers for Audio Only:

- 1-346-248-7799, Meeting ID: 541 676 2546#
- 1-669-900-6833, Meeting ID: 541 676 2546#
- 1-312-626-6799, Meeting ID: 541-676-2546#
- 1-929-436-2866, Meeting ID: 541-676-2546#
- 1-253-215-8782, Meeting ID: 541-676-2546#
- 1-301-715-8592, Meeting ID: 541-676-2546#



Finance

P.O. Box 867 • Heppner OR 97836
(541) 676-5615

Kate Knop
Finance Director
kknop@co.morrow.or.us

TO: Board of Commissioners
FROM: Kate Knop, Finance Director
DATE: December 30, 2020
RE: DAS Grant #2529 – *Coronavirus Relief Fund* Business Grants

The following information is intended to assist the Board of Commissioners in reviewing qualified applicants for the *Coronavirus Relief Fund (CRF)* business grant dollars.

Is important to note the deadline is today.

History

The Department of Administrative Services (DAS) issued Grant #2529 to Morrow County (Grantee) in the amount of \$601,787, to be used for expenditures incurred due to COVID – 19 during the period of March 1, 2020 through December 30, 2020.

- The Grant governs disbursement of funds from the *Coronavirus Relief Fund* for the Performance Period to reimburse the costs of the activities as defined by The Project.
- Morrow County is defined by DAS as a ‘grantee’ of the State of Oregon and as a ‘subrecipient’ of federal funds and is subject to the U.S. Treasury guidance. The use of all federal funds paid under the Grant are subject to all applicable federal regulations.
- Timeline
 - December 2, 2020 – Board of Commissioners reviewed and approved DAS Grant #2529 for the *Coronavirus Relief Fund*.
 - December 8, 2020 - IGA Grant #2529 executed.
 - December 10, 2020 - grant dollars received in the amount of \$601,787 .
 - December 15, 2020 – CRF business assistance grant applications *due*.
 - December 30, 2020 – if grantee has not used funds it has received to cover its costs that were incurred, as required by statute, those funds must be returned to DAS.

The Grant Project

Morrow County (grantee) will use the Grant Funds to disburse grants to qualified businesses (subgrantees). The following documents include the minimum requirements, source documents, and a summary of proposed CARES distributions:

Minimum Requirements

1. DAS Grant #2529 – Coronavirus Relief Fund

a. Exhibit A – The Project (enclosed p. 4)

- The County will use the grant funds to disburse grant to businesses as described:
 1. Are necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-19);
 2. Were not accounted for in Grantee's budget most recently approved as of March 27, 2020;
 3. Were or are incurred during the Performance Period of March 1, 2020 to December 30, 2020.
- The County will disburse Grant Funds *only* to businesses that meet all of the following minimum eligibility requirements:
 1. The business is headquartered in Oregon and has its principal operations in Oregon.
 2. If required by Oregon law to be registered with the Oregon Secretary of State to do business in Oregon, the business is so registered.
 3. The business is either for-profit or an entity tax-exempt under section 501(c)(3) of the Internal Revenue Code.
 4. During the Performance Period, the business incurred necessary expenditures due to the COVID-19 public health emergency.
- County reporting requirements – *no* later than January 5, 2020.

b. Exhibit C – Federal Terms and Conditions (enclosed pp. 5-6)

- Use of all federal funds paid under the Grant are subject to all federal regulations.
 1. Morrow County is subject to all provisions in accordance with the U.S. Treasury guidance (enclosed pp. 7-10).

2. Morrow County - Business Assistance Grant Application (enclosed p. 11)

a. Eligibility to apply for County assistance:

1. Main business operations are in Morrow County
2. Registered with Secretary of State if business is required to do so
3. For-profit business or 501(c)(3)
4. Business was affected in one of the following two ways:
 - a. Business was prohibited from operations, as directed by Executive Orders 20-12 or 20-65; or
 - b. Business can show a one month decline in sales of 25% or more, caused by COVID-19 pandemic regulations between March 1, 2020 and November 30, 2020, as compared to the same time period in 2019

- b. Email from Leah Horton (*enclosed pp. 12-14*).

Proposed DAS Grant #2529 - CRF Dollar Distribution

3. **A summary list of businesses, allocations, and total distributions (*enclosed pp. 15-16*).**
 - a. Allocation categories include: base allocation, executive order closure, accommodation & food service, and remaining balance base allocation.

EXHIBIT A THE PROJECT

SECTION I. PROJECT DESCRIPTION

Subject to the eligibility requirements of 42 U.S.C. § 801 and any implementation guidance from the U.S. Department of the Treasury, including, without limitation, the guidance identified in Section II below, Grantee will use the Grant Funds to disburse grants to businesses as described more particularly in this Exhibit A and Exhibit E. Grantee represents and warrants that the Grant Funds will be used only to cover those costs of business subgrantees that (1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (2) were not accounted for in Grantee's budget most recently approved as of March 27, 2020; and (3) were, or are, incurred during the Performance Period. Grantee may not use any Grant Funds to prepay or otherwise cover Grantee-mandated business fees before awarding a grant to an eligible business.

Grantee will disburse Grant Funds only to businesses that meet all of the following minimum **eligibility** requirements; only one application may be submitted per business:

1. The business is headquartered in Oregon and has its principal operations in Oregon.
2. If required by Oregon law to be registered with the Oregon Secretary of State to do business in Oregon, the business is so registered.
3. The business is either for-profit or an entity tax-exempt under section 501(c)(3) of the Internal Revenue Code.
4. During the Performance Period, the business incurred necessary expenditures due to the COVID-19 public health emergency.

The following businesses are **ineligible** to apply for or receive funding under the Program:

1. Passive real estate holding companies and entities holding passive investments.
2. Non-profit entities that do not have federal 501(c)(3) status.
3. Businesses that experience a decline in revenues for reasons other than those caused by the COVID-19 pandemic (e.g. seasonal or cyclical businesses cycles).
4. Businesses that are delinquent on federal, state or local taxes that were due on or before the date of application.
5. Businesses that do not comply with all federal, state and local laws and regulations.
6. Businesses that have closed and do not intend to reopen.

Award Amount

Grantee's grant awards to eligible businesses shall be in amounts determined by Grantee.

Program Access

Agency intends that the Grant Funds are made accessible to all Oregonians. Accordingly, Agency strongly encourages Grantee to market its grant program and seek subgrantees based on the recommendations set forth in Exhibit E, Equity in Grant Access.

EXHIBIT C FEDERAL TERMS AND CONDITIONS

1. FEDERAL FUNDS

- 1.1. If specified below, Agency's payments to Grantee under this Grant will be paid in whole or in part by funds received by Agency from the United States Federal Government. If so specified then Grantee, by signing this Grant, certifies neither it nor its employees, contractors, subcontractors or subgrantees who will perform the Project activities are currently employed by an agency or department of the federal government.

Payments will will not be made in whole or in part with federal funds.

- 1.2. In accordance with the Chief Financial Office's Oregon Accounting Manual, policy 30.40.00.104, Agency has determined:

Grantee is a subrecipient Grantee is a contractor Not applicable

- 1.3. Catalog of Federal Domestic Assistance (CFDA) #(s) of federal funds to be paid through this Grant: 21.019

2. FEDERAL PROVISIONS

- 2.1. The use of all federal funds paid under this Grant are subject to all applicable federal regulations, including the provisions described below.
- 2.2. Grantee must ensure that any further distribution or payment of the federal funds paid under this Grant by means of any contract, subgrant, or other agreement between Grantee and another party for the performance of any of the activities of this Grant, includes the requirement that such funds may be used solely in a manner that complies with the provisions of this Grant.
- 2.3. Grantee must include and incorporate the provisions described below in all contracts and subgrants that may use, in whole or in part, the funds provided by this Grant.
- 2.4. Grantee must comply, and ensure the compliance by subcontractors or subgrantees, with 41 U.S.C. 4712, Program for Enhancement of Employee Whistleblower Protection. Grantee must inform subrecipients, contractors and employees, in writing, in the predominant language of the workforce, of the employee whistleblower rights and protections under 41 USC § 4712.

In accordance with U.S. Treasury guidance – Grantee is subject to the following provisions, as applicable.

If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to DAS.

For purposes of these provisions, the following definitions apply:

"Contract" means this Grant or any contract or subgrant funded by this Grant.

"Contractor" and **"Subrecipient"** and **"Non-Federal entity"** mean Grantee or Grantee's contractors or subgrantees, if any.

(A) 2 CFR §200.303 Internal Controls

DAS GRANT #2529 – Coronavirus Relief Fund

(B) 2 CFR §§ 200.330 through 200.332 Subrecipient Monitoring and Management

(C) Subpart F – Audit Requirements of 2 CFR §§ 200.500 *et seq.*

- i. Contractor must comply, and require any subcontractor to comply, with applicable audit requirements and responsibilities set forth in this Contract and applicable state or federal law.
- ii. If Contractor receives federal awards in excess of \$750,000 in a fiscal year, Contractor is subject to audit conducted in accordance with the provisions of 2 CFR part 200, subpart F. Copies of all audits must be submitted to Agency within 30 days of completion.
- iii. Contractor must save, protect and hold harmless Agency from the cost of any audits or special investigations performed by the Secretary of State with respect to the funds expended under this Contract. Contractor acknowledges and agrees that any audit costs incurred by Contractor as a result of allegations of fraud, waste or abuse are ineligible for reimbursement under this or any other agreement between Contractor and State.

(D) System for Award Management. Grantee must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov>. This includes applicable requirements regarding registration with SAM, as well as maintaining current information in SAM. The Grantee also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the Grantee) the unique entity identifier required for SAM registration.

3. ADDITIONAL FEDERAL REQUIREMENTS

None.

Coronavirus Relief Fund
Guidance for State, Territorial, Local, and Tribal Governments
Updated June 30, 2020¹

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.²

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the

¹ This version updates the guidance provided under “Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020”.

² See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

Finally, the CARES Act provides that payments from the Fund may only be used to cover costs that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”). Putting this requirement together with the other provisions discussed above, section 601(d) may be summarized as providing that a State, local, or tribal government may use payments from the Fund only to cover previously unbudgeted costs of necessary expenditures incurred due to the COVID-19 public health emergency during the covered period.

Initial guidance released on April 22, 2020, provided that the cost of an expenditure is incurred when the recipient has expended funds to cover the cost. Upon further consideration and informed by an understanding of State, local, and tribal government practices, Treasury is clarifying that for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred). For instance, in the case of a lease of equipment or other property, irrespective of when payment occurs, the cost of a lease payment shall be considered to have been incurred for the period of the lease that is within the covered period, but not otherwise.

Furthermore, in all cases it must be necessary that performance or delivery take place during the covered period. Thus the cost of a good or service received during the covered period will not be considered eligible under section 601(d) if there is no need for receipt until after the covered period has expired.

Goods delivered in the covered period need not be used during the covered period in all cases. For example, the cost of a good that must be delivered in December in order to be available for use in January could be covered using payments from the Fund. Additionally, the cost of goods purchased in bulk and delivered during the covered period may be covered using payments from the Fund if a portion of the goods is ordered for use in the covered period, the bulk purchase is consistent with the recipient’s usual procurement policies and practices, and it is impractical to track and record when the items were used. A recipient may use payments from the Fund to purchase a durable good that is to be used during the current period and in subsequent periods if the acquisition in the covered period was necessary due to the public health emergency.

Given that it is not always possible to estimate with precision when a good or service will be needed, the touchstone in assessing the determination of need for a good or service during the covered period will be reasonableness at the time delivery or performance was sought, *e.g.*, the time of entry into a procurement contract specifying a time for delivery. Similarly, in recognition of the likelihood of supply chain disruptions and increased demand for certain goods and services during the COVID-19 public health emergency, if a recipient enters into a contract requiring the delivery of goods or performance of services by December 30, 2020, the failure of a vendor to complete delivery or services by December 30, 2020, will not affect the ability of the recipient to use payments from the Fund to cover the cost of such goods or services if the delay is due to circumstances beyond the recipient’s control.

This guidance applies in a like manner to costs of subrecipients. Thus, a grant or loan, for example, provided by a recipient using payments from the Fund must be used by the subrecipient only to purchase (or reimburse a purchase of) goods or services for which receipt both is needed within the covered period and occurs within the covered period. The direct recipient of payments from the Fund is ultimately responsible for compliance with this limitation on use of payments from the Fund.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
 - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
 - Costs of providing COVID-19 testing, including serological testing.
 - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
 - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
 - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
 - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
 - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
 - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
 - Expenses for public safety measures undertaken in response to COVID-19.
 - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
 - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
 - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
 - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.

- Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
 - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
 - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
 - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
 - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
 6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Nonexclusive examples of ineligible expenditures³

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.⁴
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

³ In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

⁴ See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

CORONAVIRUS RELIEF FUND
MORROW COUNTY BUSINESS ASSISTANCE
GRANT APPLICATION

General eligibility to apply to County for assistance funds:

1. Main business operations are in Morrow County
2. Registered with Secretary of State if business is required to do so
3. For-profit business or 501(c)(3)
4. Business was affected in one of the following two ways:
 - a. Business was prohibited from operations, as directed by Executive Orders 20-12 or 20-65; or
 - b. Business can show a one month decline in sales of 25% or more, caused by COVID-19 pandemic regulations between March 1, 2020 and November 30, 2020, as compared to the same time period in 2019

Are you required to register business with Secretary of State? _____

Are you registered? (Please attach a copy of form) _____

Is your business a for-profit business? _____

Is your business a 501(c)(3)? _____

Was your business affected by either (a) or (b) above? _____

Please provide the following:

1. Business Name _____
2. Business type (i.e., restaurant) _____
3. Contact information _____

Applicant information verification signature

The deadline is Tuesday, December 15, 2020 by 5:00 p.m. for receipt of this completed form, a W-9 form, proof of sales reduction as suggested in 4b above, and any additional narrative. Please submit by one of the following methods:

- Drop off in-person at the Board of Commissioners Office, 110 N. Court St., Room 201, Heppner, Monday-Friday, 8:00 a.m.-5:00 p.m., except over the noon hour
- Mail to the Board of Commissioners Office, P.O. Box 788, Heppner, OR 97836
- Submit via email to the Board of Commissioners Office: gzody@co.morrow.or.us

From: HORNER Leah * GOV <Leah.Horner@oregon.gov>

Date: 11/21/20 4:37 PM (GMT-08:00)

To: HORNER Leah * GOV <Leah.HORNER@state.or.us>

Subject: Update on \$55M for Counties

STOP and VERIFY - This message came from outside of Morrow County Government.

Dear Commissioners,

As you are aware, Governor Kate Brown announced that the state will commit \$55 million in financial assistance to support Oregon businesses who have been impacted by COVID-19. These funds will be allocated to counties to distribute to businesses who have been financially impacted. We encourage counties to prioritize businesses within the hospitality industry, businesses impacted by the freeze, small businesses, and women, Black, Indigenous, People of Color, and Tribal-owned businesses.

Timeline:

The Oregon Department of Administrative Services (DAS) will be sending to you, by email, the contract agreement before the Thanksgiving holiday. In order to expedite and release the funds to the counties **as early as December 1st**, please return the signed contract back as soon as possible. We have worked on streamlined contracts that have the minimum DOJ and federal requirements in them.

These funds will be operating under the Treasury guidance allowance that funds must be used for business losses incurred in 2020 but can be paid out before the end of the first quarter of 2021, which I realize is a new provision.

Allocations:

Each county will receive a base of \$500,000 plus a per capita allocation of the remainder of the funds. Attached is a spreadsheet with the county allocations. You will see that Multnomah and Washington county are eligible for these funds. While we previously have not distributed funds to counties who received direct federal allocations of CRF, these counties have remained in Baseline or Phase 1 for the entirety of the pandemic and, as will all other counties, their business needs continue to grow.

All counties will receive the funds as a direct deposit. It will NOT be a reimbursement process.

Application Process:

It will be at each county's discretion to decide eligibility criteria (outside of the minimum eligibility listed below) and how businesses apply to receive funds, as well as how to communicate the application process to businesses.

Please make a good faith effort to prioritize the hospitality industry, businesses impacted by the freeze, small businesses, and women, Black, Indigenous, People of Color, and Tribal-owned

businesses. Attached to the contract will be a robust toolkit to help you with these efforts.

Eligibility:

Minimum eligibility requirements; only one application may be made per business:

The business is headquartered in Oregon and has its principal operations in Oregon.

If required by Oregon law to be registered with the Oregon Secretary of State to do business in Oregon, the business is so registered.

The business is either for-profit or an entity tax-exempt under section 501(c)(3) of the Internal Revenue Code.

The business was adversely affected in either one of the following two ways:

- a. The business was prohibited from operating as directed by Executive Orders 20-12 or 20-65.
- b. The business can demonstrate a one-month decline in sales of 25% or more, incurred by the COVID-19 pandemic, between March 1, 2020 and November 30, 2020, as compared against the same period of time in 2019.

The following businesses are **ineligible** to apply for or receive funding under the Program:

- 1. Passive real estate holding companies and entities holding passive investments.
- 2. Non-profit entities that do not have federal 501(c)(3) status.
- 3. Businesses that experience a decline in revenues for reasons other than those caused by the COVID-19 pandemic (e.g. seasonal or cyclical businesses cycles).
- 4. Businesses that are delinquent on federal, state or local taxes that were due on or before the date of application.
- 5. Businesses that do not comply with all federal, state and local laws and regulations.
- 6. Businesses that have closed and do not intend to reopen.

Other items to note

501(c)(6) entities are eligible for counties to contract with to distribute funds but not eligible to receive funds

These funds are not allowable to supplant previous funds local governments have stood up prior to this one

Administrative funds associated with county distribution of funds are not allowable. Administrative costs if contracted for distribution are allowed as part of that contract.

Again, please be on the lookout for the email from DAS with the contract, please sign and return promptly, for the funds to be released as early as December 1. If you have any questions please let me know but DAS will be your point of contact moving forward.

Thank you,

Leah

Leah Horner
Regional Solutions Director
Jobs & Economy Policy Advisor
Interim Transportation Policy Advisor
Office of Governor Kate Brown
Scheduler: 503-378-6549
Leah.Horner@oregon.gov

DAS Grant #2529 - Coronavirus Relief Fund		Distribution of CARES \$	
NAICS - Category		Total	
11 - Agriculture Total		\$	9,896
31 - Manufacturing (Food & Goods) Total		\$	24,389
44 - Retail Trade Total		\$	77,763
45 - Retail Trade Total		\$	34,285
53 - Real Estate Total		\$	9,896
54 - Professional Services Total		\$	53,374
56 - Residential Services Total		\$	9,896
62 - Health Care & Social Assistance Total		\$	9,896
71 - Arts, Entertainment, & Recreation Total		\$	43,478
72 - Accommodation & Food Service Total		\$	188,573
81 - Other Service Total		\$	140,331
Grand Total		\$	601,778