



CITY OF MCMINNVILLE  
PLANNING DEPARTMENT  
231 NE FIFTH STREET  
MCMINNVILLE, OR 97128  
503-434-7311

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## MCMINNVILLE ECONOMIC VITALITY LEADERSHIP COUNCIL ZOOM Online Meeting

<https://mcminnvilleoregon.zoom.us/j/95696494559?pwd=dzIZTXN0OE1FUWNGTUxaMW1CT2Y0dz09>

Tuesday, October 13, 2020

3:00 – 5:00 PM – Regular Business Meeting

COUNCIL MEMBERS	AGENDA ITEM
Carson Benner, Chair McMinnville School District	1. Call to Order / Introductions
Kellie Menke, Vice-Chair City of McMinnville	2. Emergency Business Assistance Grant Discussion ( <i>Exhibit 1</i> )
Jody Christensen, McMinnville Water and Light	3. Council Member Comments
Walt Gowell, City of McMinnville	4. Staff Comments
Mike Morris, Chamber of Commerce	5. Rumor Mill
Steve Patterson, Chamber of Commerce	6. Adjournment
Dani Chisholm, MDA	<b><u>ZOOM ONLINE MEETING LINK:</u></b>
Vacant, MDA	<a href="https://mcminnvilleoregon.zoom.us/j/95696494559?pwd=dzIZTXN0OE1FUWNGTUxaMW1CT2Y0dz09">https://mcminnvilleoregon.zoom.us/j/95696494559?pwd=dzIZTXN0OE1FUWN GTUxaMW1CT2Y0dz09</a>
John Dietz, MEDP	Meeting ID: 956 9649 4559 Passcode: 274622
Deven Paolo, MEDP	By Phone Only: 1 669 900 9128 US (San Jose)
Ellen Brittan, Visit McMinnville	A conference room with access to a computer to participate in the ZOOM Online Meeting can be provided at the Community Development Center. Please call the Planning Department at (503) 434-7311 for assistance.
Ty Rollins, Visit McMinnville	
Gerardo Ochoa, Linfield College	
Robert Banagay, TTR	



**City of McMinnville**  
**Planning Department**  
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## **EXHIBIT 1 - STAFF REPORT**

**DATE:** October 13, 2020  
**TO:** Economic Vitality Leadership Council  
**FROM:** Heather Richards, Planning Director  
**SUBJECT:** EMERGENCY BUSINESS ASSISTANCE GRANT

### **STRATEGIC PRIORITY & GOAL:**



#### **ECONOMIC PROSPERITY**

Provide economic opportunity for all residents through sustainable growth across a balanced array of traditional and innovative industry sectors.

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### **Report in Brief:**

This is the consideration of Emergency Business Assistance grants to be awarded to businesses within the City of McMinnville.

### **Background:**

The Oregon Legislature, in partnership with the Governor, allocated \$5 million from the State General Fund, which combined with \$5 million redirected from existing state programs, created \$10 million in funds for the purpose of providing financial assistance to small businesses adversely affected by economic conditions associated with the COVID-19 pandemic that have not received federal emergency assistance under the federal CARES Act or the other federal programs for emergency pandemic funding.

Biz Oregon released these funds with three different rounds of application solicitations from cities, counties, economic improvement districts and community development financial institutions.

All requests for funds needed to be matched by the applicant and needed to be disbursed within 45 (forty-five) days of contract execution in the following manner.

### ***State Criteria for the Program -***

#### **Local Program Funding Priorities**

Local assistance programs are expected to make one-time-only awards to businesses as follows:

- Businesses that have been adversely affected economically in one of the following two categories:
  - Those for-profit and non-profit (limited to 501(c)(3) corporations) businesses that were prohibited from operation as directed by Executive Order 20-12.

- Those eligible for-profit businesses that can demonstrate a one-month decline in revenue greater than 50% in the month of March 2020 or April 2020 as compared against sales in the month of January 2020 or February 2020. Those non-profit businesses (limited to 501(c)(3) corporations) that can demonstrate a decline in revenue greater than 50% across the months of March 2020 and April 2020 as compared against the same period of time in 2019.
- Businesses with 25 or fewer employees.
- Businesses that have been unable to access federal CARES Act funds including:
  - Small Business Administration's Paycheck Protection Program (PPP);
  - Economic Injury Disaster Loan Emergency Advance program (EIDL); or
  - Other federal programs to date for emergency pandemic funding.

### **Ineligibility Factors**

- Passive real estate holding companies and others holding passive investments.
- Non-profit entities that do not have federal 501(c)(3) status.
- Businesses that are delinquent on federal, state or local taxes that were due before April 1, 2020.
- Businesses that do not comply with all federal, state and local laws and regulations. Businesses not headquartered and with principal operations in Oregon.
- Businesses not registered to do business in Oregon (Secretary of State Business Registry verification) if such registration is required.

### **Program Design**

Awards to eligible businesses will be made as a grant. The amount of the grant will be the greater of two figures based on an applicant's ability and desire to submit support documentation: the first based on the number of employees before the COVID-19 crisis (as of February 29, 2020); or the second based on the documented amount of fixed operating expenses for the 60 day period of January 1 through February 29, 2020:

- 0-5 employees
  - \$2,500, or
  - 60-day fixed expenses up to a maximum of \$5,000.
- 6-10 employees
  - \$5,000, or
  - 60-day fixed expenses up to a maximum of \$10,000.
- 11-15 employees
  - \$7,500, or
  - 60-day fixed expenses up to a maximum of \$15,000.
- 16-20 employees
  - \$10,000, or
  - 60-day fixed expenses up to a maximum of \$20,000.
- 20-25 employees
  - \$12,500, or
  - 60-day fixed expenses up to a maximum of \$25,00

**Local Program Specifics –**

The City of McMinnville applied for and received \$100,000 in funds that were matched by \$100,000 in funds locally for a total funding program of \$200,000. (Please see attached award letter).

The application was developed in partnership with McMinnville’s Economic Development Stable Table partners (McMinnville Economic Development Partnership, McMinnville Chamber of Commerce, Visit McMinnville, and the McMinnville Downtown Association), based on the following need:

McMinnville is the largest employment center (15,000 jobs prior to the Pandemic) in Yamhill County. We have over 1600 businesses in McMinnville, most of which are small businesses employing our residents and serving as the foundation of our economy. Since March, 2020, our unemployment has increased to 13.2%. The largest cohort of unemployment claims are in the age groups of 25 – 44 years old, impacting our families. The overwhelming number of unemployment claims has been, not unexpectedly, in our accommodation and food services businesses as well as our retail businesses.

Per the City’s application, upon the execution of the contract, the City needed to market the program to city businesses for at least ten days. A website was developed, [www.MACbusinessassistance.com](http://www.MACbusinessassistance.com), press releases were developed, flyers mailed out to over 1700 businesses in McMinnville and social media was activated. Materials were provided in both English and Spanish. (Please see attached marketing materials).

Applications were accepted for two weeks, both electronically and in hard copy. And the city dedicated a staff person (Planning Department Permit Technician) to review all of the applications based on the grant processing checklist.

**CONTRACTED TIMEFRAME – 45 DAYS TO DISBURSE FUNDS FROM DAY OF RECEIPT OF FUNDS**

<b>Program Component</b>	<b>Days to Complete</b>	<b>Calendar Dates</b>
<b>Marketing</b>	<b>Ten Days</b>	<b>August 17 – August 28</b>
<b>Applications Accepted</b>	<b>Five Days</b>	<b>August 31 – September 18</b>
<b>Vetting Applications</b>	<b>Five Days</b>	<b>September 21 – October 2</b>
<b>Subcommittee Review</b>	<b>Five Days</b>	<b>October 5 – October 9</b>
<b>EVLC Committee Review</b>	<b>One Days</b>	<b>October 13</b>
<b>Notice of Award</b>	<b>One Day</b>	<b>October 16</b>
<b>Disbursement of Grant</b>	<b>One Day</b>	<b>October 23</b>

When the City first applied for the grant and received notice of funding, the City anticipated being able to implement some local materials into the program. However, when the state contracted with the City for the funds, the state required that the City utilize state issued applications and award letters. (Please see attached grant application template).

## **Discussion:**

The McMinnville City Council agreed to let the Economic Vitality Leadership Council review and award the funds. (See Resolution No. 2020-50).

Attached is a grant tracker spreadsheet that details out the applications received, those that met the criteria for the program and the amount they qualified for.

27 businesses applied for funds. 5 were disqualified due to the amount of CARES Act funds they had already received through other programs.

Thus, leaving 22 eligible business applications for a total of \$57,000.00 in awards.

All of the businesses who were eligible were smaller businesses, eligible for \$2,500 or less. (Please see Emergency Business Assistance Grant Tracker Spreadsheet).

## **Attachments:**

- Emergency Business Assistance Grant Tracker
- Emergency Business Assistance Grant Checklist
- Emergency Business Assistance Grant Application Template
- Marketing Materials
- City of McMinnville Contract with Biz Oregon for Emergency Business Assistance Funds
- City of McMinnville Emergency Business Assistance Grant Award Letter
- Resolution No. 2020-50

## **Fiscal Impact:**

The City had \$200,000.00 to distribute in grant funds. Due to the narrow eligibility criteria established by State of Oregon only 25% of the funds will be distributed.

Per the contract with the State of Oregon, the City will need to return the grant funds that were unallocated back to Biz Oregon for redistribution.

All CARES Act funds need to be distributed by the end of the calendar year.

# Emergency Assistance Grant

Application Number	Date Received	Applicant Name	Contact Info	Business Address	Grant Amount	Federal Funds Received	Notes
<a href="#">EAG 1-20</a>	8/31/2020	Chehalem Valley Dance Academy NW, LLC	Kristen Stoller [REDACTED]	206 NE Evans Street	\$10,000.00	\$52,000.00	Not eligible due to Fed funds received
<a href="#">EAG 2-20</a>	8/31/2020	Aftermath Thrift Store	Tim Shuler [REDACTED]	615 NE Lafayette Avenue #B	\$2,500.00	\$0.00	
<a href="#">EAG 3-20</a>	9/1/2020	Artisan Winery Supply	Stephen Eckles [REDACTED]	692 SW Westview Drive	\$2,500.00	\$0.00	
<a href="#">EAG 4-20</a>	9/1/2020	McMinnville Travelwise	Katherine Sitton [REDACTED]	1215 NW Adams Street Ste. B	\$5,000.00	\$0.00	
<a href="#">EAG 5-20</a>	9/1/2020	McMinnville Film Festival Foundation	Nancy Morrow [REDACTED]	801 SW Baker Street	\$2,500.00	\$0.00	
<a href="#">EAG 6-20</a>	9/1/2020	The Victorian on 10th LLC	Maria Wronski [REDACTED]	206 NE 10th Street	\$2,500.00	\$0.00	
<a href="#">EAG 7-20</a>	9/2/2020	Community Roots Counseling, LLC	Jes Dimas [REDACTED]	315 NE Evans Street Ste. 3	\$2,500.00	\$0.00	
<a href="#">EAG 8-20</a>	9/2/2020	Shreeji Hospitality Group McMinnville, LLC	Kristen Marahrens [REDACTED]	2035 SW Highway 99W	\$25,000.00	\$35,154.00	Not eligible due to Fed funds received
<a href="#">EAG 9-20</a>	9/3/2020	KE Media	Karla Erovick 415-609-1117 karla@karlaerovick.com	637 SW Keck Drive #217	\$2,500.00	\$0.00	
<a href="#">EAG 10-20</a>	9/3/2020	Bistro Maison, Inc.	Deborah Chatelard 503-474-1888 deborah@bistromaison.com	729 NE Third Street	\$5,000.00	\$49,000.00	Not eligible due to Fed funds received
<a href="#">EAG 11-20</a>	9/3/2020	Chalet Gris, LLC	Kathleen Ulvang [REDACTED]	622 NW 10th Street	\$2,500.00	\$0.00	
<a href="#">EAG 12-20</a>	9/3/2020	Coops Barber Shop	Cooper Hall [REDACTED]	824 NE Adams Street	\$2,500.00	\$0.00	
<a href="#">EAG 13-20</a>	9/3/2020	Within Fitness	Susan Stellflug [REDACTED]	235 NW Baker Creek Raod	\$2,500.00	\$0.00	
<a href="#">EAG 14-20</a>	9/4/2020	HH Beauty, LLC	Huyen Duong [REDACTED]	865 NE Highway 99W Ste. B	\$5,000.00	\$37,623.00	Not eligible due to Fed funds received
<a href="#">EAG 15-20</a>	9/8/2020	Bhosse Media, LLC	Tim Yett [REDACTED]	1187 NW Meadows Drive	\$2,500.00	\$0.00	
<a href="#">EAG 16-20</a>	9/8/2020	McMinnville Healing Massage	Michelle Smiley [REDACTED]	237 Ford Street	\$2,500.00	\$1,000.00	\$1500 Eligable

<a href="#">EAG 17-20</a>	9/8/2020	MAC Beauty Bar	Molly Anderson [REDACTED]	1900 NE HWY 99W	\$2,500.00	\$0.00	
<a href="#">EAG 18-20</a>	9/10/2020	Sports Card Sharks	Daniel Sutton [REDACTED]	1961 NW 21st Street	\$2,500.00	\$1,000.00	\$1500 Eligible
<a href="#">EAG 19-20</a>	9/18/2020	Sould Sister Holistic Health and Wellness	Heather Gormand [REDACTED]	1900 Ne OR 99W Suite C3	\$2,500.00	\$0.00	
<a href="#">EAG 20-20</a>	9/18/2020	Marilyn Affolter Fine Art Gallery	Marilyn Affolter [REDACTED]	325 NE Evans Street	\$2,500.00	\$0.00	
<a href="#">EAG 21-20</a>	9/21/2020	Currents Gallery	Ilsa Perse [REDACTED]	532 NE 3rd Street	\$5,000.00	\$0.00	
<a href="#">EAG 22-20</a>	9/21/2020	Radicals Rubies Salon LLC	Lisa Shields [REDACTED]	806 SE 1st Street	\$2,500.00	\$1,000.00	\$1500 Eligible
<a href="#">EAG 23-20</a>	9/21/2020	BladesharpenerUSA	Bryan Shirley [REDACTED]	2501 NE Chalmers Way	\$2,500.00	\$0.00	
<a href="#">EAG 24-20</a>	9/25/2020	The yogurt Shop LLC	Montserrat Vera [REDACTED]	683 SW Keck Drive	\$2,500.00	\$0.00	
<a href="#">EAG 25-20</a>	9/25/2020	Leag Moore DBA	Leah Moore [REDACTED]	214 NE Evans	\$2,500.00	\$0.00	
<a href="#">EAG 26-20</a>	9/25/2020	Northwest Spine and Sport	Aaron Reid [REDACTED]	850 SW Both Bend Road	\$15,000.00	\$128,000.00	Not eligible due to Fed funds received
<a href="#">EAG 27-20</a>	9/25/2020	20/20 Optical	Lori Brown [REDACTED]	1302 NE HWY 99W	\$2,500.00	\$0.00	
Eligible total					\$57,000.00		
Total applied for					\$120,000.00		



# State of Oregon COVID-19 Emergency Business Grant Application

The Oregon Legislature, in partnership with the Governor, allocated \$22.5 Million of federal CARES Act funds for the purpose of providing financial assistance to small businesses adversely affected by economic conditions as a direct result of the COVID-19 pandemic.

To fill gaps not reached by other programs, these federal funds are directed to adversely affected businesses with 25 or fewer employees. COVID-19 Emergency Business Grant awards to eligible businesses that have received federal funding will be reduced by the amounts of federal funding received from those programs. Businesses may use the proceeds for any business-related operating expenses.

This application is for a business that meets all of the following eligibility requirements:

- 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 has 25 or fewer employees.
- The business was adversely affected in either one of the following two ways:
  - For-profit and non-profit (limited to 501(c)(3) corporations) businesses that were prohibited from operation as directed by Executive Order 20-12.
  - For-profit and non profit (limited to 501(c)(3) corporations) businesses that can demonstrate a one-month decline in sales of 50% or more, incurred by the COVID-19 pandemic, beginning in the month of March 2020 up to the date of this application as compared against sales in the month of January 2020 or February 2020, or as compared against the same period of time in 2019.

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

- Passive real estate holding companies and other entities holding passive investments.
- Non-profit entities that do not have federal 501(c)(3) status.
- Businesses that experience a decline in revenues for reasons other than those caused by the COVID-19 epidemic (e.g. seasonal or cyclical businesses cycles).
- Businesses that are delinquent on federal, state or local taxes that were due on or before the date of application.
- Businesses that do not comply with all federal, state and local laws and regulations.
- Businesses that have already received grant funds through this State of Oregon COVID-19 Emergency Business Grant program or from the Statewide Business and Cultural Support Program.
- Businesses that have received more federal CARES funding (e.g. PPP or EIDL) than available to eligible businesses set forth by this program in this application.
- Businesses that do not otherwise meet the eligibility requirements set forth above.

Awards to eligible businesses will be made as a grant. The amount of the grant will be the greater of two figures: 1) based on the number of employees before the COVID-19 crisis, less the amount of any federal assistance received by the applicant; or 2) based on the number of employees before the COVID-19 crisis and the documented amount of fixed operating expenses for the 60 day period of January 1 through February 29, 2020, less the amount of any federal assistance received by the applicant:

- 0-5 employees
  - \$2,500, or
  - 60-day fixed expenses up to a maximum of \$5,000.
- 6-10 employees
  - \$5,000, or
  - 60-day fixed expenses up to a maximum of \$10,000.
- 11-15 employees
  - \$7,500, or
  - 60-day fixed expenses up to a maximum of \$15,000.
- 16-20 employees
  - \$10,000, or
  - 60-day fixed expenses up to a maximum of \$20,000.
- 21-25 employees
  - \$12,500, or
  - 60-day fixed expenses up to a maximum of \$25,000.

Calculations to determine the number of employees will be determined based on employee headcount as reported to the Oregon Employment Department on Form 132, for Q4 2019 or Q1 2020.

Business information, ownership information and demographic information will be reported to the State for all applications submitted, reviewed, approved and/or denied. Information reported includes, but is not limited to:

- Name of company
- Employer Identification Number (EIN)
- Oregon Business Identification Number (BIN)
- Amount of PPP, EIDL or other CARES Act funding awarded to the applicant
- Address of company
- Industry/NAICS
- Amount of State of Oregon COVID-19 Emergency Business Grant award
- Legal business structure
- Number of employees as of February 29, 2020
- Number of employees expected to be retained as a result of this award

**Section 1: Business Information**

Business Name

Business Type

Sole

Prop Partnership

Corporation

LLC

501(c)(3)

Telephone

Street Address

City

State

Zip Code

County

Employer Identification Number (Federal EIN)

Business Identification Number (issued by Oregon Employment Department)

NAICS Code (as listed on the businesses most recent federal tax filing)

Description of product(s) or service(s) offered:

**Section 1A: Business Contact Information**

Name

Title

Phone Number

Email

## Section 2: Business Details

### Company Principals

<input type="text"/>	<input type="text"/>
Name	Title

<input type="text"/>	
Percent Ownership	
<input type="text"/>	<input type="text"/>
Name	Title

<input type="text"/>	
Percent Ownership	
<input type="text"/>	<input type="text"/>
Name	Title

<input type="text"/>	
Percent Ownership	
<input type="text"/>	<input type="text"/>
Name	Title

<input type="text"/>
Percent Ownership

<input type="text"/>
<b>Total Percent Ownership</b>

### Amount of federal CARES Act funding received:

(Including the Paycheck Protection Program (PPP), Small Business Administrations' (SBA) Economic Injury Disaster Loan Emergency Advance program (EIDL); other federal programs to date for emergency pandemic funding),

### Amount of COVID-19 Emergency Business Assistance requested

(If selecting an amount greater than the minimum based on employee headcount, provide documentation of fixed expenses supporting the additional funding requested.)

**How many jobs will be retained at your business as a result of the grant?** (Include jobs lost since February 29, 2020 that can now be retained because of the grant.)

**Number of Employees:**

Check one of the boxes below based on employee headcount on February 29, 2020.

**1-5 Employees**

- \$2,500
- Up to \$5,000 (verification of 60 days fixed expenses)

**6-10 Employees**

- \$5,000
- Up to \$10,000 (verification of 60 days fixed expenses)

**11-15 Employees**

- \$7,500
- Up to \$15,000 (verification of 60 days fixed expenses)

**16-20 Employees**

- \$10,000
- Up to \$12,000 (verification of 60 days fixed expenses)

**21-25 Employees**

- \$12,500
- Up to \$25,000 (verification of 60 days fixed expenses)

**Verification of Sales Decline, Fixed Expenses, Federal CARES Funding, and Employment if and/or as applicable.**

(Check all attached)

For all businesses that were not prohibited from operations as directed by Executive Order 20-12 Copy of Profit & Loss, Income Statement or Sales Reports demonstrating 50% or more sales declined as detailed on Page 1 of this application.

Copy of recent business utility bills and fixed expenses:

Electricity                       Water/Sewer                       Natural Gas

Phone                                       Garbage                                       Broadband

Cell phone                                       Business Mortgage statement

Rent/Lease Agreement

Other:

Copy of CARES funding loan agreement(s) and/or verification of deposit of EIDL grant proceeds if/as applicable.

Oregon Employment Department Form 132  
\* For businesses with more than 5 employees, provide a copy of Q4 2019 or Q1 2020 Oregon Employment Department Form 132 (redact employee names and Social Security Numbers)

**Section 3: Certifications and Representations**

The information in this application, including all attachments and certifications, are, to the best of the knowledge of the undersigned, complete, current and accurate. The application presents fairly the conditions of the eligibility of the undersigned. Proceeds of the award are intended to solely support the operations and reopening expenses of the applicant business. Initial all the following certifications that apply:

○ The applicant business was adversely impacted as a direct result of the COVID-19 crisis.

○ The applicant business had 25 or fewer employees as of February 29, 2020.

○ The applicant business:

▪ Was determined to be a non-essential business in accordance with Governor’s Executive Order 20-12, or

▪ Experienced a 50% or more reduction to sales as a result of the COVID-19 crisis.

- If the applicant has received federal financial funding relief through the CARES Act of 2020 (e.g. Paycheck Protection Program or Emergency Injury Disaster Loan assistance program) or any subsequent federal act that provides emergency business assistance as of the date of this application, that federal support has been disclosed in the application.
- The applicant has not received funding from the State of Oregon through COVID-19 Emergency Business Grant Program, or the Statewide Business and Cultural Support Program as of the date of application.
- The applicant business is current on all federal, state and local taxes as of the date of application.
- The applicant business is headquartered in and has primary operations in Oregon.
- The applicant business is currently registered with the Oregon Secretary of State to do business in Oregon if such registration is required.
- The applicant business is compliant with all federal, state and local laws.
- The applicant business agrees to provide business, financial and ownership information necessary to determine and verify eligibility.
- The applicant business will only use these proceeds to support business-related expenses to maintain operations and/or reopen and that Oregon COVID-19 Emergency Business Grant Program proceeds will not be used for personal purposes.
- Unless otherwise directed by Executive Order, the applicant is open, or has reopened for business.

Failure to comply with eligible use of proceeds, or making a material misrepresentation about the business and its operations to qualify for an award will be a provision of default of the award and subject the award to recapture. The State of Oregon reserves the right to request additional documentation from the applicant to verify the accuracy and authenticity of the information provided.

Should the State determine a misrepresentation exists creating a default, the award may be forfeited and subject to repayment. Failure to repay or cure a default will result in any and all collection actions permissible by law, including through third party collection services or the Oregon Department of Revenue. The applicant agrees to allow the State to pursue such collection actions.

As these funds are being provided by the State of Oregon, Business Oregon and affiliated state agencies may use your company in future promotions of their programs and services.

**General Certification**

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that, to the best of my knowledge:

- 1. The application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority, and/or in accordance with the organization’s articles of incorporation, articles of organization or bylaws, and
- 2. Signature authority is verified.

**Check one:**

- Yes, I am authorized to submit on behalf of the applicant within authority granted in the applicant’s articles of incorporation, articles of organization or bylaws. (e.g., President, Secretary, Chief Executive Officer, Board Chair, etc.)
- No, I am not authorized to submit on behalf of the applicant within authority granted in the applicant’s articles of incorporation, articles of organization, or bylaws so I have attached documentation that verifies my authority to sign on behalf of the applicant.

**The department will only accept applications with proper signature authority documentation.**

Signature	
	Date
Printed Name	
	Printed Title

## **Solicitud de Subvención de Emergencia para Empresas por COVID-19 en el Estado de Oregon**

La Asamblea Legislativa de Oregon, en sociedad con la gobernadora, adjudicó \$22.5 millones del fondo de la Ley CARES con el propósito de proveer asistencia financiera a pequeñas empresas que se han afectado de manera adversa por las condiciones económicas directamente relacionadas con la pandemia COVID-19.

Para llenar los huecos que no han sido cubiertos por otros programas estos fondos federales están dirigidos a las empresas afectadas de manera adversa, con 25 empleados o menos. Los otorgamientos de Subvención de Emergencia para Empresas por COVID-19 a empresas que reúnan los requisitos y que ya han recibido financiamiento federal se reducirán de manera equivalente a los montos de financiamiento federal recibido de estos programas. Las empresas pueden usar lo recaudado para cualquier gasto relacionado con la operación del negocio.

Esta solicitud es para empresas que cumplen con todos los requisitos que aparecen a continuación:

- Que las oficinas generales de la empresa estén en Oregon y su operación se concentre principalmente en Oregon.
- Si la ley de Oregon requiere que la empresa esté registrada en la Secretaría del Estado de Oregon para operar en el estado, la empresa debe cumplir con este registro.
- Que la empresa tenga 25 empleados o menos.
- Que la Empresa se haya afectado de manera adversa de alguna de las siguientes dos maneras:
  - Empresas comerciales y empresas no lucrativas –limitado a corporaciones 501(c)(3)– a las que se les prohibió operar como se ordena en el Decreto 20–12.
  - Empresas comerciales y no lucrativas –limitado a corporaciones 501(c)(3)– que puedan demostrar un mes de reducción en sus ventas igual o mayor al 50%, incurrido por la pandemia COVID-19, empezando en el mes de marzo de 2020 hasta la fecha de esta solicitud, en comparación con las ventas de los meses de enero o febrero de 2020 o en comparación con el mismo periodo de tiempo en 2019.

Las Empresas que no reúnen los requisitos para solicitar o recibir financiamiento bajo el Programa son las siguientes:

- Compañías con una cartera pasiva de bienes raíces y otras entidades con carteras pasivas de inversiones.
- Entidades no lucrativas que no tienen estatus federal 501(c)(3).
- Empresas que padecen una disminución de sus ingresos por razones no relacionadas con la epidemia COVID-19 (por ejemplo, ciclos de empresas estacionales o cíclicas).
- Empresas morosas en sus impuestos federales, estatales o locales que vencían antes o a la fecha de la solicitud.
- Empresas que no cumplen con todas las normas y leyes federales, estatales y locales.
- Empresas que ya han recibido fondos de subvención a través de este programa de Subvención de Emergencia para Empresas por COVID-19 del Estado de Oregon o del Programa Estatal de Apoyo para Empresas y para la Cultura.
- Empresas que ya han recibido más financiamiento federal CARES (por ejemplo, PPP o EIDL) del disponible para empresas que reúnen los requisitos como lo establece este programa en esta solicitud.
- Empresas que de alguna otra manera no cumplen con los requisitos de elegibilidad expuestos arriba.

Los otorgamientos a las empresas que reúnan los requisitos se harán a manera de subvención. La cantidad de la subvención será lo que sea mayor de los montos a continuación: 1) con base en el número de empleados antes de la crisis del COVID-19, menos la cantidad de cualquier asistencia federal recibida por el solicitante; o 2) con base al número de empleados antes de la crisis del COVID-19 y el monto documentado de gastos fijos de operación por el periodo de 60 días entre el 1 de enero y el 29 de febrero de 2020, menos la cantidad de cualquier asistencia federal recibida por el solicitante:

- 0–5 empleados
  - \$2,500, ó
  - gastos fijos por 60 días, hasta un máximo de \$5,000.
- 6–10 empleados
  - \$5,000, ó
  - gastos fijos por 60 días, hasta un máximo de \$10,000.
- 11–15 empleados
  - \$7,500, ó
  - gastos fijos por 60 días, hasta un máximo de \$15,000.
- 16–20 empleados
  - \$10,000, ó
  - gastos fijos por 60 días, hasta un máximo de \$20,000.
- 21–25 empleados
  - \$12,500, ó
  - gastos fijos por 60 días, hasta un máximo de \$25,000.

El cálculo del número de empleados se determinará con base al número de empleados reportado al Departamento de Empleo de Oregon en el formulario 132, para el cuarto trimestre (Q4) de 2019 o el primer trimestre (Q1) de 2020.

La información de la empresa, información del (la) propietario(a) y la información demográfica se reportarán al estado para todas las solicitudes que se presenten y revisen, ya sean aprobadas o denegadas. La información reportada incluye, sin limitarse a ello:

- Nombre de la empresa
- Número de Identificación del Empleador (EIN)
- Número de Identificación de Empresas en Oregon (BIN)
- Monto de PPP, EIDL u otro financiamiento bajo la Ley CARES otorgado al solicitante
- Domicilio de la empresa
- Industria/NAICS
- Monto otorgado por el programa de Subvención de Emergencia para Empresas por COVID-19 en el Estado de Oregon
- Estructura legal de la empresa
- Número de empleados hasta el 29 de febrero de 2020
- Número de empleados que espera retener si se le otorga esta subvención

## Sección 1: Datos de la empresa

Nombre de la empresa

Tipo de empresa

- Sociedad       de Propietario Único  
 Corporación       LLC  
 501(c)(3)

Teléfono

Calle

Ciudad

Estado

Código Postal

Condado

Número de Identificación del Empleador (EIN federal)

Número de Identificación de la Empresa (emitido por el Departamento de Empleo de Oregon)

Código NAICS (como aparece en la más reciente declaración de impuestos de la empresa)

Descripción del (los) producto(s) o servicio(s) que ofrece:

## Sección 1A: Información de contacto de la Empresa

Nombre

Título

Número telefónico

Correo electrónico

## Sección 2: Detalles de la Empresa

### Directores de la compañía

Nombre  Título

Porcentaje de participación

**Total, de los porcentajes de participación**

### **Monto recibido del financiamiento de la Ley CARES:**

Incluyendo del Programa de Protección de Pago (PPP, por sus siglas en inglés); del Préstamo de desastre por daños económicos (EIDL, por sus siglas en inglés) de la Administración de Pequeñas Empresas (SBA, por sus siglas en inglés); o de otros programas federales de financiamiento de emergencia por la pandemia hasta la fecha.

**Monto solicitado de Asistencia de Emergencia a Empresas por COVID-19**

(Si seleccionas un monto mayor al mínimo con base en el número de empleados, proporciona documentación de gastos fijos para apoyar la solicitud de fondos adicionales.)

**¿Cuántos empleos retendrá tu empresa si recibes la subvención?**

(Incluye los empleos perdidos desde el 29 de febrero de 2020 que ahora podrán retenerse gracias a la subvención.)

**Número de empleados:**

Marca uno de los cuadros de abajo con base en el número de empleados al 29 de febrero de 2020.

1–5 empleados

- \$2,500
- Hasta \$5,000 (verificación de gastos fijos por 60 días)

6–10 empleados

- \$5,000
- Hasta \$10,000 (verificación de gastos fijos por 60 días)

11–15 empleados

- \$7,500
- Hasta \$15,000 (verificación de gastos fijos por 60 días)

16–20 empleados

- \$10,000
- Hasta \$12,000 (verificación de gastos fijos por 60 días)

21–25 empleados

- \$12,500
- Hasta \$25,000 (verificación de gastos fijos por 60 días)

**Verificación de disminución de ventas, gastos fijos, financiamiento federal CARES y empleo (en su caso)**

(Marca todos los adjuntos)

Para todos los negocios que no se les prohibió operar según se ordeno por Orden Ejecutiva 20-12, una copia del estado de resultados, declaración de ingresos o reportes de venta demostrando una disminución en las ventas del 50% o mas según se detalla en la pagina 1 de esta solicitud.

Copia de facturas recientes de servicios públicos y de gastos fijos de la empresa:

Luz

Agua y drenaje

Gas natural

Teléfono

Basura

Banda ancha

Teléfono celular

Estado de cuenta de hipoteca de la empresa

Contrato de renta o alquiler

Otro:

Copia del contrato de préstamo para financiamiento de CARES y/o verificación de lo recaudado por la subvención EIDL, según o si es el caso.

Formulario 132 del Departamento de Empleo de Oregon

\* Si la empresa tiene más de 5 empleados, proporciona una copia del formulario 132 del Departamento de Empleo de Oregon para el Q4 de 2019 o el Q1 de 2020 (omitiendo los nombres y Números de Seguro Social de los empleados).

### Sección 3: Certificaciones y Representaciones

La información en esta solicitud, incluyendo todos los documentos adjuntos y certificaciones, son ciertos y están completos y actualizados, según le consta al abajo firmante. La solicitud presenta de buena fe las condiciones de elegibilidad del abajo firmante. La intención de lo recaudado con la subvención es únicamente con el propósito de mantener operaciones y gastos de reapertura de la empresa solicitante. Pon una rúbrica en todas las certificaciones que apliquen:

- La empresa solicitante ha sido golpeada de manera adversa como resultado directo de la crisis de COVID-19.
- La empresa solicitante tenía 25 empleados o menos al 29 de febrero de 2020.
- La empresa solicitante:
  - Ha sido definida como una empresa no imprescindible de acuerdo con el Decreto 20-12 de la gobernadora, o
  - Ha sufrido por lo menos un 50% de reducción de ventas como resultado de la crisis del COVID-19.
- Si la empresa solicitante ha recibido, a la fecha de la solicitud, financiamiento federal de alivio económico por medio de la Ley CARES de 2020 (por ejemplo, el Programa de Protección de Pago o el Préstamo de desastre por daños económicos) o de cualquier ley federal subsecuente que le proporcione asistencia de emergencia para empresas por la pandemia, ese apoyo ha sido revelado en la solicitud.
- El solicitante, a la fecha de la solicitud, no ha recibido fondos del Estado de Oregon a través del programa de Subvención de Emergencia para Empresas por COVID-19 ni del Programa Estatal de Apoyo para Empresas y para la Cultura.
- La empresa solicitante está al corriente con todos sus impuestos federales, estatales y locales a la fecha de la solicitud.
- La empresa solicitante tiene sus oficinas generales en Oregon y opera principalmente en Oregon.
- La empresa solicitante está actualmente registrada en la Secretaría del Estado de Oregon para operar en Oregon si este registro es obligatorio.
- La empresa solicitante cumple con todas las leyes federales, estatales y locales.
- La empresa solicitante está de acuerdo en proporcionar la información empresarial, financiera y de propietario(s) necesaria para determinar y verificar la elegibilidad.
- La empresa solicitante usará lo recaudado únicamente para gastos relacionados con la empresa, de manera que le permita mantener operaciones y/o reabrir, y no utilizará lo recaudado mediante el Programa de Subvención de Emergencia para Empresas para su uso personal.
- A menos que se ordene lo contrario por Decreto, la empresa solicitante está abierta o ha reabierto sus puertas para operar.

El incumplimiento en el uso de lo recaudado o la falsedad sustancial sobre la empresa y sus operaciones con el fin de obtener la subvención implicará que se estipule la suspensión de la subvención y ésta quedará sujeta a devolución. El Estado de Oregon se reserva el derecho de solicitar documentación adicional al solicitante para verificar la certeza y autenticidad de la información proporcionada.

Si el estado determinare que existe una falsedad que implica suspensión, se perderá el derecho a la subvención, misma que estará sujeta a devolución. El no devolver o remediar una suspensión

resultará en cualquiera o todas las acciones de cobranza permisibles por la ley, incluyendo a través de servicios de cobranzas externos o del Departamento de Recaudación de Oregon. El solicitante está de acuerdo en permitir que el estado ejerza dichas acciones de cobranzas.

Debido a que estos fondos son proporcionados por el Estado de Oregon, Business Oregon y agencias estatales afiliadas podrían usar a tu compañía para promociones futuras de sus programas y servicios.

**Certificación general**

Certifico que toda la información contenida en esta solicitud, incluyendo todos los documentos adjuntos y certificaciones, es válida y certera según mi pleno conocimiento. Además, certifico que, según mi pleno conocimiento:

1. La solicitud ha sido revisada y aprobada por el (la) propietario(a) autorizado(a), los gerentes con autoridad delegada adecuada y de acuerdo con los artículos de incorporación de la organización, los artículos de organización o su reglamento, y
2. se ha verificado la firma autorizada.

**Marca uno:**

- Sí, estoy autorizado a presentar en representación del solicitante, dentro de la autoridad a mí otorgada en los artículos de incorporación del solicitante, artículos de organización o en su reglamento (por ejemplo, presidente, secretario, funcionario ejecutivo o director, presidente del consejo directivo, etc.)
- No, no estoy autorizado a presentar en representación del solicitante, dentro de la autoridad otorgada en los artículos de incorporación del solicitante, artículos de organización o en su reglamento, por lo que he adjuntado documentación que verifica mi autoridad para firmar en representación del solicitante.

**El departamento solamente aceptará solicitudes con la documentación adecuada de autoridad firmante.**

Firma   
Fecha

Nombre en letra de molde   
Título en letra de molde

## Certifications and Acceptance of Award

Proceeds of the award are intended to solely support the operations and reopening expenses of the applicant business. Initial all the following certifications that apply:

- Grant recipient was adversely impacted as a direct result of the COVID-19 crisis.
- Grant recipient had 25 or fewer employees as of February 29, 2020.
- Grant recipient:
  - Was determined to be a non-essential business in accordance with Governor's Executive Order 20-12, or
  - Experienced a 50% or more reduction to sales as a result of the COVID-19 crisis.
- Grant recipient has not received federal financial funding relief through the CARES Act of 2020 (Paycheck Protection Program or Emergency Injury Disaster Loan assistance program) or any subsequent federal act that provides emergency pandemic funding as of the date of application.
- Grant recipient is current on all federal, state and local taxes as of the date of application.
- Grant recipient is headquartered in and has primary operations in Oregon.
- Grant recipient is currently registered with the Oregon Secretary of State to do business in Oregon if such registration is required.
- Grant recipient is compliant with all federal, state and local laws.
- Grant recipient agrees to provide business, financial and ownership information necessary to determine and verify eligibility.
- Grant recipient will only use these proceeds to support business-related expenses to maintain operations and/or reopen and that Oregon COVID-19 Emergency Business Grant Program proceeds will not be used for personal purposes.
- Unless otherwise directed by Executive Order, the grant recipient is open, or has reopened for business.

Failure to comply with eligible use of proceeds, or making a material misrepresentation about the business and its operations to qualify for an award will be a provision of default of the award and subject the award to recapture. The State of Oregon reserves the right to request additional documentation from the applicant to verify the accuracy and authenticity of the information provided.

Should the State determine a misrepresentation exists creating a default, the award may be forfeited and subject to repayment. Failure to repay or cure a default will result in any and all collection actions permissible by law, including through third party collection services or the Oregon Department of Revenue. The applicant agrees to allow the State to pursue such collection actions.

As these funds are being provided by the State of Oregon, Business Oregon and affiliated state agencies may use your company in future promotions of their programs and services.

Signature of Acceptance:

Signature

Date

Printed Name

Printed Title

# State of Oregon COVID-19 Emergency Business Assistance Grant Program Demographic Questionnaire

All business owners with 20% or more ownership are required to complete this questionnaire.

We encourage you to answer the voluntary demographic questions below. Answers to the questions will help track programmatic outcomes and advance economic opportunity for all Oregonians. Responses will only be reported in aggregate. If you do not wish to disclose your race, ethnicity and/or gender you may select "Prefer not to answer". Award decisions have been made and thus providing the information or declining to provide the demographic information will not subject you to any adverse treatment. Please note that this information may be subject to public disclosure pursuant to Oregon Public Records Law.

What is your Name?

What is your percentage of business ownership?

What is your race?

What is your ethnicity?

What is your gender?

Business Owner Signature

# State of Oregon COVID-19 Emergency Business Assistance Grant Program Processing Checklist

1. Verify that all application fields are complete and legible

- Page 3 – Applicant information  
 Page 6 – Applicant certifications

**\*Proceed to step 2**

2. Does the applicant indicate they had more than 5 employees as of February 29, 2020?

Yes  No

- Verify job retention estimate was provided

**\*Proceed to step 3**

3. Is the businesses properly registered to do business in Oregon?

To confirm go to: [http://egov.sos.state.or.us/br/pkg\\_web\\_name\\_srch\\_inq.login](http://egov.sos.state.or.us/br/pkg_web_name_srch_inq.login)

Search for the **business name**, verify the Entity Status is “**ACT**”

Is the Entity Status “ACT”? Yes  No

**\*If Entity Status is anything other than ACT the company is not currently registered to do business in Oregon**

Is the Principal Place of Business in Oregon? Yes  No

**\*Proceed to step 4**

4. Determine amount of eligible award

**\*verify employee head-count per the Q1 2020 Form 132 to determine minimum and maximum amount eligible based upon tiers**

- a. Based on number of employees determine minimum and maximum award:

- 1-5 employees  
• \$2,500 to \$5,000
- 6-10 employees  
• \$5,000 to \$10,000
- 11-15 employees  
• \$7,500 to \$15,000
- 16-20 employees  
• \$10,000 to \$20,000
- 21-25 employees  
• \$12,500 to \$25,000
- More than 25 – Ineligible

b. Does the applicant award amount exceed the minimum award based on FTE headcount?

No – eligible award amount is as requested

Yes – further verification required

- Eligible lease expenses (**\*two months of lease/rent payments are eligible**)

Two months of lease/rent payments attached?

Total eligible lease/rent payment?

- Eligible utility expenses (power, water/sewer, natural gas, phone, garbage, broadband, and cell expenses – for additional expenses contact Business Oregon to determine if they are eligible) (**\*two months of utility expenses are eligible**).

Two months of utility expenses are attached?

Total eligible utility expenses?

**Total verified eligible expenses**

- Applicant is eligible for the greater of (a) or (b):

a. The minimum award based on FTE; (a) or (b)

Minimum Award Amount

b. If expenses were verified, enter the lesser of "Total verified eligible expenses" calculated above or the maximum award based on FTE.

Maximum Award Amount

Total Award Amount

c. Is the primary revenue activity of the applicant one of the following?: Amusement parks; aquariums; arcades; art galleries (to the extent that they are open without appointment); barber shops and hair salons; bowling alleys; cosmetic stores; dance studios; esthetician practices; fraternal organization facilities; furniture stores; gyms and fitness studios (including climbing gyms); hookah bars; indoor and outdoor malls (i.e., all portions of a retail complex containing stores and restaurants in a single area); indoor party places (including jumping gyms and laser tag); jewelry shops and boutiques (unless they provide goods exclusively through pick-up or delivery service); medical spas, facial spas, day spas, and non-medical massage therapy services; museums; nail and tanning salons; non-tribal card rooms; skating rinks; senior activity centers; ski resorts; social and private clubs; tattoo/piercing parlors; tennis clubs; theaters; yoga studios; and youth clubs.

Yes – applicant is eligible

No – the business must meet the 50% decline in sales test

d. 50% decline in sales documentation review:

Acceptable documentation is an internally generated Profit & Loss Statement or Sales Report: Check if Attached.

Determine gross 2020 sales/revenues as reported by applicant for a specified period (e.g. April 1 to April 30, 2020)

Determine sale for a comparable period (either a period of 2020 pre-COVID or for the previous calendar year – e.g. for the example above either March 1 through March 31, 2020 or April 1 to April 30, 2019)

**Comparable Sales Amount = X                      COVID Sales Amount = Y**  
**% Sales Decline = ((X-Y) / X) \* 100**

COVID Impact Sales                      Dates:  to

Comparable Sales Period                      Dates:  to

NaN % Sales Decline

Sales decline is 50% or greater = qualified

Sales decline is less than 50% = not qualified

**\*Proceed to step 5**

5.  Verify all certifications were complete and initialed

**\*Proceed to step 6**

6.  Verify that an authorized representative of the applicant signed and dated the application (bottom of page 2) and included their position/title with the company.

If company meets all eligible requirements, before making an offer, the administrator must provide company data as requested in the document titled "Pre-award Report".

The Pre-award Report is to be emailed to Pamela Brunell at: [pamela.brunell@oregon.gov](mailto:pamela.brunell@oregon.gov)

Once notified by the department that the company is eligible to receive an award, an award notice and certification acceptance will be prepared.

The company must provide the following prior to funds being disbursed:

- A copy certification acceptance by an authorized official of the business,
- A completed demographic questionnaire for all business owners with 20% or more ownership with a selection made for race, ethnicity and gender, and
- A complete and executed W-9 for the business (required for the 1099-G which will be issued by the administrator).



# Emergency Assistance Grants Available to McMinnville Businesses

## Eligible businesses must:

- Be located inside the city limits of McMinnville, Oregon,
- Have 25 or fewer employees,
- Have been adversely affected by Executive Order 20-12 with a one-month decline in sales greater than 50% during one of the following months: March, April, May, June, July, August 2020.

Applications will be accepted online or in person at the Community Development Center between August 31 – September 4, 2020.

Applications will be available starting August 19, 2020 at:

[MACBUSINESSASSISTANCE.COM](http://MACBUSINESSASSISTANCE.COM)

Physical paper copies of the applications will be available at two locations:

### McMinnville Public Library

225 NE Adams Street,  
McMinnville, OR 97128

Open Tuesday, Thursday & Saturday  
12:00-5:00PM

### Community Development Center

231 NE Fifth Street, McMinnville, OR  
97128

Open Monday-Friday 8:00AM-5:00PM

Applicants who have questions regarding the application process are encouraged to reach out to Sean Kelso, Permit Technician, with the City of McMinnville at [Sean.Kelso@mcminnvilleoregon.gov](mailto:Sean.Kelso@mcminnvilleoregon.gov) or 503-434-7311.

[MACBUSINESSASSISTANCE.COM](http://MACBUSINESSASSISTANCE.COM)

[MACbusinessassistance@mcminnvilleoregon.gov](mailto:MACbusinessassistance@mcminnvilleoregon.gov)

This funding is made possible thanks to generous grants and matching funds from





# Subvenciones de Asistencia de Emergencia Disponibles para Negocios de McMinnville

## Negocios elegibles deben:

- Estar ubicados dentro de los límites de la ciudad de McMinnville, Oregón,
- Tener 25 empleados o menos,
- Que hayan sido afectados negativamente por la Orden Ejecutiva 20-12 con una disminución de un mes en las ventas superior al 50% durante uno de los siguientes meses: marzo, abril, mayo, junio, julio, agosto de 2020.

Las solicitudes deben tener una fecha de publicación entre el 31 de agosto y el 4 de septiembre de 2020

Las solicitudes estarán disponibles en a partir del miércoles 19 de agosto

[MACBUSINESSASSISTANCE.COM](http://MACBUSINESSASSISTANCE.COM)

También las copias físicas en papel de las solicitudes estarán disponibles en dos ubicaciones

### Biblioteca Pública de McMinnville

225 NE Adams Street,  
McMinnville, OR 97128

Abierto los martes, jueves y sábados de 12:00 p.m. - 5:00 p.m.

### Centro de Desarrollo Comunitario

231 NE Fifth Street, McMinnville, OR 97128

Abierto de lunes a viernes de 8:00 a.m. - 5:00 p.m.

Serecomienda a los solicitantes que tengan preguntas sobre el proceso de solicitud que se comuniquen con Sean Kelso, Técnico de Permisos de la Ciudad de McMinnville [Sean.Kelso@mcminnvilleoregon.gov](mailto:Sean.Kelso@mcminnvilleoregon.gov) o a llamando al 503-434-7311.

[MACBUSINESSASSISTANCE.COM](http://MACBUSINESSASSISTANCE.COM)

[MACbusinessassistance@mcminnvilleoregon.gov](mailto:MACbusinessassistance@mcminnvilleoregon.gov)

Esta financiación es posible gracias a las generosas subvenciones de Business Oregón y fondos de contrapartida de la Ciudad de McMinnville.



FOR IMMEDIATE RELEASE:  
August 12, 2020

Contact: Tayler Brisbin, Communications Coordinator  
Office: 971.261.9960

**Emergency Assistance Grants Available to McMinnville Businesses**  
***The City of McMinnville and Business Oregon Announce New Small Business***  
***Recovery Opportunity***

(MCMINNVILLE, OR)- Support for McMinnville businesses impacted by COVID-19 is available. This funding is made possible thanks to generous grants from Business Oregon and matchings funds from the City of McMinnville.

Applications will be available to McMinnville based businesses with up to 25 employees. The amount of the grant will be dependent upon the number of employees and fixed operating expenses. Grant amounts will range from \$2,500 to \$25,000. Applications will be available at [www.MACbusinessassistance.com](http://www.MACbusinessassistance.com) starting on Wednesday, August 19, and physical paper copies of the applications will be available at two locations starting on Wednesday, August 19 as well:

**McMinnville Public Library**

225 NE Adams Street, McMinnville, OR 97128  
Open Tuesday, Thursday & Saturday 12:00-5:00PM

**Community Development Center**

231 NE Fifth Street, McMinnville, OR 97128  
Open Monday-Friday 8:00AM-5:00PM

**Eligible businesses must:**

- Be located inside the city limits of McMinnville, Oregon,
- Have 25 or fewer employees,
- Have been adversely affected by [Executive Order 20-12](#) with a one-month decline in sales greater than 50% during one of the following months: March, April, May, June, July, August 2020.

Applications will be accepted online or in person between August 31 – September 4, 2020. Awards will be disbursed on September 25. Applications can be emailed to [MACbusinessassistance@mcminnvilleoregon.gov](mailto:MACbusinessassistance@mcminnvilleoregon.gov), or dropped off or mailed to:

**Community Development Center**

Attn: Sean Kelso/ Emergency Business Assistance Grant  
231 NE Fifth Street, McMinnville OR 97128  
Open Monday-Friday 8:00AM-5:00PM

Applications must have a post date between August 31-September 4, 2020.

Applicants who have questions regarding the application process are encouraged to reach out to Sean Kelso, Permit Technician, with the City of McMinnville at [Sean.Kelso@mcminvilleoregon.gov](mailto:Sean.Kelso@mcminvilleoregon.gov) or 503-434-7311.

“Small businesses are a vibrant part of our city, and we should support them in any way that we can,” said Scott Cooper, the Executive Director of the McMinnville Economic Development Partnership (MEDP) “The funding provided through this program is essential to help sustain our local economy, and to help locally owned companies maintain operations during this pandemic. This grant opportunity is just one example of the power of collaboration within our community, and we look forward to working with our economic vitality partners to continue to support McMinnville businesses.”

\*\*\*

Economic development activities in McMinnville are managed through a collaboration of five organizations serving the business community, locally known as McMinnville’s “Stable Table”. This group is comprised of the City of McMinnville, McMinnville Economic Development Partnership, McMinnville Chamber of Commerce, Visit McMinnville, and McMinnville Downtown Association.

In addition, the City of McMinnville recently formed the McMinnville Economic Vitality Leadership Council to help serve McMinnville’s business community. This council is composed of local business and community leaders and appointed by the City of McMinnville to serve terms of four years in this role. The council is deliberately made up of two representatives from the stable table collaboration, a representative from the McMinnville School District, a representative from the local utility company, McMinnville Water and Light, and three members-at-large. This council will meet to review and approve grant awards for distribution with the support of the key staff from each stable table organization described above. Grant awards will be decided on September 21, 2020 and disbursed on September 25, 2020.

####

## EMERGENCY ASSISTANCE FAQ

### Q. What do businesses need to provide as part of the application?

A. Businesses will need to provide the following:

- Document the federal assistance amount they have received as of the date of application from the Small Business Administration's Paycheck Protection Program (PPP); Economic Injury Disaster Loan Emergency Advance program (EIDL); or other federal programs for emergency pandemic funding. (Awards must be reduced by the amounts received from those programs.)
- Self-certify that their business incurred COVID-pandemic impacts between 1 March 2020 and 30 December 2020 (CARES Act funding restriction).
- Demonstrate:
  - o That they were prohibited from operation as directed by Executive Order No. 20-12; or
  - o That the for-profit business had a one month decline in revenue decrease of 50% or more due to the COVID-19 pandemic in the month of March, April, May, June, July or August 2020, as compared against the sales or revenues of January or February, or for companies with cyclical or seasonal sales, compared with the comparable month in 2019, or a non-profit business had a revenue decline of 50% or more due to the COVID-19 pandemic in one of the months of March, April, May, June, July or August 2020 as compared against revenue in the month of January 2020 or February 2020, or for non-profits with cyclical or seasonal revenues, the comparable month in 2019.
- Demonstrate they are headquartered and have principal operations in Oregon.
- Self-certify they are not subject to any of the ineligibility criteria.
- Self-certify that the business and its operations are, and will, remain compliant with all local, state and federal laws.
- Provide business, financial and ownership information sufficient to determine and verify eligibility (including whether or not business is owned by a Sole Proprietor).

### Q. I received PPP/EIDL funds, am I eligible for these funds?

A. Yes, however the amount you received in PPP and EIDL funds will be subtracted from your eligible amount of these funds.

### Q. If I received funds from another similar program, such as the Willamette Workforce Partnership or Yamhill County, does my business qualify for these funds as well?

A. No, if you received funds from an Emergency Business Assistance Grant program that was funded with Biz Oregon funds and the CARES act you are not eligible for this program. If you are not certain if the program you received funds from disqualifies you, please call Sean Kelso at 503-434-7311, or ask the program from which you received your funds if it was a Biz Oregon supported program. Every program reports who they

provided funds to, and the state will not allow businesses to participate in more than one.

**Q. My business lost more than 50% of revenue in one of the eligible months and since then recovered less than the 50%. Am I eligible for these funds?**

A. Yes, you are required to show just one P&L from any of the qualifying months of March, April, May, June, July, and August 2020. You may choose which month to submit.

**Q. My business is outside City limits but has a McMinnville address, is my business eligible for these funds?**

A. No, your business must be within City limits for these funds. You may contact Yamhill County or your jurisdiction for similar programs.

**Q. How will I know if my application has all required documents?**

A. You may contact Sean Kelso at 503-434-7311 or [sean.kelso@mcminnvilleoregon.gov](mailto:sean.kelso@mcminnvilleoregon.gov) with any questions regarding the application. Your application will be reviewed by city staff for completeness before the deciding committee makes a decision. You will be contacted if the application is missing required documents.

**Q. When will the funds be distributed?**

A. The deciding subcommittee will make a decision On September 21, with grant disbursements on **September 25, 2020.**

**Q. Why does the application include a W9 form?**

A. the W9 is required to receive payment. Accounting must set your business up as a vendor to issue payment.

**COVID-19 EMERGENCY BUSINESS ASSISTANCE PROGRAM  
FORGIVABLE LOAN CONTRACT**

OBDD Contract Number C2020371

This forgivable loan agreement (“Contract”), dated as of the date the Contract is fully executed, is between the State of Oregon, acting through its Business Development Department (“OBDD”) and the City of McMinnville (“Recipient”) for capitalizing a COVID-19 Emergency Business Assistance Program sponsored by Recipient and described in Exhibit A (“Program”). This Contract becomes effective only when fully signed and approved as required by applicable law. Unless extended or terminated earlier in accordance with its terms, this Contract shall expire 45 days after the Program Completion Deadline. Contract termination shall not extinguish or prejudice OBDD’s right to enforce this Contract with respect to any default by Recipient that has not been cured.

This Contract includes Exhibit A - Program Description and Requirements and Exhibit B - FEDERAL AWARD IDENTIFICATION (Required by 2 CFR 200.331(a)).

OBDD is authorized to enter into Loan agreements and make Loans from the Oregon Business, Innovation and Trade Fund established in ORS 285A.227, including this Contract.

**SECTION 1 - FUNDING ASSISTANCE**

The OBDD shall provide Recipient, and Recipient shall accept from OBDD, a forgivable loan (the “Loan”) in an aggregate amount not to exceed \$100,000.

**SECTION 2 - DISBURSEMENT**

- A. Full Disbursement. Upon execution of this Contract and satisfaction of all conditions precedent, OBDD shall disburse the full Loan to Recipient.
- B. Conditions Precedent to Disbursement. The OBDD’s obligations are subject to the receipt of the following items, in form and substance satisfactory to OBDD and its attorneys:
- (1) This Contract duly signed by an authorized officer of Recipient; and
  - (2) Such other certificates, documents, opinions and information as OBDD may reasonably require.
  - (3) Documentation satisfactory to OBDD that, in addition to the Loan, Recipient has available or has obtained binding commitments for all funds necessary to complete the Program, including matching funds in at least a 1:1 ratio.

OBDD has no obligation unless it has appropriations, limitations, allotments or other expenditure authority sufficient to allow OBDD, in the exercise of its reasonable administrative discretion, to disburse funds in accordance with the terms of this Contract, and notwithstanding anything in the Contract, occurrence of such contingency does not constitute a default. Upon occurrence of such contingency, OBDD has no further obligation to disburse funds to Recipient.

### SECTION 3 - USE OF LOAN; CARES ACT REQUIREMENTS

The Recipient shall use the Loan only for the activities described in Exhibit A. The Recipient may not use the Loan to cover costs scheduled to be paid for by other financing for the Program from another State of Oregon agency or any third party, or to retire any Recipient debt.

Recipient shall ensure that the project and all expenditures comply with Section 5001 of the federal CARES Act, through the Coronavirus Relief Fund, which is the source of funds for this Loan, and comply with any implementation guidance from the U.S. Department of the Treasury. Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act, requires that Recipient use the Loan to provide small business assistance grants to cover only those 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 its budget most recently approved as of 27 March 2020; and (3) were or are incurred during the period that begins on 1 March 2020, and ends on 30 December 2020.

Recipient must ensure that any distribution or payment of the federal funds paid under this Contract, by means of any grant, subgrant, contract or other agreement between Recipient and another party includes the requirement that such funds must be used solely in a manner that complies with the provisions of the CARES Act.

Any Loan funds disbursed to Recipient that are not used according to this Contract or that remain after the Project is completed, this Contract is terminated or after the Program Completion Deadline, shall be immediately returned to OBDD, unless otherwise directed by OBDD.

### SECTION 4 - LOAN REPAYMENT; LOAN FORGIVENESS

- A. Promise to Pay. The Recipient shall repay the Loan and all amounts due under this Contract in accordance with its terms. The obligation of Recipient to make all payments is absolute and unconditional. Payments will not be abated, rebated, set-off, reduced, abrogated, terminated, waived, postponed or otherwise modified in any manner whatsoever. Payments cannot remain unpaid, regardless of any contingency, act of God, event or cause whatsoever, including (without limitation) any acts or circumstances that may constitute failure of consideration, eviction or constructive eviction, the taking by eminent domain or destruction of or damage to the Program, commercial frustration of purpose, any change in the laws, rules or regulations of the United States of America or of the State of Oregon or any political subdivision or governmental authority, nor any failure of OBDD to perform any agreement, whether express or implied, or any duty, liability, or obligation arising out of or connected with the Program or this Contract, or any rights of set off, recoupment, abatement or counterclaim that Recipient might otherwise have against OBDD or any other party or parties; provided further, that payments hereunder will not constitute a waiver of any such rights.
- B. No Interest. The Loan bears no interest.
- C. Loan Forgiveness. OBDD shall forgive repayment and cancel the Loan by notice to Recipient, as soon as it determines that all of the following conditions are met:
- (1) Recipient has completed the Program no later than the Program Completion Deadline, which date is 45 days after receipt of the Loan proceeds, unless otherwise allowed by OBDD in writing.
  - (2) No Event of Default has occurred and continues.
  - (3) No later than 30 days after the Program Completion Deadline, Recipient submits the reporting required in Exhibit A, in form and substance satisfactory to OBDD.

D. Partial Loan Forgiveness; Repayment of Unforgiven Loan. If Recipient is unable to award grants to businesses (including matching funds) as required by this Contract, equal to the full amount of the Loan, OBDD will forgive that portion of the Loan meeting all the conditions in Subsection C above and notify Recipient in writing. Recipient shall pay all unforgiven Loan principal to OBDD not later than 30 days after receiving notice of partial forgiveness, unless otherwise provided by OBDD in writing.

## SECTION 5 - COVENANTS OF RECIPIENT

The Recipient covenants as follows:

- A. Notice of Adverse Change. The Recipient shall promptly notify OBDD of any adverse change in the activities, prospects or condition (financial or otherwise) of Recipient or the Program related to the ability of Recipient to make all payments and perform all obligations required by this Contract.
- B. Internal Controls; Monitoring of Subrecipients. Recipient must have a system of internal controls in accordance with 2 CFR §200.303, and must implement the requirements of 2 CFR §§ 200.330 through 200.332 regarding Monitoring and Management of any subrecipients.
- C. Federal Audit Requirements. The Loan is federal financial assistance, and the Catalog of Federal Domestic Assistance (“CFDA”) number is 21.019. Recipient is a sub-recipient.
- (1) If Recipient receives federal funds in excess of \$750,000 in the Recipient’s fiscal year, it is subject to audit conducted in accordance with the provisions of 2 CFR part 200, subpart F. Recipient, if subject to this requirement, shall at its own expense submit to OBDD a copy of, or electronic link to, its annual audit subject to this requirement covering the funds expended under this Contract and shall submit or cause to be submitted to OBDD the annual audit of any subrecipient(s), contractor(s), or subcontractor(s) of Recipient responsible for the financial management of funds received under this Contract.
  - (2) Audit costs for audits not required in accordance with 2 CFR part 200, subpart F are unallowable. If Recipient did not expend \$750,000 or more in Federal funds in its fiscal year, but contracted with a certified public accountant to perform an audit, costs for performance of that audit shall not be charged to the funds received under this Contract.
  - (3) Recipient shall save, protect and hold harmless OBDD from the cost of any audits or special investigations performed by the Federal awarding agency or any federal agency with respect to the funds expended under this Contract. Recipient acknowledges and agrees that any audit costs incurred by Recipient as a result of allegations of fraud, waste or abuse are ineligible for reimbursement under this or any other agreement between Recipient and the State of Oregon.
- D. System for Award Management. Recipient must comply with applicable requirements regarding the federal 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. Recipient also must comply with applicable restrictions on subawards (“subgrants”) to subsequent tier subrecipients.
- E. Employee Whistleblower Protection. Recipient must comply, and ensure the compliance by subcontractors or subgrantees, with 41 U.S.C. 4712, Program for Enhancement of Employee Whistleblower Protection. Recipient 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.

- F. Federal Funds. OBDD’s payments to Recipient under this Forgivable Loan will be paid by funds received by OBDD from the United States Federal Government. Recipient, by signing this Contract, certifies neither it nor its employees, contractors, subcontractors or subrecipients who will perform the Project activities are currently employed by an agency or department of the federal government.
- G. Records Retention. Recipient will cooperate with OBDD to provide all necessary financial information and records to comply with CARES Act reporting requirements. Recipient will keep proper books of account and records on all activities associated with the Loan, including, but not limited to grant awards and payments, instruments, agreements and other supporting financial records documenting the use of the Loan, including all grant applications and supplemental documentation provided by business applicants. Recipient will maintain these books of account and records in accordance with generally accepted accounting principles and will retain these books of account and records from the later of the date of this Contract until five years after the Program Completion Deadline or the date that all disputes, if any, arising under this Contract have been resolved.
- H. Inspection. The Recipient shall permit OBDD, and any party designated by OBDD, the Oregon Secretary of State’s Office, the federal government and their duly authorized representatives, at any reasonable time, to inspect and make copies of any accounts, books and records related to the Program. The Recipient shall supply any Program-related information as OBDD may reasonably require.
- I. Notice of Event of Default. The Recipient shall give OBDD prompt written notice of any Event of Default, or any circumstance that with notice or the lapse of time, or both, may become an Event of Default, as soon as Recipient becomes aware of its existence or reasonably believes an Event of Default is likely.
- J. Indemnity. To the extent authorized by law, Recipient shall defend (subject to ORS chapter 180), indemnify, save and hold harmless OBDD and its officers, employees and agents from and against any and all claims, suits, actions, proceedings, losses, damages, liability and court awards including costs, expenses, and attorneys’ fees incurred related to any actual or alleged act or omission by Recipient, or its employees, agents or contractors, that is related to this Program.

**SECTION 6 - REPRESENTATIONS AND WARRANTIES OF RECIPIENT**

The Recipient represents and warrants to OBDD:

A. Organization and Authority.

- (1) The Recipient is a municipality, validly organized and existing under the laws of the State of Oregon.
- (2) The Recipient has all necessary right, power and authority under its organizational documents and applicable Oregon law to (a) execute and deliver this Contract, (b) incur and perform its obligations under this Contract, and (c) receive funding for the Program.
- (3) This Contract has been authorized by an ordinance, order or resolution of Recipient’s governing body if required by its organizational documents or applicable law.
- (4) This Contract has been duly executed by Recipient, and when executed by OBDD, is legal, valid and binding, and enforceable in accordance with their terms.

- B. Full Disclosure. The Recipient has disclosed in writing to OBDD all facts that materially adversely affect the Program, or the ability of Recipient to perform all obligations required by this Contract. The Recipient has made no false statements of fact, nor has it omitted information necessary to prevent any statements from being misleading. The information contained in this Contract, including Exhibit A, is true and accurate in all respects.
- C. Pending Litigation. The Recipient has disclosed in writing to OBDD all proceedings pending (or to the knowledge of Recipient, threatened) against or affecting Recipient, in any court or before any governmental authority or arbitration board or tribunal, that, if adversely determined, would materially adversely affect the Program or the ability of Recipient to perform all obligations required by this Contract.
- D. Governmental Consent. The Recipient has obtained or will obtain all approvals, notifications, declarations, filings or registrations, required for the making and performance of its obligations under this Contract and the undertaking and completion of the Program.

#### **SECTION 7 - DEFAULT**

Any of the following constitutes an “Event of Default”:

- A. Payment Failure. The Recipient fails to make any Loan payment when due.
- B. Misleading Statement. Any material false or misleading representation is made by or on behalf of Recipient, in this Contract or in any document provided by Recipient related to this Loan or the Program.
- C. The Recipient fails to perform any obligation required under this Contract, other than those referred to in subsections A through B of this section, and that failure continues for a period of 30 calendar days after written notice specifying such failure is given to Recipient by OBDD. OBDD may agree in writing to an extension of time if it determines Recipient instituted and has diligently pursued corrective action.

#### **SECTION 8 - REMEDIES**

Upon the occurrence of an Event of Default, OBDD may pursue any remedies available under this Contract, at law or in equity. Such remedies include, but are not limited to, termination of OBDD’s obligations to make the Loan or further disbursements, return of all or a portion of the Loan amount, and declaration of ineligibility for the receipt of future awards from OBDD. OBDD may also recover all or a portion of the outstanding balance due under the Loan from Recipient by deducting the amount from any payment due to Recipient from the State of Oregon under any other contract or agreement, present or future, unless prohibited by state or federal law. If, as a result of an Event of Default, OBDD demands return of all or a portion of the Loan amount, Recipient shall pay the amount upon OBDD’s demand. OBDD reserves the right to turn over any unpaid debt from this Contract to the Oregon Department of Revenue or a collection agency and may publicly report any delinquency or default. The remedies are cumulative and not exclusive of any remedies provided by law.

In the event OBDD defaults on any obligation in this Contract, Recipient’s remedy will be limited to injunction, special action, action for specific performance, or other available equitable remedy for performance of OBDD’s obligations.

## SECTION 9 - TERMINATION

In addition to terminating this Contract upon an Event of Default as provided in Section 8, OBDD may terminate this Contract with notice to Recipient under any of the following circumstances:

- A. The Oregon Department of Administrative Services notifies OBDD of an anticipated shortfall in available revenues.
- B. OBDD fails to receive sufficient funding, appropriations or other expenditure authorizations to allow OBDD, in its reasonable discretion, to continue making payments under this Contract.
- C. There is a change in federal or state laws, rules, regulations or guidelines so that the Program funded by this Contract is no longer eligible for funding.

This Contract may be terminated at any time by mutual written consent of the parties.

## SECTION 10 - MISCELLANEOUS

- A. No Implied Waiver. No failure or delay on the part of OBDD to exercise any right, power, or privilege under this Contract will operate as a waiver thereof, nor will any single or partial exercise of any right, power, or privilege under this Contract preclude any other or further exercise thereof or the exercise of any other such right, power, or privilege.
- B. Choice of Law; Designation of Forum; Federal Forum. The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Contract, including, without limitation, its validity, interpretation, construction, performance, and enforcement.

Any party bringing a legal action or proceeding against any other party arising out of or relating to this Contract shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County (unless Oregon law requires that it be brought and conducted in another county). Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

Notwithstanding the prior paragraph, if a claim must be brought in a federal forum, then it must be brought and adjudicated solely and exclusively within the United States District Court for the District of Oregon. This paragraph applies to a claim brought against the State of Oregon only to the extent Congress has appropriately abrogated the State of Oregon's sovereign immunity and is not consent by the State of Oregon to be sued in federal court. This paragraph is also not a waiver by the State of Oregon of any form of defense or immunity, including but not limited to sovereign immunity and immunity based on the Eleventh Amendment to the Constitution of the United States.

- C. Notices and Communication. Except as otherwise expressly provided in this Contract, any communication between the parties or notices required or permitted must be given in writing by personal delivery, email, or by mailing the same, postage prepaid, to Recipient or OBDD at the addresses listed in Exhibit A, or to such other persons or addresses that either party may subsequently indicate pursuant to this Section.

Any communication or notice by personal delivery will be deemed effective when actually delivered to the addressee. Any communication or notice so addressed and mailed will be deemed to be received and effective five (5) days after mailing. Any communication or notice given by email becomes effective 1) upon the sender's receipt of confirmation generated by the recipient's email system that the notice has been received by the recipient's email system or 2) the recipient's confirmation of receipt, whichever is earlier. Notwithstanding this provision, the following notices may not be given by email: notice of default or notice of termination.

- D. Amendments. This Contract may not be altered, modified, supplemented, or amended in any manner except by written instrument signed by both parties.
- E. Severability. If any provision of this Contract will be held invalid or unenforceable by any court of competent jurisdiction, such holding will not invalidate or render unenforceable any other provision.
- F. Successors and Assigns. This Contract will be binding upon and inure to the benefit of OBDD, Recipient, and their respective successors and assigns, except that Recipient may not assign or transfer its rights, obligations or any interest without the prior written consent of OBDD.
- G. Counterparts. This Contract may be signed in several counterparts, each of which is an original and all of which constitute one and the same instrument.
- H. Integration. This Contract (including all exhibits, schedules or attachments) constitute the entire agreement between the parties on the subject matter. There are no unspecified understandings, agreements or representations, oral or written, regarding this Contract.
- I. No Third Party Beneficiaries. OBDD and Recipient are the only parties to this Contract and are the only parties entitled to enforce the terms of this Contract. Nothing in this Contract gives or provides, or is intended to give or provide, to third persons any benefit or right not held by or made generally available to the public, whether directly, indirectly or otherwise, unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Contract.
- J. Survival. All provisions of this Contract that by their terms are intended to survive shall survive termination of this Contract.
- K. Time is of the Essence. Recipient agrees that time is of the essence under this Contract.
- L. Attorney Fees. To the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, the prevailing party in any dispute arising from this Contract will be entitled to recover from the other its reasonable attorney fees and costs and expenses at trial, in a bankruptcy, receivership or similar proceeding, and on appeal. Reasonable attorney fees shall not exceed the rate charged to OBDD by its attorneys.
- M. Public Records. OBDD's obligations under this Contract are subject to the Oregon Public Records Laws.

SIGNATURE PAGE FOLLOWS

The Recipient, by its signature below, acknowledges that it has read this Contract, understands it, and agrees to be bound by its terms and conditions.



**STATE OF OREGON**  
acting by and through its  
Business Development Department

By: **Chris Cummings**  
Chris Cummings, Interim Director

Digitally signed by Chris Cummings  
Date: 2020.08.14 13:22:05 -07'00'



**CITY OF MCMINNVILLE**

By: **Jeffrey R. Towery**  
Jeff Towery, City Manager

Digitally signed by Jeffrey R. Towery  
Date: 2020.08.12 09:16:05 -07'00'

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

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

**APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:**

/s/ Wendy Johnson per email dated 30 July 2020

Wendy Johnson, Senior Assistant Attorney General

Received 8/12/2020

## EXHIBIT A - PROGRAM DESCRIPTION AND REQUIREMENTS

### OBDD

State of Oregon, acting by and through its  
Business Development Department,  
775 Summer Street NE Suite 200  
Salem OR 97301-1280

**Contract Administrator:** Michelle Bilberry

**Telephone:** 503-856-2483

**Email:** michelle.bilberry@oregon.gov

### Recipient

City of McMinnville

231 NE Fifth Street  
McMinnville OR 97128

**Contact:** Heather Richards, Planning Director

**Telephone:** 541-604-4152

**Email:** Heather.Richards@mcminnvilleoregon.gov

### Program Requirements

Recipient will operate a COVID-19 Emergency Business Assistance Fund that provides grants to individual businesses affected by the COVID-19 epidemic, as described below. Recipient will provide its own funds for the Program to match the Loan amount, in at least a 1:1 ratio.

### Eligible Business Applicants

1. Businesses must be adversely affected economically in either one of the following two categories:
  - Those for-profit and non-profit (limited to 501(c)(3) corporations) businesses that were prohibited from operation as directed by the Governor of Oregon's Executive Order No. 20-12.
  - Those for-profit businesses that can demonstrate a one month decline in sales due to the COVID-19 epidemic of 50% or more in one of the months of March, April, May, June, July or August 2020 as compared against sales in the month of January 2020 or February 2020, or for companies with cyclical or seasonal sales, compared with the comparable month in 2019. Those 501(c)(3) non-profit businesses that can demonstrate a decline in revenue due to the COVID-19 epidemic of 50% or more in one of the months of March, April, May, June, July or August 2020 as compared against revenue in the month of January 2020 or February, or for non-profits with cyclical or seasonal revenues, the comparable month in 2019.
2. Businesses must have 25 or fewer employees.

### Ineligible Business Applicants

Ineligible applicants include the following categories of businesses:

1. Passive real estate holding companies and others holding passive investments.
2. Non-profit entities that do not have federal 501(c)(3) status.
3. Businesses that fail to certify they are not delinquent on federal, state or local taxes that were due before the date of application.
4. Businesses that do not certify they are in compliance and will comply with all federal, state and local laws and regulations.
5. Businesses not headquartered and with principal operations in Oregon.
6. Businesses not registered to do business in Oregon (Secretary of State Business Registry verification) if such registration is required.

7. Performing arts venues and cultural or arts organizations that receive funds under the statewide Business and Cultural Support program established by the 14 July 2020 Legislative Emergency Board. (Recipient must notify any applicants that are performing arts venues and cultural organizations about this exclusion. Should such an applicant wish to apply under this program and waive their ability to apply under the Business and Cultural Support program, contact OBDD for direction.)

### **Program Access**

It is intended that these funds are equally accessible to all Oregonians, so Recipient will conduct a robust marketing program that reaches out locally to businesses owned by members of historically disadvantaged population groups (including but not limited to Asian, Black, Hispanic, Native American, and Women Owned Businesses) at least to the extent described in its proposal to OBDD, and Recipient must:

- Utilize program marketing materials and application materials provided by OBDD and made available in languages that are representative of the local population.
- Conduct a stepped marketing program that reaches out and markets to members of historically disadvantaged population groups in advance of marketing to the general public.

### **Business Applications and Support Documentation**

In general, Recipient will, applying its best judgment in individual cases, ensure that businesses:

- Document the federal assistance amount they have received as of the date of application from the Small Business Administration's Paycheck Protection Program (PPP); Economic Injury Disaster Loan Emergency Advance program (EIDL); or other federal programs for emergency pandemic funding. (Awards must be reduced by the amounts received from those programs.)
- Self-certify that their business incurred COVID-pandemic impacts between 1 March 2020 and 30 December 2020 (CARES Act funding restriction).
- Demonstrate:
  - That they were prohibited from operation as directed by Executive Order No. 20-12; or
  - That the for-profit business had a one month decline in revenue decrease of 50% or more due to the COVID-19 pandemic in the month of March, April, May, June, July or August 2020, as compared against the sales or revenues of January or February, or for companies with cyclical or seasonal sales, compared with the comparable month in 2019, or a non-profit business had a revenue decline of 50% or more due to the COVID-19 pandemic in one of the months of March, April, May, June, July or August 2020 as compared against revenue in the month of January 2020 or February 2020, or for non-profits with cyclical or seasonal revenues, the comparable month in 2019.
- Demonstrate they are headquartered and have principal operations in Oregon.
- Self-certify they are not subject to any of the ineligibility criteria.
- Self-certify that the business and its operations are, and will, remain compliant with all local, state and federal laws.
- Provide business, financial and ownership information sufficient to determine and verify eligibility (including whether or not business is owned by a Sole Proprietor).

Recipient will use a standard Grant Application Form for businesses, including a statement that applicant agrees that the State may pursue collection efforts for fraudulent or ineligible grant awards, as supplied by OBDD in multiple languages.

### **Grant Award Amounts**

Awards to eligible businesses will be made as a grant. The amount of the grant will be the greater of two figures, subject to an applicant's ability and choice to provide documentation to support the second figure: the first based on the number of employees before the COVID-19 crisis (as of 29 February 2020); or the second based on the documented amount of fixed operating expenses for the 60 day period of 1 January through 29 February 2020. Regardless of the basis used for the calculation, the applicant must certify that their COVID-pandemic impacts were incurred between 1 March 2020 and 30 December 2020. The eligible award amounts are as follows:

- 0-5 employees
  - \$2,500, or
  - 60-day fixed expenses up to a maximum of \$5,000.
- 6-10 employees
  - \$5,000, or
  - 60-day fixed expenses up to a maximum of \$10,000.
- 11-15 employees
  - \$7,500, or
  - 60-day fixed expenses up to a maximum of \$15,000.
- 16-20 employees
  - \$10,000, or
  - 60-day fixed expenses up to a maximum of \$20,000.
- 20-25 employees
  - \$12,500, or
  - 60-day fixed expenses up to a maximum of \$25,000.

**Not less than 50% of all Recipient's awards must be made to Sole Proprietor owners (with or without other employees).**

### **Grant Award Amount Reductions**

Recipient will reduce any grant award amount by any amount applicant has received from federal CARES Act funds or other federal funds including: Small Business Administration's Paycheck Protection Program (PPP); Economic Injury Disaster Loan Emergency Advance program (EIDL); and other federal programs for emergency pandemic funding.

## **Review of Applications**

Recipient must confirm that all information and certifications provided by business applicants meet all Program requirements, including but not limited to:

- Demonstrate:
  - That the business applicant was prohibited from operation as directed by Executive Order No. 20-12; or
  - That the business applicant had a sales decrease of 50% or more due to the COVID-19 pandemic in the month of March, April, May, June, July or August 2020, as compared against the sales in January or February 2020, or for companies with cyclical or seasonal sales, compared with the comparable month in 2019. For a non-profit business, a 50% or more decline of revenue due to the COVID-19 pandemic in one of the months of March, April, May, June, July or August 2020 as compared against revenue in the month of January 2020 or February 2020, or for non-profits with cyclical or seasonal revenues, the comparable month in 2019.
- Demonstrate that the business applicant is headquartered and with principal operations in Oregon.
- Provide sufficient documentation of employee head count.

## **Reporting of Awards**

To assist in preventing multiple grants to any business, Recipient must send notification of every award to the OBDD Contract Administrator no later than 24 hours after making the award decision, utilizing a Pre-award report form provided by OBDD.

Within 30 days of fully deploying the Loan, or 30 days after the Program Completion Deadline, whichever occurs first, Recipient will deliver a final report on the Program and information on the grant recipients on a form provided by OBDD, which will include but is not limited to:

- Number of applications received
- A listing of the direct costs incurred in the administration of the Program (payroll, marketing, et cetera)
- Number of awards made
  - Awards by #, \$ and % of allocation by voluntary reported demographic information
  - Awards by #, \$, and % of allocation by regions as defined by OBDD (i.e., Central, Coastal, Eastern, Portland, Southern, and Valley)
  - Award by #, \$, and % of allocation by company size / number of employees (0-5, 6-10, et cetera)
  - Award by #, \$ and % of allocation to sole proprietors
  - Total amount of Recipient's matching funds applied to awards made under the Program, by \$ and % match to the Loan.
- Individual business grant recipient data
  - Name of company
  - Employer Identification Number (EIN)
  - Oregon Business Identification Number (BIN)
  - Address of company
  - NAICS industry code

- Amount of award
- Federal award amounts received, listed by program
- Amount of Emergency Small Business Assistance Program award received in earlier rounds
- Legal business entity type
- # of employees as of 29 February 2020
- Reported # of jobs retained due to the award
- For owners of businesses:
  - First and last name
  - Percentage of ownership
  - Demographics as reported in a demographic questionnaire for all owners with 20% or more ownership.
- A certification by Recipient that no Loan proceeds were used to retire any of Recipient's debt.
- Any other additional information if requested by OBDD as necessary for CARES Act compliance.

**Tax Responsibility**

Recipient is responsible for all federal or state taxes applicable to any portion of the Loan that is forgiven. Recipient is responsible to administer all federal or state tax requirements applicable to grant awards, including delivery of IRS Form 1099-G to grant recipients.

**Program Completion Deadline**

Recipient must complete grant awards to eligible businesses no later than the Program Completion Deadline, which date is 45 days after receipt of the Loan proceeds, unless otherwise allowed by OBDD in writing. If Recipient is unable to complete grant awards to businesses (including matching funds) in its aggregate Loan amount by the Program Completion Deadline, Recipient shall return all unforgiven Loan principal to OBDD as provided by Section 4 of the Contract.

**EXHIBIT B - FEDERAL AWARD IDENTIFICATION (REQUIRED BY 2 CFR 200.331(A))**

(i) Recipient Name*: <i>(must match DUNS registration)</i>	MCMINNVILLE, CITY OF
(ii) Recipient's DUNS number:	08-525-6626
(iii) Federal Award Identification Number (FAIN):	N/A
(iv) Federal award date: <i>(date of award to DAS by federal agency)</i>	27 March 2020
(v) Grant period of performance start and end dates:	Start: 1 March 2020 End: 30 December 2020
(vi) Total amount of federal funds obligated by this Grant:	\$100,000
(vii) **Total amount of federal award committed to Recipient by Agency: <i>(amount of federal funds from this FAIN committed to Recipient)</i>	\$100,000
(viii) Federal award project description:	Coronavirus Relief Fund
(ix) Federal awarding agency:	U.S. Department of the Treasury
(x) Name of pass-through entity:	Oregon Business Development Department
(xi) Contact information for awarding official of pass-through entity:	George Naughton, D.A.S. Chief Financial Officer 155 Cottage Street NE Salem OR 97301 CoronavirusReliefFund@Oregon.gov
(xii) CFDA number, name, and amount:	Number: 21.019 Name: Coronavirus Relief Fund Amount: \$1,388,506,837.10
(xiii) Is award research and development?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
(xiv) Indirect cost rate:	Not allowed per U.S. Treasury guidance
(xv) Is the 10% de minimis rate being used per §200.414?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

\* For the purposes of this Exhibit B, "Subrecipient" refers to Recipient and "pass-through entity" refers to OBDD

\*\* The total amount of federal funds obligated to the Subrecipient by the pass-through entity is the total amount of federal funds obligated to the Subrecipient by the pass-through entity during the current state fiscal year.



July 23, 2020

City of McMinnville  
231 NE Fifth Street  
McMinnville, OR 97128

**Re: Notice of Intent to Award: State of Oregon COVID-19 Emergency Business Assistance Grant Fund**

Dear Heather Richards:

Thank you for the proposal submitted on behalf of City of McMinnville. As expected, there was continued interest in the program with 37 proposals seeking more than \$5.5 million in matching funds.

On July 14, 2020, the Oregon Emergency Board approved additional funding for the COVID-19 Emergency Business Assistance Grant Fund. Therefore, Business Oregon is pleased to offer City of McMinnville an award of \$100,000 to support small businesses in your region.

Please confirm your intent to accept this award no later than Monday, July 27, 2020 by 5:00 PM. Also, provide the name and title of individual authorized to sign the contract. Once we receive confirmation of your intent to accept, our team will begin preparing the contract and supplemental documentation for your review. Funding will occur once both parties have executed the contract. Once Business Oregon has provided full disbursement of proceeds to City of McMinnville, redeployment as grants to eligible businesses can begin in accordance with the contract.

Business Oregon will adjust the program timelines for your award to conform to the date of contract execution, including allowing up to two weeks for marketing, 45 days to deploy the funds, and with final closeout reports due within 30 days of deploying all the funds.

I will be acting as the contract administrator on behalf of Business Oregon and will be your primary point of contact for contract execution, disbursement of proceeds, contract reporting, and final loan forgiveness once all of the contract objectives and requirements have been met. My contact information is provided in the signature block below. We look forward to working with you to help Oregon's small businesses recover from this crisis.

Sincerely,

Michelle Bilberry  
503-986-0142  
michelle.bilberry@oregon.gov

**RESOLUTION NO. 2020 - 50**

A Resolution adopting a supplemental budget for fiscal year 2020-2021, making supplemental appropriations and authorizing the City Manager to sign a contract with Biz Oregon to accept the grant funds.

**RECITAL:**

**WHEREAS**, This resolution proposes a supplemental budget for the Special Assessment Fund. A supplemental budget is necessary to allow for disbursement of a \$200,000 small business recovery grant program to address the negative economic impacts of the Covid-19 public health emergency. The City's goal is to award 50% of the funds to businesses owned by historically disadvantaged populations, namely women and minorities, and 50% of the funds to sole proprietors.

**WHEREAS**, The grant program is funded by contributions from Business Oregon with a 50% match from the City of McMinnville. A change in the rules for eligible expenditures of federal CARES Act funds by Oregon municipalities allows McMinnville to fund the match requirement from the City's allocation of Coronavirus Relief Funds.

**WHEREAS**, Oregon Local Budget Law allows a local government to prepare a supplemental budget when state or federal funds are made available that were unknown at the time the budget was prepared thus requiring a change in financial planning (ORS 294.471). The governing body must adopt a resolution to adopt the supplemental budget and make any necessary appropriations. Intergovernmental support for the program was awarded in July 2020, a date subsequent to the completion of the FY2020-21 budget process.

**WHEREAS**, Because the supplemental budget changes the Special Assessment Fund's expenditures by more than 10%, a public hearing is required. Notice of the public hearing was published on July 31, 2020, more than five days prior to the hearing on Aug 11, 2020.

**WHEREAS**, This supplemental budget increases expenditures in the Special Assessment Fund by \$200,000 to allow disbursement of small business recovery grants.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON, as follows:**

1. **Adopt the following Supplemental Budget:** The Common Council of the City of McMinnville adopts the following Supplemental Budget for 2020-2021 in the Special Assessment Fund.
2. **Make Supplemental Appropriations:** The additional appropriations for fiscal year 2020-2021 are hereby appropriated as follows:

<u>Special Assessment Fund:</u>	<u>Adopted Budget</u>	<u>Budget Adjustment</u>	<u>Amended Budget</u>
<b>Resources:</b>			
Beginning Fund Balance	\$ 140,779	-	\$ 140,779
Intergovernmental	450,000	200,000	650,000
Other (unchanged)	<u>63,450</u>	<u>-</u>	<u>63,450</u>

Total Resources	<u>\$ 654,229</u>	200,000	<u>\$ 854,229</u>
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**Requirements:**

Community Activities	\$ 510,000	200,000	710,000
Transfers Out	6,977	-	6,977
Contingencies	35,000		35,000
Ending Fund Balance	<u>102,252</u>	-	<u>102,252</u>
Total Requirements	<u>\$ 654,229</u>	200,000	<u>\$ 854,229</u>

3. **Authorize City Manager to Sign Contract to Accept the Grant Funds:** The City of McMinnville will execute a contract with Biz Oregon for \$100,000 in grant funds for this program:

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 11th day of August 2020 by the following votes:

Ayes: Drabkin, Garvin, Geary, Menke

Nays: \_\_\_\_\_

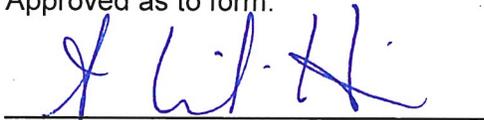
Abstain: \_\_\_\_\_

Approved this 11<sup>th</sup> day of August 2020.



\_\_\_\_\_  
MAYOR

Approved as to form:



\_\_\_\_\_  
City Attorney

Attest:



\_\_\_\_\_  
City Recorder