

September 22, 2022

Board of Commissioners  
Clackamas County

Members of the Board:

**Approval of an Emergency Solutions Grant award. Total value is \$192,180.  
Funding through the U.S. Department of Housing and Urban Development (HUD).  
County General Funds are not involved.**

<b>Purpose/Outcomes</b>	Approval of the Emergency Solutions Grant (ESG) Award.
<b>Dollar Amount and Fiscal Impact</b>	Approval of this grant award will enable the County to receive \$192,180 in ESG funds during the 2022 program year.
<b>Funding Source</b>	U.S. Department of Housing and Urban Development grant funds. No County General Funds are involved.
<b>Safety Impact</b>	N/A
<b>Duration</b>	Effective July 1, 2022 and terminates on June 30, 2026.
<b>Previous Board Action</b>	Board approved the application to HUD on June 23, 2022
<b>Strategic Plan Alignment</b>	1. Ensure safe, healthy and secure communities. 2. Build a strong infrastructure
<b>Counsel Review</b>	9/8/2022 Andrew Naylor
<b>Procurement Review</b>	1. Was the item processed through Procurement? yes <input type="checkbox"/> no <input checked="" type="checkbox"/> 2. If no, provide brief explanation: item is a grant.
<b>Contact Person</b>	Mark Sirois, Community Development Manager - (503) 351-7240
<b>Contract No.</b>	NA

**BACKGROUND:**

On May 17, 2022, HUD announced annual allocations for the CDBG, HOME and ESG programs for all of the United States including Clackamas County. Emergency Solutions Grant (ESG) funding provides homeless services assistance through program administration, emergency shelter services, rapid rehousing services and Homeless Management Information System staffing for reporting and contract monitoring. Matching funds obligations for this grant are met with state funds for similar services.

The Board approved the ESG Grant application on June 23, 2022.

**RECOMMENDATION:**

Staff recommends that the Board of County Commissioners take the following actions:

- 1) Place the ESG Grant award on the Consent Agenda for Approval,
- 2) After approval, sign the ESG grant award required for submittal to HUD.

*Healthy Families. Strong Communities.*

Thank you.

*Rodney A. Cook*

Rodney A. Cook,  
Director

Attachments:

- ESG Grant Award
- HUD Transmittal letter
- Financial Assistance Life Cycle form


# Funding Approval/Agreement

Emergency Solutions Grants Program  
 Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act,  
 42 U.S.C. 11371 et seq.  
 Assistance Listing Number 14.231

**U.S. Department of Housing and Urban  
 Development**  
 Office of Community Planning and Development

1. Recipient Name and Address Clackamas County 2051 Kaen Road Oregon City, OR 97045-4035		2. Unique Federal Award Identification Number: E-22-UC-41-0001
		3. Tax Identification Number: 936002286
		4. Unique Entity Identifier: NVWKA/B8JND6
5. Fiscal Year (yyyy): 2022		
6. Previous Obligation (Enter "0" for initial Fiscal Year allocation)	\$ 0	
7. Amount of Funds Obligated or Deobligated by This Action (+ or -)	\$192,180	
8. Total Amount of Federal Funds Obligated	\$192,180	
9. Total Required Match	\$192,180	
10. Total Amount of Federal Award Including Match	\$384,360	
11. Start Date of Recipient's Program Year (mm/dd/yyyy)  07/01/2022	12. Date HUD Received Recipient's Consolidated Plan Submission (mm/dd/yyyy)  07/06/2022	13. Period of Performance and Budget Period Start Date/Federal Award Date (the date listed in Box 19 for initial Fiscal Year allocation) 09/06/2022
14. Type of Agreement (check applicable box) <input checked="" type="checkbox"/> Initial Agreement (Purpose #1 – Initial Fiscal Year allocation) <input type="checkbox"/> Amendment (Purpose #2 – Deobligation of funds) <input type="checkbox"/> Amendment (Purpose #3 – Obligation of additional funds)		15. Special Conditions and Requirements <input type="checkbox"/> Not applicable <input checked="" type="checkbox"/> Attached  16. Period of Performance and Budget Period End Date (24 months after the date listed in Box 13) 09/06/2024

**General Terms and Conditions:** This Agreement between the U.S. Department of Housing and Urban Development (HUD) and the Recipient is made pursuant to the authority of Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.) and is subject to the applicable annual appropriations act. The Recipient's Consolidated Plan submissions (including the Recipient's approved annual Action Plan and any amendments completed in accordance with 24 CFR Part 91), the Emergency Solutions Grants Program regulations at 24 CFR Part 576 (as now in effect and as may be amended from time to time), and this Agreement, including any special conditions attached to this Agreement, constitute part of this Agreement. Subject to the terms and conditions of this Agreement, HUD will make the funds for the specified Fiscal Year available to the Recipient upon execution of this Agreement by the Recipient and HUD. The funds may be used for costs incurred before the Budget Period under the conditions specified in HUD Notice CPD-22-05 or another prior written approval by HUD, or if the Recipient is not covered by Notice CPD-22-05, under the condition that the costs are otherwise allowable and were incurred on or after the dates listed in box 11 and box 12 or 90 calendar days before the date in box 13 (whichever is later). The Recipient agrees to assume responsibility for environmental review, decision making, and action under 24 CFR Part 58, except where the Recipient is a state and distributes funds to a unit of general local government, the Recipient must require the unit of general local government to assume that responsibility and must comply with the state's responsibilities under 24 CFR 58.4. Without the Recipient's execution of an amendment or other consent, HUD may amend this Agreement to provide additional funds to the Recipient for the specified Fiscal Year or to deobligate funds under this Agreement in accordance with applicable law. The Recipient must comply with the applicable requirements at 2 CFR part 200, as may be amended from time to time. Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in 24 CFR part 576, activities carried out under the grant after the effective date of the part 200 amendments will be governed by the part 200 requirements as replaced or renumbered by the part 200 amendments. If the amount in Box 8 exceeds \$500,000, the Recipient must comply with Appendix XII to 2 CFR part 200—Award Term and Condition for Recipient Integrity and Performance Matters. Nothing in this Agreement shall be construed as creating or justifying any claim against the federal government or the Recipient by any third party.

17. For the U.S. Department of HUD (Name, Title, and Contact Information of Authorized Official) Phillip McKeough, CPD Director	18. Signature 	19. Date (mm/dd/yyyy) 09/06/2022
20. For the Recipient (Name and Title of Authorized Official)	21. Signature	22. Date (mm/dd/yyyy) / /

Funding Information (HUD Accounting Use Only):

PAS Code: SOE	Region: 10	Program Code: SOE
Appropriation: 0192/1192	Office: (Portland)	Treasury Code: 086
Appro Symbol: J		

## Special Conditions and Requirements for FY 2022 ESG Program

### Indirect Cost Rate

The Recipient shall attach a schedule of its indirect cost rate(s) in the format set forth below to the executed Agreement that is returned to HUD. The Recipient shall provide HUD with a revised schedule when any change is made to the rate(s) described in the schedule. The schedule and any revisions HUD receives from the Recipient shall be incorporated herein and made a part of this Agreement, provided that the rate(s) described comply with 2 CFR part 200, subpart E.

*Instructions: The Recipient must identify each agency or department of the Recipient that will carry out activities under the grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR §200.414(f)), and the type of direct cost base to which the rate will be applied (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rates for subrecipients.*

<u>Recipient Department/Agency</u>	<u>Indirect cost rate</u>	<u>Direct Cost Base</u>
_____	_____ %	_____
_____	_____ %	_____
_____	_____ %	_____

## **Special Conditions and Requirements for FY 2022 ESG Program**

### **Serving Youth Who Lack 3rd Party Documentation or Live in Unsafe Situations**

Notwithstanding any contrary requirements under the McKinney-Vento Homeless Assistance Act or 24 CFR part 576, youth aged 24 and under who seek assistance (including shelter, services or rental assistance) shall not be required to provide third-party documentation that they meet the homeless definition in 24 CFR 578.3 as a condition for receiving assistance; and unaccompanied youth aged 24 and under (or families headed by youth aged 24 and under) who have an unsafe primary nighttime residence and no safe alternative to that residence shall be considered homeless for purposes of assistance provided by any private nonprofit organization whose primary mission is to provide services to youth aged 24 and under and families headed by youth aged 24 and under.



**U.S. Department of Housing and Urban Development**  
Region X, Portland Field Office  
Office of Community Planning and Development

1220 SW 3rd Avenue  
Suite 400  
Portland, OR 97204-2830  
(971) 222-2600  
FAX (971) 222-0357

September 6, 2022

Mark Sirois, Manager  
Clackamas County Health, Housing, and Human Services  
2051 Kaen Road, #245  
Oregon City, OR 97045-1284

**SUBJECT: Fiscal Year 2022 Grant Agreement Transmittal**

Dear Mr. Sirois:

The Portland Field Office would like to thank you for your continued partnership in providing quality affordable housing, a suitable living environment, and expanding economic opportunities for low-and moderate-income persons through HUD programs. On Thursday, June 10, 2021, the Department published an interim final rule with a request for comments, titled: *Requesting Affirmatively Furthering Fair Housing Definitions and Certifications* (86 Fed Reg 30779). The effective date for the interim rule is July 31, 2021, and you are encouraged to review the interim rule in developing your programs.

One Grant Agreement is attached for each program awarded as follows:

Community Development Block Grant Program (CDBG)	\$2,203,267
Recovery Housing Program	\$0
HOME Investment Partnerships (HOME)	\$1,133,026
Housing Opportunities for Persons with AIDS (HOPWA)	\$0
Emergency Solutions Grant (ESG)	\$192,180
Housing Trust Fund (HTF)	\$0
<b>Total FY 2022 Award</b>	<b>\$3,528,473</b>

Transmittal of a grant agreement does not constitute approval of the activities described in your Consolidated Plan. You are reminded that you, as grantee, are responsible for ensuring that all grant funds are used in accordance with all program requirements. An executed Grant Agreement is a legally binding agreement between the Department of Housing and Urban Development and your agency.

To establish a Line of Credit for Fiscal Year 2022 grant funds, it will be necessary for your agency to sign, execute and return one (1) copy of each Grant Agreement. If there is a need to add or remove individuals authorized to access the Integrated Disbursement Information System (IDIS), please submit an IDIS Online Access Request Form (HUD 27055), notarize, and return to this office. Additionally, if there is a need to establish or change the depository account

where these funds are to be wired, a Direct Deposit Sign-Up form (SF-1199A) must be completed by your financial institution and returned to this office with a copy of a voided check.

In accordance with the HOME regulations at 24 CFR 92.254(a)(5), a Participating Jurisdiction (PJ) must establish resale and/or recapture requirements that comply with the standards of the regulation. Furthermore, the resale and/or recapture requirements must be set forth in the PJ's Consolidated Plan. HUD must determine if the PJ's provisions comply with the requirements of the regulations and notify the PJ in writing of its determination.

HUD has reviewed your resale and/or recapture provisions and has determined that the provisions included in the Plan comply with the requirements at 24 CFR 92.254(a)(5).

You are reminded that certain activities are subject to the provisions of 24 CFR Part 58 (Environmental Review Procedures). Funds for such activities may not be obligated or expended until HUD has approved the release of funds in writing. A request for release of funds (RROF) must be accompanied by an environmental certification, and until the RROF is approved and notification is received, no HUD funds should be committed. If the project or activity is exempt per 24 CFR 58.34 or categorically excluded (except in extraordinary circumstances), no RROF is required.

On November 15, 2021, the Build America, Buy America Act (the Act) was enacted as part of the Infrastructure Investment and Jobs Act (IIJA). Pub. L. 117-58. The Act establishes a domestic content procurement preference, the BAP, for Federal programs that permit Federal financial assistance to be used for infrastructure projects. In Section 70912, the Act further defines a project to include "the construction, alteration, maintenance, or repair of infrastructure in the United States" and includes within the definition of infrastructure those items traditionally included along with buildings and real property. Starting May 14, 2022, new awards of Federal financial assistance from a program for infrastructure, and any of those funds obligated by the grantee, are covered under the Build America, Buy America (BABA) provisions of the Act, 41 U.S.C. 8301 note. While HUD currently has a waiver of the application of the BAP through HUD's Notice, "General Applicability Waiver of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (87 FR 26219), HUD will begin requiring compliance with BAP for all new funds obligated on or after November 14, 2022, unless covered by a subsequent waiver. Additional details on fulfilling the BABA requirements can be found at [https://www.hud.gov/program\\_offices/general\\_counsel/BABA](https://www.hud.gov/program_offices/general_counsel/BABA) and will be provided by HUD prior to the expiration of the waiver and full implementation of BABA.

Please execute two (2) copies of each Grant Agreement with electronic signature. In response to COVID-19, HUD authorizes you to electronically execute the grant agreement with your electronic signature. Return one (1) of each agreement to this office via email. Please ensure the Chief Elected Official and/or authorized designee electronically signs the CDBG grant agreement in the box directly across from the HUD CPD Director's signature. The CDBG Grant Agreement should **not** be electronically signed in box 12c. Maintain a copy of each agreement with your original signature on-site in your program files. Please note the special condition in your CDBG Funding Approval/Agreement.

For additional information and guidance on grant-based accounting, please refer to the HUD Exchange at: <https://www.hudexchange.info/manage-a-program/grant-based-accounting/>.

HUD congratulates Clackamas County on your grant award, and we look forward to assisting you in accomplishing your programs goals. If you have any questions or need further information of assistance, please contact Toni Strutz (CDBG and ESG) at 971-222-2618 or [Toni.N.Strutz@hud.gov](mailto:Toni.N.Strutz@hud.gov), or Murrianna Thomson (HOME) at 971-222-2621 or [Murrianna.K.Thomson@hud.gov](mailto:Murrianna.K.Thomson@hud.gov).

Sincerely,



Phillip McKeough, Acting Director  
Office of Community Planning &  
Development

Enclosures



# Financial Assistance Application Lifecycle Form

Use this form to track your potential grant from conception to submission.

Sections of this form are designed to be completed in collaboration between department program and fiscal staff.

## \*\* CONCEPTION \*\*

Note: The processes outlined in this form are not applicable to disaster recovery grants.

### Section I: Funding Opportunity Information - To be completed by Requester

Lead Department:

HEALTH HOUSING AND HUMAN SERVICES

Application for:  Subrecipient Assistance  Direct Assistance

Grant Renewal?  Yes  No

If renewal, complete sections 1, 2, & 4 only

If Disaster or Emergency Relief Funding, EOC will need to approve prior to being sent to the BCC

Name of Funding Opportunity:

EMERGENCY SOLUTIONS GRANT 2022

Funding Source: Federal  State  Local

Requestor Information (Name of staff person initiating form):

MARK SIROIS

Requestor Contact Information:

marksir@clackamas.us

Department Fiscal Representative:

Adam Brown

Program Name or Number (please specify):

CFDA 14.231 EMERGENCY SOLUTIONS GRANT

Brief Description of Project:

The Department of Health, Housing and Human Services (H3S) to the impacts of this public health crisis, which includes increases in homelessness, unemployment, and food insecurity. The current plan for use of EMERGENCY SOLUTIONS GRANT (ESG) funds is as follows: program administration, staff expenses for maintaining the Homeless Information Management System (HMIS) Emergency Shelter and Rapid Rehousing program expenses.

Name of Funding Agency:

U.S Department of Housing and Urban Development (HUD)

Agency's Web Address for funding agency Guidelines and Contact Information:

<https://www.hudexchange.info/programs/esg/>

OR

Application Packet Attached:  Yes  No

Completed By:

Mark Sirois

5/18/2022

Date

\*\* NOW READY FOR SUBMISSION TO DEPARTMENT FISCAL REPRESENTATIVE \*\*

### Section II: Funding Opportunity Information - To be completed by Department Fiscal Rep

Competitive Application

Non-Competing Application

Other

CFDA(s), if applicable:

CFDA 14.231

Funding Agency Award Notification Date:

NA

Announcement Date:

May 17, 2022

Announcement/Opportunity #:

NA

Grant Category/Title:

EMERGENCY SOLUTIONS GRANT

Max Award Value:

192,180

Allows Indirect/Rate:

yes

Match Requirement:

100%

Application Deadline:

NA

Other Deadlines:

NA

Award Start Date:

When SF 424 signed by HUD or July 1, 2022

Other Deadline Description:

NA

Award End Date:

June 30, 2024

Completed By:

Mark Sirois

Program Income Requirement:

None expected -

Pre-Application Meeting Schedule:

NA

**Section III: Funding Opportunity Information** - To be completed at Pre-Application Meeting by Dept Program and Fiscal Staff

**Mission/Purpose:**

1. How does the grant/funding opportunity support the Department and/or Division's Mission/Purpose/Goals?

The Department of Health, Housing and Human Services works with numerous low income and vulnerable populations throughout the county. These funds help provide administration, reporting and services reduce homelessness

2. What, if any, are the community partners who might be better suited to perform this work?

The H3S will work with community partners and community based organizations to select the best allowable use of these funds for public services.

3. What are the objectives of this funding opportunity? How will we meet these objectives?

Emergency Solutions Grant (ESG) funds may be used for a range of eligible activities including grant administration, data collection (homeless management information system - HMIS), homeless shelters, rapid re-housing and homeless prevention

4. Does the grant/financial assistance fund an existing program? If yes, which program? If no, what is the purpose of the program?

Yes ESG program administration, grant reporting and community based programs and services are funded with ESG funds

**Organizational Capacity:**

1. Does the organization have adequate and qualified staff? If no, can staff be hired within the grant/financial assistance funding opportunity timeframe?

The Department H3S working with County numerous divisions and community organizations are adequately staffed to utilized these ESG funds as intended by HUD.

2. Are there partnership efforts required? If yes, who are we partnering with and what are their roles and responsibilities?

No partnerships are required however sub-recipient agreements and contracts will be established with non-profit community based organizations.

3. If this is a pilot project, what is the plan for sunseting the project and/or staff if it does not continue (e.g. making staff positions temporary or limited duration, etc.)?

Not a pilot project.

4. If funded, would this grant/financial assistance create a new program, does the department intend for the program to continue after initial funding is exhausted? If yes, how will the department ensure funding (e.g. request new funding during the budget process, supplanted by a different program, etc.)?

This is an annual allocation of funds to Clackamas County.

**Collaboration**

1. List County departments that will collaborate on this award, if any.

Department of Health, Housing and Human Services (several divisions) homeless services programs.

**Reporting Requirements**

1. What are the program reporting requirements for this grant/funding opportunity?

The Housing Services and Development Division will coordinate reporting. Project setup in the HUD Database: Integrated Disbursement and Information System (IDIS), financial reporting and project accomplishment reports in IDIS.

2. How will performance be evaluated? Are we using existing data sources? If yes, what are they and where are they housed? If not, is it feasible to develop a data source within the grant timeframe?

Each activity funded will be tracked in the HUD Database: Integrated Disbursement and Information System (IDIS), financial reporting and project accomplishment reports in IDIS.

3. What are the fiscal reporting requirements for this funding?

Financial reporting will be completed in the HUD IDIS system. County Finance will provide information on expenditures and conduct draw downs of federal funds to reimburse expenses.

**Fiscal**

1. Will we realize more benefit than this financial assistance will cost to administer?

Yes. County staff costs charged to this grant will increase the county's allocated costs revenue.

2. Are other revenue sources required? Have they already been secured?

No other revenues are required.

3. For applications with a match requirement, how much is required (in dollars), and what type of funding will be used to meet it (Cash-CGF, In-kind meaning the value from a 3rd party/non-county entity, Local Grant, etc.)?

100% match requirement matched with state homeless assistance funds allocated to H3S Social Services Division.

4. Does this grant/financial assistance cover indirect costs? If yes, is there a rate cap? If no, can additional funds be obtained to support indirect expenses and what are they?

No, indirect rates can be covered with other grant funds.

Program Approval:

**Mark Siros**

**5/18/22**

**Mark Siros**

Digitally signed by Mark Siros  
DN: cn=Mark Siros, o=Clackamas County, ou=Community Development Division, email=marksi@clackamas.us, c=US  
Date: 2022.05.23 16:52:04 -07'00'

Name (Typed/Printed)

Date

Signature

**\*\* NOW READY FOR PROGRAM MANAGER SUBMISSION TO DIVISION DIRECTOR \*\***

**\*\*ATTACH ANY CERTIFICATIONS REQUIRED BY THE FUNDING AGENCY. COUNTY FINANCE OR ADMIN WILL SIGN.\*\***

**Section IV: Approvals**

<b>DIVISION DIRECTOR (or designee, if applicable)</b>		
Mark Sirois	5/18/22	Mark Sirois
Name (Typed/Printed)	Date	Signature

Digitally signed by Mark Sirois  
 DN: cn=Mark Sirois, o=Clatsop County, ou=Community Development Division, email=marksiro@clatsop.us, c=US  
 Date: 2022.05.18 17:36:20 -0700'

<b>DEPARTMENT DIRECTOR (or designee, if applicable)</b>		
Adam Brown	05/25/2022	Adam Brown
Name (Typed/Printed)	Date	Signature

Digitally signed by Adam Brown  
 Date: 2022.05.25 16:58:34 -0700'

<b>FINANCE GRANT MANAGER</b>		
Elizabeth Comfort, Finance Director	5.25.2022	Elizabeth Comfort
Name (Typed/Printed)	Date	Signature

Digitally signed by Elizabeth Comfort  
 Date: 2022.05.25 18:04:19 -0700'

<b>EOC COMMAND APPROVAL (DISASTER OR EMERGENCY RELIEF APPLICATIONS ONLY)</b>		
Name (Typed/Printed)	Date	Signature

**Section V: Board of County Commissioners/County Administration**

*(Required for all grant applications. If your grant is awarded, all grant **awards** must be approved by the Board on their weekly consent agenda regardless of amount per local budget law 294.338.)*

**For applications less than \$150,000:**

<b>COUNTY ADMINISTRATOR</b>	Approved: <input type="checkbox"/>	Denied: <input type="checkbox"/>
Name (Typed/Printed)	Date	Signature

**For applications greater than \$150,000 or which otherwise require BCC approval:**

BCC Agenda item #:

Date:

**OR**

Policy Session Date:

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County Administration Attestation

**County Administration: re-route to department contact when fully approved.  
 Department: keep original with your grant file.**