



Staff Report

TO: Honorable Mayor and Members of the Town Council
FROM: Sean Rabé, Town Manager
DATE: October 13, 2020
RE: Loomis Local Business COVID-19 Grant Program Update

Recommendation

Staff recommends the Town Council review the update on the Loomis Local Business COVID-19 Grant Program and approve modifications to the program as outlined below.

Issue Statement and Discussion

At the September 8 Council meeting, the Town Council adopted a resolution establishing the Loomis Local Business COVID-19 Grant Program. The grant program allowed for grants of up to \$2,500 for eligible activities covering fixed expenses for businesses located in Town that have been impacted by the COVID-19 pandemic.

Deadlines for grant applications were September 30. The Town received 15 grant applications, all of which were approved for funding by the Town Manager (with concurrence of the Finance Director, Mayor and President of the Loomis Basin Chamber of Commerce). All told, the grant applications totaled \$37,500.

Grantees awarded are as follows:

- Emma's Horse and Buggy
- Loomis Chinese Food
- Montray Property Management
- Eyechicks
- Loomis Nails
- Il Pizzaiolo
- Lotus Cleaning
- Jasmine Marshall Photography
- McLaughlin Studios
- Sierra Performing Arts
- Smog Busters
- Loomis Beauty Salon
- Modern Mountain Cabinetry
- Shenanigans
- Pizza Factory

In response to the COVID-19 public health and economic crisis throughout the country, the federal government enacted the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") on March 27, 2020. The CARES Act included a \$2 trillion-dollar economic relief package with approximately \$150 billion dollars of Coronavirus Relief Fund (CRF) monies directed at States, local governments, and tribal entities for economic and disaster relief.

The Town's portion of CARES Act funding is \$85,047. While some recent Town expenses would qualify for CARES Act reimbursement (tables and chairs at the Train Depot, for example), Staff recommended – and Council agreed – that the Town's CARES Act allotment should be designated solely for the Town's local businesses that have been impacted by COVID-19.

It should be noted the Town does have about \$20,000 in expenses that would qualify for CARES Act funding.

The Town now has a balance of \$32,547 in CARES funding. In order to continue to support the Town's businesses, Staff is now recommending the following modifications to the grant program:

1. Drop the minimum gross receipts level to \$18,000 (one business would have applied but didn't meet the minimum threshold of \$25,000)
2. Increase the maximum amount of employees allowed for eligible businesses to 50
3. Increase the available grant amount to \$3,500, including increasing the awarded amount to the first-round applicants to the same \$3,500.

If Council approves the above modifications, the Town would be able to fund an additional nine \$3,500 grants.

Alternatively, Council could choose to keep the funding amount at \$2,500. Doing so would allow an additional 19 businesses to be funded at the \$2,500 level using the remaining \$47,547.

Finally, Council could simply close the application window, keep the funding level set at the previously-approved \$2,500 for approved applications, and apply the remainder amount (\$47,547) to Town expenses.

Per the CARES Act, funds must be spent on expenses that occurred as a result of the COVID-19 pandemic and shutdowns OR that are unpaid as a result of economic hardship imposed by business-related mandated shutdowns. Examples include:

- Rent
- Utilities
- Payroll
- Marketing
- Personal Protective Equipment (PPE)/cleaning and disinfecting supplies/inventory/services
- Technology (software/licensing/equipment) to automate systems or to allow for telecommute activities of employees
- Furniture, equipment, and supplies for expanded outdoor activities (dining/retail)

During the application process, grantees will be asked to verify that funds will be used for eligible purposes.

Should Council approve the proposed modifications to the program, key eligibility criteria for the program (many of which are prescribed by the CARES Act legislation or are similar to Placer County's grant criteria) would include the following:

- The business is located in the Town of Loomis boundaries
- The business was operating with an active Loomis business license on or before March 1, 2020

- The business had total annual gross revenue between \$18,000 and \$2 million in 2019. For new businesses established on or after January 1, 2020 but before March 1, 2020, total projected revenue between January 1, 2020 and July 31, 2020 must be between \$18,000 and \$2 million.
- The business has 50 or fewer employees.
- The business has not received a Paycheck Protection Program (PPP) loan or any other local, state or federal business assistance program for similar expenses.

The U.S. Department of Treasury has issued guidance on the use of funds. The following is a nonexclusive list of expenditures that are considered ineligible expenses payable from the grant amount:

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

Staff recommends the program application period reopen immediately and run through October 30, 2020. Applications will continue to be reviewed and approved by the Town Manager, with concurrence of the Town Finance Director, Mayor and Loomis Chamber of Commerce Board President (Ryan Demartini).

Staff will provide an updated report to Council at the November 10 Council meeting, including all approved grants and any unexpended funding.

Businesses will be required to certify to the following as part of their application for funding:

- Applicant has the authority to apply for this grant on behalf of the business described herein.
- Business agrees to provide the Town additional documentation for audit and reporting purposes and to assess the benefits derived from participating in the program. Such information may include, but is not limited to, profit loss statements, payroll records, and income certifications of new or retained employees. Business authorizes the release of said information to local, State and/or Federal agencies and to Town staff within five years of this date.
- Because this grant program is federally-funded, it is a felony for any person to knowingly and willingly make false or fraudulent statement on this application.
- Business agrees, that if awarded, the application becomes a binding contract between the business and the Town of Loomis. Any violation of the program guidelines will result in the business promptly repaying the Town any amount issued pursuant to this program.
- Business understands the Town reserves the right to reject any and all applications.

CEQA Requirements

There are no CEQA implications associated with the recommended action.

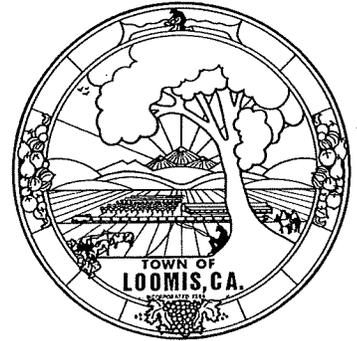
Financial and/or Policy Implications

The program is fully funded through the CARES Act.

Attachments

- A. Updated Eligibility Criteria and Eligible Expenses
- B. Application

TOWN OF LOOMIS



LOOMIS LOCAL BUSINESS GRANT PROGRAM

ELIGIBILITY CRITERIA AND ELIGIBLE EXPENSES

The Town of Loomis has set aside its full CARES Act allocation of \$85,047 into a Loomis Local Business Grant Program to assist local businesses impacted by the COVID-19 pandemic.

The program provides \$3,500 grants to Loomis businesses to help offset fixed expenses for businesses in Town. These grants are approved by the Town Manager (with concurrence of the Finance Director, Mayor and President of the Loomis Basin Chamber of Commerce).

GRANT PERIOD

The application period begins October 14, 2020, and runs through October 30, 2020. Late applications will not be accepted.

ELIGIBLE EXPENSES

Per the CARES Act, funds must be spent on expenses that occurred as a result of the COVID-19 pandemic and shutdowns OR that are unpaid as a result of economic hardship imposed by business-related mandated shutdowns. Examples include:

- Rent
- Utilities
- Payroll
- Marketing
- Personal Protective Equipment (PPE)/cleaning and disinfecting supplies/inventory/services
- Technology (software/licensing/equipment) to automate systems or to allow for telecommute activities of employees
- Furniture, equipment, and supplies for expanded outdoor activities (dining/retail)

INELIGIBLE EXPENSES

The U.S. Department of Treasury has issued guidance on the use of funds. The following is a nonexclusive list of expenditures that are considered ineligible expenses payable from the grant amount:

- Damages covered by insurance.
- Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
- Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
- Reimbursement to donors for donated items or services.

- Workforce bonuses other than hazard pay or overtime.
- Severance pay.
- Legal settlements.

ELIGIBLE PARTICIPANTS

Businesses within the Town of Loomis Town limits are eligible if they meet the following requirements:

- The business is located in the Town of Loomis boundaries
- The business was operating with an active Loomis business license on or before March 1, 2020
- The business had total annual gross revenue between \$18,000 and \$2 million in 2019. For new businesses established on or after January 1, 2020 but before March 1, 2020, total projected revenue between January 1, 2020 and July 31, 2020 must be between \$18,000 and \$2 million.
- The business has 50 or fewer employees.
- The business has not received a Paycheck Protection Program (PPP) loan or any other local, state or federal business assistance program for similar expenses.

Businesses are required to certify to the following as part of their application for funding (see application):

- Applicant has the authority to apply for this grant on behalf of the business described herein.
- Business agrees to provide the Town additional documentation for audit and reporting purposes and to assess the benefits derived from participating in the program. Such information may include, but is not limited to, profit loss statements, payroll records, and income certifications of new or retained employees. Business authorizes the release of said information to local, State and/or Federal agencies and to Town staff within five years of this date.
- Because this grant program is federally-funded, it is a felony for any person to knowingly and willingly make false or fraudulent statement on this application.
- Business agrees, that if awarded, the application becomes a binding contract between the business and the Town of Loomis. Any violation of the program guidelines will result in the business promptly repaying the Town any amount issued pursuant to this program.
- Business understands the Town reserves the right to reject any and all applications.

INELIGIBLE PARTICIPANTS

Businesses that meet **ANY** of the following criteria are ineligible:

- Businesses with more than 50 employees.
- Businesses with less than \$18,000 in gross revenue for 2019.
- Businesses with more than \$2 million in gross revenue for 2019.
- Any business NOT in business as of March 1, 2020.
- Any business falling into the below categories:
 - Real estate agents and independent brokers
 - Independent vacation home businesses such as Airbnb or VRBO
 - Cannabis growers or related businesses
 - Construction businesses, transportation businesses, online retail operations, and professional services.
 - Financial businesses primarily engaged in the business of lending, such as banks, finance companies

- Passive businesses owned by developers and landlords that do not actively use or occupy the assets acquired or improved with the loan proceeds
- Life insurance companies
- Businesses located in a foreign country (businesses in the U.S. owned by aliens may qualify)
- Pyramid sale distribution plans and multi-level marketing businesses
- Businesses engaged in any illegal activity
- Private clubs and businesses which limit the number of memberships for reasons other than capacity
- Government-owned entities (except for businesses owned or controlled by a Native American tribe)
- Businesses principally engaged in teaching, instructing, counseling or indoctrinating religion or religious beliefs, whether in a religious or secular setting
- Loan packagers earning more than one third of their gross annual revenue from packaging SBA loans
- Businesses with an Associate who is incarcerated, on probation, on parole, or has been indicted for a felony or a crime of moral turpitude
- Businesses in which the Lender or CDC, or any of its Associates owns an equity interest
- Businesses presenting live performances of a prurient sexual nature
- Businesses deriving directly or indirectly more than de minimis gross revenue through the sale of products or services, or the presentation of any depictions or displays, of a prurient sexual nature
- Unless waived by SBA for good cause, businesses that have previously defaulted on a Federal loan or Federally assisted financing, resulting in the Federal government or any of its agencies or Departments sustaining a loss in any of its programs, and businesses owned or controlled by an applicant or any of its Associates which previously owned, operated, or controlled a business which defaulted on a Federal loan (or guaranteed a loan which was defaulted) and caused the Federal government or any of its agencies or Departments to sustain a loss in any of its programs. For purposes of this section, a compromise agreement shall also be considered a loss
- Businesses primarily engaged in political or lobbying activities

LOOMIS LOCAL BUSINESS GRANT PROGRAM

| APPLICANT INFORMATION | |
|---|-------------------|
| APPLICANT NAME: | E-MAIL: |
| BUSINESS NAME: | |
| APPLICANT MAILING ADDRESS: | PHONE: |
| CITY, STATE, ZIP: | FAX: |
| BUSINESS INFORMATION | |
| SITE ADDRESS: | |
| CITY, STATE, ZIP: | TYPE OF BUSINESS? |
| GRANT REQUEST INFORMATION | |
| GRANT REQUEST AMOUNT: \$ | |
| ANNUAL GROSS REVENUE FOR 2019: | |
| NUMBER OF EMPLOYEES: | |
| HAVE YOU RECEIVED A PPP LOAN OR ANY OTHER LOCAL, STATE OR FEDERAL BUSINESS ASSISTANCE PROGRAM FOR SIMILAR EXPENSES? | |
| DOES THE BUSINESS HAVE AN ACTIVE LOOMIS BUSINESS LICENSE AS OF MARCH 1, 2020? | |
| IS BUSINESS ELIGIBLE ACCORDING TO LIST ABOVE? | |
| PLEASE PROVIDE A COPY OF ONE OF THE FOLLOWING DOCUMENTS: <ul style="list-style-type: none"> • RECENT PROFIT AND LOSS STATEMENT <i>OR</i> • FRONT PAGE OF BUSINESS BANK STATEMENT <i>OR</i> • BUSINESS TAX RETURN (SCHEDULE C, 990, ETC) <i>OR</i> • COPY OF YOUR CURRENT BUSINESS LICENSE | |
| PLEASE PROVIDE A COMPLETED W-9 FORM | |
| PLEASE PROVIDE A PHOTO OR SCANNED COPY OF YOUR ID, DRIVER'S LICENSE OR PASSPORT | |

FUNDING EXPLANATION

IN THE SPACE BELOW PROVIDE A BRIEF DESCRIPTION OF HOW THE COVID-19 PANDEMIC AND SHUTDOWN HAVE IMPACTED YOUR BUSINESS (CLOSURES, LOST REVENUE, LAYOFFS, INABILITY TO MAKE RENT, ETC):

PLEASE PROVIDE A BRIEF SUMMARY OF HOW GRANT FUNDS WILL BE USED, IF AWARDED:

CERTIFICATION OF APPLICANT

The applicant certifies that all information in this application and all information furnished in support of this application is given for the purpose of obtaining a grant and is true and complete to the best of the applicant's knowledge and belief.

Applicant further certifies the following:

- Applicant has the authority to apply for this grant on behalf of the business described herein.
- Business agrees to provide the Town additional documentation for audit and reporting purposes and to assess the benefits derived from participating in the program. Such information may include, but is not limited to, profit loss statements, payroll records, and income certifications of new or retained employees. Business authorizes the release of said information to local, State and/or Federal agencies and to Town staff within five years of this date.
- Because this grant program is federally-funded, it is a felony for any person to knowingly and willingly make false or fraudulent statement on this application.
- Business agrees, that if awarded, the application becomes a binding contract between the business and the Town of Loomis. Any violation of the program guidelines will result in the business promptly repaying the Town any amount issued pursuant to this program.

APPLICANT'S SIGNATURE:

DATE: