

RESOLUTION NO. 2513

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PORTLAND FOR THE RECEIPT AND DISTRIBUTION OF FEDERAL CARES ACT CORONAVIRUS RELIEF FUNDS.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That on March 8, 2020, Governor Kate Brown declared a state of emergency due to the COVID-19 outbreak in Oregon (Executive Order No. 20-03), finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under Oregon Revised Statutes (ORS) Chapter 401.025(1).
2. That on March 13, 2020, President Donald J. Trump declared a national state of emergency due to the COVID-19 outbreak across the United States of America finding that COVID-19 has created a threat to public health and safety, and constitutes a nationwide emergency pursuant to Sec. 501(b) of the Stafford Act.
3. That on March 16, 2020 Mayor Casey Ryan declared a citywide state of emergency due to the COVID-19 outbreak across the City finding that COVID-19 has created a threat to public health and safety, and constituted a citywide emergency, pursuant to Troutdale Municipal Code 2.28.050.
4. That on March 23, 2020 Governor Kate Brown issued Executive Order 2020-12 establishing the “Stay Home, Save Lives” mandate, ordering Oregonians to stay at home and closing specified businesses and establishing both indoor and outdoor social distancing requirements.
5. That on March 27, 2020, H.R. 748 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was passed by the United States Congress to provide emergency assistance and health care response for individuals, families, and businesses affected by the COVID-19 pandemic and signed into law by President Donald Trump.
6. That one of provisions of the CARES Act established the \$150 billion Coronavirus Relief Fund (CRF) from which the U.S. Department of the Treasury made payments to State governments, and eligible units of local government, which included the State of Oregon, City of Portland, Washington County and Multnomah County.

7. That the State of Oregon received \$1.4 Billion of CRF funding, a 45% portion of which is intended to be shared with the cities and counties of the state, yet in an inconsiderate political calculation the State has deliberately chosen not to allocate any CRF funds to the cities of East Multnomah County and Washington County.

8. That on April 14, 2020 the City of Portland submitted certification documents to receive a disbursement of \$114 million in CRF CARES Act funds from the United States Department of the Treasury, receiving the funds on April 20, 2020.

9. That as a result of the dire economic conditions the City of Portland determined it is necessary to use the CRF funds to develop a relief package known as “PDX-CARES” to support the individuals, families, businesses and nonprofits facing extreme hardships as a result COVID-19 pandemic and the resulting economic downturn.

10. That as a result of the Multnomah County municipal partners not being eligible to receive any CRF CARES Act funds, the City of Portland has determined that a “PDX-CARES” relief package is necessary to assist East Multnomah County cities in mitigating the impacts of COVID-19.

11. That on July 13, 2020 the Mayors of the five East Multnomah County cities sent a letter to the Portland City Commission acknowledging that the City of Portland is under no legal obligation to share the CRF resources with neighboring communities, and expressing profound gratitude to the City of Portland for their support, partnership and generosity in midst of the COVID-19 crisis.

12. That ORS 190.110 provides the authority for units of local governments to enter into Intergovernmental Agreements (IGA) for the performance of any or all functions and activities that a party to the agreement, its officers, or agents may have the authority to perform.

13. That the City of Troutdale and the City of Portland desire to enter into an IGA to provide for awarding a subrecipient grant of CARES Act Coronavirus Relief Funds through the “PDX-CARES” relief package, and that it is in the best interest of the City of Troutdale.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. Agrees now that the City of Troutdale as Grantee, does hereby enter into an Intergovernmental Agreement (IGA) with the City of Portland for the receipt of CARES Act Coronavirus Relief Funds (CRF) through the “PDX-CARES” relief program, and

hereby approves the IGA in substantial conformity with Exhibit A of the Staff Report, with any such changes as may be approved by the Authorized Officer.

Section 2. That the Troutdale City Council does hereby express the thanks and appreciation of the City of Troutdale to the Portland City Commission for their support, partnership and generosity in midst of the COVID-19 crisis for their entirely voluntary action of sharing their CRF resources with the residents of the City of Troutdale through the “PDX-CARES” relief package.

Section 3. That COVID-19 Pandemic has resulted in an unprecedented interruption of services impact on the national and local economy and have resulted in the dire economic conditions that many Troutdale residents and small businesses are facing.

Section 4. That based on the findings above the City Council declares the receipt and use of the CRF serves the public interest, and is necessary, desirable, and prudent in the support of the Troutdale residents impacted by the COVID-19 pandemic.

Section 5. That as Grantee the City of Troutdale accepts the CRF funding up to the maximum allowed by the terms and conditions of the IGA and CARES Act, estimated to be approximately \$582,000.00 and subject to qualified expenditure categories.

Section 6. That the City Council authorizes and directs the City Manager, Ray Young, and Finance Director, Erich Mueller (each an “Authorized Officer”) to execute on behalf of the City of Troutdale the IGA, and without further action by the City Council each Authorized Officer is hereby authorized, empowered and directed to execute any and all other required and necessary documents to implement the intent of the agreement.

Section 7. That due to the urgent and immediate need to begin disbursing relief funds in order to minimize injury as a result of the dire economic conditions that Troutdale residents and small businesses are facing, the Authorized Officers are authorized and directed to promptly implement such relief payments as may be provided within the limitations of the CARES Act and to use the CRF funds to provide rent and utility assistance payments to support the residents and small businesses facing extreme hardships as a result COVID-19 pandemic and the resulting economic downturn.

Section 8. That the Authorized Officer are authorized and directed to manage CARES Act funds through the “PDX-CARES” relief package programs and such other measures as are imminently necessary for the protection of life or property, as may be deemed necessary under the evolving circumstances and compliance requirements.

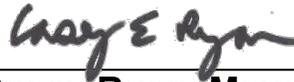
Section 9. That further, consistent with intent of the IGA, and in the best interest of the City, the Authorized Officer is authorized to determine, execute, acknowledge and deliver

any subsequent changes, addendums, extensions, revisions, modification, or successor documents of the IGA, and without further action by the City Council, and the execution thereof by any such Authorized Officer shall be conclusive as to such determination.

Section 10. That the Finance Director is authorized and directed to disburse funds, subject to annual appropriations, as necessary to fulfill the intent of this resolution and the IGA and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 11. This Resolution shall take effect immediately upon adoption.

YEAS: 6
NAYS: 0
ABSTAINED: 0



Casey Ryan, Mayor

Date: September 9, 2020



Sarah Skroch, City Recorder

Adopted: September 8, 2020