



CITY OF ST. FRANCIS
ST. FRANCIS, MN
ANOKA COUNTY

ECONOMIC DEVELOPMENT AUTHORITY MEETING AGENDA

August 3, 2020 at 5:00 p.m.
via Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/82184277040?pwd=am1tT2ZCT0Riek5CNjkwWGVHMkJIQT09>

Meeting ID: 821 8427 7040

Passcode: yc1e8f

One tap mobile

+19292056099,,82184277040#,,,,,0#,,809102# US (New York)

+13017158592,,82184277040#,,,,,0#,,809102# US (Germantown)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 821 8427 7040

Passcode: 809102

Find your local number: <https://us02web.zoom.us/j/82184277040?pwd=am1tT2ZCT0Riek5CNjkwWGVHMkJIQT09>

AGENDA

1. Call to Order
2. Roll Call
3. Election of Officers

4. Approve Minutes of October 2, 2019
5. Approval of the Agenda
6. New Business
 - A. Annual Report
 - B. Cares Act – Small Business Relief Grants
 - 1) Review and adopt Policy
 - 2) Review and approve Grant Application
 - 3) Review Draft Grant Agreement
 - 4) Resolution 2020-01 Resolution for the St. Francis CARES Act Small Business Relief Program
 - C. Set meeting for Grant Approvals, week of September 8th or 14th
6. Other Reports
7. Adjourn

CITY OF ST. FRANCIS
ST. FRANCIS, MN
ANOKA COUNTY

ECONOMIC DEVELOPMENT AUTHORITY MEETING MINUTES

October 2, 2019

23340 Cree Street NW
St. Francis City Hall

5:30pm

1. Call to order: EDA called to order at 5:39pm
By President Mike Rodger
2. Roll Call
Present: Steve Feldman, Mike Rodger, Brenda Pavelich-Beck, MaraLynn Kubacki
Also Present: Community Development Director Kate Thunstrom
Absent: Joe Muehlbauer
3. Approve Minutes of June 17, 2019
Motion: Feldman
Second: Kubacki
Motion Carried: (4-0)
4. Approval of the Agenda
Motion: Pavelich-Beck
Second: Feldman
Motion Carried: (4-0)
5. Public Hearing - none
6. New Business
 - a. Accept RFP's received for the Demolition of 3731 Bridge Street
Three RFP's were received. Those received were from Nitti Rolloff Services, Kamaish Excavating and Loyds Construction. All three were received by the deadline and included all required submissions.
Motion to Accept: Feldman
Second: Pavelich-Beck
Motion Carried: (4-0)
 - b. Selection of RFP to complete the demolition of 3731 Bridge Street
Motion to select Nitti Rolloff Services as lowest qualified bid for the demolition of 3731 Bridge Street: Feldman
Second: Pavelich-Beck
Discussion – Timeline should allow building to be down this fall. Unexpected items in the ground were considered in the overall budget set aside for this project. Higher than past bids due to the inability to enter the property and the need to abate

a greater about due to that issue. Property condition does not allow anyone to enter due to instability.

Motion Carried: (4-0)

7. Old Business - none

8. Other Reports:

- a. Rodger – in regards to comprehensive plan and Hwy 47 reconstruction, does it make sense to move the downtown to the Hwy corridor?
Thunstrom identified that the corridors are unique in their setting and hold different purposes.
- b. Rodger – has there been any discussion in buying additional properties, for example property off Hwy 47 near bait shop
Thunstrom – at this time there are no discussions on acquiring additional property.
- c. General update on projects by Thunstrom

9. Motion to Adjourn@ 6:03: Pavelich-Beck

Second: Kubacki

4-0 motion Passed

Submitted by,

Kate Thunstrom, EDA Director

APPROVED, with/without change:

ANNUAL REPORT 2019



Respectfully Submitted

By

Kate Thunstrom, Executive Director

Economic Development Authority Annual Report for 2019

The Economic Development Authority had four meetings in 2019. The meetings were held on the following dates:

January 23, 2019

June 3, 2019

June 17th, 2019

October 2, 2019

At the January 23rd meeting, the EDA was called together for the purpose of an application to the State of MN DEED offices for a grant related to property improvements and infrastructure. Ultimately the grant was denied by DEED.

At the June 3rd meeting, the EDA was called together for the purpose of providing signatory authority to Staff to acquire the 3731 Bridge Street property along with the first steps in the re-sale of the Meadows Townhome lots.

At the June 17th meeting, the EDA was called together to accept an offer on the Meadows Townhome lots and updates to the performance agreement. A public hearing was held on the issue of the property sale. The EDA selected Joshua Markum builders to fulfill the development of the townhomes.

At the October 2nd meeting, the EDA was called together to accept the RFP's for demolition for the structures at the 3731 Bridge Street property. Three bids were received and lowest bid was selected.

2019 Financial (Note the following is unaudited)

This fund received \$5,267.70 for interest in 2019. It ends the year with a cash balance of \$243,927.23.

The EDA netted \$139,024.54 for the sale of the Meadows of St. Francis Townhome lots in 2019.

A full report will be included in the City of St. Francis financial statements

EDA COMMISSION AGENDA REPORT B

TO: St. Francis Economic Development Authority
FROM: Kate Thunstrom, EDA Executive Director
SUBJECT: CARES Act – Small Business Relief Grant Program
DATE: August 3, 2020

OVERVIEW

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law by President Trump on March 27, 2020, providing the State of Minnesota \$1.8 billion, of which 45 percent may be distributed to local jurisdictions. Through that process, the City of St. Francis received an allocation of \$593,078 in CARES funds from the State of Minnesota that must meet the eligibility criteria established by the U.S. Department of the Treasury.

The funds allowed the City to utilize funds directly related to COVID-19 expenses and create a business subsidy program to provide small business grants to the community.

On July 20th, Council review the Draft CARES Act Small Business Relief Grant Program Policy. Since that time, Staff and the City Attorney have received guidance from the League of Minnesota Cities that identified Business Subsidies as a more appropriate program to be administered by the Economic Development Authority. Staff has on the August 3, 2020 Council meeting a Resolution to transfer the budget and administration of the Grant program to the EDA.

The EDA would become the Administrator of the grant program including the review and approval of grants to the business community.

ITEMS TO BE DISCUSSED:

Review, adopt and/or approve the documents related to program administration

ATTACHMENTS:

- CARES Act Small Business Relief Grant Program Policy
- CARES Act Small Business Relief Grant Program Application
- Grant Agreement
- Resolution 2020-01 For the St. Francis CARES Act Small Business Relief Program



CARES ACT
SMALL BUSINESS RELIEF GRANT PROGRAM
POLICY

Adopted by City Council: 07-20-2020

Adopted by St. Francis Economic Development Authority 08-00-2020

Application Timeline:

Application Deadline: Delivered or postmarked by 08/20/2020

Review Period: 08/24/2020 and 09/03/2020

Approval: EDA Meeting XX/XX/2020

Table of Contents

I.	Introduction	3
II.	Purpose and Authority.....	3
III.	Objectives.....	3
IV.	General Criteria.....	4-7
	A. Eligible Expenditures	
	B. Examples of Eligible Expenses	
	C. Eligible Business Details	
	D. Eligible Business Types	
	E. Ineligible Expenses and Activities	
	F. Required Documents	
	G. Conflict of Interest	
	H. Government Data Practices	
V.	Program Guidelines.....	7-8
	A. Grant Amount	
	B. Proof of Need	
	C. Proof of Expenses	
	D. Disbursement of Funds	
	E. Termination	
	F. Right to Deny	
	G. Grant Agreement	
	H. Reporting	
	I. Funding Availability	
	J. Indemnification	
VI.	Application Process.....	8-9

I. INTRODUCTION

Small businesses and non-profits are integral and vital to the economic and social fabric of the City St. Francis (City). Accordingly, the St. Francis Economic Development Authority (EDA) has determined to offer locally owned and operated businesses and non-profits, within the community, a grant opportunity to address working capital needs upon the declaration of a state of emergency by the State of Minnesota (State) and the City. The Small Business Relief Grant Program (Grant) is administered by the SFEDA.

II. PURPOSE AND AUTHORITY

- The purpose of this policy is to establish the EDA's position relating to the use of the Small Business Relief Grant Program. This policy shall be used as a guide in the processing and review of applications requesting grant funds.
- The criteria are to be used in conjunction with other relevant policies of the City and EDA.
- The EDA reserves the right to approve or reject projects on a case-by-case basis, taking into consideration factors considered appropriate by the City and EDA, in addition to established policies, criteria, and potential benefits. Meeting the criteria does not guarantee a Cares Act Small Business Relief Grant Program application shall be approved. Approval or denial of an application is at the sole discretion of the EDA.
- Funds are available due to the Federal CARES Act. City and EDA are an active pass through of funds creating Grants for small business relief. Federal funds are subject to audit

III. OBJECTIVES

The objective of the Cares Act Grant is to deploy a local pool of funds to support local small businesses and non-profits in order to ensure viability as they move past the COVID-19 pandemic and seek to re-open or return to pre-pandemic operations. This may be accomplished by some or all of the following means:

- Provide needed finances to small businesses and non-profits within the community which have been negatively affected financially as a direct result of the COVID-19 pandemic;
- Ensure the viability of St. Francis businesses and non-profits moving past this crisis;
- Limiting the number of job losses as a direct result of the pandemic by assisting small businesses and non-profits in returning to their pre-pandemic employment levels;
- Limiting the number of small businesses and non-profits which would potentially permanently close due to COVID-19 pandemic impacts. Thereby also limiting the total number of potential vacancies in key commercial and industrial areas of the City.

IV. GENERAL CRITERIA

A. ELIGIBLE EXPENDITURES

Funds cannot be used to replace lost revenues. Funds may be used to cover operating expenses, including payroll, rent/lease payments, mortgage payments, non-government utilities, payments to suppliers, or other critical business expenses including business consulting to modify business operations as a result of the public health emergency and approved and authorized by the program. Use of funds subject to verification to ensure compliance as required under the Federal CARES Act program requirements.

B. EXAMPLES OF ELIGIBLE EXPENSES

- Commercial lease or mortgage payment, except for government leases
- Accounts payable if the cost is a COVID-10 related expense which incurred since March 1, 2020
- Reopening costs or safety improvement costs expended since March 1, 2020 (i.e. outdoor seating, Plexiglas, cleaning products, etc.)
- Operating utilities or fees for those facilities interrupted or forced to shut down incurred after March 1, 2020

C. ELIGIBLE BUSINESSES

To be eligible to receive a Grant, a business or non-profit must meet all of the following criteria:

- Private, for-profit business or non-profit 501(c)(3) or 501 (c)(19) veterans organization located and operated in St. Francis (physical presence here)
- Have been operating since December 2019;
- Demonstrate that its operations have been directly and adversely, negatively, affected by the COVID-19 Health Pandemic;
- Demonstrate Financial Hardship as a result of the COVID-19 Outbreak;
- Have at least one employee in addition to the Owner and have no more than 50 FTE (full-time equivalent) employees at the location address as of March 1, 2020;
- May be a local franchisee;
- Home Based businesses, are allowed as long as they are conforming to all Land Use permits and requirements;
- The small business or non-profit must be a legal entity registered with the Minnesota Secretary of State, and be in good standing with MN Dept. of Revenue, Secretary of State, Anoka County and the City as of March 1, 2020;

D. INELIGIBLE BUSINESSES

- Commercial Real Estate property owners are not eligible and should refer tenants to Grant program
- Business derived income from passive investments without operational ties to operating a business; business-to-business transactions; real estate transactions; property rentals or property management; billboards or lobbying.
- Business primarily focusing on speculative activities based on fluctuations in price rather than the normal course of trade;
- Prohibited businesses by federal, state or local law;
- National or corporate chains;
- Business in default prior to February 29, 2020
- Permanently closed/shuttered businesses where this funding would not bring them to an operational state within 21 days.
- Individuals who are currently receiving assistance through the Pandemic Unemployment Assistance (PUA) program
- Businesses that primarily derive income from gambling (businesses that allow on-site charitable gambling are eligible)
- Businesses that derive any income from adult entertainment

E. INELIGIBLE EXPENSES

- Applicants who have received Federal, State or local grants for the same expenses or services Costs paid for by other State, Federal or County grant or loan awards, including PPP, EDIL and Small Business Loans/Grants.
- The Grant may not be used for the following activities:
 1. Agriculture (crop or livestock production, etc.);
 2. Purchasing of machinery or vehicles;
 3. Moving expenses;
 4. Payment of property taxes;
 5. Payment of government utilities;
 6. Land acquisition;
 7. Home Based Business mortgage or utilities;
 8. Expenses that would have normally occurred without the COVID-19 Health Pandemic

F. REQUIRED DOCUMENTS

Application requirements include:

1. Completed and Signed Application form;
2. Evidence that you own or lease the space your business is located in. Example documentation includes: copy or statement of lease, mortgage statement, property tax statement or other document to show occupancy within the City of St. Francis.
3. Evidence of eligible expenses related to be paid with grant funds. Examples include payroll, rent, mortgage, accounts payable or other critical business expenses that can't be paid as a direct result of the COVID-19 pandemic.
4. 2019 Federal Business Tax Return or appropriate Business Tax Schedule based on entity type
5. Evidence of revenue loss related to the COVID-19 pandemic. Applications should submit documentation that best demonstrates the impact and is deemed acceptable to the SFEDA. Some examples include Sales Tax Reporting, Period Statements from 3rd-party Sales Platforms, Merchant Services Statements and Point of Sale or Register reports.
6. Evidence of employment prior to March 1, 2020. Acceptable documentation may include period reporting from 3rd-party payroll processor, applicant's Federal Form 941/Employer's Quarterly Federal Tax Return, or other State or Federal payroll related filing
7. Any Additional documentation or information deemed necessary by the SFEDA to determine eligibility, generate grant documents, disburse grant proceeds or meet program reporting requirements.
8. Information on current operations including whether the business is currently closed or is providing reduced services;
9. Narrative descriptions and estimated calculations of the negative impacts on the business due to COVID-19;
10. Articles of Incorporation, or proof of business existence;
11. Information on the intended use of the grant funds.

Failure to submit required documentation will result in denial of a grant award.

G. CONFLICT OF INTEREST

An officer of the City or EDA will not have a personal financial interest or personally benefit financially from the business to be assisted. Minn. Stat. 471.87 and 471.88 provide guidance on conflict of interest.

H. GOVERNMENT DATA PRACTICES

Information contained in the application for assistance will become a matter of public record with the exception of those items protected under Minn. Stat. 13.591.

V. **PROGRAM GUIDELINES**

A. GRANT AMOUNT

- a. Actual loss (subject to total funds available and number of application submitted).

B. PROOF OF NEED

- a. All applicants shall be required to provide proof of financial need for grant funds prior to approval. This includes but is not limited to the current and previous year's annual gross revenue, average monthly gross revenue prior to COVID-19, and projected monthly gross revenue for the next two months.

C. PROOF OF EXPENSES

- a. Applicant shall provide proof of eligible expenses requested to be paid with grant funds (see eligible expenses in IV. A).

D. DISBURSEMENT OF FUNDS:

- a. Funds shall be distributed within two weeks after a fully executed grant agreement has been received depending on how grant recipients elect to receive funds.

E. TERMINATION:

- a. The EDA retains the right to terminate any agreement under the Small Business Relief Grant if a grant recipient is found to be in violation of any conditions set forth in the grant guidelines or grant agreement.

F. RIGHT TO DENY:

- a. The EDA retains the right to deny any application for grant funding.

G. GRANT AGREEMENT:

- a. Upon a successful grant application being awarded funds, the grant recipient shall enter into a Grant Agreement with the EDA. Funds will not be distributed for any grant award until a grant agreement has been executed by all required parties.

H. REPORTING:

- a. As a condition for receiving grant funding, all grant recipients are required to submit a brief report to the EDA within 90-days after an executed grant agreement, specifying how the entirety of the grant funds were utilized and providing evidence in the form of paid invoices, statements, or similar documentation.

I. FUNDING AVAILABILITY:

- a. The Small Business Relief Grant program has a limited amount of funds available. Awards will be provided after an application deadline and selection process has occurred.
- b. If applications exceed the funding available, St. Francis Economic Development Authority staff will apply reductions across the applications equally by a percentage basis.

J. FUNDING OPPORTUNITIES

- a. Applicants are encouraged to claim all applicable private and public insurance and utilize all other sources of applicable assistance available from other private and public sources. Applicants are encouraged to apply for an Economic Injury Disaster Loan through the Small Business Administration (SBA), a Small Business Emergency Loan through the Minnesota Department of Employment and Economic Development (DEED) prior to applying for this grant.

K. INDEMNIFICATION:

- a. All grant recipients shall be required to indemnify the City and EDA and any officers acting on their behalf.

VI. APPLICATION PROCESS

All applications for funding from the Grant will be accepted in office until 08/20/2020 or shall be postmarked by 08/20/2020. Applications will be required to be submitted to the EDA (contact information is listed below). Upon submission of an application, EDA Staff will review the application to ensure complete information is provided.

If additional information is needed, Staff will request the needed information.

Submit Applications to:

City of St. Francis EDA
Attn: Kate Thunstrom, Executive Director
23340 Cree Street NW

St. Francis, MN 55070
kthunstrom@stfrancismn.org
763-267-6191

Application Submission:

Deadline: Delivered/Postmarked by: 08/20/2020

Reviewed: 08/24/2020 – 09/03/2020

Approval: EDA Meeting XX/XX/2020

DRAFT



**City of St. Francis EDA
CARES ACT
Small Business Relief Grant Application**

Program Information: All grants awarded are for the purpose of working capital and intended to replace cash flow used for operating costs that existed at the time of the peacetime emergency declaration made through Executive Order 20-01. Such costs may include current payroll obligations, lease or mortgage payments, utilities, accounts payable, property taxes and other critical business expenses that can't be paid as a direct result of the current health emergency. This program is subject to applicable state and local peacetime emergency executive orders.

Eligibility Notes: All applicants must be eligible businesses with physical operations located in the physical City of St. Francis that have been operating long enough to demonstrate financial viability. Applicants must demonstrate that they were directly and adversely affected by the COVID-19 related peacetime emergency Executive Orders 20-04 and 20-08, including being in an industry specifically named by those executive orders.

Application Timeline:

Deadline Delivered/Postmarked by 08/20/2020
Review 8/24/2020 – 9/03/2020
Approval EDA Meeting xx/xx/2020

Please review and complete entire application prior to submittal.

Applicant Information

1. Business legal name: _____
(Name should be the officially registered name of the business entity.)

Business operating name _____
(if different)

Type of Business: _____

NAICS Code (if available): _____

Business street address: _____

City: _____ State: _____ Zip Code: _____

Mailing address (if different): _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Email: _____

Business website: _____

2. Individual completing the application:

Name: _____

Title: _____

(Owner, Founder, CEO, General Manager, Partner, etc.)

Address: _____

Telephone: _____ Email: _____

3. Is your business registered with the Minnesota Secretary of State?

Yes No

4. Do you own the building where your business is located or have a lease for the space?

Own Lease

Applicants will need to provide a copy of a lease or statement of lease terms, mortgage statement, property tax statement, or other documentation to show site control within the city.

5. Business description (product, hours, customers, clients, number of locations, etc.), type (industry) and brief history of business:

6. What year did this business begin operating in St. Francis? _____

a. Does the business operate (have a physical presence) in another city?

Yes No

If yes, please specify other location(s): _____

7. Employment (please include all W-2 employees):

On January 1, 2020:

Full-time employees: _____ # Part-time employees: _____

Current:

Full-time employees: _____ # Part-time employees: _____

Financial Information

8. Annual gross revenue last year? \$ _____

9. Average monthly gross revenue prior to March 16th? \$ _____

10. Projected monthly gross revenue? \$ _____
(Average of next three months)

11. Estimated monthly gross revenue loss due to COVID-19: \$ _____

12. Insurance claims filed? Yes No Not Applicable

13. **Evidence of submittal, acceptance, approval and/or denial of State and federal emergency financing program application.** Has applicant applied for an Economic Injury Disaster Loan through the SBA and Small Business Emergency Loan through the Minnesota Department of Employment and Economic Development (DEED) and/ or other government financing prior to applying for this grant? Yes No

If yes, identify which program was applied for:

Was applicant denied or awarded funds:

If awarded funds, identify the use of funds:

14. **Evidence of submittal, acceptance, approval and/or denial of a grant opportunity through Anoka County.** Has applicant applied for a grant through Anoka County?

Yes No

COVID-19 Impact

15. Was your business ordered to close or had to significantly reduce its operations by a State of Minnesota Emergency Executive Order in 2020?

- Yes No

16. Current operating status of business:

- open for business and/or operating online
- open for business but with reduced hours
- reduced operations and/or operating online
- closed but still operating onsite, online or remotely
- closed but products and or services redeployed to assist current health crisis
- completely closed
- Other: please explain current status of business if none of the above apply.

17. Briefly explain how the business has been impacted by COVID 19 health pandemic and/or related Executive Orders and what challenges it is facing.

18. What are your plans to reopen and/or resume operations following the COVID-19 crisis?

19. Grant amount requested _____

20. Please describe how you intend to use awarded grant funds to support your business during the COVID-19 crisis. Eligible expenses include current payroll obligations (i.e. may not include employees who have been laid off), lease or mortgage payments, utilities, accounts payable, property taxes and other critical business expenses that can't be paid as a direct result of the current health emergency. Please specify eligible expenses expected to be paid with funds. Include proposed expenses requested to be paid using total amount of grant. For example: Payroll – 2 employees, 2 weeks: \$3,000, May Rent - \$2,000.

21. Is there anything else that we should be aware of in relation to your application or business?

DRAFT

Receipt of Funds

Upon notification of any award of funds, payment will be provided in the format of a check.

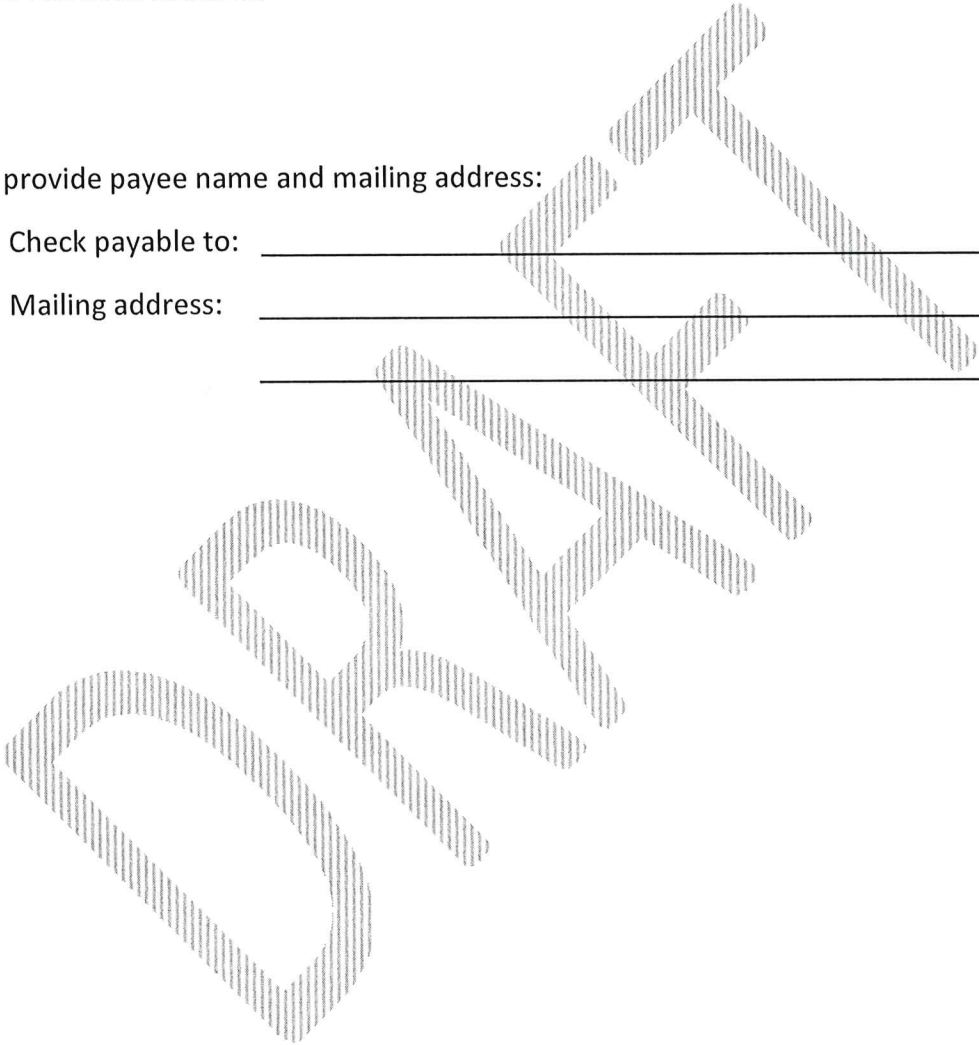
Please note: Applicant will receive a 1099 tax statement at the end of the year, unless otherwise waived from MN Department of Revenue and the Federal Internal Revenue Service

Allow 14 days for processing once application is approved and fully-executed grant agreement and W-9 has been received

Please provide payee name and mailing address:

Check payable to: _____

Mailing address: _____



Supporting Documents

The following documents must accompany an application for it to be deemed complete:

1. Completed and Signed Application form;
2. Evidence that you own or lease the space your business is located in. Example documentation includes: copy or statement of lease, mortgage statement, property tax statement or other document to show occupancy within the City of St. Francis.
3. Evidence of eligible expenses related to be paid with grant funds. Examples include payroll, rent, mortgage, accounts payable or other critical business expenses that can't be paid as a direct result of the COVID-19 pandemic.
4. 2019 Federal Business Tax Return or appropriate Business Tax Schedule based on entity type
5. Evidence of revenue loss related to the COVID-19 pandemic. Applications should submit documentation that best demonstrates the impact and is deemed acceptable to the SFEDA. Some examples include Sales Tax Reporting, Period Statements from 3rd-party Sales Platforms, Merchant Services Statements and Point of Sale or Register reports.
6. Evidence of employment prior to March 1, 2020. Acceptable documentation may include period reporting from 3rd-party payroll processor, applicant's Federal Form 941/Employer's Quarterly Federal Tax Return, or other State or Federal payroll related filing
7. Any Additional documentation or information deemed necessary by the SFEDA to determine eligibility, generate grant documents, disburse grant proceeds or meet program reporting requirements.
8. Information on current operations including whether the business is currently closed or is providing reduced services;
9. Narrative descriptions and estimated calculations of the negative impacts on the business due to COVID-19;
10. Articles of Incorporation, or proof of business existence;
11. Information on the intended use of the grant funds.

Grant Report – Due to SFEDA 90 days after Grant Agreement

All grant recipients are required to submit a brief report to the City of St. Francis EDA no later than 90 days after the date of the executed grant agreement, specifying how the entirety of the awarded grant funds were utilized. Grant Recipients will be required to provide substantially the following information:

Business name: _____

Business street address: _____

City: _____ State: _____ Zip Code: _____

Name and title of person completing form: _____

1. What was the total amount of grant you received? \$ _____

2. Did you utilize the funds as expected and stated in your application?

Yes

No, please explain

3. Please specify how grant funds were utilized. Include expenses and amounts up to total amount of grant. For example: Payroll – 2 employees, 2 weeks: \$3,000, May Rent - \$2,000.

4. Please describe benefits received from the awarded funds.

5. Briefly explain any ongoing business impacts from the COVID-19 pandemic:

SUBMIT REPORT TO:

ST. FRANCIS EDA
ATTN: KATE THUNSTROM, EXECUTIVE DIRECTOR
23340 CREE STREET NW
ST. FRANCIS, MN 55070

OR

kthunstrom@stfrancismn.org

Applicant Acknowledgements

1. The Applicant shall hold the City of St. Francis, the St. Francis Economic Development Authority, its officers, consultants, attorneys, and agents harmless from any and all claims arising from or in connection with the Grant Program or its Application, including but not limited to, any legal or actual violations of any State or Federal laws.
2. The Applicant recognizes and agrees that the St. Francis Economic Development Authority retains absolute authority and discretion to decide whether or not to accept or deny any particular Grant Application, and that all expenditures, obligations, costs, fees, or liabilities incurred by the Applicant in connection with the Grant Application are incurred by the Applicant at its sole risk and expense.
3. The Applicant acknowledges that it has read the Small Business Relief Grant Program guidelines and understands that if the application is approved for funding, grant funds awarded must only be used to pay eligible expenses.
4. **Tennessee Notice:** Per MN Stat, Section 13.04, sub 2, the City of St. Francis is requesting private information about your business. This information will be used to determine if you are eligible for assistance from the City of St. Francis Economic Development Authority (EDA). You do not have to provide the requested information, but failure to do so will result in the EDA's inability to determine your eligibility for assistance and will result in a denial of your grant application. The EDA must protect the privacy of your data and may not use your information for reasons other than the reasons of this application.
5. The Applicant has reviewed Minnesota State Statute 13.591 as part of this applicant and understand that some information submitted would be considered public information if awarded a Grant.
6. **Financial Assistance Certification:** I hereby certify that the Small Business Relief Assistance is necessary due to direct and adverse effects related to Executive Orders 20-04 and 20-08.
The undersigned, a duly authorized representative of the Applicant, hereby certifies the foregoing information is true, correct, and complete as of the date hereof; and agrees that:
 - All proceeds from the grant will be used for eligible business expenses under the Small Business Relief Grant Program;
 - Applicant will file a report with the City of St. Francis Economic Development Authority within 90-days after the date of the executed grant agreement stating how awarded funds were spent;
 - Applicant shall be bound by all terms and provisions of the Small Business Relief Grant Program.

Name/Title of Authorized Business Representative

Signature of Authorized Business Representative

Date

**CARES ACT
SMALL BUSINESS RELIEF
GRANT AGREEMENT**

This Grant Agreement ("Agreement") is made this ___ day of _____, 2020, between the City of St. Francis Economic Development Authority, a public body corporate and politic and political subdivision of the State of Minnesota ("Grantor"), and _____, a Minnesota _____ ("Grantee").

RECITALS

A. Grantor has duly established its Small Business Relief Grant Program (the "Program") and has approved policy and guidelines for said Program (the "Program Guidelines").

B. Grantee has submitted an application for a grant (the "Grant Application") pursuant to the Program Guidelines, and Grantor has approved a grant to the Grantee in the maximum principal amount of \$ _____ (the "Grant") to pay a portion of the costs of qualifying expenditures under the Grant Guidelines as set forth in the Grant Application, in connection with Grantee's _____ business located at _____ in the City of St. Francis, Minnesota (the "City") (the "Grant Activities").

C. The Grantor and Grantee have negotiated the terms of the Grant, and now desire to memorialize such terms in this Agreement.

ACCORDINGLY, to induce Grantor to make the Grant to Grantee, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The Grant Amount. Subject to and upon the terms and conditions of this Agreement, the Program Guidelines, and the Grant Application (together, the "Grant Documents"), Grantor agrees to grant to Grantee the sum of _____ and no/100ths Dollars (\$ _____). Proceeds of the Grant shall be disbursed for the Grant Activities approved pursuant to the Grant Documents in accordance with Section 2 hereof.

2. Disbursement of Grant Proceeds.

(a) All Grant proceeds shall be paid to Grantee in accordance with the terms and conditions of the Grant Documents. Notwithstanding anything to the contrary herein, any costs of the Grant Activities exceeding the amount to be reimbursed under this Agreement shall be the sole responsibility of the Grantee.

(b) On the date of closing on the Grant, all Grant proceeds shall be disbursed to the Grantee. The disbursement of proceeds of the Grant will be made subject to the conditions precedent that prior to or as of the date of disbursement:

(i) The Grantor has received from Grantee, without expense to Grantor, an executed copy of this Agreement;

(ii) Grantee is in compliance with the terms of the Grant Documents.

3. Representations and Warranties. Grantee represents and warrants to Grantor that:

(a) Grantee is duly authorized and empowered to execute, deliver, and perform this Agreement and to receive the Grant from Grantor.

(b) The execution and delivery of this Agreement, and the performance by Grantee of its obligations under the Grant Documents, do not and will not materially violate or conflict with any applicable provision of law and do not and will not materially violate or conflict with, or cause any default or event of default to occur under, any material agreement binding upon Grantee.

(c) The execution and delivery of this Agreement has been duly approved by all necessary action of Grantee, and this Agreement has in fact been duly executed and delivered by Grantee and constitutes its lawful and binding obligation, legally enforceable against it.

(d) Grantee warrants that it shall keep and maintain books, records, and other documents relating directly to the receipt and disbursements of Grant proceeds and that any duly authorized representative of Grantor shall, with reasonable advance notice, have access to and the right to inspect, copy, audit, and examine all such books, records, and other documents of Grantee pertaining to the Grant until the completion of all closeout procedures and the final settlement and conclusion of all issues arising out of this Grant.

(e) Grantee warrants that to the best of its knowledge, it has fully complied with all applicable state and federal laws reasonably relevant to this Agreement and will continue to comply throughout the terms of this Agreement. If at any time Grantee receives notice of noncompliance from any governmental entity, Grantee agrees to take any necessary action to comply with the state or federal law in question.

(f) Grantee warrants that it will use the proceeds of the Grant made by Grantor solely for the Grant Activities, and that within 90 days after the date of this Agreement, Grantee shall provide to Grantor in writing a brief report in substantially the form included in the Grant Application, specifying how the entirety of the Grant funds have been utilized and providing evidence in the form of paid invoices, statements, or similar.

4. No Business Subsidy. The parties agree that the Grant is not a business subsidy as defined in Minnesota Statutes, Sections 116J.993 to 116J.995, as amended (the "Business Subsidy Act"), because the assistance is in an amount less than \$150,000.

5. Event of Default by Grantee. The following shall be Events of Default under this Agreement:

(a) failure to complete any part of the Grant Activities within 90 days after the date of this Agreement;

(b) any representation or warranty made by Grantee herein is false when made;

(d) any material breach or failure of Grantee to perform any material term or condition of this Agreement not specifically described as an Event of Default in this Agreement and such breach or failure continues for a period of thirty (30) days after Grantor has given written notice to Grantee specifying such default or breach, unless Grantor agrees in writing to an extension of such time prior to its expiration; provided, however, if the failure stated in the notice cannot be corrected within the applicable period, Grantor will not unreasonably withhold its consent to an extension of such time if corrective action is instituted by Grantee within the applicable period and is being diligently pursued until the Event of Default is corrected, but no such extension shall be given for an Event of Default that can be cured by the payment of money (i.e., payment of taxes, insurance premiums, or other amounts required to be paid hereunder).

6. Grantor's Remedy upon Grantee's Default. Upon an Event of Default by Grantee and after provision by Grantor of written notice, Grantor shall have the right to suspend or terminate its performance under this Agreement. In addition, Grantee will be ineligible for future grants under the Program.

7. Indemnification.

(a) Grantee shall and does hereby agree to indemnify against and to hold Grantor, and its officers, agents, and employees, harmless of and from any and all liability, loss, or damage that it may incur under or by reason of this Agreement, and of and from any and all claims and demands whatsoever that may be asserted against Grantor by reason of any alleged obligations or undertakings on its part to perform or discharge any of the terms, covenants, or agreements contained herein.

(b) This indemnification and hold harmless provision shall survive the execution, delivery, and performance of this Agreement and the payment by Grantor of any portion of the Grant.

(c) Nothing in this Agreement shall constitute a waiver of or limitation on any immunity from or limitation on liability to which Grantee is entitled under law.

8. Miscellaneous.

(a) Waiver. The performance or observance of any promise or condition set forth in this Agreement may be waived, amended, or modified only by a writing signed by Grantee and Grantor. No delay in the exercise of any power, right, or remedy operates as a waiver thereof, nor shall any single or partial exercise of any other power, right, or remedy.

(b) Assignment. This Agreement shall be binding upon the parties, their successors, and assigns. All rights and powers specifically conferred upon Grantor may be transferred or delegated by Grantor to any of its successors and assigns. Grantee's rights and

obligations under this Agreement may be assigned only when such assignment is approved in writing by Grantor; except that if such assignment is made to an affiliate or subsidiary of Grantee, Grantee may assign any of its rights or obligations to such affiliate or subsidiary upon written notice to the Grantor.

(c) Governing Law. This Agreement is made and shall be governed in all respects by the laws of the state of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the state or federal courts of Minnesota, and all parties to this Agreement waive any objection to the jurisdiction of these courts, whether based on convenience or otherwise.

(d) Severability. If any provision or application of this Agreement is held unlawful or unenforceable in any respect, such illegality or unenforceability shall not affect other provisions or applications that can be given effect, and this Agreement shall be construed as if the unlawful or unenforceable provision or application had never been contained herein or prescribed hereby.

(e) Notice. All notices required hereunder shall be given by depositing in the U.S. mail, postage prepaid, certified mail, return receipt requested, to the following addresses (or such other addresses as either party may notify the other):

To Grantor: City of St. Francis Economic Development Authority
23340 Cree Street NW
St. Francis, MN 55070
Attn: Executive Director

To Grantee:
Attn: _____

(f) Termination. Upon the date of receipt by the Grantor of Grantee's written report on Grantee's expenditure of Grant proceeds as described in paragraph 3(f) of this Agreement, this Agreement shall terminate and neither party shall have any further obligation to the other.

(g) Entire Agreement. This Agreement, together with the Grant Documents, which are incorporated by reference, constitutes the complete and exclusive statement of all mutual understandings between the parties with respect to this Agreement, superseding all prior or contemporaneous proposals, communications, and understandings, whether oral or written, concerning the Grant.

(h) Headings. The headings appearing at the beginning of the several sections contained in this Agreement have been inserted for identification and reference purposes only and shall not be used in the construction and interpretation of this Agreement.

IN WITNESS WHEREOF, this Agreement has been duly executed and delivered by the proper officers thereunto duly authorized on the day and year first written above.

GRANTOR:
CITY OF ST. FRANCIS ECONOMIC
DEVELOPMENT AUTHORITY

By: _____

Its , SFEDA President

By: _____

Its Kate Thunstrom, Executive Director

DRAFT

[SIGNATURE PAGE TO GRANT AGREEMENT – GRANTOR]

GRANTEE:

By: _____

Title: _____

DRAFT

[SIGNATURE PAGE TO GRANT AGREEMENT – GRANTEE]

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.																				
2 Business name/disregarded entity name, if different from above																				
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <table style="width: 100%; margin-top: 5px;"> <tr> <td><input type="checkbox"/> Individual/sole proprietor or single-member LLC</td> <td><input type="checkbox"/> C Corporation</td> <td><input type="checkbox"/> S Corporation</td> <td><input type="checkbox"/> Partnership</td> <td><input type="checkbox"/> Trust/estate</td> </tr> <tr> <td colspan="5"> <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ </td> </tr> <tr> <td colspan="5"> Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. </td> </tr> <tr> <td colspan="5"> <input type="checkbox"/> Other (see instructions) ▶ _____ </td> </tr> </table>	<input type="checkbox"/> Individual/sole proprietor or single-member LLC	<input type="checkbox"/> C Corporation	<input type="checkbox"/> S Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Trust/estate	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____					Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.					<input type="checkbox"/> Other (see instructions) ▶ _____				
<input type="checkbox"/> Individual/sole proprietor or single-member LLC	<input type="checkbox"/> C Corporation	<input type="checkbox"/> S Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Trust/estate																
<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____																				
Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.																				
<input type="checkbox"/> Other (see instructions) ▶ _____																				
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):																				
Exempt payee code (if any) _____																				
Exemption from FATCA reporting code (if any) _____																				
<i>(Applies to accounts maintained outside the U.S.)</i>																				
5 Address (number, street, and apt. or suite no.) See instructions.																				
6 City, state, and ZIP code																				
7 List account number(s) here (optional)																				
Requester's name and address (optional)																				

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; border: 1px solid black; text-align: center;">-</td> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; border: 1px solid black; text-align: center;">-</td> <td style="width: 40%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-		-	
	-		-		
or					
Employer identification number					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; border: 1px solid black; text-align: center;">-</td> <td style="width: 90%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-			
	-				

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person ▶

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABL accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor ⁴
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

*Note: The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

**ECONOMIC DEVELOPMENT AUTHORITY FOR THE CITY OF ST FRANCIS
ST. FRANCIS, MN
ANOKA COUNTY**

EDA RESOLUTION 2020-01

**RESOLUTION FOR THE ST FRANCIS CARES ACT
SMALL BUSINESS RELIEF PROGRAM**

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law by President Trump on March 27, 2020, providing the State of Minnesota \$1.8 billion, of which 45 percent may be distributed to local jurisdictions; and

WHEREAS, the City of St. Francis received an allocation of \$593,078 in CARES funds from the State of Minnesota that must meet the eligibility criteria established by the U.S. Department of the Treasury; and

WHEREAS, creation of a small business relief program was discussed by the St. Francis City Council July 20th as an eligible use of St. Francis's CARES Act funds; and

WHEREAS, the proposed St. Francis's CARES Act Small Business Relief Program (Program) would serve businesses that have been adversely impacted by the COVID-19 pandemic and the COVID-19 peacetime emergency; and

WHEREAS, the Program would provide grant funds for operating expenses, including payroll, rent/lease payments, mortgage payments, utilities, payments to suppliers, or other critical business expenses as approved by an authorized Program Administrator; and

WHEREAS, the Program would serve the following businesses:

- Private, for-profit business or non-profit 501(c)(3) or 501 (c)(19) veterans organization located and operated in St. Francis (physical presence here)
- Have been operating since December 2019;
- Demonstrate that its operations have been directly and adversely, negatively, affected by the COVID-19 Health Pandemic;
- Demonstrate Financial Hardship as a result of the COVID-19 Outbreak;
- Have at least one employee in addition to the Owner and have no more than 50 FTE (full-time equivalent) employees at the location address as of March 1, 2020;
- May be a local franchisee;
- Home Based businesses, are allowed as long as they are conforming to all Land Use permits and requirements;
- The small business or non-profit must be a legal entity registered with the Minnesota Secretary of State, and be in good standing with MN Dept. of Revenue, Secretary of State, Anoka County and the City as of March 1, 2020;and

WHEREAS, the following businesses would be ineligible for the Program:

- Commercial Real Estate property owners are not eligible and should refer tenants to Grant program
- Business derived income from passive investments without operational ties to operating a business; business-to-business transactions; real estate transactions; property rentals or property management; billboards or lobbying.
- Business primarily focusing on speculative activities based on fluctuations in price rather than the normal course of trade;
- Prohibited businesses by federal, state or local law;
- National or corporate chains;
- Business in default prior to February 29, 2020
- Permanently closed/shuttered businesses where this funding would not bring them to an operational state within 21 days.
- Individuals who are currently receiving assistance through the Pandemic Unemployment Assistance (PUA) program
- Businesses that primarily derive income from gambling (businesses that allow on-site charitable gambling are eligible)
- Businesses that derive any income from adult entertainment

WHEREAS, the following businesses would be eligible for direct allocation from the Program:

WHEREAS, the St. Francis City Council and St. Francis Economic Development Authority has determined the CARES Business Program is a necessary and reasonable response to the COVID-19 Pandemic, therefore eligible for use of the CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED that the St. Francis Economic Development Authority hereby implements a business relief program with the use of CARES Act funding, subject to the allocation of funds by the State of Minnesota; and

BE IT FURTHER RESOLVED, that the St. Francis Economic Development Authority hereby amends the 2020 budget to allow allocation costs of CARES Act funding.

ADOPTED BY THE COMMISSIONERS OF THE ECONOMIC DEVELOPMENT OF THE CITY OF ST. FRANCIS THIS 3RD DAY OF AUGUST, 2020.

APPROVED:

_____ [sign name]

By: _____ [print name]

Its: President _____