



BOARD OF COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS

9:00 AM, WEDNESDAY, SEPTEMBER 07, 2022

Barnes Sawyer Rooms - Deschutes Services Bldg - 1300 NW Wall St – Bend

(541) 388-6570 | www.deschutes.org

AGENDA

MEETING FORMAT: The Oregon legislature passed House Bill (HB) 2560, which requires that public meetings be accessible remotely, effective on January 1, 2022, with the exception of executive sessions. Public bodies must provide the public an opportunity to access and attend public meetings by phone, video, or other virtual means. Additionally, when in-person testimony, either oral or written is allowed at the meeting, then testimony must also be allowed electronically via, phone, video, email, or other electronic/virtual means.

Attendance/Participation options are described above. Members of the public may still view the BOCC meetings/hearings in real time via the Public Meeting Portal at www.deschutes.org/meetings

Citizen Input: Citizen Input is invited in order to provide the public with an opportunity to comment on any meeting topic that is not on the current agenda. Citizen Input is provided by submitting an email to: citizeninput@deschutes.org or by leaving a voice message at 541-385-1734. Citizen input received by noon on Tuesday will be included in the Citizen Input meeting record for topics that are not included on the Wednesday agenda.

Zoom Meeting Information: Staff and citizens that are presenting agenda items to the Board for consideration or who are planning to testify in a scheduled public hearing may participate via Zoom meeting. The Zoom meeting id and password will be included in either the public hearing materials or through a meeting invite once your agenda item has been included on the agenda. Upon entering the Zoom meeting, you will automatically be placed on hold and in the waiting room. Once you are ready to present your agenda item, you will be unmuted and placed in the spotlight for your presentation. If you are providing testimony during a hearing, you will be placed in the waiting room until the time of testimony, staff will announce your name and unmute your connection to be invited for testimony. Detailed instructions will be included in the public hearing materials and will be announced at the outset of the public hearing.

For Public Hearings, the link to the Zoom meeting will be posted in the Public Hearing Notice as well as posted on the Deschutes County website at <https://www.deschutes.org/bcc/page/public-hearing-notices>.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CITIZEN INPUT: Citizen Input may be provided as comment on any topic that is not on the agenda.

***Note:** In addition to the option of providing in-person comments at the meeting, citizen input comments may be emailed to citizeninput@deschutes.org or you may leave a brief voicemail at 541.385.1734. To be timely, citizen input must be received by noon on Tuesday in order to be included in the meeting record.*

CONSENT AGENDA

1. Consideration of Board Signature of Order No. 2022-047, Appointing Health Services Director's Designees
2. Consideration of Board Signature on letters appointing Bill Gregarious, Jamie Donahue and Troy Rayburn for service on the Deschutes County Statewide Transportation Improvement Fund Advisory Committee
3. Consideration of Board Signature on letters extending appointments of Andrea Breault, Ken Thorp, Jonathon Bullock, Iman Simmons, Zachary Bass, Andrew Davis, Dan Youmans, Casey Bergh, Jennifer Glover and Matthew Schmitz for service on the Deschutes County Statewide Transportation Improvement Fund Advisory Committee
4. Consideration of Board Signature on Letters of Thanks to Sintha Townsend, Kelsey Rook, Paul Bertanga, Walter McCain and Derek Hofbauer for service on the Deschutes County Statewide Transportation Improvement Fund Advisory Committee
5. Consideration of Board Signature on Letters of Thanks to Tyler Deke, Bill Gregarious, Michelle Furman, Jamie Donahue and Peter Russell for service on the Deschutes County Special Transportation Fund (STF) Advisory Committee
6. Approval of Minutes of the August 22, 2022 BOCC Meeting
7. Approval of Minutes of the August 24, 2022 BOCC Meeting

ACTION ITEMS

8. **9:05 AM** National Suicide Prevention Awareness Month
9. **9:10 AM** Public Hearing: LBNW LLC Plan Amendment and Zone Change
10. **10:10 AM** Consideration of Board approval and Chair Signature of document #2022-741, a CJC IMPACTS grant
11. **10:20 AM** Consideration of COHC IMPACTS grant award acceptance
12. **10:25 AM** Consideration of Board Authorization for Purchase of Caterpillar 950 Loader

- 13. **10:35 AM** Secure Rural Schools (SRS) allocation elections between Titles I, II and III
- 14. **10:45 AM** ARPA Grant Status Update: ReVillage Childcare Expansion
- 15. **11:05 AM** Senate Bill (SB) 762 – Wildfire Adapted Communities Recommendations Report
- 16. **11:25 AM** Consideration of Approval for Road Department Submittal of Safe Streets For All (SS4A) Grant Application for the US20: Fryrear Road Project
- 17. **11:40 AM** **Add On** Consideration of Board Approval to Apply for VAWA Grant Funding

LUNCH RECESS

OTHER ITEMS

These can be any items not included on the agenda that the Commissioners wish to discuss as part of the meeting, pursuant to ORS 192.640.

EXECUTIVE SESSION

At any time during the meeting, an executive session could be called to address issues relating to ORS 192.660(2)(e), real property negotiations; ORS 192.660(2)(h), litigation; ORS 192.660(2)(d), labor negotiations; ORS 192.660(2)(b), personnel issues; or other executive session categories.

Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media.

- 18. Executive Session under ORS 192.660(2)(e) - Real Property Negotiations
- 19. Executive Session under ORS 192.660(2)(e) - Real Property Negotiations

ADJOURN



Deschutes County encourages persons with disabilities to participate in all programs and activities. This event/location is accessible to people with disabilities. If you need accommodations to make participation possible, please call (541) 617-4747.



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: September 7, 2022

SUBJECT: Consideration of Board Signature of Order No. 2022-047, Appointing Health Services Director’s Designees

RECOMMENDED MOTION:

Move approval of Order No. 2022-047, Appointing Health Services Director’s Designees.

BACKGROUND AND POLICY IMPLICATIONS:

Oregon Revised Statute (ORS) 426.233 (3) provides that the Director may authorize a qualified individual to perform certain acts listed in ORS 426.233 (3) including, without limitation, accepting custody of a person from a peace officer, taking custody of a person, removing a person in custody to an approved hospital or nonhospital facility, transferring a person in custody to another individual authorized under this resolution or a peace officer, transferring a person in custody from a hospital or nonhospital facility to another hospital facility or nonhospital facility, and retaining a person in custody. The Director has confirmed that each of the individuals identified in Sections 2 and 3 of the attached Board Order are qualified mental health professionals as that term is defined under Oregon law and meet applicable standards established by the Oregon Health Authority.

Board Order 2022-039 was signed July 20, 2022. Since that time, 2 additional qualified mental health professionals who meet the applicable standards have been hired, and one staff has left their designee position. The authorization to provide custody and secure transportation services for allegedly mentally ill persons is being updated to reflect these staff changes through the attached Board Order 2022-047.

BUDGET IMPACTS:

None

ATTENDANCE:

Holly Harris, Crisis Program Manager

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Order Repealing Order No. 2022-039 dated July 20, 2022; and Authorizing Designated Persons to Provide Custody and Secure Transportation Services for Allegedly Mentally Ill Persons * * * ORDER NO. 2022-047

WHEREAS, on July 20, 2022, the Deschutes County Board of Commissioners signed Order No. 2022-039, “An Order Repealing Order No. 2022-001; and Authorizing Designated Persons to Provide Custody and Secure Transportation Services for Allegedly Mentally Ill Persons”; and

WHEREAS, ORS 426.070 through 426.395 authorize or require the Community Mental Health Program Director (“Director”) to take certain actions in matters pertaining to the custody, transport and involuntary commitment of mentally ill persons; and

WHEREAS, OAR 309-033-0210 includes, within the definition of the term “community mental health director,” a person who has been authorized by the Director to act in the Director’s capacity for the purpose of this rule; and

WHEREAS, the Director has authorized each of those individuals identified in Section 2, below, to act as the Director’s designee and in the Director’s capacity for purposes of OAR 309-033-0210; and

WHEREAS, ORS 426.233(3) provides that the Director may authorize a qualified individual to perform certain acts listed in ORS 426.233(3) including, without limitation, accepting custody of a person from a peace officer, taking custody of a person, removing a person in custody to an approved hospital or nonhospital facility, transferring a person in custody to another individual authorized under this resolution or a peace officer, transferring a person in custody from a hospital or nonhospital facility to another hospital facility or nonhospital facility, and retaining a person in custody; and

WHEREAS, the Director has recommended to the Deschutes County governing body that each of those individuals identified in Section 3, below, be authorized to perform those acts listed in ORS 426.233(3); and

WHEREAS, the Director has confirmed that each of the individuals identified in Sections 2 and 3 below is a qualified mental health professional as that term is defined under Oregon law and meets applicable standards established by the Oregon Health Authority; now therefore,

Based upon the foregoing recitals and pursuant to ORS 426.233 and OAR 309-033-0210, THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDERS as follows:

Section 1. Order Repealing Order No. 2022-039 dated July 20 2022: “An Order Repealing Order No. 2022-001 dated January 5, 2022; and Authorizing Designated Persons to Provide Custody and Secure Transportation Services for Allegedly Mentally Ill Persons” is hereby repealed;

Section 2: The following persons, all of whom are part of the Deschutes County Health Services Department’s Community Assessment Team/Mobile Crisis Team, and all of whom are Qualified Mental Health Professionals, are hereby recognized as designees of the Director and are authorized to act in the capacity of the Director with regard to any action permitted or required to be performed by the Director under ORS 426.070 through ORS 426.395:

- Holly Harris, M.Ed., LPC, Crisis Services Program Manager
- Zoe Bartlett, MS, LMFT
- Rebecca Battleson, MSW, LCSW
- Amanda Copeland, MSW, CSWA
- Savannah DeLuca, MA, LPCi
- Susan Denight, MSW, CSWA
- Bethany Douglas, MS, LPC
- Susanna M. Gallagher, MSW, CSWA
- Adam Goggins, MA, LPC
- Meredith Haddan, MA, LPCi, CADC-R
- Jill Kaufmann, MS, LMFT
- Stephanie Koutsopoulos, MS, LPC
- Jesse Kratz, MA, LPCi
- Hanako Kubori, MS, LPCi
- Elizabeth Lindt, MS, LPCi
- Taylor McGowan, MSW, CSWA
- Haley Piarulli, MSW, CSWA
- Megan Sergi-Sosa, MSW, LMSW, CADC
- Nicole Von Laven, MA, LPCi
- Megan Weaver, MSW, CSWA
- Hailey Clark, MA, Professional Counselor Associate, NCC
- Briana Schulte, LPC
- Martina Krupinski, M.Ed, LPCi
- Amber Hooper, MA, LMFT
- Ayshea Ali , MSW
- Sheri Bansemer, M.Ed., QMHP
- Leah Lewis, MSW, CSWA
- Anna Valencia, M.S., LPC-intern
- Darla Fletcher, LIC, BHS II

Section 3. The following persons, all of whom are part of the Deschutes County Health Services Department’s Community Assessment Team/Mobile Crisis Team, and all of whom are Qualified Mental Health Professionals, are hereby authorized to perform any act set forth in ORS 426.233(3):

- Holly Harris, M.Ed., LPC, Crisis Services Program Manager
- Zoe Bartlett, MS, LMFT
- Rebecca Battleson, MSW, LCSW
- Amanda Copeland, MSW, CSWA
- Savannah DeLuca, MA, LPCi
- Susan Denight, MSW, CSWA
- Bethany Douglas, MS, LPC
- Susanna M. Gallagher, MSW, CSWA
- Adam Goggins, MA, LPC
- Meredith Haddan, MA, LPCi, CADC-R

Jill Kaufmann, MS, LMFT
 Stephanie Koutsopoulos, MS, LPC
 Jesse Kratz, MA, LPCi
 Hanako Kubori, MS, LPCi
 Elizabeth Lindt, MS, LPCi
 Taylor McGowan, MSW, CSWA
 Haley Piarulli, MSW, CSWA
 Megan Sergi-Sosa, MSW, LMSW, CADAC
 Nicole Von Laven, MA, LPCi
 Megan Weaver, MSW, CSWA
 Hailey Clark, MA, Professional Counselor Associate, NCC
 Briana Schulte, LPC
 Martina Krupinski, M.Ed, LPCi
 Amber Hooper, MA, LMFT
 Ayshea Ali , MSW
 Sheri Bansemer, M.Ed., QMHP
 Leah Lewis, MSW, CSWA
 Anna Valencia, M.S., LPC-intern
 Darla Fletcher, LIC, BHS II

Section 4. Each individual identified herein in Sections 2 and 3 shall retain the authority granted by this order so long as he or she continuously meets applicable standards established by the Oregon Health Authority and is employed with the County in the Health Services Department except as may otherwise be ordered by the Board of County Commissioners.

DATED this ____ day of _____, 2022.. BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

ATTEST: _____
PHIL CHANG, Vice Chair

Recording Secretary

PATTI ADAIR, Commissioner



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: Wednesday, 9/7/2022

SUBJECT: National Suicide Prevention Awareness Month

RECOMMENDED MOTION:

Not Applicable

BACKGROUND AND POLICY IMPLICATIONS:

In recognition of the Board of County’s Commissioners designation of September as National Suicide Prevention Awareness Month, staff will provide a brief update of the outreach and awareness occurring during this month and throughout the year and resources available to the public.

BUDGET IMPACTS:

None

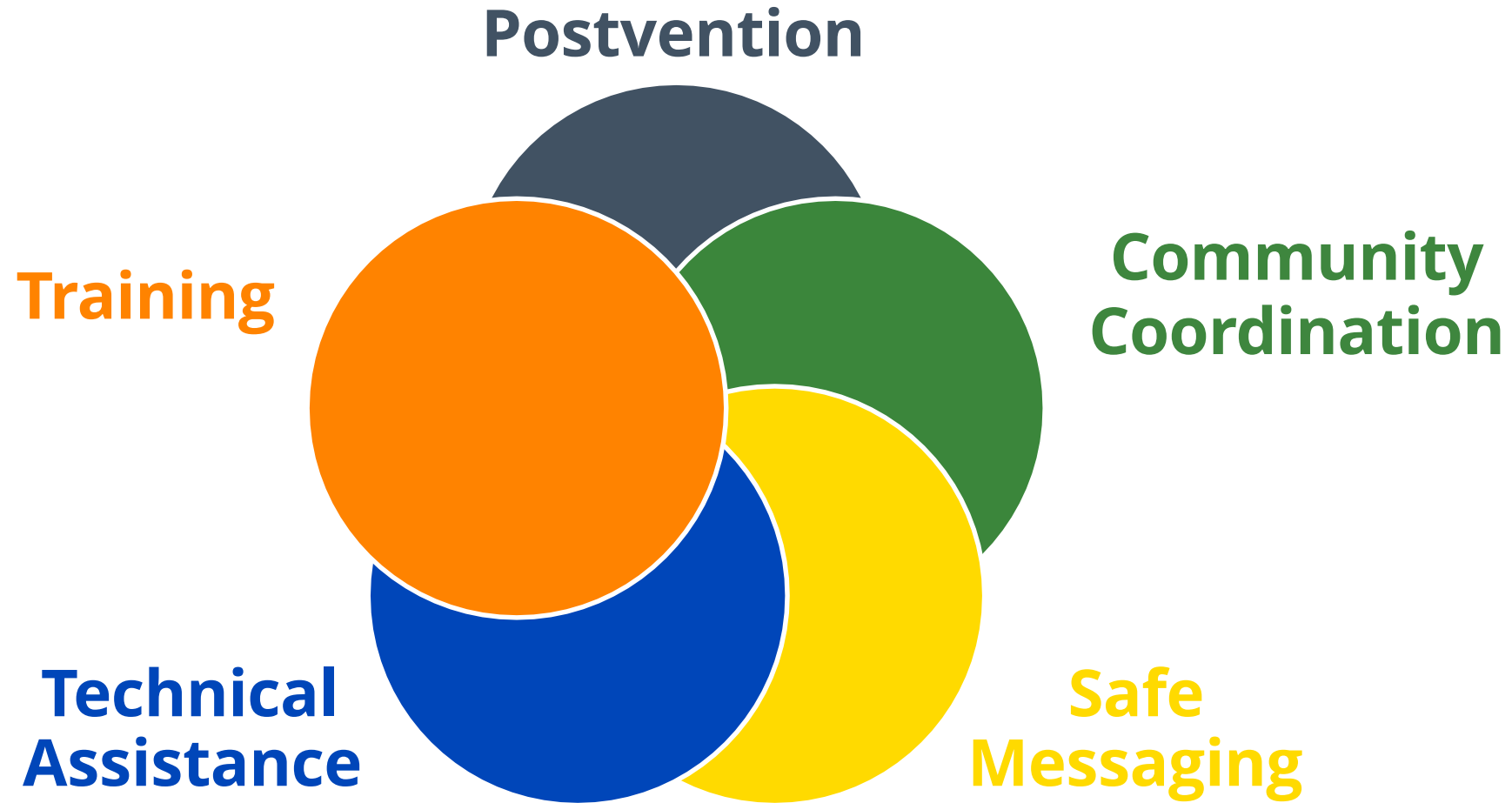
ATTENDANCE:

*Caroline Suiter, Mental Health Promotion Strategist
Bethany Kuschel, Suicide Prevention Project Coordinator
Jessica Jacks, Prevention and Health Promotion Program Manager*

National Suicide Prevention Awareness Month 2022



Suicide Prevention Program Overview



Data and Resources

Deschutes County

Historically, in Deschutes County, roughly one person dies by suicide each week.

KNOW
YOUR
RESOURCES!

CALL
DESCHUTES COUNTY
24- HOUR CRISIS LINE
541-322-7500 EXT #9



Youth And Young Adults

- We also know, historically in Deschutes County, a rate of roughly four adolescents die by suicide per year.
- In 2020, Deschutes County is ranked seventh highest county, alongside Marion County, in Oregon, for youth suicide deaths, ages 25 and under.



Statewide



- Suicide is the second leading cause of death for youth (ages 10-24) in Oregon.
- Oregon is one of 7 states that saw a statistically significant decrease in suicide rates in 2020.



Overview

- Suicide is a complex public health issue.
- We must remain vigilant.
- One death by suicide is too many.



National Suicide Prevention Awareness Month Events

BUILD RESILIENCY THRU MINDFULNESS

Join Lisa Brown, a mindfulness and resiliency instructor, for a family friendly community event that focuses on building and supporting health through learning and practicing new skills. Build Resiliency Thru Mindfulness is a FREE hour long class that is open to all ages.

Event Details

DATE:

Wednesday September 7, 2022

TIME:

6:00 pm- 7:00 pm

LOCATION:

Downtown Deschutes Public Library
Brooks Room
601 NW Wall St, Bend, OR 97703

COST:

FREE

Registration:

<https://forms.gle/iYzU52qsEcASbrAo7>



www.preventsuicideco.org



To request these materials in an alternative format, please call (541) 322-5734, or send email to bethany.kuschel@deschutes.org.

Build Resiliency Thru Mindfulness



Candlelight Vigil

Vigilia con Velas Encendidas



CENTRO DE OREGÓN
ALIANZA
PARA LA
PREVENCIÓN
DEL SUICIDIO

Semana Nacional de Prevención del Suicidio Septiembre 4 - 10, 2022

JUEVES, SEPTIEMBRE 8, 2022
7:00-8:00PM
CÉSPED DELANTERO DEL
CENTRO EDUCATIVO DE LA
ESCUELA BEND-LA PINE:
520 NW WALL STREET BEND

CEREMONIA DE ENCENDIDO
DE VELAS PARA QUIENES
HAYAN PERDIDO A UN SER
QUERIDO POR SUICIDIO.
ABIERTO AL PÚBLICO.

www.preventsuicideco.org

 Para solicitar estos materiales en un formato alternativo, po favor llame al (541) 322-5734, o envíe un correo electrónico a bethany.kuschel@deschutes.org.



Candlelight Vigil



CENTRAL OREGON
SUICIDE
PREVENTION
ALLIANCE

National Suicide Prevention Week | September 4-10, 2022

THURSDAY, SEPTEMBER 8TH, 2022
7:00-8:00PM
BEND LA-PINE SCHOOL
EDUCATION CENTER FRONT
LAWN:
520 NW WALL STREET BEND

A CANDLE LIGHTING
CEREMONY FOR ANYONE WHO
HAS LOST A LOVED ONE TO
SUICIDE. OPEN TO THE PUBLIC.

www.preventsuicideco.org

 To request these materials in an alternative format, please call (541) 322-5734, or send email to bethany.kuschel@deschutes.org.




ASFP Out Of Darkness Walk

Walk to Fight Suicide

For more details and to register visit:

[afsp.org/Central Oregon](https://afsp.org/CentralOregon)



CENTRAL OREGON OUT OF DARKNESS WALK

American Foundation for Suicide Prevention hosts it's annual Out of Darkness Walk. This walk is open to the community to support the fight to #stopsuicide.

EVENT DETAILS:

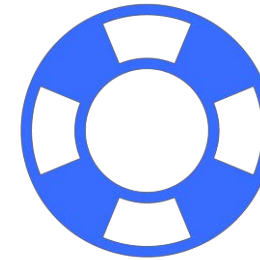
Saturday September 10
Event starts at 11:00 am

LOCATION:

Alpenglow Park
61049 SE 15th St
Bend, Oregon



National Suicide Prevention Week | September 4-10, 2022



American Foundation for Suicide Prevention



CENTRAL OREGON SUICIDE PREVENTION ALLIANCE



Question, Persuade, Refer

September is National Suicide Prevention Awareness Month



EVENT DETAILS

SEPTEMBER

19

5:30 pm

Doors will close at 5:45pm



LOCATION

Downtown Public Library
Brooks Room
507 NW Wall St, Bend, OR
97703

[Register Here](https://forms.gle/isHur8Mk8nyLiS9y9)



<https://forms.gle/isHur8Mk8nyLiS9y9>
Registration is recommended but not required.

To request this information in an alternate format, please call 541-322-7534 or email bethany.kuschel@deschutes.org.



Community QPR



Gratitude and Recognition



Thank You!

For your willingness to highlight this important health matter in our community, we thank you!

Jessica Jacks, MPH, CPS

*Prevention and Health
Promotion Program Manger*

jessica.jacks@deschutes.org
541-330-4632

Caroline Suiter, MPH

*Mental Health Promotion
Strategist*

caroline.suiter@deschutes.org
541-668-0760

Bethany Kuschel, MPP

*Suicide Prevention Project
Coordinator*

bethany.kuschel@deschutes.org
541-322-7534



BEFORE THE BOARD OF COMMISSIONERS OF DESCHUTES COUNTY, OREGON

PROCLAMATION

**RECOGNIZING SEPTEMBER
AS SUICIDE PREVENTION AWARENESS MONTH**

WHEREAS, in the United States, one person dies by suicide every 11 minutes, with over 46,000 deaths every year in our country;

WHEREAS, in Deschutes County, approximately one person dies by suicide each week; and a rate of roughly four adolescents die by suicide per year. In Oregon, for youth ages 10 to 24, suicide is the second leading cause of death. Each person’s death by suicide affects at least 135 other people and 50% of the US population has known someone who has lost their life to suicide; friends and family members are forever changed by this loss;

WHEREAS, many of the people who have died by suicide never received effective behavioral health services for many reasons including the stigma of using behavioral health treatment and the stigma associated with losing a loved one to suicide;

WHEREAS, far too many Deschutes County residents die by suicide each year;

WHEREAS, Deschutes County is dedicated to partnering with local behavioral health and health care organizations, state and local agencies, military/Veterans organizations, educational institutions, and the community at large, to reduce the frequency of suicide attempts and deaths, and the pain for those affected by suicide deaths, through:

1. Recognizing suicide as a significant public health issue in Deschutes County and declaring suicide prevention a countywide priority;
2. Supporting accessible behavioral health services for all areas in our county;
3. Helping to de-stigmatize help-seeking behaviors;

- 4. Acknowledging that everyone plays a role in helping to prevent suicide; and
- 5. Encouraging initiatives known to be effective at preventing suicide attempts and death.

NOW THEREFORE, BE IT RESOLVED that the Deschutes County Board of Commissioners do hereby designate the month of September, 2022 and each year thereafter, as “Suicide Prevention Awareness Month” in Deschutes County and urge Deschutes County residents to learn how they can help because *Suicide Prevention Is Everyone’s Business*.

Dated this 7th day of September, 2022, by the Deschutes County Board of Commissioners.

Patti Adair, Chair

Anthony DeBone, Vice-Chair

ATTEST:

Recording Secretary

Phil Chang, Commissioner



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: Wednesday, September 7, 2022

SUBJECT: Public Hearing: LBNW LLC Plan Amendment and Zone Change

RECOMMENDED MOTION:

Hearings Officer recommends approval of file no. 247-21-000881-PA, 882-ZC pursuant to DCC 22.28.030.

BACKGROUND AND POLICY IMPLICATIONS:

The Board will conduct a public hearing on September 7, 2022 to consider a request for a Plan Amendment and Zone Change (file no. 247-21-000881-PA, 882-ZC) for a 19.12-acre subject property (comprised of three tax lots) along Highway 97 between Redmond and Bend, submitted by LBNW LLC.

BUDGET IMPACTS:

None

ATTENDANCE:

Tarik Rawlings, Associate Planner



MEMORANDUM

TO: Deschutes County Board of Commissioners (Board)

FROM: Tarik Rawlings, Associate Planner

DATE: August 29, 2022

SUBJECT: Public Hearing - LBNW LLC Comprehensive Plan Amendment and Zone Change

The Board of County Commissioners (Board) is conducting a public hearing on September 7, 2022 to consider a request for a Plan Amendment and Zone Change (file nos. 247-21-000881-PA, 882-ZC) for approximately 19.12 acres along Highway 97. The subject property consists of three tax lots totaling approximately 19.12 acres. The application includes a request for a Goal 14 Exception as an alternative argument, if determined to be necessary for approval of the Plan Amendment/Zone Change. This will be the second of two required public hearings.

I. BACKGROUND

The applicant, LBNW LLC, is requesting a Comprehensive Plan Amendment to re-designate the subject properties from Agriculture to Rural Industrial and a corresponding Zone Change to rezone the properties from Exclusive Farm Use (EFU) to Rural Industrial (RI). The applicant’s reasoning for the request is that the properties were mistakenly identified as farmland, do not contain high-value soils or other characteristics of high-value farmland, and therefore should be re-designated and rezoned for rural industrial use. The applicant has provided a supplementary soil study that identifies non-high value (Class VII and VIII) soils on a majority of the subject properties. Additionally, the applicant has provided findings within the burden of proof that provide responses to relevant state and local requirements and policies.

II. PUBLIC COMMENT

Staff received approximately 47 public comments from neighbors, stakeholders, local interest groups and public agencies prior to the April 26, 2022 Hearing’s Officer hearing. Most of the comments received were in support of the project, but Staff did receive a number of detailed public comments in opposition to the application. Comments received in opposition expressed concern related to the following factors:

1. Potential loss of agricultural land
2. Compatibility with surrounding properties

3. Validity of the Order 1 soil survey used to demonstrate a lack of agricultural land on the properties
4. The application's compliance with Oregon Statewide Planning Goals 3, 5, 12, and 14 and the application's potential need for goal exceptions
5. Traffic and emergency access impacts.

Comments received in support reference the properties' lack of productive soils, the properties' inability to be farmed outside of the poor soil quality, the regional need for industrial-zoned property and uses in rural Deschutes County, the character of the applicants, and improvement of the subject properties since the current owners took over.

III. HEARINGS OFFICER RECOMMENDATION

The Deschutes County Hearings Officer held a public hearing on April 26, 2022. Not including the applicant's team, one (1) individual representing Central Oregon LandWatch provided testimony during the public testimony portion of the hearing in opposition of the proposal.

On July 12, 2022, the Hearings Officer issued a recommendation of approval for the proposed Plan Amendment and Zone Change, denying the oppositional points put forward during the open record period and finding that no goal exceptions to any Oregon Statewide Planning Goals are needed. The Hearings Officer also recommended a condition of approval, related to OAR 660-012-0060 compliance (Division 12, Transportation Planning within state administrative rules) limiting the maximum number of vehicle trips associated with the subject properties:

The maximum development on the three subject parcels shall be limited to produce no more than 32 trips in the PM peak hour and/or 279 daily trips as determined by the Institute of Engineers Trip Generation Manual, 11th Edition. The County may allow development intensity beyond these maximum number of vehicle trips only if the applicant submits to the County a traffic impact analysis that demonstrates that the proposed intensification of use would be consistent with the Transportation Planning Rule and the Deschutes County Code.

Staff notes this condition of approval was acknowledged and deemed sufficient by County planning staff, Oregon Department of Transportation (ODOT), and the applicant, but was opposed by Central Oregon LandWatch.

IV. BOARD CONSIDERATION

As the property includes lands designated for agricultural use, Deschutes County Code 22.28.030(C) requires the application to be heard *de novo* before the Board, regardless of the determination of the Hearings Officer. The record is available for inspection at the Planning Division and at the following link: <https://www.deschutescounty.gov/cd/page/247-21-000881-pa-and-247-21-000882-zc-lbnw-llc-comprehensive-plan-amendment-and-zone-change>.

V. NEXT STEPS

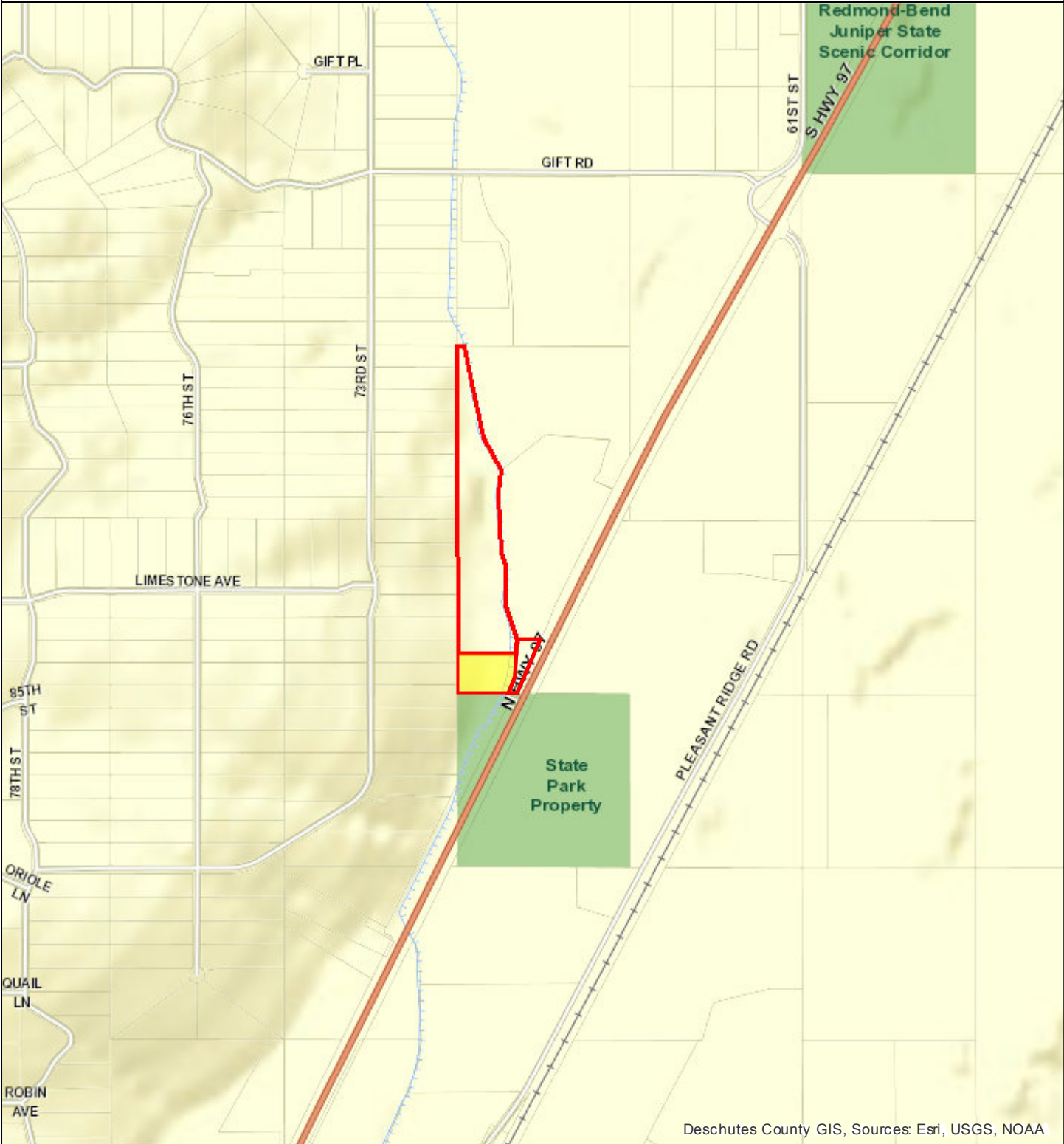
At the conclusion of the public hearing, the Board can choose one of the following options:

- Continue the hearing to a date and time certain;
- Close the oral portion of the hearing and leave the written record open to a date and time certain;
- Close the hearing and commence deliberations; or
- Close the hearing and schedule deliberations for a date and time to be determined.

ATTACHMENT:

1. Area Map

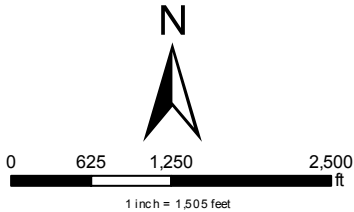
247-21-000881-PA, 882-ZC



Deschutes County GIS, Sources: Esri, USGS, NOAA



Date: 10/5/2021



247-21-000881-PA, 882-ZC

Deschutes County Board of County Commissioners

Applicant: LBNW LLC



PUBLIC HEARING | September 7, 2022

Hearing Procedure

The Board's decision on this application will be based upon the record, the staff report, and the testimony and evidence presented at this hearing and following the hearing, if the record should be left open.

HEARING ORDER – The hearing will be conducted in the following order

1. Staff will provide a brief report
2. The applicant will present its testimony and evidence (30 min)
3. Interested persons and agencies will present testimony and evidence (3 min for general public 10 minutes for agencies)
4. The applicant presents rebuttal testimony (10 min)
5. Closing remarks from Staff



In-Person Participants

- **During public testimony portion, please raise hand to testify**
- **State first and last name and mailing address for the record**



Zoom Hearing Procedures

Public Hearing Notices

<https://www.deschutes.org/bcc/page/public-hearing-notices>

Project Website – Notice of Public Hearing dated 7/21/2022

<https://www.deschutes.org/cd/page/247-21-000881-pa-and-247-21-000882-zc-lbnw-llc-comprehensive-plan-amendment-and-zone-change>



Zoom Hearing Procedure

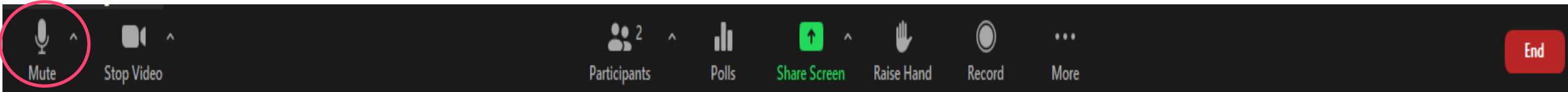
- Zoom participants are either Attendees or Panelists
 - Attendees are *not* on audio or video
 - Panelists will have audio and video recorded
 - Ability to mute microphone and blackout video



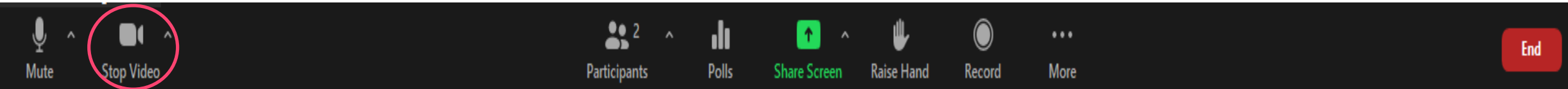
Zoom Participants

Important Tools for Panelists on a Computer

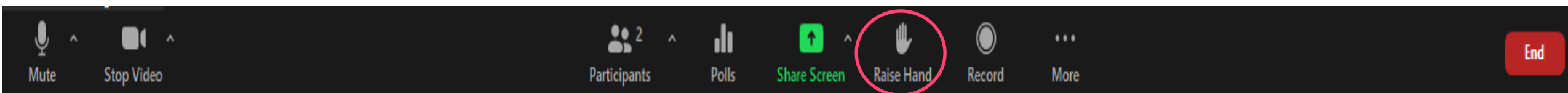
- *Microphone*



- *Video*



- *Raise Hand*



Phone Participants

Important Tools for Panelists Calling in by Phone

- **Mute / Unmute**

- ❖ **Enter *6 on your keypad**



- **Raise Hand**

- ❖ **Enter *9 on your keypad**



Remote Participants

- Attendees who wish to testify please use the “Raise Hand” feature
 - **Computer Attendees**
 - Select the *Raise Hand* button
 - **Call-in Attendees**
 - *Dial *9* on your keypad to Raise Hand



Hearing Procedure

Order of Testimony

1. Applicant (30 min.)
2. Other's wishing to provide testimony (3 min. for general public, 10 min. for agencies)
 - In Person
 - Zoom/Phone
3. Applicant has an opportunity for rebuttal testimony (10 min.)



Hearing Procedures

- **Orderly hearing**
- **Written testimony can be submitted to staff**
 - Hand to staff
 - Email to staff: Tarik.Rawlings@deschutes.org
- **Please also include physical copy if submittal is:**
 - **More than 20 pages in length**
 - **Includes any color figures**
 - **Includes documents larger than 8.5" x 11"**

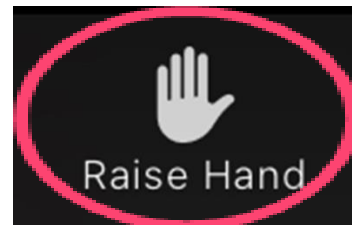


Hearing Procedure

Objections to Hearing Format?

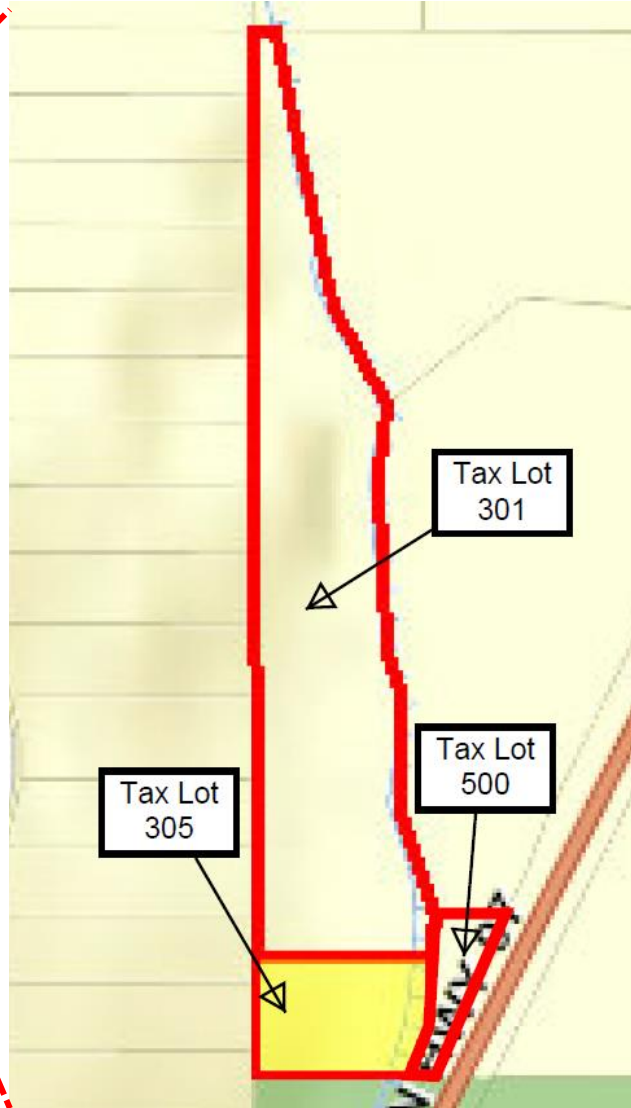
If you would like to object to the hearing format,
please notify us now.

Remote Participants - Use the Raise Hand button / Dial *9.



Staff Report

Location



Total of 19.12-acres Along Hwy 97

Assessor's Map: 16-12-23

Tax Lot 301: 15.06 acres

Address: 65305 N Hwy 97

Owner: Johnson

Tax Lot 305: 3.00 acres

Address: 65301 N Hwy 97

Owner: LBNW LLC

Tax Lot 500: 1.06 acres

Address: 65315 Hwy 97

Owner: LBNW LLC



Request

Plan Amendment

- AG to RI

Zone Change

- EFU to RI

Traffic Study Included

No Goal 3 Exception Proposed

- Soil study submitted, verified by DLCD

Goal 14 Exception Submitted – Alternative Argument



Review Process



Hearings Officer Hearing & Recommendation

✓ April 26, 2022 – Initial Hearing

✓ July 12, 2022 – Recommendation of Approval



Board of County Commissioners Hearing & Deliberations



Decision & Ordinance



Hearings Officer Hearing and Recommendation

Hearings Officer Recommendation

Initial Hearing Held April 26, 2022

- One (1) public comment via oral testimony (Central Oregon LandWatch)
 - Potential loss of agricultural land
 - Compatibility with surrounding properties
 - Validity of Order 1 soil survey
 - Compliance with Oregon Statewide Planning Goals 3, 5, 12, and 14 and potential need for goal exceptions
 - Traffic and emergency access impacts



Hearings Officer Recommendation

Initial Hearing Held April 26, 2022

- Applicant's team provided oral testimony in support.

Recommendation of approval (July 12, 2022)



Hearings Officer Recommendation

Condition of Approval (OAR 660-012-0060 Division 12 – Transportation Planning):

“The maximum development on the three subject parcels shall be limited to produce no more than 32 trips in the PM peak hour and/or 279 daily trips as determined by the Institute of Engineers Trip Generation Manual, 11th Edition. The County may allow development intensity beyond these maximum number of vehicle trips only if the applicant submits to the County a traffic impact analysis that demonstrates that the proposed intensification of use would be consistent with the Transportation Planning Rule and the Deschutes County Code.”



Next Steps

Four options to move forward:

- Continue the hearing to a date and time certain;
- Close the oral portion of the hearing and leave the written record open to a date and time certain;
- Close the hearing and commence deliberations; or
- Close the hearing and schedule deliberations for a date and time to be determined.



Open Record Period Deadlines

- New Evidence & Testimony
 - Wednesday, September 14th at 4pm
- Rebuttal
 - Wednesday, September 21st, at 4pm
- Final Argument (Applicant Only)
 - Wednesday, September 28th at 4pm



Open Record Period

- Email submittals must be:
 - Sent to **Tarik.Rawlings@deschutes.org**
 - Submission of 20 pages or less
 - Documents can be printed in black and white only
 - Documents can be printed on 8.5" x 11" paper
 - Any submittals exceeding these requirements must be submitted as a hard copy
- Deschutes County does not take responsibility for retrieving information from a website link or a personal cloud storage service.
- Written submittals should be to the attention of Tarik Rawlings, Associate Planner and **must be received in-person by 4pm on the date of the deadline**
- Electronic submittals **must be received by the County's server by 4pm** on the date of the deadline



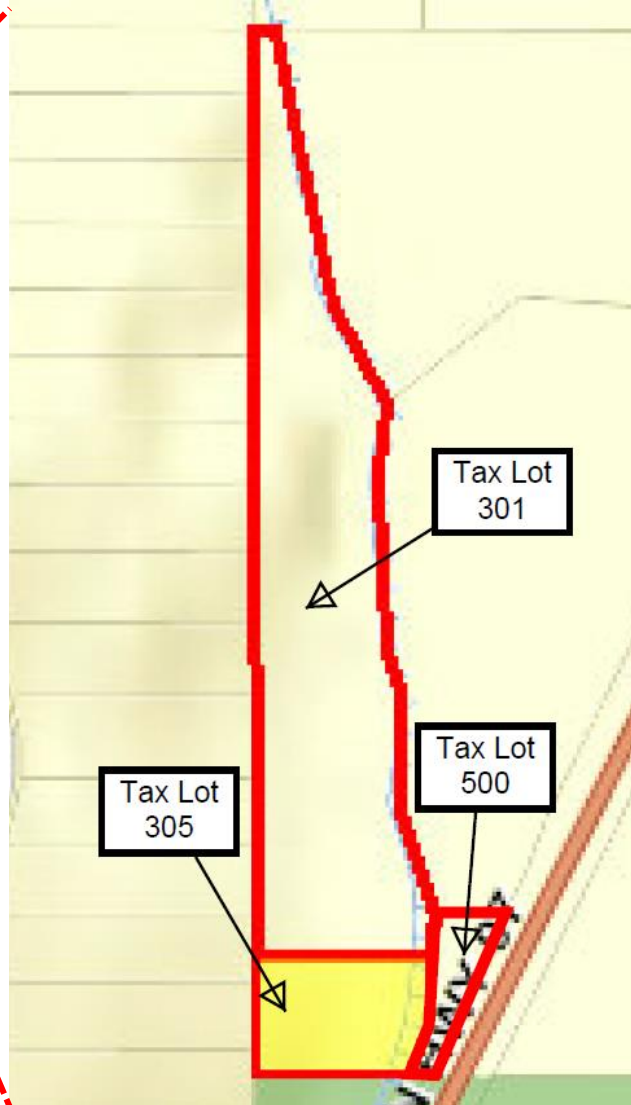
Questions?

Tarik Rawlings, Associate Planner

541-317-3148, Tarik.Rawlings@deschutes.org



Location



Total of 19.12-acres Along Hwy 97

Assessor's Map: 16-12-23

Tax Lot 301: 15.06 acres

Address: 65305 N Hwy 97

Owner: Johnson

Tax Lot 305: 3.00 acres

Address: 65301 N Hwy 97

Owner: LBNW LLC

Tax Lot 500: 1.06 acres

Address: 65315 Hwy 97

Owner: LBNW LLC





BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: September 7, 2022

SUBJECT: Consideration of Board approval and Chair Signature of document #2022-741, a CJC IMPACTS grant

RECOMMENDED MOTION:

Move approval of Chair signature of document #2022-741, a CJC IMPACTS grant.

BACKGROUND AND POLICY IMPLICATIONS:

This amendment #5 to Oregon Criminal Justice Commission (CJC) IMPACTS grant #IMP-20-02 provides an additional \$2,307,835.05 of IMPACTS grant funding, and extends the term an additional two years through June 30, 2024. The new “not to exceed” grant total for the four year period October 2020 through July 2024 is \$4,711,354.57. With this award Deschutes County Health Services will be able to continue 24/7 staffing at the Deschutes County Stabilization Center, and operate 24 hours a day, 7 days a week.

In 2019, the Oregon Legislature passed Senate Bill (SB) 973, which created the Improving People’s Access to Community-Based Treatment, Supports, and Services (IMPACTS) Program. This legislation was informed by a statewide Behavioral Health Justice Reinvestment Steering Committee, organized in 2018, which used a data-driven approach to examine ways to improve outcomes for individuals who are frequent utilizers of both behavioral health and criminal justice resources.

Informed by the analysis of the Steering Committee, the IMPACTS Program was enacted in recognition of the shortage of comprehensive community supports and services for individuals with mental health or substance use disorders, leading to their involvement with the criminal justice system, hospitalizations, and institutional placements. The purpose of the IMPACTS Program is to address this need by awarding grants to Oregon counties and federally recognized tribal governments to establish evidence-based and tribal-based programs to provide needed supports and services in local communities.

The IMPACTS grant “target population” is defined as individuals who receive services and supports funded through the IMPACTS Program, have one or more behavioral health disorders, and are booked into a jail an average of four or more times in a one-year period or are high utilizers of criminal justice resources, hospital or urgent healthcare resources, or institutional placements.

In June of 2020 the Deschutes County Stabilization Center (DCSC) was opened. In October of 2020, with funding from a two-year Oregon Criminal Justice Commission (CJC) IMPACTS grant, the DCSC began 24/7 operations. The DCSC has become a model for how to divert individuals from the Criminal Justice System and other higher levels of care. We have been able to support 12 states and 7 Oregon Counties who have reached out to us to learn about our experience and how a model like the DCSC can work in other communities.

The goal of the DCSC program is to prevent individuals from ever becoming part of the "target population." Much of the work done at DCSC is proactive and preventative in nature by allowing individuals 24/7 access to mental health services when they need it most, often helping them avoid the emergency department or a further decompensation.

Our data indicates the following:

- We have served over 2200 unique individuals and conducted nearly 7,000 visits.
- 17% identify as houseless
- 21% of individuals served are brought to us voluntarily by Law Enforcement (LE)
- Average length of time LE spends at the DCSC dropping someone off is 4.5 minutes
- 23% of individuals served utilize the 23-hour observation/respice unit
- Average length of time in 23-hour observation/respice is 11 hours
- Approximately 30% of individuals served were diverted from the emergency department.
- 2% of individuals served reported they would have ended their life had we not been open - 32% reported they did not know what they would have done.

Funding from this grant will allow us to continue to provide up to 23 consecutive hours of crisis observation, or stabilization, for individuals in crisis, in order to de-escalate the severity of the crisis. The 23-hour stabilization, combined with a full array of services, improves our ability to divert individuals in crisis from emergency departments and jail.

BUDGET IMPACTS:

Revenue of \$2,307,835.05 for the two-year term, July 1, 2022 to June 30, 2024. Funds will cover current staffing (10.4 FTE) for two years, and 10% of indirect. The indirect charges to

the department in excess of the approved 10% are included in the Fiscal Year 2023 Health Services budget and covered by Crisis capitation revenue regional Oregon Health Plan members.

ATTENDANCE:

Holly Harris, Program Manager, Behavioral Health

DESCHUTES COUNTY DOCUMENT SUMMARY

(NOTE: This form is required to be submitted with ALL contracts and other agreements, regardless of whether the document is to be on a Board agenda or can be signed by the County Administrator or Department Director. If the document is to be on a Board agenda, the Agenda Request Form is also required. If this form is not included with the document, the document will be returned to the Department. Please submit documents to the Board Secretary for tracking purposes, and not directly to Legal Counsel, the County Administrator or the Commissioners. In addition to submitting this form with your documents, please submit this form electronically to the Board Secretary.)

Please complete all sections **above** the Official Review line.

Date: August 18, 2022

Department: Health Services, Behavioral Health Division

Grantor: Oregon Criminal Justice Commission

Contact: Kaysea Beck

Type of Document: Amendment #5 to CJC IMP-20-02 (County Doc.#2020-580), an IMPACTS grant award

Goods and/or Services: Deschutes County Health Services was originally awarded IMPACTS grant #IMP-20-02 in October of 2020 to increase the Deschutes County Stabilization Center operating hours to 24/7. This amendment #5 increases funding by \$2,307,835.05, to a not to exceed total of \$4,711,354.57, and extends the termination date to June 30, 2024.

Background & History: The Oregon Criminal Justice Commission’s (CJC) purpose is to improve the efficiency and effectiveness of state and local criminal justice systems by providing a centralized and impartial forum for statewide policy development and planning. CJC provides services to the Oregon criminal justice community through the administration of federal grant programs that reduce drug use and violent crime and improve the effectiveness of the criminal justice system.

The purpose of this CJC grant is to provide funding for the Improving People’s Access to Community-based Treatment, Supports and Services (IMPACTS) Program. The IMPACTS Program awards grants to counties and Oregon’s federally recognized Indian tribes to establish evidence-based and tribal-based programs to provide supports and services. This program is established in recognition of the shortage of comprehensive community supports and services for individuals with mental health or substance use disorders, leading to their involvement with the criminal justice system, hospitalizations and institutional placements.

Deschutes County Health Services opened the Deschutes County Stabilization Center (DCSC) in June of 2020. In October of 2020, with funding from the two-year CJC IMPACTS grant, the DCSC began 24/7 operations. The additional funding for this two-year period will allow the DCSC to continue its 24/7 operations and provide up to 23 consecutive hours of crisis observation, or stabilization, for individuals in crisis. The 23-hour stabilization, combined with a full array of services, improves our ability to divert individuals in crisis from emergency departments and jails.

Grant Start Date: August 15, 2020

Grant End Date: June 30, 2024

Annual Value or Total Payment: \$2,307,835.05.

Insurance Certificate Received (check box)
Insurance Expiration Date: Not Applicable

Check all that apply:

- RFP, Solicitation or Bid Process
- Informal quotes (<\$150K)
- Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

Funding Source: (Included in current budget? Yes No

If **No**, has budget amendment been submitted? Yes No

Is this a Grant Agreement providing revenue to the County? Yes No

Special conditions:

Deadlines for reporting to the grantor:

If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter: Yes No

Financial Reports. Deschutes County shall submit to CJC a Financial Report each quarter detailing expenditures of Grant Funds during the prior calendar quarter. Financial Reports are due by: October 25, January 25, April 25, and July 25 for the prior calendar quarter.

Progress Reports. Deschutes County shall submit to CJC a Progress Report, together with such other Project information as CJC may reasonably request, every 6 months. Progress Reports are due by: April 25 and October 25, in each case reporting for the prior calendar 6-month period. Additionally, Deschutes County shall submit, by October 25, an annual Progress Report for the prior year that describes, in a narrative fashion, Deschutes County’s progress in meeting the Project’s objectives and any remedial actions necessary if those objectives have not been met in any respect.

Disbursement Generally. CJC shall disburse the Grant Funds in quarterly installments of \$288,479.38. CJC shall disburse the first Grant Installment no later than September 5, 2022.

Contact information for the person responsible for grant compliance:

Name:

Deputy Director Approval:

Acting Director Approval:

Signature: 
Janice Garceau (Aug 24, 2022 06:53 PDT)

Email: janice.garceau@deschutes.org

Title: Behavioral Health Director

Company: Deschutes County Health Services

Signature: 
Erik Kropp (Aug 24, 2022 11:32 PDT)

Email: erik.kropp@deschutes.org

Title: Interim Health Services Director

Company: Deschutes County

Distribution of Document: Grace Justice Evans, Health Services Department.

Official Review:

County Signature Required (check one): BOCC Deputy Director (if <\$15K)

Administrator (if >\$50K but <\$150K; if >\$150K, BOCC Order No. _____)

Legal Review _____ Date _____

Document Number 2022-741

CRIMINAL JUSTICE COMMISSION
 IMPROVING PEOPLE’S ACCESS TO COMMUNITY-BASED TREATMENT, SUPPORTS, AND
 SERVICES (IMPACTS) GRANT PROGRAM
 GRANT AGREEMENT # IMP-20-02
 AMENDMENT NO. 05

This is Amendment Number 05 to Grant Agreement No. IMP-20-02 (“Agreement”) between the **State of Oregon**, acting by and through the Criminal Justice Commission (“CJC”), and **Deschutes County** (“Grantee”).

1. Effective Date. This Agreement shall become effective on the date that it is fully executed and approved as required by applicable law.
2. Amendment to Agreement. The Agreement is hereby amended as follows:

A. Section 1 is amended and restated to update the Grant Funds amount as follows:

1. Grant. In accordance with the terms and conditions of this Agreement, CJC shall provide Grantee an amount not to exceed \$4,711,354.57 (the “Grant Funds”) to assist Grantee in implementing the project described in Exhibit A (the “Project”) during the period beginning on the Project Start Date and ending on the Project End Date (the “Project Period”), as those dates are specified in Exhibit A. Grantee shall implement the project in a substantially continuous manner during the Project Period and complete the Project no later than the Project End Date. The Grant Funds may be used by Grantee solely for Eligible Costs (as described in Section 4.a) incurred by Grantee within the line items of the Project Budget (set forth in Exhibit A) during the Project Period. CJC’s obligation to disburse Grant Funds under this Agreement shall end 45 days after the Project End Date.

B. Section 4.a. is amended and restated to update the disbursement schedule as follows:

a. Disbursement Generally. Subject to Section 4.b, CJC shall disburse the Grant Funds in sixteen installments according to the following disbursement schedule:

- One installment in the amount of \$300,439.94 no later than September 5, 2020;
- One installment in the amount of \$300,439.94 no later than October 5, 2020;
- One installment in the amount of \$300,439.94 no later than January 5, 2021;
- One installment in the amount of \$300,439.94 no later than April 5, 2021;
- One installment in the amount of \$300,439.94 no later than July 5, 2021;
- One installment in the amount of \$300,439.94 no later than October 5, 2021;
- One installment in the amount of \$300,439.94 no later than January 5, 2022;
- One installment in the amount of \$300,439.94 no later than April 5, 2022;
- One installment in the amount of \$288,479.39 no later than September 5, 2022;
- One installment in the amount of \$288,479.38 no later than October 5, 2022;
- One installment in the amount of \$288,479.38 no later than January 5, 2023;
- One installment in the amount of \$288,479.38 no later than April 5, 2023;
- One installment in the amount of \$288,479.38 no later than July 5, 2023;
- One installment in the amount of \$288,479.38 no later than October 5, 2023;
- One installment in the amount of \$288,479.38 no later than January 5, 2024; and
- One installment in the amount of \$288,479.38 no later than April 5, 2024.

IMPACTS Grant Program
Grant No. IMP-20-02
Amendment No. 05

The Grant Funds may be used solely for Eligible Costs incurred in carrying out the Project. "Eligible Costs" are the reasonable costs incurred by Grantee (or a subgrantee or subrecipient under a Subagreement) during the Project Period in implementation of the Project, and that are not excluded by CJC, either by this Agreement or by exclusion as a result of financial review or audit.

C. The Project End Date stated in Exhibit A (Project Description and Budget) is amended and restated as follows:

Project End Date: June 30, 2024

D. The Budget Summary in Exhibit A is amended and restated as follows:

BUDGET SUMMARY:

	Grant Funds Awarded
Personnel	\$3,846,179.55
Contractual Services	\$346,385.39
Equipment	\$25,123.00
Supplies	\$36,771.14
Travel/Training	\$0
Rent/Utilities	\$0
Housing Assistance	\$0
Other	\$28,590.52
Administrative/Indirect Cost	\$428,304.97
Total	\$4,711,354.57

3. Counterparts. This Amendment may be executed in two or more counterparts (by facsimile or otherwise) each of which is an original and all of which when taken together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.

4. Original Agreement. Except as expressly amended above, all other terms and conditions of original Agreement remain in full force and effect. By its execution of this Amendment, Grantee certifies to CJC that the representations, warranties and certifications contained in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

The signatures of the parties follow on the next page.

IMPACTS Grant Program
Grant No. IMP-20-02
Amendment No. 05

Continued from the previous page.

THE PARTIES, by executing this Agreement, acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

Grantee

By:

Signature of Grantee Date

Name & Title

93-6002292

Federal Tax ID Number

0502098-8

State Tax ID Number

Criminal Justice Commission

By:

Kenneth Sanchagrin, Executive Director Date

Approved for Legal Sufficiency:

By email from AAG Sam Zeigler dated 7/11/22.



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: September 7, 2022

SUBJECT: Consideration of COHC IMPACTS grant award acceptance

RECOMMENDED MOTION: (two motions)

- 1) Move approval of document #2022-748, a Central Oregon Health Council Impacts grant, and
- 2) Move approval of Board Signature of Order #2022-025, designating signing authority to Holly Harris.

BACKGROUND AND POLICY IMPLICATIONS:

Central Oregon Health Council (COHC) has awarded Deschutes County Health Services (DCHS) a \$250,000 IMPACTS grant to supplement the Oregon Criminal Justice Commission grant (CJC) and provide gap coverage. The grant period is from July 1, 2022 to June 30, 2024.

In 2019, the Oregon Legislature passed Senate Bill (SB) 973, which created the Improving People's Access to Community-Based Treatment, Supports, and Services (IMPACTS) Program. The IMPACTS Program was enacted in recognition of the shortage of comprehensive community supports and services for individuals with mental health or substance use disorders, leading to their involvement with the criminal justice system, hospitalizations, and institutional placements. The IMPACTS grant "target population" have one or more behavioral health disorders, and are booked into a jail an average of four or more times in a one-year period or are high utilizers of criminal justice resources, hospital or urgent healthcare resources, or institutional placements.

In June of 2020 the Deschutes County Stabilization Center (DCSC) opened. In October of 2020, with funding from a two-year Oregon Criminal Justice Commission (CJC) IMPACTS grant, the DCSC began 24/7 operations. The goal of the DCSC program is to prevent individuals from ever becoming part of the "target population." Much of the work done at DCSC is proactive and preventative in nature by allowing individuals 24/7 access to mental health services when they need it most, often helping them avoid the emergency department or a further decompensation.

With these awards Deschutes County Health Services will be able to continue 24/7 staffing at the Deschutes County Stabilization Center, and operate 24 hours a day, 7 days a week. This will allow us to continue to provide up to 23 consecutive hours of crisis observation, or stabilization, for individuals in crisis, in order to de-escalate the severity of the crisis. The 23 hour stabilization, combined with a full array of services, improves our ability to divert individuals in crisis from emergency departments and jail.

BUDGET IMPACTS:

\$250,000 Revenue. Funds from the COHC grant will be used to cover additional personnel expenses. Indirect charges are not allowed on these grant funds, but the Crisis Program is able to fund its indirect expenses through capitation payments. Grant funds are included in the Fiscal Year 2023 Health Services budget.

ATTENDANCE:

Holly Harris, Program Manager, Behavioral Health



Form Name:

Letter of Agreement/Approval Letter (RHIP Projects)

Deschutes County Health Services
Deschutes County Stabilization Center (DCSC)

FollowUp Snapshot	
Amount Requested	\$250,000.00
Organization Contact	Holly Harris
Contact Email	Holly.Harris@deschutes.org
Organization Address	2577 NE Courtney Dr. Bend, OR 97701
Website	http://cohealthcouncil.org/
Project Lead	Holly McCown Harris
Project Lead email	holly.harris@deschutes.org

RHIP Workgroup:

Substance and Alcohol Misuse Prevention and Treatment

Future State Measure:

Substance and Alcohol Misuse: Prevention and Treatment > Increase individuals having 2+ additional services for SUD within 30 days of their initial treatment

Substance and Alcohol Misuse: Prevention and Treatment > Reduce mental health/substance abuse ED visits in Madras, Prineville, and Warm Springs

Note: * indicates required questions

Terms & Conditions

Project Name

Deschutes County Stabilization Center (DCSC)

Timeline - Project Start Date

The effective date of your contract begins on the project start date that you indicated on your application.

07/01/2022

Timeline - Project End Date

*I. **Term.** This LOA shall commence on the Effective Date and shall terminate on the date indicated below. The COHC may terminate this LOA, without cause, by providing You with written notice at least five (5) business days in advance.*

06/30/2024

Amount Requested

The total amount of funds requested from the Central Oregon Health Council for this project.

\$250,000.00

Amount Awarded

\$250,000.00

Invoice*

Please upload an invoice to enable COHC to disperse your funds. If you do not want to invoice us now, please upload an invoice of \$0.

W-9*

Please upload a completed W-9.

ACCEPTANCE OF TERMS & CONDITIONS*

This grant is conditional upon Grantee's acceptance of the terms and conditions set forth herein. By selecting the

Name*

Title*

LOA execution date*

Please enter today's date

FollowUp Files

Applicant File Uploads

No files were uploaded

REVIEWED

LEGAL COUNSEL

09/07/2022 Item #11.

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Order designating Holly Harris, Behavioral Health Program Manager, as the Deschutes County Representative for the purpose of signing the Central Oregon Health Council (COHC) Letter of Agreement for Impacts grant. *
*
*
*

ORDER NO. 2022-025

WHEREAS, the Board of County Commissioners of Deschutes County has authorized the acceptance of COHC grant funds in the amount of \$250,000; and

WHEREAS, in order to receive the funds, the Letter of Agreement must be signed electronically on the COHC grant system; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, HEREBY ORDERS as follows:

Section 1. Holly Harris, Behavioral Health Program Manager, is designated as the Deschutes County representative for the purpose of signing the Central Oregon Health Council Letter of Agreement for the Impacts grant.

Dated this _____ of _____, 20__

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, Chair

ANTHONY DeBONE, Vice Chair

ATTEST:

Recording Secretary

PHIL CHANG, Commissioner



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: September 7, 2022

SUBJECT: Consideration of Board Authorization for Purchase of Caterpillar 950 Loader

RECOMMENDED MOTION:

Move approval and signature of the attached Sales Agreement with Peterson Caterpillar for the purchase of a Caterpillar 950M loader in the amount of \$419,087.14.

BACKGROUND AND POLICY IMPLICATIONS:

The Department of Solid Waste has budgeted funds for equipment needed for the operation of the new Negus Transfer Station that is to be constructed this fiscal year. The largest piece of equipment to be procured is a loader and miscellaneous attachments (snowplow, material handling forks) needed for site operations and facility maintenance.

Deschutes County is a member of Sourcewell, a national government agency cooperative purchasing program. The County often purchase fleet vehicles and heavy equipment through this program, which affords savings and preferred pricing as Sourcewell vendors are secured through competitively bid purchasing contracts. This loader will be purchased from Peterson Caterpillar through the Sourcewell procurement process.

BUDGET IMPACTS:

Funds are budgeted in the FY22-23 Solid Waste Department budget for the purchase of this piece of equipment.

ATTENDANCE:

Chad Centola, Director of Solid Waste
Tim Brownell, Incoming Director of Solid Waste

DESCHUTES COUNTY DOCUMENT SUMMARY

(NOTE: This form is required to be submitted with ALL contracts and other agreements, regardless of whether the document is to be on a Board agenda or can be signed by the County Administrator or Department Director. If the document is to be on a Board agenda, the Agenda Request Form is also required. If this form is not included with the document, the document will be returned to the Department. Please submit documents to the Board Secretary for tracking purposes, and not directly to Legal Counsel, the County Administrator or the Commissioners. In addition to submitting this form with your documents, please submit this form electronically to the Board Secretary.)

Please complete all sections **above** the Official Review line.

Date: 8/30/22

Department: Solid Wsate

Contractor/Supplier/Consultant Name: Peterson Caterpillar

Contractor Contact: Shane Meyer
8566

Contractor Phone #: (541) 548-

Type of Document: Sales Agreement

Goods and/or Services: Caterpillar 950 M Loader

Background & History: Purchase of a 950M wheeled loader for transfer station operations. Pricing and purchase of the loader are being coordinated through Sourcewell, a national government agency cooperative purchasing program, which affords savings and preferred pricing as vendors are secured through competitively bid purchasing contracts. Deschutes County is a member of the Sourcewell program and the loader will be purchased from Peterson Caterpillar through the Sourcewell procurement process.

This purchase will require Board Chair signature on the Sales Agreement.

Agreement Starting Date: 9/15/22

Ending Date: 12/31/22

Annual Value or Total Payment: \$419,087.14

Insurance Certificate Received (check box)
Insurance Expiration Date: N/A—Equipment purchase only

Check all that apply:

- RFP, Solicitation or Bid Process
- Informal quotes (<\$150K)
- Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

Funding Source: (Included in current budget? Yes No

If **No**, has budget amendment been submitted? Yes No

Is this a Grant Agreement providing revenue to the County? Yes No

Special conditions attached to this grant:

8/29/2022

Deadlines for reporting to the grantor:

If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter: Yes No

Contact information for the person responsible for grant compliance:

Name:

Phone #:

Departmental Contact and Title: Chad Centola Phone #: x7172

Department Director Approval:  8/30/22
Signature Date

Distribution of Document: Who gets the original document and/or copies after it has been signed? Include complete information if the document is to be mailed.

Official Review:

- County Signature Required (check one):
- BOCC (if \$150,000 or more) – BOARD AGENDA Item
 - County Administrator (if \$25,000 but under \$150,000)
 - Department Director - Health (if under \$50,000)
 - Department Head/Director (if under \$25,000)

Legal Review _____ Date _____

Document Number 2022-757



PETERSON MACHINERY CO. 5450 NE Five Oaks Dr. Hillsboro, Oregon 97124 Tel: (503) 288-6411 Fax: (510) 352-4570

PURCHASER	DESCHUTES COUNTY DEPT		
STREET ADDRESS	61050 SE 27TH ST		<SAME>
CITY/STATE	BEND, OR	COUNTY	DESCHUTES
POSTAL CODE	97702	PHONE NO.	541 317 3163
CUSTOMER CONTACT:	EQUIPMENT	- PHONE NO.	
	PRODUCT SUPPORT	- PHONE NO.	
INDUSTRY CODE:	SPECIAL TRADES (280)	PRINCIPAL WORK CODE	
			F.O.B. AT: Redmond

CUSTOMER NUMBER	1756300	Sales Tax Exemption # (if applicable)	N/A	CUSTOMER PO NUMBER	
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PAYMENT TERMS: (All terms and payments are subject to Finance Company - OAC approval)					
NET PAYMENT ON RECEIPT OF INVOICE	<input type="checkbox"/>	NET ON CAT CARD	<input type="checkbox"/>	FINANCIAL SERVICES	<input type="checkbox"/>
CASH WITH ORDER	\$0.00	BALANCE TO FINANCE	\$0.00	INTEREST RATE	0
PAYMENT PERIOD		PAYMENT AMOUNT	0.00	NUMBER OF PAYMENTS	0
				OPTIONAL BUY-OUT	\$0.00

DESCRIPTION OF EQUIPMENT ORDERED / PURCHASED					
MAKE: TBA	MODEL: 950M-BR	YEAR: TBA			
STOCK NUMBER: PT00344	SERIAL NUMBER: TBA				
950M WHEEL LOADER	464-2600	PREMIUM CORP RADIO (12V)	600-3625	LIGHT, SEAT BELT WARNING	460-7450
INDUSTRIAL PACKAGE	513-5391	PRODUCT LINK, CELLULAR PLE641	434-0691	LIGHT, WARNING BEACON	491-7467
LINKAGE, STANDARD LIFT	538-2776	COOLING CORES, 6 FPI	521-9359	GUARD, TILT CYLINDER	360-8835
COUNTERWEIGHT, 1460KG	393-0072	FAN, REVERSING, VPF, ANSI	513-5393	GUARD, HINGED, POWERTRAIN	399-4332
AIR INLET PRECLEANER, TRASH	365-0121	ANTIFREEZE, -34C (-29F)	371-7064	OIL CHANGE SYSTEM, HIGH SPEED	503-4735
AXLES, MANUAL/OPEN, ED, SG	609-7133	OMISSION, TIRES AND RIMS	0P-3647	QUICK COUPLER READY, STD	373-3900
HYDRAULICS, 3V RC STD/LOG	500-2566	FENDERS, NARROW	478-8371	LINES GP-IMPLEMENT 3V (QC)	378-8421
HYDRAULIC OIL, STANDARD	366-9912	HOOD, NON-METALLIC	336-0000	QUICK COUPLER, FUSION	349-5246
STARTING, COLD (120V)	373-3911	SOUND SUPPRESSION, INDUSTRIAL	488-1138	BKT GP ST 114" 4.75YD3 FUS	354-4856
LIGHTS, LED, PREMIUM	569-2124	LUBRICATION, MANUAL, STD	538-2788	CUTTING EDGE, BOLT-ON	139-9229
STEERING SYST, STD, JOY	538-2794	FUEL ANTIFREEZE, -25C (-13F)	0P-3978	FILM, WASTE	468-0171
JOYSTICK 3V, STEERING JOYSTICK	539-6046	SERIALIZED TECHNICAL MEDIA KIT	421-8926	CARRIAGE GROUP, 96"	520-7957
MANUAL DIFF, STEERING JOYSTICK	384-7004	RADIO, CB (READY)	372-1603	TINE GROUP, 60"	520-7980
FILTRATION, STD, ACF PRECLNR	505-1523	OBJECT DETN & CB RADIO READY	612-4316	BLD 144 HYD ANG SNW TRP FUS	524-6848
CAB TRIM, DELUXE (LHD)	538-2774	LIGHTS, REVERSING STROBE	513-2458	Henke RB42-14 Ramp bucket	Q-07452-1

TRADE-IN EQUIPMENT		SELL PRICE	\$498,632.76
MODEL: _____	YEAR: _____ SN: _____	SOURCEWELL COOP CONTRACT DISCOUNT 18% OFF	(\$89,753.90)
PAYOUT TO: _____	AMOUNT: _____ PAID BY: _____	LIST	
MODEL: _____	YEAR: _____ SN: _____	PETERSON ADDED DISCOUNT 3% OFF LIST	(\$14,958.98)
PAYOUT TO: _____	AMOUNT: _____ PAID BY: _____	NET BALANCE DUE	\$416,711.88
MODEL: _____	YEAR: _____ SN: _____	PDI / SVC MANUAL / HENKE / INSTALL	\$22,792.00
PAYOUT TO: _____	AMOUNT: _____ PAID BY: _____	WHEELS/TIRES	
ALL TRADE-INS ARE SUBJECT TO EQUIPMENT BEING IN "AS INSPECTED CONDITION" BY VENDOR AT TIME OF DELIVERY OF REPLACEMENT MACHINE PURCHASE ABOVE.		SALES TAX (0.57%)	\$2,375.26
PURCHASER HEREBY SELLS THE TRADE-IN EQUIPMENT DESCRIBED ABOVE TO THE VENDOR AND WARRANTS IT TO BE FREE AND CLEAR OF ALL CLAIMS, LIENS, MORTGAGES AND SECURITY INTEREST EXCEPT AS SHOWN ABOVE.		AFTER TAX BALANCE	\$419,087.14

<input checked="" type="checkbox"/> CATERPILLAR EQUIPMENT WARRANTY	INITIAL _____	<input type="checkbox"/> USED EQUIPMENT WARRANTY	INITIAL _____
<p>CATERPILLAR EQUIPMENT WARRANTY It is understood that no other warranties of any kind, whether expressed or implied, including any warranty of merchantability or fitness for a particular purpose, are or have been made or authorized by PETERSON with respect to any machinery, EQUIPMENT or other products described herein unless endorsed herein and signed by the parties hereto. No adjustments, repairs or replacements of any items sold hereunder, or assistance given by seller to buyer in connection with same, shall be deemed to be a waiver of any of the provisions of the aforesaid warranty. Below lists Warranty applicable for Sold EQUIPMENT including expiration date. Warranty applicable including expiration date where necessary: 12 Month, Unlimited Hours</p>		<p>All used equipment is sold as is where is and no warranty is offered or implied except as specified here: Warranty applicable: _____ _____ _____</p>	

CSA: _____
NOTES: DOES NOT INCLUDE WHEELS AND TIRES - CUSTOMER TO PROVIDE

ADDITIONAL TERMS: THE UNDERSIGNED PURCHASER (IF MORE THAN ONE, JOINTLY AND SEVERALLY) HAVING BEEN QUOTED BOTH A TIME AND A CASH PRICE, HEREBY PURCHASES AND UNDERSIGNED SELLER HEREBY SELLS, SUBJECT TO THE TERMS AND CONDITIONS SET FORTH ON BOTH SIDES HEREOF, THE ABOVE DESCRIBED EQUIPMENT, HEREIN FURTHER CALLED THE COLLATERAL. THE TERMS AND CONDITIONS HEREIN SET FORTH INCLUDING ALL TERMS AND CONDITIONS SET FORTH ON THE BACK HEREOF WHICH ARE HEREBY INCORPORATED HEREIN. ARE AGREED TO BY PURCHASER AND SELLER AND PURCHASER ACKNOWLEDGES THAT HE HAS FULLY READ THIS AGREEMENT, BOTH FRONT AND BACK PAGES, AND ASSENTS TO ALL OF ITS TERMS AND CONDITIONS

ORDER RECEIVED BY	Peterson <u>Meyer, Shane</u>	APPROVED AND ACCEPTED ON	PURCHASER <u>DESCHUTES COUNTY DEPT</u>
	REPRESENTATIVE		PURCHASER
		BY	SIGNATURE

DCC 2022-757



DIGITAL AUTHORIZATION

CATERPILLAR TELEMATICS DATA AND CAT REMOTE SERVICES-SOFTWARE UPDATES PROCESS FOR SELECT PRODUCT LINK TELEMATICS AND CAT EQUIPMENT CONTROL MODULE SOFTWARE.

Customer equipment has installed devices that transmit data to Caterpillar Inc. ("Caterpillar").

Data transmitted to Caterpillar is used in accordance with Caterpillar's [Data Governance Statement](#) ("DGS"), which describes Caterpillar's practices for collecting, sharing and using data and information related to customer's machines, products, Devices or other Assets and their associated worksites. The DGS can be reviewed at <https://www.caterpillar.com/en/legal-notices/data-governance-statement.html>

Caterpillar's process for performing remote diagnostics and making available remote software and firmware updates and upgrades, such as configuration, patches, bug fixes, new or enhanced features, etc., for Assets and Devices is described in the [Cat® Remote Services – Software Update Process for select Product Link™ Telematics and Cat Equipment Control Module Software](#) document (the "RSP Document") The RSP Document can be reviewed at https://www.cat.com/remoteservicesprocess?_ga=2.245276421.1412167159.1561985855-475983137.1559312215.

Company acknowledges and agrees to data transmission to Caterpillar via devices installed on Company equipment or by other means as outlined and described in the DGS, and grants to Caterpillar the right to collect, use, and share such information, including to its Distribution Networks or other affiliates, in accordance with the [Caterpillar Data Governance Statement](#) . Company's authorization also applies to any data and information previously collected by Caterpillar.

AGREE

DECLINE

Company acknowledges and agrees to participate in Remote Services (including, remote diagnostics and remote updates and upgrades) and authorizes Caterpillar to remotely access, program, and install updates and upgrades for Company's Assets and Devices in accordance with the [Remote Services Process Document](#).

AGREE

DECLINE

The rights granted in this authorization survive the termination or expiration of the Company's subscriptions to any Digital Offerings. Except as set out in a written agreement between Company and Caterpillar expressly referencing the Data Governance Statement, this authorization supercedes and replaces any other authorizations with regard to the subject matter hereof.

Company

Company (Print)

Company Representative (Print)

Signature

Date

FOR DEALER USE ONLY
Company UCID
Company Representative CWS ID
Main Store Dealer Code
Dealer Representative Name
Dealer Representative CWS ID

TERMS AND CONDITIONS

1. The seller reserves the right to accept or reject this order and shall not be required to give any reason for non-acceptance.
 2. This order when accepted by seller shall become a binding contract but shall be subject to strikes, lockouts, accidents, fire, delays in manufacture or transportation, acts of God, embargoes, epidemic, pandemic or other natural disasters, government action or any other causes beyond the control of the seller or otherwise affecting the supply chain, whether the same as or different from the matters and things hereinbefore specifically enumerated; and any of said causes shall absolutely absolve the seller from any liability to the purchaser under the terms hereof.
- This order when accepted by seller shall be further subject to such changes in price, terms, delivery date, delivery priorities, and other conditions varying from the terms hereof as may be current when the within ordered machinery, equipment, attachments, and parts are ready for delivery. Purchaser shall be responsible for payment of all applicable fees, taxes and charges arising from or related to the purchase and sale of the equipment and goods described on the reverse side hereof, including, without limitation, any and all sales tax, use tax, surcharges, pass through charges (including state corporate activity taxes), environmental fees and service fees, along with any interest, finance charges or administrative fees that may accrue if and as a result of purchaser's failure to timely and/or properly pay amounts owing from purchaser when due.
3. It is understood and agreed that title to and right of possession of said equipment shall remain vested in seller until obligations of purchaser hereunder and payment of all other sums which may be due or are to become due from purchase to seller, whether evidenced by notes, book account, judgment, or otherwise, shall have been fully paid at which time ownership shall pass to the purchaser.
 4. The seller's responsibility for shipments ceases upon delivery to a transportation company; and any claims for shortages, delays, or damages occurring thereafter shall be made by the purchaser directly to the transportation company. Any claims against the seller for shortages in shipments shall be made within fifteen days after receipt of shipment.
 5. The purchaser agrees that this order shall not be countermanded by purchaser, that when it is accepted (and until the execution and delivery of the contract or contracts and note or notes required to consummate the sale as above specified), it will cover all agreements between the parties relative to this transaction, and that the seller is not bound by any representations or terms made by any agent relative to this transaction which are not embodied herein.
 6. When the machines necessary to fill this order are available, the purchaser agrees on demand to execute and deliver to the seller such notes and contracts as may be required by the seller to evidence the transaction. In the event that the purchaser fails to execute and deliver said notes and contracts to the seller, the entire balance of the purchase price shall at the seller's option become immediately due and payable.
 7. **EQUIPMENT MANAGEMENT ELECTRONIC DATA / PRIVACY NOTICE.** For EQUIPMENT equipped with Product Link™ and Vision Link™, CUSTOMER understands that data concerning this machine, its condition, and its operation is being transmitted by Product Link to Caterpillar Inc., its affiliates ("Caterpillar"), and or its dealers to better serve CUSTOMER and to improve upon Caterpillar products and services. The information transmitted may include: machine serial number, machine location, and operational data, including but not limited to: fault codes, emissions data, fuel usage, service meter hours, software and hardware version numbers, and installed attachments. Caterpillar will not sell or rent collected information to any other third party and will exercise reasonable efforts to keep the information secure as Caterpillar recognizes and respects CUSTOMER's privacy. Information regarding Caterpillar's data governance and the remote services that may be a part of the EQUIPMENT, can be found at <https://www.caterpillar.com/en/legal-notice/data-governance-statement.html> and https://www.cat.com/en_US/support/technologysolutionsnew/remoteservicesprocess.html as applicable, or by contacting Caterpillar at CatConnectSupport@cat.com. CUSTOMER acknowledges, understands and agrees that any questions or requests for information regarding ongoing collection of data and information by Caterpillar or its participation in Caterpillar Remote Services, including any questions or requests to opt out of such processes or programs should be directed to Caterpillar at the email listed above. By executing this Agreement, CUSTOMER understands these disclosures and agrees to allow this data to be accessed by Caterpillar and/or its dealers.
 8. The seller shall not be held liable or responsible for any costs or expenses or for any damages on account of personal injuries or injuries to property or otherwise, suffered or sustained in the operation of any machinery or equipment, the subject of this order, nor for any damages alleged to result to purchaser by reason of any delays or alleged failure of said machinery or equipment to operate.
 9. The purchaser agrees that damages arising from failure to consummate the sale contemplated by this agreement may be difficult to measure and that a reasonable measure of damages will be the difference between the price set forth herein and the amount for which the equipment can be sold to another party, plus any costs, charges, and related expenses that may be incurred by the seller to hold, store, and maintain the equipment until a sale can be made.
 10. Purchaser and seller agree that in the event it becomes necessary to undertake legal action to enforce any of the terms of this agreement, the prevailing party shall be entitled to recover reasonable attorney's fees and costs. "It is agreed by and between the customer and Peterson that all disputes and matters whatsoever arising under, in connection, or incident to this agreement shall be litigated, if at all, in or before a Court located in the State of incorporation of the seller to the exclusion of the Courts of any other state or country."
 11. Should this order pertain to any used machinery or equipment, the following additional terms shall apply:
 - (a) Seller makes no representation as to the quality or functionality of such used machinery and equipment which is being sold "AS-IS".
 - (b) Seller makes no recommendations as to the use of equipment by Buyer.
 - (c) Buyer agrees that all equipment is purchased solely at risk of Buyer.
 - (d) Buyer hereby releases, discharges, and covenants not to sue Seller and will hold Seller free and harmless from all liability, claims, demands, losses, damages and costs ("claims") caused or alleged to be caused in whole or in part by the equipment purchased. Buyer further agrees that if any claim is made against Seller, Buyer will defend, indemnify, save, and hold harmless Seller from any and all loss, liability, damages, or costs which may be incurred as the result of such claim(s).



BOARD OF COMMISSIONERS

AGENDA REQUEST AND STAFF REPORT

MEETING DATE: September 7, 2022

SUBJECT: Secure Rural Schools (SRS) allocation elections between Titles I, II and III

RECOMMENDED MOTION:

Motion for consideration: "I move to approve Resolution 2022-062".

BACKGROUND AND POLICY IMPLICATIONS:

With passage of the Bipartisan Infrastructure Law (PL 117-58), the Secure Rural Schools and Community Self-Determination Act (SRS) was extended for three additional funding cycles (2021, 2022 and 2023). Within the Law, counties also have the ability to allocate SRS payments between Title I (roads and schools), Title II (federal projects on federal land) and Title III (for county projects, Firewise Communities, etc) for FFY 22 and 23. Counties receiving in excess of \$350,000 have some minor flexibility to allocate funding within Title I-III, as follows.

Title I: 80 to 85% of funds

Title II: 13 to 20% of funds

Title III: 0 to 7%

Deschutes County has historically allocated 85% to Title I, 8% to Title II and 7% to Title III in an effort to maximize funding distributed directly to Deschutes County. Staff recommends the above allocation with Resolution 2022-062. This allocation (election by Board) will be reported to the State per federal instruction.

BUDGET IMPACTS:

The SRS allocation per the 85-8-7 split noted above calculates, approximately, as follows:

Title I: \$1,056,429 (\$792,322 to Road Fund per state statute 75-25 split, remaining to county school fund)

Title II: \$99,429 (Remains with USFS for projects on federal land)

Title III: \$87,000 (Deschutes County Natural Resources Program)

ATTENDANCE:

Chris Doty, Road Department

BEFORE THE BOARD OF COMMISSIONERS OF DESCHUTES COUNTY, OREGON

In the Matter of the Elections for *
National Forest Related Safety-Net Payments * RESOLUTION NO. 2022-062
*

WHEREAS, Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest lands be paid to states for use by the counties in which the lands are situated for the benefit of public schools and roads; and

WHEREAS, the principal source of revenues from National Forest lands is from the sale and removal of timber, which has been curtailed and with a corresponding decline in revenues shared with counties; and

WHEREAS, the United States Congress recognized a need to stabilize education and road maintenance funding through predictable payments to the affected counties, and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000, which has been amended and re-authorized for FFY 2022 and 2023 (“SRS 2022”) via the Bipartisan Infrastructure Law; and

WHEREAS, SRS 2022 provides for guaranteed minimum payments for the benefit of affected counties, as well as an opportunity to invest a portion of the payments in projects on federal lands or that benefit resources on federal lands, or in county projects or activities; and

WHEREAS, Title I of SRS 2022 gives each eligible county the right to elect to receive either its traditional share of revenues from the National Forest lands pursuant to the Act of May 23, 1908 and Section 13 of the Act of March 1, 1911 (the “25-percent payments”), or instead to receive a share of the guaranteed state payment (the “full county payment amount”); and

WHEREAS, any county electing to receive a full county payment amount of \$350,000 or more must further elect to expend an amount not less than 15 percent nor more than 20 percent of its full county payment amount as project funds; and

WHEREAS, Title I of SRS 2022 requires that counties electing to receive the full county payment amount must allocate their project funds for expenditure between projects in accordance with Title II and Title III, and return the balance of project funds unspent under Titles II and III to the Treasury of the United States, and communicate such allocation to the Secretary of the United States Department of Agriculture; and

WHEREAS, Title II provides for special projects on federal lands or that benefit resources on federal lands, which projects are recommended by local resource advisory committees (“RACs”); and

WHEREAS, RACs recommend projects for consideration by the Secretary of Agriculture, with project funding supplied in whole or in part out of monies allocated for such purposes by participating counties; and

WHEREAS, counties that allocate funding to projects under Title II, and are participants in more than one RAC, may further direct that their Title II project funds be divided between different RACs according to an allocation decided by each participating county, with such funds held in the Treasury of the United States under the name of the county with a designation of the amount allocated to each RAC; and

WHEREAS, Title III provides for county projects, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue and emergency services, fire prevention and planning under the Firewise Communities program, and development of community wildfire protection plans; and

WHEREAS, a county with a full county payment amount of \$350,000 or more may not allocate more than 7 percent of its full county payment amount for Title III projects.

NOW, THEREFORE, be it resolved as follows:

1. Deschutes County has previously agreed to receive the guaranteed minimum full county payment amount.
2. Deschutes County hereby allocates 15 percent of its full county payment amount for expenditure on projects under Title II and Title III. Deschutes County will return none (zero percent) of its full county payment amount to the Treasury of the United States.

- 3. Of the percent allocated to Title II and Title III projects above in paragraph 2, Deschutes County further allocates between such Titles for FFY 2022 on the following basis: 8 percent of the full county payment amount for expenditure on Title II projects, and 7 percent of the full county payment amount for expenditure on Title III projects.

- 4. Of the amount of project funds allocated to Title II projects, Deschutes County further allocates between RACs as follows:

100 percent to the Deschutes / Ochoco RAC.

- 5. Allocations noted shall remain the allocations of Deschutes County for future SRS payment years authorized by PL 117-58.

ADOPTED this ___ day of _____, 2022

DESCHUTES COUNTY BOARD OF COMMISSIONERS

Patti Adair, Chair

Anthony DeBone, Vice Chair

Phil Chang, Commissioner



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: Wednesday, September 7, 2022

SUBJECT: ARPA Grant Status Update: ReVillage Childcare Expansion

RECOMMENDED MOTION:

Informational item

BACKGROUND AND POLICY IMPLICATIONS:

In FY21, Deschutes County was awarded ~\$38.4 million in American Rescue Plan Act (ARPA) funds through the Federal Government. On October 20, 2021, the Board of Commissioners approved a \$350,000 grant award to ReVillage for Childcare Expansion. During the July 20, 2022 Board meeting, Commissioners requested an update on childcare projects that received ARPA funding. This is the first in the series of childcare project updates.

During the September 7 Board meeting, Rev. Erika Spaet will provide the Board with an update on progress made on the ReVillage childcare expansion project. The written update is attached to this memo.

BUDGET IMPACTS:

None.

ATTENDANCE:

Rev. Erika Spaet, ReVillage

Becca Ellis, ReVillage

Laura Skundrick, Management Analyst

Dan Emerson, Budget Manager

reVILLAGE

Community Co-op Childcare Center

August 23, 2022

To: Deschutes County Board of Commissioners
Re: ReVillage Expansion Status Update

To our Board of County Commissioners:

Greetings! We are excited to share with you an update on our expansion progress after having been approved for American Rescue Plan Act funds in late 2021.

From January through May 2022, the ReVillage board of directors undertook a planning and visioning process to establish next steps toward our goal: establishing four new ReVillage co-op childcare centers in Central Oregon. We were accompanied in this process by a business coach as well as development consultants, in partnership with Central Oregon Intergovernmental Council.

The first priority to come out of that process was to shore up the sustainability of our first co-op site in terms of staffing, capital and environmental improvements, and operations. We went through an intentional hiring process to bring in a gifted young leader who now directs our first co-op center at First Presbyterian Church and will lead our second center as well. She has brought needed wisdom to completing the start-up process for this first site so that its operations are replicable— an essential aspect to our expansion.

Our second priority has been to apply and be approved for Preschool Promise, a statewide program that contracts with high-quality providers to offer free full-time child care to families who qualify. The process was intensive but absolutely worth our time and resources.

Our third priority has been to build relationships with Bend Church United Methodist at 680 NW Bond St. in downtown Bend to move toward the use of their three empty upstairs classrooms. This process has included large capital improvements and remodeling; working with City (Planning and Building) partners to get a change of use permit; contracting with a design professional; negotiating terms with church partners; and planning a strategy for enrollment. At this juncture, we are thrilled to say we plan to open on October 15, 2022, with 20 high-quality, full-time childcare slots for children ages 3-5. Ten of these will be exclusively reserved for Preschool Promise students; the other ten will be reserved for private-pay families. Their rates will remain relatively low, as is our model. (Currently, ReVillage private-pay families are charged \$350 per month for full-time care, in addition to the hours they commit to participate in the co-op.)

With this new site opening, we will now be able to enroll younger children at our first site, ages 18-35 months, ensuring we are serving a needed demographic in Central Oregon. When the Bend Church site opens, we will have doubled ReVillage's enrollment.

Our fourth priority has been shoring up our staffing plans and our hiring protocols. As every single childcare provider in Central Oregon knows, staffing is the largest barrier to providing quality care. Because of this challenge, we were invited to participate in Neighbor Impact's Fast-Track teacher training program—also an ARPA recipient—and have recently welcomed our first teacher trainee onto our team. This requires more intentional supervision and training, but we are proud to have set aside some of our capacity and funding to invest in this process for the sake of our long-term sustainability.

This fall, we are expanding our capacity by strategically building our board; revising our policy documents so that they appropriately match our mission and vision; and having strategic meetings with new partners in Sisters and Sunriver. We plan to plant our next co-op sites in these two locations over the next two years.

Thank you for your trust and vision.

Respectfully submitted,

Rev. Erika Spaet, ReVillage Board Co-Chair, thatpastorerika@gmail.com, 541-566-6064
Rebecca Ellis, ReVillage Board Co-Chair, bellis@bendfp.org, 425-647-9137



**BOARD OF
COMMISSIONERS**

AGENDA REQUEST & STAFF REPORT

MEETING DATE: Wednesday, September 7, 2022

SUBJECT: Senate Bill (SB) 762 – Wildfire Adapted Communities Recommendations Report

BACKGROUND AND POLICY IMPLICATIONS:

Staff will provide background and updates to the Board regarding Senate Bill (SB) 762 and the Department of Land Conservation and Development's (DLCD) recommendations for changes to state and local land use planning programs to reduce risk from wildfire in Oregon communities. DLCD compiled these recommendations in a draft report along with background on recent wildfire impacts, an overview of SB 762, the responsibilities of DLCD and other agencies, and a summary of feedback received from a community and stakeholder engagement process.

BUDGET IMPACTS:

None

ATTENDANCE:

*Kyle Collins, Associate Planner
Will Groves, Planning Manager*



COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Kyle Collins, Associate Planner
Will Groves, Planning Manager

DATE: August 30, 2022

SUBJECT: Senate Bill (SB) 762 – Wildfire Adapted Communities Recommendations Report

In response to Senate Bill (SB) 762, the Department of Land Conservation and Development (DLCD) has undertaken a series of public outreach initiatives and prepared recommendations for changes to state and local land use planning programs to reduce risk from wildfire in Oregon communities. DLCD compiled these recommendations in a draft report along with background on recent wildfire impacts, an overview of SB 762, the responsibilities of DLCD and other agencies, and a summary of feedback received from a community and stakeholder engagement process¹.

This draft report was made available to the public on August 19, 2022 to solicit feedback from interested parties before a final version is presented to the Oregon Legislature and the state Wildfire Programs Advisory Council (WPAC). Written feedback and recommendations can be provided using DLCD's online comment form² through **September 16, 2022 at 11:59 p.m.**

I. BACKGROUND

SB 762 directed 11 state agencies to coordinate efforts to reduce wildfire risks and impacts to Oregonians and the built and natural environment. As one of the state agencies tasked by SB 762, DLCD was directed to prepare recommendations for consideration by the Oregon Legislature and the state WPAC. DLCD's objectives through this process are broadly summarized as follows:

- Identifying recommended changes to the statewide land use planning program and local comprehensive plans and zoning codes that are needed to incorporate wildfire risk maps and minimize wildfire risk, including appropriate levels of state and local resources necessary for effective implementation.

¹ https://www.oregon.gov/lcd/NH/Documents/20220819_DLCD-Wildfire-Draft-Recommendations-Report-Public-Review.pdf

² <https://www.oregon.gov/lcd/NH/Pages/WAC-Public-Comment-Form.aspx>

- Recommended changes may include, but need not be limited to, provisions regarding sufficient defensible space, building codes, safe evacuation, and development considerations in areas of extreme and high wildfire risk, allowing for regional differences.

DLCD's recommendations were crafted based on feedback from professionals working in fire protection and other states agencies such as the Oregon Department of Forestry (ODF). Additionally, starting in April 2022, DLCD staff reached out to community members and stakeholders from across Oregon in an engagement and consultation process. DLCD's engagement process included virtual community listening sessions, an online open house and survey, five meetings with a Wildfire Adapted Communities Stakeholder Group, one-on-one interviews with additional stakeholders, direct outreach to community based organizations, and several meetings with representatives from two federally recognized Tribes.

Deschutes County was represented by Community Development Department staff as part of the Wildfire Adapted Communities Stakeholder Group. All Wildfire Adapted Communities Stakeholder Group meetings were livestreamed to the public and recordings of these meetings can be viewed on the DLCD wildfire project website³. The DLCD community survey will remain open through September 12, 2022 for any parties wishing to participate⁴.

Final DLCD recommendations are due to the WPAC and Oregon Legislature by **October 1, 2022**.

II. RECOMMENDATION DEVELOPMENT

Oregon's comprehensive land use planning program provides a policy framework that supports local implementation of strategies that reduce the risks to people and property. Specifically, Statewide Land Use Planning Goal 7: Areas Subject to Natural Hazards, is the predominant foundation to this framework. Goal 7 requires cities and counties to include planning for natural hazards in their adopted comprehensive land use plans.

Based on the state-wide planning framework, DLCD developed seven principles to guide all recommendations included in the report. Those principles are as follows:

1. Protect human life from the growing risks of wildfires.
2. Increase the ability of Oregon communities to withstand and recover from wildfires.
3. Focus on achieving equitable outcomes and increasing community capacity, with greater attention given to historically and currently underserved and under-resourced communities.
4. Protect and increase the resilience of important infrastructure and community assets, particularly those that are critical to survival and recovery.
5. Protect the natural environment on which we all depend and the places where people live, work, and gather.
6. Work with communities to identify regional and local differences for consideration within the context of Statewide Land Use Planning Goals to mitigate wildfire risk.
7. Consider local capacity and state support in the implementation of wildfire mitigation measures.

³ <https://www.oregon.gov/lcd/NH/Pages/Wildfire-Adapted-Communities.aspx>

⁴ <https://www.surveymonkey.com/r/Wildfireadaptedoregon>

DLCD has attempted to produce recommendations that both align with the guiding principles and have the highest potential for reducing wildfire risk. The recommendations fall broadly into the following categories:

- Community Information and Engagement
- Safe Evacuation and Firefighting Response
- Wildfire Risk Mitigation Requirements for Areas of New Development
- Recovery Planning
- Areas Subject to Natural Hazards

Within each of these categories, DLCD has generally provided two possible options:

1. A regulatory approach based on formal rulemaking.
2. A voluntary compliance approach based on local implementation efforts.

DLCD acknowledges the controversy and challenges inherent in wildfire mitigation programs and states any regulatory approach would need to be based on significant public outreach and community engagement following specific policy direction from the Legislature. All recommendations also include specific strategies that DLCD believes would be necessary or helpful to achieve the stated outcomes.

Staff notes that many of these recommendations are general in nature and typically do not contain specific standards that may be implemented at a local level. Additional details on specific standards or regulations would likely be developed at a later stage through community engagement and rulemaking through the Land Conservation and Development Commission (LCDC). At this point, DLCD has not advocated for any specific policy or approach, but has suggested additional feedback and community conversations are crucial before policy decisions are made. However, DLCD does highlight that any approach based on voluntary compliance would likely limit the overall effectiveness as some jurisdictions may not chose to participate.

III. DLCD DRAFT RECOMMENDATIONS

Staff has organized DLCD's draft recommendations in the table below. Each recommendation includes staff's broad assessment of possible impacts within Deschutes County should a particular recommendation be followed by the Legislature and state WPAC. The Board should be aware that specific effects on County residents cannot be substantially predicted at this time as no formal directives have been produced by DLCD or other agencies.

Table 1: DLCDC Wildfire Adapted Communities Recommendations

Recommendation	Possible County Impacts & Specific Strategies (*May be Regulatory or Voluntary)
<p>1. Cities and counties assess and improve transportation networks for safe evacuation and firefighting response</p>	<p>High: LCDC would undertake rulemaking that directs cities and counties to assess existing transportation networks and amend, as needed, plans, policies, and programs to accomplish the following:</p> <ul style="list-style-type: none"> • Analyze identified and potential evacuation routes and temporary safe zones for existing conditions, needed improvements, and ongoing maintenance. • Identify areas of the community with limited road access for evacuation and emergency response and identify potential alternative routes. • Develop strategies to provide, where possible, secondary access during an emergency for existing development that was developed with a single access. • Identify locations where buses may be needed to evacuate those without private vehicle access, in consultation with transit agencies and school districts. • Provide visible, durable signage for evacuation zones and temporary safe zones. • Identify potential funding sources for improvements, maintenance, developing secondary access routes, and for addressing needs of people without private vehicles.
<p>2. Cities and counties review and amend local land use codes for new development to ensure safe evacuation and efficient access for firefighting response</p>	<p>High: LCDC would undertake rulemaking that directs cities and counties to review and amend their comprehensive plans and zoning and land division codes to accomplish the following:</p> <ul style="list-style-type: none"> • Prioritize street connectivity, or a grid system, for streets and roadways for new neighborhood, subdivision, manufactured and mobile home parks, destination resort development, and commercial centers, where practicable, to provide multiple evacuation route options. • Review existing requirements to ensure consistency of site access and driveway standards for new development, such as minimum road width, hydrant placement, maximum grade, and turnarounds, with the 2019 Oregon Fire Code: <ul style="list-style-type: none"> ○ Cities and counties use a variety of approaches to address these standards in land use codes, providing flexibility in some cases and enforcement concerns in others. ○ A new single-family dwelling or structure would not be required to have more than one access or driveway. • For temporary uses such as special events or outdoor mass gatherings, review and update, as needed, fire protection and ingress and egress standards in consultation with fire protection districts or the State Fire Marshal. • Establish a waiver process where geography, property configuration, lack of legal access, and other factors may prevent certain locations from complying.

Recommendation	Possible County Impacts & Specific Strategies (*May be Regulatory or Voluntary)
<p>3. Cities and counties review and amend comprehensive plan policies and implement land use codes to incorporate wildfire risk mitigation requirements for new development</p>	<p>High: LCDC would undertake rulemaking that directs cities and counties to review and amend their comprehensive plans, capital improvement plans, public facility plans, and zoning and land division codes, as appropriate, to address new areas of development in the following ways:</p> <ul style="list-style-type: none"> • Site and Design Standards: <ul style="list-style-type: none"> ○ Design and Approval Standards. Site design and land division approval standards that require clustering of structures in areas of lowest risk, structure spacing standards, density modification, and other types of flexibility for new subdivisions, Planned Unit Developments, manufactured home parks, and commercial development of certain size or scale, such as shopping centers, campuses, destination resorts, and large hotels. ○ Fire Breaks and Buffers. Requirements for landscape-scale community protection fire breaks and buffers on the perimeter of a development using open space, natural, and built features, where practicable, for subdivision, planned unit development, manufactured home park developments, and commercial development of certain size or scale. This is in addition to any defensible space requirements on individual lots. ○ Setbacks and Siting. Setback and home siting standards in forested areas that account for slope steepness, buffers between structures to reduce ignition risk, and setbacks from adjacent forest lands. This is an existing requirement for home siting in forest zones and would also apply to new homes in other zones in areas of greatest wildfire risk. ○ Defensible Space. Review and update defensible space standards or references to standards included in land use codes, if applicable, to ensure alignment with the statewide minimum defensible space code being developed by the Oregon Office of State Fire Marshall or locally adopted defensible space standards selected from the framework set forth in the International Wildland-Urban Interface Code as allowed under SB 762. • Public Facilities: <ul style="list-style-type: none"> ○ Parks and Open Space. Review and amend open space and parks master plans to incorporate policies that address fire breaks, fire mitigation, and long-term maintenance to reduce risk in parks, open spaces, and trail areas. ○ Provision of Services. At the community planning level, when considering areas for new development, evaluate and plan for the provision of water supply capacity at sufficient pressure and additional provision of fire services needed to protect people and property from wildfires. Consider and address wildfire risk when planning, developing, improving, or replacing public facilities and services. For example, evaluate opportunities to increase the resilience of water, wastewater, and other critical infrastructure, and locate future water, sewer, transportation, and communication facilities outside of areas of greatest wildfire risk whenever possible, especially infrastructure important to recovery.

Recommendation	Possible County Impacts & Specific Strategies (*May be Regulatory or Voluntary)
	<ul style="list-style-type: none"> • Types of Uses: <ul style="list-style-type: none"> ○ Limit siting of facilities with concentrated, vulnerable populations, such as schools, hospitals, assisted living facilities, clean air shelters, and prisons, and critical facilities, infrastructure, and community lifelines. Where limiting such facilities is not practical, require additional fire risk mitigation and evacuation measures. ○ Limit or prohibit new facilities that use or store hazardous combustible materials. Where limiting or prohibiting such facilities is not practical, require adequate fire risk mitigation measures consistent with state and federal requirements. • Density. In areas where increased residential densities or more intensive uses are allowed, consider requiring additional wildfire mitigation. • Waivers. Establish a waiver process, including requirements for additional wildfire mitigation requirements to reduce risk, where geography, property configuration, legal access and other factors may prevent certain locations from complying. A waiver process for cities and counties from state regulation could also be developed in rulemaking.
<p>4. DLCD provides support to cities and counties for post-disaster recovery in local communities through recovery planning services</p>	<p>Medium: DLCD would develop a programmatic approach to support cities and counties after wildfire or other disasters. Funding would directly support the delivery of professional services post-disaster by planning consultants and would provide DLCD capacity to assist with pre-disaster recovery planning.</p>
<p>5. DLCD provides support to cities, counties, special districts, and Tribes to increase the effectiveness of natural hazards planning through coordination of Community Wildfire Protection Plan and Natural Hazard Mitigation Plan processes and adoption of policies and actions into comprehensive plans and codes</p>	<p>Medium: DLCD would provide additional natural hazard mitigation planning technical assistance to cities, counties, Tribes, and special districts to accomplish the following:</p> <ul style="list-style-type: none"> • Streamlined community wildfire protection and natural hazards mitigation planning processes that could save financial and staff (local, state, university) resources. • Ensuring that wildfire and natural hazard mitigation action items related to land use are implemented through actionable Comprehensive Plan policies and implementing codes. • Better coordination between planning efforts and development of codes and policies. <ul style="list-style-type: none"> ○ For example, model comprehensive plan polices, code, and guidance regarding process could also address overlapping hazards and risk reduction opportunities, such as floodplains and post fire debris flows.

Recommendation	Possible County Impacts & Specific Strategies (*May be Regulatory or Voluntary)
6. Cities and counties prioritize robust and inclusive community information and engagement in planning efforts to create wildfire adapted communities	<p>Low: LCDC would undertake rulemaking to develop comprehensive community engagement strategies for cities and counties to use as they plan processes for wildfire preparedness, evacuation, adaptation, mitigation, and recovery planning.</p>

IV. PENDING ISSUES

As relayed to the Board in previous work sessions, SB 762 required Oregon State University (OSU), the Oregon Department of Forestry (ODF), and the Oregon State Fire Marshal to develop and maintain a comprehensive Statewide Map of Wildfire Risk that includes wildland-urban interface (WUI) boundaries and fire risk classifications. This risk map will ultimately guide new wildfire regulations for residential development statewide. The final risk map was initially made available to the public on June 30, 2022.

However, based on significant concern from citizens and interest groups through the state, ODF withdrew the initial risk maps to provide more time for additional public outreach and refinement of risk classification methodologies. It is unclear at this time when a new Statewide Map of Wildfire Risk will be finalized and released by ODF. As noted by DLCD within the draft report, DLCD’s recommendations do not currently address incorporating risk maps, as the agency is awaiting future iterations of the Statewide Map of Wildfire Risk before making those recommendations. The classification of individual properties within the risk map is likely to have significant impacts on where and how any land use recommendations associated with wildfire risk mitigation might be implemented if these proposals are pursued by the Oregon Legislature and the state WPAC.

V. BOARD CONSIDERATIONS & TIMING

As stated above, DLCD has requested feedback on these draft recommendations from any interested members of the public. Staff is presenting these items to the Board to provide Commissioners an opportunity to provide specific responses and direction from Deschutes County. Commissioners are welcome to submit individual responses in addition to any organizational perspectives shared through this process. As stated previously, all written comments must be submitted to DLCD by **September 16, 2022 at 11:59 p.m.**



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: September 7, 2022

SUBJECT: Consideration of Approval for Road Department Submittal of Safe Streets For All (SS4A) Grant Application for the US20: Fryrear Road Project

RECOMMENDED MOTION:

Move approval of Road Department submittal of SS4A grant application.

BACKGROUND AND POLICY IMPLICATIONS:

The Safe Streets for All (SS4A) program is a federal funding opportunity established with the Bipartisan Infrastructure Law (BIL) that provides funding for communities to prepare Transportation Safety Action Plans (TSAP) and to implement safety projects identified in their existing TSAPs. Deschutes County Road Department prepared the Deschutes County TSAP in 2019. Of the top sites identified for safety improvements in the Deschutes County TSAP in 2019, the intersection of US20 and Fryrear is the highest-ranked site on the County road system where a safety improvement project has not yet been constructed or initiated.

At the September 7, 2022 Board meeting, Road Department staff will give a presentation of the SS4A program and the proposed US20: Fryrear Road project. Road Department staff are seeking Board approval to submit the grant application, which is still being prepared. Applications are due on Thursday, September 15, 2022.

BUDGET IMPACTS:

The total estimated project cost is \$6,177,157. If the grant application were successful, the SS4A grant would provide \$4,941,725 (80%) of the total project cost. The County project share would be \$1,235,432 (20%), which would be budgeted in the Road CIP budget for Fiscal Years 2024 and 2025.

ATTENDANCE:

Chris Doty, Road Department Director; Cody Smith, County Engineer/Assistant Director



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: September 7, 2022

SUBJECT: Consideration of Board Approval to Apply for VAWA Grant Funding

RECOMMENDED MOTION:

Move approval to apply for VAWA grant funding.

BACKGROUND AND POLICY IMPLICATIONS:

Violence Against Women Act provides funding opportunities to jurisdictions to assist in strengthening the criminal justice system's response to domestic violence and sexual assault.

BUDGET IMPACTS:

Grant funding would provide 1 limited duration Victim Advocate in the Victims Assistance budget. Grant requires a 25% match. The Roundhouse foundation has expressed interest in providing that 25% match, in which case there would be no fiscal impact to the county. If the Roundhouse Foundation is unable to provide match, approximately \$25,000 would be needed each fiscal year, for 4 years to support the project.

ATTENDANCE:

Ashley Beatty, Victims Assistance Program Manager

Grant Application Request

September 1, 2022

Name of Grant: Violence Against Women Grant

Deschutes County Contact: Ashley Beatty

Funding Agency: Federal funds passed-through Department of Justice

Grant Amount: \$400,000

Match: 25% Match is required. The Roundhouse Foundation has expressed interested in providing the match for this grant. If they do not provide the match, General Funds will be needed at \$ 25,000 over 4 fiscal years.

Grant Duration: January 1, 2023- December 31, 2025

Grant Application Deadline: September 12, 2022

Description: The grant will fund one Victim Advocate that will be co-located with law enforcement in order to provide timely notice of victim rights and safety planning services. The grant will also provide funds to Saving Grace to complete a best practice review of our sexual assault response. The grant will also provide some training dollars in an effort to further the training and education of our partners in their response to violence against women.

Grant would fund 1 Limited Duration Victim Advocate FTE. Rough Proposed budget attached.

VAWA Competitive Grant Budget

	FY23	FY24	FY25	FY26	TOTAL
Pay	\$32,463	\$68,685	\$73,008	\$38,091	\$212,247
Benefits	\$19,626	\$41,485	\$43,751	\$23,888	\$128,750
Saving Grace Contract	\$5,000	\$5,000	\$5,000	-	\$15,000
Materials and Services	\$4,500	\$750	\$750	\$750	\$6,750
Training	\$8,000	\$10,000	\$10,000	\$8,000	\$36,000
TOTAL	\$69,589	\$125,920	\$132,509	\$70,729	\$398,747

OREGON DEPARTMENT OF JUSTICE

CRIME VICTIM AND SURVIVOR SERVICES DIVISION

2023 - 2025 VIOLENCE AGAINST WOMEN ACT FORMULA GRANT PROGRAM (VAWA) COMPETITIVE REQUEST FOR APPLICATIONS

APPLICATION INSTRUCTIONS



Attorney General Ellen F.
Rosenblum Oregon Department of
Justice 1162 Court Street NE
Salem, OR 97301-4096

RFA RELEASE DATE: July 28, 2022

ONLINE APPLICATION DUE DATE: September 12, 2022 BY 11:59 PM PST

AWARD PERIOD: JANUARY 1, 2023 – DECEMBER 31, 2025

GRANT OPPORTUNITY SUMMARY

**2023-2025 VIOLENCE AGAINST WOMEN ACT FORMULA GRANT PROGRAM (VAWA)
OREGON DEPARTMENT OF JUSTICE, CRIME VICTIM AND SURVIVOR SERVICES
DIVISION**

GENERAL INFORMATION

Opportunity Type: Competitive CFDA Number: 16.588

Release Date: July 28, 2022

Estimated Total Program Funding: **\$ 3,641,468**

RFA Deadline: All applications are due by 11:59 p.m. PDT on September 12, 2022

Anticipated Number of Awards:

Competitive: Approximately 4 for each of the Law Enforcement and Prosecution allocation categories. *Non-Competitive:* One for the Court allocation category; and two statewide training projects. Applications for smaller projects are also considered/encouraged.

Matching Requirement:

A 25% cash or in-kind match of the total cost of the project is required for all government-based organizations, except for the funds used by Tribal Nations or non-profit, non-governmental victim services programs applying for the benefit of law enforcement or prosecution.

E-Grants Registration Date/Initiation Closing Date: August 31, 2022

More information regarding the CVSSD E-Grants system registration process is available at: <https://www.doj.state.or.us/crime-victims/for-grantees/CVSSD-e-grants-information/>. New applicants must register in CVSSD E-Grants in order to apply for this competitive funding opportunity. If you are a new applicant and do not currently receive CVSSD grant funds and need assistance with this process please contact Diana Fleming at 503.378.6260 or Diana.L.Fleming@doj.state.or.us.

Submission Closing Date: September 12, 2022

Award Period: January 1, 2023 – December 31, 2025

ELIGIBLE APPLICANTS

All projects must have an organization or subgrantee that will serve as the fiduciary agent and assume overall responsibility for the grant. Eligible subgrantees include:

- state, local and tribal law enforcement;
- state, local and tribal prosecution; and
- Non-Profit, Non-Governmental Victim Service Programs (including faith based or other community programs), government-based or Tribal Victim Service Programs that are applying for the benefit of law enforcement or prosecution (as defined in the VAWA Reauthorization Act or that statutorily qualify as eligible applicants under the STOP VAWA Program).

For Court Funds Only (Non-Competitive):

- State Courts (Oregon Judicial Department)

FUNDS AVAILABLE:

A total of \$3,641,648 is available to support new or continuation grants based on the federal allocation categories that support law enforcement, prosecution and courts only. New and continuation projects compete equally for funding.

These grant program funds are allocated according to the Violence Against Women Act (VAWA) 2013 Reauthorization mandates along with annual VAWA general provisions and grant conditions in subsequent award years through 2022.

Congress reauthorized the Violence Against Women Act (VAWA) and it was signed into law in March 2022. Due to the passage of the VAWA Act of 2022, we reserve the right to change the scope and terms of awards for Federal Fiscal Years 2023 and subsequent years to conform to the terms of the Act.

The Oregon Department of Justice, Crime Victim and Survivor Services Division (CVSSD) applies for the STOP VAWA Formula Grant funds each year and is notified of the state award by September of the same year. Applicants will be subject to additional Special Conditions as directed by the Office on Violence Against Women (OVW). **Any changes as a result of the VAWA Reauthorization Act of 2022 will be implemented in 2023.** All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

CONTACT INFORMATION

For assistance with the requirements of this Application, contact Diana Fleming at Diana.L.Fleming@doj.state.or.us or at (503) 378-6260.

For technical assistance with E-Grants, contact Cecilia Lucero at Cecilia.v.lucero@doj.state.or.us or Mackenzie Gray at Mackenzie.E.Gray@doj.state.or.us

It is anticipated that all applicants will be notified of the outcome of their application by October 28, 2022.

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Appendix A Sample Letter of Consultation with Victim Service Programs

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Appendix C Certificate of Non-Supplanting

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Appendix E Sample Memorandum of Understanding Guideline and Form

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Appendix G Training Project Detail Form for LE and Prosecution

Appendix G Training Project Detail Form for Court (OJD only)

Appendix H FY 2022 2025 VAWA IP Goals and Objectives for Grant Funded Projects

Appendix I..... Project Description Questions in CVSSD E-grants for RFA

EXHIBITS

Exhibit A 2017 Federal Priorities and Strategies

Exhibit B 2022 – 2025 VAWA State Funding Priorities and Objectives

Exhibit C Examples of Project Goals and Objectives

SECTION I: GRANT APPLICATION BACKGROUND

A. RESOURCES FOR REQUEST FOR APPLICATIONS (RFA)

This Request for Applications (RFA) is being released by the Oregon Department of Justice (DOJ), Crime Victims’ Services Division (CVSSD), hereafter referred to as CVSSD.

The RFA provides the guidance to complete this application and is downloadable in PDF format from the CVSSD E-Grants system at: www.CVSSDegrants.com and also from the CVSSD website at: www.doj.state.or.us/crime-victims. Scroll over to Grants Funds → [VAWA](#).

The CVSSD E-Grant Application Instructions provides guidance for each Form to be completed. The instructions can be found in the top section of “View, Edit and Complete Forms” in the E-Grants VAWA Competitive Project Grant Application.

The CVSSD E-Grant Applicant User Guide can answer many questions about navigating the system. A *draft* version of the new E-Grants User Guide can be found at: https://justice.oregon.gov/crime-victims/pdf/draft_egrants_manual.pdf

VAWA Guidelines for Funding. The [Violence Against Women \(VAWA\) Subaward Handbook for VAWA Subrecipients](#), cited throughout these instructions as a reference, is available on the CVSSD website. Federal guidance, per 2016 VAWA general provisions and grant conditions are included in the [federal register](#), the [OVW website](#), and in the VAWA Grant Management Handbook. CVSSD anticipates additional guidance from OVW will be released with the 2023 special conditions along with Reauthorization mandates. VAWA 2013 mandates are included in this RFA under Section II.B.2. and II.D.

An electronic copy of the “[2022 OJP Financial Grants Management Guide](#)” and the [OVW Frequently Asked Questions for the STOP Program](#) are also provided as a reference.

B. CONTACT INFORMATION FOR CVSSD STAFF

For more information or to address questions specific to the application or application process:

Primary Contact	Phone	E-mail
Diana Fleming	(503) 378-6260 or work cell (503) 884-5548	Diana.L.Fleming@doj.state.or.us

C. VAWA IMPLEMENTATION PLANNING SUBCOMMITTEE

<p>*BB Beltran Executive Director Attorney General’s Sexual Assault Task Force</p>	<p>*Vanessa Timmons Executive Director Oregon Coalition Against Domestic & Sexual Violence</p>
<p>*Steve Bellshaw Citizen Representative, Former Deputy Chief, Salem Police Department</p>	<p>Desireé Coyote Family Violence Services Program Manager Confederated Tribe of Umatilla Indian Reservation</p>
<p>Michael Reese Sheriff Multnomah County Sheriff’s Office</p>	<p>Daniel Primus District Attorney Umatilla County DA’s Office</p>
<p>*Amy Benedum, J.D. VAWA Staff Oregon Judicial Department</p>	<p>*Sybil Hebb, Director of Legislative Advocacy and *Debra Dority, State Support Unit Attorney Oregon Law Center</p>
<p>*Laurie Stewart DHS/OHA</p>	<p>Sarah Sabri Domestic Violence Resource Prosecutor DOJ, Criminal Division</p>
<p>Merle Weiner Phillip H. Knight Professor University of Oregon School of Law</p>	<p>Marjorie Doran VOCA Fund Coordinator DOJ, Crime Victims’ Services Division</p>
<p>*Kimberly Lane CARES Program Confederated Tribe of Siletz Indians</p>	<p>Tawna Sanchez Director of Family Services Native American Youth & Family Center</p>
<p>Jenny Woodson Domestic & Sexual Violence Coordinator DHS</p>	

VAWA Implementation Planning (IP) Subcommittee include members with expertise from law enforcement, prosecution, courts and victim service programs (community, government-based and tribal). Members marked with an asterisk are also CVSSD Advisory Committee members. CVSSD and the IP Subcommittee encourage and invite other agencies and individuals to participate in IP meetings and teleconferences to learn from a diverse array of communities that may be affected by violence. CVSSD will reach out to population and culturally specific organizations and federally recognized tribes for each planning and decision-making meeting to address state funding priorities and goals as outlined in the IP.

VAWA IMPLEMENTATION PLANNING SUBCOMMITTEE MEETING ATTENDEES

<p>Allison Cleveland Executive Director Oregon Anti-Violence Project</p>	<p>Paula Pinder, Social Services Director Iliana Montiel, Interim Director of Health & Human Services Program Coordinator, Vacant Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians</p>
<p>Nancy Seyler, VOCS Director Confederated Tribes of Warm Springs Reservation</p>	<p>Danielle Murrell, DV Program Coordinator Confederated Tribes of Grand Ronde</p>
<p>Teresa Cowing, DVSA Program Manager Burns Paiute Tribe</p>	<p>Aryel Harrington, Social Services Director Kelli Campagna, Healing Winds Program Coordinator Klamath Tribes</p>
<p>Lisa Mielke, Asst. Health & Human Services Director Coquille Tribe</p>	<p>Michele Moore, Human Services Director Ally Van Norman, SS Programs Coordinator Julie Zuvey, Program Manager Cow Creek Band of Indians</p>

D. VAWA COMPETITIVE RFA TELECONFERENCE SCHEDULE

Applicants will have the opportunity to participate in one of the following informational teleconferences. Refer to the table below for the dates, times and call-in information

TELECONFERENCE	
Tuesday, August 9, 2022	10:00 a.m. – 12:00 p.m.
<p>Web Access (to view documents) Meeting ID: https://oregondoj.webex.com/oregondoj/j.php?MTID=m69fc2ec3e982eef72658dd09c15f390e</p> <p>Join by phone +1-503-388-9555 United States Toll (Portland) +1-415-655-0002 US Toll <u>Global call-in numbers</u></p> <p>Join by meeting number Meeting number (access code): 2460 714 8597 Meeting password: pxMPWJfU422</p>	
Wednesday, August 10, 2022	1:00 p.m. – 3:00 p.m.
<p>Web Access (to view documents) Meeting ID: https://oregondoj.webex.com/oregondoj/j.php?MTID=m0cec9ba8b9ae619248768df76c10a9e8</p> <p>Join by phone +1-503-388-9555 United States Toll (Portland) +1-415-655-0002 US Toll <u>Global call-in numbers</u></p> <p>Join by meeting number Meeting number (access code): 2460 714 8597 Meeting password: pxMPWJfU422</p>	

Applicants are strongly encouraged to attend one teleconference. No registration is necessary.

The purpose of these teleconferences is to provide potential applicants with pertinent information and answer questions. Additional requests for clarification must be submitted to CVSSD by Friday, August 12, 2022 at 11:59 pm., after which the clarification period is closed.

E. REQUEST FOR APPLICATION AMENDMENTS

CVSSD may amend this 2023 - 2025 VAWA Competitive RFA by posting amendments on the CVSSD E-Grants Forms Menu page, immediately below this Request for Applications. Amendments will also be posted on the CVSSD [VAWA webpage](#):

Requests for clarification of a provision of this RFA may be submitted by e-mail or telephone to the Single Point of Contact listed in Section I.B. To be considered, requests must be received by the Clarification Inquiries due date (**Monday, August 15, 2022 by 11:59 p.m.**) listed in the Solicitation Schedule of this RFA. Requests for clarification received after the due date may or may not receive a response based on the sole discretion of CVSSD. The Single Point of Contact will respond to each properly submitted request for clarification.

CVSSD may also informally respond to applicants' questions with responses that do not affect the provisions of the 2023 – 2025 VAWA Competitive Request for Applications.

F. SOLICITATION SCHEDULE

TARGET DATE	ACTIVITY
Thursday, July 28, 2022	VAWA Competitive RFA released for law enforcement and prosecution allocation categories (Non-Competitive RFA for court allocation category)
August 9, Tuesday, 9 am – 11 am and August 10, Wednesday, 1 - 3pm	Informational teleconferences held for applicants seeking funding for VAWA allocation categories under law enforcement, prosecution and courts
Monday, August 15, 2022, 2022	VAWA RFA Clarification Inquiries DUE no later than 11:59 p.m.
Wednesday, August 17, 2022	Application Clarifications/Amendments Provided
Wednesday, August 31, 2022	CVSSD E-Grants Registration and Updated Information Completed. Application will be locked and no further applications can be initiated.
Monday, September 12, 2022	Application DUE through CVSSD E-Grants no later than 11:59 p.m.
September 12 – 16, 2022	Application Minimum Qualification Review by CVSSD Fund Coordinators
September 19 - October 10, 2022	VAWA Competitive Application Review Team Period
October 11, 2022	Competitive Reviewer Award Meeting and Recommendations for Law Enforcement
October 13, 2022	Competitive Reviewer Award Meeting and Recommendations for Prosecution
October 18, 2022	CVSSD Advisory Committee Review
October 19, 2022	CVSSD Award Recommendation to Attorney General (or designee)
October 28, 2022	Attorney General (or designee) approval of final award recommendations
October 28, 2022	Award notification and grant documents available in E-Grants (approximate date)
December 31, 2022	All completed award documents due at CVSSD (approximate date)
January 1, 2023	2020 - 2022 VAWA Competitive grant period begins

G. DEFINITIONS

Definitions of terms used in VAWA that apply to the STOP Program, as amended by VAWA 2013, may be referenced at [VAWA 2013 Universal Definitions and Grant Conditions](#). Additional changes to definitions in 2016 include clarifying the difference between primary and secondary prevention in the definition of terms and reduces repetition of statutory language.

The following definitions are important for applicants to consider when developing their proposals:

The term “**courts**” means any civil or criminal, tribal, and Alaska Native Village, Federal, State, local or territorial court having jurisdiction to address domestic violence, dating violence, sexual assault or stalking, including immigration, family, juvenile, and dependency courts, and the judicial officers serving in those courts, including judges, magistrate judges, commissioners, justices of the peace, or any other person with decision making authority.

The term “**community-based organization**” means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that focuses primarily on domestic violence, dating violence, sexual assault, or stalking; has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking; has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, sexual assault, or stalking; or obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration.

The term “**law enforcement**” means a public agency charged with policing functions, including any of its component bureaus (such as governmental victim services programs or Village Public Safety Officers), including those referred to in [section 2802 of Title 25](#).

The term “**Indian law enforcement**” means the departments or individuals under the direction of the Indian tribe that maintain public order.

The term “**prosecution**” means any public agency charged with direct responsibility for prosecuting criminal offenders, including such agency's component bureaus (such as governmental victim assistance programs).

The term “**victim service provider**” means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

The term “**victim advocate**” means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a victim services program.

The term “**victim assistant**” means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a court or a law enforcement or prosecution agency.

Definitions in VAWA 2013 for culturally specific services, population specific services and underserved populations ensure that VAWA funded services effectively reach victims from communities with unique needs and characteristics, and communities whose members face barriers to access traditional services.

The term “**culturally specific**” means primarily directed toward racial and ethnic minority groups (as defined in section 300u-6(g)).

The term “**culturally specific services**” means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.

The term “**population specific organization**” means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

The term “**population specific services**” means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designated primarily for and are targeted to a specific underserved population.

The term “**rural area and rural community**” means any area or community, respectively, no part of which is within an area designated as a standard metropolitan statistical area by the Office of Management and Budget; any area or community, respectively, that is within an area designated as a metropolitan statistical area or considered as part of a metropolitan statistical area; and located in a rural census tract; or any federally recognized Indian tribe.

The term “**underserved populations**” means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

SECTION II: APPLICATION OVERVIEW

A. INTRODUCTION

The Violence Against Women Act (VAWA) Formula Grant Program, created by the Violence Against Women and Department of Justice Reauthorization Act of 2013 (VAWA 2013), under federal statutory authority (42 U.S.C. § 14043g) from the United States Department of Justice, Office on Violence Against Women (OVW) encourages the development and implementation of effective law enforcement and prosecution strategies to combat violence crimes against women. The goal of the program is to encourage states and localities to restructure and strengthen the criminal justice systems response to be proactive in addressing violence against women, drawing on the experience of all the participants in the system, including the advocacy community.

Since 1994, Congress has reauthorized the VAWA Act four (4) times. The most recent, was signed into law in March 2022. Any changes as a result of the VAWA Reauthorization Act of 2022 will be implemented in 2023 as an amendment to Subgrant Award Special Conditions. For the purposes of this RFA, grant funds will be awarded under VAWA 2013. VAWA 2013 was signed into law in March 2013 with all changes implemented on July 1, 2014.

DOJ CVSSD is the State Administrative Agency (SAA) for the STOP Violence Against Women Act (VAWA) Formula Grant Program as authorized by ORS 147.231. CVSSD receives the federal grant award from the U.S. Department of Justice, Office of Justice Programs, Office on Violence Against Women (OVW).

The amount of competitive STOP Program funding available to applicants is based on statutory funding allocations determined by the U.S. Department of Justice, Office on Violence Against Women (OVW). CVSSD distributes the STOP VAWA funds as required by statute for law enforcement, prosecution, courts and victims’ services programs as follows:

Category	Annual STOP VAWA Formula Grant Award Allocation
Law Enforcement	25% competitive
Prosecution	25% competitive
Court	5% non-competitive
Victim Services	30% non-competitive
Discretionary	15% non-competitive for victim services and statewide training projects

All of the allocation categories mentioned above are disbursed based on the type of organization that benefits from the VAWA program and the type of services supported by the program; however, discretionary funding may be used for any of the categories at the discretion of CVSSD.

Under VAWA 2013, 20 percent of funds granted to the state must be allocated for programs or projects in two or more allocations that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner

relationship. The 20 percent is counted on the total amount granted to the state but is not a separate allocation. A portion of this requirement is met through the joint noncompetitive victim services grant with the competitive awards meeting the remaining state set aside.

Federal Allocation Requirements ***These are not additional funds.***	
Meaningful Sexual Assault Services	A total of 20% of the total state award must be taken from at least 2 of the categories (LE, Prosecution, Courts or VS).

A State funding priority currently allocates 20% across all allocation categories to meaningfully address sexual assault services. For the purposes of this RFA, CVSSD encourages the use of grant funds to support sexual assault services and will award up to five (5) bonus points for those projects that do (Refer to Section VI. Application Review and Award Decisions). To qualify for the bonus points, projects must have a sole focus on sexual assault and personnel funded under the projects must have sufficient expertise and experience in the field of sexual assault response.

Oregon STOP VAWA Implementation Plan

The CVSSD AC and the VAWA IP Subcommittee are responsible for the development of the STOP VAWA Implementation Plan for Oregon. This plan establishes the funding priorities for projects receiving federal STOP VAWA Formula Grant Program funds. A copy of the FY 2017 – 2020 STOP VAWA Implementation Plan for Oregon may be found at:

https://www.doj.state.or.us/wp-content/uploads/2017/11/fy_2017_2020_vawa_ip_fy_for_oregon.pdf and is applicable to federal fiscal years 2017 through 2021. The Implementation Plan is applicable to subsequent fiscal years until a new plan has been formally approved by OVW. The [FY 2022 – 2025 VAWA Implementation Plan for Oregon](#) is currently under review by OVW and will be considered a final version once approved.

For the purposes of this solicitation, OVW is reviewing Oregon’s funding priorities for FY 2022 - 2025 and are provided for the applicants’ use in Section II. B. 4 of the RFA or Exhibit B [FY 2022 2025 VAWA State Funding Priorities](#).

B. OVERVIEW OF THE VAWA FORMULA GRANT PROGRAM

1. VAWA GENERAL PROVISIONS AND GRANT CONDITIONS

2016 VAWA general provisions and grant conditions are included in the [federal register](#) and in the [VAWA Grant Management Handbook. A copy of the most recent VAWA Statement of Compliance for 2021 is provided as Appendix F under this RFA.](#)

2. VAWA REAUTHORIZATION ACT OF 2013

Federal mandates to consider when preparing proposed projects for this solicitation (per OVW FAQs):

Support Services to Children:

STOP funds should be used for projects that serve or focus on adult and youth (age 11-24) women and girls who are victims of domestic violence, dating violence, sexual assault, or stalking. In general, victims served with STOP funds must be adults or youth. Under a new purpose area created by VAWA 2005, however, STOP funds may also support “complementary new initiatives and emergency services for victims and their families.” For example, STOP funds may support services for secondary victims such as children who witness domestic violence.

Child Sex Abuse Victims:

STOP funds can serve sexual assault victims who are age 11 or older. VAWA defines sexual assault as “any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks the capacity to consent”. The target of the STOP Program is adult and youth victims. Youth is defined as “a person who is 11 to 24 years old” per VAWA 2013.

Support Services to Men:

Regardless of the purpose of the STOP sub award, STOP sub-recipients must provide services to a male victim in need who is similarly situated to female victims the sub-recipients ordinarily serves and who requests services. Under the anti-discrimination provision of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3789d(c)(1) and under a new nondiscrimination grant condition from VAWA 2013, grantees, including STOP sub-recipients, may not exclude any person from receiving grant-funded services on a number of prohibited grounds, including that person’s sex. The VAWA 2013 provision further provides that “If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual’s sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.”

Note: In VAWA 2013, Congress added two new purpose areas that specifically included men, which means that sub-recipients under those purpose areas may have projects that target male victims. [13] The specific purpose areas are purpose area 17 (focusing on programs addressing sexual assault against men, women, and youth in correctional and detention settings) and purpose area 19 (focusing on services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity).

Services to lesbian, gay, bisexual, or transgender (LGBT) victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking:

STOP funds can serve LGBT victims of domestic violence, dating violence, sexual assault, or stalking. Congress added a new purpose area for “developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249 (c) of title 18, United States Code. In addition, the new nondiscrimination grant condition indicates that subgrantees may not exclude any person from receiving grant-funded services on a number of prohibited grounds, including that person’s sexual orientation or gender identity.

Incarcerated Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking: There is now a specific purpose area for “developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional or detention settings.” The services provided, however, may only address the domestic violence, dating violence, sexual assault, or stalking victimization experienced by the incarcerated individual, including both such crimes experienced while incarcerated and crimes experienced at other points in their youth and adult lives. Funds should not be used to provide any other types of services, such as rehabilitative services related to the crime committed by the incarcerated individual. Finally, as is the case with the use of all STOP funds, states must use those funds to supplement state funds, and not to supplant state funds that would otherwise be available for the activities funded.

Note: Although STOP funds may be used to provide victim services as described above, other federal funds do have restrictions on serving incarcerated victims. The Oregon Department of Corrections (DOC), Oregon Youth Authority (OYA), CVSSD, Attorney General Sexual Assault Task Force (AGSATF), Oregon Coalition Against Domestic & Sexual Violence (OCADSV) developed a statewide plan that provided training in 2016 and 2017 for community-based advocates and state correctional staff that may provide advocacy to victims in a correctional setting.

Legal Services:

A full range of legal services, such as housing, family law, public benefits, and other similar matters can be provided. This includes divorce and child custody cases that are linked to the safety of the victim. Any sub-recipient providing legal assistance must certify that:

- 1) any person providing legal assistance with STOP funds has demonstrated expertise in providing legal assistance to victims of domestic violence dating violence, sexual assault, or stalking in the targeted population; or
- 2) is partnered with an entity or person that has such demonstrated expertise and has completed or will complete training in connection with domestic violence, dating violence, stalking, sexual assault, and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;
- 3) any person or organization providing legal assistance through the STOP program has informed and will continue to inform state, local, or tribal domestic violence, dating violence, or sexual assault programs and coalitions, as well as appropriate state and local law enforcement officials of their work; and
- 4) the sub-recipient’s organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, domestic violence, dating violence, or child sexual abuse is an issue.

Batterers’ intervention programs may be supported provided that the programs are part of a graduated range of sanctions that use the coercive power of the criminal justice system to hold abusers accountable

for their criminal actions and for changing their behavior. However, couples counseling or any intervention that requires participation by a victim or that is not designed to hold offenders accountable for their violent behavior cannot be supported with STOP dollars.

Violence Prevention Programs (i.e. media campaigns to educate the general public about violence against women)

This is not an allowable activity for applicants in this RFA.

In VAWA 2013, Congress added a new purpose area for “developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking[.]” However, no more than 5 percent of the state’s total STOP award for the year may be used for this purpose.

Note: The goal of prevention is to stop or reduce domestic violence, dating violence, sexual assault, and stalking. By contrast, an outreach initiative is linked to a specific set of services and the goal is to increase awareness about the services, so that victims know where to go for the services.

School Programs:

Programs in schools may be supported to the extent that they fit within one or more of the STOP program’s statutory program purpose areas. For example, STOP funds could be used to provide support groups that meet at school for dating violence victims or to provide information to students about services available to help victims of dating violence. Please keep in mind, however, that prevention programs are limited to 5 percent of the state’s total STOP award for the year.

Child Sexual Abuse Victims:

STOP funds can serve sexual assault victims who are age 11 or older. VAWA defines sexual assault as “any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks the capacity to consent.” The target of the STOP Program is adult and youth victims. Youth is defined as “a person who is 11 to 24 years old.”

Other Important Changes:

- Rural Area definition is broadened to include federally-recognized Indian tribes, some of which have been precluded from participating in programs.
- Tribal courts can prosecute non-Native offenders that abuse Tribal Nations/Native women on reservations.
- The definition of “personally identifying information” was expanded to include additional information (driver’s license number, passport number or student identification number) that is likely to disclose a victim’s identity and adds “regardless of whether the information is encoded, encrypted, or otherwise protected.
- Added seven (7) new federal statutory purpose areas.

3. FEDERAL STATUTORY PURPOSE AREAS

By statute, VAWA Formula Grant Program funds must be used to address one or more of the following federal statutory purpose areas as outlined in the 2013 Reauthorization of the Violence Against Women Act:

Program Area	Purpose Area	Project Type
1 Training	Train law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault, domestic violence, stalking and dating violence, including the use of nonimmigrant status under subparagraphs (U) and (T) of section 101(a) (15) of the Immigration and Nationality Act (8 U.S.C. 2202 (a));	Training
2 Enhancement Efforts	Develop, train or expand units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault, dating violence, stalking and domestic violence;	Multiple Types: Applicant selects primary project type
3 Policy and Protocol Development	Develop and implement more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying and responding to violent crimes against women, including the crimes of sexual assault, dating violence, stalking and domestic violence, as well as the appropriate treatment of victims;	Policies, Procedures, & Protocols
4 Data Collection and Communication Systems	Develop, install, or expand data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying, classifying, and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault, dating violence, stalking and domestic violence;	Multiple Types: Applicant selects primary project type
5 Victim Service Programs and Visitation Centers	Develop, enlarge, or strengthen victim services and legal assistance programs, including sexual assault, domestic violence, stalking and dating violence programs, develop or improve delivery of victim services to underserved populations, provide specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increase reporting; and reduce attrition rates for cases involving violence crimes against women, including crimes of sexual assault, dating violence, stalking and domestic violence;	Direct Services
6 Indian Tribal Sexual Assault and Domestic Violence Programs	Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;	Direct Services
7 Statewide Multi-disciplinary Support	Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by State funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim services agencies, and other State agencies and departments, to violent crimes against women, including the crimes of sexual assault, domestic violence, stalking, and dating violence;	Policies, Procedures, & Protocols

8 Sexual Assault Nurse Examiners (SANE)	Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault;	Training
9 Elder and Disabled Victims	Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of domestic violence, dating violence, stalking, or sexual assault, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals.	Direct Services
10 Immigration	Providing assistance to victims of domestic violence and sexual assault in immigration matters;	Direct Services
11 New Initiatives and Emergency Services	Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;	Direct Services
12 Jessica Gonzales Victim Assistants	<p>Supporting the placement of special victim assistants (to be known as “Jessica Gonzales Victim Assistants”) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault or stalking and may undertake the following activities:</p> <ul style="list-style-type: none"> • Developing, in collaboration with prosecutors, courts and victim service providers, standardized response policies for local law enforcement agencies, including the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases. • Notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency. • Referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines or legal assistance services); and • Taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order; <p><i>*Note: Only government-based agencies may apply for funding to support project activities under this purpose area.</i></p>	Multiple Types: Applicant selects primary project type

<p>13 Crystal Judson Domestic Violence Protocol Program</p>	<p>Providing funding to law enforcement agencies, victim services providers, and state, tribal, territorial, and local governments (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote</p> <ul style="list-style-type: none">• the development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as Crystal Judson Victim Advocates, to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;• the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies (such as the model policy promulgated by the International Association of Chiefs of Police (“Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project” July 2003)).• the development of such protocols in collaboration with state, tribal, territorial and local victim service providers and domestic violence coalitions.• any law enforcement, state, tribal, territorial or local government agency receiving funding under the Crystal Judson DV Protocol Program under paragraph (13) shall on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from DV and SA non-profit organizations and, after a period of two years, provide a report of the adopted protocol to the DOJ, including a summary of progress in implementing that protocol.	<p>Multiple Types: Applicant selects primary project type</p>
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The following purpose areas were added with the Reauthorization of VAWA 2013:		
Program Area	Purpose Area	Project Type
14 State, local or Tribal Legislation and Policies	Developing and promoting state, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;	Policies, Procedures, & Protocols
15 Sexual Assault Response Teams	Developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;	Policies, Procedures, & Protocols
16 Law Enforcement and Prosecution Response to Sexual Assault Cases	Developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;	Multiple Types: Applicant selects primary project type
17 Sexual Assault Response in Correctional or Detention Settings	Developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;	Direct Services
18 Backlogs of Sexual Assault Evidence Collection Kits	Identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;	Policies, Procedures, & Protocols
19 Strengthened Programs and Services for victims affected by Sexual Orientation or Gender Identity	Developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and	Direct Services
20 Prevention and Educational Programming	Developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a state to be used for this purpose.	Not Allowed for this solicitation

VAWA 2013 language provides the direct authorization to support legislative and policy changes to comply with changes in VAWA under purpose area 14 as listed above thereby waiving the lobbying restrictions in regard to “enhancing best practices”.

4. OVW PRIORITY AREAS

The emphasis of the VAWA Formula Grant Program continues to be on the development and implementation of comprehensive law enforcement, prosecution and judicial strategies addressing violence against women that are sensitive to the immediate and long-term needs and safety of victims and holding offenders accountable for their crimes.

The goal of the program is to encourage states and localities to restructure and strengthen the criminal justice systems’ response in addressing violence against women, drawing on the experience of all of the participants in the system, including the advocacy community.

The following factors will be considered in the decision to distribute funds to eligible applicants:

- Projects that propose strengthening current domestic and sexual violence services by increasing access to those services for all victims including underserved, marginalized, and/or oppressed communities and/or Tribal Nations;
- Equitably distribute monies on a geographic basis including non-urban and rural areas of various geographic sizes;
- Expanding the array of services offered or the types of victims served within existing geographic service areas;
- Giving priority to areas of varying geographic size with the greatest showing of need and considering the geographic area's population;
- Ensuring geographic access to services within a reasonable traveling distance while avoiding duplicating services within the same county.

In shaping strategies, applicants are encouraged to develop and support projects that include the following [federal priorities and strategies](#):

- Advance racial equity as an essential component of ending sexual assault, domestic violence, dating violence, and stalking.
- Increase access to justice for all survivors of sexual assault, domestic violence, dating violence, and stalking, including through exploration of survivor-centered criminal justice system reform.
- Strengthen efforts to prevent and end sexual assault, including victim services and civil and criminal justice reform.
- Expand economic justice and financial advocacy for survivors of sexual assault, domestic violence, dating violence, and stalking, including as a tool for violence prevention.
- Improve outreach, services, civil and criminal justice responses, prevention, and support for survivors of sexual assault, domestic violence, dating violence, and stalking from underserved communities, particularly LGBTQ and immigrant communities.

The following activities have been found to jeopardize victim safety, deter or prevent physical or emotional healing for victims, or allow offenders to escape responsibility for their actions:

- Procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or gender of their children;
- Procedures or policies that compromise the confidentiality of information and privacy of persons receiving federally funded services;
- Using technology without addressing implications for victim confidentiality, safety planning, and the need for informed consent;
- Procedures or policies that impose requirements on victims in order to receive services (e.g. seek an order of protection, receive counseling, participate in couples counseling or mediation, report to law enforcement, seek civil or criminal remedies, etc.);
- Procedures or policies that fail to include conducting safety planning with victims;
- Project design, products, services and budget that fail to account for the access needs of participants with disabilities and participants who have limited English proficiency or who are Deaf or hard of hearing; and

- Partnering with individuals or organizations that support/promote practices that compromise victim safety and recovery or undermine offender accountability.

For more detailed examples refer to the [VAWA Subaward Handbook](#).

5. STATE PROGRAM FUNDING PRIORITIES

The following state funding priorities were approved by CVSSD and the VAWA Implementation Planning Subcommittee for FY 2022 - 2025:

- Provide victims of domestic and sexual assault, stalking and dating violence meaningful access to services and support programs in stabilizing funding for:
 - a) Victims' services (includes non-profit, tribal and prosecution-based programs) and prosecution-based programs; and
 - b) Law enforcement, prosecution and court projects.
- Support services to meet the needs of: a) victims from Tribal Nations and other underserved, marginalized and/or oppressed populations. b) To improve and enhance culturally specific services, promote service equity and increase cultural competency in the delivery of victim services as well as the cultural responsiveness of prosecution, law enforcement and courts. **(REQUIRED)**
- To support statewide and local training projects, using allocation of STOP VAWA Formula Grant Program funds.
- CVSSD will ensure that "not less than 20% of the total award" in at least two categories will be allocated to meaningfully address sexual assault services, as required in federal statute, as a set aside across victim services, discretionary, law enforcement, prosecution, and court allocation categories.
- To facilitate collaboration, consultation and planning among and between non-profit, government-based, and tribal victim service providers and law enforcement, prosecution and courts. **(REQUIRED)**
- To reduce the number of domestic violence homicides in the State of Oregon through fatality review of domestic violence cases, implementation of [model firearm surrender protocols](#) and/or lethality assessments. *Note: Applicants may also propose a project that "develops and implements other policies, procedures and protocols related to domestic and/or sexual violence, stalking or dating violence.*

The funding priorities demonstrate the state's intent for VAWA funds following an inclusive and coordinated planning process. The funding priorities are developed every four years in response to an evaluation of statewide gaps [2020 VAWA IP Survey Summary](#). The IP is intended to reflect the strengths and needs of the state; the challenges that survivors, systems, providers, and relevant disciplines face; and the priorities, goals, and objectives for use of STOP funds. Please refer to the [FY 2022 - 2025 VAWA Implementation Plan for Oregon](#).

Each proposed project must include the following:

- Applicants are required to include two of the six state funding priorities in the development of their project as noted on the previous page of this RFA. The application questions on Forms G – I along with a Letter of Consultation address both of these priorities as part of your application.
- Applicants must choose an additional state funding priority or include activities that will meet [state goals](#) under a **primary focus area (Direct Services, Training, or Policies)**.

Procedures and Protocols) as listed in E-Grants on Forms G - I. Applicants may choose other priorities and objectives as listed on Appendix H as long as they meet at least one of the [federal statutory purpose areas](#).

- Applicants will use at least one federal statutory purpose area along with the required (and selected) state funding priorities in their proposed project. Please refer to the [VAWA IP Survey Gaps](#) or the [State Funding Priorities and Goals](#) or [Appendix H](#) for a list of objectives for law enforcement, prosecution and court allocation categories. Applicants may include additional objectives.

6. UNALLOWABLE AND OUT-OF-SCOPE ACTIVITIES

The following is a list of activities that are unallowable and out of program scope and cannot be supported by VAWA Formula Grant Program funding:

- Law enforcement equipment such as uniforms, safety vests, shields and weapons. (Equipment such as cameras, specifically designated for investigating domestic violence, sexual assault, stalking and/or dating violence incidents are allowable);
- Victim Service-related projects, that fall outside the scope of law enforcement, prosecution or courts in criminal justice (unallowable for this RFA only);
- Substance abuse counseling for domestic and sexual assault victims;
- Immigration fees for battered immigrant women;
- Activities focused on education and prevention efforts (includes bystander intervention, presentations on healthy relationships, etc.);
- Research projects (this does not include program assessment conducted only for internal improvement purposes);
- Lobbying or attempts to influence members of Congress, the Oregon Legislature, County Commissions, City Councils, or other legislative bodies;
- Fundraising campaigns, endowment drives, or solicitation of gifts and bequests;
- Purchase of real property and vehicles; and
- Construction or physical modification to buildings, including minor renovations (such as painting or carpeting).

C. ELIGIBLE APPLICANTS

CVSSD anticipates awarding approximately \$3.6 million to support applicants for the [law enforcement, prosecution, and court allocation funds](#) for grant award period January 1, 2023 – December 31, 2025.

All projects must have an organization, or subrecipient that will serve as the fiduciary agent and assume overall responsibility for the grant. Eligible VAWA subrecipients include:

- state, local and tribal law enforcement;
- state, local and tribal prosecution; and
- Non-Profit Victim Service Programs (including faith based or other community programs); government-based or Tribal Victim Service Programs that are applying for the benefit of law enforcement or prosecution

If two or more jointly apply, they must designate one body to take the lead role and identify that agency's fiscal officer.

This Request for Application (RFA) also will serve as the non-competitive solicitation for the Oregon Judicial Department in its application for the court allocation funds; and 2 statewide training projects for both law enforcement and prosecution.

Eligible applicants are limited to one application. Applicants must identify and focus their request on either law enforcement or prosecution but may include activities in the other area. The Oregon Judicial Department is limited to one application for court allocation funds.

1. Guidance for organizations applying for the benefit of law enforcement or prosecution allocation funds.

Refer to [VAWA 2013 Universal Definitions and Grant Conditions](#) for federal definitions as amended by VAWA 2013.

a. Applicants are expected to propose project activities that support and enhance the core functions of law enforcement or prosecution. A victim service provider (non-profit, government or tribal-based) may apply “for the benefit of” prosecution or law enforcement by demonstrating how the project meets the core functions in an MOU. The MOU provides documentation that demonstrates that the organizations have consulted and coordinated the responsibilities of their activities that clearly meets the core functions of law enforcement or prosecution. A comprehensive description of the roles and responsibilities of the applicant’s partnership with each of the proposed law enforcement or prosecution partners must include signatures.

The core function of *law enforcement is* to:

- Investigate domestic violence, sexual assault, stalking and dating violence crimes;
- Provide services to ensure the immediate safety of victims; and
- Hold offenders accountable for their crimes.

The core function of *prosecution is* to:

- Prosecute domestic violence, sexual assault, stalking and dating violence crimes,
- Provide services to ensure the long term safety of victims; and
- Hold offenders accountable for their crimes.

The core function of the *courts is* to provide fair, accessible and timely justice to promote the rule of law, protect individual rights and resolve conflicts.

2. Allocation Category Goals

Law Enforcement

The goal of this grant opportunity is to enhance the ability of local communities to keep women safe and hold perpetrators accountable. The grant project will achieve this by: 1) enabling more effective enforcement of laws prohibiting violence against women through the development of focused enforcement units with specialized skills and tactics; 2) improving the capacity of law enforcement to appropriately respond to the needs of victims, and 3) developing and implementing policies and protocols to insure an effective response. Grant funds are available to develop or expand specialized enforcement and investigative units, positions, or other specialized resources that focus on sexual assault, domestic violence, stalking crimes, and/or dating violence.

Prosecution

The primary goal of this grant opportunity is to enhance the ability of local communities to keep women safe and hold perpetrators accountable. The grant project will achieve this by: 1) enabling more effective prosecution of offenders violating laws that protect women and prohibiting violence against women in the process; 2) improving the capacity of the justice system to respond to victims needs and to treat victims with respect; 3) effectively coordinating prosecution with law enforcement, community victim services; the courts; and other system components. Grant funds are available to develop or expand specialized prosecution units or other specialized resources to prosecute/adjudicate domestic violence, sexual assault, and/or stalking cases.

Court (Oregon Judicial Department Only)

The goal of this grant opportunity is to provide a centralized VAWA Staff Counsel with the Oregon Judicial Department under the State Court Administrator. The centralized point of contact will provide technical assistance and education to trial court judges and staff, to develop and revise uniform statewide forms and procedures for all trial courts statewide, and to collaborate with all system participants to improve system response and increase victim safety.

D. ELIGIBILITY REQUIREMENTS

An organization must meet all of the following requirements to be eligible for VAWA funds:

1. Demonstrate Record of Effective Services.

Applicants must demonstrate a record of providing effective and meaningful access to direct services to survivors. This includes a history of providing direct services in a cost-effective manner and financial support from other sources.

2. Not Charge Survivors for VAWA-Funded Services. Sub-recipients must provide services to survivors, at no charge, through the VAWA-funded project. That means the sub-recipient must not reimburse the victim for the out-of-pocket cost of a forensic medical exam.

3. Maintain Civil Rights Requirements. Pursuant to 28 C.F.R. Section 42.302, all recipients of federal funds must maintain statutorily required civil rights statistics on survivors served by race, national origin, sex, age, and disability; and permit reasonable access to its books, documents, papers, and records to determine whether the sub-recipient is complying with applicable civil rights laws. This requirement is waived when providing a service, such as telephone crisis intervention, where soliciting the information may be inappropriate or offensive to the survivor. Refer to [Civil Rights Requirements - Oregon Department of Justice \(state.or.us\)](https://www.state.or.us/civilrights/) for more information and links that will assist sub-recipients in complying with three (3) mandatory federal processes. These include:

- Civil rights laws and regulations prohibiting discrimination in federally assisted programs or activities;
- Limited English Proficiency (LEP) guidelines; and,
- Equal Employment Opportunity Plans (EEO). Non-profit organizations and Tribal Nations are exempt from the EEO requirements; however, they must complete the EEO form included as a Grant Agreement Exhibit.

These processes include notification of nondiscrimination policy, responding to discrimination complaints, and civil rights training and are required of recipients of VAWA funding through CVSSD.

Civil Rights Training Certification is required to be updated every two years and uploaded into E-Grants before the grant agreement is signed.

4. Comply with Non-Discrimination Provision. Sub-recipients must comply with the Violence Against Women Reauthorization Act of 2013 prohibition from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by the Office on Violence Against Women (OVW). Under any program or activity funded in whole or in part with VAWA funds no person shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in 249 (c) (4) of title 18, US Code), sexual orientation or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination. Exception: if sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing stated here shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, subgrantees may meet the requirements by providing comparable services to individuals who cannot be provided with sex-segregated or sex-specific programming. Refer to [2013 FAQs Civil Rights Non Discrimination VAWA](#).

5. Maintain the Confidentiality of Survivor Information. Sub-recipients must comply with the confidentiality and privacy requirements of the VAWA, as amended. The authorized representative of the sub-recipients will be required to sign the *Acknowledgement of Notice of Statutory Requirement to Comply with the Confidentiality and Privacy Provisions of the Violence Against Women Act, as Amended*, with the Grant Agreement. A copy of the form is available on the OVW website at: <https://www.justice.gov/sites/default/files/ovw/legacy/2013/09/24/conf-acknowledgement.pdf>.

In accordance with 42 U.S.C. §13925(b)(2), applicants receiving OVW funding, and their sub-grantees, must protect the confidentiality and privacy of persons receiving OVW-funded services to support victims' safety. OVW grantees and their sub-grantees are prohibited from disclosing personally identifying information collected in connection with services requested, utilized, or denied through the grantee and their sub-grantee's programs, to any third party database without informed, written, reasonably time-limited, consent of the person, unless compelled by statutory or court mandate. In this case, grantees and sub-grantees must make reasonable attempts to provide notice to victims affected by the disclosure of information. They must also take necessary steps to protect the privacy and safety of the persons affected by the release of the information. Regarding unemancipated minors or persons with disabilities lacking capacity to consent, a parent or guardian may consent to the disclosure; however, if the parent or guardian is the abuser of the minor, the person with disabilities, or the minor's other parent, he or she is prohibited from giving consent to the disclosure. Additional changes included in the 2016 Federal Register at

<https://www.gpo.gov/fdsys/pkg/FR-2016-11-29/pdf/2016-28437.pdf>

For further explanation and clarification read the [OVW Frequently Asked Questions \(FAQs\) on the VAWA Confidentiality Provision](#).

6. Promote Community Efforts to Aid Survivors of Sexual Assault. Promote, within the community, coordinated public and private efforts to survivors of sexual assault. Coordination may include, but is not limited to, serving on state, federal, local, or Tribal task forces, commissions, working groups, coalitions, and/or multi-disciplinary teams. Coordination efforts also include developing written agreements that contribute to better and more comprehensive services to survivors of sexual assault.

7. Comply with OVW Financial Requirements. Sub-recipients must agree to follow the financial and administrative requirements in the [OJP Financial Grants Management Guide](#). This includes, but is not limited to, financial documentation for disbursements, daily time and attendance records specifying time devoted to allowable VAWA services, job descriptions, contracts for services, and other records which facilitate an effective audit.

8. Comply with the Assurances and Certifications. Sub-recipients must meet the terms of the Certified Assurances and other federal rules regulating grants, including non-supplanting and the Certifications regarding lobbying, debarment, suspension and other responsibility matters, and drug-free workplace requirements.

9. Comply with State Criteria. Sub-recipients must abide by any additional eligibility or service criteria as established by CVSSD including submitting statistical and programmatic information on the use and impact of VAWA-funded projects.

10. Not Compromise Survivor Safety and Recovery. Subrecipients must not compromise survivor safety and recovery through any of their activities. Such activities include, but are not limited to:

- Developing procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or gender of their children;
- Crafting policies that deny individuals access to services based on their relationship to the perpetrator;
- Crafting policies or engaging in practices that impose restrictive conditions to be met by the survivor in order to receive services; and
- Crafting policies that require the victim to report the assault to law enforcement.

11. Compliance with the Federal Funding Accountability and Transparency Act (FFATA) of 2006. As of January 1, 2009, all recipients of Federal VAWA funds, and their sub-contractors, must comply with the Federal Funding Accountability and Transparency Act (FFATA) of 2006. The Transparency Act requires the federal government to have a single, searchable website. This website must be accessible by the public without cost, for each federal award of \$25,000 or more over the life of any sub-award (i.e., VAWA grant award period). All successful applicants will be required to acquire or renew registration with the System for Award Management (SAM), if you have not already done so. SAM is the repository for standard information about federal financial

assistance applicants, recipients, and sub-recipients. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the SAM database. Applicants must update or renew their SAM registration annually to maintain an active status. Information about SAM registration procedures can be accessed at: www.sam.gov. (If an error message occurs, try a different browser; this is the correct link).

12. Equal Employment Opportunity Assurance of Compliance – Compliance is required with the following federal laws which prohibit discrimination on the basis of race, color, national origin, religion, sex, age or disability. These are Title VI of the Civil Rights Act of 1964; Omnibus Crime Control and Safe Streets Act of 1968; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act of 1990; Age Discrimination Act of 1975; and the Title IX of the Education Amendments of 1972.

13. Accommodations and Language Access. Applicants are encouraged to support activities that ensure individuals with disabilities and Deaf individuals and persons with limited English proficiency have meaningful and full access to their programs. For example, grant funds can be used to support American Sign Language (ASL) interpreter services, language interpretations and translation services, or the purchase of adaptive equipment. Applicants proposing to use grant funds to create websites, videos, and other materials must ensure that they are accessible to person with disabilities.

14. Non-supplanting of Funds. Federal funds cannot be used to supplant (replace) other existing funds. Funds presently appropriated for the project may not be deliberately decreased due to additional federal funds.

E. STATE REQUIREMENTS

- 1. Grant Management Handbook.** Comply with VAWA program guidelines as written in the most recent version of the [VAWA Subaward Handbook](#).
- 2. Financial, Progress and Statistical Reporting.** Applicants will submit quarterly financial reports; and semi-annual and annual statistics as well as narrative reports on services provided specific to the staff positions supported by VAWA funds. Applicants providing direct services to victims also will submit semi-annual common outcome measures. More detailed information can be found in Section VII.C. of this RFA.
- 3. Confidentiality Policies and/or Procedures:** Maintain and enforce policies and procedures that protect the confidentiality and privacy of persons receiving services and that prohibit disclosure of Personally Identifying Information (PII) or individual information collected in connection with services requested, used, or denied without the informed, written, reasonably time-limited consent of the person whose information will be disclosed. Non-personally identifying information may be shared in the aggregate for reporting purposes. Policies will be reviewed during site visits. You must become familiar with and adhere to the PII Breach policy; policy and forms are located on the CVSSD website.

4. Training Requirements. Applicants must ensure that STOP VAWA-funded staff and volunteers providing direct services to victims of domestic and sexual violence, stalking and/or dating violence complete a 40-hour training program that most appropriately covers topics relevant to the STOP VAWA funded staff position (s):

- (i) Attend training that meets the requirements adopted by the Department of Human Services (DHS) Advisory Committee (Non-profit, non-governmental victim service programs applying for the benefit of law enforcement or prosecution must meet this training requirement):
https://www.doj.state.or.us/wp-content/uploads/2020/01/CVSSD_and_DHS_Training_Requirements_of_Grantees_Serving_Survivors_of_DV_SA.pdf; or
 - (ii) Attend the Oregon Basic State Victim Assistance Academy (SVAA) training (District Attorney Victim Assistance Program staff must meet this training requirement);
<https://ncvli.org/what-we-do/oregon-svaa/or>
 - (iii) Attend the Sexual Assault Training Institute (SATI) training: [Sexual Assault Training Institute \(oregonsatf.org\)](https://oregonsatf.org) or
<https://oregonsatf.org/calendar/trainings/> or
 - (iv) Complete the Office for Victims of Crime (OVC) Victims Assistance Training *Online* (VAT *Online*) or a training program that minimally covers the topics included in VAT *Online*:
https://www.ovcttac.gov/views/TrainingMaterials/dspOnline_VATOnline.cfm; or
 - (v) Submit a 40-hour training plan for CVSSD approval that covers topics relevant to the STOP VAWA-funded staff position(s), which may be derived from other domestic and/or sexual violence training; the DHS Advisory Committee adopted training requirements described in subsection (i) of this Section, SVAA described in subsection (ii) of this Section, SATI described in subsection (iii) of this Section, VAT *Online* described in subsection (iv) of this Section, and additional population-specific topics.
- (a) STOP VAWA-funded staff providing direct services is encouraged to attend the CVSSD-sponsored Crime Victims Compensation Training at least once every four years.
 - (b) Grantee shall notify CVSSD when any staff training is completed by updating the Staff Roster in CVSSD E-Grants.
 - (c) Grantee shall attend all appropriate CVSSD-sponsored training unless specific written permission excusing attendance has been obtained from CVSSD.

G. AVAILABILITY AND DURATION OF FUNDING

Through the Violence Against Women Act (VAWA) Formula Grant Program, the Oregon Department of Justice (DOJ), Crime Victim and Survivor Services Division (CVSSD) will award approximately \$3,641,468 in federal grant funds in FY 2023 for a 3-year grant award period from January 1, 2023 – December 31, 2025.

The funds will be awarded to projects under the following categories:

- Approximately \$3 million available for both of the law enforcement and prosecution allocation categories. Applicants may request a maximum of \$400,000 to support projects in either of these allocation categories; and
- A total of \$320,083 for the court allocation category (along with any unexpended grant funds from the current noncompetitive award).

Note: Of the \$3,641,468, a minimum of \$923,000 will be earmarked for a mandated sexual assault set aside.

Other fiscal considerations:

- Applicants may apply for funding up to 36 months, operating during the award period.
- Federal allocation requirements mandate the VAWA funding distribution.
- A maximum of \$400,000 may be requested. The number of applications received, and the availability of funds are a few of the factors that influence the number and size of awards.

SECTION III: APPLICATION GUIDELINES

The following instructions are intended to guide the applicant in completing the 2023 - 2025 VAWA Competitive Grant Application.

A. GENERAL APPLICATION INSTRUCTIONS

Applications will be completed and submitted entirely through the CVSSD E-Grants system.

1. **E-Grants Agency and User Registration.** All eligible agencies must first register in the CVSSD E-Grants system. Applicant Organizations are only required to register one time; there is no need for multiple Organization accounts within the Oregon CVSSD E-Grants system. Only the “Authorized Official” can create a user account and gain access to the CVSSD E-Grants system.
2. If you are a *new* applicant and currently do not receive CVSSD grant funds you must:
 - a. Register in the CVSSD E-Grants system at www.CVSSDegrants.com. Please refer to the *draft* CVSSD Grant Applicant User Guide to assist you through the registration process. Click here to access the [E-Grants Applicant User Guide](#).
 - b. Please allow 24 hours to process your registration.
3. **CVSSD E-Grants Registration or Updated Organization and Member Information:** All applicants must register in the CVSSD E-Grants system or update the Organization and Member Information in the CVSSD E-Grants system by **August 31, 2022**. Eligible applicants are only required to register one time in CVSSD E-Grants. There is no need for multiple accounts within the CVSSD E-Grants system. **However, organizations registered in CVSSD E-Grants must review and update the organization’s contact and member profile information including deactivating staff no longer associated with the organization. This process should be completed prior to initiating the application.** Please see the *draft* [E-Grants User Guide](#) for more information on how to do this.
4. Current CVSSD grant recipients must be in compliance with all current grant requirements, including all reporting requirements, to be considered for this funding.
5. The Forms section is where the vast majority of the written work for an application is completed. Applicants will supplement content in the Forms by uploading specific documents.
6. Completing and saving individual forms is not the same as “submitting” the application. **Applicants must be sure to CHANGE THE STATUS of their application to “Application Submitted” when all forms have been completed and all errors are corrected.**
7. All required documents for this application are stated in CVSSD E-Grants. Please DO NOT attach any documents that have not been requested unless directed by CVSSD.
8. A “Fiscal Officer” is the person in the organization who is legally responsible for reporting on the financial activities of the organization. This person also makes sure that the fiscal records

comply with Generally Accepted Accounting Principles (GAAP), VAWA guidelines and all other requirements as stated by CVSSD.

9. CVSSD has the right to make or deny an award without prior communication with the applicant.

10. By submitting an application, an agency agrees to comply with all CVSSD grant Agreement requirements. An example of a VAWA Grant Agreement is available on the CVSSD website at: <https://www.doj.state.or.us/crime-victims/grant-funds-programs/stop-violence-against-women-act-va-wa-fund/> under “Additional Resources”.

B. TECHNICAL ASSISTANCE REGARDING THE CVSSD E-GRANTS SYSTEM

1. Technical assistance regarding CVSSD E-Grants can be obtained by:
 - a. Accessing *Form Instructions* in the Request for Application section of the Application menu;
 - b. Using the [CVSSD E-Grant Applicant User Guide](#);
 - c. Contacting the CVSSD VAWA Grant staff as listed on page i for assistance with the application contents;
 - d. Contacting the system Help Desk for system technical assistance, which is available: Monday – Friday 7am to 5pm, Pacific Standard Time, at 1-866-449-1425 or email azhelpdesk@agatesoftware.com.
2. Applications must be submitted electronically through the CVSSD E-Grants system. **The application is due on Monday, September 12, 2022, by 11:59 p.m.**, Pacific Standard Time. The application will not be accessible after the above mentioned time. **Once an application is submitted it will become a “read-only” document and cannot be changed.** CVSSD staff will not be available to assist an applicant after 5:00 p.m. on Friday, October 4, 2019.
3. Late applications will NOT be accepted. For information on Submitting your Application see the *CVSSD E-Grants Applicant User Guide*.
4. The CVSSD staff will respond to questions with respect to RFA clarifications and the VAWA competitive grant process. However, CVSSD staff cannot review and edit grant applications before they are submitted.

SECTION IV: APPLICATION CONTENTS

A. KEY THINGS TO REMEMBER WHEN COMPLETING THIS APPLICATION

1. After saving a form, if there are errors, CVSSD E-Grants will provide error messages at the top of a page directing the applicant to errors on a form.
2. The CVSSD E-Grants system will not allow an application to be submitted with error messages on any form within the application.
3. Required fields have an asterisk (*), however, other fields may need to be completed as well.
4. For radial button selections, click once to mark or change your selection, double-click to remove the selection completely.
5. Remember to click **“Save”** frequently to save the information you have written. The system will not save information if you go to the next page without saving. **Click on “Save” every time you think of it.** If you have required content not yet completed, you will receive error messages when you save. This is ok. Those messages will be resolved as you complete the required content.
6. If the system is left idle it will time out in one hour. One keystroke will re-start the one hour “idle” time clock. Should the system time out, any unsaved information will be lost.
7. An applicant may want to **consider completing narrative sections in a word processing program and pasting it into the appropriate section.** Since the text boxes have limited character counts, using the character counting tool in a word processing program when creating your response may be helpful. Please see the CVSSD E-Grants *Applicant User Guide: Application form completion: Copy and Paste* for additional information on this topic.
8. Consider having someone, other than the writer of the grant, review the application.
9. **CVSSD recommends submitting the application at least one day prior to the closing date to avoid any unanticipated technical problems.**

Instructions for completing all FORMS in this application can be found by reviewing Application Instructions.

B. PROJECT INFORMATION: FORMS A - M

The CVSSD E-Grants system allows the applicant to check the status of each form and see when the particular form was first created and last modified. When a form is complete, click on the button “mark as complete” and the icon next to the form name will show a check mark. This is an internal process and helps the applicant know when a form is complete. As each form is saved, the system will inform the applicant if there are errors. An

Applicant will be unable to submit the application until the errors are corrected in the application.

General Application Contents. Each applicant is required to complete the Application Contents Forms A – S. Please note that you will only complete one Project Description Form under question 4 on Form A. Cover Page. Based on your response your application will include either Form G. Direct Services, H. Training, or I. Policies, Procedures and Protocols.

Form M (Attachment to Upload) is for use in attaching and uploading required documents.

Form C pertains only to applicants selecting the Sexual Assault category on the Cover Page and must be completed if the form appears in the Forms Menu.

Form K will need to be completed if an applicant is proposing a collaborative MOU and/or contract or subaward. All non-profit, non-governmental applicants applying for the benefit of law enforcement or prosecution are required to upload an MOU. Both government-based applicants and those applying for the benefit of law enforcement and prosecution are required to demonstrate consultation and planning among and between victim service programs, law enforcement, prosecution and courts through a Letter of Consultation on Form M.

C.PROJECT BUDGET: FORMS N-S

Each applicant is requested to submit a 3-year budget. When determining the amount of funding to request, applicants should carefully consider the estimated total program funding available, the number of grants CVSSD expects to award, and the resources needed to successfully implement the proposed project. Applicants are encouraged to present a realistic budget that accurately reflects project costs.

CVSSD has the discretion to award grants for greater or lesser amounts than requested and to negotiate the project specific goals, objectives, activities, performance measures, and budget with applicants prior to awarding a grant.

A list of unallowable and out-of-scope activities can be found in Section II.B.5. of this RFA. Please review this section carefully before completing the project budget. The most recent version of the OJP Financial Grants Management Guide provides additional financial program guidance and should be used in conjunction with other federal applicable rules and regulations.

Applicants should consider personnel salary and benefit increases when preparing project budget requests for the 3-year project award period.

Form S is an auto-fill budget summary page. All budget amounts and match will be summarized from forms N - R and shown on the Budget Summary page.

D. ATTACHMENTS

An additional “Attachments” form is shown at the end of the Forms Menu. This page is to be used only if there are insufficient upload spaces in prior sections or with special permission from CVSSD to upload additional documents. This is a “multiple page” form, so multiple copies of this form can be completed. Once the first attachment is uploaded and the page has been saved, click on the “Add” button at the top of the form to complete an additional copy of the attachments page.

Please see the “Application Form Completion” section of the CVSSD E-Grants *Applicant User Guide* for additional information.

SECTION V: SUBMISSION INFORMATION

VAWA Competitive grant applications must be submitted electronically through the CVSSD E-Grants system. Applications will only be accepted through the CVSSD E-Grants system. For instructions on how to submit your application, please review the “Submitting your Application” section of the CVSSD E-Grant *Applicant User Guide*.

THE APPLICATION IS DUE ON:

**MONDAY, SEPTEMBER 12, 2022
BY 11:59 P.M., PACIFIC STANDARD TIME**

**IT IS IMPORTANT TO NOTE THAT ONCE AN APPLICATION IS
SUBMITTED IT WILL
ENTER INTO A “READ-ONLY” STATUS AND CANNOT BE CHANGED.**

NO LATE APPLICATIONS WILL BE CONSIDERED FOR FUNDING.

Failure to begin the registration or application process in sufficient time is not an acceptable reason for a late application submission. The applicant should begin the application submission process 48 hours, but not later than 24 hours, prior to the application deadline. This will allow for sufficient time for the applicant to contact the appropriate individuals and take corrective action should unforeseen technical issues arise.

SECTION VI: APPLICATION REVIEW AND AWARD DECISIONS

A. APPLICATION REVIEW PROCESS

This is a competitive application process. CVSSD will conduct an impartial review of the applications received in response to this RFA. CVSSD Fund Coordinators will complete an initial review of minimum qualifications including an internal compliance review of financial and programmatic reporting. Separate review teams for law enforcement and for prosecution will review, evaluate, and score each application. The teams are comprised of CVSSD Advisory Committee members as well as government and community partners and subject-matter experts. The final scores are presented to the CVSSD Advisory Committee. The Advisory Committee makes final recommendations to CVSSD for funding. CVSSD staff present the Advisory Committee's recommendations to the Oregon Attorney General for final approval.

Applications will be evaluated and scored on the completeness, quality, and applicability of their content in the following steps:

- Step 1: Evaluation of Minimum Qualifications (Pass/Fail)
- Step 2: Evaluation of Application by Review Teams (scored)
- Step 3: Ranking of Applications by allocation category
- Step 4: Recommendations
- Step 5: Selection and Notification

Step 1. Evaluation of Minimum Qualifications.

CVSSD Fund Coordinators will review all applications for Minimum Qualifications (MQ) on a pass/fail basis, to determine if each Application meets the Minimum Application Qualifications. All forms A – S are required to be completed (exceptions are Forms C; G, H or I; and K which will be completed as appropriate).

Applicant's failure to comply with the instructions or to submit a complete application may result in the application being deemed non-responsive. Only those applications determined to be responsive to the Minimum Qualifications shall be considered for further review and scored by the Review Teams as detailed in Step 2.

Step 2: Evaluation of Applications

a. Standard Points.

Up to one hundred standard (100) points will be awarded to each application based on the Scoring Table provided in Section IV.B.

The Review Teams will score all applications according to how the applicant provided a comprehensive response to each of the questions in Forms C (as applicable), G – I, J, K (as applicable), L and M - S. Reviewers will also evaluate if the applicant presents a realistic budget

that accurately reflects project costs and if the budget credibly represents the resources needed to successfully implement the proposed project.

a. Standard Points: Up to one hundred (100) standard points will be awarded to each application based on the Scoring Table provided in Section VI.B. below.

The Review Teams will score all applications according to how well the applicant responded to each of the questions in Forms A - M. The Review Team will also evaluate if the applicant presents a realistic budget that accurately reflects project costs and if the budget credibly represents the resources needed to successfully implement the proposed project.

The Review Team members will assign standard points. Standard points assigned by each Review Team member shall be added together (includes up to 15 points assigned during the MQ review) and divided by the total number of Review Team members to compute an average score for the application. ***The application must receive a minimum average score of 75 to be considered for funding.***

b. Bonus Points for Delivery of Services in Frontier Counties:

Applicants qualifying for bonus points as a frontier county must receive a minimum of 75 standard points to receive bonus points.

Up to five (5) bonus points may be awarded to applications submitted by applicant's meeting the frontier definition and bonus point criteria described below.

Oregon is a state of great economic and geographic diversity. While that diversity brings us strength, it also challenges us to meet the needs of all communities, both urban and rural. As stated in Executive Order No. 07-02, "Rural Oregon communities are in need: unemployment in those communities is often many percentage points higher than the state average; Rural Oregon communities have significant threshold issues to overcome to compete with urban communities for economic and community development resources; the lack of an industrial base in most rural communities makes funding for education, health care, economic development and other social services more difficult to attain; and finally, Rural Oregon communities often lack administrative mechanisms and infrastructure to share information and to collectively construct solutions to its problems." Executive Order No. 07-02 defines four rural geographic distinctions: frontier rural, isolated rural, rural, and urban rural.

The National Center for Frontier Communities, <http://frontierus.org/aboutus.php>, the only national organization dedicated to the smallest and most geographically isolated communities in the United States, espouses that "the unique characteristics of frontier communities require special consideration in both policy and market-driven investments to guarantee access to key services and a healthy future for the frontier."

There is no single, universally preferred definition of rural, nor is there a single rural definition that can serve all purposes. Many definitions have been developed by different agencies, U.S. Census Bureau, U.S. Department of Agriculture, U.S. Office of Management and Budget, to name

a few. All have strong and weak points and all are used interchangeably for various purposes by government agencies depending on which one best fits their programmatic goals.

CVSSD recognizes that the majority of counties in Oregon include rural areas, however, for the purpose of awarding VAWA funds, CVSSD, in consultation with the CVSSD Advisory Committee, has selected to use a ***narrow frontier county-based definition*** promulgated by the National Center for Frontier Communities. Counties are designated as frontier based on total population, total land and water area, and population density. In Oregon, there are ten (10) counties that meet this narrow definition:

- Baker
- Gilliam
- Grant
- Harney
- Lake
- Malheur
- Morrow
- Sherman
- Wallowa
- Wheeler

CVSSD believes that awarding bonus points to frontier counties is an effective method for addressing issues cited in Executive Order No. 07-02, the special considerations espoused by the National Center for Frontier Communities, as well as the OVW requirement to equitably distribute grants and grant funds within the state and between urban and rural area.

Applicants qualifying for bonus points have to pass the Minimum Qualifications as described in Section VI.A. Step 1 and receive a minimum of seventy (75) standard points as described in Section VI.A. Step 2 in order to qualify for bonus points.

Applicants proposing to deliver services in only one or more of the ten (10) counties meeting the frontier definition described above may be eligible for up to five (5) bonus points.

Applicants proposing to deliver services in one or more of the ten (10) counties meeting the frontier definition described above and in a geographical area outside of the defined frontier counties may be eligible for up to five (5) bonus points.

c. Bonus Points for Proposed Use of Grant Funds for Sexual Assault Activities.

Applicants qualifying for five (5) bonus points for their “proposed use of grant funds for sexual assault activities” must receive a minimum of 75 standard points.

Up to five (5) bonus points may be awarded to applications submitted by applicants meeting the bonus point criteria described below.

- Applicants respond to the questions listed on Form C. Sexual Assault Services.
- Applicants include SA funding in their budgets.
- Applicants demonstrate meaningful delivery of sexual assault services.
 - ✓ Provides examples of community leadership and accomplishments on sexual violence issues;
 - ✓ Demonstrates broad training in sexual assault for all staff;
 - ✓ Funds budgeted for sexual assault-specific staffing and services;

- ✓ Addresses “ten components” in current and future efforts; and.
- ✓ Incorporates discussion of sexual assault services throughout the application.

Applicants qualifying for bonus points have to pass the Minimum Qualifications as described in Section VI.A. Step 1 and receive a minimum of seventy (75) standard points as described in Section VI.A. Step 2 in order to qualify for bonus points.

Step 3. Ranking of Applications.

The Review Team (s) will use the standard points awarded to each application to rank each application. After ranking applications based on standard points, bonus points will be awarded, based on the definition described in Section VI.A.2.b and c., resulting in the final ranking of the applications.

CVSSD reserves the right to consider applicant performance and compliance on prior or current CVSSD grants in making final award decisions.

Step 4. Recommendations.

Each Review Team will present final scores and ranking to the CVSSD Advisory Committee. The CVSSD Advisory Committee will make funding recommendations to CVSSD. CVSSD staff will forward award recommendations to the Oregon Attorney General, or her designee, for final award decisions.

Step 5. Selection.

CVSSD will notify each applicant of its selection status by electronic mail by the estimated award notification date of December 1, 2017.

B. APPLICATION SCORING

The application must receive a minimum average score of seventy-five (75) of the possible one hundred (100) Standard Points to be considered for funding. Applicants who qualify for bonus points must receive a score of eighty (80) of the possible one hundred (100) Standard Points to be eligible to receive bonus points. The Review Team will assign points to its evaluation of each application as follows:

General Considerations:

- Is easy to read and understand.
- Project meets at least one federal statutory purpose area; one state primary focus area (direct services; training; or policies, procedures and protocols); and responds to required state funding priorities.
- Gives a clear picture of the overall project.
- Sufficiently details the proposed project activities.
- Completes each section of the application.
- Proposes a cohesive project.

Standard Points	Point Basis
50	<p>Project Description: <i>Specify what will be done, who (individuals and organizations) will do it, and when it will be accomplished. If you propose utilizing grant funds to support sexual assault services, you should speak to that throughout your application. As applicable, the project description includes information about the MOU and any subawards or contracts as described below.</i></p> <ul style="list-style-type: none"> • Gives objective, factual information and avoids giving subjective information and generalizations • Demonstrates how the agency provides meaningful access to services; • Comprehensive description of underserved and marginalized populations and/or Tribal Nations or culturally-specific community to be served; • Demonstrates experience and expertise in delivering services that benefit the underserved and marginalized populations, Tribal Nations, population-specific or culturally-specific population; • Sufficiently describes why this project is needed and how it will address the problems related to domestic or sexual violence, stalking or dating violence facing the identified population; • Identified gaps are well defined and/or locally documented by statistics/data; • Provides a comprehensive description of the specific population (s); • Has activities planned that respond directly to the needs of the identified target population; • Describes the services offered to target population(s); • Describes how applicant will provide the services, including any start-up activities; • Benefit to identified population is convincing; • Demonstrates community partnerships or collaborations necessary to implement the proposed project (includes MOU and responses to Form B. question 2.a.i and ii.); • Gives objective, factual information; • As appropriate, demonstrates that currently funded project has met accomplishments and benefitted targeted population(s); <p><i>Responses to questions about use of grant funds in a secondary focus to their proposed project will be reviewed with the applicant’s primary focus in the Project Narrative section.</i></p>
	<p><i>MOUs for any purpose will be considered as part of the project description. The MOU is <u>required</u> for applicants applying for the benefit of law enforcement or prosecution. As applicable, applicants submitting MOUs to demonstrate formal partnerships without an exchange of grant funds will also be considered as part of the project description.</i></p> <p>Memorandum of Understanding (MOU)</p> <ul style="list-style-type: none"> • Comprehensive description of the roles and responsibilities of the applicant’s partnerships with law enforcement, prosecution, courts, community, tribal and/or government-based victim service programs as well as other key collaborative partners. This includes collaboration with underserved, marginalized and oppressed communities and populations and Tribal Nations. • Demonstrates community partnerships or collaborations necessary to implement the proposed project; and • Demonstrated coordinated community response with partners.

	<p>Subcontracts and Subawards</p> <p>If applicable, properly establishes and executes contracts for ancillary goods or services; If applicable, properly establishes and executes subawards to carry out one or more services of the grant funded project.</p> <p>Responses to subcontracting questions and uploaded subcontracts or subawards will be reviewed with the applicant’s Project Budget as well as the Project Description if an applicant proposes subcontracting or subawarding grant funds.</p>
<p>15</p>	<p><i>Project Specific Goals, Objectives, Activities and Performance Measures:</i></p> <ul style="list-style-type: none"> • Provides goal(s) and objectives consistent with the project description, need statement and priority focus area the applicant has selected; • The proposed activities address the problem or need and linked to the objectives; • Outputs and outcomes measure the proposed project activities; and • Directly connects the outcome to the objectives. • Continuation projects clearly identify any baseline data that exists from the most recent prior year of the project; and • All projects clearly identify project objectives (measure change as a result of implementing the proposed project).
<p>15</p>	<p><i>Community Collaboration: Total points for this section is 15</i></p> <p><i>Collaboration (Letter of Consultation and responses to Form B. Questions 2.a. i and ii.)</i></p> <ul style="list-style-type: none"> • Demonstrates collaboration and coordinated community response with partners included in the proposed project (law enforcement, prosecution, courts, community, tribal and government-based programs); • Describes the current and proposed consultation and planning among and between other collaborative partners (multi-disciplinary teams/members, etc); • Demonstrates partnerships with organizations serving identified marginalized, oppressed and underserved population (s) as well as population and culturally specific organizations; and • Demonstrates strengthened partnership as a result of the collaboration in proposed project. Example: Increase in victim safety due to the actions of law enforcement investigating and enforcing restraining orders.
<p>20</p>	<p><i>Project Budget and Budget Summary:</i></p> <ul style="list-style-type: none"> • Budget and match contributions, if applicable, are directly related to the proposed project; • Budget and match contributions, if applicable, reasonably supports the proposed project activities. • FTE of the staff position(s) to be funded matches the project description and staff roster; • Presents a reasonable and accurate budget; • Includes budget items that are allowable according to VAWA guidelines; and • Clearly explains the proposed budget expenditures.

Bonus Points	Point Basis
up to 5 points	<i>Delivering services in one or more frontier counties: Baker, Gilliam, Grant, Harney, Lake, Malheur, Morrow, Sherman, Wallowa, Wheeler</i>
Up to 5 points	<i>Delivering services in one or more frontier counties and in a geographical area outside of the defined frontier counties</i>
Up to 5 points	<i>Delivering meaningful access to sexual assault services</i>

C. RESERVATION OF RIGHTS

CVSSD reserves the right to:

1. Seek clarifications of each application and award a grant agreement without further discussion of the applications submitted;
2. Reject any and all applications received by reason of this request, or to negotiate separately in any manner necessary to serve the best interest of the public;
3. Determine, with sole discretion, whether an application does, or does not, substantially comply with the requirements of this RFA; and
4. To waive any minor irregularity, informality, or non-conformance with the provisions or procedures of this RFA.

D. REVIEW OF AWARD DECISIONS

Informal Review

Applicants may request informal feedback and technical assistance regarding their grant application any time after receiving notification of the award decision. Contact the CVSSD Fund Coordinator assigned to you for additional information regarding this process.

Formal Review

An applicant has a right to a review of the award decision with regard to its application. Each applicant will be informed of the review procedure at the time a decision is made regarding its application.

- Each applicant will be informed of this review procedure at the time a decision is made regarding its application.
- No applicant will be subject to reprisal for seeking a review of an award decision.
- An applicant may request a review by making a written request to a Fund Coordinator within 7 calendar days after receiving notification of the award decision.
- When CVSSD is notified that an applicant has requested a review, a meeting will be scheduled for the applicant to meet with a CVSSD Fund Coordinator and up to 3 members of the Advisory Committee. Every effort will be made to have this meeting occur within 14 calendar days of the receipt of the request. The Fund Coordinator will notify applicant of the result of the meeting within 5 days after the meeting has been held.
- If the matter is not resolved through the above-described procedure, the applicant can request a review of the issue by the Attorney General or her designee. The applicant should make a

written request for such a review through the Director of the CVSSD within 7 calendar days following notification of the results of the meeting described in the preceding paragraph.

- Every effort will be made to have a final decision by the Attorney General or designee within 14 days of receipt of the request.

SECTION VII: MONITORING, REPORTING AND FINANCIAL REQUIREMENTS

A. GRANT MONITORING

CVSSD will monitor each program receiving CVSSD awards. The objective of monitoring is to support program development, provide technical assistance, and assure that the subrecipient is: a) providing services as described in this RFA and grant agreements; b) spending grant funds as agreed; c) working towards funding objectives; and d) following appropriate fiscal procedures.

CVSSD monitoring includes financial and administrative risk assessments, one or more financial report verifications, policy and procedure reviews, and on-site visits. The process flow chart is available [here](#).

B. AWARDS CONDITIONS

1. Conditional Awards

a. Timely Completion of Grant Award Documents: All grant awards are made conditional upon the timely completion of grant award documents. Funds are not considered obligated and will not be transferred until all required grant award documents have been signed by an applicant and by the Department designee. If grant award documents are not completed by an applicant within three months of the notice to the applicant of the intended award, CVSSD may withdraw the award and has the authority to reallocate the funds that were conditionally awarded to the applicant.

b. Other Conditions: All Grant Agreements issued by CVSSD include conditions that must be satisfied by both parties to the Agreement. In addition, CVSSD may include additional conditions when circumstances exist that require a further showing of applicant's ability to successfully manage an award. For example, an award may be made conditionally if the grantee is not current in reporting for any previous grant award; has fewer than two full years of operational history in providing services to victims; has not fully demonstrated the ability to successfully manage any previous CVSSD awards; or has not demonstrated stability as required by this RFA. Examples of such additional conditions may include, but are not limited to a requirement of more frequent reporting to assure timeliness and accuracy or additional reports to document that grantee is successfully addressing an area of concern.

If one or more of these conditions exist, the applicant will be notified that a conditional award has been approved, and shall specify the conditions to be satisfied by the applicant and the date by which the conditions must be satisfied. When additional conditions are included in a Grant Agreement, Grantee's failure to satisfy those conditions shall be governed by the default and termination provisions included in the Grant Agreement.

C. REPORTING REQUIREMENTS

In addition to the conditions specified in the preceding section (“Conditional Awards”) and as a condition of receiving a VAWA grant, recipients must adhere to the financial guidelines set forth in the fund specific CVSSD Grant Agreement. An example of a VAWA Grant Agreement can be found on the CVSSD website at: <https://www.doj.state.or.us/crime-victims/grant-funds-programs/stop-violence-against-women-act-vawa-fund/>

All CVSSD Grant Agreements provide that subrecipients who fail to meet any of the reporting requirements included in this section (financial, narrative and/or statistical) shall be considered to be in default under the agreement. In such a case, CVSSD has the right to terminate the award. CVSSD may also reduce the award proportionately to the period for which reports were not submitted in a timely manner. Please see Section 5 of the Grant Agreement for reporting requirements and Section 6 for the “Termination and Default” section of the CVSSD Grant Agreement for additional information.

Reporting for this application will be done completely through the CVSSD E-Grants system. See the reporting schedule at the end of this section. Details and training on reporting within the CVSSD E-Grants system will be provided by CVSSD staff.

1. Financial Reporting

CVSSD operates funding for the VAWA Grant Program on a reimbursement basis, meaning that grant funds are paid to grantee agencies after expenditures have been incurred. Payments to grantees are made when CVSSD receives a Quarterly Financial Report (QFR) form, as described in the sample CVSSD Grant Agreement for VAWA. The QFR that is due by January 31st must be accompanied by the required OVW Statistical Annual Progress Report for VAWA (Muskie Report). CVSSD Common Outcome Measures Quarterly Reports for subgrantees providing direct services must also be submitted in order for payment to be made.

2. Narrative Reporting Requirements

Each grantee must submit a semi-annual narrative report on grant-funded activities. Semiannual narrative reports are not a substitute for other specifically required report information (i.e., reporting staff turnover, approval of specific expenditures, requests to amend budgets, seeking CVSSD approval for out of state training, etc.).

3. Statistical Reporting Requirements

CVSSD requires that VAWA grantees report statistical data on an annual basis. Statistics are collected on the VAWA Annual Performance Report form provided by OVW found at: <https://www.vawamei.org/grant-program/stop-formula-grant-program/>

All statistical data must be as accurate as possible and grantees must be able to distinguish between new and ongoing clients. It is essential that the proper data be collected and reported as the data will be used to comply with both state and federal reporting requirements.

Grantees must carefully consider who their VAWA grant clients or activities are in order to accurately collect and report relevant data. In general, clients are “identifiable individuals who receive direct

services by the staff resources reflected in the VAWA grant budget.” The following should be taken into account when determining how to collect VAWA statistics:

- Contacting the public individually, in groups, in person or otherwise, with information about the availability of services may be an important outreach activity, but does not constitute the actual provision of direct services; persons so contacted are not clients unless they actually receive the direct services offered through the VAWA grant; and
- Clients must be individually identifiable in order to ensure that data is unduplicated and to collect the necessary civil rights compliance information. The only exception is “Number of Phone Contacts.”

See the most recent version of the VAWA Annual Progress Report Form and Instructions for guidance on statistics and narrative reporting. The VAWA Grant Management Handbook will include additional information. A copy of the STOP VAWA Annual Progress Report Power Point Training can be accessed at <https://www.doj.state.or.us/crime-victims/grant-funds-programs/stop-violence-against-women-act-vawa-fund/>

4. Reporting on CVSSD Common Outcome Measures (for Direct Service Projects Only)

VAWA grant recipients providing direct services are required to collect feedback on services provided using prescribed common outcome measures. These measures and the client feedback process will be part of the CVSSD reporting requirements.

5. Maintain Civil Rights Information

Upon award, each grantee is required to maintain statutorily required civil rights statistics on survivors’ services by race, national origin, sex, age, and disability. This requirement is waived when the grant recipient is providing a service such as crisis line where soliciting the information may be inappropriate or offensive to the survivor. Civil rights statistics must be kept on file along with other VAWA grant documentation and must correspond with each grant period. The information will be reviewed during onsite visits or at the request of the Federal Administrator of VAWA Funds of the Office on Violence Against Women.

6. Reporting Schedule

Reporting Period	Quarterly Financial Due	Semi Annual Statistics/Narrative Annual Progress Report Due (Muskie)
January 1 – March 31	April 30	NA
April 1 – June 30	July 20	July 31
July 1 – September 30	October 31	NA
October 1 – December 31	January 31	January 31

D. PAYMENT OF AWARDS

VAWA grant award payments are made on a reimbursement basis, meaning that grant funds are paid to grantee agencies after expenditures have been made. Payments to grantees are made when CVSSD receives a Quarterly Financial Report form and all required accompanying reports. Sample language as to the payment of VAWA awards and the conditions precedent to payment are included in the draft

CVSSD VAWA Grant Agreement which can be viewed under Additional Resources on the CVSSD website: <https://www.doj.state.or.us/crime-victims/grant-funds-programs/stop-violence-against-women-act-vawa-fund/>.

As stated in the sample Grant Agreement, all payments are contingent upon funds being appropriated and available for distribution.

APPENDICES

Appendix A: [Sample Letter of Consultation with Victim Service Programs](#)

Appendix B: [Sample Letter of Authorization](#)

Appendix C: [Certificate of Non-Supplanting](#)

Appendix D: [Legal Services Certification Letter](#)

Appendix E: [Memorandum of Understanding Template and Guidelines](#)

Appendix F: [VAWA Statement of Compliance](#)

Appendix G: Training Project Detail Forms

A separate form for LE/Prosecution and the Courts.

Appendix H: [FY 2022-2025 VAWA IP Goals and Objectives for Grant Funded Projects](#)

Appendix I: [Project Description Questions in CVSSD E-Grants for RFA](#)

EXHIBITS

Exhibit A: [Federal Priorities and Strategies](#)

Exhibit B: [State Funding Priorities](#)

Exhibit C: [Examples of Project Goals and Objectives](#)