



Boulder County CDBG-DR Collaborative Special Meeting Minutes – March 8, 2019

Facilitator: Kathy Fedler, City of Longmont

BCC Partners: Victoria Simonsen, Town of Lyons
Tracy Sanders, Town of Lyons
Erika Archer, Town of Lyons
Joel Wagner, City of Boulder
Sean Cronin, SVLHWCD
Sandi Seader, City of Longmont
Philip Strom, City of Longmont
Molly O'Donnell, City of Longmont

Chris Krolick, Town of Jamestown (ph)
Karen Gerrity, Town of Nederland (ph)
Deb Gardner, Boulder County
Leslie Irwin, Boulder County
Peter Gibbons, City of Longmont
Jim Angstadt, City of Longmont
Kyndra Daniels, City of Longmont

Guests: Dave Bowman, DOLA

Location: Longmont Civic Center, Finance Conference Room, 350 Kimbark Street

Agenda and Discussion Items:

- Changes to or Approve Minutes from January 11, 2019 Meeting
- Adopt Revised Recapture Plan
- Final Extension Request
 - Data due from BCC Partners by April 19th
 - Final project list
 - Final project budgets
- Funding Re-Allocation/Final Community Unmet Needs
 - \$890,286.43 from Louisville, Nederland, Longmont Rehab, DPA ready to re-allocate now
 - \$92,849.32 from Planning potentially ready to re-allocate depending on community final project lists
 - Plan for future funding re-allocations

Handouts:

- BCC Snapshot – March 2018
- Projections Summary

Meeting Minutes:

2:35 pm - Introductions

January 11, 2019 Standing Meeting Minutes Review

Motion to approve made by Sandi Seader, seconded by Victoria Simonsen. All in favor, none opposed.

Adopt Revised Recapture Plan

In response to DOLA monitoring requirements, the BCC Recapture Plan was updated in each Partner community's most recent inter-governmental agreement (IGA) to include specific subrogation language. During development of the final IGA with Boulder County, it was found that clarifications were needed to differentiate how the plan applied to Delegates as sub-grantees and residents that are direct recipients of CDBG-DR funds. In order for all Partners to be operating from the same version of the Recapture Plan, a revised version was brought to vote. Motion to approve made by Deb Gardner, seconded by Karen Gerrity. All in favor, none opposed.

Final Extension Request

Molly O'Donnell presented the program's current status on reimbursement through the first of two March draws and progress on meeting projections.

Highlights from the Snapshot:

- With \$38,712,724 in expenditures, the program is 51.9% complete (infrastructure is 52.2% complete, housing is 47.1% complete).
- Only 30% of the program's extended timeframe is remaining (to 9/30/2020), and 48.1% of the program to is remaining to complete in that timeframe.
- Actual LMI expenditures is 55.6%, projection program-wide is 61.2%.

Projections

The program will fall approximately \$12.4 million short of the original March 2019 obligation requirement. The program will fall approximately \$3.2 million short of the revised projections that BCC staff provided to the State in November 2018. BCC staff have provided the State with extension requests or suggested moves to the next Round (Round 11), for the funds we won't spend in time.

Extension Request

Dave Bowman reported that the extension request for Round 10, the March 31st obligation deadline, has not yet been approved by HUD but he has generally received word that if the extension requests are submitted on time, they will eventually be approved. After March 31st, all funds will be associated with either Round 11 or an extended prior round, both of which will have a program end date of September 30, 2020. In order to spend all funds by that deadline, BCC Partners will need to achieve approximately \$2.25 million in reimbursements per month.

The Round 11 extension request must be submitted by the State to HUD by May 11th, 2019. In order to make this deadline, the BCC needs to submit data to the State by April 26th, **and therefore Partners need to make final funding decisions during the April 5th Special BCC meeting and need to provide final data to the BCC by April 12th at the latest (note this is revised from the April 19th deadline**

discussed during the meeting). Data needed for the extension request includes each community's final funded project list and final planned budgets to commit all current funding.

Since some funding is ready to re-allocate now and some communities will return unused funding for re-allocation to other communities, each community needs to provide funding amounts to release or a list of unmet needs projects (also called "below the line" projects) in order to make decisions by April about how to commit this funding. The list of projects with remaining unmet needs must only include those that could be eligible for CDBG-DR funding, are in the Unmet Needs Assessment, and be able to be constructed within the program timeframe (completed construction by July 2020 and reimbursed by September 2020).

Further, the unmet needs project list needs to be prioritized and a plan for allocation decided now so that if additional funding comes to the BCC in the future, it can be committed immediately. Therefore it makes sense to have a full long list of unmet needs and a short list of priority projects that are feasible within the grant timeframe. Dave reported that the State will need to know exactly which projects need extensions. However, if a project drops out or underspends, that unmet needs list ready to go can backfill the funding. It is preferable to move funding between infrastructure projects or between housing projects, but moving to and from infrastructure and housing would require a substantial amendment, which is more complicated.

Funding Re-Allocation/Final Community Unmet Needs

Molly O'Donnell reported that \$983,135.75 in funding released from Louisville, Nederland, Longmont Rehab, Countywide DPA, and Planning is ready immediately for re-allocation. BCC Partner communities then reported the status of their project funding:

Jamestown

Jamestown is ready to release \$485,260 immediately to the BCC for re-allocation. **This brings the total available to reallocate to \$1,468,395.75.** By mid-April, Jamestown may have additional funding to release after staff confirms the FEMA funding status of the Gillespie Gulch project.

Longmont

Longmont's current CDBG-DR-funded reach of Resilient St. Vrain, Reach 2B, has \$5.5 million in unmet need, \$3.6 million of which is currently on loan from the city's internal Fleet Fund with no repayment funding source. The remainder is slated to be covered with local funding, but if CDBG-DR can fill that gap, then those local funds can be used to move the improvements further upstream to make more of a difference in flood protection for the community. The full unmet need of Resilient St. Vrain overall is \$20 million. Reach 2B is an LMI project that can be completed by July 2020.

Lyons

Lyons has reconfigured its existing CDBG-DR project budgets to prioritize fully funding the Eastern Corridor projects. This reconfiguration moves the Road Repairs Project (\$858,000) to the unfunded project list and leaves \$595,958 in existing funding available for the next highest priority project, Apple Valley Waterline. However, there is still a \$956,457 unmet need for the Apple Valley Waterline project due to the engineer's estimate coming in much higher than anticipated. The funding request amount includes contingency and project delivery. ***(Note: during the meeting we discussed a \$1,009,000 unmet need for Apple Valley, but it was revised to \$956,457 post-meeting.)***

If fully funded, the Apple Valley Waterline project will move the entire waterline out of the St. Vrain Creek and to Apple Valley Road. Lyons currently has approximately \$1,000,000 in FEMA and CDBG-DR funding committed from the State's allocation to partially fund this project. If additional funding is not obtained for the full project, the FEMA-funded alternative project must be constructed, which is to lower the line below the creek. This alternative is not a resilient option, leaves the line at risk for future floods, and results in more disruption to the neighborhood. This project is at 60% design and can be completed by December 2019. Lyons needs to determine which alternative to fund by April 2019 to be able to coordinate construction with Longmont's complementary project in this same area. Lyons requested to fully fund the Apple Valley Waterline project with the currently available reallocated funding.

VOTE: Fully fund the Apple Valley Waterline project either out of the currently available reallocated funding or out of Boulder County's allocation to be determined later. Motion made by Sandi Seader, seconded by Deb Gardner. All in favor, none opposed.

Lyons remaining flood recovery unmet need is \$23.8 million, with \$5.4 million in projects that are a high priority, could be eligible for CDBG-DR funding, and could be completed within the program timeframe. The Road Repairs Project is the top priority, followed by the Streambank Restoration at the Lyons Valley River Park (LVRP). Lyons is going to look closer at the remaining projects on the short list of unmet needs to refine the numbers, confirm priorities and prepare completion schedules.

Boulder County

Boulder County has approximately \$2.8 million remaining in existing CDBG-DR funding to allocate to projects. Projects preliminarily slated for this funding are Sunset-Boston Reconstruction, Big Elk Meadows Sunset Lake Dam, and TBD projects from Lyons' unmet needs list. The original application amount for Sunset-Boston, an LMI project, was \$2.2 million to cover road reconstruction of flood damaged road sub-base, and multi-modal improvements on both sides of the roads. Boulder County proposed to Longmont to do a \$75,000 alternate project for Sunset-Boston that includes only sidewalk work on the south side of Boston Avenue to serve the LMI community at St. Vrain Mobile Home Park. Longmont needs to circle back to see how this impacts the IGA between Boulder County and Longmont regarding this project and confirm a cost estimate for just sidewalk work. The amount available for Big Elk Meadows and Lyons can be determined once a decision is made on Sunset-Boston.

Boulder County also reported that approximately \$1.1 million in Housing Assistance Program (HAP) funding may also be available to move to other projects. However, Boulder County and BCC staff will confirm these numbers in relation to the project delivery increase request that has not been submitted yet. Boulder County also reported \$5.65 million in unmet needs for housing projects, including Tungsten Village construction in Nederland, Lafayette land acquisition, and Coffman Street housing construction in Longmont.

St. Vrain & Lefthand Water Conservancy District

The Lake 4 project is in environmental review by FEMA and ready to construct as soon as the approval is obtained. The engineer's estimate for the project has increased, resulting in a higher local match unmet need for the District. The District requests \$120,000 in additional CDBG-DR funding to cover this need.

(Note: The District requested \$110,000 at the meeting but was revised to \$120,000 post-meeting.)

LMI Projections and Planning for Reallocated Funds

Once all communities reported either funding releases or unmet needs, Molly O'Donnell reported on how decisions made about reallocated funding could impact the program's LMI goals. Current LMI projections are 61.2% when the goal is 47% (revised from 50% due to the \$4 million of LMI contributed from the Lyons Housing New Construction Project).

The LMI projection includes \$3,555,071 of projects that have not yet been confirmed or funding that is up for reallocation, consisting of the full funding amount of Sunset-Boston, all of Jamestown's released funding, and the Longmont Rehab and DPA program's released funding. The remainder of the funding up for reallocation (\$177,456) is not included in the LMI projection.

BCC staff is requiring a 5% LMI cushion due to uncertainties with the Boulder County HAP program, therefore the minimum LMI target is \$37,576,847. The difference between our LMI projection and this limit is \$6,613,512, so that is where we have flexibility to move LMI projected funds to an urgent need project. However, we still have LMI projects that could fall out or have cost underruns that need to be considered as well. Namely Jamestown's Gillespie Gulch project and cost underruns on Boulder County's Glendale Gulch and Ward Road Repairs projects.

Deb Gardner stated that all existing and future unallocated funding should go towards Lyons' long list of unmet needs as helping the smaller communities is a guiding principle of the BCC. Sandi Seader stated that funding projects that serve LMI communities is also a guiding principle of the BCC. Sandi also stated that it does not make sense for Longmont to lose the Sunset-Boston project and also not receive further funding for the Resilient St. Vrain Project, both of which are LMI projects.

Since the group voted to ensure Lyons receives funding for the Apple Valley project, reallocation of the remaining funding and confirmation of the plan for future reallocated funding was deferred to the next meeting on April 5, 2019. In preparation for that meeting, the following action items will be taken:

1. Boulder County and Longmont will decide the funding plan for Sunset-Boston.
2. Boulder County will decide on a proposed funding amount for Big Elk Meadows.
3. Boulder County will decide on a funding amount for Lyons projects, including whether the \$956,457 committed for Apple Valley will be funded out of their allocation.
4. Boulder County and BCC staff will determine the final funding amount for the HAP Program, which involves the project delivery increase request and budget review to confirm whether there will be cost underruns.
5. Lyons will fine tune their unmet needs list, including priority order, funding request, timing feasibility, and matching sources.

4:45 pm – Meeting adjourned.

Next Meeting Date: April 5, 2019 – City of Boulder Finance, Brenton Building