



Boulder County CDBG-DR Collaborative Standing Meeting Minutes – April 13, 2018

Facilitator: Kathy Fedler, City of Longmont

BCC Partners: Joel Wagner, City of Boulder
Leslie Irwin, Boulder County (ph)
Michelle Krezek, Boulder County
Kristyn Unrein, Boulder County (ph)
Kyndra Daniels, City of Longmont
Dale Rademacher, City of Longmont

Richard Markovich, Town of Lyons
Victoria Simonsen, Town of Lyons
Megan Davis, City of Louisville (ph)
Peter Gibbons, City of Longmont
Sandi Seader, City of Longmont
Philp Strom, City of Longmont

Others: Dave Bowman, DOLA

Location: City of Boulder Service Center, 5050 Pearl Street, Boulder

Agenda and Discussion Items:

- Changes to or Approve Minutes from March 9th Meeting
- Adoption of Appeals Process
- Round 2 B added funding – report on division between Boulder County and Longmont
- Round 3 Grant Award Status
- General Infrastructure & Housing Program Progress Updates and Status
 - Changes to the Cumulative Disbursement Tracking - update
 - Expenditure projections for current and upcoming projects – update
 - Insurance/Bond/Tax submissions for Duplication of Benefits
 - Lyons Public Works Building changes
- Community Project Report Out
- Update on Housing Projects (Ponderosa and Lyons)
- Advocacy and Agitation - Concerns/Issues?

Handouts:

- Lyons Public Works Building Project Revisions Presentation

Meeting Minutes:

2:45 pm - Introductions

March 9, 2018 Standing Meeting Minutes Review

Motion to approve made by Victoria Simonsen, seconded by Dale Rademacher. All in favor, none opposed.

Boulder County Collaborative Review of Appeals Process for Partners – Kathy Fedler

Information was emailed to the Boulder County Collaborative (BCC) partners on Friday April 6th, 2018 detailing the appeals process for partners that may not agree with ineligibility determinations by Longmont as we continue project approvals, requests for reimbursements, project review and QC, etc. Kathy did not receive comments or suggested changes. Victoria Simonsen asked who is on the Appeals Committee to make an appeal decision. Kathy responded that the committee members are listed in the appeals procedures document and include: The DOLA CDBG-DR Director or his designee, the BCC CDBG-DR Program Manager or her designee, and other BCC staff, DOLA staff or subject matter experts as appropriate. Michelle Krezek made a motion to formally adopt the appeals process, and Sandi Seader seconded. All in favor, none opposed. Kathy indicated the final appeal procedures will be posted on the BCC website (www.bccollaborative.org) for all to access.

Round 2 B added funding – report on division of funds between Boulder County and Longmont

Dale Rademacher indicated Boulder County and Longmont will split the additional funding 50/50, or \$1.605M for each partner. The BCC will move forward with including the additional funding in budget projections and agreements.

Round 3 Grant Award Status – Kathy Fedler

Kathy informed everyone that the first amendment to the grant agreement for the Round 3 funding was approved by the Longmont City Council and is currently with DOLA for final signatures and execution. Once approved by DOLA, the BCC will work on amendments to the intergovernmental agreements with the communities to allocated Round 3 funding and update anything needed for Round 2. The BCC expects these amendments to be executed in the next two months.

Funding Expenditure Projections – Kyndra Daniels

Kyndra thanked the communities for providing her with the expenditure projections and discussed the importance of the projections to help partners meet their expenditure deadlines. To improve expenditure tracking versus the obligated budgets the BCC is creating a new simplified financial tracking sheet that will be prepared for review at an upcoming Boulder County CDBG-DR Collaborative Standing Meeting.

Funding Review by BCC and Duplication of Benefits Avoidance – Kathy Fedler

Kathy reminded everyone of the email she had sent on Tuesday March 27th, 2018 regarding the BCC's request to review all potential Duplication of Benefits (DOB) sources prior to Round 3 awards. This is the last chance to ensure that absolutely no duplicative funding was received that could result in a claw-back of funds from HUD in the future.

The BCC needs to know where all flood recovery bond, sales tax, fees, insurance, or other local monies received were applied, regardless of whether or not those monies touched CDBG-DR projects, to properly account for all DOB. The State is also asking for this information to:

1. Demonstrate that Colorado (State and Local) has 'skin in the game' as part of our extension request,
2. Ensure that we are properly sourcing matching funds in the DRGR (that's our reporting system to HUD), and
3. Make sure we have Duplication of Benefits properly accounted for.

An example of how communities could show their local funding was attached in the email with two spreadsheets showing the breakdown of Longmont's bond and insurance funding received, where those monies were applied, as well as other funding being provided for DR funded projects. The email requested a similar breakdown to be sent to Audrey Dakan Audrey.dakan@longmontcolorado.gov before Friday April 30th, 2018; to date, no information has been received from any of the partners.

Lyons Public Works Building Project Revision – Richard Markovich

Richard explained that Lyons is moving in a slightly different direction with the additional funding for the Public Works Building Project, which the BCC approved at the December 2017 meeting. Previously the BCC funding was to supplement any shortfalls in the FEMA Public Assistance (PA) funding for an improved replacement public works building. The project was a FEMA PA improved project and the Town was in the process of finalizing the version with FEMA to construct a larger replacement public works building.

However, after review of the funding available and the requirements of a FEMA PA unimproved project versus a FEMA PA improved project, Lyons has revised the scope of the project. Now Lyons will construct two public works buildings, one is an unimproved replacement of the Town public works building destroyed in the flood and will be constructed as a FEMA PA unimproved project. The second building will be a new public works building to add the remaining facilities the Town requires to operate its expanded park system. This building will be funded entirely by BCC CDBG-DR funds. The largest factor influencing the decision was the fact that a FEMA PA unimproved project will fund the project based on the scope of work, without a cap in the funding amount. By proceeding with a FEMA unimproved project the Town reduces its risk of funding shortfalls due to higher construction costs as long as the project follows the approved scope. It also allows the CDBG-DR funding to provide the additional resiliency improvements needed due to the forced relocation of the Public Works replacement building away from the other town facilities. These include the need to house more equipment due to increased open space (through the Buyout Program), and the need to provide a fuel station, restrooms and office spaces. The Town will also have the ability to handle emergency operations from this facility, if needed.

The Town is moving forward with the project quickly because they are renting a building temporarily for their public works operations and that building is currently for sale. The Town expects to complete the project by August 2019.

Community Project Report Out

Jamestown – The Gillespie Gulch Drainage Culvert Project is ongoing and expected to complete by mid-May 2018. The Lower Main Street Bridge Replacement was recently bid and the Town is preparing the

Notice of Award for the apparent low bidder, SEMA Construction. The bridge replacement is expected to begin in May 2018 and be completed by the end of the year. The James Canyon Roadway Replacement Project is expected to advertise for bid on May 1st, 2018 and complete by the fall 2018. The Rain Gauge project has purchased the rain gauge equipment and is awaiting approval of the US Forest Service permit application to install a single rain gauge. Additionally, the design development portion of the project is examining the existing automated flood warning system in Boulder County and will provide recommendations for system improvements in mid-May 2018. The Structure Elevations Project, which is a matching project to the FEMA Hazard Mitigation Grant Program (HMGP) is stalled without a path forward due to budget constraints of the FEMA HMGP requirements. Michelle Krezek asked if the Buyout Program was an alternative to the homeowners instead of elevating. Dave Bowman indicated that re-opening the Buyout Program to new applicants would be a BCC decision. Philip Strom also responded that the homeowners have not shown interest in a buyout. Jamestown expects to complete all BCC funded projects by the end of 2018.

Lyons – The Structure Elevations Project in Lyons has the same issues as Jamestown and is stalled without a path forward due to budget constraints of the FEMA HMGP requirements. The Town Board has closed the Buyout Program to new applicants. The CDBG-DR Buyout Program is ongoing and all properties have been purchased and demolished, however some demolition remains on one property in order to clean-up remaining debris. The Uniform Relocation Act, which provided payments for the displacees of the Buyout Program, is ongoing. There were over 20 displacees that need to be compensated and gathering the appropriate paperwork has been difficult and drawn out. The Eastern Corridor Utility Extension Project must first correct Town BOD levels at the existing plant prior to receiving a permit to construct the new force main and lift station. The Public Works Building is continuing design and expects to advertise to bid the civil site work soon. The St. Vrain Trail Extension design is progressing while the Town works with the ditch companies on the crossing agreements; the trail must be completed by the end of 2018 to meet the Colorado Parks and Wildlife Grant Requirements. The McConnell Bridge Replacement is ongoing and the bridge will be opened to traffic in mid-May. The 2nd Ave Bridge is being re-designed per FEMA's request to include a clear span to allow for 500 year flow. The re-design to the 30% level is expected to be completed in mid-May and re-submitted to FEMA for review and approval. The project is expected to begin construction in Fall 2018.

Boulder – Wonderland Creek expects substantial completion on June 2018, the multi-use path has been opened and the project is completing the landscaping and irrigation. Davis-Bacon payroll review by BCC is ongoing in order to close out project.

Longmont – The St. Vrain flood control work under the FEMA Public Assistance Alternative Procedures (PAAP) program has been substantially completed for City Reach I which is from Sandstone Ranch to Main Street. The Sandstone Reach, starting on Main to Pratt reaches will begin next. The CDBG-DR funding cover this work from the Railroad Bridge (past Pratt Pkwy) to Boston and will advertise for bid in the Fall 2018. Dale Rademacher noted the St. Vrain Mobile Home Park is located within this reach, but no displacement is anticipated. This reach also includes the replacement of the existing Burlington Northern Railroad Bridge. Coordination efforts with Burlington Northern Railroad have been going well, but funding swap requests by CDOT may introduce complexity to the project. There is a one million dollar grant from Denver Regional Council of Governments (DRCOG) available for the bridge. CDOT has suggested funds to flow through FHWA to CDOT through HUD and eventually to the BCC. Longmont is meeting with CDOT next week to determine a path forward. Additionally the St Vrain flood control work was approved for USACE funds of \$10M after an effective cost benefit analysis by the USACE. An

additional \$5M in funding will be provided by the City of Longmont. The replacement of the South Pratt Bridge is ongoing and will be completed in September 2018.

Louisville – Close-out of projects has been completed. Louisville is the first BCC community to complete their entire allocation and leave us!

Boulder County – Home Access work is ongoing and there are 16 active bridge projects. Completing Temporary Relocation Assistance (TRA) and will be meeting with Longmont to discuss requests for reimbursements. The final Buyout property has been completed and the property will be transferred to the Town of Lyons. Continuing to submit Demolition Requests for Reimbursements. Continuing to work with Longmont to determine eligible projects for Round 3 funding.

State Update – Dave Bowman

Dave discussed that HUD moved from tracking expenditures by obligations with specific deadlines to a cumulative expenditure process which allowed any expenditure to be counted against the current deadline regardless of obligation. Now the decision has been reversed back to requiring specific deadlines. Longmont indicated concerns with this decision because previously it had allowed the BCC to submit expenditures that were over our infrastructure obligation to offset the under-achieving on our housing expenditures. Is it possible that the housing obligation of \$2.3M, required to be expended by 12/31/2017, is in jeopardy? Dave indicated these funds are not at risk of being lost.

Dave said the funding extension from the BCC will be submitted to the Governor for approval in early May. With all programs revised projections submitted, DOLA will be able to determine if additional funds are available and he expects to know this in June. He asked that the BCC develop a list of high-priority unfunded projects by June to show shovel ready projects and unmet needs for any additional funding allocation.

Housing Update

Boulder – Ponderosa Project - The Resident Leadership Team has been using a successful approach in developing a concept plan for the community. The concept plan utilizes a phased approach to minimize displacements of residents. Infrastructure improvements are expected to begin in 2019 and include new road and utility improvements. The housing will include affordable housing. Plans are also beginning for the North Boulder Library which will be constructed adjacent to the Ponderosa Project, a great amenity for that neighborhood.

Lyons– A developer has been selected for an affordable housing project, Lyons Valley Park, which anticipated up to 43 units, however, after a recent survey it was determined the site is approximately 2 acres smaller than initial plans indicated. The site has been reduced from 7.8 acres to 5.8 acres and under current zoning would only allow for up to 29 units. Rezoning to increase the allowable units would require a public hearing with the Planning Commission and would require a referendum. The developer is re-surveying the property to confirm the area size and performing geotechnical work. Additionally the adjacent homeowner association has an issue with the proposed development, however the property has been planned for multi-family use since 1979. May 2nd the Town will hold a hearing with the neighborhood. The CDBG-DR funds planned for the development may not all be able to be used due to the reduction of units which would increase the cost per unit to around \$80,000.

The Town will receive an updated proposal from the selected developer for another possible housing project, Village East, on May 7th. This development would produce up to 45 units and the Town is negotiating with the developer for a purchase agreement.

Other Items

The Mayor of Jamestown, Tara Schoedinger's term has expired and a new mayor has been elected, Ken Lenarcic. Tara will move into the role of Flood Recovery Manager for the Town.

Meeting adjourned.

Next Meeting Date: May 11, 2018 – Location TBD