



Boulder County CDBG-DR Collaborative Standing Meeting Minutes – January 13, 2017

Facilitator: Kathy Fedler, City of Longmont

BCC Partners: Leslie Irwin, Boulder County
Deb Gardner, Boulder County
Victoria Simonsen, Lyons
Tony Cavalier, Lyons (phone)
Chris Krolick, Jamestown (phone)
Kyndra Daniels, City of Longmont
Philip Strom, City of Longmont

Michelle Krezek, Boulder County
Kristyn Unrein, Boulder County
Kristin Hyser, City of Boulder
Joel Wagner, City of Boulder
Shawn Lewis, City of Longmont
Peter Gibbons, City of Longmont
Molly O'Donnell, City of Longmont

Consultants: Deborah Siefert, Hagerty Consulting

Others: Dave Bowman (DOLA)

Location: City of Longmont, City Manager's Conference Room

Agenda and Discussion Items:

- Changes to or Approve Minutes from November and December meetings
- Boulder County Resiliency Plan Report Out – BoCo Strong
- Unmet Needs Assessment – Review and Approval
 - Final OK on Round 3 Infrastructure Proposed Distribution (Summary Tables)
 - Review of Proposed Housing Distribution
- Updates
 - General Round 2 Infrastructure Project Updates
 - Community Project Report Out
 - Resiliency Performance Standards Reports
 - Procurement Training/Resources
 - Update on Housing Projects (Ponderosa and Lyons)
- Advocacy and Agitation about:
 - SB 40 Permitting – Applicability to Our Projects
 - Other Concerns/Issues?

Handouts:

- Updated BCC Master Tracker & Dashboard
- Draft Final Unmet Needs Assessment
- Unmet Needs Assessment Summary Tables
- Unmet Needs Assessment Housing Summary

2:35 pm – Introductions

November 18 and December 9, 2016 Standing Meeting Minutes Review

No comments, discussion, or requests to make revisions to the Minutes for the November 18, 2016 or December 9, 2016 Standing Meetings occurred. Approved by Consensus.

BoCo Strong Report Out – Michelle Krezek for Garry Sanfacon

The Boulder County Commissioners approved funding to continue BoCo Strong operations for 2017.

Unmet Needs Assessment

Overview

Deb Siefert presented the revised Unmet Needs Assessment (UNA) Summary Tables for Round 3 CDBG-DR funds. The Collaborative's sub-allocation will be \$20,522,213. In addition, \$2,823,145 from Round 2 Housing New Construction that should come to the Collaborative. Revisions made since the December 9, 2016 Collaborative meeting include adding two missing projects for Lyons and an executive summary. The revised draft UNA currently shows unmet need for Housing at 43% and Infrastructure at a 57% split.

Infrastructure

At 57% of the allocation, Round 3 Infrastructure funds would total \$11,697,661. The group agreed by consensus that an average of the FEMA PA Unmet Need table (Table 6) and the FEMA PA and HMGP Unmet Need table (Table 7), shown in Table 8 of the UNA Summary Tables, is the selected proportional distribution for Round 3 Infrastructure Funds. This proportional distribution is reflected below:

Participating Government	Percentage of Infrastructure	Round 3 CDBG-DR Allocation
Boulder County	58.00%	\$6,784,570
Boulder	6.30%	\$736,660
Jamestown	10.31%	\$1,206,303
Lafayette	0%	\$0
Louisville	1.59%	\$186,081
Longmont	17.41%	\$2,036,886
Lyons	6.39%	\$747,161
Nederland	0%	\$0
Total	100.00%	\$11,697,661

This distribution scenario was adopted by Consensus .

Town of Ward Issues

Kathy Fedler reported that the Town of Ward expressed interest in joining the Collaborative several months ago since the Town has an upcoming project they need to find financial resources for. However, no word has been heard from the Town since preparation of the UNA has been underway, therefore there is uncertainty about the total cost of the project and the amount of unmet need. Using the best available information, Deb Siefert worked to include Ward's project in the last revision of the UNA. However, their project is not a FEMA PA, FEMA HMGP, or FHWA project; it is a resiliency project, which does not factor into the proportional distribution. Even if the Collaborative included resiliency projects into the proportional distribution, Ward's share would then be so small compared to other jurisdictions' share that the funds would not go very far in meeting Ward's unmet need. Therefore, if the Collaborative wants to provide Round 3 funds to Ward, it will have to be through a different method such as providing them with the Minimum Threshold Project amount of \$250,000 similar to what each jurisdiction in Round 2 received. **Action Item:** Further discussions between the Collaborative, Boulder County, and Ward are needed to determine a direction, then bring a proposal back to the Collaborative.

Housing

At 43% of the allocation, Round 3 Housing funds would total \$8,824,552. \$5,582,186 has been set aside for New Construction for Lyons and Ponderosa Mobile Home Park, leaving \$3,242,366 for Housing Assistance Programs (HAP). Of that amount, \$3 million has already been committed to Boulder County, leaving \$242,366 to cover additional Longmont/Boulder County HAP. In addition, City of Boulder has submitted a request for an additional \$1,917,834 to fully fund the purchase of the Ponderosa Mobile Home Park. The City has resources for other phases of the Ponderosa project, but they have unmet need for the purchase. Kathy Fedler then reported funding options for the additional \$2,823,145 of Round 2 Housing New Construction (NC) funds being moved to Round 3. See below for a summary of each option:

- Housing Funding Distribution Option #1
 - Applies entire NC funds to HAP unmet need, bringing total HAP allocation to \$3,065,511.
 - Covers 85% of Longmont and Boulder County LMI HAP needs, and 100% of Boulder County's if \$540,000 of Boulder County infrastructure funds are transferred to HAP.
 - Ponderosa project gets originally allocated \$1,582,186.
- Housing Funding Distribution Option #2
 - Fully funds Ponderosa by allocating additional \$1,917,834 to the project.
 - Applies the remaining \$905,331 of NC to Longmont/Boulder County HAP.
 - Covers 65% of LMI households at or below 30% of area median income (AMI).
- Housing Funding Distribution Option #3
 - If City of Boulder applies its entire \$736,660 infrastructure distribution towards Ponderosa, and NC covers the difference of \$1,181,184, then Ponderosa is fully funded.
 - Applies the remaining \$1,641,991 to Longmont/Boulder County HAP.
 - Covers 100% of LMI households at or below 30% of AMI.
 - Covers 80% of LMI households at or below 50% AMI, and 100% of all LMI households if \$404,000 of Boulder County infrastructure funds are transferred to HAP.

The group recognized that Option #3 would best serve the needs of Ponderosa and the HAP program, however Joel Wagner stated that he would have to take the option back to get feedback on the infrastructure transfer since this would leave the Wonderland Creek Greenways Project with less funding than anticipated (**Action Item**). Joel asked whether all HAP LMI households have been verified as eligible for assistance. Leslie Irwin responded that income qualifications for all Boulder County applicants is complete. Kathy responded that initial review of income qualifications is complete but final review is yet to be completed for Longmont applicants, but she is confident they are all eligible. Kathy also clarified that program-wide LMI goals are anticipated to be met with Option #3 since current projections have the program at 54% LMI already.

Timing for Housing NC Funding Allocation Decision

A decision needs to be made on the Housing NC funding option before the UNA is complete so it can be included in the State's Action Plan. Dave Bowman reported the State is no longer anticipating meeting the mid-January 2017 target for Action Plan completion. Kathy anticipates a substantial amendment will be required to fully fund Ponderosa and make the swap between Housing NC to Infrastructure to allow City of Boulder to use CDBG-DR funds for the Ponderosa property purchase as well as to transfer funding between new construction and HAP or Infrastructure. Dave suggested it may not be ideal to make all changes at once since it confuses people in the public review process; incremental changes will be acceptable. No hard deadline was set for City of Boulder to make a decision, but the sooner the better so that projects, including Ponderosa, can move forward more quickly.

Updates

General Round 2 Infrastructure Project Update – Molly O’Donnell and Kyndra Daniels

- Kyndra presented recent updates to the project delivery and admin spent to date.
- Molly provided updates on \$2,093,909 in reimbursements submitted in December 2016, bringing total Round 2 expenditures and reimbursements to \$3,673,314 to date. When added to the Round 1 expenditures of \$1,073,275, total expenditures and reimbursements to date for the program are \$4,746,589.
- Updated LMI Graphs were presented showing that 53% of funds are projected for Low/Moderate Income (LMI) currently, when 50% is the target.
- Expenditure Projections Graphs were revised to reflect the expenditures that occurred in December 2016 and the remainder of the projected expenditures that were pushed back another quarter, showing the significant amount of progress still to make in expending funds between now and September 2017.

Community Project Report Out

Philip Strom started work as the new Collaborative CDBG-DR Project Manager assigned to Jamestown and Lyons. He is working 2 days in each community and one day in Longmont each week.

- *Lyons – all projects:* Other Lyons staffing and leadership personnel changes are in the works. The end of 2016 marked \$35 million in flood recovery work completed, but this is not yet half of what is left to be done. The Town Board will pass a legislative history of flood recovery to plan for long-term future OIG audits and future lessons learned. Buyouts: Last two CDBG-DR buyouts are getting close to completion, and last two HMGP buyouts are being held up by oil & gas issues by FEMA. EDA Water/Sewer project: is moving forward with engineering and environmental and is subject to finalizing FEMA coordination on public works building. One project – debris removal – is fully complete, reimbursed and ready for close out and monitoring.
- *City of Boulder Wonderland Creek Greenways Improvement Project:* Construction is halfway complete. Tree removal is gearing up and therefore so is public relations strategies. Still waiting on CDOT to approve big change order that is holding up final CDBG-DR reimbursement.
- *Boulder County:* FEMA approved a one-year extension on HMGP buyout clearance/demolitions and revegetation which is easing stress and makes more sense for plant establishment seasonal restrictions. Home Access will be ongoing through 2018, some of which are over the \$500,000 limit so Boulder County will enlist the help of DOLA and the Collaborative to determine a direction. Over 100 rehab cases have been completed to date. Several monitorings have occurred recently.
- *Jamestown – all projects:* HMGP Buyouts program is complete, preparing for reimbursement. Elevations engineering is at 50% and are being reviewed with homeowners. Lower Main St. Bridge design is complete and preparing to put in an HMGP grant funding request to FEMA. A scope change for FEMA-funded segments of CR-94 has been submitted, and the CDBG-DR segment will go out to bid for construction in March 2017.
- *Longmont Resilient St. Vrain:* Sandstone and City Reach 1 are in construction. City Reach 2, including the CDBG-DR segment, held an engineering kick off meeting and is in full swing.

Procurement Training/Resources – Molly O’Donnell

Molly reported that the Collaborative’s new and improved procurement resources documents are complete and available on the Collaborative website (www.bccollaborative.org). As revisions occur, the website links will be kept up to date so that Partners have access to the latest resources at all times. Resources include: a CDBG-DR federal procurement provisions contract addendum package, a Q&A guide to completing the procurement module in Salesforce, a cost and price analysis worksheet, a

Minority and Women's Business Enterprises (MBE/WBE) outreach checklist, guidance on what is required for different types of entities for debarment checks, and a link to the procurement regulations at 2 CFR Part 200. Note: the MBE/WBE checklist and debarment check guidance are pending approval from the State.

Action Item: Molly will be setting up procurement workshops for Partners to walk through the procurement resources and the procurement module in Salesforce. Workshop sessions will be set with interested Partners within the next month.

Update on Housing Projects (Ponderosa and Lyons)

Krisin Hyser reported that City of Boulder is working on obtaining resources to complete the Ponderosa project, and in the meantime is keeping up open lines of communication with the property owners.

Victoria Simonsen reported that Lyons is negotiating a contract with Longmont for the purchase of the former Longmont Water Treatment Plant properties, with anticipation that the Town Board will approve the purchase in February 2017. This may help other components needed to get a housing project moving along more quickly, including nailing down a public works building site to meet FEMA deadlines, and working out potential land swaps with CDOT and other downtown opportunities. Victoria is comfortable with setting a deadline to get a feasible housing project in order to use the CDBG-DR funding, or else return it to the Collaborative. Dave Bowman reported that once Lyons makes a decision, a timeline can be created and the State can be rather flexible to make the funding work past that point.

In addition, Victoria reported that six housing units being constructed through Habitat for Humanity are moving forward, but that two of the Town's existing affordable units were destroyed by fire last week. Lyons will also be hiring a new Town Planner, who will become the point of contact for affordable housing projects.

Advocacy and Agitation about:

SB 40 Permitting – Applicability to Our Projects – Molly O'Donnell

Molly reported that Colorado Parks & Wildlife (CPW) has provided some feedback to project proponents that SB 40 – the State fish and wildlife certification – will be applicable to CDBG-DR projects since the federal funds pass through a State agency. SB 40 statute states that this certification applies to the "actions of any State agency." Projects funded only by CDBG-DR have no State funds associated with them, and some FEMA match projects do have a State match. The major issue is that if CPW takes jurisdiction over projects that pass through the State, it is a much larger regulatory scope than the statute seems to cover and frankly means a large increase in workload that would mean CPW would need greater capacity to handle. Molly has already touched base with Crystal Andrews at DOLA, who is already aware of this burgeoning issue, and is working with CPW on how to move forward. **Action Item:** As a first step, Dave Bowman agreed to coordinate with CPW internally and on an administrative level to come to resolution.

Other Concerns/Issues?

Oil & Gas issues on Buyouts: Boulder County has already received notification from FEMA in writing that properties that have external oil & gas rights ownership will not be eligible for the HMGP buyout program. Lyons is reporting that they either have a different message coming through or there is confusion about how mineral rights are administered. **Action Item:** Leslie Irwin and Victoria Simonsen will coordinate, compare letters from FEMA, and determine where the disconnect lays.

Obligation requests: Dave Bowman reported that DOLA will do another obligation request in March 2017, therefore Kathy Fedler will be coordinating with Partners between now and then to see if additional resources are ready to be requested. Kathy added that Lyons' housing project and

Longmont's Resilient St. Vrain project will likely need to be included in a timeline extension request to HUD. **Action Item:** Kathy will coordinate project readiness for the March obligation request.

4:10 pm - Meeting adjourned.

Next Meeting:

Friday, February 10th, 2016
2:30 – 4:30 pm
City of Boulder Municipal Services Center
5050 Pearl Street, Boulder