

Boulder County CDBG-DR Collaborative

September 18, 2015 Meeting Minutes

Presenter: Kathy Fedler – City of Longmont/Boulder County Collaborative

Present: Sandi Seader, City of Longmont John O’Brien, Town of Lyons
Dale Rademacher, City of Longmont Leslie Irwin, Boulder County
Joel Wagner, City of Boulder Alisha Reis, Town of Nederland
Victoria Simonsen, Town of Lyons

Staff: Hagerty Consultants: Steve Hagerty, Deb Siefert and Yolanda Abram
Colorado Department of Local of Affairs, Dave Bowman (phone)

Kathy Fedler called the meeting to order and asked that everyone introduce themselves.

Agenda and Discussion Items:

1. Update on sub-allocation status:

Kathy asked Dave Bowman (via phone) if he had received any word on the approval of the Action Plan and he indicated that there had been no word. Kathy and Dave have been working on a draft agreement between the Collaborative and the State. They have worked through some amendments and plan to get together on Tuesday, September 22, to finalize. The draft is currently with the city attorney. Once everything has been approved, then Kathy will take to Council. Other emphasis has been on priority projects for the infrastructure and if possible to try and combine and blend all housing into one procedure. Working on the IGA that will be executed between the lead agency and partners, the agreement will help Longmont get money out to the partners for their projects.

2. Policies/Procedures for Partners:

Kathy directed the members to the packet of high level policies that are required to be adopted and executed by each partner, as well as an agreement that will be adopted by Longmont on behalf of the Collaborative. Kathy asked Deborah Siefert to discuss the various policies. Deb discussed each draft in the packet.

1. Residential Anti-displacement and Relocation Assistance: Deb stressed that people have to insure that applicants get comparable housing and asked the partners to make their Boards aware. Some of the partners added that they have already developed this policy.
2. Recapture for CDBG-DR: explained that it covers how procedures will be in place to recapture or forgive, depending on the circumstances.
3. Financial Management Questionnaire: is a listing that identifies who will be responsible for specific duties.
4. Fair Housing: to be posted where people can see and to let HUD know we are furthering fair housing.
5. Excessive Force: to be executed within each community.
6. Code of conduct/conflict of interest: each community is responsible to take measures to ensure the efficient, fair, and professional administration of federal funds, council members are also included. Following specific questions from members, Deb explained that HUD has a process to allow persons who may be included in a conflict category (documentation and disclosure is required). The local entity will have to identify how to address. Each community executes this policy.

7. Equal Employment: stressed if a partner does not have one then need to adopt the one being presented. The policies establish provisions to ensure equal opportunity in areas such as civil rights, disabilities, age, national origin..... Each community has to adopt it.
8. Grievance Procedure: describes how to file a grievance when any person believes they have been subject to discrimination of some type. Each community has to adopt.
9. Procurement Policy: Required of each community. If already have one do not have to re-create the wheel.
10. Duplication of Benefits: Chief executive executes, affirms that no additional sources of or amount of matching funds beyond those identified at the time of the CDBG-DR award for housing and infrastructure.

If local partners have more restrictive policies then follow the most restrictive. The city of Longmont will accept a copy of what the local government already has; this makes it simple for monitoring purpose. A fraud policy is also in the works. Specific information will be available to notify of fraud anonymously.

The question was asked when the policies need to be back to the city. Kathy explained that the policies need to be back by the time that we receive the grant in October. The policies should be sent to Phuoc, he will set up a tracking spread sheet.

In regards to Section 3, Deb will review to insure this is addressed, she explained that the partners must reach out and actively seek small and minority businesses. Kathy suggested that projects be broken out to be more inclusive because we want to encourage small business participation. She cautioned not for the purpose of avoiding Davis Bacon. Steve Hagerty mentioned that he has seen a lot of programs, if sole source, definitely looking at de-obligation.

3. Update on status of projects:

Kathy explained that this is the latest status spreadsheet on the priority projects; adjustments have not been made to commit LMI; reminded the partners that 45.5% of the infrastructure projects must meet LMI. Have not done a statewide survey as to what additional funds are available from Round 1. Kathy asked Dave Bowman what will be available. Dave stated that the \$ 1.4 million in the 3rd substantial amendment belongs to the Collaborative. He explained that until there is an approval from HUD can't spend the money. Other infrastructure 1st allocation will be prioritized. The strategy is for example to move Laimer's 2nd allocation to the 1st allocation. He does not anticipate that there be a free pot of funds at the end of the day in Round 1. He stated that the Collaborative should hear from Steve Board within 2 weeks because the state has an internal deadline for early October. He continued and discussed the state's proposed schedule regarding amendments and public hearings. Leslie Irwin responded that this could take up to 3 months. Dave will look into streamlining the process to maybe a scope change rather than a dollar amount, thus avoiding the need for an amendment.

Kathy completed the review on the snapshot to-date of the spreadsheets.

4. Discussion about embedding infrastructure assistance in Jamestown and Nederland does Lyons need/want also?

- **About 10% of total project award will cover all services needed-Environmental clearance, bidding assistance, contract oversight, Davis-Bacon and Section 3 compliance, reporting, and close-out.**

And;

Discussion about embedding Housing assistance in Lyons, particularly for Buyout/Acquisition, not for new construction.

The partners discussed the need to embed staff to assist; 10% will be held back for project delivery. Expressed that this is important to ensure that documentation is correct. Victoria Simonsen discussed issues that Lyons is experiencing. She also advised that Rosi Dennett is leaving and that the Town of Lyons will need assistance. Deb explained that assistance is available and that Hagerty has someone working remotely on Davis Bacon. Victoria explained that the title work is done, they have received the training on the 1040 income calculation method and have started to review income. Deb stated that Yolanda will come over a day or two to assist. She will try to figure out how much assistance is needed.

5. Up-date on Cloud based Reporting System:

Deb described the Sales Force Platform as a Cloud based system in real time. It is a document management system. There will be an electronic checklist and the system has a notification system. It is very seamless, certain levels are visible to everyone, partners will not be able to see each other's projects, but Longmont will be able to access all modules. It has census tracts in it to help determine LMI area benefit; contractors will be able to submit Davis Bacon through the System. The system has an app on it and can be used on an iPad. Document storage is on Amazon not on Sales Force. Steve added that the system stays behind when the project is completed. It is excellent for running automatic reports. There will probably be a BCC training session and then on-site training for each partner. Steve stated that the Collaborative may want to add additional functionality when it is rolled out. This will not be a problem because the system is very agile. It has visibility and accountability and is basically a work flow management system. Deb added that time sheets will also be in the system.

6. Consider request to set-aside program income the Division of Housing is collecting from DR housing loans for Lyons project in case it doesn't move forward by the end of Round 3:

Kathy reported on a discussion last month at a housing sub-group meeting. They talked about pipeline projects and so forth and someone asked the question, "what if the town of Lyons is not ready to go in Rounds 2 and 3?" The suggestion was that the Collaborative could ask the state to set aside the first \$3 or \$4 million from CDBG-DR loan repayments for Lyons. If ready earlier then the State could up front the funding from its other sources until loan payments become available. The Collaborative could write a letter to the State and Kathy would draft it.

Kathy continued, as soon as we get funds or Round 2 starts then we will start working on the Action Plan Amendment for Round 3 funding. When we get Round 2 funds in October, we will work on Round 3 in October and November. The application date for infrastructure projects will kick-in Davis Bacon requirements for on-going and future projects. Victoria stated that if there is a delay, they have to comply with the new Davis Bacon rates. They have seen amounts have an increase of \$250,000. Deb explained that we will build the applications in Sales Force.

Kathy will send the normal delegation of activities agreement that has been adopted for CDBG-DR. The city will enter in an agreement for each project or preferably for a total amount with multiple projects delineated/added. Need to get comments back soon as possible; the city will sign first and then can take to the Boards by November.

Meeting adjourned: Next meeting is scheduled for Friday, October 16, 2015 from 2:30 to 4:00 pm at the Boulder County Courthouse. Members are encouraged to park in public parking.