

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0477.01 Esther van Mourik x4215

HOUSE BILL 14-1096

HOUSE SPONSORSHIP

Vigil, Garcia, Salazar

SENATE SPONSORSHIP

Schwartz,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING AN UNDERFUNDED COURTHOUSE FACILITIES GRANT
102 PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN
103 APPROPRIATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill creates the underfunded courthouse facility cash fund commission and the underfunded courthouse facility cash fund. The commission has 7 members, 2 representatives of an association that represents county commissioners, one member from the department of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

local affairs, 2 members from the judicial branch, one member from the court security cash fund commission, and one member who represents the historical society.

The commission reviews applications for grants from counties to obtain master planning services for construction or remodeling projects, seek matching funds or leveraging opportunities for construction or remodeling projects, or address emergency needs due to the imminent closure of a court facility. A county's grant application must first be reviewed and approved by the chief judge of the county and the board of county commissioners. The commission then makes recommendations as to which applicants should receive job grants to the state court administrator based on statutory criteria. The state court administrator makes the final grant award decisions, and such decisions are not subject to an appeals process.

Grants from the fund may only be awarded to a county with limited financial resources and only if the county has demonstrated good faith in attempting to resolve the issues before seeking a grant, the county has agreed to disclose pertinent financial statements to the commission or the state court administrator for review, and the state court administrator is satisfied that the county does not have significant uncommitted reserves.

The bill also appropriates \$1.5 million from the general fund to the underfunded courthouse facility cash fund for the 2014-15 state fiscal year.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 3 to article
3 1 of title 13 as follows:

4 **PART 3**

5 **UNDERFUNDED COURTHOUSE FACILITIES**

6 **13-1-301. Legislative declaration.** (1) THE GENERAL ASSEMBLY
7 HEREBY FINDS THAT:

8 (a) PROVIDING ACCESS TO STATE COURT FACILITIES AND ENSURING
9 THE SAFETY OF EMPLOYEES AND OTHER USERS OF STATE COURT FACILITIES
10 ARE FUNDAMENTAL COMPONENTS OF ENSURING ACCESS TO JUSTICE FOR
11 THE PEOPLE OF THE STATE OF COLORADO;

1 (b) RECENT YEARS HAVE SEEN NUMEROUS OCCASIONS IN WHICH
2 COURTHOUSE REPAIR, RENOVATION, IMPROVEMENT, AND EXPANSION
3 NEEDS HAVE BECOME IMPORTANT PRIORITIES FOR JUDICIAL DISTRICTS AND
4 THE COUNTIES THEY SERVE;

5 (c) IN SOME CASES THESE NEEDS RESULT FROM ANTICIPATED
6 CAUSES, SUCH AS EXPANDING CASELOADS, THE ALLOCATIONS OF NEW
7 JUDGES TO THE DISTRICT, OR THE AGING OF EXISTING COURTROOM
8 FACILITIES AND THE ATTENDANT NEED TO BRING THEM UP TO CURRENT
9 OPERATIONAL AND SAFETY STANDARDS;

10 (d) IN OTHER CASES THE NEEDS ARE DRIVEN BY UNEXPECTED
11 EVENTS, SUCH AS NATURAL DISASTERS, ACCIDENTS, OR THE DISCOVERY OF
12 PREVIOUSLY UNKNOWN THREATS TO HEALTH AND SAFETY; AND

13 (e) WHILE THE RESPONSIBILITY FOR PROVIDING ADEQUATE
14 COURTROOMS AND OTHER COURT FACILITIES LIES WITH COUNTY
15 GOVERNMENTS, THE GEOGRAPHICALLY, DEMOGRAPHICALLY, AND
16 ECONOMICALLY DIVERSE NATURE OF OUR STATE AFFECTS THE LEVEL OF
17 FUNDING AND SERVICES THAT EACH COUNTY CAN PROVIDE.

18 (2) THE GENERAL ASSEMBLY, THEREFORE, DETERMINES AND
19 DECLARES THAT:

20 (a) THE CREATION OF THE UNDERFUNDED COURTHOUSE FACILITY
21 CASH FUND COMMISSION AND THE UNDERFUNDED COURTHOUSE FACILITY
22 CASH FUND IS BENEFICIAL TO AND IN THE BEST INTERESTS OF THE PEOPLE
23 OF THE STATE OF COLORADO; AND

24 (b) THE PURPOSE OF THE COMMISSION AND THE FUND IS TO
25 PROVIDE SUPPLEMENTAL FUNDING FOR COURTHOUSE FACILITY PROJECTS
26 IN THE COUNTIES WITH THE MOST LIMITED FINANCIAL RESOURCES.

27 **13-1-302. Definitions.** AS USED IN THIS PART 3, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 (1) "COMMISSION" MEANS THE UNDERFUNDED COURTHOUSE
3 FACILITY CASH FUND COMMISSION CREATED IN SECTION 13-1-303.

4 (2) "COURT SECURITY CASH FUND COMMISSION" MEANS THE
5 COURT SECURITY CASH FUND COMMISSION CREATED IN SECTION 13-1-203.

6 (3) "FUND" MEANS THE UNDERFUNDED COURTHOUSE FACILITY
7 CASH FUND CREATED IN SECTION 13-1-304.

8 (4) "IMMINENT CLOSURE OF A COURT FACILITY" MEANS A COURT
9 FACILITY WITH HEALTH, LIFE, OR SAFETY ISSUES THAT IMPACT COURT
10 EMPLOYEES OR OTHER COURT USERS AND THAT IS DESIGNATED FOR
11 IMMINENT CLOSURE BY THE STATE COURT ADMINISTRATOR IN
12 CONSULTATION WITH THE STATE'S RISK MANAGEMENT SYSTEM OR OTHER
13 APPROPRIATE PROFESSIONALS. HEALTH, LIFE, OR SAFETY ISSUES INCLUDE
14 AIR QUALITY ISSUES, WATER INTRUSION PROBLEMS, TEMPERATURE
15 CONTROL ISSUES, STRUCTURAL CONDITIONS THAT CANNOT REASONABLY
16 BE MITIGATED, FIRE HAZARDS, ELECTRICAL HAZARDS, AND UTILITY
17 PROBLEMS. CERTAIN HEALTH, LIFE, OR SAFETY ISSUES MAY REQUIRE
18 ADDITIONAL THIRD PARTY EVALUATIONS SUCH AS AN ENVIRONMENTAL OR
19 STRUCTURAL ENGINEERING REVIEW.

20 (5) "MASTER PLANNING" MEANS ENTERING INTO CONTRACTS FOR
21 PROFESSIONAL DESIGN SERVICES OR ENGINEERING CONSULTING TO
22 DETERMINE CONSTRUCTION OR REMODELING OPTIONS, FEASIBILITY, OR
23 COST ESTIMATES FOR A PROPOSED BUILDING PROJECT.

24 **13-1-303. Underfunded courthouse facility cash fund**
25 **commission - creation - membership.** (1) THERE IS HEREBY CREATED
26 IN THE JUDICIAL DEPARTMENT THE UNDERFUNDED COURTHOUSE FACILITY
27 CASH FUND COMMISSION TO EVALUATE GRANT APPLICATIONS RECEIVED

1 PURSUANT TO THIS PART 3 AND MAKE RECOMMENDATIONS TO THE STATE
2 COURT ADMINISTRATOR FOR AWARDED GRANTS FROM THE UNDERFUNDED
3 COURTHOUSE FACILITY CASH FUND BASED ON THE STATUTORY CRITERIA
4 SET FORTH IN SECTION 13-1-305. THE COMMISSION SHALL BE APPOINTED
5 NO LATER THAN JULY 1, 2014.

6 (2) (a) THE COMMISSION HAS SEVEN MEMBERS, AS FOLLOWS:

7 (I) TWO REPRESENTATIVES OF AN ASSOCIATION THAT REPRESENTS
8 COUNTY COMMISSIONERS, APPOINTED BY THE ASSOCIATION;

9 (II) ONE MEMBER FROM THE DEPARTMENT OF LOCAL AFFAIRS,
10 APPOINTED BY THE DEPARTMENT OF LOCAL AFFAIRS;

11 (III) TWO MEMBERS FROM THE JUDICIAL BRANCH, APPOINTED BY
12 THE CHIEF JUSTICE;

13 (IV) ONE MEMBER FROM THE COURT SECURITY CASH FUND
14 COMMISSION, APPOINTED BY THE CHIEF JUSTICE; AND

15 (V) A REPRESENTATIVE OF THE STATE HISTORICAL SOCIETY,
16 APPOINTED BY THE PRESIDENT OF THE STATE HISTORICAL SOCIETY.

17 (b) THE COMMISSION MEMBERSHIP DESCRIBED IN PARAGRAPH (a)
18 OF THIS SUBSECTION (2) MUST INCLUDE, AT ALL TIMES, AT LEAST ONE
19 REPRESENTATIVE FROM A COUNTY IN WHICH THE POPULATION IS ABOVE
20 THE MEDIAN POPULATION FOR THE STATE, AS DETERMINED BY THE MOST
21 RECENT DATA PUBLISHED BY THE DEPARTMENT OF LOCAL AFFAIRS, AND AT
22 LEAST ONE REPRESENTATIVE FROM A COUNTY IN WHICH THE POPULATION
23 IS BELOW THE MEDIAN POPULATION FOR THE STATE, AS DETERMINED BY
24 THE MOST RECENT DATA PUBLISHED BY THE DEPARTMENT OF LOCAL
25 AFFAIRS.

26 (3) EACH MEMBER OF THE COMMISSION SERVES A THREE-YEAR
27 TERM; EXCEPT THAT, OF THOSE MEMBERS FIRST APPOINTED, ONE MEMBER

1 REPRESENTING EACH ENTITY THAT APPOINTS TWO MEMBERS IS APPOINTED
2 FOR A ONE-YEAR TERM AND ONE MEMBER REPRESENTING EACH ENTITY
3 THAT APPOINTS TWO MEMBERS IS APPOINTED FOR A TWO-YEAR TERM. A
4 VACANCY MUST BE FILLED BY THE RESPECTIVE APPOINTING AUTHORITY
5 FOR THE UNEXPIRED TERM ONLY.

6 (4) MEMBERS OF THE COMMISSION SERVE WITHOUT
7 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

8 (5) FOUR MEMBER VOTES ARE REQUIRED FOR ANY FINAL
9 COMMISSION RECOMMENDATIONS. THE COMMISSION'S FINAL
10 RECOMMENDATIONS ARE SUBJECT TO FINAL APPROVAL BY THE STATE
11 COURT ADMINISTRATOR AND ARE NOT SUBJECT TO ANY FORM OF APPEAL.

12 (6) IN ACCORDANCE WITH THE PRINCIPLES SET OUT IN SECTION
13 13-1-305, THE COMMISSION SHALL ADOPT GUIDELINES PRESCRIBING THE
14 PROCEDURES TO BE FOLLOWED IN MAKING, FILING, AND EVALUATING
15 GRANT APPLICATIONS, THE CRITERIA FOR EVALUATION, AND OTHER
16 GUIDELINES NECESSARY FOR ADMINISTERING THE PROGRAM.

17 **13-1-304. Underfunded courthouse facility cash fund -**
18 **creation - grants - regulations.** (1) THERE IS HEREBY CREATED IN THE
19 STATE TREASURY THE UNDERFUNDED COURTHOUSE FACILITY CASH FUND
20 THAT CONSISTS OF ANY MONEYS APPROPRIATED BY THE GENERAL
21 ASSEMBLY TO THE FUND. THE MONEYS IN THE FUND ARE SUBJECT TO
22 ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE
23 IMPLEMENTATION OF THIS PART 3. THE STATE COURT ADMINISTRATOR
24 MAY ACCEPT GIFTS, GRANTS, OR DONATIONS FROM ANY PRIVATE OR
25 PUBLIC SOURCE FOR THE PURPOSE OF IMPLEMENTING THIS PART 3. ALL
26 PRIVATE AND PUBLIC MONEYS RECEIVED BY THE STATE COURT
27 ADMINISTRATOR FROM GIFTS, GRANTS, OR DONATIONS MUST BE

1 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME
2 TO THE FUND IN ADDITION TO ANY MONEYS THAT MAY BE APPROPRIATED
3 TO THE FUND DIRECTLY BY THE GENERAL ASSEMBLY. ALL INVESTMENT
4 EARNINGS DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN
5 THE FUND REMAIN IN THE FUND AND MAY NOT BE TRANSFERRED OR
6 REVERT TO THE GENERAL FUND AT THE END OF ANY FISCAL YEAR. ANY
7 UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT
8 THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT
9 BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER
10 FUND.

11 (2) MONEYS FROM THE FUND THAT ARE DISTRIBUTED TO COUNTIES
12 PURSUANT TO THIS PART 3 MAY ONLY BE USED FOR COMMISSIONING
13 MASTER PLANNING SERVICES, MATCHING FUNDS OR LEVERAGING GRANT
14 FUNDING OPPORTUNITIES FOR CONSTRUCTION OR REMODELING PROJECTS,
15 OR ADDRESSING EMERGENCY NEEDS DUE TO THE IMMINENT CLOSURE OF
16 A COURT FACILITY. MONEYS FROM THE FUND MAY NOT BE ALLOCATED FOR
17 THE PURCHASE OF FURNITURE, FIXTURES, OR EQUIPMENT, OR AS THE SOLE
18 SOURCE OF FUNDING FOR NEW CONSTRUCTION. MONEYS FROM THE FUND
19 MAY NOT BE ALLOCATED AS THE SOLE SOURCE OF FUNDING FOR
20 REMODELING, UNLESS THE NEED FOR FUNDING IS ASSOCIATED WITH THE
21 IMMINENT CLOSURE OF A COURT FACILITY.

22 (3) ALL MONEYS CREDITED TO THE FUND SHALL BE AVAILABLE FOR
23 GRANTS AWARDED BY THE STATE COURT ADMINISTRATOR, BASED ON
24 RECOMMENDATIONS OF THE COMMISSION, TO COUNTIES FOR THE PURPOSES
25 DESCRIBED IN THIS PART 3; EXCEPT THAT THE STATE COURT
26 ADMINISTRATOR MAY USE UP TO TEN PERCENT OF THE MONEYS ANNUALLY
27 APPROPRIATED FROM THE FUND FOR ADMINISTRATIVE COSTS INCURRED

1 THROUGH THE IMPLEMENTATION OF THIS PART 3. THE STATE COURT
2 ADMINISTRATOR, SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
3 ASSEMBLY, MAY EXPEND MONEYS APPROPRIATED FROM THE FUND
4 PURSUANT TO THIS PART 3.

5 **13-1-305. Grant applications - duties of counties.** (1) TO BE
6 ELIGIBLE FOR MONEYS FROM THE FUND, A COUNTY MUST APPLY TO THE
7 COMMISSION THROUGH THE STATE COURT ADMINISTRATOR, USING THE
8 APPLICATION FORM PROVIDED BY THE COMMISSION, IN ACCORDANCE WITH
9 THE TIMELINES AND GUIDELINES ADOPTED BY THE COMMISSION. FOR THE
10 COMMISSION TO CONSIDER A GRANT APPLICATION, THE APPLICATION MUST
11 FIRST BE REVIEWED AND APPROVED BY THE CHIEF JUDGE OF THE COUNTY
12 AND THE BOARD OF COUNTY COMMISSIONERS.

13 (2) (a) GRANTS FROM THE FUND MAY ONLY BE USED TO FUND
14 COUNTIES THAT MEET THE REQUIREMENTS SET FORTH IN PARAGRAPH (b)
15 OF THIS SUBSECTION (2) AND THE CRITERIA SPECIFIED IN SUBSECTION (4)
16 OF THIS SECTION TO:

17 (I) COMMISSION MASTER PLANNING SERVICES;

18 (II) SERVE AS MATCHING FUNDS OR LEVERAGE GRANT FUNDING
19 OPPORTUNITIES; OR

20 (III) ADDRESS EMERGENCY NEEDS DUE TO THE IMMINENT CLOSURE
21 OF A COURT FACILITY.

22 (b) GRANTS FROM THE FUND MAY ONLY BE AWARDED TO A
23 COUNTY WHEN:

24 (I) THE COUNTY HAS DEMONSTRATED GOOD FAITH IN ATTEMPTING
25 TO RESOLVE THE ISSUES BEFORE SEEKING A GRANT FROM THE FUND;

26 (II) THE COUNTY HAS AGREED TO DISCLOSE PERTINENT FINANCIAL
27 STATEMENTS TO THE COMMISSION OR THE STATE COURT ADMINISTRATOR

1 FOR REVIEW; AND

2 (III) THE STATE COURT ADMINISTRATOR IS SATISFIED THAT THE
3 COUNTY DOES NOT HAVE SIGNIFICANT UNCOMMITTED RESERVES.

4 (c) GRANTS FROM THE FUND MAY NOT SUPPLANT ANY COUNTY
5 FUNDING FOR A COUNTY THAT HAS THE MEANS TO SUPPORT ITS COURT
6 FACILITY.

7 (d) THE APPROVAL OF A GRANT SHALL NOT RESULT IN THE STATE
8 OR COMMISSION ASSUMING OWNERSHIP OR LIABILITY FOR A COUNTY
9 COURTHOUSE OR OTHER COUNTY FACILITY THAT HOUSES COUNTY OFFICES
10 AND EMPLOYEES. THE COUNTY SHALL CONTINUE TO HAVE OWNERSHIP AND
11 LIABILITY FOR ALL SUCH FACILITIES.

12 (e) ONCE A COUNTY IS AWARDED A GRANT, THE COUNTY SHALL
13 COMPLETE THE PROJECT AS DESIGNATED AND DESCRIBED IN THE GRANT
14 AWARD.

15 (f) THE COMMISSION SHALL DEVELOP A COMPLIANCE REVIEW
16 PROCESS TO ENSURE THAT COUNTIES ARE USING EACH GRANT AS SPECIFIED
17 IN THE GRANT AWARD.

18 (3) COUNTIES THAT MEET ALL FOUR OF THE CRITERIA SPECIFIED IN
19 SUBSECTION (4) OF THIS SECTION MUST BE GIVEN THE HIGHEST PRIORITY
20 FOR NEED-BASED GRANTS FOR UNDERFUNDED COURTHOUSE FACILITIES
21 PURSUANT TO THIS PART 3.

22 (4) COUNTIES THAT MEET AT LEAST TWO OF THE FOLLOWING
23 CRITERIA QUALIFY FOR NEED-BASED GRANTS FOR UNDERFUNDED
24 COURTHOUSE FACILITIES PURSUANT TO THIS PART 3:

25 (a) COUNTIES IN WHICH THE TOTAL POPULATION IS BELOW THE
26 STATE MEDIAN, AS DETERMINED BY THE MOST RECENT DATA PUBLISHED
27 BY THE DEPARTMENT OF LOCAL AFFAIRS;

1 (b) COUNTIES IN WHICH THE PER CAPITA INCOME IS BELOW THE
2 STATE MEDIAN, AS DETERMINED BY THE MOST RECENT DATA PUBLISHED
3 BY THE DEPARTMENT OF LOCAL AFFAIRS;

4 (c) COUNTIES IN WHICH PROPERTY TAX REVENUES ARE BELOW THE
5 STATE MEDIAN, AS DETERMINED BY THE MOST RECENT DATA PUBLISHED
6 BY THE DEPARTMENT OF LOCAL AFFAIRS; OR

7 (d) COUNTIES IN WHICH THE TOTAL COUNTY POPULATION LIVING
8 BELOW THE FEDERAL POVERTY LINE IS GREATER THAN THE STATE MEDIAN,
9 AS DETERMINED BY THE MOST RECENT CENSUS PUBLISHED BY THE UNITED
10 STATES BUREAU OF THE CENSUS.

11 **SECTION 2. Appropriation.** (1) In addition to any other
12 appropriation, for the fiscal year beginning July 1, 2014, there is hereby
13 appropriated, out of any moneys in the general fund not otherwise
14 appropriated, to the underfunded courthouse facility cash fund created in
15 section 13-1-304, Colorado Revised Statutes, the sum of \$1.5 million, to
16 be used for purposes consistent with the creation of the fund.

17 (2) In addition to any other appropriation, there is hereby
18 appropriated, out of the underfunded courthouse facility cash fund, to the
19 judicial department, for the fiscal year beginning July 1, 2014, the sum of
20 \$1.5 million, or so much thereof as may be necessary, to be allocated as
21 follows:

22 (a) \$150,000 and 1.0 FTE for administrative costs; and

23 (b) \$1,350,000 for grants.

24 **SECTION 3. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety.

Two-Year Projection of Cash Need

Colorado Mesa University

Wednesday, December 04, 2013

**SUGGESTED
MOTION:**

Approve the new project listed on the Colorado Mesa University two-year projection of cash need.

Requires Reauthorization, Two-Year Period Elapsed

Project Name	LEED Certification	Amount	Fund Source
Student Parking Structure	TBD	\$13,950,000	CF

2013-024

The project constructs a four-floor, 600-space student parking structure estimated to be 180,000 GSF. The university says the parking structure will be available both for commuter students and students living in campus housing, and is necessary to serve increasing enrollment.

The source of cash funds is bonds to be repaid with parking revenues and other auxiliary funds.

Date Authorized Until: April 5, 2014

Subtotal: Requires Reauthorization, Two-Year Period Elapsed \$13,950,000

Grand Total, All Projects: \$13,950,000

Two-Year Projection of Cash Need

Colorado State University

Wednesday, December 04, 2013

SUGGESTED MOTION:

Approve the new project and reauthorize the expiring project listed on the Colorado State University two-year projection of cash need.

New Project List, Requires Approval

Project Name	LEED Certification	Amount	Fund Source
Temple Grandin Center for Equine Assisted Therapies	Gold	\$6,000,000	CF

2015-042

The project constructs a 26,865-GSF arena on the Foothills Campus for teaching equine-assisted therapy. CSU's Equine Science program will use the arena to provide instruction and outreach in therapeutic riding. The project will honor CSU professor Temple Grandin; as such, it will feature an entry walk laid out in an s-curve, scaled to the "s-curve chute," which CSU says is the most essential component of Grandin's livestock handling designs. The entry walk will feature plaques and a statue highlighting Grandin's career, and the project will also include an outdoor sensory trail.

The source of cash funds is donations.

Date Authorized Until: TBD

Subtotal: New Project List, Requires Approval \$6,000,000

Requires Reauthorization, Two-Year Period Elapsed

Project Name	LEED Certification	Amount	Fund Source
Biology Building	Gold	\$60,000,000	CF

2010-022

The project constructs a 100,000-GSF biology teaching and research building on the main campus to address a growing deficiency in available space for biology laboratories, support spaces, and new faculty. The university says there is an acute shortage of space for biology courses based on current and future faculty needs, and the new building will help maintain its record of teaching excellence, emphasize experiential learning, and increase the number of biology faculty by 10 to 15 FTE.

The source of cash funds is bonds to be repaid by a student fee for capital improvements.

Higher Education Revenue Bond Intercept Program. This project is subject to the Higher Education Revenue Bond Intercept Program, which directs the Treasurer to make payments of principal and/or interest on bonds, on behalf of a state-supported institution of higher education, in the event a higher education institution does not make a scheduled payment.

Date Authorized Until: August 13, 2014

Subtotal: Requires Reauthorization, Two-Year Period Elapsed \$60,000,000

Grand Total, All Projects: \$66,000,000

Two-Year Projection of Cash Need
Colorado State University
Tuesday, January 28, 2014

SUGGESTED MOTION:

Approve the new project listed on the Colorado State University two-year projection of cash need (\$3,000,000 CF).

New Project List, Requires Approval

Project Name	LEED Certification	Amount	Fund Source
<i>University Art Museum Addition</i> 2015-113	Gold	\$3,000,000	CF

The project adds 6,136 GSF to the existing on-campus museum, including four new galleries and a classroom for the Art History program. The addition will be built east of the existing museum. The existing museum gallery may be repurposed to house an art research library. The new addition will include museum-standard climate control, lighting, and security. The university says that completion of the museum expansion will trigger a gift-in-kind of the Hartford-Tandstad collection. The collection includes over 200 pieces of artwork and is valued between \$5 million and \$20 million. The collection will enhance the university art collection, provide a research and teaching tool, and attract travelling exhibitions.

The source of cash funds is donations.

Date Authorized Until: *TBD*

Subtotal: New Project List, Requires Approval **\$3,000,000**

Grand Total, All Projects: **\$3,000,000**

Two-Year Projection of Cash Need

Pikes Peak Community College

Wednesday, December 04, 2013

**SUGGESTED
MOTION:**

Approve the new project listed on the Pikes Peak Community College two-year projection of cash need.

New Project List, Requires Approval

Project Name	LEED Certification	Amount	Fund Source
Aspen Building Student Services Renovation	Gold	\$6,800,000	CF

2015-043

The project renovates common areas and constructs a new front lobby for the Aspen Building on the Centennial Campus — a total of 49,215 GSF. The first floor renovation will create a single area on the first floor for student enrollment and other student services like advising, orientation, and testing. The second floor renovation will create a centralized learning commons to provide tutoring, individual and group study spaces, learning labs, and access to library and computer resources. The front lobby addition will create an entrance for enrollment services to better define a point of initial contact with the college. The college says this redesign will improve student success by taking a modern approach to collaborative learning and streamlining student services functions. Since all students must go through the enrollment process, the college says its whole student population will benefit from the improved access.

The source of cash funds is institutional reserves.

Date Authorized Until: *TBD*

Subtotal: New Project List, Requires Approval **\$6,800,000**

Grand Total, All Projects: **\$6,800,000**

Two-Year Projection of Cash Need

University of Colorado at Boulder

Monday, December 02, 2013

**SUGGESTED
MOTION:**

Approve the new project listed on the University of Colorado at Boulder two-year projection of cash need.

New Project List, Requires Approval

Project Name	LEED Certification	Amount	Fund Source
<i>Systems Biotechnology Building, Academic Wing</i>	Platinum	\$4,022,989	CF

2011-018

The two-phase project constructs a 57,347-GSF academic wing on the Jennie Smoly Caruthers Biotechnology Building. Construction of this building was recently completed using cash and federal funds. When completed, the academic wing will provide classroom space and teaching laboratories for the Department of Chemical and Biological Engineering and the Biochemistry Division of the Chemistry and Biochemistry Department. The project will support the advancement and application of the university's interdisciplinary biotechnology program in order to achieve breakthrough contributions in genetic engineering and pharmaceuticals, and to gain a better understanding of the genetic basis for numerous diseases.

Out-year costs. The university originally submitted its FY 2014-15 request for this project as a request for cash funds spending authority in FY 2014-15 (\$4,022,989 CF), with a combination of state funds and cash funds spending authority for FY 2015-16 (\$20,243,179 CCF; \$8,000,000 CF). The university plans to submit a state-funded request for this project in FY 2015-16.

The source of cash funds is a combination of private-sector, gift and bequest, and campus research-supported moneys.

Date Authorized Until: *TBD*

Subtotal: New Project List, Requires Approval **\$4,022,989**

Grand Total, All Projects: **\$4,022,989**

Two-Year Projection of Cash Need
University of Colorado at Colorado Springs
Monday, December 02, 2013

SUGGESTED MOTION:

Approve the new project listed on the University of Colorado at Colorado Springs two-year projection of cash need.

New Project List, Requires Approval

Project Name	LEED Certification	Amount	Fund Source
<i>Health and Wellness Building II</i>	Gold	\$30,000,000	CF

2014-089

The project constructs a 77,000-GSF building in the Health and Wellness Village on the University of Colorado at Colorado Springs (UCCS) campus. The village is currently anchored by the Lane Center for Academic Health Sciences, and the expansion will be a collaborative project between UCCS and the Colorado Springs community, focused on sports medicine. The new facility will allow the university to colocate key programs from the Beth-El College of Nursing and Health Sciences, the Department of Biology's programs in Biomedical Science and Exercise Science, and the 3rd- and 4th-year branch medical school of the University of Colorado School of Medicine. Private providers will also use the facility to benefit the university and the community. UCCS says the facility will enhance student education by providing new opportunities for research and collaboration with sports medicine providers and scientists.

The source of cash funds is \$8.1 million in Regional Tourism Act (RTA) funds and \$21.9 million in bonds, which may be repaid by a combination of potential condominium sales, lease agreements, or other revenues. The city of Colorado Springs has submitted an application for the RTA funds that will be considered by the state Economic Development Commission in December 2013.

Date Authorized Until: *TBD*

Subtotal: New Project List, Requires Approval **\$30,000,000**

Grand Total, All Projects: **\$30,000,000**

Two-Year Projection of Cash Need

University of Colorado Denver

Monday, December 02, 2013

**SUGGESTED
MOTION:**

Approve the new projects and reauthorize the expiring projects listed on the University of Colorado Denver two-year projection of cash need.

New Project List, Requires Approval

Project Name	LEED Certification	Amount	Fund Source
<i>Business School, Phase II</i> 2015-041 The project constructs a 10,785-GSF expansion of the Business School building at 1475 Lawrence Street, near the downtown campus. The existing courtyard on the first three floors of the building will be enclosed, and the space will be used to create a large events center and adjacent support areas, as well as provide operational space for executive programs, which are currently located in another facility. The source of cash funds is gifts and institutional reserves. Date Authorized Until: TBD	N/A	\$4,087,457	CF
<i>Central Utility Plant (CUP) Boiler Expansion</i> 2015-040 The project installs a new mechanical boiler unit in the Central Utility Plant on the Anschutz Medical Campus. As new construction is completed on the campus, the university is closely monitoring its steam generation boiler system. Once demand increases by more than 12,000 pounds per hour, equivalent to a new office building of approximately 200,000 GSF or a new research facility of approximately 100,000 GSF, a new boiler will be needed. The Central Utility Plant facility has expansion space available for the new boiler. The source of cash funds is bonds and institutional reserves. Utility costs at the Central Utility Plant are assessed to campus users (including University Hospital and Childrens Hospital Colorado), and those fees will be used to repay the bonds. Date Authorized Until: TBD	N/A	\$7,660,800	CF
<i>North Classroom Building Additional Renovations</i> 2015-039 The project renovates areas of the North Classroom building on the downtown Denver campus, including classrooms, the building atrium, and office spaces for the College of Liberal Arts and Sciences. This cash-funded renovation is intended to accompany a state-funded capital renewal project to renovate North Classroom building infrastructure. Improvements to classrooms under this cash-funded project include ADA compliance, as well as updated technology, lighting, and furnishings. The university explains that many of these spaces have not been renovated since the building opened in 1987, and that the classrooms to be renovated represent half of the classrooms assigned to the University of Colorado Denver on the Auraria Campus, so many students will benefit from the renovations. The source of cash funds is gifts and institutional reserves. Date Authorized Until: TBD	N/A	\$10,928,636	CF

SUGGESTED MOTION:

Approve the new projects and reauthorize the expiring projects listed on the University of Colorado Denver two-year projection of cash need.

Research 1 North Tower Energy Conservation Measures Project

N/A

\$5,284,097

CF

2015-038

The project implements energy conservation measures in the north tower of the Research 1 building on the Anschutz Medical Campus. The university says that although Research 1 was constructed in 2004, building technologies have advanced significantly since then, and these renovations will allow the building to function with lower energy usage. Based on prior projects, the university estimates an annual savings of \$457,300 in utility costs. Proposed energy conservation measures include installing a lighting control occupancy sensor system, converting fume hoods from constant volume to variable volume, adding a heat recovery loop to the HVAC system, and adding evaporative cooling to the HVAC system.

The source of cash funds is bonds, which will be repaid using cash flow from the energy savings generated by the project.

Date Authorized Until: *TBD*

Subtotal: New Project List, Requires Approval

\$27,960,990

Requires Reauthorization, Two-Year Period Elapsed

Project Name	LEED Certification	Amount	Fund Source
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Colorado Translational Research Imaging Center

Gold

\$32,842,152

CF

2011-060

The project builds a two-story, 48,000-GSF facility to house all animal and human research imaging equipment on the Anschutz Medical Campus. The facility will be constructed adjacent to the Research 2 building, which houses existing vivarium spaces. The university says bringing its imaging programs together in one facility will help meet growing demand for and research applicability of imaging equipment. The project was previously requested at 30,000 GSF.

The source of cash funds is gifts and institutional reserves.

Date Authorized Until: *January 19, 2014*

Research 1/Research 2 Renovation of Aquatics and Cage Wash

N/A

\$10,751,919

CF

2011-061

The project makes renovations to 8,206 GSF of the Research 1 and Research 2 buildings on the Anschutz Medical Campus to serve the needs of medical researchers. Renovations include converting some animal cage areas to an aquatic facility, replacing cage washers, adding an air handler, and providing additional security to the vivarium areas.

The source of cash funds is gifts and institutional reserves.

Date Authorized Until: *January 19, 2014*

Research 2 Vivarium & Imaging, Behavioral, and ABSL3 Core Facilities

N/A

\$10,798,826

CF

2011-062

The project builds out shelled space and renovates existing vivarium space in the basement of the Research 2 building, a total of 9,432 GSF. The project includes: equipping the new vivarium space, creating a behavioral health suite, creating an additional animal biosafety level 3 (ABSL3) lab, and relocating an imaging suite. According to the university, the project will enhance research capabilities and the utilization of shared research core facilities.

The source of cash funds is gifts and institutional reserves.

Date Authorized Until: *January 19, 2014*

Subtotal: Requires Reauthorization, Two-Year Period Elapsed

\$54,392,897

Grand Total, All Projects:

\$82,353,887

Fiscal Year 2014-15 Capital Construction Request

Corrections

Offender Management Information System

PROGRAM PLAN STATUS

2015-110

Approved Program Plan?

Date Approved:

PRIORITY NUMBERS

<u>Prioritized By</u>	<u>Priority</u>
Dept/Inst	2 of 4
OSPB	NP of 42

PRIOR APPROPRIATION AND REQUEST INFORMATION

<u>Fund Source</u>	<u>Prior Approp.</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>	<u>Future Requests</u>	<u>Total Cost</u>
CCF	\$0	\$5,796,000	\$9,297,750	\$4,755,000	\$19,848,750
Total	\$0	\$5,796,000	\$9,297,750	\$4,755,000	\$19,848,750

ITEMIZED COST INFORMATION

<u>Cost Item</u>	<u>Prior Approp.</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>	<u>Future Requests</u>	<u>Total Cost</u>
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Professional Services	\$0	\$620,000	\$755,000	\$655,000	\$2,030,000
Construction	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$900,000	\$100,000	\$100,000	\$1,100,000
Miscellaneous	\$0	\$0	\$0	\$0	\$0
Contingency	\$0	\$276,000	\$442,750	\$0	\$718,750
Software Acquisition	\$0	\$4,000,000	\$8,000,000	\$4,000,000	\$16,000,000
Total	\$0	\$5,796,000	\$9,297,750	\$4,755,000	\$19,848,750

PROJECT STATUS

This is a new, never-before requested project. See question #1 In the Staff Questions and Issues section for information about an associated project request.

PROJECT DESCRIPTION / SCOPE OF WORK

The Department of Corrections (DOC), in cooperation with the Governor's Office of Information Technology, is requesting state funds for the first phase of a three-phase project to replace a legacy computer system with a new electronic information-management system to track and record offender data from admission until an offender is released from parole. The system includes an electronic health record platform. The department says the system will improve and enhance information sharing and case management in order to reduce recidivism. This year's request for Phase I will hire contractors for the analysis, design, programming, and testing of the new applications. Phases II and III will develop new applications and train personnel.

The department has not yet identified the approach it will use for the proposed new system. However, it indicates that customizable off-the-shelf offender management systems are available in the marketplace and that a customizable off-the-shelf system is its preferred choice to replace the existing system.

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Corrections

Offender Management Information System

The proposed system will track and record data in three key areas, including: (1) offender management; (2) electronic health records; and (3) post-incarceration offender management in parole and community services. Offender management tracking and reporting will include integrated case management, custody classification, incident reports, banking and property inventory, program participation and compliance, movement and transport, and visitor information. The electronic health record component of the system will track and report dental health, mental health, and drug and alcohol treatment records; it will also provide an interface between various medical providers and with other state agencies. The post-incarceration offender management in parole and community services tracking and reporting will include parole plans and hearings, program participation, offender appointment scheduling, case management, drug test results, and treatment referrals and progress. An integrated system allows for a continuity of care across programs.

Existing system. The existing information-management system, the Department of Corrections Information System (DCIS), is 20 years old. It is comprised of 1,800 application programs with at least 68 various processes, 2.7 million lines of code, and over 1,000 database tables that are used interactively throughout the system. The DCIS gives users access to information about inmates in all state prison facilities statewide, including parole and community corrections offices. It also provides access to several other databases, including the Colorado Crime Information Center (CCIC), the National Crime Information Center (NCIC), and the General Government Computer Center (GGCC).

PROJECT JUSTIFICATION

According to DOC, DCIS is obsolete and difficult to maintain. In 2012, the Governor's Office of Information Technology contracted with IBM to develop an operational risk assessment of 133 state information technology systems. The assessment identified the ten systems that pose the greatest risk to the state, including DOC's existing information-management system. The existing system was determined to be a risk due to its age and size, and the limited availability of resources to repair and maintain the system. Additionally, the system was identified as a risk because the department lacked a clear plan to modernize the system. The department last requested funding to update the existing system in FY 2009-10. The project was prioritized as number 8 of 10 projects submitted for funding consideration in that year by the department.

The department says it currently tracks inmate data using several disparate programs and systems, including the DCIS. DOC says its staff must open multiple applications with different interfaces in order to input and view offender data because each application accesses only part of an individual profile. Although most data is recorded electronically, it is not all entered into or viewable in the DCIS. The department says that the proposed new system will track, record, and integrate more data than the existing system. It will also improve data integrity, decrease system response time, and streamline user training. DOC says that the more information that is integrated into a single system about an individual inmate, the better personalized care it can provide. It also asserts that better personalized care leads to reduced rates of recidivism.

The department explains that integrating patient health care information through the use of electronic health records will improve its ability to diagnose and treat inmates in-house, which will reduce the need for transportation to outside specialists. The department cites a study showing that the institution of electronic health records in the Texas correctional system resulted in a savings of about \$1.0 billion over a ten-year period. This and another study cited by the department conclude that electronic health record systems save money by reducing redundant care, expediting treatment, improving safety, and keeping patients healthier.

PROGRAM INFORMATION

The offender management information system will be used in the department's 20 facilities, and by the Division of Parole, private prison partners, community corrections, and headquarters.

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Offender Management Information System

PROJECT SCHEDULE

	Start Date	Completion Date
Request for Proposal/Contract Negotiation	June 2014	October 2014
Development and Implementation	January 2015	December 2018
Independent Verification and Validation	March 2015	February 2018
System Testing	March 2015	February 2018
Roll Out	March 2018	August 2018

LEED CERTIFICATION INFORMATION

The project is not required to comply with the provisions of Senate Bill 07-051 regarding the High Performance Certification Program because it is an information technology project and does not involve the renovation, design, or construction of a physical facility.

SOURCE OF CASH FUNDS

This project is not funded from cash sources.

OPERATING BUDGET

The project has no impact on state operating costs for FY 2014-15. However, once the new system is in place, the department anticipates it will require \$1.5 million a year for ongoing maintenance costs. An operating request will be submitted at a later date for these costs.

STAFF QUESTIONS AND ISSUES

1. Why did the department abandon its earlier plans to revamp the DCIS?

It is more cost-effective to acquire a customizable off-the-shelf (COTS) offender management system and then customize it to the Department's needs, rather than build a system from scratch. Acquiring a COTS system will also shorten the project timeline significantly. The Department anticipates that a COTS would require 3-4 years for implementation, whereas building a system from scratch is an estimated 7-8 year project.

2. Will the various electronic health record (EHR) systems contemplated for divisions within the DHS, CDPHE, and DOC be developed or hosted by the same vendor? Will there be any efficiencies or cost savings realized through the purchase of multiple EHR systems statewide?

There was a previous effort made between DHS, DOC, CDPHE, and DHCPF to investigate these questions. It was determined that while the systems would need to communicate by exchanging data through CORHIO, the needs of a correctional environment are too different from the needs within the state hospitals managed by DHS. Consequently, there would need to be different systems developed to meet the different needs. Whether or not the vendors will be the same, is not yet known. That will be determined through the procurement process.

Many health records systems are specific to one of these disciplines rather than addressing all three. Furthermore, an EHR for Corrections must be able to account for information that is not typically tracked on standard systems such as custody level, security threat, and transportation needs. It is unlikely that there are vendors that can successfully deliver systems to meet the needs of each business line needing to procure an EHR system.

3. Please provide more information about the statewide Electronic Health Records data exchange and how and if it

Fiscal Year 2014-15 Capital Construction Request

Corrections

Offender Management Information System

will interface with the DOC EHR system.

The proposed DOC EHR system is recommended to be on a certified COTS platform with ability for secure information exchange with other health providers, health information exchanges (HIE), ancillary services, and third party administrators. The current encounter and pharmacy systems have no capability for exchanging health information per current industry standards. Among state agencies, HCPF, DPHE, and DHS, the collaborative vision is to update public care delivery systems to standardize health data capture and leverage Colorado's clinical HIE improving communication among health providers, sharing physical and behavioral health care summaries for improved care, and reducing duplicative testing. Implementing an integrated EHR will enable DOC to meet industry health information exchange standards per appropriate data sharing policies.

There are multiple opportunities for data exchange with the clinical health information exchanges. Potential use cases include but are not limited to: 1) upon offender intake, query the HIE for health history, problem list, medication list, and allergies; 2) throughout incarceration and upon release share a summary of care provided within the correctional system which would be available to emergency room, behavioral health provider, and primary care providers. Secure, encrypted data sharing infrastructure is being planned, and a DOC EHR would enable Corrections to utilize the expanding health information data exchange infrastructure to identify and incorporate external, private health information into Corrections' EHR.

In essence, the utilization of an information exchange will enable the different departments to procure systems that meet their needs while still allowing the needed communication between systems.

4. Will the project pay to upgrade information technology systems at private prisons in order to accommodate the new offender management information system?

The private prisons use some DOC computer systems in addition to their own computer systems. DOC computer system access by private prisons require that they utilize CITRIX remote access software. This project would replace the existing DOC systems used by the private prisons with a state-of-the-art web based application. Direct access to the new system can easily be granted to private prisons, community centers, law enforcement and any other constituents deemed appropriate.

5. Does the DCIS currently interface with information systems maintained by the state's private prison providers?

DCIS is used by the state's private prisons and is accessed through Citrix. DCIS does not interface with computer systems that are owned and maintained by the private prisons.

6. Please provide some examples of expanded reporting and tracking capabilities that will be available under the new system.

Examples of expanded reporting and tracking capabilities that will be available under the new system include:

- Historical data. In many areas, only current offender data is available. This makes it virtually impossible to track an offender's needs and progress through the system over time, even though the historical data is stored in the data system.*
- Improved tracking capabilities. A new system would streamline and improve the ability to track offender assignments by facility and completion date, Prison Rape Elimination Act considerations, security threat group associations, offender movement within the facility (gate passes, daily appointments, job schedules, transportation), offender health care outcomes for improved quality of patient care, and many other areas which cannot be easily tracked in the current system.*
- Efficiency. The new system pulls data together into a holistic view of the offender including biographical, program completion, custody issues, and education, to name a few. Accessing a similar level of information in the existing computer systems requires access to many different screens across multiple systems.*
- Reporting. Currently, there are almost no reports available to staff to manage programs, services, and key operations. Newer data systems have extensive reporting built into them. This item is absolutely critical.*
- Report sharing capabilities with other law enforcement agencies can be available in a new system that is not possible in the current system.*

Fiscal Year 2014-15 Capital Construction Request

Corrections

Offender Management Information System

- *Visualization. Newer technologies provide offender data in graphic ways. Current systems on the market have the ability to display an inmate's program enrollments, movements and housing locations, and releases to parole in easy-to-read graphical formats.*
- *Security. There is little security in DCIS and no audit trail on who is accessing what records when.*
- *Data warehouse/repository for data analysis. Currently, researchers access data from the live database, using tools with very limited power and capabilities. A new database system could include a data warehouse/repository to enable more timely research and analysis. If well designed, the data warehouse would significantly reduce the amount of time that researchers spend programming, so their time can be better spent conducting research.*

FY 2013-14 Supplemental Capital Construction Request

Public Health and Environment Superfund Sites Cleanup

Motion:

Approve the supplemental request from the Department of Public Health and Environment for additional cash funds spending authority and modification of project scope on behalf of the Superfund Sites Cleanup project (\$51,009,221, including \$45,908,299 FF and \$5,100,922 FF).

GENERAL INFORMATION

2012-025

1. Which supplemental criterion does the request meet?

Technical

The project scope and cost has changed.

2. Which projects will be restricted to fund the supplemental request?

An emergency restriction is not required for cash-funded requests; nor is it required for regular supplementals heard during a legislative session.

3. Has the request been approved by OSPB and CCHE?

Yes

PRIOR APPROPRIATION AND SUPPLEMENTAL REQUEST INFORMATION

The appropriation to be amended was authorized in the following bill: SB 11-0209

<u>Fund Source</u>	<u>Prior Appropriations</u>	<u>Supplemental Request</u>	<u>Future Requests</u>	<u>Total Cost</u>
CF	\$2,015,000	\$5,100,922	\$0	\$7,115,922
FF	\$18,135,000	\$45,908,299	\$0	\$64,043,299
	\$20,150,000	\$51,009,221	\$0	\$71,159,221

REASON FOR SUPPLEMENTAL REQUEST

The request expands the project scope and increases cash funds spending authority on behalf of the Superfund Spending Authority project. The project will continue work at the Central City/Clear Creek site. The project scope is expanded to address ongoing work at three additional Superfund sites funded through earlier appropriations, including: (1) California Gulch; (2) Captain Jack Mine; and (3) Standard Mine.

The federal government provides up to 90 percent of funding for Superfund site cleanup. Senate Bill 85-109 created the Hazardous Substance Response Fund to provide the state's 10 percent share of site cleanup costs. The state is authorized to obtain federal funds to complete cleanup activities when no responsible party is willing or able to perform the necessary cleanup. Colorado currently has 22 active Superfund sites. The department explains that its funding request is based on anticipated funding from the U.S. Environmental Protection Agency (EPA) and that it must have its 10 percent cost share available to proceed with the project in order to receive federal funds. If the state share of funds is not secured, the federal funds will be diverted to projects in other states.

A description of the work planned under the new appropriation is included below:

Central City/Clear Creek: The existing appropriation authorizes work at the Central City/Clear Creek site. This project will continue and most of the funds requested under the supplemental will be spent at this site. The

FY 2013-14 Supplemental Capital Construction Request

Public Health and Environment

Superfund Sites Cleanup

Motion:

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department plans to construct the North Fork Water Treatment Plant, remediate the waste pile at Quartz Hill, and install a bulkhead to prevent a blowout in the Argo Tunnel. A blowout is an uncontrolled discharge of contaminants that could result in fish kills, human injury, or drinking water supply contamination. Clear Creek and Left Hand Creek supply drinking water for more than 300,000 people.

California Gulch: The project continues remediation of mining-related contaminants such as aluminum and arsenic in the Upper Arkansas River and California Gulch. Without funding for the continuation of the cleanup efforts in the area, the department says the water quality will be negatively impacted which will lead to contaminated drinking water and damage to the aquatic ecosystem.

Captain Jack Mine: The project continues efforts to control mine water discharge.

Standard Mine: The project funds the construction start for mine waste reclamation and source water controls.

Staff note: This project was originally requested as FY 2014-15 project. However, given that the project extends and increases spending authority for an existing line item in the capital budget, staff recommended submitting, and the department agreed to submit, the request to the CDC for consideration as a FY 2013-14 supplemental. Staff also felt that adding another Superfund site project line to the capital budget was creating unnecessary tracking since most of the project work for the various Superfund sites can be managed through a single line-item appropriation and still be reported and tracked on a project-by-project basis.

SUMMARY OF PROJECT

The project finances projects that cleanup sites on the federal National Priorities List, or Superfund list, as determined by the EPA. A site qualifies for listing when the EPA determines there is a release or threatened release of hazardous substances that may endanger public health, welfare, or the environment. The project, as originally submitted, funded continued remediation of the Central City/Clear Creek Superfund site, a drainage basin of approximately 400 square miles in Clear Creek and Gilpin counties affected by several defunct precious metals mines.

Source of cash funds. The source of cash funds for the project is the Hazardous Substance Response Fund. The fund is financed through a fee on municipal solid waste landfills. The fund is projected to have a balance of \$12.6 million at the end of FY 2013-14. Federal funds will cover 90 percent of the request.

QUESTIONS / OUTSTANDING ISSUES

All responses to staff questions were incorporated into the project write-up.