

CHAPTER 274

HUMAN SERVICES - SOCIAL SERVICES

SENATE BILL 16-178

BY SENATOR(S) Lambert and Kefalas, Grantham, Steadman, Baumgardner, Aguilar, Guzman, Heath, Hodge, Jahn, Lundberg, Marble, Merrifield, Neville T., Scheffel, Todd, Ulibarri, Woods, Cadman;
also REPRESENTATIVE(S) Young and Brown, Hamner, Rankin, Vigil, Becker K., Esgar, Fields, Ginal, Kagan, Lontine, Melton, Mitsch Bush, Pabon, Pettersen, Priola, Rosenthal, Ryden, Salazar, Thurlow, Hullinghorst.

AN ACT**CONCERNING THE GRAND JUNCTION REGIONAL CENTER CAMPUS.**

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

SECTION 1. In Colorado Revised Statutes, **add** 27-10.5-312 as follows:

27-10.5-312. Grand Junction regional center campus - vacating the campus and listing it for sale - legislative declaration - definition - repeal. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT CERTAIN GUIDING PRINCIPLES SHOULD BE CONSIDERED BY THE DEPARTMENT WHEN IT VACATES THE GRAND JUNCTION REGIONAL CENTER CAMPUS AS REQUIRED IN SUBSECTION (3) OF THIS SECTION. THE DEPARTMENT'S PROCESS AND PLAN MUST:

- (a) EMPHASIZE PERSON-CENTERED SERVICES THAT SUPPORT THE WELL-BEING AND CHOICE OF THE PERSON RECEIVING SERVICES AT THE CAMPUS;
- (b) INVOLVE THE MEANINGFUL ENGAGEMENT OF THE PARENTS OR GUARDIANS OF THE PERSON RECEIVING SERVICES AT THE CAMPUS;
- (c) FOSTER COMMUNITY INTEGRATION AND INVOLVEMENT;
- (d) FIND A SOLUTION THAT IS PROGRAMMATICALLY AND FISCALLY SUSTAINABLE;
- (e) PRESERVE THE CAPACITY FOR THE SERVICES AND SUPPORT PROVIDED BY THE REGIONAL CENTER IN GRAND JUNCTION AND MUST NOT COMPROMISE THE CAPACITY FOR THE SERVICES AND SUPPORT PROVIDED AT THE REGIONAL CENTERS IN PUEBLO AND WHEAT RIDGE;

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(f) ENSURE THAT PERSONS RECEIVING SERVICES AT THE GRAND JUNCTION REGIONAL CENTER CAMPUS ARE TRANSITIONED TO HOME-LIKE SETTINGS THAT SERVE NO MORE THAN EIGHT PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

(g) RELOCATE DAY SERVICES AND SUPPORT FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND USE THIS OPPORTUNITY TO ENHANCE THE QUALITY OF DAY SERVICES AND SUPPORT THAT ARE OFFERED AND INCREASE THE QUALITY OF THE EXPERIENCE THAT PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES HAVE WITH SUCH DAY SERVICES AND SUPPORT;

(h) ENSURE THE ONGOING SUCCESS AND SECURITY OF THE REGIONAL CENTER'S STAFF MEMBERS IN GRAND JUNCTION;

(i) ENSURE THAT THE REGIONAL CENTER'S ADMINISTRATIVE OFFICES WILL BE MOVED TO A LEASED OFFICE LOCATION THAT WILL HOUSE BOTH THE ACCOUNTING AND SUPPORT FUNCTIONS THAT ARE CURRENTLY LOCATED ON THE GRAND JUNCTION REGIONAL CENTER CAMPUS;

(j) ENSURE THAT THE DIVISION OF FACILITY MANAGEMENT EMPLOYEES WILL BE INCLUDED IN THE RELOCATION OF THE OFFICE AND THE WORKSPACE;

(k) WORK WITH THE JOINT BUDGET COMMITTEE TO ENSURE THAT THE DIVISION OF FACILITY MANAGEMENT'S RESOURCES BE REDIRECTED TO MEET THE NEEDS OF THE EXISTING DEPARTMENT FACILITIES AND OPERATIONS IN THE GRAND JUNCTION AREA THAT ARE NOT ON THE CAMPUS;

(l) EXPLORE OPTIONS FOR THE FUTURE OF LAUNDRY SERVICES CURRENTLY PROVIDED AT THE GRAND JUNCTION REGIONAL CENTER CAMPUS; AND

(m) GIVE REASONABLE NOTICE TO ANY CURRENT TENANTS OF THE GRAND JUNCTION REGIONAL CENTER CAMPUS, CONSISTENT WITH THE TERMS OF THE LEASE, THAT THEIR LEASE AGREEMENTS ARE TERMINATING AND WILL NOT BE EXTENDED.

(2) FOR PURPOSES OF THIS SECTION, "GRAND JUNCTION REGIONAL CENTER CAMPUS" OR "CAMPUS" MEANS THE REAL PROPERTY THAT COMPRISES THE DEPARTMENT OF HUMAN SERVICES' CAMPUS ON THE NORTHEAST CORNER OF 28TH ROAD AND RIVERSIDE PARKWAY IN GRAND JUNCTION, COLORADO 81501.

(3) (a) NO LATER THAN JULY 1, 2018, OR AS SOON AS EACH PERSON RECEIVING SERVICES ON THE EFFECTIVE DATE OF THIS PARAGRAPH (a) AT THE GRAND JUNCTION REGIONAL CENTER CAMPUS IS TRANSITIONED TO NONREGIONAL CENTER CAMPUS RESIDENCES, IF SUCH TRANSITION OCCURS BEFORE JULY 1, 2018, THE DEPARTMENT SHALL VACATE THE GRAND JUNCTION REGIONAL CENTER CAMPUS AND SHALL LIST THE CAMPUS FOR SALE.

(b) IF THE DEPARTMENT CANNOT VACATE THE GRAND JUNCTION REGIONAL CENTER CAMPUS OR LIST THE CAMPUS FOR SALE BY THE DEADLINE SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (3), THE DEPARTMENT SHALL PROVIDE QUARTERLY UPDATES IN WRITING, COMMENCING NO LATER THAN JUNE 1, 2018, TO

THE JOINT BUDGET COMMITTEE AND THE CAPITAL DEVELOPMENT COMMITTEE THAT SET FORTH THE PROJECTED TIMELINE FOR VACATING THE CAMPUS AND LISTING THE CAMPUS FOR SALE.

(c)(I) NO LATER THAN DECEMBER 10, 2016, THE DEPARTMENT SHALL SUBMIT TO THE CAPITAL DEVELOPMENT COMMITTEE A PLAN FOR THE DISPOSITION OF THE GRAND JUNCTION REGIONAL CENTER CAMPUS, INCLUDING A PLAN TO SPEND THE PROCEEDS OF THE SALE, AND SHALL MAKE ANY ASSOCIATED CAPITAL CONSTRUCTION BUDGET REQUESTS FOR CAPITAL CONSTRUCTION, CAPITAL RENEWAL, OR CONTROLLED MAINTENANCE NEEDS RELATED TO THE TRANSITIONING OF PERSONS RECEIVING SERVICES AT THE GRAND JUNCTION REGIONAL CENTER CAMPUS, BASED ON SUCH PERSON'S CHOICE, TO NONREGIONAL CENTER CAMPUS RESIDENCES. ANY NEW FACILITY THAT IS CONSTRUCTED MUST BE A HOME-LIKE SETTING THAT SERVES NO MORE THAN SIX PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

(II) THE DEPARTMENT SHALL CONVENE AN ADVISORY GROUP COMPOSED OF NO MORE THAN SEVEN MEMBERS TO HELP THE DEPARTMENT FORMULATE THE PLAN AND BUDGET REQUESTS PURSUANT TO THE DEADLINE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c). THE MEMBERS SHALL BE APPOINTED BY THE DEPARTMENT AND MUST INCLUDE DIRECT CARE STAFF OF THE CAMPUS, FAMILIES OF PERSONS RECEIVING SERVICES AT THE CAMPUS, AND OTHER STAKEHOLDERS. MEMBERS OF THE ADVISORY GROUP ARE VOLUNTEERS AND ARE NOT ENTITLED TO REIMBURSEMENT FOR ANY ACTUAL AND NECESSARY EXPENSES. NOTWITHSTANDING SECTION 2-2-307, C.R.S., IF THE DEPARTMENT APPOINTS A LEGISLATIVE MEMBER TO THE ADVISORY GROUP, SUCH LEGISLATIVE MEMBER IS NOT ENTITLED TO PER DIEM COMPENSATION.

(4) THE GRAND JUNCTION REGIONAL CENTER CAMPUS TRANSITION CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF TWO MILLION DOLLARS TRANSFERRED FROM THE INTELLECTUAL AND DEVELOPMENTAL DISABILITIES SERVICES CASH FUND CREATED IN SECTION 25.5-10-207 (1), C.R.S., AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. THE STATE TREASURER SHALL CREDIT ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF THE 2019-20 FISCAL YEAR TO THE GENERAL FUND. SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR FUTURE COSTS RELATED TO ADEQUATE HOUSING FOR EACH PERSON RECEIVING SERVICES, INCLUDING TRANSITION AND MOVING COSTS, ON THE EFFECTIVE DATE OF THIS SUBSECTION (4) ON THE GRAND JUNCTION REGIONAL CENTER CAMPUS.

(5) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2021.

SECTION 2. In Colorado Revised Statutes, **amend** 27-10.5-311 as follows:

27-10.5-311. Regional centers - waiver beds - prohibition on closure or sale - repeal. (1) Prior to ~~May 16, 2016~~ MAY 30, 2017, the department shall not close or sell any state-operated beds licensed pursuant to the home- and community-based services for persons with developmental disabilities waiver and shall maintain an

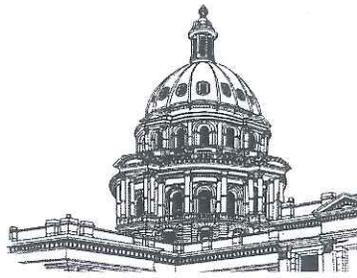
adequate number of beds at the regional centers for individuals who transitioned to the community within the preceding six months, but who have been identified by a community-centered board and the individual's legal guardian as having had an unsuccessful transition. The department shall permit the individual to return to a state-operated regional center bed pursuant to section 27-10.5-110 and applicable federal law.

(2) This section is repealed, effective ~~July 1, 2016~~ JULY 1, 2017.

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

Approved: June 10, 2016

Sen. Bill Cadman, *Chair*
Ms. Effie Ameen
Ms. Nan Anderson
Ms. Georgianna Contiguglia
Ms. Marilyn Eddins
Mr. David Halaas



Rep. Dominick Moreno, *Vice-Chair*
Ms. Aly Jabrocki
Mr. Richard Lee
Mr. Frank McNulty
Mr. Kurt Morrison
Mr. Steve Turner

Capitol Building Advisory Committee

State Capitol Building, Room 029
Denver, Colorado 80203-1784
(303) 866-3521

September 1, 2016

Senator Randy Baumgardner
Capital Development Committee
State Capitol Building
Denver, Colorado 80203

Dear Senator Baumgardner:

On August 19, 2016, the Capitol Building Advisory Committee (advisory committee) approved a proposal for the permanent gift of a memorial for placement on the Capitol grounds. The memorial commemorates the Sand Creek Massacre and will be placed in Lincoln Park (the area bounded by Lincoln Street, Broadway, 14th Avenue, and Colfax Avenue), in a location yet to be determined. This proposal is being forwarded to the Capital Development Committee for approval pursuant to Section 24-82-108 (3)(h)(I)(B), C.R.S.

The proposed memorial has four components – a plaque, a path, a teepee with bronze poles and a concrete base, and a bronze sculpture of a Cheyenne or Arapaho woman. The four elements were chosen by representatives of the Northern Cheyenne Tribe of Montana, the Northern Arapaho Tribe of Wyoming, and the Southern Cheyenne and Arapaho tribe of Oklahoma. The memorial will be created by Cheyenne and Arapaho artist Harvey Pratt. The donation is funded by the One Earth Future Foundation.

In addition to working with the donors to secure a final location for the memorial, the advisory committee has requested to review its final design in that location.

The approved application for a permanent gift of a memorial and supporting materials are attached to this letter. Note that the location and some elements of the memorial have been modified since the application was submitted. In addition to approval from the Capital Development Committee, final acceptance of this gift requires approval from the Governor and a Joint Resolution of the General Assembly.

On behalf of the Capitol Building Advisory Committee, thank you for your consideration.

Sincerely,

Senator Bill Cadman
Chair, Capitol Building Advisory Committee

ATTACHMENT A
APPLICATION FOR A PERMANENT GIFT OR LOAN OF AN OBJECT OF ART OR A MEMORIAL IN THE STATE
CAPITOL OR ON THE GROUNDS OF THE STATE CAPITOL
(please print)

Date 05/25/2016

1. Individual and/or organization sponsor(s) Jon Bellish on behalf of The One Earth Future Foundation & the Arsenault Family Foundation

Address(es) 525 Zang Street, Unit C Broomfield, CO 80027 | jbellish@oneearthfuture.org

Telephone Numbers: Daytime 303 533 1715 Evening 720 626 0525

2. What is the status of this item?

Permanent gift of donated art

A loan of loaned art

3. Proposed Dates for the display: 11/1/2017, on display indefinitely

4. Proposed Location of the display: North Western portion of the Colorado Capitol grounds, See Appendix A

Please note that no displays are permitted in the Capitol rotunda.

5. Purpose of the display: To memorialize the victims of the Sand Creek Massacre of November 29, 1864

6. Description of the display and space required (photographs may be provided to supplement the written description; use additional pages as necessary): The display will be a bronze sculpture, commissioned by the donors, created by Cheyenne and Arapaho bronze sculptor Harvey Pratt of Oklahoma, and designed in collaboration with Tribal Representatives of the Northern Cheyenne, Northern Arapaho, and Southern Cheyenne and Arapaho Tribes.

7. Name, address and telephone number of individual(s) in charge of display (if different from #1 above):

N/A

8. Attach an explanation of how the proposal meets the evaluation criteria used by the Advisory Committee.

(see Appendix B)

9. If the object is a loaned object of art, how will the object of art be insured throughout the period of time that the object is in the custody of the state?

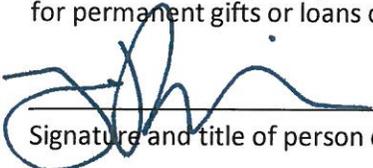
n/a Lender will maintain its own insurance coverage and provide state with a certificate of insurance naming the state as an additional insured or waive rights to subrogation against the state

n/a Lender requests state to insure the object of art and will provide description of object of art and its value

n/a Lender will elect not to maintain or obtain insurance of the object of art and will agree to release the state from any liability in connection with the loaned object of art



In addition to completing this application, I have read and will comply with the Criteria and Procedures for permanent gifts or loans of art of the State Capitol Building Advisory Committee.



Associate Director for New Programs, OEF

Signature and title of person completing the application

Return completed application to: State Capitol Building Advisory Committee
Room 029, State Capitol Building
Denver, CO 80203-1784
(303) 866-3521
(303) 866-3855 (FAX)

Approval

Capitol Building Advisory Committee: _____

Signature

Date

Capital Development Committee: _____

Signature

Date

Governor's Office (when applicable) _____

Signature

Date

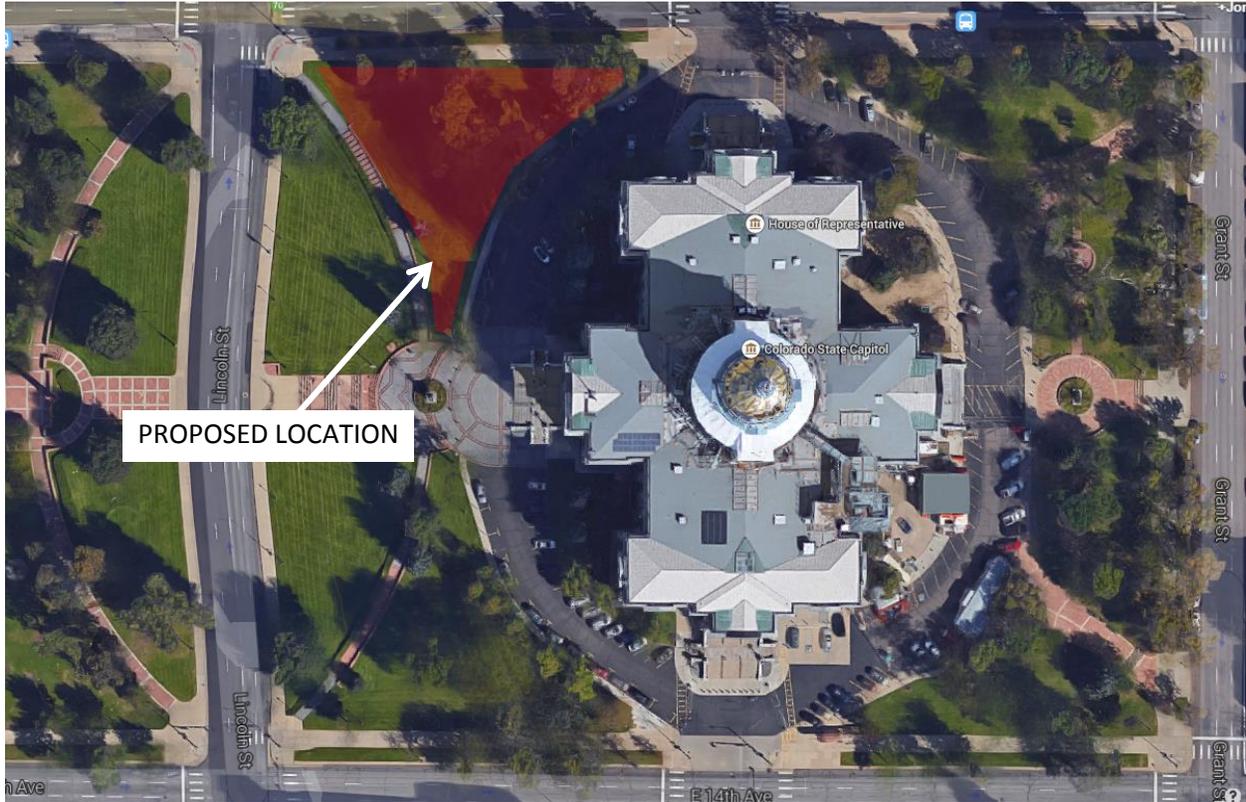
**APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A
MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL
One Earth Future Foundation**

Application Appendices:

- A. PROPOSED LOCATION**
- B. EVALUATION CRITERIA**
- C. ADVISORY COMMITTEE CONSIDERATIONS**
- D. FULL BUDGET**
- E. STATEMENT OF DONATION: Marcel Arsenault, Founder, One Earth Future Foundation, and co-founder of the Arsenault Family Foundation**
- F. LETTER OF SUPPORT: Alexa Roberts, Superintendent, National Parks Service Sand Creek Massacre National Historic Site, United States Department of Interior**
- G. LETTER OF SUPPORT: Chancellor Rebecca Chopp, University of Denver**

**APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A
MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL
One Earth Future Foundation**

APPENDIX A: PROPOSED LOCATION



APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL One Earth Future Foundation

APPENDIX B: EVALUATION CRITERIA

The association of the proposal with events that have made a significant contribution to the history of Colorado

The Sand Creek Massacre was a truly significant chapter in the history of Colorado, and in the history of the western United States. The massacre was not only perpetrated on Colorado territory with the involvement of its territorial governor, but it also had extremely important repercussions for tribal-settler relations in Colorado for years to come. The Sand Creek Massacre's historical significance can be seen in the passage of Senate Joint Resolution 14-030, the creation of the governor's Sand Creek Massacre Commemoration Commission in 2014, and the establishment of the Sand Creek Massacre National Historic Site in Eads, Colorado.

The connection of the proposal with persons significant in the heritage of Colorado

Just as the massacre itself is a significant part of Colorado's history it is connected with many individuals of historic significance to the state. Of particular significance to the Sand Creek Massacre are men like the antagonist John Chivington, those like John Evans, whose role was more ambiguous, and those like Silas Soule and Joseph Cramer, whose roles were unequivocally positive. Additionally, the Cheyenne and Arapaho chiefs involved with the Treaty of Fort Wise and the massacre itself include notable figures like Black Kettle, White Antelope, and Left Hand, also known as Chief Niwot, among others. All of these figures are of great historical significance to Colorado.

The extent to which the proposal embodies the essential natural beauty of the State or of the industry and lifeways of the people who have inhabited the State

The proposal is explicitly meant to embody, and thereby acknowledge, the lifeways of the Cheyenne and Arapaho people, who inhabited the state until the late 1860s. In a way, it is also meant to invite visitors and viewers to consider the full implications of the "industry and lifeways" of the European settlers in Colorado. As recent events around the Sand Creek Massacre in Colorado and those around the Confederate flag at other state capitols suggest, the public is finding increasing value in acknowledging the complexities of the past.

The appropriateness of the object of art to the designated functional zones of the surrounding Capitol grounds, when applicable

The existing public art at the Colorado Capitol suggests that the proposal is appropriate for public display on the capitol grounds, at least from a subject matter standpoint. There is already

APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL

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a Civil War memorial with an explanatory plaque for Sand Creek. There is also a bronze sculpture depicting Ute Chief Ouray on the east side of the grounds. Additionally, there are a number of other memorials on the Colorado Capitol grounds, including an Armenian Khachkar, dedicated to the victims of the Armenian genocide, as well as memorials dedicated to Pearl Harbor and the USS Colorado Memorial, amongst others.

Aesthetic considerations, to insure art of unusually high quality, appropriate in style, scale, material, form and content when viewed with other objects of art in the public areas of the Capitol, the Capitol exterior, or on its surrounding grounds

The elements for the memorial were chosen by Tribal Representatives from the Northern Cheyenne Tribe of Montana, the Northern Arapaho Tribe of Wyoming, and the Southern Cheyenne and Arapaho tribe of Oklahoma. The memorial will be created by Cheyenne and Arapaho artist Harvey Pratt. Harvey has his work in the permanent collections of the National Park Service and the Smithsonian Institution and was twice appointed by Oklahoma's governor to the Oklahoma Arts Council.

The memorial has four components centered around two themes: depicting the massacre as it was and connecting the past to the present.



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Plaque: The plaque will be made of stone and bronze. The side of the plaque facing the walkway will direct visitors to the memorial with the following text:

A Chiefs' Village

At daybreak, November 29, 1864, Colorado US Volunteers attacked a Cheyenne and Arapaho village at Sand Creek in southeastern Colorado Territory that had been guaranteed safety and protection by the US Army. Cheyenne chief Black Kettle flew an American flag and a white flag of truce over his lodge—yet the 675 troops, supported by four howitzers, swept the village killing 230 Cheyenne and Arapaho—mostly women, children, babies, and the elderly—and wounding another 200. But for the courageous action of two veteran battalion company commanders, Capt. Silas S. Soule and Lt. Joseph A. Cramer, who ordered their companies to stand down and not fire, the entire village of 750 would have been annihilated. Soldiers then mutilated the dead, carrying “trophies” to Denver to display them at a theater production. The Sand Creek Massacre opened full-scale war on the western plains. Thirty-three chiefs were present at Sand Creek; of these 18 were killed:

<i>Chief Crow (Cheyenne)</i>	<i>White Antelope (Cheyenne)</i>
<i>Spotted Crow (Cheyenne)</i>	<i>Little Robe (Cheyenne)</i>
<i>Left Hand (Arapaho)</i>	<i>Sand Hill (Cheyenne)</i>
<i>Bosse (Arapaho)</i>	<i>Left Hand (Cheyenne)</i>
<i>Heap of Buffalo (Arapaho)</i>	<i>Two Thighs (Cheyenne)</i>
<i>Bear Man (Cheyenne)</i>	<i>Red Arm (Cheyenne)</i>
<i>Warbonnet (Cheyenne)</i>	<i>Tall Bull (Cheyenne)</i>
<i>Lone Bear, aka One Eye (Cheyenne)</i>	<i>Black Horse (Cheyenne)</i>
<i>Yellow Wolf (Cheyenne)</i>	<i>Cutlip Bear (Cheyenne)</i>
<i>Bear Tongue (Cheyenne)</i>	

The Sand Creek National Historic Site is located in Kiowa County near Eads, CO.

APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL

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Path: The path represents the Big Sandy Creek. It will be done in concrete treated to look like sand and will contain the footprints of living Cheyenne and Arapaho descendants of the massacre. The footprints, some with moccasins and some with bare feet, will walk from the beginning of the path and past the woman.



Teepee: The teepee poles with the white and American flags are a well-recognized symbol of the Sand Creek Massacre. The flags were given to the Cheyenne and Arapaho people before they camped at the Big Sandy Creek as a symbol of their peaceful intentions and the protection of the U.S. and Colorado governments. Cast in bronze, the teepee will have an 8-10 foot diameter and be 12-14 feet tall. The base of the teepee will be made of concrete and also contain a medicine wheel laid out in stone. For many tribes – not just the Cheyenne and Arapaho tribes – the medicine wheel represents harmony and peaceful interaction among all living beings on Earth.

Woman: The unnamed Cheyenne or Arapaho woman will be a life-sized (~5 foot) depiction. She will be lying on the ground, reaching north (the direction the tribes retreated), with an empty cradleboard to represent mourning and loss. The woman represents a story told about the massacre. As the Cheyenne and Arapaho women and children fled north away from the attack, one woman was injured and fell. As she realized her fate, she called to those who were fleeing, asking them to “always remember” the victims.



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Above: Perspective from the front of the miniature model of the figure.

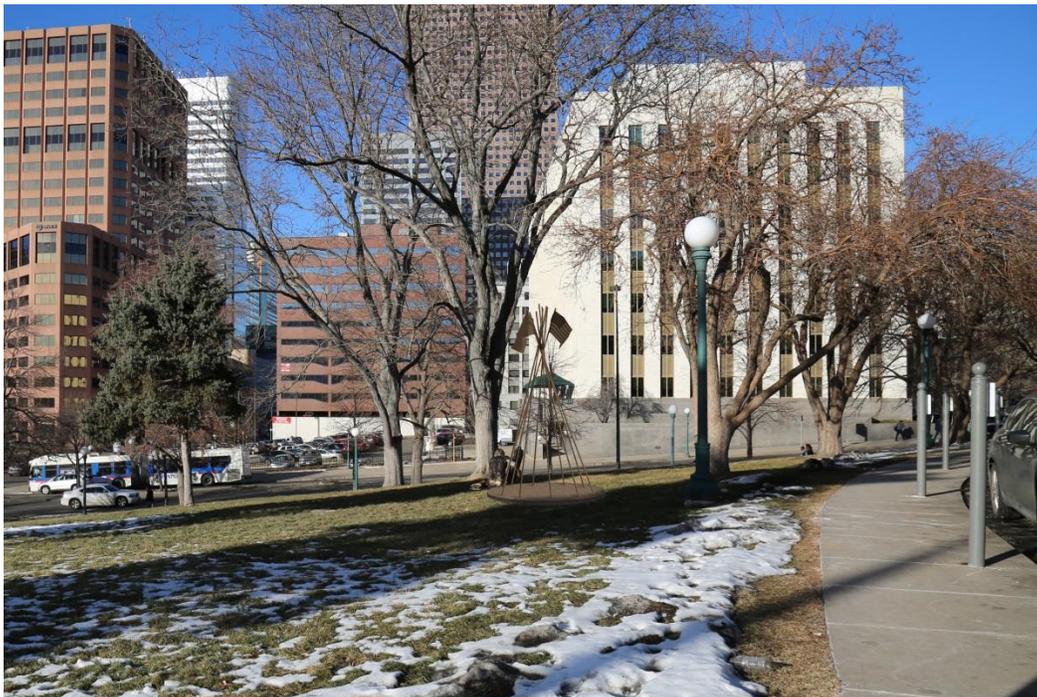


Above: Graphic rendering of the proposed memorial from Lincoln Street, near the corner of Colfax and Lincoln.

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Above: Graphic rendering of view from the path leading up to the civil war memorial.



Above: Graphic rendering of the view from the North Western sidewalk of the capitol.

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APPENDIX C: ADVISORY COMMITTEE CONSIDERATIONS

Recognition of the desire to preserve the historic nature of the Capitol and its surrounding grounds

The proposal is explicitly meant to embody a significant chapter in Colorado's history. Current public art on the grounds suggests the memorial will have no effect on the historic nature of the Capitol and its surrounding grounds. For more information see Appendix B.

The appropriateness of the proposed location of the object to the building's interior or exterior functional areas

The proposed location of the Sand Creek Massacre Memorial was selected by Tribal Representatives from the Northern Cheyenne Tribe of Montana, the Northern Arapaho Tribe of Wyoming, and the Southern Cheyenne and Arapaho tribe of Oklahoma. The proposed location is the end point to the annual Sand Creek Massacre Spiritual Healing Run. The Healing run is an event which occurs each November, during the commemoration of the massacre, and follows the path the Colorado US Volunteers took from the massacre site to the Colorado Capitol. For more information see Appendix B.

The permanence and durability of the object

Since the installation will be in bronze and stone, the permanence and durability will be high, commensurate with other art on the Capitol Grounds. There will be little to no need for additional landscaping or maintenance as the memorial will be out in the grass.

The susceptibility to vandalism and the on-going cost of maintenance

Since the installation will be in bronze and stone, the susceptibility to vandalism and the on-going cost of maintenance will be commensurate with other art on the Capitol Grounds.

The proponent's ability to provide sufficient funds to pay for installation, framing or base, illumination, or any other costs

The full cost of the project, including all design-related activities, production, delivery, and associated events is \$194,200. The Arsenault Family Foundation has pledged \$97,100 plus an additional \$10,000 in matching funds. The One Earth Future Foundation has raised an additional \$54,250. We are currently engaging in a multi-pronged fundraising effort to raise the remaining \$32,650. However, in the event of these fundraising goals not being met, the Arsenault Family Foundation has pledged to provide any additional funding.

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APPENDIX D: FULL BUDGET

BUDGET		
Item	Notes	Cost
Consultations with tribal reps (August, December, February)	Gauge interest; lay out roles and responsibilities; design of memorial and artist selection, etc.	\$3,015.52
December Fundraising Event	Commemoration of the Sand Creek Massacre 151 st and Fundraising event	\$5,217.24
Artist presentation	Costs for creating models (to be presented at fundraiser)	\$1,509.56
Miscellaneous costs	Costs for supplies, web content, advertisements, etc.	\$2,835.41
	Total used thus far:	12,577.73
Artists fee	Includes: installation consultation; design plans (drawings; budget; maintenance recommendations; narrative description); transportation & installation costs; materials, labor & expenses	\$150,000.00
Dedication	Organizing, promoting, event costs, tribal community travel when memorial is established	\$10,000.00
Explanatory plaque	Text written by David Halaas	\$2,000.00
August Meeting Consultation	Final Tribal Consultation with attendance at the CBAC meeting	\$7,000.00
Photos	Print & mailing costs	\$300.00
Additional Fundraising Events	Location usage fees; lectern; AV; food/drink; tribal rep travel (x4); artist travel (x1)	\$5,000.00
Contingency Budget	Additional memorial costs, additional consultation meetings	\$7,300.00
TOTAL		\$194,200.00

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Appendix E: STATEMENT OF DONATION

May 25, 2016

Capitol Building Advisory Committee
200 E Colfax Ave,
Denver, CO 80203

Dear members of the Capitol Building Advisory Committee:

On behalf of the One Earth Future Foundation (a 501(c)3 organization) and the Arsenault Family Foundation (a 501(c)3 organization), as well as the communities of the Northern Arapaho Tribe, the Northern Cheyenne Tribe, and the Southern Cheyenne and Arapaho Tribes of Oklahoma, we would like to thank you for the opportunity of proposing the gift of a memorial to the Sand Creek Massacre on the Colorado State Capitol grounds.

I am pleased to announce that the One Earth Future Foundation (OEF) unconditionally gives, donates, bestows and transfers the proposed Sand Creek Massacre Memorial to the State of Colorado with the understanding that the object of art becomes the property of the state, that the donor gives up all legal interest in the object of art, and that the object of art may be moved or removed from its initial site placement. We guarantee that the memorial is original and does not infringe upon any copyright, is free and clear of any liens, and that its execution and fabrication will be performed by an artist in a professional manner.

Funding necessary for placement of the memorial is available, and we take full responsibility for installing the memorial on the grounds. Our 990 is available to confirm the funding required if requested.

Thank you for your consideration.

Sincerely,

Marcel Arsenault
Founder,
One Earth Future Foundation
525 Zang St. Suite D,
Broomfield, CO 80021

ONE EARTH FUTURE FOUNDATION

525 Zang Street • Suite C • Broomfield, Colorado 80021 • USA
+1.303.533.1715 • info@oneearthfuture.org



United States Department of the Interior

NATIONAL PARK SERVICE
Sand Creek Massacre National Historic Site
P.O. Box 249
Eads, CO 81036
719/438-5916



May 17, 2016

Dina Klimkina
Program Exploration Analyst
One Earth Future
525 Zang Street, Suite A
Broomfield, CO 80021

Dear Ms. Klimkina:

Thank you for joining the National Park Service staff, tribal and state representatives, and other partners for a portion of the Long-Range Interpretive Planning workshop at the Sand Creek Massacre National Historic Site last week. It was good to have One Earth Future represented, especially as the discussion focused on memorialization, public interpretation, education, and partnerships. As was evident from the discussion, the goals of all of those involved in the memorialization and commemoration of the Sand Creek Massacre are very much alike.

In particular, One Earth Future and the National Park Service share a common intent to raise awareness of the Sand Creek Massacre, its historical and present impacts and its relevancy to issues around the world today. Memorialization is a significant avenue towards those goals. The proposed memorial at the Colorado State Capitol will be complimentary to the National Historic Site, which memorializes the Sand Creek Massacre through the preservation and interpretation of the landscape upon which the massacre took place. Further, we believe the proposed State Capitol memorial and the planned Sand Creek Massacre Research and Learning Center to be housed near the National Historic Site may also benefit one another through educational opportunities as well as providing an exhibit space and repository for archival and interpretive materials related to the State Capitol memorial.

We believe that a memorial at the State Capitol is particularly appropriate given the significance of the quest for statehood as a factor contributing to the Sand Creek Massacre, not to mention Governor Hickenlooper's apology for the massacre to the Cheyenne and Arapaho Tribes on behalf of the State of Colorado. Finally, a memorial at the State Capitol may further attest to the relationship between the State of Colorado and the Sand Creek Massacre National Historic Site which is codified in the legislation that authorized the National Historic Site and reflected in the collaboration among the State, the NPS and the Tribes in the development of a future Sand Creek Massacre exhibit at the Colorado History Center.

We appreciate the efforts of One Earth Foundation to bring additional awareness and recognition to the Sand Creek Massacre and will look forward to opportunities to collaborate in the future.

Sincerely,

Alexa Roberts, Ph.D.
Superintendent



CHANCELLOR

May 20, 2016

Capitol Building Advisory Committee
c/o Damion Pechota
Capitol Building, Room 029
200 E. Colfax Ave.
Denver, CO 80203

Dear Esteemed Committee Members,

Less than two hundred years ago, what is now the campus of the University of Denver sustained both the Cheyenne and Arapaho nations. The Sand Creek Massacre, among the most brutally violent acts in the long struggle between Native American people and the immigrating settlers, involved the complicity of the Colorado Territorial government, the United States Cavalry and some of the community leaders who were crucial to the founding of the Colorado Seminary—the precursor to the University of Denver.

In recent years, the University of Denver has taken significant steps to acknowledge this difficult history and begun the process of forging new relationships with Native American communities, including Arapaho and Cheyenne people, both on and off campus.

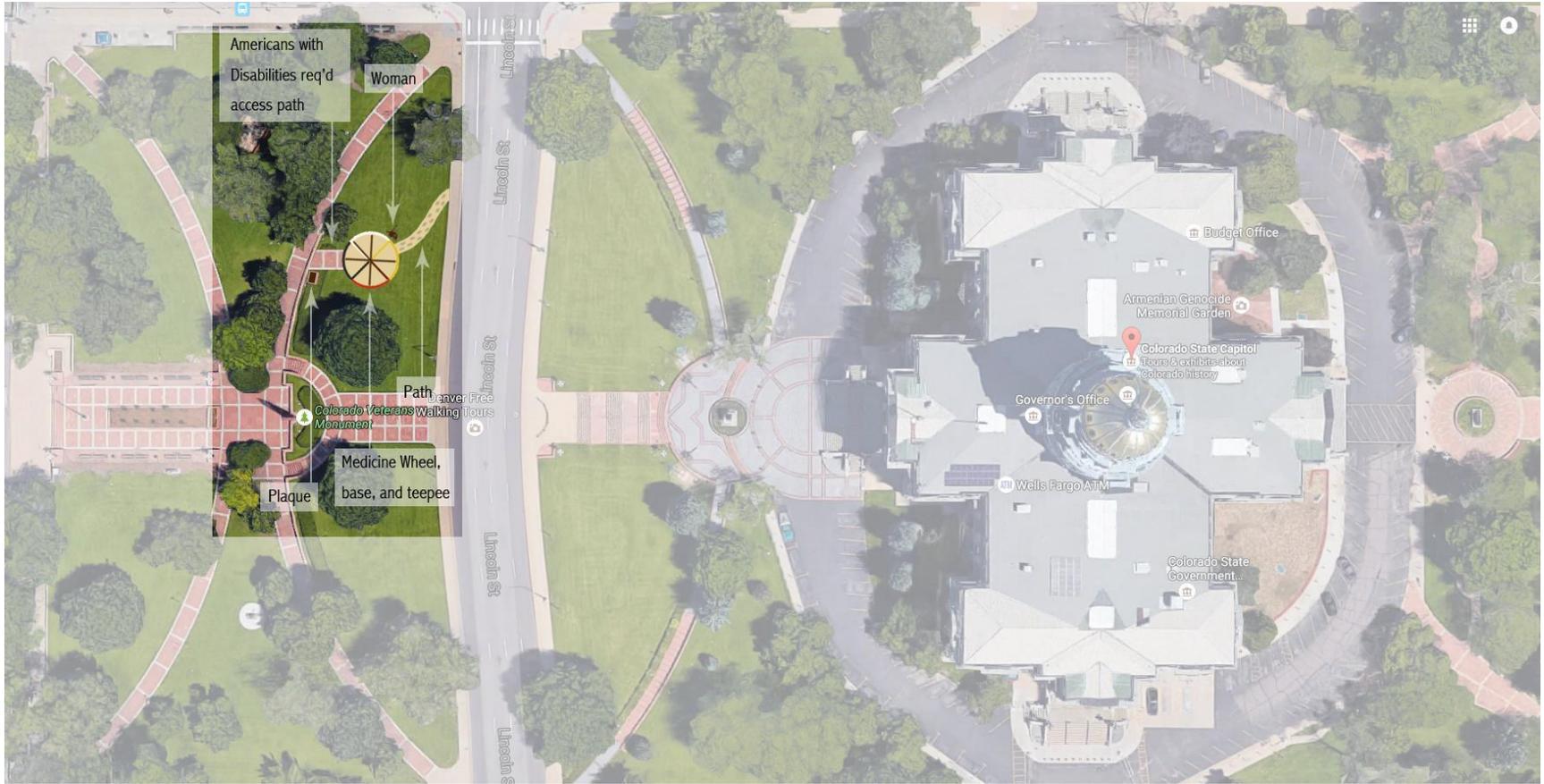
An essential element of these activities includes support for a memorial commemorating the Sand Creek Massacre on the grounds of the State Capitol. As a reflection of our institutional goals, mission and aspirations as a university dedicated to the public good, we recognize the critical need to honor and remember all of Colorado's history, including its most tragic and distressing moments.

The State Capitol is not simply a place where laws are created and civil governing occurs; it is also where generations of Coloradans, youth and adults alike, learn about our shared history. With the addition of a respectful monument dedicated to the remembrance of the Sand Creek Massacre, future generations may be better equipped to avoid the mistakes of the past and walk together into the future.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Chopp".

Rebecca Chopp
Chancellor



**FY 2017-18 Capital Budget Requests
September-October Non-Prioritized Submission**

Agency	Project Title	Project Type	Project Type	Request Amount -- CCF	Request Amount -- CF	Outyear Cost?
Adams State University	Plachy Hall HVAC Upgrade and Replacement (Capital Renewal)	State Funded	Previously Requested	\$4,470,884	\$0	No
Agriculture	Department Office Consolidation (Phase II)	Cash Funded	New	0	16,709,078	No
Auraria Higher Education Center	King Center Renovation and Addition	State Funded	Previously Requested	43,327,307	440,000	No
Colorado Mesa University	Marching Band Storage Building	State Funded	New	526,258	52,049	No
Colorado Mesa University	Performing Arts Expansion and Renovation	State Funded	Previously Requested	7,962,041	787,456	No
Colorado Mesa University	Electric Lineworker Building	State Funded	New	2,923,361	289,125	No
Colorado Mesa University	Trigeneration (Combined Cooling, Heating, and Power System)	State Funded	Previously Requested	6,325,932	625,643	No
Colorado School of Mines	Green Center Roof Replacement (Capital Renewal)	State Funded	New	3,816,415	0	Yes
Colorado State University	Shepardson Building Renovation and Expansion	State Funded	Previously Requested	4,527,223	0	Yes
Colorado State University	Anatomy/Zoology East Wing Revitalization (Capital Renewal Project)	State Funded	Outyear Projection	15,032,833	0	No
Colorado State University	Chemistry B and C Wing Renovation (Capital Renewal)	State Funded	Outyear Projection	23,763,000	0	No
Colorado State University	Institute for Biological and Translational Therapies Building (National Western COP)	State Funded	Cash List	6,500,000	78,300,000	No
Colorado State University	Health Education Outreach Center (National Western COP)	State Funded	Outyear Projection	22,300,000	1,000,000	No
Colorado State University	Equine Veterinary Teaching Hospital (National Western COP)	State Funded	Outyear Projection	21,200,000	44,058,627	No
Colorado State University — Pueblo	Psychology Building Renovation and Addition	State Funded	Previously Requested	16,815,751	0	No
Community College of Denver	Boulder Creek Building	State Funded	New	22,175,336	1,415,447	No
Corrections	Hot Water Loop Replacement, Limon Correctional Facility (Capital Renewal)	State Funded	Previously Requested	4,488,518	0	No
Corrections	Correctional Industries — Miscellaneous Small Projects	Cash Funded	Ongoing	0	660,000	N/A
Fort Lewis College	Whalen Gymnasium Expansion and Renovation, Exercise Science	State Funded	Outyear Projection	2,885,963	320,663	Yes
Front Range Community College	Health Care Career Center	State Funded	Previously Requested	23,387,740	8,552,190	No
History Colorado	Regional Museum Preservation Projects	Cash Funded	Ongoing	0	700,000	N/A
Human Services	Regional Center Capital Improvements	Cash Funded	Ongoing	0	1,002,925	N/A
Human Services	Facility Refurbishment for Safety, Risk Mitigation, and Modernization, Division of Youth Corrections	State Funded	Continuation	5,517,550	0	Yes
Human Services	Adams County Youth Services Center Replacement	State Funded	Continuation	14,845,503	0	No
Human Services	Fitzsimons Veterans Community Living Center Expansion Project	State Funded	New	7,500,000	7,500,000	No
Human Services	Grand Junction Regional Center Campus Relocation and Closure	State Funded	New	12,000,000	0	No
Human Services	Hawkins Building L2 Unit, Colorado Mental Health Institute at Pueblo	State Funded	New	5,420,468	0	No
Human Services	Program and Facility Master Planning, Division of Youth Corrections	State Funded	New	616,249	0	No
Human Services	Program and Master Planning, Department-Wide	State Funded	Outyear Projection	1,109,466	0	Yes
Human Services	Replace Deteriorated Infrastructure, Colorado Mental Health Institute at Fort Logan (Capital Renewal)	State Funded	Previously Requested	8,542,390	0	Yes
Human Services	Upgrade Campus Utility Infrastructure, CMHI at Pueblo (Capital Renewal)	State Funded	Previously Requested	29,135,975	0	No
Lamar Community College	Vocational Trades Building	State Funded	Previously Requested	1,996,733	0	No
Military and Veterans Affairs	Grand Junction Veterans One-Stop Remodel	State Funded	Previously Requested	2,967,300	0	No
Natural Resources	Land and Water Acquisitions, Wildlife Areas	Cash Funded	Ongoing	0	9,300,000	N/A
Natural Resources	Park Infrastructure and Facilities	Cash Funded	Ongoing	0	16,607,200	N/A
Natural Resources	Infrastructure and Real Property Maintenance, Wildlife Areas	Cash Funded	Ongoing	0	3,633,200	N/A
Natural Resources	Land and Water Acquisitions, State Parks	Cash Funded	Ongoing	0	1,400,000	N/A

**FY 2017-18 Capital Budget Requests
September-October Non-Prioritized Submission**

Agency	Project Title	Project Type	Project Type	Request Amount -- CCF	Request Amount -- CF	Outyear Cost?
Office of Information Technology	Public Safety Communications Network Microwave Infrastructure Replacement	State Funded	Continuation	\$11,193,784	\$0	Yes
Office of Information Technology	Public Safety Communications Network Tower Acquisitions	State Funded	New	3,333,000	0	No
Otero Junior College	Agriculture Science Program Remodel	State Funded	Previously Requested	1,393,800	0	No
Pikes Peak Community College	Student Learning Commons and Theater, Downtown Studio Campus	State Funded	Previously Requested	4,847,735	1,703,260	No
Personnel and Administration	Replace/Restore Roof, State Capitol Building	State Funded	Continuation	6,069,053	0	No
Public Safety	Pueblo District and Troop Office, Colorado State Patrol	Cash Funded	Outyear Projection	0	4,617,718	No
Public Safety	King Air Aircraft Engine Replacement, Colorado State Patrol	State Funded	Outyear Projection	1,535,030	0	No
Pueblo Community College	Weld Shop Renovation	State Funded	New	1,349,041	0	No
Transportation	I-70 Glenwood Canyon Rockfall Fence Improvements	State Funded	New	1,408,711	0	No
Transportation	Automated I-70 Avalanche Reduction System	State Funded	Previously Requested	2,313,130	50,000	No
Transportation	US 550 Bondad Hill Rockfall Mitigation	State Funded	New	2,000,000	1,227,524	No
University of Colorado at Boulder	Aerospace Engineering Sciences Building	State Funded	Previously Requested	23,456,347	51,440,353	No
University of Colorado at Boulder	Hellems Arts and Sciences Building (Capital Renewal)	State Funded	Previously Requested	30,000,000	0	No
University of Colorado at Colorado Springs	Engineering and Applied Science (EAS) Renovation	State Funded	Previously Requested	7,929,559	0	Yes
University of Colorado Denver (Anschutz Campus)	Colorado Center for Personalized Medicine Building	State Funded	Previously Requested	28,832,606	32,270,515	Yes
University of Colorado Denver (Auraria Campus)	Engineering and Physical Sciences Building	State Funded	Previously Requested	47,218,364	15,739,454	No
University of Northern Colorado	Replace Heating Plant Boiler #3 (Capital Renewal)	State Funded	Previously Requested	3,329,505	0	No
University of Northern Colorado	Gray Hall Mechanical Systems Improvements (Capital Renewal)	State Funded	Outyear Projection	3,160,332	0	No
Western State Colorado University	Savage Library Renovation	State Funded	Previously Requested	10,663,516	200,000	No
Totals				\$512,113,709	\$300,602,427	