



FY 2021: October 1 EIAF Tier I/Tier II Grant Application

Status:
Filed On:
Filed By:
Reviewed On:
Reviewed By:
Reviewer Notes:

Application Overview

You are **required** to work with your Regional Field Manager prior to completing your application.

The Department of Local Affairs' (DOLA) Energy and Mineral Impact Assistance Fund (EIAF) program was created to assist political subdivisions that are socially and/or economically impacted by the development, processing, or energy conversion of minerals and mineral fuels. Funds come from the state severance tax on energy and mineral production and from a portion of the state's share of royalties paid to the federal government for mining and drilling of minerals and mineral fuels on federally-owned land. The creation of the fund is outlined in C.R.S. 34-63-102 (Federal Mineral Lease) and C.R.S. 39-29-110 (Severance). Grant dollars are to be awarded for the planning, design, construction, and maintenance of public facilities and for the provision of services by political subdivisions.

Requests in this Cycle 20-11 may be for either **Tier I:** up to \$200,000 or **Tier II:** over \$200,000 and up to \$1,000,000 with a 50/50 match requirement for any application. Tier I award notifications are anticipated in late November. Tier II applicant presentations are scheduled for early January 2021 with funding decisions anticipated later that same month.

For more information and additional documentation on the EIAF program, please go to the program website at:

<https://cdola.colorado.gov/energymineral-impact-assistance-fund-grant-eiaf>

A. APPLICANT/CONTACT INFORMATION

1. Select Your Organization: *

The list is filtered to eligible organizations. If you do not see your organization listed, please contact DLG at 303-864-7720 for further assistance. In the case of a multi-jurisdictional application, please select the lead organization. Select from a dropdown menu.

Archuleta County

In the case of a multijurisdictional application, select the other participating eligible organizations:
Select from a dropdown menu.

2. Principal Representative:

(In the case of a multi-jurisdictional application, principal representative of the lead organization.)

Honorific: **Mr.**

First Name: * **L.**

Middle Name: **Scott**

Last Name: * **Wall**

Suffix:

Role: * **County Administrator** Select from a dropdown menu.

Mailing Address: * **PO Box 1507**

Address 2: **398 Lewis St.**

City: * **Pagosa Springs**

State: * **CO**

Zip Code: * **81147**

Phone Number: * **970-264-8302**

Email Address: * **swall@archuletacounty.org**

3. Responsible Administrator (will receive all mailings) for the application:

Honorific: Mr.
First Name: * L.
Middle Name: Scott
Last Name: * Wall
Role: * County Administrator Select from a dropdown menu.
Mailing Address: * PO Box 1507
Address 2: 398 Lewis St.
City: * Pagosa Springs
State: * CO
Zip Code: * 81147
Phone Number: * 970-264-8302
Email Address: * swall@archuletacounty.org

B. CHIEF ELECTED OFFICIAL INFORMATION

Please provide contact information for the chief elected official.

Name * Mr. Alvin Schaaf
In case of a multi-jurisdictional application, chief elected official of the "lead" political subdivision.
Title * Chairman, Board of County Commissioners
Street Address * 398 Lewis St.
City * Pagosa Springs
State * CO
Please use the two letter abbreviation
Zip * 81147
Phone * 970-264-8303
Email Address * aschaaf@archuletacounty.org

C. PROJECT DESCRIPTION AND DEMOGRAPHIC INFORMATION

a. Project Title *

Begin the project name with your community name. Example: "*Town of Oak Creek Project Name*", "*Gunnison County Project Name*".

Archuleta County Court Facility – Construction of Courtroom and Commons Room Shells

b. Amount of grant funds requested *

* The amount requested should equal "Grant Request Total" line from the project budget below.

To Be Determined

c. Matching funds *

To Be Determined

d. Description of the project scope of work *

Description of the various tasks involved in the project including specific data such as quantities, mileage, square feet, linear ft. etc., as well as specific project location within city and/or county etc. Please be specific to the project. (2,500 character limit)

Archuleta County is currently without a Court Facility.

A project is currently underway to construct a new Court Facility. This building is adjacent to a new Detention facility and close to a recently renovated Sheriff's Offices, all part of a larger "Justice System Complex". This complex is located at 125 Harman Park Drive, a very short distance from the primary transportation corridor of the County (Highway 160), and centrally located, being between downtown Pagosa Springs to the east, and the most populated uptown region to the west.

The new facility is being constructed to include two Courtrooms, Judge's Chambers, Jury Deliberation rooms, offices for the Probation Department, offices for the Court Clerk, a Holding Cell, restrooms, and spaces for circulation and storage. The construction plans are attached.

Due to a lack of sufficient project funding, two important spaces are not included in the construction project currently underway. These are:

- A third Courtroom
- A Commons Room (aka, Jury Selection and Multipurpose Room)

This particular request seeks additional funds to allow the third Courtroom and the Commons Room to be shelled out. That is, with the foundation, walls and roof constructed, but not with the final finishes.

e. Describe the problem, opportunity or challenge that resulted in the request. *
(2,500 character limit)

The “old” Archuleta Courthouse combined Courtrooms, Court Clerk’s office and Probation offices, with a Detention facility and offices for the County Sheriff. The Detention Facility was closed in 2015 due to a roof failure and water intrusion. Later on, the Sheriff’s Offices (also water damaged) were abandoned. On September 7, 2017 the Archuleta County Combined Court moved out of the facility; citing security, space and health concerns.

Starting in 2015, Archuleta inmates were transported to the La Plata County detention facility, at significant cost and logistical difficulty. Sheriff’s Office personnel were squeezed into other department offices, wherever space could be found. After moving out of the courthouse in 2017, the Combined Court and Probation leased office space in Pagosa Springs for client services, but have had to hold court proceedings in La Plata County, creating problems for citizens, Court personnel and County staff.

Archuleta County explored how the “old” Courthouse might be repaired and renovated, so that it could again become useful. However, a feasibility study of the courthouse concluded that the building had numerous structural and mechanical issues, including but not limited to the foundation, roof, HVAC, electrical, fire and plumbing systems. A full renovation would be necessary to correct the issues. Upon review of the options, the County Commissioners decided to proceed with new construction, at a different location.

The estimated cost to construct the new facilities far outstripped the County’s normal, expected resources. In 2017 (and again in 2018) the County asked the voters to approve a 1% sales tax to the Justice System Capital Fund. The citizens declined both times. In the mean-time, the County accumulated as much as it possibly could within the Justice System Capital Fund. After the second failure at the polls, the County also obtained COP funding of over \$13.15M for the most urgent need of all... construction of a Detention Facility. Unfortunately, due to rising costs, the projected total cost for that project increased to \$16.54M. The Sheriff’s Office remodel costs were also higher than expected. Together they depleted the funds accumulated in the Justice System Capital Fund.

In order to maintain the momentum of the Courthouse design and to begin construction on a long delayed and urgently needed project, the County transferred \$900,000 of existing expense appropriations from other funds to the Justice System fund (in July of 2020). The County also found it necessary to cut out part of the *intended* project; in particular, one of the Courtrooms and the Commons Room (Jury Selection Room).

The Combined Courts have been adamant that they need three Courtrooms in order to meet current needs. If only two Courtrooms are provided, it may be necessary (from time to time) to hold hearings/trials in La Plata County. As the County grows, the need for the third courtroom will become more and more urgent. Also, no space exists for purposes of jury selection and no permanent solution has been identified.

While the third courtroom and commons room will not be completely finished at this time, it will be much less expensive to finish them later, if they are shelled out now, while the rest of the building is being constructed. Therefore, receipt of the requested funds will have the effect of hastening the day when Court Facility will be adequate for its intended purposes, and also, the final, total cost will be lower than it otherwise would be.

f. Local priority

If more than one application from the same government (1 of 2, 2 of 2, etc.)
Select from a dropdown menu.

This is number 1 of 1 request in this cycle.

g. State historic registry designation *

Is the project on a State registered historic building, structure, site, or in a State Historic District?
Select from a dropdown menu.

No.

g. 1 State historic registry number

If the project is on the state registry, please provide the registry number. DOLA may need to seek a determination of effect from History Colorado and the State Office of Archaeology and Historic Preservation.

h. Current population *

Current/most recent conservation trust fund/lottery distribution estimate or State Demographer estimate is acceptable

13,746

h. 1 Current population estimate source * Colorado State Demography Office, Population Estimates by Region and County, "SDO Est. 2018", as finalized in September of 2019.

i. 5 year population projection *

15,289. Note: There is evidence that the County population exceeded 16,000 by late summer of 2020, but we cannot point to an official source. It is known that large numbers of families moved into Archuleta County in the early months of the COVID-19 pandemic, presumably fleeing areas of higher rates of infection.

i. 1 Population projection source * Colorado State Demography Office, Preliminary Population Forecasts by Region and County, "SDO Proj. July 2025".

j. Have you contacted your DOLA regional manager to discuss this project? * Yes

You are **required** to contact your DOLA regional manager prior to submitting your application. Please indicate the date and method of your contact with your regional manager. Select from a dropdown menu.

j. 1 Date Jan. 6, 2020

j. 2 Method of contact Telephone

k. Supporting documents

Upload any supporting documents (studies, preliminary reports, etc.) as a single PDF document.

D. DEMONSTRATION OF NEED

The statutory purpose of the Energy and Mineral Impact Assistance program is to provide financial assistance to "political subdivisions socially or economically impacted by the development, processing or energy conversion of minerals and mineral fuels."

a. Demonstration of need *

Why is the project needed at this time? (2,500 character limit)

State statute requires Archuleta County to provide "adequate" space to the Archuleta County Combined Courts. The Courts determined in September of 2017 that the spaces provided to them were inadequate for their needs. Space for judges and probation officers was cramped, compromising confidential conversations. Only two courtrooms were available, but case-loads have been increasing, and three courtrooms will eventually be imperative. One of the existing courtrooms was not designed for the purpose and was located far from the judge's chambers and other courtroom. The Court Clerk's office was also physically separated from the rest of the court offices. The connections between the different court offices were limited. Citizens had to either exit, and then reenter the building to move from the Court Clerk's office to the primary courtroom, or pass thru multiple doors leading into and through Archuleta County offices not connected with the Courts, in order to gain access. Citizens were frequently lost in the building. When the second courtroom was in use, part of the building had to be sealed off from Archuleta County staff, reducing their access to their own offices. A single court security officer controlled access to the primary courtroom and probation office at the top of a wide landing, with a staircase on one side and elevator opposite and multiple halls leading off in opposite directions. The logistics of the space, combined with the large number of people congregating within it resulted in poor control and compromised effectiveness. The one emergency exit was demolished during roof repairs. The primary space was built in 1927, not for use as a court building and not to existing code and safety standards. The newer portion of the building was studied extensively and found to have numerous structural and mechanical issues, including serious problems with the foundation, roof, HVAC, electrical, fire and plumbing systems.

For these reasons (and more), the Archuleta County Combined Courts took the drastic action of leaving the building entirely. At their own expense, the Combined Courts leased office space in Pagosa Springs for the Judges, Court Clerk and Probation staff. However, all court proceedings are held in La Plata County (over 50 miles away), over a single two lane road, winding through the mountains. During summer road maintenance/construction, the round trip commute can exceed three hours. During winter snow storms, the trip can become impractical, and sometimes impossible. During the best of times, it is a very long commute, to a facility belonging to another County, which already has its own court

capacity issues. Finally, since the La Plata County Courts are not located within Archuleta County, their use on an emergency basis does not satisfy the law and is not sustainable.

b. Project implementation *

How does the implementation of this project address the need? (2,500 character limit)

This grant supports shelling out a third Courtroom and a Commons room to a building currently under construction. If these two rooms are shelled out, the new building will be much closer to meeting its intended purpose. While the final completion of the third courtroom and the commons room will have to wait, that final effort will be significantly cheaper than it otherwise would have been, since the shell out work will have been performed by workers already mobilized and on site.

c. Does this project address the stated need? *

Does this project, as identified in this application, completely address the stated need? If not, please describe additional work or phases and the estimated time frame. Do you anticipate requesting Energy and Mineral Impact Assistance funds for future phases? (2,500 character limit)

As stated elsewhere, the requested funds will allow the County to shell out the third Courtroom and Commons/Jury Selection Room while the facility is under construction, which will significantly lower the final cost of supplying the space requested by the Combined Courts.

The final step (finishing the interior of the third Courtroom and the Commons Room) will have to take place later, which sufficient funds are identified for the purpose.

d. What other implementation options have been considered? *

(2,500 character limit)

The status quo of utilizing the La Plata County Court facilities is not a sustainable or "legal" option. State statute requires Archuleta County to provide the Combined Courts with a courthouse, located with Archuleta County. The Courts have already vacated the existing structure and made it very clear they will not return.

Extensive review of what is possible within the County was eventually boiled down to three specific options;

1. The "San Juan Option". Rehabilitation of the existing west wing of the old Courthouse, to provide a new home for the Courts. This option meets many, but not all, current needs of the Courts. It lies in the most congested part of Pagosa Springs, does not provide adequate parking and has no room for expansion.
2. The "5th Street Option". Rehabilitation of the existing west wing of the old Courthouse, with the purchase of 5th Street property next door, in order to expand the facility to fully meet current needs and provide parking, in an effort to create a more meaningful option. While this option solves parking issues, the only way the facility can be expanded is to eliminate parking. Also, it requires the County to transport prisoners at significant cost and some risk, for decades to come.
3. The "Harman Park Option". New construction immediately adjacent to the new Detention Facility (eliminating the need for ongoing prisoner transport), with room for parking and long term expansion. This option is significantly cheaper than the "5th Street Option", and only slightly more than the "San Juan Option".

The "Harman Park Option" was selected by the Commissioners and the funding requested by this application would be directed to support this option.

Specifically in regard to the need for a third Courtroom, the only options are to either add it to the building currently under construction, or require Court staff to continue to travel to LaPlata County. With regard to the Commons Room, no other (long term) options are known to exist, other than add it to the building currently under construction.

e. What are the consequences if the project is not awarded funds? *

(2,500 character limit)

If the project is not awarded, the new Court Facility currently under construction will open with less space than requested by the Combined Courts. Eventually, the third Courtroom and Commons Room will be added to the facility, but the cost of doing so will be significantly higher than if those two rooms are shelled out now... while construction is in process and appropriate workers are already mobilized. Because of the higher costs, it will likely take longer to identify sufficient funding to do the work. Court staff and local citizens will likely make many more trips to LaPlata County to borrow their facilities, than would otherwise be the case.

E. FINANCIAL INFORMATION (CURRENT YEAR)

Please download and complete an Applicant Financials Template with the lead agency information as well as co-applicants on this application. The Applicant Financials Template is on the DOLA website under Forms and Resources tab at <https://cdola.colorado.gov/funding-programs/energy/mineral-impact-assistance-fund-grant-eiaf>. Please upload the completed Project Financials in an Excel format and name it: <Organization>Financials.xls. Example: "GunnisonCountyFinancials.xls"

F. PROJECT BUDGET

Please download and complete the Budget Template with the lead agency information as well as co-applicants on this application. The Budget Template is on the DOLA website under Forms and Resources tab at: <https://cdola.colorado.gov/funding-programs/energy/mineral-impact-assistance-fund-grant-eiaf>. Please upload the completed Project Budget in an Excel format and name it: <Organization>Budget.xls. Example: "GunnisonCountyBudget.xls"

G. MEASURABLE OUTCOMES

a. Describe the expected measurable outcomes *

How will the project enhance the livability* of your region, county, city, town or community? Examples would include constructing a new water plant to eliminate an unsafe drinking water system and provide safe and reliable drinking water; the construction of a new community center would provide expanded community services, or projects achieving goals regarding energy conservation, community heritage, economic development/diversification, traffic congestion, etc. ***(Livability means increasing the value and/or benefit in the areas that are commonly linked in community development such as jobs, housing, transportation, education, emergency mitigation, health and environment)** (2,500 character limit)

The project advances the day when all of the Court business of Archuleta County can actually be conducted in Archuleta County. When that occurs, citizens will no longer need to make a long (and occasionally hazardous) journey over a two lane mountain road to an adjacent County in order to appear in court or fulfill their jury duty. For our poorer citizens, this will be a tremendous benefit, as there is no government subsidized public transport between Archuleta and La Plata Counties. This will also be of tremendous benefit to court staff. Currently their offices are in one city/county and their courtrooms are in a different city/county. These work places are effectively 50+ miles apart, creating a logistical nightmare. County staff are also affected. Department of Human Services staff must make frequent court appearances. They now spend hours in their car every time they must appear at court... instead of just a few minutes!

Also, this advances the day when citizens being chosen for jury duty can appear at the actual Court Facility, rather than some other (temporary) location, as may exist from time to time.

b. Energy efficiency *

Will this project implement an energy efficiency/strategy that could result in less carbon footprint or conserve energy use or capitalize on renewable energy technology? If yes, please describe. (2,500 character limit)

The County understands that the new facility should be as resource-efficient, high performing, healthy and green, as is practical to achieve in a poor and remote mountain community. Archuleta County is located far from any metropolitan area that is likely to have vendors and sub-contractors skilled at "green" construction... so the challenges are real.

H. LOCAL EFFORT

a. Relationship to Community Goals *

Is the project identified in the applicant's budget or a jurisdictionally approved plan (e.g. capital improvement plan, equipment replacement plan, comprehensive plan, utility plan, road maintenance and improvement plan or other local or regional strategic management or planning document)? What is its ranking? (2,500 character limit)

Prior to the 2015 roof failure and flooding event that rendered the existing Detention facility and Sheriff Offices unusable, a new Courthouse (which would include County offices, as well as a Justice System component of the Combined Courts, Sheriff's Offices and Detention facility) was the number one pending capital project of the County. On at least two occasions in the previous 20 years, schematic plans were drawn up, and means to finance construction were considered. Unfortunately, those previous efforts failed.

After the 2015 roof failure/flooding event, the number one capital project of the County was to create a new Justice Systems Complex, by either building a new one, or restoring the old Courthouse. Now that the new Detention facility and Sheriff Office projects are completed, the final element of constructing a new Court facility is the number one project of the County.

b. Why can't this project be funded locally? *

(2,500 character limit)

We imposed austerity measures for many years, built up capital fund balances with the savings and repeatedly asked our local citizens for increased funding in the form of a Sale Tax increase. The funds saved were insufficient to pay for all of our Justice System projects and the voters did not approve additional taxes. In order to build a Court Facility, the County released its entire Strategic Reserve of over \$4 million dollars. This was insufficient to build a facility of inadequate size.

There simply are no additional funds to tap, which could pay for shelling out the additional Court Room and Commons Room.

c. Has this project been deferred because of lack of local funding? If so, how long? *

(2,500 character limit)

The need for a new Courthouse, including a Justice System Complex, was considered urgent *over 20 years ago*. By the year 2000 the County had a "Government Center Facilities Master Plan" which noted the following:

- The existing old Courthouse and Jail Buildings are, for the most part, very overcrowded and undersized to effectively support current operations.
- The old Courthouse portion of the complex is in poor condition.
- State estimates of population growth will generate additional demand, whereas the existing facility was already inadequate.

In the years immediately following the creation of that master plan, various configurations and financing plans were put forth to construct the needed facilities, either outright or in phases. The County did not successfully finance any of those plans at that time.

d. Explain the origin and status of your local cash match.

(Note: Whenever possible, local government cash match on a dollar for dollar match basis is encouraged.) Are the local funds committed or pending? If there are pending funds, when will the status of those funds be determined? (2,500 character limit)

The County has already procured a \$1.91 million dollar grant for construction costs of the new Court facility. In addition, the County released the entirety of its Strategic Reserve funds (\$4 million) to the project... well in excess of the matching requirements of the grant.

These funds are insufficient to shell out the badly needed third Courtroom and Commons Room. The amount we are now requesting for this purpose will require a separate match. That match funding will come from contingency funds from within the County's 2021 budget.

e. Community partners

What other community entities, organizations, or stakeholders recognize the value of this project and are collaborating with you to achieve increased livability of the community? Please describe how your partners are contributing to achieve the improvement to the livability of the community through this project. If in-kind contributions are included in the project budget, detailed tracking will be required on project monitoring report. (2,500 character limit)

There are no local community partners contributing specifically to the design of the Court facilities.

There has been support in the community for a new Justice System Complex. A group of concerned citizens lobbied for the 1% Sales Tax increase in both 2017 and 2018. While these efforts were unsuccessful, a concerned citizen did ultimately sell the County the property upon which the Court will be constructed, for a fraction of its actual value.

f. Tax rate, usage charges, or fees

Have the applicant's tax rates, user charges or fees been reviewed recently to address funding for the proposed project?

Select from a dropdown menu.

Modification of tax requires voter approval. Both Property Tax and Sales Tax were considered as sources of revenue for the project. Sales Tax was deemed most likely to gain the approval of voters, but they turned the County down two years in a row.

The County recently adopted a Model Traffic Code, which created a new revenue stream. However, the amounts being generated are a disappointment and clearly insufficient to be a factor in financing this project.

f.1 Tax rate or usage charge modifications

If the tax rate, user charges or fees were modified, what was the modification and when did this change occur? (2,500 character limit)

g. Has the applicant contacted energy/mineral companies to discuss the project? * (2,500 character limit)

No.

I. READINESS

a. When will the project begin? * (Months)

Select from a dropdown menu.

The larger project of constructing a Justice System Complex began in earnest in April of 2019. The new Detention facility and Sheriff's Offices were completed in the late summer of 2020 and design work on the new Court facility was completed in the fall of 2020.

Construction on a new Court Facility was begun in December of 2021. That project does NOT include shelling out or completing a third Courtroom or a Commons room. Shelling out of these two rooms cannot be approved by the County unless this application for additional funds is approved and executed.

IMPORTANT NOTE: It is essential that this application be approved quickly, while there is still time to perform work on the third Courtroom and the Commons Room via a Change Order on an existing contract.

b. What is the time frame for completion? *

Select from a dropdown menu.

The building should be completed in the third or fourth quarter of 2021, depending on weather. (Construction is occurring over the winter months). Even if delayed by weather, the project will be completed before year end.

c. Is design or engineering a component of this project? *

Select from a dropdown menu.

No.

c.1 What additional design or engineering work remains?

What percentage of design work is complete? If this is a design-build project, please describe project status below. (2,500 character limit)

c.2 How were project cost estimates determined? *

How did the applicant develop project cost estimates? (2,500 character limit)

c.3 Is the project supported by bids, professional estimates or other credible information? *

Select from a dropdown menu.

Yes. Original estimates were provided by the architect who did the original design and then later the construction documents. These were updated with the assistance of Nunn Construction in September/October of 2020, and then later on by Nunn Construction, as part of the bidding/contracting process.

The specific cost of shelling out the third Courtroom and the Commons Room are documented by a Change Order.

c.3.i Bids

Please attach a copy of any supporting documents (PDF Document).

See the attached Change Order.

c.4 Are any Local, State or Federal permits required before the project can proceed? *

If yes, please describe and note the status of permit acquisition (2,500 character limit).

The County will need a building permit from the Town of Pagosa Springs. We do not foresee any difficulties obtaining that permit, at this point in time.

J. ENERGY & MINERAL RELATIONSHIP

a. Community energy or mineral impact *

Describe how the applicant is, has been, or will be impacted by the development, production, or conversion of energy and mineral resources. (2,500 character limit)

According to the state demographer office data, Archuleta County saw an average of forty-nine (49) oil and gas, mining workers over the 2010-2017 time frame. With the same time frame, the highest level of oil and gas and mining workers was 62, in 2011.

The County believes that oil field traffic, especially from trucks, damages certain County roads and creates the need for more frequent maintenance and road repair work, as well as dust mitigation.

b. Use data *

Cite actual use data that documents direct impact as it relates to the need for the project. For example: "heavy truck traffic directly related to energy development activities is impacting County Road X. a traffic count done in May 2019 showed energy related truck traffic increased from 100 trips per day to 300." (2,500 character limit)

Two roads are given as an example:

County Rd 500 by Highway 151 October 2018 the ADT is 140.5.

Class 1 =1.75
Class 2 = 36.5
Class 3 = 61.5
Class 4 = 4.5
Class 5 = 28.5
Class 6 = 2
Class 7 =0
Class 8 = 3.75
Class 9 = 1.25
Class 10 = 0.75

County Rd 988 October 2016, the ADT is 90.5

Class 1 =0.25
Class 2 = 50.75
Class 3 = 26.50
Class 4 = 2
Class 5 = 9.5
Class 6 = 0.25
Class 7 =0
Class 8 = 1
Class 9 = 0.25
Class 10 = 0

While our traffic counts cannot distinguish vehicles that are related to energy development from those that are not related, it does distinguish different classes of vehicles. We believe that almost no ADT's above class 3 would likely occur on these roads, apart from energy development activities. Therefore, we are seeing energy related ADT's (trips per day) of:

CR 500 = 40.75
and,
CR 988 = 13.00

All of these trips would be by vehicles weighing at least as much as a bus.

K. MANAGEMENT CAPACITY

a. Fund management *

How will you separate and track expenditures, maintain funds and reserves for the capital expenditures and improvements as described in this project? (2,500 character limit)

The County operates a "Justice System Capital Fund" to separate and track expenditures related to Justice System purposes. Within the fund are individual cost centers for different elements of a Justice System, including:

- Detention Facility
- Sheriff Offices
- Court Facility

All revenue and expenditures associated with this project will be accumulated in the Court Facility "cost center", within the Justice System Fund. The Court facility project is therefore clearly distinguished from other Justice System projects. Furthermore, the expense account codes within the Court Facility cost center clearly distinguish architect fees and other professional service fees, from payments to contractors for construction, etc...

b. Project sustainability *

Describe the funding plan in place to address the new operating and maintenance expenses generated from the project? (2,500 character limit)

The building will be new, and only open a few months in 2021.

Future capital maintenance costs, which can be significant, are anticipated in the long range financial model of the Justice System Capital Fund. The amounts anticipated in the latest draft of the model are contingencies only. Once the Court Facility is completed, a more detailed capital maintenance plan will be determined and worked into the long range model of the fund.

With regard to the subject of this grant application (the Court facility), actual operating costs are the responsibility of the Combined Courts. A detailed capital maintenance plan will be determined only after the facility is constructed. Once that occurs, the maintenance contingencies plugged into the long range financial model of the fund will be updated with better numbers.

Note that Archuleta County makes extensive use of long range financial modeling during every budget cycle, and whenever it is contemplating actions that could affect future years in a material way. The system has been referenced in the County's annual budgets since 2016 and the Finance Department deems financial modeling essential to creating sustainable budgets and projects.

c. Expertise *

Describe the technical and professional experience/expertise of the person(s) and/or professional firms responsible to manage this project. (2,000 character limit)

Scott Wall (County Administrator) has been continuously employed managing government entities for over 28 years. He has been involved in overseeing more than \$50 million dollars' worth of capital projects during his career.

Construction services will be provided by Nunn Construction, who have recently completed the County's new Detention Facility. They were selected using a competitive RFP process and enjoy a good reputation.

d. Duplication of services *

Does the project duplicate service capacity already established? Is the service inadequate? Has consolidation of services with another provider been considered? (2,000 character limit)

No. There is no duplication of service within Archuleta County.

L. RESILIENCY CRITERIA

The Energy and Mineral Impact Assistance Program is required to integrate resilience criteria into the program. By bringing resiliency considerations into project planning and implementation, projects should be better poised to see benefits across a number of sectors (economy, health, infrastructure, etc.), minimize long-term risks, and anticipate or be better prepared to respond to changing conditions faced by Colorado communities.

The 2015 Colorado Resiliency Framework provides nine resiliency criteria that can serve as a guide when planning a project to enhance its long term resilience. More information on these criteria and the 2015 Colorado Resiliency Framework can be found at www.coresiliency.com. Below, please check all of the criteria that can be considered to apply to your project.

a.1 Adaptive capacity: This project includes flexible and adaptable measures that consider future unknowns of changing climate, economic, and social conditions.
Select from a dropdown menu.

a.2 Co-benefits: This project provides solutions that address problems across multiple sectors creating maximum benefit.
Select from a dropdown menu.

a.3 Economic benefit-cost: This project makes good financial investments that have the potential for economic benefit to the investor and the broader community both through direct and indirect returns.

Select from a dropdown menu.

a.4 Harmonize with existing activity: This project expands, enhances, or leverages work being done to build on existing efforts.

Select from a dropdown menu.

This particular request seeks funding to modify a building currently under construction (a new Court Facility). Shelling out the third Courtroom and Commons Room will significantly lower the cost and hasten the day that the new Court Facility contains the space needed and requested by the Combined Courts.

Therefore, it obviously leverages work already being done for the Combined Courts.

a.5 High risk and vulnerability: This project ensures that strategies directly address the reduction of risk to human well-being, physical infrastructure, and natural systems.

Select from a dropdown menu.

This project hastens the day when it will no longer be necessary that round trips be taken by Court staff, County staff, Citizens and Inmates from Archuleta County to La Plata County, to conduct hearings/trials, etc... Currently these trips must be taken on a two lane, mountain road, in all types of weather; and it is occasionally a hazardous journey.

a.6 Innovation: This project advances new approaches and techniques that will encourage continual improvement and advancement of best practices serving as models for others in Colorado and beyond.

Select from a dropdown menu.

a.7 Long-term and lasting impact: This project creates long-term gains to the community with solutions that are replicable and sustainable, creating benefit for present and future generations.

Select from a dropdown menu.

If an award is granted in response to this application, the Court facility being constructed will be large enough to serve the community for many years, without further expansion.

a.8 Social equity: This project provides solutions that are inclusive with consideration to populations that are often most fragile and vulnerable to sudden impacts due to their continual state of stress.

Select from a dropdown menu.

A segment of the local population is too poor, or too ill or too elderly to operate a car. Currently, if any of these citizens need to appear in court, they must travel to LaPlata County. However, there is no public transportation system operating between Archuleta County and LaPlata County.

The new Court facility will be on the public transportation routes existing within the County. In fact, the County plans to open a Transportation facility in the immediate area, putting the Justice System Complex in the immediate vicinity of a local transportation hub.

a.9 Technical soundness: This project identifies solutions that reflect best practices that have been tested and proven to work in similar regional context.

Select from a dropdown menu.

b. Resiliency Summary *

Please describe how the project will increase the community's long-term resilience and ability to anticipate, withstand, and/or rebound from a natural or manmade hazard event? For example, will the project factor in natural design concepts and will construction utilize sustainable materials? (2,500 character limit)

M. HIGH PERFORMANCE CERTIFICATION (HPCP) PROGRAM COMPLIANCE

Colorado Revised Statutes (C.R.S. 24-30-1305.5) requires all new facilities, additions, and renovation projects that meet the following criteria to conform with the High Performance Certification Program (HPCP) policy adopted by the Office of the State Architect (OSA) if:

- The project receives 25% or more of state funds; **and**
- The new facility, addition, or renovation project contains 5,000 or more building gross square feet; **and**
- The building includes an HVAC system; **and**
- In the case of a renovation project, the cost of the renovation exceeds 25% of the current value of the property.

The HPCP requires projects that meet the criteria above to achieve third party verification with the target goal of LEED Gold or Green Globes-Three Globes. Projects are strongly encouraged to meet the Office of the State Architect's (OSA) Sustainable Priorities in addition to the LEED prerequisites. Projects funded through DOLA that meet the above applicability criteria are required to complete the DOLA registration and tracking process. See DOLA's HPCP web page

at <https://cdola.colorado.gov/community-development-planning/high-performance-certification-program> for more information or contact your DOLA regional manager.

In instances where achievement of LEED Gold or Green Globe-Three Globes certification is not achievable, an applicant may request a modification of the HPCP policy or a waiver if certain conditions exist. DOLA staff will work with applicants to identify workable solutions to meet the program's intent to maximize building energy efficiencies.

Note: If this application is for design services for a planned building project that meets the HPCP applicability criteria and the applicant intends to seek state funding for 25% or more of the total project cost, then the design should maximize high performance building certification standards (by completing the HPCP checklist) and build in anticipated project costs, as appropriate.

a. HPCP applicability

Is the applicant seeking state funding for 25% or more of the total project cost (including all phases, if applicable)? (If no, the project does not meet the HPCP requirement and the rest of this section does not need to be completed) Select from a dropdown menu.

The County has been informed that the Underfunded Courts Commission grant of \$1.9M will be counted toward the state funding requirement, even though the related grant documentation does not identify the source of that funding as State (as opposed to Federal or some **other source**).

Therefore, we are told that the 25%+ State HPCP requirement applies.

b. HVAC details

Does the building include an HVAC system?
Select from a dropdown menu.

Yes.

b.1 Type of HVAC system

Please select whether the HVAC is an upgrade or a new system from the following drop down:

No.

c. Project type

Please select the type of construction project.
Select from a dropdown menu.

c.1 Square footage in excess of 5,000 square feet

Is the building square footage (new construction and/or renovation) 5,000 SF or more?
Select from a dropdown menu.

Yes.

c.2 Building square footage

What is the building square footage, indicate whether the square footage is new, renovation, or both. (500 character limit)

The building, as it is currently being constructed is 13,297 square feet of finished space.

The funding requested in this application would shell out the following space:

Third Courtroom at 2,018 square feet
Commons Room at 983 square feet
Total ADDED of 3,001 square feet

If this application is approved, the Court Facility as built out is expected to be 16,298 square feet.

d. Does the cost of renovation exceed 25% of the current value of the property?

Select from the drop down list.

This is not technically a renovation of the current property. The old Court Facility was not suitable for renovation.

In any case, the cost of shelling out the new Courtroom and Commons Room is **TBD%** of the anticipated cost of the Court Facility without those additions.

d.1. What is the current property value?

Current property value is determined on the assessed or appraised value. What is the total project cost for the renovations? Please provide both amounts in your response. (500 character limit)

The County booked value for the old Court Facility, net of depreciation and impairments is \$54,568. The cheapest estimated cost of renovation of the building, in order to provide a Court facility is currently \$6,432,087, but that facility would be inadequate for current needs, with no room whatsoever for any future expansion.

e. Does this project meet the HPCP criteria?

If you answered "yes" to questions a, b, c, and d, then your project meets the HPCP applicability criteria. Complete the HPCP registration form and preliminary checklist and upload below. (See DOLA's HPCP web page for registration and checklist form.)

Select from a dropdown menu.

Per DOLA staff, this project requires the HPCP checklist. The checklist is attached.

e.1 HPCP registration form and checklist

If you answered yes above, please upload the HPCP registration and checklist form from <https://cdola.colorado.gov/high-performance-certification-program> and attach to this application below.

f. Third party verification

Have you included any additional costs in this grant application for third party verification to comply with the High Performance Certification Program?

Select from a dropdown menu.

f.1 Third party verification cost

If you answered yes above, please specify the estimated cost for third participation verification/certification. (500 character limit)

f.2 Third party verification resources

Will you need assistance locating resources, third party consultants, or technical assistance for HPCP third party verification requirements, preparing cost estimates, or otherwise complying with the HPCP?

Select from a dropdown menu.

f.2.i Third party verification resources required

If you answered yes above, please describe the type of resource identification assistance you need. (1,000 character limit)

N. TABOR COMPLIANCE

a. Voter authorization *

Does the applicant jurisdiction have voter authorization to receive and expend state grants without regard to TABOR spending limitations?

Select from a dropdown menu.

Yes.

a.1 If yes, please explain

(500 character limit)

Archuleta County does have voter authorization to receive and expend state grants without TABOR spending limitations. However, the County does need voter approval to raise taxes.

a.2 If no, would receipt of these grant funds, if awarded, result in the local government exceeding revenue limitations, prompting a refund?

Select from a dropdown menu

No.

b. Affirm Local Government Attorney has confirmed this TABOR statement *

Select from a dropdown menu.

Yes.

O. ENVIRONMENTAL REVIEW

Indicate below whether any of the proposed project activities:

a. Will the project be undertaken in flood hazard areas? *

Select from a dropdown menu.

No.

a.1 List flood plain maps/studies reviewed. Describe alternatives considered.

(2,000 character limit)

National Flood Hazard Layer FIRMette from FEMA. See 107-3-28-W 37-16-12-NT

b. Will affect historical, archaeological, or cultural resources or be in a geological hazard area? *

Select from a drop down menu.

No.

b.1 If yes, describe alternatives considered and mitigation proposed.

(2,000 character limit)

c. Address any other public health or safety related concerns not previously identified *

Select from the drop down menu

None.

c.1 If yes, please explain.

(2,000 character limit)

P. OFFICIAL ACTION

a. Date of official Board, Council or Commission action *

Enter the date that this application was approved for submission to DOLA by the Board, Council or Commission.

Jan. 19, 2021.