

**TOPIC: TWO-YEAR CASH FUNDED CAPITAL PROGRAM LIST –
AURARIA HIGHER EDUCATION CENTER**

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I. SUMMARY

This item requests approval of a Two-Year Cash Funded Capital Program list for the Auraria Higher Education Center (AHEC). The list of cash funded projects, approved by the Auraria Board of Directors on September 26, 2012, contains one project that AHEC will pursue. The list is included as Attachment A.

II. BACKGROUND

Current law allows governing boards to amend their two-year capital construction lists at any point during the fiscal year, and such amendments are to be submitted to the Commission and the Capital Development Committee (CDC) for approval or re-approval.

Department and CDC policy and practice is that no Cash Funded project may commence until it has received approval from the Commission and the CDC on the Two-Year list for non-intercept projects. In addition to CDC and Commission Two-Year Cash Funded list approval, a program plan must be reviewed and approved for Intercept projects. Last December, the Commission approved all submitted Two-Year Cash Funded Capital Program lists it received, and, in January, the legislature's Capital Development Committee approved the same.

III. STAFF ANALYSIS

The AHEC list adds one new project at a cost of approximately \$20 million. This is the first time AHEC is submitting a 2-year cash funded capital project; the total projection of cash needs is approximately \$20 million. This cost for the project is to be covered from cash funds. Table 1 displays the new cash funded projects as reported on the two-year list by funding type.

**Table 1:
Two-Year Cash Funded Capital Program
FY2010-2012**

CF	\$20,000,000
FF	\$0
TF	<i>20,000,000</i>

For these projects, Table 2 displays the breakdown between the academic and auxiliary nature of the project and whether or not the project will be financed under the Higher Education Revenue Bond

Intercept Program (C.R.S. 23-5-139). The Intercept program permits schools to issue bonds for capital construction and use either the state's credit rating (opt in), or use their own credit rating (opt out). Academic facilities are those that are considered core to the role and mission of the institution (e.g. classrooms, student services, libraries), while auxiliary facilities are those that are not considered core to the role and mission and exist for some other purpose (e.g. residence halls, recreation centers, parking facilities).

**Table 2:
Cash Funded Project Types**

	Academic	Auxiliary	Total
Intercept	0	0	0
Non-Intercept	0	1	1
Total	0	1	1

Senate Bill 09-290, allows academic facilities constructed to be eligible for state Controlled Maintenance Funds. Non-Intercept projects will only have their cost projections reviewed in the Two-Year list, while Intercept projects require approval in the Two-Year list as well as program review. In accordance with the two step approval process for cash funded projects, the Department will review all budget documents submitted for Intercept Act cash projects and submit all forms to the General Assembly's Capital Development Committee as they are approved.

The new addition to AHEC's Two-Year List is described briefly below:

"Walnut Parking Garage" project will be a five-story new parking structure that will provide approximately 1,000 to 1,200 parking spaces. It would be located at the intersection of 5th and Walnut Streets on what is currently a surface parking lot. This parking structure will have a one-story office/retail component which will be paid for out of cash funds, while the parking structure will be paid for out of bond proceeds issued by AHEC based on parking fees. If approved, the project would commence in December 2012 and would be completed in July 2014.

IV. STAFF RECOMMENDATION

Approval of the Two-Year Cash Funded Capital Program for the Auraria Higher Education Center for submission to the Governor, the Office of State Planning and Budgeting, and the Capital Development Committee.

V. STATUTORY AUTHORITY

C.R.S. 23-1-106 (7)

(c) (I) The commission annually shall prepare a unified, two-year capital improvements report for projects to be constructed or acquired pursuant to subsection (9) or (10) of this section and estimated to require total project expenditures exceeding two million dollars, coordinated with education plans. The commission shall transmit the report to the office of state planning and budgeting, the governor, and the general assembly, consistent with the executive budget timetable.

(II) (A) Commencing in the 2010 regular legislative session, and in each regular legislative session thereafter, the commission shall submit the two-year projections prepared by each state institution of higher education for the 2010-11 and 2011-12 fiscal years, and for each two-year period thereafter as applicable, to the office of state planning and budgeting and the capital development committee. Beginning in the 2010 regular legislative session and in each regular legislative session thereafter, the capital development committee shall conduct a hearing on the projections and either approve the projections or return the projections to the institution for modification. The commission and the office of state planning and budgeting shall provide the capital development committee with comments concerning each projection.

(B) A state institution of higher education may submit to the staff of the capital development committee, the commission, and the office of state planning and budgeting an amendment to its approved two-year projection. The capital development committee shall conduct a hearing on the amendment within thirty days after submission during a regular legislative session of the general assembly or within forty-five days after submission during any period that the general assembly is not in regular legislative session. The capital development committee shall either approve the projections or return the projections to the institution for modification. The commission and the office of state planning and budgeting shall provide the capital development committee with comments concerning each amendment.

ATTACHMENT A: AHEC Two-Year Cash Funded Capital Program List