



E-470 Board of Directors
Chair – Commissioner Chaz Tedesco (Adams County)
Vice Chair – Commissioner Roger Partridge (Douglas County)
Secretary – Council Member John Diak (Town of Parker)
Treasurer – Council Member Francoise Bergan (City of Aurora)

August 13, 2020
9:00 a.m.

22470 E. Stephen D. Hogan Parkway
Aurora, Colorado 80018

https://us02web.zoom.us/j/86092382974
Webinar ID: 860 9238 2974
Dial in Information: 669-900-9128

All participation will be via the zoom meeting location due to the State of Emergency declared by Governor Polis, as amended and extended; the Ninth Amended Public Health Order 20-28; the Safer at Home and in the Vast, Great Outdoors Executive Order D 2020 091, as amended and extended; and CDC recommendations against gathering in large groups in order to mitigate the spread of the COVID-19 virus.

- 1. Call to OrderChair Chaz Tedesco
2. Pledge of AllegianceChair Chaz Tedesco
3. Public Comment Chair Chaz Tedesco
4. Consent CalendarChair Chaz Tedesco
a. Approve Meeting Minutes of July 9, 2020
b. Adams 12 Fiber Crossing Permit Fee Waiver Request - Approval
5. H.R. Update Jacob Kramer
6. Engineering and Roadway Maintenance Neil Thomson
a. Remnant Parcel Resolution – Approval
b. HAZMAT Designation Application – Approval
c. Capital Projects Update
7. Finance Department..... Jason Myers
a. Dashboard Report for the 2nd Quarter
8. Operations Department.....Jessica Carson
a. Amendments to Authority’s Toll Collection, Evasion and Administrative Adjudication Rules – Second Reading - Approval
9. Executive Director Report Tim Stewart
10. Executive Session.....Chair Chaz Tedesco
Executive session, pursuant to C.R.S., Section 24-6-402(4)(b) and Section 24-6-402(4)(e), for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations related to the Authority’s response to the E-470 Citizen Review Committee consideration of E-470 revenues.
11. Other Business..... Chair Chaz Tedesco
12. Adjourn MeetingChair Chaz Tedesco

The next anticipated Board Meeting will be September 10, 2020 via Zoom

Agenda Item 4b. Approve Meeting Minutes of August 13, 2020

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

E-470 PUBLIC HIGHWAY AUTHORITY

Held: Thursday, August 13, 2020, at 9:00 a.m. All participation was via the zoom meeting location due to the State of Emergency declared by Governor Polis, as amended and extended; the Ninth Amended Public Health Order 20-28; the Safer at Home and in the Vast, Great Outdoors Executive Order D 2020 091, as amended and extended; and CDC recommendations against gathering in large groups in order to mitigate the spread of the COVID-19 virus.. Zoom Meeting → <https://us02web.zoom.us/j/86092382974> Webinar ID: 860 9238 2974 Dial in Information: 669-900-9128.

Attendance:

A special meeting of the Board of Directors of the E-470 Public Highway Authority was held as scheduled and in accordance with applicable statutes of the State of Colorado, with the following directors present:

Chaz Tedesco, Adams County Commissioner
Roger Partridge, Douglas County Commissioner
Craig Hurst, Councilmember Commerce City
Bill Holen, Arapahoe County Commissioner
John Diak, Councilmember Town of Parker
Matt Johnson, Mayor Pro Tem City of Brighton
Francoise Bergan, Councilmember City of Aurora
Jessica Sandgren, Mayor Pro Tem City of Thornton

Wynne Shaw, Councilmember City of Lone Tree (*non-voting*)
Steve Moreno, Weld County Commissioner (*non-voting*)
Laurie Anderson, Councilmember, City and County
Broomfield (*non-voting*)
Kelly Brown, CDOT/HPTE (*non-voting*)
George Teal, DRCOG (*non-voting*)

Also present were: Jim Brady, construction manager, Jessica Carson, operations director, Geoffrey Doctoroff, risk management supervisor, Terry Fabrizio, operations coordinator, Mark Ferguson, ePMO, Mike Hancock, procurement supervisor, Jaime Heitman, controller, Jacob Kramer, HR manager, Diane Lundquist, executive assistant, Jason Myers, finance director, Derek Slack, roadway maintenance manager, Ken Smith, information technology director, Tim Stewart, executive director, Brianna Summers, accounting supervisor, Neil Thomson, engineering and roadway maintenance director, Maureen Walker, communications and public affairs manager and Chuck Weiss, engineering manager, E-470 Public Highway Authority; Pedro Costa and Benton Tempas, NWP LLC.; Susan Ermisch and Jack Nicholls, WSP; Kristin Sullivan, Community and Economic Development, Adams County; Scott Spendlove, Intermountain Corporate Affairs; Melissa Kuipers-Blake, BHFS; Scott Reed and Andy Mountain, GBSM; Jep Seman, ROADIS legal counsel; Michael Lund, Stifel; Jon Larson, SEH; Marv Rockford, Rockford Gray, LLC; George Allen and Steve Hollabaugh, visitors; and Tamara Seaver, Icenogle Seaver Pogue, P.C.

Call to Order: Vice Chair Partridge noting the presence of a quorum of the directors, called the special meeting to order at 9:03

Pledge of Allegiance: Vice-Chair Partridge led all present in the Pledge of Allegiance.

Public Comment: None.

Consent Calendar: Councilmember Bergan moved approval of the consent agenda, comprising minutes of the July 9, 2020 special meeting and Adams 12 Fiber Crossing Permit Fee Waiver Request. The motion was seconded by Commissioner Holen and thereafter approved unanimously by the Board of Directors.

HR Update: Mr. Kramer addressed the Board and introduced himself as the Authority's Human Resources Manager. He reported the Authority has 56 employees and then reviewed the organizational chart for the organization. He noted that the Information Technology Department is experiencing the most growth among the departments. He touched on COVID and how it may impact hiring and then reviewed employee demographics based on age, gender, tenure, veterans and

degree status. Mr. Kramer then reviewed the Authority's performance management program which he noted was redesigned in 2016. Mr. Kramer then addressed the Authority's training and development programs. As to compensation, Mr. Kramer reported that the Authority spends 1.4% less when compared to the Denver Metropolitan Market on the base salary which is balanced with the Authority's benefits program. He then addressed turnover and retention rates as well as policy and procedures, including telework and related COVID-driven updated policies.

Councilmember Bergan noted her appreciation for the professionalism of the presentation and the efforts to attain a qualified and diverse workforce. Mayor Pro-Tem Sandgren echoed Councilmember Bergan's comments.

Engineering and
Roadway Maintenance:

Remnant Parcel
Resolution:

Ms. Seaver reviewed with the Board the elements of proposed Resolution 20-02 addressing the disposition of the Authority's remnant parcels.

Following discussion Councilmember Diak moved that the Board of Directors approve Resolution 20-02 addressing the disposition of remnant properties owned by the Authority. Commissioner Holen seconded the motion which was approved unanimously by the Board.

HAZMAT
Designation:

Mr. Slack addressed the Board, noting John Larson from SEH will be available for questions as he performed the analysis to be presented. Mr. Slack reviewed current HAZMAT routes and how E-470 would fit into the overall system. He noted the Board has received the full analysis and reviewed the history of the process leading to the analysis, including presentation to 6 of the 8 member jurisdictions as well as many of the fire districts that respond to incidents on the road. He then reviewed the conclusions of the analysis including the potential for reduction of HAZMAT travel on local streets. Should the Board wish to petition CSP to designate E-470 as a HAZMAT route, CSP will hold public hearings, review the analysis and make the decision to refer the petition to the Transportation Commission for final review and approval.

The Board discussed the matter. Councilmember Bergan addressed the Board and noted the City will respond to HAZMAT but the concerns are the adequacy of response. She noted she will vote no on moving forward, reflecting not her personal preference but the City's preference. Councilmember Teal commented that DRCOG had no negative feedback on E-470's potential designation and he encouraged all Board members to vote in support. Councilmember Hurst expressed that his vote will be in representation of Commerce City and that the issue presented an interesting position for him in his job with CDOT. He noted that the E-470 routing might relieve congestion on I-270 and I-225 (while avoiding the I-70 viaduct).

Mayor Pro-Tem Johnston made comment and noted Brighton has changed course on the issue and will be supporting moving forward based on future potential access points to E-470 improving HAZMAT movements around Brighton.

Councilmember Diak then moved that the Board approve petitioning the CSP to have E-470 designed as a HAZMAT route. Mayor Pro-Tem Sandgren seconded the motion which was approved by vote of 7-1 with Councilmember Bergan voting no on the matter.

Capital Projects
Update:

Mr. Slack then provided an overview of the project to expand Maintenance Support Site A given the increase in lanes in the area, including project changes and that at the end of July the project is approximately 83% complete. He noted the project was to be complete by September 30, 2020.

Mr. Brady then addressed the Board with an update regarding the Road Widening project from Quincy to I-70, recapping the scope of the project and contract status noting the project will come in within the project budget. He then reported on the remaining items of work to complete the project noting the Quincy Avenue Ramp relocation and the multiple-use trail with the trail's attendant floodplain permitting challenges.

Councilmember Bergan thanked Mr. Slack and the team for staying on track with the timeline and budget.

Finance Department:

Dashboard Report for
the 2nd Quarter:

Mr. Myers addressed the Board of Directors regarding second quarter 2020 financial update (plus July actuals for transactions only). He reviewed the history of monthly transaction trends, including COVID impacts, which have the Authority cumulatively down 36% over July of 2019. He mentioned that the downturn was projected by CDM Smith and is accounted for in the Authority's planning. He then reviewed the weekly transaction trends under COVID, including how ExpressToll and LPT were performing separately. He noted ExpressToll seems to be leveling out with consistent users, and LPT seems to be having a growth pattern, perhaps due to added camping and mountain trips. He then reviewed in-state versus out-of-state transactions between the two tolling methodologies. Mr. Myers proceeded to review toll transactions by location with COVID impacts. Finally, he reviewed actual transactions against the budget and revised projections.

Commissioner Partridge asked about HPTE data and Mr. Myers noted Ms. Heitman will present that data.

Ms. Heitman then reported on various metrics through the second quarter of 2020 including the operation budget summary for the second quarter and the impacts of lower traffic. She reported on the infusion of specific funds from the Authority's surplus account to the

Debt Service Account totaling approximately \$28,000,000 through June 30th. She then reviewed 2020 toll review through the second quarter, gross toll revenue broken down by uncollectible, un-billable, and net toll revenue. She then turned to the capital budget and reported on year-to-date numbers and then on the Authority's fund balances.

Commissioners Tedesco and Holen left the meeting at 10:24 a.m.

She then reported on historic debt service coverage and current expectations with respect to the 2020 numbers, as well as breaking down transactions processed and toll revenue generating transactions for the Authority's various tolling partners.

Councilmember Diak noted the proactive financial management and thanked the Finance Department staff and whole staff responsiveness in the light of COVID. Commissioner Partridge inquired how E-470 was faring compared to other US and international toll roads and Mr. Stewart reported that each region was responding differently depending upon the roll and locations of the roadways. He noted managed lanes traffic was lower given less congestion due to COVID. Overall he reported that E-470 was returning about the same as similarly situated toll roads in the US. Mr. Myers noted overseas toll roads were recovering faster given COVID status and Ms. Carson noted the IBTTA's upcoming conference which will include good information related to COVID impacts in tolling given her role on the IBTTA Board.

Operations Department:

Amendment to
Authority's Toll
Collection, Evasion
and Administrative
Adjudication Rules:

Ms. Carson addressed the Board and provided the history of the Tolling Rules.

Councilmember Diak moved to approve the E-470 Public Highway Authority Toll Collection, Evasion and Administrative Adjudication Rules. Councilmember Bergan seconded the motion which was unanimously approved by the Board.

Executive Director
Report:

Mr. Stewart addressed the Board and commented on the strategic board planning sessions and mentioned that the ExpressToll walk-up center has been re-opened and safely serving customers. He expressed pleasure with his team and their efforts which result in feedback based on the Board's Strategic Plan. Mr. Stewart thanked Councilmember Diak for time on the Parker agenda, noting he is scheduled to brief Thornton in the coming weeks and that Ms. Lundquist will continue to reach out to jurisdictions for additional engagement opportunities. Mr. Stewart reported that he will update Aurora Chamber of Commerce in August. Mr. Stewart concluded by reporting on the Authority's COVID return-to-work measures while preserving employee safety as well as the continuation of virtual Board meetings.

Executive Session: Mayor Pro-Tem Sandgren moved that the Board convene in Executive Session, pursuant to C.R.S., Section 24-6-402(4)(b) and Section 24-6-402(4)(e), for the purposes of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations related to the Authority's response to the E-470 Citizen Review Committee consideration of the E-470 revenues.

Councilmember Bergan seconded the motion, which was unanimously approved by the Board at 10:44 A.M.

Commissioner Tedesco rejoined the meeting for the executive session.

The Executive Session included all voting members of the Board with the exception of Commissioner Holen. Others present were: Messrs. Reed, Thomson, Ken Smith, Mountain, Spendlove, Stewart, Myers and Rockford and Mss. Seaver, Walker, Kuipers-Blake and Carson.

Commissioner Partridge reconvened open session at 11:59 A.M.

Other Business: None.

Adjournment: There being no further business to come before the Board, Councilmember Bergan moved to adjourn the meeting, Mayor Pro Tem Sandgren seconded the motion which was approved unanimously by the Board.

Chair of the Meeting