



Work Session Minutes
E-470 Public Highway Authority
October 28, 2021 Work Session
Virtual Meeting conducted via “Teams”

ATTENDEES:

Committee Members: Mayor Pro Tem Francoise Bergan (City of Aurora), Council Member Craig Hurst (City of Commerce City), Mayor Jackie Millet (Lone Tree), Director Peggy Catlin (RTD)

Staff: Tim Stewart, Neil Thomson, Chuck Weiss, Jim Brady, Derek Slack, Jason Myers, Mike Hancock, Geoffrey Doctoroff

Legal Counsel: Tamara Seaver (Icenogle Seaver Pogue)

1) CALL TO ORDER

Mayor Pro Tem Bergan called the work session to order at 1:02 PM.

2) PUBLIC COMMENT

There was no public comment.

3) PURCHASE OF SOLAR POWER PURCHASE AGREEMENT

Mr. Doctoroff presented a staff recommendation to purchase the Solar Power Purchase Agreement to allow the Authority to assume ownership and control of the solar panels located at 21 sites along the highway. He reported that the 20-year agreement with a solar provider was executed in 2011 and provides the Authority with financial and environmental benefits. The Authority is responsible for any impacts to the panels which reduce the generating capacity and the associated cost to remove and reimburse the solar provider for loss of revenue for the remainder of the contract term. He reported that the upcoming construction of the 38th Avenue interchange and redevelopment of Toll Plaza B would reduce the solar power produced by over half and cost the Authority up to \$900,000 in damages. He recommended the Authority purchase the solar agreement for a cost of approximately \$1.4M, which may be partially offset by contributions based on to the Aurora Highlands PSA and the ARTA 38th Avenue IGA. Mr. Doctoroff reported that, upon purchase, the Authority could then

relocate the affected panels and continue to benefit from the financial credits offered by Xcel Energy. Finally, he noted that the recommendation to purchase the solar contract will be presented for approval at the November 4 Board meeting.

4) 48TH AVENUE INTERCHANGE IGA

Mr. Thomson presented a summary of a proposed IGA with the Windler Public Improvement Authority (WPIA) to design and build a new diamond interchange at 48th Avenue. He reported that the interchange is included in the list of approved future interchanges in Board Resolution 2005-01 and that the property for the interchange was previously acquired. WPIA will fund the design phase which will be completed by the end of December 2021. He reported that the Authority's contribution to the construction phase will be capped at \$8M and the WPIA is responsible for all costs in excess of \$8M. Staff will present the IGA for approval at the December 4 Board meeting.

5) ADJOURNMENT

Council Member Bergan adjourned the work session at 1:29 PM.