



Executive Committee Work Session

Thursday, July 8, 2021

8:00 a.m.

E-470 Board Conference Room and via Zoom

PLEASE NOTE: IN PERSON, PUBLIC PARTICIPATION IS NOW POSSIBLE BUT MAY BE LIMITED BY SPACE CAPACITY CONSIDERATIONS AT THE AUTHORITY'S OFFICES IN THE LIGHT OF THE COVID-19 PANDEMIC AND, ACCORDINGLY, ALL PUBLIC ARE ALSO WELCOME TO PARTICIPATE VIRTUALLY VIA THE FOLLOWING:

Zoom Information for Non-Panelists:

<https://us02web.zoom.us/j/81895186538>

Dial-In Information: 346-248-7799

Webinar ID: 818 9518 6538

List of Attendees:

- Chaz Tedesco via Zoom (Commissioner, Adams County) and John Diak (Councilmember Town of Parker)
- Tim Stewart and Heather Burke E-470 Public Highway Authority
- Scott Spendlove, Intermountain Public Affairs; Melissa Kuiper-Blake and Jia Meeks via Zoom, BHFS
- General Counsel: Tamara Seaver and Karlie Ogden, Icenogle Seaver Pogue, PC

1. Call to Order – Councilmember Diak called the meeting to order at 8:00 a.m.
2. Public Comment – none
3. Legislative Briefing – Mr. Stewart introduced the Authority's lobbyist team comprising Mr. Spendlove, Ms. Kuipers-Blake and Mr. Meeks as well as Ms. Ogden from ISP. Mr. Spendlove addressed the committee and provided an overview of the 7 new license plate bills introduced during the 2021 legislative session, as well as an 8th bill which was almost introduced. Mr. Spendlove noted that this legislative session had the highest number of license plate legislation he had seen in one legislative session.

He commended the Authority's staff for their efforts reviewing the legislation and working with the DMV. Mr. Meeks then reviewed data privacy as a key issue during the legislative session, noting that the 2021 session saw bills which picked up public entities in addition to private entities. He then reviewed the HB1111 and the \$2.7 billion dollar cost to local governments if that had passed rather than being pared down to requiring only a study. Failed HB1244 was next reviewed by Mr. Meeks with an incredibly broad definition of "biometric data" which would have constrained the Authority's tolling operations had the law enforcement and air travel community not objected.

Mr. Spendlove reviewed the last data privacy bill which did pass, SB-190 noting that ISP had determined the bill would have serious tolling implications and had drafted amendment language which then allowed the lobbyists the ability to achieve an amendment excluding the Authority when it is operating within the parameters of federal and state law.

As regards transportation legislation, Mr. Meeks highlighted SB-165 and concerns expressed regarding potential amendments thereto. Ms. Kuipers-Blake amplified comments regarding the historic lack of cohesive funding strategies and then discussed SB-260 and the various enterprises and fees structures contained within the bill. Ms. Kuipers-Blake then discussed SB257 on special mobile machinery and related tolling concerns regarding tolling as well as agreements to work on a memorandum of understanding regarding financial impacts with the Authority over the summer. Commissioner Tedesco expressed concern about the application of the bill to various construction activities related to oil and gas. Discussion ensued.

Ms. Kuipers-Blake then discussed SB-238, the front range passenger rail district bill, and the Authority's concern regarding a potential competing transportation facility running along the Authority's right of way. She noted the Authority's amendments to ensure: (a) option 1 was the priority option as opposed to the route encompassing the Authority's right-of-law and (b) Ms. Seaver's added language to define local governments and to require certain approvals be made by local governments.

Mr. Meeks then discussed SB-176 noting that, had it passed, it would have redefined what workplace harassment would be in Colorado, and would have allowed private rights of action immediately without exhaustion of administrative remedies. He noted that in the 11th hour the bill was killed in its final house committee in the last days of the session.

Mr. Spendlove then noted the ETRP rulemaking and mentioned the annual TLRC meetings on August 4th and Wednesday October 5th. Mr. Stewart asked Commissioner Tedesco to look at his calendar for availability to attend with them.

Mr. Stewart commended the legislative team and noted Ms. Ogden was on the front lines of tracking legislation and asked her if she had any additional comments. Thereafter, Ms. Ogden briefly addressed the committee and made several comments

regarding the session and various bills. Thereafter, Commissioner Tedesco made comment on exemptions for electric vehicles.

4. Executive Session - tabled
5. Other Business – none
6. Adjourn – Commissioner Tedesco adjourned the meeting at 8:55 a.m.