

BOARD OF DIRECTORS MEETING AGENDA



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

Date: March 9, 2023

Time: 9:00 a.m.

E-470 Board of Director Officers
Chair – Council Member John Diak (Parker)
Vice Chair – Mayor Pro-Tem Francoise Bergan (Aurora)
Secretary Council Member Craig Hurst (Commerce City)
Treasurer – Council Member Jan Pawlowski (Brighton)

PLEASE NOTE ALL MEMBERS OF THE PUBLIC ARE ALSO WELCOME TO PARTICIPATE VIRTUALLY VIA THE FOLLOWING:

TEAMS MEETING
Or call in (audio only)
+1 323-618-1887 | Conference ID: 431 230 241#

Agenda details:

1. Call to OrderChair John Diak
2. Pledge of AllegianceChair John Diak
3. Public CommentChair John Diak
4. Consent Calendar.....Chair John Diak
 - a. Meeting Minutes of February 9, 2023
 - b. High Point Drainage Easement Vacation
 - c. ISP 2023 General Counsel and Special Projects NTE
 - d. Amendment #5 to Contract 2016-IT-GBProtect-1
 - e. Purchase Cohesity C5036 Disaster Recovery Backup Appliance
5. Information Technology Department Ken Smith
 - a. NGL Future Change Order Nos. 11, 12, 13 and 14 Related to Road Widening (ETC)
6. Engineering and Roadway Maintenance Department Neil Thomson
 - a. Kiewit Road Widening Contract Amendment 3

- 7. Public AffairsJessica Carson
 - a. BoardPaq Tutorial

- 8. Executive Director ReportBeau Memory

- 9. Other BusinessChair John Diak
 - a. Committee Responsibilities

- 10. Adjourn MeetingChair John Diak

The next anticipated E-470 Board of Directors Meeting will be April 13, 2023 at 9:00 a.m. at the AHF Offices, 22470 E. Stephen D. Hogan Parkway, Aurora, Colorado 80018

Agenda Item 4a. Approve Meeting Minutes of February 9, 2023

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE
E-470 PUBLIC HIGHWAY AUTHORITY

Held: Thursday, February 9, 2023, at 9:00 a.m., at 22470 E. Stephen D. Hogan Parkway, in the Board Room, Aurora, Colorado.

Attendance: A regular 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:

John Diak, Councilmember Town of Parker
Francoise Bergan, Mayor Pro-Tem City of Aurora
George Teal, Douglas County Commissioner
Bill Holen, Arapahoe County Commissioner
Jan Pawlowski, Councilmember City of Brighton
Craig Hurst, Councilmember City of Commerce City

Wynne Shaw, Councilmember City of Lone Tree (*non-voting*)
Deborah Mulvey, DRCOG (*non-voting*)
Peggy Catlin, RTD (*non-voting*)

Also present were: Bob Broom, RTD Alternate (*non-voting*); Jessica Carson, toll operations director, Wanda DeVargas, roadway maintenance supervisor, Geoffrey Doctoroff, risk and administrative services manager, Terry Fabrizio-Rollert, operations coordinator, Ted Gies, team lead, IT service desk, Mark Gronowski, senior solutions delivery manager; Michael Hancock, tolling operations manager, Jaime Heitman, controller, Tiffany Jackson, marketing specialist, Kris Kellim, procurement manager, Jacob Kramer, HR manager, Diane Lundquist, executive assistant, Beau Memory, executive director, Tricia Morales, customer service manager, Jason Myers, director of finance and administrative services, Kate Oberleas, project engineer, Derek Slack, roadway maintenance manager, Ken Smith, information technology director, Briana Summers, accounting manager, Neil Thomson, engineering and roadway maintenance director and Chuck Weiss, engineering manager, E-470 Public Highway Authority; Chris Chovan, Adams County; Dave Kristick, Atkins Global; Mac Callison, City of Aurora;

Pedro Costa and Brenda Schuler, NWPLLC; Andrew Ma and Robyn Moore, Piper Sandler; Bryan Stelmack, Stifel; Linda Sexton, RK&K Consultants; and Tamara Seaver, Icenogle Seaver Pogue, P.C.

Call to Order: Councilmember Diak, noting the presence of a quorum of the directors, called the regular meeting to order at 9:00 a.m.

Pledge of Allegiance: Councilmember Diak led all present in the Pledge of Allegiance.

Public Comment: None.

Consent Calendar: Commissioner Holen moved approval of the consent agenda, comprising meeting minutes of December 8, 2022; IGA Amendment with 64th Avenue ARI Authority regarding the 64th Avenue Interchange; High Point Regional Detention Pond CUA; Extend FHU Contract EN-18-WDES-1; 2023-2024 Arapahoe County Sponsorship Agreement; and Extend Morton Contract EN-22-UTIL-1. The motion was seconded by Mayor Pro-Tem Bergan and approved unanimously by the Board.

Board Officer Nominations and Elections: Councilmember Diak opened the floor for officer nominations. Thereafter, Commissioner Holen moved that Board retain the current slate of officers for calendar year 2023 comprising: Councilmember Diak (Chair), Mayor Pro-Tem Bergan (Vice-Chair), Councilmember Hurst (Secretary) and Councilmember Pawlowski (Treasurer). Commissioner Hurst seconded the motion which was unanimously approved by the Board.

Finance and Administrative Services Department:

Year-End Review – Q4 Dashboard Report: Mr. Myers addressed the Board regarding the Q4 Finance Dashboard Report. He reported on the year ended 2022 results of the financial goals per the Board’s debt management policy approved in 2020, noting that all key financial goals were met as of 12/31/22. Mr. Myers continued to present the summary and highlights from the Dashboard Report which included Historical Debt Service Coverage, Debt and Swaps, Future Debt Structure, Monthly Transaction Trends for 2022, January 2023 Traffic update, fiscal year 2022 Traffic (actual versus projections) and 2022 Toll transactions by location. Mr. Myers noted that in the area north of I-70 transactions were up 13.8% from 2021 and south of I-70 transactions were up 12.5% from 2021. He also noted that the Authority calculated a 2.12 debt service coverage ratio as of year-end, but noted that additional financial and budget reviews were ongoing and may slightly decrease this ratio to 2.11 pending final adjustments before the financial statement audit begins in March.

Mayor Pro-Tem Bergan inquired about debt call opportunities and Mr. Myers responded that myriad variables factor into debt call decisions, noting he works with the Authority’s Municipal (Financial) Advisor closely to analyze data in real time as well as projections and plans to present scenarios to the Finance Committee later in 2023 and into 2024. Councilmember Diak inquired about Mr. Myers’ thoughts on inflation and material impacts to the Authority. Mr. Myers noted that while traffic is meeting projections, it must be balanced and analyzed with the current significant increase and expansion of capital costs due to inflation.

Ms. Heitman then addressed the Board regarding ExpressToll® vs. LPT numbers, provided 2022 Operating Budget Summary, 2022 Toll Revenue detail, 2022 Capital Budget summary, unrestricted funds trends, total transactions processed in 2022, and an update on the status of the 2022 KPMG audit. Councilmember Shaw inquired about uncollectible account trends and Ms. Heitman noted various causal factors, and did see a decrease from previous collection rate highs from 2021 but did return to 2020 and pre-pandemic levels by the end of 2022.

Toll Operations
Department:

Year-End Operations Review – Q4 Dashboard Report: Ms. Carson reviewed with the Board the Year-End Operation Q4 Dashboard Report. She reported on ExpressToll® accounts opened in 2022, Contact Center call and email volumes (noting customer satisfaction scores of 98.9%), call volumes for advanced account advisors, image processing, marketing and communications, social media metrics and media relations. Commissioner Teal commented on LinkedIn’s comments

about the Authority and Ms. Carson reported on the business decision not to open an ExpressToll® LinkedIn account. Councilmember Hurst commented on the importance of traffic demand management and outreach to area economic agencies. Ms. Carson reported on Authority efforts in regard to both topics.

2022 Annual
Customer
Experience Survey
Results:

Ms. Morales addressed the board with a positive customer testimonial regarding the Authority's frozen toll rates. She then reviewed with the Board the results of the customer service survey, noting high levels of customer service satisfaction. Finally, she reported on customer demographics and communications preferences.

Engineering and
Roadway
Maintenance
Contract:

Jewell Avenue
Temporary Traffic
Signals IGA:

Mr. Thomson presented to the Board the need for Jewell Avenue temporary traffic signals for safety and mobility purposes. He noted the signals were temporary. He then reviewed the terms of the IGA, noting their consistency with prior signal IGA terms. Councilmember Hurst inquired about the cost of goods. Mr. Thomson reported that using CDOT cost data index was at approximately 82.37% for recent project bidding, and that it was shocking.

Councilmember Hurst moved to authorize the Executive Director to negotiate the Jewell Avenue Temporary Signals Intergovernmental Agreement with the City of Aurora with a maximum not-to-exceed funding contribution amount of \$1.5 million, and to execute the agreement subject to the review and approval of General Counsel. Commissioner Teal seconded the motion, which was approved by all Board members present, save for Mayor Pro-Tem Bergan who abstained from voting on the matter.

Executive Director
Report:

Prior to Mr. Memory's report the Board wished him happy birthday. Mr. Memory noted the importance of communications and Authority efforts regarding same. He then thanked Mr. Thomson and his staff for how clear E-470 has been, even with all of the recent snow events. Commissioner Teal complemented Mr. Myers on his presentations and for tailoring information needed to make good decisions.

Executive Session:

Commissioner Teal then 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 negotiation, developing strategy for negotiations, and instructing negotiators all related to the Authority's Tolling Services Agreement with the High Performance Transportation Enterprise, a Division of the Colorado Department of Transportation

Councilmember Pawlowski seconded the motion, which was approved by the Board at 9:58 A.M. Councilmember Hurst departed the meeting at this time and was not present for the executive session (given his role with CDOT).

The executive session included all voting and non-voting members present at the meeting, Mss. Carson and Seaver, and Messrs. Memory, Myers, and Smith.

Councilmember Diak reconvened open session at 10:34 A.M.

Other Business: None.

Adjournment: There being no further business to come before the Board, Councilmember Diak adjourned the meeting at 10:35 A.M.

Chair of the Meeting

PRELIMINARY

E-470 2023 Calendar

Committee Work Sessions will be convened as needed and publicly posted as prescribed by statute and resolution – Please allow 1 ½ Hours for Work Sessions

January 2023
 January 2 New Year's – Office Closed
 January 16 Martin Luther King, Jr.'s Day
 -Office Closed
January 26 Roadway Committee – 1:00 P.M.

February 2023
February 9 Executive Committee – 8:00 A.M.
February 9 BOARD MEETING - 9:00 A.M.
 Board Officer Nominations and Election
 February 20 Presidents' Day – Office Closed
February 22 IT and RM Committee – 1:00 P.M.
February 23 Finance Committee – 9:00 A.M.
February 23 Roadway Committee – 1:00 P.M.

March 2023
March 9 BOARD MEETING 9:00 A.M.
March 23 Roadway Committee – 1:00 P.M.
March 29 Joint IT/RM/Ops – 1:00 P.M.

April 2023
April 13 BOARD MEETING - 9:00 A.M.
April 20 Finance Committee – 9:00 A.M.
April 26 IT and RM Committee – 1:00 P.M.
April 27 Roadway Committee – 1:00 P.M.

May 2023
May 11 BOARD MEETING 9:00 A.M.
May 24 IT and RM Committee – 1:00 P.M.
May 25 Finance Committee – 9:00 A.M.
May 25 Roadway Committee – 1:00 P.M.
 May 29 Memorial Day – Office Closed

June 2023
June 15 Executive Committee – 8:00 A.M.
June 15 BOARD MEETING 9:00 A.M.
June 22 Roadway Committee – 1:00 P.M.
June 28 IT and RM Committee – 1:00 P.M.

July 2023
 July 4 Independence Day – Observed
 Office Closed
July 13 BOARD MEETING 9:00 A.M.
 July 21-24 NACo Annual Conference
July 26 IT and RM Committee – 1:00 P.M.
July 27 Finance Committee – 9:00 A.M.
July 27 Roadway Committee – 1:00 P.M.

August 2023
August 10 Executive Committee – 8:00 A.M.
August 10 BOARD MEETING 9:00 A.M.
August 24 Finance Committee – 9:00 A.M.
August 24 Roadway Committee – 1:00 P.M.
August 30 IT and RM Committee – 1:00 P.M.

September 2023
 September 4 Labor Day – Office Closed
September 14 BOARD MEETING 9:00 A.M.
September 28 Finance Committee – 9:00 A.M.
September 28 Roadway Committee – 1:00 P.M.

October 2023
 October 7 IBTTA 91st Annual Meeting and
 To October 10 Exhibition – Seattle, Washington
October 12 BOARD WORKSHOP – 8:00 A.M.
October 25 IT and RM Committee – 1:00 P.M.
October 26 Finance Committee – 9:00 A.M.
October 26 Ops and Comm – 11:00 A.M.
October 26 Roadway Committee – 1:00 P.M.

November 2023
November 9 Executive Committee – 8:00 A.M.
November 9 BOARD MEETING – 9:00 A.M.
 November 10 Veteran's Day – Office Closed
November 16 Roadway Committee – 1:00 P.M.
 November 23 Thanksgiving – Office Closed
 and 24
November 29 IT and RM Committee – 1:00 P.M.

December 2023
December 14 Executive Committee – 8:00 A.M.
December 14 BOARD MEETING 9:00 A.M.
December 21 Ops and Comm – 9:00 A.M.
December 21 Roadway Committee – 1:00 P.M.
 December 25 Christmas – Office Closed
 and 26
December 27 IT and RM Committee – 1:00 P.M.