

BOARD OF DIRECTORS MEETING AGENDA



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

E-470 Board of Director Officers

Chair – Council Member John Diak (Parker)

Vice Chair – Council Member Francoise Bergan (Aurora)

Secretary/Treasurer – Council Member Jan Pawlowski (Brighton)

Date: July 11, 2024

Time: 9:00 a.m.

**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 CalendarChair John Diak
 - a. Meeting Minutes of June 13, 2024
 - b. 48th Avenue Maintenance IGA
5. Operations Department.....Anjie Vescera
 - a. CSP Annual Stats Report and Recognition of RA Outstanding Service
 - b. Risk Management Annual Crash Report Briefing
6. Public Affairs Department.....Jessica Carson
 - a. Mid-Year Update
7. Executive Director Report.....Joe Donahue
8. Other BusinessChair John Diak
9. Adjourn MeetingChair John Diak

**The next anticipated E-470 Board of Directors Meeting will be on August 8, 2024 at 9:00 a.m.
at the E-470 Public Highway Authority, 22470 E. Stephen D. Hogan Parkway,
Aurora, Colorado 80018**

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

E-470 PUBLIC HIGHWAY AUTHORITY

Held: Thursday, June 13, 2024, at 10:00 A.M., at 22470 E. Stephen D. Hogan Parkway, Aurora, Colorado and virtually via the following: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZmZlZTI2NWUtOGVmYy00OTVklTk3N2EtMmM1M2IxNzI3NGMy%40thread.v2/0?context=%7b%22Tid%22%3a%220dec83f0-8d0a-4036-bdaa-08866d76cf19%22%2c%22Oid%22%3a%22519ee998-2e0f-49ca-b5a6-0f1f7c956522%22%7d or call in (audio only) +1 323-618-1887 | Conference ID: 431 230 241#.

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:

- John Diak, Councilmember Town of Parker
- Francoise Bergan, Councilmember City of Aurora
- Bill Holen, Arapahoe County Commissioner
- Rocky Teter, Councilmember City of Commerce City
- Tony Unrein, Councilmember City of Thornton
- Jan Pawlowski, Councilmember City of Brighton
- Chaz Tedesco, Adams County Commissioner
- George Teal, Douglas County Commissioner

- Sharon Davis, Councilmember City of Arvada (non-voting)
- Bruce Leslie, Councilmember City and County of Broomfield (non-voting)
- Alecia Brown, Councilmember City of Lone Tree (non-voting)
- Peggy Catlin, RTD (non-voting)
- Piper Darlington, CTIO (non-voting)

Also present were: Emma Pinter, Adams County Commissioner (alternate Adams County); Katie Basse, analytics manager, Nick Badraun, TMC and RA lead, Jon Campbell, field operations manager, Jessica Carson, director of public affairs, Geoffrey Doctoroff, senior risk and operations manager, Joe Donahue, director of finance, Anna Durr, intern, Sandra Golatt, customer experience program supervisor, Mark Gronowski, senior solutions delivery manager, Brandi Kemper, permit supervisor, Aline Koop, operations coordinator, Jacob Kramer, HR manager, Diane Lundquist, executive assistant, Kate Oberleas, project engineer, Aaron Schliz, desktop administrator, Briana Summers, controller, Rod Taylor, director of information technology, Neil Thomson,

interim executive director and director of engineering and roadway maintenance, Tricia Trujillo, customer experience program manager, Anjie Vescera, director of operations, and Chuck Weiss, engineering manager, E-470 Public Highway Authority; Dave Kristick, Atkins Realis; Jenna Hahn and Shawn Poe, City of Commerce City, Richard Rodriguez, HROD; James Harris and Michael Maglieri, LGBS; Robyn Moore, Piper Sandler; Susan Ermisch, WSP; and Tamara Seaver, Icenogle Seaver Pogue, P.C.

Call to Order: Councilmember Diak, noting the presence of a quorum of the directors, called the special meeting to order at 10:00 A.M.

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

Public Comment: None.

Consent Calendar: Councilmember Pawlowski moved approval of the consent agenda, comprising meeting minutes of May 9, 2024. The motion was seconded by Councilmember Unrein and approved unanimously by the Board.

Engineering and Roadway Maintenance Department: Sale of Surplus Property Approval:

Mr. Weiss reviewed with the Board the history of negotiations regarding a potential sale of remnant property located just across Stephen D. Hogan Parkway. He noted that the property is surplus and does qualify for an exemption to the public auction requirement in the Remnant Parcel Policy, Resolution 20-02, where there is limited viable use of the property for any parties other than the adjacent landowner.

Councilmember Pawlowksi made a motion to approve the Amended and Restated Purchase and Sale Agreement with Torero Land Investments, LLC, and authorize the Executive Director to execute the same subject to the review and approval of General Counsel. Councilmember Bergan seconded the motion which was unanimously approved by the Board.

Operations Department: Colorado State Patrol IGA - Approval:

Mr. Doctoroff reviewed the Colorado State Patrol intergovernmental agreement (IGA) terms, scope and price with the Board of Directors, noting the current IGA expires at the end of June, hence the need to approve the new IGA. He reported on the minimum service level, automatic annual renewals, CSP serving as the Authority's Designated Emergency Response Agency, and various other terms.

Following Mr. Doctoroff's presentation, Councilmember Bergan inquired about the service hours and how they match to traffic patterns. Mr. Doctoroff responded that they do match hours to traffic increases. Councilmember Unrein then moved to approve the Intergovernmental Agreement with the Colorado Department of Public Safety, Colorado State Patrol for Law Enforcement Services and a NTE for the 2024/2024 State fiscal year in an amount not to exceed \$2,819,790, and to authorize the Executive Director to execute the Agreement, subject to final review and approval of General Counsel. Commissioner Holen seconded the motion which was unanimously approved by the Board.

Colorado
Department of
Corrections,
Division of
Correctional
Industries IGA
(CCi) - Approval:

Ms. Vescera addressed the Board noting the CCi IGA was removed from the agenda because she and her staff have re-engaged with CCi given sensitivity regarding payments to the inmates and a desire to assist with setting the inmates up for long term success.

ETC Change
Order 18 –
Approval:

Mr. Campbell reviewed with the Board of the Directors the proposed Change Order 18 to the Authority's contract with Electronic Transaction Consultants Corporation (ETC) related to additional work and lanes at Plaza D for a cost of \$913,657.68. He then provided additional detail regarding the scope of the change order, and the status of the contract.

Councilmember Bergan made a motion to approve Change Order 18 to the Authority's Contract with Electronic Transaction Consultants Corporation (ETC)(EX-20-ETCC-1), dated May 20, 2020, for Plaza D Road Widening Tolling System/Equipment Installation amending the contract and project's not-to-exceed amount to the sum of \$33,520,573.95; and further to authorize the Executive Director to execute the same, subject to final review and approval of General Counsel. Councilmember Pawlowski seconded the motion which was unanimously approved by the Board.

Finance
Department:
Bond Refunding
Update:

Mr. Donahue reported on the status of the bond refunding, reporting on the pricing of both 2024A and 2024B bond series. He provided detail regarding pricing on both bond series, noting both series were significantly oversubscribed equating to tightened basis point spreads and interest rate savings. He also reported on the large investors interested in purchasing both series and local retail investors interested in the Series 2024A Bonds.

Councilmember Diak noted the results were outstanding and the years of work in the Authority's financial management were paying dividends. Mr. Donahue then reported regarding Fitch's upgraded to A+ Rating. Councilmember Pawlowski expressed her appreciation for the hard work.

Information
Technology
Department:
General Tolling
Technology
Consulting
Contract NTE –
Approval:

Mr. Taylor reported on the 3 year contracts with Atkins, HNTB, and North Highland for general tolling technology consulting and the structure with annually approved NTE amounts for the pool as a whole. Mr. Taylor reported on the basis for the request for the NTE for July 1 2024 through June 30, 2025.

Councilmember Unrein made a motion to approve the combined total not-to-exceed compensation amount of \$6,000,000 for the period of July 1, 2024 through June 30, 2025, applicable to the existing Master Services Agreements with the following pool of general technology tolling consultants: Atkins Realis, HNTB and North Highland. Councilmember Pawlowski seconded the motion which was unanimously approved by the Board.

Resolution 24-01
– E-470 Public
Highway
Authority
Technology
Accessibility -
Approval:

Ms. Seaver reviewed with the Board the recent Governor’s Office of Information Technology (OIT) adoption of Rules Establishing Technology Accessibility Standards 8 CCR 1501-11 (OIT Rules). The OIT Rules specify accessibility standards for all public entity information and communication technology, defined as including websites, applications, signage, digital documents, audio and video, and kiosks. She reported on the 2021 legislation requiring the OIT to adopt the OIT Rules as well as the truncated rulemaking in February of 2024 with mandated compliance by July 1, 2024. Accordingly, she reported that the General Assembly passed HB24-1454 in the 2024 legislative session after realizing the short compliance timeline was not feasible for most governments. Ms. Seaver noted that HB24-1454 provides a grace period extending the deadline for full compliance to July 1, 2025 provided the public entity shows “good faith efforts” to comply with the OIT Rules. Mr. Taylor then reported to the Board on the Authority’s good faith efforts to comply, including a website audit and the adoption of Resolution 24-01 and the Authority’s technology accessibility statement.

Following Board discussion and questions, Councilmember Unrein made a motion to adopt Resolution 24-01 regarding E-470 Public Highway Authority Technology accessibility, inclusive of the Authority’s Technology Accessibility Statement in compliance with the Colorado Office of Information Technology’s Rules Establishing Technology Accessibility Standards, 8 CCR 1501-11. Councilmember Teter seconded the motion which was unanimously approved by the Board.

Interim Executive
Director Report:

Mr. Thomson reported that the Authority is now a full member of the Central US Interoperability Hub. Ms. Carson then introduced Anna Durr, Communications Intern.

Mr. Thomson then reported regarding the success of the 2024 Transportation Safety Foundation TopGolf event raising \$72,000. He then noted that the CMF

will be ready for occupation in August and a ribbon cutting ceremony is planned for August 8, 2024 at 11:00 A.M. Next he noted the 38th Avenue Interchange is to be opened later this month.

Finally he reported on the IBTTA Annual Meeting and Exhibition to be held October 26-29, 2024 in Cleveland, Ohio.

Executive
Session:

Councilmember Pawlowski then moved that the Board convene into Executive Session, pursuant to (a) 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 as well as directing negotiators regarding the Authority's Tolling Services Agreements with High Performance Enterprise d/b/a CTIO, and (b) C.R.S. Section 24-6-402(4)(a) for the purposes of discussing the purchase or acquisition of real property owned by Adams County, Adams Crossing, LLC, and Sable Land, LLC in conjunction with the Sable Boulevard Interchange.

Councilmember Teter seconded the motion, which was approved by the Board at 10:46 A.M. The Board retired to the Board Conference room and after some technical difficulties commenced the executive session at 10:55.

The executive session included all voting members present at the meeting (Commissioners Teal and Tedesco attended virtually), Messrs. Thomson, Weiss, Donahue, Rodriguez, and Ms. Seaver. Commissioner Tedesco left the executive session at 11:49.

The executive session was adjourned by Councilmember Diak as Board Chair at 12:11 P.M.

Councilmember Diak reconvened open session at 12:16 P.M.

Resolution 24-02
– Regarding the
Purchase or
Acquisition of
Real Property –
Approval:

Mr. Thomson reviewed the Sable Boulevard Project with the Board and Resolution 24-02 authorizing acquisition of the real property needed for the project.

Councilmember Bergan made a motion to adopt Resolution 24-02 authorizing staff to enter into negotiations, and if necessary, file condemnation action to acquire the real property needed to construct the Sable Boulevard Interchange Project. Councilmember Unrein seconded the motion which was unanimously approved by the Board.

Executive
Director Contract
– Approval:

Councilmember Unrein made a motion to approve a contract for the employment of Joe Donahue as the E-470 Public Highway Authority Executive Director, subject to the final review and approval of General Counsel. Councilmember Teter seconded the motion which was unanimously approved by the Board.

Mr. Donahue addressed the Board and reported on changes in the Finance Department which include Bri Summers' promotion to Controller and Ryan Dole's promotion to Manager of Budget and Financial Analysis, both have expressed the desire to help shape the Authority's future. He noted that he would be posting for a Finance Director. He then recognized Neil Thomson and commended him on his leadership, and further recognized the Directors and Ms. Seaver. Councilmember Diak echoed Mr. Donahue's comments and thanked Mr. Thomson for his leadership as Interim Executive Director. Mr. Thomson thanked the Board and expressed his enthusiasm for Mr. Donahue's service as Executive Director. Councilmember Pawlowski thanked all of the staff.

Other Business: None.

Adjournment: There being no further business to come before the Board, Councilmember Diak adjourned the meeting at 12:24 P.M.

Chair of the Meeting

PRELIMINARY E-470 2024 Calendar

Committee Work Sessions will be convened as needed and publicly posted as prescribed by statute and resolution

January 2024	
January 1	New Year's – Office Closed
January 11	BOARD MEETING – 9:00 A.M. Board Officer Nominations and Elections
January 15	Martin Luther King, Jr.'s Day –Office Closed
February 2024	
February 8	Executive Committee – 8:00 A.M.
February 8	BOARD MEETING - 9:00 A.M.
February 22	Finance Committee – 9:00 A.M.
February 22	Ops and Public Affairs – 10 A.M.
February 22	IT Committee – 11:00 P.M.
February 22	Roadway Committee – 1:00 P.M.
March 2024	
March 14	Executive Committee – 8:00 A.M.
March 14	BOARD MEETING 9:00 A.M.
March 28	Finance Committee – 9:00 A.M.
March 28	Ops and Public Affairs – 10 A.M.
March 28	IT Committee – 11:00 P.M.
March 28	Roadway Committee – 1:00 P.M.
April 2024	
April 11	Executive Committee – 8:00 A.M.
April 11	BOARD MEETING - 9:00 A.M.
April 25	Finance Committee – 9:00 A.M.
April 25	Ops and Public Affairs – 10 A.M.
April 25	IT Committee – 11:00 P.M.
April 25	Roadway Committee – 1:00 P.M.
May 2024	
May 9	BOARD MEETING 9:00 A.M.
May 23	Finance Committee – 8:30 A.M.
May 23	Ops and Public Affairs – 10 A.M.
May 23	IT Committee – 11:00 P.M.
May 23	Roadway Committee – 1:00 P.M.
May 27	Memorial Day – Office Closed
June 2024	
June 13	TSF Grant Ceremony – 8:30 A.M.
June 13	BOARD MEETING 10:00 A.M.
June 18-21	CML Conference - Loveland
June 19	Juneteenth – Office Closed
June 27	Finance Committee – 8:30 A.M.
June 27	Ops and Public Affairs – 10 A.M.
June 27	IT Committee – 11:00 P.M.
June 27	Roadway Committee – 1:00 P.M.

July 2024	
July 4	Independence Day – Observed Office Closed
July 11	BOARD MEETING - 9:00 A.M.
July 25	Finance Committee – 8:30 A.M.
July 25	Ops and Public Affairs – 10 A.M.
July 25	IT Committee – 11:00 P.M.
July 25	Roadway Committee – 1:00 P.M.

August 2024	
August 8	Executive Committee – 8:00 A.M.
August 8	BOARD MEETING - 9:00 A.M.
August 22	Finance Committee – 830 A.M.
August 22	Ops and Public Affairs – 10 A.M.
August 22	IT Committee – 11:00 P.M.
August 22	Roadway Committee – 1:00 P.M.

September 2024	
September 2	Labor Day – Office Closed
September 12	Board Meeting – 9:00 A.M.
September 26	Finance Committee – 8:30 A.M.
September 26	Ops and Public Affairs – 10 A.M.
September 26	IT Committee – 11:00 P.M.
September 26	Roadway Committee – 1:00 P.M.

October 2024	
October 10	BOARD WORKSHOP – 8:00 A.M.
October 24	Finance Committee – 8:30 A.M.
October 24	Ops and Public Affairs – 10 A.M.
October 24	IT Committee – 11:00 P.M.
October 24	Roadway Committee – 1:00 P.M.
October 26 To 29	IBTTA 92 nd Annual Meeting and Exhibition – Cleveland, Ohio

November 2024	
November 11	Veteran's Day – Office Closed
November 14	Executive Committee – 8:00 A.M.
November 14	BOARD MEETING – 9:00 A.M.
November 21	Finance Committee – 8:30 A.M.
November 21	Ops and Public Affairs – 10 A.M.
November 21	IT Committee – 11:00 P.M.
November 21	Roadway Committee – 1:00 P.M.
November 28 and 29	Thanksgiving – Office Closed

December 2024	
December 12	Executive Committee – 8:00 A.M.
December 12	BOARD MEETING 9:00 A.M.
December 19	Finance Committee – 8:30 A.M.
December 19	Ops and Public Affairs – 10 A.M.
December 19	IT Committee – 11:00 P.M.
December 19	Roadway Committee – 1:00 P.M.
December 24 and 25	Christmas – Office Closed