

Jefferson Parkway Public Highway Authority Board Meeting Agenda



Thursday, January 18, 2018
3:00 p.m.
Arvada City Hall
8101 Ralston Road, Arvada, CO 80002
Council Chambers, 2nd Floor

- I. Call to Order
- II. Pledge of Allegiance
- III. Executive Session
 - A. Executive session, pursuant to C.R.S., Section 24-6-402(4)(a), Section 24-6-402(4)(b) and Section 24-6-402(4)(e) for the purposes of discussing real property matters, receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations and instructing negotiators related to FAA matters, right-of-way agreements and professional services agreements.
- IV. Approval of December 21, 2017 board meeting minutes
- V. Consent Items
 - A. Letter of Engagement for LS Gallegos
 - B. Letter of Engagement for Icenogle, Seaver, Pogue
 - C. Letter of Engagement for Jones & Keller
- VI. New Business
 - A. Approval of Resolution 18-01: A Resolution Concerning Annual Administrative Items
 - B. Approval of HDR Task Order #4 not to exceed the amount of \$99,718.00
- VII. Report from Staff
 - A. Procurement Pursuit Team Update
 - B. Citizen Advisory Committee
- VIII. Report of the General Counsel

IX. Report from the Board of Directors

X. Public Comment (3 minute limit)

XI. Adjournment

Jefferson Parkway Public Highway Authority Board Meeting Minutes



Thursday, December 21, 2017
3:00 p.m.
Arvada City Hall
8101 Ralston Road, Arvada, CO 80002
Council Conference Room, 3rd Floor

I. Call to Order:

Chairman David Jones called the meeting of the Jefferson Parkway Public Highway Authority (JPPHA) to order at 3:00 p.m. Present were Director Marc Williams, Director Don Rosier, and Director Randy Ahrens. Also in attendance was Bill Ray, *Interim Exec. Director*; Tamara Seaver, *JPPHA Counsel*; Kevin Standbridge, *Broomfield Deputy City and County Manager*; Bill Tuthill, *Broomfield Counsel*; Lorraine Anderson, *RTD*; Ellen Wakeman, *Jeffco Counsel*; Chris Daly, *Arvada Counsel*; and Don Hunt, *Procurement Consultant*.

II. Executive Session:

Tamara Seaver, JPPHA Counsel, requested matters for discussion that required an Executive Session, pursuant to C.R.S., Section 24-6-402(4)(a), Section 24-6-402(4)(b) and Section 24-6-402(4)(e) for the purposes of discussing real property matters, receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations and instructing negotiators related to FAA matters, right-of-way agreements and professional services agreements.

Director Ahrens made a motion to go into Executive Session for the purposes stated above. Director Rosier seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Rosier, Ahrens, Williams, Jones

III. Approval of November 16, 2017 Board Meeting Minutes:

Director Rosier made a motion to approve the November 16, 2017 board meeting minutes as presented. Director Ahrens seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Rosier, Ahrens, Williams, Jones

IV. Public Hearing: Proposed 2018 Budget

Chairman Jones opened the Public Hearing and public comment for the proposed 2018 budget. No public comment was received. Director Jones closed the Public Hearing.

Director Rosier made a motion to approve Resolution 17-03 and appropriating funds therein. Director Ahrens seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Rosier, Ahrens, Williams, Jones

V. Report from the Executive Director:

A. Bill Ray reported that, beginning in January 2018, board meetings will be held in the Council Chambers located on the 2nd floor of Arvada City Hall in order to provide ample seating.

B. Don Hunt, Procurement Consultant, reported on the activities of the procurement pursuit team.

C. Bill Ray reported that the twelve member Jefferson Parkway Advisory Committee (JPAC) has been confirmed and will meet on the third Thursday of the month at 6:30 p.m. at the Apex Field House beginning January 18, 2018.

VI. Report from the General Counsel: none

VII. Report from the Board of Directors:

A. Chairman Jones reported he recently met with E-470 Public Highway Authority Executive Director, Tim Stewart, regarding the Jefferson Parkway project.

B. Director Rosier reported on the status of the WestConnect PEL Study and 2018 meeting dates.

VIII. Public Comment:

Marian Whitney, Arvada resident, addressed the board regarding safety concerns along the proposed parkway alignment near the Rocky Flats site.

Bonnie Graham Reed, Arvada resident, addressed the board regarding concern of contaminants along the proposed parkway alignment near the former Rocky Flats site.

IX. Adjournment - Meeting was adjourned at 4:16 p.m.

David Jones
Chairman

Michele Broski
Recording Secretary

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY**

A Resolution Concerning Annual Administrative Items

Resolution 18-01

At a regular meeting of the Board of Directors of the Jefferson Parkway Public Highway Authority (the "Authority"), held at 3:00 P.M., on Thursday, January 18, 2018, at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80001, at which a quorum was present, the following resolution was adopted:

WHEREAS, the Authority was created pursuant to the Public Highway Authority Law, Sections 43-4-501, *et seq.*, C.R.S., to finance, construct, operate, and maintain the Jefferson Parkway Public Highway; and

WHEREAS, the Board of Directors of the Authority (the "Board") has a duty to perform certain obligations in order to assure the efficient operation of the Authority; and

WHEREAS, pursuant to Section 43-4-505(3)(c), C.R.S., the Board is authorized to make orders and pass resolutions necessary for the government and management of the affairs of the Authority and the execution of the powers vested in the Authority; and

WHEREAS, pursuant to Section 43-4-505(3)(e), C.R.S., the Board is authorized to designate the location of its office or offices; and

WHEREAS, pursuant to Section 43-4-505(3)(b), C.R.S., the Board is authorized to fix the time and place of meetings either within or without the boundaries of the Authority; and

WHEREAS, the Establishing Contract of the Authority specifies that regular meetings of the Board shall be held at such time, on such day, and at such hour as the Board shall from time to time establish; and

WHEREAS, pursuant to Section 43-4-505(3)(b), C.R.S., the Board is authorized to designate the method of providing notice of the meetings; and

WHEREAS, Section 43-4-513(2), C.R.S. requires that at least seven (7) business days prior to a regular meeting the Board shall make available to the public written or electronic notice of the time and agenda of such meeting; and

WHEREAS, pursuant to Section 24-6-402(2)(c), C.R.S., in addition to any other means of full and timely notice, the Board shall designate at the first regular meeting of the calendar year a posting place within the boundaries of the Authority for posting notices of meetings, and such notices shall be posted no less than twenty-four (24) hours prior to such meeting; and

WHEREAS, the Establishing Contract of the Authority specifies that special meetings of the Board may be held at any time at any place within the Denver metropolitan region, upon twenty-four (24) hours' written notice delivered to the home or place of employment of each Director, unless such notice be waived in writing by a Director; and

WHEREAS, in accordance with certain provisions in the Public Highway Authority Law, Sections 43-4-501, *et seq.*, C.R.S., and the Local Government Budget Law, Sections 29-1-101, *et seq.*, C.R.S., the Board is to publish certain legal notices in a newspaper of general circulation within the boundaries of the Authority; and

WHEREAS, the Local Government Budget Law requires the Board to designate or appoint a person to prepare yearly budgets and submit the same to the Board, to hold a public hearing on the proposed budgets and any amendments thereto, to adopt budgets, and to file copies of the budgets and amendments thereto with the proper governmental entities; and

WHEREAS, pursuant to Section 43-4-505(1)(a), C.R.S., the Board is authorized to delegate, by resolution, any of the powers of the Board to any of the officers or agents of the Board except as specifically prohibited therein; and

WHEREAS, in accordance with the Bylaws of the Board, at the first meeting of the Board held on or after January 15, the Board shall annually elect a chairman, vice-chairman, and treasurer, each of whom must also be a Member-appointed Director, and a secretary who may be, but need not be, a Director; and

WHEREAS, Section 24-6-402(2)(d.5)(II)(A), C.R.S., specifies that discussions that occur in an executive session of a local public body shall be electronically recorded; and

WHEREAS, pursuant to Section 24-6-402(2)(d.5)(II)(E), C.R.S., such electronic recording of executive sessions shall be retained for at least ninety (90) days after the date of the executive session.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY AS FOLLOWS:

1. The Board designates Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80001 as the Authority's principal office.
2. The Board fixes regular meetings as the third Thursday of January, April, July, October, and December at 3:00 P.M., at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80001.
3. That the Board designates, as the method of providing notice of meetings as required by statute, the posting of such notices at these locations, for notice of both regular and special meetings: (1) Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80001; (2) Broomfield City and County Administration

Building, One DesCombes Drive, Broomfield, Colorado 80020; and (3) Jefferson County Administration and Courts Facility, 100 Jefferson County Parkway, Golden, Colorado 80419.

4. For purposes of Section 43-4-513(2), C.R.S., the Board directs that notice of the time and agenda of regular meetings shall be made available to the public at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80001 and/or <http://www.jppha.org> at least seven (7) business days prior to regular meetings of the Board.
5. For purposes of Section 24-6-402(2)(c), C.R.S., the Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80001 is designated as the place at which meeting notices shall be posted.
6. The Board directs that the Secretary of the Authority deliver notice of special meetings to each Member or Affiliate Non-Voting Member by email, fax, or physical delivery to the address retained by the Secretary for the receipt of such notices not less than twenty-four (24) hours prior to the time fixed for the meeting.
7. That the Board designates the Denver Post as the newspaper for publication of legal notices.
8. The Board directs the Executive Director for the Authority, or such person to whom the Executive Director may delegate, to prepare and submit to the Board a proposed budget and a final budget annually and budget amendments as necessary and to file the approved budgets and amendments thereto with the proper governmental entities in accordance with the Local Government Budget Law.
9. That the Board authorizes the Executive Director, in addition to any other grants of authority, to execute on behalf of the Authority all documents, including but not limited to contracts, options, purchase agreements, deeds, and easements, which have been approved by the Board.
10. The Board hereby elects the following officers for the Authority:

Chairman: _____
Vice-Chairman: _____
Secretary: _____
Treasurer: _____
11. The Board directs staff and legal counsel to retain electronic recordings of executive sessions for purposes of the Colorado Open Meetings Law for ninety (90) days after the date of the executive session. The Board further directs staff and legal counsel to systematically delete all recordings of executive sessions

made for purposes of the Colorado Open Meetings Law at their earliest convenience after the ninetieth (90th) day after the date of the executive session.

Whereupon, a motion was made and seconded, and upon a majority vote this Resolution was approved by the Board.

ADOPTED AND APPROVED THIS 18th DAY OF JANUARY 2018.

**JEFFERSON PARKWAY
PUBLIC HIGHWAY AUTHORITY**

By: _____
Its: _____

ATTEST:

By: _____
Its: _____