

**Jefferson Parkway Public Highway Authority
Regular Board Meeting Agenda
Thursday, December 19, 2019
Arvada City Hall
8101 Ralston Road, Arvada, CO 80002**



**Executive Session
3:00 p.m.
Council Conference Room, 3rd Floor**

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, potential concession matters and professional services agreements.

**Regular Board Meeting immediately following Executive Session
Council Chambers, 2nd Floor**

- I. Call to Order
- II. Pledge of Allegiance
- III. Approval of Minutes
 - A. November 21, 2019 Regular Board Meeting (Attached)
- IV. Consent Items
- V. Report from Executive Director
 - A. Status Update on Soils Sampling
- VI. Report of the General Counsel
- VII. Public Hearings
 - A. Public Hearing on Proposed 2020 Budget:
Resolution 19-03, Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget and Appropriating Sums of Money to Each Fund in the Amounts and for the Purposes Set Forth Herein for the Jefferson Parkway Public Highway Authority for the Calendar Year Beginning on the First Day of January 2020 and Ending on the Last Day of December 2020 (Attached)

- VIII. New Business
 - A. Second Amendment to an Intergovernmental Agreement between the Jefferson Parkway Public Highway Authority (JPPHA) and the City of Arvada for the Secondment of an Arvada Employee to JPPHA

- IX. Report from the Board of Directors
 - A. Election of Secretary
 - B. Election of Treasurer

- X. Informational Items

- XI. Public Comment

- XII. Adjournment

Jefferson Parkway Public Highway Authority Regular Board Meeting Minutes



Thursday, November 21, 2019
Arvada City Hall
8101 Ralston Road, Arvada, CO 80002

Executive Session
3:00 p.m.
Council Conference Room, 3rd Floor

Greg Johnson 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, potential concession matters and professional services agreements.

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

The following votes were cast on the Motion:
Those voting Yes: Jones, Szabo, Williams

Regular Board Meeting immediately following Executive Session
Council Chambers, 2nd Floor

I. Call to Order

Chairman David Jones called the meeting of the Jefferson Parkway Public Highway Authority (JPPHA) to order at 3:45 p.m. Mr. Jones stated that there will be no City and County of Broomfield directors present since they have not made appointments to their various boards following the recent election. He said there is a quorum present today. Present in addition to Chair David Jones were Director Libby Szabo and Director Marc Williams. Also in attendance: Bill Ray, Exec. Director; Greg Johnson, Special Counsel to the Board; Kevin Standbridge,

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Broomfield Deputy City and County Manager; Kim Sorrells, Jefferson County Attorney; and Rachel Morris, Arvada City Attorney's Office.

II. Pledge of Allegiance

III. Approval of Minutes

A. October 17, 2019 Regular Board Meeting

Director Szabo moved that the October 17, 2019 Regular Board Meeting minutes be approved. Director Williams seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Jones, Szabo, Williams

The Motion was Approved.

IV. Report from Executive Director

A. Reminder of December 19, 2019 Public Hearing on the 2020 Proposed Budget

Bill Ray, Executive Director, reminded the board that the hearing on next year's budget will be held at the December 19 board meeting.

B. Update on CDPHE discussions

Bill Ray said as of today he received information from our analyst that the last batch of samples have been completed, are being checked for quality control and should be submitted to the Colorado Department of Public Health & Environment (CDPHE) by the end of this month. He said CDPHE has indicated they plan to take all of the data that has been created by the Authority, the Rocky Mountain Greenway Program and the Fish and Wildlife Service and submit it to a third party for a review of the results which should take two or three months. He said CDPHE will take that data and use it in a risk assessment for construction workers that will be working on site, using a regulatory dose assessment tool called RESRAD (RESidual RADioactivity). This tool is being used across the United States as an industry standard and was also used for the determination of unlimited use for unlimited duration back in 2006 as part of the closure process. Parallel with that, but independent, we have begun conversations with CDPHE about a memorandum of understanding on issues and permits that would be used and needed during the construction process. This will give the public information and an understanding of the process and results during construction. He said we believe this can all be done in March or April of next year and that he thinks the board was very wise in initiating that process with CDPHE.

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- V. Report of the General Counsel - None
- VI. New Business
 - A. Motion to set 2020 Regular Board Meeting Dates

Bill Ray referred to the attachment sent out with the agenda showing the proposed 2020 board meeting dates and asked for a motion.

Director Williams moved to set the 2020 board meeting dates as follows and Director Szabo seconded the motion. January 16; February 20; March 19; April 16; May 21; June 18; July 16; August 20; September 17; October 15; November 19; December 17.

The following votes were cast on the Motion:
Those voting Yes: Jones, Szabo, Williams
The Motion was Approved

- VII. Report from the Board of Directors
 - A. Election of Secretary
 - B. Election of Treasurer

Chairman Jones stated this agenda item will be moved to the December 19 Board meeting.

- VIII. Information Items - None
- IX. Public Comment - None
- X. Adjournment

Adjournment: Meeting was adjourned at 3:56 p.m.

David Jones, Chair

Christine Koch
Recording Secretary

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

Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget and Appropriating Sums of Money to Each Fund in the Amounts and for the Purposes Set Forth Herein for the Jefferson Parkway Public Highway Authority for the Calendar Year Beginning on the First Day of January 2020 and Ending on the Last Day of December 2020

Resolution 19-03

WHEREAS, the Board of Directors (the “Board”) of the Jefferson Parkway Public Highway Authority (the “Authority”) has authorized its treasurer and accountant to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget has been submitted to the Board for its review and consideration; and

WHEREAS, due and proper notice was published on Thursday, October 24, 2019 in the Denver Post, indicating (i) the date and time of the hearing at which the adoption of the proposed budget will be considered; (ii) that the proposed budget is available for inspection by the public at a designated place; and (iii) that any interested persons may file any objections to the proposed budget at any time prior to the final adoption of the budget by the Authority; and

WHEREAS, the proposed budget was open for inspection by the public at a designated place; and

WHEREAS, a public hearing was held on Thursday, December 19, 2019 and interested persons were given the opportunity to file or register any objections to said proposed budget and any such objections were considered by the Board; and

WHEREAS, the budget being adopted by the Board has been prepared based on the best information available to the Board regarding the effects of Section 29-1-301, C.R.S., and Article X, Section 20 of the Colorado Constitution; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

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

Section 1. Summary of 2020 Revenues and 2020 Expenditures. That the estimated revenues and expenditures for each fund for fiscal year 2020, as more specifically set forth in the budget attached hereto as **Exhibit B** and incorporated herein by this reference, are accepted and approved.

Section 2. Adoption of Budget. That the budget as submitted, amended and attached hereto as Exhibit B, is approved and adopted as the budget of the Jefferson Parkway Public Highway Authority for fiscal year 2020.

Section 3. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.

Section 4. Budget Certification. That the budget shall be certified by David Jones, as Chairman of the Authority, and made a part of the public records of the Jefferson Parkway Public Highway Authority and a certified copy of the approved and adopted budget shall be filed with the Colorado Department of Local Affairs Division of Local Government.

[The remainder of this page is intentionally left blank.]

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

ADOPTED AND APPROVED THIS 19th DAY OF DECEMBER, 2019.

**JEFFERSON PARKWAY
PUBLIC HIGHWAY AUTHORITY**

By: _____
Its: _____

ATTEST:

By: _____
Its: _____

STATE OF COLORADO
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

I, _____, hereby certify that I am a director and the duly elected and qualified _____ of the Jefferson Parkway Public Highway Authority, and that the foregoing constitutes a true and correct copy of the record of proceedings of the Board of Directors of the Authority, adopted at a regular meeting of the Board of Directors of the Jefferson Parkway Public Highway Authority held on Thursday, December 19, 2019, at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80001 as recorded in the official record of the proceedings of the Authority, insofar as said proceedings relate to the budget hearing for fiscal year 2020; that said proceedings were duly had and taken; that the meeting was duly held; and that the persons were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the Authority this 19th day of December, 2019.

By: _____
Its: _____

EXHIBIT A

Notice of Regular Meeting
Affidavit of Publication
Notice as to Proposed 2020 Budget

**NOTICE OF REGULAR BOARD MEETING
OF THE
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY**



TO BE HELD

Thursday, December 19, 2019
Arvada City Hall
8101 Ralston Rd., Arvada, CO

3:00 p.m. – **Executive Session**
Council Conference Room, 3rd Floor

Board Meeting immediately following Executive Session
Council Chambers, 2nd Floor

NOTICE IS HEREBY GIVEN that the Board of Directors of the **JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY**, of the County of Jefferson, the City and County of Broomfield, and the City of Arvada, State of Colorado, will hold their Regular Board Meeting on Thursday, December 19, 2019 immediately following their executive session at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado. The purpose of the meeting is to conduct such business as may come before the Board. This meeting is open to the public.

**BY ORDER OF THE BOARD OF DIRECTORS:
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY**

Posted this 12th day of December, 2019

\$307,600

The Denver Post, LLC

PUBLISHER'S AFFIDAVIT

**City and County of Denver)
State of Colorado)
)**

The undersigned Nicole Maestas
being first duly sworn under oath, states
and affirms as follows:

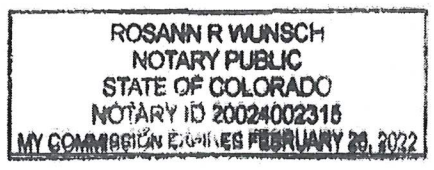
1. He/she is the legal Advertising Reviewer of The Denver Post, LLC, publisher of *The Denver Post* and *Your Hub*.
2. *The Denver Post* and *Your Hub* are newspapers of general circulation that have been published continuously and without interruption for at least fifty-two weeks in Denver County and meet the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in *The Denver Post* on the following date(s):

October 24, 2019

Nicole Maestas
Signature

Subscribed and sworn to before me this 24
day of October, 2019.

Rosann Wunsch
Notary Public



(SEAL)

PUBLIC NOTICE

**NOTICE AS TO PROPOSED 2020 BUDGET AND HEARING
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY**

NOTICE IS HEREBY GIVEN that a proposed budget has been submitted to the JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY for the ensuing year of 2020. A copy of such proposed budget has been filed in the office of Jefferson Parkway Public Highway Authority, and is available for public inspection at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80002. Such proposed budget will be considered at a public hearing at the regular meeting of the Jefferson Parkway Public Highway Authority to be held at 3:00 p.m., or as soon as practicable thereafter, on Thursday, December 19, 2019. The meeting will be held at Arvada City Hall, City Council Chambers, 2nd Floor, 8101 Ralston Road, Arvada, Colorado 80002. Any interested elector within the Jefferson Parkway Public Highway Authority may inspect the proposed budget and file or register any objections at any time prior to the final adoption of the 2020 budget.

BY ORDER OF THE BOARD OF DIRECTORS:
JEFFERSON PARKWAY PUBLIC
HIGHWAY AUTHORITY

Published: October 24, 2019
Denver Post

EXHIBIT B

Budget Document
Budget Message

Revised 2019 Budget and Proposed 2020 Budget

	<i>2018 Actual</i>	<i>Adopted 2019 Budget</i>	<i>Estimated 2019 Year End</i>	<i>Proposed 2020 Budget</i>
<i>Beginning FB</i>	\$ 489,560	\$ (89,525)	\$ (89,525)	\$ 12,854
REVENUES				
Member Contributions to date*	\$ 1,700,000	\$ 7,000,000	\$ 3,775,000	\$ 210,000
additional 2019 member contribution			\$ 376,000	
Interest	\$ 13,847	\$ 70,000	\$ 9,327	\$ 1,000
	<u>\$ 1,713,847</u>	<u>\$ 7,070,000</u>	<u>\$ 4,160,327</u>	<u>\$ 211,000</u>
EXPENDITURES				
Trainings and Meetings	\$ 7,146	\$ 7,500	\$ 1,400	
Print/Mail/Supplies		\$ 1,500	\$ 20	
Dues	\$ 327	\$ 500	\$ 75	
Insurance (CIRSA)	\$ 2,713	\$ 2,800	\$ 2,584	\$ 2,700
Haynie/Audit	\$ 5,800	\$ 5,800	\$ 5,800	\$ 5,800
Misc	\$ 4,266	\$ 5,000	\$ 8,000	\$ 5,000
PROFESSIONAL SERVICES				
Executive Director	\$ 70,943	\$ 150,000	\$ 120,000	\$ 40,000
Support Staff	\$ 32,869	\$ 50,000	\$ 49,000	\$ 7,500
Icenogle	\$ 98,018	\$ 20,000	\$ 60,000	\$ 10,000
Squire Patton Boggs	\$ 15,634	\$ 100,000	\$ 190,000	\$ 25,000
Jones and Keller (H. Kenison)	\$ 137,818	\$ 25,000	\$ 86,000	\$ 25,000
Clifton	\$ 1,789	\$ 2,000	\$ 1,200	\$ 0
HC Peck		\$ 5,000	\$ 14,500	
Peak Facilitation	\$ 13,309	\$ 10,000	\$ 14,500	
The Antero Company	\$ 110,984	\$ 100,000	\$ 70,000	
Venable LLP	\$ 135,968	\$ 12,000	\$ 142,000	
CDM Smith	\$ 160,278	\$ -		
Ernst & Young	\$ 449,132	\$ 1,250,000	\$ -	
Ames and Gough	\$ 4,052		\$ 3,750	
Ostrander & Dingess	\$ 1,240		\$ 8,300	
HDR Engineering - w/ RF & RMMA	\$ 400,210	\$ 500,000	\$ 1,000,000	\$ 30,000
GBSM Inc		\$ 50,000	\$ 72,000	\$ 20,000
LS Gallegos				
<i>ROW Work</i>	\$ 108,287	\$ 100,000	\$ 30,000	
<i>1601 Process oversight</i>				
Development/Implementation				
<i>Project Feasibility Phase</i>				
<i>RFQ/RFP Documents (Ashurst LLP)</i>	\$ 530,132	\$ 1,400,000	\$ 906,239	
<i>RFP Analysis/contract negotiations**</i>		\$ 2,000,000		
<i>Land and Easement Acquisitions</i>		\$ 1,200,000	\$ 1,071,580	
CDOT Sec 1601 Oversight	\$ 2,016	\$ 15,000	\$ -	
3% Emergency Reserve			\$ 121,000	\$ 6,000
Contingency (2% of Budget)			\$ 80,000	\$ 28,500
	<u>\$2,292,931</u>	<u>\$ 7,012,100</u>	<u>\$4,057,948</u>	<u>\$205,500</u>
<i>Ending FB</i>	-\$89,525	\$ (31,625)	\$ 12,854	\$ 18,354

* includes \$500,000 Arvada prepay 2019

** prior Board approval needed to spend



JEFFERSON

P A R K W A Y

October 10, 2019

Members of the Board -

The 2019 year has been a study in contrasts. At the beginning of the year, there was substantial momentum to proceed with the procurement process. The Authority's procurement team was in place, three extremely qualified private sector teams had been short-listed and Jefferson Parkway was conceivably a year away from construction start. At present, the project is on hold awaiting the final results from the extensive soils testing on the Rocky Flats portion of the right of way and the direction from the member governments on next steps, but that is not new with the Jefferson Parkway. Below is a discussion of the current year budget and a modest proposal for 2020.

2019 revised budget

On December 20, 2018, the Board unanimously adopted Resolution 18-3 approving the 2019 budget of \$7,012,100. This one-time surge in expenses was adopted in anticipation of issuing the Request for Proposal. The three short-listed teams were selected by the Board at that same meeting, following an extensive Request for Qualifications process that resulted in five submissions.

In accordance with the budget and the direction of the Board, the procurement team began drafting the Instructions to Proposers, the Technical specifications, and the draft concession agreement during the spring. Those documents were substantially complete in early May of 2019. On that timeline, the RFP process would have concluded at the end of 2019 with an identified preferred private partner. The cost to produce those documents for RFP release in May was in excess of \$1.7 million, which was consistent with our budgetary expectations.

Right of way work proceeded throughout last spring, both with the acquisition of the Hotchkiss II parcel and the negotiation for the transfer to the Authority of lands being held by the City of Arvada and the Jefferson Center Metropolitan District for right of way. In addition, detailed surveying, mapping and legal descriptions for the entire right of way corridor took place. These activities cost \$1.35 million in total. Again, this cost was consistent with our budgetary expectations.

The FAA made an unexpected re-appearance in February regarding the status of Rocky Mountain Metro Airport lands already released for non-aviation uses available for right of way. The legal and engineering work to resolve this to the FAA's satisfaction (again) was an unexpected \$250,000 in expenses and this detour delayed progress by about three months.

As part of the due diligence for the right of way, the Board initiated a soils re-sampling program for the right of way adjacent to the Rocky Flats Wildlife Refuge in the expectation that the member jurisdictions would share in those costs, which were not budgeted for 2019. Some 250 samples were taken and one anomalous result was identified from a single sample site near the Indiana Street right of way. The Colorado Department of Public Health and Environment (CDPHE) was contacted to provide guidance on how to determine whether this sample result was anomalous and on how to address any health-related challenges. An additional 25 samples in proximity to the anomalous sample site have been taken and analyzed. Those results were unremarkable and consistent with all other soil samples that have been taken in the same area. While the analysis of all 250 samples is not complete at the time of writing, those results should be available toward the end of October. It is expected that the total soils sampling costs, which of course were not included in the Authority's budget for 2019, will be in excess of \$460,000. This is problematic absent additional funds from the members since this would result in a negative fund balance of -\$162,000 at year-end.

In summary, our expense experience for 2019, as of today, is consistent with our budget for the year, excepting only two unanticipated events: the reemergence of the FAA as a factor in our planning, and the 250 sample soils testing program, identification and response to a single anomalous particle arising from that soil sampling process.

Each member jurisdiction chose a different manner to provide their share of the funding to support the adopted 2019 JPPHA budget. Jefferson County budgeted their \$2.5 million share within their overall 2019 County budget adoption. Arvada and Broomfield each chose to fund their commitment through a supplemental budget appropriation in 2019. Arvada provided \$500,000 in late 2018 for cash flow into 2019 and approved the \$2 million balance in a supplemental budget approved in April, 2019. To date, the advances provided to fund 2019 JPPHA expenditures are:

Arvada - \$2,500,000
Jefferson County - \$1,775,000
Broomfield has yet to act.

Because the Authority has not received anticipated funding from all of its members, and to a lesser extent the unbudgeted expenses for the airport and soils testing, the funds of the Authority have been depleted. As of October 1, there was about \$150,000 cash on

hand. Anticipated expenses for 2019 total \$3,856,948 vs. year to date revenues of 3,784,327, and an unfavorable beginning fund balance of - \$89,525. As a result of these numbers, the Authority will suffer a deficit of expenditures over revenues for the year of -\$162,146 at year's end, with no contingency and a zero fund balance if no action is taken. To cover this deficit, an additional \$175,000 will be needed by December just to pay its anticipated bills.

In addition to covering the deficit, the 2019 budget will need to provide for a 3% emergency fund per audit standards and should show a modest 2% contingency to cover unanticipated expenses. To accomplish these ends the Authority will need total revenues for 2019 of \$4.1 million vs. the \$3,856,848 currently projected. If this \$4.1 million were divided equally, each member would be obligated to advance a total of \$1.36 million for 2019, as opposed to the actual varied member contributions shown above. Alternatively, the three member governments could cover the costs of the current soils testing program which would keep the Authority in a positive cash position for 2019.

2020 Proposed budget

Attached to this communication is a spreadsheet showing both the revised 2019 budget and the proposed 2020 budget. The 2020 budget does not anticipate, at least at the current time, that the Authority will operate at a level needed to fully implement the RFP process. Rather, given the current state of affairs with regard to soils testing, the proposed 2020 budget has been developed with the following three goals in mind:

- completing the currently planned soils analysis and performing the anticipated follow-up related to that analysis needed with the Colorado Department of Public Health and Environment (CDPHE)
- initiating negotiations with CDPHE on a new Memorandum of Understanding; and,
- maintaining clear and consistent communications with the community, the media, the procurement team, and our short-listed private partner teams.

We believe that these three minimum goals are critical to the continued operation of the Authority on a short term basis pending the outcome of final soils testing. In addition, we believe this level of activity is consistent with, and required by, our responsibility to complete the current soils analysis and to respond to the feedback and guidance of CDPHE.

To that end, and assuming the fund balance will equal two months operations, the proposed budget for 2020 is recommended at \$199,500. The line item details are in the attached budget. The proposed budget will provide funds sufficient for the legal, technical, and administrative support needed to achieve the goals listed above. It will

not, of course, provide funds sufficient to pursue full-scale development activities with regard to the Parkway, nor will it provide sufficient funds to issue the RFP or pursue the developer selection process.

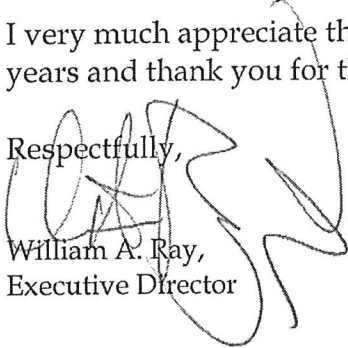
Looking forward, the Authority Board has always operated on the expectation of eventual success for the project. At whatever point the Board elects to proceed with the RFP issuance, there will be a need for approximately \$500,000 in funds in addition to the \$199,500 mentioned above, to update and issue the RFP documents, participate in one-on-one meetings with the short-listed developers and complete the selection process based on current expectations. The timing and availability of that funding from the members will dictate the speed of the RFP process.

The timing of future member funding, and of the Authority's developer selection process will be important. To date, I do not detect any significant discomfort among the short-listed proposers with the efforts of the Authority to deal with issues and concerns that, while unanticipated, are nonetheless serious matters requiring our attention. In fact, I believe the short-listed proposers believe that the efforts of the Authority to address these concerns are reflective of the serious manner in which the Authority has conducted its affairs with regard to the project.

Of course, we cannot expect that an extended delay will not have a negative impact on the views of the short-listed proposers or on the prospects for success of the Project. With that in mind, it would be my recommendation to the board that it revisit these issues if an RFP has not been issued by the middle of 2020.

I very much appreciate the support shown by the Board for this project over the last 12 years and thank you for the opportunity to serve.

Respectfully,


William A. Ray,
Executive Director

**SECOND AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY
(JPPHA) AND THE CITY OF ARVADA FOR THE SECONDMENT OF AN ARVADA
EMPLOYEE TO JPPHA**

1.0 RECITALS AND PURPOSE.

1.1 On or about May 21, 2018, the City of Arvada (“the Employer”) and the Jefferson Parkway Public Highway Authority (“JPPHA”) entered into an Intergovernmental Agreement whereby the Employer agreed to second and to assign to JPPHA an employee of Employer to serve as JPPHA’s Executive Director (“the Agreement”).

1.2 On or about December 3, 2018, the Parties executed the First Amendment to the Agreement (“the First Amendment”), which extended the term of the Agreement through December 31, 2019;

1.3 Section 1 of the Agreement allows the Parties to extend the term of the Agreement for successive 12 month periods (“Renewal Period”).

1.4 The Parties wish to extend the term of the Agreement, and wish to do so through this document, which shall constitute the Second Amendment to the Agreement.

2.0 TERM.

2.1 Pursuant to Section 1 of the Agreement, the Parties agree to extend the term of the Agreement for an additional twelve months, up through and including December 31, 2020 (“the Second Renewal Period”). The Agreement may be extended for additional 12 month terms upon agreement by the Parties prior to the expiration of the previous renewal term.

3.0 COMPENSATION.

3.1 Section 5 of the Agreement pertains to the salary and benefits of the Employee, including the hourly rate to be paid to Employee. Beginning on February 1, 2020, Employee will be paid \$110.89 per hour for all services provided to JPPHA pursuant to the Agreement. Employer will then invoice JPPHA at this new hourly rate as contemplated under the Agreement.

4.0 FULL FORCE AND EFFECT. All other terms and conditions shall be as set forth in the Agreement.

DATED this _____ day of _____, 2019.

IN WITNESS WHEREOF, the Parties have caused this Second Amendment to an Intergovernmental Agreement between the Jefferson Parkway Public Highway Authority (JPPHA) and the City of Arvada for the Secondment of an Arvada Employee to JPPHA to be executed on the dates noted below.

JEFFERSON PARKWAY PUBLIC HIGHWAY
AUTHORITY

By: _____

Name: David Jones

Title: Chairperson

Date: _____

Address: _____

CITY OF ARVADA, a Colorado home rule
municipal corporation

By: _____

Mark Deven, City Manager

Date: _____

Address: 8101 Ralston Road

Arvada, CO 80002

ATTEST:

City Clerk

APPROVED AS TO FORM

Rachel A. Morris, City Attorney

By: _____