



JEFFERSON

P A R K W A Y

**Jefferson Parkway Public Highway Authority
Special Board Meeting Agenda
Thursday, January 19, 2023
Arvada City Hall
8101 Ralston Road, Arvada, CO 80002**

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

- I. Call to Order
- II. Pledge of Allegiance
- III. Public Comment
- IV. Election of Officers
 - A. Role of Elected Officers
 - B. Election of Chair; Vice-Chair; Treasurer; Secretary
- V. Approval of Minutes
 - A. December 19, 2019
 - B. December 21, 2022
- VI. New Business
 - A. Set JPPHA Board Meeting dates for 2023
- VII. Public Hearings on Proposed Budgets:
 - A. Public Hearing – 2021 Budget

Adopt Resolution 22-01, 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 2021 and Ending on the Last Day of December 2021 (Attached)
 - B. Public Hearing – 2022 Budget

Adopt Resolution 22-02, 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 2022 and Ending on the Last Day of December 2022 (Attached)

C. Public Hearing – 2023 Budget

Adopt Resolution 22-03, 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 2023 and Ending on the Last Day of December 2023 (Attached)

- VIII. Engagement of Fiscal Focus Partners for Audit matters
- IX. Broomfield Withdrawal
- X. Report of the General Counsel
 - A. Website Updates and Compliance with HB21-1110
- XI. Report from the Board of Directors
- XII. Adjournment

**Jefferson Parkway Public Highway Authority
Regular Board Meeting Minutes**



**Thursday, December 19, 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 Henkel seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Szabo, Henkel, Williams

Absent: Jones, Shaff

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

I. Call to Order

Vice Chair Libby Szabo called the meeting of the Jefferson Parkway Public Highway Authority (JPPHA) to order at 3:20 p.m. Present in addition to Vice Chair Libby Szabo were Director Heidi Henkel, and Director Marc Williams. Also in attendance: Bill Ray, Exec. Director; Tamara Seaver, Counsel to the Board; Kevin Standbridge, Broomfield Deputy City and County Manager; Kim Sorrells, Jefferson County Attorney; and Rachel Morris, Arvada City Attorney's Office.

Jefferson Parkway Public Highway Authority
Board Meeting Minutes
December 19, 2019

II. Pledge of Allegiance

III. Approval of Minutes

A. November 21, 2019 Regular Board Meeting

Director Williams moved that the November 21, 2019 Regular Board Meeting minutes be approved. Director Henkel seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Szabo, Henkel, Williams

Absent: Jones, Shaff

The Motion was Approved.

IV. Report from Executive Director

A. Status Update on Soils Sampling

Bill Ray, Executive Director, said we have been engaged with the Colorado Department of Health and Environment (CDPHE), as the Board directed, regarding the voluntary sampling of soils along the Parkway right-of-way. He said the final samples have now been given to CDPHE and they have two scientists with CSU who will undertake a review of the data received from the Jefferson Parkway, Rocky Mountain Greenway Program and the US Fish and Wildlife Service. He said CDPHE will take the results from that review and create a graphic for the public and communication purposes. He said CDPHE is also working on a risk assessment to determine the health risk, if any, for construction workers on the Parkway and that the study should be completed by April. In addition, he said we are working with CDPHE on a Memorandum of Understanding on issues and permits to address dust control, air monitoring, and ground sampling. Mr. Ray explained the risk assessment tool was also used for the determination of unlimited use as part of the closure process in 2006.

B. RFP Update

Mr. Ray said that one of the three proposers is withdrawing from the RFP process. He said that company was formally known as the Jefferson Expressway Group (JEFFEX) and that they have been in suspense mode for about a year now. He said they feel the overall risk of the project financially, which is 100% to the private sector, is not as favorable as it was a year ago. He said JEFFEX stated they have concerns about the political will of the members to move forward and that they were hoping to feel stronger support. Ms. Henkel asked that their letter of withdrawal be made available to the public.

Jefferson Parkway Public Highway Authority
Board Meeting Minutes
December 19, 2019

V. 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

Bill Ray reviewed this resolution with the Board. Mr. Ray said he had prepared, and sent to the Board, a draft budget and budget message in October, as required by law. He said the budget for 2019 was originally based on the premise that the board would proceed with the RFP process. He reminded the Board that back in 2015 and 2016 we had proposed that the request for proposal, technical specifications, and the actual concession agreement itself would require a substantial contribution of \$2.5 million from each of the jurisdictions, for a total of \$7 million. He said the premise of the 2020 budget is a “hold in place” until the ultimate direction of the Authority to move forward is given. He said the proposed budget for 2020 is \$211,000, divided equally amongst the three jurisdictions, along with \$1000 in interest. He said this amount would complete the soil sampling, conclude negotiations for the MOU with CDPHE and provide funds necessary for the member constituency and public communications.

Vice Chair Szabo opened the public hearing on 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.

No public comment was received. Vice Chair Szabo closed the public hearing.

Director Williams moved that 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, be approved. Director Henkel seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Szabo, Henkel, Williams

Absent: Jones, Shaff

The Motion was Approved.

VI. Report of General Counsel

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

Tamara Seaver discussed the second amendment to this Intergovernmental Agreement and said it extends the term of the original agreement.

Director Williams moved that the 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, be approved. Director Henkel seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Szabo, Henkel, Williams

Absent: Jones, Shaff

The Motion was Approved.

B. Ernst & Young Financial Consulting Agreement

Ms. Seaver said she sent to the Board of Directors an amendment to the Ernst & Young (EY) Consulting Agreement. Mr. Ray explained that to accomplish the work that he has outlined in his budget discussion above, we would need the services of a financial consultant. Ms. Seaver said the amendment provides for \$560,000 for 2020 which is composed of a monthly retainer of \$50,000 per month along with \$160,000 upon completion of the initial draft of the RFP. She said for 2021, they propose \$160,000 on release of the final RFP and a monthly retainer as agreed by the parties at that time.

Mr. Ray confirmed that the monthly retainer will not start until the Board decides if they will move forward with the RFP process.

Director Williams moved that the Second Amendment to the Contract with Ernst & Young be approved. Director Henkel seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Szabo, Williams

Those voting No: Henkel

Absent: Jones, Shaff

The Motion was Approved.

Jefferson Parkway Public Highway Authority
Board Meeting Minutes
December 19, 2019

VII. Report from the Board of Directors

- A. Election of Secretary
- B. Election of Treasurer

The Board decided they would take up this item at their January 2020 Board meeting.

VIII. Information Items

- A. Mr. Ray reminded the Board that they discussed holding a joint dinner with the elected officials from the three jurisdictions. He said dates are being looked at and will be passed along to the Board.

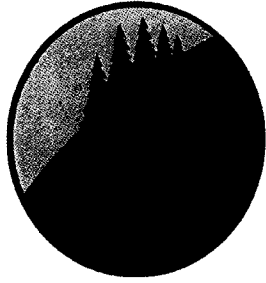
IX. Public Comment - None

X. Adjournment

Adjournment: Meeting was adjourned at 3:45 p.m.

Libby Szabo, Vice Chair

Christine Koch
Recording Secretary



JEFFERSON

P A R K W A Y

Jefferson Parkway Public Highway Authority Special Board Meeting Minutes

**Wednesday, December 21, 2022
Arvada City Hall
8101 Ralston Road, Arvada, CO 80002**

**11:00 a.m.
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 11:00 a.m. Present were Chairman David Jones, Director Marc Williams, Director Deven Shaff, Director Lesley Dahlkemper and Heidi Henkle. Also in attendance: Bill Ray, Exec. Director; Tamara Seaver, JPPHA Counsel; Rachel Morris, Arvada City Attorney; Nancy Rogers, Broomfield City Attorney; Lorie Gillis, Arvada City Manager; Linda Haley, Arvada Deputy City Manager; Amber Munck, Jefferson County Assistant County Attorney;

II. Pledge of Allegiance

Following the Pledge of Allegiance, Director Shaff asked that an election of officers be held at a future meeting and that the minutes of the last meeting in 2019 be submitted for approval at that meeting. He also said that at the November 21, 2019 meeting the minutes state that a quorum was present. He said Broomfield was not in attendance at that meeting so a quorum was not present and those actions need to be rectified.

Ms. Henkle stated she thinks the Secretary of the Board should be creating the agendas for the board meetings. Tamara Seaver stated that the Executive Director has always prepared the agenda.

Director Dahlkemper stated she thinks the board should move forward with today's business but that a future agenda item should include a conversation about the role of officers and an election for the officers should be held.

Chairman Jones stated the meeting will proceed as outlined on the agenda.

III. Public Comment

1. Randy Stafford, a member of the former Jefferson Parkway Advisory Committee (JPAC) read a statement regarding his research and position paper on Rocky Flats. He asked that his position paper and his response to CDPHE's plan be included in the minutes of the meeting. The board concurred with Mr. Stafford's request.

IV. Report from Executive Director - None

V. Report of the General Counsel - None

VI. Public Hearings on Proposed Budgets:

A. Public Hearing – 2021 Budget

Adopt Resolution 22-01, 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 2021 and Ending on the Last Day of December 2021 (Attached)

Chairman Jones opened the public hearing on the proposed 2021 budget.

Director Shaff said we should be discussing expenditures for 2021 and not a budget. He said there is a discrepancy between the ending balance of 2019 and the beginning balance in 2020 that is not reflected in the 2020 budget and that there is \$200,000 that is not reflected and is missing from the budget. Mr. Ray said he would sit down with the Finance Department of Arvada.

Mr. Shaff said the budget also talks about member contributions and these were never approved. Mr. Ray said that is a long standing practice of this organization and that it is a function of the resolution approving the revenues and expenditures. Mr. Ray said the revenues did occur and they were contributed by the City of Arvada. Chairman Jones said that Arvada did make the contribution shown. Mr. Shaff said the budget should reflect that it is the Arvada member contribution and that there are glaring issues with this budget and that he would not approve the budget, unless it's an approval of expenditures and not a budget. Ms. Seaver said she would recommend that all of the budgets shown on the agenda be approved and that would then flow into the last item on the agenda which is the audit.

Jefferson Parkway Public Highway Authority
Board Meeting Minutes
December 21, 2022

Ms. Henkle asked if the budget for the Authority is handled by the Treasurer. Chairman Jones said the City of Arvada Finance Department has always handled the finances for the Authority. There was discussion of deferring the budgets until the issue raised by Director Shaff is answered.

Director Dahlkemper said she would like Mr. Ray to describe the scope of work for the staff costs that are shown in the 2023 budget.

Ms. Seaver said the 2023 budget needs to be approved by the end of January and can't be done until the other two budgets are looked at. Chairman Jones said we will look at all three budgets at the next meeting and also plan on electing officers.

Chairman Jones closed the public hearing on 22-01 for further discussion.

Following discussion, the board set the next meeting for January 19, 2023 at 3:00 p.m.

Chairman Jones moved to bring forward the 2021 budget, along with the election of officers to the January 19, 2023 meeting and to table the 2022 and 2023 budgets until that meeting. Director Dahlkemper seconded the motion. All voted aye.

Director Williams moved to revise the motion to include item VII, Engagement of Fiscal Focus Partners for Audit Matters. Director Shaff seconded the motion. All voted aye. The motion was approved.

VII. Report from the Board of Directors

Director Shaff asked that at the January 19, 2023 meeting, the meetings be calendared for the remainder of the year, that an election of officers be held, that the board deal with Broomfield's letter to withdraw, and stated that the board needs an IGA between the Authority and the City of Arvada or a separate contract for the Executive Director and support staff.

VIII. Adjournment at 11:37 a.m.

David Jones, Chair

Christine Koch
Recording Secretary

STATE OF COLORADO
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY
2021 BUDGET RESOLUTION

The Board of Directors of the Jefferson Parkway Public Highway Authority, State of Colorado, held a special meeting at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80002 on Thursday, January 19, 2023 at the hour of 3:00 P.M., at which a quorum of the Board of Directors was present.

Counsel reported that, prior to the meeting, each of the directors had been notified of the date, time and place of this meeting and the purpose for which it was called. It was further reported that this meeting is a special meeting of the Board of Directors of the Jefferson Parkway Public Highway Authority and that a notice of special meeting has been posted in accordance with Section 24-6-402, C.R.S. and as prescribed in the resolution on annual actions regarding meetings and notices, adopted at the January 17, 2019 meeting of the Jefferson Parkway Public Highway Authority and to the best of counsel's knowledge, remains posted to the date of this meeting. A copy of the Notice of Special Meeting, which was used for this purpose and an original publisher's Affidavit of Publication are attached hereto as **Exhibit A** and incorporated herein by this reference.

Thereupon, Commissioner _____ introduced and moved the adoption of the following Resolution:

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

Resolution 22-01

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 2021 and Ending on the Last Day of December 2021.

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 January 13, 2023 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, January 19, 2023 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 2021 Revenues and 2021 Expenditures. That the estimated revenues and expenditures for each fund for fiscal year 2021, 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 2021.

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, 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 foregoing Resolution was seconded by _____.

ADOPTED AND APPROVED ON THE 19th DAY OF JANUARY, 2023.

(SEAL)

JEFFERSON PARKWAY PUBLIC HIGHWAY
AUTHORITY

By: David Jones
Its: Chairman

ATTEST:

By: _____
Its: Secretary

STATE OF COLORADO
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

I, David Jones, hereby certify that I am a director and the duly elected and qualified Chairman of the Jefferson Parkway Public Highway Authority (the "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 special meeting of the Board of Directors of the Jefferson Parkway Public Highway Authority held on Thursday, January 19, 2023, at 3:00 P.M. as recorded in the official record of the proceedings of the Authority, insofar as said proceedings relate to the budget hearing for fiscal year 2021; 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 January, 2023.

(SEAL)

David Jones, Chairman

EXHIBIT A

Notice of Special Meeting
Affidavit of Publication
Notice as to Proposed 2021 Budget



JEFFERSON

P A R K W A Y

NOTICE OF SPECIAL BOARD MEETING OF THE JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

TO BE HELD

Thursday, January 19, 2023
Arvada City Hall
8101 Ralston Rd., Arvada, CO

3:00 p.m.
Council Conference Room, 3rd 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 a Special Board Meeting on Thursday, January 19, 2023 at 3:00 p.m. 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.

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Public Comment
- IV. Election of Officers
 - A. Role of Elected Officers
 - B. Election of Chair; Vice-Chair; Treasurer; Secretary
- V. Approval of Minutes

- A. December 19, 2019
- B. December 21, 2022
- VI. New Business
 - A. Set JPPHA Board Meeting dates for 2023
- VII. Public Hearings on Proposed Budgets:
 - A. Public Hearing – 2021 Budget
Adopt Resolution 22-01, 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 2021 and Ending on the Last Day of December 2021 (Attached)
 - B. Public Hearing – 2022 Budget
Adopt Resolution 22-02, 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 2022 and Ending on the Last Day of December 2022 (Attached)
 - C. Public Hearing – 2023 Budget
Adopt Resolution 22-03, 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 2023 and Ending on the Last Day of December 2023 (Attached)
- VIII. Engagement of Fiscal Focus Partners for Audit matters
- IX. Broomfield Withdrawal
- X. Report of the General Counsel
 - A. Website Updates and Compliance with HB21-1110
- XI. Report from the Board of Directors
- XII. Adjournment

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

Posted this 12th day of January, 2023

PUBLIC NOTICE

**NOTICE AS TO PROPOSED 2021 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 year of 2021. A copy of such proposed budget has been filed at the office of Jefferson Parkway Public Highway Authority, where same is available for public inspection at the JPPHA offices located at 5555 West 56th Avenue, Arvada, Colorado 80002. Please call to schedule for an appointment (720) 898-7020 as the office is normally not staffed. Such proposed budget will be considered at a public hearing at a special meeting of the Jefferson Parkway Public Highway Authority to be held on January 19, 2023 at 3:00 p.m. in the third floor conference room at Arvada City Hall, 8101 Ralston Rd, Arvada, Colorado 80002. Any interested persons 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 2021 budget.

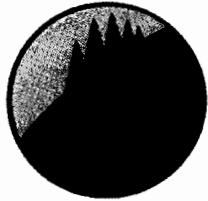
BY ORDER OF THE EXECUTIVE DIRECTOR:

JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

Publish on: January 13, 2023
Publish in: *Denver Post*

EXHIBIT B

Budget Document
Budget Message



JEFFERSON

P A R K W A Y

BUDGET MESSAGE FOR PROPOSED 2023 JPPHA BUDGET AND THE FINAL BUDGETS FOR 2021 AND 2022

January 13, 2023

The world is a different place since the adoption of the 2020 budget. In the year 2019, the Authority was on the cusp of issuing a Request for Proposal to the three finalists identified from a rigorous Request for Qualifications process that resulted in extremely qualified teams to be the preferred private partner to design, construct, operate, maintain and finance the Jefferson Parkway. All basic permits and review processes were granted and permitted. Interest rates were low, and materials were readily available.

In the course of taking one more set of soils samples to be shared with the finalists, there was one anomalous reading that caused the Board to pause while the Colorado Department of Public Health and Environment (CDPHE) reviewed the sample, the sampling protocol, the lab testing procedures and then secure a third party to review the same. Ultimately, CDPHE reaffirmed their long-held determination that the lands surrounding the Central Operating Unit of the former Rocky Flats site were safe for 'unlimited use and unlimited duration.' In other words, the Jefferson Parkway could proceed with construction and operation on the eastern edge of the Rocky Flats Wildlife Refuge. As an extra measure CDPHE and the Authority had developed a voluntary memorandum of understanding regarding extra measures the Authority would require for keeping dust to an absolute minimum during construction along with an air monitoring process to test for any radiological material.

Prior to CDPHE's determination, the Broomfield Council elected to not fund its share of the 2019 JPPHA budget and subsequently voted its intent to withdraw its membership to the Parkway Authority. Members can withdraw only on the unanimous consent of the other members which has not been granted to date. Around the same time, the pandemic began throughout the United States and the Parkway was put in hiatus.

With the unresolved status of Broomfield, Arvada has generously provided approximately \$49,000 in 2021 and 2022 for hard costs incurred by the Authority, primarily legal and engineering costs associated with the review of new developments adjoining the parkway right of way to ensure compatibility of drainage, access, or

easements. In addition, Arvada continues to absorb the costs of the executive director (now a part time hourly employee) as well as providing office space, tech support and other office expenses.

FINAL 2021 BUDGET

The budget for the year 2021 reflects the actual expenses incurred and absorbed by Arvada in the amount of \$13,076 dollars. State law requires there be an adopted budget for these expenditures.

FINAL 2022 BUDGET

The budget for the year 2022 reflects the actual expenses incurred and absorbed by Arvada in the amount of \$43,094 dollars. State law requires there be an adopted budget for these expenditures.

PROPOSED 2023 BUDGET

The proposal is for a total of \$38,500, to maintain the Authority at a minimum level of function. The principal costs are for staff (Bill Ray and Chris Koch) as well as legal and engineering review costs. Any progress toward the construction of the Parkway will depend on the outcome of the current discussions with Broomfield and any subsequent course of action agreed to by Jefferson County and Arvada. Until such time, the Authority will undertake only those activities that maintain the integrity of the right of way and the Authority as a viable entity.

Respectfully submitted,

William A. Ray, Jr.

Executive Director,
Jefferson Parkway
Public Highway Authority

Jefferson Parkway Public Highway Authority
2021 Budget Final Amended
As of January 12, 2023

	<i>2019 Actual</i> <i>UNAUDITED</i>	<i>2019 Actual</i> <i>AUDITED</i>	<i>2020 Actual</i> <i>UNAUDITED</i>	<i>2021 Budget</i> <i>PROPOSED</i>
<i>Beginning FB</i>	\$ (89,525)	\$ (89,525)	\$ 38,982	\$ 7,670
REVENUES				
Member Contributions	\$ 4,025,000	\$ 4,025,000	\$ 131,792	\$ 3,761
Interest	\$ 10,940	\$ 10,940	\$ 815	\$ 102
	<u>\$ 4,035,940</u>	<u>\$ 4,035,940</u>	<u>\$ 132,607</u>	<u>\$ 3,863</u>
EXPENDITURES				
Trainings and Meetings	\$ 1,336	\$ 1,336		\$ 275
Print/Mail/Supplies	\$ 125	\$ 125		\$ 350
Dues	\$ 75	\$ 75		\$ 113
Insurance (CIRSA)	\$ 3,445	\$ 3,445	\$ 3,467	\$ 3,680
Haynie/Audit	\$ 6,675	\$ 6,675	\$ 6,200	
Misc	\$ 8,709	\$ 9,656	\$ 953	
PROFESSIONAL SERVICES				
Executive Director	\$ 97,186	\$ 116,623		
Support Staff	\$ 52,838	\$ 52,838	\$ 14,888	\$ 3,250
Icenogle	\$ 72,255	\$ 72,255	\$ 37,241	\$ 4,663
Squire Patton Boggs	\$ 185,482	\$ 185,482	\$ 7,046	
Jones and Keller (H. Kenison)	\$ 98,091	\$ 98,091	\$ (23,999)	\$ (308)
Clifton	\$ 1,421	\$ 1,421	\$ 871	
HC Peck	\$ 14,558	\$ 14,558		
Public Information Officer				
Peak Facilitation				
The Antero Company	\$ 75,000	\$ 75,000		
Venable LLP	\$ 141,936	\$ 141,936		
Ballard Spahr LLP	\$ -	\$ -		
CDM Smith				
Ernst & Young	\$ -	\$ -		
Ames and Gough	\$ 3,710	\$ 3,710		
Ostrander & Dingess	\$ 8,292	\$ 8,292		
HDR Engineering - includes RMMA	\$ 836,608	\$ 1,013,634	\$ 71,334	\$ 1,052
GBSM Inc	\$ 85,969	\$ 85,969	\$ 18,206	
<i>Section 1601</i>				
LS Gallegos				
<i>ROW Work</i>	\$ 29,446	\$ 29,446	\$ 432	
<i>1601 Process oversight</i>				
Development/Implementation				
<i>Project Feasibility Phase</i>				
<i>RFQ/RFP Documents (Ashurst LLP)</i>	\$ 915,289	\$ 915,289		
<i>RFP Analysis/contract negotiations</i>				
<i>Land and Easement Acquisitions</i>	\$ 1,071,580	\$ 1,071,580	\$ 27,281	
CDOT Sec 1601 Oversight	\$ -	\$ -		
<i>3% Emergency Reserve</i>				
<i>Contingency (2% of budget)</i>				
	<u>\$3,710,023</u>	<u>\$3,907,433</u>	<u>\$163,919</u>	<u>\$13,076</u>
<i>Ending FB</i>	\$236,391	\$38,982	\$ 7,670	\$ (1,543)
		\$197,410		

STATE OF COLORADO
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY
2022 BUDGET RESOLUTION

The Board of Directors of the Jefferson Parkway Public Highway Authority, State of Colorado, held a special meeting at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80002 on Thursday, January 19, 2023 at the hour of 3:00 P.M., at which a quorum of the Board of Directors was present.

Counsel reported that, prior to the meeting, each of the directors had been notified of the date, time and place of this meeting and the purpose for which it was called. It was further reported that this meeting is a special meeting of the Board of Directors of the Jefferson Parkway Public Highway Authority and that a notice of special meeting has been posted in accordance with Section 24-6-402, C.R.S. and as prescribed in the resolution on annual actions regarding meetings and notices, adopted at the January 17, 2019 meeting of the Jefferson Parkway Public Highway Authority and to the best of counsel's knowledge, remains posted to the date of this meeting. A copy of the Notice of Special Meeting, which was used for this purpose and an original publisher's Affidavit of Publication are attached hereto as **Exhibit A** and incorporated herein by this reference.

Thereupon, Commissioner _____ introduced and moved the adoption of the following Resolution:

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

Resolution 22-02

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 2022 and Ending on the Last Day of December 2022.

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 January 13, 2023 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, January 19, 2023 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 2022 Revenues and 2022 Expenditures. That the estimated revenues and expenditures for each fund for fiscal year 2022, 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 2022.

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, 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 foregoing Resolution was seconded by _____.

ADOPTED AND APPROVED ON THE 19th DAY OF JANUARY, 2023.

(SEAL)

JEFFERSON PARKWAY PUBLIC HIGHWAY
AUTHORITY

By: David Jones
Its: Chairman

ATTEST:

By: _____
Its: Secretary

STATE OF COLORADO
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

I, David Jones, hereby certify that I am a director and the duly elected and qualified Chairman of the Jefferson Parkway Public Highway Authority (the "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 special meeting of the Board of Directors of the Jefferson Parkway Public Highway Authority held on Thursday, January 19, 2023, at 3:00 P.M. as recorded in the official record of the proceedings of the Authority, insofar as said proceedings relate to the budget hearing for fiscal year 2022; 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 January, 2023.

(SEAL)

David Jones, Chairman

EXHIBIT A

Notice of Special Meeting
Affidavit of Publication
Notice as to Proposed 2022 Budget



JEFFERSON

P A R K W A Y

NOTICE OF SPECIAL BOARD MEETING OF THE JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

TO BE HELD

Thursday, January 19, 2023
Arvada City Hall
8101 Ralston Rd., Arvada, CO

3:00 p.m.
Council Conference Room, 3rd 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 a Special Board Meeting on Thursday, January 19, 2023 at 3:00 p.m. 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.

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Public Comment
- IV. Election of Officers
 - A. Role of Elected Officers
 - B. Election of Chair; Vice-Chair; Treasurer; Secretary
- V. Approval of Minutes

- A. December 19, 2019
- B. December 21, 2022

- VI. New Business
 - A. Set JPPHA Board Meeting dates for 2023

- VII. Public Hearings on Proposed Budgets:
 - A. Public Hearing – 2021 Budget
Adopt Resolution 22-01, 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 2021 and Ending on the Last Day of December 2021 (Attached)

 - B. Public Hearing – 2022 Budget
Adopt Resolution 22-02, 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 2022 and Ending on the Last Day of December 2022 (Attached)

 - C. Public Hearing – 2023 Budget
Adopt Resolution 22-03, 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 2023 and Ending on the Last Day of December 2023 (Attached)

- VIII. Engagement of Fiscal Focus Partners for Audit matters

- IX. Broomfield Withdrawal

- X. Report of the General Counsel
 - A. Website Updates and Compliance with HB21-1110

- XI. Report from the Board of Directors

- XII. Adjournment

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

Posted this 12th day of January, 2023

PUBLIC NOTICE

NOTICE AS TO PROPOSED 2022 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 year of 2022. A copy of such proposed budget has been filed at the office of Jefferson Parkway Public Highway Authority, where same is available for public inspection at the JPPHA offices located at 5555 West 56th Avenue, Arvada, Colorado 80002. Please call to schedule for an appointment (720) 898-7020 as the office is normally not staffed. Such proposed budget will be considered at a public hearing at a special meeting of the Jefferson Parkway Public Highway Authority to be held on January 19, 2023 at 3:00 p.m. in the third floor conference room at Arvada City Hall, 8101 Ralston Rd, Arvada, Colorado 80002. Any interested persons 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 2022 budget.

BY ORDER OF THE EXECUTIVE DIRECTOR:

JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

Publish on: January 13, 2023
Publish in: *Denver Post*

EXHIBIT B

Budget Document
Budget Message



JEFFERSON

P A R K W A Y

BUDGET MESSAGE FOR PROPOSED 2023 JPPHA BUDGET AND THE FINAL BUDGETS FOR 2021 AND 2022

January 13, 2023

The world is a different place since the adoption of the 2020 budget. In the year 2019, the Authority was on the cusp of issuing a Request for Proposal to the three finalists identified from a rigorous Request for Qualifications process that resulted in extremely qualified teams to be the preferred private partner to design, construct, operate, maintain and finance the Jefferson Parkway. All basic permits and review processes were granted and permitted. Interest rates were low, and materials were readily available.

In the course of taking one more set of soils samples to be shared with the finalists, there was one anomalous reading that caused the Board to pause while the Colorado Department of Public Health and Environment (CDPHE) reviewed the sample, the sampling protocol, the lab testing procedures and then secure a third party to review the same. Ultimately, CDPHE reaffirmed their long-held determination that the lands surrounding the Central Operating Unit of the former Rocky Flats site were safe for 'unlimited use and unlimited duration.' In other words, the Jefferson Parkway could proceed with construction and operation on the eastern edge of the Rocky Flats Wildlife Refuge. As an extra measure CDPHE and the Authority had developed a voluntary memorandum of understanding regarding extra measures the Authority would require for keeping dust to an absolute minimum during construction along with an air monitoring process to test for any radiological material.

Prior to CDPHE's determination, the Broomfield Council elected to not fund its share of the 2019 JPPHA budget and subsequently voted its intent to withdraw its membership to the Parkway Authority. Members can withdraw only on the unanimous consent of the other members which has not been granted to date. Around the same time, the pandemic began throughout the United States and the Parkway was put in hiatus.

With the unresolved status of Broomfield, Arvada has generously provided approximately \$49,000 in 2021 and 2022 for hard costs incurred by the Authority, primarily legal and engineering costs associated with the review of new developments adjoining the parkway right of way to ensure compatibility of drainage, access, or

easements. In addition, Arvada continues to absorb the costs of the executive director (now a part time hourly employee) as well as providing office space, tech support and other office expenses.

FINAL 2021 BUDGET

The budget for the year 2021 reflects the actual expenses incurred and absorbed by Arvada in the amount of \$13,076 dollars. State law requires there be an adopted budget for these expenditures.

FINAL 2022 BUDGET

The budget for the year 2022 reflects the actual expenses incurred and absorbed by Arvada in the amount of \$43,094 dollars. State law requires there be an adopted budget for these expenditures.

PROPOSED 2023 BUDGET

The proposal is for a total of \$38,500, to maintain the Authority at a minimum level of function. The principal costs are for staff (Bill Ray and Chris Koch) as well as legal and engineering review costs. Any progress toward the construction of the Parkway will depend on the outcome of the current discussions with Broomfield and any subsequent course of action agreed to by Jefferson County and Arvada. Until such time, the Authority will undertake only those activities that maintain the integrity of the right of way and the Authority as a viable entity.

Respectfully submitted,

William A. Ray, Jr.

Executive Director,
Jefferson Parkway
Public Highway Authority

Jefferson Parkway Public Highway Authority
2022 Revised and Final
As of January 12, 2023

	<i>2019 Actual</i> <i>UNAUDITED</i>	<i>2019 Actual</i> <i>AUDITED</i>	<i>2020 Actual</i> <i>UNAUDITED</i>	<i>2021 Actual</i> <i>UNAUDITED</i>	<i>2022 Budget</i> <i>PROPOSED</i>
<i>Beginning FB</i>	\$ (89,525)	\$ (89,525)	\$ 38,982	\$ 7,670	\$ (1,543)
REVENUES					
Member Contributions	\$ 4,025,000	\$ 4,025,000	\$ 131,792	\$ 3,761	\$ 45,000
Interest	\$ 10,940	\$ 10,940	\$ 815	\$ 102	
	<u>\$ 4,035,940</u>	<u>\$ 4,035,940</u>	<u>\$ 132,607</u>	<u>\$ 3,863</u>	<u>\$ 45,000</u>
EXPENDITURES					
Trainings and Meetings	\$ 1,336	\$ 1,336		\$ 275	\$ 50
Print/Mail/Supplies	\$ 125	\$ 125		\$ 350	\$ 50
Dues	\$ 75	\$ 75		\$ 113	\$ 74
Insurance (CIRSA)	\$ 3,445	\$ 3,445	\$ 3,467	\$ 3,680	\$ 1,870
Haynie/Audit	\$ 6,675	\$ 6,675	\$ 6,200		
Misc	\$ 8,709	\$ 9,656	\$ 953		\$ 750
PROFESSIONAL SERVICES					
Executive Director	\$ 97,186	\$ 116,623			
Support Staff	\$ 52,838	\$ 52,838	\$ 14,888	\$ 3,250	\$ 10,000
Icenogle	\$ 72,255	\$ 72,255	\$ 37,241	\$ 4,663	\$ 26,500
Squire Patton Boggs	\$ 185,482	\$ 185,482	\$ 7,046		
Jones and Keller (H. Kenison)	\$ 98,091	\$ 98,091	\$ (23,999)	\$ (308)	
Clifton	\$ 1,421	\$ 1,421	\$ 871		\$ 1,300
HC Peck	\$ 14,558	\$ 14,558			
Public Information Officer					
Peak Facilitation					
The Antero Company	\$ 75,000	\$ 75,000			
Venable LLP	\$ 141,936	\$ 141,936			
Ballard Spahr LLP	\$ -	\$ -			
CDM Smith					
Ernst & Young	\$ -	\$ -			
Ames and Gough	\$ 3,710	\$ 3,710			
Ostrander & Dingess	\$ 8,292	\$ 8,292			
HDR Engineering - includes RMMA	\$ 836,608	\$ 1,013,634	\$ 71,334	\$ 1,052	\$ 2,500
GBSM Inc	\$ 85,969	\$ 85,969	\$ 18,206		
<i>Section 1601</i>					
LS Gallegos					
<i>ROW Work</i>	\$ 29,446	\$ 29,446	\$ 432		
<i>1601 Process oversight</i>					
Development/Implementation					
<i>Project Feasibility Phase</i>					
<i>RFQ/RFP Documents (Ashurst LLP)</i>	\$ 915,289	\$ 915,289			
<i>RFP Analysis/contract negotiations</i>					
<i>Land and Easement Acquisitions</i>	\$ 1,071,580	\$ 1,071,580	\$ 27,281		
CDOT Sec 1601 Oversight	\$ -	\$ -			
<i>3% Emergency Reserve</i>					
<i>Contingency (2% of budget)</i>					
	<u>\$3,710,023</u>	<u>\$3,907,433</u>	<u>\$163,919</u>	<u>\$13,076</u>	<u>\$43,094</u>
<i>Ending FB</i>	\$236,391	\$38,982	\$ 7,670	\$ (1,543)	\$ 363
		\$197,410			

STATE OF COLORADO
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY
2023 BUDGET RESOLUTION

The Board of Directors of the Jefferson Parkway Public Highway Authority, State of Colorado, held a special meeting at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80002 on Thursday, January 19, 2023 at the hour of 3:00 P.M., at which a quorum of the Board of Directors was present.

Counsel reported that, prior to the meeting, each of the directors had been notified of the date, time and place of this meeting and the purpose for which it was called. It was further reported that this meeting is a special meeting of the Board of Directors of the Jefferson Parkway Public Highway Authority and that a notice of special meeting has been posted in accordance with Section 24-6-402, C.R.S. and as prescribed in the resolution on annual actions regarding meetings and notices, adopted at the January 17, 2019 meeting of the Jefferson Parkway Public Highway Authority and to the best of counsel's knowledge, remains posted to the date of this meeting. A copy of the Notice of Special Meeting, which was used for this purpose and an original publisher's Affidavit of Publication are attached hereto as **Exhibit A** and incorporated herein by this reference.

Thereupon, Commissioner _____ introduced and moved the adoption of the following Resolution:

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

Resolution 22-03

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 2023 and Ending on the Last Day of December 2023.

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 January 13, 2023 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, January 19, 2023 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 2023 Revenues and 2023 Expenditures. That the estimated revenues and expenditures for each fund for fiscal year 2023, 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 2023.

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, 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 foregoing Resolution was seconded by _____.

ADOPTED AND APPROVED ON THE 19th DAY OF JANUARY, 2023.

(SEAL)

JEFFERSON PARKWAY PUBLIC HIGHWAY
AUTHORITY

By: David Jones
Its: Chairman

ATTEST:

By: _____
Its: Secretary

STATE OF COLORADO
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

I, David Jones, hereby certify that I am a director and the duly elected and qualified Chairman of the Jefferson Parkway Public Highway Authority (the "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 special meeting of the Board of Directors of the Jefferson Parkway Public Highway Authority held on Thursday, January 19, 2023, at 3:00 P.M. as recorded in the official record of the proceedings of the Authority, insofar as said proceedings relate to the budget hearing for fiscal year 2023; 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 January, 2023.

(SEAL)

David Jones, Chairman

EXHIBIT A

Notice of Special Meeting
Affidavit of Publication
Notice as to Proposed 2023 Budget



JEFFERSON

P A R K W A Y

NOTICE OF SPECIAL BOARD MEETING OF THE JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

TO BE HELD

Thursday, January 19, 2023
Arvada City Hall
8101 Ralston Rd., Arvada, CO

3:00 p.m.
Council Conference Room, 3rd 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 a Special Board Meeting on Thursday, January 19, 2023 at 3:00 p.m. 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.

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Public Comment
- IV. Election of Officers
 - A. Role of Elected Officers
 - B. Election of Chair; Vice-Chair; Treasurer; Secretary
- V. Approval of Minutes

- A. December 19, 2019
- B. December 21, 2022

- VI. New Business
 - A. Set JPPHA Board Meeting dates for 2023

- VII. Public Hearings on Proposed Budgets:
 - A. Public Hearing – 2021 Budget
Adopt Resolution 22-01, 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 2021 and Ending on the Last Day of December 2021 (Attached)

 - B. Public Hearing – 2022 Budget
Adopt Resolution 22-02, 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 2022 and Ending on the Last Day of December 2022 (Attached)

 - C. Public Hearing – 2023 Budget
Adopt Resolution 22-03, 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 2023 and Ending on the Last Day of December 2023 (Attached)

- VIII. Engagement of Fiscal Focus Partners for Audit matters

- IX. Broomfield Withdrawal

- X. Report of the General Counsel
 - A. Website Updates and Compliance with HB21-1110

- XI. Report from the Board of Directors

- XII. Adjournment

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

Posted this 12th day of January, 2023

PUBLIC NOTICE

**NOTICE AS TO PROPOSED 2023 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 2023. A copy of such proposed budget has been filed at the office of Jefferson Parkway Public Highway Authority, where same is available for public inspection at the JPPHA offices located at 5555 West 56th Avenue, Arvada, Colorado 80002. Please call to schedule for an appointment (720) 898-7020 as the office is normally not staffed. Such proposed budget will be considered at a public hearing at a special meeting of the Jefferson Parkway Public Highway Authority to be held on January 19, 2023 at 3:00 p.m. in the third floor conference room at Arvada City Hall, 8101 Ralston Rd, Arvada, Colorado 80002. Any interested persons 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 2023 budget.

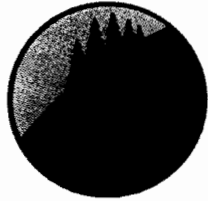
BY ORDER OF THE EXECUTIVE DIRECTOR:

JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

Publish on: January 13, 2023
Publish in: *Denver Post*

EXHIBIT B

Budget Message
Budget Document



JEFFERSON

P A R K W A Y

BUDGET MESSAGE FOR PROPOSED 2023 JPPHA BUDGET AND THE FINAL BUDGETS FOR 2021 AND 2022

January 13, 2023

The world is a different place since the adoption of the 2020 budget. In the year 2019, the Authority was on the cusp of issuing a Request for Proposal to the three finalists identified from a rigorous Request for Qualifications process that resulted in extremely qualified teams to be the preferred private partner to design, construct, operate, maintain and finance the Jefferson Parkway. All basic permits and review processes were granted and permitted. Interest rates were low, and materials were readily available.

In the course of taking one more set of soils samples to be shared with the finalists, there was one anomalous reading that caused the Board to pause while the Colorado Department of Public Health and Environment (CDPHE) reviewed the sample, the sampling protocol, the lab testing procedures and then secure a third party to review the same. Ultimately, CDPHE reaffirmed their long-held determination that the lands surrounding the Central Operating Unit of the former Rocky Flats site were safe for 'unlimited use and unlimited duration.' In other words, the Jefferson Parkway could proceed with construction and operation on the eastern edge of the Rocky Flats Wildlife Refuge. As an extra measure CDPHE and the Authority had developed a voluntary memorandum of understanding regarding extra measures the Authority would require for keeping dust to an absolute minimum during construction along with an air monitoring process to test for any radiological material.

Prior to CDPHE's determination, the Broomfield Council elected to not fund its share of the 2019 JPPHA budget and subsequently voted its intent to withdraw its membership to the Parkway Authority. Members can withdraw only on the unanimous consent of the other members which has not been granted to date. Around the same time, the pandemic began throughout the United States and the Parkway was put in hiatus.

With the unresolved status of Broomfield, Arvada has generously provided approximately \$49,000 in 2021 and 2022 for hard costs incurred by the Authority, primarily legal and engineering costs associated with the review of new developments adjoining the parkway right of way to ensure compatibility of drainage, access, or

easements. In addition, Arvada continues to absorb the costs of the executive director (now a part time hourly employee) as well as providing office space, tech support and other office expenses.

FINAL 2021 BUDGET

The budget for the year 2021 reflects the actual expenses incurred and absorbed by Arvada in the amount of \$13,076 dollars. State law requires there be an adopted budget for these expenditures.

FINAL 2022 BUDGET

The budget for the year 2022 reflects the actual expenses incurred and absorbed by Arvada in the amount of \$43,094 dollars. State law requires there be an adopted budget for these expenditures.

PROPOSED 2023 BUDGET

The proposal is for a total of \$38,500, to maintain the Authority at a minimum level of function. The principal costs are for staff (Bill Ray and Chris Koch) as well as legal and engineering review costs. Any progress toward the construction of the Parkway will depend on the outcome of the current discussions with Broomfield and any subsequent course of action agreed to by Jefferson County and Arvada. Until such time, the Authority will undertake only those activities that maintain the integrity of the right of way and the Authority as a viable entity.

Respectfully submitted,

William A. Ray, Jr.

Executive Director,
Jefferson Parkway
Public Highway Authority

Jefferson Parkway Public Highway Authority
2023 Proposed Budget
As of January 12, 2023

	<i>2019 Actual UNAUDITED</i>	<i>2019 Actual AUDITED</i>	<i>2020 Actual UNAUDITED</i>	<i>2021 Actual UNAUDITED</i>	<i>2022 Estimate UNAUDITED</i>	<i>2023 Budget PROPOSED</i>
<i>Beginning FB</i>	\$ (89,525)	\$ (89,525)	\$ 38,982	\$ 7,670	\$ (1,543)	\$ 363
REVENUES						
Member Contributions	\$ 4,025,000	\$ 4,025,000	\$ 131,792	\$ 3,761	\$ 45,000	\$ 38,000
Interest	\$ 10,940	\$ 10,940	\$ 815	\$ 102	\$	\$ 500
	<u>\$ 4,035,940</u>	<u>\$ 4,035,940</u>	<u>\$ 132,607</u>	<u>\$ 3,863</u>	<u>\$ 45,000</u>	<u>\$ 38,500</u>
EXPENDITURES						
Trainings and Meetings	\$ 1,336	\$ 1,336	\$	\$ 275	\$ 50	\$ 100
Print/Mail/Supplies	\$ 125	\$ 125	\$	\$ 350	\$ 50	\$ 100
Dues	\$ 75	\$ 75	\$	\$ 113	\$ 74	\$
Insurance (CIRSA)	\$ 3,445	\$ 3,445	\$ 3,467	\$ 3,680	\$ 1,870	\$ 1,880
Haynie/Audit	\$ 6,675	\$ 6,675	\$ 6,200	\$	\$	\$ 5,800
Misc	\$ 8,709	\$ 9,656	\$ 953	\$	\$ 750	\$
PROFESSIONAL SERVICES						
Executive Director	\$ 97,186	\$ 116,623	\$	\$	\$	\$ 10,000
Support Staff	\$ 52,838	\$ 52,838	\$ 14,888	\$ 3,250	\$ 10,000	\$ 5,000
Icenogle	\$ 72,255	\$ 72,255	\$ 37,241	\$ 4,663	\$ 26,500	\$ 10,000
Squire Patton Boggs	\$ 185,482	\$ 185,482	\$ 7,046	\$	\$	\$
Jones and Keller (H. Kenison)	\$ 98,091	\$ 98,091	\$ (23,999)	\$ (308)	\$	\$
Clifton	\$ 1,421	\$ 1,421	\$ 871	\$	\$ 1,300	\$
HC Peck	\$ 14,558	\$ 14,558	\$	\$	\$	\$
Public Information Officer	\$	\$	\$	\$	\$	\$
Peak Facilitation	\$	\$	\$	\$	\$	\$
The Antero Company	\$ 75,000	\$ 75,000	\$	\$	\$	\$
Venable LLP	\$ 141,936	\$ 141,936	\$	\$	\$	\$
Ballard Spahr LLP	\$ -	\$ -	\$	\$	\$	\$
CDM Smith	\$	\$	\$	\$	\$	\$
Ernst & Young	\$ -	\$ -	\$	\$	\$	\$
Ames and Gough	\$ 3,710	\$ 3,710	\$	\$	\$	\$
Ostrander & Dingess	\$ 8,292	\$ 8,292	\$	\$	\$	\$
HDR Engineering - includes RMMA	\$ 836,608	\$ 1,013,634	\$ 71,334	\$ 1,052	\$ 2,500	\$ 3,000
GBSM Inc	\$ 85,969	\$ 85,969	\$ 18,206	\$	\$	\$ 1,500
<i>Section 1601</i>	\$	\$	\$	\$	\$	\$
LS Gallegos	\$	\$	\$	\$	\$	\$
<i>ROW Work</i>	\$ 29,446	\$ 29,446	\$ 432	\$	\$	\$
<i>1601 Process oversight</i>	\$	\$	\$	\$	\$	\$
Development/Implementation	\$	\$	\$	\$	\$	\$
<i>Project Feasibility Phase</i>	\$	\$	\$	\$	\$	\$
<i>RFQ/RFP Documents (Ashurst LLP)</i>	\$ 915,289	\$ 915,289	\$	\$	\$	\$
<i>RFP Analysis/contract negotiations</i>	\$	\$	\$	\$	\$	\$
<i>Land and Easement Acquisitions</i>	\$ 1,071,580	\$ 1,071,580	\$ 27,281	\$	\$	\$
CDOT Sec 1601 Oversight	\$ -	\$ -	\$	\$	\$	\$
<i>3% Emergency Reserve</i>	\$	\$	\$	\$	\$	\$ 1,120
Contingency (2% of budget)	\$	\$	\$	\$	\$	\$
	<u>\$3,710,023</u>	<u>\$3,907,433</u>	<u>\$163,919</u>	<u>\$13,076</u>	<u>\$43,094</u>	<u>\$38,500</u>
<i>Ending FB</i>	\$236,391	\$38,982	\$ 7,670	\$ (1,543)	\$ 363	\$ 363
	\$	\$197,410	\$	\$	\$	\$