

AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS

Date: Monday, April 24, 2023

Time: 3:30 p.m.

Place: **REMOTE VIDEO CONFERENCE**

Please click the link below to join the webinar.

<https://us06web.zoom.us/j/89802666717?pwd=Z0Y3N2ViRUNsM2pBL3VHYVpMVCszZz09>

Meeting ID: 898 0266 6717

Passcode: 595168

Phone: +1 720 707 2699

1. Call to Order
2. Public Comments Regarding Non-Agenda Item
3. Consent Agenda Items
 - 3(a) Approval of Minutes for March 7, 2023 Board Meeting (enclosure)
 - 3(b) Financial Report for the Northwest Parkway Public Highway Authority (enclosure)
4. Authority Business
 - 4(a) Quarterly Report from Pedro Costa, Chief Executive Officer, Northwest Parkway LLC (enclosure)
 - 4(b) Independent Auditor's Annual Report on the Northwest Parkway, LLC Financial Statements for Years Ended December 31, 2022; and Chief Financial Officer's Certification (enclosure)
5. General Counsel's Report
 - 5(a) Provide Update on Traffic Study and Redtail Ridge Referral Process (enclosure)
6. Other Business as Requested by Board Members
 - 6(a) Authority Overview Presentation
7. **ADJOURN INTO EXECUTIVE SESSION IF DESIRED BY THE BOARD** Pursuant to §24-6-402(4)(e), C.R.S. to receive legal advice, develop negotiating positions, strategy, or instruct negotiators, pursuant to §24-6-402(4)(b), C.R.S. to consult attorney on specific legal questions, pursuant to §24-6-402(4)(a) for the purposes of discussing the purchase, sale, acquisition, lease, transfer or sale of real, personal or other property related to the Redtail Ridge Off-site Improvements
8. Next Regular Meeting Date – Monday, July 24th, 2023 at 3:30 p.m.

Adjourn Meeting



NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY

BOARD OF DIRECTORS – AGENDA MEMORANDUM

FOR: Board Meeting – April 24, 2023

TO: Board of Directors

FROM: Joel Meggers, Managing Administrator for the Northwest Parkway Public Highway Authority

SUBJECT: **Agenda Item 3(a): Approval of Minutes for March 7, 2023, Board Meeting**

The minutes from the March 7, 2023, Board meeting are attached for the Board’s review.

Recommended Motion:

If the Board wishes to approve the minutes, as presented, the following motion is recommended:

That the minutes for the March 7, 2023, meeting be approved.

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY

Held at 1:00 PM on MARCH 7, 2023 via online meeting at:

Join Zoom Meeting

<https://us06web.zoom.us/j/89434998680?pwd=c0Y0eWxWTHpaU1RpMDd2MEpaZ2MzQT09>

and via telephone conference at Dial In: 719 359 4580, Meeting ID: 894 3499 8680; Passcode:
458714

ATTENDANCE

The special meeting of the Board of Directors (the “Board”) of the Northwest Parkway Public Highway Authority (the “Authority”) was called and held via ZOOM virtual meeting as shown, in accordance with Colorado law. The following Directors were present:

Austin Ward, Chair and Secretary of the Board
(Councilmember, *City and County of Broomfield*)
Stephanie Walton, Vice Chair and Treasurer of the Board
(*Councilmember, City of Lafayette*)

Also present was:

Joel Meggers, President, Community Resources Services of Colorado

Kayla Blair, Assistant Manager, Community Resources Services of Colorado

Pedro Costa, Executive Director, Northwest Parkway, LLC

Brenda Shuler, Engineering and Maintenance Manager, Northwest Parkway, LLC

Jennifer Hoffman, Broomfield City and County Manager

Nancy Rodgers, Counsel for the City and County of Broomfield

Alicia Corley, Icenogle, Seaver Pogue, P.C

Tamara Seaver, Icenogle, Seaver Pogue, P.C

Russ Dykstra, General Counsel for the Northwest Parkway, LLC

Michael Jewell, Jewell Jimmerson Natural Resources Law LLC

Joe Jehn, Jehn Engineering

Carter Laing, Sundar Engineering

Keely Downs, Moyer White LLP

Marc Painter, Holland & Hart LLP

Mike Hancock, E-470

Ryan Amos, Sterling Bay

Jay Hardy, Land Asset

Michelle Brokaw, Centura

Kurt Kowar, City of Louisville

Rob Zuccaro, City of Louisville

Jeff Durbin, City of Louisville

Mark Hamilton, Holland & Hart, LLP

Evan Pesonen, Sterling Bay

RECORD OF PROCEEDINGS

CALL TO ORDER	Noting the presence of a quorum, Chair Ward called the meeting to order at 1:00 p.m.
PUBLIC COMMENT	None.
CONSENT AGENDA	Approval of Minutes for January 23, 2023 Board Meeting: After discussion, upon motion by Vice Chair Walton seconded by Chair Ward, a vote was taken, and the motion carried unanimously approving the January 23, 2023 Board meeting minutes.
AUTHORITY BUSINESS	<u>Quarterly Report from Pedro Costa:</u> Mr. Costa reported on the traffic breakdown and the toll revenue. He also gave a brief overview of the Marshall Fire toll relief fund. In closing, Mr. Costa reported that the Northwest Parkway, LLC has given notice of increasing the toll rates effective May 1 st ., which is required under the Concession Lease Agreement.
GENERAL COUNSEL'S REPORT	<u>Consider Approval of Easement Agreement for Sundar Project (Owner is Milestone) at the NW Corner of Hwy 287 & Dillon Road:</u> Ms. Corley presented the easement to the Board for granting access, stormwater drainage and utility easements for Sundar, a multi-family project located at the northwest corner of Highway 287 and Dillon Road/Northwest Parkway. Ms. Corley explained the Easement Agreement is in addition to previous easements granted by the Authority for the Sundar project in 2019. Mr. Jehn then gave an overview of the Sundar project and the need for the additional easement requests. After discussion, upon motion by Vice Chair Walton seconded by Chair Ward, a vote was taken, and the motion carried unanimously to approve the Access, Stormwater Drainage and Utility Easement Agreement. <u>Review and Consider Approval of a Traffic Study for the Redtail Ridge Project:</u> Ms. Seaver presented the proposal from Stantec Consulting Services Inc. to the Board for a traffic impact study in the vicinity of the proposed Redtail Ridge and Centura Health Hospital developments. Ms. Seaver presented an overview of the proposal and the anticipated timeline. The Board discussed the data collections for the study and the intersections that would be studied. Ms. Seaver also noted that there might be a potential need for a financial study following the initial traffic impact study. After discussion, upon motion by Vice Chair Walton seconded by Chair Ward, a vote was taken, and the motion carried

RECORD OF PROCEEDINGS

unanimously approved the traffic impact study proposal from Stantec Consulting Services Inc.

Consider Approval of North Metro Fire Station #67 Installing a Sewer Service: Ms. Corley reported that there is no update at this time and that she needed to perform additional research on the previous agreements involving this project.

SPECIAL
REPORT

COUNSEL'S

Review and Discuss Checks issued to Northwest Parkway LLC from Civitas Resources for Mineral Rights: Mr. Jewell has been in touch with a representative of Civitas Resources, Inc. who issued the checks and advised the Board that the checks were made in error. Mr. Jewell reviewed correspondence from Civitas Resources requesting execution of Division Orders to release mineral payments and advised the Board that he would perform additional research.

MANAGING
ADMINISTRATOR'S
REPORT

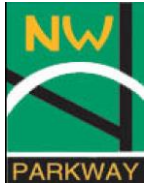
Mr. Meggers provided an update on the Varra Park Project that the plans had been submitted to the City and County of Broomfield for their review and comment.

ADJOURNMENT

Upon a motion made, seconded and upon vote, unanimously carried, the meeting was adjourned at approximately 2:00 p.m.

Respectfully submitted,

Secretary for the Meeting



NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY

BOARD OF DIRECTORS – AGENDA MEMORANDUM

FOR: Board Meeting – April 24, 2023
TO: Board of Directors
FROM: Joel Meggers, Managing Administrator for the Northwest Parkway Public Highway Authority
SUBJECT: **Agenda Item 3(b): Financial Report**

BACKGROUND

The financial report for the Northwest Parkway Public Highway Authority, prepared by Phyllis Brown of Community Resource Services, which includes financial statements for the 1st quarter of 2023 are attached for the Board’s review.

A summary of significant items follows:

- Revenues:** Beginning fund balance has grown from \$2,406,112 at the beginning of the year to \$2,469,731 over the first 3 months of this year.
- Expenditures:** A traffic study has been approved as a new expenditure for 2023. It will be funded by the owners of the Redtail Ridge development project.

Recommended Action

No Board action is required at this time.

NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY
 FINANCIAL REPORT - MODIFIED ACCRUAL (BUDGETARY) BASIS
 AS OF AND FOR THE THREE MONTHS MARCH 31, 2023
 UNAUDITED

Description	Actual 2022	2023 Adopted Budget	ACTUAL - Three Months Ended 3/31/23
Beginning fund balance	\$ 2,210,648	\$ 2,357,732	\$ 2,406,112
Revenues			
Concessionaire payments	336,024	363,735	90,729
Interest	37,153	15,000	26,177
Cost reimbursements	-	30,000	-
Easement	-	20,000	18,713
Total revenues	<u>373,177</u>	<u>428,735</u>	<u>135,619</u>
Expenditures			
Administrative	708	1,200	9
Insurance	1,789	2,000	-
Legal	43,595	45,000	25,177
Management and accounting	97,086	100,000	20,700
Mineral rights	-	15,000	-
Development projects - Redtail Ridge	-	30,000	-
Capital outlay	34,535	500,000	26,114
Total expenditures	<u>177,713</u>	<u>693,200</u>	<u>72,000</u>
Net change in fund balance	195,464	(264,465)	63,619
Ending fund balance	<u>\$ 2,406,112</u>	<u>\$ 2,093,267</u>	<u>\$ 2,469,731</u>

CASH BALANCE AS OF MARCH 31, 2023		
COLOTRUST		\$ 2,263,531
VECTRA BANK		215,044
		<u>\$ 2,478,575</u>

Northwest Parkway LLC Quarterly Report

NWPPHA Board Meeting



TOLL SCHEDULE	
1-2 AXLE VEHICLES	\$4.00
3-4 AXLE VEHICLES	\$6.00
5-6 AXLE VEHICLES	\$8.00
7-8 AXLE VEHICLES	\$10.00
9-10 AXLE VEHICLES	\$12.00
11-12 AXLE VEHICLES	\$14.00
13-14 AXLE VEHICLES	\$16.00
15-16 AXLE VEHICLES	\$18.00
17-18 AXLE VEHICLES	\$20.00
19-20 AXLE VEHICLES	\$22.00
21-22 AXLE VEHICLES	\$24.00
23-24 AXLE VEHICLES	\$26.00
25-26 AXLE VEHICLES	\$28.00
27-28 AXLE VEHICLES	\$30.00
29-30 AXLE VEHICLES	\$32.00
31-32 AXLE VEHICLES	\$34.00
33-34 AXLE VEHICLES	\$36.00
35-36 AXLE VEHICLES	\$38.00
37-38 AXLE VEHICLES	\$40.00
39-40 AXLE VEHICLES	\$42.00
41-42 AXLE VEHICLES	\$44.00
43-44 AXLE VEHICLES	\$46.00
45-46 AXLE VEHICLES	\$48.00
47-48 AXLE VEHICLES	\$50.00
49-50 AXLE VEHICLES	\$52.00
51-52 AXLE VEHICLES	\$54.00
53-54 AXLE VEHICLES	\$56.00
55-56 AXLE VEHICLES	\$58.00
57-58 AXLE VEHICLES	\$60.00
59-60 AXLE VEHICLES	\$62.00
61-62 AXLE VEHICLES	\$64.00
63-64 AXLE VEHICLES	\$66.00
65-66 AXLE VEHICLES	\$68.00
67-68 AXLE VEHICLES	\$70.00
69-70 AXLE VEHICLES	\$72.00
71-72 AXLE VEHICLES	\$74.00
73-74 AXLE VEHICLES	\$76.00
75-76 AXLE VEHICLES	\$78.00
77-78 AXLE VEHICLES	\$80.00
79-80 AXLE VEHICLES	\$82.00
81-82 AXLE VEHICLES	\$84.00
83-84 AXLE VEHICLES	\$86.00
85-86 AXLE VEHICLES	\$88.00
87-88 AXLE VEHICLES	\$90.00
89-90 AXLE VEHICLES	\$92.00
91-92 AXLE VEHICLES	\$94.00
93-94 AXLE VEHICLES	\$96.00
95-96 AXLE VEHICLES	\$98.00
97-98 AXLE VEHICLES	\$100.00
99-100 AXLE VEHICLES	\$102.00

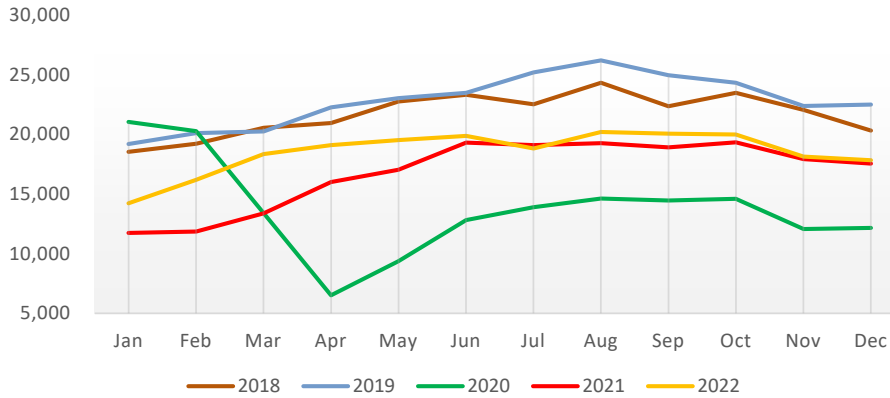


AGENDA

2023 Q1 Report

Traffic History

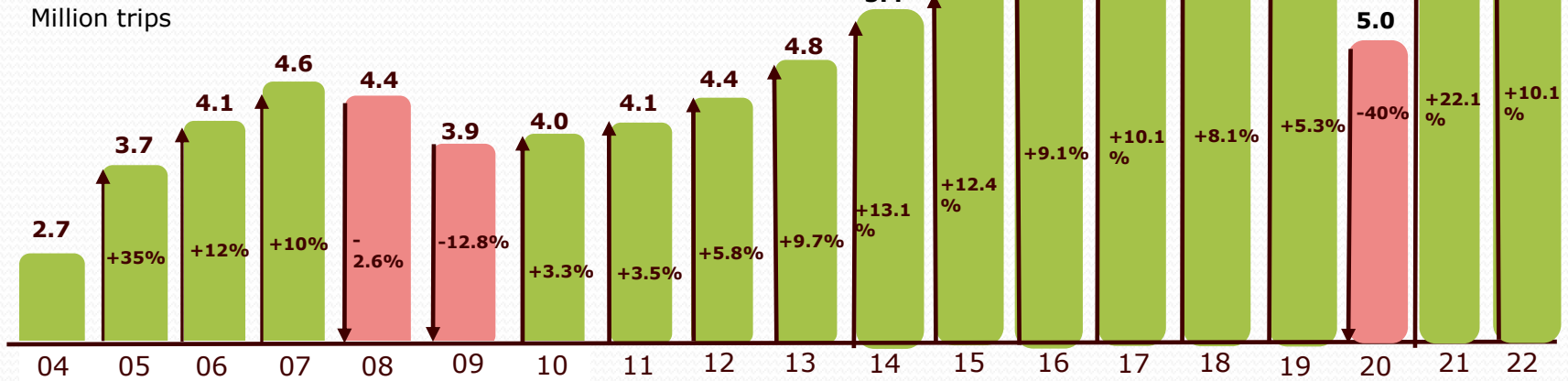
Average Daily Traffic



Northwest Parkway Traffic (trips)



Traffic Evolution



Traffic did not fully recover from the Pandemic

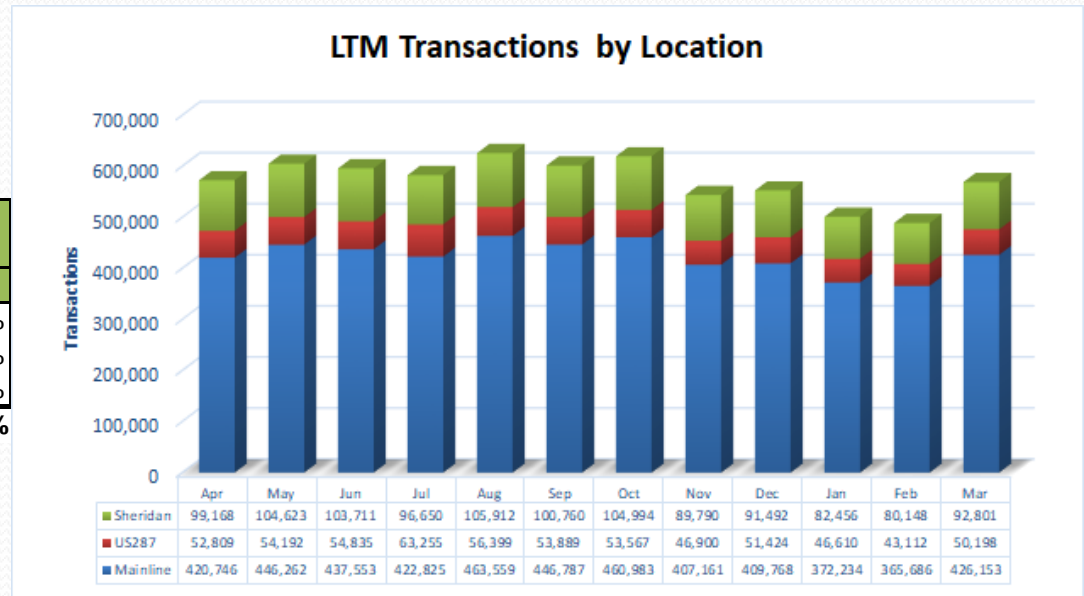


Traffic Breakdown

NWP	2023 Transactions				Traffic Distribution		YoY (%)			
	Mainline	Ramps		Total			Mainline	Ramps	Ramps	
		US 287	Sheridan		US 287	Sheridan				
Jan	372,234	46,610	82,456	501,300	74.3%	25.7%	15.2%	4.9%	13.0%	13.8%
Feb	365,686	43,112	80,148	488,946	74.8%	25.2%	8.9%	4.2%	5.5%	7.9%
Mar	426,153	50,198	92,801	569,152	74.9%	25.1%	4.0%	-17.0%	-5.8%	0.1%
Total	1,164,073	139,920	255,405	1,559,398	74.6%	25.4%	8.9%	-4.4%	3.2%	6.6%

In Q1, traffic trailed between 2016-17 levels. Not having fully recovered to pre-pandemic levels.

Transactions by Payment Type					ETC
2023	GO-PASS	YoY	ExpressToll	YoY	%
Jan	128,148	10.7%	373,152	14.9%	74.4%
Feb	123,425	-0.2%	365,521	11.0%	74.8%
Mar	139,632	-8.7%	429,520	3.3%	75.5%
Total	391,205	-0.3%	1,168,193	9.2%	74.9%

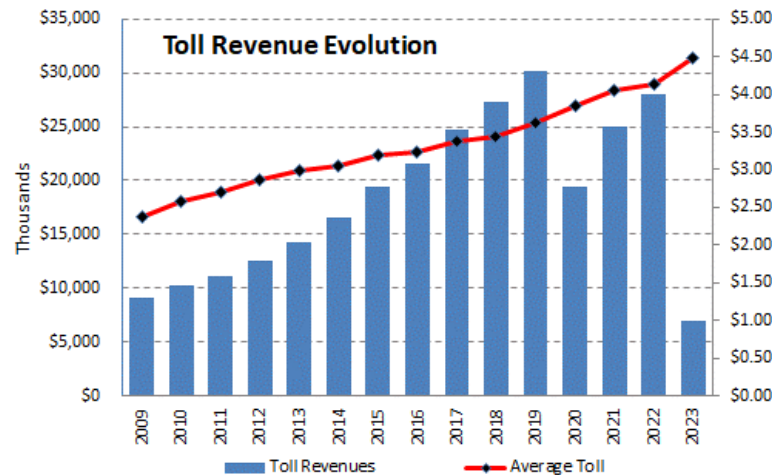
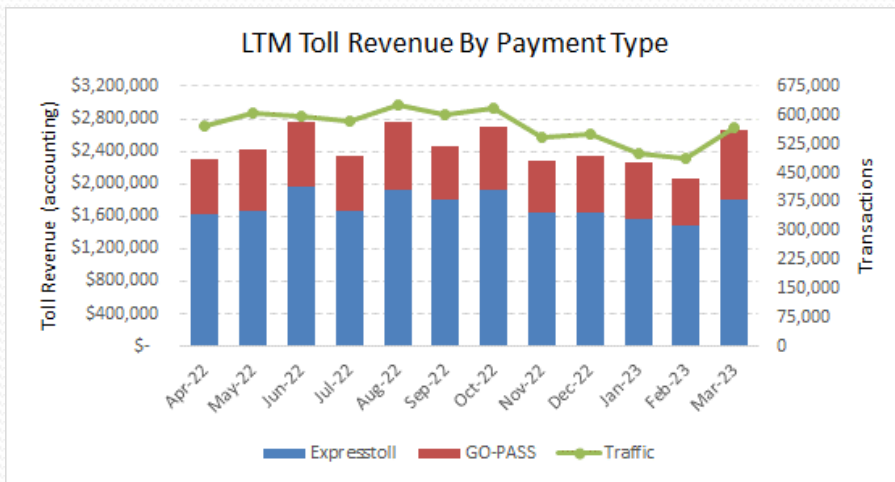


Toll Revenue



2023	Toll Revenues *			2022	Var. 23/22
	ExpressToll	GO-PASS	Total		
Jan	\$ 1,572,052	\$ 681,719	\$ 2,253,771	\$ 1,725,595	30.6%
Feb	\$ 1,490,025	\$ 576,731	\$ 2,066,755	\$ 1,654,667	24.9%
Mar	\$ 1,799,964	\$ 854,143	\$ 2,654,106	\$ 2,231,923	18.9%
Total	\$ 4,862,040	\$ 2,112,592	\$ 6,974,633	\$ 5,612,185	24.3%

* - Includes receivables. Not audited and not final



LTM – Last Twelve Months

Toll revenue increased 24% YTD

Accidents



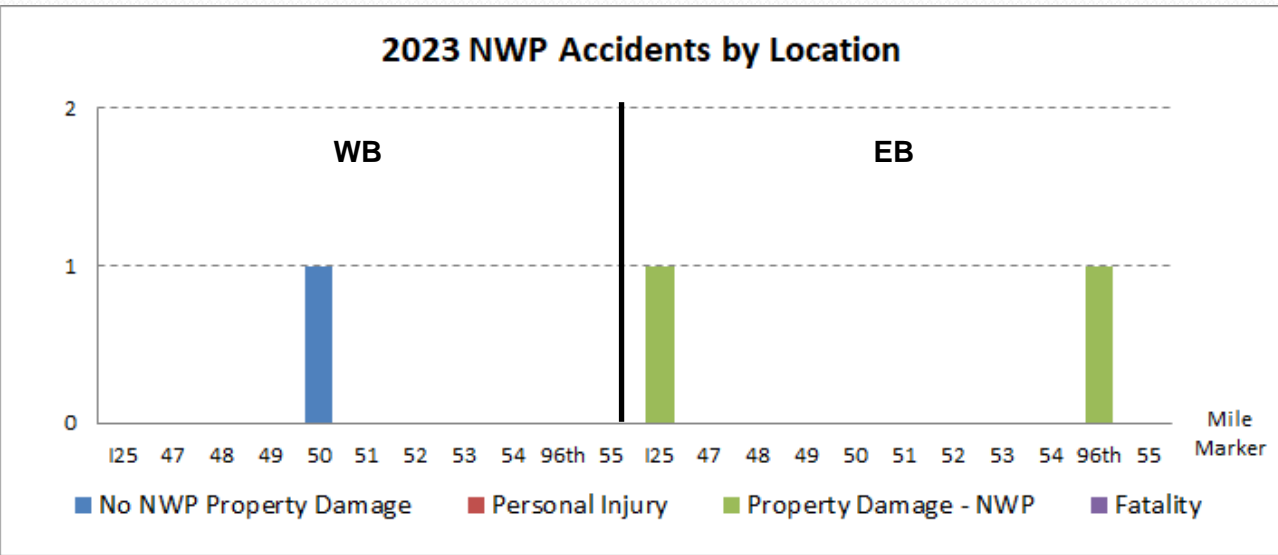
Road Accidents



Hit & Run – Recognized damages from unidentified vehicle;
Vehicular Accident – Reported accidents involving one or more vehicles, with or without damages;
Personal Injury – Reported accidents resulting in some type of personal injury.

Sources: Broomfield Police and Courtesy Patrol Reports.

2023 NWP Accidents by Location

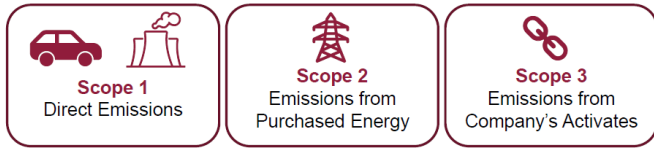


No personal injury accidents to date

NWP Carbon Footprint



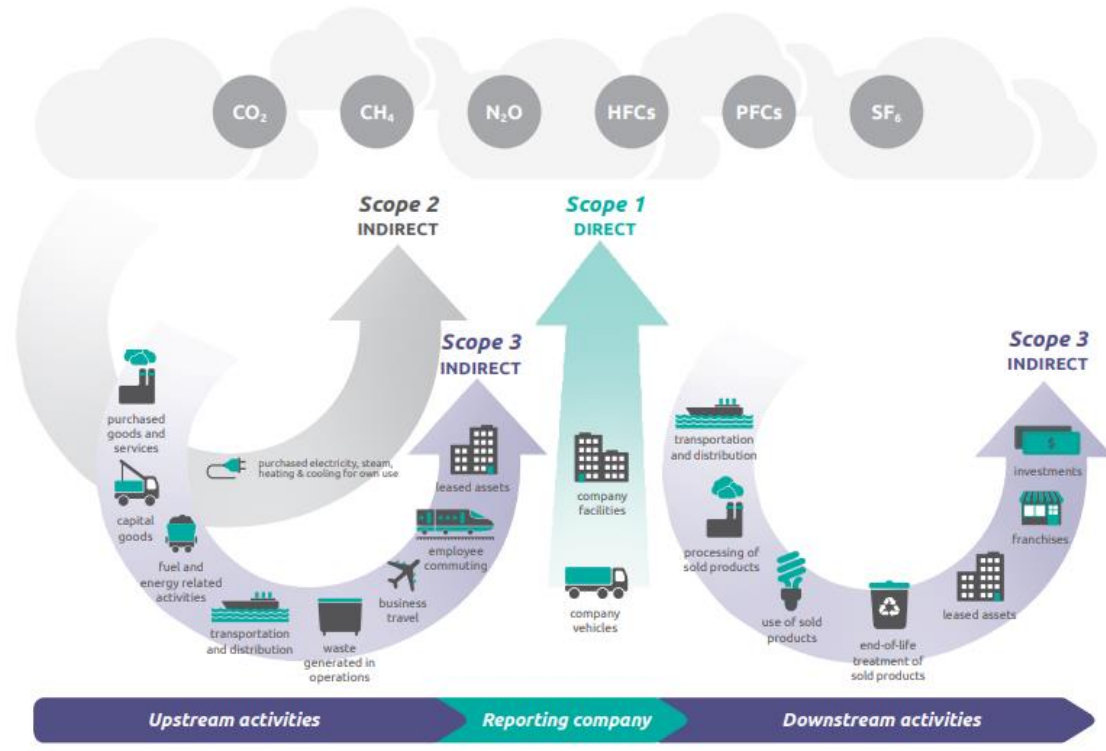
You cannot manage, thus improve, what you cannot measure.



ESG is driving business to monitor and act to reduce their carbon footprint.

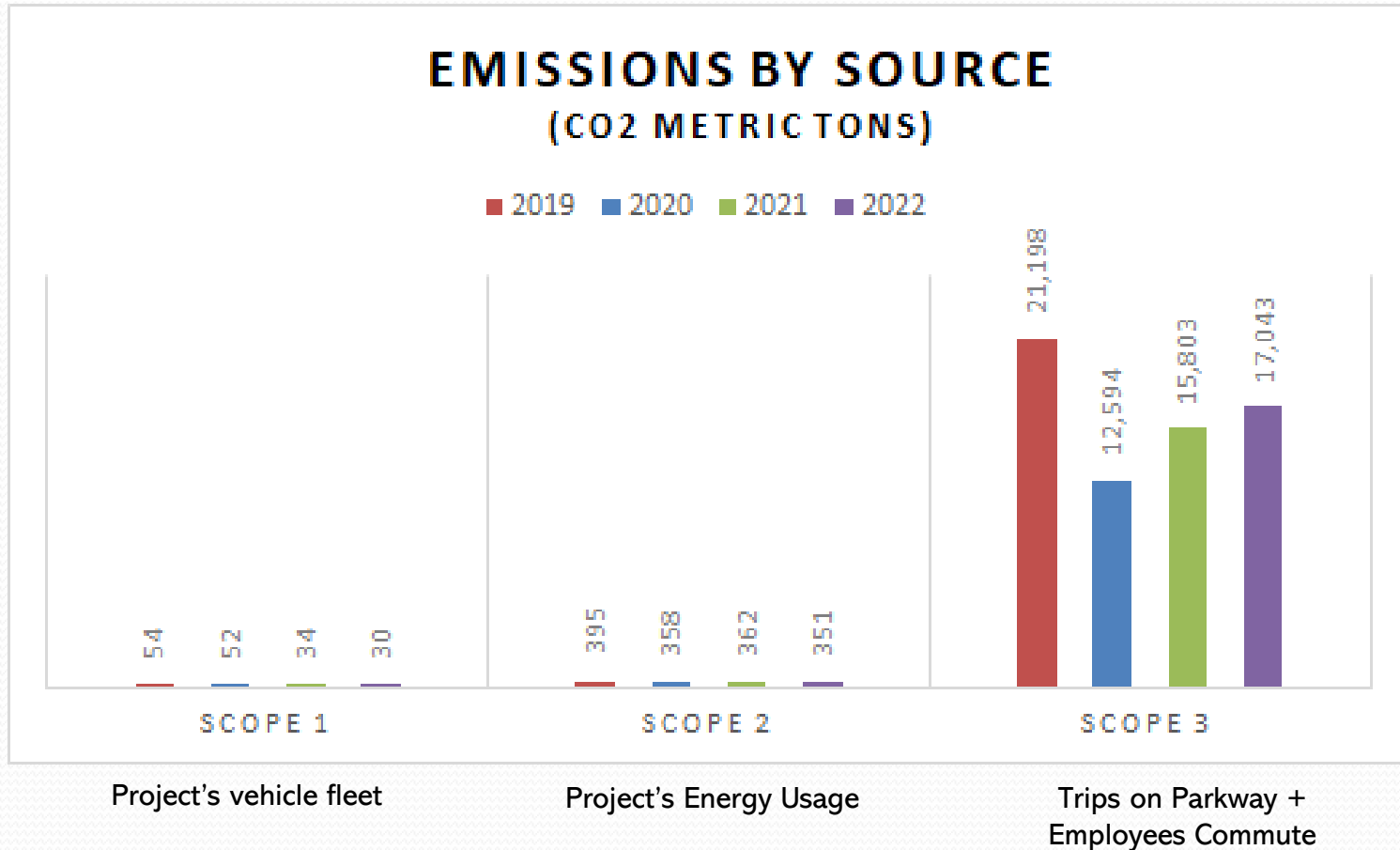
In 2021 NWP produced its first Carbon Footprint Report.

Figure [1.1] Overview of GHG Protocol scopes and emissions across the value chain



NWP used the EPA definitions to categorize the sources of GHG emissions

NWP Carbon Footprint



Small direct carbon footprint contribution. Customer trips (Use of Sold Products/Services) account for almost 98% of the business CO2 emissions.

THANK YOU





Northwest Parkway LLC

3701 Northwest Parkway
Broomfield, CO 80023
Phone: (303) 926-2500 Fax: (303) 926-2501
Email: support@go-pass.com
www.nwpky.com

Northwest Parkway Public Highway Authority
Attention: Joel Meggers, Managing Administrator

Re: 2022 Financial Statements

Dear Mr. Meggers,


This letter is in connection with Northwest Parkway LLC audited financial statements, attached hereto as Exhibit A, containing the balance sheets the related statements of operations, members' equity, and cash flows for each of the two years ended **December 31, 2021** and **December 31, 2022**, pursuant to Section 8.1(d) of the Concession Lease Agreement.

For the purpose of expressing an opinion as to whether the financial statements present fairly, in all material respects, the financial position, results of operations, and cash flows of Northwest Parkway LLC (the "Company") in conformity with accounting principles generally accepted in the United States of America.

IN WITNESS HEREOF, I have executed this certificate, in my capacity as specified below.

NORTHWEST PARKWAY LLC
as the Company

Dated: 3/13/2023

By: 

Name: Pedro Costa
Title: Authorized Signatory

Development Application Referral

Application Name: **Redtail Ridge Preliminary Plat - *** Application No Longer Includes Final Plat**

Location: 391 Acres Northwest of US 36 and Northwest Parkway/2270 S. 88th Street and 2115 S. 96th Street

Type and Summary of Application: Preliminary Plat

Date Referred: April 6, 2023

Response Date Requested: April 27, 2023

City Staff Case Manager: Rob Zuccaro
rzuccaro@louisvilleco.gov
303-335-4590

Case Number: PLAT-0262-2019

To: Interested and/or affected City departments and agencies as noted below:

City of Louisville		Communities		Utilities / Other Agencies	
	Building Safety Division	X	Boulder County		Century Link
X	City Manager		City of Boulder	X	Xcel Energy
X	City Attorney	X	City/County of Broomfield	X	RTD
X	Economic Vitality		City of Lafayette		CDOT Region 4
X	Parks & Recreation	X	Town of Superior		CDOT Region 1
X	Public Safety		Other Community		CTC Metropolitan District
X	Public Works		Housing Authority		BNSF Railway
	Wastewater		Boulder Valley School District		CTC 1 Owner's Association, Inc.
X	Fire District / Fire Marshall (E)		Rocky Mountain Airport	X	NW Parkway Highway Authority
	Other City of Louisville			X	Northern CO Water Conservancy Dist.
	Historic Preservation Commission		Ditch Company:		FEMA
	Lsvl Revitalization Commission	X	Goodhue	X	Urban Drainage

Please provide your comments **VIA EMAIL TO THE PLANNER** at rzuccaro@louisvilleco.gov.

Please attach any forms, documents, etc. **VIA EMAIL TO THE PLANNER** that are required for the applicant's review or to complete.

From: Nannette Makin <nmakin@broomfield.org>
Sent: Friday, April 7, 2023 8:50 AM
To: Katie Allen <kallen@broomfield.org>; Rebecca Baker <rbaker@broomfield.org>; Matthew Deaver <mdeaver@broomfield.org>; Kirsten Gunderson <kgunderson@broomfield.org>; Kathy Bass <kbass@broomfield.org>; Kristan Pritz <kpritz@broomfield.org>; Peter Dunlaevy <pdunlaevy@broomfield.org>; Beverly Burbach <bburbach@broomfield.org>; Ken Rutt <krutt@broomfield.org>; Justin Mundt <jmundt@broomfield.org>; Laura Hubbard <lhubbard@broomfield.org>; Jeff Ruger <jruger@broomfield.org>; Ryan Jensen <rjensen@broomfield.org>; Mark Giambri <mgiambri@broomfield.org>; Dan Limbert <dlimbert@broomfield.org>; Kevin Ewerks <kewerks@broomfield.org>; Geoff Wells <gwells@broomfield.org>; Jessica Upchurch <jupchurch@broomfield.org>; Bryce Hammerton <bhammerton@broomfield.org>; Sarah Grant <sgrant@broomfield.org>; Marc Ambrosi <mambrosi@broomfield.org>; Allison Baxter <abaxter@broomfield.org>; Brenda Shuler <bshuler@nwpsy.com>
Cc: Judy Hammer <jhammer@broomfield.org>; Cassi Morgan <cmorgan@broomfield.org>
Subject: Development Application Referral (Outside Referral from City of Louisville)
Redtail Ridge Preliminary Plat - Please respond by April 25, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

OUTSIDE DEVELOPMENT REFERRAL-2ND

This application is provided (no paper copies to follow) for your review and comment. Please reply so that we may give full consideration to your comments. Any responses not received by the Reply By date may not be considered. Email responses and/or questions about this referral can be sent to the planner listed below.

Application Type: Preliminary Plat (no longer includes a Final Plat)
PZ-21-00104

Project: Redtail Ridge (former ConocoPhillips Campus) PLAT-0262-2019
2270 S. 88th Street and 2115 S. 96th Street

Applicant: City of Louisville Attn: Rob Zuccaro

Planner: Judy Hammer
jhammer@broomfield.org
303-438-6383

Reply By: April 25, 2023

Referral Link:
https://drive.google.com/drive/folders/1EEQedxg0oQ71bVTKydBTtNdfV3w5gg_1?usp=sharing

Comment Letter Link:
<https://docs.google.com/document/d/18bgXJdLyOj330NYYhcLLixBuNNWolcPZi6h4gX4bN9Q/edit?usp=sharing>

NANNETTE MAKIN
Administrative Support
Planning Division



City and County of Broomfield
One DesCombes Drive • Broomfield CO 80020
nmakin@broomfield.org
303-438-6395

Questions: planning@broomfield.org
Submittals: planningapps@broomfield.org

Please check out the services available online via self-service, or over the phone. Visit [Broomfield.org/FindMyService](https://www.broomfield.org/FindMyService) to view ways to access all Broomfield City and County services.