

RECORD OF PROCEEDINGS

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

Held at 5:00 PM on August 1, 2022 via online meeting at:

<https://us06web.zoom.us/j/96148206432?pwd=eFl1QjlTeElJRno2anlNQzVtVXZlQT09> and via telephone conference at Dial In: 720-707-2699, Meeting ID: 961 4820 6432; Passcode: 229772

ATTENDANCE

The regular 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:

Guyleen Castriotta, Chair and Secretary of the Board (*Mayor, 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

Pedro Costa, Executive Director, Northwest Parkway, LLC

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

Russ Dykstra, General Counsel for the Northwest Parkway, LLC

Jennifer Hoffman, Broomfield City and County Manager

Kelli Cole, City and County of Broomfield

Nancy Rodgers, Counsel for the City and County of Broomfield

Alicia Corley, Icenogle, Seaver Pogue, P.C

Tamara Seaver, Icenogle, Seaver Pogue, P.C

Erik Davidson, District 1 RTD Director

Matt Alexander, Senior Associate, Transportation, Stantec

Bonnie Niziolek, Norris Design

Michael Jewell, Jewell Jimmerson Natural Resources Law LLC

CALL TO ORDER

Noting the presence of a quorum, Chair Castriotta, called the meeting to order at 5:00 p.m.

PUBLIC COMMENT

There were none.

CONSENT AGENDA

Consent Agenda Items: After discussion, upon motion by Vice Chair Walton, seconded by Chair Castriotta, a vote was taken, and the motion carried unanimously approving the minutes for the April 25, 2022 Board meeting, the financial report for the Authority, and the contract with Proof Civil Co. for civil engineering services

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related to the Varra Park Project using the Authority's form of contract.

SPECIAL REPORT

COUNSEL'S

Civitas Royalty Payments: Michael Jewell, the Authority's Special Counsel, presented his research on the check issued to the Northwest Parkway LLC from Civitas Resources and reviewed options as far as actions that the Authority could take regarding the royalty payment. After discussion and answering questions from the Board, upon motion by Vice Chair Walton, seconded by Chair Castriotta, a vote was taken, and the motion carried unanimously directing Mr. Jewell to pursue additional research regarding the well, to review the royalty payments to confirm if any other checks/backup have been received, and to report his findings at the next Board meeting.

AUTHORITY BUSINESS

Report from Pedro Costa: Mr. Costa presented the last quarter report to the Board that was included in the board packet. He reported that the traffic had increased by 19.5% from 2016 and that total revenue from a year ago had increased by 18%. He also mentioned that the new toll rates were implemented earlier this year.

GENERAL COUNSEL'S REPORT

Provide Update on Redtail Ridge Off-Site Improvements: Ms. Seaver reported to the Board that the Authority and the Northwest Parkway, LLC have been approached by development representatives, Broomfield staff, and Louisville staff regarding desired Redtail Ridge development traffic improvements which impact Northwest Parkway operations. Mr. Costa advised that the Northwest Parkway LLC is not able to manage the proposed off-site improvements associated with the Redtail Ridge development and suggested an amendment to the intergovernmental agreement between the Authority and the City and County of Broomfield regarding 96th Ave. to allow Broomfield to assume responsibility for the proposed off-site improvements. Ms. Seaver recommended that the Authority retain a traffic engineering firm to evaluate both the short term and long-term impacts relative to the Northwest Parkway's intended purpose and operation as a high-speed highway, with a delegation of authority to the District Manager to engage said engineer for an amount not-to-exceed \$15,000, subject to General Counsel's review of the contract terms. Following discussion, upon motion to by Vice Chair Walton, seconded by Chair Castriotta, a vote was taken, and the motion carried for this item to be tabled until the next Board meeting.

MANAGING ADMINISTRATOR'S

Varra Park Project: Mr. Meggers informed the Board that the park project was successfully re-zoned. Ms. Bonnie Niziolek updated

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REPORT

the Board that the next steps would be to have the land surveyed and conceptual plans would be developed for everyone's review.

Annual Update by Public Highway Authorities to the Transportation Legislative Review Committee: Mr. Meggers advised the Board that on August 9, 2022 he would be providing the Authority's annual update to the Transportation Legislative Review Committee, along with Mr. Pedro Costa.

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Board, upon a motion made, seconded and upon vote, unanimously carried, the meeting was adjourned at approximately 6:15 pm.

DocuSigned by:
Respectfully submitted,
Stephanie Walton
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Secretary for the Meeting