

AGENDA
SPECIAL MEETING OF THE BOARD OF DIRECTORS

Date: Tuesday, October 24, 2023

Time: 3:30 p.m.

Place: **REMOTE VIDEO CONFERENCE**

Please click the link below to join the webinar.

Join Zoom Meeting

<https://us06web.zoom.us/j/88418892378?pwd=BHKa7G3IIQJJKJBQjCDEue9aTh2Goi.1>

Meeting ID: 884 1889 2378

Passcode: 792030

Dial in: 1 (720) 707-2699

1. Call to Order
2. Consent Agenda Items
 - 2(a) Approval of Minutes for September 6, 2023 Board Meeting (enclosure)
3. Public Comments (Limited to 3 Minutes Per Person)
4. Provide Update on Redtail Ridge Off-site Improvements
5. 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, and pursuant to §24-6-402(4)(a), C.R.S., 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
6. Review and Discuss Checks issued to Northwest Parkway LLC from Civitas Resources for Mineral Rights (enclosure)
7. Presentation of the 2023 Annual Inspection of the Northwest Parkway by Stantec Consulting (enclosure)
8. Quarterly Report from Pedro Costa, Chief Executive Officer, Northwest Parkway LLC (enclosure)
9. Conduct Public Hearing on the 2024 Proposed Budget (enclosure)
 - 9(a) Public Comment Period
 - 9(a) Consider Approval of Resolution Approving the 2024 Proposed Budget and Appropriating Sums of Money
10. Discuss Onboarding / Orientation for new Board Member(s)

11. Other Business

12. Next Regular Meeting Date – Monday, January 22, 2024 at 3:30 pm

13. Adjourn Meeting



NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY

BOARD OF DIRECTORS – AGENDA MEMORANDUM

FOR: Board Meeting – October 24, 2022

TO: Board of Directors

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

SUBJECT: **Agenda Item 2(a): Approval of Minutes for September 6, 2023, Board Meeting**

The minutes from the September 6, 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 September 6, 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 SEPTEMBER 6, 2023 via online meeting at:

Join Zoom Meeting

<https://us06web.zoom.us/j/84631188703?pwd=c0huS211NC9FRHdaYkVmenVKbG13QT09>

and via telephone conference at Dial In: + 1 720 707 2699, Meeting ID: 846 3118 8703;

Passcode: 019486

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

Russ Dykstra, Counsel for Northwest Parkway, LLC

Nancy Rodgers, Counsel for the City and County of Broomfield

Alicia Corley, Icenogle, Seaver Pogue, P.C

Tamara Seaver, Icenogle, Seaver Pogue, P.C

Marc Painter, Holland & Hart LLP

Jay Hardy, Brue Baukol

Mark Hamilton, Holland & Hart, LLP

Tim Stalker, member of the public

Matt Alexander, Stantec

Evan Pesonen, Vice President at Sterling Bay West

CALL TO ORDER

Noting the presence of a quorum, Chair Ward called the meeting to order at 1:02 p.m.

CONSENT AGENDA

Approval of Minutes for August 2, 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 August 2, 2023, Board meeting minutes.

RECORD OF PROCEEDINGS

PUBLIC COMMENT

Tim Stalker asked the Board about the status of the traffic study and if the engineering services pertained to the traffic study. Ms. Seaver explained that the traffic study was included in the last meeting packet, and that it is a consultant report.

ON- CALL ENGINEERING SERVICES

Approval of Task Order Contract with Stantec Consulting Services, Inc., Task Order No. 1 & 2: Ms. Seaver gave an overview of this the Task Order Contract with Stantec for on call engineering services with all work to be authorized through task orders. Vice Chair Walton asked when the completion date would be for Task Order No. 1. Ms. Seaver explained the terms of the Contract and Task Order No. 1. Vice Chair Walton requested to amend Task Order No. 1 so that the Authority's manager would be the only person to initiate services. Upon motion of Vice Chair Walton and second by Chair Ward, the Board voted unanimously to approve the Task Order Contract with Stantec Consulting Services, Inc., Task Order No. 1 as amended, and Task Order No. 2.

EXECUTIVE SESSION

Upon motion of Vice Chair Walton and second by Chair Ward, the Board voted unanimously to retire into executive session pursuant to 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, and pursuant to §24-6-402(4)(a), C.R.S., 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. Upon a motion from Vice Chair Walton and second by Chair Ward, a vote was taken to move into executive session at 1:21 p.m. Upon a motion from Chair Ward and seconded by Vice Chair Walton, a vote was taken to move out of executive session at 2:05 p.m.

OTHER BUSINESS

Vice Chair Walton requested that the staff provide an overview presentation that was previously tabled be added to the agenda for the next regular Board meeting in October.

RECORD OF PROCEEDINGS

ADJOURNMENT

Upon a motion made, seconded and upon vote, unanimously carried, the meeting was adjourned at approximately 2:14 p.m.

Respectfully submitted,

Secretary for the Meeting

DRAFT

Kayla Blair

From: Joel Meggers
Sent: Thursday, October 19, 2023 3:31 PM
To: Kayla Blair
Subject: FW: Notice of Annual Roadway Inspection Date (insert for packet agenda item # 7)

From: Brenda Shuler <bshuler@nwpsy.com>
Sent: Monday, October 9, 2023 2:01 PM
To: Joel Meggers <jmeggers@crsofcolorado.com>
Cc: Pedro Costa <PCosta@nwpsy.com>
Subject: FW: Notice of Annual Roadway Inspection Date

Joel,

Attached is the signed, final copy of the 2023 Annual Roadway Inspection report for further distribution. The format of this report is the same as past years, with the summary on pages 9-25. The following is a high level summary of major points.

1. There was one category 1 defect reported: guardrail damage WB milepost 47.35 right side, due to accident, waiting for contractor to repair, cones placed.

Defects identified in this inspection report are classified as either Category 1 or Category 2.

- Category 1 defects present an immediate hazard to tollway users and should be addressed as soon as possible. (These defects are also immediately reported to NWPLLC when identified.)
- Category 2 defects do not constitute an immediate hazard to tollway users and should be scheduled for repairs.

2. Based on the score criteria listed in the table below the roadway scores for individual categories are 4.5 and higher, except for 2 items:

- Striping visibility which is 3.75 daytime and 3.0 nighttime. Striping of the entire roadway and ramps is scheduled for spring 2024.
- Sign Lighting which is 3.70 for the median and overhead directional signs. These signs are on a replacement schedule for diamond grade signs which do not need additional lighting.

There is also a grade point system given to all separate categories per the guidelines in the Operating Standards in Section 2.4.1. The category rating scale is from 1 – 5. Decimal points were used in the category evaluations for this inspection. The rating scale is defined as follows:

Score	Criteria
5	MMP target for individual element is almost entirely met (95% to 100% compliance) and the element is fully functional, in nearly new condition, and meeting or exceeding performance requirements.
4	MMP target for individual element is substantially met (90% to 94.9% compliance) and the element is functional and in good condition, meeting performance requirements.
3	MMP target for individual element is mostly met (80% to 89.9% compliance) and the element is in fair condition, but suggesting need for early replacement, renewal, or repair of the element and/or maintenance action to meet performance requirements.
2	MMP target for individual element is barely met (50% to 79.9% compliance) and element is in poor condition demonstrating need for immediate replacement, renewal, or repair of the element and/or immediate change to related maintenance requirements.
1	MMP target for individual element is not met (less than 50% compliance) and the element is in very poor condition demonstrating need for immediate replacement, renewal, or repair of the element and/or immediate change to maintenance requirements.

Northwest Parkway LLC Quarterly Report

NWPPHA Board Meeting



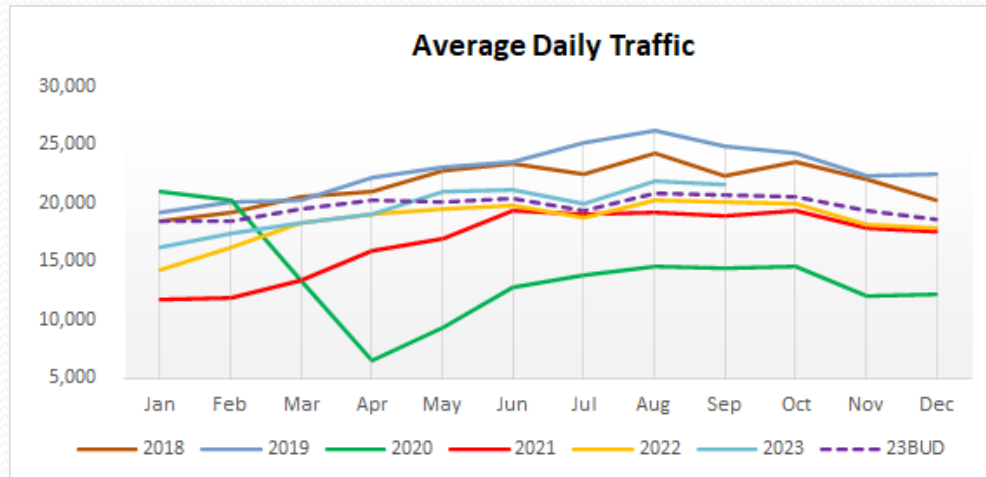
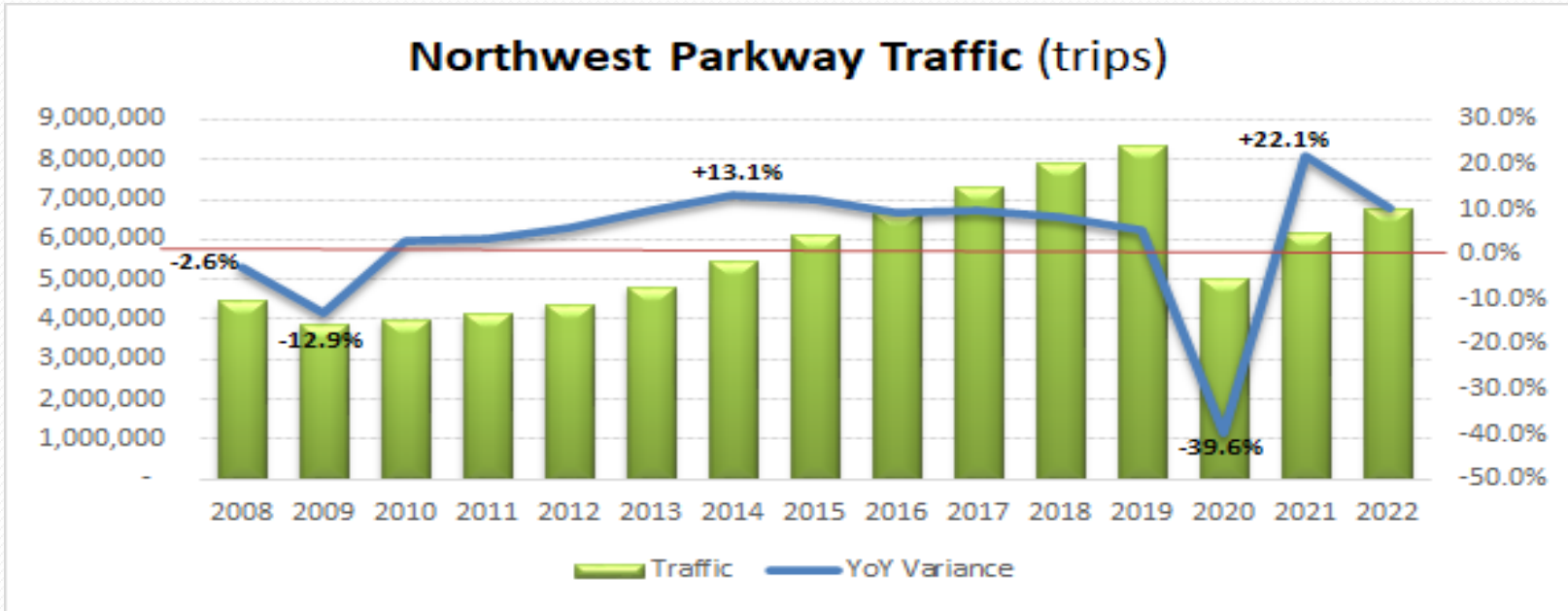
TOLL SCHEDULE	
1-2 AXLE VEHICLES	\$4.00
3-4 AXLE VEHICLES	\$6.00
5-6 AXLE VEHICLES	\$8.00
7-8 AXLE VEHICLES	\$10.00
9-10 AXLE VEHICLES	\$12.00
11+ AXLE VEHICLES	\$14.00
TRUCKS	\$16.00
TRAILERS	\$18.00
HOV 3+ VEHICLES	\$0.00
HOV 4+ VEHICLES	\$0.00
HOV 5+ VEHICLES	\$0.00
HOV 6+ VEHICLES	\$0.00
HOV 7+ VEHICLES	\$0.00
HOV 8+ VEHICLES	\$0.00
HOV 9+ VEHICLES	\$0.00
HOV 10+ VEHICLES	\$0.00
HOV 11+ VEHICLES	\$0.00
HOV 12+ VEHICLES	\$0.00
HOV 13+ VEHICLES	\$0.00
HOV 14+ VEHICLES	\$0.00
HOV 15+ VEHICLES	\$0.00
HOV 16+ VEHICLES	\$0.00
HOV 17+ VEHICLES	\$0.00
HOV 18+ VEHICLES	\$0.00
HOV 19+ VEHICLES	\$0.00
HOV 20+ VEHICLES	\$0.00



AGENDA

2023 Q3 Report

Traffic History



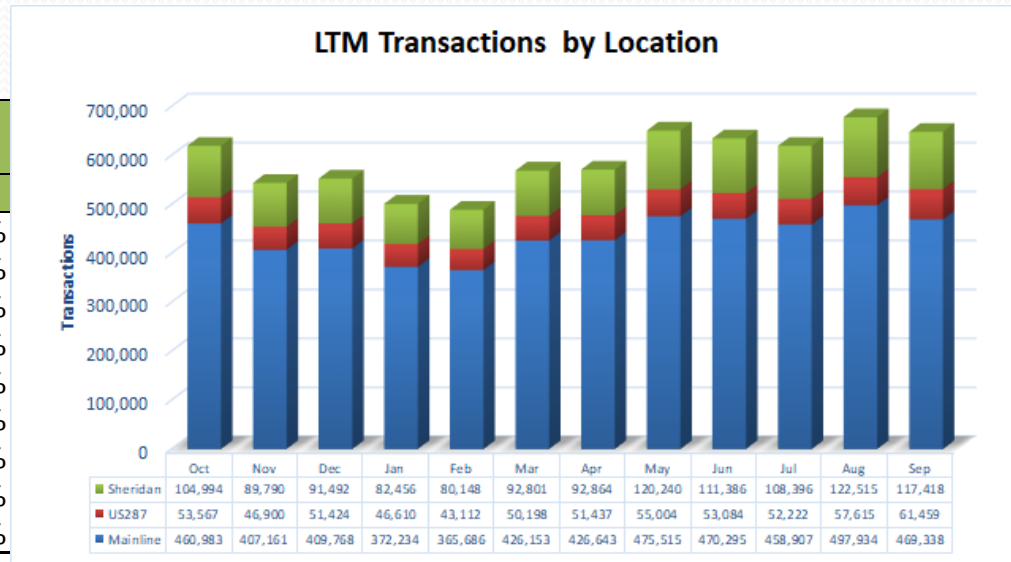
Traffic did not fully recover from the Pandemic

Traffic Breakdown

NWP	2023 Transactions				YoY (%)			
	Mainline	Ramps		Total	Mainline	Ramps		Total
		US 287	Sheridan			US 287	Sheridan	
Jan	372,234	46,610	82,456	501,300	15.2%	4.9%	13.0%	13.8%
Feb	365,686	43,112	80,148	488,946	8.9%	4.2%	5.5%	7.9%
Mar	426,153	50,198	92,801	569,152	4.0%	-17.0%	-5.8%	0.1%
Apr	426,643	51,437	92,864	570,944	1.4%	-2.6%	-6.4%	-0.3%
May	475,515	55,004	120,240	650,759	6.6%	1.5%	14.9%	7.5%
Jun	470,295	53,084	111,386	634,765	7.5%	-3.2%	7.4%	6.5%
Jul	458,907	52,222	108,396	619,525	8.5%	-17.4%	12.2%	6.3%
Aug	497,934	57,615	122,515	678,064	7.4%	2.2%	15.7%	8.3%
Sep	469,338	61,459	117,418	648,215	5.0%	14.0%	16.5%	7.8%
Total	3,962,705	470,741	928,224	5,361,670	6.9%	-2.3%	8.2%	6.2%

In Q3, traffic trailed along 2017 level.

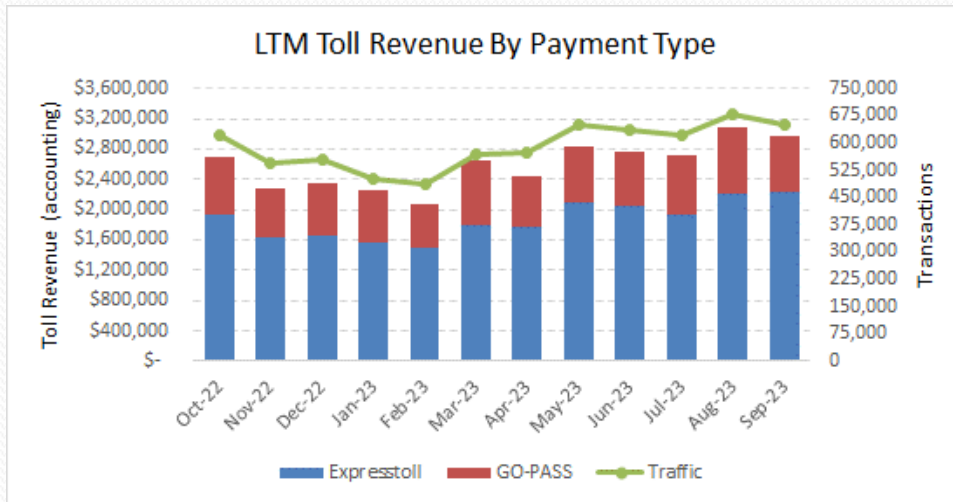
Transactions by Payment Type					ETC
2023	GO-PASS	YoY	ExpressToll	YoY	%
Jan	128,165	10.7%	373,135	14.9%	74.4%
Feb	123,347	-0.3%	365,599	11.0%	74.8%
Mar	140,634	-8.0%	428,518	3.1%	75.3%
Apr	140,276	-7.6%	430,668	2.3%	75.4%
May	162,088	-2.9%	488,671	11.5%	75.1%
Jun	164,369	1.5%	470,396	8.3%	74.1%
Jul	163,694	1.4%	455,831	8.2%	73.6%
Aug	178,756	7.4%	499,308	8.7%	73.6%
Sep	166,802	4.7%	481,413	8.9%	74.3%
Total	1,368,131	0.6%	3,993,539	8.3%	74.5%



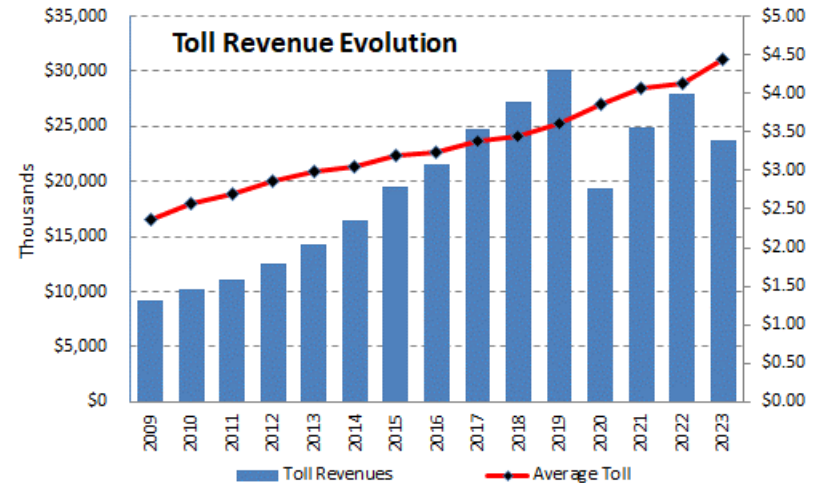
Toll Revenue

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%
Apr	\$ 1,779,101	\$ 660,249	\$ 2,439,350	\$ 2,294,711	6.3%
May	\$ 2,086,687	\$ 748,647	\$ 2,835,334	\$ 2,413,341	17.5%
Jun	\$ 2,044,014	\$ 721,524	\$ 2,765,538	\$ 2,760,147	0.2%
Jul	\$ 1,932,426	\$ 779,522	\$ 2,711,949	\$ 2,341,322	15.8%
Aug	\$ 2,206,329	\$ 869,784	\$ 3,076,113	\$ 2,756,657	11.6%
Sep	\$ 2,241,286	\$ 733,704	\$ 2,974,990	\$ 2,460,987	20.9%
Total	\$ 17,151,884	\$ 6,626,024	\$ 23,777,908	\$ 5,612,185	15.2%

* - Includes receivables.
Not audited and not final



LTM – Last Twelve Months



Toll revenue increased 15.2% through the end of June

Independent Engineer Report

2023 Annual Inspection conducted in August through September by Stantec Consulting Services.

“The scope of inspection for 2023 was to inspect the infrastructure, safety, and tolling facilities within the limits of the NWP.”

The 85 inspected items averaged a score of **4.87 out of 5.00**. With (1) Category 1 defect (damaged guardrail), and (13) Category 2 defects.

- *Category 1 defect: defects that present an immediate hazard to users.*
- *Category 2 defect: defects that **do not constitute an immediate hazard to users.***

Monthly inspections throughout the year have reflected the same consistent overall results of the overall good asset condition.



“Under separate task order agreements, Stantec performed supplemental inspections of major bridges and buried culvert structures, minor structures, overhead sign structures, variable message sign structures, high mast and mid mast lighting structures, toll plaza canopy structure, and toll plaza pedestrian tunnel.”

THANK YOU



**NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY
ENTERPRISE FUND
2024 PROPOSED BUDGET - MODIFIED ACCRUAL (BUDGETARY) BASIS
WITH 2022 ACTUAL, 2023 BUDGET, 2023 YTD ACTUAL AND 2023 ESTIMATED AMOUNTS**

	2022 Actual	2023 Budget	YTD Actual 9/30/2023	2023 Estimated	2024 Proposed
REVENUES					
Concessionaire payments	\$ 336,025	\$ 363,735	\$ 272,187	\$ 363,000	\$ 392,040
Cost recovery	-	30,000			30,000
Interest	37,153	15,000	86,833	115,000	100,000
Easement	-	20,000	18,713	20,000	20,000
Total revenues	<u>373,178</u>	<u>428,735</u>	<u>377,733</u>	<u>498,000</u>	<u>542,040</u>
EXPENDITURES					
Administrative services	708	1,200	27	1,000	1,200
Insurance	1,789	2,000	-	2,000	2,000
Legal	43,595	45,000	73,167	103,000	100,000
Management and accounting	82,800	100,000	62,100	100,000	100,000
Development Projects (Redtail Ridge)	-	30,000	-	-	30,000
Engineering (General)	-	-	-	10,000	50,000
Mineral Rights	-	15,000	-	5,000	15,000
Capital outlay - Varra Park Project	48,822	500,000	48,114	80,000	450,000
Total expenditures	<u>177,714</u>	<u>693,200</u>	<u>183,408</u>	<u>301,000</u>	<u>748,200</u>
NET CHANGE IN FUND BALANCE	195,464	<u>\$ (264,465)</u>	194,325	197,000	(206,160)
BEGINNING FUND BALANCE	<u>2,210,648</u>		<u>2,406,112</u>	<u>2,406,112</u>	<u>2,603,112</u>
ENDING FUND BALANCE	<u>\$ 2,406,112</u>		<u>\$ 2,600,437</u>	<u>\$ 2,603,112</u>	<u>\$ 2,396,952</u>

DRAFT - FOR DISCUSSION PURPOSES

RESOLUTION 23-05
OF THE BOARD OF DIRECTORS
OF THE NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY
SUMMARIZING EXPENDITURES AND REVENUES FOR THE ENTERPRISE FUND
AND ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY TO THE
ENTERPRISE FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN
FOR THE NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY, STATE OF
COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE 1ST DAY OF
JANUARY 2024 AND ENDING ON THE LAST DAY OF DECEMBER 2024.

WHEREAS, the proposed budget has been submitted to the Board of Directors of the Northwest Parkway Public Highway Authority for its consideration; and

WHEREAS, upon due and proper notice, published in accordance with law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on October 24, 2023 and interested persons were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, whatever increases have been made in 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 NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY, STATE OF COLORADO:

Section 1. Summary of 2024 Revenues and 2024 Expenditures. That the estimated revenues and expenditures for the Enterprise fund for the fiscal year 2024, as more specifically set forth in the Budget attached hereto, are accepted and approved.

Section 2. Adoption of Budget. That the Budget as submitted, attached hereto and incorporated herein, is approved and adopted as the Budget of the Northwest Parkway Public Highway Authority for the fiscal year 2024.

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 the Enterprise fund, to the Enterprise fund, for the purposes stated.

Section 4. Budget Certification. That the Budget shall be certified by Guyleen Castriotta, Chairman of the Northwest Parkway Public Highway Authority Board of Directors, and made a part of the public records of the Northwest Parkway Public Highway Authority.

APPROVED AND ADOPTED THIS 24th DAY OF OCTOBER, 2023.

NORTHWEST PARKWAY PUBLIC HIGHWAY
AUTHORITY

By: _____
Austin Ward, Chairman

ATTEST:

Stephanie Walton, Secretary

**NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY
BUDGET MESSAGE
2024**

The Northwest Parkway Public Parkway Authority (Authority) was formed in 1999 with an intergovernmental agreement among the City of Broomfield, the County of Weld, and the City of Lafayette. The Authority was organized to provide for the financing and construction of the Northwest Parkway and is currently responsible for the ongoing operation and maintenance of the Parkway.

The modified accrual basis of accounting has been used in preparing the 2024 budget.

The 2024 adopted budget for the Authority includes the following:

Revenues from concession fees, interest, easements, and cost recoveries in the amount of \$542,040.

Expenditures include administrative services, insurance, legal, management and accounting, costs of development projects, engineering, mineral rights, and capital outlay related to the Varra Park Project in the amount of \$748,200.

The excess of budgeted expenditures over revenues is provided from funds available from prior years.