

JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY  
JULY 19, 2012 – 9:30 A.M.  
ARVADA CITY HALL, 8101 RALSTON ROAD  
ARVADA, COLORADO 80002

- I. Call to Order
- II. Pledge of Allegiance
- III. Consent Items
  - A. Approval of Minutes of the June 27, 2012 JPPHA Meeting
- IV. Report from Staff
- V. Report of the General Counsel
- VI. Report from the Board of Directors
- VII. Public Comment (3 minute limit)
- VIII. Old Business
  - A. Approval of JPPHA Member Reimbursement Agreements
- IX. New Business
  - A. Authority to Enter into Leyden Rock Right-of-Way Agreement
- X. Executive Session
  - A. Discussion of matters being negotiated, Pursuant to CRS 24-6-402(e)
  - B. Discussion of matters regarding land acquisitions, Pursuant to CRS 24-6-402(a)
  - C. Discussion of matters regarding legal advice, Pursuant to CRS 24-6-402(4)(b)
  - D. Discussion of matters regarding personnel issues, Pursuant to CRS 24-6-402(4)(f)

ADJOURNMENT

JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY  
SUMMARY OF MINUTES OF SPECIAL MEETING  
JUNE 27, 2012 – 9:30 A.M.  
ARVADA, COLORADO 80001

I. Call to Order by Chairman Williams

Chairman Marc Williams called the meeting of the Jefferson Parkway Public Highway Authority (JPPHA) to order at 1:00 p.m. Present were Chairman Marc Williams; Director Don Allard; Vice-Chairman Don Rosier; Director Greg Stokes; RTD Representative Lorraine Anderson; Regional Air Quality Council Representative Ken Lloyd

Also in attendance were Victoria Runkle, Staff to JPPHA; Bill Ray, Staff to JPPHA; Ed Icenogle, Legal Counsel for the JPPHA; Chris Daly, Arvada City Attorney; Bill Tuthill, City and County of Broomfield Attorney; Kevin Standbridge, City and County of Broomfield; Phil Shell, Jefferson County; Steve Snyder, Jefferson County; Michael Cheroutes, Director HPTE

II. Pledge of Allegiance

III. Consent Items

A. Approval of Minutes of the April 9, 2012 JPPHA Meeting

Director Allard moved to approve the minutes as submitted. Director Rosier seconded.

The following votes were cast on the motion:

Those voting Yes: Williams, Rosier, Allard, Stokes

Absent: Quinn

The Motion was approved.

IV. Report from Staff - None

Bill Ray said there is a significant portion of right of way coming to the City to be held in trust for the Authority. He said the developer has to file the plat by Friday and we need the Board to authorize the Chairman to be signatory, on behalf of the Authority and direct General Counsel and the Executive Director to move forward.

Director Allard moved and Director Rosier seconded the motion as stated above.

The following votes were cast on the motion:

Those voting Yes: Williams, Rosier, Allard, Stokes

Absent: Quinn

The Motion was approved.

V. Report of the General Counsel

A. Section 16 Agreement Extension

Ed Icenogle said the litigation is still pending is taking longer than hoped. He said the State Land Board approved extension of the current escrow agreement to December 31, 2012 and that this Board is the last one asked to act on extending the agreement.

Director Allard moved to extend the Section 16 Agreement to December 31, 2012.  
Director Rosier seconded.

The following votes were cast on the motion:  
Those voting Yes: Williams, Rosier, Allard, Stokes  
Absent: Quinn  
The Motion was approved.

VI. Report from the Board of Directors

Director Rosier discussed the proposed BEEP proposal and said there are continued discussions with all interested parties in the “go big” project. He said he met with Don Hunt and CDOT actively is discussing with a wider net than before. He said he has also met with the C470 Coalition and potential concessionaries. He reported that the Keller property was approved yesterday.

VII. Public Comment - None

VIII. New Business

A. Approval of JPPHA Member Reimbursement Agreements

The authority discussed this issue and said the only two outstanding issues are 1) whether in-kind services are going to be reimbursed and 2) whether some priority, other than pro-rata reimbursement, should be entertained.

Mr. Icenogle said there is no hurry on this agreement. Chris Daly said Arvada can work on quantifying a number for their in-kind services. Mr. Icenogle clarified that it is good for the Authority to have all expenditures be absolute in the agreement, as opposed to stating that some expenditures “may” be reimbursed.

The Authority will discuss this agreement at their next meeting.

B. Request for 2<sup>nd</sup> Amendment to Isolux Confidentiality and Exclusivity Agreement.

Mr. Ray asked that this item be deferred until after the Executive Session.

IX. Executive Session

- A. Legal Advice related litigation matters, and concession efforts, pursuant to C.R.S. 24-6-402(4)(b)
- B. Discussion of matters being negotiated related to concession efforts, and developing strategy and instructing negotiators related thereto, pursuant to C.R.S. 24-6-402(4)(e)
- C. Discussion related to the acquisition of property for right of way purposes, pursuant to C.R.S. 24-6-402(4)(a)

Ed Icenogle stated the subjects for executive session are related litigation matters, and concession efforts, pursuant to C.R.S. 24-6-402(4)(b); Discussion of matters being negotiated related to concession efforts, and developing strategy and instructing negotiators related thereto, pursuant to

C.R.S. 24-6-402(4)(e); and Discussion related to the acquisition of property for right of way purposes, pursuant to C.R.S. 24-6-402(4)(a).

Director Allard moved to go into executive session for the above noted items. Director Rosier seconded.

The following votes were cast on the motion:

Those voting Yes: Williams, Rosier, Allard, Stokes  
Absent: Quinn  
The Motion was approved.

X. New Business

A. Request for 2<sup>nd</sup> Amendment to Isolux Confidentiality and Exclusivity Agreement

Mr. Icenogle asked for a motion.

Director Rosier moved that the 2<sup>nd</sup> Amendment to Isolux Confidentiality and Exclusivity Agreement be approved excepting paragraph 4 which contains changes to Section 9.C. of the Confidentiality and Exclusivity Agreement. Director Stokes seconded.

The following votes were cast on the motion:

Those voting Yes: Williams, Rosier, Allard, Stokes  
Absent: Quinn  
The Motion was approved.

XI. Adjournment at 10:56 a.m.

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Marc Williams, Chairman

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Christine Koch, Recording Secretary