

AEROTROPOLIS REGIONAL TRANSPORTATION AUTHORITY

NOTICE OF A SPECIAL MEETING AND AGENDA

***NOTE: given current events and current advice and directives from local, state and federal jurisdictions related to COVID-19, this meeting is being held by teleconference and virtual meeting only. Board members, consultants and members of the public may participate by teleconference or by computer/tablet by utilizing the following information:**

URL link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDVIMWE5MDgtMTVmMy00ZjFILWlyZDIOWUwZTRjODBjMDkw%40thread.v2/0?context=%7b%22Tid%22%3a%224aaa468e-93ba-4ee3-ab9f-6a247aa3ade0%22%2c%22Oid%22%3a%2278e91a46-bdcc-4fe5-980c-8ff3dcc70755%22%7d

Or call in (audio only)

[+1 720-547-5281](tel:+17205475281),679072617# United States, Denver

Phone Conference ID: 679 072 617#

CliftonLarsonAllen LLP
8390 E. Crescent Parkway, Suite 300
Greenwood Village, CO 80111

Board of Directors:

Matthew Hopper, Chairman
Dave Gruber, Vice-Chair
Curtis Gardner, Secretary
Steve O’Dorisio, Treasurer
Charles “Chaz” Tedesco, Director

Date: October 13, 2021
Time: 3:00 p.m.
Place: VIA Microsoft Teams

I. ADMINISTRATIVE MATTERS

- A. Call to Order
- B. Confirm quorum, location of meeting and posting of notice. Approve agenda
- C. Public Comment and/or guests

Members of the public may express their views to the Board on matters that affect the Authority, Comments will be limited to three (3) minutes. Please sign in.

II. CONSENT AGENDA

Consent Agenda - The items listed below are a group of items to be acted on with a single motion and vote by the Board. The Board has received the information on these matters prior to the meeting. An item may be removed from the consent agenda to the regular agenda, if desired, by any Board member. Items on the consent agenda are then voted on by a single motion, second, and vote by the Board.

- A. Review and consider approval of September 22, 2021 Special Meeting Minutes (enclosure).

III. ENGINEERING/CONSTRUCTION MATTERS

- A. Other.

IV. FINANCIAL MATTERS

- A. Update Regarding 2021 Bond Issue.

V. MANAGER MATTERS

- A. Authority Manager Report.
- B. Discussion and possible action concerning matters presented by Authority Manager.
- C. Other.

VI. LEGAL MATTERS

- A. Authority Legal Counsel report.
- B. Discussion and possible action concerning contracts, intergovernmental agreements and other legal arrangements related to the planning, design and construction of the Authority's Regional Transportation System and related matters.

VII. OTHER BUSINESS

- A. Confirm Quorum for October 27, 2021 Regular Meeting.

VIII. EXECUTIVE SESSION (If needed, an executive session may be called pursuant to and for the purposes set forth in Section 24-6-402(4), C.R.S., after announcement of the specific topic for discussion and statutory citation authorizing the executive session, and a vote of two-thirds of the quorum of the Board present).

IX. ADJOURNMENT

2021 SCHEDULED BOARD MEETINGS – 11:00 A.M.

City of Aurora

15151 E. Alameda Parkway, (5th Floor Mt. Elbert Conference Room)

Aurora, CO 80012

Adams County Government Center

4430 S. Adams County Parkway, (5th Floor Study Session Conference Room)

Brighton, CO 80601

Virtual Meeting Via Microsoft Teams

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Holidays are shown in red.

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
AEROTROPOLIS REGIONAL TRANSPORTATION AUTHORITY
HELD
SEPTEMBER 22, 2021

A special meeting of the Board of Directors (the “Board”) of the Aerotropolis Regional Transportation Authority (the “Authority”) was held on Wednesday, September 22, 2021, at 11:00 a.m. This meeting was held via Microsoft Teams.

ATTENDANCE

Directors In Attendance Were:

Matthew Hopper, Chairman
Dave Gruber, Vice-Chairman
Steve O’Dorisio, Treasurer
Curtis Gardner, Secretary
Charles “Chaz” Tedesco, Director

Also In Attendance via Microsoft Teams Were:

Nic Carlson; CliftonLarsonAllen LLP (in person)
Lisa Johnson; CliftonLarsonAllen LLP
Rick Gonzales; Marchetti & Weaver LLC
Tom George and Brenden Desmond; Spencer Fane LLP
Jon Hoistad; McGeady Becher P.C.
Jim Mann and Melissa Buck; UMB Bank
Bruce Kimmel; Ehlers
Mikaela Rivera; Waas Campbell Rivera Johnson & Velasquez LLP
Michelle Gardner, Jason Batchelor and Brian Rulla; City of Aurora
Marc Osbourne; Adams County
Tony DeVito; AECOM
Michael Baldwin Sr. and Aliraza Hassan; Jefferies LLC
Carla Ferreira; AACMD
Carlo Ferreira; CGF Management

ADMINISTRATIVE MATTERS

Call to Order: Chairman Hopper called the meeting to order at 11:05 a.m.

Disclosures of potential conflicts of interest: It was noted that disclosures have been filed.

Quorum, location of meeting, posting of meeting notices, and agenda: It was noted that a quorum was present. The location of the meeting and the posting of meeting notices were confirmed. Upon a motion duly made by Vice-Chairman Gruber, seconded by Treasurer O’Dorisio and, upon vote, unanimously carried, the Board approved the agenda as presented.

RECORD OF PROCEEDINGS

Public Comment: There were no public comments.

CONSENT AGENDA

Minutes from the August 25, 2021 and September 8, 2021 Special Board Meetings: Following review, upon a motion duly made by Vice-Chairman Gruber, seconded by Treasurer O’Dorisio and, upon vote, unanimously carried, the Board approved the Consent Agenda as presented.

ENGINEERING / CONSTRUCTION MATTERS

Project costs associated with the Authority’s Regional Transportation System: Following review, upon a motion duly made by Vice-Chairman Gruber, seconded by Treasurer O’Dorisio and, upon vote, unanimously carried, the Board approved the Engineer’s Report and Verification of Costs No. 28 associated with the Authority’s Regional Transportation System, as presented.

Planning, design and construction of Authority’s Regional Transportation System and related matters: Not discussed.

FINANCIAL MATTERS

July claims totaling \$5,896.08: Mr. Gonzales presented the July claims to the Board. Upon a motion duly made by Treasurer O’Dorisio, seconded by Vice-Chairman Gruber and, upon vote, unanimously carried, the Board approved the May claims totaling \$5,896.08, as presented.

August 31, 2021 Financial Statements: Mr. Gonzales presented the August 31, 2021 Financial Statements to the Board. Upon a motion duly made by Treasurer O’Dorisio, seconded by Vice-Chairman Gruber and, upon vote, unanimously carried, the Board accepted the August 31, 2021 Financial Statements as presented.

AACMD Draw Request(s): Mr. Gonzales reviewed the Draw Request with the Board, totaling \$1,535,967.94. Following discussion, upon a motion duly made by Vice-Chairman Gruber, seconded by Treasurer O’Dorisio and, upon vote, unanimously carried, the Board approved the AACMD Draw Request No. 39 in the amount of \$1,535,967.94.

EXECUTIVE SESSION

Upon a motion duly made by Chairman Hopper, seconded by Vice-Chairman Gruber and, upon vote, unanimously carried, the Board entered into executive session pursuant to Sections 24-6-402(4)(b) and (e), C.R.S., to confer with legal counsel on specific legal matters and questions, and to determine positions relative to matters that may be subject to negotiations, develop strategy for negotiations, and instructing negotiators on matters related to the financing of the Authority’s Regional Transportation System at 11:16 a.m.

Upon a motion duly made by Treasurer O’Dorisio, seconded by Vice-Chairman Gruber and, upon vote, unanimously carried, the Board adjourned the executive session at 12:19 p.m.

RECORD OF PROCEEDINGS

Financing matters related to the Authority’s Regional Transportation System, including but not limited to action on proposed 2021 Bond Issue:

Comprehensive Plan of Finance: Mr. Kimmel presented a summary of the revisions to the Comprehensive Plan of Finance. Following discussion, upon a motion duly made by Treasurer O’Dorisio, seconded by Vice-Chairman Gruber and, upon vote, unanimously carried, the Board approved the revised Comprehensive Plan of Finance as presented.

2021 Bond Issue: Melissa Buck provided an update on the schedule to issue the bonds.

2022 Budget Schedule: Not discussed.

**MANAGER
MATTERS**

Authority Manager Report: There were no items to report.

Matters Presented by Authority Manager: None.

LEGAL MATTERS

Authority Legal Counsel Report: There were no items to report.

Discussion and possible action concerning contracts, intergovernmental agreements and other legal arrangements related to the planning, design and construction of the Authority’s Regional Transportation System and related matters:

Discussion and possible action to approve a Resolution of Necessity and for Eminent Domain Proceedings for the Public Use and Public Purpose of Constructing, Installing, and Maintaining an Interchange at E-470 and 38th Avenue and a Water Main: Mikaela Rivera presented the Resolution of Necessity. Following review and discussion, upon a motion duly made by Secretary Gardner, Seconded by Treasurer O’Dorisio and, upon vote, unanimously carried, the Board approved the Resolution of Necessity and for Eminent Domain Proceedings for the Public Use and Public Purpose of Constructing, Installing, and Maintaining an Interchange at E-470 and 38th Avenue and a Water Main as presented.

Consider approval/ratification of IGAs Regarding Imposition, Collection and Transfer of ARI Mill Levies with :

Green Valley Ranch East Metropolitan District Nos. 6 – 8 and AACMD: Mr. George presented the IGA to the Board. Following review, upon a motion duly made by Treasurer O’Dorisio, seconded

RECORD OF PROCEEDINGS

by Vice-Chairman Gruber and, upon vote, unanimously carried, the Board approved the IGA Regarding Imposition, Collection and Transfer of ARI Mill Levies with Green Valley Ranch East Metropolitan District Nos. 6 – 8 and AACMD in substantially the form presented subject to final review and approval by the Board President and legal counsel and correction of any technical errors.

ATEC Metropolitan District Nos. 1 & 2 and AACMD: Mr. George presented the IGA to the Board. Following review, upon a motion duly made by Treasurer O’Dorisio, seconded by Vice-Chairman Gruber and, upon vote, unanimously carried, the Board approved the IGA Regarding Imposition, Collection and Transfer of ARI Mill Levies with ATEC Metropolitan District Nos. 1 & 2 and AACMD in substantially the form presented subject to final review and approval by the Board President and legal counsel and correction of any technical errors.

The Aurora Highlands Metropolitan District Nos. 1 – 3 and AACMD: Mr. George presented the IGA to the Board. Following review, upon a motion duly made by Treasurer O’Dorisio, seconded by Vice-Chairman Gruber and, upon vote, unanimously carried, the Board approved the IGA Regarding Imposition, Collection and Transfer of ARI Mill Levies with The Aurora Highlands Metropolitan District Nos. 1 – 3 and AACMD in substantially the form presented subject to final review and approval by the Board President and legal counsel and correction of any technical errors.

Consider approval of Intergovernmental Agreement Regarding Regional Transportation System Project Funding and Construction with Green Valley Ranch East Metropolitan District No. 6: Mr. George presented the IGA to the Board. Following review, upon a motion duly made by Vice-Chairman Gruber, seconded by Director Tedesco and, upon vote, unanimously carried, the Board approved the Intergovernmental Agreement Regarding Regional Transportation System Project Funding and Construction with Green Valley Ranch East Metropolitan District No. 6 in substantially the form presented subject to final review and approval by the Board President and legal counsel, correction of any technical errors, and subject to adding a provision to clarify that ARTA will not have any long term ownership or maintenance responsibilities or requirements related to the projects described in the IGA.

EXECUTIVE
SESSION

Held earlier in the meeting

RECORD OF PROCEEDINGS

OTHER BUSINESS

Aurora Highlands Development – Carla Ferreira: Carlo Ferreira provided an update on recent funding by AACMD on ARTA's behalf. He then gave an update on the status of lot availability in The Aurora Highlands, noting 3,000 lots are currently under contract with 2,000 additional lots to be contracted next month. Construction of the school is scheduled to begin in January 2022. Mr. Ferreira then reported that he recently contracted to sell 50 acres of land to Centura Hospitals to build a hospital within 60 months of contracting.

Carla Ferreira updated on current and future marketing efforts.

City of Aurora Development Review – Jason Batchelor: Jason Batchelor acknowledged the lot inventory of 3,000 lost in process. He feels good progress is being made at this time.

ADJOURNMENT

As there were no further matters to discuss, upon a motion duly made by Treasurer O'Dorisio, seconded by Vice-Chairman Gruber and, upon vote, unanimously carried, the Board adjourned the meeting at 1:00 p.m.

Respectfully submitted,

Secretary for the Meeting