

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
AEROTROPOLIS REGIONAL TRANSPORTATION AUTHORITY  
HELD

JULY 26, 2023

A special meeting of the Board of Directors (the “Board”) of the Aerotropolis Regional Transportation Authority (the “Authority”) was held on Wednesday, July 26, 2023, at 11:00 a.m. at the Construction Trailer at 3900 E. 470 Beltway, Aurora, CO 80019 and via Microsoft Teams. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

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

#### Also In Attendance Were:

Anna Jones, Nic Carlson and Michael Jensen; CliftonLarsonAllen LLP (“CLA”)  
Tom George, Esq.; Spencer Fane LLP  
Susan Cary and Eric Weaver; Marchetti & Weaver LLC  
Tony DeVito and David Center; AECOM  
Brian Rulla and Steve Sundberg; City of Aurora  
Jon Hoistad, Esq.; McGeady Becher P.C.  
Melissa Buck; UMB Bank  
Marc Osborne; Adams County  
Kyle Riley; Oakwood Homes

### ADMINISTRATIVE MATTERS

**Call to Order:** Chairman Hopper called the meeting to order at 11:20 a.m.

**Disclosures of Potential Conflicts of Interest:** It was noted that general disclosure statements and transactional disclosures regarding this meeting had been filed on behalf of members of the Board of Directors. Said disclosures were incorporated herein. Attorney George requested that the Directors consider whether they had any new conflicts of interest which had not previously been disclosed. There were no additional disclosures made.

**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.

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The Board reviewed the agenda. Following discussion, upon a motion duly made by Treasurer O’Dorisio, seconded by Vice-Chairman Tedesco and, upon vote, unanimously carried, the Board approved the agenda, as presented.

**Public Comment:** There were no public comments.

### **CONSENT AGENDA**

#### **Minutes of April 26, 2023 Regular Board Meeting:**

Chairman Hopper reviewed the Consent Agenda with the Board. Following discussion, upon a motion duly made by Vice-Chairman Tedesco, seconded by Secretary Gardner and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

### **ENGINEERING / CONSTRUCTION MATTERS**

**Planning, Design and Construction of Authority’s Regional Transportation System and Related Matters:** Mr. DeVito presented his report to the Board. Discussion ensued.

#### ARTA Projects Under Construction:

- E470 Interchange \$60M: Kiewit is progressing interchange work. Bridge girders were set May 30th thru June 4th and superstructure rebar placement and deck pour were completed July 17th. This entailed placing 200 tons of rebar and pouring 1300 yards of concrete in a continuous deck pour. The Northbound off ramp retaining wall MSE construction is nearly complete and fascia panel setting to begin next. Roadway widening paving sub-lifts are nearly complete. Numerous utility relocations and new fiber, gas and electric routing are underway. Relocation of the north bound Toll Gantry is now ready for the Gantry Structure to be set.

#### ARTA Projects Under Design:

- I-70 & Aerotropolis Parkway (formerly Harvest Rd) Interchange: Roadway and bridge designs for interchange plans are at 100% and are being submitted for review one last time by ARTA staff. Remaining items needed for advertisement remains to be the finalization of ROW agreements with property owners to the north and south side and finalization of the IGA template between CDOT, City of Aurora & ARTA. Utility relocation work of the XCEL power lines is commencing. Regarding the TDM commitment from CDOT, we have now received for legal review the CDOT IGA for the \$2M transfer of funds. With regard to TDM progress, NETC in partnership with XCEL, CDOT, TAH and ARTA presented 2 shuttle vans “The AERO” to the project. These vans are fully electric and have a range of 200 miles on a single charge. Each shuttle van holds 7 passengers, is ADA accessible via a wheelchair lift

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and can hold riders' luggage as well. Our vision for this shuttle service is to either delivery on demand service or scheduled pick-up models and will be housed and charged on site. NETC is currently offering an ongoing survey that has reached and been completed by 20% of the TAH community. Our proposed route will take residents from TAH to the A-line commuter rail station (61st and Pena station) to connect to the airport, downtown Denver and beyond. Said survey will close on July 31, 2023 and data will be presented to ARTA. NETC outreach staff have completed three rounds of door-to-door outreach, six community events, participation in four community wide email marketing campaigns and 8 driving tours.

- Aerotropolis Parkway (Harvest Rd) I-70 to 26th: Roadway and railroad structure design from I-70 Interchange to 26th are under way in full design. The Structure type, for railroad crossing of the Union Pacific Railroad lines is being finalized and structure design plans are being developed. Final railroad review/approval and utility relocations will be critical path for this phase. Kerr McGee gas line relocate and XCEL overhead line relocation agreements needed at the UPPR/Smith Road bridge have been reviewed and payment has been processed for relocation work. PUC approval of the proposed railroad grade separation occurred on July 27, 2022 and a Time Extension for filing final design plans on/by December 31, 2023, was approved on December 9, 2022. The current final design plans do require a length of crossing variance and we finally did get a meeting with the UPRR on May 18, 2023. However, to obtain this design variance, they are still being extremely difficult regarding their request for the closure of Powhatton Rd to eliminate their at-grade crossing at this location.

- Aerotropolis Parkway (Powhaton Rd) (26th-48th): Conceptual design completed with emphasis to look at intersection options that best connects 26th Ave, TAH Pkwy, Harvest Rd, and Powhaton Rd. We have narrowed the options down to two that we have completed a more in-depth comparison for presentation to the City. City has requested ARTA provide concurrence from underlying property owners and finalize the bridge life cycle cost analysis. While waiting on this decision, we completed the third submittal of the ISP (60% design level) of the parkway from 32nd to 48th Avenues and received administrative approval for the project. Coordination with Xcel Transmission and Western Midstream pipeline is ongoing. Anticipated final design completion for this segment is late Fall 2023.

- The Aurora Highlands Parkway Phase 2: Continued coordination with adjacent development and 32nd Ave project. Completed third submittal of the ISP (60% design) and the City set an administrative decision date at the end of July. Regional detention pond design will be finalized after

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Aerotropolis Pkwy & 26th Ave intersection option is selected. Plat map, drainage report, and CLOMR have been updated to reflect the regional pond design criteria and release rates. The linear park in the median is at 40% design. Anticipated final design completion is now Summer 2024.

- 26th Avenue (Main St to Aerotropolis Pkwy/Powhatan Rd): Conceptual design completed with emphasis to look at intersection options that best connects with TAH Pkwy, Aerotropolis Pkwy, and Powhatan Rd. We have narrowed the options down to two that we have completed a more in-depth comparison for presentation to the City. City has requested ARTA provide concurrence from underlying property owners and finalize the bridge life cycle cost analysis. While waiting on this decision, we received administrative approval and completed the technical corrections of the ISP (60% design level) of 26th Ave from Main St to TAH Pkwy. Coordinating with water quality pond on adjacent property to south of 26th. Anticipated final design completion is now Fall 2023.

- 48th Avenue (E470 to Aerotropolis Parkway): Completed the third submittal of the ISP (60% design) and received administrative approval. Preparing technical corrections to Windler Development ISP for north half of 48th Ave from E470 to Harvest Rd. Anticipated final design completion is now Fall 2023.

- 38th Avenue: The project has been split into three phases (1. Piccadilly-Tibet; 2. Tibet-E470; 3. Odessa -Piccadilly) Phase 2 Tibet to E470 final construction drawing plans have been submitted to and City of Aurora for construction document approval. This phase is also waiting on a final CLOMR approval for the Trib T crossing under 38th Ave from FEMA so that work can begin. Comments back from FEMA were substantial and CLOMR has now been resubmitted and new 90 day clock has begun. Phase three final design work is being further broke out to look at now completing the south two lanes of 38th Ave from Himalaya to Odessa.

- Monaghan Road (26th Ave to 48th Ave): Dividing design into interim and ultimate configurations, with the ultimate phase to be constructed by the adjacent non-ARTA property owner. Incorporating comments received from the first ISP submittal. Submittals to the City for review and coordination with adjacent property owners are critical items. Anticipated final design completion is Winter 2024.

- 32nd /26th Avenue Realignment (Picadilly Rd to E-470): Completed the first submittal of the ISP to the City. Conduct survey, geotechnical, and SUE investigations. Anticipated final design completion is Winter 2024.

**Community Partner Updates:** Brian Rulla with the City of Aurora asked about a potential amendment to the ARTA Establishment Agreement to reflect potential inclusions, and Chairman Hopper noted that it's possible but

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not known at this time. Kyle Riley with Oakwood Homes, provided an update to the Board regarding Green Valley Ranch East.

### FINANCIAL MATTERS

**Claims Payable:** The Board reviewed the claims paid as of July 19, 2023 and the July claims payable report.

**Claims Paid as of July 19, 2023:** Following discussion, upon a motion duly made by Chairman Hopper, seconded by Vice-Chairman Tedesco and, upon vote, unanimously carried, the Board ratified approval of the claims paid as of July 19, 2023.

**July Claims Payable Report:** Following discussion, upon a motion duly made by Chairman Hopper, seconded by Vice-Chairman Tedesco and, upon vote, unanimously carried, the Board approved the July claims payable report.

**Project Costs Associated with the Authority's Regional Transportation System:** Chairman Hopper reviewed the project costs with the Board. Following review, upon a motion duly made by Chairman Hopper, seconded by Director Bergan and, upon vote, unanimously carried, the Board ratified project costs associated with the Authority's Regional Transportation System.

**Draw Requests:** Chairman Hopper reviewed the Draw Requests below with the Board. Mr. Weaver provided additional information for the Board.

**ARTA Draw Request No. 042 in the amount of \$30,278.94 and Draw Request No. 044 in the amount of \$15,875.19:** Following discussion, upon a motion duly made by Chairman Hopper, seconded by Director Bergan and, upon vote, unanimously carried, the Board approved the ARTA Draw Request No. 042 in the amount of \$30,278.94 and Draw Request No. 044 in the amount of \$15,875.19.

**AACMD Draw Request No. 040 in the amount of \$804,289.16, Draw Request No. 043 in the amount of \$182,106.52 and Draw Request No. 045 in the amount of \$2,413,857.30:** Following discussion, upon a motion duly made by Chairman Hopper, seconded by Director Bergan and, upon vote, unanimously carried, the Board approved the AACMD Draw Request No. 040 in the amount of \$804,289.16, Draw Request No. 043 in the amount of \$182,106.52 and Draw Request No. 045 in the amount of \$2,413,857.30.

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**GVRE MD No. 6 Draw Request No. 041 in the amount of \$2,574,000.00:** Following discussion, upon a motion duly made by Chairman Hopper, seconded by Director Bergan and, upon vote, unanimously carried, the Board approved the GVRE MD No. 6 Draw Request No. 041 in the amount of \$2,574,000.00.

**June 30, 2023 Unaudited Financial Statements:** Mr. Weaver reviewed the June 30, 2023 Unaudited Financial Statements with the Board. Following discussion, upon a motion duly made by Vice-Chairman Tedesco, seconded by Director Bergan and, upon vote, unanimously carried, the Board accepted the June 30, 2023 Unaudited Financial Statements, as presented.

**2022 Audit:** Mr. Weaver reviewed the 2022 Audit with the Board. Following discussion, upon a motion duly made by Director Bergan, seconded by Vice-Chairman Tedesco and, upon vote, unanimously carried, the Board accepted the 2022 Audit and directed Mr. Weaver and his team to file the same with the State Auditor's Office as required by statute.

### **MANAGER MATTERS**

**Authority Manager Report:** None.

### **LEGAL MATTERS**

**Authority Legal Counsel Report:** A report was not provided.

**Contracts, Intergovernmental Agreements and Other Legal Arrangements Related to the Planning, Design and Construction of the Authority's Regional Transportation System and Related Matters:**  
None.

**Potential Inclusions:** Mr. George and Chairman Hopper discussed potential inclusions into ARTA's boundaries with the Board, noting that discussions and analysis are ongoing. No action was taken.

**Transportation Demand Management Plan Agreement with Colorado Department of Transportation (I-70 Aerotropolis/Harvest Interchange):** Mr. George, Mr. DeVito and Chairman Hopper presented and discussed the proposed agreement with the Board, noting that it provides a \$2,000,000 contribution from the Colorado Department of Transportation for transportation demand management. Discussion ensued regarding the purpose and need for the agreement, as well as the implementation of the transportation demand management program. Following discussion, upon a motion duly made by Chairman Hopper, seconded by Vice-Chairman Tedesco and, upon vote, unanimously carried, the Board approved the Transportation Demand Management Plan Agreement with Colorado

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Department of Transportation (I-70 Aerotropolis/Harvest Interchange) as presented and authorized Chairman Hopper to execute the same on behalf of the Board.

### EXECUTIVE SESSION

An executive session was not needed.

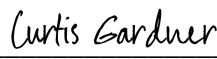
### OTHER BUSINESS

**Next Regular Board Meeting:** The Board determined to hold the next regular meeting on September 27, 2023.

### ADJOURNMENT

As there were no further matters to come before the Board at this time, Chairman Hopper adjourned the meeting was adjourned at 12:45 p.m.

Respectfully submitted,

DocuSigned by:  
  
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Secretary for the Meeting