

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
AEROTROPOLIS REGIONAL TRANSPORTATION AUTHORITY
HELD
February 10, 2021**

A special meeting of the Board of Directors (the “Board”) of the Aerotropolis Regional Transportation Authority (the “Authority”) was held on Wednesday, February 10, 2021 at 11:00 a.m. at CliftonLarsonAllen LLP, 8390 E. Crescent Parkway, Suite 300, Greenwood Village, Colorado. Due to the current events and advice from local, state and federal jurisdictions related to COVID-19, this meeting was held via Microsoft Teams.

ATTENDANCE: In attendance were:

Nic Carlson; CliftonLarsonAllen LLP

In attendance **via Microsoft Teams** were Board members:

Matthew Hopper, Chairman
David Gruber, Vice Chairman
Steve O’Dorisio, Treasurer
Nicole Johnston, Secretary
Charles “Chaz” Tedesco, Director

Also in attendance **via Microsoft Teams** were:

Lisa Johnson; CliftonLarsonAllen LLP
Tom George and Nicole Detweiler; Spencer Fane LLP
Jim Mann and Melissa Buck; Ehlers
Rick Gonzales; Marchetti & Weaver
Tony Devito; AECOM
Jason Batchelor, Daniel Brotzman and Michelle Gardner; City of Aurora
Marc Osborne; Adams County
Jon Hoistad; AACMD
Carla Ferreira; AACMD
Michael Baldwin and Aliraza Hassan; Jefferies Company

CALL TO ORDER

Chairman Hopper called the meeting to order at 11:07 a.m.

Aerotropolis Regional Transportation Authority
February 10, 2021 Minutes

DECLARATION OF QUORUM/DIRECTOR QUALIFICATIONS/DISCLOSURE MATTERS

Chairman Hopper noted that a quorum was present. Mr. George noted that disclosures have been filed.

APPROVE AGENDA

Upon a motion duly made by Vice-Chairman Gruber, seconded by Secretary Johnston, and upon vote unanimously carried, the Board approved the agenda as presented.

PUBLIC COMMENT

None.

CONSENT AGENDA

A. Review and consider approval of January 27, 2021 Special Meeting Minutes

After discussion, upon a motion duly made by Secretary Johnston, seconded by Vice-Chairman Gruber, and upon vote unanimously carried, the Board approved the Consent Agenda.

ENGINEERING/CONSTRUCTION MATTERS

A. Other

Ms. Ferreira provided a report, noting that the Developer's team has scheduled a meeting with Governor Polis to discuss a timeline for rescheduling the plaque dedication ceremony. Ms. Ferreira will inform the Board when the ceremony is rescheduled.

FINANCIAL MATTERS

A. Other.

None.

MANAGER MATTERS

A. Authority Manager Report

No report.

B. Discussion and possible action concerning matters presented by Authority Manager

Aerotropolis Regional Transportation Authority
February 10, 2021 Minutes

No report.

C. Other

None.

LEGAL MATTERS

A. Authority Legal Counsel Report

There was nothing additional to 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.

Mr. George provided a report on the status of the Intergovernmental Agreement ("IGA") Regarding Construction and Funding of 38th Avenue Improvements between ARTA and Green Valley Ranch East Metropolitan District No. 6 ("GVRE").

The Board had approved this IGA at its January 13th Board meeting, but GVRE has requested several non-substantive changes and one substantive change. The one substantive change is an increase of the Maximum Reimbursement Amount from \$1,974,552 to \$2,574,000. The initial \$1,974,552 figure was calculated in the first version of the IGA based on the best information at the time. Mr. George has since worked with GVRE and Todd Johnson to refine the number and all agree that \$2,574,000 is more appropriate. Mr. George reminded the Board that ARTA is only agreeing to reimburse actual costs incurred, up to that maximum amount.

Following discussion, upon a motion duly made by Vice-Chairman Gruber, seconded by Secretary Johnston, and upon vote unanimously carried, the Board approved the revised IGA with all changes discussed, including the substantive change of the Maximum Reimbursement Amount to \$2,574,000.

C. Discussion and possible action to approve resolution including Green Valley Ranch East (GVRE) Property and the Aurora Technology and Energy Corridor (ATEC) Property into the ARTA boundaries

This item was deferred to a future Board meeting.

Aerotropolis Regional Transportation Authority
February 10, 2021 Minutes

OTHER BUSINESS

A. Confirm Quorum for February 24, 2021 Regular Meeting

The Board confirmed quorum for the February 24, 2021 regular meeting.

Prior to the Executive Session, Ms. Ferreira provided additional information to the Board. She noted that currently there is a Payment in Lieu of Taxes (“PILOT”) agreement recorded against the Developer’s property that ensures that any non-profit organizations located within the boundaries of the Community Authority Board (“CAB”) pay their share of taxes to the CAB. The Developer is revising the PILOT to include all of the ARTA boundaries so that any non-profit organization would pay CAB and ARTA taxes.

EXECUTIVE SESSION

Upon a motion duly made by Director Tedesco, seconded by Secretary Johnston, and upon a vote, unanimously carried, the Board entered into executive session pursuant to Section 24-6-402(4)(e), C.R.S., 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 11:10 a.m.

Upon a motion duly made by Vice-Chairman Gruber, seconded by Secretary Johnston, and upon vote, unanimously carried, the Board adjourned the executive session at 12:35 p.m.

No action was taken.

Prior to adjournment, Vice-Chairman Gruber commented that there have been questions raised recently as to what is going to happen on the north side of ARTA’s boundary specifically what the entrance to Jackson Gap on the DIA property will look like. Currently, there are two to three different roads existing that can get to Jackson Gap, but Harvest Road is still in the planning stages. The City is going to try to update the Northeast Aurora Transportation Plan and come to some conclusions as to how Jackson Gap will look. This will be a discussion between DIA, landowners south of DIA and the City. Until this is complete, ARTA will not know where Harvest Road will terminate on 56th Avenue.

Chairman Hopper asked if ARTA will be invited to the discussion. Ms. Ferreira asked the same question. Vice-Chairman Gruber responded that yes, ARTA and the Developer would be included in the public process.

Aerotropolis Regional Transportation Authority
February 10, 2021 Minutes

ADJOURNMENT

As there were no further matters to discuss, upon a motion duly made by Director Tedesco, seconded by Secretary Johnston, and upon vote unanimously carried, the Board adjourned the meeting at 12:40 p.m.

Respectfully submitted,

DocuSigned by:

Nicole Johnston

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Secretary

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Envelope Sent	Hashed/Encrypted	3/22/2021 4:16:19 PM
Certified Delivered	Security Checked	3/22/2021 6:52:17 PM
Signing Complete	Security Checked	3/22/2021 6:52:49 PM
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