

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE 64TH AVE. ARI AUTHORITY (“AUTHORITY”) HELD JANUARY 3, 2024

A Regular Meeting of the Board of Directors of the 64th Ave. ARI Authority (referred to hereafter as the “Board”) was convened on Wednesday, January 3, 2024, at 10:00 a.m. via Zoom video/telephone conference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Rick Wells (HM MD No. 2)
Timothy D’Angelo (CIC MD Nos. 7, 11)
Megan Waldschmidt (CIC MD Nos. 6, 8-10)

Following discussion, upon motion duly made by Director Wells, seconded by Director D’Angelo and, upon vote, unanimously carried, the absence of Director Chris Fellows was excused.

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Kate Olson, Esq.; McGeady Becher P.C.

Diane Wheeler; Simmons & Wheeler, P.C.

Ted Laudick; Silverbluff Companies, Inc.

Blake Fulenwider and Gregg Johnson; L.C. Fulenwider Inc.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: Attorney Olson noted that she was in receipt of disclosures of potential conflicts of interest statements for each of the Directors and that the statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting. Mr. Solin requested that the Directors review the Agenda for the meeting and advise the Board of any new conflicts of interest which had not been previously disclosed. No further disclosures were made by Directors present at the meeting.

ADMINISTRATIVE MATTERS

Quorum/Meeting Location/Posting of Notice: Mr. Solin noted that a quorum was present. The Board entered into a discussion regarding the requirements of Section

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32-1-903(1), C.R.S., concerning the location of the Authority's Board meeting. The Board determined that the meeting would be held via video/telephonic means, and encouraged public participation. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted and that no objections to the video/telephonic manner of the meeting, or any requests that the manner of the meeting be changed, had been received from taxpaying electors within the Authority's service area boundaries.

Agenda: Mr. Solin distributed a proposed Agenda for the Authority's Regular Meeting, for the Board's review and approval.

Following discussion, upon motion duly made by Director Wells, seconded by Director D'Angelo and, upon vote, unanimously carried, the Agenda was approved, as presented.

CONSENT AGENDA

Consent Agenda: The Board considered the following actions:

- Approve Minutes of the December 6, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Wells, seconded by Director D'Angelo and, upon vote, unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above actions.

PUBLIC COMMENT

Public Comment: There were no public comments.

FINANCIAL MATTERS

Claims: The Board reviewed and considered the list of claims to be approved for the period ending December 27, 2023, in the amount of \$490,389.16.

Following discussion, upon motion duly made by Director Wells, seconded by Director D'Angelo and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending December 27, 2023, in the amount of \$490,389.16.

Cash Position Statement: Ms. Wheeler reviewed with the Board the cash position statement for the period ending period ending December 27, 2023.

Following discussion, upon motion duly made by Director Wells, seconded by Director D'Angelo and, upon vote, unanimously carried, the Board accepted the cash position statement for the period ending December 27, 2023.

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Accountant's Certification No. 37: Ms. Wheeler reviewed with the Board the Accountant's Certification No. 37 for soft, indirect, and hard costs associated with the design and construction of Public Improvements and therefore eligible for payment (as described in Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 37, dated January 2, 2024), and legal fees in the amount of \$324.21.

Following discussion, upon motion duly made by Director D'Angelo, seconded by Director Wells and, upon vote, unanimously carried, the Board approved the Accountant's Certification No. 37, dated January 2, 2024, and legal fees in the amount of \$324.21.

Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 37, dated January 2, 2024, prepared by Schedio Group LLC: The Board reviewed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 37, January 2, 2024, prepared by Schedio Group LLC, in the amount of \$486,226.50 ("Report No. 37").

Following discussion, upon motion duly made by Director D'Angelo, seconded by Director Wells and, upon vote, unanimously carried, the Board approved Report No. 37, in the amount of \$486,226.50.

Project Fund Requisition No. 5: The Board reviewed Project Fund Requisition No. 5 to be submitted to the Series 2020 Bond Trustee.

Following discussion, upon motion duly made by Director D'Angelo, seconded by Director Wells and, upon vote, unanimously carried, the Board approved Project Fund Requisition No. 5, in an amount of \$59,714.87, and authorized its submittal to the Series 2020 Bond Trustee.

LEGAL MATTERS

Investigation regarding August 31, 2021 fatality at Project Site: No update was provided.

CAPITAL/ CONSTRUCTION MATTERS

64th Avenue Infrastructure Project:

64th Avenue Extension Project (American Civil Constructors, LLC d/b/a ACC Mountain West): Mr. Laudick updated the Board on the 64th Avenue Extension Project.

Status of the 64th Ave. Extension Median Island Landscaping Project: Mr. Laudick updated the Board on the 64th Ave. Extension Median Island Landscaping Project.

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Status of E-470 Public Highway Authority's E-470 & 64th Ave. Interchange Project: Mr. Laudick updated the Board on the status of E-470 Public Highway Authority's E-470 & 64th Ave. Interchange Project.

OTHER BUSINESS There was no other business.

ADJOURNMENT There being no further business to come before the Board at this time, upon motion duly made by Director Waldschmidt, and seconded by Director Wells, and upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: 

Secretary for the Meeting

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