

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE 64TH AVE. ARI AUTHORITY (“AUTHORITY”) HELD MARCH 1, 2023

A Regular Meeting of the Board of Directors of the 64th Ave. ARI Authority (referred to hereafter as the “Board”) was convened on Wednesday, the 1st day of March, 2023, 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 and 11)
Megan Waldschmidt (CIC MD Nos. 6, 8-10)
Chris Fellows (Velocity MD Nos. 4-6)

Also In Attendance Were:

Ann Finn; Special District Management Services

Erica Montague, Esq.; McGeady Becher P.C.

Diane Wheeler; Simmons & Wheeler, P.C.

Ted Laudick; Silverbluff Companies, Inc.

Mark Witkiewicz; Westside Investment Partners, Inc.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board noted it 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. Attorney Montague 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: Ms. Finn noted that a quorum was present. The Board entered into a discussion regarding the requirements of Section 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

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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: Ms. Finn noted that a proposed agenda for the Authority's Regular Meeting had been distributed for the Board's review and approval.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells 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 February 1, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells 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: Ms. Wheeler reviewed with the Board the list of claims to be approved for the period ending February 21, 2023, in the amount of \$10,115.70.

Following discussion, upon motion duly made by Director Fellows, seconded by Director D'Angelo and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending February 21, 2023, in the amount of \$10,115.70.

Unaudited Financial Statement: Ms. Wheeler reviewed with the Board the unaudited financial statements for the period ending December 31, 2022.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending December 31, 2022.

Accountant's Certification of Costs Associated with the Design and Construction of Public Improvements: Ms. Wheeler reviewed with the Board the Accountant's Certification of \$1,170.00 for soft, indirect and hard costs associated with the design and construction of Public Improvements and therefore eligible for payment (as

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described in Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 29, dated February 21, 2023), and legal fees in the amount of \$3,293.11.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board approved the Accountant's Certification, in the amount of \$1,170.00 for public improvement costs, and legal fees in the amount of \$3,293.11.

Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 29, dated February 21, 2023, prepared by Schedio Group LLC: The Board reviewed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 29, dated February 21, 2023, prepared by Schedio Group LLC, in the amount of \$1,170.00 ("Report No. 29").

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board approved Report No. 29, in the amount of \$1,170.00.

Project Fund Requisition: There was no Project Fund Requisition at this time.

LEGAL MATTERS

Status of Amendment to Intergovernmental Agreement Between the E-470 Public Highway Authority and the 64th Ave. ARI Authority Regarding E-470 and 64th Avenue Interchange Widening Funding and Design ("Amendment to IGA"): Attorney Montague and Director Wells provided brief updates.

Following discussion, upon motion duly made by Director Fellows, seconded by Director D'Angelo and, upon vote, unanimously carried, the Board authorized the Construction Committee to proceed with negotiations regarding the construction of the 64th Avenue Bridge Widening Project.

CAPITAL/ CONSTRUCTION MATTERS

64th Avenue Infrastructure Project:

64th Avenue Extension Project (American Civil Constructors, LLC d/b/a ACC Mountain West): Mr. Laudick noted that the project is complete except for the pond certifications.

Status of the 64th Ave. Extension Median Island Landscaping Project ("Median Project"): Mr. Laudick noted that the project has not started due to weather.

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E-470 Public Highway Authority (“E-470 Authority”) & 64th Ave. Interchange Project (“Project”):

Status of the E-470 64th Ave. Bridge Widening Project from “ramp to ramp” (“Project”): Director Wells and Mr. Laudick reported that the Authority will be completing the Project. Mr. Laudick noted the engineer is working on the drawings and scope of work and he is obtaining permits.

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 Fellows, and seconded by Director Wells, and upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: *Ann Finn*
Secretary for the Meeting