

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE 64TH AVE. ARI AUTHORITY (“AUTHORITY”) HELD MAY 1, 2024

A Special Meeting of the Board of Directors of the 64th Ave. ARI Authority (referred to hereafter as the “Board”) was convened on Wednesday, May 1, 2024, at 10:30 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)
Chris Fellows (Velocity MD Nos. 4-6)

Also In Attendance Were:

David Solin and Diana Garcia; Special District Management Services, Inc.

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

Diane Wheeler; Simmons & Wheeler, P.C.

Ted Laudick; Silverbluff Companies, Inc.

ADMINISTRATIVE MATTERS

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.

Quorum/Meeting/Location/Posting of Notice: Mr. Solin confirmed the presence of a quorum. 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 Zoom, 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 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.

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Agenda / Director Absence: Mr. Solin distributed a proposed Agenda for the Authority's Special Meeting, 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 amended, and the absence of Director Megan Waldschmidt was excused.

Minutes: The Board reviewed the Minutes of the April 3, 2024 Special meeting.

Following discussion, upon motion duly made by Director Fellows, seconded by Director D'Angelo and, upon vote, unanimously carried, the Board approved the Minutes of the April 3, 2024 Special meeting.

PUBLIC COMMENT

There were no public comments.

FINANCIAL MATTERS

Claims: Ms. Wheeler reviewed with the Board the claims for the period ending April 23, 2024, in the amount of \$2,080,546.48.

Following discussion, upon motion duly made by Director Wells, seconded by Director Fellows and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending April 23, 2024, in the amount of \$2,080,546.48.

Financial Statements and Cash Position Schedule: No financial statements or cash position schedule were presented for review.

Accountant's Certification: Ms. Wheeler reviewed with the Board the Accountant's Certification dated May 1, 2024 for soft, indirect, and hard costs associated with the design and construction of Public Improvements and therefore eligible for payment (as described in Report No. 41 – defined below), and legal fees in the amount of \$883.75.

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 dated May 1, 2024.

Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 41, dated April 24, 2024, prepared by Schedio Group LLC: The Board reviewed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 41, dated April 24, 2024, prepared by Schedio Group LLC, in the amount of \$2,073,461.43 ("Report No. 41").

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Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board approved Report No. 41, in the amount of \$2,073,461.43.

Escrow Fund Requisition No. 8: The Board reviewed Escrow Fund Requisition No. 8 in the amount of \$53,319.58, under the 64th Avenue Regional Improvements Escrow Agreement by and between the Authority, Adams County, and UMB Bank, n.a. (as Escrow Agent), dated September 24, 2020 requesting payment of project related expenses (“Escrow Fund Requisition No. 8”).

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board approved Escrow Fund Requisition No. 8, and authorized its submittal to the Escrow Agent.

LEGAL MATTERS

Investigation regarding August 31, 2021 fatality at Project Site: There was no update 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.

Status of E-470 Public Highway Authority’s E-470 & 64th Ave. Interchange Project: Mr. Laudick updated the Board on the status of the 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 Fellows, and seconded by Director Wells, and upon vote, unanimously carried, the meeting was adjourned.

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Respectfully submitted,

By: 
Secretary for the Meeting