

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE 64TH AVE. ARI AUTHORITY (“AUTHORITY”) HELD JULY 6, 2022

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 6th day of July, 2022, 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) (via Zoom)
Chris Fellows (Velocity MD Nos. 4-6) (via Zoom)
Timothy D’Angelo (CIC MD Nos. 7 and 11) (via Zoom)

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the absence of Director Kevin Smith was excused.

Also In Attendance Were:

Ann Finn; Special District Management Services, Inc. (via Zoom)

Erica Montague, Esq. McGeady Becher P.C. (via Zoom)

Diane Wheeler; Simmons & Wheeler, P.C. (via Zoom)

Ted Laudick; Silverbluff Companies, Inc. (via Zoom)

Mark Witkiewicz and Megan Waldschmidt; Westside Investment Partners, Inc. (via Zoom)

Blake Fulenwider, (for a portion of the meeting), L.C. Fulenwider, Inc. (via Zoom, for a portion of the meeting)

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.

RECORD OF PROCEEDINGS

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 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 amended.

Appointment of Officers: The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Rick Wells
Treasurer	Tim D'Angelo
Secretary	Ann E. Finn
Assistant Secretary	Chris Fellows

CONSENT AGENDA

Consent Agenda: The Board considered the following actions:

- Approve Minutes of the June 1, 2022 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 action.

PUBLIC COMMENT

Public Comment: There were no public comments.

RECORD OF PROCEEDINGS

FINANCIAL MATTERS

Claims: The Board reviewed and considered the list of claims to be approved for the period ending July 6, 2022, in the amount of \$992,293.14.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending July 6, 2022, in the amount of \$992,293.14 and authorized Director Wells and Director Fellows to approve invoices, with Director D'Angelo as an alternate if either Director Wells or Director Fellows is unavailable.

Accountant's Certification for Costs Associated with the Design and Construction of Public Improvements: Ms. Wheeler reviewed with the Board the Accountant's Certification of \$987,037.00 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. 21, dated June 24, 2022), and legal fees in the amount of \$429.00.

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 \$987,037.00 for public improvement costs, and legal fees in the amount of \$429.00.

Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 21, dated June 24, 2022, prepared by Schedio Group LLC: The Board reviewed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 21, dated June 24, 2022, prepared by Schedio Group LLC, in the amount of \$987,03.007 ("Report No. 21").

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board approved Report No. 21, in the amount of \$987,037.00.

Project Fund Requisition No. 22: The Board reviewed Project Fund Requisition No. 22 to be submitted to the Series 2020 Bond Trustee requesting \$987,466.00 for payment of project related expenses.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board approved Project Fund Requisition No. 22, in the amount of \$987,466.00.

RECORD OF PROCEEDINGS

LEGAL MATTERS

Fourth 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 (“Fourth Amendment”): Attorney Montague reviewed the Fourth Amendment with the Board.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board approved the Fourth Amendment (subject to final review by counsel) and authorized Director Wells to sign the Fourth Amendment

CAPITAL/ CONSTRUCTION MATTERS

64th Avenue Infrastructure Project:

64th Avenue Extension Project (American Civil Constructors, LLC d/b/a ACC Mountain West): Mr. Laudick reported to the Board that the paving of 64th Avenue between Denali Street and Jackson Gap will start on July 12, 2022.

Change Orders to Agreement between Authority and American Civil Constructors, LLC, d/b/a ACC Mountain West: The Board discussed the Construction Committee’s approval of Change Order Nos. 13-16 to the Agreement between the Authority and American Civil Constructors, LLC, d/b/a ACC Mountain West, for an increase in the contract amount of \$1,598,685.29.

Following discussion, upon motion duly made by Director Wells, seconded by Director Fellows and, upon vote, unanimously carried, the Board acknowledged the approval by the Construction Committee of Change Order Nos. 13-16 to the Agreement between Authority and American Civil Constructors, LLC, d/b/a ACC Mountain West, for an increase in the contract amount of \$1,598,685.29.

64th Ave. and Denali Street Lighting Package Project (Dynalectric Company, Inc.): Mr. Laudick reported installation of the transformers is almost complete and the lights should be functioning next week.

Change Order to Agreement between Authority and Dynalectric Company, Inc: The Board discussed the Construction Committee’s approval of Change Order No. 3 to Agreement between Authority and Dynalectric Company, Inc., for an increase in the contract amount of \$31,104.00.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board acknowledged the approval by the Construction Committee of Change Order No. 3 to Agreement between Authority and Dynalectric Company, Inc., for an increase in the contract amount of \$31,104.00.

RECORD OF PROCEEDINGS

OTHER BUSINESS Director Wells reported on behalf of the Construction Committee that he is working with the E-470 Public Highway Authority concerning the Scope of Work for the ROW improvements.

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

Respectfully submitted,

By: *Ann Finn*
Secretary for the Meeting

TITLE	Minutes
FILE NAME	002 Minutes.pdf
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Document History



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08 / 03 / 2022

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08 / 03 / 2022

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