

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE 64TH AVE. ARI AUTHORITY (“AUTHORITY”) HELD SEPTEMBER 25, 2023

A Special Meeting of the Board of Directors of the 64th Ave. ARI Authority (referred to hereafter as the “Board”) was convened on Monday, the 25th day of September, 2023, at 9:00 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)
Chris Fellows (Velocity MD Nos. 4-6)
Megan Waldschmidt (CIC MD Nos. 6, 8-10)

Also In Attendance Were:

David Solin; Special District Management Services

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

Diane Wheeler; Simmons & Wheeler, P.C.

Ted Laudick; Silverbluff Companies, Inc.

Blake Fulenwider; L.C. Fulenwider Inc.

ADMINISTRATIVE MATTERS 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 McGeady 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.

Posting of Meeting: Mr. Solin confirmed the statutory posting of the meeting notice.

Quorum/Meeting Location: Mr. Solin 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

RECORD OF PROCEEDINGS

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 noted that a proposed agenda for the Authority's Special Meeting had been distributed for the Board's review and approval.

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

PUBLIC COMMENT

Public Comment: There were no public comments.

CAPITAL/ CONSTRUCTION MATTERS

Status of 64th Avenue Infrastructure Project:

September 6, 2023 Issuance of Notice of Award to SEMA Construction, Inc. for the 64th Ave. Widening & E-470 Bridge Project (the "Widening/Bridge Project"): Mr. Laudick noted that the Board previously approved the issuance of a Notice of Award to SEMA Construction, Inc. of the Construction Contract for the Widening/Bridge Project at the September 6, 2023 meeting, for an amount not to exceed \$12,261,161.00, but that approval of the Construction Contract and authorization of the Notice to Proceed were deferred at that time.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board ratified approval of the issuance of the Notice of Award to SEMA Construction, Inc. of the Construction Contract for the Widening/Bridge Project, for an amount not to exceed \$12,261,161.00.

Resolution No. 2023-09-01, Resolution of the 64th Ave ARI Authority Regarding Project Budget Shortfall Funding for the 64th Ave Widening & E-470 Bridge Project: The Board reviewed Resolution No. 2023-09-01, Resolution of the 64th Ave ARI Authority Regarding Project Budget Shortfall Funding for the 64th Ave Widening & E-470 Bridge Project.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-09-01, Resolution of the 64th Ave ARI Authority Regarding Project Budget Shortfall Funding for the 64th Ave Widening & E-470 Bridge Project.

RECORD OF PROCEEDINGS


Construction Contract between the Authority and SEMA Construction, Inc. for the Widening/Bridge Project, and issuance of the Notice to Proceed to SEMA Construction, Inc.: The Board discussed the Construction Contract between the Authority and SEMA Construction, Inc. for the Widening/Bridge Project, and the issuance of the Notice to Proceed to SEMA Construction, Inc.

Following discussion, upon motion duly made by Director Fellows, seconded by Director Wells and, upon vote, unanimously carried, the Board approved the Construction Contract between the Authority and SEMA Construction, Inc. for the Widening/Bridge Project, and authorized the issuance of the Notice to Proceed to SEMA Construction, Inc., both subject to confirmation of receipt of the Shortfall Amount (as defined in Resolution No. 2023-09-01).

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 D'Angelo, and upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By:  _____
Secretary for the Meeting