

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE 64TH AVE. ARI AUTHORITY (“AUTHORITY”) HELD MAY 3, 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 3rd day of May, 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.

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 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.

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

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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 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 April 5, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Fellows, 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: Ms. Wheeler reviewed with the Board the list of claims to be approved for the period ending April 25, 2023 in the amount of \$10,633.98.

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 April 25, 2023 in the amount of \$10,633.98.

Cash Position Schedule: Ms. Wheeler reviewed with the Board the cash position schedule as of March 31, 2023.

Following discussion, upon motion duly made by Director Fellows, seconded by Director D'Angelo and, upon vote, unanimously carried, the Board accepted the cash position schedule as of March 31, 2023.

Accountant's Certification of Costs Associated with the Design and Construction of Public Improvements: There was no Certification of Costs at this time.

Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 30, dated March 22, 2023, prepared by Schedio Group LLC: There was no Report at this time.

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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 noted that she is in the process of reviewing the documents and will provide comments to Construction Committee.

Status of Investigation Regarding August 23, 2021 Fatality: Attorney Montague updated the Board on the status of the investigation regarding August 23, 2021 fatality at Project site and noted the trial scheduled in February was continued at the request of OSHA and is now scheduled for May 23, 2023.

CAPITAL/ CONSTRUCTION MATTERS

64th Avenue Infrastructure Project:

64th Avenue Extension Project (American Civil Constructors, LLC d/b/a ACC Mountain West): Mr. Laudick reported the project has not been completed and he will follow up with the Contractor on the status of completion.

Status of the 64th Ave. Extension Median Island Landscaping Project (Powell Restoration, Inc.): Mr. Laudick reported that the permit has been issued by the City of Aurora and work will begin soon.

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”): Mr. Laudick reported he has received comments from the City of Aurora concerning the “ramp to ramp” project and is currently reviewing them. He also noted Martin Martin Consulting Engineers are ready to submit plans to City of Aurora for the “gap” project.

Change Order to the Service Agreement for Construction Management Services between the Authority and Silverbluff Companies, Inc.: The Board deferred discussion at this time.

OTHER BUSINESS None.

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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: *Ann Finn*
Secretary for the Meeting