

## RECORD OF PROCEEDINGS

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**MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
AEROTROPOLIS AREA COORDINATING  
METROPOLITAN DISTRICT (“DISTRICT”)  
HELD  
JULY 15, 2021**

A special meeting of the Board of Directors of the District, County of Adams (referred to hereafter as the “Board”) was convened on Thursday, July 15, 2021 at 1:00 p.m. at the Information Center, 3900 E. 470 Beltway, Aurora, Colorado. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the District Board meeting was held and properly noticed to be held via video enabled web conference, with Directors Hopper, Ferreira and Shearon attending in person at the physical meeting location. The meeting was open to the public via videoconference.

**Directors in Attendance Were:**

Matt Hopper  
Carla Ferreira  
Michael Sheldon  
Cynthia (Cindy) Shearon

**Also in Attendance Were:**

Elisabeth A. Cortese, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.  
Denise Denslow, Celeste Terrell, Anna Jones and Debra Sedgely;  
CliftonLarsonAllen LLP (“CLA”)  
Kamille Curylo, Esq. and Tanya Lawless, Esq.; Kutak Rock LLP  
Arianne Myers; JHL Constructors, Inc.  
Patrick Chelin; Matrix Design Group, Inc.

**ADMINISTRATIVE  
MATTERS**

**Disclosure of Potential Conflicts of Interest:** Attorney Cortese discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted that the disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors. No new conflicts were disclosed.

**Quorum/Confirmation of Meeting Location/Posting of Notice:** Director Hopper confirmed a quorum for the special meeting. The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting. Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously

## RECORD OF PROCEEDINGS

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carried, the Board determined that because there was not a suitable or convenient location within the District boundaries to conduct this meeting it was determined to conduct this meeting at the above-stated location, with Directors Hopper, Ferreira and Shearon attending in person. Due to concerns regarding the spread of COVID-19, and the benefits to the control of the virus by limiting in-person contact, the remaining Board members and consultants attended via videoconference. The Board further noted that notice providing the time, date and video link information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within its boundaries have been received.

**Agenda:** The Board considered the proposed Agenda for the District's special meeting. Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Agenda was approved, as presented.

**Public Comment:** There was no public comment.

### CONSENT AGENDA

The Board considered the following actions:

#### **Review and consider approval of June 17, 2021 special meeting minutes:**

Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Board ratified and/or approved of the Consent Agenda items, as presented.

### LEGAL MATTERS

**Terms for Cooperative Agreement Regarding Construction of The Aurora Highlands Parkway by and between Aerotropolis Regional Transportation Authority ("ARTA"), the District and East Cherry Creek Valley Water & Sanitation District:** Attorney Hoistad and Director Hopper provided a high-level update regarding current negotiations with ARTA and East Cherry Creek Valley Water & Sanitation District, noting that no Board action is necessary at this time.

**Executive Session:** It was determined that an executive session was not necessary.

**Partial Termination of the Temporary Construction Easement Agreement:** Attorney Hoistad reviewed the Partial Termination of the Temporary Construction Easement Agreement, dated July 9, 2019, and recorded at Reception No. 2019000053755 in the Real Property Records of Adams County, Colorado. Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved the Partial Termination of the Temporary Construction Easement Agreement, dated July 9, 2019, and recorded at Reception No. 2019000053755 in the Real Property Records of Adams County, Colorado.

## RECORD OF PROCEEDINGS

---

**Engagement Letter by and between the District and Kutak Rock LLP for an Opinion related to the Enforceability of the Intergovernmental Agreement regarding Imposition, Collection and Transfer of ARI Mill Levies by and among ATEC Metropolitan District No. 1, ATEC Metropolitan District No. 2, the District and ARTA:** Attorney Cortese reviewed the Engagement Letter with the Board, noting the scope of work and indicated the fee quote is forthcoming. Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Shearon and, upon vote, unanimously carried by roll call, the Board approved the Engagement Letter by and between the District and Kutak Rock LLP for an Opinion related to the Enforceability of the Intergovernmental Agreement regarding Imposition, Collection and Transfer of ARI Mill Levies by and among ATEC Metropolitan District No. 1, ATEC Metropolitan District No. 2, the District and ARTA.

**Joint Resolution of the Boards of Directors of The Aurora Highlands Community Authority Board (“CAB”) and the District Appropriating, Encumbering and Committing Funds for Earthwork Project:** Attorney Hoistad reviewed the Joint Resolution with the Board. Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Shearon and, upon vote, unanimously carried by roll call, the Board adopted the Joint Resolution of the Boards of Directors of the CAB and the District Appropriating, Encumbering and Committing Funds for Earthwork Project.

### FINANCIAL MATTERS

**Lender Funding Request and Payment of Claims for Operating Costs:** Ms. Sedgley reviewed the Lender funding request with the Board. Following discussion, upon a motion duly made by Director Ferreira, seconded by Director Sheldon and, upon vote, unanimously carried by roll call, the Board acknowledged approval of the Lender funding request and approved payment of claims for operating costs in the amount of \$59,779.94.

**Cash Position Report Dated April 30, 2021, updated as of July 7, 2021:** Ms. Sedgley reviewed the Cash Position Report with the Board. Following review, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board accepted the Cash Position Reported dated April 30, 2021, updated as of July 7, 2021.

**CAB and District Engineer’s Report and Verification of Costs Associated with Public Improvements (Draw No. 37) Engineer’s Report and Verification of Costs No. 14 prepared by Schedio Group LLC (“Engineer’s Report”):** Ms. Sedgley reviewed the Engineer’s Report with the Board. Following review and discussion, upon a motion duly made by Director Hopper, seconded by Director Sheldon and, upon vote, unanimously carried by roll call, the Board approved the recommendation to the CAB for acceptance of the Engineer’s Report.

## RECORD OF PROCEEDINGS

---

**Status of 2020 Audit and Authorization to File Request for Extension of Time to File Audit for Year-End December 31, 2020:** Ms. Sedgeley reviewed the status of the 2020 Audit with the Board. Following discussion, upon a motion duly made by Director Ferreira, seconded by Director Sheldon and, upon vote, unanimously carried by roll call, the Board authorized the filing of a Request for Extension of Time to File Audit for Year-End December 31, 2020.

### CAPITAL PROJECTS

**Draw Request No. 37:** Ms. Sedgeley reviewed Draw Request No. 37 with the Board. Following discussion, upon motion duly made by Director Hopper, seconded by Director Sheldon and, upon vote, unanimously carried by roll call, the Board approved Draw Request No. 37, in the amount of \$2,702,582.55, as shown below:

CAB (A Bonds)	\$	1,717,621.24
CAB (B Bonds)	\$	8,061.49
ARTA	\$	963,534.18
ATEC	\$	6,196.80
Developer	\$	7,168.84
		\$ 2,702,582.55

**Change Order No. 01 to Task Order No. 06 to Master Service Agreement (“MSA”) for Program Management, Design and Construction Support Services by and between the District and AECOM Technical Services, Inc., for Statewide Grading Analysis:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved the **Change Order No. 01 to Task Order No. 06 to MSA** for Program Management, Design and Construction Support Services by and between the District and **AECOM Technical Services, Inc.**, for Statewide Grading Analysis, in the amount of \$39,597.50, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Task Order No. 01 to MSA for Program Management, Design and Construction Support Services (Aerotropolis Regional Transportation Authority Projects) by and between the District and AECOM Technical Services, Inc., for ECCV Waterline Bypass Design:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Task Order No. 01 to MSA** for Program Management, Design and Construction Support Services (Aerotropolis Regional Transportation Authority Projects) by and between the District and **AECOM Technical Services, Inc.**, for ECCV Waterline Bypass Design, in the amount of \$85,050.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

## RECORD OF PROCEEDINGS

---

**Change Order No. 10 to the Construction Agreement by and between the District and Aggregate Industries – WCR, Inc., for 42<sup>nd</sup> P2 NS Collector (Adjust Manholes at NS Collector):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 10** to the **Construction Agreement** by and between the District and **Aggregate Industries – WCR, Inc.**, for 42<sup>nd</sup> P2 NS Collector (Adjust Manholes at NS Collector), in the amount of \$4,099.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 01 to Task Order No. 45 to MSA for Surveying Services by and between the District and Aztec Consultants, Inc., for Miscellaneous Conduit Staking:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 01 to Task Order No. 45** to **MSA** for Surveying Services by and between the District and **Aztec Consultants, Inc.**, for Miscellaneous Conduit Staking, in the amount of \$17,180.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Task Order to MSA for Surveying Services by and between the District and Aztec Consultants, Inc., for Landscape Staking:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira, upon vote, unanimously carried by roll call, the Board approved **Task Order** to **MSA** for Surveying Services by and between the District and **Aztec Consultants, Inc.**, for Landscape Staking, in the amount of \$10,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 03 to the Construction Agreement by and between the District and Brightview Landscape Development, Inc., for Entry Monument 5A & 5B (Est. #13 – Furnish and Install Temporary Solar Power System):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 03** to the **Construction Agreement** by and between the District and **Brightview Landscape Development, Inc.**, for Entry Monument 5A & 5B (Est. #13 – Furnish and Install Temporary Solar Power System), in the amount of \$6,151.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 04 to the Construction Agreement by and between the District and Brightview Landscape Development, Inc., for Landscape, Hardscape & Monumentation (PCI #007 – Tree Spading, PCI #008 - Sod and PCI #009 – Relocate 15 Ash Trees):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 04** to the **Construction Agreement** by and between the District and **Brightview Landscape**

## RECORD OF PROCEEDINGS

---

**Development, Inc.**, for Landscape, Hardscape & Monumentation (PCI #007 – Tree Spading, PCI #008 - Sod and PCI #009 – Relocate 15 Ash Trees), in the amount of \$168,015.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 05 to the Construction Agreement by and between the District and Brightview Landscape Development, Inc., for Landscape, Hardscape & Monumentation (PCI #14 – Install Irrigation for the Event Lawn):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 05** to the **Construction Agreement** by and between the District and **Brightview Landscape Development, Inc.**, for Landscape, Hardscape & Monumentation (PCI #14 – Install Irrigation for the Event Lawn), in the amount of \$158,907.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Task Order No. 02 to the MSA for Lighting Design and Electrical Engineering Services by and between the District and Clanton Engineering, Inc., D/B/A Clanton & Associates, for Lighting and Electrical Design for the I-70/Harvest Road Interchange:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Task Order No. 02** to the **MSA** for Lighting Design and Electrical Engineering Services by and between the District and **Clanton Engineering, Inc., D/B/A Clanton & Associates**, for Lighting and Electrical Design for the I-70/Harvest Road Interchange, in the amount of \$37,244.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Task Order No. 03 to the MSA for Lighting Design and Electrical Engineering Services by and between the District and Clanton Engineering, Inc., D/B/A Clanton & Associates, for Lighting and Electrical Design for Harvest Road to 26<sup>th</sup> Avenue:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Task Order No. 03** to the **MSA** for Lighting Design and Electrical Engineering Services by and between the District and **Clanton Engineering, Inc., D/B/A Clanton & Associates**, for Lighting and Electrical Design for Harvest Road to 26<sup>th</sup> Avenue, in the amount of \$37,591.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 05 to the Construction Agreement by and between the District and Concrete Curb & Paving, Inc., for 42<sup>nd</sup> P2 NS Collector Pkwy (COR #05 – Concrete Material Cost Increase, COR #06 – T&M to Remove Excessive Dirt, Invoice #21135 – Remove Approx. 50 LF of Curb):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved

## RECORD OF PROCEEDINGS

---

**Change Order No. 05 to the Construction Agreement** by and between the District and **Concrete Curb & Paving, Inc.**, for 42<sup>nd</sup> P2 NS Collector Pkwy (COR #05 – Concrete Material Cost Increase, COR #06 – T&M to Remove Excessive Dirt, Invoice #21135 – Remove Approx. 50 LF of Curb), in the amount of \$9,325.91, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 01 to Task Order No. 18 to MSA for Geotechnical Services by and between the District and CTL Thompson, Inc., for Main Street Phase 1 & 2 Pavement Design and COMT:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 01 to Task Order No. 18 to MSA for Geotechnical Services** by and between the District and **CTL Thompson, Inc.**, for Main Street Phase 1 & 2 Pavement Design and COMT, in the amount of \$20,488.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 01 to Task Order No. 19 to MSA for Geotechnical Services by and between the District and CTL Thompson, Inc., for 42<sup>nd</sup> Avenue Phase 2, NS Collector, TAH Parkway Water COMT:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 01 to Task Order No. 19 to MSA for Geotechnical Services** by and between the District and **CTL Thompson, Inc.**, for 42<sup>nd</sup> Avenue Phase 2, NS Collector, TAH Parkway Water COMT, in the amount of \$27,058.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 01 to Task Order No. 25 to MSA for Geotechnical Services by and between the District and CTL Thompson, Inc., for Tributary T Infrastructure and Main Street 03 Construction Testing:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 01 to Task Order No. 25 to MSA for Geotechnical Services** by and between the District and **CTL Thompson, Inc.**, for Tributary T Infrastructure and Main Street 03 Construction Testing, in the amount of \$141,798.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 13 to the Construction Agreement by and between the District and Dynaelectric Company, for TAH Filing 1 - Lighting (CCN # CO 17 – Replace Temporary Light Pole and CCN #CO 18 – Relocate 10 Temporary Light Poles and Solera Fixtures):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 13 to the Construction Agreement** by and between the District and **Dynaelectric Company**, for TAH Filing 1 - Lighting (CCN # CO 17 – Replace Temporary Light Pole and CCN #CO

## RECORD OF PROCEEDINGS

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18 – Relocate 10 Temporary Light Poles and Solera Fixtures), in the amount of \$22,772.73, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Work Order No. 04 to the Construction Management Agreement (CMAR) with JHL Constructors, Inc., for 36” Water Tie-Ins and Irrigation Taps:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Work Order No. 04** to the **Construction Management Agreement (CMAR)** with **JHL Constructors, Inc.**, for 36” Water Tie-Ins and Irrigation Taps, for an amount not to exceed \$852,935.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Work Order No. 05 to the Construction Management Agreement (CMAR) with JHL Constructors, Inc., for District Directed Miscellaneous Work:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Work Order No. 05** to the **Construction Management Agreement (CMAR)** with **JHL Constructors, Inc.**, for District Directed Miscellaneous Work, for an amount not to exceed \$100,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Work Order No. 06 to the Construction Management Agreement (CMAR) with JHL Constructors, Inc., for Section 30 Mass Grading:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Work Order No. 06** to the **Construction Management Agreement (CMAR)** with **JHL Constructors, Inc.**, for Section 30 Mass Grading, for an amount not to exceed \$2,620,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 54 to the Construction Agreement by and between the District and JHL Constructors, Inc., for Trib T Aurora Pkwy P3 & Mainstreet P3 (Added Springline Flowfill Embedment & Concrete Cutoff Wall for Emergency Spill Way):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 54** to the **Construction Agreement** by and between the District and **JHL Constructors, Inc.**, for Trib T Aurora Pkwy P3 & Mainstreet P3 (Added Springline Flowfill Embedment & Concrete Cutoff Wall for Emergency Spill Way), in the amount of \$82,543.84, upon review and recommendation by the Construction Committee and Lender commitment to fund.



## RECORD OF PROCEEDINGS

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**Change Order No. 55 to the Construction Agreement by and between the District and JHL Constructors, Inc., for Trib T Aurora Pkwy P3 & Mainstreet P3 (Weed Mitigation and Mowing at Main Street to Pond 8508):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 55** to the **Construction Agreement** by and between the District and **JHL Constructors, Inc.**, for Trib T Aurora Pkwy P3 & Mainstreet P3 (Weed Mitigation and Mowing at Main Street to Pond 8508), in the amount of \$13,689.74, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 56 to the Construction Agreement by and between the District and JHL Constructors, Inc., for Trib T Aurora Pkwy P3 & Mainstreet P3 (Design Build Electrical Revision 3):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 56** to the **Construction Agreement** by and between the District and **JHL Constructors, Inc.**, for Trib T Aurora Pkwy P3 & Mainstreet P3 (Design Build Electrical Revision 3), in the amount of \$1,672,391.24, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 01 to Task Order No. 03 to the MSA for Subsurface Utility Engineering by and between the District and Lamb-Star Engineering, L.P., for Subsurface Utility Engineering Services:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 01 to Task Order No. 03** to the **MSA for Subsurface Utility Engineering** by and between the District and **Lamb-Star Engineering, L.P.**, for Subsurface Utility Engineering Services, in the amount of \$77,244.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**MSA for Program Management Services by and between the District and Matrix Design Group, Inc.:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved the **MSA for Program Management Services** by and between the District and **Matrix Design Group, Inc.** upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Task Order No. 27 to the MSA for Planning and Landscape Architecture Services by and between the District and Norris Design, Inc., for E-470 Interchange and Assistance with Development and Approval of the Parkway Landscape between the Bridge and Main Street:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Task Order No. 27** to the **MSA for Planning and Landscape Architecture Services** by and between the

## RECORD OF PROCEEDINGS

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District and **Norris Design, Inc.**, for E-470 Interchange and Assistance with Development and Approval of the Parkway Landscape between the Bridge and Main Street, in the amount of \$131,250.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 01 to Task Order No. 15 to the MSA for Planning and Landscape Architecture Services by and between the District and Norris Design, Inc., for Neighborhood Park #1 (School/Park):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 01 to Task Order No. 15** to the MSA for Planning and Landscape Architecture Services by and between the District and **Norris Design, Inc.**, for Neighborhood Park #1 (School/Park), in the amount of \$13,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 01 to Task Order No. 18 to the MSA for Planning and Landscape Architecture Services by and between the District and Norris Design, Inc., for Secondary Monuments and Entries:** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 01 to Task Order No. 18** to the MSA for Planning and Landscape Architecture Services by and between the District and **Norris Design, Inc.**, for Secondary Monuments and Entries, in the amount of \$20,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 12 to the Construction Agreement by and between the District and Stormwater Risk Management, LLC, for 42<sup>nd</sup> Avenue P2 and NS Collector EWEC (COR No. 5 – Furnish and Install Straw Wattles and COR No. 2 – Hydro-Mulch TAH Staging Yard):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 12** to the **Construction Agreement** by and between the District and **Stormwater Risk Management, LLC**, for 42<sup>nd</sup> Avenue P2 and NS Collector EWEC (COR No. 5 – Furnish and Install Straw Wattles and COR No. 2 – Hydro-Mulch TAH Staging Yard), in the amount of \$19,372.08, upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Change Order No. 15 to the Construction Agreement by and between the District and Wagner Construction, Inc. – Colorado, for 42<sup>nd</sup> Ave P2 and NS Collector Pkwy Waterline (Stabilize Pond due to Snow/Rain):** Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved **Change Order No. 15** to the **Construction Agreement** by and between the District and **Wagner Construction, Inc. – Colorado**, for 42<sup>nd</sup> Ave P2 and NS Collector Pkwy Waterline (Stabilize Pond due to Snow/Rain), in the amount of \$15,797.62,

## RECORD OF PROCEEDINGS

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upon review and recommendation by the Construction Committee and Lender commitment to fund.

**Presentation by Construction Manager Concerning Projects at Substantial Completion and Close-Out of Construction Agreements:** Ms. Myers reviewed the construction agreements for close-out.

**Recommendation of Construction Manager and Direction to Publish Notice of Final Payment:** Ms. Myers recommended final payment, publication and release of final retainage for the following completed construction agreements:

- Aggregate Industries – E-470 & 38<sup>th</sup> Phase 1;
- Iron Woman Construction and Environmental Services, LLC – Main Street P1-2, 42<sup>nd</sup> & Aura Blvd. P1 Concrete;
- Stormwater Risk Management, LLC – Sanitary Sewer F1;
- Stormwater Risk Management, LLC – Main Street P1-2, 42<sup>nd</sup> & Aura Blvd. P1;
- Stormwater Risk Management, LLC – 38<sup>th</sup> Place & 38<sup>th</sup> Ave;
- Stormwater Risk Management, LLC – 38th Pwky (Reserve - Powhatan);
- Stormwater Risk Management, LLC – 38th Pkwy (Powhatan - Monaghan);
- Stormwater Risk Management, LLC – Residential F1; and
- Stormwater Risk Management, LLC – Community Markers.


Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board directed publication of Notices of Final Payment and authorized the release of final retainage under the above-referenced completed construction agreements.

ARTA MATTERS           None.

OTHER BUSINESS       None.

ADJOURNMENT       Following discussion, upon motion duly made by Director Ferreira, seconded by Director Sheldon and, upon vote, unanimously carried, the Board adjourned the meeting at 1:27 p.m.

Respectfully submitted,

By  \_\_\_\_\_  
77517AF6E925439...  
Secretary for the Meeting

**Certificate Of Completion**

Envelope Id: 5038CFCB948841AEB9C12BF8369E7367	Status: Completed
Subject: Please DocuSign: 2.A. Minutes 07-15-21 AACMD Final.pdf	
Client Name: AACMD	
Client Number: 011-042659-OS03-2021	
Source Envelope:	
Document Pages: 11	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Kathy Suazo
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 South 6th Street
	Suite 300
	Minneapolis, MN 55402
	Kathy.Suazo@claconnect.com
	IP Address: 67.137.57.251


**Record Tracking**

Status: Original	Holder: Kathy Suazo	Location: DocuSign
8/24/2021 9:55:42 AM	Kathy.Suazo@claconnect.com	

**Signer Events**

Denise Denslow  
denise.denslow@claconnect.com  
Secretary  
Security Level: Email, Account Authentication (None)

**Signature**

DocuSigned by:  
  
77517AF6E925439...  
Signature Adoption: Pre-selected Style  
Using IP Address: 165.225.10.153

**Timestamp**

Sent: 8/24/2021 9:57:11 AM  
Viewed: 8/25/2021 11:21:45 AM  
Signed: 8/25/2021 11:21:53 AM

**Electronic Record and Signature Disclosure:**  
Accepted: 8/25/2021 11:21:45 AM  
ID: 8d828e07-5aae-40c6-8f99-85f895271502

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	8/24/2021 9:57:11 AM
Certified Delivered	Security Checked	8/25/2021 11:21:45 AM
Signing Complete	Security Checked	8/25/2021 11:21:53 AM
Completed	Security Checked	8/25/2021 11:21:53 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

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