

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
AEROTROPOLIS AREA COORDINATING
METROPOLITAN DISTRICT (“DISTRICT”)
HELD
MAY 20, 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, May 20, 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 Director 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:

MaryAnn McGeady, Esq., Elisabeth A. Cortese, Esq. and Jon Hoistad, Esq.;
McGeady Becher P.C.
Denise Denslow, Kathy Suazo, Debra Sedgeley and Zach Leavitt;
CliftonLarsonAllen LLP (“CLA”)
Dave Center and Tony Devito; AECOM
Curren Vite; JHL Constructors, Inc.
Tanya Lawless and Kamille Curylo, Esq.; Kutak Rock LLP

**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

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of the District's Board meeting. Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously 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 Director 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 taxing 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 amended by Director Hopper.

Public Comment: There was no public comment.

CONSENT AGENDA

The Board considered the following actions:

A. Review and consider approval of April 15, 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

Joint Amended and Restated Resolution of The Aurora Highlands Community Authority Board ("CAB") and the District Establishing Project Procurement/Cost Verification and Cost Accounting Procedures: Attorney McGeady reviewed the Joint Amended and Restated Resolution with the Board, noting that the Resolution addresses recent changes in personnel and procedures relating to cost verification and construction accounting. Following review and discussion, upon motion duly made by Director Sheldon, seconded by Director Shearon and, upon vote, unanimously carried, the Board adopted the Joint Amended and Restated Resolution of the CAB and the District Establishing Project Procurement/Cost Verification and Cost Accounting Procedures.

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Proposed General 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 McGeady informed the Board that recent developments regarding the construction of The Aurora Highlands Parkway and the ECCV waterline would be appropriate for discussion in executive session.

Status of Issuance of ARTA Bonds: The Board briefly discussed ARTA’s bond issuance, which is anticipated to occur in July.

Executive Session: Pursuant to Section 24-6-402(4)(e), C.R.S., and upon a motion made by Director Hopper, seconded by Director Sheldon and, upon vote unanimously carried by roll call, the Board, District Counsel and certain District consultants convened in Executive Session at 1:14 p.m. for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators. The Board did not engage in substantial discussion of any matter not enumerated in Section 24-6-402(4)(b), C.R.S. The Board did not adopt any proposed policy, position, resolution, rule, regulation or formal action. At no time during the executive session did the District consultants participate in or influence the Board’s deliberations.

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of those portions of the Executive Session that, in the opinion of the Board’s attorneys, constitute privileged attorney-client communication pursuant to Section 24-6-402(4), C.R.S.

The executive session meeting was adjourned at 1:27 p.m. upon a motion duly made by Director Sheldon, seconded by Director Shearon and, upon vote unanimously carried by roll call.

Following a motion duly made by Director Sheldon, seconded by Director Shearon and, upon vote unanimously carried by roll call, the Board authorized District staff to work with Director Hopper to negotiate terms to address the ECCV waterline / The Aurora Highlands Parkway matter.

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 Sheldon, seconded by Director Ferreira 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 \$22,697.39.

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Financial Statement dated February 28, 2021 and Cash Position Report Dated February 28, 20210, updated as of May 12, 2021: Ms. Sedgeley reviewed the Financial Statement and Cash Position Report with the Board. Following review, upon a motion duly made by Director Sheldon, seconded by Director Shearon and, upon vote, unanimously carried by roll call, the Board accepted the Financial Statement dated February 28, 2021 and the Cash Position Reported dated February 28, 2021, updated as of May 12, 2021.

CAB and District Engineer’s Report and Verification of Costs Associated with Public Improvements (Draw No. 35) Engineer’s Report and Verification of Costs No. 12 prepared by Schedio Group LLC (“Engineer’s Report”): Ms. Sedgeley reviewed the Engineer’s Report with the Board. Following review and 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 recommendation to the CAB for acceptance of the Engineer’s Report.

CAPITAL PROJECTS

Draw Request No. 35: Ms. Sedgeley reviewed Draw Request No. 35 with the Board. Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved Draw Request No. 35, in the amount of \$2,515,692.84, as shown below:

CAB (A Bonds)	\$ 1,980,166.20
CAB (B Bonds)	\$ 11,679.20
ARTA	\$ 523,263.64
ATEC	\$ 6,586.00
Developer	\$ <6,002.20>
TOTAL:	\$ 2,515,692.84

Work Order No. 02 to Construction Management Agreement (CMAR) with JHL Constructors, Inc. for Procurement and Installation of Landscape Fencing and Concrete Walls: Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Sheldon and, upon vote, unanimously carried by roll call, the Board approved **Work Order No. 02 to Construction Management Agreement (CMAR) with JHL Constructors, Inc.** for Procurement and Installation of Landscape Fencing and Concrete Walls, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Master Service Agreement (“MSA”) for Program Management, Design, and Construction Support Services (Aerotropolis Regional Transportation Authority Projects) by and between the District and AECOM Technical Services, Inc.: Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Shearon and, upon vote, unanimously carried by

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roll call, the Board approved the **MSA** for Program Management, Design, and Construction Support Services (Aerotropolis Regional Transportation Authority Projects) by and between the District and **AECOM Technical Services, Inc.**, in an amount to be determined, upon review and recommendation by the Construction Committee and Lender commitment to fund.

MSA for Design and Construction Support Services (ATEC Metropolitan Districts) by and between the District and AECOM Technical Services, Inc.:

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 **MSA** for Design and Construction Support Services (ATEC Metropolitan Districts) by and between the District and **AECOM Technical Services, Inc.**, in an amount to be determined, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 22 to MSA for Program Management, Design and Construction Support Services by and between the District and AECOM Technical Services, Inc., for SWMP Plan for Overlot Grading South of Trib T:

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 **Task Order No. 22 to MSA** for Program Management, Design and Construction Support Services by and between the District and **AECOM Technical Services, Inc.**, for SWMP Plan for Overlot Grading South of Trib T, in the amount of \$297,381.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 26 to MSA for Program Management, Design and Construction Support Services by and between the District and AECOM Technical Services, Inc., for Creststone Well Layout Section 28 NE Quad:

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 **Task Order No. 26 to MSA** for Program Management, Design and Construction Support Services by and between the District and **AECOM Technical Services, Inc.**, for Creststone Well Layout Section 28 NE Quad, in the amount of \$9,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

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 Site Grading Plan – True-Up Total Cost:

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 **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 Site Grading Plan – True-Up Total Cost,

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in the amount of \$22,116.50, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 27 to MSA for Program Management, Design and Construction Support Services by and between the District and AECOM Technical Services, Inc., for Coordination of Geotechnical Investigation for Over Excavation Areas: 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 **Task Order No. 27 to MSA** for Program Management, Design and Construction Support Services by and between the District and **AECOM Technical Services, Inc.**, for Coordination of Geotechnical Investigation for Over Excavation Areas, in the amount of \$9,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 09 to MSA for Program Management, Design and Construction Support Services by and between the District and AECOM Technical Services, Inc., for 26th Avenue Concept Design Scope: 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 **Task Order No. 09 to MSA** for Program Management, Design and Construction Support Services by and between the District and **AECOM Technical Services, Inc.**, for 26th Avenue Concept Design Scope, in the amount of \$347,854.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 01 Service Agreement for Landscape Consulting Services by and between the District and Big West Consulting LLC for January and February 2021 Services: 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 **Change Order No. 01 to Service Agreement** for Landscape Consulting Services by and between the District and **Big West Consulting LLC** for January and February 2021 Services, in the amount of \$58,130.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 04 to Task Order No. 02 to MSA for Civil Engineering Services by and between the District and Beam Longest & Neff, LLC, for Analysis of Scope of Services for I-70/Harvest Road Interchange – Phase I: 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 **Change Order No. 04 to Task Order No. 02 to MSA** for Civil Engineering Services by and between the District and **Beam Longest & Neff, LLC**, for Analysis of Scope of Services for I-70/Harvest Road Interchange – Phase I, in the amount of \$28,823.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

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Task Order No. 32 to MSA for Geotechnical Services by and between the District and CTL Thompson, Inc., for the I-70 Interchange Design Report:

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 **Task Order No. 32 to MSA** for Geotechnical Services by and between the District and **CTL Thompson, Inc.**, for the I-70 Interchange Design Report, in the amount of \$17,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 33 to MSA for Geotechnical Services by and between the District and CTL Thompson, Inc., for Construction Observation and Materials Testing, P2 Entry Monument:

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 **Task Order No. 33 to MSA** for Geotechnical Services by and between the District and **CTL Thompson, Inc.**, for Construction Observation and Materials Testing, P2 Entry Monument, in the amount of \$30,260.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 34 to MSA for Geotechnical Services by and between the District and CTL Thompson, Inc., for Construction Observation and Materials Testing, Community Markers 5A and 5B:

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 **Task Order No. 34 to MSA** for Geotechnical Services by and between the District and **CTL Thompson, Inc.**, for Construction Observation and Materials Testing, Community Markers 5A and 5B, in the amount of \$4,877.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 02 to Task Order No. 01 to the MSA for Civil Engineering Services by and between the District and Felsburg Holt & Ullevig, Inc. for Revised Scope of Work and Fee to Complete 100% Construction Documents for E-470 and 38th Avenue/TAH Parkway Interchange:

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 **Change Order No. 02 to Task Order No. 01** to the MSA for Civil Engineering Services by and between the District and **Felsburg Holt & Ullevig, Inc.** for Revised Scope of Work and Fee to Complete 100% Construction Documents for E-470 and 38th Avenue/TAH Parkway Interchange, in the amount of \$243,230.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 02 to the Construction Agreement by and between the District and Golden Triangle Construction, Inc. for Entry Monument P2 (Monument Sign and Electrical Revisions):

Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Shearon and, upon vote,

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unanimously carried by roll call, the Board approved **Change Order No. 02** to the **Construction Agreement** by and between the District and **Golden Triangle Construction, Inc.** for Entry Monument P2 (Monument Sign and Electrical Revisions), in the amount of \$30,408.00, 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 Golden Triangle Construction, Inc. for Entry Monument P2 (Revisions to the Downspouts per RFI-024): 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 **Change Order No. 03** to the **Construction Agreement** by and between the District and **Golden Triangle Construction, Inc.** for Entry Monument P2 (Revisions to the Downspouts per RFI-024), in the amount of \$18,378.00, 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 Golden Triangle Construction, Inc. for Entry Monument P2 (Costs Associated with Parging All Exposed CMU and Match Stucco): 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 **Change Order No. 04** to the **Construction Agreement** by and between the District and **Golden Triangle Construction, Inc.** for Entry Monument P2 (Costs Associated with Parging All Exposed CMU and Match Stucco), in the amount of \$11,472.00, 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 Golden Triangle Construction, Inc. for Entry Monument P2 (Switch from Damp Proofing to Waterproofing at the Above-Ground Planters): 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 **Change Order No. 05** to the **Construction Agreement** by and between the District and **Golden Triangle Construction, Inc.** for Entry Monument P2 (Switch from Damp Proofing to Waterproofing at the Above-Ground Planters), in the amount of \$13,848.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 06 to the Construction Agreement by and between the District and Golden Triangle Construction, Inc. for Entry Monument P2 (Furnish and Install Outlet on North Stucco Wall to Provide Power for Christmas Décor): 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 **Change Order No. 06** to the **Construction Agreement** by and between the District and **Golden Triangle Construction, Inc.** for Entry

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Monument P2 (Furnish and Install Outlet on North Stucco Wall to Provide Power for Christmas Décor), in the amount of \$2,434.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 07 to the Construction Agreement by and between the District and Golden Triangle Construction, Inc. for Entry Monument P2 (Provide Hinged Access Panel with Keyed Lock to Provide Access in between Signage Wall): 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 **Change Order No. 07 to the Construction Agreement** by and between the District and **Golden Triangle Construction, Inc.** for Entry Monument P2 (Provide Hinged Access Panel with Keyed Lock to Provide Access in between Signage Wall), in the amount of \$2,714.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 08 to the Construction Agreement by and between the District and Golden Triangle Construction, Inc. for Entry Monument P2 (PCR #8, PCR #9, PCR #10, PCR #11 and PCR #12): 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 **Change Order No. 08 to the Construction Agreement** by and between the District and **Golden Triangle Construction, Inc.** for Entry Monument P2 (PCR #8, PCR #9, PCR #10, PCR #11 and PCR #12), in the amount of \$54,115.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 50 to the Construction Agreement by and between the District and JHL Constructors, Inc. for Trib T Infrastructure and Mainstreet P3 (YESCO to Furnish and Install Architectural Enhancements at Main Street and NS Collector Bridges at North Main Entry Monument): 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 **Change Order No. 50 to the Construction Agreement** by and between the District and **JHL Constructors, Inc.** for Trib T Infrastructure and Mainstreet P3 (YESCO to Furnish and Install Architectural Enhancements at Main Street and NS Collector Bridges at North Main Entry Monument), in the amount of \$155,101.19, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 01 to Task Order No. 2 to the MSA for Subsurface Utility Engineering by and between the District and Lamb-Star Engineering, L.P. for Performance of 16 Additional Test Holes: 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 **Change Order No. 01 to Task Order No. 2 to the MSA for Subsurface Utility Engineering** by and between the District and **Lamb-Star Engineering, L.P.** for Performance of 16 Additional Test

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Holes, in the amount of \$33,882.00, 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 Shearon 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.

Task Order No. 27 to the MSA for Planning and Landscape Architecture Services by and between the District and Norris Design, Inc. for ARTA/I-70 Interchange Concepts: 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 **Task Order No. 27** to the MSA for Planning and Landscape Architecture Services by and between the District and **Norris Design, Inc.** for ARTA/I-70 Interchange Concepts, in the amount of \$11,200.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 02 to Task Order No. 01 to MSA for District Engineering Services, by and between the District and Schedio Group LLC, for Time and Materials: 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 **Change Order No. 02 to Task Order No. 01** to MSA for District Engineering Services, by and between the District and **Schedio Group LLC**, for Time and Materials, in the amount of \$100,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 03 to Task Order No. 01 to MSA for District Engineering Services, by and between the District and Schedio Group LLC, for AACMD/ARTA Cost Verification: 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 **Change Order No. 03 to Task Order No. 01** to MSA for District Engineering Services, by and between the District and **Schedio Group LLC**, for AACMD/ARTA Cost Verification, in the amount of \$706,521.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 01 to the Service Agreement for Program Management (Executive Advisor for the Advancement of Interstate, Tollway, Rail and Regional Transportation Solutions) by and between the District and Summit

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Strategies, Inc. for Time and Materials: Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Shearon and, upon an affirmative vote, with Director Hopper abstaining, the Board approved **Change Order No. 01** to the **Service Agreement** for Program Management (Executive Advisor for the Advancement of Interstate, Tollway, Rail and Regional Transportation Solutions) by and between the District and **Summit Strategies, Inc.** for Time and Materials, in the amount of \$688,800.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 02 to the Service Agreement for Program Management (Executive Advisor for the Advancement of Interstate, Tollway, Rail and Regional Transportation Solutions) by and between the District and Summit Strategies, Inc. for Term Extension: Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Shearon and, upon an affirmative vote, with Director Hopper abstaining, the Board approved **Change Order No. 02** to the **Service Agreement** for Program Management (Executive Advisor for the Advancement of Interstate, Tollway, Rail and Regional Transportation Solutions) by and between the District and **Summit Strategies, Inc.** for Term Extension, in the amount of \$750,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

MSA for Architectural Design Consulting Services, by and between the District and Woodley Architectural Group, Inc.: 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 **MSA** for Architectural Design Consulting Services, by and between the District and **Woodley Architectural Group, Inc.**, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 1 to MSA for Architectural Design Consulting Services, by and between the District and Woodley Architectural Group, Inc. for Invoice # 20-00489: 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 **Task Order No. 1 to MSA** for Architectural Design Consulting Services, by and between the District and **Woodley Architectural Group, Inc.** for Invoice # 20-00489, in the amount of \$10,016.88, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 2 to MSA for Architectural Design Consulting Services, by and between the District and Woodley Architectural Group, Inc. for Interim Services: 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 **Task Order No. 2 to MSA** for Architectural Design Consulting Services, by and between the District and **Woodley Architectural Group, Inc.** for

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Interim Services, in an amount to be determined, upon review and recommendation by the Construction Committee and Lender commitment to fund.

MSA for Program Management and Design Review Services by and between the District and Matrix Design Group, Inc.: 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 **MSA** for Program Management and Design Review Services by and between the District and **Matrix Design Group, Inc.**, in an amount to be determined, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Work Order No. 03 to Construction Management Agreement by and between the District and JHL Constructors, Inc. for Project Area Grading: 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 **Work Order No. 03** to Construction Management Agreement by and between the District and **JHL Constructors, Inc.** for Project Area Grading, in an amount to be determined, upon review and recommendation by the Construction Committee and Lender commitment to fund.

ARTA MATTERS

None.

OTHER BUSINESS

Onsite Office: Director Hopper discussed the need to establish an onsite office. Following discussion, upon a motion duly made by Director Hopper, seconded by Director Sheldon and, upon vote, unanimously carried, the Board approved the conversion of the current double-wide trailer into an onsite office for District use, for an amount not to exceed of \$20,000.00.

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 1:54 p.m.

Respectfully submitted,

DocuSigned by:
Denise Denstow
By _____
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Secretary for the Meeting

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Attorney Statement

REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Aerotropolis Area Coordinating Metropolitan District, I attended the executive session meeting of Aerotropolis Area Coordinating Metropolitan District convened at 1:14 p.m., on May 20, 2021, for the purpose of receiving legal advice relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators, as authorized by Section 24-6-402(4)(e) C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

MaryAnn M. McGeady, Attorney for the District
May 20, 2021

Certificate Of Completion

Envelope Id: 968D143A5E784C029B252A1E5B34E53E	Status: Completed
Subject: Please DocuSign: 2.A. Minutes 05-20-21 AACMD Final.pdf	
Client Name: AACMD	
Client Number: 011-042659-OS03-2021	
Source Envelope:	
Document Pages: 13	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
7/10/2021 2:24:48 PM	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: 165.225.10.184

Timestamp

Sent: 7/10/2021 2:27:03 PM
Viewed: 7/12/2021 1:59:46 PM
Signed: 7/12/2021 1:59:53 PM

Electronic Record and Signature Disclosure:
Accepted: 7/12/2021 1:59:46 PM
ID: 1cbe6eea-2ca0-4bb3-8fc6-2031574350c2

In Person Signer Events	Signature	Timestamp
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Editor Delivery Events	Status	Timestamp
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Agent Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	7/10/2021 2:27:03 PM
Certified Delivered	Security Checked	7/12/2021 1:59:46 PM
Signing Complete	Security Checked	7/12/2021 1:59:53 PM
Completed	Security Checked	7/12/2021 1:59:53 PM

Payment Events	Status	Timestamps
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