

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
AEROTROPOLIS AREA COORDINATING
METROPOLITAN DISTRICT (“DISTRICT”)
HELD
OCTOBER 26, 2020**

A special meeting of the Board of Directors of the District, County of Adams (referred to hereafter as the “Board”) was convened on Monday, October 26, 2020 at 3:00 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
Michael Sheldon
Carla Ferreira
Cynthia (“Cindy”) Shearon

Also In Attendance Was:

MaryAnn McGeady, Esq., Elisabeth A. Cortese, Esq., Jon Hoistad, Esq.;
McGeady Becher P.C.
Chad Rabon and Tony DeVito; AECOM
Debra Sedgeley, Denise Denslow, Anna Jones, Nic Carlson and Zachary
Leavitt; CliftonLarsonAllen LLP (“CLA”)
Kamille Curylo, Esq. and Tanya Barton, Esq.; Kutak Rock LLP
Rita Connerly, Esq.; Fairfield and Woods P.C.

**ADMINISTRATIVE
MATTERS**

Disclosure of Potential Conflicts of Interest: Attorney McGeady 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 as required by statute. No new conflicts were disclosed.

Quorum/Confirmation of Meeting Location/Posting of Notice: A quorum for the special meeting was confirmed. 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 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 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:

- A. Ratify approval of **Task Order No. 24** under the Master Service Agreement (“MSA”) for Planning and Landscape Architecture Services by and between the District and **Norris Design, Inc.** for The Aurora Highlands – Main Street Soccer Field Study, in the amount of \$10,700.
- B. Ratify approval of **Task Order No. 20** under the MSA for Planning and Architectural Services by and between the District and **Norris Design, Inc.** for Park 03 Site Plan, in an amount not to exceed \$160,000.
- C. Ratify approval of **Task Order No. 23** under the MSA for Planning and Landscape Architecture Services by and between the District and **Norris Design, Inc.** for Infrastructure Site Plan 04, in an amount not to exceed \$115,000.
- D. Ratify approval of Letter of Agreement by and between the City of Aurora and the District regarding Request to Accelerate Installation of Pipeline Under Water Line Construction and Cost Reimbursement Agreement.

- E. Ratify approval of Letter of Agreement by and between the City of Aurora and the District regarding Request to Expedite Installation of Pipeline Section Under Water Line Construction and Cost Reimbursement Agreement.
- F. Ratify approval of Proposal from Contour Services, LLC for Transition Services.

Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Board ratified approval of the consent Agenda. Director Hopper noted all items have been approved by the Construction Committee and Lender.

LEGAL MATTERS

Resolution of the District Concerning Integrated Project Delivery Pursuant to Section 32-1-1804, C.R.S.: Attorney McGeady reviewed the Resolution with the Board, noting that the Resolution allows the District to achieve time and economic efficiencies by hiring a General Contractor under which separate projects will be bid. Following discussion, upon a motion duly made by Director Hopper, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board approved the Resolution of the District Concerning Integrated Project Delivery Pursuant to Section 32-1-1804, C.R.S.

Second Amendment to Agreement by and between E-470 Public Highway Authority and the District regarding Temporary Construction Access: Attorney Hoistad reviewed the Second Amendment with the Board, with the tolling system in place, the District will not be required to estimate the amount of traffic using the system and can instead rely on actual numbers. 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 Second Amendment to Agreement by and between E-470 Public Highway Authority and the District regarding Temporary Construction Access.

FINANCIAL MATTERS

Claims: Ms. Sedgeley reviewed the interim claims with the Board, noting the correct amount of the claims is \$15,297.00. Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried by roll call, the Board ratified approval of payment of interim claims, consisting of check no. 1786 and four (4) wire transfers, in the total amount of \$15,297.00.

Lender Funding Requests and Payment of Claims for Operating Costs: Ms. Sedgeley reviewed the Lender funding requests 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 \$56,705.10.

Schedule of Unaudited Financial Statements and Cash Position Report: Ms. Sedgeley reviewed the Cash Position Report, noting there is no Unaudited Financial Statement available to review. Following discussion, 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 Report dated August 31, 2020, updated as of October 23, 2020.

The Aurora Highlands Community Authority Board and District Engineer’s Report and Verification of Costs Associated with Public Improvements (Draw No. 28) prepared by Schedio Group LLC (“Engineer’s Report”): Ms. Sedgeley reviewed the Engineer’s Report with the Board. Following 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.

CAPITAL PROJECTS

Draw Request No. 28: Attorney McGeady reviewed Draw Request No. 28 with the Board.

Following discussion, upon motion duly made by Director Ferreira, seconded by Director Sheldon and, upon vote unanimously carried by roll call, the Board approved Draw Request No. 28, in the amount of \$2,872,853.06, as shown below:

CAB (A Bonds)	\$1,162,414.52
CAB (B Bonds)	\$ 400,916.71
ARTA	\$ 1,295,085.33
A TEC	\$ 5,253.00
Developer	\$ 9,183.50
Total:	\$ 2,872,853.06

AEROTROPOLIS AREA COORDINATING CAPITAL PROJECTS

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

Task Order No. 01 to MSA for Limited Construction Management Services by and between the District and AECOM Technical Services, Inc. for First Phase of Services: Following discussion, upon 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 Limited Construction Management Services by and between the District and AECOM Technical

Services, Inc. for First Phase of Services in an amount to be determined, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 005 to MSA for Program Management, Design and Construction Services by and between the District and AECOM Technical Services, Inc. for Development Stormwater Management Plan Engineering Assessment and Support: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved the **Task Order No. 005** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Development Stormwater Management Plan Engineering Assessment and Support, in the amount of \$62,664.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 006 to MSA for Program Management, Design and Construction Services by and between the District and AECOM Technical Services, Inc. for Sitewide Grading Analysis: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Task Order No. 006** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Sitewide Grading Analysis, in the amount of \$29,711.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 007 to MSA for Program Management, Design and Construction Services by and between the District and AECOM Technical Services, Inc. for Development of Aspirational Schedule and COA Schedule and Tracking Assistance: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Task Order No. 007** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Development of Aspirational Schedule and COA Schedule and Tracking Assistance, in the amount of \$25,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 008 to MSA for Program Management, Design and Construction Services by and between the District and AECOM Technical Services, Inc. for Forensic Analysis: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Task Order No. 008** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Forensic Analysis, in the

amount of \$55,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 010 to MSA for Program Management, Design and Construction Services by and between the District and AECOM Technical Services, Inc. for Construction Access and Haul Road Design: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Task Order No. 010** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Construction Access and Haul Road Design, in the amount of \$41,000.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 011 to MSA for Program Management, Design and Construction Services by and between the District and AECOM Technical Services, Inc. for Cost Estimating - Trib T Phase 1 Design: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Task Order No. 011** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Cost Estimating - Trib T Phase 1 Design, in the amount of \$39,600, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Notice of Award of Construction Contract to Aggregate Industries-WCR, Inc. for 42nd Avenue Phase 2 and N/S Collector - Site Asphalt: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved the **Notice of Award** of Construction Contract to **Aggregate Industries-WCR, Inc.** for 42nd Avenue Phase 2 and N/S Collector - Site Asphalt, in the amount of \$1,151,072.05, and authorized the execution of the Notice to Proceed, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 01 to Construction Agreement by and between the District and Aggregate Industries-WCR, Inc. for 42nd Avenue Phase 2 and N/S Collector - Site Asphalt (Mobilize and Markings): Following discussion, upon 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 Construction Agreement by and between the District and **Aggregate Industries-WCR, Inc.** for 42nd Avenue Phase 2 and N/S Collector - Site Asphalt (Mobilize and Markings), in the amount of \$62,650.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 03 to Task Order No. 02 to MSA by and between the District and Beam, Longest and Neff, LLC for Additional Traffic Analysis of Phase 1 Roadway Design: Following discussion, upon 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 Task Order No. 02** to MSA by and between the District and **Beam, Longest and Neff, LLC** for Additional Traffic Analysis of Phase 1 Roadway Design, in the amount of \$19,500.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Notice of Award of Construction Contract to Concrete Curb LLC, d/b/a Concrete Curb and Paving, Inc. for 42nd Avenue Phase 2 and N/S Collector and Aurora Pkwy – Site Concrete: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved the **Notice of Award** of Construction Contract to **Concrete Curb LLC, d/b/a Concrete Curb and Paving, Inc.** for 42nd Avenue Phase 2 and N/S Collector and Aurora Pkwy – Site Concrete, in the amount of \$1,060,283.68, and authorized execution of the Notice to Proceed, upon review and recommendation by the Construction Committee and Lender commitment to fund.

MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and HR Green Development, LLC: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved the **MSA** for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and **HR Green Development, LLC**, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 01 to MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and HR Green Development, LLC for Filing No. 4: Following discussion, upon 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 Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and **HR Green Development, LLC** for Filing No. 4, in the amount of \$99,535.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 02 to MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and HR Green Development, LLC for Filing No. 5: Following discussion, upon 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 MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by

and between the District and **HR Green Development, LLC** for Filing No. 5, in the amount of \$171,200.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 03 to MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and HR Green Development, LLC for Filing No. 8: Following discussion, upon 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 MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and **HR Green Development, LLC** for Filing No. 8, in the amount of \$210,800.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 04 to MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and HR Green Development, LLC for Filing No. 13: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Task Order No. 04** to MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and **HR Green Development, LLC** for Filing No. 13, in the amount of \$38,220.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 11 to Construction Agreement by and between the District and Iron Woman Construction & Environmental Services, LLC for Hand Pour Sidewalk on Denali: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Change Order No. 11** to Construction Agreement by and between the District and **Iron Woman Construction & Environmental Services, LLC** for Hand Pour Sidewalk on Denali, in the amount of \$3,342.10, upon review and recommendation by the Construction Committee and Lender commitment to fund.

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

Task Order No. 01 to MSA for Limited Construction Management Services by and between the District and JHL Constructors, Inc., for First Phase of Services: Following discussion, upon 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 Limited Construction Management Services by and between the District and **JHL Constructors, Inc.**, for 4th Quarter 2020 Services in the amount of \$415,333.08, upon review and recommendation by the Construction Committee and lender commitment.

Change Order No. 24 under the Construction Agreement by and between the District and JHL Constructors, Inc. for Trib T Aurora Pkwy P3 & Mainstreet P3 (Additional Water Valve): Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Change Order No. 24** under the Construction Agreement by and between the District and **JHL Constructors, Inc.** for Trib T Aurora Pkwy P3 & Mainstreet P3 (Additional Water Valve), in the amount of \$36,079.48, upon review and recommendation by the Construction Committee and lender commitment.

Change Order No. 10 under the Construction Agreement by and between the District and JHL Constructors, Inc. for Added Asphalt Scope,: Following discussion, upon 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** under the Construction Agreement by and between the District and **JHL Constructors, Inc.** for Added Asphalt Scope, in the amount of \$2,857,190.85, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 09 under the Construction Agreement by and between the District and JHL Constructors, Inc. for Clean-up Near Denali Boulevard: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Change Order No. 09** under the Construction Agreement by and between the District and **JHL Constructors, Inc.** for Clean-up Near Denali Boulevard, in the amount of \$5,712, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 03 under the Construction Agreement by and between the District and Kelley Trucking, Inc. for Tributary T Grading and Erosion Control (Emergency Clean-up E-470): Following discussion, upon 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** under the Construction Agreement by and between the District and **Kelley Trucking, Inc.** for Tributary T Grading and Erosion Control (Emergency Clean-up E-470, in the amount of \$160,500, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 10 under the Construction Agreement by and between the District and Martin Marietta Materials, Inc. (Denver) for Mainstreet P1-2 and 42nd, Aura P1 (Replace Pavement): Following discussion, upon 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** under the Construction Agreement by and between the District and **Martin Marietta Materials, Inc. (Denver)** for Mainstreet P1-2 and 42nd, Aura P1 (Replace Pavement), in the amount of \$8,180.10, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 11 under the Construction Agreement by and between the District and Martin Marietta Materials, Inc. (Denver) for Mainstreet P1-2 and 42nd, Aura P1 (Paving Design Changes): Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Change Order No. 11** under the Construction Agreement by and between the District and **Martin Marietta Materials, Inc. (Denver)** for Mainstreet P1-2 and 42nd, Aura P1 (Paving Design Changes), in the amount of \$102,300.13, upon review and recommendation by the Construction Committee and Lender commitment fund.

Change Order No. 12 under the Construction Agreement by and between the District and Martin Marietta Materials, Inc. (Denver) for Mainstreet P1-2 and 42nd, Aura P1 (Main Street Patching): Following discussion, upon 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** under the Construction Agreement by and between the District and **Martin Marietta Materials, Inc. (Denver)** for Mainstreet P1-2 and 42nd, Aura P1, in the amount of \$59,093.51, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 01 to Task Order No. 08 under the MSA for Civil Engineering Services by and between the District and Merrick & Company for Additional Tasks (Trib T Phase 01 – E-470 Ramp Modifications): Following discussion, upon 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. 08** under the MSA for Civil Engineering Services by and between the District and **Merrick & Company** for Additional Tasks (Trib T Phase 01 – E-470 Ramp Modifications), in the amount of \$12,400.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 01 to Task Order No. 10 under the MSA for Civil Engineering Services by and between the District and Merrick & Company for Superelevation Changes, ECCV Coordination, ISP Details and E470 Support: Following discussion, upon 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. 10** under the MSA for Civil Engineering Services by and between the District and **Merrick & Company** for Superelevation Changes, ECCV Coordination, ISP Details and E470 Support,

in the amount of \$66,500.00, upon review and recommendation by the Construction Committee and Lender commitment to fund.

MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and Norris Design, Inc.: Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved the **MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and Norris Design, Inc.**, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 01 under the MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and Norris Design, Inc. for TAH Filing No. 4 Public Segregation: Following discussion, upon 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** under the MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and **Norris Design, Inc.** for TAH Filings 4 Public Segregation, in an amount not to exceed \$20,279.20, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 02 under the MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and Norris Design, Inc. for TAH Filing No. 5 Public Segregation: Following discussion, upon 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** under the MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and **Norris Design, Inc.** for TAH Filings 5 Public Segregation, in an amount not to exceed \$48,720, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Task Order No. 03 under the MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and Norris Design, Inc. for TAH Filing No. 8 Public Segregation (reference on invoice): Following discussion, upon 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** under the MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and **Norris Design, Inc.** for TAH Filings 8 Public Segregation (reference on invoice), in an amount not to exceed \$36,300.60, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 01 to Task Order No. 22 under the MSA for Planning and Landscape Architectural Services by and between the District and Norris Design, Inc. for Buffer GIG Plan Changes: Following discussion, upon 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. 22** under the MSA for Planning and Landscape Architectural Services by and between the District and **Norris Design, Inc.** for Buffer GIG Plan Changes, in an amount not to exceed \$25,000, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 06 under the Construction Agreement by and between the District and Pase Contracting, Inc. – Colorado for Mainstreet Phase 3 Tributary T EWEC (Results from COA & SRM Inspections): Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote unanimously carried by roll call, the Board approved **Change Order No. 06** under the Construction Agreement by and between the District and **Pase Contracting, Inc. – Colorado** for Mainstreet Phase 3 Tributary T EWEC (Results from COA & SRM Inspections), in the amount of \$45,384.50, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 12 under the Construction Agreement by and between the District and Pase Contracting, Inc. – Colorado for Mainstreet P1 (Miscellaneous Clean-up & Response to SRM Inspections): Following discussion, upon 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** under the Construction Agreement by and between the District and **Pase Contracting, Inc. – Colorado** for Mainstreet P1 (Miscellaneous Clean-up & Response to SRM Inspections), in the amount of \$13,323.55, upon review and recommendation by the Construction Committee and Lender commitment to fund.

Change Order No. 15 under the Construction Agreement by and between the District and Stormwater Risk Management, LLC for Erosion Control - Straw Blankets: Following discussion, upon 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** under the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for Erosion Control - Straw Blankets in the amount of \$370,678.52, upon review and recommendation by the Construction Committee and Lender commitment to fund.

ARTA MATTERS

There were no ARTA matters.

**EXECUTIVE
SESSION**

An executive session of the District convened at 4:37 p.m. for the sole purpose of discussing personnel matters as authorized by Section 24-6-402(4)(f)(i), C.R.S. During the executive session, the Board did not engage in substantial discussion of any matter not enumerated in Section 24-6-402(4), C.R.S. The Board did not adopt any proposed policy, position, resolution, rule, regulation or formal action. The executive session was adjourned at 4:53 p.m. on a motion by Director Ferreira, seconded by Director Sheldon and, upon vote, unanimously carried.

OTHER BUSINESS

There was no other business for discussion.

ADJOURNMENT

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

Respectfully submitted,

DocuSigned by:
E Denise Denstow
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Secretary for the Meeting

**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 Aerotropolis Area Coordinating Metropolitan District convened at 4:37 p.m. on October 24, 2020 for the sole purpose of discussing personnel matters and receiving legal advice related to same, pursuant to Section 24-6-402(4)(f)(I), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S., 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.

Signed MaryAnn M. McGeady
MaryAnn M. McGeady, Attorney for
Aerotropolis Area Coordinating
Metropolitan District

Dated: January 26, 2021