

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
FITZSIMONS VILLAGE METROPOLITAN DISTRICT NO. 1
HELD
AUGUST 9, 2022**

A special meeting of the Board of Directors of the Fitzsimons Village Metropolitan District No. 1, County of Arapahoe (referred to hereafter as the “Board”) was convened on Tuesday, August 9, 2022 at 11:30 a.m. The District Board meeting was held and properly noticed to be held via video enabled web conference. The meeting was open to the public via telephone and videoconference.

Directors In Attendance Were:

Suzanne Schlicht, President
Brittany Havard, Treasurer
Jamie Curcio, Secretary
Bob Dapper, Assistant Secretary

There is one vacancy on the Board.

Also In Attendance Were:

Tom George and Brenden Desmond, Esq.; Spencer Fane LLP
Nicholas Carlson, Carrie Beacom and Anna Jones; CliftonLarsonAllen LLP
 (“CLA”)
Keely Matson and Steve Pouliot; Michael Baker International
Tom Banta and Stephen Sapp; Corporex
Brian Rattner, Fitzsimons Village MD No. 3 Board Member

**ADMINISTRATIVE
MATTERS**

Call to Order/Disclosure of Potential Conflicts of Interest: Director Schlicht called the meeting to order at 11:38 a.m.

Attorney George 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 Boards 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 Boards’ 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/Meeting Location/Approve Agenda: A quorum was confirmed. It was 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 any interested person were received. Following review and discussion, upon a motion duly made by Director Schlicht, seconded by Director Havard and, upon vote, unanimously carried, the Board approved the agenda, as amended to include distinction of the Districts

on agenda items.

Public Comment: None.

Other: None.

CONSENT AGENDA Approval of Minutes of the July 11, 2022 Special Meeting

The consent agenda item was tabled until the next meeting.

Other: None.

FINANCIAL MATTERS

Other: None.

MANAGEMENT MATTERS

Revised Scope of Work from MBI in the Amount of \$129,466.74: Mr. Pouillot and Ms. Matson reviewed the updated scope of work. Following discussion, upon a motion duly made by Director Dapper, seconded by Director Havard and, upon vote, unanimously carried, the Board approved the revised scope of work from MBI in the amount of \$129,466.74

Revised Scope of Work from MBI for Structural Repairs in the Amount of \$31,892.55: Mr. Pouillot and Ms. Matson reviewed the updated scope of work. Following discussion, upon a motion duly made by Director Dapper, seconded by Director Havard and, upon vote, unanimously carried, the Board approved the revised scope of work from MBI for structural repairs in the amount of \$31,892.55.

Other: None.

LEGAL MATTERS

Bid Solicitation Process; Consider Approval of Parking Structure Design and Construction Bid, and Builder Agreement with Corporex Development and Construction Management, LLC: Attorney George introduced the item and provided legal context for the discussion. Mr. Banta and Mr. Sapp provided background regarding the project, the public bidding process undertaken consistent with applicable law, current status, and anticipated timeline. It was noted that only one proposal was received from Corporex Development and Construction Management, LLC (“CDCM”), which proposes that CDCM serve as the general contractor and Turner as the prime contractor. Mr. George reviewed the proposed construction contract with the Board. Following discussion, upon a motion duly made by Director Schlicht, seconded by Director Havard and, upon vote, unanimously carried, the Board ratified the bid solicitation process and approved the agreement with CDCM in substantially the form presented subject to final review and approval by legal counsel and the Board President.

Other: None.

**DIRECTOR
MATTERS**

Other: Director Dapper asked about the O&M fee discussion and whether it was resolved and asked about the time frame to get it resolved. Mr. Banta indicated he anticipates this will be brought back at the next meeting.

OTHER BUSINESS

Need for Quarterly Meetings: The Board discussed and determined the next meeting will be held, if needed, to resume the O&M fee proposal discussion.

ADJOURNMENT

There being no further business to come before the Board at this time, the Board adjourned the meeting at 12:14 p.m.

Respectfully submitted,

DocuSigned by:
By Brittanny Hamard
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Secretary for the Meeting