

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF

THE CANYONS METROPOLITAN DISTRICT NO. 3

Held: Thursday, March 24, 2022, at 3:00 p.m. via Teleconference

**Attendance**

The special meeting of the Board of Directors (the “Board”) of The Canyons Metropolitan District No. 3, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following Directors, having confirmed their qualification to serve on the Board, were in attendance:

Jonathan Alpert  
Darren Everett

Director Scott Alpert was absent and excused.

Also present were Clint Waldron, Esq. White Bear Ankele Tanaka & Waldron, District General Counsel; Shelby Clymer, CliftonLarsonAllen, LLP, District Accountant; Kaitlin Crandell, Alpert Companies; and Rodney Muller, Contour Services.

**Call to Order**

Director Jonathan Alpert called the meeting to order.

**Declaration of Quorum/Director Qualifications**

Mr. Waldron advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Waldron reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Waldron inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Approval of Agenda**

The Board reviewed the proposed agenda. Following discussion, upon motion duly made and seconded, the Board unanimously approved the agenda as presented.

**Public Comment**

None.

## **Construction Matters**

Review and Discuss Bids for Canyons Subdivision Filing 1 and Filing 2 Grading, Erosion and Sediment Control and Public Improvements (Roadways and Utilities) for Canyons Subdivision Filing No. 2

Mr. Muller reviewed the bid tabulation with the Board. It was noted that the District received three turn-key bids, and Fiore was the lowest bidder. Mr. Muller further reviewed the individual bid items, but noted that responsive bids were not received on all individual scopes, and the individual contractor bids were also more expensive. After further review, Mr. Muller recommended awarding all scopes to Fiore. The Board asked questions of Mr. Muller on the bid items and Mr. Muller answered.

Consider Award of Contract and Authorize Issuance of Notice of Award and Notice to Proceed

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the bid proposal from Fiore and authorized the issuance of the Notice of Award and Notice to Proceed.

Discuss and Consider Approval of Proposal from Aztec Consultants for Surveying Services

Mr. Muller reviewed the Proposal from Aztec Consultants for Surveying Services with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal from Aztec Consultants for Surveying Services.

Discuss and Consider Approval of Proposal from CTL Thompson for Construction Observation and Materials Testing – Geotech

Mr. Muller reviewed the Proposal from CTL Thompson for Construction Observation and Materials Testing – Geotech with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the CTL Thompson Proposal.

Discuss and Consider Approval of Proposal from Stormwater Logistics for Erosion Control Manager (Inspections and Reporting)

Mr. Muller reviewed the proposal from Stormwater Logistics for Erosion Control Manager (Inspections and Reporting) with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal from Stormwater Logistics.

Other Construction Matters

Mr. Muller reviewed the general construction timeline with the Board.

## **Legal Matters**

Other Legal Matters

Mr. Waldron informed the Board that now that the contracts are approved, the District will move forward with finalizing the Escrow Agreement with the City of Castle Pines and FirstBank for funding the escrow account.

## **Financial Matters**

Other Financial Matters

None.

**Other Business**

None.

**Adjourn**

There being no further business to come before the Board and following discussion and upon motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting

*Darren Everett*

Darren Everett (May 26, 2022 10:48 MDT)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 18th day of May, 2022.