

**RECORD OF PROCEEDINGS
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
EBERT METROPOLITAN DISTRICT**

HELD Tuesday, June 3, 2025, at 7:00 p.m. via telephone and videoconference. The meeting was open to the public.

ATTENDANCE:

A regular meeting of the Board of Directors (referred herein as the “Board”) of the Ebert Metropolitan District (referred herein as “EMD”), City and County of Denver, Colorado, was called as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Bruce Shibles, President
Louis Kennedy, Treasurer
Katherine Haynes, Assistant Secretary
Dr. Michael Williams, Assistant Secretary

Elise Topliss (present, not acting)

Also, present were Evan Ela, Cockrel Ela Glesne Greher & Ruhland – General Legal Counsel, Glory Schmidt, Cockrel Ela Glesne Greher & Ruhland, Alyssa Ferreira, Clifton Larson Allen, Bill Schmidt, Town Center Metropolitan District, Sabrina Lopez, District Manager with Goodwin & Company, Veronica Rodriguez, District Administrator, Goodwin & Company, and members of the public.

CALL TO ORDER/QUORUM:

Ms. Lopez called the role and noted that a quorum of the Board was present. The meeting was called to order at 7:02 p.m.

Conflict Disclosure Statements have been filed with the Secretary of State’s Office.

Election of Officers:

Officers of the Board are selected every two years at first meeting following election. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the office positions as follows, Bruce Shibles – President, Louis Kennedy – Treasurer, Elise Topliss – Secretary, Khadija Haynes – Assistant Secretary, and Dr. Michael Williams – Assistant Secretary.

APPROVAL OF AGENDA:

The Board reviewed and discussed the meeting agenda. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the agenda, with a change to indicate acceptance of audit rather than approval of the audit.

CONSENT AGENDA:

The Board reviewed and discussed the consent agenda items. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the consent agenda items as presented.

CORRESPONDENCE:

None

PUBLIC COMMENT:

None

DIRECTOR ITEMS/COMMENTS:

Ms. Haynes inquired on the fee charged for architectural review. Ms. Lopez indicated this is later on the agenda for discussion.

LEGAL ITEMS:

Mr. Ela provided an update on the successful May 6, 2025, election approving the consolidation of Ebert and Town Center metropolitan districts into the Ebert Metropolitan District.

Next steps are to complete tasks mandated by the MOU Town Center Metro District and obtain a consolidation order from the District Court. Consolidation is expected to be completed by year end.

Discussion regarding the amendment to the Revival and Amendatory Cooperative Agreement between Town Center Metro District and the City of and County of Denver. Further updates are needed from Town Center Metro District.

Further review and discussion of the proposed Addendum to Agreement for Professional District Management Services between the District and Goodwin will occur in Executive Session.

FINANCIAL ITEMS:

The 2024 financial audit and representation letter was presented by Ms. Ferreira. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the 2024 financial audit as presented, and authorized execution of the representation letter.

The April 30, 2025, financial statements were presented to the Board. Ms. Haynes had a question regarding the year-to-date figure in website hosting and would like to understand why it is so low as an annual hosting fee would be more. Ms. Lopez to investigate further.

The Board reviewed the District payables ending April 30, 2025. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the board accepted the payables ending April 30, 2025, as presented.

DISTRICT MANAGEMENT REPORT:

Ms. Lopez presented the Management Report. The report included enforcement updates, architectural review requests and Owner requests.

The Board briefly discussed the lease agreement for the District office space with Lillibridge. Further review and discussion is needed. An introduction of Mr. Ela to Mr. Schuber with Lillibridge will be made to further negotiate lease agreement terms.

The Board reviewed the proposal from Spit Rail Fence to repaint and replace the iron fencing bordering the golf course. The repaint and replace will be done in phases as there is not enough room in the budget for the entire project to be completed all at once. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the board accepted the proposal for fence repaint and repairs by Split Rail Fence with the confirmation of funds from the 2024 fence budget that was not expensed and included in the carry forward in the amount of \$170,000 that can be used in conjunction with the 2025 budget of \$150,000 for a total of \$320,000 to be expensed towards this project in 2025.

The Board reviewed the proposal from Davey Trees for tree soil remediation. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the proposal for tree soil remediation by Davey Trees indicating 200 tree sites as the selection for \$162,706. The Board also indicated that this plan for tree remediation is significant progress towards the tree provisions in the MOU. The floor was opened for public comment. Mr. Klink indicated that an eblast regarding the remediation sites would be helpful to the District Owners.

The Board reviewed the slate of interested Owners volunteering to join the Design Review Committee. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board appointed the following members to the Design Review Committee, Alvin Morie, Adan Ramos, Jason Rossback, Machel Broughton, and Khary Earnest. Khadija Haynes was appointed as the Board Liaison.

Revisions to the Design Guidelines were discussed. Rather than to review individual revisions from the committee, the Board would like to see a complete revision of the guidelines including all recommended revisions. They did however review the tree caliper revision suggested. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved a revision to the Design Guidelines to include allowing trees to be planted that are 1"-3" caliper.

Ms. Lopez indicated that any Owners who may have paid a \$35 Design Review Fee would be refunded this fee. A check will be mailed to each Owner over the next month.

Ms. Lopez provided a notice and map of EPA requirements imposed in the identified detention ponds. The EPA is requiring significant maintenance on the noted ponds. High Plains Landscape has begun this cleanup on a T&M basis.

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Ms. Lopez presented the Events Calendar proposed by Bling Entertainment and Events. Following discussion, upon motion duly made, seconded, and upon vote carried, with Ms. Haynes abstaining, the Board approved funding the proposed events as shown on the calendar from Bling Entertainment for Events in 2025. GVR Foundation's share is committed at \$20,000 and Ebert's share is \$45,000. The total amount proposed for Ebert's share is within the 2025 budget. The Board would like to see a report at the end of the year to measure the success of the events and to assess if they provide benefits to the community as desired by the Board.

EXECUTIVE SESSION:

Executive Session for the purposes of receiving legal advice on specific legal questions concerning the process of consolidation of Town Center Metropolitan District and Ebert Metropolitan District, including the terms and timing of such consolidation pursuant to the Colorado statutes and the Consolidation Agreement, and for the purposes of receiving legal advice regarding the proposed District Lease Agreement, per §24-6-402(4)(b), C.R.S. Executive session was entered into at 9:25 p.m. The ensuing executive session was attorney- client privileged as determined by legal counsel who was in attendance for the executive session. The Board adjourned the executive session at 10:15 p.m., and immediately resumed the general session.

OTHER BUSINESS:

None

NEXT MEETING:

Next Regular Meeting: Tuesday – September 9, 2025 @ 7:00 p.m.

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded, and upon vote unanimously carried, the meeting was adjourned at 10:16 p.m.