

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

HELD Wednesday, January 15, 2025, at 7:00 p.m. via telephone and videoconference. The meeting was open to the public.

ATTENDANCE:

A special 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 & Co-Treasurer
Louis Kennedy, Treasurer
Cynthia Barclae, Secretary
Katherine Haynes, Assistant Secretary
Michael Williams, Assistant Secretary

Also, present were Evan Ela, Cockrel Ela Glesne Greher & Ruhland – General Legal Counsel, Glory Schmidt, Cockrel Ela Glesne Greher & Ruhland, Bill Schmidt, Town Center Metropolitan District, Kurt Schlegel, Special District Solutions, Inc., Sabrina Lopez of Goodwin & Company, and members of the public.

CALL TO ORDER/QUORUM:

Mr. Schlegel called the role and noted that a quorum of the Board was present. Director Shibles called the meeting to order at 7:00 p.m.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

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

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, as presented.

CORRESPONDENCE:

None

PUBLIC COMMENT:

Mr. Schlegel opened the floor for public comment, but no members of the public chose to speak.

UNFINISHED BUSINESS:

Landscape Committee Report - An update was provided by Al Morie from the Landscape Committee on their tree replacement strategy. They identified over 400 missing trees and proposed planting 100 new trees in 2025, focusing on areas with the highest number of missing trees. The committee is also working with an arborist to analyze soil samples and make recommendations on the best tree species for the district.

NEW BUSINESS:

The Board reviewed and discussed the Resolution Establishing the District's 2025 Regular Meeting Schedule. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the Resolution Establishing the District's 2025 Regular Meeting Schedule, as presented.

The Board reviewed and discussed the Resolution Establishing Policies, Procedures and Penalties for the Enforcement of the District's Governing Documents. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the Resolution Establishing Policies, Procedures and Penalties for the Enforcement of the District's Governing Documents, with changes to include reducing the daily fine amount.

The Board reviewed and discussed the Design Review Committee Charter. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board appointed Goodwin as a voting member and sole member of the design review committee for the time being. The Board will look to create a resident review committee to handle enforcement and architectural design reviews in the future.

The Board reviewed and discussed the Design Standards. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the board approved the Design Standards, as presented.

The Board reviewed and discussed the Resolution establishing a Policy for the Collection and Processing of Delinquent Fees and Charges. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the board approved the Resolution establishing a Policy for the Collection and Processing of Delinquent Fees and Charges, as presented.

The Board reviewed and discussed the appointment of an EMD representative to Town Center Metropolitan District Board (referred herein as "TCMD"). Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the board approved to appoint a representative to the TCMD Board. They will seek an interested party to appoint.

EXECUTIVE SESSION:

An executive session was announced for purposes of receiving legal advice on specific legal questions concerning the proposed consolidation of TCMD and EMD, including the terms, timing, and election for such consolidation, tax issues related to such consolidation, the stayed litigation between EMD and TCMD, and determination of positions subject to negotiations,

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developing strategy for negotiations, and instructing negotiators concerning said consolidation and litigation. A vote to enter executive session was taken at 8:00 p.m. and was unanimously carried. The ensuing executive session was attorney- client privileged as determined by legal counsel who was in attendance for the executive session. The board exited the executive session at 8:25 p.m., immediately resuming the general session.

OTHER BUSINESS:

The Board reviewed and discussed the Resolution approving an intergovernmental agreement with TCMD for consolidation of TCMD and EMD in 2025. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Resolution approving an intergovernmental agreement with TCMD for consolidation of TCMD and EMD in 2025 was accepted, as presented.

The Board reviewed and discussed the Resolution approving procedures necessary to accomplish the consolidation of TCMD and EMD. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Resolution approving procedures necessary to accomplish the consolidation of TCMD and EMD was accepted, as presented.

NEXT MEETING:

Next Regular Meeting: Tuesday - March 4, 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.

The foregoing minutes constitutes a true and correct copy of the proceedings of the above-referenced meeting and were approved by the Boards of Directors of EMDs.


Bruce Shilbics (Mar 21, 2025 17:55 MDT)

President of the Ebert Metropolitan District






01.15.25 Ebert MD Special Meeting Minutes

Final Audit Report

2025-03-21

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