

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

HELD Thursday, October 23, 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 “District”), 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, Assistant Secretary

Also, present were Glory Schmidt, Cockrel Ela Glesne Greher & Ruhland – General Legal Counsel, Sabrina Lopez, District Manager, and Veronica Rodriguez, District Administrator from 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 7:01 p.m.

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 accepted the agenda as presented.

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 accepted the consent agenda items.

CORRESPONDENCE:

None

PUBLIC COMMENT:

The floor was open for public comment. Comments included Oakcrest Townhomes streets acceptance concerns, request for speed bumps, parking, trash and landscape concerns in subdistrict 5, Aurora pipeline restoration, and snow removal concerns.

DIRECTOR ITEMS/COMMENTS:

Ms. Haynes requested that the Aurora Pipeline Restoration be discussed at the next meeting during executive session.

COMMITTEE REPORTS

Landscape Committee – Mr. Morie highlighted the savings in the budget for landscape as a result of the renegotiated renewal contract with Environmental Designs. The tree replacement map was also discussed.

Community Advisory Committee (CAC) for Subdistrict 1 – No items to report.

Financial Operating Committee (FOC) – Mr. Shibles reported that the committee has been discussing the 2026 proposed budgets, the concessionaire transfer and reserves being underfunded.

Land and Districts, LLC. – Mr. Knopinski reported on First Creek Village cost of services to income having a positive variance. Tower Commons ownership and billing, the high delinquency and how collection will occur is being further reviewed. Townhomes at Oakcrest streets are being proposed for acceptance and will be further discussed in executive session.

EXECUTIVE SESSION:

An Executive Session was announced for the purposes of receiving legal advice regarding the request for consent to a transfer of the golf course Concessionaire Agreement to EPR Properties, a real estate investment trust (REIT), acceptance of certain parcels from Developer, reimbursement of Bluebird Club for \$133,506.02 per Capital Reimbursement Agreement, as amended, and age variance request regarding property located at 20162 E. 53rd Pl. per § 24-6-402(4)(b), C.R.S. A vote to enter executive session was made and unanimously carried. The executive session was entered at 7:47 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 returned to the general session at 8:57 p.m.

LEGAL ITEMS:

The Board discussed the age variance request regarding property located at 20162 E. 53rd Pl. It was noted that there is no existing policy allowing for a variance of qualifying residents for Subdistrict 1 and 4. No further action was taken.

The Board reviewed and discussed the lease agreement for the District office. All negotiation is complete, and the final lease includes a \$10,000 security deposit. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the lease agreement and payment of the \$10,000 security deposit to NV GVR LLC.

The Board discussed payment to the Developer of \$245,394.64 per the Reimbursement Agreement for the traffic light signal/infrastructure at Tower and Maxwell. Following

discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board authorized reimbursement of \$245,394.64 to Clayton Properties Group, LLC for the traffic light/infrastructure installed at Tower and Maxwell.

Discuss and Consider Acceptance of Request for Consent to a Transfer of the Golf Course Concessionaire Agreement to EPR Properties, a Real Estate Investment Trust (REIT). was tabled by the Board pending additional information from the concessionaire. CEGR Law will follow up with the request made.

The Board discussed and considered acceptance of Parcel No. 2240029000, Oak Crest streets and Parcel No. 14300093000, Enclave streets. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted Parcel No. 14300093000, Enclave streets. With no further action taken on Parcel No. 2240029000, Oak Crest.

The Board discussed the capital reimbursement payment request to the Bluebird Club for irrigation replacement on the golf course for \$133,506.02 per the Capital Reimbursement Agreement, as Amended. No further action was taken.

The Board reviewed and discussed the Annual Administrative Resolution. Ms. Lopez will survey the board to obtain data on preferred time and place of Board Meetings. Tabled for further review.

The Board discussed the Intergovernmental Agreement (IGA) renewal with Green Valley Ranch Metro District (GVRMD) approaching on December 31, 2025. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board directed CEGR to present a new agreement to GVRMD with an increase in fees based on inflation and necessary charges to maintain their property per the IGA.

FINANCIAL ITEMS:

The September 30, 2025, financial statements were provided for Board review with a brief presentation to those present.

The Board reviewed the District disbursements for September 2025. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board ratified the disbursements for September 2025.

The 2024 completed audit for Town Center Metro District was provided for Board review. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the 2024 audit for Town Center Metro District as completed by Wipfli.

The 2026 Draft Budgets were provided for Board review. Dates for the budget workshops is to be determined.

The status report from Altitude Law was provided for Board review.

FIRST CREEK METRO DISTRICT MATTERS:

The Board discussed the architectural review remaining under First Creek Village Metro District.

DISTRICT MANAGEMENT REPORT:

Ms. Lopez presented the Management Report. The report included a Landscape Report from EDI, Enforcement and Architectural Review reports and a Lifestyle Report from Bling Entertainment.

The Board reviewed and discussed the change order from Savvy Construction for the sidewalk to the court, light trenching from the Xcel box and bollards for the sport court. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the change order from Savvy Construction for the sidewalk, light trenching and bollards for the sport court for \$13,205.

OTHER BUSINESS:

None.

NEXT MEETING:

Next Special Meeting: Thursday – November 20, 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.

The foregoing minutes constitutes a true and correct copy of the proceedings of the above-referenced meeting and were approved by the Board of Directors of Ebert Metropolitan District.