

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

HELD Monday, August 18, 2025, at 6:00 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
Dr. Michael Williams, Assistant Secretary
Elise Topliss, Assistant Secretary

Also, present were Evan Ela and Glory Schmidt, Cockrel Ela Glesne Greher & Ruhland – General Legal Counsel, Sabrina Lopez, District Manager, Goodwin & Company, Veronica Rodriguez, District Administrator, Goodwin & Company, and members of the public.

Director(s) Absent: Katherine Haynes, Assistant Secretary

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 6:24 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 following elections. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the office position as follows: Elise Topliss – 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.

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 item A. of the consent agenda, Minutes from the Regular Meeting on June 3, 2025. Item B. will be placed on the next meeting agenda for further review for acceptance.

CORRESPONDENCE:

None

PUBLIC COMMENT:

The floor was open for public comment. Discussion was had regarding the pipeline landscape work not holding, needing additional restoration. Inquiry related to site inspections for enforcement matters and timelines to gain compliance. Parking concerns, speed bumps and DRC questions.

DIRECTOR ITEMS/COMMENTS:

None

COMMITTEE REPORTS

Landscape Committee – Mr. Morie reported on several items to include plant healthcare on the common area trees, soil prep before planting trees, bidding out tree replacement and types of trees to be used, demonstration areas for front yard low water maintenance yards, and Design Guideline changes recommended by the committee.

Following discussion, upon motion duly made, seconded, and upon vote carried with one opposed, the Board accepted the change in the Design Guidelines to allow for a minimum size for a deciduous tree of 1.5” caliper, an ornamental tree of 1.5” caliper and a minimum height for an evergreen tree at 5’.

FINANCIAL ITEMS:

The June 30, 2025, financial statements were presented to the Board. Mr. Kennedy indicated that he would like to see a rolled-up version of the financial statement. A meeting with the Goodwin financial team was requested to discuss this further. Ms. Lopez will schedule this meeting.

The Board reviewed and discussed the outstanding payables for First Creek Village, Townhomes at Oakcrest and Tower Commons totaling \$12,910.29. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved payments totaling \$12,910.29 be made to allow for the consultants and service providers to continue work for these communities.

The Board reviewed the District disbursements for June and July 2025. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the board accepted the disbursements for June and July 2025, as presented.

Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board ratified the action taken outside of a meeting to waive soft fees for delinquent account 719751 as recommended by Altitude Law.

LEGAL ITEMS:

Mr. Ela provided a brief update regarding the consolidation of Town Center Metropolitan

District and Ebert Metropolitan District. The two districts are now consolidated and are referred to as Ebert Metropolitan District and certified by the courts.

The Board discussed and reviewed the Amendment to the Revival and Amendatory Cooperative Agreement between the District and the City and County of Denver. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the renewal of the Amendment to the Revival and Amendatory Cooperative Agreement between the District and the City and County of Denver terminating December 2026. Mr. Kennedy requested an annual cost for maintenance of the areas covered in the agreement.

The Board discussed Termination of Services Agreement between Town Center Metropolitan District and Timberline District Consulting for Professional District Management Services for First Creek Village Metropolitan District, Towns at Oak Crest, and Tower Commons. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the termination of services for Professional District Management Services for First Creek Village Metropolitan District, Towns at Oak Crest, and Tower Commons.

The Board discussed termination of Spencer Fane who serves as legal counsel for Town Center Metropolitan District. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the termination of Spencer Fane who serves as legal counsel for Town Center Metropolitan District.

The Board discussed Termination of Services Agreement between Town Center Metropolitan District and CliftonLarsonAllen, LLP for Professional Accounting Services. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the termination of Services Agreement between Town Center Metropolitan District and CliftonLarsonAllen, LLP for Professional Accounting Services.

The Board discussed Acceptance of Addendum to Agreement for Professional District Management Services between the District and Goodwin. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the Addendum to Agreement for Professional District Management Services between the District and Goodwin as presented.

The Board discussed the IGA between the District and Green Valley Ranch Metropolitan District for Filing 35. Cost related to covenant enforcement by the District with Goodwin providing this service was presented. The agreement is up for renewal in December 2026, this figure should be worked into any payments for services for Filing 35 on behalf of the District. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the Goodwin fee for covenant enforcement in Filing 35 at \$300 per month and for enforcement to be added to the current compliance reviews.

The Board discussed the Goodwin Contract for First Creek Village Metropolitan District, Oak Crest Townhomes and Tower Commons. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the Goodwin Contract for First

Creek Village Metropolitan District, Oak Crest Townhomes and Tower Commons with the DRC applications being selected as Intake Review only and each community to pay for the review of applications not the individual Owners.

The Board discussed the Lease Agreement for local office space for the District. This item was tabled pending agreement from the Leasing Agent.

The Board discussed acceptance of Services Agreement with Schedio Group, LLC for Services Related to Cost Certification of Public Improvements. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the Services Agreement with Schedio Group, LLC for Services Related to Cost Certification of Public Improvements as proposed.

The Board discussed Acceptance of Services Agreement with Land and Districts, LLC (Joe Knopinski) for Consulting Services. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the Services Agreement with Land and Districts, LLC (Joe Knopinski) for Consulting Services as proposed with a NTE of \$10,000 without prior Board approval.

The Board discussed Acceptance of Resolution Adopting a Policy for Interim Approval of Expenditures and Determinations. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the Resolution Adopting a Policy for Interim Approval of Expenditures and Determinations with an amendment to add the inability to accept a contract with a vendor without Board approval.

The Board discussed the Detention Pond Landscaping at Maxwell and Tower and Maxwell and Argonne as proposed by EDI. This item was tabled for further understanding of the area as it relates to ownership and responsibility as well as scope of work.

The Board tabled consideration of Reimbursement of Developer for \$245,394.64 per Reimbursement Agreement. This item will be placed on the next meeting agenda.

The Board tabled discussion regarding scheduling of additional Regular Board Meetings. This item will be placed on the next meeting agenda.

DISTRICT MANAGEMENT REPORT:

Ms. Lopez presented the Management Report. The report included Enforcement updates, architectural reviews.

The Board reviewed and discussed acceptance of a Basketball Sport Court in the Park on 55th Ave and N Lisbon St. with Saavy Construction. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the Basketball Sport Court in the Park on 55th ave and N Lisbon St. with Saavy Construction for \$96,735. To be paid from the Conservation Trust Fund Monies. A community discussion will be held in the park with notice to all park facing neighbors to provide an overview and expectations of the project.

The Board discussed a Pump on the Shelf as Backup for the Irrigation System with a 25% share to the District as proposed by the Golf Course. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the pump on the shelf as backup to the irrigation system with a 25% share of the cost to be billed to the District.

The Board discussed Acceptance of the City of Denver Request to Extend and Close the Dunkirk Median. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the request from the City of Denver to extend and close the Dunkirk median as proposed. Landscaping to include rock to match the existing median and a few large boulders to prevent a vehicle from driving over the median.

Items C, E, and F were tabled and will be placed on the next meeting agenda.

EXECUTIVE SESSION:

There was no executive 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 9:47 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.