

NOTICE OF REGULAR MEETING AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of Directors of EBERT METROPOLITAN DISTRICT of the City and County of Denver, Colorado, will hold a Regular Meeting at **7:00 p.m. on Tuesday, September 20, 2022, via Zoom Meeting:**

<https://us02web.zoom.us/j/83613516358>; webinar ID: 836 1351 6358 for the purpose of addressing those matters set out in the agenda below, as the same may be amended at the meeting, conducting a Public Hearing regarding amending the Ebert Metropolitan District's 2022 Budget, and conducting such other business as may properly come before the Board. The meeting is open to the public.

BY ORDER OF THE BOARD OF DIRECTORS: EBERT METROPOLITAN DISTRICT

By: /s/ Kurt Schlegel, President
Special District Solutions, Inc.
District Manager

NOTICE AND AGENDA

DATE: September 20, 2022

TIME: 7:00 PM

PLACE: Zoom Teleconference Join Zoom Meeting

Join Zoom Meeting: <https://us02web.zoom.us/j/83613516358>

Webinar ID: 836 1351 6358

Or One tap mobile:

+12532158782,,83613516358# US (Tacoma)

+16699009128,,83613516358# US (San Jose)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 669 900 9128 or +1 719 359 4580 or +1 346 248
7799 or +1 669 444 9171 or +1 646 931 3860 or +1 301 715 8592 or +1 309 205
3325 or +1 312 626 6799 or +1 386 347 5053 or +1 564 217 2000 or +1 646 558
8656

Board of Directors	Office	Term Expiration
Cynthia Barclae	President	2022-2025 (Elected)
Bruce Shibles	Co-Treasurer	2022-2025 (Elected)
Louis Kennedy	Secretary	2022-2023 (Elected)
Jennifer Woods	Assistant Secretary	2022-2023 (Elected)
Murray Hawthorne	Treasurer	2022-2025 (Elected)

AGENDA

I. ADMINISTRATIVE ITEMS

- a. Call to Order
- b. Declaration of a Quorum
- c. Approval of Agenda and Meeting Location
- d. Disclosure of Potential Conflicts of Interest
- e. Public comment
- f. Review and approve minutes from August 16, 2022 EMD Special Meeting

II. DISTRICT MANAGER

- a. Westwind covenant compliance & enforcement status report
- b. Consideration and approval of WIPFLI Audit invoice

III. DIRECTOR'S ITEMS

- a. Director Barclae
 1. Status of Ebert designated Resident Appointee to TCMD's Board
 2. Status of compliance with Special District Compliance Calendar (**encl**)
- b. Director Hawthorne
 1. Consideration and approval of 2021 Annual Audit (**encl**)
 2. Consideration and approval of 2022 Budget Amendment/Resolution (**encl**)
 - a. Public Hearing on 2022 Budget Amendment.
- c. Director Woods
 1. Joint Landscape Committee (JLC) – update
- d. Directors Shibles and Kennedy (FOC) – update
 1. Discussion and consideration of:
 - a. District Management services provider

- b. District Accounting services provider
2. Financial Operations Committee update

IV. REVIEW OF CHAT

V. OTHER BUSINESS

- a. Executive session as needed pursuant to C.R.S. Section 24-6-402(3)(a)(II) and (4)(b) and (e) – Topics: Ebert Resident Appointee to Town Center Metropolitan District Board; GVRE Loan Payment
- b. Discussion and consideration of matters pursuant to topics in executive session, if necessary.

VI. ADJOURNMENT

The next Regular Meeting is scheduled for Tuesday, December 6, 2022, at 7:00 PM and shall be noticed in accordance with C.R.S. §§32-1-902 and 24-6-402, on EMD's webpage <https://ebertmd.colorado.gov>, and published in the Denver Post (as necessary)

Association Business Manager

April Delgado (303) 369-1800 ext. 135
April@westwindmanagement.com

Administrative Assistant

Audrey Brown (303) 369-1800 ext. 117
Audrey@westwindmanagement.com

DRAFT - SUBJECT TO BOARD APPROVAL

**MINUTES OF REGULAR MEETING
OF BOARD OF DIRECTORS OF
EBERT METROPOLITAN DISTRICT**

**August 16, 2022
7:00 – 9:58 PM
Zoom Teleconference**

A Special Meeting of the Board of Directors of Ebert Metropolitan District, City, and County of Denver, Colorado, was called to order as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting via Zoom teleconference:

DATE: August 16, 2022, TIME: 7:00 PM

PLACE: Zoom Teleconference Join Zoom Meeting

Join Zoom Meeting: <https://us06web.zoom.us/j/84932730002>

Meeting ID: 849 3273 0002

Board of Directors	Office	Term Expiration
Cynthia Barclae	President	2020-2025 (Elected)
Bruce Shibles	Co-Treasurer	2020-2025 (Elected)
Louis Kennedy	Secretary	2020-2023 (Elected)
Jennifer Woods	Assistant Secretary	2020-2023 (Elected)
Murray Hawthorne	Treasurer	2020-2025 (Elected)

Also, present via Zoom were:

Corey Pilato of Timberline District Consulting, LLC –District Manager

Evan Ela of Cockrel Ela Glesen Greher & Ruhland, P.C. - Attorney

19 Other members of the public

I. ADMINISTRATIVE ITEMS

a. Call to Order

The Special meeting of the Board of Directors for the Ebert Metropolitan District was called to order at 7:01 PM via Zoom teleconference.

b. Declaration of a quorum

A quorum of five was established and declared.

c. Approval of agenda and meeting location

Mrs. Pilato announced the notice and agenda of the Special Meeting were posted on the website and distributed to the community via email blast by Westwind Management Group.

Director Shibles requested that item IV, "Review of Chat," be moved before item III, "Attorney Matters."

With no other proposed updates to the agenda, Director Shibles motioned to approve the amended agenda. Director Hawthorne seconded the motion; the motion passed unanimously.

d. Disclosure of potential conflicts of interest

Mrs. Pilato stated that there are no known or reported conflicts of interest to announce. Each District Director acknowledged the same.

e. Public comment

Stefania E. wanted to voice her concerns regarding some businesses permitted within Green Valley Ranch North and the process for approving them, such as the dispensary and liquor stores. Directors Shibles, Woods and Attorney Ela stated that permitting, licensing and zoning are the responsibility of the appropriate authorities within the City and County of Denver and State of Colorado, and that Ebert Metropolitan District has no role with respect to those processes.

Kelvin Klink commented that if there were no other applicants for the Joint Landscape Committee, that he self-nominates for any open position on the Joint Landscape Committee.

Upon receiving no further public comment, the meeting continued.

f. Consideration of Regular Meeting Minutes from the June 21, 2022 Regular Meeting

Director Shibles motioned to approve the Regular Meeting Minutes for June 21, 2022. Director Hawthorne seconded the motion; Director Hawthorne then amended the Motion to add that after coming out of Executive Session, Evan Ela, Esq. noted that the discussions in executive session were on the topics noted and subject to attorney client privilege. Director Shibles seconded the Motion and the Amended Motion passed unanimously. Mr. Ela stated that he would provide a certification for the executive session to reflect that the items discussed were attorney privileged.

g. Status of Call of Nominations – presentation of qualified respondents (agenda encl)

Mrs. Pilato announced the three applicants identified by their applications in the Board Packet, who self-nominated for the TCMD Board of Directors position, to represent the Ebert Metropolitan District on Town's board in accordance with Town's April 2021 Resolution.

Director Hawthorne advised that candidate Mays' application needed to include Mr. Mays' signature page, which was provided.

II DIRECTOR'S ITEMS

a. Director Barclae

i. Discussion and consideration of Town Center Metropolitan District (TCMD) response (from July 11, 2022) to Ebert Metropolitan Districts April 2022 resolution

Director Hawthorne motioned to withdraw the July 27th, 2021, appointment of Bill Schmidt to the Town Center District Board. Motioned was seconded by Director Barclae.

Director Hawthorne explained the necessity for this action to create the vacancy for the Ebert Board's selection. Director Kennedy stated that Mr. Schmidt was not self-nominated and inquired whether self nomination was

required for him to be considered going forward. Corey responded in the negative and further explained that Mr. Schmidt did not submit a Self-Nomination in response to the District's Call for Nominations. Director Shibles explained that Town regarded Mr. Schmidt as a full member of the Town Board and thus he wasn't concerned with continued tenure on Town's board. He offered further historical facts and clarification bringing us to the current situation. Attorney Ela offer further supporting content, and clarified that this motion was intended to expressly establish that Mr.Schmidt was no longer Ebert's selected representative. Director Barclae shared additional historical perspective and rationale underlying this motion, and then announced and named the 3 residents who tendered self-nominations in response to the Call for Nominations.

The motion passed - four in favor, one opposed (Director Kennedy).

Director Shibles and Hawthorne added comments explaining their rationale as being procedurally based, not personal against Mr. Schmidt. Both made favorable comments regarding Mr. Schmidts contribution to the District.

ii. Discussion and consideration of the qualified nominees pursuant to the July 2022 Call for Nominations for the TCMD Board of Directors seat

Each of the three qualified nominees, Keith Mays, Kelvin Klink, and Khadija Haynes, spoke during their allotted time to introduce themselves and share their rationale for volunteering to serve as the Ebert Metropolitan District Board-selected resident-representative on the Town Center Metropolitan District Board of Directors.

Director Shibles motioned to determine which of the three candidates the Ebert Metropolitan District Board of Directors would like to put forward as the appointed member to serve on the Town Center Metropolitan District Board of Directors to represent the Ebert Metropolitan District. The Motion was seconded by Director Woods.

After a few follow-up questions with the candidates, the motion passed unanimously.

Ms. Hayes stated her top two priorities are to have more residents understand the District's work and bringing more people into awareness through more effective communication.

Mr. Klink stated his top two priorities are improving project management and upholding landscape standards.

Mr. Mays stated his top priorities are improving Town's 'documents' website and assuring Town's compliance with the Colorado Special Districts Compliance Calendar.

Director Hawthorne asked Ms. Hayes what she'd do differently to improve communication as that was a common theme across both Ebert and Town. She suggested more "live" meetings between residents and elected officials to enable people to ask questions directly. She also emphasized that the resident-representative role is two-pronged given its dual representation as both a Town and Ebert representative.

Corey read the public's Chat comments.

Director Shibles motioned to select a candiate. All voted in favor.

Director Shibles motioned to nominate Khadija Haynes as the Town Center Metropolitan District Board of Directors representative for Ebert Metropolitan District; Director Woods seconded the motion.

Motion passed with three votes in favor by Directors Shibles, Woods, and Kennedy; and two opposing votes from Directors Hawthorne and Barclae; motion carried.

iii. Status of compliance with Special District Compliance Calendar (encl)

Mrs. Pilato confirmed and shared that Ebert Metropolitan District is on schedule with the compliance calendar. Ebert

Metropolitan District has applied and received an extension to submit the 2021 Audit to the State, through September 30th, 2022.

iv. Discussion and consideration on whether to allow the Committee Sponsor (a Board Member) of an Ebert committee to add and remove committee members at their discretion.

Director Hawthorne motioned to authorize the board sponsor on a committee to make membership changes as needed at the discretion of that director sponsor; Director Shibles seconded the motion.

Director Shibles explained that the purpose was intended to give the sponsoring director flexibility to add or remove members as necessary for operational efficiency – to not have to request special meetings or wait for scheduled Board meetings to obtain approvals for committee membership changes. Director Hawthorne explained that if the Board didn't trust the judgment of a sponsoring director that the Board should replace the sponsoring director.

[Admin Note: Zoom communications became unstable seriously impairing 2 directors communications during this section of the meeting for approximately 3 – 4 minutes].

After further discussion by directors, the motion on the table was rescinded by Director Hawthorne and seconded by Director Shibles; the motion to rescind passed unanimously.

Director's Kennedy and Hawthorne suggested that each respective committee sponsor adopt a standing order to automatically update the Board during their respective director's section on the agenda. Director Hawthorne motioned accordingly, seconded by Director Shibles; motion passed unanimously.

b. Director Hawthorne

i. Financial matters

1. 2021 Audit update

Director Hawthorne went into detail explaining the need for a filing extension for the 2021 audit and noted that the extension was approved by the State.

2. 2023 Budget preparation

Director Hawthorne will coordinate with Mr. Jacobs to facilitate and initiate budget meetings with TCMD for budget numbers for 2023.

3. District accounting services update

Shelby Clymer will be taking over as the District Accountant for Debra Shedgley as Mrs. Shedgley will be retiring in December of 2022.

ii. Covenant enforcement – resident feedback

Residents do not understand where or whom to reach out to for covenant violations within TCMD, per Director Hawthorne's experiences.

c. Director Woods

i. Joint Landscape Committee (JLC) update

Director Woods shared a brief summary regarding Denver's move away from natural turf yards for new development.

ii. Discussion and consideration of JLC 2022-2023 Ebert Metropolitan District appointments

Director Woods stated that there were no new applications to join the JLC.

iii. Consideration of JLC applications (if any) received since the last meeting

Al Morie was moved to officially represent the Fairway Villas sub-district (Sub-District No. 1).

d. Directors Shibles and Kennedy

i. Discussion and consideration of TCMD Director Bill Schmidt's service on Ebert's Financial Operations Committee (FOC)

Director Shibles noted that the FOC discussed the service of Bill Schmidt on the FOC. Director Shibles noted that he informed the FOC members that he didn't feel Bill had a conflict of interest serving on the FOC and that Director Shibles would never discuss attorney client privileged information with the FOC members as that would lose attorney client privilege. The FOC, in its discussion of these issues, also noted that Bill brings a lot of valuable information to the FOC and that any member of the FOC that felt they had a conflict of interest on any discussed topic would recuse themselves from the discussion of that topic. The FOC's consensus was that Bill should continue to serve on the FOC.

ii. FOC update

Director Shibles provided a brief update on who is currently serving on the FOC committee and clarified any concerns regarding possible conflicts of interest. Director Shibles also noted that he was not opposed to having additional members of the FOC who reside outside of Fairway Villas (TCMD Subdistricts 1 and 4) participate in the FOC.

The FOC also discussed the current status of District Management services.

Requests for proposal of accounting services were sent out on behalf of the Ebert Metropolitan District and the Board received only one proposal. Regardless of whether EMD's accounting services are changed, CLA will still be providing the budget preparation service for FY 2023. Director Shibles noted that any termination notice to CLA will need to be provided in writing no later than 60 days before the termination date.

Director Shibles then motioned to submit to the TCMD Board of Directors written notice of EMD's intent to inform TCMD of EMD's intent to change the provider of accounting services by no later than the current requirement of September 15, 2022; Director Kennedy seconded the motion; the motion passed unanimously

III. REVIEW OF CHAT

Mrs. Pilato read aloud all comments and questions requested on the online chat feature.

IV. ATTORNEY MATTERS

a. Executive session as needed pursuant to CRS 24-6-403(3)(a)(II) and (4)(b) and (e)

- i. GVRE's July 2020 \$2.9 Million Loan Payment
- ii. Constitutional Matters Regarding District Board membership
- iii. District Management Services

b. Discussion and consideration of matters pursuant to topics in executive session, if necessary

Director Shibles motioned for the Board of Directors to go into an executive session with the general council to discuss the above items; Director Kennedy seconded this motion; this motion passed unanimously.

Director Shibles made a motion to come out of the executive session; Director Hawthorne seconded the motion; the motion passed unanimously.

Evan Ela, Esq. will issuing 2 certificates as to attorney client privilege discussions in Executive Session

After coming out of Executive Session, it was noted that with regard Items i & ii no Board action is being taken at this time. As for Item iii, a Motion was made by Director Shibles that EMD is going to enter into negotiations with Special District Solutions, Inc. and Kurt Schlegel and will inform TCMD under the 2019 Cooperation Agreement between EMD

and TCMD that EMD will be changing its District Manager effective as soon as a Service Agreement for these services is fully executed. The Motion was seconded by Director Hawthorne and passed unanimously.

V. ADJOURNMENT

There was no further business to come before the Board of Directors. Upon a motion from Director Kennedy, seconded by Director Woods and carried unanimously, the meeting adjourned at 9:21 PM.

The next Regular Meeting is scheduled for Tuesday, September 20, 2022, at 7:00 PM and shall be noticed in accordance with CRS 32-1-902 and 24-6-402, on the District’s webpage <https://ebertmd.colorado.gov>

Please reach out to Westwind Management Group for questions and concerns related to Green Valley Ranch North.

Association Business Manager

April Delgado

(303) 369-1800 ext. 135 April@westwindmanagement.com

Administrative Assistant

Audrey Brown

(303) 369-1800 ext. 117 Audrey@westwindmanagement.com



14143 Denver West Parkway
Suite 450
Lakewood CO 80401
Federal ID# 39-0758449

INVOICE

Ebert Metropolitan District
c/o CliftonLarsonAllen LLP
8390 E Crescent Pkwy Ste 300
Greenwood Village CO 80111

Date: 09/8/22
Page: 1
Client #: 504568
Invoice #: 2104895
Billor: Greg Livin
Phone: (720) 445-3410
Email: greg.livin@wipfli.com

ACCOUNTS DUE AND PAYABLE WITHIN 30 DAYS

Preparation of 2021 Annual Audit	4,600.00
Change order related to time incurred regarding financial matters related to Town Center Metro District	1,750.00
Total	<u><u>\$ 6,350.00</u></u>

***** Please return remittance coupon with check payment *****

To pay online, go to www.wipfli.com and select *Pay Bill*. You will need your client # and billing zip code.

All business or commercial accounts will be charged interest at the lesser of one percent (1%) per month or the maximum rate permitted by law, except where prohibited by law.

Remit payment to:

WIPFLI LLP
PO BOX 3160
MILWAUKEE WI 53201-3160

Ebert Metropolitan District
Client #: 504568
Invoice #: 2104895
Amount Due: \$6,350.00

0504568 2104895 00006350001



SPECIAL DISTRICT COMPLIANCE CALENDAR

Colorado Department of Local Affairs
 1313 Sherman Street, Room 521
 Denver, Colorado 80203 (303) 864-7720
www.colorado.gov/dola

INTRODUCTION

After organization by court order and decree, Colorado Title 32, Article 1, Special Districts have certain statutorily required responsibilities. These responsibilities, among others, include adopting an annual budget, holding biennial elections for directors, and compliance with the Local Government Audit Law.

The following may be used as a checklist for these items of compliance. The calendar is for informational purposes only and is not to be construed as legal advice. It is a guideline and not guaranteed to be all-inclusive. Although the Department of Local Affairs (DOLA) attempts to keep districts informed of major changes in statutes, it is incumbent upon the local jurisdictions to stay current with changes in statute that may affect this calendar. If you have any questions please contact DOLA's Division of Local Government at (303) 864-7720.

DATE	COMPLIANCE ACTIVITY/OTHER INFORMATION
At the time of the recording organizational decree or order of inclusion for any District	<p>Every special district shall record a special district public disclosure document and a map of the boundaries of the district with the county clerk and recorder of each county in which the district is located that provides the following information:</p> <ol style="list-style-type: none"> 1. The name of the district; 2. The powers of the district as authorized by section 32-1-1004 and the district's service plan or, as appropriate, the district's statement of purpose as described in section 32-1-208, current as of the time of the filing; 3. A statement indicating that the district's service plan or, as appropriate, the district's statement of purpose as described in section 32-1-208, which can be amended from time to time, includes a description of the district's powers and authority, and that a copy of the service plan or statement of purpose is available from the division; and 4. The following statement: [Name of the district] is authorized by title 32 of the Colorado Revised Statutes to use a number of methods to raise revenues for capital needs and general operations costs. These methods, subject to the limitations imposed by section 20 of article X of the Colorado constitution, include issuing debt, levying taxes, and imposing fees and charges. Information concerning directors, management, meetings, elections, and current taxes are provided annually in the Notice to Electors described in section 32-1-809 (1), Colorado Revised Statutes, which can be found at the district office, on the district's web site, on file at the division of local government in the state department of local affairs, or on file at the office of the clerk and recorder of each county in which the special district is located. <p style="text-align: right;">C.R.S. § 32-1-104.8</p>
24-Hour Notice Before Any Meeting	<p>Notice of the time and place for all regular or special meetings must be posted in a designated public place within the boundaries of the special district no less than twenty-four hours prior to holding the meeting. Alternatively, notice may be provided on a public website of the special district twenty-four hours prior to the meeting.* The public place or places for posting such notice shall be designated annually at the first regular meeting of each calendar year. The posting shall include specific agenda information where possible.</p> <p>*Special districts choosing to post notices online must provide a website address to the Division here: https://www.colorado.gov/pacific/dola/division-local-government</p> <p style="text-align: right;">C.R.S. § 32-1-903(2), 24-6-402(2)</p>
30-Day notice prior to fixing/increasing water or sewer rates	<p>The governing body of any special district furnishing domestic water or sanitary sewer services directly to residents and property owners within or outside the district may fix or increase fees, rates, tolls, penalties, or charges for domestic water or sanitary sewer services only after consideration of the action at a public meeting held at least thirty days after providing notice stating that the action is being considered and stating the date, time, and place of the meeting at which the action is being considered. Notice must be provided to the customers receiving the domestic water or sanitary sewer services of the district in one or more of the following ways:</p> <ol style="list-style-type: none"> 1. Mailing the notice separately to each customer of the service on the billing rolls of the district; 2. Including the notice as a prominent part of a newsletter, annual report, billing insert, billing statement, letter, or other notice of action, or other informational mailing sent by the special district to the customers of the district; 3. Posting the information on the official web site of the special district if there is a link to the district's website on the official website of the division; or 4. For any district that is a member of a statewide association of special districts formed pursuant to section 29-1-401, C.R.S., by mailing or electronically transmitting the notice to the statewide association of special districts, which association shall post the notice on a publicly accessible section of the association's website. <p style="text-align: right;">C.R.S. § 32-1-1001(2)</p>
Within 30 days of election date	<p>The results of any special district election shall be certified to the Division of Local Government within thirty (30) days after the election. If an election is canceled, the notice and a copy of the resolution of cancellation shall be filed with the Division.</p> <p style="text-align: right;">C.R.S. § 1-11-103(3)</p>
January 1: Budget Year Begins	<p>Start of local government fiscal budget year; recommend beginning to plan for the budget of the next year. See C.R.S. § 29-1-101 et seq. regarding the information required in a budget. Contact the Division of Local Government for assistance or visit: dola.colorado.gov/budgets</p>
Update Map	<p>Deadline to file a current, accurate map of district boundaries prepared according to the Division of Local Government standards with the county assessor and the Division. Contact the Division of Local Government for assistance or visit: www.colorado.gov/pacific/dola/special-district-administration</p>

DATE	COMPLIANCE ACTIVITY/OTHER INFORMATION
January 15: Notice to Electors	<p>Deadline for Notice to Electors (Transparency Notice), and no more than 60 days preceding.</p> <p>(1) Each district must include:</p> <p>a. The principle business address and telephone number of the District;</p> <p>b. Name and business telephone number of the manager or primary contact person;</p> <p>c. The names of and contact information for the members of the board, the name of the board chair, and the name of each member whose office will be on the ballot at the next regular special district election;</p> <p>d. The times and places designated for regularly scheduled meetings of the board during the year and the place where notice of board meetings is posted pursuant to 24-6-402(2)(c), C.R.S.;</p> <p>e. The current mill levy and the total ad valorem tax revenue received by the district during the last year;</p> <p>f. The date of the next regular special district election at which members of the board will be elected;</p> <p>g. Information on the procedure and time for an eligible elector of the special district to submit a self-nomination form for election to the board pursuant to section 1-13.5-303; and</p> <p>i. The address of any web site on which the special district's election results will be posted.</p> <p>j. Information on the procedure for an eligible elector to apply for a permanent absentee voter status as described in section 1-13.5-1003, C.R.S., with the special district..</p> <p>(2) The notice required by subsection (1) of this section shall be made in one or more of the following ways:</p> <p>a. Mailing the notice separately to each household where one or more eligible electors of the special district resides;</p> <p>b. Including the notice to each household as part of a newsletter, annual report, billing insert, billing statement, letter, voter information card or other notice of election, or other information mailing sent by the special district to the eligible electors of the special district;</p> <p>c. Posting the information on the District's official website, if there is a link to the district's web site on the official web site of the Division;</p> <p>d. For any district that is a member of a statewide association of special districts formed pursuant to 29-1-401, C.R.S. (such as the SDA), mailing or electronically transmitting the notice to the association, which shall post the notice on the association's website.</p> <p>e. Districts with less than 1,000 eligible electors that are wholly located in a county with a population of less than 30,000, posting the notice in at least 3 public places within the limits of the special district, in addition to the county clerk and recorder will suffice. Such notice shall be posted until the Tuesday succeeding the first Monday of the following May.</p> <p>(3) (Each) special district shall make a copy of the notice required by subsection (1) of this section available for public inspection at the principal business office of the special district.</p> <p>(4) Special districts with overlapping boundaries may combine the notices mailed pursuant to subsection 2(a), so long as the information regarding each district is separately displayed and identified.</p> <p>*Each District shall file the notice with the board of county commissioners, the county assessor, the county treasurer, and the county clerk and recorder of each county in which the special district is located, the governing body of any municipality in which the special district is located, and the division of local government.</p> <p style="text-align: right;">C.R.S. §32-1-809, 32-1-104(2)</p> <p>*Contact Update was consolidated with Notice to Electors in the 2015 Legislative Session.</p>
January 31 Budget Due	<p>A certified copy of the adopted budget, which includes the budget message, for the current fiscal year (the special district fiscal year is the calendar year) must be filed with the Division no later than this date. Although not legally required, it is recommended that the "Resolution to Adopt the Budget," the "Resolution to Set Mill Levies" and the "Resolution to Appropriate Funds" accompany the copy of the certified budget. For more information and sample forms see the Budget Information and Resources webpage here: dola.colorado.gov/budgets</p> <p>Penalty: The Division may authorize the County Treasurer to withhold distribution of tax revenues to the district if the budget is not filed.</p> <p style="text-align: right;">C.R.S. § 29-1-113(1)</p>
February Special Election	<p>Special election date for non-TABOR questions may occur on the first Tuesday after the first Monday.</p> <p style="text-align: right;">C.R.S. § 32-1-103(21)</p>
March 1	<p>If a special district has securities outstanding which are non-rated and which were issued to the public, for an amount of not less than \$1 million, and for a term of more than one year payable beyond the next year, then that district must file an annual report on form DLG 30 with the Division. This report must be filed within sixty days following the end of the fiscal year.</p> <p style="text-align: right;">C.R.S. § 11-58-105</p>
March 31	<p>Deadline for qualifying entities to request exemption from audit from the State Auditor using Application for Exemption From Audit. For information contact Local Government Audits, Office of State Auditor, at (303) 869-3000 or osa.lg@state.co.us. The ceiling amount for a local government to qualify for exemption from audit is \$750,000.</p> <p style="text-align: right;">C.R.S. § 29-1-604(3)</p>
May Regular Election	<p>Regular Election (election for members of board of directors) must be held in even-numbered years. Special Elections may be held in odd-numbered years.</p> <p>**Effective July 1, 2022: Regular Election must be held in odd-numbered years.**</p>
2022	May 3
2023	May 2
2025	May 6
2027	May 4
	C.R.S. § 32-1-103(17),(21)

DATE	COMPLIANCE ACTIVITY/OTHER INFORMATION
June	The Certification of Election Results is due to the Division within thirty (30) days of the election.
Oaths & election results filed with DOLA-DLG	Originally signed oath of office and bond (public officials' performance bond) must be filed with the district court clerk within thirty (30) days of the May election and a copy of each oath and bond must be filed with the Division. Directors' bond must be not less than \$1,000; the treasurer's bond must be not less than \$5,000.
2022	June 2
2023	June 1
2025	June 5
2027	June 3
	C.R.S. § 1-11-103(3); 32-1-901; 32-1-902(2)
June 30	Statutory deadline for local government auditor to submit audit report to special district governing board.
	C.R.S. § 29-1-606(1)(a)
July 30	Deadline for submitting annual audit report to State Auditor. District audit must be forwarded to State Auditor's Office within thirty (30) days of receipt from auditor.
	PENALTY: If an audit is not filed, the county treasurer may be ordered to withhold district tax revenues.
	C.R.S. § 29-1-606(3) and (5)(a) and (b)
August 25	Deadline for assessors to certify to all taxing entities and the Division the total assessed valuation and real property values of all taxable property and the amounts for the various factors used to compute the statutory property tax revenue limit and the constitutional property tax revenue limit.
	C.R.S. § 39-5-128
September 30	If State Auditor has granted extension (received prior to July 31 filing deadline), this is the final date an audit may be filed.
	PENALTY: If an audit is not filed (when an exemption has not been granted) the county treasurer may be ordered to withhold district tax revenues.
	C.R.S. § 29-1-606(4) and (5)(a) and (b)
October Special Election	Special election date for non-TABOR questions may occur on the first Tuesday after the first Monday
	C.R.S. § 32-1-103(21)
October 15	Statutory deadline for budget officer to submit the proposed budget to board of directors.
	C.R.S. § 29-1-105
	"Notice of Budget" to be published upon board's receipt of proposed budget.
	Notice of budget must state that the budget is available for inspection by the public at a designated office, give the date and time of the budget hearing, and state that any interested elector may file objections any time prior to its adoption. For districts with a total annual budget of less than \$50,000, posting of the Notice in three public places is permitted in lieu of publication.
	C.R.S. § 29-1-106
	See C.R.S. § 29-1-103, for budget content and format requirements. Contact the Division of Local Government for further information and assistance in order to be in compliance with the budget law.
November	TABOR and non-TABOR ballot questions may be referred to the voters. The first Tuesday after the first Monday of even numbered years in November, or the first Tuesday in odd-numbered years.
2021	November 2
2022	November 8
2023	November 7
2024	November 5
2025	November 4
2026	November 3
	C.R.S. § 32-1-103(21)
December 10	Assessors must recertify property value, one time only, no later than December 10, to the district.
	C.R.S. § 39-1-111(5)
December 15	Deadline for certification of mill levies to the board of county commissioners. It is strongly recommended that districts use Division form DLG 70 for "Certification of Levies for Non-School Governments."
	C.R.S. § 39-5-128(1)
	Note: Districts levying a property tax must adopt their budgets before certifying levies to the county.
	C.R.S. § 29-1-108(2)
	PENALTY: If the budget is not adopted by certification deadline, 90% of the amounts appropriated for operating and maintenance expenses in the current fiscal year shall be deemed re-appropriated.
	C.R.S. § 29-1-108(3)
December 22	Deadline for county commissioners to levy against the assessed valuation of all taxable property the necessary taxes for all legal purposes of local governments.
	C.R.S. § 39-1-111(1)
December 31	Districts not levying property tax must adopt budget by this date.
	C.R.S. § 29-1-108
	By this date board shall enact "Resolution to Appropriate Funds" for ensuing fiscal year.
	C.R.S. § 29-1-108(4)
	PENALTY: Until a budget is adopted, a district is restricted to 90% of its current year's appropriation for operation and maintenance expenses if board fails to enact a resolution to make appropriations by this date.
	C.R.S. § 29-1-108(4)

DATE	COMPLIANCE ACTIVITY/OTHER INFORMATION
Within 45 Days After an Election: GO Debt reporting	The results of special district ballot issue elections to incur general obligation indebtedness shall be certified by the special district by certified mail to the board of county commissioners of each county in which the special district is located or to the governing body of a municipality that has adopted a resolution of approval of the special district pursuant to section 32-1-204.5 or 32-1-204.7. The special district shall file a copy of any certification with the Division of Securities, 1560 Broadway, Suite 900, Denver, CO, 80202, P: 303-894-2320. C.R.S. § 32-1-1101.5(1)
No Date - Upon Order or Decree	The organization, dissolution or boundary change (due to inclusion, exclusion or consolidation) of a district is effective only when the court order or decree, together with a description of the area, is recorded by the county clerk & recorder of the county where the action took place. The clerk & recorder shall notify the county assessor and a certified copy of the recorded notice shall also be filed with the Division of Local Government by the clerk & recorder. C.R.S. § 32-1-105
No Date - Upon Occurrence	The board of directors of a district must notify the board of county commissioners or governing body of the municipality of any alteration of the proposed debt issuance schedule in the service plan. C.R.S. § 32-1-202(2)(b)
Upon Debt Authorization Election	If the issuance of general obligation bonds is approved at an election, the board shall be authorized to issue such bonds for a period not to exceed the later of five years following the date of the election or, for a period not to exceed twenty years following the date of the election if the issuance of such bonds is in material compliance with the financial plan set forth in the service plan, as that plan may be amended from time to time, or in material compliance with the statement of purposes of the special district. After the specific period has expired, the board shall not be authorized to issue bonds which were authorized but not issued after the initial election unless the issuance is approved at a subsequent election. C.R.S. § 32-1-1101(2)
No Date - Upon Request	A board of county commissioners, or the governing body of a municipality within whose boundaries a district is located, may request a district to file, not more than once a year, an annual report. The report shall be filed with the board of county commissioners, any municipality in which the special district is wholly or partially located, the Division of Local Government and the State Auditor, and shall be deposited with the county clerk and recorder for public inspection. The report shall be made available by the special district to any interested party. The report shall include, but not be limited to, information on the progress of the special district in the implementation of the service plan. C.R.S. § 32-1-207(3) (c)
No Date - Upon Request	Any district created on or after July 1, 1991, shall annually file for five years after its organization this annual report with the board of county commissioners or the municipal governing body that adopted a resolution of approval of the service plan. It shall file such annual report for succeeding annual periods if requested by the county or municipal governing body. This annual report is also filed with the Division of Local Government and the State Auditor. The State Auditor shall review the annual report and report any apparent decrease in the financial ability of the district to discharge its existing or proposed indebtedness in accordance with the service plan to the Division which shall confer with the district and the county or municipal governing body. C.R.S. § 32-1-207(3)(d)
No Date - Upon Request	If a special district fails either to file a special district annual report pursuant to section 32-1-207 (3)(c) or to provide any information required to be submitted pursuant to section 32-1-104 (2) within nine months of the date of the request for such information, the board of county commissioners of any county or the governing body of any municipality in which the special district is located, after notice to the affected special district, may notify any county treasurer holding moneys of the special district and authorize the county treasurer to prohibit release of any such moneys until the special district complies with such requirements. C.R.S. § 32-1-209
No Date - Upon Request	In every fifth calendar year after the year in which a special district's voters approved incurrence of general obligation indebtedness, the board of county commissioners or municipal governing body may require the district to file an application for a quinquennial (five-year) finding of reasonable diligence. The application shall set forth the district's authorized and unissued general obligation (G.O.) debt, current or anticipated plan to issue such debt, a copy of the district's audit or audit exemption application, and any information the county or municipal governing body requires relevant to making the following determinations: 1. The implementation of the service plan or the financial plan will result in the timely and reasonable discharge of the district's general obligation debt. Upon such a finding, the county or municipal governing body shall grant a continuation of the authority for the board to issue any remaining authorized G.O. debt. 2. The implementation of the service plan or the financial plan will not result in the timely and reasonable discharge of the district's G.O. debt and that such implementation will place property owners at risk for excessive tax burdens to support the debt service. Upon such a finding, the county or municipal governing body shall deny a continuation of the authority of the board to issue any remaining authorized G.O. debt. 3. The implementation of the service plan or the financial plan will not result in the timely and reasonable discharge of the district's G.O. debt. Upon such finding, the county or municipal governing body shall require the district to submit amendments or modifications to such plans as a precondition to a finding of reasonable diligence. C.R.S. § 32-1-1101.5 (1.5)
NOTE: If a district:	
	<ul style="list-style-type: none"> • Has Failed to hold or properly cancel a regular special district election, • Has Failed to adopt a budget for two consecutive years, • Has Failed to submit to an audit (or be granted exemption from audit) for two consecutive years; or • Has not provided or attempted to provide any of the service(s) or facilities for which the district was organized for two consecutive years; and • Has no outstanding financial obligations, <p>then, the Division of Local Government may initiate statutory procedures to administratively dissolve the district.</p> <p style="text-align: right;">C.R.S. § 32-1-710</p>

**EBERT METROPOLITAN DISTRICT
City and County of Denver, Colorado**

**FINANCIAL STATEMENTS AND
SUPPLEMENTARY INFORMATION**

YEAR ENDED DECEMBER 31, 2021

**EBERT METROPOLITAN DISTRICT
TABLE OF CONTENTS
YEAR ENDED DECEMBER 31, 2021**

INDEPENDENT AUDITOR'S REPORT	1
BASIC FINANCIAL STATEMENTS	
GOVERNMENT-WIDE FINANCIAL STATEMENTS	
STATEMENT OF NET POSITION	1
STATEMENT OF ACTIVITIES	2
FUND FINANCIAL STATEMENTS	
BALANCE SHEET – GOVERNMENTAL FUNDS	3
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS	4
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES OF THE GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES	5
GENERAL FUND – STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	6
NOTES TO BASIC FINANCIAL STATEMENTS	7
SUPPLEMENTARY INFORMATION	
DEBT SERVICE FUND – SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	24
CONSERVATION TRUST FUND – SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	25
CAPITAL RESERVE - BOND PROCEEDS - SERIES 2018 FUND – SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	26
CAPITAL RESERVE – 1.000 MILL FUND – SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	27
OTHER INFORMATION	
SCHEDULE OF ASSESSED VALUATION, MILL LEVY, AND PROPERTY TAXES COLLECTED	29
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY	30

Board of Directors
Ebert Metropolitan District
Denver County, Colorado

Independent Auditor's Report

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Ebert Metropolitan District (the "District"), as of and for the year ended December 31, 2021, and the related notes to the financial statements, which collectively comprise the District's basic financial statements, as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Ebert Metropolitan District as of December 31, 2021, and the respective changes in financial position and the respective budgetary comparison for the general fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Emphasis of Matter

As discussed in Note 7 to the financial statements, the board of directors of the District budgeted a transfer of a capital maintenance reserve amount from a related district that was not ultimately recorded in the fund financial statements for the year ended December 31, 2021. Our opinion is not modified with respect to that matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America (GAAP), and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

Exercise professional judgment and maintain professional skepticism throughout the audit.

Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.

Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.

Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.

Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control—related matters that we identified during the audit.

Other Matters

Required Supplemental Information

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinions on the basic financial statements are not affected by this missing information.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The supplementary information as listed in the table of contents is presented for the purposes of legal compliance and additional analysis and is not a required part of the basic financial statements. The supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, such information is fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Information

The other information, as listed in the table of contents, has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Wipfli LLP

Wipfli LLP
Lakewood, Colorado

July 27, 2022

BASIC FINANCIAL STATEMENTS

**EBERT METROPOLITAN DISTRICT
STATEMENT OF NET POSITION
DECEMBER 31, 2021**

	<u>Governmental Activities</u>
ASSETS	
Cash and Investments	\$ 92,659
Cash and Investments - Restricted	9,705,199
Receivable - County Treasurer	30,991
Property Taxes Receivable	<u>6,937,591</u>
Total Assets	<u>16,766,440</u>
LIABILITIES	
Due to Town Center Metro District	29,099
Due to County	35
Accrued Interest Payable	388,525
Noncurrent Liabilities:	
Due Within One Year	1,474,341
Due in More than One Year	<u>105,117,339</u>
Total Liabilities	<u>107,009,339</u>
DEFERRED INFLOWS OF RESOURCES	
Property Tax Revenue	<u>6,937,591</u>
Total Deferred Inflows of Resources	<u>6,937,591</u>
NET POSITION	
Restricted for:	
Emergency Reserves	73,000
Debt Service	1,048,295
Capital Projects	469,522
Conservation Trust Fund	171,365
Unrestricted	<u>(98,942,672)</u>
Total Net Position	<u><u>\$ (97,180,490)</u></u>

See accompanying Notes to Basic Financial Statements.

**EBERT METROPOLITAN DISTRICT
STATEMENT OF ACTIVITIES
YEAR ENDED DECEMBER 31, 2021**

	Program Revenues			Net Revenues (Expenses) and Change in Net Position	
Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	
FUNCTIONS/PROGRAMS					
Primary Government:					
Governmental Activities:					
General Government	\$ 3,096,722	\$ -	\$ 21,321	\$ 68,920	\$ (3,006,481)
Interest and Fees on Long-Term Debt	4,435,727	-	-	-	(4,435,727)
Total Governmental Activities	\$ 7,532,449	\$ -	\$ 21,321	\$ 68,920	(7,442,208)
GENERAL REVENUES					
Property Taxes					8,234,496
Specific Ownership Taxes					447,592
Net Investment Income					9,291
Total General Revenues					8,691,379
CHANGE IN NET POSITION					1,249,171
Net Position - Beginning of Year					(98,429,661)
NET POSITION - END OF YEAR					\$ (97,180,490)

See accompanying Notes to Basic Financial Statements.

**EBERT METROPOLITAN DISTRICT
BALANCE SHEET –
GOVERNMENTAL FUNDS
DECEMBER 31, 2021**

ASSETS	General	Debt Service	Conservation Trust	Capital Reserve Bond Proceeds Series 2018	Capital Reserve 1.000 Mill	Total Governmental Funds
Cash and Investments	\$ 92,659	\$ -	\$ -	\$ -	\$ -	\$ 92,659
Cash and Investments - Restricted	238,793	8,051,012	171,365	851,517	392,512	9,705,199
Receivable - County Treasurer	8,640	21,843	-	-	508	30,991
Property Taxes Receivable	2,495,644	4,295,144	-	-	146,803	6,937,591
Total Assets	<u>\$ 2,835,736</u>	<u>\$ 12,367,999</u>	<u>\$ 171,365</u>	<u>\$ 851,517</u>	<u>\$ 539,823</u>	<u>\$ 16,766,440</u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES						
LIABILITIES						
Due to Town Center Metro District	\$ 29,099	\$ -	\$ -	\$ -	\$ -	\$ 29,099
Due to County Treasurer	-	35	-	-	-	35
Total Liabilities	29,099	35	-	-	-	29,134
DEFERRED INFLOWS OF RESOURCES						
Property Tax Revenue	2,495,644	4,295,144	-	-	146,803	6,937,591
Total Deferred Inflows of Resources	2,495,644	4,295,144	-	-	146,803	6,937,591
FUND BALANCES						
Restricted for:						
Emergency Reserves	73,000	-	-	-	-	73,000
Debt Service	-	1,297,796	-	-	-	1,297,796
Mill Levy Stabilization Fund	-	6,775,024	-	-	-	6,775,024
Conservation Trust Fund	-	-	171,365	-	-	171,365
Capital Projects	165,793	-	-	851,517	393,020	1,410,330
Assigned:						
Subsequent Year's Expenditures	48,176	-	-	-	-	48,176
Unassigned	24,024	-	-	-	-	24,024
Total Fund Balances	<u>310,993</u>	<u>8,072,820</u>	<u>171,365</u>	<u>851,517</u>	<u>393,020</u>	<u>9,799,715</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	<u>\$ 2,835,736</u>	<u>\$ 12,367,999</u>	<u>\$ 171,365</u>	<u>\$ 851,517</u>	<u>\$ 539,823</u>	

Amounts reported for governmental activities in the statement of net position are different because:

Long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported in the funds.

Bonds Payable	(100,965,000)
Bond Premium	(5,626,680)
Accrued Bond Interest	<u>(388,525)</u>

Net Position of Governmental Activities

\$ (97,180,490)

See accompanying Notes to Basic Financial Statements.

**EBERT METROPOLITAN DISTRICT
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –
GOVERNMENTAL FUNDS
YEAR ENDED DECEMBER 31, 2021**

	General	Debt Service	Conservation Trust	Capital Reserve Bond Proceeds Series 2018	Capital Reserve 1.000 Mill	Total Governmental Funds
REVENUES						
Property Taxes	\$ 2,296,800	\$ 5,802,590	\$ -	\$ -	\$ 135,106	\$ 8,234,496
Specific Ownership Taxes	124,784	315,468	-	-	7,340	447,592
Town Center Legal Reimbursement	21,321	-	-	-	-	21,321
Net Investment Income	1,366	7,234	41	470	180	9,291
Conservation Trust Fund	-	-	68,920	-	-	68,920
Total Revenues	<u>2,444,271</u>	<u>6,125,292</u>	<u>68,961</u>	<u>470</u>	<u>142,626</u>	<u>8,781,620</u>
EXPENDITURES						
County Treasurer's Fees	22,976	58,056	-	-	1,352	82,384
Town Center Services Reimbursement	2,399,838	-	-	-	-	2,399,838
Legal Services	21,321	-	-	-	-	21,321
Debt Service:						
Interest - 2018 A-1 Bond	-	3,956,000	-	-	-	3,956,000
Interest - 2018 A-2 Bond	-	749,050	-	-	-	749,050
Principal - 2018 A-1 Bond	-	720,000	-	-	-	720,000
Principal - 2018 A-2 Bond	-	135,000	-	-	-	135,000
Paying Agent Fees	-	3,500	-	-	-	3,500
Capital Projects:						
Capital Outlay	-	-	-	651,235	-	651,235
Total Expenditures	<u>2,444,135</u>	<u>5,621,606</u>	<u>-</u>	<u>651,235</u>	<u>1,352</u>	<u>8,718,328</u>
NET CHANGE IN FUND BALANCES	136	503,686	68,961	(650,765)	141,274	63,292
Fund Balances - Beginning of Year	310,857	7,569,134	102,404	1,502,282	251,746	9,736,423
FUND BALANCES - END OF YEAR	<u>\$ 310,993</u>	<u>\$ 8,072,820</u>	<u>\$ 171,365</u>	<u>\$ 851,517</u>	<u>\$ 393,020</u>	<u>\$ 9,799,715</u>

See accompanying Notes to Basic Financial Statements.

**EBERT METROPOLITAN DISTRICT
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCES OF THE GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
YEAR ENDED DECEMBER 31, 2021**

Net Change in Fund Balance - Total Governmental Funds \$ 63,292

Amounts reported for governmental activities in the statement of activities are different because:

The issuance of long-term debt (e.g., bonds, leases, Developer advances) provides current financial resources to governmental funds, while the repayment of principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. The net effect of these differences in the treatment of long-term debt and related items is as follows:

Bond Principal Payment	855,000
Current Year Amortization of Bond Premium	327,316

Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in the governmental funds:

Accrued Interest on Bonds Payable - Change in Liability	<u>3,563</u>
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Change in Net Position of Governmental Activities	<u><u>\$ 1,249,171</u></u>
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**EBERT METROPOLITAN DISTRICT
GENERAL FUND –
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –
BUDGET AND ACTUAL
YEAR ENDED DECEMBER 31, 2021**

	Budgets		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Property Taxes	\$ 2,284,196	\$ 2,284,196	\$ 2,296,800	\$ 12,604
Specific Ownership Taxes	114,210	124,210	124,784	574
Town Center Legal Reimbursement	25,000	25,000	21,321	(3,679)
Net Investment Income	1,500	1,500	1,366	(134)
Total Revenues	<u>2,424,906</u>	<u>2,434,906</u>	<u>2,444,271</u>	<u>9,365</u>
EXPENDITURES				
County Treasurer's Fees	22,840	22,840	22,976	(136)
Town Center Services Reimbursement	2,375,566	2,385,566	2,399,838	(14,272)
Legal Services	25,000	25,000	21,321	3,679
Election Expense	5,000	5,000	-	5,000
Contingency	11,594	11,594	-	11,594
Total Expenditures	<u>2,440,000</u>	<u>2,450,000</u>	<u>2,444,135</u>	<u>5,865</u>
NET CHANGE IN FUND BALANCE	(15,094)	(15,094)	136	15,230
Fund Balance - Beginning of Year	<u>306,837</u>	<u>306,837</u>	<u>310,857</u>	<u>4,020</u>
FUND BALANCE - END OF YEAR	<u>\$ 291,743</u>	<u>\$ 291,743</u>	<u>\$ 310,993</u>	<u>\$ 19,250</u>

See accompanying Notes to Basic Financial Statements.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 1 DEFINITION OF REPORTING ENTITY

Ebert Metropolitan District (the District), a quasi-municipal corporation and political subdivision of the state of Colorado, was organized by order and decree of the District Court for the city and County of Denver, Colorado (the City) on September 12, 1983, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District operates under a Service Plan approved by the City. The District's service area is located within the City.

The District was organized concurrently with Town Center Metropolitan District (Town). The District has the power to provide sanitation, storm drainage, streets, traffic and safety controls, water and park and recreation improvements and other related improvements for the benefit of taxpayers and service users within Town's and the District's boundaries.

The District is intended to serve as the "financing district" while Town is intended to serve as the "operating district." The operating district is responsible for providing the day-to-day construction operations and administrative management of both districts. The operating district is economically dependent upon intergovernmental revenue received from the financing district.

The District follows the Governmental Accounting Standards Board (GASB) accounting pronouncements which provide guidance for determining which governmental activities, organizations, and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a governmental organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization's governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens, and fiscal dependency.

The District is not financially accountable for any other organization, nor is the District a component unit of any other primary governmental entity, including the City or Town.

The District has no employees, and all operations and administrative functions are contracted.

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The more significant accounting policies of the District are described as follows:

Government-Wide and Fund Financial Statements

The government-wide financial statements include the statement of net position and the statement of activities. These financial statements include all of the activities of the District. The effect of interfund activity has been removed from these statements. Governmental activities are normally supported by taxes and intergovernmental revenues.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Government-Wide and Fund Financial Statements (Continued)

The statement of net position reports all financial and capital resources of the District. The difference between the sum of assets and deferred outflows of resources and the sum of liabilities and deferred inflows of resources is reported as net position.

The statement of activities demonstrates the degree to which the direct and indirect expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds. Major individual governmental funds are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The major sources of revenue susceptible to accrual are property taxes and specific ownership taxes. All other revenue items are considered to be measurable and available only when cash is received by the District. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred, or the long-term obligation is due.

The District reports the following major governmental funds:

The General Fund is the District's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The Debt Service Fund accounts for the resources accumulated and payments made for principal and interest on long-term debt of the governmental funds.

The Conservation Trust Fund (a Capital Projects Fund) is used to account for the lottery proceeds received from the state. This revenue is restricted for the maintenance or acquisition and construction of recreational facilities under state statutes.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

**Measurement Focus, Basis of Accounting and Financial Statement Presentation
(Continued)**

The Capital Reserve – Bond Proceeds – Series 20218 Fund (a Capital Projects Fund) is used to account for the resources accumulated for the purpose of repairing, replacing, and/or maintaining public improvements.

The Capital Reserve – 1.000 Mill Fund (a Capital Projects Fund) is used to account for the resources from the imposition of a 1.000 mills property tax to be used for the purpose of creating reserves for the purpose of repairing, replacing, and/or maintaining public improvements.

Budgets

In accordance with the State Budget Law, the District's Board of Directors holds public hearings in the fall each year to approve the budget and appropriate the funds for the ensuing year. The appropriation is at the total fund expenditures level and lapses at year-end. The District's Board of Directors can modify the budget by line item within the total appropriation without notification. The appropriation can only be modified upon completion of notification and publication requirements. The budget includes each fund on its basis of accounting unless otherwise indicated.

The District's Board of Directors amended its annual budget for the year ended December 31, 2021, by resolution adopted on April 12, 2022.

Pooled Cash and Investments

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a single bank account. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility. Investment earnings are allocated periodically to the participating funds based upon each fund's average equity balance in the total cash.

Property Taxes

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December.

Per agreement between the District and Town, the County Treasurer remits the District's taxes collected monthly into a clearing account held by Town. Town then disburses the taxes to either the District, the Trustee, or to Town's General Fund account in accordance with the Regional Facilities Construction Agreements (see Note 5).

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Property Taxes (Continued)

Property taxes, net of estimated uncollectible taxes, are recorded initially as deferred inflow of resources in the year they are levied and measurable. The unearned property tax revenues are recorded as revenue in the year they are available or collected.

Development Fees

The Board of Directors has established development fees to be collected at the time of a request for a building permit from the builder and is based upon an original fee schedule of \$30,000 per acre for single family development, \$36,000 per acre for multi-family development, \$38,000 per acre for commercial development and \$10,000 per acre for development of school and church properties. Fees are increased annually. As of March 1, 2015, the fees in effect were \$37,500 per acre for single family development, \$43,500 per acre for multi-family development, \$45,500 per acre for commercial development, \$16,000 per acre for school sites, and \$16,000 per acre for churches.

On January 1, 2016, the District entered into an Amended and Restated Facilities Construction, Funding and Service Agreement with Town. The responsibility for setting, collecting and spending the development fees passed from the District to Town. Prior to this Amendment, the District's Board of Directors originally approved an annual \$500 increase. Since January 1, 2016, the Town has not taken any action to increase fees. As a result, the 2020 development fees remain the same as those in effect in 2015.

Amortization

Original Issue Discount/Premium

In the government-wide financial statements, bond premiums and discounts are deferred and amortized over the life of the bonds, using the effective interest method.

In the fund financial statements, governmental fund types recognize bond premiums and discounts during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources, while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as expenditures.

Deferred Inflows of Resources

In addition to liabilities, the statement of net position reports a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period and so will not be recognized as an inflow of resources (revenue) until that time. The District has one item that qualifies for reporting in this category. Accordingly, the item, *deferred property tax revenue*, is deferred and recognized as an inflow of resources in the period that the amount becomes available.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Equity

Net Position

For government-wide presentation purposes when both restricted and unrestricted resources are available for use, it is the District's practice to use restricted resources first, then unrestricted resources as they are needed.

Fund Balance

Fund balance for governmental funds should be reported in classifications that comprise a hierarchy based on the extent to which the government is bound to honor constraints on the specific purposes for which spending can occur. Governmental funds report up to five classifications of fund balance: nonspendable, restricted, committed, assigned, and unassigned. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications describe the relative strength of the spending constraints:

Nonspendable Fund Balance – The portion of fund balance that cannot be spent because it is either not in spendable form (such as prepaid amounts or inventory) or legally or contractually required to be maintained intact.

Restricted Fund Balance – The portion of fund balance that is constrained to being used for a specific purpose by external parties (such as bondholders), constitutional provisions, or enabling legislation.

Committed Fund Balance – The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority, the Board of Directors. The constraint may be removed or changed only through formal action of the Board of Directors.

Assigned Fund Balance – The portion of fund balance that is constrained by the government's intent to be used for specific purposes but is neither restricted nor committed. Intent is expressed by the Board of Directors to be used for a specific purpose. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed.

Unassigned Fund Balance – The residual portion of fund balance that does not meet any of the criteria described above.

If more than one classification of fund balance is available for use when an expenditure is incurred, it is the District's practice to use the most restrictive classification first.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 3 CASH AND INVESTMENTS

Cash and investments as of December 31, 2021, are classified in the accompanying financial statements as follows:

Statement of Net Position:

Cash and Investments	\$ 92,659
Cash and Investments - Restricted	9,705,199
Total Cash and Investments	<u>\$ 9,797,858</u>

Cash and investments as of December 31, 2021, consist of the following:

Investments	\$ 9,797,858
Total Cash and Investments	<u>\$ 9,797,858</u>

Deposits with Financial Institutions

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least 102% of the aggregate uninsured deposits.

The State Commissioners for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

At December 31, 2021, the District's had no deposits with financial Institutions.

Investments

The District has not adopted a formal investment policy; however, the District follows state statutes regarding investments.

The District generally limits its concentration of investments to those noted with an asterisk (*) below, which are believed to have minimal credit risk, minimal interest rate risk and no foreign currency risk. Additionally, the District is not subject to concentration risk or investment custodial risk disclosure requirements for investments that are in the possession of another party.

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors. Such actions are generally associated with a debt service reserve or sinking fund requirements.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 3 CASH AND INVESTMENTS (CONTINUED)

Investments (Continued)

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest which include:

- . Obligations of the United States, certain U.S. government agency securities, and securities of the World Bank
- . General obligation and revenue bonds of U.S. local government entities
- . Certain certificates of participation
- . Certain securities lending agreements
- . Bankers' acceptances of certain banks
- . Commercial paper
- . Written repurchase agreements and certain reverse repurchase agreements collateralized by certain authorized securities
- * Certain money market funds
- . Guaranteed investment contracts
- * Local government investment pools

As of December 31, 2021, the District had the following investments:

<u>Investment</u>	<u>Maturity</u>	<u>Amount</u>
Colorado Surplus Asset Fund Trust (CSAFE)	Weighted-Average Under 60 Days	\$ 8,413,031
Colorado Local Government Liquid Asset Trust (COLOTRUST)	Weighted-Average Under 60 Days	1,219,034
Morgan Stanley Institutional Liquidity Fund - Government	Weighted-Average Under 15 Days or Less	165,793
Total		<u>\$ 9,797,858</u>

CSAFE

The District invested in the Colorado Surplus Asset Fund Trust (CSAFE), which is an investment vehicle established by state statute for local government entities to pool surplus assets. The State Securities Commissioner administers and enforces all state statutes governing CSAFE. CSAFE is similar to a money market fund, with each share valued at \$1.00. CSAFE may invest in U.S. Treasury securities, repurchase agreements collateralized by U.S. Treasury securities, certain money market funds, and highest rated commercial paper. A designated custodial bank serves as custodian for CSAFE's portfolio pursuant to a custodian agreement. The custodian acts as safekeeping agent for CSAFE's investment portfolio and provides services as the depository in connection with direct investments and withdrawals. The custodian's internal records segregate investments owned by CSAFE. CSAFE is rated AAAM by Standard & Poor's. CSAFE records its investments at amortized cost and the District records its investments in CSAFE at net asset value as determined by amortized cost. There are no unfunded commitments, the redemption frequency is daily, and there is no redemption notice period.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 3 CASH AND INVESTMENTS (CONTINUED)

COLOTRUST

The District invested in the Colorado Local Government Liquid Asset Trust (COLOTRUST) (the Trust), an investment vehicle established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all state statutes governing the Trust. The Trust operates similarly to a money market fund and each share is equal in value to \$1.00. The Trust offers shares in two portfolios, COLOTRUST PRIME and COLOTRUST PLUS+. Both portfolios may invest in U.S. Treasury securities and repurchase agreements collateralized by U.S. Treasury securities. COLOTRUST PLUS+ may also invest in certain obligations of U.S. government agencies, highest rated commercial paper and any security allowed under CRS 24-75-601. A designated custodial bank serves as custodian for the Trust's portfolios pursuant to a custodian agreement. The custodian acts as safekeeping agent for the Trust's investment portfolios and provides services as the depository in connection with direct investments and withdrawals. The custodian's internal records segregate investments owned by the Trust. COLOTRUST is rated AAAM by Standard & Poor's. COLOTRUST records its investments at fair value and the District records its investment in COLOTRUST at net asset value as determined by fair value. There are no unfunded commitments, the redemption frequency is daily, and there is no redemption notice period.

Morgan Stanley Institutional Liquidity Fund – Government

The capital escrow money that is included in the trust accounts at United Missouri Bank (UMB) is invested in the Morgan Stanley Institutional Liquidity Fund - Government (MSILF Govt). This portfolio is an institutional mutual fund which invests in repurchase agreements, U.S. Government Agency debt, and U.S. Treasury debt, with maturities of 15 days or less. The MSILF Govt is rated AAAM by Standard and Poor's. There are no unfunded commitments, the redemption frequency is daily, and there is no redemption notice period.

NOTE 4 LONG-TERM OBLIGATIONS

The following is an analysis of the changes in the District's long-term obligations for the year ended December 31, 2021:

	Balance - December 31, 2020	Additions	Deletions	Balance - December 31, 2021	Due Within One Year
General Obligation					
Bonds Payable:					
Series 2018A-1	\$ 85,615,000	\$ -	\$ 720,000	\$ 84,895,000	\$ 970,000
Series 2018A-2	16,205,000	-	135,000	16,070,000	180,000
Subtotal	101,820,000	-	855,000	100,965,000	1,150,000
Bond Premium	5,953,996	-	327,316	5,626,680	324,341
Total	<u>\$ 107,773,996</u>	<u>\$ -</u>	<u>\$ 1,182,316</u>	<u>\$ 106,591,680</u>	<u>\$ 1,474,341</u>

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 4 LONG-TERM OBLIGATIONS (CONTINUED)

General Obligation Debt

On December 6, 2018, the District issued an aggregate of \$102,715,000 of General Obligation Refunding and Improvement Bonds (the 2018 Bonds) as follows: (1) \$86,350,000 General Obligation Limited Tax Refunding Bonds Series 2018A-1 and (2) \$16,365,000 General Obligation Limited Tax Refunding and Improvement Bonds Series 2018A-2; The 2018 Bonds bear interest payable on June 1 and December 1, commencing on June 1, 2019, at the following rates: 4.00% – 5.00% per annum on the 2018A-1 Bonds, and 4.00%-5.00% per annum on the 2018A-2 Bonds. Mandatory principal payments are due on December 1, commencing on December 1, 2019, with final payment due on December 1, 2048.

The Series 2018A-1 Bonds are limited tax general obligations of the District secured by and payable from the 2018A-1 Pledged Revenue consisting of moneys derived by the District from the following sources, net of any costs of collection:(i) the 2018A-1 Required Mill Levy; (ii) the portion of the Specific Ownership Tax which is collected as a result of imposition of the 2018A-1 Required Mill Levy; and (iii) any other legally available moneys which the District determines, in its absolute discretion, to credit to the 2018A-1 Pledged Revenue Fund. The Series 2018A-2 Bonds are limited tax general obligations of the District secured by and payable from the 2018A-2 Pledged Revenue consisting of moneys derived by the District from the following sources, net of any costs of collection: (i) the 2018A-2 Required Mill Levy; (ii) the portion of the Specific Ownership Tax which is collected as a result of imposition of the 2018A-2 Required Mill Levy; and (iii) any other legally available moneys which the District determines, in its absolute discretion, to credit to the 2018A-2 Pledged Revenue Fund.

Proceeds from the sale of the Series 2018A-1 Bonds were used to refund, pay and discharge the District's outstanding 2016A Loan and 2016B Loan in the amount of \$52,460,000 and \$37,995,000, respectively. Proceeds from the sale of the Series 2018A-2 Bonds were used to refund, pay and discharge the District's outstanding 2016C Loan in the amount of \$14,675,000 and to finance the Improvement Project in the amount of \$2,300,000. In addition, proceeds from the sale of the 2018 Bonds were used to pay the costs of issuance of the 2018 Bonds, to purchase a bond insurance policy that will secure the payment of interest and principal on the 2018 Bonds, and to fund a Mill Levy Stabilization Account in the initial amount of \$6,636,000 to be used to minimize any impacts that may occur as the result of future decreases in assessed valuation of the District.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 4 LONG-TERM OBLIGATIONS (CONTINUED)

The District's long-term obligations will mature as follows:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2022	\$ 1,150,000	\$ 4,662,300	\$ 5,812,300
2023	1,260,000	4,604,800	5,864,800
2024	1,485,000	4,541,800	6,026,800
2025	1,595,000	4,467,550	6,062,550
2026	1,810,000	4,387,800	6,197,800
2027-2031	11,305,000	20,441,750	31,746,750
2032-2036	16,075,000	17,359,000	33,434,000
2037-2041	22,205,000	12,853,500	35,058,500
2042-2046	30,050,000	6,713,726	36,763,726
2047-2048	14,030,000	849,424	14,879,424
Total	<u>\$ 100,965,000</u>	<u>\$ 80,881,650</u>	<u>\$ 181,846,650</u>

Authorized Debt

On November 3, 1998, the District's electors authorized the incurrence of general obligation indebtedness totaling \$90,500,000 at an interest rate not to exceed 15% for a maximum term of 20 years. On November 7, 2000, the District's electors authorized an additional \$90,500,000 of general obligation indebtedness at an interest rate not to exceed 15%, with no limit on the maximum term. At December 31, 2021, the District has authorized but unissued indebtedness for the following purposes:

	<u>Authorized November 3, 1998 Election</u>	<u>Authorized November 7, 2000 Election</u>	<u>Total Authorized</u>
Street Improvements	\$ 35,000,000	\$ 35,000,000	\$ 70,000,000
Traffic Controls	2,000,000	2,000,000	4,000,000
Water System	28,000,000	28,000,000	56,000,000
Sanitary Sewer	13,000,000	13,000,000	26,000,000
Park and Recreation	12,000,000	12,000,000	24,000,000
Operations	500,000	500,000	1,000,000
Total	<u>\$ 90,500,000</u>	<u>\$ 90,500,000</u>	<u>\$ 181,000,000</u>

	<u>Authorization Used</u>						<u>Remaining at December 31, 2021</u>
	<u>Series 2001 Bonds</u>	<u>Series 2004 Bonds</u>	<u>Series 2005 Bonds</u>	<u>Series 2007 Bonds</u>	<u>Series 2016 Loans</u>	<u>Series 2018 Bonds</u>	
Street							
Improvements	\$ 13,580,300	\$ 2,091,656	\$ 13,161,592	\$ 14,360,744	\$ 10,137,413	\$ 1,550,000	\$ 15,118,295
Traffic Controls	-	-	-	-	-	-	4,000,000
Water System	6,338,400	(852,762)	4,101,235	4,808,238	(2,859,555)	750,000	43,714,444
Sanitary Sewer	9,142,725	(5,611,303)	455,763	2,689,580	780,297	-	18,542,938
Park and Recreation							
Recreation	5,688,575	5,952,409	3,781,410	8,541,438	36,168	-	-
Operations	-	-	-	-	-	-	1,000,000
Total	<u>\$ 34,750,000</u>	<u>\$ 1,580,000</u>	<u>\$ 21,500,000</u>	<u>\$ 30,400,000</u>	<u>\$ 8,094,323</u>	<u>\$ 2,300,000</u>	<u>\$ 82,375,677</u>

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 5 INTERGOVERNMENTAL AGREEMENTS

Agreement with Weingarten/Miller/GVR, LLC

The District has entered into a Mill Levy Cap Agreement dated as of July 10, 2002 (Mill Levy Cap Agreement) with Weingarten/Miller/GVR, LLC (Weingarten). Pursuant to the Mill Levy Cap Agreement, the District agreed to limit its debt service mill levy for all District bonds to 65 mills, subject to certain adjustments for changes in law. The current debt service mill levy cap under the mill levy cap agreement, based upon such adjustment is 82.604. Such limitation may be removed by the District at such time as the general obligation debt of the District is equal to or less than 50% of the assessed value of the taxable property in the District. The District further agreed to include terms incorporating such limitations into the documents governing its bond transactions and to provide notice to Weingarten of the District's intent to issue bonds and the proposed terms thereof. The District incorporated the Mill Levy Cap into the Indenture for the 2018 Bonds. The District provided notice of the issuance of the Bonds to Weingarten on September 20, 2018, pursuant to the Mill Levy Cap Agreement. The Mill Levy Cap Agreement does not limit the power of the District to impose or collect property taxes for administration, operation, and maintenance. The Mill Levy Cap Agreement is to continue in effect until the outstanding general obligation debt of the District does not exceed 50% of the valuation of the taxable property in the District unless sooner terminated pursuant to the provisions as described in the Mill Levy Cap Agreement.

Inclusion Agreement

The District has entered into a Restated Inclusion Agreement dated May 30, 2008, with an effective date of December 12, 2007, with Town and C.P. Bedrock LLC (CP Bedrock), (Inclusion Agreement). Pursuant to the Inclusion Agreement, the parties set out the terms by which certain property owned by CP Bedrock has been included and will be included and excluded from the District. In addition, the District has agreed to limit its debt service mill levy in perpetuity to 65 mills, subject to certain adjustments for changes in law. The current debt service mill levy cap under the Inclusion Agreement, based upon such adjustment is 82.604 mills. The District also agreed to provide CP Bedrock with notice at least 60 days prior to issuing District bonds. The District provided CP Bedrock with notice of the issuance of the 2018 Bonds on September 20, 2018, pursuant to the Inclusion Agreement. The Inclusion Agreement established the terms upon which a portion of the proceeds of the District's 2007 Bonds were deposited into an escrow account to be released to the District as it completes certain improvements benefiting property owned by CP Bedrock that is subject to the Inclusion Agreement. At December 31, 2021, the balance in this escrow account was \$165,793.

Due to the fact that the property that is the subject of the Inclusion Agreement is not subject to a potential general fund mill levy of the District, the Inclusion Agreement allows the District to impose a General Fund Fee (General Fund Fee) in order for the District to pay certain operations and maintenance expenses related to the property subject to the Inclusion Agreement. The amount of the General Fund Fee is generally calculated in the same manner as an operations and maintenance mill levy would be calculated based upon a formula set forth in the Inclusion Agreement. The District has not previously imposed a General Fund Fee however it may do so at any time. There is a portion of the property subject to the Inclusion Agreement that remains undeveloped, therefore, there is a portion of the Town Development Fees related to this undeveloped property that remains outstanding.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 5 INTERGOVERNMENTAL AGREEMENTS (CONTINUED)

Regional Facilities Construction Agreements

The District entered into a Regional Facilities Construction Agreement (Old Agreement) with the Town on December 1, 1999. Under the Old Agreement, the Town is to provide capital construction and administrative services to the District. The Town is to own, operate, maintain, and construct the facilities benefiting both Districts. The District will, to the extent that the District is to benefit, pay the capital and service costs of construction, operation, and maintenance of such facilities. At special elections held within the District on November 2, 1999, and on November 7, 2000, the District's qualified electors approved \$33,000,000 and \$66,000,000, respectively, for a total amount of \$99,000,000, for the Old Agreement.

On April 28, 2005, the District and the Town entered into a District Facilities Construction, Funding and Service Agreement (New Agreement), which replaced the Old Agreement. Under the New Agreement, the obligations of the District and Town remain essentially the same. In addition, the Town may draw against the District's project funds without further need of the District's consent, to pay the capital costs expected to be paid pursuant to the New Agreement. The District also agrees to levy a minimum service levy of not less than 10 mills and not greater than 50 mills to pay the service costs expected to be paid pursuant to the New Agreement.

The District and Town entered into an Amended and Restated Facilities, Construction, Funding and Service Agreement effective January 1, 2016 (Amended Agreement). Under the Amended Agreement, the District will pay a maximum of \$21,635,477 to the Town for service costs, which represents voted authorization of \$99,000,000 less all service costs paid to the Town through December 31, 2015. Service costs comprise all operations, maintenance, and administration costs incurred by the Town in the performance of the duties and services required by the Amended Agreement. The District agrees to levy a minimum service levy of 19 mills that may be adjusted to account for constitutional or legislative changes in computing assessed valuation of District property, provided that the levy shall never exceed 50 mills. Payments for capital costs contemplated by the Amended Agreement are to be funded from the proceeds of the District's 2016C Note.

The District and Town entered in to a Second Amended and Restated District Facilities Construction, Funding and Service Agreement dated effective as of November 1, 2018 (New Service Agreement). The New Service Agreement provides that the District will fund the construction of certain facilities necessary to complete the development in the District and the Town will own, operate and maintain certain facilities identified therein and provide covenant enforcement and design review services for the benefit of the District. For the purposes of paying the costs incurred by the Town for such purposes, the New Service Agreement further provides that the District will levy the Minimum Service Levy (a levy of not less than eighteen (18) mills against all taxable property within its boundaries, adjusted to account for constitutional and legislative changes, including new exemptions, in the manner, method or base percentage calculation for the computation of assessed values of taxable property, provided that the levy shall never exceed fifty (50) mills) until such time as the New Service Agreement is terminated or the District has paid Town the Maximum Service Amount of \$16,947,741. The Maximum Service Amount represents the future maximum costs that can be incurred by Town for operations, maintenance, and administration in the performance of its duties under the New Service Agreement. At December 31, 2021, the Maximum Service Amount remaining was \$10,089,339.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 5 INTERGOVERNMENTAL AGREEMENTS (CONTINUED)

Regional Facilities Construction Agreements (Continued)

The New Service Agreement establishes and funds the Capital Repair and Replacement Fund (the CRRF). One mill of the Minimum Service Levy is to be reserved for the purpose of funding the CRRF. The amounts in the CRRF are to be used for the limited purpose of repairing, replacing, and/or maintaining public improvements and for creating reserves for those purposes, all at the direction of the Board acting in its discretion. Town agrees in the New Service Agreement to, subject to funding provided by the District from the CRRF, to repair, replace and/or maintain public improvements in consultation with or as requested by the Board. Additionally, pursuant to the New Service Agreement, the District agrees to allow Town to withdraw, at the direction of the District, up to \$2,300,000 of proceeds from the District's Series 2018 A-2 bonds for funding the construction or acquisition of certain facilities (the Improvement Project), subject to confirmation that construction has been accomplished in compliance with the conditions and terms of the construction contract involved, in accordance with generally accepted principles of engineering and construction review, and in accordance with any and all applicable laws, rules, regulations, and codes of the City or any other regulatory agency having jurisdiction. During 2021, \$651,235 was paid to Town under this provision.

Capital Reserve – 1.000 Mill Fund

On August 20, 2020 ("August 20th Meeting"), a meeting of District service support contractors (that included the District's Accountant, District Manager and District Engineer) and select members from the Boards of both Ebert and Town, took place to discuss the results contained in the recently completed Reserve Study Report ("Reserve Study") contracted by Town Center Metropolitan District ("Town") in anticipation of Town's express intent to transfer select assets to Ebert. Generally, the timing of the transfer is estimated to follow Town's completion of the Ebert buildout. At the August 20th Meeting, it was recognized that Town had not anticipated and planned adequate financial reserves necessary to account for the inevitable repair and replacement of Town's life-limited physical assets in the amount estimated by the Reserve Study.

As the discussions necessarily contemplated Town's intent to transfer select Town assets to Ebert, Ebert's Board President asserted that Ebert would entertain no such transfer of Town assets without an accompanying financial reserve commensurate with the funding estimate as described in the applicable Reserve Study. At this meeting, Town's Board representative agreed to transfer to Ebert's Capital Reserve – 1.000 Mill Fund (also known as the Capital Repair and Replacement Fund (CRRF)), the sum of \$555,000 from Town's "Capital Projects – Replacement Fund".

The accountant attending the meeting memorialized the agreed fund transfer in the first draft of Ebert's 2021 budget, which was later approved by the Ebert Board in January 2021. The agreed transfer was further acknowledged and memorialized by the accountant in the District's periodic budget and financial statements that include the statement, "It is also anticipated that Town Center funds set aside for capital replacement will be transferred to the District (sic Ebert) to establish a capital reserve fund" appearing, for example, in the Summary of Significant Assumptions of the March 31, 2021, internal financial statements of Ebert.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 5 INTERGOVERNMENTAL AGREEMENTS (CONTINUED)

Capital Reserve – 1.000 Mill Fund (Continued)

As of December 31, 2021, the agreed transfer of \$555,000 from Town to Ebert’s CRRF did not occur as agreed by Town at the August 20th Meeting.

NOTE 6 NET POSITION

The District has net position consisting of two components - restricted and unrestricted.

The restricted component of net position consists of assets that are restricted for use either externally by creditors, grantors, contributors, or laws and regulations of other governments; or imposed by law through constitutional provisions or enabling legislation. As of December 31, 2021, the District had restricted net position as follows:

	Governmental Activities
Restricted Net Position:	
Emergency Reserves	\$ 73,000
Revenues Pledged for Debt Service	1,048,295
Capital Projects	469,522
Conservation Trust Fund	171,365
Total Restricted Net Position	\$ 1,762,182

The unrestricted component of net position is the net amount of the assets, deferred outflows of resources, liabilities, and deferred inflows of resources that are not included in the determination of the restricted component of net position.

The District has a deficit in unrestricted net position. In previous years, the District transferred debt proceeds to Town for the construction of facilities benefiting both Districts pursuant to the Regional Facilities Construction Agreements. The long-term debt which funded the construction of these facilities remains an obligation of the District.

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 7 RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees; or acts of God.

The District is a member of the Colorado Special Districts Property and Liability Pool (the Pool). The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials' liability, boiler and machinery and workers' compensation coverage to its members. Settled claims have not exceeded this coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for liability, property, public officials' liability, and workers' compensation coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

NOTE 8 TAX, SPENDING, AND DEBT LIMITATIONS

Article X, Section 20 of the Colorado Constitution, commonly known as the Taxpayer's Bill of Rights (TABOR), contains tax, spending, revenue, and debt limitations which apply to the state of Colorado and all local governments.

Spending and revenue limits are determined based on the prior year's Fiscal Year Spending adjusted for allowable increases based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the voters approve retention of such revenue.

On November 3, 1998, a majority of the District's electors approved the following election question: "Shall the Ebert Metropolitan District, through the imposition of its mill levy as allowed by law (including but not limited to voter approved mill levies,) be permitted to collect and expend as a voter-approved revenue change under Article X, Section 20 of the Colorado Constitution whatever additional amounts are raised annually in 1998 and any year thereafter through and including 2038, from its mill levy, and from specific ownership taxes, interest income, fees, grants and any other income of the District, such authority to collect and expend such amounts to constitute an exception to the limits which would otherwise apply, without limiting or affecting the collection or expenditure of other revenues; and shall the District be authorized in 1998 and every year thereafter through and including 2038 to collect and expend from its mill levy more than the amount which would otherwise be permitted under the 5 ½% limit of Section 29-1-301, Colorado Revised Statutes; all such additional revenues to be used for such purposes as are deemed appropriate by the District?"

**EBERT METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2021**

NOTE 8 TAX, SPENDING, AN DEBT LIMITATIONS (CONTINUED)

On November 7, 2000, a majority of the District's electors approved the following election question: "Shall Ebert Metropolitan District be authorized to collect, retain, and spend whatever amount is collected annually from any revenue sources, including but not limited to, ad valorem taxes, tap fees, facility fees, service charges, inspection charges, administrative charges, grants, and any other fee, rate, toll, penalty, income, or charge imposed, collected, or authorized by law to be imposed or collected by the District, and shall such revenues be collected and spent by the District as a voter-approved revenue change without regard to any spending, revenue-raising, tax cut or other limitation contained within Article X, Section 20 of the Colorado Constitution, and without limiting in any year the amount of other revenues that may be collected and spent by the District?"

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service). Local governments are not allowed to use the Emergency Reserves to compensate for economic conditions, revenue shortfalls, or salary or benefit increases.

The District's management believes it is in compliance with the provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of the provisions, including but not limited to the interpretation of how to calculate Fiscal Year Spending and other limits, will require judicial interpretation.

NOTE 9 SUBDISTRICTS

During 2003, the Board of Directors of the District by resolution allowed for the division of the District into one or more subareas. Ebert Metropolitan District Subdistrict No. 1 was established on September 10, 2003, and Ebert Metropolitan District Subdistrict No. 2 was established on December 10, 2003. Different rates of levy for property tax purposes may be fixed against all the taxable property within the Subdistricts for operations and/or repayment of indebtedness issued by the Subdistricts to finance services, programs, and facilities furnished or to be furnished within the Subdistricts.

At an election held on November 4, 2003, the electors of Subdistrict No. 1 approved authorization to increase property taxes up to \$400,000 annually, as necessary, to pay for the costs of constructing, operating, and maintaining the improvements within and/or benefiting the Subdistrict. Debt authorization was also approved in the amount of \$2,000,000 for street improvements, \$16,000,000 for executing intergovernmental agreements, and \$20,000,000 for debt refunding. The electors of Subdistrict No. 2 at an election held on May 4, 2004, authorized \$2,000,000 of indebtedness for street improvements, \$16,000,000 for executing intergovernmental agreements, \$20,000,000 for debt refunding, and an increase in property taxes of up to \$400,000 annually for capital, operations, maintenance, and other expenses.

As of December 31, 2021, there has been no financial activity in either of the Subdistricts. The Subdistricts are being administratively dissolved.

SUPPLEMENTARY INFORMATION

**EBERT METROPOLITAN DISTRICT
DEBT SERVICE FUND –
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –
BUDGET AND ACTUAL
YEAR ENDED DECEMBER 31, 2021**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
REVENUES			
Property Taxes	\$ 5,774,698	\$ 5,802,590	\$ 27,892
Specific Ownership Taxes	288,730	315,468	26,738
Net Investment Income	39,000	7,234	(31,766)
Total Revenues	<u>6,102,428</u>	<u>6,125,292</u>	<u>22,864</u>
EXPENDITURES			
County Treasurer's Fees	57,747	58,056	(309)
Interest - 2018 A-1 Bond	3,956,000	3,956,000	-
Interest - 2018 A-2 Bond	749,050	749,050	-
Principal - 2018 A-1 Bond	720,000	720,000	-
Principal - 2018 A-2 Bond	135,000	135,000	-
Paying Agent Fees	4,000	3,500	500
Contingency	3,203	-	3,203
Total Expenditures	<u>5,625,000</u>	<u>5,621,606</u>	<u>3,394</u>
NET CHANGE IN FUND BALANCE	477,428	503,686	26,258
Fund Balance - Beginning of Year	<u>7,575,166</u>	<u>7,569,134</u>	<u>(6,032)</u>
FUND BALANCE - END OF YEAR	<u>\$ 8,052,594</u>	<u>\$ 8,072,820</u>	<u>\$ 20,226</u>

**EBERT METROPOLITAN DISTRICT
 CONSERVATION TRUST FUND –
 SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –
 BUDGET AND ACTUAL
 YEAR ENDED DECEMBER 31, 2021**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
REVENUES			
Conservation Trust Fund	\$ 55,000	\$ 68,920	\$ 13,920
Net Investment Income	250	41	(209)
Total Revenues	<u>55,250</u>	<u>68,961</u>	<u>13,711</u>
EXPENDITURES			
Town Center Capital Reimbursement	<u>156,867</u>	-	<u>156,867</u>
Total Expenditures	<u>156,867</u>	<u>-</u>	<u>156,867</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(101,617)	68,961	170,578
Fund Balance - Beginning of Year	<u>101,617</u>	<u>102,404</u>	<u>787</u>
FUND BALANCE - END OF YEAR	<u>\$ -</u>	<u>\$ 171,365</u>	<u>\$ 171,365</u>

**EBERT METROPOLITAN DISTRICT
CAPITAL RESERVE- BOND PROCEEDS – SERIES 2018 FUND –
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –
BUDGET AND ACTUAL
YEAR ENDED DECEMBER 31, 2021**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
REVENUES			
Net Investment Income	\$ 3,670	\$ 470	\$ (3,200)
Total Revenues	<u>3,670</u>	<u>470</u>	<u>(3,200)</u>
EXPENDITURES			
Capital Outlay	1,475,397	651,235	824,162
Total Expenditures	<u>1,475,397</u>	<u>651,235</u>	<u>824,162</u>
NET CHANGE IN FUND BALANCE	(1,471,727)	(650,765)	820,962
Fund Balance - Beginning of Year	<u>1,471,727</u>	<u>1,502,282</u>	<u>30,555</u>
FUND BALANCE - END OF YEAR	<u><u>\$ -</u></u>	<u><u>\$ 851,517</u></u>	<u><u>\$ 851,517</u></u>

**EBERT METROPOLITAN DISTRICT
CAPITAL RESERVE – 1.000 MILL FUND –
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –
BUDGET AND ACTUAL
YEAR ENDED DECEMBER 31, 2021**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
REVENUES			
Property Taxes	\$ 134,364	\$ 135,106	\$ 742
Specific Ownership Taxes	6,720	7,340	620
Town Center Capital Reimbursement	555,000	-	(555,000)
Net Investment Income	3,000	180	(2,820)
Total Revenues	<u>699,084</u>	<u>142,626</u>	<u>(556,458)</u>
EXPENDITURES			
County Treasurer's fee	1,344	1,352	(8)
Contingency	1,156	-	1,156
Total Expenditures	<u>2,500</u>	<u>1,352</u>	<u>1,148</u>
NET CHANGE IN FUND BALANCE	696,584	141,274	(555,310)
Fund Balance - Beginning of Year	<u>251,838</u>	<u>251,746</u>	<u>(92)</u>
FUND BALANCE - END OF YEAR	<u><u>\$ 948,422</u></u>	<u><u>\$ 393,020</u></u>	<u><u>\$ (555,402)</u></u>

OTHER INFORMATION

**EBERT METROPOLITAN DISTRICT
SCHEDULE OF ASSESSED VALUATION, MILL LEVY, AND PROPERTY TAXES COLLECTED
DECEMBER 31, 2021**

Year Ended December 31,	Prior Year Assessed Valuation for Current Year Property Tax Levy	Mills Levied		Total Property Taxes		Percentage Collected to Levied
		General Service	Debt Service	Levied	Collected	
2017	\$ 81,863,920	19.000	65.000	\$ 6,876,569	\$ 6,888,465	100.17 %
	2,169,420	0.000	65.000	141,012 (A)	141,012	100.00
2018	\$ 103,418,220	19.000	71.861	\$ 9,396,683	\$ 9,379,303	99.82
	3,146,150	0.000	61.911	194,781 (A)	177,517 (B)	91.14
2019	\$ 114,143,640	18.000	40.040	\$ 6,624,897	6,582,788	99.36
	3,711,960	0.000	34.440	127,840 (A)	127,840	100.00
2020	\$ 133,037,250	18.000	40.319	\$ 7,758,599	7,745,071	99.83
	9,528,890	0.000	33.828	322,343 (A)	322,343	100.00
2021	\$ 134,364,490	18.000	40.319	\$ 7,836,002	7,879,240	100.55
	10,610,830	0.000	33.669	357,256 (A)	355,256	99.44
Estimated for Year Ending December 31,						
2022	\$ 146,802,610	18.000	26.900	\$ 6,591,437		
	15,557,500	0.000	22.250	346,154 (A)		
				<u>\$ 6,937,591</u>		

NOTE:

Property taxes collected in any one year include collection of delinquent property taxes levied in prior years. Information received from the County Treasurer does not permit identification of specific year of levy.

(A) Represents property that has been excluded from the District, but is still subject to the District's debt service mill levy.

(B) Includes a rebate of \$17,198 to taxpayers in 2018.

**EBERT METROPOLITAN DISTRICT
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY
DECEMBER 31, 2021**

<u>Year Ending December 31,</u>	\$86,350,000 Limited Tax General Obligation Refunding Bonds Dated December 6, 2018 Series 2018A-1 Interest Rate of 4.00%-5.00% Interest Payable June 1 and December 1 Principal Due December 1		\$16,365,000 Limited Tax General Obligation Refunding and Improvement Bonds Dated December 6, 2018 Series 2018A-2 Interest Rate of 4.00%-5.00% Interest Payable June 1 and December 1 Principal Due December 1		Total All Bond
	Principal	Interest	Principal	Interest	
2022	\$ 970,000	\$ 3,920,000	\$ 180,000	\$ 742,300	\$ 5,812,300
2023	1,060,000	3,871,500	200,000	733,300	5,864,800
2024	1,250,000	3,818,500	235,000	723,300	6,026,800
2025	1,345,000	3,756,000	250,000	711,550	6,062,550
2026	1,525,000	3,688,750	285,000	699,050	6,197,800
2027	1,605,000	3,612,500	300,000	684,800	6,202,300
2028	1,785,000	3,532,250	335,000	669,800	6,322,050
2029	1,875,000	3,443,000	350,000	653,050	6,321,050
2030	2,075,000	3,349,250	390,000	635,550	6,449,800
2031	2,180,000	3,245,500	410,000	616,050	6,451,550
2032	2,395,000	3,136,500	450,000	595,550	6,577,050
2033	2,495,000	3,040,700	470,000	577,550	6,583,250
2034	2,705,000	2,940,900	510,000	558,750	6,714,650
2035	2,840,000	2,805,650	535,000	533,250	6,713,900
2036	3,095,000	2,663,650	580,000	506,500	6,845,150
2037	3,250,000	2,508,900	610,000	477,500	6,846,400
2038	3,525,000	2,346,400	665,000	447,000	6,983,400
2039	3,705,000	2,170,150	695,000	413,750	6,983,900
2040	4,005,000	1,984,900	755,000	379,000	7,123,900
2041	4,205,000	1,784,650	790,000	341,250	7,120,900
2042	4,535,000	1,574,400	855,000	301,750	7,266,150
2043	4,760,000	1,347,650	895,000	259,000	7,261,650
2044	5,115,000	1,109,650	965,000	214,250	7,403,900
2045	5,320,000	904,825	1,005,000	175,425	7,405,250
2046	5,535,000	691,788	1,065,000	134,988	7,426,776
2047	5,755,000	470,137	1,110,000	92,137	7,427,274
2048	5,985,000	239,675	1,180,000	47,475	7,452,150
Total	<u>\$ 84,895,000</u>	<u>\$ 67,957,775</u>	<u>\$ 16,070,000</u>	<u>\$ 12,923,875</u>	<u>\$ 181,846,650</u>

COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE

July 27, 2022

Board of Directors
Ebert Metropolitan District

Dear Board of Directors:

We have audited the financial statements of the governmental activities and each major fund of Ebert Metropolitan District (the "District") for the year ended December 31, 2021, and have issued our report thereon dated July 27, 2022. Professional standards require that we provide you with the following information related to our audit:

Our Responsibility Under Auditing Standards Generally Accepted in the United States of America

As stated in our engagement letter dated November 5, 2021, our responsibility, as described by professional standards, is to express an opinion about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your responsibilities.

Planned Scope and Timing of the Audit

We performed the audit according to the planned scope, timing, and with respect to significant risks identified by us, all of which were previously communicated, in addition to our engagement letter dated November 5, 2021.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the District are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2021.

We noted no transactions entered into by the District during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. We determined no accounting estimates that were considered significant to the financial statements as a whole that would require evaluation of assumptions used to determine the estimate.

The disclosures in the financial statements are neutral, consistent, and clear. Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. There were no financial statement disclosures that were considered particularly sensitive to financial statement users in our opinion.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. We had no identified misstatements as a result of our audit.

Disagreements With Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated July 27, 2022.

Management Consultations With Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the District's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the District's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not, in our judgment, a condition of our retention.

Other Matters

Supplementary Information Accompanying Audited Financial Statements

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Other Information in Documents Containing Audited Financial Statements

The auditor's responsibility for other information in documents containing audited financial statements does not extend beyond the financial information identified in our report, and we have no obligation to perform any procedures to corroborate other information contained in a document. Our responsibility is to read the other information and consider whether such information, or the manner of its presentation, is materially inconsistent with information, or the manner of its presentation, appearing in the financial statements. We are not aware of any documents or other information containing audited financial statements.

Internal Control Matters

In planning and performing our audit of the financial statements of the District as of and for the year ended December 31, 2021, in accordance with auditing standards generally accepted in the United States of America, we considered the District's internal control over financial reporting (internal control) as a basis for designing our auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

Ebert Metropolitan District

July 27, 2022

Page 4

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be significant deficiencies or material weaknesses, and therefore significant deficiencies and material weaknesses may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis.

A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

This communication is intended solely for the information and use of the Board of Directors and, if appropriate, management and is not intended to be, and should not be, used by anyone other than these specified parties.

We appreciate the opportunity to be of service to Ebert Metropolitan District

Sincerely,

A handwritten signature in cursive script that reads "Wipfli LLP".

Wipfli LLP
Lakewood, CO
July 27, 2022

EBERT METROPOLITAN DISTRICT
RESOLUTION TO AMEND 2022 BUDGET

WHEREAS, the Board of Directors of Ebert Metropolitan District adopted the budget and appropriated funds for the 2022 fiscal year as follows:

General Fund	\$2,710,000
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WHEREAS, additional expenditures in the General Fund are necessary resulting in expenditures in excess of appropriations for the 2022 fiscal year; and

WHEREAS, such additional expenditures are contingencies which could not have been reasonably foreseen at the time of adoption of the budget; and

WHEREAS, funds are available for such expenditures from unanticipated revenue (other than property taxes) or other surplus funds in the General Fund (or from surplus funds in the General Fund).

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Ebert Metropolitan District hereby adopts a supplemental budget and appropriation for the 2022 fiscal year as follows:

General Fund	\$2,805,000
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BE IT FURTHER RESOLVED, that such sums are hereby appropriated for expenditure from any available funds in the General Fund (and from transfers from the General Fund) in accordance with the provisions of §29-1-109, C.R.S.

Dated this ____ day of _____, 2022.

EBERT METROPOLITAN DISTRICT

By: _____
Cynthia Barclae, President

Attest:

Louis Kennedy, Secretary