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

HELD Tuesday, August 11, 2026, at 7:05 p.m. via telephone and videoconference. The meeting was open to the public.

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

- Louis Kennedy, President
- Elise Topliss, Secretary
- Khadija Haynes, Assistant Secretary
- Dr. Michael Williams, Assistant Secretary

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

CALL TO ORDER/QUORUM:
Ms. Lopez called the roll and noted that a quorum of the Board was present. The meeting was called to order at approximately 7:04 p.m. Ms. Topliss joined the meeting shortly thereafter, following approval of the agenda.

APPROVAL OF AGENDA:
The Board reviewed and discussed the meeting agenda. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the agenda as presented.

CONSENT AGENDA:
The Board reviewed and discussed the consent agenda. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the June 9, 2026, regular meeting minutes as presented.

CORRESPONDENCE:
Ms. Lopez noted a post-packet correspondence item submitted at the request of a homeowner regarding an enforcement matter, and indicated the homeowner intended to address the Board directly during public comment.

PUBLIC COMMENT:
The floor was opened for public comment.

Comments and discussion took place regarding:

- New Resident Introduction
- Drainage Dispute
- Common Area Maintenance & Community Projects
- Covenant Enforcement / Fee Dispute

DIRECTOR ITEMS/COMMENTS:
Mr. Kennedy informed the Board and attendees that he was recovering from pneumonia and would keep himself muted for portions of the meeting due to persistent coughing, while remaining present and attentive. Mr. Kennedy requested that Bill Schmidt provide the Finance and Operations Committee report during Committee Reports on his behalf.

BOARD CANDIDATE INTRODUCTIONS AND APPOINTMENT:
The Board recognized four candidates who had come forward to fill the vacant board seat created by the resignation of former President Bruce Shibles. Each candidate was given up to three minutes to address the Board, followed by questions from directors. A fifth invited candidate, Jason Rossback did not appear when called.

- Preston Scheidt – A resident of the district for approximately two years; holds bachelor's and master's degrees in business from the University of Oregon; currently leads a children's ministry group and expressed interest in community service.
- Gloria Prioleau-Neal – A resident of the district (Fairway Villas) for approximately six years; background in public affairs and media, including prior service as Director of Public Affairs for the City and County of Denver under a previous administration; emphasized transparency, accountability, resident engagement, and infrastructure/growth concerns.
- Nicholas Weber – A Colorado resident for approximately nine years and district resident since 2020, employed by the City and County of Denver in airport emergency response/incident management; expressed interest in community involvement.
- Eduardo Bent Robinson – An interventional radiologist at CU Anschutz Medical Campus and a district resident for approximately two years; expressed a desire to expand community engagement and outreach within the district.

Following discussion, upon motion duly made, to appoint Preston Scheidt to the Board. The motion failed for lack of a second.

Following discussion, upon motion duly made, seconded, and upon vote carried with one opposed, Gloria Prioleau-Neal was appointed to the Board to serve the remainder of the unexpired term through the next regular election in May 2027, subject to completion of her oath of office.

COMMITTEE REPORTS:
Landscape Committee: No formal report was presented. Ms. Topliss raised concerns regarding widespread weed growth throughout the district, attributing it in part to drought conditions and reduced watering, and requested an update on the health of newly planted trees. Ms. Lopez reported that the landscape contractor is being directed to increase weed-control efforts (hand-pulling and spraying) in addition to routine maintenance. She further reported that the Landscape Committee recently toured District tree plantings with EDI and found that newly planted oak

trees along Dunkirk Street are struggling; those trees remain under warranty and are being monitored, with stress treatments and deep-root watering underway to mitigate drought impacts.

Finance and Operations Committee: Bill Schmidt reported that the Committee completed an extensive review of the District's six-month financial statements. The Committee noted continued references to "TCMD" (Town Center Metropolitan District) in financial reports, which are expected to be resolved once the pending consolidated audit is finalized. Overall, district expenses are running below budget. The Committee reiterated its request that management establish separate bank accounts for long-term capital reserve funds, which is expected to be completed by year-end. Mr. Schmidt noted the 2027 budget process will begin shortly, with the Committee working alongside Ms. Lopez and the District's accountant.

Golf Course/Communications Committee and Design Review Committee: No reports were presented.

FINANCIAL ITEMS:
Ms. Lopez reviewed the District's financial statements as of June 30, 2026. Ms. Lopez reviewed actual-to-budget performance across District accounts, noting that most categories are currently running under budget.

The Board reviewed the June and July 2026 disbursement journals. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the June and July 2026 disbursements as presented.

Ms. Lopez confirmed that an extension for the District's audit has been requested and accepted, with a revised deadline of approximately September 15, 2026.

EXECUTIVE SESSION:
An Executive Session was announced for the purpose of receiving legal advice regarding the provision of services to First Creek Village Metropolitan District, District-owned property and conveyance thereof (including public improvements located thereon), payment of outstanding consultant invoices, and outstanding reimbursement requests, all such legal advice pursuant to §24-6-402(4)(b), C.R.S. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board entered Executive Session at approximately 8:12 p.m. The Board returned to open session following Executive Session.

LEGAL ITEMS:
The Board reviewed and discussed the Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges.

Permanent Easement, Open Space Property (Trail System) – Ms. Schmidt reported that the City and County of Denver has requested a permanent easement over District open-space property to allow public access to one of Denver's trails. The Board tabled the item pending further discussion with Denver on outstanding issues. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board tabled the easement request pending further discussion with the City and County of Denver.

The Board discussed the Bills of Sale for Public Improvements, State Land Board Parcels 4 and 6. Ms. Schmidt reported that improvements on District-owned Parcels 4 and 6 have been inspected by Ms. Lopez and Mr. Kennedy, with all punch-list items completed, and that approval is contingent on a term sheet being negotiated and approved between First Creek Village Metropolitan District and Ebert Metropolitan District. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the bills of sale for public improvements on State Land Board Parcels 4 and 6, contingent on the First Creek Village/Ebert Metropolitan District term sheet being negotiated and approved by both parties.

Water Rights Summary – Water Counsel Evan Ela provided an update on the District's water rights (wells and augmentation plan used primarily for the golf course and public medians/streetscapes). Mr. Ela reported that files from legal counsel that previously handled water rights work for Town Center Metropolitan District have been received and are being incorporated into the District's system, and that he is coordinating with Daria Drago, the engineer who tracks water system usage and reports monthly figures to the State. No Board action was required.

FIRST CREEK METRO DISTRICT MATTERS:
None.

DISTRICT MANAGEMENT REPORT:
Ratification of Vote – Geothermal HVAC Repairs, Sub-District 1 Clubhouse: Ms. Lopez requested ratification of a vote taken outside of a meeting approving Advanced Hydronics to perform repairs to the geothermal HVAC system at the Sub-District 1 Clubhouse. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board ratified the vote approving Advanced Hydronics to perform the geothermal HVAC repairs at the Sub-District 1 Clubhouse for $28,100.

Dog Park Dismantle, Tower Commons: Ms. Lopez reviewed two proposals to dismantle the existing dog park, noting that the Front Porch Realty Company (which oversees Tower Commons) had previously declined to take over the space. The Board discussed relocating the two existing benches and pet-waste station to the community basketball court area for reuse. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the Arrow proposal for $8,250 to dismantle the dog park, with the benches and pet-waste stations to be relocated.

Fee Study, Sub-Districts 2 and 5: Ms. Lopez reported that, following outreach to several firms, a proposal from Berry Dunn was received to study whether mill levy revenue will support Sub-Districts 2 and 5 upon their return to the general district and, if not, to recommend an operation and maintenance fee structure. Ebert will seek reimbursement for the portion of the fee study applicable to First Creek Village Metro District as part of the termination of the districts' facilities agreement. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the fee study proposal for Sub-Districts 2 and 5 by Berry Dunn for $32,500.

Insurance Property Schedule and Coverage: Ms. Lopez presented a comparison between the District's current insurance pool coverage and a recent CBIZ appraisal, identifying underinsurance at the Clubhouse/Fairway Villas Clubhouse area ($75,479) and the Enclave ($427,862), as well as areas of over-insurance including the Lodge (approximately $1,467,000), the clubhouse area

(approximately $1,000,000), and the pond/lined reservoir near the clubhouse (approximately $411,000). In response to a question from Ms. Haynes regarding whether costs for facilities not accessible to the full district (e.g., the Lodge and Fairway Villas Clubhouse) could be allocated to the sub-districts that use them rather than the general district budget, Ms. Lopez agreed to review the question further with the insurance carrier. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board authorized adjustment of insured values in line with the CBIZ appraisal figures and directed Ms. Lopez to work with the insurance carrier to obtain proper coverage, with the resulting premium proposal to be brought back to the Board for review.

Upgraded Camera System, Sub-District 3: Ms. Lopez reported ongoing camera outages at the Enclave's (Sub-District 3) entry/exit gates, including during incidents where footage was needed to identify responsible parties. The ProSec proposal would upgrade camera systems at both gates, remove reliance on Wi-Fi connectivity, and add license-plate-reader cameras at all drive gates, at a cost of $10,984.55 to be funded from the Sub-District 3 budget. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the ProSec proposal to upgrade the Sub-District 3 gate camera systems for $10,984.55.

Sport Court Damage, East 55th Avenue & Malaya Street: Ms. Lopez reported that two tempered-glass backboards at the new sport court have shattered and that the surrounding fence and gate have been repeatedly damaged, including the gate being torn off on at least three occasions. A proposal from Savvy Construction to replace the backboards with non-tempered acrylic units ($4,708, funded from the Community Conservation Trust Fund) was discussed; Ms. Topliss raised a concern that acrylic backboards may be less durable than the metal/aluminum backboards common at school facilities and suggested researching alternatives. Regarding the fence, options discussed included full removal ($3,700, Savvy Construction) versus repair; full removal was discouraged because the enclosure also supports pickleball use. Mr. Kennedy suggested replacing the gate with a secondary, non-enclosing fence segment to deter climbing while preserving containment. Ms. Haynes noted a community member had offered to help organize neighborhood fundraising to support repairs. The Board did not take formal action on either item; Ms. Lopez will research alternative backboard materials and return with updated proposals, and Ms. Haynes offered to help organize a neighborhood meeting to gather resident input.

Covenant Enforcement and Design Review Committee Reports: Ms. Lopez noted the Covenant Enforcement and DRC reports were included in the Board packet. Mr. Kennedy requested that future DRC reports include a running total (beginning inventory of open items, items resolved, and ending inventory) in addition to the breakdown by infraction type, to make trend tracking easier.

OTHER BUSINESS:

Final Payment to Joe Knopinski, Consultant: Ms. Lopez presented a proposed final payment to consultant Joe Knopinski for services performed in January 2026. The original invoice was $5,000; a negotiated amount of $2,500 was offered to close out the invoice. Mr. Kennedy noted Mr. Knopinski has been a valued resource during the District's transition and expressed interest in continuing to use him as a resource. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved payment of $2,500 to Joe Knopinski as final payment, closing out his invoice.

NEXT MEETING:
Next Regular Meeting: October 13, 2026 @ 7:00p.m.

ADJOURNMENT:
There being no further business to come before the Board and upon motion duly made, seconded, and upon vote unanimously carried, the meeting was adjourned at approximately 9:28 p.m.

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