

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF EBERT METROPOLITAN DISTRICT

HELD: Wednesday, the 11th day of September, 2019, at 6:00 p.m., at the City and County of Denver Green Valley Ranch Recreation Center, 4890 Argonne Way, Denver, Colorado 80249

ATTENDANCE:

A special meeting of the Board of Directors of Ebert Metropolitan 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:

Sandra M. Hittman, President
Cristine M. Antolak, Treasurer
Mikel P. Moore, Assistant Secretary
Yvonne Flood, Director

Also present were Charles D. Foster of Foster Consulting, Ltd, District Manager; Tom George of Spencer Fane LLP, General Counsel; James Moore; and members of the public.

CALL TO ORDER/QUORUM:

It was noted that a quorum was present for the Board for the purpose of conducting a special meeting. The special meeting of the Board of Directors of the Ebert Metropolitan District was called to order.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

No new or additional potential conflicts of interest were identified or disclosed by the Board.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the meeting of the Board of Directors of Ebert Metropolitan District held on July 10, 2019. Following discussion and upon motion duly made, seconded and unanimously carried, the Board approved the minutes, and authorized the Secretary of the Board to sign the minutes as constituting the true and correct record of the proceedings of the meeting.

DIRECTOR ITEMS:

Consider Appointment of a Director to the Board. Noting that the Board currently has one vacancy, Mr. Foster discussed with the Board the process undertaken to solicit interest from District constituents to serve on the Board and to interview interested parties over the past several months.

RECORD OF PROCEEDINGS – DRAFT PENDING APPROVAL

Ebert Metropolitan District

September 11, 2019

Page 2

Based on interest received and interviews conducted, the Board considered the appointment of James Moore to the Board. Following discussion, upon motion duly made, seconded and unanimously carried, the Board approved the appointment of James Moore to the Board. Director Hittman administered an Oath of Office to Mr. J. Moore.

Proposals for District Management. Director Flood described for the Board the process undertaken to date to solicit and review proposals to provide management services to the District and to interview respondents. She noted that despite the Board's extension beyond July and effort to allow for reporting of most current financials and obtain additional proposals, no new proposals were received. Based on the proposals received and interviews conducted, Director Flood recommended the Board engage Community Resource Services of Colorado (CRS) on the condition that Lisa Jacoby serve as CRS's main point of contact and lead manager to the District for a contract amount not to exceed \$35,000 in 2020. Following discussion, upon a motion duly made, seconded and unanimously carried, the Board approved the engagement of CRS on the conditions that Ms. Jacoby serve as CRS's main point of contact and lead manager to the District, and for a contract amount not to exceed \$35,000 in 2020, unless otherwise agreed by the District. The Board also directed and authorized Director Hittman and District Legal Counsel to finalize the engagement of CRS as discussed.

Proposed 2020 Meeting Dates. Director Hittman presented a proposed schedule for District meetings in 2020, noting that the proposed dates and times were selected in an effort to accommodate as many members of the community as possible, to include two evening meetings, and to minimize costs. Following discussion, the Board set the following meeting schedule for 2020:

February 26, 2020 at 8:00 a.m.

May 27, 2020 at 6:00 p.m.

October 28, 2020 at 6:00 p.m.

December 9, 2020 at 8:00 a.m.

Draft 2020 Assessed Valuation. Mr. Foster and Mr. George presented to the Board the Assessor's preliminary 2020 assessed valuation for the District, noting the projected increase in assessed value. Discussion ensued. No action was taken.

DOLA Report on Special Districts for Residents. Director Hittman discussed the DOLA Report with the Board, noted how helpful it is, and suggested it be made available to District residents and potential buyers in the District. Director Antolak volunteered to work with Ms. Sedgeley to prepare a matrix with Ebert-specific information based on the questions and information contained in the report (page 6 specifically).

Ebert Metropolitan District Mill Levy History. Director Hittman presented to and discussed with the Board a Six-Year Ebert Metro District Mill Levy History report she prepared summarizing the

RECORD OF PROCEEDINGS – DRAFT PENDING APPROVAL

Ebert Metropolitan District

September 11, 2019

Page 3

District's debt, assessed value and mill levies over that period of time, noting in particular that the District has in recent years been able to significantly reduce its debt obligation and its mill levy rate. Discussion ensued. No action was taken.

FINANCIAL MATTERS:

Financial Reports. The District's Accountant was not present and no financial report was provided. Director Hittman reported to the Board that she had recently conversed with Mr. Collins, who confirmed he had no current concerns with the District's budget, funds, or financial statements

ATTORNEY'S ITEMS:

Cooperation Agreement. Mr. George presented the proposed Cooperation Agreement with Town Center Metropolitan District and explained several significant provisions. Director Hittman stated her expectation that this agreement would facilitate Ebert Metropolitan District's ability to contract for their manager and commit funding for their accounting and legal representation, and enhance cooperation with Town Center Metropolitan District to the benefit of the District. Following discussion, upon motion duly made, seconded and unanimously carried, the Board approved the Cooperation Agreement and authorized Director Hittman to execute it.

Resolution Concerning Online Notice. Mr. George presented the proposed resolution and described recent changes in state law regarding posting of meeting notices on the District's website. Following discussion, upon motion duly made, seconded and unanimously carried, the Board approved the Resolution Concerning Online Notice, subject to final determination of the District's website. The Board directed its staff to also post one Notice of Board Meetings in the entryway of Green Valley Ranch Recreation Center ahead of meetings.

MANAGER ITEMS:

Mr. Foster provided a summary of the timeline and key events leading up to the 2020 election. Discussion ensued. No action was taken.

OTHER BUSINESS:

Westwind Website. Director Hittman read a summary of the Westwind report supplied by Town Center. Director Antolak will follow up on a notice recently mailed to residents by Westwind to learn who the information was sent to, how the contact information was gathered, and why some residents did not receive a notice including non-resident property owners.

Presentation/Report from Councilwoman Gilmore's Office. Councilwoman Gilmore's representative provided comments and announcements regarding City activities within the District and answered questions.

RECORD OF PROCEEDINGS – DRAFT PENDING APPROVAL

Ebert Metropolitan District

September 11, 2019

Page 4

PUBLIC COMMENTS:

The Board heard comments from the public and responded as appropriate. A request was made that the Board provide more than twenty-four (24) hours notice of Board meetings and additional notice of public hearings to be conducted by the Board. A concern was raised that new trees being planted in the District are not being planted correctly and are dying or have already died. Director Hittman directed Mr. Foster to communicate the concern regarding the dying trees to Town Center Metropolitan District, and to indicate that Ebert Metropolitan District would not pay for replacements.


EXECUTIVE SESSION AS NEEDED TO HEAR LEGAL ADVICE FROM COUNSEL PURSUANT TO C.R.S. SECTION 24-6-502(4)(B):

None.

ADJOURNMENT OF MEETING:

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 7:39 p.m. The Board noted that the next special meeting of the Board is scheduled for 8:00 a.m. on Wednesday, November 13, 2019, at the City and County of Denver Green Valley Ranch Recreation Center, 4890 Argonne Way, Denver, Colorado.

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



Secretary of the Ebert Metropolitan District