

RECORD OF PROCEEDINGS

Ebert Metropolitan District

June 9, 2026

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

HELD Tuesday, June 9, 2026, at 7:00 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, Treasurer
- Elise Topliss, Secretary
- Dr. Michael Williams, Assistant Secretary

Absent:

- Khadija Haynes, Assistant Secretary
- Bruce Shibles, President (resigned)

Also present were Glory Schmidt, Cockrel Ela Glesne Greher & Ruhland – General Legal Counsel, Sabrina Lopez, District Manager, Veronica Rodriguez, District Administrator 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 7:02 p.m.

Conflict Disclosure Statements have been filed with the Secretary of State’s Office.

ANNOUNCEMENT:

Mr. Kennedy announced that Board President Bruce Shibles had submitted his resignation effective immediately due to personal health concerns and family matters. Mr. Kennedy expressed appreciation for Mr. Shibles’ service to the District and his leadership during the transition and consolidation of the Districts.

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 April 21, 2026 regular meeting minutes as presented.

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CORRESPONDENCE:

Representatives Andrea Long and Elizabeth Lefebvre from the City of Aurora provided an update regarding restoration efforts associated with the First Creek Interceptor Project. Discussion included native grass establishment requirements, weed mitigation efforts, permit requirements, and anticipated restoration timelines. Questions were received from the Board and members of the public regarding restoration progress and long-term monitoring. City representatives indicated that restoration efforts would continue and that periodic evaluations would occur as vegetation establishment progresses.

PUBLIC COMMENT:

The floor was opened for public comment.

Comments and discussion took place regarding:

- Pipeline restoration and invasive weeds;
- Dead shrubs and landscape replacements within Subdistrict 2;
- Parking violations in shared driveways and enforcement efforts;
- Vehicle speeding concerns along Flanders Way.

Ms. Lopez reported that a proposal for shrub replacement in Subdistrict 2 was included later in the agenda and reviewed current enforcement efforts regarding parking violations. Residents were encouraged to report speeding concerns to the City and County of Denver.

DIRECTOR ITEMS/COMMENTS:

None.

COMMITTEE REPORTS:

None.

EXECUTIVE SESSION:

An Executive Session was announced for the purposes of receiving legal advice regarding matters concerning the District's provision of services to the Towns at Oak Crest, First Creek Village Metropolitan District, and Tower Commons communities; 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 7:37 p.m.

LEGAL ITEMS:

Dog Park – Ms. Schmidt reported that the Front Porch group in Tower Commons is not interested in taking over ownership of the dog park adjacent to their community. Ms. Lopez will work to have the dog park and fence cleaned up and removed, restoring it back to an open space tract that the District will remain the responsible party to maintain. No Board action was required.

Water Rights Summary – Ms. Schmidt reported that legal counsel and the District's water engineer continue working on water accounting matters with the State and are also coordinating with Denver Water regarding the draft water agreement. No Board action was required.

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FINANCIAL ITEMS:

Ms. Lopez reviewed the year-end 2025 financial statements previously discussed with the Finance and Operations Committee. Total cash as of December 31, 2025, was reported at \$12,448,832.29 and total assets were reported at \$15,579,894.10. Total fund balance was reported at \$11,332,863.09. Capital project expenditures and earnings were also reviewed. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the year-end 2025 financial statements as presented.

The April and May 2026 Disbursements were provided for Board review. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board ratified the April and May 2026 Disbursements as presented.

FIRST CREEK METRO DISTRICT MATTERS:

None.

DISTRICT MANAGEMENT REPORT:

The Board discussed the vacancy created by the resignation of Mr. Shibles. Legal counsel advised that an appointment must be made within sixty (60) days to avoid the appointment authority reverting to the City and County of Denver. The Board directed staff to prepare a community-wide announcement and application process. Interested candidates will be requested to provide biographical information and residency information for verification purposes. The Board agreed that applications should remain open for approximately twenty-one (21) days and that interested candidates would be interviewed at the next regular meeting. Staff was further directed to prepare information outlining the duties and responsibilities of Board members and the anticipated time commitment.

The Board discussed officer positions following the resignation of Mr. Shibles. Mr. Kennedy agreed to assume the duties of President. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted Louis Kennedy to the officer position of President and to defer consideration of appointing a Treasurer until a future meeting when the full Board could participate in the discussion.

The Board reviewed and discussed the proposal from Colorado Premier Garage Doors and Gate Systems ("CPGDGS") to replace the east entry gates and hinge setup with new hinge posts and dual swing gates in Subdistrict 3. The hinges have snapped from wear and tear. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the \$24,045 proposal from CPGDGS to replace the east entrance gates at the Enclave (Subdistrict 3) with a custom design and post system, determining the damage was due to wear and tear rather than vandalism.

The Board reviewed and discussed the proposal from Environmental Designs, Inc. ("EDI") for installing three sunshade areas at the Enclave pool (Subdistrict 3). Ms. Lopez noted that the advisory group of SD3 homeowners requested three shade structures to address limited shade coverage in the area. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board

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accepted the \$24,222.90 proposal from EDI to install three sunshade areas along the pool deck in Subdistrict 3.

The Board reviewed and discussed landscape improvements for Subdistrict 2. Ms. Lopez reported that due to drought conditions and watering restrictions, the previously planned comprehensive landscape enhancements have been delayed. To provide visible improvements to the community, EDI submitted a proposal for shrub replacements in areas directly in front of the homes with a not-to-exceed amount of \$15,000. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the proposal from EDI for shrub replacements within Subdistrict 2 in an amount not to exceed \$15,000. Mr. Kennedy noted that the project represented the Board's commitment to fulfilling promises made to residents and restoring landscaping throughout the community.

The Board reviewed and discussed the proposal from EDI for repairs and cleanup needed at the amphitheater in Green Valley Ranch Park. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the \$14,392.45 proposal from EDI to repair and cleanup the amphitheater and lake area.

Ms. Lopez reported on the geothermal repairs in Subdistrict 1, explaining that after consulting with multiple experts including the original installer Al Wallace and a third-party company Colorado Geothermal Drilling, she recommends that the Board rescind the previously approved MTech proposal. A new proposal from ABE that specializes in geothermal systems is expected. She will send the proposals for an email vote. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted to rescind the previous vote for Geothermal repairs by MTech at \$119,000. The Board agreed that a revised proposal would be brought forward for consideration through an email vote once additional pricing had been obtained.

OTHER BUSINESS:

No additional other business was presented beyond the matters addressed during the meeting.

NEXT MEETING:

Next Regular Meeting: August 11, 2026 @ 7:00 p.m.

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded, and upon vote unanimously carried, the meeting was adjourned at 9:09 p.m.

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