

RECORD OF PROCEEDINGS

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

HELD: Monday, the 28th day of September, 2020, at 11:30 a.m., held via Zoom.

ATTENDANCE:

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:

Todd Creger, Treasurer
Yvonne Flood, Assistant Secretary
Cynthia Barclae, Assistant Secretary

Also present via Zoom were:

Lisa A. Jacoby; Community Resource Services (CRS), District Manager
Kimberly Bruetsch; Robinson Waters & O'Dorisio, P.C.
Sandra Hittman; member of the public

ADMINISTRATIVE ITEMS:

Call to order - The special meeting of the Board of Directors of the Ebert Metropolitan District was called to order at approximately 11:30 a.m. via Zoom video/audio conference.

Confirmation of Location and Posting of Meeting Notices – Ms. Jacoby reported that she had physically posted at the regular meeting location as well as on the website, the Meeting Notice and Agenda.

Quorum - A quorum was declared.

Agenda – Following discussion, upon motion duly made, seconded and unanimously carried, the Board approved the Agenda, as amended.

Resignations – Ms. Hittman reported that she was no longer qualified as a Board Member due to the sale of her home occurring this day, prior to convening this meeting. Further, it was noted by Ms. Jacoby that Katie McDonald had resigned effective September 23, 2020.

Appointment of Sandra Hittman as a Consultant to the Board – Following discussion, upon motion duly made, seconded and unanimously carried, the Board appointed Ms. Hittman as a consultant to the Board.

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ADJOURN TO EXECUTIVE SESSION TO RECEIVE FROM ATTORNEY SPECIFIC LEGAL ADVICE pursuant to 24-6-402(4)(b) of the Colorado Revised Statute – Pursuant to Section 24-6-402(4)(b) of the Colorado Revised Statutes, upon motion duly made by Director Creger, seconded by Director Flood and, upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 11:46 a.m. for the purpose of receiving from the Board's attorney, legal advice on specific legal questions as authorized by Section 24-6-402(4)(b), C.R.S., related to the Intergovernmental Agreement for Sharing Common Area Costs between GVR Metropolitan District and the District, and related to the Green Valley Ranch North Development Agreement between the City and County of Denver; C&H Ranch Company LLC; Oakwood Commercial Ventures LLC; OC 2001, LLC; HC Development & Management Services, Inc.; Town Center Metropolitan District; Ebert Metropolitan District and School District No. 1 in the City and County Denver, dated February 20, 2003.

Furthermore, pursuant to 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of those portions of the executive session that, in the opinion of the District's counsel, constitutes privileged attorney-client communication pursuant to 24-6-402(4)(b), C.R.S.

The Board reconvened in regular session at 12:20 p.m.

Board Vacancies - Following discussion, the Board determined to post on the District's website a solicitation for Board Candidates as was performed with prior vacancies, in an effort receive a broader geographical pool of qualified candidates to select from. A deadline for submission of Candidate Questionnaires was determined for October 16, 2020 with interviews to be held the week of October 19, 2020. Further, the Board authorized Ms. Jacoby, Director Creger and Director Barclae to conduct candidate interviews posing the same questions as posed to prior candidates.

Green Valley Ranch North Development Agreement between the City and County of Denver; C&H Ranch Company LLC; Oakwood Commercial Ventures LLC; OC 2001, LLC; HC Development & Management Services, Inc.; Town Center Metropolitan District; Ebert Metropolitan District and School District No. 1 in the City and County of Denver, dated February 20, 2003 – Following discussion, the Board authorized Director Creger to work with Attorney Bruetsch to draft follow-up correspondence to the Town Center Metropolitan District regarding the possible recovering of an alleged \$2.9M of funds.

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.

It was noted that the next regular Board meeting is scheduled for Tuesday, October 27, 2020 at 6:00 p.m. to be held at the Denver Recreation Center; 4890 Argonne Way, or via Zoom (TBD).

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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 for the Meeting