#### NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that the Board of Directors of EBERT METROPOLITAN DISTRICT of the City and County of Denver, Colorado, will hold a Special Meeting at 7:00 p.m. on Tuesday, March 22, 2022, via Zoom Meeting for the purpose of addressing those matters set out in the agenda below, as the same may be amended at the meeting, 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/ Jerry Jacobs, District Manager

#### NOTICE AND AGENDA

DATE: Tuesday, March 22, 2022

TIME: 7:00 PM

PLACE: Zoom Conference

JOIN ZOOM MEETING: https://zoom.us/j/98514183115

MEETING ID: 985 1418 3115

One tap mobile

+16699009128,,96238108870# US (San Jose)

+12532158782,,96238108870# US (Tacoma)

Dial by your location

+1 346 248 7799 US (Houston) +1 669 900 9128 US (San Jose) +1 253 215 8782 US (Tacoma) +1 312 626 6799 US (Chicago) +1 646 558 8656 US (New York) +1 301 715 8592 US (Washington DC)

Meeting ID: 962 3810 8870

Find your local number: https://zoom.us/u/axkeUH93V

The meeting is open to the public; however due to standing State and Denver Public Health Orders, and recommendations by the CDC, and to preserve the health, safety and welfare of the public, the Board and the public will attend the meeting via Zoom Conference.

<b>Board of Directors</b>	Office	<b>Term Expiration</b>
Cynthia Barclae	President & Chair	2020-2022 (Elected)
Bruce Shibles	Co-Treasurer	2020-2022 (Appointed)
Keith Mays	Assistant Secretary	2020-2022 (Appointed)
Jennifer Woods	Secretary	2020-2022 (Appointed)
Murray Hawthorne	Treasurer	2020-2022 (Appointed)

#### 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 (for items not on this agenda)
- f. Review and approve Special Meeting minutes from February 8<sup>th</sup>, 2022
- g. District 11 Update Melissa Sotelo
- h. Introduce new General Counsel Evan Ela
- i. Election update Sarah Luetjen & Jerry

#### II. DIRECTOR'S ITEMS

- a. Director Barclae
  - 1. Status of compliance with Special District Compliance Calendar
  - 2. Report from Mr. Bill Schmidt
  - 3. Confirmation: Receipt of Mr. Todd Creger's written resignation effective June 1, 2021.
- b. Director Mays
  - 1. Website updates
  - 2. Status of Previously Passed Resolutions
- c. Director Woods
  - 1. Joint Landscape Committee update
- d. Directors Hawthorne & Shibles
  - 1. Financial Matters Update

#### III. FINANCIAL MATTERS

- a. Conduct public hearing to consider amendment to the 2021 Budget and consider adoption of Resolution No. to Amend the 2021 Budget and Appropriate Expenditures (enclosed)
- IV. OTHER BUSINESS
- V. REVIEW OF CHAT
- VI. ADJOURNMENT

The next Regular Meeting is scheduled for Tuesday, June 21, 2022, at 7:00 PM and shall be noticed in accordance with C.R.S. 32-1-902 and 24-6-402, on the district's webpage <u>https://ebertmd.colorado.gov</u>

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

#### **DRAFT - SUBJECT TO BOARD APPROVAL**

#### MINUTES OF SPECIAL MEETING OF BOARD OF DIRECTORS OF EBERT METROPOLITAN DISTRICT

#### February 8, 2022 7:01 – 7:50 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: February 8, 2022 TIME: 7:00 PM PLACE: Zoom Teleconference Join Zoom Meeting Join Zoom Meeting https://zoom.us/j/94956352709 Meeting ID: 949 5635 2709

Board of Directors	Office	Term Expiration
Cynthia Barclae	President	2020-2022 (Elected)
Bruce Shibles	Assistant Secretary	2020-2022 (Appointed)
Keith Mays	Assistant Secretary	2020-2022 (Appointed)
Jennifer Woods	Assistant Secretary	2020-2022 (Appointed)
Murray Hawthorne	Assistant Secretary	2020-2022 (Appointed)

Also, present via Zoom were:

Jerry Jacobs of Timberline District Consulting, LLC – District Manager Corey Pilato of Timberline District Consulting, LLC – District Manager 13 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

Director Shibles was unable to attend this meeting. A quorum of four was established and declared.

#### c) Approval of Agenda and Meeting Location

President Barclae 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. Mrs. Pilato stated that the meeting notice and agenda were also published in the Denver Post.

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

#### d) Disclosure of Potential Conflicts of Interest

President Barclae stated that there are no conflicts of interest to announce currently.

#### e) Public comment - (for items not on the agenda)

With no public comments to discuss, the Board Meeting continued.

#### f) Review and approve Regular Meeting Minutes from December 7, 2021

Director Hawthorne motioned to approve Regular Meeting Minutes for December 7, 2021. Director Woods seconded the motion; the motion passed unanimously.

#### II. DIRECTOR'S ITEMS

#### a) President Barclae

1. Approve Cockrel Ela Glesne Greher & Ruhland, P.C. (CEGR) contract for District Legal Counsel

The Board of Directors would like to engage with CEGR to replace Robinson Water's & O'Dorisio, P.C. (RWO) as legal counsel for Ebert Metropolitan District.

Director Hawthorne motioned to approve entering into an agreement for legal services with CEGR. Director Woods seconded the motion; the motion passed unanimously.

#### 2. Approve termination of legal services with RWO – 2wk overlap to facilitate handover

Director Woods motioned to approve the termination of RWO legal services with a two-week overlap with CEGR and RWO to ensure a complete turnover. President Barclae seconded the motion; the motion passed unanimously.

#### 3. Approve Amended Resolution Concerning Regular Election to be Held May 3, 2022

Director Woods motioned to approve the amended Resolution for Regular Election to be held on May 3, 2022. Director Hawthorne seconded the motion; the motion passed unanimously.

#### 4. Approve FinOps Committee Charter

Director Hawthorne provided a brief overview of the FinOps Committee Charter for everyone in attendance.

Director Hawthorne motioned to approve the new FinOps Committee Charter. Director Mays seconded the motion; the motion passed unanimously.

#### b) Director Mays

#### 1. SIPA Technology Proposal & Cost

Director Mays informed the Board of Directors and everyone in attendance of the need to purchase and maintain a separate domain (in addition to the SIPA site) for historical documents for Ebert Metropolitan District as read-only. Director Mays confirmed that the preferred option plan does include full domain privacy and a protection fee to address Mr. Morie's chat question.

Director Hawthorne motioned to approve the purchase of a .org domain for District historical documents. President Barclae seconded the motion; the motion passed unanimously.

#### 2. Records Retention Resolution from 11/13/2019 – Status of the Submittal of State Form

Director Mays requested Timberline District Consulting, LLC to research if the Records Management Manual Approval from 11/13/2019 was ever completed and submitted.

# 3. Website Terms of Use to replace outdated Website Policies and Procedures from 10/27/2020

Director Mays provided a brief update on the website policies and procedures he is recommending replacing the policies and procedures from 10/27/2020.

Director Hawthorne motioned to approve using the new Website Policies and Procedures. Director Woods seconded the motion; the motion passed unanimously.

#### 4. Posting Previously Passed Resolutions

Director Mays provided a detailed description of the list of documents received from the attorney's office, requesting board input on how to proceed. During the discussion, Director Mays confirmed that the list of documents is only pertaining to Ebert Metropolitan District and not joined with Town Center Metropolitan District to address Mr. Jacobs's question.

Director Mays will continue to work with the attorneys to evaluate the documents on this report.

Director Woods motioned to approve the continuation to review previously posted resolutions. Director Mays seconded the motion; the motion passed unanimously.

#### c) Director Woods

- 1. Election Update
  - i. Election forms can be found on the website: <u>https://ebertmd.colorado.gov</u>
  - ii. Updated Designated Election Officer (DEO) information (with new attorney's office)

Bill Schmidt wanted to know how the Board of Directors would be communicating with the District regarding the upcoming election. Mrs. Pilato stated that this responsibility falls to the DEO. Mr. Jacobs clarified that this process is not a recruitment but a statement informing residents of the Board of Directors' open positions.

Ms. Howe wanted clarification on a discussion from a previous meeting where options to save the District funds for running an election (if not required) were presented and explained. Mrs. Pilato provided elucidation to Ms. Howe's concerns by stating that Mr. Jacobs was responding to a board member question as to what occurs if the number of nominees is the same number of open seats on the Board of Directors. For example: if there are three spots open and only three nominations, then a formal election is unnecessary. If there are three spots open and four nominations, then a formal election could be done, or the candidates could discuss the best course of action internally, thus saving the District resources. Mr. Jacobs provided additional detail as to the reasoning behind the thought process. Director Woods agreed and supported Mr. Jacob's comments.

2. Other – no other items to discuss at this time

#### d) Director Hawthorne & Shibles

1. Financial Matters Update

Director Hawthorne and Director Shibles have initiated a meeting with members of the Town Center Metropolitan District (not all members to avoid a formal meeting) to have open communication regarding joint projects to ensure smooth completion.

#### III. OTHER BUSINESS

#### a) District Map Update

Mr. Jacobs informed everyone in attendance that an updated Ebert Metropolitan District Boundaries map was created and updated with DOLA.

Mr. Morie agreed that the updated map better represents the Ebert Metropolitan District boundaries. Mr. Morie would like to see an updated map for the Debt Services as well.

#### b) Other: Moving March 15, 2022 meeting to March 22, 2022

Director Woods motioned to approve moving the next Board of Directors meeting from March 15, 2022, to March 22, 2022, starting at 7:00 PM. Director Mays seconded the motion; the motion passed unanimously.

#### IV. REVIEW OF CHAT

As chat communications were being addressed during each agenda item, the meeting continued.

#### V. ADJOURNMENT

There was no further business to come before the Board of Directors. Upon a motion from Director Hawthorne, seconded by Director Woods and carried unanimously, the meeting adjourned at 7:50 PM.

The next Regular Meeting is scheduled for Tuesday, March 22, 2022, at 7:00 PM and shall be noticed in accordance with C.R.S. 32-1-902 and 24-6-402, on the District's webpage <u>https://ebertmd.colorado.gov</u>

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

#### Special Meeting February 8, 2022 Zoom Chat Conversation

#### 00:29:12 Alvin Morie:

Does the 10 year plan include the Full Domain Privacy & Protection fee? I'd recommend getting the additional domain protection.

#### 00:30:27 Bill Schmidt:

How will you reach out to residents to inform them of the election process and timing? How will you recruit potential candidates?

#### 00:36:40 iPadGail Bell:

Can we please request Westwind to send out reminders about both Ebert and TCMD board meetings about 24 hours in advance of the meetings? I think that would be helpful for those of us who receive numerous emails everyday?

#### 00:38:04 Corey Pilato:

Thank you, Gail. I will request Westwind to re-email as a reminder of the Ebert MD meeting 24 hours prior.

#### 00:40:32 iPadGail Bell:

Thank you, Corey!



# 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	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:
organizational decree or order	1. The name of the district;
of inclusion for any 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.
	C.R.S. § 32-1-104.8
24-Hour Notice Before Any Meeting	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. *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
	C.R.S. § 32-1-903(2), 24-6-402(2)
30-Day notice prior to fixing/ increasing water or sewer rates	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:

	1. Mailing the notice separately to each customer of the service on the billing rolls of the district;
	<ol><li>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;</li></ol>
	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.
	C.R.S. § 32-1-1001(2)
Within 30 days of election date	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.
	C.R.S. § 1-11-103(3)
January 1: Budget Year Begins	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
Update Map	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

DATE	COMPLIANCE ACTIVITY/OTHER INFORMATION
January 15:	Deadline for Notice to Electors (Transparency Notice), and no more than 60 days preceding.
Notice to Electors	(1) Each district must include:
	a. The principle business address and telephone number of the District;
	b. Name and business telephone number of the manager or primary contact person;
	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;
	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.;
	e. The current mill levy and the total ad valorem tax revenue received by the district during the last year;
	f. The date of the next regular special district election at which members of the board will be elected;
	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
	i. The address of any web site on which the special district's election results will be posted.
	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
	(2) The notice required by subsection (1) of this section shall be made in one or more of the following ways:
	a. Mailing the notice separately to each household where one or more eligible electors of the special district resides;
	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;
	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;
	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.
	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.
	(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.
	(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.
	*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.
	C.R.S. §32-1-809, 32-1-104(2) *Contact Update was consolidated with Notice to Electors in the 2015 Legislative Session.
January 31 Budget Due	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
	Penalty: The Division may authorize the County Treasurer to withhold distribution of tax revenues to the district if the budget is not filed.
	C.R.S. § 29-1-113(1)
February 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
March 1	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 <b>must</b> 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.
	C.R.S. § 11-58-105
March 31	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.
	C.R.S. § 29-1-604(3
May Regular Election	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.
2022	**Effective July 1, 2022: Regular Election must be held in odd-numbered years.**
2022	May 3
2023	May 2
2025 2027	May 6 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.
results filed with	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 \$1,000; the treasurer's bond must be not less than \$1,000.
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.
July 30	C.R.S. § 29-1-606(1)(a 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.
September 30	C.R.S. § 39-5-124 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 date for non-TABOR questions may occur on the first Tuesday after the first Monday
Special Election	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. § 29-1-10
	"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.
November	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. 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
November	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 fisca year shall be deemed re-appropriated.
	C.R.S. § 29-1-108(3 Deadline for county commissioners to levy against the assessed valuation of all taxable property the necessary taxes for all legal purposes of local governments.
Docombor 22	beautine for county commissioners to levy against the assessed valuation of all taxable property the necessary taxes for all tegat purposes of total governments.
December 22	CRC 6 30-1-111/1
	C.R.S. § 39-1-111(1 Districts not levying property tax must adopt budget by this date.
	Districts not levying property tax must adopt budget by this date. C.R.S. § 29-1-108
December 22 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.
	Districts not levying property tax must adopt budget by this date. C.R.S. § 29-1-10

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.

	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 the service plan or the financial plan will result in the timely and reasonable discharge of the district's general obligation debt. Upon the service plan or the financial plan will result in the timely and reasonable discharge of the district's general obligation debt. Upon the financial plan will result in the timely and reasonable discharge of the district's general obligation debt. Upon the financial plan will result in the timely and reasonable discharge of the district's general obligation debt.
imp	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 plementation will place property owners at risk for excessive tax burdens to support the debt service. Upon such a finding, the county or municipal verning body shall deny a continuation of the authority of the board to issue any remaining authorized G.O. debt.
finc	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 ding, 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 asonable diligence.
	C.R.S. § 32-1-1101.5 (1.5)
NOTE: If a district:	
• H	las Failed to hold or properly cancel a regular special district election,
• H	las Failed to adopt a budget for two consecutive years,
• H	las Failed to submit to an audit (or be granted exemption from audit) for two consecutive years; or
• H	las not provided or attempted to provide any of the service(s) or facilities for which the district was organized for two consecutive years; and
- н	las no outstanding financial obligations,
the	en, the Division of Local Government may initiate statutory procedures to administratively dissolve the district.
	C.R.S. § 32-1-710

## EBERT METROPOLITAN DISTRICT

### FINANCIAL STATEMENTS

DECEMBER 31, 2021

#### EBERT METROPOLITAN DISTRICT BALANCE SHEET - GOVERNMENTAL FUNDS DECEMBER 31, 2021

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Capital

		General	Co	nservation Trust		Debt Service	F	Reserve - Bond Proceeds - eries 2018		Capital Reserve - 1.000 Mill		Total
ASSETS												
C - Safe	\$	165,659	\$	171,365	\$		\$	-	\$	392,512	\$	786,490
C - Safe - Rate Stabilization		-		-		6,775,024		-		-		6,775,024
C - Safe - Capital Replacement 2018		-		-		-		851,517		-		851,517
UMB - CP Bedrock Escrow 2008		165,793		-		-		-		-		165,793
UMB Series 2018-A accounts		-		-		1,219,034		-		-		1,219,034
Receivable from County Treasurer		8,640		-		21,843		-		508		30,991
Property Tax receivable		2,495,644		-		4,295,144		-		146,803		6,937,591
TOTAL ASSETS	\$	2,835,736	\$	171,365	\$	12,367,999	\$	851,517	\$	539,823	\$	16,766,440
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES												
<b>CURRENT LIABILITIES</b> Due to Town Center Metropolitan District Due to County Treasurer	\$	29,099 -	\$	-	\$	- 35	\$	-	\$	-	\$	29,099 35
Total Liabilities		29,099			_	35		-	_	-	_	29,134
DEFERRED INFLOWS OF RESOURCES												
Deferred property tax		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												
Total Fund Balances	_	310,993	_	171,365	_	8,072,820		851,517	_	393,020	_	9,799,715
TOTAL LIABILITIES, DEFERRED INFLOWS	6											
OF RESOURCES, AND FUND BALANCES	\$	2,835,736	\$	171,365	\$	12,367,999	\$	851,517	\$	539,823	\$	16,766,440

#### EBERT METROPOLITAN DISTRICT STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2021

#### **GENERAL FUND**

	Amended Budget			ear to Date Actual	 Variance
REVENUES					
Property taxes	\$	2,284,196	\$	2,296,800	\$ 12,604
Specific ownership tax		114,210		124,784	10,574
Interest income		1,500		1,365	(135)
Town Center Reimbursement for legal		25,000		21,321	(3,679)
TOTAL REVENUES		2,424,906		2,444,270	 19,364
EXPENDITURES					
County Treasurer's fee		22,840		22,976	(136)
Legal services		25,000		21,321	3,679
Town Center services reimbursement		2,385,566		2,399,838	(14,272)
Election expense		5,000		-	5,000
Contingency		11,594		-	 11,594
TOTAL EXPENDITURES		2,450,000		2,444,135	 5,865
NET CHANGE IN FUND BALANCES		(25,094)		135	25,229
FUND BALANCES - BEGINNING		306,837		310,857	 4,020
FUND BALANCES - ENDING	\$	281,743	\$	310,992	\$ 29,249

#### EBERT METROPOLITAN DISTRICT STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2021

#### **CONSERVATION TRUST FUND**

	Annual Budget		Ye	ear to Date Actual	Variance	
REVENUES						
CTF proceeds	\$	55,000	\$	68,920	\$	13,920
Interest income		250		42		(208)
TOTAL REVENUES		55,250		68,962		13,712
EXPENDITURES						
Transfer to Town Center		156,867				156,867
TOTAL EXPENDITURES		156,867				156,867
NET CHANGE IN FUND BALANCES		(101,617)		68,962		170,579
FUND BALANCES - BEGINNING		101,617		102,404		787
FUND BALANCES - ENDING	\$		\$	171,366	\$	171,366

SUPPLEMENTARY INFORMATION

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#### EBERT METROPOLITAN DISTRICT SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2021

#### DEBT SERVICE FUND

	Annual Budget		Y	ear to Date Actual	Variance
REVENUES					
Property taxes Specific ownership tax Interest income	\$	5,774,698 288,730 39,000	\$	5,802,590 315,468 7,234	\$ 27,892 26,738 (31,766)
TOTAL REVENUES	_	6,102,428		6,125,292	 22,864
EXPENDITURES					
County Treasurer's fee		57,747		58,056	(309)
Paying agent/custodian fees		4,000		3,500	500
Loan interest - 2018A-1		3,956,000		3,956,000	-
Loan interest - 2018A-2		749,050		749,050	-
Loan principal - 2018A-1		720,000		720,000	-
Loan principal - 2018A-2		135,000		135,000	-
Contingency		3,203		-	 3,203
TOTAL EXPENDITURES		5,625,000		5,621,606	 3,394
NET CHANGE IN FUND BALANCES		477,428		503,686	26,258
FUND BALANCES - BEGINNING		7,575,166		7,569,134	 (6,032)
FUND BALANCES - ENDING	\$	8,052,594	\$	8,072,820	\$ 20,226

#### EBERT METROPOLITAN DISTRICT SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2021

#### **CAPITAL RESERVE - BOND PROCEEDS - SERIES 2018 FUND**

	Annual Budget	 ar to Date Actual	Variance
REVENUES			
Interest income	\$ 3,670	\$ 469	\$ (3,201)
TOTAL REVENUES	 3,670	 469	 (3,201)
EXPENDITURES			
Capital expenditures approved by Ebert	 1,475,397	 651,235	 824,162
TOTAL EXPENDITURES	 1,475,397	 651,235	 824,162
NET CHANGE IN FUND BALANCES	(1,471,727)	(650,766)	820,961
FUND BALANCES - BEGINNING	 1,471,727	 1,502,282	 30,555
FUND BALANCES - ENDING	\$ -	\$ 851,516	\$ 851,516

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

#### EBERT METROPOLITAN DISTRICT SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2021

#### **CAPITAL RESERVE - 1.000 MILL FUND**

	Annual Budget		Ye	ear to Date Actual	Variance	
REVENUES						
Property taxes	\$	134,364	\$	135,106	\$	742
Specific ownership tax		6,720		7,340		620
Town Center transfer for capital replacement		555,000		-		(555,000)
Interest income		3,000		178		(2,822)
TOTAL REVENUES		699,084		142,624		(556,460)
EXPENDITURES						
County Treasurer's fee		1,344		1,352		(8)
Contingency		1,156		-		1,156
TOTAL EXPENDITURES		2,500		1,352		1,148
NET CHANGE IN FUND BALANCES		696,584		141,272		(555,312)
FUND BALANCES - BEGINNING		251,838		251,746		(92)
FUND BALANCES - ENDING	\$	948,422	\$	393,018	\$	(555,404)

#### EBERT METROPOLITAN DISTRICT

#### Property Taxes Schedule

					2021								
	Current Year									Prior Year			
		Delinquent	Specific				Net	% of Total Property		Total	% of Total Property		
	Property	Taxes, Rebates	Ownership		Treasurer's	Payable to	Amount	Taxes Received		Cash	Taxes Received		
	Taxes	and Abatements	Taxes	Interest	Fees	County	Received	Monthly	Y-T-D	Received	Monthly	Y-T-D	
Beginning Balance						\$ -							
January	\$ 89,521.38	\$ -	\$ 34,109.36	-	\$ (895.26)	- 3	\$ 122,735.48	1.09%	1.09%	\$ 140,100.22	1.56%	1.56%	
February	2,883,930.61	-	34,308.88	24.63	(28,358.94)	-	2,889,905.18	35.20%	36.29%	3,176,482.53	39.14%	40.70%	
March	732,178.00	-	36,460.47	163.84	(7,804.07)	-	760,998.24	8.94%	45.23%	489,223.59	5.86%	46.56%	
April	587,205.50	-	38,842.19	46.69	(5,872.55)	-	620,221.83	7.17%	52.39%	450,962.75	5.48%	52.04%	
May	744,596.90	83.40	33,531.72	434.10	(7,451.21)	-	771,194.91	9.09%	61.48%	787,921.30	9.40%	61.44%	
June	2,979,337.43	-	34,526.37	1,799.86	(29,811.45)	-	2,985,852.21	36.36%	97.85%	2,918,600.30	36.06%	97.50%	
July	114,777.68	-	40,328.40	637.13	(1,146.89)	-	154,596.32	1.40%	99.25%	113,922.36	0.90%	98.40%	
August	57,879.44	-	46,480.49	850.85	(587.27)	-	104,623.51	0.71%	99.95%	113,695.31	0.94%	99.33%	
September	9,796.20	207.85	37,263.83	148.63	(93.42)	-	47,323.09	0.12%	100.08%	48,104.47	0.09%	99.42%	
October	6,311.21	-	38,187.53	140.40	(64.53)	-	44,574.61	0.08%	100.15%	73,304.02	0.41%	99.83%	
November	28,670.75	-	42,562.38	1,071.25	(297.41)	(34.76)	72,041.73	0.35%	100.50%	39,038.50	0.00%	99.83%	
December	-	-	30,990.89	-	-	-	30,990.89	0.00%	100.50%	29,093.46	0.00%	99.83%	
	\$ 8,234,205.10	\$ 291.25	\$ 447,592.51	\$ 5,317.38	\$ (82,383.00)	\$ (34.76)	\$ 8,605,058.00	100.50%	100.50%	\$ 8,380,448.81	99.83%	99.83%	

					<b>0</b> /	PROPERTY		% COLLECTED
			TAXES		%	TAXES		TO AMOUNT
Property Tax	AV	Mill Levy		LEVIED	OF LEVIED		COLLECTED	LEVIED
GENERAL FUND	\$ 134,364,490	17.000	\$	2,284,196	27.88%	\$	2,296,800.20	100.55%
DEBT SERVICE		40.319		5,417,442	66.12%		5,447,334.52	100.55%
CAPITAL RESERVE		1.000		134,364	1.64%		135,105.88	100.55%
DEBT SERVICE - EXCLUDED	\$ 10,610,830	33.669		357,256	4.36%		355,255.75	99.44%
			\$	8,193,259	100.00%	\$	8,234,496.35	100.50%
Specific Ownership Tax GENERAL FUND DEBT SERVICE CAPITAL RESERVE			\$	114,210 288,730 <u>6,720</u> 409,660	27.88% 70.48% 1.64% 100.00%		124,784.17 315,468.09 7,340.25 447,592.51	109.26% 109.26% 109.23% 109.26%
<u>Treasurer's Fees</u> GENERAL FUND DEBT SERVICE CAPITAL RESERVE			\$ \$	22,840 57,747 1,344 81,931	29.15% 69.14% 1.71% 100.00%		22,975.89 58,055.60 1,351.51 82,383.00	100.59% 100.53% 100.56% 100.55%

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances - governmental funds have been omitted.