

NOTICE OF REGULAR MEETING

A Regular 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: June 21, 2022, **TIME:** 7:00 PM

PLACE: Zoom Teleconference Join Zoom Meeting

Join Zoom Meeting: <https://us06web.zoom.us/j/82117339616>

Meeting ID: 821 1733 9616

One tap mobile

+17207072699,,82117339616# US (Denver)

+12532158782,,82117339616# US (Tacoma)

Dial by your location

+1 720 707 2699 US (Denver)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 821 1733 9616

Find your local number: <https://us06web.zoom.us/j/82117339616>

The meeting is open to the public. The Board and the public will attend the meeting via Zoom Conference.

| Board of Directors | Office | Term Expiration |
|---------------------------|---------------|------------------------|
| Cynthia Barclae | TBD | 2022-2024 (Elected) |
| Bruce Shibles | TBD | 2022-2024 (Elected) |
| Louis Kennedy | TBD | 2022-2023 (Elected) |
| Jennifer Woods | TBD | 2022-2023 (Elected) |
| Murray Hawthorne | TBD | 2022-2024 (Elected) |

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
- f. Consideration of Special Meeting Minutes from April 12, 2022 **Pages 3-7**
- g. District 11 Update – City and County of Denver presented by Melissa Sotelo
- h. Election Results / Oath Status / Required Filings presented by Sarah Luetjen

- i. Board of Directors positions (CRS 32-1-902)
 - i. President
 - ii. Treasurer
 - iii. Secretary

II. DIRECTOR'S ITEMS

a. Director Barclae

- i. Status of compliance with Special District Compliance Calendar (enclosed) **Pages 8-11**
- ii. Status of Ebert's Resolution regarding Town Center Metropolitan District "Resident" board seat
- iii. Consideration and action regarding Ebert's incumbent resident on Town Center Metropolitan Districts' Board of Directors
- iv. Consideration and action regarding process (call for nominations) for volunteering to serve Ebert Resident seat on Town Center Metropolitan District's Board of Directors (enclosed) **Page 12**
- v. Consideration and action regarding Ebert's website

b. Director Hawthorne

- i. Financial matters update
- ii. Consideration and action regarding Westwind support services – specifically for covenant compliance and enforcement for reporting

c. Director Woods

- i. Joint Landscape Committee (LC) update
- ii. Updated "Application" for volunteering to serve on the LC

d. Directors Shibles and Kennedy

- i. Consideration and action regarding FinOps membership

III. FINANCIAL MATTERS

- a. 2021 Audit presented by Debra Sedgeley

IV. OTHER BUSINESS

- a. Status of work orders within Ebert and Town Center Metropolitan District's
- b. Discuss potential need to establish additional Ebert committee(s)
- c. Board of Directors approval of individual Director(s) to work directly with District Counsel on assigned District matters

V. ATTORNEY MATTERS

- a. Executive session as needed pursuant to C.R.S 24-6-403(3)(a)(II) and (4)(b) and (e)

VI. REVIEW OF CHAT

VII. ADJOURNMENT

The next Regular Meeting is scheduled for Tuesday, September 20, 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 <https://ebertmd.colorado.gov>

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**

**April 12, 2022
7:00 – 7:46 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: April 12, 2022, TIME: 7:00 PM

PLACE: Zoom Teleconference Join Zoom Meeting

Join Zoom Meeting: <https://us06web.zoom.us/j/89669400884>

Meeting ID: 896 6940 0884

| 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 – Assistant District Manager

Sarah Luetjen of Cockrel Ela Glesen Greher & Ruhland, P.C. – Paralegal

Debra Sedgely of CliftonLarsonAllen (CLA) – Engagement Director, Business Operations

17 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 7:00 PM via Zoom teleconference.

b. Declaration of a Quorum

A quorum of five was established and declared.

c. Approval of Agenda and Meeting Location

Mr. Jacobs 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.

Director Hawthorne had one update to tonight's agenda; remove the parenthetical note from the item "I," "e.", and add to item "II," "1.", "and consideration for adoption of the" in-between the words Discuss and Ebert.

With no other proposed updates to the agenda, Director Shibles motioned to approve the agenda. Director Barclae seconded the motion; the motion passed unanimously.

d. Disclosure of Potential Conflicts of Interest

Mr. Jacobs stated that there are no known conflicts of interest to announce currently.

e. Public comment

Director Shibles stated that he sent an email to the one-year term candidates, letting them know that they may prepare a statement as to why they are running for this election to read during tonight's public comment period.

Louis Kennedy provided a summary of his work and personal history. Mr. Kennedy stated why he is running for a position on the Board of Directors for Ebert Metropolitan District.

Kelvin Klink summarized why he would like to be on the Board of Directors for Ebert Metropolitan District. He explained that he is very familiar with the TCMD and Ebert Metropolitan District Boards.

Jennifer Woods also provided a summary of why she would like to keep her current position on the Board of Directors for Ebert Metropolitan District. Director Woods provided her work, personal, and current board member experience.

Keith Mays stated that he was appointed in July of 2021 to the Board of Directors for Ebert Metropolitan District as the Assistant Secretary, specifically for website maintenance and record-keeping.

Mrs. Pilato read from the chat feature attending resident questions. Mr. Jacobs announced that people in attendance may either chat, email, or unmute themselves to have their questions for the candidates documented during the public forum. Mr. Jacobs did clarify that questions will be documented but that this is a public comment only and not a forum for the candidates.

Khadija Haynes commented that she has been a long-time resident and has watched the community change. Her observation is that this Board of Directors does not reflect the community's demographic. Mrs. Haynes would like candidates to provide background specifically working with community, youth, and diversity for equity.

Mayra Gonzales asked how board vacancies and recruitment of new board members are done.

Mr. Jacobs explained that when board vacancies are announced during board meetings and individuals wanting to run for the open position go through the process for an appointment. If there are no vacancies, then the District will go through the regular election cycle.

f. Review and approve Special Meeting minutes from March 22, 2022

Director Shibles requested a few amendments:

1. II, (a), (1): correct "statuts" to "statutes"
2. II, (a), (2): "Load" should be "loud"
3. II,(c), (1): "medium" should be "median"
4. IV: First point: Replace "Myself" with "I" and remove "I" from assembled
5. IV: add a space between the word website and the word and

Director Hawthorne motioned to approve Special Meeting Minutes for March 22, 2022. Director Woods seconded the motion; the motion passed unanimously

II. DIRECTOR'S ITEMS

a. Director Barclae

1. Discuss and consideration for adoption of the Ebert Metropolitan District Resident TCMD Board Resolution

Director Hawthorne motioned to the Ebert Metropolitan District Resident TCMD Board Resolution. Director Shibles seconded the motion

Bill Schmidt stated that he has three questions regarding the proposed resolution:

- a) Requested to know the reasoning behind the need for this resolution versus a conversation
- b) Term of position – Believes TCMD Board of Directors have three-year, not two-year terms
- c) Would like to know what are grounds for recall

President Barclae clarified the reason for the resolution.

The motion to adopt the Ebert Metropolitan District Resident TCMD Board Resolution passed unanimously with no further discussion.

b. Director Mays

1. Discuss proposed revisions to Regular Meeting Minutes from December 7, 2021

Keith provided a summary of the agenda item.

After a brief discussion, Mr. Jacobs requested a motion to approve the revisions to the Regular Meeting Minutes from December 7, 2021. Director Mays so motioned, with no Director seconded the motion did not carry.

c. Directors Hawthorne & Shibles

1. Financial Matters Update

Director Hawthorne provided a brief financial update; Director Shibles did not have anything to add to this update.

III. FINANCIAL MATTERS

a. Conduct a public hearing to consider the amendment to the 2021 Budget and consider the adoption of Resolution to Amend the 2021 Budget and Appropriate Expenditures (enclosed)

Debra Sedgley from CliftonLarsonAllen provided a short explanation for the need to amend the 2021 budget and referred to the property tax schedule to show the amount that changed.

Opening of Budget Hearing

Director Hawthorne motioned to open the hearing to consider the Resolution to Amend the 2021 Budget and Appropriate Expenditures; Director Mays seconded the motion; the motion passed unanimously.

Close of Budget Hearing

Hearing no public comment, Director Shibles motioned to close the hearing to consider the Resolution to Amend the 2021 Budget and Appropriate Expenditures; Director Hawthorne seconded the motion; the motion passed unanimously.

Motion to approve the Resolution to Amend the 2021 Budget and Appropriate Expenditures was made by Director Shibles and seconded by Director Woods; the motion passed unanimously.

IV. OTHER BUSINESS

Director Hawthorne inquired about Mr. Morie’s map amendments for the District.

Mr. Morie stated that the maps for Ebert Metropolitan District boundaries looked perfect and are ready to be submitted to DOLA.

V. REVIEW OF CHAT

Mrs. Luetjen provided clarification to the questions regarding where candidate bios can be found and where it is appropriate to list them.

VI. ADJOURNMENT

There was no further business to come before the Board of Directors. Upon a motion from Director Shibles, seconded by Director Woods and carried unanimously, the meeting adjourned at 7:46 PM.

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 <https://ebertmd.colorado.gov>

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

April 12, 2022

Zoom Chat Conversation

00:07:14 Bill Schmidt:

I would like to make some comments during the discussion on the TCMD board resolution

00:11:01 KKH she/ella:

Is there a reason that Louis was not on screen?

00:11:19 Corey Pilato:

He was unable to get his camera to work.

00:17:13 KKH she/ella:

Are we able to ask candidates any questions?

00:18:56 Corey Pilato:

pilato@timberlinedc.com

00:21:15 Mayra Gonzales:

Question: How does the Ebert Metro District announce board vacancies and recruit new members?

00:21:18 KKH she/ella:

Thank you!

00:22:56 KKH she/ella:

Are candidate bios provided the GVR HOA electorate?

00:24:37 Kelvin Klink:

Khadija; (sp?) I hear your concerns and would be happy to share my thoughts with you. Please call me at your convenience. 425-445-7558. Kel Klink

00:29:00 Kelvin Klink:

Question: Are non-board Attendees allowed to make comments or questions about the proposed Resolution?

00:30:35 Corey Pilato:

We will circle back to chat comments and questions during section V of the agenda.

00:31:18 Kelvin Klink:

That will be too late. It will be after the Board Votes on the Motion.

00:49:29 Kelvin Klink:

Khadija: The Bios for Ebert Metro District are not relevant for the Residents of GVR Metro District and the HOA in that District.

00:50:28 KKH she/ella:

Yes, I realize that. However, knowing who candidates are is helpful.



COLORADO
 Department of Local Affairs
 Division of Local Government

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 organizational decree or order of inclusion for any District | 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: 1. The name of the 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. <div style="text-align: right;">C.R.S. § 32-1-104.8</div> |
| 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 <div style="text-align: right;">C.R.S. § 32-1-903(2), 24-6-402(2)</div> |
| 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; 2. 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; 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. <div style="text-align: right;">C.R.S. § 32-1-1001(2)</div> |
| 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. <div style="text-align: right;">C.R.S. § 1-11-103(3)</div> |
| 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: Notice to Electors | <p>Deadline for Notice to Electors (Transparency Notice), and no more than 60 days preceding.</p> <p>(1) Each district must include:</p> <p>a. The principle business address and telephone number of the District;</p> <p>b. Name and business telephone number of the manager or primary contact person;</p> <p>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;</p> <p>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.;</p> <p>e. The current mill levy and the total ad valorem tax revenue received by the district during the last year;</p> <p>f. The date of the next regular special district election at which members of the board will be elected;</p> <p>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</p> <p>i. The address of any web site on which the special district's election results will be posted.</p> <p>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..</p> <p>(2) The notice required by subsection (1) of this section shall be made in one or more of the following ways:</p> <p>a. Mailing the notice separately to each household where one or more eligible electors of the special district resides;</p> <p>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;</p> <p>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;</p> <p>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.</p> <p>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.</p> <p>(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.</p> <p>(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.</p> <p>*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.</p> <p style="text-align: right;">C.R.S. §32-1-809, 32-1-104(2)</p> <p>*Contact Update was consolidated with Notice to Electors in the 2015 Legislative Session.</p> |
| January 31 Budget Due | <p>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</p> <p>Penalty: The Division may authorize the County Treasurer to withhold distribution of tax revenues to the district if the budget is not filed.</p> <p style="text-align: right;">C.R.S. § 29-1-113(1)</p> |
| February Special Election | <p>Special election date for non-TABOR questions may occur on the first Tuesday after the first Monday.</p> <p style="text-align: right;">C.R.S. § 32-1-103(21)</p> |
| March 1 | <p>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 must 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.</p> <p style="text-align: right;">C.R.S. § 11-58-105</p> |
| March 31 | <p>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.</p> <p style="text-align: right;">C.R.S. § 29-1-604(3)</p> |
| May Regular Election | <p>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.</p> <p>**Effective July 1, 2022: Regular Election must be held in odd-numbered years.**</p> |
| 2022 | May 3 |
| 2023 | May 2 |
| 2025 | May 6 |
| 2027 | 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. |
| Oaths & election results filed with DOLA-DLG | 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 \$5,000. |
| 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. |
| | C.R.S. § 29-1-606(1)(a) |
| July 30 | 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. |
| | C.R.S. § 39-5-128 |
| September 30 | 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 | Special election date for non-TABOR questions may occur on the first Tuesday after the first Monday |
| | 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. § 29-1-105 |
| | "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. |
| | C.R.S. § 29-1-106 |
| | 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. |
| November | 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 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 fiscal year shall be deemed re-appropriated. |
| | C.R.S. § 29-1-108(3) |
| December 22 | Deadline for county commissioners to levy against the assessed valuation of all taxable property the necessary taxes for all legal purposes of local governments. |
| | C.R.S. § 39-1-111(1) |
| 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. |
| | C.R.S. § 29-1-108(4) |
| | PENALTY: Until a budget is adopted, a district is restricted to 90% of its current year's appropriation for operation and maintenance expenses if board fails to enact a resolution to make appropriations by this date. |
| | C.R.S. § 29-1-108(4) |

| 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. 2. 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 implementation will place property owners at risk for excessive tax burdens to support the debt service. Upon such a finding, the county or municipal governing body shall deny a continuation of the authority of the board to issue any remaining authorized G.O. debt. 3. 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 finding, 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 reasonable diligence. C.R.S. § 32-1-1101.5 (1.5) |
| NOTE: If a district: | |
| • Has Failed to hold or properly cancel a regular special district election, | |
| • Has Failed to adopt a budget for two consecutive years, | |
| • Has Failed to submit to an audit (or be granted exemption from audit) for two consecutive years; or | |
| • Has not provided or attempted to provide any of the service(s) or facilities for which the district was organized for two consecutive years; and | |
| • Has no outstanding financial obligations, | |
| then , the Division of Local Government may initiate statutory procedures to administratively dissolve the district. | |
| C.R.S. § 32-1-710 | |

Call for Nominations

The Ebert Metropolitan District (“Ebert MD”) is soliciting a nominee to serve on the Town Center Metropolitan District’s (“TCMD”) Board of Directors (“BOD”) pursuant to the ***“Resolution of the Town Center Metropolitan District (“The District”) Regarding the Qualification and Appointment of an Ebert Selected Representative to the District’s Board of Directors”***.

This solicitation for self-nominations is open from July 1 - 30, 2022.

A nominee must be a qualified elector of Ebert MD and shall be subject to verification of eligibility for Colorado’s Special District director service IAW C.R.S. 1-13.5-303.

The self-nomination form shall be available on Ebert MD’s website (ebertmd.colorado.gov) beginning NLT July 1, 2022.

To understand, in general, what is expected and what to expect in the capacity of a Metropolitan District Special District director, please see Ebert MD’s website “Elections” page.

Colorado Special District director compensation is limited to that described under C.R.S. 32-1-902(3)(a)(II).

Nominees are further encouraged to familiarize with the Ebert MD Resolution describing additional terms in connection with the TCMD Board position contemplated herein. The applicable Resolution may be found on the Ebert MD website.

If interested in volunteering to represent Ebert MD residents on TCMD’s BOD, please download, print and complete a “Self-Nomination – Ebert/Town” form from the Ebert MD website “Elections” page, scan and forward your self-nomination form via email to the Ebert MD District Manager shown on the Ebert MD website.

Nominations must be received by the Ebert MD District Manager NLT 6:00 PM on July 30th.

_____, Secretary
Ebert Metropolitan Board of Directors

Date

Notice Expiration: 6:00 PM, July 30, 2022