

RECORD OF PROCEEDING
MINUTES OF REGULAR MEETING
OF BOARD OF DIRECTORS OF
EBERT METROPOLITAN DISTRICT

October 26, 2021
7:00 – 8:19 PM
Zoom Teleconference

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: October 26, 2021, TIME: 7:00 PM

PLACE: Zoom Teleconference Join Zoom Meeting

Join Zoom Meeting: <https://zoom.us/j/92666284817>

Meeting ID: 926 6628 4817

Board of Directors	Office	Term Expiration
Cynthia Barclae	President	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)

Also present via Zoom were:

Jerry Jacobs of Timberline District Consulting, LLC – District Manager
Corey Pilato of Timberline District Consulting, LLC – Assistant District Manager
Charles Foster
15 Other members of the public

I. ADMINISTRATIVE ITEMS
a) Call to Order

The Regular meeting of the Board of Directors of the Ebert Metropolitan District was called to order at 7:00 PM via Zoom teleconference. Director Hawthorne stated that President Barclae could not attend tonight’s meeting, so he will run the meeting.

b) Declaration of a Quorum

A quorum of four was declared. Director Barclae was unable to attend.

c) Confirm Location and Posting of Meeting Notices

Director Hawthorne announced the notice and agenda of the Regular Meeting were posted on the website and distributed to the community via email blast by Westwind Management Group.

d) Approval of Agenda and Meeting Location

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

e) Disclosure of Potential Conflicts of Interest

Director Hawthorne stated that there are no conflicts of interest to announce currently; Directors Shibles, Mays, and Woods agreed.

f) Public Comments

With no public comments, the meeting continued.

II. DIRECTOR'S ITEMS

a) President Barclae

Director Hawthorne covered President Barclae's talking points

1) Review and approve Special Meeting Minutes from October 12, 2021

With no suggested changes, Director Hawthorne motioned to approve Special Meeting Minutes for October 12, 2021. Director Shibles seconded the motion; the motion passed unanimously.

2) Approve revised District Bylaws

After presenting the Bylaws to the residents in attendance and a brief discussion amongst the Directors, Director Hawthorne motioned to approve the District Bylaws with minor clerical changes. Director Shibles seconded the motion; the motion passed unanimously.

3) Initial review of the draft 2022 District Budget

Director Hawthorne presented the draft of the 2022 District Budget to residents in attendance.

4) Impact of 2018A – Bond Funds Surplus

A brief discussion regarding the possible \$1.4 million surplus for the Debt Service Fund and potential use followed after Director Hawthorne posed this subject to the meeting group.

5) 2022 Budget Public Hearing – Schedule during the Regular meeting on December 7, 2021

Director Hawthorne reminded all in attendance when the next Regular Meeting of the Ebert Metropolitan District would occur and urged everyone to attend.

6) District performance to the Compliance Calendar

Director Hawthorne presented the Special District Compliance Calendar.

7) Special District Compliance Calendar

Director Hawthorne reviewed the budgetary calendar and confirmed that Ebert Metropolitan District is following the mandates.

b) Director Mays

1) District website – (<https://ebertmd.colorado.gov/>)

Director Mays presented the website and pointed out a few key areas for residents in attendance.

2) “Contact Us” feature

Director Mays stated that this website section was created for residents to submit their questions and concerns to the Ebert Metropolitan District.

c) Director Hawthorne

1) Financial Operations Committee

Director Hawthorne presented the Outstanding Debt Service chart to the attending residents.

2) Authorized Unissued Debt

Director Hawthorne directed everyone’s attention to the “Authorized but Unissued Debt” portion of the chart. A brief discussion of the purpose and potential use of this line item occurred. Mr. Jacobs stated a bond underwriter would need to be consulted for clarification of unissued debt.

3) Draft 2022 Budget – Debt Service Fund

There was a brief discussion about what is to be done with the possible \$1.4 million in surplus for the Debt Service Fund. Mr. Jacobs stated that Debra Sedgley from CliftonLarsonAllen would be the appropriate person to advise the Board of Directors regarding this matter.

4) Mill levy

The discussion regarding the \$1.4 million is surplus continued with the possible Mill Levy reduction with these funds. Again, Mr. Jacobs stated that Debra Sedgley from CliftonLarsonAllen would be the appropriate person to advise the Board of Directors regarding this matter.

d) Director Woods

1) 2022 District Election Milestones

Director Woods presented the election dates listed in the Special District Compliance Calendar.

2) Landscape Committee Updates

Director Woods stated three major items the Committee has been focusing on this year.

- a) Reevaluating tree size for initial plantings
- b) Discussing results from the Wild Flower project
- c) Use of Metropolitan District Property by residents

III. OTHER BUSINESS

a) District Manager – Timberline District Consulting, LLC

1) Town Center Metropolitan District Holiday Decoration

Mr. Jacobs briefly provided background to this topic.

2) Town Center Metropolitan District Winter Decoration Policy

Mr. Jacobs stated that he would be presenting recommendations to the Town Center Metropolitan District Board of Directors during their next meeting for clarification on what Holiday décor is permitted.

3) Covenant Enforcement

Mr. Jacobs briefly explained what covenant enforcement is and its purpose for the District.

4) Covenant Enforcement Process

Mr. Jacobs briefly described the covenant enforcement process.

5) Town Center Metropolitan District Resolution from January 1, 2018

Mr. Jacobs presented the District's policy for covenants and directed residents with any questions or concerns regarding this topic to reach out to Westwind Management as they are the company hired to enforce the District restrictions per the Master Declaration.

6) "Resolution of the Green Valley Ranch North Regarding Policies and Procedures for Covenant and Rule Enforcement" location

Mr. Jacobs verified that the Ebert Metropolitan District website link is a redirect to the Westwind Management website, where all of the District legal documents are housed.

b) Other Matters – Charles Foster

1) 2021 Projects

Mr. Foster stated that the 38th Avenue from Himalaya to Odessa was completed and accepted as of September 2021.

2) 2022 Projects

Mr. Foster stated that the 38th Avenue landscape from Himalaya to Odessa will start October 2021 and end in May 2022.

The Maxwell Place and signal from Argonne to Tower started in July 2021 and should be completed by June 2022.

The Argonne Street and complete signal from Maxwell to 56th, started in July 2021 and should be completed by June 2022.

3) 56th Ave

The District is working with Denver to add needed signals at Tower and Elmendorf, 56th and Ireland, 56th and Picadilly, and Green Valley Ranch Boulevard and Picadilly, funded by Denver. The City is also responsible for completing and maintaining the Tower interior lanes and medians. TCMD has contacted the City about constructing these improvements and being reimbursed but does not have an agreement at this time.

4) Traffic Signal at Green Valley Ranch BLVD and King Soopers

Denver has approved and will construct a signal on Green Valley Ranch Boulevard at the main King Soopers entry just east the fuel island.

IV. REVIEW OF CHAT

Mrs. Pilato read the chat comments to the board and stated that she would email a copy of the chat to Director Hawthorne to address any comments or questions not discussed during the meeting.

V. ADJOURNMENT

There was no further business to come before the Board of Directors. Upon a motion from Director Mayes, seconded by Director Woods and carried unanimously, the meeting adjourned at 8:19 PM.

The next Regular Meeting is scheduled for Tuesday, December 7, 2021, at 7:00 PM.

The foregoing Meeting Minutes constitute an accurate account of the above reference proceedings and were approved by the Board of Directors of Ebert Metropolitan District.

For additional meeting details, please review the recording, which can be found on the website at: <https://ebertmd.colorado.gov/meetings>. Once on the site, select the year you would like and the "Video" link on the far right of the screen.