

**MINUTES OF THE SPECIAL MEETING OF THE  
BOARD OF DIRECTORS OF THE  
EBERT METROPOLITAN DISTRICT  
HELD  
July 24, 2024**

A Special Meeting of the Board of Directors of Ebert Metropolitan District, City and County of Denver, Colorado was held virtually on July 24, 2024, at 7:00 p.m. The meeting was open to the public.

In attendance and participating were Directors:

Bruce Shibles, President & Co-Treasurer  
Cynthia Barclae, Secretary  
Louis Kennedy, Treasurer  
Leslie Young, Assistant Secretary  
Katherine Haynes, Assistant Secretary

Also participating were:

21 Members of the Public  
Evan Ela, Cockrel Ela Glesne Greher & Ruhland – General Legal Counsel  
Alyssa Ferreira, Clifton Larson Allen, LLP – District Accountants  
Bill Schmidt, Town Center Metropolitan District  
Kurt Schlegel, Special District Solutions – District Manager

**CALL TO ORDER:**

Mr. Schlegel called the role and noted that a quorum of the Board was present. Director Shibles called the meeting to order at 7:03 p.m.

**CONFLICTS &  
DISCLOSURE  
STATEMENTS:**

Conflict Disclosure Statements have been filed with the Secretary of State's Office and no new conflicts of interest were disclosed at the meeting.

**APPROVAL OF  
AGENDA:**

Director Barclae moved that the Board amend the agenda by removing the statement regarding EMD District Manager from Item #5-B. This motion died due to the lack of a second. Director Kennedy then moved that the Board approve the Agenda as presented. Upon a second by Director Shibles a vote was taken and the motion carried unanimously.

# RECORD OF PROCEEDINGS

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**CORRESPONDENCE:** Mr. Schlegel presented a copy of an updated Request for Proposal for District Management received from Mr. Ela.

**PUBLIC COMMENT:** Mr. Bill Lyons stated that following rainfall lot #45 is being flooded from runoff from the golf course because a berm was never installed to redirect stormwater runoff, and this should be taken into consideration when considering a consolidation of Districts.

Ms. Gail Bell commented on her displeasure and concerns with the District Management of the Fairway Villas.

**NEW BUSINESS:** Consolidation of Districts: Director Shibles stated that discussions have taken place with members of the Town Center Metropolitan District (TCMD) regarding the consolidation of the Ebert Metropolitan District (EMD) and the TCMD. Directors Kennedy and Haynes and Mr. Ela represented the EMD in a meeting with representatives of the TCMD to discuss transition and consolidation. Another meeting has been scheduled for Friday, July 26, 2024. The initial discussions identified a potential election date of February 2025 for electors of the District to consider approval of the consolidation and if passed, 2025 will be the prescribed transition period. During this transition period TCMD will remain responsible for covenant control.

Director Kennedy stated that consolidation of the two (2) Districts has been discussed for several years.

Joint Request for Proposals: The consolidation committees have discussed and are proposing the release of a Joint Request for Proposals (RFP) for District Management. Director Kennedy stated that a District Management Company will be selected prior to the any consolidation of the two (2) Districts. Following discussion Director Shibles moved that the Board approve a Joint RFP for District Management and a Resolution to Authorize the Ebert Metropolitan District, in cooperation with Town Center Metropolitan District, to issue the RFP to solicit bids for the purpose of hiring a District Manager for TCMD and to eventually serve as District Manager of EMD using the RFP created jointly by EMD and TCMD and reviewed by their respective legal representation. The motion received a second from Director Kennedy.

# RECORD OF PROCEEDINGS

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Director Barclae requested that a statement in Exhibit A, Section #9 of the proposed RFP regarding covenant enforcement and design review responsibilities be removed from the RFP. Mr. Ela stated that the RFP is a guideline for potential management companies and that specific responsibilities will be identified and memorialized in a Professional Services Agreement, once a management company has been selected. A vote was then taken, and the motion carried with four (4) Directors voting YES and one (1) Director voting NO.

## **EXECUTIVE SESSION:**

Director Shibles moved that the Board enter into an Executive Session for the purposes of receiving legal advice on specific legal questions concerning the potential consolidation of TCMD into Ebert Metropolitan District, the acquisition of property, and determining positions subject to negotiations, developing strategy for negotiations, and instructing negotiators concerning said consolidation per **§24-6-402(4)(a), (b), and (e)(I), C.R.S.** Upon a second by Director Kennedy a vote was taken, and the motion carried unanimously. The board members were placed into a virtual breakout room and the Executive Session commenced at 7:45 p.m.

Director Shibles moved that the Board conclude the Executive Session and reconvene the public session. Upon a second by Director Kennedy a vote was taken, and the motion carried unanimously. The Executive Session was terminated at 8:15 p.m. and the public session was reconvened at 8:16 p.m.

Director Shibles stated that no decisions were made in the Executive Session and that the next meeting between the two District Committees is scheduled for Friday, July 26, 2024 to continue discussions regarding consolidation.

## **ADJOURNMENT**

There being no further business to come before the Board and upon a motion duly made, seconded, and unanimously carried, the meeting was adjourned at 8:17 p.m.

## **NEXT MEETING:**

**The Board's next regular meeting will take place virtually on Tuesday – September 10, 2024, at 7:00 p.m.** and shall be noticed in accordance with CRS 32-1-902 and 24-6-402, on the District's webpage <https://www.ebertmetrodistrict.org/>.

# RECORD OF PROCEEDINGS

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Respectfully Submitted:

*Kurt Schlegel*

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Secretary for the Meeting

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](mailto:April@westwindmanagement.com)

**Administrative Assistant**


Audrey Brown

(303) 369-1800 ext. 117  
[Audrey@westwindmanagement.com](mailto:Audrey@westwindmanagement.com)

**CERTIFICATION CONCERNING RECORD OF**  
**EXECUTIVE SESSION HELD ON JULY 24, 2024**

I hereby certify that it is my opinion that the discussion held during the executive session convened near the end of the special meeting of the Board of Directors of Ebert Metropolitan District held July 24, 2024, was properly noticed and constituted privileged attorney-client communication, and therefore no record or electronic recording was required to be kept for such executive session pursuant to Section 24-6-402, C.R.S. I further certify that I was in attendance by Zoom tele-video conference and participated in the discussions for the entire executive session commencing at 7:45 pm and adjourning at 8:15 pm. The privileged discussions during executive session concerned specific questions of legal counsel the potential consolidation of TCMD into Ebert Metropolitan District, the acquisition of property, and determining positions subject to negotiations, developing strategy for negotiations, and instructing negotiators concerning said consolidation, all in accordance with Sections 24-6-402(4)(a), (b), and (e)(I), C.R.S.

Dated this 26<sup>th</sup> day of July, 2024.

By:   
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Evan D. Ela, General Counsel  
Ebert Metropolitan District

00:19:21 Khadija H: Thank you for bringing this information forward, Mr. Lyons.

00:21:12 Bill Lyons: You're welcome!

00:36:36 Bill Lyons: Reacted to "Thank you for bringi..." with

00:43:44 jeffshelton: Comments being made by someone who has decided to leave our community should not have much weight.

00:43:57 Patricia Davis: Reacted to "Comments being made ..." with