



EAGLE BEND METROPOLITAN DISTRICT #2
October 30, 2015

As a result of questions that have been circulating in the community for some time, the EBMD#2 Board of Directors, would like to take another opportunity to address some of these issues. The Board of Directors welcomes participation at the monthly District meetings. Many thanks to the approximately 17 residents who attended the monthly Board meeting on October 15 and were able to ask questions in a face to face setting.

DEMONSTRATION GARDEN

QUESTION: What was the cost associated with the Demonstration Garden?

ANSWER: *The 2010 and 2011 independent third party audits of the District's financials shows \$347,127 was spent on the garden. See website (www.eaglebendmetro.com) for details under "Budget Tab – Audits". In the January 2012 newsletter, TerraCare Landscape Company submitted an article which included the following sentence, "TerraCare states that the cost of the Demonstration Garden to date (January 2012) is \$347,127.17 not including legal fees for intergovernmental agreements etc."*

QUESTION: Why did the District decide to participate and develop the garden?

ANSWER: *U.S. Homes (now known as **Lennar**), the initial Developer of Eagle Bend, deeded this parcel of land to E-470 as a multi-use easement in the early 2000's. With the City of Aurora's approval, Lennar installed a few trees and plants and **assigned the Metro District maintenance of this parcel**. At the time, the Metro Board was **not** made aware of this action. However, around 2007 the commercial tenants began to complain about this unkempt and unsightly area. It was at this time the EBMD#2 Board was informed they were the entity responsible for maintaining this parcel of land. As years passed the Board was faced with: 1) developing and improving the parcel or 2) leave it in its then natural unkempt state with weeds, as is the current situation on the adjacent corners. Conversations about developing and improving this area began in 2010. The City of Aurora and E-470 were involved in those conversations as both governmental entities had approval rights in connection with the design and construction and the City was a funding partner.*

NOTE: *The District does not own nor is it responsible for maintaining any other parcel of land other than the Demonstration Garden and the center medians on Gartrell and South Aurora Parkway.*

QUESTION: Why wasn't the public informed of the Board's decision to improve this parcel of property?

ANSWER: *The Board discussed implications of developing this parcel of land at monthly meetings starting in 2010. Summary of the discussions regarding the garden were also recorded in the Minutes. The chart below lists when the Demonstration Garden was discussed. We've included dates for 2010 & 2011 when discussions of the project began. **This Agenda item was listed as Commercial Project, Northwest Project or Demonstration Garden as the name evolved over the last 6 years.** All Board meetings are public meetings, at which residents and property owners of the District are welcome to attend and participate in the public comment section of each meeting.*

AGENDA and DATE	MINUTES and DATE	NEWSLETTER AND DATE of PUBLICATION
2010		
June 23, 2010		
July 28, 2010		

AGENDAS CONTINUED August 25, 2010	MINUTES CONTINUED August 25, 2010	
September 8, 2010	September 8, 2010	
October 27, 2010	October 27, 2010	
November 10, 2010	November 10, 2010	
December 8, 2010	December 8, 2010	
2011		
February 23, 2011	February 23, 2011	NEWSLETTERS
March 24, 2011		
April 28, 2011	April 28, 2011	SPRING:
May 19, 2011	May 19, 2011	April 2011
June 23, 2011	June 23, 2011	
July 28, 2011	July 28, 2011	
	August 25, 2011	SUMMER:
September 22, 2011	September 22, 2011	July 2011
October 27, 2011	October 27, 2011	
November 10, 2011	November 10, 2011	FALL:
December 8, 2011	December 8, 2011	October 2011
2012 to Present		
The Demonstration Garden continued to be an agenda item. See website for additional Agendas, Minutes and/or Newsletters		WINTER: January 2012

QUESTION: What benefit does the Demonstration Garden bring to the Community?

ANSWER: *Development of the Demonstration Garden provided an amenity to the entrance of the commercial area, which attracted further commercial development in the retail area. The commercial area pays a higher tax rate on the market value of the property at 29% for commercial versus 7.96% for residential, of which a portion of the property taxes paid by the property is collected by the Metro District. These property taxes along with years of prudent budgeting have assisted the District in its development of the center medians, repair of HEB North/ Filing 9 underdrain catastrophe, and cost-sharing in several EB HOA public improvements, such as the Ridgeview address safety monuments, Creekside xeric landscaping and HEB fence staining. Many of these projects have been highlighted in the District's quarterly newsletters (e.g. July 2011 EB Creekside).*

YMCA

QUESTION: Why did the Board initiate conversations with the YMCA?

ANSWER: *Tom Coker, as a member of the City of Aurora (COA), Citizen's Advisory Committee and Chairman of the COA's Strategic Planning Committee originally initiated discussions with Kimberly Armitage, with the YMCA, to get details regarding the scope of the Y's proposed development in southeast Aurora. Director Coker's involvement with the YMCA, initially, was strictly in his role on the COA. Eventually, these discussions involved the Board of Directors in light of the fact that the YMCA was offering participation at reduced rates to several communities in Aurora, including Eagle Bend. The Board participated in the discussions to evaluate the opportunities for this service to the Eagle Bend Community, with only the best of intentions. When the project did not receive community support, discussions ceased with the YMCA. This type of conduct is not uncommon with district board members throughout the state, as they attempt to pursue new opportunities for their communities.*

YMCA Continued

QUESTION: Why was the figure of \$570,000 discussed?

ANSWER: *As part of the information gathering and initial discussions, the YMCA provided the District a figure of \$25/rooftop per month for a complete YMCA membership that would be available to each home within the District, should the Board elect to enter into an Agreement with the YMCA. (i.e. \$25 x 12 months = \$300 x 1800 Eagle Bend homes = \$540,000 per year). .*

QUESTION: Why did the Metro Board enter into a contract with the YMCA?

ANSWER: *The Board never entered into a contract with the YMCA and has never considered approval of any agreement with the YMCA. Rather, all discussions with the YMCA were preliminary in nature and conducted as part of initial fact finding.*

NOTE: *Although the August 2014 HEB Master Association Eblast stated in the 4th paragraph, "The District is in negotiations with the Y," again, the five-member District Board was not negotiating a contract with the YMCA and no agreement was drafted or authorized to be drafted. Any District Board involvement on the YMCA matter was limited to authorizing further discussions with the YMCA as to the potential scope of the Project and what the District's participation would look like in order to obtain memberships for all residents of the District. The District Board members had differing opinions on involvement with the Y and ultimately, all discussions with the YMCA regarding potential participation of the District were dropped in their entirety, well before any agreement was drafted.*

QUESTION: What was the impact of the August 28, 2014 meeting at which over 200 residents voiced they did not want the District to participate in the Y discussion and/or membership?

ANSWER: *As stated above, the Board did not enter into any agreement with the YMCA before or after the August 2014 meeting. At the July meeting, a resolution was passed which eliminated the District from any further discussion and/or involvement with the YMCA and the matter was dropped in its entirety. Subsequent to the July meeting, the District Board reiterated its position.*

The following is an excerpt from the August 28, 2014 Minutes, "After a lengthy exchange of comments, Director Simner made a motion that the Eagle Bend Metropolitan District # 2 exclude Heritage Eagle Bend from any further study regarding the proposed YMCA placement within the Wheatlands community but continue their investigation regarding membership benefits for residents of EB Creekside and EB Ridgeview. Director Rexroat seconded the motion. The motion carried with Directors Simner, Arellano and Rexroat voting in favor of the motion and Directors Geiger and Coker abstaining." Ultimately, all discussions with the YMCA were stopped due to lack of community support.

RECALL ELECTION

QUESTION: Why is so much money being spent on the recall?

ANSWER: *The District does not have in house staff to support the election or recall issues, and as such, relies upon outside consultants to execute these efforts. The teams working on the election and the recall make every attempt possible to keep costs contained. The nature of the requirements associated with the recall process and the subsequent election process has required significant work due to the complexity of the recall process itself reconciling three separate statutory sections under which the District must comply with regard to the recall and the election. As of October 14th, the recall and election expenses total \$52,461.94. See www.eaglebendmetro.com – Home Page – News- Eagle Bend Election Expenses.*