



Town Council
Tuesday, September 27, 2022
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

*This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.*

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access via Microsoft Teams. First-time users of Teams will need to download the app,

Microsoft Teams meeting

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[+1 469-770-0416,,917891051#](#) United States, Dallas

Phone Conference ID: 917 891 051#

- **Please note: All participants must remain muted until they are requested to speak. This will reduce background noise disruptions to the meeting attendees.**
- **When it's your turn to speak, you will have three (3) minutes for public comment.**
- **PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to Jenny Rakow, Town Clerk, and will be included as part of the record.**
- **For technical difficulties, please email jenny.rakow@townofeagle.org and we will do our best to assist you.**

CALL TO ORDER - 6:00 PM

ROLL CALL

ADOPTION OF AGENDA *Opportunity for amendment or deletions to the agenda.*

PUBLIC COMMENT - 6:05 PM *Citizens are invited to comment on any item, not on the Agenda subject to a public hearing. Please limit your comments to three (3) minutes per person per topic unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.*

PRESENTATIONS - 6:10 *Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.*

1. Speak Up Reach Out, Laura Alvarez Program and Events Director

CONSENT AGENDA - 6:20 PM *Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.*

1. Minutes - September 13, 2022
2. Minutes - September 20, 2022
3. Resolution 75, Series 2022 "A Resolution of the Town of Eagle, Colorado approving the 2023 Property Casualty Preliminary Contribution Quotation"
4. Resolution 80, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado, Approving Pre-Development Agreements for Red Mountain Ranch Partnership LLLP and Eagle Meadows Colorado LLC"

STAFF REPORTS - 6:25 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update

BUSINESS ITEMS - 6:30 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. Ordinance 17, Series 2022 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Various Sections of Chapter 13.17 of the Eagle Municipal Code to Allow Masonry Heaters"
2. Resolution 78, Series 2022 "A Resolution by the Town Council of the Town of Eagle, Colorado, appointing Roger Mitchell to serve as a full voting member on the Open Space and Recreation Advisory Committee."
3. Resolution 79, Series 2022, "A Resolution by the Town Council of the Town of Eagle, Colorado appointing Kirstin Shaw to serve as the Alternate Member on the Open Space and Recreation Advisory Committee."
4. DRAFT FOR DISCUSSION: Ordinance 18, Series 2022 "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Section 6.03.090(A)1 of the Eagle Municipal Code, Regarding Seasonal Use Restrictions in Open Space Areas."
5. DRAFT FOR DISCUSSION: Resolution 77, Series 2022 "A Resolution by the Town Council of the Town of Eagle, Colorado, Amending Seasonal Use Restrictions Dates from December 15 – April 15 to December 1 – April 15 for Trails and Open Space Properties in Accordance with Seasonal Use Restriction Changes on Lands Managed by the Bureau of Land Management."

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 7:10 PM

1. Future Agenda Items
2. Council Committee Updates

ADJOURN - 7:15 PM

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.



Jenny Rakow, CMC
Town Clerk

PUBLIC WIFI – Eagle Guest

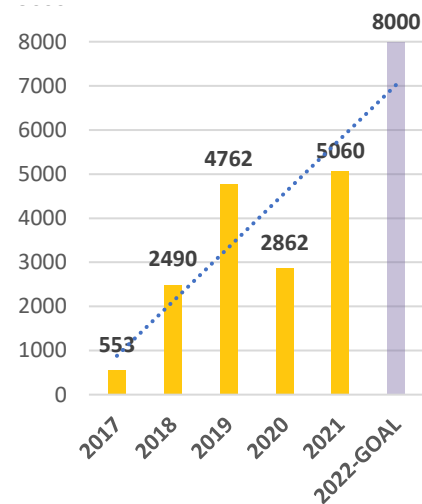
MISSION / VISION / GOALS

SpeakUp ReachOut prevents suicide in Eagle County through training, awareness, and hope.

You are making a powerful impact in the community. Thanks to generous donors there is NO CHARGE to program participants to attend suicide prevention programs in Eagle County. SpeakUp ReachOut expanded to address the Colorado National Collaborative Suicide Prevention Pillars: Connectedness, Economic Stability, Education and Awareness, Access to Suicide Safer Care, Lethal Means Safety, and Postvention work after a death to prevent another death.

The goal is to reach 8,000 people per year in Eagle County to provide suicide prevention education to 75% of all community members by 2025. The steep growth trajectory of people trained in 2017, 2018 and 2019 dipped with COVID in 2020 to 2,862 individuals. SpeakUp ReachOut added staff capacity and pivoted to a combination of virtual and in-person programs.

People Trained in Suicide Prevention



The number of people served rebounded in 2021 to 5,060 students and adults--back to levels slightly higher than before COVID. With strong community support, a stable team of five full-time staff, and a reliable group of contract trainers, SpeakUp ReachOut continues to educate more people every year.

PREVENTION PROGRAMS BY TYPE

- 1. Introduction to Suicide Prevention – Building Awareness/Reducing Stigma.**
Speaker Series and Films. Talks on suicide to reduce stigma and respond to individual group's needs.
- 2. Building Community Connections.**
Social gatherings designed for participants to connect more deeply with one another.
- 3. Peer Support.**
Support Groups and One-on-One Intervention. Providing emotional peer support, not therapy.
- 4. Basic Suicide Prevention Training for Adults.**
Brief prevention programs delivered in under an hour for businesses, employees, and parent groups.
- 5. Basic Suicide Prevention Training for Youth in Schools.**
Prevention programs delivered in one classroom session in local schools.
- 6. Intermediate Suicide Prevention Training for Adults.**
90 Minute, 3-hour, and full day training for businesses, employees, and community members.
- 7. Advanced Suicide Prevention Training for Adults.**
Continuing Education for Behavioral Health Providers, Law Enforcement and First Responders.
- 8. Gun Shop Project.** Lethal means safety awareness campaign for gun owners.
- 9. Deaths by Suicide in Eagle County.** Brief snapshot of trends in deaths by suicide.

MEASURING OUTPUTS AND IMPACT

These evidence-based programs reduce the rate of suicidal ideation and suicide while providing support to those dealing with the impacts of suicide. Adult programs are segmented into four broad categories, each with slightly different objectives and measures of success. Participants in introductory stigma reduction programs and pro-social community events are encouraged to attend basic suicide prevention trainings or engage in peer support groups. For many leaders in small business, schools and healthcare, the basic, intermediate, and advanced courses offer powerful training opportunities to remove the stigma of talking about mental health and reduce the risk of suicide.

MEASURING OUTPUTS:

- **A total of 118 suicide prevention programs reached 2,000 adult participants in 2021.**
An additional 1,200 people had the opportunity to engage with SpeakUp ReachOut through booths at community events hosted by partner organizations over the summer.
- **Suicide prevention programs in schools reached 3,060 students in 154 classroom sessions**
of 50 to 100 minutes in grades 5 through 12 across all Eagle County public, private and charter schools with the exception of one small parochial school.

MEASURING IMPACT:

Each of the programs use voluntary, anonymous, post-event surveys to measure change in attitudes and awareness of participants. Program assessment, program satisfaction and self-assessment feedback is solicited from all program participants. While most surveys are sent by email the day after a program, some are paper surveys handed out at the end of a training. Using statements with answers provided on a Likert scale of 1 (Strongly Disagree) to 5 (Strongly Agree), input is collected electronically and/or through paper surveys. SURVEY MONKEY software is used for most adult program surveys. The surveys also provide opportunity for open ended responses and comments. Surveys are collected anonymously although participants may elect to add their name and contact information for future contacts. Longitudinal feedback is being collected at 3, 6 and 12 months from respondents in the advanced courses to better understand how participants are using what they learned.

Participants rate all the programs and trainers with consistent positive rankings across the board.

The personal feedback from participants after they take a training is immensely powerful and gratifying. Many participants report they pay attention differently and feel more confident to start conversations with others who may be struggling.

"This training content needs to go into the world more. I know how to be a better listener now. Thank you for making it possible for me to learn so much and be there for other people."

1. INTRO TO SUICIDE PREVENTION - BUILDING AWARENESS/REDUCING STIGMA

SPEAKER SERIES. SpeakUp ReachOut provides a wide range of events and presentations designed to build community awareness of the need for suicide prevention with the broad goal of reducing the stigma that often surrounds mental health issues. With audiences of 100 or more participants, the speaker series included guest presenters **Vinnie Montez, the Comic Cop; Tiffany Jenkins, comedian and recovering addict; and Kevin Hines, *Suicide: The Ripple Effect* film maker** and well-known speaker who survived his jump off the Golden Gate Bridge. These events generate significant print and social media attention and demonstrate that suicide is preventable when we all know the warning signs and do our part.

Seven sessions reached 523 participants in 2021.

118 People (23%) completed post-event surveys.

“Comic Cop was a fun date night out with my husband and provided an opportunity to discuss a bit of a “taboo” topic in a very public way.”

AWARENESS EVENTS. SpeakUp ReachOut presents key topics in under an hour for service clubs, government agencies, local businesses, and religious organizations. These talks build awareness of the need for suicide prevention training as a key component of the community’s response to previous high-profile suicides. The mental health needs of local children as self-reported following SpeakUp ReachOut trainings in the schools and as reported in the *Healthy Kids Colorado Survey* are shared with the community. The goal of these programs is for participants to learn more and consider signing up for basic, intermediate, and advanced suicide prevention trainings offered by SpeakUp ReachOut.

Fourteen presentations reaching 192 people in 2021.

81 Participants (42%) completed the post-event survey.

- 100% of respondents learned about SpeakUp ReachOut programs and mission
- 81% of respondents feel more comfortable talking about mental health with family and friends
- 73% of respondents rate event a 5 out of 5 and 27% rate event a 4 out of 5
- 73% of respondents were able to connect with others in Eagle County

UNLOCKING BEHAVIORAL HEALTH IN EAGLE COUNTY (NEW IN 2021). This 45-minute program provides an overview of the importance of mental health awareness, the local landscape, and why the need for suicide prevention and mental health awareness education is part of the solution for larger problems in this community. The program also shares local resources and explains the benefit of using them. This summary presentation is intended to build awareness of the problem and encourage participants to consider bringing a suicide prevention program to their workplace.

Five sessions reaching 50 adults were held in 2021.

20 People (40%) completed the post-event survey.

- 100% of respondents rated the program a 5 out of 5
- 100% strongly agree or agree that “I can identify 3-5 mental health resources in Eagle County.”

“Approachable, factual, empathetic delivery.”

2. BUILDING COMMUNITY CONNECTIONS

This program offers a wide variety of unique social opportunities for participants to connect more deeply one-on-one with others in the community while having fun and learning more about suicide prevention. The goal is to provide a “pro-social” program offering protective factors that reduce the risk of suicide. These programs in 2021 included SUP fun on Nottingham Lake; Plants with a Purpose in Lake Creek; Walk in the Park in Eagle Ranch; Climb for Hope in Eagle; Memorial Butterfly Walk in Edwards; Cowboys Forever Rodeo series partnership in Eagle.

Eleven pro-social events were held reaching 177 participants in 2021.

3. PEER SUPPORT. Groups and One-On-One Sessions.

Peer support began in 2020. One-on-one peer support is provided to those in need by eighteen Certified Peer advocates who receive Reflective Supervision monthly. The private peer support sessions provide someone with lived experience who can listen and provide compassion and kindness. Group sessions are also available. Separate meetings are held for Veterans, First Responders, and those needing loss and grief support. Most small group sessions meet monthly and welcome drop-in participants.

Twelve Peer Support Group sessions reached 25 participants in 2021.

4. BASIC PREVENTION TRAININGS FOR ADULTS

QPR - QUESTION, PERSUADE, REFER

QPR is a 90-minute emergency mental health intervention for lay and professional individuals that seeks to develop knowledge, attitudes, and skills to identify those at risk of suicidal behaviors and save lives. Participants learn how to recognize and respond positively to suicide warning signs. This is the most popular program for businesses.

37 sessions of QPR reached 595 adults in 2021. Two sessions were presented in Spanish.

134 Respondents (22%) completed the post-event survey.

- 96% Strongly Agree or Agree that they can identify several signs of suicide
- 86% Strongly Agree or Agree that they are more comfortable talking about suicide with family and friends.
- 98% Strongly Agree or Agree that they can refer someone to help
- 74% Strongly Agree or Agree that they could ask the suicide question
- 95% Can identify 3-5 behavioral health resources in Eagle County
- 93% Rate overall presentation a 4 or 5 out of 5

“Straightforward examples of what you should and should not say when talking with someone in crisis.”

5. BASIC PREVENTION TRAININGS FOR YOUTH IN SCHOOLS

- **30%** of Middle School students and **35%** of High School students felt so sad or hopeless almost every day for two weeks or more that they stopped doing normal activities.
- **19%** of Middle School and **15%** of High School students seriously considered attempting suicide.
- **14%** of Middle and High School students have made a plan for how they would kill themselves.
- **7%** of Middle and High School students attempted to kill themselves one or more times.

Eagle County School District children share their thoughts of suicide through the **Healthy Kids Colorado Survey** taken every two years. This feedback is from the most recent survey data available in fall 2019. Post COVID survey data collected from students in fall 2021 may be available in June 2022.

SpeakUp ReachOut prevents suicide by reaching students who are feeling hopeless and descending towards complete despair through relatable prevention programs. Suicide prevention programs in the schools raise awareness about behavioral health and encourage students to **ACT** (Acknowledge, Care, and Tell) when worried about themselves or their peers. **QPR** teaches students to **Question**, **Persuade** and **Refer** others to help. These nationally recognized, evidenced-based programs offer a variety of lessons and guided discussion in a single classroom period. Students learn to identify the symptoms of depression in themselves or their friends, as well as identify warning signs of suicide. Using developmental progressions, the curriculum covers different topics in each grade level building upon the lessons learned the prior year.

SIGNS OF SUICIDE; QPR Teen; SOS 2nd Act; Save Leads; WHO CAN RELATE?

829 students were trained in 57 classroom sessions in Spring 2021

2,231 students were trained in 97 classroom sessions in Fall 2021

Cumulatively 3,060 Eagle County school students were trained in 154 sessions in 2021

1,666 Respondents (75%) in Fall semester completed the post-event survey

After 6th, 7th, 8th, and 10th grader's Signs of Suicide training:

- 72% of students Agree "I can identify several warning signs of suicide."
- 84% of student Agree "I can "Acknowledge, Care and Tell."
- 85% of students Agree "I know where to get help for myself or a friend."

After 11th grade QPR Teen training:

- 78% of students Agree "I can identify several warning signs of suicide."
- 88% of students Agree "I can refer someone to help."
- 77% of students Agree "I could ask the suicide question."

After 9th grade Who Can Relate training:

- 84% of students "understand that being needed, valued, and loved may lead to people wanting to live instead of die by suicide."
- 83% of students "have the resources they need to get help for themselves or a friend."
- 59% of students "understand the definition of stigma."

"Depression is treatable, and everyone deserves and can achieve emotional wellness through proper treatment. The trainer, Kevin, captivated our kiddos through his own story and struggles with depression. It was epic!"

6. INTERMEDIATE PREVENTION TRAININGS

WORKING MINDS

Working Minds builds a business case for suicide prevention while promoting help-seeking and help-giving for workplace administrators and employees. This program gives participants the tools and skills to appreciate the critical need for suicide prevention while creating a forum for dialogue and critical thinking about workplace mental health challenges. Two program options are available: a two-hour workshop, or a four-hour intensive training. The longer training is necessary for healing and understanding following a death by suicide in the workplace. The longer session works to prevent another death from happening after the initial loss.

5 sessions of Working Minds reached 57 participants in 2021.

"I'm more observant of individuals who are struggling and feel I can assist."

MENTAL HEALTH FIRST AID / YOUTH MENTAL HEALTH FIRST AID

Mental Health First Aid is an evidenced-based education program proven to be effective in teaching adults how to recognize and respond to signs and symptoms of mental health and substance use challenges. Peer reviewed studies show participants 1) Grow their knowledge of signs, symptoms and risk factors of mental illnesses and addictions; 2) Can identify multiple types of professional and self-help resources for individuals with a mental health or substance use challenge, 3) Increase their confidence in and likelihood to help an individual in distress and 4) Show increased mental wellness themselves.

3 Sessions of Youth Mental Health First Aid reached 40 participants in 2021.

3 Sessions of Mental Health First Aid in English reached 34 participants in 2021.

1 Session of Mental Health First Aid in Spanish reached 21 participants in 2021.

84 of 95 Participants (88%) completed post-event surveys.

"I am more strategic, proactive, and more open to talk about mental health with anyone since the training."

"The instructor's real-life experiences added so much."

"Sharing your experiences really opened up the door for vulnerability."

7. ADVANCED PREVENTION TRAININGS

APPLIED SUICIDE INTERVENTION SKILLS TRAINING (ASIST)

This two-day intensive workshop for caregivers, counselors, school psychologists, and others teaches suicide first-aid to help a person at risk stay safe and seek further help.

2 Sessions reached 18 Counselors, first responders, health care providers and community members in 2021. 18 Participants (100%) completed initial post-event surveys.

7 Participants to date have completed surveys at three, and at six-months post training.

- 100% are more likely to discuss mental health and suicide prevention with others since training.
- 85% of respondents have used or shared Olivia's Fund resources provided in the training.
- 70% of respondents have had to speak to someone about their mental health since the training.
- 57% of respondents have noticed suicide warning signs in someone since the training.

"I am significantly more comfortable approaching the topics of suicide in conversation." "I have encouraged others to take this course..."

CONTINUING EDUCATION FOR BEHAVIORAL HEALTH PROVIDERS/ CLINICIANS

Expanding suicide specific training for front-line health care providers is a vital component of the Zero Suicide Initiative. Continuing Education Credits for Health Care Providers/First Responders /Counselors were provided through SpeakUp ReachOut in 2021. Nine well-attended, advanced continuing education classes improved understanding of applied suicide prevention skills, lethal means, threat assessments, patient loss and other hot topics for front-line care providers in the community.

9 Sessions reached 169 Participants in 2021.

83 Participants (49%) completed post-event surveys.

- 100% of respondents Strongly Agree or Agree "Speaker was knowledgeable."
- 100% of respondents Strongly Agree or Agree "Speaker did a good job presenting material."
- **4.4/5** "How much did I learn as a result of this CE Program?"
- **4.5/5** "How useful was the content of this CE program for your professional development?"

"Keep being willing to talk about tougher topics."

"Powerful, helpful, important, worthwhile."

"I know the proper response to a client expressing suicidality and making a plan."

"Lethal Means session was valuable to me." "Amazing. Best training I've been to in a long time!"

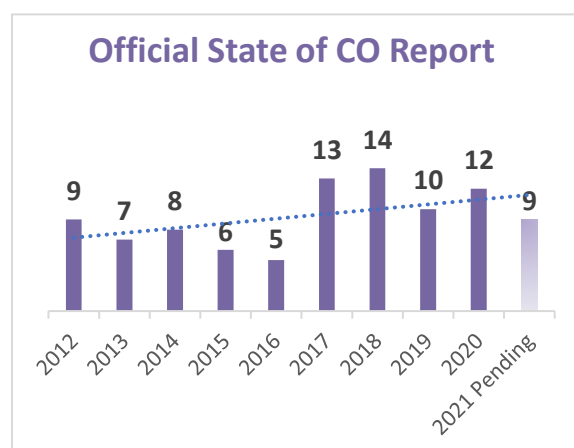
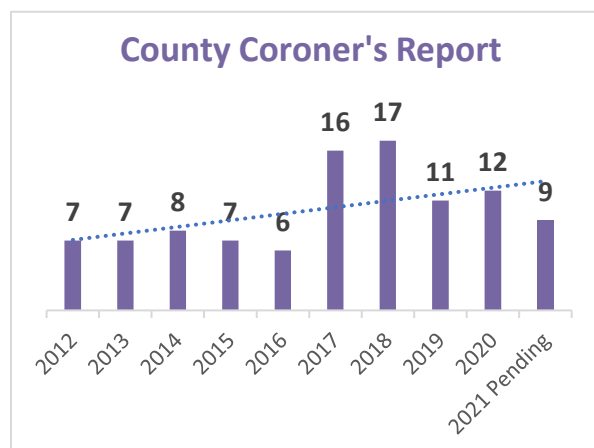
8. GUN SHOP PROJECT

This state-sponsored safety awareness campaign collaborates with sportsman's retailers and associations to provide gun customers with locks, storage, and removal education. This opens the conversation to avoiding lethal means to fly fishing shops, Rocky Mountain Elk Foundation, veterans, and other likely gun owners. New since 2020, SpeakUp ReachOut works in Eagle and Garfield County to implement this program. Red Flag Laws complicate this safety prevention message. Law Enforcement officers receive tools to spread this message from SpeakUp ReachOut during firearm instructor training and the Sheriff's Office now shares this vital information to all those applying for concealed carry permits in Eagle County.

9. DEATHS BY SUICIDE IN EAGLE COUNTY – DIFFERENCES IN REPORTING

Counting annual deaths by suicide is awkward when searching for causation. Each death is a person who lived, laughed, loved, struggled, and dealt with many of the same complex dynamics of family life that many others in our community face. Prevention measures look at the impact of training on those who were reached, rather than looking only at the number of people who were not reached. Suicide prevention efforts are informed by examining the lives of people who died by suicide through psychological autopsies and toxicology reports to determine the presence of drugs/alcohol at time of death.

Due to differences in reporting procedures, there are two competing reports that may cite different annual totals of local deaths by suicide. The county coroner counts the number of people who were here when they died, even if they resided in another county. For example, if a resident of Denver dies by suicide in Eagle County, the state attributes that person's death to their county of residence which was Denver, while the local coroner would include that person in the Eagle County tally. Conversely, if an Eagle County resident dies by suicide in Denver, the state attributes that person to Eagle County, although the Eagle County coroner would not include that death in their report. To add another layer of confusion, if an Eagle County resident dies by suicide while in another state, it may take far longer for that person's death to be correctly attributed to Eagle County. For consistency, SpeakUp ReachOut cites the official State of Colorado Death Reports, although the Eagle County coroner's report is included here for side-by-side comparison. Sadly, the trend is the same either way deaths are counted.



The background of the slide features a woman with long blonde hair, smiling and looking upwards. She is wearing a dark jacket. The background is a warm, orange-toned image of a mountain range. Overlaid on this is the 'SpeakUp REACHOUT' logo. 'SpeakUp' is in blue, 'REACHOUT' is in yellow, and there is a small hand icon inside the 'A' of 'REACHOUT'.

SpeakUp REACHOUT

Suicide Prevention Coalition of the Eagle Valley

Who we are

Mission and Team

Our mission is simple. It is to prevent suicide in Eagle County through training, awareness and HOPE!

We are a group of individuals throughout Eagle County who are dedicated to providing suicide prevention, intervention and loss support services.

We Need You

Suicide Prevention is Everyone's Business

Awareness around suicide in our community

Basic level suicide prevention

Intermediate level suicide prevention

Advanced suicide prevention and continuing
education

Suicide by the Numbers

Eagle County Statistics

Year	# of Suicides	Average Age	Male/Female	Resident
2021	9	32	7 male; 2 female	8 yes; 1 no
2020	12	42	11 male; 1 female	12 yes; 0 no
2019	12	48	7 male; 4 female	10 yes; 1 no
2018	17	48	10 male; 7 female	13 yes; 4 no

Our Initiatives

- Awareness Events
- Community Connections
- Speaker Series and Film Screenings
- Peer Support Groups
- Suicide Prevention Training
- Signs of Suicide School Programming
- Coping Cards
- Continuing Education for Clinicians
- The Gun Shop Project

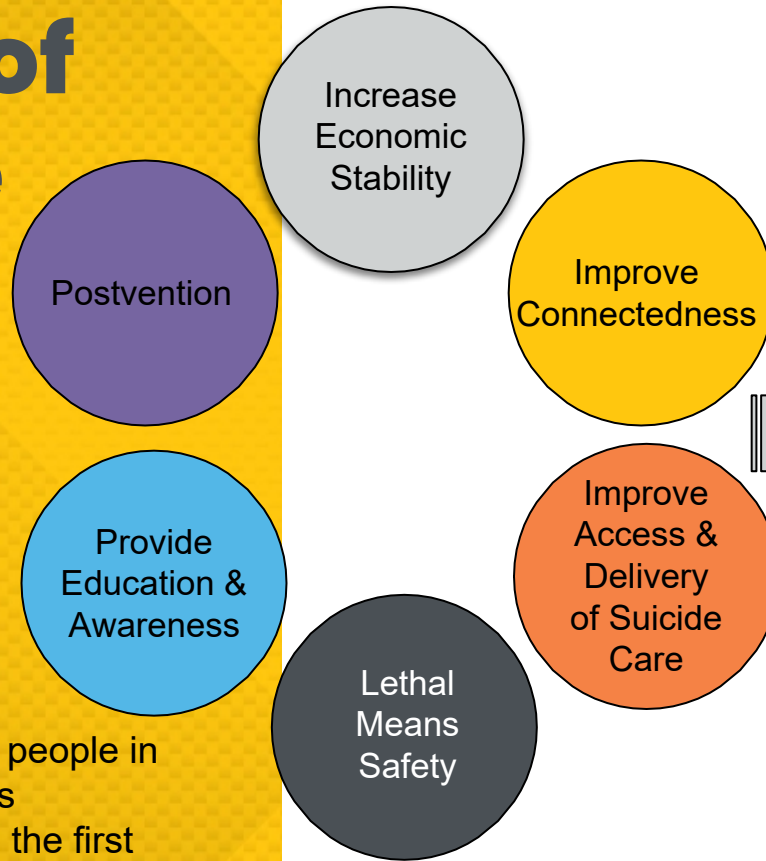
Upcoming Events

- Wear Yellow Day – Sept. 9
- Annual Memorial Ceremony – Sept. 10
- Hike for Change – Sept. 14
- Strategies to Prevent Suicide in School and Communities – Sept. 21
- World Mental Health Day Yin + Sound Yoga – Oct. 10
- This Is My Brave – The Show Eagle Valley – Oct. 27
- Applied Suicide Intervention Skills Training (ASIST) – Nov. 15 & 16

Awards and Accolades

- 2009–2020 Reach: 11,500
- 2021 Reach: 5060
- 20/21 School Year: 3060 students
- 13,000 Website visits in 2021
- 2015 Distinguished Service Award from County Rotary Clubs
- 2017 Epic Kids Award with Epic Promise
- 2018 VVP Small Non-Profit of the Year
- 2020 moved from 1.25 FTE to 4FTE
- 2020 First Responder Outreach Award from County Rotary Clubs

Theory of Change



Blending a mix of helping people in need and working towards preventing the problem in the first place.

- Reduction in rates of suicide
- Reduction in the rates of suicide attempt
- Increased knowledge and awareness of suicide in Colorado and Eagle County, risk and protective factors, warning signs, how to support, access help and refer to community resources for someone experiencing suicidal thoughts and behaviors.
- Increased use of mental health services and help-seeking
- Increased referrals for youth in distress

SpeakUpReachOut.org

SpeakUp **REACHOUT**

Learn More

Training with SpeakUp ReachOut

- Level 1
 - Question, Persuade and Refer
 - LivingWorks Start
- Level 2
 - VitalCog (formerly Working Minds)
 - Mental Health First Aid
 - Youth Mental Health First Aid
- Level 3
 - Applied Suicide Intervention Skills Training

Get Help



Your Hope Center

970-306-4673



COLORADO
CRISIS SERVICES

844-493-TALK (8255)

OR TEXT TALK TO 38255



**Eagle Valley
Behavioral Health**

An outreach of Vail Health

www.eaglevalleybh.org

SpeakUpReachOut.org

SpeakUpREACHOUT



MEETING MINUTES
Town Council
Tuesday, September 13, 2022
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an in-person meeting with access via Microsoft Teams.

CALL TO ORDER - 6:00 PM

ROLL CALL

COUNCILMEMBERS PRESENT

Mikel Kerst, Scott Turnipseed, Janet Bartnik, Geoffrey
Grimmer, Sarah Parrish, Nick Sunday

COUNCILMEMBERS ABSENT

Ellen Bodenhemier

STAFF PRESENT

Larry Pardee, Town Manager
Matt Mire, Town Attorney
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Chad Phillips, Comm Dev Director/Town Planner
Tom Gosiorowski, Public Works Director
Carrie Buhlman, Interim Police Chief
Dennis Wike, Engineer
Lynette Horan, Human Resources Manager
Jessica Lake, Planner

ADOPTION OF AGENDA

MOTION: Councilmember Janet Bartnik motioned to adopt the agenda. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

PUBLIC COMMENT

PRESENTATIONS

1. Your Hope Center - Carrie Benway Executive Director
Carrie Benway presented this item.

Council comments: requested Eagle Police Department usage of the Hope Center.

Carrie Benway will submit a budget request to the Town for next year.

2. Safe Parking Pilot Program, David Ramsay Co-Owner of Dave and Matt Vans
David Ramsay presented this item.

Council comments: discussion on support for the idea and potential locations. Suggested they keep working with Council Member Grimmer to move it forward. Staff provided that this is a zoning issue and is not currently addressed in our code.

CONSENT AGENDA

MOTION: Councilmember Janet Bartnik motioned to approve the consent agenda. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

1. Minutes - August 23, 2022
2. Bill Pay - August 2022
3. Resolution 74, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Release of Payment of Pay Applications # and #2 to 360 Paving, LLC"

STAFF REPORTS

1. Town Manager Update

Town Manager Larry Pardee provided highlights from his report.

Discussion on meeting with Vail Honeywagon and upcoming presentation on options for service.

Discussion on the pending ballot issue related to the Regional Transportation Authority and changing the ridership for Eagle residents. Council Member Nick Sunday provided that the ballot language is set and if there are changes, it would have to be changed by the RTA board.

2. Department Update for August 2022

Council comments: thanked staff and volunteers for work on the mountain bike races this past weekend and for the striping of the crosswalks.

3. 2019 - 2021 Town of Eagle Fiscal Health Analysis

BUSINESS ITEMS

1. PUBLIC HEARING: File #LURA22-07 Code Amendment to Section 4.13.240 - Assurance for Completion of Public Improvements

Mayor Scott Turnipseed opened the public hearing for File #LURA22-07 Code Amendment to Section 4.13.240 - Assurance for Completion of Public Improvements.

Community Development Director Chad Phillips presented this item.

Town Attorney Matt Mire stated he worked with staff on this and is a result of working with Hockett Gulch.

Mayor Scot Turnipseed opened public comment. There was no public comment.

- a. Ordinance 15, Series 2022 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Section 4.13.240 of the Eagle Municipal Code, Regarding Assurances for Completion of Public Improvements"

MOTION: Councilmember Nick Sunday motioned to approve Ordinance 15, Series 2022 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Section 4.13.240 of the Eagle Municipal Code, Regarding Assurances for Completion of Public Improvements". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

2. PUBLIC HEARING: File #LURA22-06 Code Amendment to Section 4.12.040 - Lot Line Adjustment

Mayor Scott Turnipseed opened the public hearing for File #LURA22-06 Code Amendment to Section 4.12.040 - Lot Line Adjustment.

Community Development Director Chad Phillips presented this item.

Mayor Scott Turnipseed opened public comment. There was no public comment.

- a. Ordinance 16, Series 2022 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Section 4.12.040.E. of the Eagle Municipal Code, Regarding Lot Line Adjustments"

MOTION: Councilmember Sarah Parrish motioned to approve Ordinance 16, Series 2022 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Section 4.12.040.E. of the Eagle Municipal Code, Regarding Lot Line Adjustments". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

3. PUBLIC HEARING: File #DR21-02 Major Development Permit for Reserve at Hockett Gulch (continued from August 23, 2022)

Mayor Scott Turnipseed opened the public hearing for File #DR21-02 Major Development Permit for Reserve at Hockett Gulch, which was continued from August 23, 2022.

Community Development Director Chad Phillips presented this item. Chad outlined the items for discussion as applicant feedback on the revised Development Agreement were not received in time for the staff report. Staff are waiting on a complete list of improvements.

Public Works Director Tom Gosiorowski presented information regarding the option for the town to cost share in the upsizing of the water main. Staff would like the Council to approve this change.

Town Attorney Matt Mire provided advice on conditional approval of the development agreement, however, with vested rights attached, it was not advised. The Council could agree to approve the upsizing of the water main and the cost share amount of \$198,752.00.

Applicant representative Rob McKenzie provided the Council with an update on the review of the development agreement and requested approval so they can order pipe without having to rebid. Additionally wanted to discuss options for the local employee residency program requirements to offset additional water tap fees. Chad Phillips requested the applicant to submit their proposal in writing so it can be reviewed.

Applicants and staff discussed the timing of the review of the development agreement by both parties.

Town Attorney Matt Mire requested the Council to set a date certain special meeting if they want to hear this request before the next regular Council meeting.

Mayor Scott Turnipseed opened public comment. There was no public comment.

MOTION: Councilmember Janet Bartnik motioned to continue PUBLIC HEARING: File #DR21-02 Major Development Permit for Reserve at Hockett Gulch until September 20, 2022 at 5:00 p.m. for a special meeting. The motion was seconded and passed with a vote of 5 in favor (Kerst, Turnipseed, Bartnik, Parrish, and Sunday) and 1 (Grimmer) opposed.

Town Attorney Matt Mire requested Council to vote on upsizing of the water main pipe.

MOTION: Councilmember Janet Bartnik motioned to direct staff to include the upsizing of the water main pipe in the development agreement to assure the applicants the town is in agreement to cost share. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

- a. Resolution 76, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Major Development Permit, Preliminary Plan, Final Plat, and Associated Development Agreement for Portion of Reserve at Hockett Gulch"

EXECUTIVE SESSION – 7:20 PM

MOTION: Councilmember Scott Turnipseed motioned to enter into Executive Session pursuant to C.R.S. §24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators on the topic of predevelopment agreements between the Town of Eagle, Eagle Meadows Colorado, LLC and Red Mountain Ranch Partnership LLLP. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

1. Executive Session pursuant to C.R.S. §24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators on the topic of predevelopment agreements between the Town of Eagle, Eagle Meadows Colorado, LLC and Red Mountain Ranch Partnership LLLP.

MOTION: Councilmember Scott Turnipseed motioned to adjourn the Executive Session and enter into the regular session. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed. (7:40 PM)

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Future Agenda Items

2. Council Committee Updates

Council Member Nick Sunday provided an update on Regional Transportation Authority

Council Member Sarah Parrish provided an update on the DDA meeting last week.

Council Member Janet Bartnik provided an update on the repairs to the pool and a meeting with a design company.

Council Member Geoff Grimmer provided an update on the subcommittee working on the climate action collaborative.

Mayor Scott Turnipseed provided an update that he and other town staff and town representatives are going to the Mountain Towns 2030 Summit next week in Breckenridge.

ADJOURN - 7:50 PM

MOTION: Councilmember Nick Sunday motioned to adjourn. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk



MEETING MINUTES
Town Council Special Meeting
Tuesday, September 20, 2022
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

*This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.*

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an in-person meeting with access via Microsoft Teams.

CALL TO ORDER - 5:00 PM

Mayor Scott Turnipseed called the meeting to order at 5:00 p.m.

ROLL CALL

COUNCILMEMBERS PRESENT

Scott Turnipseed, Ellen Bodenhemier, Janet
Bartnik, Nick Sunday, Sarah Parrish, Geoffrey
Grimmer, Mikel Kerst

COUNCILMEMBERS ABSENT

None

STAFF PRESENT

Larry Pardee, Town Manager
Kendra Carberry, Town Attorney
Jenny Rakow, Town Clerk
Chad Phillips, Comm Dev Director/Town Planner
Tom Gosiorowski, Public Works Director
Cliff Simonton, Planner
Dennis Wike, Engineer
Jessica Lake, Planner

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Councilmember Mikel Kerst motioned to adopt the agenda as presented. The motion was seconded and Passed with a vote of 7 in favor (Turnipseed, Bodenhemier, Bartnik, Sunday, Parrish, Grimmer, and Kerst) and 0 opposed.

BUSINESS ITEMS

1. PUBLIC HEARING: File #DR21-02 Major Development Permit for Reserve at Hockett Gulch (continued from September 13, 2022)
Mayor Scott Turnipseed opened the Public Hearing for File #DR21-02 Major Development Permit for Reserve at Hockett Gulch

Chad Phillips, Community Development Director presented this item and provided a review of the updates and changes made to the agreement since the packet was published on Friday.

Council comments: concerns were expressed regarding the rental restriction agreement and the definitions for

qualified occupants that allows for telecommuters. The definition does not align with the Town's LERP program and could compete against local residents and businesses needing housing. Town Attorney Kendra Carberry provided that the definition was already agreed to in the Annexation Agreement approved in 2019 and could be negotiated separately, but is not part of this approval. Additional concerns were expressed regarding negotiating this item after approval. Additional comments included a potential discussion with the developer to increase the number of units based on commitments from other entities to benefit all parties.

Mayor Scott Turnipseed provided the applicant the opportunity to present, there was no comment from the applicant representatives. .

Mayor Scott Turnipseed opened public comment.

Keith Klesner 110 Ewing, expressed concern about the definition for qualified occupants.

Micky Daly 8483 East Haystaker Drive, expressed support for the approval.

Jamie Woodworth 760 Castle Drive, expressed support for the approval and for telecommuting for local residents employed by local businesses.

Council comments: a local business with telecommuters would be eligible regardless of the definition.

Mayor Scott Turnipseed closed the Public Hearing.

- a. Resolution 76, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Major Development Permit, Preliminary Plan, Final Plat, and Associated Development Agreement for Portion of Reserve at Hockett Gulch"

MOTION: Councilmember Janet Bartnik motioned to approve Resolution 76, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Major Development Permit, Preliminary Plan, Final Plat, and Associated Development Agreement for Portion of Reserve at Hockett Gulch". The motion was seconded and Passed with a vote of 7 in favor (Turnipseed, Bodenheimier, Bartnik, Sunday, Parrish, Grimmer, and Kerst) and 0 opposed.

ADJOURN - 5:20 PM

MOTION: Councilmember Nick Sunday motioned to adjourn. The motion was seconded and passed with a vote of 7 in favor (Turnipseed, Bodenheimier, Bartnik, Sunday, Parrish, Grimmer, and Kerst) and 0 opposed.

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk



To: Mayor and Town Council

From: Jill Kane, Finance Director

Date: September 13, 2022

Agenda Item: Resolution 75, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the 2023 Property Casualty Preliminary Contribution Quotation"

REQUEST: Staff is requesting the Town Council review and approve the 2023 Property & Casualty (P/C) Preliminary Contribution Quotation from CIRSA.

INTRODUCTION: Annually CIRSA submits an estimated quote for the Town's P/C insurance coverage. The quote must be accepted by the Town by September 30, 2022. The estimate for 2023 is \$257,239 with our current deductible levels:

Liability	Auto Liability	Auto Physical Damage	Property
\$2,500	\$2,500	\$5,000	\$25,000

ANALYSIS: CIRSA provides a preliminary quote for the Town's P/C insurance coverage valuation for the following year based on several factors:

1. Performance of the Town throughout 2022 – the Town has a (\$9,676.87) positive impact to our premium based on our loss experience
2. Increases or decreases in number of assets or changes the valuation of those assets
3. The size of our budget which continues to grow annually
4. What is going on in the industry – In the letter attached, CIRSA has noted unfavorable issues including the legal climate confronting law enforcement, catastrophic losses to property in Colorado related to wildfire, wind/hail, and flood events

Each year the estimated quote may be reduced by the amount of loss control credits available to the Town. This year our loss control credit is \$3,488, which will bring the Town's quote down to \$244,074. This is a year over year increase of \$16,149 from the 2022 premium amount of \$227,925. This is a 7% year over year increase. Our assets are insured at replacement values and adjusted for inflation annually. The Denver-Aurora-Lakewood CPI July report is showing an 8.2% increase over the prior year.

Loss control standards are used to encourage CIRSA members to establish and implement risk management and safety programs to prevent accidents and related losses. Each year CIRSA audits our loss control standards and if the Town is over 80% compliant, we receive credits that can be used toward our annual premiums.

The Town requested a quote for alternative deductibles.

Alternative Deductibles

Liability	Auto Liability	Auto Physical Damage	Property	Revised Quote (Before Credits)
\$1,000	\$1,000	\$1,000	\$10,000	\$259,950.62
\$2,500	\$2,500	\$2,500	\$10,000	\$254,445.84
\$5,000	\$5,000	\$5,000	\$10,000	\$251,298.77
\$5,000	\$5,000	\$5,000	\$25,000	\$244,414.88
\$10,000	\$10,000	\$10,000	\$25,000	\$238,875.18

Staff Recommendation: In reviewing the deductible analysis (attached) from CIRSA (based on a three-year claim history), there is not a significant potential additional cost burden or savings by modifying deductible amounts. If the Town realizes an average claim year, then we may potentially have a savings if we moved to one of the two higher deductible levels. However, if we have one more claim than our 3-year average then the higher deductibles would generate additional expense for the town. Staff is recommending moving forward with the 2023 preliminary quote with the Town's current deductibles.

COMMUNITY INPUT: There has been no public input on this matter.

BUDGET / STAFF IMPACT: There will be an increase of \$16,149 to our budget year over year. The Town will be billed for this payment on January 1, 2021. There will be no staff impact.

STRATEGIC PLAN ALIGNMENT: This agenda item does not achieve any stated major objective; however, the Town must carry P/C coverage as required by law.

Guiding Principles achieved - Appropriate Investment and Sustainable Finances: It is our responsibility to ensure that we make an appropriate investment in our P/C insurance coverage to protect the Town's assets and personnel.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** or **deny** Resolution 75, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the 2023 Property Casualty Preliminary Contribution Quotation".

ATTACHMENTS:

1. Resolution 75, 2022
2. 2023 CIRSA Property & Casualty Preliminary Contribution Quotation
3. 2023 CIRSA Deductible Analysis
4. 2023 CIRSA Services

August 31, 2022

Jill Kane, Finance Director
Town of Eagle
P.O. Box 609
Eagle, CO 81631

RE: 2023 Property/Casualty Preliminary Contribution Quotation

Dear Jill:

Enclosed is the preliminary quotation for your 2023 contribution to the CIRSA Property/Casualty Pool.

As you may know, the excess/reinsurance market continues to be unfavorable in Colorado and elsewhere. Your quotation reflects these unfavorable conditions.

On the liability side, municipalities continue to face an increasingly hostile legal and social climate. The cost of your liability coverage reflects this adverse trend, particularly in law enforcement liability coverage. State legislation has significantly increased law enforcement liability exposures, and defending and settling law enforcement claims grows more costly and challenging each year.

On the property side, the property market continues to raise deductibles and increase the cost of insurance. Conditions around the country (and globally) have a significant impact on the availability and cost of property coverage. For this reason, although our members have been largely spared from wildfires, wind/hail, and flood events this year, we do not expect an easy excess/reinsurance renewal on the property side, either.

Communicable disease exclusions will no doubt remain on property and liability policies. We also anticipate that an exclusion will be added by our reinsurers for Polyfluoroalkyl Substances (PFAS) found in water.

In summary, whether individually insured or as part of a pool, municipalities and other insurance consumers all continue to face a hard market for property and liability insurance. A significant portion of your 2023 quotation reflects these conditions.

Despite these market conditions, CIRSA remains committed to keeping each member's cost of risk as low as possible. One of the benefits of pooling is that those members with substantial member equity will experience less of an impact from these rate increases than newer members, who have less equity in the pool.

Going forward, we are exploring ways to increase flexibility, transparency, and coverage options for members. For example, we plan to provide more deductible options for general liability, public officials liability, and law enforcement liability coverages. You'll also have more flexibility for vehicle physical damage coverage and deductibles. We'll stay in touch with you as these and other changes are rolled out.

Whether you are a long-time or newer member, now is a good time to look at your chosen property and liability deductibles. Many of our members have greatly expanded their budgets and operating expenditures over the past several years, but have not increased their chosen deductibles accordingly. We can run a deductible analysis for you and help you identify additional deductible options that are more



in line with your financial capacity. If you would like to see additional deductible options, please contact Linda Black, Chief Financial Officer, at (720) 605-5440 or lindab@cirsa.org.

Of course, being a member of a pool offers you significant benefits that are not available elsewhere. CIRSA will continue to offer you the very best in risk management services specifically tailored to your needs. Please see the attached brochure for a summary of those services.

The attached quotation sheet provides a preliminary quotation. Final invoices, e-mailed on January 1, 2023, will be adjusted for any changes made to your 2023 renewal application. Moreover, quoted contributions may also change if CIRSA membership changes significantly for 2023 and/or actual excess insurance premiums are not adequately funded by the budget established within your rate.

The attached quotation sheet provides information on your 2023 contribution, the amount of any Loss Control Credits available to your entity, and optional payment plans. In addition, a general description of the types and monetary limits of the proposed coverages to be provided to 2023 CIRSA Property/Casualty members is attached.

The acceptance form must be completed and returned to CIRSA by **Friday, September 30, 2022**. When completing your form, please make sure to:

- Initial next to your entity's desired deductible option for 2023
- Write the amount of any available Loss Control Credits you wish to use in the appropriate section of the *Loss Control Credits* table on the quotation sheet
- Indicate which payment option you would like for 2023 on the quotation sheet
- Return the signature page signed by an authorized signer

Please note that if you have requested quotations for any of the Optional Coverage Programs including Equipment Breakdown, Excess Crime, Excess Cyber (Data Privacy and Network Security), Community Service Workers' Accident Medical Plan, Sports Accident Medical Plan, Occupational Accidental Death and Dismemberment Plan, Volunteer Accident Medical Plan, No-Fault Water Line Rupture and/or Sewer Back-Up coverage, Property Damage Caused by Member's Operation of Mobile Equipment coverage, or Detainee Medical coverage, they are not included in this mailing. The majority of the carriers that provide coverage for each program are unable to provide quotes until later this year. We anticipate that quotations for these optional coverages will be mailed to members in October.

If you have any questions about your renewal quote, please don't hesitate to contact us. Shannon Pursley, Marketing Manager, is available to offer any further explanation of your quote that you may require. Shannon can be reached at (720) 728-1304 or shannonp@cirsa.org. We are also available to give presentations to your governing body upon request.

Thank you for the opportunity to serve you. We look forward to continuing our relationship with you in 2023.

Sincerely,

Tami A. Tanoue
Executive Director

enc.





CIRSA Property/Casualty Pool
Preliminary 2023 Contribution Quotation
Town of Eagle

Current Deductibles:

Liability	Auto Liability	Auto Physical Damage	Property
\$2,500	\$2,500	\$5,000	\$25,000

Description	Amount
Contribution Before Reserve and Loss Experience	\$257,238.82
Reserve Refund Contribution	\$0.00
Impact of Loss Experience	(\$9,676.87)
Total 2023 Preliminary Quotation before Credits	\$247,561.95

To Renew with Current Deductibles
Initial Here: _____

Loss Control Credits

Description	Amount	Credit Options – You must write in the amount that you wish to use. Amount may be split between available options.		
		Credit PC Contribution	Deposit/Leave in Account	Send Check
2022 Loss Control Audit Credit	(\$3,488.00)			
Balance Remaining from Prior Years' LC Credits	(\$0.00)			
Total Preliminary Quotation at Current Deductible with all Available Credits	\$244,073.95			

Alternative Deductibles

Liability	Auto Liability	Auto Physical Damage	Property	Revised Quote (Before Credits)	To Accept New Deductible Option – Initial Here (Choose Only one)
\$1,000	\$1,000	\$1,000	\$10,000	\$259,950.62	
\$2,500	\$2,500	\$2,500	\$10,000	\$254,445.84	
\$5,000	\$5,000	\$5,000	\$10,000	\$251,298.77	
\$5,000	\$5,000	\$5,000	\$25,000	\$244,414.88	
\$10,000	\$10,000	\$10,000	\$25,000	\$238,875.18	

*Contact Linda Black, CFO at (720) 605-5440 or lindab@cirsa.org if you are interested in other options.

Billing Options (Please indicate which option you choose)

☐ Annual Billing on January 1, 2023	☐ Quarterly Billing January 1, April 1, July 1, and October 1, 2023
--	--

Preliminary 2023 Contribution Quotation Continued

This preliminary quotation includes all exposures reported on your entity's 2023 Property/Casualty Renewal Application and any Application Amendment Requests received by CIRSA before August 13, 2022.

* Regarding the Liability Deductible shown on page 1, a \$500 deductible quotation is offered to members, if requested, for general liability. However, police professional and public officials errors and omissions deductibles cannot go below \$1,000.

** Regarding the Property Deductible shown on page 1, an additional property deductible will apply separately to each location in a National Flood Insurance Program (NFIP) Zone A if total building and contents values at that location are in excess of \$1,000,000. The deductible will be the maximum limit of coverage which could have been purchased through NFIP, whether it is purchased or not.

Based upon the selections made in your 2023 Property/Casualty Renewal Application, the Town of Eagle has elected to participate in Uninsured/Underinsured Motorist Coverage.

If this is incorrect, or you wish to change your selection at this time, please contact your Underwriting Representative at (800) 228-7136 or (303) 757-5475.

The undersigned is authorized to accept this preliminary quotation on behalf of the Town of Eagle.

We accept this preliminary quotation for January 1, 2023 to January 1, 2024. We understand our final invoice may increase or decrease depending upon the number of CIRSA Property/Casualty members for 2023, actual excess insurance premiums, and any changes made to our 2023 renewal application.

Signature: _____ Date: _____

Title: _____

Signature must be that of the Mayor, Manager, Clerk or equivalent (such as President of a Special District.)

Both pages of this form must be returned by Friday, September 30, 2022. A mailed, faxed or e-mailed copy is acceptable. Please return to:

Monique Ferguson, Underwriting Administrative Assistant
3665 Cherry Creek North Drive
Denver, CO 80209
Fax: (303) 757-8950 or (800) 850-8950
E-Mail: MoniqueF@cirsa.org

PROPOSED 2023 PROPERTY/CASUALTY COVERAGES

The types and monetary limits of the proposed coverages to be provided to CIRSA Property/Casualty members for the coverage period of January 1, 2023 to January 1, 2024 are generally described below. The scope, terms, conditions, and limitations of the coverages are governed by the applicable excess and/or reinsurance policies, the CIRSA Bylaws and Intergovernmental Agreement, and other applicable documents.

I. TYPES OF COVERAGES (subject to the limit on CIRSA's liability as described in Section II below):

- A. Property coverage (including auto physical damage and public relations expense and privacy breach expense)
- B. Liability coverage:
 - 1. General liability
 - 2. Automobile liability
 - 3. Law enforcement liability
 - 4. Public officials errors and omissions liability
 - 5. Cyber (security and privacy breach liability)
- C. Crime coverage (including employee dishonesty and theft of money and securities)

II. CIRSA RETENTIONS, LOSS FUNDS, AGGREGATE LIMITS, AND MEMBER DEDUCTIBLES:

For the coverages described in Section I, CIRSA is liable only for payment of the applicable self-insured retentions and only to a total annual aggregate amount for CIRSA members as a whole of the amount of the applicable CIRSA loss fund for the coverage period. There is no aggregate excess coverage over any loss fund.

Coverages in excess of CIRSA's self-insured retentions are provided only by the applicable excess insurers and/or reinsurers in applicable excess and/or reinsurance policies, and shall be payable only by those excess insurers and/or reinsurers. The limits of coverage provided by the excess insurers and/or reinsurers for the coverage period shall be described in the coverage documents issued to the members. Aggregate and other limits shall apply as provided in said documents.

A. CIRSA PROPOSED SELF-INSURED RETENTIONS FOR THE COVERAGE PERIOD:

- 1. \$1,000,000 per claim/occurrence property*
- 2. \$100,000 per claim/annual aggregate public relations expense and privacy breach expense
- 3. \$1,000,000 per claim/occurrence liability
- 4. \$1,000,000 each and every claim public officials liability
- 5. \$500,000 per claim/annual aggregate cyber (security and privacy breach liability)
- 6. \$150,000 per claim/occurrence crime

*Subject further to CIRSA retention of first \$5,000,000 each and every hail/wind loss and/or occurrence

B. CIRSA LOSS FUND AMOUNTS FOR THE COVERAGE PERIOD:

Loss fund amounts are as adopted or amended from time to time by the CIRSA Board of Directors based on the members in the Property/Casualty Pool for the year and investment earnings on those amounts. Information on the current loss fund amounts is available from CIRSA's Finance Department.

C. PROPOSED EXCESS INSURANCE LIMITS FOR THE COVERAGE PERIOD:

- | | |
|-----------------------------|--|
| 1. Excess property: | to \$500 million each claim/occurrence |
| 2. Excess liability: | to \$10 million each claim/occurrence; \$5 million excess auto liability; \$10 million annual aggregate for public officials errors and omission liability |
| 3. Excess crime (optional): | to \$5 million per claim/occurrence |

D. MEMBER DEDUCTIBLES:

A member-selected deductible shall apply to each of the member's claims/occurrences. Payment of the deductible reduces the amount otherwise payable under the applicable CIRSA retention. Allocated loss adjustment expenses are included in the member deductible.

EXPLANATION OF CREDITS AVAILABLE AND ACCEPTANCE OR WITHDRAW PROCEDURES

LOSS CONTROL AUDIT SCORE CREDIT

CIRSA members who received a Loss Control Audit Score of 80 or higher in 2022, and renew their membership in 2023, are eligible for a Loss Control Audit Score Credit. This credit is offered to all members that take an active role in preventing or reducing their losses by complying with the CIRSA Loss Control Standards.

If you did not receive a credit for 2023 and would like to receive one in future years, please contact your Risk Control Representative.

LOSS CONTROL CREDIT ACCOUNT

The CIRSA Board of Directors has approved your use of any balance in the Loss Control Credit Account, except any Special Credit monies, to pay 2023 contributions. Your entity's balance in this account, if any, is shown on the quote letter.

ACCEPTANCE PROCEDURES

Please complete the enclosed acceptance form indicating your decision for 2023 and return it to the CIRSA office ***on or before Friday, September 30, 2022***. **Failure to return the form in time may result in the imposition of penalties under CIRSA Bylaw Article XIV upon withdrawal.**

WITHDRAWAL PROCEDURES (*if applicable*)

The enclosed Article XIV of the CIRSA Bylaws describes withdrawal procedures from CIRSA. **Written notice of withdrawal must be received by CIRSA *no later than Saturday, October 1, 2022*, for a withdrawal without penalty effective January 1, 2023.** No withdrawing member shall be eligible for the above-described credits.

Article XIV should be read in its entirety for any penalties which would otherwise apply. Withdrawing members who subsequently apply to rejoin CIRSA may be subject to such terms and conditions as established by the CIRSA Board of Directors.

WITHDRAWAL NOTICE

**MUST BE RECEIVED AT THE CIRSA OFFICE
ON OR BEFORE SATURDAY, OCTOBER 1, 2022**

Sign and return this form if your entity has decided to **withdraw** from CIRSA effective January 1, 2023. Under CIRSA Bylaws, this form must be received by CIRSA ***no later than Saturday, October 1, 2022***, for withdrawal without penalty effective January 1, 2023.

NOTICE OF WITHDRAWAL FROM CIRSA

This is to notify the CIRSA Board of Directors that the Town of Eagle is withdrawing from CIRSA for purposes of Property/Casualty coverage effective January 1, 2023. We understand the Town of Eagle remains obligated and will be billed for any amounts due CIRSA pursuant to the Bylaws and the policies established by CIRSA.

The undersigned is authorized to provide this notice of withdrawal on behalf of the Town of Eagle.

Signature must be that of the Mayor, Manager, Clerk, or equivalent (such as President of a Special District.)
--

Signature: _____

Title: _____

Date: _____

CIRSA BYLAWS
ARTICLE XIV

Withdrawal from Membership

(1) Any member may withdraw from CIRSA by giving prior notice in writing to the Board of Directors of the prospective effective date of its withdrawal.

(2) If the effective date of a member's withdrawal is a date other than January 1, the withdrawing member shall not be entitled to receive any refund of contributions made for administrative costs for the claim year of withdrawal. The withdrawing member shall be entitled to receive within forty-five (45) days after the effective date of withdrawal, a proportionate return of its contribution to any loss fund.

(3) If the effective date of a member's withdrawal is January 1 but the member's written notice of withdrawal is received by CIRSA more than thirty (30) days after the date on which CIRSA mailed a preliminary quotation of the contribution to be assessed the member for the year beginning on that January 1, the withdrawing member shall be obligated to pay its share of CIRSA's administrative costs for the year beginning on that January 1. However, if the preliminary quotation is mailed by CIRSA prior to September 1, members shall not be obligated for future claim year administrative costs if the member's written notice of withdrawal is received by CIRSA on or before the October 1 preceding the January 1 renewal date.

(4) The members may, by a two-thirds (2/3) vote of the members present at a meeting, adopt or amend a policy establishing additional conditions applicable to members which withdraw.



CIRSA Property/Casualty Deductible Analysis Eagle

Currently, your deductible levels are:

	<u>Liability</u>	<u>Auto Liability</u>	<u>Auto Physical Damage</u>	<u>Property</u>
	\$ 2,500	\$ 2,500	\$ 5,000	\$ 25,000

You have asked for an analysis of the following additional deductible options:

	<u>Liability</u>	<u>Auto Liability</u>	<u>Auto Physical Damage</u>	<u>Property</u>
Alternate 1	\$ 1,000	\$ 1,000	\$ 1,000	\$ 10,000
Alternate 2	\$ 2,500	\$ 2,500	\$ 5,000	\$ 10,000
Alternate 3	\$ 5,000	\$ 5,000	\$ 5,000	\$ 10,000
Alternate 4	\$ 5,000	\$ 5,000	\$ 5,000	\$ 25,000
Alternate 5	\$ 10,000	\$ 10,000	\$ 10,000	\$ 25,000

The annual contribution for each deductible level is detailed on your quote sheet. It is also provided here with the dollar impact of the alternate deductible quotes. The dollar impact is the difference between staying with your current deductible level and changing to the alternate option.

	<u>Annual Contribution</u>	<u>Contribution Increase (Decrease)</u>
Current Level	\$ 247,561.95	
Alternate 1	\$ 259,950.62	\$ 12,388.67
Alternate 2	\$ 254,445.84	\$ 6,883.89
Alternate 3	\$ 251,298.77	\$ 3,736.82
Alternate 4	\$ 244,414.88	\$ (3,147.07)
Alternate 5	\$ 238,875.18	\$ (8,686.77)

Higher deductibles bring with them more uncertainty. If you feel confident about your loss prevention and loss management program, you may want to consider increasing your deductible. While your annual contribution will be less if you take a higher deductible, some or all of that savings (and possibly more) may be needed to pay claims that exceed your current deductible level. Conversely, you may pay more for your annual contribution if you take a lower deductible. However, while your upfront cost will be higher, you will pay less in deductibles on your claims.

No one can tell you exactly what claims will occur in the future. However, past history provides a good way to estimate.

CIRSA staff has run a loss history for your entity. This history includes all claims that occurred in the last three calendar years. For these historical claims, CIRSA staff has calculated how much would be billed to your entity under your current deductible level and the alternate options. The three years worth of claims and deductible data is then averaged to estimate an average amount of claims within the deductible for a single year. This information is detailed in the accompanying report, Total Losses Incurred and Portion Within Chosen Deductible Options.

Your entity would have no savings if the increase in annual contributions from taking a lower deductible is not exceeded by the reduction in deductible billings. Also, your entity would have no savings if the decrease in annual contributions for taking a higher deductible is exceeded by the increase in deductible billings. Following is a comparison of the contribution change to the change in deductible billings, for your chosen options:

Increase (Decrease) in:

	<u>Annual Contribution</u>	<u>3 year Average Deductible Billing Increase</u>	<u>Potential Annual Cost (Savings)</u>
Alternate 1	\$ 12,388.67	\$ (1,212.01)	\$ 11,176.66
Alternate 2	\$ 6,883.89	\$ -	\$ 6,883.89
Alternate 3	\$ 3,736.82	\$ 1,314.50	\$ 5,051.32
Alternate 4	\$ (3,147.07)	\$ 1,314.50	\$ (1,832.57)
Alternate 5	\$ (8,686.77)	\$ 2,981.17	\$ (5,705.60)

Of course, if claims vary from the average, your cost or savings will vary from these estimations. Any savings from a deductible change could be eliminated or even generate additional costs to you.



CIRSA Property/Casualty
Total Losses Incurred and Portion Within Chosen Deductible Options
Loss Years 2019 through 2021
Eagle
As of: 09-09-2022

Year	Name	Event Number	Claim Number	Claimant	Loss Date	Coverage	Deductible	Paid to Date	Outstanding Reserves	Incurred	Recovered to Date	Net Incurred	Incurred Current Deductible
Policy Year: 2019													
2019	Eagle	PC6008285	PC6008285-1	Fackler, Bill and	2/15/2019	Auto Liability	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2019	Eagle	PC6008392	PC6008392-1	Smith, Kenneth	4/22/2019	General Liability	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2019	Eagle	PC6009438	PC6009438-1	Flores, Rebecca	8/12/2019	Auto Liability	\$ 2,500.00	\$ 5.00	\$ -	\$ 5.00	\$ -	\$ 5.00	\$ 5.00
2019	Eagle	PC6009440	PC6009440-1	Eagle	8/12/2019	All Risk Property - Buildings	\$ 25,000.00	\$ 10,489.90	\$ -	\$ 10,489.90	\$ (10,489.00)	\$ 0.90	\$ 0.90
2019	Eagle	PC6010141	PC6010141-1	Kyle, Angie & R	10/11/2019	General Liability	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals for 2019 - 5 _Claims							\$ 35,000.00	\$ 10,494.90	\$ -	\$ 10,494.90	\$ (10,489.00)	\$ 5.90	\$ 5.90
Policy Year: 2020													
2020	Eagle	PC6010470	PC6010470-1	Eagle	1/7/2020	Auto Physical Damage Collision	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2020	Eagle	PC6010470	PC6010470-2	unknown pendin	1/7/2020	Auto Liability	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2020	Eagle	PC6010597	PC6010597-1	Sacks, Wendy	1/21/2020	General Liability	\$ 2,500.00	\$ 300.00	\$ -	\$ 300.00	\$ -	\$ 300.00	\$ 300.00
2020	Eagle	PC6010882	PC6010882-1	Simon, Nathan	8/5/2019	Police Professional	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2020	Eagle	PC6011301	PC6011301-1	Eagle River Wa	3/3/2020	Auto Liability	\$ 2,500.00	\$ 1,482.94	\$ -	\$ 1,482.94	\$ -	\$ 1,482.94	\$ 1,482.94
2020	Eagle	PC6011302	PC6011302-1	Eagle	4/20/2020	Auto Physical Damage Collision	\$ 5,000.00	\$ 1,485.20	\$ -	\$ 1,485.20	\$ (1,485.20)	\$ -	\$ -
2020	Eagle	PC6011476	PC6011476-1	Eagle	2/24/2020	All Risk Property - Buildings	\$ 25,000.00	\$ 14,500.00	\$ -	\$ 14,500.00	\$ (14,500.00)	\$ -	\$ -
2020	Eagle	PC6011478	PC6011478-1	Bengel, Audrey	5/11/2020	All Risk Property - Buildings	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2020	Eagle	PC6011990	PC6011990-1	Eagle	7/20/2020	All Risk Property - Buildings	\$ 25,000.00	\$ 395.00	\$ -	\$ 395.00	\$ (395.00)	\$ -	\$ -
2020	Eagle	PC6012206	PC6012206-1	Eagle	7/27/2020	All Risk Property - Buildings	\$ 25,000.00	\$ 4,313.75	\$ -	\$ 4,313.75	\$ (4,313.75)	\$ -	\$ -
2020	Eagle	PC6012259	PC6012259-1	Rowe, Kevin	8/28/2020	General Liability	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2020	Eagle	PC6012259	PC6012259-2	Rowe, Kevin	8/28/2020	General Liability	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals for 2020 - 12 _Claims							\$ 125,000.00	\$ 22,476.89	\$ -	\$ 22,476.89	\$ (20,693.95)	\$ 1,782.94	\$ 1,782.94
Policy Year: 2021													
2021	Eagle	PC6013364	PC6013364-1	Starks, Andrea	2/5/2021	General Liability	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2021	Eagle	PC6014126	PC6014126-1	Eagle	5/7/2021	Auto Physical Damage Collision	\$ 5,000.00	\$ 2,767.10	\$ -	\$ 2,767.10	\$ (2,767.10)	\$ -	\$ -
2021	Eagle	PC6014146	PC6014146-1	Eagle	3/19/2021	Auto Physical Damage Collision	\$ 5,000.00	\$ 2,265.52	\$ -	\$ 2,265.52	\$ (1,884.72)	\$ 380.80	\$ 380.80
2021	Eagle	PC6014309	PC6014309-1	Eagle	6/14/2021	Auto Physical Damage Collision	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2021	Eagle	PC6014309	PC6014309-2	Marguerite Hilln	6/14/2021	Auto Liability	\$ 2,500.00	\$ 1,153.09	\$ -	\$ 1,153.09	\$ -	\$ 1,153.09	\$ 1,153.09
2021	Eagle	PC6014567	PC6014567-1	Unknown	4/3/2021	Errors and Omissions	\$ 2,500.00	\$ 10,539.75	\$ -	\$ 10,539.75	\$ -	\$ 10,539.75	\$ 2,500.00
2021	Eagle	PC6014809	PC6014809-1	J. Rosenbaum	8/18/2021	Rule 106 Defense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2021	Eagle	PC6014823	PC6014823-1	Unknown	8/13/2021	Errors and Omissions	\$ 2,500.00	\$ 3,943.50	\$ -	\$ 3,943.50	\$ -	\$ 3,943.50	\$ 2,500.00
2021	Eagle	PC6015040	PC6015040-1	Dietrich, David	9/16/2021	General Liability	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2021	Eagle	PC6015167	PC6015167-1	Unknown	10/4/2021	Errors and Omissions	\$ 2,500.00	\$ 764.00	\$ -	\$ 764.00	\$ -	\$ 764.00	\$ 764.00
2021	Eagle	PC6015345	PC6015345-1	Eagle	10/3/2021	All Risk Property - Buildings	\$ 25,000.00	\$ 6,885.00	\$ -	\$ 6,885.00	\$ (5,852.25)	\$ 1,032.75	\$ 1,032.75
Totals for 2021 - 11 _Claims							\$ 55,000.00	\$ 28,317.96	\$ -	\$ 28,317.96	\$ (10,504.07)	\$ 17,813.89	\$ 8,330.64

Deductible Analysis - Eagle

	<u>Liability</u>	<u>Auto Liability</u>	<u>Auto Physical Damage</u>	<u>Property</u>
Current Deductibles	\$2,500	\$2,500	\$5,000	\$25,000
Alternative 1 Deductibles	\$1,000	\$1,000	\$1,000	\$10,000

Deductible Billings Year 1	Coverage	Net Incurred	Paid on Current Deductible	Alternative 1 Deductible	Deductible Billing Costs (Savings)
PC6008285-1	Auto Liability	\$ -	\$ -	\$ -	\$ -
PC6008392-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6009438-1	Auto Liability	\$ 5.00	\$ 5.00	\$ 5.00	\$ -
PC6009440-1	All Risk Property - Buildings	\$ 0.90	\$ 0.90	\$ 0.90	\$ -
PC6010141-1	General Liability	\$ -	\$ -	\$ -	\$ -
		\$ 5.90	\$ 5.90	\$ 5.90	\$ -
			Contribution Costs (Savings)		\$ 12,388.67
			Total Costs (Savings)		\$ 12,388.67

Deductible Billings Year 2	Coverage	Net Incurred	Paid on Current Deductible	Alternative 1 Deductible	Deductible Billing Costs (Savings)
PC6010470-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6010470-2	Auto Liability	\$ -	\$ -	\$ -	\$ -
PC6010597-1	General Liability	\$ 300.00	\$ 300.00	\$ 300.00	\$ -
PC6010882-1	Police Professional	\$ -	\$ -	\$ -	\$ -
PC6011301-1	Auto Liability	\$ 1,482.94	\$ 1,482.94	\$ 1,000.00	\$ (482.94)
PC6011302-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6011476-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6011478-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6011990-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6012206-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6012259-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6012259-2	General Liability	\$ -	\$ -	\$ -	\$ -
		\$ 1,782.94	\$ 1,782.94	\$ 1,300.00	\$ (482.94)
			Contribution Costs (Savings)		\$ 12,388.67
			Total Costs (Savings)		\$ 11,905.73

Deductible Billings Year 3	Coverage	Net Incurred	Paid on Current Deductible	Alternative 1 Deductible	Deductible Billing Costs (Savings)
PC6013364-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6014126-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6014146-1	Auto Physical Damage Collision	\$ 380.80	\$ 380.80	\$ 380.80	\$ -
PC6014309-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6014309-2	Auto Liability	\$ 1,153.09	\$ 1,153.09	\$ 1,000.00	\$ (153.09)
PC6014567-1	Errors and Omissions	\$ 10,539.75	\$ 2,500.00	\$ 1,000.00	\$ (1,500.00)
PC6014809-1	Rule 106 Defense	\$ -	\$ -	\$ -	\$ -
PC6014823-1	Errors and Omissions	\$ 3,943.50	\$ 2,500.00	\$ 1,000.00	\$ (1,500.00)
PC6015040-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6015167-1	Errors and Omissions	\$ 764.00	\$ 764.00	\$ 764.00	\$ -
PC6015345-1	All Risk Property - Buildings	\$ 1,032.75	\$ 1,032.75	\$ 1,032.75	\$ -
		\$ 17,813.89	\$ 8,330.64	\$ 5,177.55	\$ (3,153.09)
			Contribution Costs (Savings)		\$ 12,388.67
			Total Costs (Savings)		\$ 9,235.58

3 Year Costs(Savings)	\$ 19,602.73	\$ 10,119.48	\$ 6,483.45	\$ 33,529.98
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3 Year Average	\$ 6,534.24	\$ 3,373.16	\$ 2,161.15	\$ 11,176.66
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Deductible Analysis - Eagle

	<u>Liability</u>	<u>Auto Liability</u>	<u>Auto Physical Damage</u>	<u>Property</u>
Current Deductibles	\$2,500	\$2,500	\$5,000	\$25,000
Alternative 2 Deductibles	\$2,500	\$2,500	\$5,000	\$10,000

Deductible Billings Year 1	Coverage	Net Incurred	Paid on Current Deductible	Alternative 2 Deductible	Deductible Billing Costs (Savings)
PC6008285-1	Auto Liability	\$ -	\$ -	\$ -	\$ -
PC6008392-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6009438-1	Auto Liability	\$ 5.00	\$ 5.00	\$ 5.00	\$ -
PC6009440-1	All Risk Property - Buildings	\$ 0.90	\$ 0.90	\$ 0.90	\$ -
PC6010141-1	General Liability	\$ -	\$ -	\$ -	\$ -
		\$ 5.90	\$ 5.90	\$ 5.90	\$ -
Contribution Costs (Savings)					\$ 6,883.89
Total Costs (Savings)					\$ 6,883.89

Deductible Billings Year 2	Coverage	Net Incurred	Paid on Current Deductible	Alternative 2 Deductible	Deductible Billing Costs (Savings)
PC6010470-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6010470-2	Auto Liability	\$ -	\$ -	\$ -	\$ -
PC6010597-1	General Liability	\$ 300.00	\$ 300.00	\$ 300.00	\$ -
PC6010882-1	Police Professional	\$ -	\$ -	\$ -	\$ -
PC6011301-1	Auto Liability	\$ 1,482.94	\$ 1,482.94	\$ 1,482.94	\$ -
PC6011302-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6011476-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6011478-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6011990-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6012206-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6012259-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6012259-2	General Liability	\$ -	\$ -	\$ -	\$ -
		\$ 1,782.94	\$ 1,782.94	\$ 1,782.94	\$ -
Contribution Costs (Savings)					\$ 6,883.89
Total Costs (Savings)					\$ 6,883.89

Deductible Billings Year 3	Coverage	Net Incurred	Paid on Current Deductible	Alternative 2 Deductible	Deductible Billing Costs (Savings)
PC6013364-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6014126-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6014146-1	Auto Physical Damage Collision	\$ 380.80	\$ 380.80	\$ 380.80	\$ -
PC6014309-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6014309-2	Auto Liability	\$ 1,153.09	\$ 1,153.09	\$ 1,153.09	\$ -
PC6014567-1	Errors and Omissions	\$ 10,539.75	\$ 2,500.00	\$ 2,500.00	\$ -
PC6014809-1	Rule 106 Defense	\$ -	\$ -	\$ -	\$ -
PC6014823-1	Errors and Omissions	\$ 3,943.50	\$ 2,500.00	\$ 2,500.00	\$ -
PC6015040-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6015167-1	Errors and Omissions	\$ 764.00	\$ 764.00	\$ 764.00	\$ -
PC6015345-1	All Risk Property - Buildings	\$ 1,032.75	\$ 1,032.75	\$ 1,032.75	\$ -
		\$ 17,813.89	\$ 8,330.64	\$ 8,330.64	\$ -
Contribution Costs (Savings)					\$ 6,883.89
Total Costs (Savings)					\$ 6,883.89

3 Year Costs(Savings)	\$ 19,602.73	\$ 10,119.48	\$ 10,119.48	\$ 20,651.67
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3 Year Average	\$ 6,534.24	\$ 3,373.16	\$ 3,373.16	\$ 6,883.89
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Deductible Analysis - Eagle

	<u>Liability</u>	<u>Auto Liability</u>	<u>Auto Physical Damage</u>	<u>Property</u>
Current Deductibles	\$2,500	\$2,500	\$5,000	\$25,000
Alternative 3 Deductibles	\$5,000	\$5,000	\$5,000	\$10,000

Deductible Billings Year 1	Coverage	Net Incurred	Paid on Current Deductible	Alternative 3 Deductible	Deductible Billing Costs (Savings)
PC6008285-1	Auto Liability	\$ -	\$ -	\$ -	\$ -
PC6008392-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6009438-1	Auto Liability	\$ 5.00	\$ 5.00	\$ 5.00	\$ -
PC6009440-1	All Risk Property - Buildings	\$ 0.90	\$ 0.90	\$ 0.90	\$ -
PC6010141-1	General Liability	\$ -	\$ -	\$ -	\$ -
		\$ 5.90	\$ 5.90	\$ 5.90	\$ -
Contribution Costs (Savings)					\$ 3,736.82
Total Costs (Savings)					\$ 3,736.82

Deductible Billings Year 2	Coverage	Net Incurred	Paid on Current Deductible	Alternative 3 Deductible	Deductible Billing Costs (Savings)
PC6010470-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6010470-2	Auto Liability	\$ -	\$ -	\$ -	\$ -
PC6010597-1	General Liability	\$ 300.00	\$ 300.00	\$ 300.00	\$ -
PC6010882-1	Police Professional	\$ -	\$ -	\$ -	\$ -
PC6011301-1	Auto Liability	\$ 1,482.94	\$ 1,482.94	\$ 1,482.94	\$ -
PC6011302-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6011476-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6011478-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6011990-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6012206-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6012259-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6012259-2	General Liability	\$ -	\$ -	\$ -	\$ -
		\$ 1,782.94	\$ 1,782.94	\$ 1,782.94	\$ -
Contribution Costs (Savings)					\$ 3,736.82
Total Costs (Savings)					\$ 3,736.82

Deductible Billings Year 3	Coverage	Net Incurred	Paid on Current Deductible	Alternative 3 Deductible	Deductible Billing Costs (Savings)
PC6013364-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6014126-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6014146-1	Auto Physical Damage Collision	\$ 380.80	\$ 380.80	\$ 380.80	\$ -
PC6014309-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6014309-2	Auto Liability	\$ 1,153.09	\$ 1,153.09	\$ 1,153.09	\$ -
PC6014567-1	Errors and Omissions	\$ 10,539.75	\$ 2,500.00	\$ 5,000.00	\$ 2,500.00
PC6014809-1	Rule 106 Defense	\$ -	\$ -	\$ -	\$ -
PC6014823-1	Errors and Omissions	\$ 3,943.50	\$ 2,500.00	\$ 3,943.50	\$ 1,443.50
PC6015040-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6015167-1	Errors and Omissions	\$ 764.00	\$ 764.00	\$ 764.00	\$ -
PC6015345-1	All Risk Property - Buildings	\$ 1,032.75	\$ 1,032.75	\$ 1,032.75	\$ -
		\$ 17,813.89	\$ 8,330.64	\$ 12,274.14	\$ 3,943.50
Contribution Costs (Savings)					\$ 3,736.82
Total Costs (Savings)					\$ 7,680.32

3 Year Costs(Savings)	\$ 19,602.73	\$ 10,119.48	\$ 14,062.98	\$ 15,153.96
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3 Year Average	\$ 6,534.24	\$ 3,373.16	\$ 4,687.66	\$ 5,051.32
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Deductible Analysis - Eagle

	<u>Liability</u>	<u>Auto Liability</u>	<u>Auto Physical Damage</u>	<u>Property</u>
Current Deductibles	\$2,500	\$2,500	\$5,000	\$25,000
Alternative 4 Deductibles	\$5,000	\$5,000	\$5,000	\$25,000

Deductible Billings Year 1	Coverage	Net Incurred	Paid on Current Deductible	Alternative 4 Deductible	Deductible Billing Costs (Savings)
PC6008285-1	Auto Liability	\$ -	\$ -	\$ -	\$ -
PC6008392-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6009438-1	Auto Liability	\$ 5.00	\$ 5.00	\$ 5.00	\$ -
PC6009440-1	All Risk Property - Buildings	\$ 0.90	\$ 0.90	\$ 0.90	\$ -
PC6010141-1	General Liability	\$ -	\$ -	\$ -	\$ -
		\$ 5.90	\$ 5.90	\$ 5.90	\$ -
Contribution Costs (Savings)					\$ (3,147.07)
Total Costs (Savings)					\$ (3,147.07)

Deductible Billings Year 2	Coverage	Net Incurred	Paid on Current Deductible	Alternative 4 Deductible	Deductible Billing Costs (Savings)
PC6010470-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6010470-2	Auto Liability	\$ -	\$ -	\$ -	\$ -
PC6010597-1	General Liability	\$ 300.00	\$ 300.00	\$ 300.00	\$ -
PC6010882-1	Police Professional	\$ -	\$ -	\$ -	\$ -
PC6011301-1	Auto Liability	\$ 1,482.94	\$ 1,482.94	\$ 1,482.94	\$ -
PC6011302-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6011476-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6011478-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6011990-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6012206-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6012259-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6012259-2	General Liability	\$ -	\$ -	\$ -	\$ -
		\$ 1,782.94	\$ 1,782.94	\$ 1,782.94	\$ -
Contribution Costs (Savings)					\$ (3,147.07)
Total Costs (Savings)					\$ (3,147.07)

Deductible Billings Year 3	Coverage	Net Incurred	Paid on Current Deductible	Alternative 4 Deductible	Deductible Billing Costs (Savings)
PC6013364-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6014126-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6014146-1	Auto Physical Damage Collision	\$ 380.80	\$ 380.80	\$ 380.80	\$ -
PC6014309-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6014309-2	Auto Liability	\$ 1,153.09	\$ 1,153.09	\$ 1,153.09	\$ -
PC6014567-1	Errors and Omissions	\$ 10,539.75	\$ 2,500.00	\$ 5,000.00	\$ 2,500.00
PC6014809-1	Rule 106 Defense	\$ -	\$ -	\$ -	\$ -
PC6014823-1	Errors and Omissions	\$ 3,943.50	\$ 2,500.00	\$ 3,943.50	\$ 1,443.50
PC6015040-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6015167-1	Errors and Omissions	\$ 764.00	\$ 764.00	\$ 764.00	\$ -
PC6015345-1	All Risk Property - Buildings	\$ 1,032.75	\$ 1,032.75	\$ 1,032.75	\$ -
		\$ 17,813.89	\$ 8,330.64	\$ 12,274.14	\$ 3,943.50
Contribution Costs (Savings)					\$ (3,147.07)
Total Costs (Savings)					\$ 796.43

3 Year Costs(Savings)	\$ 19,602.73	\$ 10,119.48	\$ 14,062.98	\$ (5,497.71)
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3 Year Average	\$ 6,534.24	\$ 3,373.16	\$ 4,687.66	\$ (1,832.57)
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Deductible Analysis - Eagle

	<u>Liability</u>	<u>Auto Liability</u>	<u>Auto Physical Damage</u>	<u>Property</u>
Current Deductibles	\$2,500	\$2,500	\$5,000	\$25,000
Alternative 5 Deductibles	\$10,000	\$10,000	\$10,000	\$25,000

Deductible Billings Year 1	Coverage	Net Incurred	Paid on Current Deductible	Alternative 5 Deductible	Deductible Billing Costs (Savings)
PC6008285-1	Auto Liability	\$ -	\$ -	\$ -	\$ -
PC6008392-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6009438-1	Auto Liability	\$ 5.00	\$ 5.00	\$ 5.00	\$ -
PC6009440-1	All Risk Property - Buildings	\$ 0.90	\$ 0.90	\$ 0.90	\$ -
PC6010141-1	General Liability	\$ -	\$ -	\$ -	\$ -
		\$ 5.90	\$ 5.90	\$ 5.90	\$ -
Contribution Costs (Savings)					\$ (8,686.77)
Total Costs (Savings)					\$ (8,686.77)

Deductible Billings Year 2	Coverage	Net Incurred	Paid on Current Deductible	Alternative 5 Deductible	Deductible Billing Costs (Savings)
PC6010470-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6010470-2	Auto Liability	\$ -	\$ -	\$ -	\$ -
PC6010597-1	General Liability	\$ 300.00	\$ 300.00	\$ 300.00	\$ -
PC6010882-1	Police Professional	\$ -	\$ -	\$ -	\$ -
PC6011301-1	Auto Liability	\$ 1,482.94	\$ 1,482.94	\$ 1,482.94	\$ -
PC6011302-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6011476-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6011478-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6011990-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6012206-1	All Risk Property - Buildings	\$ -	\$ -	\$ -	\$ -
PC6012259-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6012259-2	General Liability	\$ -	\$ -	\$ -	\$ -
		\$ 1,782.94	\$ 1,782.94	\$ 1,782.94	\$ -
Contribution Costs (Savings)					\$ (8,686.77)
Total Costs (Savings)					\$ (8,686.77)

Deductible Billings Year 3	Coverage	Net Incurred	Paid on Current Deductible	Alternative 5 Deductible	Deductible Billing Costs (Savings)
PC6013364-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6014126-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6014146-1	Auto Physical Damage Collision	\$ 380.80	\$ 380.80	\$ 380.80	\$ -
PC6014309-1	Auto Physical Damage Collision	\$ -	\$ -	\$ -	\$ -
PC6014309-2	Auto Liability	\$ 1,153.09	\$ 1,153.09	\$ 1,153.09	\$ -
PC6014567-1	Errors and Omissions	\$ 10,539.75	\$ 2,500.00	\$ 10,000.00	\$ 7,500.00
PC6014809-1	Rule 106 Defense	\$ -	\$ -	\$ -	\$ -
PC6014823-1	Errors and Omissions	\$ 3,943.50	\$ 2,500.00	\$ 3,943.50	\$ 1,443.50
PC6015040-1	General Liability	\$ -	\$ -	\$ -	\$ -
PC6015167-1	Errors and Omissions	\$ 764.00	\$ 764.00	\$ 764.00	\$ -
PC6015345-1	All Risk Property - Buildings	\$ 1,032.75	\$ 1,032.75	\$ 1,032.75	\$ -
		\$ 17,813.89	\$ 8,330.64	\$ 17,274.14	\$ 8,943.50
Contribution Costs (Savings)					\$ (8,686.77)
Total Costs (Savings)					\$ 256.73

3 Year Costs(Savings)	\$ 19,602.73	\$ 10,119.48	\$ 19,062.98	\$ (17,116.81)
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3 Year Average	\$ 6,534.24	\$ 3,373.16	\$ 6,354.33	\$ (5,705.60)
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CIRSA 2023

SERVICES

CIRSA is passionate about protecting municipalities and their affiliated public entities. We work exclusively in Colorado and have over three decades of experience assisting members in handling claims, improving safety, preventing losses, and managing the cost of risk. Our coverages and services are specifically designed for the unique and ever-changing needs of our membership.

Every member works with a personal team of representatives who provide customized guidance and assistance to help you manage exposures in your entity. CIRSA is staffed with knowledgeable, seasoned professionals including: Attorneys, Associates in Risk Management (ARM), Certified Safety Professionals (CSP), a Physical Security Professional (PSP), Certified Insurance Counselors (CIC), Certified Industrial Hygienists (CIH), Certified Hazardous Materials Manager (CHMM), Certified Instructional Trainers (CIT), Certified Fire Protection Specialist (CFPS), Safety Trained Supervisor (STS), Associates in Claims (AIC), and Chartered Property Casualty Underwriters (CPCU).

LEGAL TRAINING AND ASSISTANCE

Liability & Public Officials Training

CIRSA provides legal training to councils, boards, commissions, and staff upon request on a variety of liability-related topics. These trainings are free to members and can be conducted in person or via virtual meeting. CIRSA also maintains a variety of training webinars and videos on its website. Training topics include: personal liability for elected and appointed officials, conduct of quasi-judicial proceedings, employment issues, Governmental Immunity Act, harassment and bullying prevention, supervisory skills, contract issues, transparency laws, ethics requirements, and many others.

Liability Hotline

The Liability Hotline serves as a resource on almost any liability-related topic. Members have access to CIRSA's General Counsel for free consultation and assistance on liability issues before they become claims, including employment practices, employee leave issues, land use liability, quasi-judicial proceedings, liability risks for municipal programs and services, ethics, civil rights liability, laws concerning marijuana regulation, broadband liability, and drug/alcohol testing policies.

Contract & Policy Review

CIRSA will review member contract and policy documents and provide consultation on risk and liability-related topics, including review of contracts, ordinances, personnel policies, and police manuals.

Publications & Resources

CIRSA publishes a wide variety of materials on legal, liability and risk issues, including its popular ["Ethics, Liability & Best Practices Handbook for Elected Officials,"](#) articles on the CIRSA website and blog covering topics on current interest, Liability Alerts and Loss Alerts on emerging legal and safety issues, and other training materials. CIRSA also maintains a library of sample contracts, policies, checklists, written programs, and other documents for members' use.

To [schedule a training](#) or access other Legal Training and Assistance Services, contact CIRSA General Counsel [Sam Light](#).

RISK CONTROL SERVICES

Membership in CIRSA entitles members to risk control services designed to prevent and minimize individual and pool-wide losses. CIRSA's Risk Control Department is recognized nationally as a leader in innovative and exemplary risk control services.

It has been proven that a commitment to risk control yields

significant benefits in the form of lower costs associated with public entity risks.

Our experienced staff is dedicated to assisting our members in implementing their own risk control programs, integrating best practices into operations, and establishing a positive safety culture.

Individualized Training

CIRSA provides over 30 classroom and/or hands-on [courses/workshops](#) that can be brought to your location upon request. CIRSA's full-time training staff work diligently to ensure materials are current and revised every two years at minimum. All courses are free to members and some provide Colorado Certified Water Professionals (CCWP) training units. Topics include: CDOT Flagger Certification, Confined Space Entry, Safe Driving Strategies, Bloodborne Pathogens, First Responder Awareness, and Back Injury & Fall Protection.

Regional Seminars

Several times each year, CIRSA conducts regional seminars around the state on current risk control issues or industry trends. Any member can attend these seminars and there is usually no charge. Seminar types may include, ADA Coordinator, Playground Maintenance Technician (PMT), Playground ADA, Physical Security, Stop the Bleed, Succession Planning and many more safety and health related events. Law enforcement-specific events are also held at least eight times per year.

General Consultation & On-site Service

CIRSA's Risk Control staff can arrange a time to help with special projects, accident investigations, develop written programs, assist with safety design reviews, research equipment and risk-related resources, and for short durations, can also function as your on-site safety representative.

Safety Video, Reference Library, & Streaming Video Service

Your employees have unlimited access to CIRSA training programs and other educational materials in our [Training Library](#), including over 390 videos and video training books. Separate from our video and reference library, the streaming video service offers several hundred additional videos. This is a stand-alone system separate from our online training service. These programs are free of charge to members and cover a variety of topics on most public entity exposures.

In-House Video & Publication Production

CIRSA has produced a number of videos and manuals on pertinent and timely topics, 13 of which have won national Public Risk Management Association (PRIMA) awards. Titles include: *Backing & Parking: The Keys to Success*, *Hazard Awareness is Everyone's Responsibility*, *Safety Management in Action*, *Personal Consequences of Unsafe Driving*, *Safe Supervisor: Integrating Operations & Safety*, and *Sanitary Sewer: Operations & Maintenance*. Hard copies of these videos are free to members and can also be viewed on [CIRSA's YouTube Channel](#).

Online Training Center

CIRSA provides over 950 complimentary online safety, liability, supervisory, law enforcement, fire/EMS, corrections, and human resource related courses - 50 of which provide training units for water and wastewater employees. The online training center also provides over 1,000 police-specific videos. Additional topics and new courses are added each year. Your employees can easily access the [Online Training Center](#) from any computer with internet access at any time.

Monthly Training Calendar

CIRSA sends a [monthly training calendar](#) notifying members of all upcoming regional training events, scheduled on-site training courses and certifications, safety symposiums, and all other training resources provided.

Webinars

As another means of reducing your costs, our webinar series gives your employees the opportunity to obtain important training without leaving their office. These free presentations cover a wide variety of topics including risk control, employment and public officials' liability, Property/Casualty & Workers' Compensation applications, finance, and claims handling. All of our webinars are recorded and can be viewed at any time from the [Safety Resources](#) area of our website.

Sample Policies & Procedures

Numerous sample Risk Control and [safety policies and procedures](#) are available to our members to download and customize for your entity. Examples include Job Safety Analyses (JSAs), Police Pursuits, Tasers, Preventing Public Officials Liability, and Fall Injury Prevention.

Property Survey & Playground Inspections

This on-site, comprehensive safety survey identifies loss exposures of significant buildings, processes, and playgrounds. Written reports of survey results are sent to the appropriate public entity contacts.

Ergonomic Evaluations

These evaluations of computer workstations help determine if they are adjusted properly for the employees who are using them. Our Risk Control Representatives will review workstation setup and assess chair, monitor, mouse, desk, and other equipment adjustments. Reports with recommendations to improve ergonomic conditions may be issued.

Water Slide Inspections

State regulations require an annual inspection by a third party of all water slides 18 feet or higher unless the entity has received an exemption from the state. Some outside consultants charge over \$1,000 for these inspections. Our Risk Control Representatives will inspect your slides for free, issue reports for items that need to be

corrected, and provide certificates of inspection that meet state guidelines.

Risk Control Standards & Credit Account Program

CIRSA has established a number of recommended policies and procedures to address common public entity exposures. These recommendations are known as [Risk Control Standards](#). Your Risk Control Representative assists you in implementing the pool's Risk Control Standards and performs onsite reviews. The CIRSA Board of Directors has approved credits to members who conform to these standards. Members can apply these credits toward their CIRSA contribution; deposit them in their Risk Control Credit Account for the purchase of safety related equipment or training; or request a direct disbursement of the funds. Contact your Risk Control Representative for more information.

Accident Investigations & Loss Analyses

CIRSA provides timely, objective, and thorough accident investigations to help members identify root causes of accidents so measures can be implemented to prevent future occurrences. The Risk Control Department has also developed a number of Loss Analysis reports to identify the most frequent and severe causes of losses for the pool and for each member. Accident Investigations and Loss Analysis reports are provided upon request.

Loss/Hazard Alerts

Public entities and their employees may have serious accidents from which other members can learn. CIRSA distributes summary reports on these incidents (with any identifying details removed) to our members and recommends procedures to prevent similar claims. When a serious potential exposure exists without a claim, a Hazard Alert may be issued.

Industrial Hygiene Services

CIRSA's Certified Industrial Hygienist (CIH) assists members in the recognition, evaluation, and control of employee health hazards. Some examples of services provided include:

- Hazard Communication – Program development and employee training in the interpretation of Safety Data Sheets (SDS) and likely hazards associated with chemical use
- Hearing Conservation – Sound level measurements and noise exposure evaluations for personnel exposed to elevated noise levels
- Ergonomics/Body Mechanics – Work station evaluations and employee training
- Asbestos identification and guidance for asbestos operations and maintenance
- Indoor air quality sampling for offices, pools, water/wastewater treatment plants, and other public entity operations
- Measuring carbon monoxide and nitrogen dioxide emissions from motorized equipment
- Special projects to measure toxic exposures and/or substances, as needed

CLAIMS ADMINISTRATION SERVICES

Our in-house claims specialists and legal counsel provide expert claims administration services to help you mitigate your risks. The CIRSA Claims Department is available to our members 24/7. A member of the CIRSA claims staff is on-call at all times and a backup system is in place for timely response to emergency calls. In addition to complete claims administration, the CIRSA Claims Department provides the following services:

Litigation Management Program

CIRSA works closely with our members and a panel of defense attorneys who specialize in the defense of governmental entities. CIRSA takes a “team approach” with our staff and the member to defend claims. This allows the claim to be handled effectively and efficiently.

Claims Recovery

CIRSA's claims staff pursues recovery for damages sustained to member property through subrogation and restitution. This service is provided regardless of claim size or if the loss is within the member's retention. Our annual recovery averages over a million dollars.

Claim Reports

Loss runs of all open claims and litigation reports are distributed on a quarterly basis. Annual loss runs of all open and closed claims are also distributed. We offer other custom reports upon request that can be programed to be sent to your entity on a monthly basis. These reports can be reviewed by you and your CIRSA Risk Control Representative to help identify loss trends and discuss methods to control such losses.

Electronic Claim Filing & Online Lookup

Members can file Property/Casualty and Workers' Compensation claims electronically through our [website](#). Each claim is filed on the state required forms and can be printed at your workstation for your records. Current and historical claims data can be viewed through our online claims filing system as well. Daily information on claim status is available including up-to-the-minute details about any claim that has been filed.

Member Self-Administration Portal

If your entity has a large deductible and self-handles some claims, our Member Portal gives you a system to manage those claims. This is essentially a stand-alone Origami Risk claims system that CIRSA provides at no cost. The Portal lets you create/store documents and claim notes, run reports, and track financial data, on a database that integrates your own data seamlessly with the claims you report to CIRSA. This cutting edge technology is available to large-deductible members free of charge.

File/Monitor Equipment Breakdown Claim

If your entity has purchased optional Equipment Breakdown coverage through CIRSA, we will file a claim with Chubb on your behalf and monitor the claim to make sure it progresses appropriately. CIRSA claims staff acts as a watchful eye for members utilizing their expertise to ensure claims are properly handled.

Property Inspections

A property inspection can be conducted by CIRSA after a member sustains a property loss without having to file a claim. These types of inspections occur primarily following a hail related loss. Please contact [Craig Stevens](#) to schedule an inspection.

Annual Claim Reviews

By request, CIRSA Claims staff can conduct an annual or bi-annual review of your entity's claims. This can be done in person or via video conference. Please contact your Claims Representative to schedule a review.

Roofing Rebate on Hail Resistant Shingles

CIRSA offers a rebate program through Malarkey Roofing to members that replace damaged roofs with hail resistant shingles following a claim. The rebate is provided directly to the member. For more information on this program, please contact [Craig Stevens](#).

New Member Contact Orientation

If your entity hires new staff or assigns staff with the role of a CIRSA Claims Contact, CIRSA claims staff are willing to come to your location or schedule a virtual meeting to review claims filing processes and CIRSA procedures.

Nurse Case Manager

When appropriate and in agreement with the injured worker, CIRSA will assign a nurse case manager to workers' compensation claims. The nurse case manager will help the injured worker obtain the proper medical care, and serve as a liaison between all parties involved in a workers' compensation claim (injured worker, doctor, employer, insurance carrier).

UNDERWRITING SERVICES

Access to Additional Coverage Programs

In addition to our core Property/Casualty and Workers' Compensation coverages, CIRSA provides access to several [optional coverage programs](#) without having to pay an agent fee. Additional coverage programs include Excess Cyber, Equipment Breakdown, Excess Crime, Volunteer Accident Medical Plan, Community Service Workers' Accident Medical Plan, Occupational Accidental Death & Dismemberment, Sports Accident Medical Plan, Special Events, Detainee Medical Coverage, No Fault Water Line Rupture and/or Sewer Back Up, and Property Damage to Others Caused by Member's Use of Mobile Equipment. We can also assist members in placing a wide variety of specialized policies including fiduciary, fidelity, public officials bonds, pollution liability, and airport liability.

Coverage Comparison

Since not all coverage is the same, CIRSA offers a complimentary comprehensive comparison between all coverages offered by CIRSA and those provided by other carriers. The comparison addresses not only the limits provided, but all critical coverage issues. The comparison is intended to make sure your entity is appropriately protected in the event of a loss as well as provide a useful tool for decision making.

Property Appraisals

CIRSA provides property appraisals through a third-party contractor. This service helps CIRSA and our members establish correct values for your buildings and the majority of your miscellaneous property or property in the open to make sure you are adequately covered should a loss occur. We aim to appraise all applicable structures on your site every five (5) years. Property values, however, are updated annually to account for inflationary factors. New members will have all buildings appraised within the first year of membership.

ADDITIONAL MEMBER BENEFITS AND SERVICES

Member Equity Account

CIRSA is different from commercial insurers; we are owned and governed by our members. Contributions paid to CIRSA are deposited into your individual Member Equity Account. The funds remaining after deducting your proportionate share of pool claims and expenses are maintained on your behalf; these funds earn interest and are reported to you annually with a copy of the pool's audited financial statements. Member Equity Account balances are considered when determining contributions, and higher balances result in lower contributions.

Deductible Analyses

At the member's request, CIRSA can provide an analysis of varying deductible levels for you to use in your analysis of the appropriate deductible choice for your entity. Included in the analysis is a review of past loss experience, which can help you determine the optimal retention in order to minimize your total cost of risk.

Payment Options

CIRSA offers a no-fee, quarterly payment plan option for the payment of your annual contributions. We also offer online payment options.

Cost Allocation Assistance

Cost allocation is the process of identifying and assigning costs of risk to your departments. This risk management best practice will improve the communication of the cost of risk to your entity and generate incentives for safety. CIRSA will assist you in implementing a cost allocation system and provide regular reports to maintain the system.

Scholarship Program

To assist members in furthering their risk management education, CIRSA will provide \$12,000 in scholarship funding for 2023. Member employees may [apply](#) for awards in the following amounts:

- \$2,250 to attend a national professional development conference related to safety, continuing education, or risk management
- \$1,500 to attend local events such as the CMCA Institute or similar
- \$600 to attend in-state conferences such as CCCMA, COPRIMA, or CGFOA

Timothy A. Greer Endowment Fund

The objective of the [Timothy A. Greer Endowment Fund](#) is to provide financial support to CIRSA member entities in promoting excellence in risk management. The CIRSA Board of Directors has allocated \$12,000 to the Fund for 2023. Proposals outlining a project, process, improvement, or system that satisfies a safety or risk management-related goal must be submitted for consideration.

Law Enforcement Resources

CIRSA has contracted with the following services and wellness assessment programs to provide Law Enforcement officers the necessary tools to tackle mental and physical health.

- [CORDICO Wellness App](#) - CORDICO is the world leader in wellness technology for high-stress professions providing 24/7 proactive and preventative wellness support specially developed

for law enforcement. The CORDICO App provides handheld access to a multitude of self-service mental health and wellness assessment programs.

- [Brower Psychological Police & Public Safety \(BPS\)](#) - BPS was developed to provide a specialized understanding of the psychological factors of working as a First Responder and the consequent impacts upon their families and personal lives. This service is intended to provide two sessions to CIRSA member Law Enforcement officers to assist in mitigating and stabilizing sensitive situations.
- [SIGMA Tactical Wellness](#) - SIGMA Tactical Wellness has developed a comprehensive cardiac laboratory screening evaluation along with an individualized nutritional and exercise prescription to better the overall health of Law Enforcement officers. Through its screening strategies, SIGMA aims to identify and prevent early stages of heart disease as well as other wellknown health risk factors.
- [Peace Officer Personal Liability](#) - Effective January 1, 2021, CIRSA will indemnify a covered peace officer for personal liability up to \$25,000 each officer/claim and \$100,000 annual aggregate per member. This coverage was put into place in response to Senate Bill 20-217.

KnowBe4

KnowBe4 is the world's largest integrated platform for cyber security awareness training. KnowBe4 offers simulated phishing attacks which can be used to test and educate employees on how to avoid ransomware, spam, phishing, and malware. The platform also teaches employees how to identify suspicious emails and provides access to a huge library of training resources and key security topics. CIRSA is working with [KnowBe4](#) to provide members free access to the KnowBe4 platform. For more information, please contact [David Beacham](#), IT Manager.

Travel Reimbursement

The CIRSA community places a high value on member participation. As another way to lower your costs of risk management, CIRSA offers reimbursement for expenses incurred while attending a New Member Orientation, Committee, Task Force, or General Membership Meeting. Lodging, meals, and mileage are eligible for reimbursement under our [policy](#).

The CIRSA Blog

Our [blog](#) focuses on risk management-related topics, laws that affect public entities, and potential liability issues and offers proactive risk prevention strategies. The newsletter also features current risk control, claims, and coverage topics and pertinent information for public entity staff and elected officials.

YouTube Channel

CIRSA's YouTube Channel – [“CIRSASafety”](#) features over 70 concise and easily accessible safety videos you can share with staff during training exercises. Topics include: Accident Investigations, Employment Liability Exposure, Firefighter Safety, and Slips, Trips and Falls.

All of these services are, we believe, unmatched by any commercial insurer.

Any head-to-head comparison of coverage quotes should take into account the value of the additional services that accompany CIRSA's coverages.

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 75
(Series of 2022)

A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
APPROVING THE 2023 PROPERTY CASUALTY PRELIMINARY CONTRIBUTION
QUOTATION

WHEREAS, the Town desires to obtain Property/Casualty insurance for fiscal year 2023;

WHEREAS, on August 31, 2022, the Town received a 2023 Property/Casualty Preliminary
Contribution Quotation from CIRSA in the amount of \$244,073.95 including all credits; and

WHEREAS, pursuant to the Financial and Budget Policy adopted by the Town requiring all
contracts in excess of \$ 50,000 for professional services must be reviewed and approved by the
Town Council prior to commencement of signing the contract.;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TOWN OF
EAGLE, COLORADO, THAT:

Section 1. The Town Council hereby approves the 2023 Property Casualty
preliminary contribution quotation provided by CIRSA and directs the Town Manager to sign on
behalf of the Town.

RESOLVED, APPROVED AND ADOPTED ON September 27, 2022.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Chad Phillips, Community Development Director
Tom Gosiorowski, Public Works Director

Date: September 27, 2022

Agenda Item: Resolution 80, Series 2022, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO APPROVING PRE-DEVELOPMENT AGREEMENTS FOR RED MOUNTAIN RANCH PARTNERSHIP LLLP AND EAGLE MEADOWS COLORADO LLC

REQUEST:

Approval of two (2) pre-development agreements for properties located within the East Eagle Sub Area Plan boundary.

BACKGROUND:

Following the adoption of the East Eagle Sub Area Plan ([LINK](#)) last year, Town of Eagle staff has been working with the two landowners in the East Eagle area; Red Mountain Ranch Partnership LLLP and Eagle Meadows Colorado, LLC for the purpose of outlining certain responsibilities prior to the submittal of land use applications.

ANALYSIS:

Based on the discussions between the landowners, staff, and the Town Attorney, these agreements are being presented to Town Council for consideration. The landowners originally presented a list of agreement items that they would like to have in place prior to the submittal of any land use applications. The agreements being considered list those items preliminarily agreed upon by staff and landowners, specifically obligations that are centered around infrastructure and processing of land use applications. Staff will be presenting the details of these agreements at the hearing.

COMMUNITY INPUT:

None

BUDGET / STAFF IMPACT:

As outlined in the agreements

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

The following Major Objectives of the Strategic Plan ([LINK](#)) could be supported with the approval of these agreements and any following development within the East Eagle area:

- STIMULATE ECONOMIC VITALITY AND DEVELOPMENT
- IMPROVE COMMUNITY-RESPONSIVE SERVICES
- MATCH INFRASTRUCTURE TO QUALITY OF LIFE
- ATTRACT VISITORS
- ENHANCE THE ECONOMIC RESILIENCY OF THE TOWN GOVERNMENT

RECOMMENDED ACTION OR PROPOSED MOTION:

I move to approve Resolution 80, Series 2022, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO APPROVING TWO PRE-DEVELOPMENT AGREEMENTS FOR RED MOUNTAIN RANCH

ATTACHMENTS:

- Eagle Meadows Pre-Development Agreement
- Red Mountain Ranch Partnership LLLP Pre-Development Agreement
- Approval Resolution 80-2022

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 80
(Series of 2022)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
APPROVING PRE-DEVELOPMENT AGREEMENTS FOR RED MOUNTAIN RANCH
PARTNERSHIP LLLP AND EAGLE MEADOWS COLORADO LLC

NOW BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS
FOLLOWS:

Section 1. The Pre-Development Agreement between the Town and Red Mountain Ranch Partnership LLLP is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is hereby authorized to execute the Pre-Development Agreement on behalf of the Town.

Section 2. The Pre-Development Agreement between the Town and Eagle Meadows Colorado, LLC is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is hereby authorized to execute the Pre-Development Agreement on behalf of the Town.

INTRODUCED, READ, PASSED, AND ADOPTED ON SEPTEMBER 27, 2022.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

PRE-DEVELOPMENT AGREEMENT

THIS PRE-DEVELOPMENT AGREEMENT (the "Agreement") is entered into as of the _____ day of _____, 2022 (the "Effective Date"), by and between the TOWN OF EAGLE, COLORADO, a Colorado home rule municipality with an address of P.O. Box 609, Eagle, CO 81631 (the "Town"), and RED MOUNTAIN RANCH PARTNERSHIP, LLLP, a Colorado limited liability limited partnership with an address of 232 West Meadow Drive, Vail, CO 81657 ("RMR") (each a "Party" and collectively the "Parties").

WHEREAS, RMR owns the real property more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, Eagle Meadows Colorado, LLC ("EMC") owns the real property adjacent to the Property, also shown on Exhibit A;

WHEREAS, EMC and RMR intend to develop the Property, along with the real property owned by EMC, along with Parcel A (Parcel# 193927400041) and Parcel F (Parcel #193927300040), also shown on Exhibit A (the "Development");

WHEREAS, the Parties wish to set forth their understanding of the terms and conditions upon which the Development will proceed.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Term and Termination.** This Agreement shall commence on the Effective Date, and shall continue until an application for a Development Permit is filed for the Property, or the execution of a Development Agreement outlining more specifically the terms and conditions of the Development, whichever occurs first.
2. **Reserved Rights.** Nothing in this Agreement shall constitute or be interpreted as a repeal of existing codes or ordinances or as a waiver or abrogation of the Town's legislative, governmental, or police powers to promote and protect the health, safety and general welfare of the Town or its residents.
3. **Water Storage Tank.** Provided that RMR complies with all provisions of this Agreement and the AA, and provided that Eagle Meadows Colorado LLC complies with its Pre-Development Agreement with the Town dated _____, 2022 (the "EMC Agreement"), the Town shall use its best efforts to, at its own cost, design and construct the water storage tank, including the associated pipelines, booster pumps, access road and other appurtenances necessary to serve the Development within the timeframes established in the EMC Agreement. Nothing in this

Agreement shall prohibit the Town from imposing increased tap fees at the time of building permit issuance to recover costs associated with the water storage tank.

4. RMR's Obligations.

a. *Water Tank.* Developer shall convey to the Town, at no cost, all property and easements necessary for the construction of the water storage tank, the access road and the associated pipelines, booster pumps, and other appurtenances. Prior to such conveyance, Developer shall, at its own expense, annex all necessary property to the Town.

b. *Construction of Public Improvements.* Except as expressly provided herein, Developer shall construct and install all public improvements required for the Development in accordance with the AA, the zoning of the property, the to-be-negotiated Development Agreement, the Town's applicable ordinances, codes and regulations and all other applicable law.

c. *Compliance with Law.* Developer shall at all times comply with all applicable law, including without limitation all current and future federal, state and local statutes, regulations, ordinances and rules relating to: the emission, discharge, release or threatened release of a Hazardous Material into the air, surface water, groundwater or land; the manufacturing, processing, use, generation, treatment, storage, disposal, transportation, handling, removal, remediation or investigation of a Hazardous Material; and the protection of human health, safety or the indoor or outdoor environmental, including without limitation the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, *et seq.* ("CERCLA"); the Hazardous Materials Transportation Act, 49 U.S.C. § 1801, *et seq.*; the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, *et seq.* ("RCRA"); the Toxic Substances Control Act, 15 U.S.C. § 2601, *et seq.*; the Clean Water Act, 33 U.S.C. § 1251, *et seq.*; the Clean Air Act; the Federal Water Pollution Control Act; the Occupational Safety and Health Act; all applicable environmental statutes of the State of Colorado; and all other federal, state or local statutes, laws, ordinances, resolutions, codes, rules, regulations, orders or decrees regulating, relating to, or imposing liability or standards of conduct concerning any hazardous, toxic or dangerous waste, substance or material, as now or at any time hereafter in effect.

d. *Annexation.* Within 180 days of the Effective Date, RMR shall file a petition for annexation of Parcel A and Parcel F to the Town.

5. Indemnification. RMR agrees to indemnify and hold the Town harmless from and against all claims, costs and liability of every kind and nature, for injury or damage received or sustained by any person or entity, in connection with, or on account of the performance of work in the Development by RMR, or its agents, contractors or employees pursuant to this Agreement, except to the extent any such claims, costs or liability arises from the negligent or intentional act or omission of the Town. RMR's obligation to indemnify the Town shall survive termination of this Agreement.

6. Remedies.

a. *Town.* The Town's remedies against RMR for RMR's breach of this Agreement include without limitation: the refusal to issue any Development Permit; the refusal to issue any building permit or certificate of occupancy; the revocation of any building permit in which was previously issued, but under which construction directly related to such building permit has not commenced; and any other remedy available at law.

b. *RMR.* RMR's remedies against the Town for the Town's breach of this Agreement are limited exclusively to breach of contract. In no event shall RMR be entitled to specific performance, economic damages, lost profits, consequential damages or punitive damages of any kind.

c. *Notice.* In the event of a breach by either Party, the non-breaching Party shall deliver written notice to the breaching Party of such breach and the breaching Party shall have 30 days from the date of such notice to cure the breach. If the breach is not cured, the non-breaching Party is entitled to the remedies specified above.

d. *Attorney Fees and Costs.* If any Party to this Agreement is required to commence legal action to enforce this Agreement, each Party shall be responsible for its own attorney fees and expenses in connection with such action.

7. Miscellaneous.

a. *Governing Law and Venue.* This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Eagle County, Colorado.

b. *No Waiver.* Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

c. *Integration.* Other than the AA, which shall remain in full force and effect, this Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

d. *Third Parties.* There are no intended third-party beneficiaries to this Agreement.

e. *Notice.* Any notice under this Agreement shall be in writing and shall be deemed sufficient when directly presented or sent prepaid, first class U.S. Mail to the Party at the address set forth on the first page of this Agreement.

f. *Severability.* If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

g. *Modification.* This Agreement may only be modified upon written agreement of the Parties.

h. *Assignment.* Neither this Agreement nor any of the rights or obligations of the Parties shall be assigned by either Party without the written consent of the other, which consent shall not be unreasonably withheld.

i. *Governmental Immunity.* The Town and its officers, attorneys and employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers, attorneys or employees.

j. *Subject to Annual Appropriation.* Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

k. *Recordation.* This Agreement shall be recorded in the real estate records of the Eagle County Clerk and Recorder.

l. *Covenants.* The provisions of this Agreement shall be binding on all subsequent owners of the Property as covenants running with the Property, to be released only by the Town, unless this Agreement is otherwise terminated in accordance with its terms or by any Party pursuant to the terms of this Agreement. The benefits and burdens of this Agreement shall bind and inure to the benefit of all estates and interests in the Property and all successors in interest to the Parties to this Agreement, except as otherwise provided herein.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

RED MOUNTAIN RANCH PARTNERSHIP

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

Subscribed and sworn to before me this ____ day of _____, 2022, by
_____ as _____ of RED MOUNTAIN RANCH PARTNERSHIP, LLLP.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires:

Notary Public

PRE-DEVELOPMENT AGREEMENT

THIS PRE-DEVELOPMENT AGREEMENT (the "Agreement") is entered into as of the _____ day of _____, 2022 (the "Effective Date"), by and between the TOWN OF EAGLE, COLORADO, a Colorado home rule municipality with an address of P.O. Box 609, Eagle, CO 81631 (the "Town"), and EAGLE MEADOWS COLORADO LLC, a Colorado limited liability company with an address of 232 West Meadow Drive, Vail, CO 81657 ("EMC") (each a "Party" and collectively the "Parties").

WHEREAS, EMC owns the real property more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, the Property was annexed to the Town on September 15, 2006, subject to an Annexation Agreement recorded with Eagle County under Reception No. 200625191 (the "AA"); and

WHEREAS, Red Mountain Ranch Partnership LLLP ("RMR") owns the real property adjacent to the Property, as shown on Exhibit A, including Parcel A (Parcel# 193927400041) and Parcel F (Parcel #193927300040);

WHEREAS, Parcels A and F have not been annexed to the Town;

WHEREAS, EMC and RMR intend to develop the Property, along with the real property owned by RMR (the "Development");

WHEREAS, the Parties wish to set forth their understanding of the terms and conditions upon which the Development will proceed.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Term and Termination.** This Agreement shall commence on the Effective Date, and shall continue until an application for a Development Permit is filed for the Property, or the execution of a Development Agreement outlining more specifically the terms and conditions of the Development, whichever occurs first. If an application for a Development Permit is not filed within 3 years of the effective date of the annexation of Parcels A and F, as shown on Exhibit A, this Agreement shall automatically terminate without further action of the Parties. If Parcels A and F are not annexed by January 25, 2025, this Agreement shall automatically terminate without further action of the Parties.
2. **Reserved Rights.** Nothing in this Agreement shall constitute or be interpreted as a repeal of existing codes or ordinances or as a waiver or abrogation of the Town's legislative, governmental, or police powers to promote and protect the health, safety and general welfare of the Town or its residents.

3. Town's Obligations.

a. *Rezoning.* On or before January 25, 2023, the Town, at its own cost, shall finalize and act on an application to rezone the Property, which zoning shall comply with the East Eagle Sub-area Plan.

b. *Water.* Provided that EMC complies with all provisions of this Agreement and the AA, the Town shall use its best efforts to, at its own cost, design and construct the water storage tank, including the associated pipelines, booster pumps, access road and other appurtenances necessary to serve the Development within 2 years of the effective date of the annexation of Parcels A and F. Nothing in this Agreement shall prohibit the Town from imposing increased tap fees at the time of building permit issuance to recover costs associated with the water storage tank.

4. EMC's Obligations.

a. *Consent.* Upon completion of the rezoning application prepared by the Town and prior to submittal, EMC shall execute a letter authorizing the Town to rezone the Property.

b. *Subdivision.* Within 180 days of the effective date of the rezoning, EMC shall submit an application to subdivide the Property in accordance with the AA.

c. *Water Tank.* EMC shall convey to the Town, at no cost, all property and easements necessary for the construction of the water storage tank, the access road and the associated pipelines, booster pumps, and other appurtenances.

d. *Construction of Public Improvements.* Except as expressly provided herein, EMC shall construct and install all public improvements required for the Development in accordance with the AA, the zoning of the property, the to-be-negotiated Development Agreement, the Town's applicable ordinances, codes and regulations and all other applicable law.

e. *Compliance with Law.* EMC shall at all times comply with all applicable law, including without limitation all current and future federal, state and local statutes, regulations, ordinances and rules relating to: the emission, discharge, release or threatened release of a Hazardous Material into the air, surface water, groundwater or land; the manufacturing, processing, use, generation, treatment, storage, disposal, transportation, handling, removal, remediation or investigation of a Hazardous Material; and the protection of human health, safety or the indoor or outdoor environmental, including without limitation the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, *et seq.* ("CERCLA"); the Hazardous Materials Transportation Act, 49 U.S.C. § 1801, *et seq.*; the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, *et seq.* ("RCRA"); the Toxic Substances Control Act, 15 U.S.C. § 2601, *et seq.*; the Clean Water Act, 33 U.S.C. § 1251, *et seq.*; the Clean Air Act; the Federal Water Pollution Control Act; the Occupational Safety and Health Act; all applicable environmental statutes of the State of Colorado; and all other federal, state or local statutes, laws, ordinances, resolutions, codes, rules, regulations, orders or decrees regulating, relating to, or imposing

liability or standards of conduct concerning any hazardous, toxic or dangerous waste, substance or material, as now or at any time hereafter in effect.

5. Transportation Issues.

a. *Chambers Road.* EMC shall, at EMC's cost, finalize the design of the Chambers Road extension, including water and sewer mains, drainage system, and other underground utilities.

b. *Interchange.* EMC shall work in good faith with the Town in identifying and securing construction funding for the East Eagle Interchange (the "Interchange"), including without limitation the formation of a metropolitan district with bonding capacity, urban renewal, pursuit of state and federal funding, and EMC contributions. EMC shall convey to the Town, at no cost, all property and easements necessary for construction of the Interchange. EMC agrees and acknowledges that no Development Permit for any development that creates a need for the Interchange will be issued by the Town until full funding for the Interchange has been secured.

c. *Railroad Crossings.* EMC shall be solely responsible, at EMC's cost, for applying to the Colorado Public Utilities Commission for any necessary rail crossing permits. The Town agrees not to object to such applications, but EMC acknowledges that, even without objection, the application for such permits may cause substantial delay to the Development. EMC acknowledges and agrees that no Development Permit will be issued by the Town until all necessary rail crossing permits have been issued by the PUC.

6. Indemnification. EMC agrees to indemnify and hold the Town harmless from and against all claims, costs and liability of every kind and nature, for injury or damage received or sustained by any person or entity, in connection with, or on account of the performance of work in the Development by EMC, or its agents, contractors or employees pursuant to this Agreement, except to the extent any such claims, costs or liability arises from the negligent or intentional act or omission of the Town. EMC's obligation to indemnify the Town shall survive termination of this Agreement.

7. Remedies.

a. *Town.* The Town's remedies against EMC for EMC's breach of this Agreement include without limitation: the refusal to issue any Development Permit; the refusal to issue any building permit or certificate of occupancy; the revocation of any building permit in which was previously issued, but under which construction directly related to such building permit has not commenced; and any other remedy available at law.

b. *EMC.* EMC's remedies against the Town for the Town's breach of this Agreement are limited exclusively to breach of contract. In no event shall EMC be entitled to specific performance, economic damages, lost profits, consequential damages or punitive damages of any kind.

c. *Notice.* In the event of a breach by either Party, the non-breaching Party shall deliver written notice to the breaching Party of such breach and the breaching Party shall have 30 days from the date of such notice to cure the breach. If the breach is not cured, the non-breaching Party is entitled to the remedies specified above.

d. *Attorney Fees and Costs.* If any Party to this Agreement is required to commence legal action to enforce this Agreement, each Party shall be responsible for its own attorney fees and expenses in connection with such action.

8. Miscellaneous.

a. *Governing Law and Venue.* This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Eagle County, Colorado.

b. *No Waiver.* Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

c. *Integration.* Other than the AA, which shall remain in full force and effect, this Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

d. *Third Parties.* There are no intended third-party beneficiaries to this Agreement.

e. *Notice.* Any notice under this Agreement shall be in writing and shall be deemed sufficient when directly presented or sent prepaid, first class U.S. Mail to the Party at the address set forth on the first page of this Agreement.

f. *Severability.* If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

g. *Modification.* This Agreement may only be modified upon written agreement of the Parties.

h. *Assignment.* Neither this Agreement nor any of the rights or obligations of the Parties shall be assigned by either Party without the written consent of the other, which consent shall not be unreasonably withheld.

i. *Governmental Immunity.* The Town and its officers, attorneys and employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers, attorneys or employees.

j. *Subject to Annual Appropriation.* Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

k. *Recordation.* This Agreement shall be recorded in the real estate records of the Eagle County Clerk and Recorder.

l. *Covenants.* The provisions of this Agreement shall be binding on all subsequent owners of the Property as covenants running with the Property, to be released only by the Town, unless this Agreement is otherwise terminated in accordance with its terms or by any Party pursuant to the terms of this Agreement. The benefits and burdens of this Agreement shall bind and inure to the benefit of all estates and interests in the Property and all successors in interest to the Parties to this Agreement, except as otherwise provided herein.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

EAGLE MEADOWS COLORADO LLC

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

Subscribed and sworn to before me this ____ day of _____, 2022, by
_____ as _____ of EAGLE MEADOWS COLORADO LLC.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires:

Notary Public



To: Mayor and Town Council

From: Larry Pardee, Town Manager

Date: September 27, 2022

Re: Town Manager Report

Administration & Organization

- The Assistant Town Manager job posting will start on Monday, September 26th, 2022.
- I want to express my deepest and most sincere appreciation to all who have worked tirelessly on the Hockett Gulch project.
- The Town leadership will begin meeting to work on organization retention through a “Stay Interview” which is to help focus on identifying specific improvements and opportunities that raise employees' levels of engagement and retention. The directors and Town Manager will be meeting first to go through these interviews. Next, the department directors will go back to their respective departments and meet with each team member and begin the Stay Interview process.
- Town Hall building will be hosting Butterfly Art in the gallery. The mural was funded in part by the Town of Eagle to help reduce the stigma around suicide.

Economic Development

- Economic Vitality Committee (EVC) Mick Daly and I met to discuss the draft agenda on Thursday 15th and 2023 budget request items. The next EVC meeting will be on Monday, September 19, 2022. The EVC subcommittees help focus on their areas of interest.
- Pre agenda meeting with Downtown Development Authority (DDA) Friday, September 23rd. The next DDA scheduled meeting will be Wednesday, October 5th, 2022.

Outreach & Meetings – Updates on participation in community outreach opportunities, regional/community meetings, and project-specific meetings:

- Community Impact Award is open, please help to get the word out.
- Mountain Towns 2023 Climate Solutions Summit in Breckenridge, Mayor Scott Turnipseed, Council member Geoffrey Gimmer, Community Development member Jackie VanEyll, and I all will be attending.
- I was able to meet with Jennifer Collins a few times to continue discussing Trash, Single stream recycling, and compost options for the Town of Eagle.

WORK SESSIONS:

To help the Town Council keep track of upcoming work sessions, provided below is a table of topics to be discussed over the next several months. Since it takes planning to successfully execute a work session, preparing in advance is helpful. Staff will keep this table in this report going forward and make changes as needed. The topics are subject to change:

Date	Topic
January 4, 2022, POSTPONED	Affordable Housing Strategies
January 31, 2022 (DELIVERED)	Grand Avenue Corridor Update
February 1, 2022 (POSTPONED)	Sustainability Building Codes Discussion
March 1, 2022 (DELIVERED)	Mural Project Update
April 5, 2022 (DELIVERED)	IT Connectivity Planning
May 3, 2022 (DELIVERED)	Town Council Training /CIRSA/Executive Session
May 31, 2022 (DELIVERED)	Open Space and Trails Presentation
June 1, 2022 (COMPLETED)	Town Council Retreat
June 7, 2022 (DELIVERED)	Clarion Consultant Update/P&Z will attend
July 5, 2022 (DELIVERED)	CU Outdoor Recreation Economy Presentation
August 2, 2022 (No Meeting Scheduled)	
September 6, 2022 (DELIVERED)	Discuss Recommendations from the Housing Assessment
October 4, 2022	2023 –2027 Capital Improvement Plan – Work Session
October 11 th , 2022	Public Hearing: 2023 budget presentation – Operating
October 25 th , 2022	Public Hearing: 2023 budget presentation – Capital improvements Plan
November 1 st , 2022	Economic Planning Systems Final Housing Assessment Report
November 8 th , 2022	Final Public Hearing – Adoption of the 2023 Budget
Request for Additional Work Sessions	Topic



To: Mayor Turnipseed and Town Council

From: Jackie VanEyll, Permit Technician and Green Team Leader
Community Development Department

Date: September 27, 2022

Agenda Item: Ordinance 17, Series 2022, An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Section 13.17. of the Eagle Municipal Code, Regarding Solid Fuel Burning Devices.

REQUEST:

For Town Council to consider an update to *Section 13.17. Buildings and Construction, Solid Fuel Burning Devices*, to include masonry heaters as a permitted device.

INTRODUCTION:

The current Municipal Code standards ([link](#)) regulating solid fuel burning devices were established to promote health, protect and improve air quality in the Town, and to offer a variety of heat sources that are efficient while reducing polluting effects. The following are current permitted devices: gas appliances, gas log fireplaces, pellet stoves, and pellet boiler systems. Community input has prompted the Building Department to conduct further research to determine that masonry heaters are as efficient, if not more, than the appliances currently allowed.

ANALYSIS:

Pellet stoves and boilers, while similar to masonry heaters, only operate with pellets. (Pellets are made of biomass such as saw dust, bark, brush, and other organic materials.) Masonry heaters can accept pellets and wood but do not waste heat like other wood burning devices. Fuel sources that utilize local organic materials found in our surrounding area reduces our carbon footprint by eliminating the manufacturing and shipping process that comes with purchasing pellets, further increasing its degree of sustainability.

Wood naturally releases CO₂ while biodegrading in the environment, therefore, by utilizing dry collected wood, homeowners are using a more sustainable heat source. Along with maintaining clean air, the Environmental Protection Agency (EPA) has categorized masonry heaters as a “super low” pollutant emitter and does not require EPA certification ([link](#)). Furthermore, masonry heaters do not operate on electricity and can maintain heat during power outages. With minimal wood per fire, and an average of 1-2 fires a day to heat a house or large structure for 12-24 hours, this is a sustainable option for renovators and builders. This is also approved for installation in section R1002 in the 2015 International Residential Building Code (IRC).

COMMUNITY INPUT:

This amendment was initiated by a Town of Eagle resident who recently began construction on a new home and requested consideration of masonry heaters.

BUDGET / STAFF IMPACT:

No anticipated impact to staff budget.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal aligns with the Town's sustainability goals by aligning ourselves with a policy that "improves and sustains natural resources for future generations." The EPA has deemed masonry heaters with "super low" emissions and utilizing local resources will cut back on our carbon footprint by eliminating the manufacturing and shipping process. Allowing residents to use masonry heaters will ensure heat during any potential power outage and save money in the winter to put towards other sustainable projects.

RECOMMENDED ACTION OR PROPOSED MOTION:

I move to APPROVE Ordinance 17, Series 2022, An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Section 13.17. of the Eagle Municipal Code, Regarding Permitted Solid Fuel Burning Devices.

ATTACHMENTS:

[Ordinance 17, Series 2022](#)

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 17
(Series of 2022)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
AMENDING VARIOUS SECTIONS OF CHAPTER 13.17 OF THE EAGLE MUNICIPAL
CODE TO ALLOW MASONRY HEATERS

WHEREAS, the Town has established standards regulating solid fuel burning devices to promote health and safety and to protect and improve air quality, as more particularly described in Chapter 13.17 of the Eagle Municipal Code; and

WHEREAS, based on research determining that masonry heaters are safe and efficient, the Town desires to amend Chapter 13.17 of the Eagle Municipal Code to allow masonry heaters.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Section 13.17.020 of the Eagle Municipal Code is hereby amended by the addition of the following definition, to appear in alphabetical order.

* * *

Masonry heater means a heating appliance constructed of concrete or solid masonry that is designed to absorb and store heat from a solid-fuel fire built in the firebox by routing the exhaust gases through internal heat exchange channels. The flow path downstream of the firebox includes flow in a horizontal or downward direction before entering the chimney and that delivers heat by radiation from the masonry surface of the heater.

Section 2. Section 13.17.030 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

Section 13.17.030. – Prohibited devices.

No wood burning fireplace or wood burning firepit shall be constructed or installed in any building or structure in the Town.

Section 3. Section 13.17.040 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

Section 13.17.040. - Permitted devices.

Only the following devices are permitted in the Town: gas appliances, gas log fireplaces, masonry heaters, pellet stoves and pellet boiler systems.

Section 4. Section 13.17.070 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

Section 13.17.070. - Building permits.

A building permit shall be required for the installation of any gas appliance, gas log fireplace, masonry heater, pellet stove, or pellet boiler system. However, to encourage the conversion of solid fuel burning fireplaces and devices to gas log fireplaces and gas appliances, masonry heaters, pellet stoves, and pellet boiler systems, all applicable building permit fees for such conversions shall be waived by the Town.

Section 5. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 6. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON _____, 2022.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Brian Lieberman, Open Space and Trails Manager

Date: September 27, 2022

Agenda Item: Resolution No. 78, Series 2022, "A Resolution by the Town Council of the Town of Eagle, Colorado, appointing Roger Mitchel to serve as a full voting member on the Open Space and Recreation Advisory Committee."

REQUEST: Staff requests that Town Council review Resolution No. 78, Series 2022, and consider appointing Roger Mitchel as a full voting member of the Open Space and Recreation Advisory Committee (OSRAC), per OSRAC's recommendation. Roger has been serving as the Alternate Committee member since August 2022.

BACKGROUND: In August 2022, John Bailey announced his resignation from OSRAC, leaving a vacant seat on the Committee. Roger Mitchel, who was recently appointed as the alternate member, is interested in becoming a full voting Committee member. Roger's time has been short on the Committee, but so far, he has been a great addition, bringing a solid background in wildlife management and local knowledge of natural resources.

ANALYSIS: According to the Committee Bylaws, OSRAC members may provide recommendations to Town Council regarding the appointments of Committee members. During the August 2022 OSRAC meeting, the Committee unanimously voted to recommend appointing Roger Mitchel as a full voting Committee member. So far in the Committee's history, alternate Committee members have been appointed as full voting members when a vacancy on the Committee occurs. New committee members have been brought in as the alternate member.

COMMUNITY INPUT: OSRAC provided unanimous support for Roger Mitchel's appointment. Public comment can be taken at the end of each OSRAC agenda item. No public comment was received, and none is required, according to the OSRAC Bylaws.

BUDGET / STAFF IMPACT: No impacts on the Town budget or staff.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: The Elevate Eagle Comprehensive Plan outlines several extensive goals to support and improve open space and trails in the Eagle area. OSRAC was established in November 2020 to form a group of interested citizens with relevant backgrounds to advise staff and Council on matters concerning open space and trail planning.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to **(approve)** or **(deny)** Resolution 78, Series 2022 “A Resolution by the Town Council of the Town of Eagle, Colorado, appointing Roger Mitchel to serve as a full voting member on the Open Space and Recreation Advisory Committee.”

ATTACHMENTS: Resolution No. 78-2022: Appointment of Roger Mitchel as a full OSRAC voting member

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 78
(SERIES OF 2022)

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, APPOINTING ROGER MITCHEL TO SERVE AS A FULL VOTING MEMBER ON THE OPEN SPACE AND RECREATION ADVISORY COMMITTEE

WHEREAS, in November 2020, Town Council formed the Open Space and Recreation Advisory Committee ("OSRAC") to provide additional expertise to the Town Council and staff necessary to enhance and facilitate open space and outdoor recreation in Town; and

WHEREAS, the OSRAC Bylaws establish that staff shall create an application process to fill vacancies on the Committee that can include input from current Committee members; and

WHEREAS, Roger Mitchel was appointed to the Committee as an alternate member in August 2022; and

WHEREAS, at the August 2022 OSRAC meeting, the Committee highlighted Roger Mitchel's wildlife expertise and contribution to the Committee so far and has therefore recommended that he serve the remainder of his term as a full voting member of the Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AS FOLLOWS:

Section 1. Roger Mitchel is hereby appointed to serve as a full voting member of the Open Space and Recreation Advisory Committee for the remainder of his four-year term, beginning immediately and expiring in May 2024 or upon resignation, by the Town Council of the Town of Eagle, Colorado.

INTRODUCED, READ, PASSED AND ADOPTED ON _____, 2022.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 79
(SERIES OF 2022)

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO APPOINTING KIRSTIN
SHAW TO SERVE AS THE ALTERNATE MEMBER OF THE OPEN SPACE AND RECREATION ADVISORY
COMMITTEE

WHEREAS, in November 2020, Town Council formed the Open Space and Recreation Advisory Committee ("OSRAC") to provide additional expertise to the Town Council and staff necessary to enhance and facilitate open space and outdoor recreation in Town; and

WHEREAS, the OSRAC Bylaws establish that staff shall create an application process to fill vacancies on the Committee, which can include input from current Committee members; and

WHEREAS, OSRAC only received one application; the Committee finds Kirstin extremely qualified and recommends that she be appointed as the alternate member on OSRAC to fulfill the remainder of a 4-year term.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Kirstin Shaw is hereby appointed to the Open Space and Recreation Advisory Committee as the Alternate Member by the Town Council of the Town of Eagle, Colorado, for her expertise and background in open space, trails, and equestrian management beginning immediately and expiring in May 2024 or upon resignation.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado, held on July 26, 2022.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Brian Lieberman, Open Space and Trails Manager

Date: September 27, 2022

Agenda Item: Resolution No. 79, Series 2022, "A Resolution by the Town Council of the Town of Eagle, Colorado appointing Kirstin Shaw to serve as the Alternate Member of the Open Space and Recreation Advisory Committee."

REQUEST: Staff requests that Town Council review Resolution No. 79, Series 2022, and consider appointing Kirstin Shaw as the Alternate Member of the Open Space and Recreation Advisory Committee ("OSRAC"), per OSRAC's recommendation.

BACKGROUND: With John Bailey stepping off the Committee in August 2022, before the end of his term, a vacant position opened on OSRAC. As Staff had just advertised an opening on OSRAC at the end of June and received five qualified applications, only a short period was announced for applicants. Staff assumed most of the unsuccessful applicants from the prior opening would have been interested in reapplying. However, only one applicant, Kirstin Shaw, reapplied for the vacancy.

The application period was open and announced from August 1 – August 8. The Committee vacancy was advertised on the Town website and social media.

ANALYSIS: According to OSRAC's Bylaws, staff establishes an application process to fill a committee vacancy which can involve input from OSRAC. Council ultimately makes the appointment to the Committee.

OSRAC reviewed and discussed Kirstin Shaw's application at the September 2022 OSRAC meeting. The Committee considered recommending that the application period be reopened to attract more candidates. However, the Committee agreed that Kirstin is overly qualified for the position, and she has put in the effort to apply. The Committee recommends that Kirstin Shaw be appointed as the Alternate Committee member on OSRAC. Her application is included as an attachment.

Kirstin is an active member in the equestrian community, which is currently a voice that is missing on the Committee.

COMMUNITY INPUT: OSRAC provided unanimous support for Kirstin Shaw's appointment. Public comment can be taken at the end of each OSRAC agenda item. No public comment was received, and none is required, according to the OSRAC Bylaws.

BUDGET / STAFF IMPACT: No impacts on the Town budget or staff.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: The Elevate Eagle Comprehensive Plan outlines several extensive goals to support and improve open space and trails in the Eagle area. OSRAC was established in November 2020 to form a group of interested citizens with relevant backgrounds to advise staff and Council on matters concerning open space and trail planning.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to **(approve)** or **(deny)** the adoption of Resolution No. 79, Series 2022, “A Resolution by the Town Council of the Town of Eagle, Colorado, appointing Kirstin Shaw to serve as the Alternate Member of the Open Space and Recreation Advisory Committee.”

ATTACHMENTS:

1. Resolution No. 79-2022 – Kirstin Shaw OSRAC Alternate Appointment
2. Application and Cover Letter for Kirstin Shaw’s OSRAC Application

Kirstin Shaw OSRAC Application

Commission & Committee Application Form

Select the Council,
Commission, or Committee
applying for

Open Space and Recreation Advisory Committee

PERSONAL INFORMATION

First Name	Kirstin
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Last Name	Shaw
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Address1	2189 Brush Creek Rd
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Address2	pobox 1147
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City	Eagle
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State	CO
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Zip	81631
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Email Address	shaw.kirstin@yahoo.com
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Contact Phone Number	7175756704
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Business Address	2189 Brush Creek Rd Eagle, CO 81631
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Business Phone Number	970-331-1924
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Occupation	owner of Shaw Property Service LLC
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(Section Break)

COMMITTEE INFORMATION:

Economic Vitality Committee: Meetings: 1:00 p.m., meet typically on the third Monday of each month.

Open Space and Recreation Advisory Committee: Meetings 9:00 a.m., meet typically on the first Tuesday of each month.

Downtown Development Authority: Meetings: 1:00 p.m., meet typically on the first Wednesday of each month.

(Section Break)

ORGANIZATION MEMBERSHIP INFORMATION

Are you or have you served
on other Boards,
Commissions, or
Committees?

No

If yes, which

Field not completed.

Please list organization
memberships and positions
held

Eagle County 4H leader, PSIA/AASI, Rocky Mountain Elk
Foundation

Please List Areas of Special
Interest

Hunting Fishing Wildlife Conservation

(Section Break)

ADDITIONAL QUESTIONS

What opportunities does
the Town of Eagle have?

we have the opportunity to manage our open space through
education and smart trail usage/development, not only for our
own enjoyment but for visitors alike. If we take care of our
resources such as our resident elk herd, we can continue to
enjoy the close proximity to our wild Colorado.

What challenges currently
exist in the Town of Eagle?

Wildlife education and mindful trail usage are our challenge.

As a Committee Member,
how would you approach
these challenges?

By coming up with resources and rules so that everyone can
enjoy our wild spaces. A trail system that flows (even with
adaptive closures) and allows animals their space along with
appropriate trails that don't require weekly upkeep and
maintenance.

Are you a resident of Eagle
or do you own real
property, own a business or
work for an Eagle owned
business?

Yes

Please attach a cover letter
or experience information

[open space council.pdf](#)

Dear Town of Eagle,

I have lived in Colorado for 18 years and the Eagle River Valley for 16. I have recreated here for the entirety. Although I do not have formal education in wildlife management, forest service or environmental science, I do have an experiential education. As an avid hunter, fisher, hiker, equine explorer and outdoors adventurer I have a great interest in preserving what Colorado has offered me, those before me for those to come. I have seen some of the mistakes that man has made in these mountains and hope to help the town utilize this knowledge to improve the relationship we have with our wild spaces and those who inhabit it. The open space that this town has is a valuable resource and I am so proud that we as a community are taking action to care for it with methodical plans to ensure coexistence for man and wild. I as a hunter want to help the elk population by encouraging seasonal trail closures by way of signage, gates, apps and education. This herd needs to be left alone in their native and historic habitats that generations have imprinted in their DNA to maintain. This is known as Critical Wildlife Habitat. I also feel we can help our wildlife by keeping certain migration routes free of regular human traffic, not blocking water sources and allowing animal traffic to and from bedding areas year round. This is imperative! I am an avid angler and feel our waters need a certain amount of protection also. Brush Creek is now apart of our open space jurisdiction and operating anglers need to be aware of when proper fishing can and should be done. Water temperatures and levels have a huge impact on our trout health and trauma recovery. This issues really should be to be addressed before the waters fully open up. I have enjoyed hiking as a needed mental health activity from as far back as I can remember. When I was 13, I took a two week backpacking trip along the continental divide and knew Colorado was the home I wanted to get to know better. Hiking and exploring the history of Eagle County has been a passion of mine which has helped me discover hidden lakes, mining areas and breathtaking sunrises in the wilderness. Enjoying this area is something everyone should have access to, in its raw form. If we put trails everywhere, the explorations can become lost. This is where education once again comes into play, not only for local audiences but visitors as well. As an equine adventurer, I feel the joy of saddling up and riding out of my home and exploring the mountains while going virtually undetected by other animals... because they recognize the horse and not the human. This gives me the privilege of observing animals that would normally feel pressure from a human and run. I hope Eagle always recognizes the importance of our roots and history by keeping equine travel a priority and respected means of transportation.

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 18
(Series of 2022)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
AMENDING SECTION 6.03.090(A)1 OF THE EAGLE MUNICIPAL CODE, REGARDING
SEASONAL USE RESTRICTIONS IN OPEN SPACE AREAS

NOW BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AS
FOLLOWS:

Section 1. Section 6.03.090(A)1 of the Eagle Municipal Code is hereby amended as
follows:

Section 6.03.090(A)1 – Seasonal use restrictions in open space areas.

In accordance with the Eagle Ranch Annexation and Development Agreement between the Town and West Eagle Ranch LLC (January 12, 1999) and the Eagle Ranch PUD Wildlife Mitigation and Enhancement Plan (January 8, 1999) which was incorporated into the agreement and the PUD zoning for Eagle Ranch, open space parcels OS1 and OS2 shall have a seasonal use restriction in place from ~~December 15~~ December 1 to April 15 of each year. These parcels are shown on the Eagle Ranch PUD Development Plan Map dated December 18, 1998 (reception number 692229), contained in Section 6.03.140. These parcels encompass the Horton Street Trail, Kill Bill Trail, Abrams Trail, and Hernage Creek Trail. Recreational and general maintenance activities parcels OS1 and OS2 which contain native habitats will be prohibited during the winter closure in order to protect wintering wildlife and to avoid damage to roads or trails caused by use in wet conditions. Governmental agencies conducting bona fide duties shall be allowed access during such periods with the approval of the Town Manager.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON SEPTEMBER 13,
2022.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Town Council

From: Brian Lieberman, Open Space and Trails Manager

Date: September 27, 2022

Agenda Item: Ordinance No. 18- 2022 “An ordinance of the Town Council of the Town of Eagle, Colorado, amending Section 6.03.090(A)1 of the Eagle Municipal Code, regarding seasonal use restrictions in open space areas.”

REQUEST:

Staff requests that Town Council consider amending Section 6.03.090(A)1 of the Eagle Municipal Code to change seasonal use restriction dates for the Horton Street Trail, Kill Bill Trail, Abrams Trail, Hernage Creek Trail, and Eagle Ranch OS1 and OS2 parcels from December 15 - April 15 to December 1 – April 15. The change in dates will align the Town of Eagle’s seasonal use restriction dates with those on lands managed by the Bureau of Land Management (BLM) in the Eagle area.

BACKGROUND:

Municipal Code Amendment and Authority

With the annexation of Eagle Ranch, the Town of Eagle was deeded 908 acres of open space land. A Wildlife Mitigation and Enhancement Plan (ERWMP) was included as a component of the Annexation and Development Agreement (ADA) for Eagle Ranch in 1999. The ERWMP detailed steps to minimize impacts on natural open space areas in the PUD. This included identifying seasonal use restriction dates to reduce the effects of development and recreation on wintering wildlife.

The ERWMP specifically required that the Horton Street Trail, Kill Bill Trail, Abrams Trail, Hernage Creek Trail, and Eagle Ranch OS1 and OS2 parcels would be subject to seasonal use restrictions limiting all human activity from December 15 – April 15. As a component of the ADA and ERWMP, these dates were codified in Title 6 of the Eagle Municipal Code.

Because the seasonal use restriction dates for these select trails and open space properties were codified, it will require an Ordinance to amend Section 6.03.090(A)1 of the Eagle Municipal Code to change the dates. Staff does not believe the ADA nor the ERWMP need to be amended because the Eagle Ranch PUD granted a 20-year period of vested rights starting in 1999. The vested rights are expired on this development, and therefore, an Ordinance amending the Municipal Code will be enforceable in the PUD.

Seasonal use restriction dates were left up to the Town Council to determine on all other trails and open space properties in Eagle Ranch. Past Councils have elected to match the December 15 – April 15 seasonal use restriction dates. The other trails and open space properties currently subject to seasonal use restrictions are also proposed to have the dates changed via a separate resolution, as required by Section 6.03.090(A)2 of the Eagle Municipal Code.

Background for the Date Change Request

The dates agreed to in the ERWMP worked well with the previous seasonal use restriction dates for lands managed by the BLM in the West Eagle/ Hardscrabble area. However, starting in 2022, seasonal use restriction dates on lands managed by the BLM will change from January 16 – April 15 to December 1 – April 15. This area will no longer have a late-season hunt, and in partnership with Colorado Parks and Wildlife (CPW), the BLM elected to make the change for the 2022/23 winter season. Seasonal use restrictions on lands managed by the BLM only apply to mechanized and motorized users.

ANALYSIS:

In West Eagle, most trails that start in the Town of Eagle quickly cross the boundary to lands managed by the BLM (see map attached). Because of this, it could be very confusing for recreationists to have different seasonal use restriction dates in the Eagle area. For instance, the School House Rock and Abrams trails have less than ½ mile before crossing onto federal lands. With different seasonal use restriction dates, these trails could be challenging to manage and set users up to violate seasonal closure restrictions.

In addition, throughout the Open Space and Trails Master Planning process, the Town has heard requests for consistency and simplification for seasonal use restriction dates. Eagle's local BLM office, the Colorado River Valley Field Office, has the December 1 – April 15 for most lands located in a mapped big game winter habitat, including most trails in East Eagle (upper Pool and Ice, Hillbilly, Will's Thrill, and Road Gulch). Changing all Town of Eagle dates to match the BLM dates would provide consistency throughout the Eagle area and the greater Colorado River Valley region.

Unfortunately, extensive research has not been completed to identify specific localized benefits and drawbacks for wildlife by providing 14 extra days at the beginning of the closure period. Several unique indicators prompt big game animals to move down to lower habitats in the fall/ winter, including temperature, snow, ice, length of the day, and prevalence of food and water. There would likely be some net benefit to wildlife by providing these extra days at the beginning of the closure period. In addition, CPW recommends December 1 – April 15 for all seasonal closure dates in our area.

Changing the dates would eliminate 14 days of recreation on most trails and open space properties in the Eagle area in the late fall. This would likely be met with some concern by the community, as the Open Space and Trails Master Plan highlighted the community's desire for maintained winter recreation opportunities. However, keeping the December 15 date on Town of Eagle trails would not provide many recreation opportunities as all trails would be closed to motorized and mechanized use at the BLM boundary.

COMMUNITY/ COMMITTEE INPUT:

The Open Space and Recreation Advisory Committee (OSRAC) has discussed this issue at several

regular meetings this year. At the September 2022 meeting, the Committee made the following recommendation to Council:

Motion to recommend that the Town Council of the Town of Eagle, Colorado, change the seasonal closure restriction dates on all Town trails and open space properties that are currently subject to seasonal closures to December 1 – April 15 in accordance with the change on lands managed by the BLM. Motion by Saeger, second by Foulis. Motion passes unanimously.

Potential benefits to wildlife and maintaining consistency of seasonal closure restriction dates were the main reasons OSRAC recommended the change in dates. OSRAC thought managing recreation with separate closure dates in the Eagle area would be very challenging. In addition, the Committee saw the benefits of simplifying seasonal closure dates in the area.

One member of the public suggested an adaptive approach to seasonal closure dates to maintain recreational opportunities during fall seasons with minimal snow. The Committee thought this would be very difficult to manage and highlighted that other factors besides snow might determine when big game migrate down to lower habitats.

BUDGET/ STAFF IMPACTS:

None.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

The Open Space and Trails Master Plan emphasized date consistency as a key method to maintain high compliance with seasonal closure restrictions. Further, recommendation P2 in the Master Plan underscored the importance of balancing wildlife habitat protection with recreational opportunities in the Eagle area.

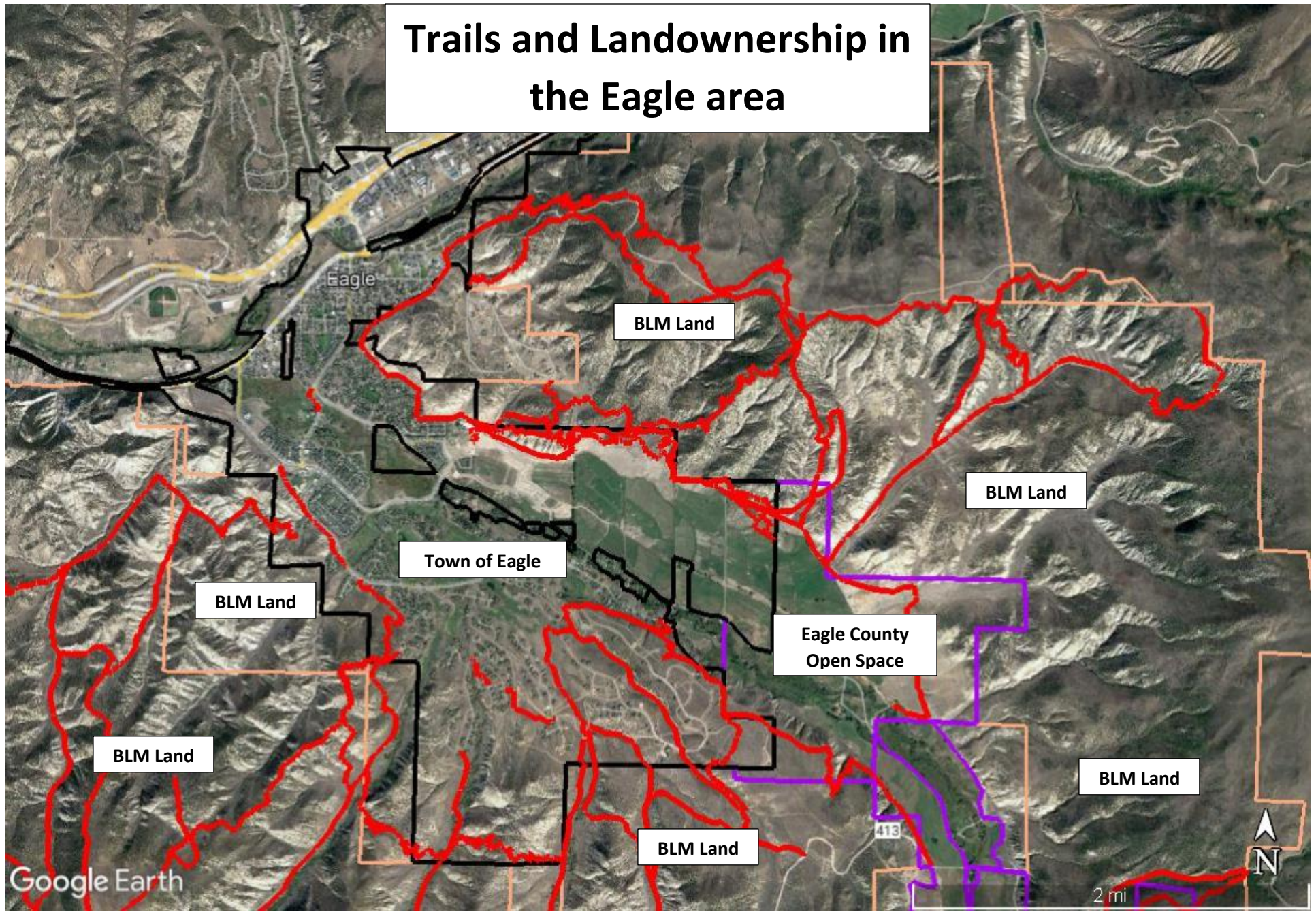
RECOMMENDED ACTION/MOTION:

Motion to **Approve** or **Deny** *“An Ordinance of the Town Council of the Town of Eagle, Colorado, amending Section 6.03.090(A)1 of the Eagle Municipal Code, regarding seasonal use restrictions in open space areas.*

ATTACHMENTS:

1. Ordinance No. 18- 2022 “An ordinance of the Town Council of the Town of Eagle, Colorado, amending Section 6.03.090(A)1 of the Eagle Municipal Code, regarding seasonal use restrictions in open space areas.”
2. Map portraying the location of Eagle trails and open space in relation to lands managed by the Bureau of Land Management

Trails and Landownership in the Eagle area



Map 1: Trails in the Eagle area. Trails are in red, and the Town boundaries are in black. Most trails that originate in the Town boundaries quickly cross to lands managed by the Bureau of Land Management (orange). It would be challenging to manage recreation with different seasonal closure dates in the area.

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 77
(SERIES OF 2022)

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AMENDING SEASONAL USE RESTRICTIONS DATES FROM DECEMBER 15 – APRIL 15 TO DECEMBER 1 – APRIL 15 FOR TRAILS AND OPEN SPACE PROPERTIES IN ACCORDANCE WITH SEASONAL USE RESTRICTION CHANGES ON LANDS MANAGED BY THE BUREAU OF LAND MANAGEMENT.

WHEREAS, for the 2022/23 winter season, the Bureau of Land Management (BLM), Colorado River Valley Field Office, is changing seasonal use restriction dates from January 16 – April 15 to December 1 – December 15 for the West Eagle/ Hardscrabble area managed by the agency; and

WHEREAS, trails and open space properties owned and managed by the Town of Eagle directly abut those managed by the BLM in the West Eagle/ Hardscrabble area; and

WHEREAS, the Town of Eagle coordinates closely with the BLM and Colorado Parks and Wildlife (CPW) to ensure the management of trails and lands in the West Eagle/ Hardscrabble is consistent for recreational users and wildlife management; and

WHEREAS, the Open Space and Recreation Advisory Committee (OSRAC) has reviewed and discussed the change in seasonal use restrictions by the BLM at several Committee meetings that were open and advertised to the public, and

WHEREAS, OSRAC made a recommendation that the Town match the new seasonal closure dates on all trails and open space properties currently subject to seasonal closure restrictions to maintain consistency for seasonal use restrictions in our area, and to benefit wintering wildlife; and

WHEREAS, Section 6.03.090(A)2 of the Eagle Municipal Code gives the Town Council of the Town of Eagle, Colorado, the authority to amend seasonal use restrictions on trails and open space properties not otherwise restricted by Section 6.03.090(A)1 following a public hearing; and

WHEREAS, a public hearing was advertised by the Town Clerk and held by the Town Council on October 11, 2022, in accordance with Section 6.03.090(A)2 of the Eagle Municipal Code; and

WHEREAS, the Town Council of the Town of Eagle, Colorado, concurs with the OSRAC recommendation and finds there to be sufficient benefits for recreation management and wildlife to change the seasonal closure restrictions for Town of Eagle trails and open space properties.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. The seasonal use restriction dates for the following trails and open space properties are hereby amended from December 15 – April 15 to December 1 – April 15 in accordance with seasonal use restriction changes on lands managed by the Bureau of Land Management:

- Third Gulch Trail
- Bailey Trail
- Second Gulch Trail
- Mayer Gulch Trail
- Riddle Trail
- Wall Trail
- Turniphead Trail
- LOV Connection Trail
- Abrams Creek and Ridge Trail
- Third Loop of Haymaker Trail
- Extra Credit Trail
- The following Eagle Ranch open space properties that are identified in the Eagle Ranch PUD Development Plan Map dated February 10, 2003 (reception number 832911)
 - OS3
 - OS4
 - OS-A
 - OS-B
 - OS-C
 - OS-D
 - OS-E
 - OS-F
- The Spud Cellar Open Space property
- The Abrams Creek Open Space property

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado, held on October 11, 2022.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Town Council

From: Brian Lieberman, Open Space and Trails Manager

Date: September 27, 2022

Agenda Item: Resolution 77, Series 2022 “A Resolution by the Town Council of the Town of Eagle, Colorado, amending seasonal use restrictions dates from December 15 – April 15 to December 1 – April 15 for trails and open space properties in accordance with seasonal use restriction changes on lands managed by the Bureau of Land Management.”

REQUEST: Staff requests that Town Council review Resolution 77, Series 2022, and consider amending seasonal use restriction dates on trails and open space properties from December 15 – April 15 to December 1 – April 15. The change in dates will align the Town of Eagle’s seasonal use restriction dates with those on lands managed by the Bureau of Land Management (BLM) in the Eagle area.

BACKGROUND: Starting in 2022, seasonal use restriction dates on lands managed by the BLM in the West Eagle/Hardscrabble area will change from January 16 – April 15 to December 1 – April 15. This area will no longer have a late-season hunt, and in partnership with Colorado Parks and Wildlife (CPW), the BLM elected to make the change for the 2022/23 winter season. Seasonal use restrictions on lands managed by the BLM only apply to mechanized and motorized users.

The Town of Eagle seasonal use restriction dates have historically been December 15 – April 15, and the closure has been to all human activity. These dates were selected as a component of the Eagle Ranch Annexation. Certain open space properties and trails in Eagle Ranch were required to have seasonal use restriction dates of December 15 – April 15 as a component of the Annexation and Development Agreement for Eagle Ranch. Those dates were codified in the Eagle Municipal Code. Seasonal use restrictions for all other trails have been left up to Town Council to determine. In the past, Town Councils have elected to match the December 15 – April 15 dates for most other trails and open space properties in the area.

Section 6.03.090(A)2 of the Eagle Municipal Code gives Town Council the authority to amend seasonal use restrictions on all open space properties and trails except those specifically listed in Section 6.03.090(A)1 of the Eagle Municipal Code. Trails and open space properties listed in Section 6.03.090(A)1 must be changed via a Code Amendment and are also proposed for review through a separate Ordinance.

Trails and open space properties included in this proposed resolution are Third Gulch Trail, Bailey Trail, Second Gulch Trail, Mayer Gulch Trail, Riddle Trail, Wall Trail, Turniphead Trail, LOV Connection Trail,

Abrams Creek and Ridge Trail, Third Loop of Haymaker Trail, Extra Credit Trail, Eagle Ranch Open Space properties OS3, OS4, OS-A, OS-B, OS-C, OS-D, OS-E, and OS-F. It would also include the Spud Cellar Open Space property and the Abrams Creek Open Space property.

ANALYSIS: In West Eagle, most trails that start in the Town of Eagle quickly cross the boundary to lands managed by the BLM (see map attached). Because of this, it could be very confusing for recreationists to have different seasonal use restriction dates in the Eagle area. For instance, the Eagle Ranch loops cannot be connected or ridden in whole without going onto BLM lands. With different seasonal use restriction dates, these trails could be challenging to manage and set users up to violate seasonal closure restrictions.

In addition, throughout the Open Space and Trails Master Planning process, the Town has heard requests for consistency and simplification for seasonal use restriction dates. Eagle's local BLM office, the Colorado River Valley Field Office, has the December 1 – April 15 for most lands located in a mapped big game winter habitat, including most trails in East Eagle (upper Pool and Ice, Hillbilly, Will's Thrill, and Road Gulch). Changing all Town of Eagle dates to match the BLM dates would provide consistency throughout the Eagle area and the greater Colorado River Valley region.

Unfortunately, extensive research has not been completed to identify specific localized benefits and drawbacks for wildlife by providing 14 extra days at the beginning of the closure period. Several unique indicators prompt big game animals to move down to lower habitats in the fall/ winter, including temperature, snow, ice, length of the day, and prevalence of food and water. There would likely be some net benefit to wildlife by providing these extra days at the beginning of the closure period. In addition, CPW recommends December 1 – April 15 for all seasonal closure dates in our area.

Changing the dates would eliminate 14 days of recreation on most trails and open space properties in the Eagle area in the late fall. This would likely be met with some concern by the community, as the Open Space and Trails Master Plan highlighted the community's desire for maintained winter recreation opportunities. However, keeping the December 15 date on Town of Eagle trails would not provide many recreation opportunities as all trails would be closed to motorized and mechanized use at the BLM boundary.

COMMUNITY/ COMMITTEE INPUT: The Open Space and Recreation Advisory Committee (OSRAC) has discussed this issue at several regular meetings this year. At the September 2022 meeting, the Committee made the following recommendation to Council:

Motion to recommend that the Town Council of the Town of Eagle, Colorado, change the seasonal closure restriction dates on all Town trails and open space properties that are currently subject to seasonal closures to December 1 – April 15 in accordance with the change on lands managed by the BLM. Motion by Saeger, second by Foulis. Motion passes unanimously.

Potential benefits to wildlife and maintaining consistency of seasonal closure restriction dates were the main reasons OSRAC recommended the change in dates. OSRAC thought managing recreation with separate closure dates in the Eagle area would be very challenging. In addition, the Committee saw the benefits of simplifying seasonal closure dates in the area.

One member of the public suggested an adaptive approach to seasonal closure dates to maintain recreational opportunities during fall seasons with minimal snow. The Committee thought this would

be very difficult to manage and highlighted that other factors besides snow might determine when big game migrate down to lower habitats.

BUDGET/ STAFF IMPACTS: None.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: The Open Space and Trails Master Plan emphasized date consistency as a key method to maintain high compliance with seasonal closure restrictions. Further, recommendation P2 in the Master Plan underscored the importance of balancing wildlife habitat protection with recreational opportunities in the Eagle area.

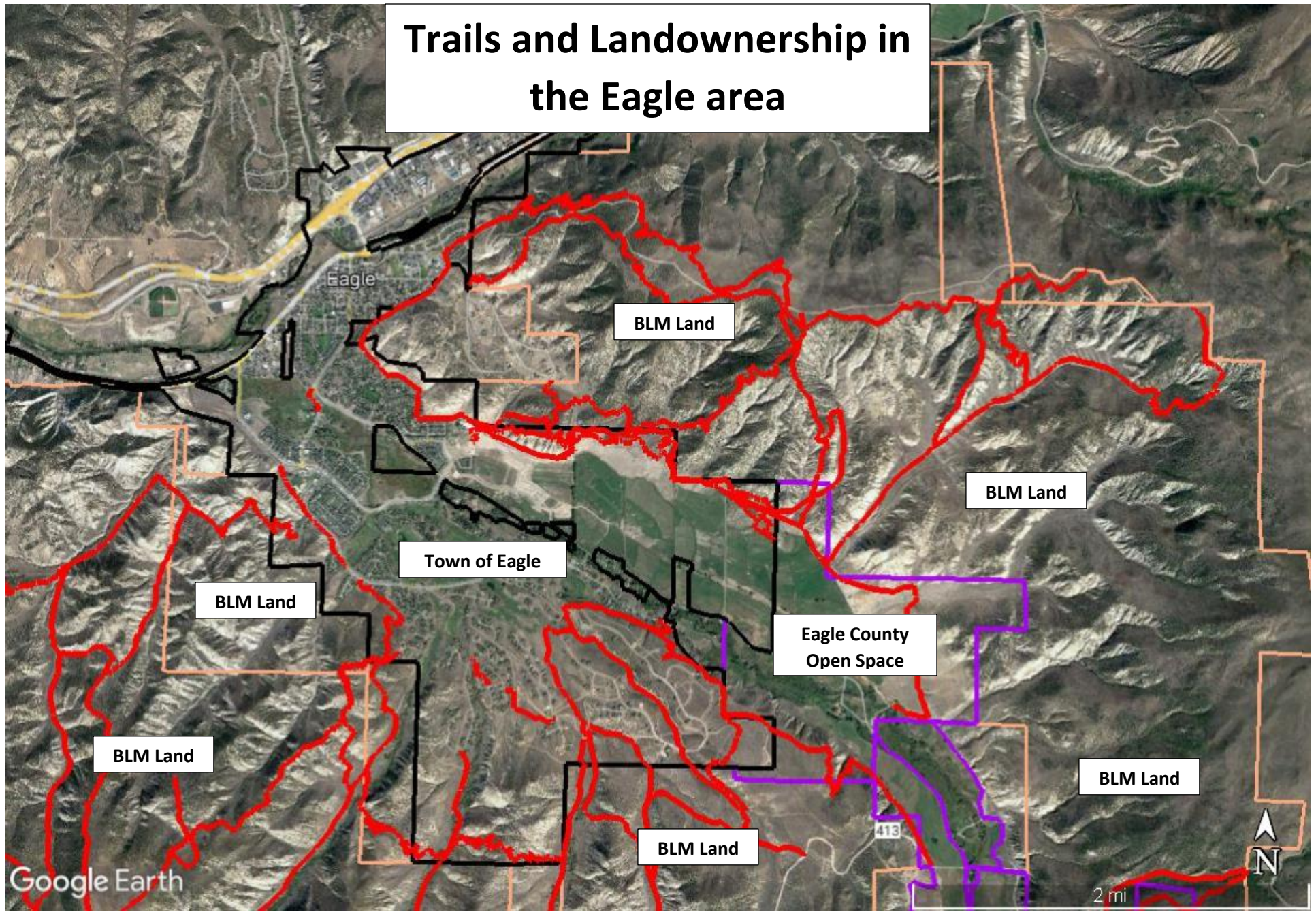
RECOMMENDED ACTION/MOTION: Provide any guidance to staff on this subject. Notice of a public hearing and Ordinance would be required to change the dates. This could be scheduled for the October 11, 2022, Council Meeting.

DRAFT MOTION LANGUAGE: Motion to **(Approve)** or **(Deny)** Resolution 77, Series 2022 *“A Resolution by the Town Council of the Town of Eagle, Colorado, amending seasonal use restrictions dates from December 15 – April 15 to December 1 – April 15 for trails and open space properties in accordance with seasonal use restriction changes on lands managed by the Bureau of Land Management.”*

ATTACHMENTS:

1. Resolution 77, Series 2022
2. Map portraying the location of Eagle trails and open space in relation to lands managed by the Bureau of Land Management

Trails and Landownership in the Eagle area



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