



Town Council
Tuesday, July 23, 2024
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 *This will be an in-person meeting using Teams. 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.*

1. **Microsoft Teams meeting**

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 210 981 059 849

Passcode: UuWhN4

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 469-770-0416,,111256605#](#) United States, Dallas

Phone Conference ID: 111 256 605#

[Find a local number](#) | [Reset PIN](#)

CALL TO ORDER - 6:00 PM

ROLL CALL

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

PUBLIC COMMENT *Citizen public comment offers an opportunity for citizens to express opinions or ask questions regarding town services, policies, or other matters of community concern, and any items that are not on the agenda. Please attempt to keep comments to three (3) minutes; time limits are established to provide efficiency in the conduct of the meeting and to allow equal opportunity for everyone wishing to speak. When appropriate, any questions by the public during public comment will be followed up on by the Town Manager and Town staff. Those who are speaking are requested to state their name and address for the record.*

PRESENTATIONS - 6:05 PM *Prescheduled presentations from the public are limited to 5 minutes. Invited presentations are limited to 10 minutes. Prior arrangements for presentations are made with the Town Clerk.*

1. Speak Up Reach Out, Kirby Lemon
2. Castle Peak Senior Care Update, Shelly Cornish
3. Eagle Mushroom & Wild Food Festival, Chuck Weber

CONSENT AGENDA - 6:30 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 - July 9, 2024
2. Resolution 46, Series 2024 "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Finance Director to Sign the Participation and Release Form for the National Opioid Settlement with Kroger"

STAFF REPORTS - 6:35 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 6:40 PM *Council will use this time to propose future agenda items, provide updates on Council Committees, and address general discussion items.*

ADJOURN - 6:45 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

A woman with long blonde hair is smiling and looking upwards. She is wearing a dark jacket. The background is a warm, orange-toned image of a mountain range. The logo "SpeakUp REACHOUT" is centered over the image. "SpeakUp" is in blue, "REACHOUT" is in yellow, and there is a blue hand icon reaching up between "Up" and "REACHOUT".

SpeakUp REACHOUT

Let's Talk About Suicide

About SpeakUp ReachOut

Discussing suicide has the power to heal. We've experienced it first hand.

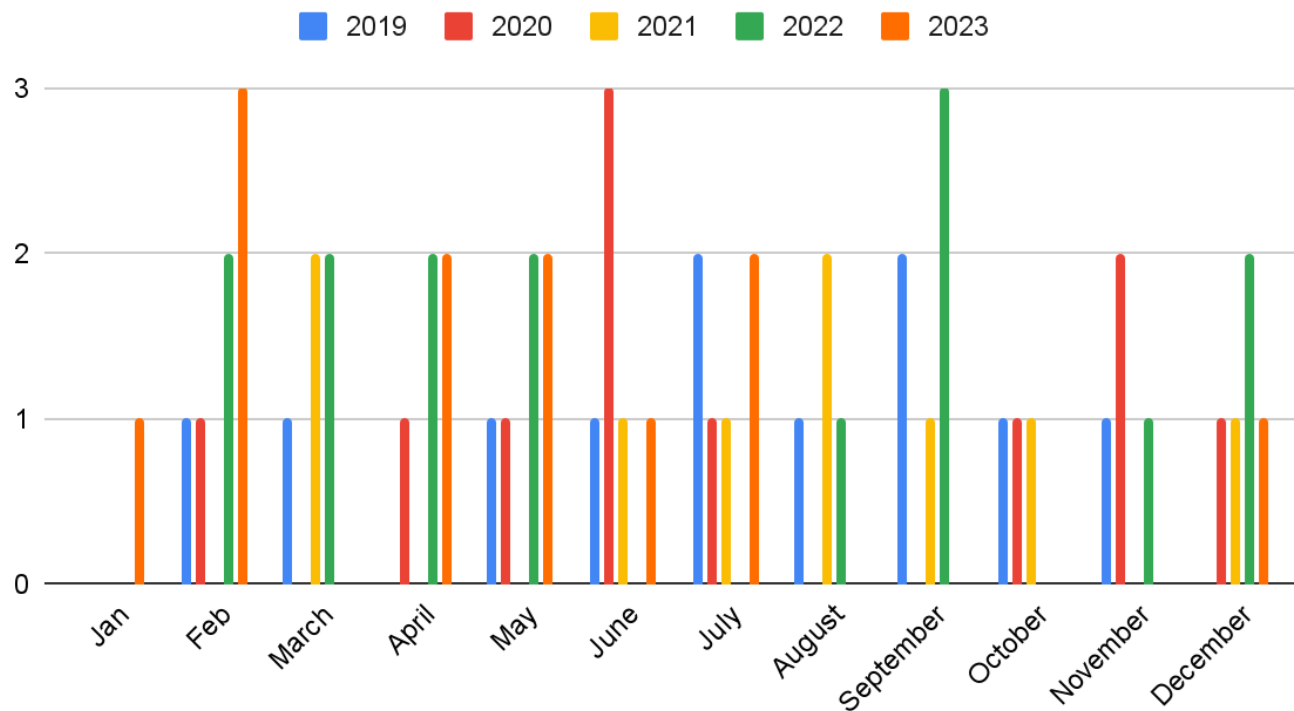
SpeakUp ReachOut reduces instances of suicide in Eagle County and helps those affected by it address their pain. Through educational programs, events, peer groups, and partnerships, we bring community members together to learn and share their unique experiences.

Suicide by the Numbers

Eagle County Statistics

Year	# of Suicides	Average Age	Male/Female	Resident
2023	13	46	12 male; 1 female	11 yes; 2 no
2022	15	48	12 male; 3 female	14 yes; 1 no
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

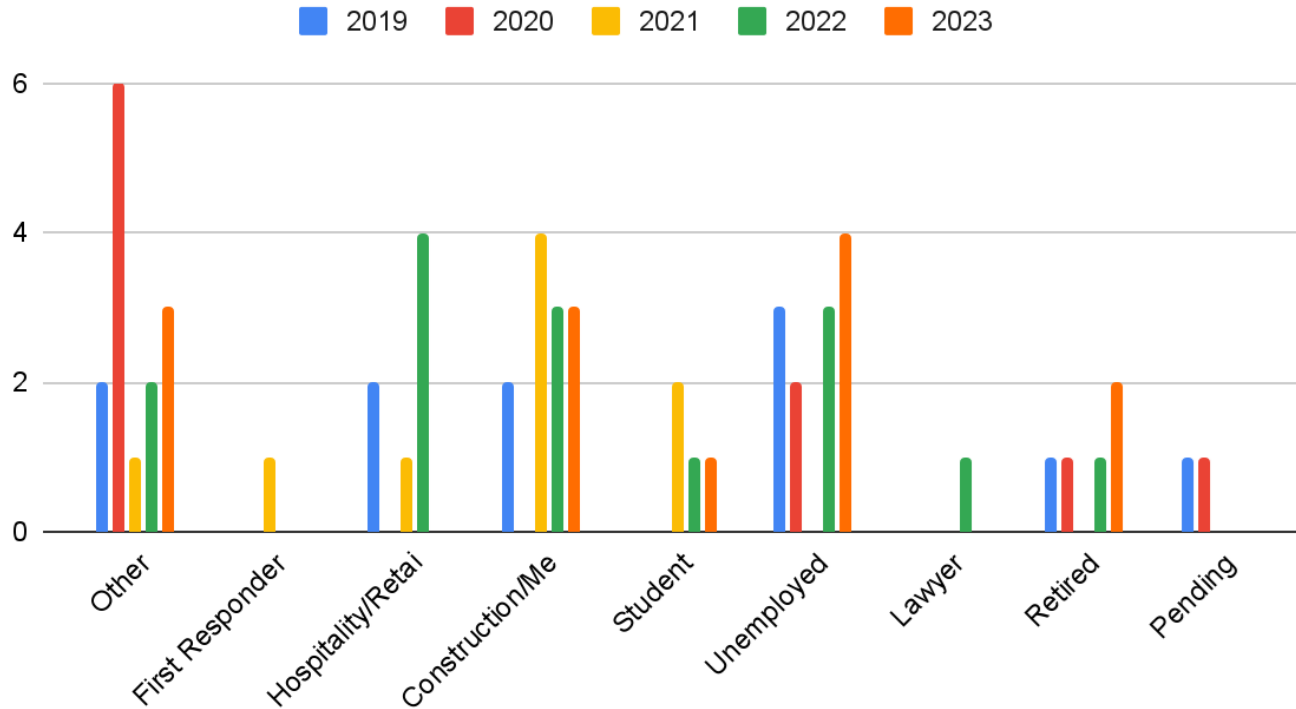
Death by Month



Time of Year

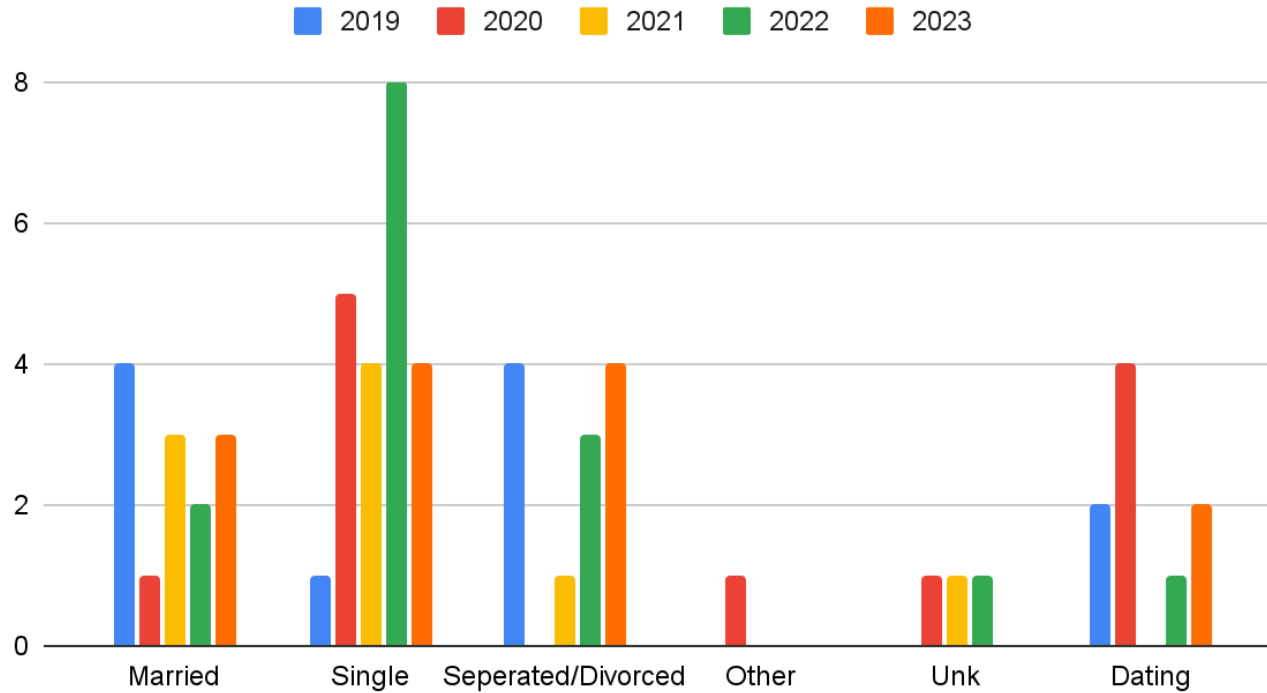
SpeakUpREACHOUT

2019-2023, Occupation



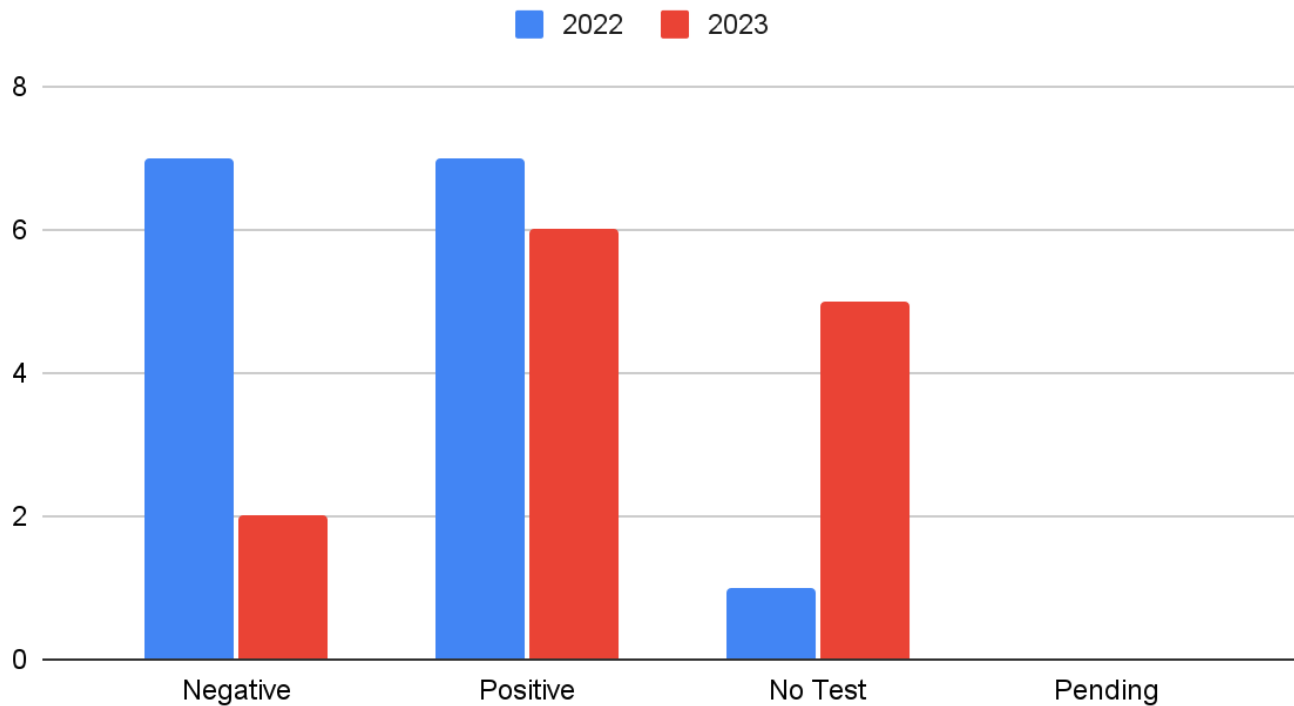
Occupation

2019-2023, Relationship Status

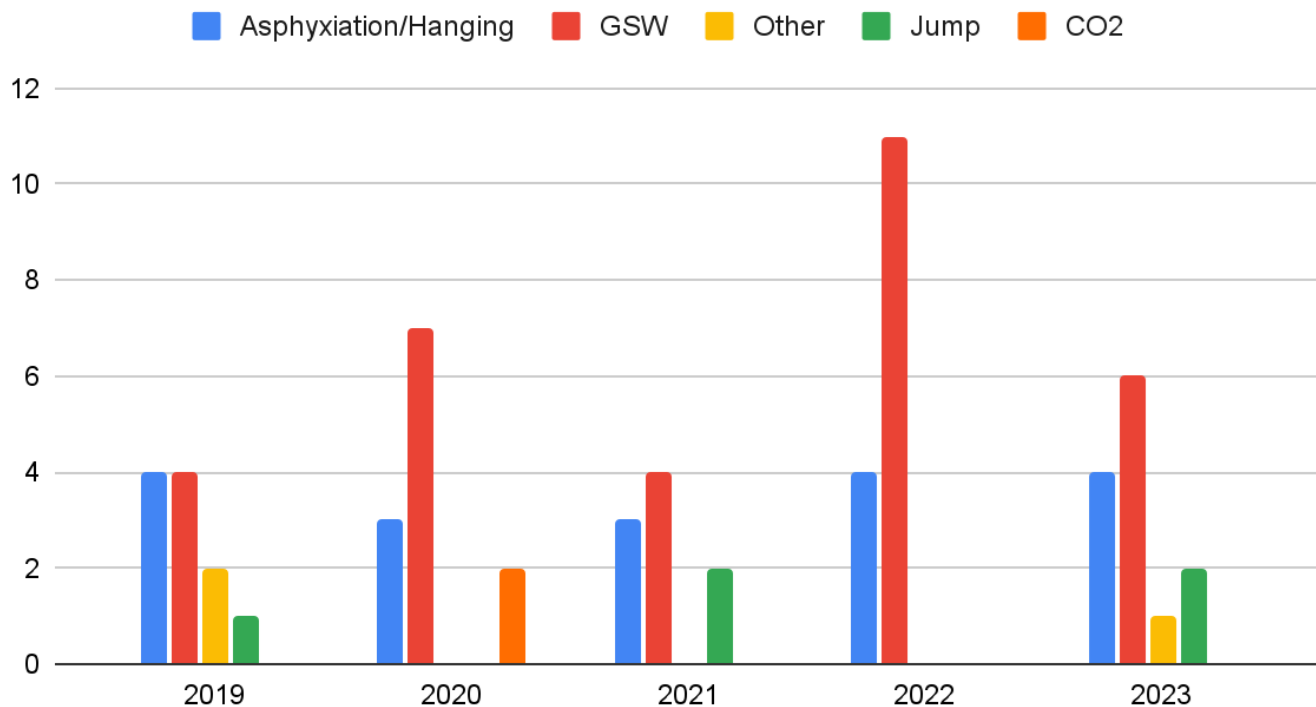


Relationship Status

2022-YTD, Toxicology



Asphyxiation/Hanging, GSW, Other, Jump and CO2



Firearms and Suicide

Gun Owners Can Help Prevent Suicide

Help prevent suicide and keep your loved ones and yourself safe by putting time and distance between a suicidal person and a firearm.

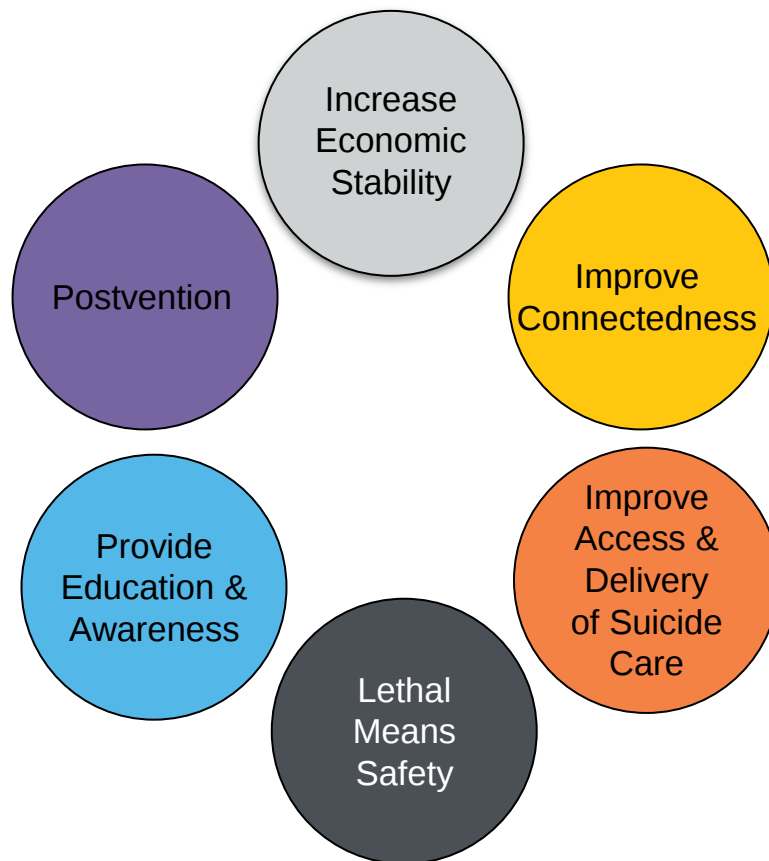
Out of home storage:

- Gun shops, ranges, law enforcement
- [ColoradoFirearmsSafetyCoalition.org](https://coloradofirearmsafetycoalition.org)
- [Lock2Live.org](https://lock2live.org)
- Loan the firearm to a relative
- Loan to a non-relative for up to 72 hours

Other storage options:

- Storage device and safes
- Change combinations and secure keys
- Store firearms and ammo separately

Theory of Change: Our Prevention Framework



Hispanic and Latino Outreach

How we can help

Based on feedback from five listening sessions in 2023 to 2024 with community leaders and nonprofits serving the Hispanic and Latino population:

- Implement more peer support programs led in Spanish
- Partner with other organizations to strengthen our community outreach and connection
- Two Signature Events:
 - Spanish Comedy Show that addressed mental health and suicide prevention
 - Día de los Muertos (Day of the Dead) meant to remember our loved ones regardless of how they pass away

Programs and Events

- Signature Event Series
 - Annual Memorial Ceremony
 - Speaker Series
- Suicide Prevention Training
 - FREE to community members, organizations, and businesses
- Professional Development for Providers
- Community Response & Loss Support
- Gun Shop Project
- Peer Support

Over 3,000 adults reached in 2023!

Learn More About Suicide Prevention

Training with SpeakUp ReachOut

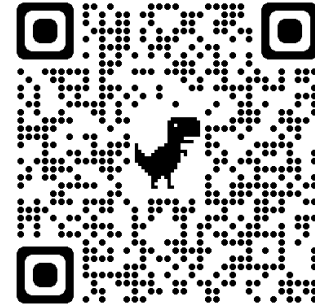
- Level 1
 - Talk Saves Lives
 - LivingWorks Start
 - VitalCog: Workplace Suicide Prevention
 - Question, Persuade, Refer (QPR) Training
- Level 2
 - Mental Health First Aid
 - Youth Mental Health First Aid
 - Soul Shop
- Level 3
 - Applied Suicide Intervention Skills Training (ASIST)

Upcoming Events

- **Community QPR** – Quarterly, August 29
 - Question, Persuade, Refer suicide prevention training
- **Storytelling Retreat**– August 7
 - Storytelling can save lives. Learn how to tell the story of your lived experience.
- **Annual Memorial Ceremony** – September 8
 - Remember, Reflect, Revitalize HOPE!
- **Wear Yellow Day** – September 13
 - Support suicide prevention and spread awareness in Eagle County.
- **Día de los Muertos** – November 2
 - Celebrate loved ones lost at this collaborative event.

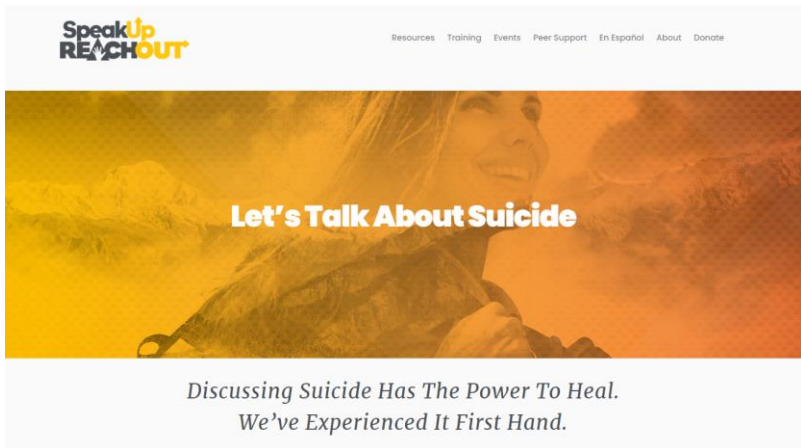
School Programs

- We provide Eagle County students in grades 5th–12th with developmentally appropriate suicide prevention programming.
 - **133 classroom sessions in 2023–24**
 - **2,589 students reached in 2023–24**
- Confidential Survey after class allows **mental health clinician or counselors** to check in with students when there is:
 - No trusted adult – **73 students in 2023–24**
 - A specific request for a check in if they are worried about themselves or a friend – **263 students in 2023–34**



- Seven regular peer groups (two summer-only)
- One-on-one peer support opportunities

Where to Find Us



www.speakupreachout.org



@speakupreachouteaglecounty



@speakupreachoutec



@speakupreachout



Get Help



Your Hope Center
970-306-4673



BEHAVIORAL HEALTH
VAIL HEALTH

www.vailhealthbh.org

SpeakUpReachOut.org

SpeakUpREACHOUT



Castle Peak Update



An Essential Service



- Since the very beginning, the vision for Castle Peak has been to provide essential senior care and living services to all in need in our community.
- This vision was born out of the generosity of local donors, towns, and businesses. We are grateful for your town's generosity in helping to create Castle Peak.

Helping Lifelong Residents Age in Place



- The experience, generosity and insights of older generations make our community whole.
- As the only senior living community in Eagle County and Summit County, Castle Peak remains a critical resource for these lifelong residents who helped build the valley that we have all come to know and love today.

Compassionate Care at Every Level



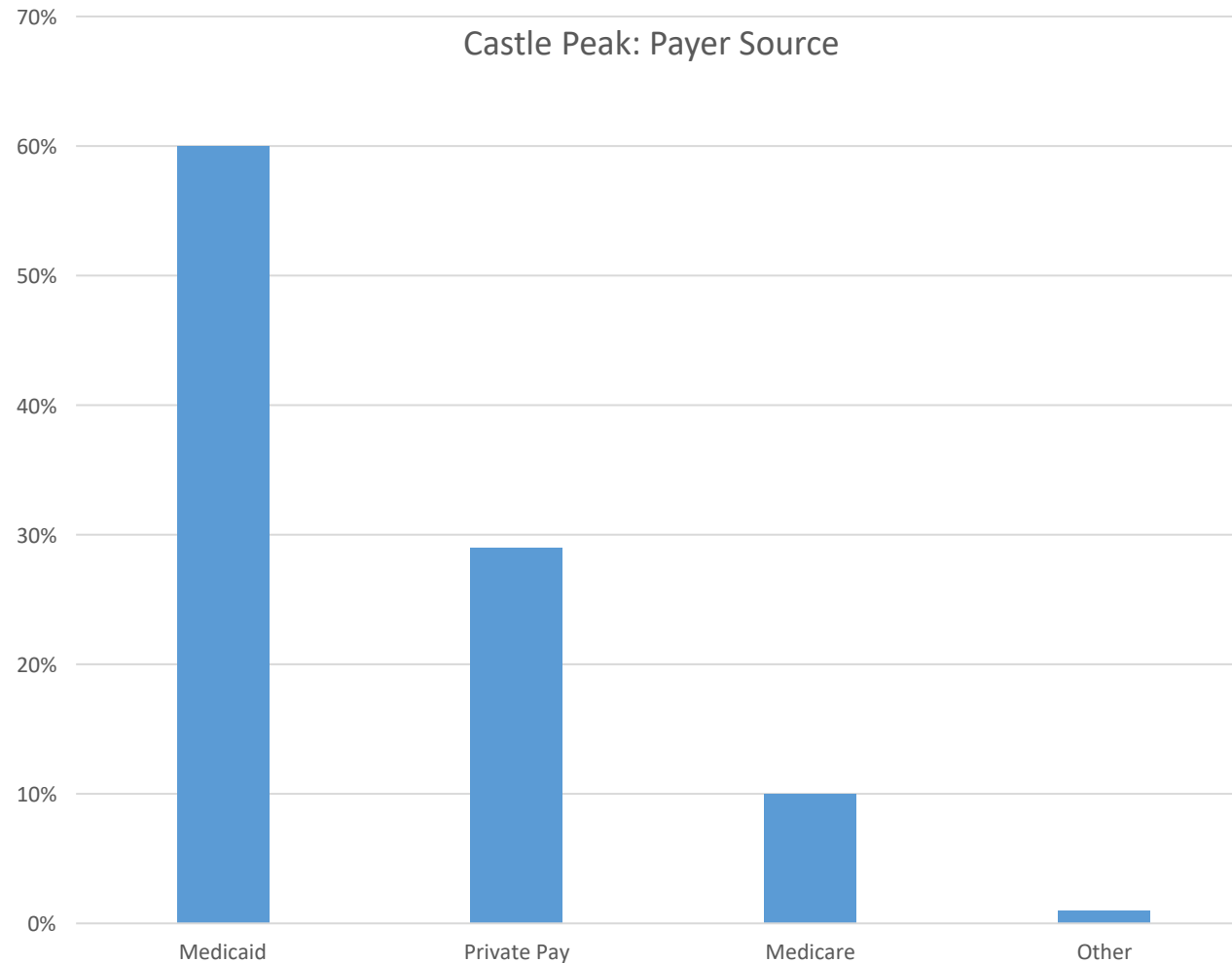
- Since 2016, Castle Peak has been providing compassionate care and services to an average of 140 residents per year.
 - 44 bed skilled nursing facility
 - 22 long-term care
 - 10 transitional care/rehab
 - 12 memory care
 - 20 assisted living apartments

National Recognition

- Castle Peak recently received the Pinnacle Customer Service award for scoring in the top 15% of senior care in the nation in the following categories.
 - Overall Satisfaction
 - Quality of Food
 - Cleanliness
 - Individual Needs
 - Laundry Service
 - Dignity and Respect
 - Professional Therapy Services



Castle Peak Care & Services Data



Castle Peak Care & Services Data



Occupancy Impact:



Compassionate and competent employees

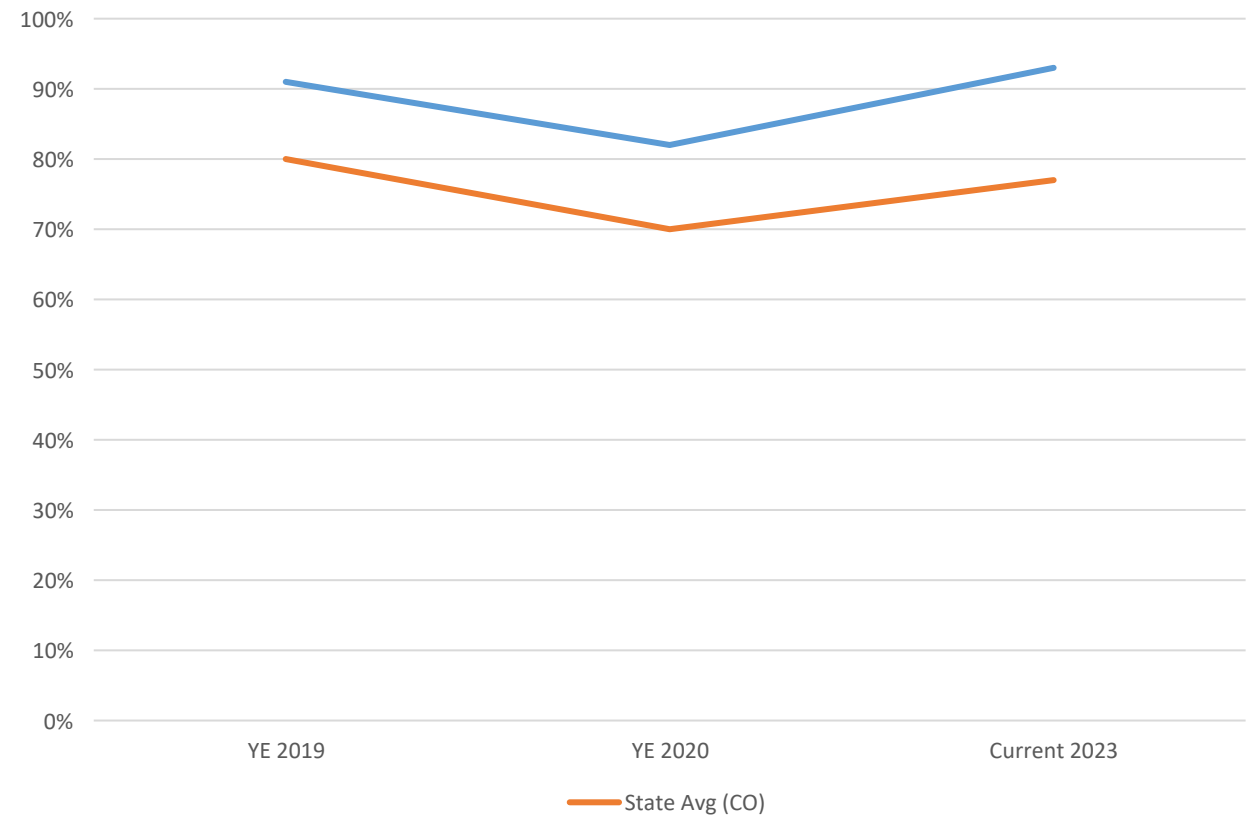


Supportive residents and families

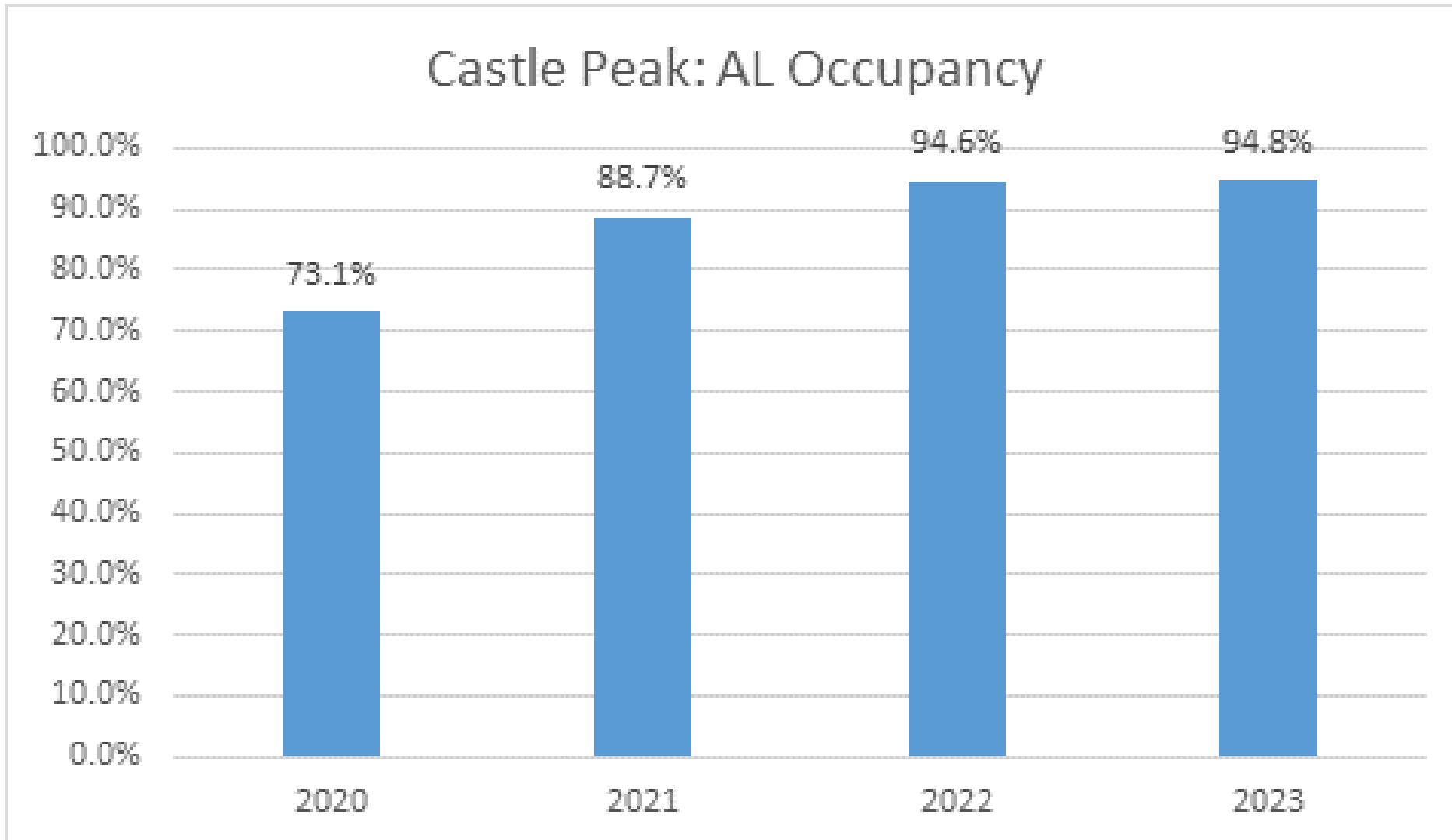


Quality care and strong connections with Vail Health and Valley View Health Systems

Castle Peak SNF: Occupancy



Castle Peak Care & Services Data



Castle Peak's Growing Challenges

- While the need for Castle Peak is greater than ever today, the rising cost of living, lack of affordable housing and workforce crisis have immensely increased the cost of providing care in Eagle County.
- Government reimbursement programs have not kept pace with the cost of care in the region. The Medicaid gap is approximately \$150 per day per Medicaid resident.
- Fortunately, we have found some short-term solutions and partners to help us continue providing essential care and services to all older adults in need, including residents utilizing Medicaid.

Solutions

- Improving operational efficiencies, increasing occupancy and reducing pool labor use is an ongoing focus.
- Eagle County has chosen to invest in supporting this important service in the valley for 2023 and 2024. While this level of support does not cover the entire operating gap at Castle Peak, it does bring it within reach so we can work to continue serving all older adults in need, including those individuals utilizing Medicaid.
- Seeking other charitable support and partnerships is ongoing.
- While the operating environment is challenging, we remain encouraged by the mission of Castle Peak and the committed community members engaged in finding ways to support this important work.

Christine and Gary's Story



“They still have their two favorite things: each other and the fresh mountain air, their lifeblood. Two things they never want to be without. And thanks to the generosity of the valley in creating Castle Peak, they won’t ever be without them.”

Thank YOU!

We remain grateful for your community's support in making
Castle Peak a reality!

Questions?

Shelly Cornish

Castle Peak Executive Director

Shelly.Cornish@cassialife.org

970-432-1100



MEETING MINUTES
Town Council
Tuesday, July 9, 2024
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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Times listed are approximate and are subject to change.*

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION *This was an in-person meeting using Teams.*

CALL TO ORDER - 6:00 PM

Mayor Turnipseed called the meeting to order at 6:00 p.m.

ROLL CALL

COUNCIL MEMBERS PRESENT

Mikel Kerst, Scott Turnipseed, Geoffrey Grimmer,
Nick Sunday, Jamie Woodworth Foral, Bryan
Woods

COUNCIL MEMBERS ABSENT

Ellen Bodenhemier

STAFF PRESENT

Larry Pardee, Town Manager
Melissa Daruna, Assistant Town Manager
Ruthanne Goff, Town Attorney
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Tom Gosiorowski, Public Works Director
Peyton Heitzman, Community Development Director
Lynette Horan, Human Resources Manager
Jessica Lake, Senior Planner
Molly Furtado, Special Events Manager
Sydney Dynek, Planner
Jamie Wilson, Communications & Marketing Specialist
Kira Koppel, Sustainability Specialist
Brian Lieberman, Open Space & Trails Manager
Ryan Goebel, IT Analyst
Kevin Aoki, Information Technology Manager
Carrie Buhlman, Police Chief
Nikki Davis, Economic Development & Housing Specialist

ADOPTION OF AGENDA

MOTION: Council Member Nick Sunday motioned to adopt the agenda as presented. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

PUBLIC COMMENT

Casey Glowacki, Owner of Wild Sage. Capitol Public House and Cut Meat. Requested the council to focus on bringing more people into the town for businesses to thrive.

PRESENTATIONS

1. Eagle County Housing: Real Estate Transfer Assessment Fees
Council comments: inquiry on Eagle County assistance on closing costs, Eagle County stated there is no program or funding source in place to accomplish that.
2. Eagle Chamber of Commerce Request for Funding, Michelle Morgan
Michelle Morgan presented this item.

Council comments: the request will be considered in the 2025 budget planning process.

CONSENT AGENDA

MOTION: Council Member Bryan Woods motioned to approve the consent agenda. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

1. Minutes - June 25, 2024
2. Bill Pay - June 2024
3. Resolution 44, Series 2024 "A Resolution of The Town Council of the Town of Eagle, Colorado Approving a Public Improvements Agreement Haymeadow Parcel A, Parcel B And Parcel C"

STAFF REPORTS

1. Town Manager Update
Melissa Daruna, thanked staff and Molly Furtado for the flight days event this past weekend.

Council comments: noticed that helmet and overall compliance were better for those riding e-bikes.
2. Department Update for June Activities

BUSINESS ITEMS

1. Town of Eagle Broadband Enterprise Fund Proposal
Kevin Aoki presented this item.

Council comments: discussion on how the loan will be secured. Staff is continuing discussions with the bank on security and will bring it back to the council for consideration.

MOTION: Council Member Bryan Woods motioned to direct staff to research and present funding options for future Town Council approval of \$700,000 to support the buildout and delivery of the wireless broadband program. The motion was seconded and passed with a vote of 6 in favor (Kerst,

Turnipseed, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

2. Partnership with Adam Palmer Sustainability Fund
Laura Hartman presented this item.

Kira Koppel outlined the partnership goals and stated staff will create a Memorandum of Understanding for the council to consider.

Council comments: The council appreciated the clarity presented to use going forward to accomplish goals. Additionally, requested community outreach as part of the goals of this partnership.

3. Resolution 45, Series 2024: A Resolution of the Town Council of the Town of Eagle, Colorado approving AIA Document A133-2019 Exhibit A – The Guaranteed Maximum Price Amendment for the Eagle Pool Replacement Project.
Melissa Daruna presented this item.

The Guaranteed Maximum Price Amendment is before the council tonight. The project is currently on schedule and budget. There was a slight change made to the actual start date in the contract.

MOTION: Council Member Nick Sunday motioned to approve Resolution 45, Series 2024: A Resolution of the Town Council of the Town of Eagle, Colorado approving AIA Document A133-2019 Exhibit A – The Guaranteed Maximum Price Amendment for the Eagle Pool Replacement Project. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

Council Member Bryan Woods stated the Downtown Development Authority is continuing to look at a new approach to the Executive Director position. Council expressed support to move forward with staff serving in that role.

Council Member Jamie Woodworth Foral stated that with no grant award for the Grand Avenue Project, it would be good to have an update on that project. Tom Gosiorowski will provide that update at an upcoming meeting.

Council Member Nick Sunday stated that the Economic Vitality Committee summit will be at the Town Hall. Additionally, the Eagle Transit Authority received a grant for four hybrid buses.

Mayor Scott Turnipseed and the Council wished Larry Pardee's mother well.

EXECUTIVE SESSION - 7:05 PM

MOTION: Council Member Scott Turnipseed motioned to enter into Executive Session to hold a conference with the Town Attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), regarding Helen Jane Tully v. Terrace Homeowners Association B, Inc. v. Town of Eagle, Case #2023CV30104 and further move to adjourn the regular meeting at the conclusion of the executive session..
the COMMENT. The motion was seconded and passed with a vote of 6 in favor (Turnipseed, Grimmer, Sunday, Woodworth Foral, and Woods), 1 abstain (Kerst), and 0 opposed.

ADJOURN - 7:20 PM

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk



To: Mayor and Town Council

From: Jill Kane, Finance Director

Date: July 23, 2024

Agenda Item: Resolution 46, Series 2024, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Finance Director to Sign the Participation and Release Form for the National Opioid Settlement with Kroger"

REQUEST: Staff requests that Council review Resolution 46, series 2024 for approval which authorizes the Finance Director to sign the national opioid settlement participation form.

INTRODUCTION/ANALYSIS: At the October 12, 2021 Council meeting, Council approved Resolution 69-2021. The resolution approved the "Colorado opioids settlement memorandum of understanding ([MOU](#)) and the associated Colorado subdivision escrow agreement and subdivision participation forms". At that time, the Town was approving participation in settlements obtained from the "Big 3" opioid distributors (McKesson, Cardinal Health, and AmerisourceBergen) and opioid manufacturer Johnson & Johnson to resolve claims by state and local government that these companies contributed to the opioid epidemic.

The MOU was created to provide an effective means of distributing any potential current and future settlement funds obtained under the MOU between the State of Colorado and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Colorado, as well as to permit collaboration and explore potentially earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants.

In 2023 the Town approved participation in settlement agreements with with five additional opioid companies, Teva, Allergan, CVS, Walgreens, and Walmart.

The Town has been notified by the State of Colorado that they have reached a settlement agreement with Kroger. For Colorado to maximize its share of the settlement proceeds, this opioid settlement (like prior opioid settlements) require that Colorado's Local Governments participate in the settlements by releasing their opioid-related legal claims against the settling Defendants. Eagle cannot receive funds from any opioid settlement it does not join.

The terms of the Colorado Opioid MOU, which governs the distribution of opioid settlement funds in Colorado, will also apply to the recent opioid settlements. The Town has chosen to opt out of receiving settlement funds directly and is redirecting our local share of opioid settlement funds to our regional abatement council. This decision was aimed at ensuring a greater impact by combining our funds with other settlement resources.

COMMUNITY INPUT: None received.

BUDGET / STAFF IMPACT: There is no budget/staff impact with this current resolution.

The Town was allocated a total of \$13,440 over 18 years (averaging \$747 per year) for the first round of settlement funds. These funds must be used exclusively for “Approved Purposes” focused on opioid abatement strategies, including prevention, treatment, and harm reduction. Due to the minimal annual amounts received, the annual administrative reporting requirements, and the intended purpose of the funds to abate the opioid epidemic and provide treatment, the Town decided to opt out and redirect these funds to the region. This approach allows for a greater impact when combined with other settlement funds.

The Town will receive information at a later date regarding the potential amount from these new settlements. At that time, the Town may again decide whether to receive the funds directly or redirect the local share to the region.

STRATEGIC PLAN ALIGNMENT: N/A

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to **approve** or **deny** adoption of Resolution 46, Series 2024, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Finance Director to Sign the Participation and Release Form for the National Opioid Settlement with Kroger"

ATTACHMENTS:

- Resolution 46-2024

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 46
(Series of 2024)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
AUTHORIZING THE FINANCE DIRECTOR TO SIGN THE PARTICIPATION AND RELEASE
FORM FOR THE NATIONAL OPIOIDS SETTLEMENT WITH KROGER

WHEREAS, the State of Colorado has filed lawsuits against opioid manufacturers, distributors, and others, leading to settlement funds to address the opioid epidemic; and

WHEREAS, on October 12, 2021, the Town Council adopted Resolution No. 69-2021 to adopt the Colorado Memorandum of Understanding (MOU) to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Colorado and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Colorado, as well as to permit collaboration and explore potentially earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS the State of Colorado has reached a settlement agreement with Kroger (Opioid Settlement Agreement attached as Exhibit A); and

WHEREAS the Council believes that it is in the best interests of Eagle citizens to participate in this settlement; and

WHEREAS, the Town of Eagle wishes to authorize the Finance Director to sign and complete the Participation Form for the settlement.

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

Section 1. The Town Council approves the Town of Eagle's participation in the Kroger Opioid settlement.

Section 2. The Finance Director is hereby authorized to sign and complete the Participation and Release Form for the National Opioid Settlement with Kroger, attached hereto as Exhibit A and any additional documents necessary to carry out the will of the Council.

INTRODUCED, READ, PASSED, AND ADOPTED by the Town Council of the Town of Eagle, Colorado at a regular meeting held on the 23rd day of July 2024.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, CMC
Town Clerk

New National Opioids Settlement: Kroger
Opioids Implementation Administrator
opioidsparticipation@rubris.com

Eagle town, CO
Reference Number: CL-790100

TO COLORADO LOCAL POLITICAL SUBDIVISIONS:

THIS PACKAGE CONTAINS DOCUMENTATION FOR COLORADO LOCAL POLITICAL SUBDIVISIONS TO PARTICIPATE IN THE NEW NATIONAL OPIOIDS SETTLEMENT WITH KROGER. YOU MUST TAKE ACTION IN ORDER TO PARTICIPATE.

Deadline: August 12, 2024

A new proposed national opioids settlement ("*New National Opioids Settlement*") has been reached with The Kroger Co. ("*Settling Defendant*"). This *Participation Package* is a follow-up communication to the *Notice of National Opioids Settlement* recently received electronically by your subdivision.

You are receiving this *Participation Package* because Colorado is participating in the Kroger settlement.

Thanks to the collaboration of Colorado's counties and municipalities, Colorado maximized its settlement proceeds from previous opioid settlements, and we are now asking that you review and sign-on to this settlement so that Colorado can maximize its share of these funds.

All opioid settlement funds that are received as a result of the settlement will follow the same [Colorado Opioid Settlement Memorandum of Understanding](#) that was signed in 2021. Completing the participation forms does not change your decision to "opt-out" to direct funds to the Region, or to "opt-in" to receive your direct allocation.

To review your Colorado local government decisions to receive or redirect funds, please see the [Colorado Opioid Settlement Dashboard Local Government page at: coag.gov/opioids/dashboard/local](https://coag.gov/opioids/dashboard/local).

This electronic envelope contains:

- The *Participation Form* for the Kroger settlement, including a release of any claims.

The *Participation Form* must be executed, without alteration, and submitted on or before August 12, 2024, in order for your subdivision to be considered for initial participation calculations and payment eligibility.

Based upon subdivision participation forms received on or before August 12, 2024, the subdivision participation rate will be used to determine whether participation is

sufficient for the settlement to move forward and whether a state earns its maximum potential payment under the settlement. If the settlement moves forward, your release will become effective. If a settlement does not move forward, that release will not become effective.

Any subdivision that does not participate cannot directly share in the settlement funds, even if the subdivision's state is settling and other participating subdivisions are sharing in settlement funds. Any subdivision that does not participate may also reduce the amount of money for programs to remediate the opioid crisis in its state. Please note, a subdivision will not necessarily directly receive settlement funds by participating; decisions on how settlement funds will be allocated within a state are subject to intrastate agreements or state statutes.

You are encouraged to discuss the terms and benefits of the *New National Opioids Settlement* with your counsel, your Attorney General's Office, and other contacts within your state. Many states are implementing and allocating funds for this new settlement the same as they did for the prior opioids settlements with McKesson, Cardinal, Cencora (formerly AmerisourceBergen), J&J/Janssen, Teva, Allergan, CVS, Walgreens, and Walmart but states may choose to treat this settlement differently.

Information and documents regarding the *New National Opioids Settlement* and how it is being implemented in your state and how funds will be allocated within your state can be found on the national settlement website at <https://nationalopioidsettlement.com/>. This website will be supplemented as additional documents are created.

How to return signed forms:

There are three methods for returning the executed *Participation Form* and any supporting documentation to the Implementation Administrator:

- (1) *Electronic Signature via DocuSign*: Executing the *Participation Form* electronically through DocuSign will return the signed form to the Implementation Administrator and associate your form with your subdivision's records. Electronic signature is the most efficient method for returning the *Participation Form*, allowing for more timely participation and the potential to meet higher settlement payment thresholds, and is therefore strongly encouraged.
- (2) *Manual Signature returned via DocuSign*: DocuSign allows forms to be downloaded, signed manually, then uploaded to DocuSign and returned automatically to the Implementation Administrator. Please be sure to complete all fields. As with electronic signature, returning a manually signed *Participation Form* via DocuSign will associate your signed forms with your subdivision's records.
- (3) *Manual Signature returned via electronic mail*: If your subdivision is unable to return an executed *Participation Form* using DocuSign, the signed *Participation Form* may be returned via electronic mail to opioidsparticipation@rubris.com. Please include the name, state, and

reference ID of your subdivision in the body of the email and use the subject line Settlement Participation Form - [Subdivision Name, Subdivision State] - [Reference ID].

Detailed instructions on how to sign and return the *Participation Form*, including changing the authorized signer, can be found at <https://nationalopioidsettlement.com>. You may also contact opioidsparticipation@rubris.com.

The sign-on period for subdivisions ends on August 12, 2024.

If you have any questions about executing the *Participation Form*, please contact your counsel, the Implementation Administrator at opioidsparticipation@rubris.com, or the Colorado Attorney General's Opioid Response Unit at Opioids@coag.gov or 720-508-6904.

Thank you,

New National Opioids Settlement Implementation Administrator

The Implementation Administrator is retained to provide the settlement notice required by the New National Opioids Settlement and to manage the collection of the Participation Form.

Subdivision Participation and Release Form

Governmental Entity: Eagle town	State: CO
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated March 22, 2024 (“*Kroger Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Kroger Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Kroger Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the Kroger Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopioidsettlement.com/>.
3. The Governmental Entity agrees to the terms of the Kroger Settlement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the Kroger Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Kroger Settlement solely for the purposes provided therein.
6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity’s state where the Consent Judgment is filed for purposes limited to that court’s role as provided in, and for resolving disputes to the extent provided in, the Kroger Settlement. The Governmental Entity likewise agrees to arbitrate before the National



Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Kroger Settlement.

7. The Governmental Entity has the right to enforce the Kroger Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Kroger Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Kroger Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Kroger Settlement shall be a complete bar to any Released Claim.
9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Kroger Settlement.
10. In connection with the releases provided for in the Kroger Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Kroger Settlement.



11. Nothing herein is intended to modify in any way the terms of the Kroger Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the Kroger Settlement in any respect, the Kroger Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____





To: Mayor and Town Council
From: Larry Pardee, Town Manager
Date: July 23, 2024
Re: Town Manager Report

I want to start by expressing my gratitude for your understanding during my recent absence due to my mother's health issues. Despite my time away, we've continued progressing and presented the manager's report from our last Town Council meeting.

Community Engagement & Meetings: This report highlights our recent community outreach efforts and key regional and project-specific meetings. Our top priority is to engage with stakeholders, stay abreast of developments, and contribute to our Community's growth.

Eagle Valley Transit Authority – 10-Year Transit Development & Capital Plan: We recently had a landmark kickoff meeting for the 10-Year Transit Development & Capital Plan. The Technical Advisory Committee (TAC) assembled 24 distinguished members, including Jessica Lake and myself, to collaborate with Fehr & Peers, a premier transportation consulting firm. Their extensive expertise spans transportation engineering, bike/ped planning, safety, equity, community engagement, demand forecasting, transit planning, and freight logistics. Please see the attachment for an overview of the meeting and our strategic framework for this decade-long plan.

Progress on Abrika Discussions

Our ongoing discussions with Abrika, represented by Brandon Cohen and Michael Hood, have been productive, thanks to the dedication of Jessica Lake and Peyton Heitzman. We've tackled critical issues, including the extension of Brush Creek Road, partial release of performance guarantees, vesting of property rights, and financial contributions to the Grand Avenue project. We're exploring effective strategies and alternatives to advance these initiatives, ultimately enhancing our community infrastructure.

We're also engaged in high-level talks to potentially reduce the property development zone and scale back some housing units, focusing on preserving 195 acres adjacent to Brush Creek Open Space Park with a conservation easement. This initiative involves collaboration with multiple agencies, including the Land Trust, Eagle County Open Space, Abrika, and the Town of Eagle, to promote sustainable development.

East Eagle Sports Complex Update: On July 11, we're bringing together community leaders and stakeholders to discuss the future of the East Eagle Sports Complex. This meeting represents a significant step in transforming the complex into a vibrant sports, recreation, and community engagement hub. We're excited to welcome representatives from the Vail Valley Foundation, Vail Health, and other key figures to explore innovative ideas and partnerships. Proposed facilities include indoor/outdoor soccer fields, early childhood education centers, and expanded sports amenities to meet our growing

Community's diverse needs. We're committed to maximizing this project's impact through collaboration and ensuring it exceeds expectations.

Administration and Organization Update:

I wanted to inform you about an upcoming adjustment to my schedule. From Monday, July 22, through Friday, August 2, I will work remotely while out of town. Rest assured, I will remain fully accessible and committed to our ongoing projects and initiatives during this period.

Please do not hesitate to contact me via email or phone with any urgent matters or required communication. I appreciate your understanding and look forward to continuing our productive work together.

Celebrating Flight Days – A Heartfelt Thank You: A special thank you to Molly and the town team for their incredible work during the Flight Days Parade and Celebration. Your dedication and hard work made the event a huge success. Kudos to the Police Department, Public Works, TOE Administration, and Planning teams for their unwavering support.

Brush Creek Park – Playground Update: Exciting news for Brush Creek Park! We're anticipating a fresh proposal from Playgrounds by Leathers Dream-Build-Play to construct a new playground. We aim for a community-driven construction process starting in late August or September, contingent on the proposal and equipment arrival. We'll gear up to begin the transformation in spring 2025 if there are delays. Stay tuned for updates and opportunities to get involved!

Quality of Life Initiative – Strengthening Community Connections: We're dedicated to enhancing our residents' quality of life by refining essential services and maintaining our public parks, infrastructure, and facilities. Our recent meeting reaffirmed our commitment to proactive communication and effective community engagement.

We prioritize open dialogue to understand our Community's needs and concerns better. Jamie Wilson's presence at the Farmers Market exemplifies our dedication to gathering public input and addressing concerns directly. Our Town of Eagle booth at the Flight Days festival provided another platform for resident engagement, where we spent time answering questions, gathering feedback, and exploring ways to serve our Community better.

Town Employment Update – A Year of Filling Vacant Positions

In 2024, we've made significant strides in staffing, filling 22 previously vacant positions. Six full-time openings remain, and we're diligently working to attract top talent. Our strategic recruitment initiatives aim to bring in highly qualified candidates to enhance the quality of life of our Community. This effort underscores our commitment to fostering a vibrant cultural environment and ensuring continuous progress for all residents.

Economic Development:

East Eagle Financing Infrastructure and Commercial Linkage Study Update: On August 13, we will host Sarah Dunmire and Andrew Knudtsen from EPS to present their findings on our commercial linkage fee and infrastructure strategy. This Town Council meeting is crucial, as your feedback will shape EPS's draft finalization. We highly value your input and anticipate a dynamic discussion to propel our projects forward.

We're also exploring the introduction of a Commercial Linkage Fee to support affordable housing in Eagle. This fee complements the Local Employee Residency Program (LERP), which addresses residential housing needs. By linking commercial development to affordable housing initiatives, we're taking a

proactive step to meet the housing demands generated by economic growth. The fee will be adjusted to reflect market conditions and land-use patterns, reinforcing our commitment to balanced and inclusive growth.

WORK SESSIONS:

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

Date	Topic
April 2, Work Session	<i>Canceled</i>
May 7, Work Session	EVTA – Tanya and Scott will present an update on EVTA
June 4, Work Session	Grand Avenue Project Overview and Bill Ray - Quality of Life Survey Report Out
July 2, Work Session	<i>Canceled</i>
August 6, Work Session	
September 3, Work Session	
October 1, Work Session	MEAC check-in with Council to clarify their role
Request for Additional Work Sessions	Topic