

EXECUTIVE SESSION CERTIFICATE

Town of Breckenridge)
County of Summit)
State of Colorado)

Kelly Owens the duly elected, qualified and acting Mayor of the Town of Breckenridge, hereby certifies as follows:

As part of the town council regular meeting on Tuesday, October 28, 2025 at 6:22 pm, Council Member Rankin moved to convene in executive session pursuant to Paragraph 4(b) of Section 24-6-402, C.R.S., relating to conferences with the town attorney for purposes of receiving legal advice on specific legal questions; and Paragraph (4)(e) determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiations. Council Member Beckerman seconded the motion.

The Mayor stated a motion had been made to go into executive session pursuant to Paragraph 4(b) of Section 24-6-402, C.R.S., relating to conferences with the town attorney for purposes of receiving legal advice on specific legal questions; Paragraph (4)(e) determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiations.

The subject of the executive session as stated in the motion included:

- (i) To discuss negotiations related to three agreements between the town and the developer of Berlin Placer PUD and receive legal advice related thereto.
(ii) Receive legal advice regarding a Rule 106 appeal on BGV Parcel 3 approval.
(iii) Receive legal advice regarding a national lawsuit by municipalities over ending of SNAP benefits.

A roll call vote was taken and all were in favor of the motion.

The individuals present were Mayor Kelly Owens, Councilmembers Marika Page, Todd Rankin, Carol Saade, Dick Carleton, Steve Gerard, and Jay Beckerman, Town Manager Shannon Haynes, Deputy Town Manager Scott Reid, and Town Attorney Keely Ambrose.

The conference with the Town Attorney involved a confidential discussion of legal issues involved in the announced subjects of the executive session.

Council Member Rankin moved to adjourn the executive session at 6:59 pm. Council Member Beckerman seconded the motion. All were in favor of the motion.

No decisions were made as a result of the executive session when Council returned to the open meeting and no further discussion was had.

This certificate shall be included before the minutes of the regular Town Council meeting of Tuesday, October 28th, 2025.

ATTEST:

TOWN OF BRECKENRIDGE

[Signature of Mae Watson]
Mae Watson, Town Clerk

[Signature of Kelly Owens]
Kelly Owens, Mayor

[ONLY SIGN IF APPLICABLE]

As Town Attorney, I hereby attest that it is my opinion that the portion of the discussion in executive session which was not recorded constitutes a privileged attorney-client communication that is not required to be recorded pursuant to C.R.S. §24-6-402(2)(d.5)(II)(B).

ATTEST:

[Signature of Keely Ambrose]
Keely Ambrose, Town Attorney

I) CALL TO ORDER, ROLL CALL

Mayor Owens called the meeting of October 28th, 2025, to order at 7:02pm. The following members answered roll call: Steve Gerard, Marika Page, Carol Saade, Jay Beckerman, Todd Rankin, and Mayor Kelly Owens. Dick Carleton was absent.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES – OCTOBER 14, 2025

There were no changes or corrections to the meeting minutes of October 14, 2025. Mayor Owens declared they would stand approved as presented.

III) APPROVAL OF AGENDA

Town Manager Shannon Haynes stated there were no changes to the agenda. Mayor Owens stated the agenda stands approved as presented.

IV) COMMUNICATIONS TO COUNCIL

A) PUBLIC COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT)

Mayor Owens opened public comment.
With no public comments, Mayor Owens closed public comment.

B) BRECKENRIDGE TOURISM OFFICE UPDATE

Lucy Kay, Breckenridge Tourism Office President, provided a lodging update. Summer room nights ended down 12% and revenue down 10%, consistent with summer trends in similar mountain towns. Winter projections appear more optimistic with some upward movement in bookings and revenues.

Kay reported that the Governor's Conference on Tourism was held last week in Colorado Springs, and Breckenridge will host the event in September 2026, with Beaver Run credited for winning the bid. Kay thanked Council for supporting Global Fire, noting planning is underway for June 2026. Kay also reviewed lessons from Oktoberfest, stating the event will be restructured to include multiple breweries. She provided an update on the upcoming International Snow Sculpture Championships, noting strong lodging support. Kay added that the resident survey response rate remains low and encouraged participation.

C) BRECKENRIDGE SKI RESORT UPDATE

Jon Copeland, Vice President and Chief Operating Officer of Breckenridge Ski Resort, provided an update on summer and upcoming winter operations. Copeland reported the resort operated 97 days this summer, with the coaster and alpine slide as top attractions and the scenic chair rides seeing the greatest increase in use. Weather and lightning were the main challenges. He noted strong participation in four local appreciation mornings.

Copeland described resort investments in infrastructure improvements, including new energy-efficient snowmaking guns, intake upgrades, lift enhancements, and reopening the Chair 6 warming hut. Copeland highlighted ongoing investment in employees, with a new leadership program and an employee preview day. Copeland noted the resort is seeing its highest staff return rates and satisfaction scores, and the resort is on track to be fully staffed.

Copeland previewed upcoming winter events, including the Rockstar Energy Open, a reimagined Toyota Big Mountain Challenge, and Peaks and Beats Pond Skimming Weekend. The resort is also developing new on-mountain music experiences and a communal "ULLR Time" shot-ski event.

Copeland described sustainability initiatives to reduce waste and continue food donations to FIRC's Café Food Rescue. Copeland thanked the Town for its partnership with parking coordination.

V) CONTINUED BUSINESS

A) SECOND READING OF COUNCIL BILLS, SERIES 2025 - PUBLIC HEARINGS

No council bills were presented for second reading.

VI) NEW BUSINESS

A) FIRST READING OF COUNCIL BILLS, SERIES 2025

- 1) COUNCIL BILL NO. 18, SERIES 2025 – AN ORDINANCE AMENDING SECTIONS 5-8-5 AND 5-8-12 OF THE BRECKENRIDGE TOWN CODE CONCERNING NOISE
Mayor Owens read the title into the record.

Town Attorney Keely Ambrose introduced a proposed ordinance on first reading to amend the Town Code in response to recent state law changes on allowable decibel levels for commercial and residential zones and a Supreme Court ruling limiting who a town can grant noise exceptions too.

Mayor Owens opened the public hearing.
There were no public comments and the hearing was closed.

Council Member Rankin made a motion to approve COUNCIL BILL NO. 18, SERIES 2025 – AN ORDINANCE AMENDING SECTIONS 5-8-5 AND 5-8-12 OF THE BRECKENRIDGE TOWN CODE CONCERNING NOISE. Council Member Gerard seconded the motion.

The motion passed 6-0. Council Member Carleton was absent.

- 2) COUNCIL BILL NO. 19, SERIES 2025 — AN ORDINANCE APPROVING A LEASE WITH COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC FOR A CABLE AND BROADBAND COMMUNICATIONS SIGNAL PROCESSING AND TRANSMISSION FACILITY
Mayor Owens read the title into the record.

Chris Luberto, Director of IT, introduced a proposed ordinance for first reading to renew a 10-year lease with Comcast Cable Communications for the head end facility at 524 Wellington Road. The renewal will include a rent increase from \$3,300 to \$5,700 per month with 5 % annual escalations. Staff recommend approval on first reading.

Mayor Owens opened the public hearing.
There were no public comments and the hearing was closed.

Council Member Rankin made a motion to approve COUNCIL BILL NO. 19, SERIES 2025 — AN ORDINANCE APPROVING A LEASE WITH COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC FOR A CABLE AND BROADBAND COMMUNICATIONS SIGNAL PROCESSING AND TRANSMISSION FACILITY. Council Member Gerard seconded the motion.

The motion passed 6-0. Council Member Carleton was absent.

- 3) COUNCIL BILL NO. 20, SERIES 2025 — AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2026
Mayor Owens read the title into the record.

Pamela Ness, Revenue Manager, introduced a proposed ordinance for first reading setting the 2026 mill levy within the Town of Breckenridge at 5.07 mills. Ness stated this levy is the amount the town was authorized to impose and according to state law cannot be increased without an election. Ness noted the levy will result in tax revenue of 5.3 million for the purposed of deferring the expenses of the general fund. Staff recommend approval on first reading.

Council Member Gerard clarified for the record that this mill levy has been in place at this rate since 2014 and has not been increased. Ness confirmed that is correct.

Mayor Owens opened the public hearing.
There were no public comments and the hearing was closed.

Council Member Rankin made a motion to approve COUNCIL BILL NO. 20, SERIES 2025 — AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2026. Council Member Gerard seconded the motion.

The motion passed 6-0. Council Member Carleton was absent.

- B) RESOLUTIONS, SERIES 2025

- 1) RESOLUTION NO. 12, SERIES 2025 — A RESOLUTION ADOPTING THE 2026 BUDGET AND MAKING APPROPRIATIONS THEREFOR; AND APPROVING THE 2026 CAPITAL IMPROVEMENT PLAN AND PUBLIC HEARING
Mayor Owens read the title into the record.

Tracey Lambert, Senior Accountant, presented a resolution to adopt the 2026 Budget and Capital Improvement Plan and to make appropriations for the total expenditures for 2026. The resolution was amended to include changes requested at the October 14th budget retreat and reclass \$250,000 moved from the Special Projects Fund to the General Fund. Town Council was provided the amended resolution at tonight's meeting.

Mayor Owens opened the public hearing.
There were no public comments and the hearing was closed.

Council Member Rankin made a motion to approve RESOLUTION NO. 12, SERIES 2025 — A RESOLUTION ADOPTING THE 2026 BUDGET AND MAKING APPROPRIATIONS THEREFOR; AND APPROVING THE 2026 CAPITAL IMPROVEMENT PLAN AND PUBLIC HEARING in the form that was handed out. Council Member Beckerman seconded the motion.

The motion passed 6-0. Council Member Carleton was absent.

- C) OTHER

VII) PLANNING MATTERS

- A) PLANNING COMMISSION DECISIONS

Mayor Owens declared the Planning Commission Decisions would stand approved as presented.

VIII) REPORT OF TOWN MANAGER AND STAFF

Deputy Town Manager Scott Reid stated that Council received an email from Mark Rizzo about a potential development agreement for a proposed indoor pickleball facility. Reid noted the email was sent Council prematurely, and staff requested more time to review. Council supported further investigation.

IX) REPORT OF MAYOR AND COUNCIL MEMBERS

- A) CAST/MMC

Mayor Owens reported there had been no recent meetings and there are no updates.

- B) BRECKENRIDGE OPEN SPACE ADVISORY COMMISSION

Council Member Beckerman reported a 20:1 ratio of hikers to bikers on Aspen Alley and discussed possible reasons for the trend, expressing hope for a new uphill trail in the future. Council Member Beckerman noted BOSAC approved the Marble Run for a one-year. He summarized THK's presentation on the future of the bike path and shared insights from a recent Jefferson County Open Space and Trails field trip, noting that Breckenridge could learn from Jefferson County's larger-scale operations.

- C) BRECKENRIDGE TOURISM OFFICE

Council Member Beckerman summarized Thursday's meeting, noting that summer performance was not as bleak as presented and Breckenridge outperformed competitors. Oktoberfest generated a \$26,000 surplus for the BTO. He reported out-of-state visitation was down, with trends showing fewer family trips and more friend-group travel. First-time visitors made up 82%, and part-time homeowners increased. Beckerman added that a group will be formed to proactively plan for the upcoming Rockstar event and future resort activities.

- D) BRECKENRIDGE HISTORY

Council Member Rankin reported that crews are working on the Trestle in Main Street Station Village. He noted the Welcome Center Museum will close soon to prepare for the 250/150 event, and the Smithsonian Americans exhibit will open on January 17.

- E) BRECKENRIDGE CREATIVE ARTS

Council Member Gerard reported that BCA and its partners presented earlier today, highlighting that the arts are thriving and performing better than expected. He also attended a luncheon with a group called Thing Thing, which plans to collaborate with Precious Plastics to expand the marketability of recycled plastics.

- F) **SOCIAL EQUITY ADVISORY COMMISSION**
Council Member Saade reported that the last meeting included new commissioner Carlos. The group reviewed the Pathway to Homeownership class and discussed the Beginners Guide to Local Government. They heard a presentation from the McCain Open Space consultant and recommended improvements for ADA accessibility. Council Member Saade also noted an update from Jackie with the Breckenridge Backstage Theatre and a brief discussion on immigration, where commissioners shared how their communities have been affected.
- G) **ARTS & CULTURE MASTER PLAN STEERING COMMITTEE**
Council Member Beckerman stated they will be issuing RFP.
- X) **OTHER MATTERS**
Council Member Beckerman noted the castaways staircase has been repaired and tape removed. He thanked Kristin Brownson for the work.
- XI) **SCHEDULED MEETINGS**
SCHEDULED MEETINGS FOR OCTOBER, NOVEMBER, DECEMBER
- XII) **ADJOURNMENT**
With no further business to discuss, the meeting adjourned at 7:41 pm. Submitted by Mae Watson, Town Clerk.

ATTEST:



Mae Watson, Town Clerk



Kelly Owens, Mayor