

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, November 11, 2025 at 5:22 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; Paragraph 4(e) of Section 24-6-402, C.R.S determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiations; and Paragraph 4(f) of Section 24-6-402, C.R.S for personnel matters not involving any specific employees who have requested discussion of the matter in open session, any member of this body or any elected official, the appointment of any person to fill an office of this body or of an elected official, or personnel policies that do not require discussion of matters personal to a particular employee. Council Member Gerard seconded the motion.

The Mayor stated a motion had been made to go into executive session pursuant to Section 24-6-402, C.R.S Paragraph 4(b) 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; and Paragraph 4(f) personnel matters.

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

- (i) Receive legal advice regarding litigation between the Town and MW Golden et al. over the failed heating system at the Ullr Workforce building.
(ii) Discuss negotiations regarding litigation between the Town and MW Golden et al. over the failed heating system at the Ullr Workforce building.
(iii) Discuss personnel matters related to the Town Attorney's performance and annual review. The Town Attorney was given the opportunity to request that the discussion occur in open session and declined.

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

The individuals present were Mayor Kelly Owens, Councilmembers 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. Tamir Goldstein and Mary Sue Greenleaf of Taft Law were in attendance for the negotiation discussions and to provide legal advice regarding litigation between the Town and MW Golden et al. over the failed heating systems at the Ullr Workforce Building.

The executive session was adjourned at 6:35 pm. 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, November 11th, 2025.

ATTEST:

[Signature of Mae Watson]
Mae Watson, Town Clerk

TOWN OF BRECKENRIDGE

[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 November 11th, 2025, to order at 7:01pm. The following members answered roll call: Steve Gerard, Dick Carleton, Carol Saade, Jay Beckerman, Todd Rankin, and Mayor Kelly Owens. Marika Page was absent.

Mayor Owens recognized Veterans Day and thanked the veterans for their service.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES – OCTOBER 28, 2025

There were no changes or corrections to the meeting minutes of October 28, 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.

IV) COMMUNICATIONS TO COUNCIL

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

Mayor Owens opened public comment.

Ryan Dineen, President of the Breckenridge Ski Patrol Union, thanked Council for its past support. Dineen shared that the Ski Patrol is currently negotiating a labor contract with Vail Resorts and plans to picket at the bottom of the gondola on Sunday, November 16th, pending a bargaining session on Thursday, November 13th. He noted he has coordinated with the Breckenridge Police Department and applied for a permit. Dineen said he wanted to give respectful notice to Council and the community and emphasized their commitment to a respectful demonstration.

With no public comments, Mayor Owens closed public comment.

B) BRECKENRIDGE TOURISM OFFICE UPDATE

Bill Wishowski, Managing Operations Director, reported that the November 5th winter preview drew one of the largest crowds they've ever seen. The dog parade will change its route this year, moving north to south. He noted the resident sentiment survey has been out for five weeks, but response numbers are lower than hoped. Wishowski noted results are expected in January. Wishowski shared several tourism metrics: summer room nights are down 11.7% year-over-year. The average daily rate is \$238, up \$3 from last year. Key revenue is down 10% year-over-year. Winter guest nights are also down overall. Winter average daily rates and key revenue are both increasing.

V) CONTINUED BUSINESS

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

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 for second 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 moved 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 Page 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 second 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 second 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 Saade seconded the motion.

The motion passed 6-0. Council Member Page 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.

Kyle Griffin, Revenue Compliance Auditor, introduced a proposed ordinance for second reading setting the 2026 mill levy within the Town of Breckenridge at 5.07 mills.

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 Carleton seconded the motion.

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

VI) NEW BUSINESS

A) FIRST READING OF COUNCIL BILLS, SERIES 2025

- 1) COUNCIL BILL NO. 21, SERIES 2025 — AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE BUILDING CODES OF THE TOWN OF BRECKENRIDGE; ADOPTING BY REFERENCE AND AMENDING: THE INTERNATIONAL BUILDING CODE, 2024 EDITION INCLUDING APPENDIX P; THE INTERNATIONAL RESIDENTIAL CODE, 2024 EDITION, INCLUDING APPENDIX BE AND BG; THE INTERNATIONAL PLUMBING CODE, 2024 EDITION INCLUDING APPENDIX C; THE INTERNATIONAL MECHANICAL CODE, 2024 EDITION, INCLUDING APPENDIX A; THE INTERNATIONAL FUEL GAS CODE, 2024 EDITION, INCLUDING APPENDIX A AND B; THE INTERNATIONAL ENERGY CONSERVATION CODE, 2024 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2024 EDITION; THE INTERNATIONAL POOL AND SPA CODE, 2024 EDITION; THE NATIONAL ELECTRICAL CODE, 2023 EDITION; THE ICC ELECTRICAL CODE – ADMINISTRATIVE PROVISIONS, 2006 EDITION; THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION; THE COLORADO WILDFIRE RESILIENCY CODE, 2025 EDITION; THE COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE, 2023 EDITION; ADOPTING BY REFERENCE WITHOUT AMENDMENTS THE INTERNATIONAL FIRE CODE, 2024 EDITION, INCLUDING APPENDICES B THROUGH Q AND THE ICC A117.1-2017 STANDARD FOR ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES, 2017 EDITION.

Mayor Owens read the title into the record.

Rick Fout, Chief Building Official, introduced a proposed ordinance for first reading to adopt the 2024 International Code Councils established library of codes, plus the state mandated Colorado Wildfire Resiliency Code and Summit County Aquatic Health Code.

Rout noted there have been no changes since the work sessions two weeks ago and today. Rout stated staff recommend approval on first reading.

Mayor Owens clarified that Wildfire Resiliency Code is a state mandated code. Jay Nelson, CEO and Fire Marshall for Red, White, and Blue Fire District confirmed the State of Colorado has mandated all jurisdictions adopt the code by April 1st of 2026.

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. 21, SERIES 2025 — AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE BUILDING CODES OF THE TOWN OF BRECKENRIDGE; ADOPTING BY REFERENCE AND AMENDING: THE INTERNATIONAL BUILDING CODE, 2024 EDITION INCLUDING APPENDIX P; THE INTERNATIONAL RESIDENTIAL CODE, 2024 EDITION, INCLUDING APPENDIX BE AND BG; THE INTERNATIONAL PLUMBING CODE, 2024 EDITION INCLUDING APPENDIX C; THE INTERNATIONAL MECHANICAL CODE, 2024 EDITION, INCLUDING APPENDIX A; THE INTERNATIONAL FUEL GAS CODE, 2024 EDITION, INCLUDING APPENDIX A AND B; THE INTERNATIONAL ENERGY CONSERVATION CODE, 2024 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2024 EDITION; THE INTERNATIONAL POOL AND SPA CODE, 2024 EDITION; THE NATIONAL ELECTRICAL CODE, 2023 EDITION; THE ICC ELECTRICAL CODE – ADMINISTRATIVE PROVISIONS, 2006 EDITION; THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION; THE COLORADO WILDFIRE RESILIENCY CODE, 2025 EDITION; THE COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE, 2023 EDITION; ADOPTING BY REFERENCE WITHOUT AMENDMENTS THE INTERNATIONAL FIRE CODE, 2024 EDITION, INCLUDING APPENDICES B THROUGH Q AND THE ICC A117.1-2017 STANDARD FOR ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES, 2017 EDITION. Council Member Gerard seconded the motion.

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

- B) RESOLUTIONS, SERIES 2025
- 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

Town Manager Shannon Haynes stated it is Rick Holman's last Council Meeting and ending his role as Director of Public Safety. Chief Layman starts December 1st, and Garrison Green will be Acting Police Chief starting November 15th.

IX) REPORT OF MAYOR AND COUNCIL MEMBERS

- A) CAST/MMC
Mayor Owens reported they have not had CAST but did attend an MMC meeting, where it was announced that the 911 call service will add an automatic system for non-emergency calls. The Police Department supports the change.

Mayor Owens also addressed the recent loss of SNAP benefits affecting about 1,400 residents. With this loss, food banks are seeing increased demand, made worse by furloughed federal employees and seasonal workers waiting for winter jobs to begin. Owens noted that FIRC has asked each town to contribute an additional \$3,000 to support food assistance this month. Each Town agreed to provide the additional support.

Mayor Owens added that FIRC experienced 3 of its busiest days ever last week. FIRC, Smart Bellies, and Café Food Rescue continue to work closely together to meet community needs.

- B) BRECKENRIDGE OPEN SPACE ADVISORY COMMISSION
Council Member Beckerman reported on the November 5th joint BOSAC and OSAC meeting. He described a county initiative using 25 active cameras that track the number of vehicles at trailheads. The data provides insight into trailhead activity and capacity, helping put overall usage into context. Beckerman also reviewed Aspen Alley usage during peak foliage season and noted Volpe presented on trailhead recommendations.
 - C) BRECKENRIDGE TOURISM OFFICE
Council Member Carleton stated there is no update.
 - D) BRECKENRIDGE HISTORY
Council Member Rankin reported there is a meeting tomorrow.
 - E) BRECKENRIDGE CREATIVE ARTS
Council Member Gerard stated there is nothing new to report.
 - F) SOCIAL EQUITY ADVISORY COMMISSION
Council Member Saade noted the full minutes are in the packet.
 - G) ARTS & CULTURE MASTER PLAN STEERING COMMITTEE
Council Member Beckerman stated that an RFP has been issued and is currently in process. Firms have had the opportunity to submit questions, proposals are due in December, and a selection is expected by the holidays.
- X) OTHER MATTERS**
Council Member Saade gave kudos to Mae Watson, Town Clerk, for putting together the Beginners Guide to Local Government series, which has its first lesson recently. Watson noted attendance exceeded staff expectations, with 25 in person attendees and 5 virtually.
- Council Member Beckerman wanted to congratulate Council Member Carleton for winning the Colorado Restaurant Associations Richard Ayers Award for distinguished service.
- Council Member Gerard noted Wake Up Breck raised \$5,000 in donations which was matched 100% by Vail Resorts.
- Council Member Beckerman also recognized Rick Holman for all his contributions to the Town over the last few years. Council Member Beckerman stated Holman has had a great impact on many lives over the last few decades.
- XI) SCHEDULED MEETINGS**
SCHEDULED MEETINGS FOR NOVEMBER and DECEMBER
- XII) ADJOURNMENT**
With no further business to discuss, the meeting adjourned at 7:36 pm. Submitted by Mae Watson, Town Clerk.

ATTEST:



Mae Watson, Town Clerk



Kelly Owens, Mayor