

A RESOLUTION APPROVING THE TRUST AGREEMENT FOR
THE COLORADO FIREFIGHTER HEART, CANCER, AND
BEHAVIORAL HEALTH BENEFITS TRUST

WHEREAS, the Colorado Springs City Council (“City Council”) has authority under Article XIV, § 18(2)(a) of the Colorado Constitution, and Colorado Revised Statutes (C.R.S.) § 10-3-903.5, §§ 29-1-201, et seq., § 29-5-301(1), § 29-5-402(3), and/or § 29-5-501(1), as amended, to authorize the City of Colorado Springs (“City”) to participate with other employers in a multiple employer health trust for the provision of such benefits and for related claims handling, risk management, and other functions and services related to such benefits; and

WHEREAS, under Colorado law, specifically C.R.S. § 29-5-301, an employer as defined therein is required to maintain certain firefighter heart and circulatory malfunction benefits in accordance with and subject to the requirements and limitations of Part 3, Article 5 of Title 29, C.R.S.; and

WHEREAS, under Colorado law, specifically C.R.S. § 29-5-402, an employer as defined therein may participate in the voluntary firefighter cancer benefits program to provide certain cancer benefits in accordance with and subject to the requirements and limitations of Part 4, Article 5 of Title 29, C.R.S.; and

WHEREAS, under Colorado law, specifically C.R.S. § 29-5-501, an employer as defined therein is required to provide a firefighter behavioral health benefits program in accordance with and subject to the requirements and limitations of Part 5, Article 5 of Title 29, C.R.S.; and

WHEREAS, in order to provide such benefits, an employer, which includes the City, is authorized to participate in a multiple employer health trust; and

WHEREAS, the City Council has reviewed the Trust Agreement for the Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust, a copy of which is attached hereto as Exhibit A, by and through which the Members (as defined therein) desire to establish a trust (the “Trust”) and provide a benefit plan that provides firefighter heart and circulatory malfunction benefits, a benefit plan that provides cancer benefits, or behavioral health benefits consistent with the provisions of Parts 3, 4, and 5 of Article 5 of Title 29, C.R.S., as specified in the Colorado Firefighter Heart and Circulatory Malfunction Benefits Plan, Colorado Firefighter Cancer Benefits Plan, and the Colorado Firefighter Behavioral Health Plan (collectively, the “Plan”); and

WHEREAS, the City Council finds that the payment of contributions into the Trust and Plan benefits for firefighters satisfy important public purposes; and

WHEREAS, the Members intend that the Trust, together with the Plan, shall constitute an irrevocable trust exempt from taxation under Internal Revenue Code § 115; and

WHEREAS, the City Council finds that membership and participation in the Trust and Plan would be in the best interests of the City, its employees, and its taxpayers; and

WHEREAS, the City understands that, with the adoption of this Resolution and subject to the terms of the Trust Agreement, the City becomes a Member of the Trust, with its participation to commence effective as of the date determined in accordance with the Trust Agreement for the

following eligible types of coverage: Heart and Circulatory Award Coverage, Cancer Award Coverage, Behavioral Health Benefits; and

WHEREAS, the City Council by this Resolution desires to approve and enter into the Trust Agreement for the Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust, and to take other actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The City Council hereby approves the Intergovernmental Agreement entitled the Trust Agreement for Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust attached hereto as Exhibit "A" and the Member Representative Designations attached hereto as Exhibit "B."

Section 2. The City Council further authorizes the Mayor of the City of Colorado Springs to execute the Intergovernmental Agreement on behalf of the City.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2024.

Randy Helms, Council President

ATTEST:

Sarah B. Johnson, City Clerk

EXHIBIT "A"

(Intergovernmental Agreement entitled the Trust Agreement for Colorado Firefighter Heart,
Cancer, and Behavioral Health Benefits Trust)

Exhibit "B"

Member Representative Designations

The City Designates Jayme McConnellogue as its initial Member Representative to the Trust and designates Jesse Weddle as its initial Alternate Representative to the Trust, such persons having the addresses stated below.

Representative Mailing Address:

Jayme McConnellogue
Deputy Chief
Colorado Springs Fire Department
375 Printers Parkway
Colorado Springs, CO 80910

Representative E-mail address: jayme.mcconnellogue@coloradosprings.gov

Alternate Representative Mailing Address:

Jesse Weddle
Captain – Human Resources Division
Colorado Springs Fire Department
375 Printers Parkway
Colorado Springs, CO 80910

Alternate Representative E-mail address: jesse.weddle@coloradosprings.gov