

SPECIAL STUDY SESSION AGENDA
CITY COUNCIL
CITY OF WHEAT RIDGE, COLORADO
7500 W. 29th Ave. Wheat Ridge CO

September 26, 2022

****Immediately following the regular City Council Meeting which starts at 7 p.m.***

This meeting will be conducted as a virtual meeting, and in person, at 7500 West 29th Avenue, Municipal Building, if allowed to meet on that date per COVID-19 restrictions.

Some City Council members or City staff members will be physically present at the Municipal building for this meeting. The public may participate in these ways:

1. Attend the meeting in person at City Hall. Use the appropriate roster to sign up to speak upon arrival
2. Provide comment in advance at www.wheatridgespeaks.org (comment by noon on September 26, 2022)
3. Virtually attend and participate in the meeting through a device or phone:
 - [Click here to join and provide public comment](#)
 - Or call +1-669-900-6833 with **Access Code: 885 5039 8170**
 - **Passcode: 198908**
4. View the meeting live or later at www.wheatridgespeaks.org, Channel 8, or YouTube Live at <https://www.ci.wheatridge.co.us/view>

Individuals with disabilities are encouraged to participate in all public meetings sponsored by the City of Wheat Ridge. Contact the Public Information Officer at 303-235-2877 or wrpio@ci.wheatridge.co.us with as much notice as possible if you are interested in participating in a meeting and need inclusion assistance.

Public Comment on Agenda Items

1. Residential Composting
2. Race and Equity Task Force Update
3. Staff Report(s)
4. Elected Officials' Report(s)

Memorandum

TO: Mayor and City Council

THROUGH: Patrick Goff, City Manager
Marianne Schilling, Assistant to the City Manager

FROM: Mary Hester, Sustainability Coordinator

DATE: September 26, 2022

SUBJECT: Residential Composting

ISSUE:

The City of Wheat Ridge’s Municipal Code has long included a definition of “nuisance” in Section 15-25 which, while not directly mentioning composting, could be interpreted to prohibit this activity. Staff is seeking direction from City Council with regards to a proposed code amendment to allow composting without it being considered a nuisance.

PRIOR ACTION:

At the July 11, 2022 City Council meeting, Mayor Pro Tem Hultin shared during Elected Matters that she had worked with Sustainable Wheat Ridge and the City Manager to request that this topic be brought forward at a future study session.

FINANCIAL IMPACT:

N/A

BACKGROUND:

The topic of residential, backyard composting has been increasing in popularity as an effective method for households to increase the amount of household waste that is diverted to landfills. While the nation averaged a 32% recycling and composting rate in 2020, the state of Colorado averaged 15.3%, and the Front Range averaged 16.2% for recycling and composting.

There are many benefits of residential composting:

- Food scraps and yard waste make up over 30% of household waste, much of which could be composted instead.
- Composting enriches the soil, helping it to retain moisture and suppress plant diseases and pests while reducing the need for chemical fertilizers. Degraded soil releases carbon, but even a one-time application of compost turns soil back into a carbon sink.

- Reduces methane emissions from landfills and lowers the carbon footprint of households; landfilling food scraps produces 20 times the CO2 emissions as composting.
- Composting increases soil resilience to extreme heat and flooding.

Many surrounding municipalities already allow residential, backyard composting. A full peer review is included as Attachment 1 to the memorandum.

The allowance of residential composting in Wheat Ridge would create alignment with the City’s agricultural roots. Composting is directly mentioned in the City’s 2035 Vision Statement, which states: *Wheat Ridge is committed to environmental stewardship so that residents have opportunities to recycle, to compost, to reduce air pollution, emissions, litter, and water waste, and to pursue urban agriculture.*

The Wheat Ridge Environmental Sustainability Action Plan (WRESAP) also supports composting:

- Solid Waste & Recycling Goal 1: Improve waste management behavior by residents, businesses, and institutions.
- Solid Waste & Recycling Goal 2: Reduce negative impacts of waste management on city infrastructure and local environment.
- Solid Waste & Recycling Goal 2-B: Update City municipal code to incorporate progressive solid waste management standards.

DISCUSSION:

Municipal Code Section 15-25 presently provides that it shall be unlawful to:

- (a) Store upon the property, place upon the property, or allow to remain on the property any trash or garbage, as described, for a period in excess of seven (7) days;
- (c) Place or permit to remain anywhere in the city any garbage or other material subject to decay other than leaves or grass, except in a covered metal or plastic container, or in a sealed plastic bag, awaiting pickup and disposal;
- (f) Cause or permit to accumulate any dust, dirt, ashes or trash, or any such material that can be blown away by the wind anywhere in the city except in a covered container or in a sealed plastic bag awaiting pickup and disposal;

The language above can be interpreted to include composting. To make it clear that composting is not a nuisance under the City’s code, staff recommends two changes:

- Add a definition of composting similar to that used by peer agencies.
Define composting as: *Compostable materials means discarded materials from any residential or commercial source that are collected separately for the purpose of being composted, or otherwise processed into soil amendment, fertilizer, mulch, sludge, biogas, fuel, or electricity.*
- Amend Section 15-25 to add a subsection making it clear that the section does not extend to composting, compost, or compostable materials as defined.
Include language to state: *Composting, which shall mean the mixing of shredded and decayed organic matter with dirt or earth for the purpose of fertilizing and conditioning soil to support plant growth, shall not be deemed a violation of this section unless it creates a nuisance by means of a foul odor, or other miscellaneous condition.*

The intent of this proposed code amendment is not to explicitly define how people can compost at this time, but to generally allow people to compost so long as it is not creating a nuisance.

RECOMMENDATION:

Staff requests a consensus from Council to work with the City Attorney to bring forward an ordinance defining composting and making that activity an exception to the scope of the Title 15 nuisance regulation.

ATTACHMENTS:

1. Peer Agency Overview

Peer Agency Review

Municipality	Code Section	Code Section Name	Language	Residential Composting Allowed?
Wheat Ridge	15-4	Nuisances; General Provisions; Definitions	<i>Garbage</i> means waste resulting from the handling, preparation, cooking and consumption of food or wild animal carcasses, and wastes from handling, storage and sale of produce. It shall be unlawful to:	No
	15-25	Nuisances; Specified Nuisances; Unlawful Activities	(a) Store upon the property, place upon the property, or allow to remain on the property any trash or garbage, as described, for a period in excess of seven (7) days; (c) Place or permit to remain anywhere in the city any garbage or other material subject to decay other than leaves or grass, except in a covered metal or plastic container, or in a sealed plastic bag, awaiting pickup and disposal; (f) Cause or permit to accumulate any dust, dirt, ashes or trash, or any such material that can be blown away by the wind anywhere in the city except in a covered container or in a sealed plastic bag awaiting pickup and disposal;	
Arvada	38-141	Environment; Nuisances; Miscellaneous Nuisance Offenses; Landfilling and Dumping	(a) Dumping, throwing or placing any rubbish, cans, boxes, trash, debris, grass clippings or other waste materials on any private or public place in the city is hereby declared to be a nuisance and prohibited. (b) Disposal or storage of rubbish, cans, boxes, trash, debris, grass clippings, or other waste materials on private or public property by covering such waste materials with earth, dirt, sand, or other organic material is hereby declared to be a nuisance and prohibited. (c) Composting, which shall mean the mixing of shredded and decayed organic matter with dirt or earth for the purpose of fertilizing and conditioning soil to support plant growth, shall not be deemed a violation of this section unless it creates a nuisance by means of a foul odor, or other miscellaneous condition.	Yes
	90-1	Solid Waste; In General; Definitions	<i>Compostable materials</i> means discarded materials from any residential or commercial source that are collected separately for the purpose of being composted, or otherwise processed into soil amendment, fertilizer, mulch, sludge, biogas, fuel, or electricity.	
	90-1	Solid Waste; In General; Definitions	<i>Solid waste</i> means any form of discarded material, junk, garbage, rubbish, trash, foreign substance, yard waste, or debris intended for landfill disposal, excluding recycling, compostable, and construction and demolition materials.	
Lakewood	8.14.030	Health and Sanitation; Garbage, Trash, and Refuse Storage and Disposal; Frequency of Removal	It shall be the duty of every owner to remove or cause to be removed garbage, trash or refuse at least once per week or at more frequent times as necessary to prevent an accumulation in excess of the capacity of containers to store such material, unless such material is being used in a compost pile.	Yes
	9.80.010	Public Peace and Safety; Nuisances; Abatement of Nuisances; Definitions	<i>Compost</i> means the mixing of shredded and decayed organic matter with soil for the purpose of fertilizing and conditioning soil to support plant growth	
	9.80.020	Public Peace and Safety; Nuisances; Abatement of Nuisances; Unlawful Condition on Property - Responsibility	A.6.b. Manure shall not be spread or tilled into the ground for fertilizer. This restriction does not apply to composted or aged manure that is spread as fertilizer upon cultivated grounds or lawns in a manner that does not violate Section 9.80.150.	
	9.80.170	Public Peace and Safety; Nuisances; Abatement of Nuisances; Declared Nuisances	The following matters are declared to be nuisances and shall be unlawful: A. <i>Compost</i> . It is unlawful and constitutes a nuisance for any person to maintain a compost pile or to spread compost in a manner which injures, or endangers the comfort, health or safety of the public and includes, but is not limited to, strong offensive odors or the presence of mice, rats, or other vermin and/or harborage of rodents.	
Edgewater	7-4-20	Health, Sanitation, and Animals; Garbage, Trash, and Rubbish; Garbage and Junk	It is unlawful for any person to: 6) Place or to permit to remain anywhere in the City any garbage or other material subject to decay other than leaves or grass, except in watertight and airtight cans or containers, which neither creates an odor or stench or is accessible to animals. No section of this Chapter shall apply to vegetable materials in any properly layered, actively working compost pile, pit or trench.	Yes
	7-5-30	Health, Sanitation, and Animals; Weeds and Brush; Accumulation Unlawful	It is unlawful and deemed a nuisance for any person to cause or permit to accumulate any grass clippings or leaves anywhere in the City except in a container or a sealed thirty-gallon-capacity plastic bag awaiting pickup and disposal or in any properly layered, actively working compost pile, pit or trench.	

Municipality	Code Section	Code Section Name	Language	Residential Composting Allowed?
Louisville	8.64.010	Health and Safety; Residential Refuse, Recycling, and Compostable Materials Collection; Definitions	<i>Compostable materials</i> means discarded materials from any residential or commercial source that are collected separately for the purpose of being composted, or otherwise processed into soil amendment, fertilizer, mulch, sludge, biogas, fuel or electricity.	Yes
	8.64.010	Health and Safety; Residential Refuse, Recycling, and Compostable Materials Collection; Definitions	<i>Refuse</i> means any form of discarded material, junk, garbage, rubbish, trash, foreign substance, yard waste or debris intended for landfill disposal, excluding recycling, compostable, and construction and demolition materials.	
	8.64.020	Health and Safety; Residential Refuse, Recycling, and Compostable Materials Collection; Refuse - Handling and Collection Requirements	G. Notwithstanding any provision of this section, any person may maintain compost containers, bins or piles solely for composting of organic material that will naturally degrade. Compost piles shall be in a segregated area and shall contain alternate layers of plant materials maintained to facilitate decomposition and produce organic material to be used as a soil conditioner. No person who maintains a compost container, bin or pile shall fail to prevent it from becoming a nuisance due to putrid odors or attraction of wildlife or pests, including, without limitation, rodents, insects or other animals.	
	8.64.040	Health and Safety; Residential Refuse, Recycling, and Compostable Materials Collection; Refuse, recycling and compostable materials responsibility	B. It shall be unlawful for any person to set out or allow to be set out, deposited, or stored for collection any refuse, recycling or compostable materials other than that which has accumulated from the regular residential use of the premises upon which such refuse or recycling materials are set out, deposited, or stored for collection.	
Broomfield	8-04-010	Health and Safety; Garbage; Definitions	For the purposes of this chapter, the following words shall have the following meanings: (A) <i>Garbage</i> means and includes any and all rejected or waste household food, offal, swill, kitchen refuse, and every accumulation of refuse, animal, fish, fowl, fruit, or vegetable matter, liquid or otherwise. (C) <i>Rubbish</i> means and includes debris of all kinds, all accumulations of waste, refuse, and rejected animal, mineral, or vegetable matter, except garbage and manure. (D) <i>Trash</i> means and includes ashes, waste paper, cans, bottles, broken glass and china, sawdust, leaves, weed and grass cuttings, shrubbery and tree trimmings, shavings, and packing material not including garbage, manure, or debris.	Yes - per city staff composting is not specifically addressed so in the absence of language it is allowed, but could be prohibited within certain PUDs or HOAs and would need to abide by any other standards within the municipal code.
	8-04-020	Health and Safety; Garbage; Trash or Garbage; deposit prohibited; receptacle required	(C) The owner, occupant, tenant, or person in possession of each building or structure shall provide for a trash, rubbish, or garbage container or receptacle, and shall cause all trash, rubbish, and garbage to be deposited and contained in such container or receptacle.	
	8-04-060	Health and Safety; Garbage; Scope of Provisions	Nothing in this chapter shall be deemed as making it mandatory for any person to patronize licensees under this chapter when the person properly or legally disposes of his or her trash, rubbish, or garbage by other means, as long as he or she abides by sanitation laws on the subject. No person shall charge for the collection of trash, rubbish, or garbage except the holder of a license issued pursuant to this chapter.	
	8-17-020	Health and Safety; Property Nuisances; Property nuisance designated	Any property upon which at least three of the following conditions exists shall be deemed a property nuisance and a violation of the municipal code: 10) Rubbish - Unlawful Accumulation - waste, refuse, appliances, deteriorated items	

Municipality	Code Section	Code Section Name	Language	Residential Composting Allowed?
Englewood	15-1-2	Health, Sanitation, and Environmental Protection; Applicability and Definitions; Definitions	<p><i>Garbage:</i> Animal and vegetable wastes resulting from the handling, preparation, cooking or serving of food.</p> <p><i>Refuse:</i> All putrescible or nonputrescible waste, including garbage, rubbish, ashes, street cleanings, dead animals, offal, droppings, abandoned appliances, and vehicle parts.</p> <p><i>Rubbish:</i> Nonputrescible waste consisting of both combustible and noncombustible wastes, such as paper, wrappings, leaves, branches, wood, waste building materials, glass, bedding, crockery, household furnishings and similar materials.</p> <p><i>Trash:</i> Discarded materials including, but not limited to household wastes, furniture, construction supplies and materials, garden, lawn and landscaping supplies and wastes, scrap wood, metal, or other materials, clothing and bedding. The terms waste and trash are interchangeable for purposes of this Ordinance.</p>	Yes - per code enforcement it is allowed and they recommend that it is in backyard and can only be for that kitchen and must be compostable waste; they have used nuisance section of code to enforce "out of control" compost piles in the past if they are creating foul odors or attracting pests. Code does not explicitly allow or disallow backyard composting.
	15-2-1	Health, Sanitation and Environmental Protection; Nuisance Prohibited; Nuisance Prohibited	<p>A. It shall be unlawful for any person to commit or do any act constituting a nuisance.</p> <p>B. It shall be unlawful for any person to create, continue or suffer the existence of any nuisance on any property under his control.</p>	
	15-7-3	Health, Sanitation, and Environmental Protection; Trash, Junk, and Salvage; Placement and Removal of Trash	<p>A. Any accumulation of trash on any premises, improved or unimproved, within the City of Englewood is prohibited and is declared to be a nuisance.</p> <p>B. Every occupant or owner of real property shall remove, or cause the removal of, all accumulations of trash from such property and shall subscribe to a trash removal service with a licensed trash hauler, and, pending the removal, shall place the same in a trash container kept for that purpose.</p> <p>C. All persons shall store all trash in covered trash containers in such a manner as to prevent it from being carried or scattered by animals or the elements and to prevent the emission of noxious or offensive odors.</p> <p>D. All occupants or owners of real property shall set trash containers back at least five feet (5') from the side property lines. No person shall store trash and garbage in the front yard for more than twenty-four (24) hours prior to a scheduled collection or pick-up.</p> <p>G. Mandatory trash collection. All garbage, trash, waste and rubbish shall be removed from the property of each owner or occupier of land within the City of Englewood at least once a week.</p>	
Golden	5.03.030	Health and Sanitation; Trash Enclosures; Container required	<p>(a) [Nuisance prohibited.] It is unlawful, and constitutes a nuisance, for any person who is an owner, tenant, lessee, occupant, or any servant, representative or employee of such owner, tenant, lessee, or occupant, having control of any occupied or unoccupied lot or parcel of land, to permit, allow or maintain the accumulation, collection or presence of junk, garbage or trash upon said property; except that this provision shall not apply to such junk, garbage or trash within a covered container provided that such container complies with the requirements of this chapter, does not emit offensive odors, nor otherwise constitute a nuisance. Nothing in this section is meant to preclude the use of grass clipping or other appropriate vegetable or animal waste for a properly layered, actively working compost, pile, pit or trench providing that such does not otherwise constitute a nuisance.</p>	Yes

Municipality	Code Section	Code Section Name	Language	Residential Composting Allowed?
Westminster	8-1-4	Health and Sanitation; Property Standards; Compost Piles	<p>(A) <i>Household Trash</i>: It shall be unlawful for a person to compost household trash</p> <p>(B) <i>Yard Waste</i>: It shall be unlawful for a person to compost yard wastes, except in a compost holding unit that:</p> <ul style="list-style-type: none"> (1) Shall not exceed five feet in any dimension; (2) Shall be constructed of wood, wire, metal, or plastic, excluding plastic bags; (3) May be a stationary or rotating unit; (4) Shall be located in the backyard, and shall be screened or fenced so that it is not visible from a public right-of-way; (5) Shall be maintained to minimize odors; (6) Shall not be allowed to attract rodents or to become a health or safety hazard; and (7) Shall be located a minimum of three feet from any adjoining property line. 	Composting of household waste is not allowed, but composting yard waste is allowed.
	8-1-11	Health and Sanitation; Property Standards; Household Trash, Junk, or Debris	<p>(A) <i>Definitions</i>:</p> <p>(1) <i>Household trash</i> is defined to include, but is not limited to, items such as rubbish, trash, waste, refuse, paper, tin cans, bottles, glass, containers, rags, ashes, bones, cloth, or other materials common to household use or objects that may become a breeding place for flies, mosquitoes, or vermin, or that give off unpleasant odors.</p>	
	8-1-11	Health and Sanitation; Property Standards; Household Trash, Junk, or Debris	<p>(B) <i>Household Trash Containers</i>: It shall be unlawful for a person to maintain household trash at a premises except in compliance with the following requirements:</p> <ul style="list-style-type: none"> (1) All household trash shall be stored wholly-contained and enclosed in a liquid-tight container having a tight-fitting cover. (2) Household trash containers stored outside prior to trash removal service shall be limited to eight in number, and cannot be stored in a front yard, a side yard facing the street or a backyard facing a street. 	

Memorandum

TO: Mayor and City Council

THROUGH: Patrick Goff, City Manager

FROM: Marianne Schilling, Assistant to the City Manager

DATE: September 26, 2022

SUBJECT: Race and Equity Task Force Update

ISSUE:

The Race and Equity Task Force co-chairs will be presenting to City Council an update of the progress that has been made to date and the plan moving forward.

PRIOR ACTION:

City Council appointed the Race and Equity Task Force on February 8, 2021. The Task Force presented to City Council on August 2, 2021 and March 7, 2022.

FINANCIAL IMPACT:

N/A

BACKGROUND:

The Race and Equity Task Force has been directed to carry out a thorough review of City policies, services, and ordinances to identify policies and practices that may contribute to discrimination and to provide recommendations to City Council within a one-year timeframe. The Task Force will provide updates to City Council and will report recommendations, including ways in which success will be measured toward becoming a more inclusive and responsive community.

DISCUSSION:

The Race and Equity Task Force has been meeting on the second and fourth Thursdays of each month since March 25, 2021. The meetings were first entirely virtual and have now moved to a hybrid approach beginning in June 2021. The volunteer co-chairs have also been meeting on Mondays following the Task Force meetings. The original co-chairs were Terry Gale, Jenny Snell, and Jeff Richards. Terry Gale stepped down from the co-chair role earlier this year and Alex Goldsmith assumed co-chair responsibilities. The intent is for the co-chair roles to have the opportunity to change during each round of focus area review.

Task Force Overview

Since the update to Council in March 2022, the Task Force has continued to use its meeting time by spending the first meeting of the month meeting City staff and learning about specific topic areas of interest. The second meeting of the month is used as a working session for the three focus area groups to work on their research. Below is the comprehensive list of staff presentations to date.

Staff Presentations

Date	Name and Title	Topic
4/22/21	Patrick Goff, City Manager Gerry Dahl, City Attorney	City overview
5/13/21	Sara Spaulding, Communications Manager/PIO Bridget Dvorak, Digital Media Specialist	Communications, Outreach and City Engagement
5/27/21	Jeff Hirt, Senior Neighborhood Planner Ashley Holland, Community Engagement Specialist	Let's Talk Program
6/10/21	Gerry Dahl, City Attorney	City Code/Charter
8/26/21	Darryl Guadnola, Division Chief	Police
10/14/21	Chris Randall, Municipal Judge	Municipal Court
11/4/21	Rebekah Raudabaugh, Homeless Navigator	Homeless Navigation Program
12/9/21	Scott Cutler, Senior Planner	Community Development
1/13/22	Rana Razzaque, Arianne Rivera, Dave Kollar	Jeffco Public Schools
2/10/22	Zach Lovato, Manager of Parks, Forestry and Open Space	Parks and Recreation
3/10/22	Steve Art, Economic Development Manager	City Manager's Office
4/14/22	Steve Kirkpatrick, City Clerk	City Clerk's Office
5/12/22 7/14/22	Michael Clasen, HR Manager Millie Lewis, Sr. HR Business Partner	Human Resources

Work Accomplished

Focus Areas

Together, the categories from the City Charter and the defined areas of interest yielded this list of priorities and topics. From there, the first three areas for review were determined by the Task Force and are listed in bold below. The second three areas for review are Homelessness, Affordable Housing and Health.

- Election Process
- Court/Judiciary
- Human Resources
- Affordable Housing
- Taxes
- Infrastructure
- Education
- Police Department
- Religious Freedom
- Economic Opportunity
- Health (Mental, Physical, etc.)
- City Charter

- Homelessness

Focus Area Recommendations

1. Court/Judiciary

Summary

The Courts/Judiciary Subcommittee met to address possible biases that may have directly or indirectly affected judgment, sentencing, and services offered to “everyone” within the Wheat Ridge community. The group looked at practices within the municipal court to assure fairness from a race and equity lens. They held bi-monthly meetings as a group and were able to meet with a broad range of legal professionals with various backgrounds and expertise. The list included: Shandea Sergent, Public Defender of the city of Golden; Brian Mason, Adams County District Attorney; Kersten Armstrong, Wheat Ridge Court Administrator; Madeline Champ, Wheat Ridge Probation Officer; and Chris Randall, Wheat Ridge Municipal Court Judge.

Additional references for guidelines for this work includes: The observation of several Wheat Ridge Municipal Court proceedings, a review of Wheat Ridge’s Municipal Court 2022 proposed budget, and the court-ordered class list, reading “Justice Derailed,” an ACLU of Colorado case study of abuse in the Colorado Court system. The group also participated in a Community DEI summit and a Jefferson County Criminal Justice Reform Virtual Town Hall meeting.

After carefully considering the possible biases that exist within the community, the subcommittee narrowed its focus and recommendations in order to address the following areas: Fairness in pre-trial procedures, reduction in recidivism rates, support structures around reintegration after incarceration, adding additional layers of reminders for adults and juveniles, diversion, and restorative justice practices.

Research

- Spent two days observing in Wheat Ridge Municipal Court
- Reviewed the Wheat Ridge Municipal Court section of the 2022 Proposed Budget
- Read “Justice Derailed,” A case study of abusive and unconstitutional practices in Colorado city courts; a study done by the ACLU of Colorado
- 10/19/21: Participated in the One Community DEI Summit
- 11/20/21: Participated in the Jefferson County “Criminal Justice Reform Virtual Town Hall”
- Reviewed “Court Ordered Class List” for the Wheat Ridge Municipal Court

What’s Working

- Wheat Ridge City Council has funded court resources for the indigent and increased that amount from \$5,000 in 2021 to \$10,000 in 2022.
- A court for Special Populations has been established for one Thursday each month.
- Court sentencing is customized/individualized
- Defendants are treated with dignity by the judge.
- The court is working to be more proactive than reactive.
- Court reminders make a difference when it comes to court attendance.

What’s Not Working

- There is no homeless shelter in Wheat Ridge
- Juveniles of color are not treated respectfully in court before the judge appears.

- The use of indigent resources has not been fully utilized

Recommendations

General

- Require anti-bias training for all staff/contractors associated with the Wheat Ridge Municipal court
- Continue using virtual options as much as possible as an alternative to in-person court.
- Monitor and make use of all Judicial Assistance Fund resources (to allow for expenses such as: court-ordered classes, drug tests, therapy, rehab).

Financial Support

- Review the current financial assistance form used to determine eligibility of services. For example, Is it too long or too complicated? How are defendants made aware of it?
- Review financial submissions that were denied and/or reasons for the denial. Provide assistance with filling out the financial assistance form

Continuous Improvement

- Provide more resources to annually audit and survey clients regarding the quality of mandated court classes—online and those offered in the community. Expand, continue, or eliminate funding based on audits and evaluations.
- Add QR codes for the comment card/survey that is offered as people leave the courthouse to allow the survey to be more accessible.

Homelessness

- Continue to create a safe place for unhoused persons to store their items.
- Provide addresses for unhoused persons, and/or provide options for unhoused persons to store mail

2. Police

Summary

The Police Subcommittee broke the Police Policies down into five sets of sections, effectively giving the initial five members equal page counts to review and compile comments on. The final review includes general areas of observed ideas and issues, specific recommendations based on the WRPD Policies and recommendations based on the activities of similar groups in other cities that are doing similar work.

Below includes a list of meetings that took place:

- Monthly Meetings Bi-Monthly Meetings for Police Sub-Committee
- Documentation Meetings
- Met with Chief Darrel Guadnola
- Met with Police Investigator Jeremiah Brunner (AG Office)
- Met monthly as a focus group to discuss
- Met with Court and Judiciary Subcommittee
- Met with Chief Murtha, Division Chiefs Lorentz and Guadnola, and Accreditation Manager Mary Kyler

Research

The Police subcommittee reviewed the policies and procedures of the City Police Department including the Critical Incident Response Team (CIRT) document using a racial and equity lens. The subcommittee considered how the policies set forth addressed existing disparities among groups historically excluded

from decision making based on race/ethnicity, gender, religious affiliation, language, ability or LGBTQ+ identities, and if such policies created barriers for equitable outcomes and access among these groups.

The subcommittee also completed the following:

- One member enrolled in Prosecution Leaders of Now via Stanford University Business
- Reviewed SB217 Police Accountability
- Reviewed AG's Patterns and Practices Report (Aurora Police Department)
- Police Executive Research Forum's (PERF) 30 Guiding Principles on Use of Force (Integrated Communications, Assessment, and Tactics - ICAT)
- Reviewed the 23 policies that were made available; approximately 200 policies and procedures remain to be reviewed.

What's Working

- WRPD has already created a Community Advisory Group (CAG) that meets monthly
- WRPD has invested in and adopted a community based policing model
- Wheat Ridge has hired a Homeless Navigator and Housing Navigator
- WRPD has working relationship with Jefferson Center For Mental Health
- WRPD has a Facebook page
- WRPD has instituted Drug Education Programs at Mountain Phoenix Community School

What's Not Working

- There is a need to link statutes, case law, and policies that are referred to in the document. As things change over time, it is difficult to find and reference background details and relevant history.
- There are many areas of ambiguity in policy sections (e.g. defining terms, causes for action, reference to case law). Examples and specifics are integral to consistent police action across demographics.

Recommendations

- Provide information related to accountability and decision making. Consider the creation of a Civilian Oversight Body that is independent from the police department to ensure accessible complaint processes, increase transparency, deter police misconduct, and promote thorough/fair investigations.
- Clearly define a complaint procedure for residents and community members that includes who can file and how to file complaints.
- Share Information more transparently. Invest in infrastructure to share information to all residents with an emphasis on equity. Below include opportunities to share more information at the WRPD:
 - Consider opportunities to navigate the challenges of social media more effectively: The line between harmless someone's opinion and what could be considered actionable harm can be blurry, especially while also considering the legal liability of comment moderation. The subcommittee believes it is worth the effort to try to create a healthier online atmosphere
 - WRPD is already beginning to collect information regarding police-resident interactions. The Police subcommittee recommends that the data be shared quarterly via social media and that it includes Relative Risk (RR) analysis in the areas of citations, use of force, adult

arrest, juvenile arrest and traffic warnings. RR calculations compare the likelihood that a person in one demographic might be treated differently than a person in a separate demographic.

- Provide opportunities to have information and feedback be more easily shared to and from the public. Provide the public with definitive guidance about sharing experiences about police interaction. While the department does have a policy regarding the practice of providing “customer feedback”, the Police subcommittee believes that not everyone feels safe using the current methods and would like there to be more easily accessible opportunities to do so.
- Evaluate current DEI training for WRPD staff through Civilian Oversight Group
- Consider reaching out to the Denver Support Team Assistance (STAR) Response Program regarding connecting mental health providers to certain calls that come into the system.
- Ban neck and carotid restraints, no-knock warrants and the use of tear gas.

3. Education

Summary

The Education Subcommittee has been in contact and working with the schools that serve Wheat Ridge: Prospect Valley, Kullerstrand, Stevens, Wilmore-Davis, PEAK, Everitt, WRHS, Jefferson HS, and Golden HS. The subcommittee has five members, including a teacher and a JeffCo student, so they felt well-equipped to work on this subject matter.

The Education subcommittee reviewed both individual school and district-wide work on the topics of everything from family services, addressing inequities in schools, mental health, transportation, and safe spaces for all. The subcommittee has been able to access district-wide enrollment data, which is broken down by race, minority status, and free or reduced lunch status. JeffCo schools has also supplied the group with some of their policy work around treatment of families and community, treatment of staff, treatment of students, and school safety. This work has been impacted by the challenging climate the pandemic has created for all educators and school staff, and the subcommittee is certainly most grateful to them for their time and dedication to their students in such a trying time.

It is also worth noting that on August 25, 2022, Jefferson County Public Schools announced the intent to close 16 area schools at the end of the 2022-23 school year, three of which are in the city of Wheat Ridge: Kullerstrand, Wilmore Davis and New Classical Academy at Vivian elementary schools. This is still a developing situation, with a lot of community involvement. This decision has a disproportionate impact to Wheat Ridge students.

Research

- Compiled enrollment data around race, ethnicity, and free lunch status for each school serving Wheat Ridge.
- Researched specific programming and organization around race and equity at the school level. Each school that serves Wheat Ridge has developed an office or team focusing on this work. The support covers everything from family services, addressing inequities, mental health, transportation, and safe spaces for all.
- Learned in Spring of 2020, JeffCo Public Schools launched a ‘Commitment to Equity Change model’ district wide. There is also a robust list of policies at the district level that revolve around equity in the classroom, family support, school safety, and staff equity and support.

What's Working

- From JeffCo public Schools: in Spring of 2020, they launched a 'Commitment to Equity Change model' district wide. There is also a robust list of policies at the district level that revolve around equity in the classroom, family support, school safety, and staff equity and support.
- At the school level, each campus has created an office or point person to work specifically for that schools' student body. This has allowed each school to tailor to the specific needs of their students and families.
- This work, regardless of school, is all-encompassing and covers everything from family services, addressing inequities, mental health, transportation, and safe spaces for all.

What's Not Working

- Since each school has its equity work and support housed in a different office or department, it is difficult to know what issues or topics are coming up. More specifically, if the issues are isolated or widespread, and what solutions and partnerships are emerging.
- Schools could benefit from reinforcing the Mental Health support they receive. Frequently the SROs are called to deal with mental Health issues that trained counselors could assist with more successfully.

Recommendations

Rethink the use of SROs in schools to include two options:

- Divest from relying on SROs, and instead invest in School Nurses, Psychologists, Social Workers and Counselors. By way of comparison, one SRO salary can equal: 1.8 school social workers, 1.8 teachers, 1.8 guidance counselors, 1.8 school psychologists, 2.4 school nurses, or 5 teacher's aides. (1)
- Work to retool the SRO role, moving away from police/ law enforcement association and more towards mental health and 'whole person' support. Take responsibility away from one person to a team of health professionals and support for the student body and their families. (2)
- Increase support for more mental health and family support in each school, by utilizing Jefferson Center for Mental Health or other outside mental health support agency. Ideally, a team dedicated to each school, focusing on all students' and their families' total wellbeing.
- Endorse 'Safe Zone' curriculum in all schools
- Continue support and/or increase funding for an additional Hub at a Wheat Ridge Middle School.

General Recommendations

In summary, the Race and Equity Task Force has created a list of priority recommendations to the City Council that could and should be addressed before the Task Force finished the rest of its focus area reviews and final recommendations. Some of the recommendations are pulled from the focus areas and some are blanket recommendations that can be addressed citywide.

In order of priority:

- Develop and adopt a Race, Diversity and Equity Lens. This is a set of questions to ask when planning, developing and/or evaluating a policy, program or decision, such as: Are all racial/ethnic groups who are affected by a decision being considered and/or invited to the table? In conjunction with this, the Task Force recommends that the City of Wheat Ridge joins the Government Alliance on Race and Equity (GARE), which is a national network of government working to achieve racial equity and advance opportunities for all.

- Create a position for a Diversity, Equity and Inclusion (DEI) Manager for the City. Additionally, consider creating an internship along with this position.
- Create a Citizen Oversight Board (of Wheat Ridge residents) to address community complaints, regarding our departments including the Police Department.
- Create an Emergency Response Team (see Support Team Assisted Response (STAR program) in Denver) to accompany the Police Department and as an alternative to policing. The team will engage individuals experiencing crises related to mental health, substance misuse, and poverty.
- Continue to increase funding for Hubs in Wheat Ridge schools.
- Provide ongoing anti-bias training for all city employees and contractors who work with the city.

RECOMMENDATION:

City Council may consider taking action on some of the recommendations provided by the Race and Equity Task Force.