



Town Council
AMENDED AGENDA
Tuesday, June 27, 2023
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

1. This will be an in-person meeting with access via Teams.

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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.

CALL TO ORDER - 6:00 PM

ROLL CALL

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

PUBLIC COMMENT - 6:05 PM *Citizens are invited to comment on any item, not on the Agenda subject to a public hearing. Please limit your comments to three (3) minutes per person per topic unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.*

PRESENTATIONS - 6:10 PM *Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.*

1. Town of Eagle Economic Development Plan, Update by Economic & Planning Systems (EPS) - Virtual Presentation

2. Eagle Police Department Management Audit, Paul D. Schultz Municipal Police Consultants, LLC

CONSENT AGENDA - 6:50 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 - June 13, 2023
2. Resolution 44, Series 2023, "A Resolution Establishing a Policy for the Display of Flags on Town Property"
3. Resolution 45, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Erik A. Johnson as the Judge of the Eagle Municipal Court and Approving an Associated Agreement"

STAFF REPORTS - 6:55 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update
2. Proposition 123 - State Affordable Housing Fund

BUSINESS ITEMS - 7:00 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. PUBLIC HEARING: ReCode Eagle; Update and Amendment to Title 4 of the Municipal Code and Zoning Map, File No. LURA23-03 - Review of topic-specific issues (*approval to be tabled*)
2. Resolution 43, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Members to Various Boards and Commissions"
3. Request for Approval of the Grand Avenue ECO Transit Bus Shelter Project

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 8:10 PM

1. Future Agenda Items
2. Council Committee Updates

ADJOURN - 8:15 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



To: Mayor Turnipseed and Town Council

From: Nikki Davis, Economic Development & Housing Specialist

Date: June 27, 2023

Agenda Item: Economic Development Plan, Update Presentation from Economic & Planning Systems (EPS)

REQUEST: No action requested.

BACKGROUND: On December 13, 2022, the Town Council approved a Professional Services Agreement (PSA) ([LINK](#)) with EPS to conduct an Economic Development Plan study. Officially launched in January 2023, EPS began the study first by performing an economic base analysis, further refining their data of Eagle's economic and demographic trends. Subsequently, an Eagle Employer Survey was completed in late February/March followed by a series of focus group interviews in May. Those who attended included stakeholders representing various industries, economic development organizations, and business hubs within Eagle (Chambers Avenue, Grand Avenue, Broadway/Downtown, Eagle Ranch, Market Street, and East Eagle). RRC, a subconsultant on the project, is conducting an evaluation of the workforce and visitors using mobility data to understand commuting patterns, time spent in each business hub, and the impact of outdoor recreation.

Serving as the principal liaison of the study, the Economic Vitality Committee has received two update presentations from EPS to date. A cumulation of those initial reports along with next steps will be presented at tonight's Town Council meeting. The project timeline estimates that a final report and recommendations will come before both the Economic Vitality Committee and Town Council in September.

ANALYSIS: Not applicable.

COMMUNITY INPUT: The Eagle Employer Survey garnered 84 responses. The focus group interviews were attended by 18 representatives from varying industries and members from each economic development organization (Economic Vitality Committee, Downtown Development Authority, Downtown Business Alliance, Eagle Chamber of Commerce, and the Eagle Ranch HOA).

BUDGET / STAFF IMPACT: No additional budget / staff impact anticipated.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This work aligns with the Strategic Plan's goal to develop a strategy to stimulate economic vitality and development.

RECOMMENDED ACTION OR PROPOSED MOTION: None required from Town Council at this time.

ATTACHMENTS:

- EPS Presentation

ECONOMIC DEVELOPMENT PLAN UPDATE

Town of Eagle



Economic & Planning Systems, Inc.
The Economics of Land Use

730 17th Street, Suite 630 ■ Denver, CO 80202
303.623.3557 ■ www.epsys.com

Page 4 of 137

ECONOMIC DEVELOPMENT PLAN BACKGROUND

- Creating the Town's first Economic Development Plan
- Guiding document for the next 5 years or more to inform policy decisions, government regulations, and future economic development programs and pursuits
- The Plan will include a detailed strategy with recommended actions, roles, and responsibilities
 - Including recommendations for each economic development organization
 - Economic Vitality Committee
 - Downtown Business Alliance
 - Downtown Development Authority
 - Eagle Chamber of Commerce
 - Eagle Ranch
- Primary data collection from local businesses and stakeholders through a survey and focus groups/interviews
 - This data will be included in the report and can be used to inform other Town related efforts

PROJECT APPROACH



Economic Base Analysis

- Build on previous work summarizing the economic and demographic trends
- Analysis of each business hub



Workforce & Visitor Mobility

- Analysis of commuting patterns, time spent in business hubs, and impact of outdoor recreation
- Supplemented with sales tax & other data sources



Economic Expansion & Opportunities

- Business survey & focus groups - unfilled jobs, employment challenges, and opportunities
- Case study research



Economic Diversification Including Outdoor Recreation

- Identify expansion opportunities to related to outdoor rec. to increase activity, jobs, and revenue
- Includes tournaments, festivals, arts/culture



Evaluation of Land Opportunities

- Identify existing and future capacity of land and space for employment
- Establish a balance of job potential with housing



PROJECT APPROACH



Economic Base Analysis

COMPLETE

- Build on previous work summarizing the economic and demographic trends
- Analysis of each business hub



Workforce & Visitor Mobility

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Economic Expansion & Opportunities

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- Business survey & focus groups - unfilled jobs, employment challenges, and opportunities
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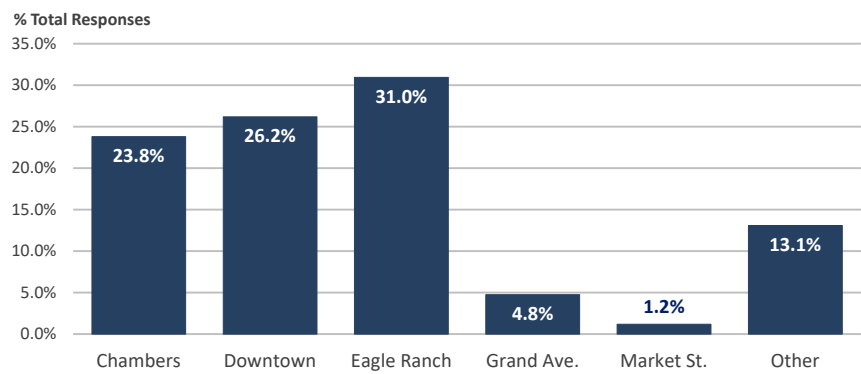
Evaluation of Land Opportunities

- Identify existing and future capacity of land and space for employment
- Establish a balance of job potential with housing



BUSINESS SURVEY & FOCUS GROUP RESPONSES

- 84 individual business responses
- Responses from all industry types
 - Retail Trade: 24%
 - Construction: 16%
 - Prof. Business Services: 12%
 - Food/Drinking: 11%
 - Arts/Recreation: 7%



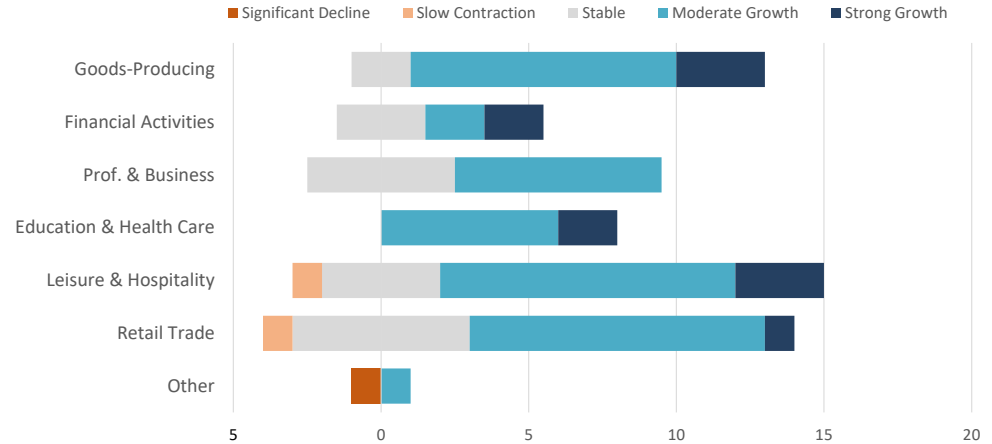
Source: Economic & Planning Systems

Focus Groups & Interviews

- Met with 18 individuals
 - Contractors
 - Retail & restaurant
 - Real Estate
 - Professional & Tech. Services
 - Health Care
 - Developers
 - Public Sector

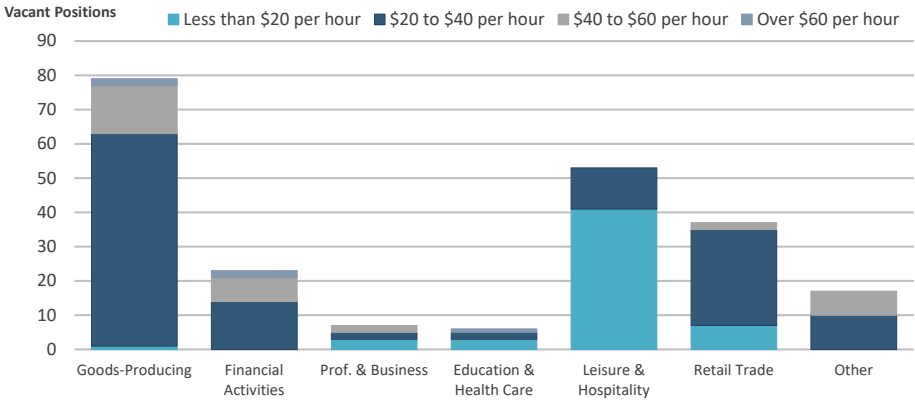
PROSPECTS OF BUSINESS GROWTH

- **67%** of survey respondents anticipate moderate or strong business growth
- Industries anticipating the most growth include:
 - Leisure & Hospitality
 - Goods-Producing
 - Retail Trade
- **24%** of respondents anticipate stable growth with little change from recent past
- Difficulties for new, small businesses to open
 - Long, unknown process and requirements
 - Expensive fees and costs

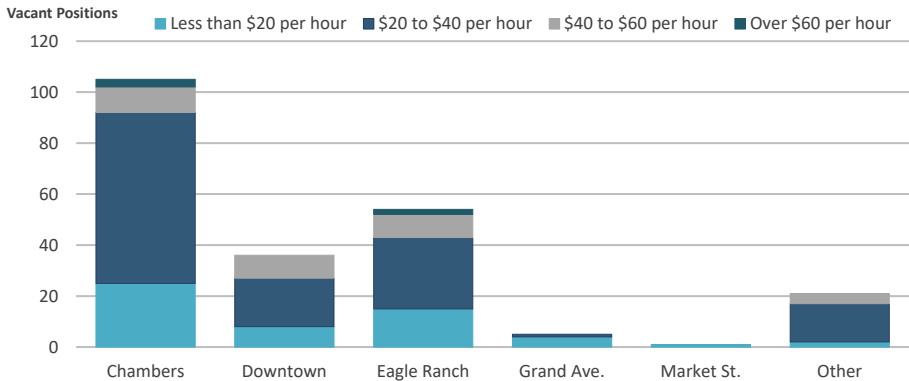


VACANT POSITIONS

- 2,425 employees represented in survey data, which represents **52% of total Eagle employment**
- 222 vacant positions**
 - These unfilled jobs represented 8% of the survey responses
- Nearly 60% are for positions between \$20 and \$40 per hour
- Every business interviewed either currently has open positions or would expand and hire more employees if there were quality candidates available



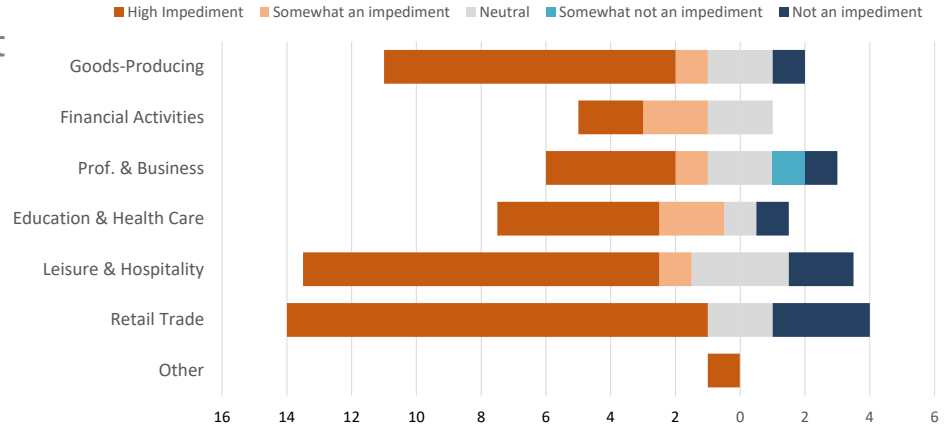
Source: Economic & Planning Systems



Source: Economic & Planning Systems

HOUSING

- Housing costs and availability is the highest impediment to business growth based on survey response
 - 63% of respondents identified it as high or somewhat an impediment
- Wages have not kept up with housing
- Inventory is at an all time low
 - STRs are an issue and take away local workforce housing options
- Cost of housing is forcing workers to live further away – commuting from down valley and Garfield County



- Businesses are providing housing to attract and retain employees
- Businesses are providing additional pay and benefits to compensate for long commutes
 - Provide vehicles, pay for gas, carpool vans, additional wages

POTENTIAL OPPORTUNITIES FOR EAGLE

1. Housing is a solution to economic development
2. Role of arts and culture
 - Carbondale case study
3. Marketing
 - Wayfinding for tourism
 - Attract employees and businesses
4. Regulations and incentives
5. Outdoor recreation
6. Small-sale manufacturing
 - Grand Junction case study
 - Steamboat Springs case study
7. Significant amount of new development underway
 - Balance number of commercial centers
8. Affordable housing balanced with commercial



NEXT STEPS & PROJECT SCHEDULE

- Mobility data findings (RRC)
- Case study research
 - Carbondale
 - Grand Junction
 - Steamboat Springs
- Evaluation of land supply and proposed development
- Findings and recommendations
- Draft and final report
- July: Present mobility data to EVC
- August: Draft report
- September: Final report and present findings and recommendations to EVC and Town Council



To: Mayor and Town Council

From: Derek Bos, Chief of Police

Date: June 22, 2023

Agenda Item: Municipal Policing Consultants, Police Department Needs Assessment Presentation

REQUEST: None currently. This document is intended as a baseline for developing a long-term strategic plan for the police department.

BACKGROUND: In 2019, town staff began discussions about expanding or replacing the existing police department facility. The possibility of a combined public works/police department facility surfaced during these discussions. In 2022 funds were set aside to conduct special needs assessments for both the police department and public works to better guide discussions for future planning and growth and determine the scope of need and urgency. However, due to limited staff capacity, these two needs assessments were not completed in 2022, and funding was rolled over to 2023. This report and presentation satisfy the police department's component of the needs assessment.

Consultant Paul Schultz of Municipal Policing Consultants was hired to conduct this needs assessment. Consultant Schultz is a retired police chief and is one of the top experts on small police departments, and regularly engages in such audits or assessments. Consultant Schultz was asked to provide an assessment that can be used for developing a strategic growth plan for the police department, highlighting facilities and personnel, so that we can maintain the highest level of fiscal responsibility and efficiency while meeting Eagle's citizens' needs.

ANALYSIS: The current police department facility does not meet the needs of the department or of the community. The police department needs to be more staffed to adequately meet the needs of the community based on analysis of all statistical data. I intend to use this information to more accurately shape and develop our future goals, including budgetary, to coincide with the community's needs.

COMMUNITY INPUT: 13 different community members were interviewed by the Consultant during the assessment process. The consultant also reviewed past community surveys.

BUDGET / STAFF IMPACT: This will impact the budget and staff in future years as part of goal-oriented, strategic budgetary planning to meet the recommendations of the Consultant. This report is the baseline to help us plan for the 2024 budget and beyond.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This Assessment aligns with the Town's Strategic Plan, Infrastructure and Capital Improvements, "Capital Improvement Identification Planning" for 2023, as growth and special needs for the department must coincide with the ten-year capital improvement plan (page 3, Town of Eagle 2023 Annual Budget book).

This Assessment aligns with the Town values of:

Integrity: open and honest communication in explaining the needs of the police department, both presently and for

future growth to coincide with the Town's growth

Responsibility: being accountable for our use of public resources by maximizing them in the most cost-effective, transparent, and logical way to support the growing needs of our community.

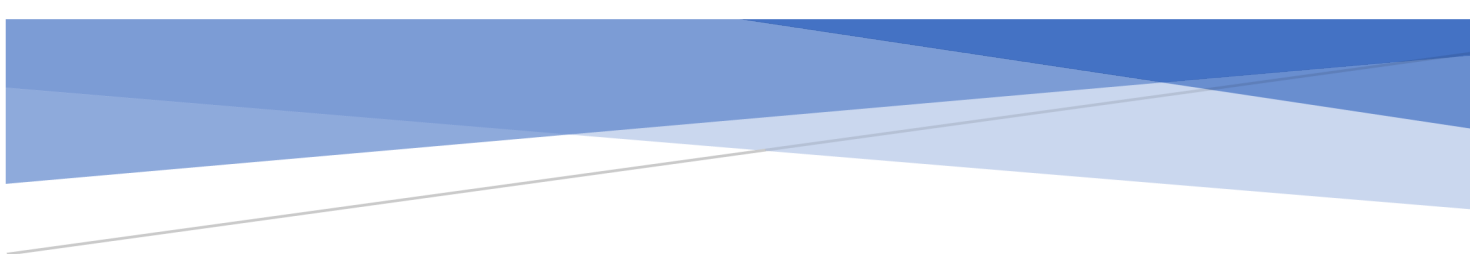
Leadership: taking a proactive approach to advance the interests of our community by supporting a safe and healthy community.

This Assessment aligns with the Town's priority of Sustainability - Our existing facility poses many challenges and lacks the required infrastructure to meet the Town's sustainability goals. As such, to meet these goals, the police department must review, analyze, and assess various options for building the infrastructure needed to meet the Town's sustainability goals, namely, we must consider the viability of building a new facility or remodeling the existing structure to meet sustainability goals.

RECOMMENDED ACTION OR PROPOSED MOTION: At this time, I am not requesting any action from Town Council, but I feel it is vital that you are included in this process from the foundation onward so that Council is well-versed in the needs and goals of the department as we build out a strategic budgetary plan to accomplish our goals and minimize or eliminate our needs, in future years. That said, I do welcome your thoughts, insights, and input on this process.

ATTACHMENTS:

Management Audit (including Needs Assessment) authored by Municipal Police Consultants.



EAGLE POLICE DEPARTMENT MANAGEMENT AUDIT JUNE 27, 2023

Paul D. Schultz
Police Consultant
Municipal Police Consultants, LLC

MUNICIPAL POLICE CONSULTANTS LLC

MANAGEMENT STUDY of the EAGLE POLICE DEPARTMENT

PRESENTED JUNE 27, 2023

Table of Contents:

Opening Remarks
Consultant Background and Qualifications
Eagle Demographics
Police Data
Current Police Facility
Crime Rate and Calls for Service
Recruitment of Police Personnel
Retention of Police Personnel
Patrol Schedule
Patrol Operations
Special Weapons and Tactics
Detective Operations
Drug Enforcement
Budget
Grants and Funding Sources
Emergency Operations Center
Community Outreach
Training
Early Warning System
Liability Reduction
Internal Affairs
New Trends in Discipline
Volunteers in Policing
Light Duty Officers
New Technology
Citizen Surveys
Eagle Personnel Survey (Tenure, Education, Morale, Equipment, What's Going Well, What Needs Improvement, Workload, Training)
Eagle Personnel Ethical Climate Survey
Police Reform
Planning for the Future
Conclusion

Sources of Information for this Management Report

Attachments:

Outreach Programs

President's Task Force on 21st Century Policing

Traits for Successful Law Enforcement Leadership

21st Century Leadership Mistakes in Small Law Enforcement Agencies

Transforming Underperforming Police Agencies into High Performance Organizations

Early Warning Power Point Attached Separately

Eagle Police Department Ancillary Assignments Attached Separately

OPENING REMARKS

I have been retained by the Town of Eagle and the Eagle Police Department to conduct a Management Study of the Eagle Police Department with the goal of taking a good police department to becoming a great police department. I was also tasked with reviewing any areas of the police department that might need improvement to operate at an optimal level.

Chief Derek Bos was appointed as the new Chief of Police of the Eagle Police Department on December 12, 2022. He saw the wisdom of having the operations of the police department reviewed early in his tenure by an outside consultant who would make recommendations for improvements.

The methodology of completing this management study included:

- Conducting a two day on-site visit
- Interviewing the Chief of Police
- Interviewing the Police Department Lieutenant (second in command)
- Interviewing of several members of the police department
- Having all sworn officers complete four different surveys
- Interviewing the Director of Community Development
- Reviewing the Police Department budget
- Reviewing key operational data of the Police Department
- Reviewing Crime data from the Town of Eagle
- Reviewing administrative data from the Police Department
- Touring the entire police facility
- Touring the community
- Assessing the Police Department's technology
- Interviewing 13 citizens of the community

The opinions in this final report are the sole opinions of myself and Municipal Police Consultants LLC and are not the opinions of any other law enforcement agency, teaching institution or any other governmental institution. This management study and report was completed by me, and not by any other entity.

CONSULTANT BACKGROUND AND QUALIFICATIONS

Chief Paul Schultz (retired) has 50 years of law enforcement experience with 25 years as Chief of Police in four police departments (La Vista, NE, Lafayette, CO, Canon City, CO and Fort Morgan, CO) and Director of Colorado Peace Officer Standards and Training (POST) where he had regulatory oversight of Colorado's 31 police academies and 15,000 peace officer certifications. During this time at POST, he was the state hearing officer for serious police misconduct. For the past four years he has been the principal consultant with Municipal Police Consultants. He has assisted over 50 law enforcement agencies in several states. For the past 27 years he has been the lead instructor for the Southern Police Institute where he teaches Managing Small Law Enforcement Agencies, Ethics, Leadership and in 2021 and 2022 he was the coordinator of the 10 week-long Command Officers Development Course in Fort Lauderdale and Fort Myers, Florida. For the past three years he has taught Leadership at the Iowa Law Enforcement Training Academy. Over 3000 command officers from every state have graduated from his training courses. For 30 years he was adjunct faculty teaching criminal justice courses at the graduate and undergraduate level at the University of Colorado, Metropolitan State University and Regis University. He is a certified expert witness in the 10th Federal Court Circuit where he was an expert witness in over 20 Federal Lawsuits involving Colorado law enforcement agencies. He has a Master's Degree in Administration of Justice from the University of Colorado, is a graduate of the Police Executive Research Forum Senior Management Institute for Police, FBI LEEDS, FBI LEEDA, the FBI Command College and is an FBI LEEDA Trilogy recipient. He co-authored the IACP "Police Chiefs Desk Reference" and is the author of the BJA publication on "How to Assess and Improve Operations of Small Law Enforcement Agencies" and 19 other professional publications. He has served as President of both the Colorado Association of Chiefs of Police (CACP) and the Police Chiefs Association of Nebraska. He was also Chairman of the CACP Professional Standards Committee where he served as the State of Colorado Accreditation Manager for five years. He is a certified subject matter expert by IACP/DOJ in Crime Reduction Strategies (2022), IACP/DOJ in Use of Force, Recruitment and Retention (2021), and by the IACP/COPS Collaborative Reform Initiative Technical Assistance Center (CRI-TAC) in Leadership (2020). In 2023 Chief Schultz was the Lead Presenter at the Inaugural Professionalizing Law Enforcement Community Engagement Training in Atlanta, Georgia. He has made presentations at 21 of the annual International Association of Chiefs of Police conferences. He has completed police facility studies at 10 Colorado law enforcement agencies. He has taught the military police at 9 US Marine Corps bases and assisted teaching the US Army 10th Mountain Division Special Forces preparing to go to Afghanistan. He has been appointed by Colorado Governor's to five state committees. Chief Schultz has completed over 20 management studies similar to this one. He is considered a national expert in Managing Small Law Enforcement Agencies.

EAGLE DEMOGRAPHICS

Population – 7,500

County Seat of Eagle County

Total Area – 5.661 square miles

Elevation – 6,601 feet

Website – WWW.townofeagle.org

Location – 30 miles west of Vail - 31 miles east of Glenwood Springs – 58 miles east of Rifle

Population Growth from 2000 to 2010 – 114%

Projected Population Growth from 2020 to 2030 – estimated at approximately 33% to 50%

Hispanic Population – 23%

Housing in 2020:

1696 homes owned

853 rental units

154 seasonal occupied

2705 total housing units

Average home price - \$982,468

80 new homes per year – 2.5% growth rate (expected to increase)

POLICE DATA

Crime Rate:

Part One Crimes

2020 – 172

2021 – 261

2022 – 186

Clearance Rates

2020 - 27%

2021 – 33%

2022 – 35%

Calls for Service

2020 – 10,867

2021 – 10,604

2022 – 12,972

Arrests

2020 – 98

2021 – 124

2022 – 157

Summons'

2020 – 428

2021 – 516

2022 – 715

Car Crashes

2020 – 106

2021 – 126

2022 – 178

Police Department Budget

2020 - \$2,061,530

2021 - \$2,174,664

2022 - \$2,705,097

Police Department Employees

14 Sworn Officers (1 Chief, 1 Lieutenant, 2 Sergeants, 1 Detective, 9 Police Officers)

1 Current Vacancy for Police Officer

2 Records Clerks

1 Code Enforcement Officer

POLICE FACILITY

The current Eagle Police Facility is housed on the second floor inside the Town Hall located at 200 Broadway Street. The Police Facility consists of a records room, an area adjacent to the records room with a table and chairs, a report writing area, two Sergeants Offices, a Lieutenant's Office, the Chief of Police Office, and a room with signage that says Interview Room, but it is used for storage. The size of this area is approximately 1700 square feet.

As you approach the police department there is a bullet resistant window to speak to the on duty records clerk. However, there is no way to have any materials (papers, small boxes) sent through the window. There is a rack of public information brochures next to the window that consists of 12 plastic holders. There is a small table and two chairs to the left of the window that is used for registering sex offenders.

There are two rooms in the basement that are designated for the police department. One is for evidence which is approximately 50% full and the other room is for general storage to include the department armory and appears to be almost 100% full. Together they are approximately 300 square feet.

The current Police Facility is inadequate, poorly designed and is not safe. Some of the deficiencies include:

Not large enough – Employees are literally working on top of each other. This makes for a crowded, unpleasant, and potentially dangerous environment.

There is no dedicated office space for the department's new Detective. He will be assigned to work in a closet space.

There is not a dedicated workspace for Officer number 14 when he/she is hired.

There is no conference room in the Police Department. Meetings are held in the conference room on the other side of Town Hall. This is inefficient.

The sex offender registration area in the hallway is not safe nor private. The security camera mounted above the registration desk does not cover the entire area. There are no emergency panic alarms for employees to activate in case of an assault. This arrangement is embarrassing for people who need to register as sex offenders.

There are no interview rooms for crime victims.

There are no interrogation rooms for suspects. Suspects are interrogated at the jail. This is inefficient.

There is no safe way to bring a suspect into the Police Department and there is no safe way to have a suspect in the police facility.

There are no temporary holding cells for suspects.

There are no rooms designed to separate status offenders (juveniles that are being held for non-criminal reasons, i.e., runaways) from other people in the police facility.

The evidence room does not have adequate storage in case of a major criminal investigation.

The evidence room does not have a secured area inside the evidence room. Guns, money, drugs, and jewelry should be secured inside a caged area and then locked down. The evidence room is lacking this secondary secured storage area.

A bio-metric lock should be installed on the evidence room door. This would prevent unauthorized entry and make a permanent time and date stamped record of who enters the evidence room.

A camera system should be installed inside the evidence room that records whoever enters the evidence room.

An alarm system should be installed inside the evidence room that would be activated in case of unauthorized entry.

A fire alarm and a water alarm needs to be installed in the evidence room.

The armory is too small and does not have a sonic cleaning machine.

The police facility lacks enough storage in general.

There is an area adjacent to records inside the police facility that has a table and chairs. Victims and other people visit this area. This area has direct access to the rest of the police facility. This is extremely unsafe.

The facility does have a closed circuit television system with monitors in records and in the squad room. However, there is no alarm system designed to notify on-duty officers and the Dispatch Center that there is an emergency in the police facility. This should be installed as soon as possible.

The push pin lock system to enter the police facility is outdated and can be memorized by someone who wants to gain entry later. This should be replaced preferably with a bio-metric lock that works off of fingerprints or a modern numerical combination lock that scrambles the numerical code after each use.

Employees complained that they store their lunch in a refrigerator that also stores biological evidence (i.e., blood kits).

There is no training room in the Police facility.

There is no gym/fitness center in the Police Facility.

There is no sleep room in the Police Facility for use by employees who have short turn around times. Over half of the police employees do not live in Eagle. In severe weather it might be safer for them to stay at the Police Facility overnight.

There is not a full service kitchen in the Police Facility. This is needed for employees on a daily basis but is also needed in case of a disaster and food preparation is needed.

Parking is at a premium at the Police Facility. Some police vehicles are stored at the District Attorney's Office parking lot which is a non-secured facility.

There is no covered parking at the Police Facility. During severe weather this would be very beneficial.

Signage to locate the Police Facility inside Town Hall needs to be improved. It is difficult to find the signage that shows the way to the Police Facility. In an emergency this could cause a delay which could cause catastrophic results.

The International Association of Chiefs of Police recommends that Police Facilities have a minimum of 400 square feet for each employee. With a complement of 17 employees the Police Facility should be a minimum of 6800 square feet. A new police facility should be built to accommodate future growth for a minimum of a 20 year period. It is very possible that the police department will have to double within 20 years. It is preferred that the new police facility be centrally located and be a stand-alone building for better visibility and safety reasons.

Recommendations:

*Develop a Police Facility safety upgrade program to include – bio-metric locks (for the front door, evidence room and armory), improved CCTV coverage in sex offender registration area). Better signage in Town Hall to be able to locate the Police Facility in an emergency. Ensure that all upgrades can be transferred to a future new building.

*Begin the planning process for a new Police Facility in 2023. If the police facility is going to require a tax increase a political action committee should be formed in 2023. An election should be held in 2024 and construction could start in early 2025. Construction is estimated to last 9 months to one year.

*Locate a suitable site in Eagle for a new Police Facility.

CRIME RATE AND CALLS FOR SERVICE

Part I Crimes

2020 - 172

2021 - 261

2022 - 186

Clearance Rates

2020 - 27%

2021 - 33%

2022 - 35%

Calls for Service

2020 - 10,867

2021 - 10,604

2022 - 12,972

The above data shows several trends:

From 2020 to 2021 there was an approximate 51% increase in crime (this may have been as a result in 2020 of the Pandemic).

From 2021 to 2022 crime dropped approximately 27%.

Clearance rates (the ability to solve crime) has been steadily trending upward.

Calls for Service (a measure of workload) increased by approximately 12.5%.

Analysis

Crime rates vary year to year and are unpredictable especially due to the pandemic.

The Police Department's ability to solve crime is increasing and indicates that the Officers are doing a good job. A 35% clearance rate is very commendable.

Calls for Service will continue to increase as the population increases and tourism increases. Calls for Service should be monitored carefully as this is one factor for increasing the number of police officers.

Car crashes have increased 68% from 2020 to 2022:

2020 - 106

2021 - 126

2022 - 178

Recommendations

- *Crime prevention activities need to be prioritized

- *The department clearance rate should increase with the appointment of the new Detective. The Detective's clearance rate and caseload should be carefully monitored

The 68% increase in car crashes from 2020 to 2022 is reason for concern. To combat this the department should:

- *Analyze location of crashes to determine causative factors, (i.e., distracted driving, speed, roadway design, DUI, driving too fast for weather conditions)

- *A high crash location data map should be developed annually highlighting date, time, and locations of crashes so Officers can devote additional enforcement time at these locations

- *Grant funding should be pursued to increase DUI, Speed and Seat Belt Enforcement. These grants are available through CDOT

- *When feasible a traffic enforcement car should be assigned

- *A county wide enforcement campaign should be prioritized – such as the Eagle County DUI Task Force

- *The police department should explore various driver safety programs (i.e., Alive at 25, Serious violators sentenced to mandatory traffic school by the municipal court, On-line AARP Driver Safety Course)

RECRUITMENT

Recruitment of Police Officers nationally has been difficult for many reasons. After the George Floyd incident there has been a mass resignation of police officers throughout the country and every law enforcement agency has struggled with recruiting new officers.

The Eagle Police Department has been no different. There has been one vacancy in the police department for many months. In small police departments one vacancy will be felt more

severely than in larger departments due to the relative impact in the department. One of the main factors affecting recruitment in Eagle is the high cost of living. Housing is very expensive with the average home in Eagle costing approximately \$982,428. On an entry level police officer's salary this would be extremely difficult to manage.

To Eagle's credit a recent advertisement on Indeed for police officer listed the following hiring incentives:

12 hour shift

Incentive for Spanish Speaking Officers

A lateral officer maximum hiring range is \$50.19 per hour or \$104,395.20 per year

Incentive for certain certifications/training/education

Take home car program

Generous vacation accrual program (14 days – 0-2 years of employment; 20 days - 2-5 years of employment; 25 days – 5+ years of employment)

A high number of Holidays (14)

Relocation Assistance

Other Standard Municipal Benefits

Recommendations:

*In today's environment recruiting police officers often requires use of a hiring bonus as an incentive. Federal Heights offers \$10,000 to all new hire police officers, Louisville offers laterals \$10,000, Lafayette offers laterals \$10,000, Aurora offers laterals \$15,000, Eagle County Sheriff's offers Security Technician \$5,000, Glenwood Springs offers paid moving expenses, Garfield County Sheriffs Office offers no cost health insurance to its employees and their dependents, Boulder offers laterals \$10,000, Westminster offers laterals \$10,000, Grand Junction offers laterals \$6,000 and \$2,500 towards moving expenses, Glendale offers laterals \$10,000, Fort Collins offers 80 paid bonus vacation hours for laterals, Northglenn offers laterals \$5,000, Loveland offers laterals \$15,000 and Denver offers laterals top pay in 12 months. While Eagle has some hiring incentives, I recommend (due to the high cost of living) that a hiring bonus be established for laterals at \$15,000 plus moving expenses not to exceed \$5,000.

*Housing expenses are the most cited reason why Eagle Police Officers do not live in Eagle. Over half of the police department does not live in Eagle. A housing assistance program should be developed that assists Eagle Police officers to live in the community they police. This could include no down payment loans, down payments paid by the city with a repayment schedule, a financial incentive to live in Eagle, discounted utility bill, affordable housing made available to Eagle Police Employees.

*A free Ski Pass and free use of Town Recreational Facilities should be expanded.

*An improved schedule. The Golden Police Department is experimenting with having their Police Officers work a 32 hour – 4 day work week with no reduction in pay.

*Other incentive pay could be offered such as college incentive pay based on the college degree you earn, longevity pay, shift differential pay, physical fitness pay. Lawrence, Kansas is one of the leaders in the country in developing pay incentives for their Officers.

*Currently the Eagle Police Department offers its Police officers a defined contribution retirement plan. A strong recruiting tool would be if the Police Officers had a defined benefit retirement plan such as membership in the Fire and Police Pension Association (FPPA). This pension plan offers portability meaning that Colorado lateral hire police officers could bring their pension plan service time with them to Eagle.

*Expansion of the take home car plan. Eagle Police Officers are assigned their own patrol car and they can use it to drive to and from work from as far away as Rifle. Canon City adopted a plan from Yakima, Washington that expands take car usage to include using marked police cars for personal use anywhere in the county that the police department is located in. This would not only be a strong recruiting tool but also an incentive to live in Eagle County. Canon City experienced only a 15% increase in their fuel budget when they adopted an expanded take home car program to include personal use. Common sense rules apply such as the marked police car cannot be driven to any bar, gambling establishment or problem location identified by the Chief of Police. The deterrent value of seeing more patrol cars reduced crime in both Canon City and Yakima.

*Dry Cleaning of Police Uniforms and Detective's clothes paid by the city is a value added program that would be viewed as a recruitment tool.

*A paid membership to a local gym would be viewed as a recruitment tool.

*A stipend for childcare would be viewed as a recruitment tool.

*Employment assistance for a spouse of newly hired Police Officer would be a valuable recruitment tool. The Town of Eagle Human Resources would assist the spouse in locating suitable employment.

*The Police Department should develop a recruiting video showcasing the highlights of working in the Eagle Police Department and put this in several social media outlets.

*The Police Department should develop a hiring brochure and mail it out to every police academy in Colorado.

*The Police Department should develop a recruiting team to visit area police academies such as Colorado Mountain College in Glenwood Springs and Mesa University in Grand Junction.

*The Police Department should continue using their streamlined (but still thorough) hiring process. Often highly qualified applicants are on several hiring lists simultaneously and they will go to the police department that offers them a job first.

*The best recruiting tool is word of mouth. A referral bonus plan should be established that pays any city employee \$1,000 if they can recruit a police officer who is hired.

*Grow your own – Several Police Departments have police cadet programs. A police cadet is someone hired after they graduate from high school and pass competitive testing for the position. They work part time in a non-enforcement support capacity at the police department for minimum wage and they attend a local community college, which is paid for by the town. Three years later at age 21 they have an associate's degree, and the police department hires them as a police officer. The preferred candidate lives in the town and wants a career with the police department. They will have developed a loyalty to the police department and the community and usually want to make the police department a career. Police Cadet programs create an excellent pipeline for future police officers.

Retention

After the George Floyd incident (5/25/20) there has been an increased resignation of police officers nationwide. To combat this problem, many cities have developed retention programs. It is estimated by the Southern Police Institute that when a police officers resigns the cost to replace him/her is a minimum of \$100,000.

Attrition data for the Eagle Police Department shows the following resignations in:

2022 – 1

2021 – 4

2020 – 2

This is a 50% turnover rate for the police department in three years. This is an above average attrition rate and should be addressed by improving retention incentives.

The Mission Square Research Institute, which is connected to the International City Managers Association surveyed 1,100 state and local government employees in 2021. They said that the second-highest rated tool to keep employees would have been to offer retention bonuses. The number one rated tool to keep employees was to raise salaries.

Recommendations to improve retention include:

*Develop a retention bonus. Federal Heights has a \$4,000 annual retention bonus, Aurora has a \$10,000 retention bonus, Westminster has a \$2,000 to \$8,000 retention bonus, Denver Sheriff's Officers has a \$7,000 retention bonus, Commerce City has a \$1,000 retention bonus, Vail has a \$1,500 retention bonus, and Eagle County has a \$2,500 retention bonus.

*Expand the take home patrol car program to include personal use if the police department employee resides in Eagle County.

*Develop a plan to have a Patrol Sergeant on each shift.

*Develop a training plan that will develop police department employees in the long term. This will encourage employees to reach long term goals and thereby increase tenure.

*Have a robust out of town training plan. Sending police employees out of town occasionally shows their worth to the organization.

*Require police officers wear service strips (hash marks) on their uniforms to show their tenure.

*Develop a Gold Shield Detective Program. When a Detective reached five years as a Detective with an acceptable level of performance, they can become a Gold Shield Detective. Their badge is changed to a gold colored badge – the same as Command officers. This incentive is powerful because police work involves symbols. Increased authority also comes with a Gold Shield detective program. A Gold Shield Detective would have supervisory authority over a non-Gold Shield Detective.

*Develop a longevity pay plan that financially rewards increased tenure.

*Institute a step pay plan.

*Develop a pension plan that decreases an employee's contribution as tenure increases and the Town's contribution increases.

*Have a healthy work life balance. Ensure police employees have adequate rest, access to mental and physical health services on a regular basis. Have access to a police psychologist for employees. Have annual mental health check-ins.

*Some cities allow a massage therapist to come to the police department for a ten minute therapeutic massage for police employees for \$10 to be paid by the employee.

*Develop a retiree benefit that provides health insurance for the retiree with a decreasing cost as the employee's tenure increases. As an example, a 35 year retired employee would receive health insurance at a lower cost when they retire than a 25 year retired employee.

*Recognize good work by employees through an Awards Program that is supported by the Department and the Town. An annual Awards banquet with local elected officials and local media attending is a great morale booster.

*Develop a comprehensive awards program that recognizes and rewards excellence in police service. As an example, most police departments have a life saving award, but few departments

have a Preservation of Life Award. The Preservation of Life Award is in addition to the Life Saving Award. It is designed to recognize Officers who take action to preserve life, i.e., talking someone off a bridge who was going to jump.

- *Institute the Active Bystandership for Law Enforcement (ABLE) to prevent misconduct and increase tenure this program teaches Officers when and how to intervene in case a police officer is overreacting.

- *Institute an Education Based Discipline program where minor violations of department policy that would normally result in up to a five suspension without pay is handled by the subject officer writing a paper describing what he/she did wrong, what they should have done and what they will do the next time they are faced with similar circumstances.

- *Continue with a relaxed dress code where non-uniformed officers can wear casual clothes and uniformed officers can decide when and if they want to wear long sleeve or short sleeve shirts or heavy coats or lighter coats.

- *Continue with allowing the wearing of ball caps for uniformed officers in lieu of a regulation police hat.

- *Make required POST training (firearms, driving, arrest control) enjoyable and add a sense of teamwork and friendly competitiveness.

- *Celebrate success at work in an enjoyable but always appropriate manner. A good arrest should be greeted occasionally by a pizza provided by management.

- *Celebrate employee's personal milestones but always in an appropriate manner. A monthly birthday cake for all employee's born in that month, a gift for a newlywed employee, a round of applause for a returning injured employee.

- *If a police employee is injured in the line of duty and requires treatment in a hospital emergency room or is hospitalized an immediate visit by the Chief and Lieutenant should occur as soon possible to show support and reduce bureaucratic red tape.

- *Have a fair testing process for any promotion. Promotions should be based on impartial data not who likes who. Employees will stay with an organization if they think they can move up based on merit not "internal politics".

- *Have a support system for police employees that are required to work holidays. A meal provided on Thanksgiving and Christmas is appropriate. A few hour rest break on a holiday where an employee can visit family reduces the sting of being away on a holiday.

- *Continue to maintain a culture that prioritizes Diversity, Equity, and Inclusion. Treat people fairly, compassionately and with respect at all times.

*Maximize communication within the organization at every opportunity. A Chiefs E-mail monthly (with at least 10 updates), small group meetings at least once a month with command staff and patrol roll calls (all four patrol shifts), an all employee meeting every six months led by the Chief. These are ways to ensure that there is consistent communication within the organization.

*Have an Employee Appreciation Board where positive letters commending department members from the community, from the Chief's Office and other department supervisors can be posted.

*Develop a Peer Support Program. The International Association of Chiefs of Police released a guidebook in June 2023 on how to do this for Small and Rural Law Enforcement Agencies.

PATROL SCHEDULE

The Eagle Police Department patrol schedule is a 12 hour shift with four different platoons. Two for day shift and two for the night shift. There is an equal number of patrol officers on each shift unless there are not enough Officers. When I was on site one Officer was scheduled to work 1PM to 1AM and one Officer on duty from 6AM to 6PM. After 1AM, there was only one Officer on duty until 6AM. There are two patrol Sergeants, and they work from 9AM to 9PM and 9AM to 9PM on opposing days. They work rotating days and are on call when not on duty. There is no permanent power shift that would add an additional officer during peak times for calls for service. The police department clearly needs two to three additional patrol officers.

The 12 hour patrol shift has advantages in that it is very popular with officers because over the course of a year an officer will work less days but the same number of hours. It also has some disadvantages in that before and after a 12 hour shift for over half of the officers there is a one hour commute each way. This translates to a minimum 14 hour day. Fatigue can be a factor when working this schedule.

A study by the Police Executive Research Forum, The Police Foundation and the Office of Justice Programs concludes that the 12 hour schedule is popular with officers and reduces overtime but also has a high fatigue factor associated with it that can cause dangerous situations for police officers and at times an unhealthy work life balance.

All three studies show that a four day work week consisting of 10 hour days is a better scheduling alternative to a 12 hour day. There is less fatigue for the officers and this schedule allows for a common training day or common patrol saturation day once a week. There is also a two hour overlap that will result in more officers on duty during the overlap.

Recommendations

*The police department should initiate a study to see if a four day ten hour workday is feasible and beneficial for the Eagle Police Department.

*If the police department moves to a four day ten hour work week police department management should take advantage of the increased training time.

*With a four day ten hour work week police department management should schedule various enforcement initiatives on the common workday (usually Wednesday) that would benefit the community (i.e., traffic enforcement, nuisance abatement, follow-up on criminal investigations, community service day).

*A permanent power shift which would add an additional officer during peak busy times should be considered.

*The police department should be cognizant of the experiment currently in progress in the Golden Police Department. All police department employees now work a four day eight hour work week with no reduction in pay. Will this become permanent, and will other police departments adopt this schedule?

PATROL OPERATIONS

As with every police department patrol is the backbone of the Eagle Police Department. All officers are assigned to patrol with the exception of one newly promoted Detective. The Patrol Division is supervised by two Sergeants and a Lieutenant.

Every officer is assigned a marked patrol car and the police department has an electric bicycle. Every patrol car is equipped with a mobile data terminal. As noted earlier in this report patrol officers work a 12 hour schedule.

Recommendations

*Retitle the Lieutenant's position to the more modern title of Commander.

*Promote two additional Officers to Sergeant and assign them each to a patrol shift. This will improve supervision, reduce liability, and create a career path for police officers.

*Acquire a type three ambulance (this can be donated by the fire department when an ambulance is replaced) and have new graphics placed on the vehicle that say something like –

EAGLE POLICE EMERGENCY OPERATIONS or EAGLE POLICE MOBILE COMMAND POST. This will provide a mobile platform to conduct patrol operations that are longer in length, provide protection from inclement weather while at a major scene and act as a coordination point for multi-jurisdictional events. The interior of a type three ambulance is easy to modify for law enforcement use. The operator of this vehicle does not need a commercial driver's license. The records staff and the code enforcement officer can be trained as Command Post Operators thus freeing up police officers at a scene where a command post is needed. The Command Post vehicle can also be used in community outreach events such as National Night Out, Fishing with the Police and Bike Rodeos.

*Acquire one truly unmarked vehicle for patrol use. This vehicle should not look like a traditional patrol vehicle. It should be equipped with emergency equipment (i.e., lights and siren). This vehicle can be used for traffic enforcement, and stealth patrol when crime patterns are detected. This type of patrol vehicle has proven to be very effective in other police departments. Patrol Officers will enjoy driving this type of vehicle. One type of vehicle to consider for this type of assignment is a pick-up truck. Not only can it be used for patrol purposes, but it will give the department the ability to transport larger items. A pick-up truck would fit into the area quite well.

*Increase bike patrol. The police department has one electric bike. The department would be well served to have two additional standard patrol bicycles with portable bike racks for use on patrol cars. Patrol Officers could place the bike rack on the back of their patrol cars and conduct bike patrols in the two downtown areas of Eagle. This would prove to be very effective, and the community will be supportive. Bike patrol also increases physical fitness of the officers.

*Mandated foot patrol. The Town of Eagle has two business areas that are ideal for officers to conduct foot patrols. By creating a mandatory foot patrol program patrol officers could engage in one foot patrol for an hour once a week. This will be well received by the community and allow the officers to get to know the business community on a first name basis. During the holiday season this program is very well received by the community.

*Develop a Drone Program. Drones have proven to be very effective in a variety of situations that law enforcement encounters. From assisting to locate missing senior citizens, surveying a crime scene, assisting at a disaster scene, to mapping a serious car accident scene. Currently the police department does not have a drone. A drone program can be grant funded. The ideal grant for this purpose is the Justice Assistance Grant (JAG Grant). The JAG Grants are Federal Pass Through Monies allocated to each state. In Colorado we receive approximately \$2 Million Dollars a year. The Colorado Department of Criminal Justice administers this grant. The paperwork is simple, and the grant would cover 100% of the cost of acquiring a state of the art drone. I would recommend training volunteer non-sworn personnel as Drone Pilots with a Police Sergeant/Lieutenant supervising the program. Non-sworn department personnel are eager to get involved in additional ways to assist the police department and by having non-sworn drone pilots it will free up sworn personnel at a scene where the drone is deployed.

*Improve accident investigation to the point where all police officers are at least a level one accident investigator. Have at least one level two and one level three level accident investigator.

*Have at least one Drug Recognition Expert (DRE) on staff.

*Assess the feasibility of developing a License Plate Reader (LPR) program. LPR's can be used to find stolen cars, determine if a registered sex offender is in a car near a school, and help locate a car used in a crime. LPR's can be grant funded.

*Have at least one patrol car equipped with LOJACK. LOJACK is a device installed in a patrol car that picks up a signal from a stolen car that is equipped with a LOJACK transmitter that is activated when the car is stolen. Colorado is the leading state for stolen cars per capita in the United States. Since the Town of Eagle is adjacent to I-70 it is safe to assume that stolen cars will be driving through Eagle. LOJACK will assist in finding stolen cars and solving crimes.

*Train one department member (sworn or non-sworn) in crime prevention through the Southern Police Institute's (SPI) Crime Prevention Institute. SPI's Crime Prevention Institute has a one week course that is the best in country teaching crime prevention strategies and Crime Prevention Through Environmental Design (CPTED). CPTED teaches a practitioner how to design structures, landscaping, lighting, and signage to prevent crime. Having a certified Crime Prevention Specialist on staff can help homeowners and businesses from being the victim of crime. A robust crime prevention program can reduce the crime rate.

*Train an employee in advanced recognition of Human Trafficking. Due to the Town of Eagle having a close proximity to I-70 the chances of encountering human trafficking increases. All hotels and motel employees should be trained on what are indicators of human trafficking.

*Contract with American Sign Language Interpreting Services. Several Denver Metro area law enforcement agencies have been sued or have been threatened to be sued over not having easy to use sign language capability for the hard of hearing community. If a patrol officer in the normal course of their duties encounters a hard of hearing individual during the weekend after hours, locating a sign language interpreter can be difficult. Purple Communications (signlanguage.com) can make this a scenario easy to solve. They offer a service that via a zoom internet connection the person needing assistance can connect with a sign language interpreter and information can be relayed to the officer. There is no charge for entering into a contract with this company. You only pay if you use the service. Not having this capability can result in a lawsuit, negative media attention and reduced efficiency.

*The Police Department currently has four Automatic External Defibrillator's (AED's). With a one to one car plan this not enough for every officer to have an AED in their patrol car at all times. The police department should budget and or obtain grant assistance to obtain more AEDs with the goal of having one in every patrol car at all times.

*Patrol cars are inspected by department supervisor's once every 3 months. That is too long of a time between inspections. I recommend that this be changed to once a month.

*Minimum staffing in patrol is currently one officer on duty. This needs to be changed to a minimum of two officers on duty at any time. Having one officer on duty is dangerous. Even if accomplishing having a second officer on duty requires overtime it is necessary.

*Currently the police department uses the Krav Maga defensive tactics system. The department should evaluate changing to the FBI defensive tactics system. Krav Maga is expensive to train the instructors and they must be recertified every three years. The FBI instructor training is free and there is no recertification necessary. In court the FBI defensive tactics system has more credibility.

*The carrying of an expandable baton is optional if the officers carries a TASER which is mandatory and OC Spray (mace). I would recommend that it be mandatory to carry an expandable baton in every patrol car. It is another tool for the officer.

*Develop an Evidence Recovery Unit - Train two Officers in advanced evidence recovery procedures and equip their patrol cars with evidence recovery equipment. This will improve solving of crime and provide another area for Officers to specialize in.

*Every Officer should be trained and equipped with NARCAN for use in opioid overdoses.

SPECIAL WEAPONS AND TACTICS (SWAT)

The Eagle Police Department participates in the Eagle County Special Operations Unit. This multi-jurisdictional special weapons and tactics team is trained and equipped to respond and handle difficult police situations such as barricaded gunmen, hostage situations and high risk warrant service.

The Eagle County Special Operations Unit has 15 operators (swat officers) and 7 negotiators (officers trained as crisis negotiators) from the Eagle Police Department, the Eagle County Sheriff's Office, the Avon Police Department, and the Vail Police Department. The Eagle Police Department contributes one SWAT Officer and one Negotiator.

Recommendations

*Increase the Eagle Police Department SWAT Officer contribution from one to two. Preferably have these two Officers work different patrol shifts. By having two SWAT Officers on the Eagle County Special Operations Unit the chance that at least one SWAT Officer is able to respond exponentially increases.

*Increase the Eagle Police Department Crisis Negotiator from one to two. Preferably have these two officers work different patrol shifts. By having two Crisis Negotiators the chance that at least one Crisis Negotiator is able to respond exponentially increases.

*As the police department grows the number of Crisis Negotiators should grow. Ideally one Crisis Negotiator should be assigned to each shift. It would be an excellent idea to require that the police department's new Detective be assigned as a Crisis Negotiator. National data shows that approximately 93% of situations that on the surface require a SWAT Team response can be defused when a trained Crisis Negotiator is on the scene. Having a trained Crisis Negotiator on each patrol shift will reduce liability and make the community safer.

*Rotate SWAT Officers every few years. This will provide career development and career enrichment for the officers. In small police departments the ability to have premium assignments like being part of a SWAT Team is a huge incentive to stay with the department. Rotating SWAT Officers will improve retention.

*After a total of four SWAT Officers have been trained and served on the Eagle County Special Operations Unit the police department can assign a SWAT trained officer on every patrol shift. This officer can provide a high level of assistance to the shift supervisor when high risk situations occur.

*As the department grows and the number of experienced and SWAT trained officers increase to a minimum of four the department can evaluate the need for a containment team. As the name implies a containment team would contain a dangerous situation until the Eagle County Special Operations Unit can respond.

DETECTIVE OPERATIONS

The police department recently promoted the first Detective in the department's history. This is a major step forward in the evolution of the Eagle Police Department. This will allow crimes that require more follow-up investigation to be investigated by a trained investigator. The Detective can also conduct case follow-up as necessary outside of Eagle.

Recommendations

*The Detective will need appropriate office space. When I interviewed the Detective, he was unsure where his office will be located. Due to space constraints, he was of the opinion that he might be working in a closet that has been converted to office space. This is not ideal by any means.

*The police department should develop an effective case assignment system. Specific criteria focusing on the use of solvability factors should be developed that determines which cases will be assigned to the Detective.

*The Detective should be supervised by the Operations Lieutenant. The Operations Lieutenant can be the critical link between Patrol and the Detective.

*The police department should develop an effective case management system. An effective case management system will determine how many cases can be assigned to the Detective, how long an investigation should be active, and how effective the Detective is at solving crime and recovering stolen property.

*The Detective should as soon as possible develop critical working relationships with peer Detectives from every agency in Eagle County as well as Investigators with the Colorado Bureau of Investigation.

*The Detective should maintain membership in and use the services of the Rocky Mountain Information Network (a federal regional information sharing system project) and become aware of the services that the National Center for Missing and Exploited Children (NCMEC) can provide for the police department.

*The Chief of Police should attend the 2 day Orientation Program hosted by the National Center for Missing and Exploited children in Alexandria, Virginia. This training program highlights the problem of missing children and the resources that NCMEC can provide at no cost. The training is 100% grant funded.

*The Operations Lieutenant should attend a training class on to manage criminal investigations.

*The Operations Lieutenant should develop an investigator training program for the new Detective. The new Detective has attended the two week basic investigator school hosted by the Boulder Police Department, but he is in need intermediate and advanced criminal investigator training especially in the area of Crime Scene Investigation and Interview and Interrogation Techniques.

*As the police department grows the department should consider when it would be appropriate to add a second Detective. In the future a second Detective will have a synergistic effect in the investigation's unit. Two Detectives will do more than twice the work and solve more than twice the crime. A two person team of detectives can be very effective.

DRUG ENFORCEMENT

The Eagle Police Department relies on patrol officers for drug enforcement. This makes drug enforcement extremely difficult and only occurs at the surface level. Research and experience tells us that a large percentage of crime is drug related. Proactive drug investigations can lower the overall crime rate.

There is an Eagle County highway drug interdiction task force known as GRANITE. This task force is not full time but is periodically activated to conduct highway drug interdiction.

No Eagle Police Officers participate on this drug task force. The GRANITE task force makes traffic stops of suspected drug couriers mainly on Interstate 70 and confiscates their drugs and makes arrests connected to the traffic stop. Vehicles and cash can be seized and then forfeited to the participating law enforcement agencies.

Recommendations

*As the Eagle Police Department grows there should be consideration to taking a leadership role and developing a fulltime Eagle County Drug Task Force. This task force could have investigators from Vail, Avon, the Eagle County Sheriff's Office, and the Eagle Police Department. A four member drug task force could be very effective. This joint task force could also be activated and assist on any major crime that occurs in Eagle County.

*A model to follow is the Moffat County (CO) All Crimes Enforcement Team (ACET). This task force is made up of investigators from each agency in Moffat County and Routt County and primarily investigates drug crimes but assists on any major criminal investigation. Moffat County and Routt County have a joint population of 38,000 and Eagle County has a population of 55,000.

BUDGET

I have received copies of the Eagle Police Department budget. The police department budget is a standard line item budget. Historically the police department budget has been in:

2018 - \$1,538,285
2019 - \$1,873,038
2020 - \$1,872,276
2021 - \$2,174,667
2022 - \$2,705,097
2023 - \$2,911,838

Recommendations

*I have received several comments from officers that the Eagle Police Department is the lowest paid in Eagle County. I would recommend that a salary survey be done by Human Resources and if this accurate that a salary adjustment be made to have Eagle Police Officers paid at the median level for Eagle County. This will require an increase in the budget.

*The budget protocol mandates that applications for grants be included in the budget whether or not the grant is obtained. Grant cycles do not always correspond to the budget cycle. Grants that are available during the year should be pursued and then added to the budget as an amendment.

*If my recommendation that minimum staffing be adjusted to be a minimum of two Officers on duty at all times, consequently the overtime budget will have to be adjusted accordingly.

*If my recommendation that Officers should be allowed to use their assigned patrol cars off duty then the Gas and Oil budget will have to be increased approximately 20%.

*The training budget is too low. It needs to be increased to \$20,000 per year plus the availability of grant funds to be used for training. Training is a critical component for the police department.

*The Recruitment Budget is too low. It needs to be increased if recruiting is a priority.

*There are no budgeted amounts for Drug Task Force, Crime Stoppers, or Volunteer Recognition. These are critical services that should be funded.

*The pac set radio replacement budget is underfunded. At the current level the department can purchase only one new pac set radio but not enough batteries for the radio. This budget needs to be increased.

*The Uniform account is budgeted for \$4,000. It costs \$7,000 to outfit a new Officer. This account needs to be increased to at least \$21,000 to cover the cost of outfitting one new officer and replacement costs of \$14,000 (\$1,000 for each Officer) for damage/upgrades/replacements for each Officer.

*Code Enforcement needs to have their own line item in the budget.

*An Asset Seizure account should be added to the budget. If and when the police department makes a seizure of funds or assets that can be converted to cash those assets can be added to the Asset Seizure Account. Those funds can be used for special projects in the police department.

*The police department should create an over hire program for one new police officer. An over hire program is funded by using salary savings to hire an additional officer with the intent to try to stay staffed at the authorized strength. The department has been short one officer for several months. This salary savings could be used to fund the over hire position. Most police departments are either never or for a short time at full strength. An over hire program assists with reaching full strength and is revenue neutral.

*Police Department Command Staff should audit the budget quarterly. A full audit should occur at the halfway point in the budget year and at the end of the budget year. Extreme caution should be exercised to not exceed the budget.

GRANTS AND FUNDING SOURCES

*The police department should develop a municipal surcharge program that has a fee added to every municipal conviction. Hypothetically a 10% surcharge where the monies would go into a Criminal Justice Services account managed by the Police Department. This fund could be used for Police Community Outreach Programs, Crime Prevention Programs, Police Equipment, Training, Overtime for Crime Suppression and Special Traffic Enforcement Programs, Juvenile Delinquency Prevention Programs, and Additional funds for Monetary Rewards to Enhance Crime Stoppers. I recommend a 10% surcharge rather than a flat fee. This will require a municipal ordinance to enact the surcharge.

*The police department should explore using the 1033 and 1122 Federal Programs. The 1033 program allows law enforcement agencies to obtain military surplus at no charge or a minimum charge and the 1122 program allows law enforcement agencies to purchase any item the Federal Government buys at their cost. This 1122 program is especially effective when purchasing vehicles. My experience has been that the 1122 program is always less cost to purchase vehicles than state bid. The vehicles are new, the agency decides the make and model, the vehicle is built to your specifications (heavy duty police packages) and delivered on site. Every state has a 1033 coordinator and an 1122 coordinator.

*The police department should explore using the National Association for the Exchange of Industrial Resources (NAEIR). They can be reached at www.naeir.org. This organization collects donated new items of all types and provides a tax donation to the donating organization. Police departments can purchase a catalogue for approximately \$500 and receive unlimited items shipped at no charge or shipped for a small fee. This program is extremely cost effective and can fund various Community Outreach Programs, Office Supplies, Tools, and many other types of items. It does not have police equipment.

*There are many grant opportunities from the Federal COPS Office that could be applicable to the Eagle Police Department. These grants have closing dates however new grant opportunities continuously occur. Recent Grants have included:

Community Policing Development Microgrants
Officer Recruitment, Retention and Workforce Diversification
Underserved Populations
Building Trust and Legitimacy with the Community
COPS Hiring Program

School Violence Prevention Program
Law Enforcement Mental health and Wellness Act Program
De-Escalation Training

*As mentioned earlier the annual Justice Assistance Grant through the Colorado Division of Criminal Justice provides grant funding for:

Equipment
Vehicles
Personnel
Innovative Programs to Reduce Recidivism

*Colorado Division of Criminal Justice grant programs provides funding in many areas. These grants have closing dates however new grant opportunities continuously occur.

Recent Grants have Included:

Fentanyl Accountability and Prevention
Multidisciplinary Crime Prevention and Crisis Intervention Grant Program
Youth Delinquency Prevention and Intervention Grants
Crime Prevention through Safer Streets Grant Program (Uses Crime Prevention Through Environmental Design Strategies)
Law Enforcement Workforce Recruitment, Retention and Tuition Grant Program (mandated that 20% of the funding goes to rural agencies east of I-25 or west of the continental divide)
State's Mission for Assistance in Recruiting and Training (SMART) Grant Program (mandated that 20% of the funding goes to rural agencies east of I-25 or west of the continental divide)

Private Sector Grants

*There are many private sector grants that are available to law enforcement agencies. These Private Sector entities include:

Wal-Mart
Target
Almost every Fortune 500 Corporation has a Philanthropic Office that Provides grant Funding (most do not require that the Town be in the vicinity of the Fortune 500 Outlet or Headquarters)
Firehouse Subs Public Safety Foundation
Shield 616
Gates Family Foundation
Colorado Health Foundation
United Way
Adolph Coors Foundation (priority is rural non-profits)
Anschutz Family Foundation (youth programs)

El Pomar Foundation
Colorado Trust
Western Union Foundation
Western Colorado Community Foundation
Eagle Valley Community Foundation
Local Area Hospital and/or Medical Center (often fund AED's)

*National Child Safety Council (www.nationalchildsafetycouncil.org)

The National Child Safety Council is a very effective way to raise funds for community outreach programs for youth. The National Child Safety Council is a 501 C 3 organization that is designed to assist law enforcement with fund raising to purchase child safety literature and child safety oriented trinkets. How it works is relatively simple, requires very little effort by the law enforcement agency they work with and will save the police department thousands of dollars a year. The Chief of Police would sign a letter on letterhead stating that the organization is legitimate and works towards making the communities children safer. The National Child Safety Council (NCSC) then sends their request for donations electronically, along with the Chiefs letter to the local business community and businesses who want to donate send checks to the police department. The police department keeps a record of the checks and then sends the checks to the National Child Safety Council. The National Child Safety Council then creates an account in the law enforcement agencies name and the police department can order from their catalogue. The ordered items are then shipped to the police department for distribution to youth in the community. Currently 26 law enforcement agencies in Colorado have this working agreement with the National Child Safety Council. I can personally attest to having worked with the National Child Safety Council for over 15 years and had nothing but positive results and was able to distribute thousands of age appropriate child safety related items at no cost to the law enforcement agency.

EMERGENCY OPERATIONS CENTER

The Eagle County Office of Emergency Management is located at 500 Broadway in the Town of Eagle. This is about three blocks away from the Police Department. This is very convenient. I have been advised by the Chief of Police that a verbal agreement between the Director of the Eagle County Office of Emergency Management and the Chief of Police is that if an emergency occurs in the Town of Eagle the Police Department can stage their Emergency Operations Center in the Eagle County Office of Emergency Management facility at 500 Broadway.

Recommendations

*This is an ideal arrangement. However, I would recommend that this verbal agreement be reduced to writing in the form of an Interlocal Agency Agreement.

*I could not locate an Emergency Operations Manual in the Police Department. An all hazards Emergency Operations Manual for the Town of Eagle should be located, and copies distributed

to all supervisors and command officers in the police department. A master copy should be labeled as such and maintained in a conspicuous location inside the Eagle Police Department.

*A joint annual tabletop exercise should be held at the Eagle County Office of Emergency Management involving personnel from the Eagle County Office of Emergency management and all supervisors and command officers from the Eagle Police Department. Each year the tabletop scenario should be changed thereby giving the participants a wide range of experience in different situations. The tabletop exercise should be critiqued and a lessons learned document shared with all members of the police department.

*Prior arrangements should be made with area vendors that in an emergency, food, shelter, water, first aid and medicine can be provided to first responders and citizens.

*The Town Hall (and police department) does not have a portable generator. In the case of a sustained power outage this could prove to be problematic at best and disastrous at worst. I have been advised that arrangements have been made to have a portable generator delivered to Town Hall if this occurred. The Town of Eagle should determine the feasibility of obtaining a permanent portable generator to be installed at the Town Hall. The military surplus 1033 program may be a source of a generator at no charge.

*A minimum of a three day supply of water and food for on duty first responders should be obtained and stored in the police department basement storage area. A way to cook this food should also be determined and obtained. This is easy to locate as there are many outlets that can provide dried vacuum sealed food with a 25 year shelf life.

*Arrangements should be made to rent snowmobiles in case of a snow emergency and the roads are not passable.

*An annual inventory should be made of all marked Town of Eagle four wheel drive vehicles that could be accessed in case of a severe weather emergency when a standard patrol car could not be used. A system should be developed where the police department command staff can obtain these vehicles and assign them to patrol officers in a severe weather emergency.

*A secondary annual inventory of all police department employees who own four wheel drive vehicles should be made. These vehicles will be used in case the Town of Eagle four wheel drive vehicles are not available in a severe weather emergency. The insurance carrier for the Town of Eagle should be consulted before this plan is put in place.

*A small supply of winter Parkas should be stored in the police department basement in case of severe cold weather.

*While the arrangement with the Eagle County Office of Emergency Management to use their facilities in case of an emergency is ideal, I would still recommend that the Eagle Police Department develop a very basic Emergency Operations Center that can be set up in the police

department. A secondary backup Emergency Operations Center could prove to be invaluable if for some reason the Eagle County Office of Emergency Management could not function.

COMMUNITY OUTREACH

The Eagle Police Department has an adequate community outreach program. Currently the police department has the following community outreach programs:

Latino Police Academy
National Night Out
Shop with a Cop
Coffee with a Cop
A Community BBQ is being planned for the near future
School Resource Officer

However, the 13 citizens I interviewed were not familiar with any events/programs sponsored by the Eagle Police Department.

Recommendations

*Better advertising of police sponsored events using social media, the Town website, the local newspaper, and local radio.

*Posters advertising police events should be posted at key locations in the community, i.e., Town Hall, businesses with large amount of foot traffic, recreation centers, other Town facilities, health centers, day care centers, schools, houses of worship, etc.

*A large banner advertising key community events could be hung across main streets.

*An inventory of all electronic signs should be done and then the police department community events can be advertised on the electronic signs.

*An inventory should be made of all childcare centers and schools to include e-mail addresses. An e-mail describing the community event could be sent to each childcare and school facility. This list of e-mail addresses could prove valuable if a public safety message needs to be sent out.

Recommendations of Additional Community Outreach Events to Consider

*Fishing with the Police – An easy and fun 4 hour fun event in conjunction with the Colorado Division of Parks and Wildlife (CPW). CPW will participate with personnel and fishing

equipment. They will supply fishing poles for kids to keep and provide technical advice to each young angler. Young kids will never forget catching their first fish with an Eagle Police Officer.

*Safety Day for Kids – Community Safety Partners and the Police Department team up to have a safety fair. Usually this is held at a location where there is a natural draw for kids. A local pool during the hottest week of the year (the second week of July) is usually an excellent venue.

*Visits with Seniors in Nursing Homes – A two hour visit at each nursing home in Town focusing on senior safety would be very well received.

*As mentioned earlier, each hotel should have a regular visit from a police officer to discuss what to look for in cases of Human Trafficking and how to report it.

*The Citizens Police Academy (CPA) should be expanded to include a CPA for just Eagle residents. This is not a difficult task if each Officer has a small part of the CPA to teach.

*Bike Give-away to fifth graders who show good citizenship – Wal-Mart will generously donate to a program like this. A bike, a bike helmet, and a lock presented to a fifth grader nominated by their school will be well received by the school district and the community.

*Formation of a small business and police department committee – This will promote discussion and a venue for the business community to receive information and voice any concerns they might have.

*R U OK – This is a service in which senior citizens would sign up for through the police department. Once they are registered, they receive a preset number of computer generated phone calls. If they don't answer, then family members are contacted, or the law enforcement agency responds to check on them. Agencies that are using this system include Wood County, Ohio; Yuma County, Colorado; Houston County, GA; Pico Rivera County, CA; and Rowan County, North Carolina. A similar program in Clear Creek County, Colorado is called SAFECALL.

*A monthly column by the Chief of Police (or his designee) in the local newspaper – A short article written by the Chief of Police once a month on a timely topic (i.e., the dangers of speeding in school zones before school starts, Halloween Safety, Stranger Danger, Scams affecting the Elderly, Internet Safety). The article would also be posted on social media sites and the Town of Eagle Website.

*An annual Police and Fire Department Athletic Event – (i.e., softball game, basketball game, bowling tournament, fire truck pull, golf tournament). This could be a well-publicized event with donations that could go to local charities and/or crime stoppers.

*An annual Bike Rodeo – This would be a safety event utilizing a safe bike riding track with safety cones and volunteers providing a minor bike tune up. Free bike registration with the

police department would help return bikes that are stolen. Thornton Police Department has a good model to follow.

*An Eagle Police Officer could be stationed inside a drive through coffee shop for an hour and serve coffee once or twice a year and in a friendly manner remind drivers to wear their seat belt. A variation of this is inside a fast food restaurant. Both approaches have been found to be successful and thought to be innovative by the community.

*The community would be well served if the police department developed a community e-mail notification system that would send out both emergency and non-emergency messages. Nixle and Code Red are two providers of this service. Or the police department could build their own at no cost.

*Project Lifesaver is a wearable bracelet, that senior citizens suffering from dementia who are prone to wandering, could wear that can locate them in an emergency via a GPS signal. Arapahoe County and Colorado Springs have this program.

*Project Child Safe provides free safety gun locks to law enforcement agencies for distribution to the public. Vail Police Department has this program.

*Accurate record keep is very important when there is a Community Outreach Event to include the type of event, date, time, and location. Records should be kept on each event that includes which police officers coordinated and attended the event. How many citizens attended and how well the event was received.

*Community Outreach should involve every Eagle Police Officer. Every Eagle Police Officer should be involved in at least one Community Outreach event per year. This should be reflected on the Officer's performance evaluation.

*A Police Explorer program is not recommended at this time. It is my opinion that a Police Explorer program would overburden an already busy staff. I do recommend a police explorer program when the department grows by at least two more Officers. A Police Explorer program is part of the Boy Scouts of America and focuses on high school age youth who are interested in a police career. The Explorers learn various facets of police work and the program is managed by a police officer.

*Find attached in this report a list of Community Outreach events that I presented at the Professionalizing Law Enforcement Community Engagement Training (PLECET) conference on May 4-5, 2023, in Atlanta, Georgia.

TRAINING

Colorado Peace Officer Standards and Training require that Police Officers receive a minimum of 24 hours of training per year. This is divided into two main categories:

Perishable Skills Training - 12 hours a year (with a minimum of 1 hour in each skill though 4 hours in each skill is preferable, this includes:

- 4 hours of Firearms Training
- 4 hours of Emergency Vehicle Operation Course Training
- 4 hours of Defensive Tactics/Arrest Control

And 12 hours of any Training that is approved by the Chief of Police.

In addition Colorado POST mandates the following:

Training in Proper Holds, Restraints, Community Partnership/Community Policing (2 hours), Training and De-Escalation Training, First Responder Interactions with People with Disabilities, Missing and Murdered Indigenous Relatives, at least once every five years and one time training for the Colorado Dog Protection Act. A minimum of one officer from each law enforcement agency must attend Mandatory Reporting of Abuse or Exploitation of Elders Training for Law Enforcement and a Basic School Resource Officer Training Curriculum.

It is inevitable that POST will increase the number of mandated hours of training in the future.

According to the Chief of Police the average amount of training that an Officer receives a year is 48 hours. There are 4 in-service training days (an 8 hour day) scheduled per year and 12 on-line training sessions (2 hours per session) per year.

This is commendable but lower by approximately 50% of many law enforcement agencies in the Denver Metro Area.

Recommendations

*Training hours could increase by 100% if the 4 day 10 hour work schedule was implemented.

*Maximize the use of the Colorado POST Grant Funds. The owner of every motor vehicle registered in Colorado pays \$1.00 towards POST training grants. The State of Colorado is divided into 10 training regions. The Eagle Police Department is in the I-70 West Region. Each region has a governing POST Grant Board which approves training grants. Training funds are available to acquire training, conduct training, and attend training for Colorado Peace Officers who are currently employed by a law enforcement agency. Examples of allowable costs are tuition, lodging, travel costs, instructor fees, class supplies, backfill, travel costs and overtime. In or out of state travel is permissible using POST funds. Training equipment is also an allowable expense. Examples of allowable costs are Simulators, Simunitions, Training Ammunition, Targets, Arrest Control training gear, Driver Training Equipment, Range and Driving track Improvements, etc.

*A formal annual training plan should be developed by the police department command staff, focusing on compliance with POST Training Requirements, the needs of the community and reducing liability. Input should be received from every member of the department.

*A long range training plan should be developed by the police department command staff. This training plan should be no longer than five years and should include training targets such as:

FBI National Academy for the Chief of Police and the Lieutenant
First Line Supervision training for Every Sergeant (if it has not already occurred)
Northwestern School of Police Staff and Command for Every Sergeant
IACP's Leadership in Police Organizations (LPO) for Sergeants and Corporals
County Sheriffs of Colorado and the Colorado Association of Chiefs of Police Supervisory Institute course for Corporals if the Corporal program is approved
The Southern Police Institute training program, "Managing Small Law Enforcement Agencies" for Corporals, Sergeants, and the Lieutenant
Intermediate and Advanced training for the new Detective
Continual advanced training for police officers in the area of liability reduction, search and seizure, interview and interrogation, crime scene investigation, and preliminary criminal investigation

*Ensure that the department has a cadre of at least two instructors in each of the below critical areas:

Arrest Control/Defensive Tactics
Emergency Vehicle Operation
TASER
Firearms
De-Escalation
Wellness

*Every Officer needs to attend Crisis Intervention Training (CIT). The majority of Eagle Police Officers have attended this 40 hour training, but the goal should be to have 100% of Eagle Officers attending this training. This is an extreme liability issue.

*Every Officer needs to attend Mental Health First Aid Training. This 8 hour training program describes the mental health crisis we are facing in the United States.

*Currently the department has one Officer certified as an instructor in De-Escalation. As mentioned above this should be increased to two and annual retraining for all Officers in de-escalation should occur.

*The department would greatly benefit by having two trained Crisis Negotiators on Staff. Often an immediate response by a trained negotiator can resolve a barricaded situation quickly thereby averting the use of a SWAT Team.

*An annual tabletop exercise should occur with rotating topics such as a person suffering a mental health crisis, a barricaded individual, an active shooter, a mass casualty event.

*Command Staff should review high profile law enforcement failures in Colorado and share these events with all supervisors and then have in-service training for all Officers. This is called failure analysis, recently, there have been several high profile law enforcement failures that can be studied to prevent a recurrence in Eagle.

*All police department personnel would benefit from a voluntary Wellness Program. A staff member who is certified in being a Wellness Coach could provide counseling on nutrition, weight control, smoking cessation, stress control, financial management, and career counseling. A Wellness program is not a mandatory physical fitness program. Mandatory physical fitness programs are laden with liability as the City of Colorado Springs experienced. While a Wellness program has never been challenged in the Colorado Court System.

*Since approximately 23% of the Town of Eagle is Hispanic, I recommend that all Eagle Police Officers complete an on-line training program entitled, "Spanish on Patrol". This training program will teach officers basic emergency Spanish for use while conducting their patrol duties. It is a six month course that is very reasonably priced and could be grant funded by a Colorado POST Training grant.

*Accurate training records must be maintained. These training records should be reviewed annually by the Lieutenant to ensure accuracy.

*Complete training records must be submitted to Colorado Peace Officer Standards and Training annually to maintain Officer certification. This should be reviewed by the Lieutenant to ensure it is completed accurately and timely.

EARLY WARNING SYSTEM

An Early Warning System (EWS) is a personnel management system designed to identify and help employees who are experiencing difficulties at work or in their personal life that may be negatively affecting their performance at work. After the employee has been identified as having possible issues or is experiencing work related issues the Early Warning System is designed to get them help. It is not a disciplinary system.

Recommendations

*The Eagle Police Department would greatly benefit from having an Early Warning System. Use of the Early Warning System will reduce misconduct, save some Officers' careers, and reduce liability.

*There are five Early Warning System's that I am familiar with.

Guardian Tracking (<https://guardiantracking.com>)

IAPRO (iapro.com)

Lefta systems (leftasystems.org)

ACADIS (acadis.com)

A No Cost Manual System the Author of this Report Developed

The Eagle Police Department is currently using the Guardian Tracking System.

*If this system meets the needs of the Eagle Police Department, I recommend that they stay with this system.

Highlights of the No Cost Manual System are:

Performance of all Sworn Employees are reviewed every six months

All Supervisors are involved in the review

Eighteen categories of performance are reviewed

Four categories of remediation

Many Federal Court Circuits have stated that the absence of an Early Warning System in a law enforcement agency in the 21st Century is negligent. It is a positive that the Eagle Police Department already has the Guardian Tracking System in place which was purchased in May 2023.

*The no cost manual system is attached to the report.

*The national expert on Early Warning Systems is Sam Walker from the University of Nebraska. I would encourage the police department command staff to review some of his writings on this topic. He has served on several Presidential Commissions opining on this topic.

LIABILITY REDUCTION

It is important for all law enforcement agencies to be aware of how critical it is to continuously think about how to reduce liability. Liability in a law enforcement agency can be found it virtually everything we do. I have studied liability in law enforcement agencies for several

decades and have found that lawsuits can have tragic endings for all involved. There is a recent trend in Colorado for very large lawsuit settlements, some in the multi-million dollar range.

Recommendations

- *The Chief of Police needs to discuss this topic with all members of the police department and advise them that he is concerned about liability and that the Eagle Police Department will do whatever is possible to reduce liability.

- *All training needs to be documented and in compliance with POST rule 28 – Mandated Annual Training.

- *As mentioned earlier increase annual training with a target number of 96 hours a year of in-service training offered by the Eagle Police Department. One eight hour day of in-service training day per month.

- *The department policy manual is LEXIPOL. The police department Lieutenant needs to periodically review the read and sign for the policy provision that LEXIPOL has to ensure all sworn personnel are reading the department policies.

- *The department should make use of the LEXIPOL daily training bulletins. This is an excellent way to augment training and reduce liability.

- *An annual tabletop exercise focusing on real life high liability situations should occur.

- *All in-service instructors need to have current certifications before they teach any topic and take steps to ensure Officers are not injured during training.

- *Failure analysis should occur by the command staff and shared with all members of the department when there has been a publicized high liability failure by any Colorado Law Enforcement Agency. Other agency policy failures should be reviewed to ensure Eagle Police Department has correct policies.

- *The police department should bring in an outside expert on liability every other year to instruct on liability trends.

- *When feasible the Chief of Police should attend the monthly Liability Committee meeting held by CIRSA in Denver.

- *The Town of Eagle should consider purchasing legal defense fund coverage for their police officers. This insurance would provide an attorney for an officer in case of a civil lawsuit. The City of Craig has purchased this legal insurance for their officers.

- *As mentioned earlier an Early Warning System should be implemented.

*As mentioned earlier an annual mental health check-in with a police psychologist should be scheduled for every Eagle Police Officer. A mental health check-in is a one hour meeting with the police officer and the police psychologist. The psychologist would ask questions about work-life balance, offer suggestions on how to de-stress, how to enjoy police work more, assess any serious red flags that indicate that the Officer is having problems.

*As mentioned earlier all Eagle Police Officers need to be certified in Crisis Intervention Techniques (CIT).

*All Eagle Police Officers need to attend an 8 hour course on Mental Health First Aid. This program teaches Officers about mental health illness and issues that they will encounter with the public.

*As mentioned earlier at least two Eagle Police Officers need to be certified a Crisis Negotiators.

At a scene where a person is suffering from a serious mental health crisis the chances for de-escalation to occur dramatically increases if the Officers on the scene have had CIT training, have had Mental Health First Aid training and a trained Crisis Negotiator is on the scene. In fact, the absence of this type of trained personnel on the scene can be the basis for a lawsuit against the agency if there is a bad outcome.

*Ensure that in-service training covers the high liability areas of policing such as:

Use of Deadly Force

Active Shooter

Use of Less Lethal Weapons (Impact Weapons, OC Spray, Less Letha Shotgun, Pepperball Gun)

Search and Seizure

Emergency Vehicle Operation

Animal Control (dealing with vicious dogs)

Arrest Control

Use of Force

Domestic Violence

New Laws enacted every year

Proper Handcuffing Techniques

Searching techniques when dealing with members of the opposite sex

Dealing with people in a mental health crisis

Training in preventing liability and in high liability areas of policing is a good investment for police officers, members of the community and the Town of Eagle.

INTERNAL AFFAIRS

Internal Affairs in any police department is a critical function. It is a link between the police department and building trust in the community when there is a complaint. The Internal Affairs function must always be staffed by at least two supervisors who are well trained and have a service record that demonstrates loyalty, professionalism, maturity, and a strong work ethic. In police departments the size of Eagle the Internal Affairs function is an adhoc assignment. In other words, it only becomes operational at the discretion of the Chief of Police.

Unfortunately, many law enforcement agencies the size of Eagle do not recognize the importance of having some staff trained as Internal Affairs Investigators. Then a serious event occurs, and the agency does not have competent staff to investigate the incident.

In addition to investigating complaints that are either generated externally or internally the Internal Affairs Function also serves as a Staff Inspection Unit. A Staff Inspection Unit conducts inspections at the direction of the Chief of Police. Examples of inspections that the Staff Inspection Unit conducts could be vehicle inspections, equipment inspections, police facility inspections and evidence unit inspections.

Eagle Police Department Data shows only one Internal Affairs complaint in 2022 and none in 2023. This is a very positive indicator of the professionalism in the Eagle Police Department.

Recommendations

*The Eagle Police Department needs two trained adhoc Internal Affairs Investigators. My recommendation is to have the Lieutenant and a Sergeant be the Internal Affairs Investigators.

*After a three year period of time my recommendation is to rotate the other Sergeant as the other Internal Affairs Investigator. This will provide a cadre of three experienced Internal Affairs Investigators.

*Minor informal complaints such as discourtesy, improper driving, should be investigated by the Officers immediate supervisor.

*Serious complaints such as an officer involved fatality, excessive force, false arrest, discrimination should be investigated by the Internal Affairs Unit.

*All cases involving Use of Force should be investigated at the scene by the on-duty supervisor and immediately brought to the attention of the Lieutenant and Chief of Police for further review. During my on-site visit there seemed to be some confusion as to how this process worked. I recommend a complete review of the process.

*The police department Lieutenant should make a complete annual internal affairs report listing all relevant information regarding internal investigations, and dispositions. The fact that the number of Internal Affairs investigations are so low should be celebrated and made known in the community.

*Redacted information from the annual internal affairs summary report should appear in the police departments annual report and on the police department's website.

NEW TRENDS IN DISCIPLINE

Discipline is a critical component in every law enforcement agency. When there is a violation of policy department, personnel must be held accountable. Traditionally this has been in the form of letters of reprimand or suspensions without pay. When this type of discipline is administered there is always a lingering feeling of resentment by the subject Officer. This can have a very negative effect in a small police department over time.

Recommendations

*As mentioned before, Education Based Discipline (EBD) was developed by the Los Angeles County Sheriff's Department with the intent of creating a learning environment and not a punitive environment when there is a minor policy violation. A minor policy violation in the Los Angeles County Sheriff's Department is described as a policy violation that could result in up to a five day suspension without pay.

Education Based Discipline Process

When a sustained policy violation occurs the subject Officer and the Chief of Police agree to the imposition of Education Based Discipline. The Subject Officer is required to write a five page paper on what he/she did wrong, what was the correct response in that situation and what they will do in the future in a similar situation. The subject Officer has 30 calendar days to write the paper during on duty time and submits it to the Chief of Police. The Chief reviews the paper to ensure it is correct and that it is written at a college level. There is no reprimand and no reduction in pay. There is very little acrimony from the subject Officer and no financial hardship for the Officer or his/her family.

*The other disposition for violation of policy that is subject to discipline over a six day suspension and up to ten day suspension without pay is forfeiture of vacation/comp days. This type of disciplinary matrix provides two things that benefit the police department:

There will be an increase in staffing by having an extra Officer on duty.

There will be less acrimony from the subject Officer by not imposing a financial burden.

*I also recommend an internal review board that is optional for the subject Officer to activate. If the subject Officer wants to have his/her case reviewed by a three person panel, he/she may

request the review panel. The review panel would consist of a sworn employee the subject Officer would select, a sworn employee that the Chief of Police would select and a sworn employee that both the subject Officer and the Chief of Police would jointly agree on. This panel would review the incident after signing an agreement to keep all information confidential and make a non-binding recommendation for the disposition of the case and what if any discipline should be imposed to the Chief of Police. My experience is that this review board is generally more strict than what the Chief of Police would be.

VOLUNTEERS IN POLICING

Having a volunteer program in the police department accomplishes several things such as:

Developing a force multiplier that adds more resources to the department.
Building more trust in the community as volunteers see and share what the police actually do.
Finding unique talents and skills in volunteers that might aid the department in the future.
Creating a recruiting pipeline.

Recommendations

*Locate a volunteer coordinator in preferably the police department or a Town employee. Train the volunteer coordinator and have them visit successful volunteer programs in Arvada and Canon City.

*Contact the International Association of Chiefs of Police and request their Volunteers In Policing (VIP) program package of materials. This free guide will help the Eagle Police Department to set up their Volunteers in Policing program.

*Implement a robust recruitment campaign to recruit volunteers for the police department.

*Develop a schedule where only one volunteer works a half a day on a designated day, Monday through Friday, during business hours, per week. This would equate to a maximum of ten volunteers.

*Attempt to have a group of volunteers that represent a wide cross section of the Town of Eagle. Ideally in this group would be a couple of young adults who have an interest in a police career, perhaps some senior citizens who want to devote their time, a couple of professional people, a couple of mid-career types who want to make a valuable contribution to their community, maybe even a retired law enforcement officer.

*Train them in basic office procedures, i.e., answering phones, greeting the public at the front desk, data entry, basic crime analysis, crime prevention surveys, investigative telephone follow-up, even vacation home checks. For the two days that I was on-site at the Eagle Police Department there was a significant amount of time that a records clerk was not at the front desk. They were attending to other duties. A volunteer working at the front desk providing

basic functions would have been ideal. In discussing this idea with the records clerks, they were very supportive of having volunteer assistance.

- *Provide a polo shirt and ball cap for Volunteers that they can wear with pride to show that they are an Eagle Police Department Volunteer.

- *Reward Volunteers with an annual appreciation luncheon and some type of formal gift based on the number of hours volunteered. These small gestures increase the willingness to continue to volunteer.

- *Share volunteer success stories with the local media and social media. This will increase volunteers to continue to volunteer and will attract new volunteers.

- *Closely track the number of volunteer hours that are donated to the police department for an annual summary report. These hours could easily add up to between 1,000 and 2,000 hours a year of donated service.

COLLEGE INTERN PROGRAM

Another type of volunteer program is the College Intern Program. College students who are majoring in a field that is closely aligned to law enforcement often need an internship/field study to complete their graduation requirements.

Recommendations

- *Develop a College Intern program that is advertised at area colleges.

- *Coordinate with a College advisor so that the work at the Eagle Police Department is meaningful but at the same time not a burden to the police department staff.

- *Ideally a college intern would be a resident from the Eagle area and be gently convinced that a future as an Eagle Police Officer is rewarding and attainable. This could prove to be another recruiting tool.

- *College interns could do all the functions of a Volunteer in Policing and other assignments such as:

- Ride Alongs with Police Officers

- Assigned to shadow the Lieutenant and complete special projects

- Assigned to shadow the Chief of Police and complete special projects

- More complete crime analysis

*Successful College Intern programs can be reviewed at the Lafayette, Canon City, and Fort Morgan Police Departments.

*Closely track the number of hours donated by the College Interns for an annual summary report on the program.

LIGHT DUTY OFFICERS

A policy should be developed regarding use of light duty Officers. A light duty Officer is described as an Officer who through injury or illness cannot be assigned to full patrol duties. This occurs in every police department and a uniform policy is needed to address how this is handled.

There are several ways to handle this situation, but department command staff needs to understand the inherent dangers that might arise. A police officer who is on light duty as a result of a police duty related illness or injury can be used as a Desk Officer taking telephone reports and walk-in complaints thereby reducing the workload for on-duty Officers. This type of light duty Officer should be confined to station duties only.

A police officer who is on light duty as a result of a non-police related duty illness or injury can also be used as a Desk Officer taking telephone reports and walk-in complaints, however if there is a subsequent injury that is either a new injury or an aggravation of the existing injury then the non-police related injury now becomes a duty related injury. The employee is now covered by Workmen's Compensation and Disability Retirement if warranted.

I am familiar with one case where it cost a municipality over \$1,000,000.00 when an Officer who was on light duty as a result of an off duty injury, aggravated his injury while he was working on light duty. There is well established case law on this type of situation, and it can become very expensive for the Town very quickly if it is not handled correctly.

Recommendations

*Research and develop a policy for light duty Officers that will provide additional service to the police department, i.e., desk officer, administrative officer, administrative training assignment.

*Require that light duty Officers be assigned station duties only.

*Light duty Officers should not be driving marked patrol vehicles.

*Carefully track if an Officer has not recovered from their illness or injury and have reached Maximum Medical Improvement (MMI) as determined by a Physician. Once Maximum Medical Improvement has been reached and the Officer has still not recovered for full patrol duties then a decision needs to be made regarding the future employment of the Officer.

NEW TECHNOLOGY

Technology is a force multiplier in law enforcement and is a way to increase the ability to solve crime. Technology is also expensive. However, technology can be funded through grants, and it can be acquired in a systematic manner. Over a relatively short time span a police department can obtain a significant amount of technology at little cost and become very efficient.

Recommendations

Examples of technology that I would recommend include the following:

- *License Plate Readers placed at key intersections – can be funded by the JAG grant.
- *Cameras and a Real Time Crime Center – cameras that are monitored can be leased at a very low cost from Project Nola at the University of New Orleans. The cities of Longmont, Firestone and Grand Junction are using this service. Projectnola.org.
- *IACP Net – This is an electronic bulletin board that enables a police department to conduct research on virtually any law enforcement topic.
- *Early Warning System Software – Guardian Tracking, IAPRO, LEFTA, Acadis.
- *Crime Analysis Software – LEXIS NEXIS, Accurant, COPLINK, SpotCrime, Crimewatch, or build your own system. Basic crime analysis can be shared with the public via print media and on the police department's website as in Broomfield, Colorado.
- *A Drone Program – can be funded by the JAG grant or private donations.
- *DNA Collection Kit
- *Advanced Fingerprint Equipment
- *Multi layered Less Lethal Systems – the department is well positioned in this category.
- *Fingerprint Readers – These can be obtained from the Colorado State Patrol at no cost.
- *Rifle Rated Active Shooter Body Armor and Helmets – these can be obtained through Shield 616 at no cost.
- *Robot Systems – a handheld small robot that can be deployed in dangerous situations. This can be funded by the JAG grant. Silverthorne Police Department has this equipment.

*Accident Reconstruction Software System - Total Station (Colorado State Patrol and Colorado Bureau of Investigation), L-Tron (Larimer County Sheriff's Office, Colorado Division of Parks, and Wildlife). Can be funded by the JAG grant. This would be an example of Technology that could be purchased by all agencies in Eagle Valley.

*Night Vision Equipment – Can be funded by the Jag Grant or obtained at no cost through the 1033 Federal Military Surplus Program

*Thermal Imaging Equipment – Can be funded by the JAG Grant.

*Tracking K-9 – I don't recommend obtaining a tracking K-9 but I do recommend locating someone who is available on an as needed basis with a tracking K-9.

*Alternative Light Source (ALS) – An ALS system uses light at different wave lengths to locate hairs, fibers, fingerprints, and body fluid evidence. This can be funded by the JAG Grant.

*Body Bunkers that are rifle rated to NIJ 0108.01 Level IIIA standard – Body bunkers that are rifle rated with lights provide an added measure of safety for Officers – recommend direct purchase.

*Advanced Crime Camera and Video Equipment – recommend direct purchase.

*TASER Model 7 – These have been ordered by the Eagle Police Department

*Body Worn Cameras – I recommend staying current with the latest models. A body worn camera is now mandated by state law. A body worn camera system provides invaluable evidence.

*Two police bicycles – as mentioned earlier, bike patrol is an excellent way to connect with the community, provide stealth patrol and encourage physical fitness. With bike racks two police bikes can be used by many Officers.

CITIZEN SURVEYS

While on site I conducted 13 citizen surveys, listed below are the comments received from the surveys:

Two non-resident male teenagers downtown who visit Eagle often stated they have not heard anything bad about the Eagle Police Department.

One resident male teenager downtown who states that he has not heard anything about the Eagle police Department.

An adult male and female non-resident but frequent visitors to Eagle at Wendy's have not heard anything about the Eagle Police Department

An adult female resident at the Quality Inn Hotel stated that she believed that the Eagle Police Department could show that they care more by having more community outreach events.

Three adult non-resident males who visit Eagle often downtown stated that they have not heard anything about the police department.

One adult male resident at the Quality Inn Hotel stated that the police department has a very good reputation, and he likes the department.

One adult female resident at the Quality Inn stated that the police department has a very good reputation, and she likes the department.

One adult female resident downtown stated that she has not heard anything about the police department.

An adult male resident downtown stated that the police department has a good reputation, and he likes the department.

Recommendations

*The Eagle Police Department and the community would benefit from more visible community outreach programs. These additional community outreach programs need to be strategically planned as to not overburden the staff.

EAGLE PERSONNEL SURVEY

Of the 13 currently filled sworn positions in the Eagle Police Department 10 responded to the survey. The Chief of Police was asked to not respond as he was interviewed separately. The survey data showed:

Average Police Officer Experience Level

32.2 months with the Eagle Police Department and 57.14 months with another law enforcement agency as a sworn officer for a total of 89.42 months experience (this is very high)

Average Sergeant Experience Level

77 months with the Eagle Police Department and 167 months with another law enforcement agency as a sworn officer for a total of 160.5 months experience (this is very high)

Command Officer Experience (not including the Chief of Police)

97 months with the Eagle Police Department and 96 months with another law enforcement agency for a total of 193 months experience (this is very high)

Education Level

Police Officers average 73.14 college credits – 60 college credits is equivalent to an Associate's Degree (2 have no college)

Sergeants average 120 college credits – 120 college credits is equivalent to a Bachelor's Degree

Command Officer has 128 college credits – 120 college credits is equivalent to a Bachelor's Degree

Morale Among Police Officers

On a scale of 1 to 10 with 10 being high Police Officers averaged a morale level of 8.28.

Morale Among Sergeants

On a scale of 1 to 10 with 10 being high Sergeants averaged a morale level of 8.

Morale Among Command Officer

On a scale of 1 to 10 with 10 being high the Command Officer had a morale level of 8.

Equipment Survey

On a scale of 1 to 10 with 10 being high the following were the average ratings of the Police Department equipment by different ranks:

Police Officers rated equipment at 7.57.

Sergeant rated equipment at 6.0.

Command Officer rated equipment at 5.0.

SURVEY RESULTS BY OFFICER OF WHAT'S GOING WELL IN THE POLICE DEPARTMENT AND WHAT NEEDS IMPROVEMENT

Going Well According to the Survey:

Teamwork
Good Command Officers
Relationship with the Community

Morale
Growing Community
City Council/Community Support

Work Environment
Teamwork
New Detective

Culture and Community Trust
Teamwork
Advancement

Teamwork
Command Staff
Able to get time off

Department Leadership
Teamwork
Problem Solving

New Positions
Community Outreach
Morale

Teamwork
Leadership
Community Oriented

Work Environment
Community Support
Internal Communication

Staff
Chief
You're not just a number at the Police Department

What Needs Improvement By Officer According to the Survey:

Recruitment
Need new police building
Need more police officers

Recruitment
Need new police building
Housing for employees

Need new police building

Need new police building
Recruitment
Pay

Need new police building
Need newer equipment
Need more police officers

Need new police building
Expand Employee Assistance Program

Recruitment
Training
Less schedule changes
Need new police building

Need newer equipment
Need red dot sights on handguns
Pay
Recruitment
Budget

Need new police building
Need more police officers
Budget
The police department needs to be affiliated with the FPPA retirement system

WORKLOAD SURVEY

About right – 4 officers
Too Busy – 6 officers

Survey Regarding the Need for More Officers

All Officers agree that the police department needs more officers.

TRAINING SURVEY

Of the 10 training survey returned the following were noted:

5 Officers scored training as about right

1 Officer stated more training is needed in crime scene processing

1 Officer stated more training in Advanced Roadside Impaired Driving Enforcement (ARIDE)

1 Sergeant stated more training is needed in Financial Crimes and Technology in General

1 Sergeant stated more training is needed in Active Shooter Scenarios (need active shooter kits)

Command Officer – more training is needed generally

EAGLE POLICE DEPARTMENT ETHICAL CLIMATE SURVEY

A four part Ethical Climate Survey was administered to all Officers. The Ethical Climate Survey final scores are in three categories:

25 to 75 – Take Immediate Action to Improve the Ethical Climate

76 to 100 – Take Actions to Improve Ethical Climate

101 to 125 – Maintain a Healthy Ethical Climate

By Rank the average Ethical Climate Survey Score was:

Police Officers – 114.71

Sergeants - 100

Command Officer – 116

POLICE REFORM

Since the death of George Floyd on May 25, 2020, the policing profession has undergone significant changes. Every law enforcement agency in the United States has been affected by police reform and has been required to do a self-assessment of where they are at in relation to police reform. Listed below are some recommendations of what the Eagle Police Department can do to ensure they are meeting national expectations in the area of police reform.

Recommendations

- *Promote two Officers to Sergeant to increase supervision on each patrol shift.
- *As mentioned before, ensure that all sworn officers receive Crisis Intervention Training and Mental Health First Aid Training. The department should have at least 2 Crisis Negotiators.
- *Develop and implement a co-responder program where a trained mental health worker responds to situations where a person is in a mental health crisis.
- *Focus on developing Diversity, Equity, and Inclusion (DEI) in the police department. The police department should attempt to hire people who represent the community. The police department needs more diversity.
- *Incorporate cultural awareness into training for all employees.
- *Incorporate emotional intelligence into training for all employees.
- *As mentioned earlier, increase the number of community outreach programs especially focusing on minority populations in the community.
- *Develop innovative approaches when dealing with people experiencing homelessness. One example would be to have one officer specially trained on how to deal with people experiencing homelessness and for that officer to develop a resource list that each officer can provide for people who need assistance.
- *Develop innovative approaches for people who receive a traffic summons for a motor vehicle equipment violation that they cannot afford to repair. Some law enforcement agencies are providing a paid voucher for safety repairs to motor vehicles whose owners cannot afford to pay for the repair.
- *Ensure strict compliance with SB 217.
- *Incorporate into training the requirement that officers have a duty to intervene when they see another officer using excessive force.
- *Incorporate the Active Bystandership for Law Enforcement into the training program.

*Have all officers review and be familiar with suggestions from Campaign Zero and Eight Can't Wait. All officers should be familiar with these national trends.

PLANNING FOR THE FUTURE

While on-site I interviewed Community Development Director Chad Phillips. He shared with me the following housing and commercial developments that are either approved or are in the planning phase. These developments when built out will have a major impact in operations in the Eagle Police Department.

The housing developments are:

Hackett Gulch – 500 units

435 Eby Creek Road – 30 units

Haymeadows – 837 units

Red Mountain Ranch – 500 units

West Eagle Development (needs to be annexed) – 150 units

North Broadway Neighborhood and Grand in Conceptual Discussion – 3 properties - 230 affordable units

The commercial developments are:

East Eagle Development – to include several big box stores

A new airport interchange that will increase area traffic

A new highway interchange that will increase area traffic

Recommendations

*The Eagle Police Department needs to be planning how they are going to respond to this type of major growth in the community. If they don't start planning now, they run the risk of falling behind in dealing with the growth. Trying to play catch up after these developments are built is extremely difficult and often will take years to accomplish. An example of not planning for growth would be the Thornton Police Department. They found themselves 50 Officers short

and it took years to hire adequate staff. While the Brighton Police Department saw the growth occurring and commissioned a study to identify the growth and start preparing for it and to avoid the situation Thornton found themselves in.

*Currently the police department needs a minimum of two additional Officers (in addition to filling the 14th Officer position) to adequately staff the police department. At times only one Officer is on duty. This is extremely dangerous and does not serve the community well.

*The Town of Eagle and the Police Department need to develop an incremental staffing formula that will address the planned growth in the community. The goal is to hire police officers and support staff as the development occurs, not years afterward. Currently the police department needs two more Officers in addition to filling the 14th Officer position. Staffing formulas in Colorado are usually between 1.8 and 2.0 Officers per thousand residents. However, there are many variables in the formula specific to Eagle that could increase this number, to include proximity to an interstate highway, an increasing amount of tourism, being the county seat, proximity to a nationally known ski resort town (Vail), an increasing demand for police services and being a growing community.

*The Police Department is in desperate need of a new police facility that will not only accommodate the current needs of the police department but also the planned growth in the department for at least the next 20 years. Preferably a stand-alone facility in a central location that can accommodate growth.

*The Police Department needs to develop a Technology Upgrade Plan. Staying current with technology is a key to the department working safely, effectively, and efficiently.

*The Police Department needs to maximize training opportunities to include in-service training, training at and from outside entities and a plan for future training needs through the development of a training Plan.

*Recruitment and Retention of police officers is projected to become even more difficult. Recruitment and Retention initiatives need to be identified and a plan needs to be developed to be implemented in the near future.

*A Police Explorer Post should be researched and planned when the department grows by two more Officers.

*The Police Cadet program as described earlier would be a valuable addition to the department in 2024.

*The Police Department should continue its efforts to stay accredited by the Colorado Association of Chiefs of Police. Accreditation is a sign of professionalism and a shield against liability. The Eagle Police Department is due for reaccreditation in July, 2025.

*A Volunteer in Policing program should start as soon as feasible.

CONCLUSION

The Eagle Police Department is a very good police department. Members of the police department are properly trained, adequately equipped, and genuinely try to serve the community as best they can. Police Department Leadership is attuned to the needs of the community and of the members of the police department.

In this management audit I attempted to provide an overview into the operations of the police department. The report is divided into 30 sections. There are 261 recommendations for enhancing the efficiency and effectiveness of the department in the report.

The major areas that need to be reviewed more closely and need to be addressed with more resources are:

A New Police Facility

Increasing the Department Budget

Add two additional Sergeants

Improving Recruitment

Creating Retention Incentives (Housing)

Salary Upgrades

Increasing the Number of Police Officers and Developing a Hiring Program that is Linked to Growth in the Community

Technology Upgrades

Improving Training

Developing Future Drug Enforcement Programs

Planning for Future Growth

I am confident that if these areas are addressed that the Eagle Police Department can go from good to great in just a few years.

Certification:

I certify that this report was completed in its entirety by me.

Respectfully Submitted,

CHIEF PAUL D. SCHULTZ

Chief Paul D. Schultz (retired)
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June 27, 2023

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MUNICIPAL POLICE CONSULTANTS LLC

Municipalpoliceconsultants.com 303-886-8380

Based in Colorado Providing Nationwide Services

Management Audits, Leadership Training, Personnel Investigations, Command Assessment Centers

Proven Community Outreach Programs Based on 50 Years of Law Enforcement Experience

Summer Youth Police Academy

Police Athletic League – Girls on the Run

Officers Serving at Coffee Orders at the Dive-up Window at Fast Food Restaurants

Serving on County Social Service Boards

Partnering with Minority Community Events

Nursing Home Visits – Meals on Wheels

Food gifts to Seniors During Holiday Season

Coupons for free admission to Recreation Centers for “Kids Caught Doing Good Things”

Officers Adopting an Elementary School

Partnering with Big Brother/Big Sister Programs, or Boys and Girls Club

Public Safety Day for Kids
Participating with National Child Safety Council
Canned Food Drives
Using JAG Grants and COPS Grants for Funding
Participating with National Night Out
Chess Club for Kids
Bike Giveaways for Deserving Youth
Coffee With a Cop
Guest Server at a Restaurant for Special Olympics
Amusement Park Visits
Red Ribbon Week
Chief for a Day
Restorative Justice Programs
Citizen Police Academies (separate academies for Adults, Teenagers, Spanish Speakers)
Backpack Giveaway Programs
Shop with a Cop
Safety Town for Kids
Women's Self Defense Programs
Fishing with the Police
DARE and GREAT Programs
Partnering with Religious Institutions for Safety Training and Security Surveys
Bike Rodeos

Developed by Chief Paul D. Schultz (retired) – Municipal Police Consultants LLC – 303-886-8380

PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING

Building Trust and Legitimacy

Policy and Oversight

Technology and Social Media

Community Policing and Crime Reduction

Training and Education

Officer Wellness and Safety

Critical Issues in Policing

Don't Be Afraid to Apologize

Create and Enforce a Duty to Intervene

Be Open to Hearing People's Negative Experiences with The Police

Understand the Roots of Misconduct
Reach Out to Local Business Owners Who Know Their Customers
Encourage Officers to Mentor Youths
Encourage Officers to Volunteer in The Community
Measure Officers' Performance in Building Relationships
Police Must Acknowledge That Mistrust Is Legitimate
Strive for Diversity in Police Community Panels
Works for Mutual Respect
Police Should Approach Community Members, Not Wait to Be Approached
Tear Down Stereotypes by Engaging in Youth
Take Action Immediately When You See That Something Is Wrong
Acknowledge Mistakes
Include Community Members in Recruiting and Hiring
Reach Out To Each Other During Non-Stressful Times
Recognize That Young Officers and Community Leaders Face Big Challenges

Focus Points:

Improving Officer Safety
Management and Leadership Are Both Critical for Success
Continued Improvement Liability Reduction
Employee Satisfaction
Improving Community Service
Developing and Maintaining an Ethical Environment
Succession Planning

TRAITS FOR SUCCESSFUL LAW ENFORCEMENT LEADERSHIP

Global Perspective

Creativity

Innovative and Adaptive

The Ability to Work with Diverse Groups Strong

Oral and Written Communication

Mastering Technology Trends

The Ability to Manage Change

Understand Research Methods

Incorporate Strategy, Culture, and Political Influences

A Realization that National Trends can Occur Anywhere

Facilitate Teamwork

Problem Solving

Develop Mutual Respect with Trust with Employees and Citizens with a Customer Orientation

The Ability to Improve Systems

Be a facilitator, Coach, and Mentor

Be Well Educated and Well Trained in Management and Leadership

21st CENTURY LEADERSHIP MISTAKES IN SMALL LAW ENFORCEMENT AGENICES

Not Acting Professional

Engaging in Misconduct/Allowing Misconduct

Not Receiving Honest Feedback

Not Growing as a Professional — Not Engaging in Lifelong Learning

Not Willing to Admit Agency and Personal Mistakes

Not Placing your Family First

Being Gone from Work Too Often

Spending Too Much Time in your Office

Creating an Environment of Fear and Mistrust

Not Developing Systems to Receive Input from All Members of The Department

Not Spending Equal Time with Your Entire Staff

Not Having Multiple Means of Communications

Allowing Problem Employee to Taint Your Vision of The Department

Not Being Able to Properly Motivate Your Personnel

Not Learning About Your Personnel and Their Families

Not Recognizing Excellent performance in A Fair and Appropriate Manner

Not Being Tolerant Of "Reasonable" Errors in The Workplace; Being Too IA Oriented
Failing to Develop Your Personnel and Failing to Engage in Succession Planning
Not Staying Involved with Your Department, Government, Community and Professional Associations
Not Being Innovative in Approaches to Community, Crime and Personnel Issues
Not Maintaining a Focus on Safety Issues
Not Developing a Vision for The Future and preparing For It
Not Supporting your Personnel When They Are Right

TRANSFORMING UNDERPERFORMING POLICE AGENCIES INTO HIGH PERFORMANCE ORGANIZATIONS

Similarities exist today in many underperforming police departments that are in need of being re-energized. These agencies are often well meaning with an excellent staff but may have had perhaps a leadership challenge in the form of a Chief of Police not being successful. Or a Chief of Police who retired while still on duty or series of issues that has cause morale to plummet, this section will address how to be a successful change agent - not only addressing how to revitalize a troubled small agency but also highlighting several programs that have to be Successful in transforming underperforming small agencies into high performance organizations.

Commonalities in Underperforming Agencies

- Poor Morale Throughout the Organization — an attitude of malaise is very evident at every level in the department — Often employees are just going through the motions without any enthusiasm.
- Lack of Esprit de Corps — A lack of pride in one's workmanship prevalent— doing below average work is acceptable.
- A lack of Accountability — Just doing the minimum or less than the minimum with no consequences — performance evaluations are often meaningless — mistakes are accepted without review.
- An ineffective training program — A well thought out training program does not exist — there is no cohesive training that coordinates recruit training and in-service training — there is a lack of advanced leadership training — Department executives are either not well trained or received leadership training a long time ago.
- Technology is at a basic level and often outdated.
- Crime Analysis is either very basis or does not exist.
- IA's overly harsh and secretive internal affairs policy
- Employees are fearful of the former Chief and are overly concerned with the Chiefs success.
- There is disconnect between the department and the political leaders in the community.
- Community policing is just a term — and is not truly embraced.
- There is very little that distinguishes the agency from its peers.
- A lack of professional accomplishments for individual agency members and the agency itself.
- A lack luster recruitment program with a reduced applicant pool.
- Often a poor relationship or no relationship with the media.

Assessing the Department

How do you know if your department is underperforming or if you are the new Chief how do you ascertain the current state of the Department?

There are several formal and informal methods to determine what state the agency is in. Employee meetings, internal surveys and small group meetings are the usual method. Meeting with formal and informal agency leaders for input is critical as well. Meeting with political and Community leaders will also provide a snapshot of how the agency is perceived. Recent newspaper articles can be insightful as well. Having discussions with the employee association and/or union representatives will also be revealing. Meetings with your law enforcement peers can be very helpful. A new Chief who does not establish and maintain positive peer relationships is clearly headed in the wrong direction.

One of the best ways to assess what is ready happening or has happened the organization falls into two categories - One is to have individual meetings with every department employee and take careful notes. Do you see common themes emerging? Do you see common frustrations and common suggestions for improvement? The other is observation, when you walk the halls of your department do you see happy, cheerful, engaged employees who are willing to talk with the Chief of Police? Or do you see employees whispering, acting fearful and distant? These are signs that should not be disregarded.

Making Positive Changes that Will Last and Transform the Agency

After your assessment is completed the making of a realistic improvement plan is critical. The entire supervisory staff as well as employees at every level in the organization should have input in the new direction the department is taking. After discussion there should be a written plan that is disseminated to every department employee. A clear expectation should be communicated to all employees that we are now going to be the best we can be or perhaps the best in the region or the state, now is the time to set a goal that everyone can strive for. Setting the tone that average is no longer the standard, and that "Excellence through Teamwork" is the new standard is very appropriate.

Positive leadership is essential at all times but is critical at the beginning of your administration and in the transformation of your agency into becoming a high performance organization. Being visible throughout the agency and the community, leading by example, being fair and reasonable and demonstrating a strong work ethic are all hallmarks of a positive leader. Advising all employees that there is now a clean personnel slate for everyone allows all employees a new starting point and will work towards transforming even the most recalcitrant department members into realizing that they have new opportunity to succeed. The messages that all are welcome aboard the new journey but only their best work will be allowed is important. Advising employees that they will have a voice in the future of the organization will prevent the attitude of not being allowed to be involved from festering. A shared leadership approach with monthly employee representative and management meetings allows for more input and the prevention of problems before they occur. These meetings are also a way to ensure positive morale within the department — employees should have a say how the agency is run.

Specific Changes to Develop a High Performance Organization

A realization in the Department that Community Policing will be the agency method of policing is essential. Also, that the of Community Policing will be re-evaluated with new models being explored is also important. Among these new Community Policing concepts should be the idea or reintroducing foot patrol and reconnecting with the community. Foot patrol has been well received virtually everywhere it has been instituted. Assigning graduates of the FTO program to a two week foot patrol assignment is but one way to increase foot patrol in your community.

Low cost Crime analysis using college interns and commercially available crime analysis software is one way to improve the capabilities of the department. Using college interns is free, effective, and immediately sets up a partnership opportunity between the department and the college. This can be very valuable later on as a recruiting strategy. The utilization of crime analysis to develop a directed patrol program will also assist in reducing the crime rate which is certainly one way to measure organizational effectiveness.

A focus on crime prevention is another way to reduce crime and improve how the organization is perceived in the community. This may mean acquiring a new position or reassigning a department member to this function, but the dividends will be seen for years.

A thorough assessment of technology needs to occur. If the acquisition of technology has not been a priority, then this effort needs to be immediately improved. Technology as a force multiplier is a well-known theory. If money for technology is difficult to obtain then grants, being a test and evaluation site and sharing of technology with other departments should be explored. Having the right technological tools will set your agency apart from others.

Training is often referred to as the road to success. A law enforcement agency in the 21st century must be well trained. A complete training program should be developed that professionally addresses recruit training, FTO training, in-service training, roll call training, supervisory training, and leadership training. There are many free and reduced cost law enforcement training programs available. What is often lacking is a concerted effort to take advantage of these trainings and a well thought out plan of what is needed. One goal that should be achievable is to have the entire supervisory staff receive the latest leadership training within a three year time frame. Another realistic goal is to make your department a regional training center. This will increase your agencies reputation for professionalism.

The ability to obtain grants is certainly a way to improve and maximize resources. Often times an underperforming agency will be weak in the area of grant acquisition and grant management. A well-defined and active grant program can make a tremendous difference in a small law enforcement agency.

Recruitment of qualified personnel is absolutely critical to future success. Hiring the right people is certainly a key to success, where to recruit, what traits a successful recruit will have and how to retain him/her are all challenges for any law enforcement agency. However,

significant thought should be given to fit and retention. Will this recruit fit into what the Chiefs vision is of the future of this law enforcement agency and will they stay. Continual turnover in personnel is a major problem for most small agencies. Hiring the person with the highest test scores who only stays with your department two years or less may not have been the best choice.

Practical improvements to your existing FTO program is another way to further develop your personnel and train them to lead your agency towards a successful transformation. Whatever FTO model you are currently using do you have the ability to provide training to new recruits in public speaking. effective problem solving. how to effectively deal with difficult people and ethics. The mastery of these everyday skills by all employees is critical to the success of your department.

The effective management of the media is an area that must be addressed. The Chiefs ability to work effectively with the media is critical. A mutually respectful and mutually beneficial relationship should be developed between the media and the department. This will allow each side to get their message out to the public.

Professional relationships need to be developed and maintained with political leaders. Their requests for information should be a priority for the Chief to accomplish. Keeping political leaders informed of both positive and negative events is equally important. No one likes surprises — least of which would include politicians. They must be kept informed in a timely manner. If these relationships are positive, they will often be your agencies best cheerleaders.

Build a lasting legacy for your agency. Develop your personnel, create a succession plan, and leave the agency in a much better state than when you took it over are all keys to building a lasting legacy and transforming an agency to becoming a high performance organization. All leaders have an defined time frame to build and transform their department into a state of the art agency and then they must tum it over to the next Chief. During this time are you planning for the future, are you acquiring the building blocks to success and are you maximizing the potential of your people. Hopefully you are setting your people up to succeed and not to fail and when they do fail, do you study the failure, so it won't occur again or are you quick to punish. An overly harsh and/or secretive internal affairs system only promotes distrust not accountability and inhibits long term positive change.

Hopefully you are working well with your peer agencies but at the same time attempting to distinguish yourself from your peers through innovative community programs and employee development. I am a believer in attempting to obtain recognition for your agency through accreditation, department awards and community recognition. Celebrating and acknowledging success is a definitive way to enhance the public perception of your agency. Leading the way with innovation, research and publishing of your results only enhances the agencies standing both in the community and in our field.

Demanding only the best that employees can offer ensures that there will always be a high level of pride from all members of the department, and this sets the stage for future successes. Being a demanding boss is not a bad thing — it's a smart thing.

The Chief of Police has the option to accept mediocrity or to transform their department towards becoming a High Performance Organization. To become a High Performance Organization it takes time, effort, skill, and collaboration but it is certainly attainable and definitely worthwhile. Don't we owe this to our employees, our community, our profession and to the Eagle Police Department?



MEETING MINUTES
Town Council
Tuesday, June 13, 2023
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

1. This was an in-person meeting with access via Teams.

CALL TO ORDER - 6:00 PM

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

ROLL CALL

COUNCILMEMBERS PRESENT

Mikel Kerst, Scott Turnipseed, Ellen Bodenhemier
(remote), Geoffrey Grimmer, Sarah Parrish, Nick
Sunday, Jamie Woodworth Foral

COUNCILMEMBERS ABSENT

STAFF PRESENT

Larry Pardee, Town Manager
Melissa Daruna, Assistant Town Manager
Matt Mire, Town Attorney
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Chad Phillips, Comm Dev Director/Town Planner
Tom Gosiorowski, Public Works Director
Derek Bos, Police Chief
Dennis Wike, Engineer
Lynette Horan, Human Resources Manager
Jessica Lake, Planner
Carly West, Marketing Manager
Kevin Aoki, Information Technology Manager
Nikki Davis, Economic Development & Housing
Molly Furtado, Special Events Manager

ADOPTION OF AGENDA

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

PUBLIC COMMENT

Ashley Albright 111 Lime Park Drive – urged the Council to only fly the national, state, and town flags on town buildings.

Lori Diversey 624 McIntire Street - urged the Council to only fly the national, state, and town flags on town buildings.

Stacey Walls 151 Cactus Lane - urged the Council to only fly the national, state, and town flags on town buildings.

PRESENTATIONS

1. Town of Eagle Inclusivity and Diversity Proclamation
Mayor Scott Turnipseed read the proclamation into the record.

CONSENT AGENDA

MOTION: Council Member Geoffrey Grimmer motioned to approve the consent agenda. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenheimier, Grimmer, Parrish, Sunday, and Foral) and 0 opposed.

1. Minutes - May 23, 2023
2. Bill Pay - May 2023
3. Resolution 38, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Reimbursement Agreement with Eagle County"
4. Resolution 39, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado Reappointing Members to the Downtown Development Authority Board of Directors"
5. Resolution 40, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado approving the East Eagle Water Storage Tank Engineering and Design Services Agreement with Mott Macdonald."

STAFF REPORTS

1. Town Manager Update
Council Member Grimmer congratulated staff on filling 16 vacant positions. Inquiry on AMI to be used for the West Eagle project, Larry is meeting with Eagle County and will follow up with the Council. Inquiry on the decision by Mountain Recreation meeting on pool update, Larry stated they will meet next week.
2. Department Update

BUSINESS ITEMS

1. Staff Update: Eby Creek Road Mural Project
Dennis Wike provided an update on this project.

Council comments: discussion on expediting the completion with additional funding of \$9200.00 and determined the money should be used somewhere else. The current completion date will be close to the end of August.

2. Resolution 33, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Allocating the Entire Balance of Community Enhancement Funds, Established by Holy Cross Energy, To Fund In Part the Art Mural and Beautification Project Near Eby Creek Road and Chambers Avenue"

MOTION: Council Member Mikel Kerst motioned to approve Resolution 33, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Allocating the Entire Balance of Community Enhancement Funds, Established by Holy Cross Energy, To Fund In Part the Art Mural and Beautification Project Near Eby Creek Road and Chambers Avenue". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenheimier, Grimmer, Parrish, Sunday, and Foral) and 0 opposed.

3. Resolution 41, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado Transferring Budgeted and Appropriated Funds from Capital Projects in the Capital Improvements Fund, Water Fund, and Waste Water Fund For Other Capital Projects Within Those Same Funds That Were Unanticipated for the 2023 Budget Year."

MOTION: Council Member Geoffrey Grimmer motioned to approve Resolution 41, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado Transferring Budgeted and Appropriated Funds from Capital Projects in the Capital Improvements Fund, Water Fund, and Waste Water Fund For Other Capital Projects

Within Those Same Funds That Were Unanticipated for the 2023 Budget Year.” The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, Sunday, and Foral) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Future Agenda Items
Discussion on how to Council places an item topic for a work session discussion. Items are sent through the Mayor to the Town Manager.
2. Council Committee Updates
Council Member Sunday stated the EVTA Board meeting is tomorrow at the Avon Town Hall.

Council Member Parrish stated the MEAC is looking for volunteers for Flight Days.

EXECUTIVE SESSION - 6:30 PM

MOTION: Mayor Scott Turnipseed motioned to enter into executive session for the purpose of receiving legal advice from the Town attorney and special counsel for water pursuant to CRS 24-6-402(4)(b) and to develop a strategy for negotiations and inform negotiators pursuant to CRS 24-6-402(4)(e) regarding potential litigation by Abrika Properties, LLC regarding payments made by and invoiced to Abrika Properties, LLC regarding the Haymeadow development; and for the purpose of receiving legal advice from the Town attorney pursuant to CRS 24-6-402(4)(b) related to flying flags on Town property; and to consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f) as it relates to the Town Manager review and to adjourn the regular meeting at the conclusion. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, Sunday, and Foral) and 0 opposed.

1. An executive session for the purpose of receiving legal advice from the Town attorney and special counsel for water pursuant to CRS 24-6-402(4)(b) and to develop a strategy for negotiations and inform negotiators pursuant to CRS 24-6-402(4)(e) regarding potential litigation by Abrika Properties, LLC regarding payments made by and invoiced to Abrika Properties, LLC regarding the Haymeadow development.
2. An executive session for the purpose of receiving legal advice from the Town attorney pursuant to CRS 24-6-402(4)(b) related to flying flags on Town property.
3. An executive session to consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f) as it relates to the Town Manager review.

ADJOURN - 7:30 PM

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk



To: Mayor and Town Council
From: Larry Pardee, Town Manager
Date: June 27, 2023

Agenda Item: Resolution 44, Series 2023, "A Resolution Establishing a Policy for the Display of Flags on Town Property"

REQUEST: Town staff respectfully ask the Town Council to consider the attached Town of Eagle Flag Policy and Resolution 44-23, which encompasses the proposed Town of Eagle Flag Policy. This policy provides clear directives to our community and municipal entities regarding the appropriate use, display, and maintenance of flags within the town boundaries. Legal counsel Matt Mire has thoughtfully prepared the resolution.

BACKGROUND: During the June 13, 2023, Council meeting, the Council requested for staff and legal counsel to prepare a Town of Eagle Flag Policy Resolution and bring it back to Council for review and approval.

ANALYSIS: The Town of Eagle Flag Policy is a comprehensive guide for respecting and properly handling flags within the town limits. By establishing this policy, the Town of Eagle reaffirms its commitment to upholding flag etiquette and promoting unity within the Town of Eagle's vibrant mountain community that is diverse, inclusive, and unique.

COMMUNITY INPUT: We received the emails below and a few public comments at the last Council meeting on June 13.

BUDGET / STAFF IMPACT: There is no budget impact with this Resolution.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: MISSION - Maintain and enhance the quality of life for everyone in our community.

RECOMMENDED ACTION OR PROPOSED MOTION: We recommend that the Council approve the Town of Eagle Flag Policy and Resolution 44, Series 2023.

ATTACHMENTS:

1. Flag Policy - Eagle_
2. Resolution No. 44 2023 flags_
3. Martin E Mail
4. Barnum E Mail
5. Walls Email
6. Keiser 2 Email
7. Keiser E Mail
8. French E Mail
9. Ellis E Mail
10. Wright E Mail
11. Silva Email

Town of Eagle
Flag and Street Banner Policy

PURPOSE

To establish a policy for the display of flags on flagpoles and the display of street banners on property owned or controlled by the Town of Eagle. This Policy is not intended to create any public forum or limited public forum, and by enacting this Policy, the Town is not intending to regulate the content of flags or banners except as expressly allowed by applicable law.

APPLICABILITY

This Policy applies to flags physically attached to any flagpole owned or controlled by the Town, as well as banners or other decoration of any public street owned or controlled by the Town.

DEFINITIONS

"Flag" is any fabric, banner or bunting containing distinctive colors, patterns or symbols that is attached to a flagpole.

STANDARDS

Flags

The Town may fly any of the following flags on flagpoles owned or controlled by the Town, at any time:

- The United States flag;
- The Colorado State flag;
- The Town of Eagle flag.

All flags shall comply with the Eagle Town Code.

The Town Manager shall determine the placement of flags and the duration of the placement; provided that, on any flagpole, the United States flag shall always be highest, followed by the State of Colorado flag (if flying); and further provided that the flying of the United States flag and the State of Colorado flag shall comply with all other applicable regulations.

Indoor Town flags shall be displayed at a minimum in the Town Council Chambers. The Town of Eagle flag shall fly at half-staff if either the United States or Colorado flag is at half-staff. The Mayor may order the Town of Eagle flag to fly at half-staff at the death of a current or former Council Member, current Town staff member, or a historically significant member of the community.

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 44
(Series of 2023)

A RESOLUTION ESTABLISHING A POLICY FOR THE DISPLAY OF FLAGS ON TOWN PROPERTY

WHEREAS, the Town Council desires to establish clear guidelines regarding the display of all flags flown on town-owned or town-maintained properties; and

WHEREAS, in adopting this resolution, the Town Council declares that flagpoles owned or maintained by the Town of Eagle are not intended to serve as a forum for free expression by the public, but rather as a non-public forum for the display of any governmental and non-governmental flag authorized by the Town Council either required by law or as an expression of Town Council's official government speech.

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

Section 1. The Town of Eagle Flag and Street Banner Policy, attached hereto as **Exhibit A** and incorporated herein by the reference, it hereby adopted by the Eagle Town Council.

Section 2. This Resolution is effective immediately upon passage.

Passed and adopted at a regular meeting of the Town Council of the Town of Eagle this 27th day of June 2023.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

Town of Eagle
Flag and Street Banner Policy

PURPOSE

To establish a policy for the display of flags on flagpoles and the display of street banners on property owned or controlled by the Town of Eagle. This Policy is not intended to create any public forum or limited public forum, and by enacting this Policy, the Town is not intending to regulate the content of flags or banners except as expressly allowed by applicable law.

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All flags shall comply with the Eagle Town Code.

The Town Manager shall determine the placement of flags and the duration of the placement; provided that, on any flagpole, the United States flag shall always be highest, followed by the State of Colorado flag (if flying); and further provided that the flying of the United States flag and the State of Colorado flag shall comply with all other applicable regulations.

Indoor Town flags shall be displayed at a minimum in the Town Council Chambers. The Town of Eagle flag shall fly at half-staff if either the United States or Colorado flag is at half-staff. The Mayor may order the Town of Eagle flag to fly at half-staff at the death of a current or former Council Member, current Town staff member, or a historically significant member of the community.

Jenny Rakow

Subject: FW: Regarding the pressure to fly the Pride flag on government property

From: Meghan Martin <martin.meg09@gmail.com>

Sent: Tuesday, June 13, 2023 2:35 PM

To: Scott Turnipseed <scott.turnipseed@townofeagle.org>

Subject: Regarding the pressure to fly the Pride flag on government property

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Town of Eagle,

I am writing to express my concerns regarding the recent pressure from the Mountain Pride Organization to fly a Pride flag on government property. I want to be clear that I love and respect people from all walks of life, I do not discriminate or want to say or promote any type of prejudice against the LGBTQ+ or any other community. I believe that at one time, the Pride movement was a campaign to acquire equal rights for everyone in the LGBTQ+ community and to assimilate into the population. And, I believe the movement had great success, although there is always room for further achievements. However, it has more recently morphed into a cult that is being forced on society in an effort to mold society around the LGBTQ+ community, even going so far as to indoctrinate and abuse young children in the name of Pride. Pride is now the single most celebrated thing on our calendar, with no less than 14 different dates dedicated to celebrating, remembering, awareness and visibility for this community, one of which being an entire month of Pride celebration. That is more than any other single people group in history. As a society, we are not being educated and encouraged so much as we are being forced to embrace and celebrate Pride in every aspect. These celebrations are not uniting us as a society, or even bringing genuine awareness to the LGBTQ+ community. Instead it is bringing division and frustration, even anger, to people because they feel suffocated by the rainbow flag as it is being literally forced in front of us at each and every turn. And so, I implore the Council not to consider hanging the Pride flag on any government properties. We the people get the message, the vast majority of us take no issue with anyone who identifies as an LGBTQ+. We should not feel pressured in any way to actively condone and validate this community over any other community or minority out there. This does not feel like inclusivity so much as it feels like a forced takeover and indoctrination. Whatever the intentions of Mountain Pride are to advocate for the Pride flag to be flown in Eagle, it is sending the wrong message out to the public.

Thank you for reading my email and considering this perspective.

Respectfully,
Meghan Martin

Jenny Rakow

Subject: FW: Flag flying

From: Brent & Holly Barnum <bhbarnum@q.com>

Sent: Tuesday, June 13, 2023 1:34 PM

To: Geoffrey Grimmer <geoffrey.grimmer@townofeagle.org>; Ellen Bodenhemier

<ellen.bodenhemier@townofeagle.org>; Jamie Woodworth Foral <jamie.woodworthforal@townofeagle.org>; Nick

Sunday <nick.sunday@townofeagle.org>; Sarah Parrish <sarah.parrish@townofeagle.org>; Scott Turnipseed

<scott.turnipseed@townofeagle.org>; Pappy Kerst <pappy.kerst@townofeagle.org>

Subject: Fw: Flag flying

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To those members on Eagle Town Council that are being petitioned to make decisions about flying flags on the local flagpoles:

I know, based on articles and letters in the *Vail Daily* paper recently, that I'm not the only one in Eagle County aware of the choices that the local government is making in regards to flags being displayed. One such article states, that the "Avon Town Council makes the decision on the use of the Avon flagpoles in their discretion based on values they feel are reflective and appropriate for the Avon community." Specifically, in Avon, in the last 3 years the only 2 flags other than the US, Colorado, and town flags that have been said to have been displayed, are the Ukrainian flag and the pride flag. In the mentioning of the pride flag, it says "Avon Town Council supports diversity..." Super diverse to support 2 things in 3 years – (sarcastically stated)! One point, in an article, included the Town Manager of Gypsum saying that it is the "town's job to serve everyone in our community." And it is said that at a county level, temporarily displayed flags, signs, banners "are supportive of county programs and activities." This points to the flags being supportive and inclusive of the whole community. Also according to the article specific to Eagle - Larry " Pardee pointed to a section of the Colorado Revised Statutes that relates to "unlawful to display flags"... that are other than U.S., State, and local.

Keep in mind that there should not be ONLY one thing or one portion of society that is celebrated - because that does not make a community, that does not support diversity and obviously is not inclusive!

I know it seems like you would be supportive to say yes to a request to fly a flag, but remember to not let your own agendas and opinions be on display of the town's flagpoles. Also, if you say yes to one... stop to think of how many more "yes" things your community would want supported, and how overwhelming that will be to reflect the diversity of the whole community, by including everyone.

I would recommend that you continue to leave the flagpoles to fly the flags of the United States, Colorado, and local government.

Thank you for your consideration,

Holly Barnum
Avon resident

Jenny Rakow

Subject: FW: Pride Month Neutrality Request

From: Staci Walls <staci_rae@hotmail.com>
Sent: Tuesday, June 13, 2023 1:45 PM
To: ALL COUNCIL <allcouncil@townofeagle.org>
Subject: Pride Month Neutrality Request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Eagle Town Council Members,

Pride month and the pride flag have become very controversial and divisive within our country, and I am requesting that as leaders in our community you remain neutral and avoid adding fuel to the raging fire. The US Government recognizes 56-month long observations, and when you choose to support one that is based on sexual orientation and sexual preference over another, you end up marginalizing members of our community.

Valdamar Archuleta, a gay Coloradoan who was very active in the gay rights movement, recently put out an article titled 'Pride Month Is Counterproductive'. I have provided a link to the article below as well as some main points from the article.

*After 30 days of rainbows, the world is not a better place for the LGBT community, nor are we more unified with society. Likely, it is the opposite.

*The goal of Pride Month should be to make life better for the LGBT folk and to unify humanity as a whole... But that is not what happens.

*Activism has become part of the LGBT culture, and although there are always things to improve, from a systemic level, the LGBT community has the same rights everyone else does.

*Throughout the year, there are multiple LGBT awareness periods.

*Black history month is commemorated by remembering heroes of the civil rights movement and people who overcame adversity to make it to the top of their fields. The month has a sentiment of dignity.

*Pride on the other hand, is celebrated by parading every stereotype of the LGBT community down the street for all the public to see. Not to mention children are now being brought into the sexual celebration.

*There is a place for observing the freedoms and victories won in the battle for LGBT rights... But it should not be for an entire month. Nor should it be a non-stop sermon shouted at the public all year round.

*If the goal were to effect change, this would be the strategy. But the adjustments will not happen because there is more happening behind the scenes than the facade of noxious activism.

*Pride month is saturated with political undertones.

*Pride means money. It represents money for corporate sponsors, money for organizations, money for politics, and money for municipalities.

*Pride is also a time of unbridled jubilation.

*When the extravagance of Pride outweighs its significance, it becomes a problem.

*If the LBGT community, its activists, organizations, and community leaders want to improve things, they will think deeply about their game plan. Because what they are doing now is not working.

<https://campfirecolorado.com/opinion/pride-month-is-counterproductive/>



Pride Month Is Counterproductive - Campfire Colorado

By Valdamar Archuleta

campfirecolorado.com

Thank you for your time and consideration. I pray you remain neutral and do not give in to pressure from organizations to further their agendas, and by doing so end up misrepresenting and/or marginalizing members of the community.

Staci Walls

Jenny Rakow

Subject: FW: Town of Eagle & Flags

From: Andrew Keiser <andrew@vail.net>

Sent: Tuesday, June 13, 2023 1:13 PM

To: Pappy Kerst <pappy.kerst@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Sarah Parrish <sarah.parrish@townofeagle.org>; Nick Sunday <nick.sunday@townofeagle.org>; Geoffrey Grimmer <geoffrey.grimmer@townofeagle.org>; Jamie Woodworth Foral <jamie.woodworthforal@townofeagle.org>; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>

Subject: Town of Eagle & Flags

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello and thank you for your service to the Town of Eagle.

I understand that you all may be considering a proposal to raise the divisive Pride flag over the community.

Please reject this proposal as it does not represent your entire citizenry and is divisive to both those with sincerely held religious beliefs and other perspectives. The Town should be a place where everyone can express his values uniquely and without one set being held higher than another. Those opposed to a belief system should not trample the other side, but neither should they be compelled to express an allegiance to the other belief system.

As a professional real estate broker and recent candidate for public office, I can assure you that while not as loud nor organized as their opponents, a significant percentage of your community is frustrated by governments selecting specific groups over others. I would encourage the Town should focus on how to take everyone's RETA, sales & property to develop a unified community spirit.

Andrew Keiser
970.331.4695 c

Jenny Rakow

Subject: FW: Input in regards to meeting this evening...

From: ANDREW KRISTA Keiser <akkeiser@msn.com>

Sent: Tuesday, June 13, 2023 1:01 PM

To: Pappy Kerst <pappy.kerst@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Sarah Parrish <sarah.parrish@townofeagle.org>; Nick Sunday <nick.sunday@townofeagle.org>; Geoffrey Grimmer <geoffrey.grimmer@townofeagle.org>; Jamie Woodworth Foral <jamie.woodworthforal@townofeagle.org>; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>

Subject: Input in regards to meeting this evening...

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Town Council Members,

Good afternoon and thank you so much for all that you do as council members and helping to make the town of Eagle wonderful. I am not an Eagle resident but have been an up-valley resident for over 25 years and spend plenty of money in the town of Eagle.

Consequently, I have recently heard that there will be discussion at tonight's meeting about raising the pride flag in Eagle as sadly, Avon and now Vail have them on display beside our beautiful American flag and Colorado State flag. I am for the flagpole remaining sacred to our country and not picking flags according to "feelings" of a certain group of people and our elected officials. I am not sure what the "rules" are in the town of Eagle for flag flying, but once one is picked there is actually divisiveness and inclusivity, complete opposition to what is being promoted to the Town Councils in this county.

I would strongly encourage you, as elected officials, to listen to both "sides" of this debate; otherwise, you will soon be hanging several flags up throughout the year that others in the community will feel "unsafe". I am struggling with debate as over the past 25 years in this valley, we have moved from Merry Christmas and celebrating a national/world holiday and have diminished it to Happy Holidays around town making the Christmas season taboo and instead making a newfound pride celebration, a MONTH long event making it seem as that event takes precedence over multiple holidays...Memorial Day and Veterans Day, people who have sacrificed their lives and fought for our freedom are recognized on a one-day holiday.

Thank you for your consideration and I ask you to be strong and courageous tonight! Just as you do, we love and appreciate all people, this is not a sign of hatred as many people try to say, but it is not in the best interest of this community.

Krista Keiser

Jenny Rakow

Subject: FW: Pride Flag

From: Jennifer French <jenfrench71@yahoo.com>

Sent: Tuesday, June 13, 2023 12:19 PM

To: Pappy Kerst <pappy.kerst@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Sarah Parrish <sarah.parrish@townofeagle.org>; Nick Sunday <nick.sunday@townofeagle.org>; Geoffrey Grimmer <geoffrey.grimmer@townofeagle.org>; Jamie Woodworth Foral <jamie.woodworthforal@townofeagle.org>; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>

Subject: Pride Flag

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I would like to relay to you that the Pride flag should not be flown in the town of Eagle because it is divisive. The only flags that should be flown are the US Flag and the CO flag. All others cause division and do not represent everyone.

Thank you for doing the right thing,
Jennifer French

Jenny Rakow

Subject: FW: Pride Flag in Town of Eagle

From: Levi Ellis <leviellis@proton.me>

Sent: Monday, June 12, 2023 8:02 AM

To: Pappy Kerst <pappy.kerst@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Sarah Parrish <sarah.parrish@townofeagle.org>; Nick Sunday <nick.sunday@townofeagle.org>; Geoffrey Grimmer <geoffrey.grimmer@townofeagle.org>; Jamie Woodworth Foral <jamie.woodworthforal@townofeagle.org>; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>

Subject: Pride Flag in Town of Eagle

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Levi and Sara Ellis
Eagle CO 81631
06/12/23

Town of Eagle
Town Hall

Subject: Denouncement of the pressure to Fly Pride (SEX) Flag

Dear Town of Eagle,

I hope this letter finds you well. I am writing to express my deep concerns and denounce the recent pressure from the Mountain Pride organization to fly a pride flag in on government property.. It is my strong belief that endorsing and promoting values that deviate from traditional norms of sexuality undermines the foundations of our country and community.

I want to clarify that my intention is not to promote discrimination or prejudice towards any individuals based on their sexual orientation or gender identity. I firmly believe in treating all people with respect, compassion, and fairness. However, I also believe it is crucial to uphold and preserve the traditional values that have shaped our community.

The decision to display flags at public buildings should reflect the values and principles shared by the majority of the community. While I recognize the advocacy efforts of the Mountain Pride organization, it is important to acknowledge that their agenda may not align with the beliefs and values of most Eagle county residents.

Pressuring the town to fly a pride flag raises concerns about the infringement on the rights of individuals who hold conservative views and wish to maintain traditional values within our community. It is vital to respect and protect the rights and freedom of expression of all community members, including those who hold different beliefs or adhere to traditional understandings of sexuality and family values.

Town authorities should prioritize matters that directly impact the well-being and moral fabric of our community, such as maintaining public safety, promoting educational excellence, fostering economic growth, and supporting family-centered initiatives. These areas have a substantial and positive impact on the lives of all residents, regardless of their sexual orientation or identity.

I respectfully urge you to consider the perspectives of all community members and avoid decisions that may alienate or marginalize those who hold conservative values. Our town should remain a place where individuals of all beliefs feel respected, valued, and included.

Thank you for taking the time to consider my concerns. I trust that you will make decisions that uphold the traditional values and aspirations of our entire community while ensuring fairness and inclusivity.

Sincerely,
Levi Ellis

Levi Ellis
303.305.8253

Sent with [Proton Mail](#) secure email.

Jenny Rakow

Subject: FW: Endorsing a Political Cause

-----Original Message-----

From: Ralph Wright <rrwright233@gmail.com>

Sent: Friday, June 9, 2023 3:04 PM

To: Pappy Kerst <pappy.kerst@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Sarah Parrish <sarah.parrish@townofeagle.org>; Nick Sunday <nick.sunday@townofeagle.org>; Geoffrey Grimmer <geoffrey.grimmer@townofeagle.org>; Jamie Woodworth Foral <jamie.woodworthforal@townofeagle.org>; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>

Subject: Endorsing a Political Cause

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Town of Eagle Council Members,

It appears that a national political cause and a local organizer would like the people of Eagle to endorse that political cause. This would be done by Town of Eagle dedicating a month to the cause or some such recognition.

Regardless of how one feels about this cause, there are at least three questions the Town Council might consider. First, should the people of Eagle through their town council actually dedicate a month to any person or organization? Second, how does the town council go about setting the criteria for such a "dedication"? Third, if the answer is yes to question one, is the town council prepared to handle the many other causes which will be asking for equal time and recognition?

My family thinks that our Town isn't in the business of promoting political causes. We know a lot of people who feel the same way but don't feel comfortable actually contacting you good people.

Sincerely,
Ralph and Lynda Wright
Eagle, Colorado

Jenny Rakow

Subject: FW: Flag day

-----Original Message-----

From: Mary Clare Silva <maryclaresilva@gmail.com>

Sent: Tuesday, May 30, 2023 6:50 PM

To: Pappy Kerst <pappy.kerst@townofeagle.org>; Scott Turnipseed <scott.turnipseed@townofeagle.org>; Sarah Parrish <sarah.parrish@townofeagle.org>; Nick Sunday <nick.sunday@townofeagle.org>; Geoffrey Grimmer <geoffrey.grimmer@townofeagle.org>; Jamie Woodworth Foral <jamie.woodworthforal@townofeagle.org>; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>

Subject: Flag day

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Eagle town council,

As a long time resident of Eagle County I wanted to express my concern for the growing divisive tribalism that has now come upon us in our little town of Eagle.

Regarding public tax payer funded property there should be no flags flown aside from the town, state and American flag. These are the flags that represent ALL of us, no matter who's in charge or who we voted for, etc.

We are all quite sick of being bullied and forced to tolerate, celebrate and participate, and the relentless harassment is destructive, not constructive.

Flag day is June 14th, perhaps Eagle can take the lead in planting the American flag throughout public property as so many towns across our country do. us

Thanks for your time
Happy summer!

Mary Clare



To: Mayor and Town Council
From: Jenny Rakow, Town Clerk
Date: June 27, 2023

Agenda Item: Resolution 45, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Erik A. Johnson as the Judge of the Eagle Municipal Court and Approving an Associated Agreement"

REQUEST: Council is requested to approve the reappointment of Judge Erik A. Johnson to the Eagle Municipal Court and his agreement. The Town attorney has approved the Resolution and Agreement.

BACKGROUND: Statutory and Charter requirements prescribe that the Town shall appoint a Municipal Court Judge. A review of the current contract with Judge Erik A. Johnson delayed the appointment this year.

ANALYSIS: This Resolution and appointment is in accordance with the provisions of Section 31-4-304, C.R.S. and Article IV, Sections 4.02, 4.03 and 4.04 of the Eagle Town Charter.

COMMUNITY INPUT: None required.

BUDGET / STAFF IMPACT: This is a budgeted item.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This action aligns with provisions in the Home Rule Charter.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to approve the Consent Agenda, or pull this item for discussion.

ATTACHMENTS:

1. Resolution 45-2023 Judge Appt-R020823
2. Johnson-A020823

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 45
(Series of 2023)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
APPOINTING ERIK A. JOHNSON AS THE JUDGE OF THE EAGLE MUNICIPAL COURT
AND APPROVING AN ASSOCIATED AGREEMENT

WHEREAS, the Town Council desires to re-appoint Erik A. Johnson to the office of Municipal Court Judge; and

WHEREAS, Erik. A. Johnson desires to accept such appointment.

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

Section 1. Pursuant to § 2.08.060 of the Eagle Municipal Code, the Town hereby appoints Erik A. Johnson to the office of Municipal Court Judge for the Town of Eagle, Colorado.

Section 2. The appointment shall be for a two-year term, commencing on February 15, 2023 and continuing through February 14, 2025.

Section 3. The Municipal Judge Services Agreement (the "Agreement") is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Agreement on behalf of the Town.

INTRODUCED, READ, PASSED AND ADOPTED ON JUNE 27, 2023.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

MUNICIPAL JUDGE SERVICES AGREEMENT

THIS MUNICIPAL JUDGE SERVICES AGREEMENT (the "Agreement") is made and entered into this 15 day of February, 2023 (the "Effective Date"), by and between the Town of Eagle, a Colorado municipal corporation with an address of P.O. Box 609, Eagle, CO 81631 (the "Town"), and Erik A. Johnson, an individual with an address of 850 Chambers Avenue, P.O. Box 5091, Eagle, CO 81631 ("Judge Johnson") (each a "Party" and collectively the "Parties").

WHEREAS, the Eagle Town Council has determined to re-appoint Judge Johnson as the Town's Municipal Judge pursuant to § 2.08.060 of the Eagle Municipal Code;

WHEREAS, the Eagle Town Council desires to set the salary of Judge Johnson as set forth in § 2.08.080 of the Eagle Municipal Code; and

WHEREAS, Judge Johnson desires to accept the appointment as Municipal Judge and the salary contained herein.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Term. Judge Johnson is hereby appointed for a two-year term, commencing on February 15, 2023 and continuing through February 15, 2025.
2. Duties. Judge Johnson shall preside as Judge over regular and special sessions of the Eagle Municipal Court in accordance with the Canons of judicial conduct that include: A judge shall uphold and promote the independence, integrity, and impartiality of the court, and shall avoid impropriety and the appearance of impropriety; A judge shall perform the duties of judicial office impartially, competently, and diligently; A judge shall conduct the judge's personal, professional and extrajudicial activities to minimize the risk of conflict with the obligations of judicial office; and, A judge shall not engage in political activity that is inconsistent with the independence, integrity, or impartiality of the court.
3. Compensation. Pursuant to Section 2.08.080 of the Eagle Municipal Code, Judge Johnson shall be compensated at a rate of \$750 per month, for two court sessions each month; provided that, if there is only one court session in any month, the compensation shall be \$375 per month.
4. Other Covenants. Judge Johnson's performance and salary shall be reviewed by the Town Council prior to the expiration of this Agreement. Pursuant to § 2.08.070 of the Eagle Municipal Code and state law, Judge Johnson may only be removed for cause.
5. Miscellaneous. Nothing herein shall be deemed to create any terms, conditions or obligations in addition to those provided for in the Eagle Municipal Code or state law, nor is anything herein intended to change the nature of the Municipal Judge position as an appointed position under the Eagle Municipal Code and state law. This Agreement is simply intended to memorialize the term and salary of the Municipal Judge.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

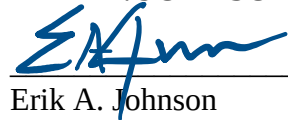
TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

ERIK A. JOHNSON

 **15 FEB 23**

Erik A. Johnson

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was subscribed, sworn to and acknowledged before me this ____ day of February, 2023, by Erik A. Johnson.

My commission expires:

(S E A L)

Notary Public



To: Mayor and Town Council
From: Larry Pardee, Town Manager
Date: June 27, 2023
Re: Town Manager Report

Outreach & Meetings – This report will provide an overview of recent participation in community outreach opportunities and regional and project-specific meetings. These events offer valuable opportunities to collaborate with stakeholders, stay informed on the latest developments, and contribute to the local community.

The Eagle Valley Transit Authority (EVTA) convened its monthly meeting on Wednesday, June 14. During the session, EVTA initiated its collaboration with Studio Six for the branding exercise of the organization. Stacy, the representative from Studio Six, led an engaging discussion, emphasizing the importance of establishing an emotional connection with the hearts and minds of people while highlighting the distinctive qualities of each community within Eagle County.

The dialogue proved captivating as each board of directors shared their perspectives on what makes their communities special and unique. Notably, Council member Nick Sunday eloquently articulated the characteristics that set Eagle apart and provided insight into his choice to reside in this exceptional community and serve as a council member.

In addition, the Eagle County Mayor's Roundtable convened its monthly meeting on Friday, June 16. The meeting listened to a presentation by Kristen Burtuglia, Vail's environmental sustainability director, who introduced various rideshare concepts under exploration. Seeking participation from other Eagle County communities, the presentation prompted consideration of requesting if Eagle Valley Transit Authority might lead this effort.

Furthermore, Jesse Meryhew, the Facilities Director from Eagle County, presented a concise overview of a waste-to-energy proposal that the County has been approached with. The meeting also addressed regional housing updates, requesting a Vail to Wolcott Plan DOLA grant application. This grant aims to facilitate the creation of a needs assessment report, informing future action plans. Notably, Vail provided a brief update on the Timber Ridge & West Middle Creek developments in Vail, underscoring the substantial financial investments required to develop these sites to address affordable housing needs.

Regarding other matters, progress on the Dowd Junction CDOT property continues at the state level. Additionally, West Eagle is preparing to submit an annexation and affordable housing development plan.

The recent EVTA meeting and Mayor's Roundtable showcased why we continue to discuss and pursue initiatives to enhance the region's transit services, sustainability, housing, and community development opportunities.

Administration & Organization update

We are delighted to share that we have successfully filled sixteen vacant positions, which are crucial for the smooth operation of our Town daily. We have complete confidence in the abilities and expertise of our newly hired individuals, and we are confident that their valuable contributions will enable us to maintain the exceptional standards of service our residents have come to expect.

The Town hosted an in-person session in the Council chambers. The presentation focused on, What every leader should know about mental health on Thursday, June 15, 2023. We listen to a presentation for the first 30 – 40 minutes on how our emotions and daily behaviors we as leaders emulate influence our workplace colleagues. One key topic, Our View of Stress Matters:

"Of all the virtues we can learn, no trait is more useful, more essential for survival, and more likely to improve the quality of life than the ability to transform adversity into an enjoyable challenge."

~ *Mihaly Csikszentmihalyi* ~

The Town has successfully filled seventeen positions in various departments, including the Code Enforcement Officer, Admin Tech II Finance/AP, Building & Buildings and Grounds Tech, Assistant Town Manager, IT Applications administrator, Water Operator, two Street Operators, B & G Seasonal, and Open Space Seasonal. We are confident that the newly hired personnel will contribute significantly to the smooth running of the community, bringing with them a wealth of experience and skills.

The Town of Eagle is pleased to announce the availability of Broadband services for our residents and small businesses. With high-speed options of up to 650 Mbps for residents and small businesses and 2 Gbps for business-class services, we aim to meet the growing digital needs of our community. Additionally, we plan to establish our enterprise fund by the end of the third or beginning of the fourth quarter in 2023 to support this initiative.

Economic Development:

We have sent the RRC contract for services to design and build our first Economic dashboard, an essential tool for the Town. Town staff and EVC members will collaborate with Chris Cares from RRC to create Eagle's comprehensive and accessible dashboard. This platform will offer an overview of the Town's economic progress and critical indicators, such as job growth, business expansion, and infrastructure improvements. The dashboard will be valuable for local government officials, business owners, and community members, enabling them to monitor and enhance economic development in the Town. It will also support informed decision-making to promote economic growth and prosperity for all residents.

The Town of Eagle's Economic Development Plan has progressed with informative focus group meetings held by Economic and Planning Systems (EPS). Currently, EPS is scheduling additional interviews with stakeholders in the upcoming weeks. The town staff seeks input from local businesses and organizations representing various industries to ensure a comprehensive plan. By understanding the challenges and opportunities businesses face, the Town aims to gain insights into the current business environment and identify additional resources required from the Town and other local economic development organizations. This feedback will shape general and industry-specific strategies for the near and long term. Focus groups will hold one-hour discussions at Eagle Town Hall throughout the first few weeks of June to facilitate this process. Business representatives are invited to participate in these focus groups alongside other businesses in their industry, providing valuable input to shape the economic development plan. Ultimately, this collaborative effort aims to promote economic growth and prosperity for the Town of Eagle.

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
February 7, 2023 (COMPLETED)	Eagle River Park Discussion
February 21, 2023 (COMPLETED)	Mnt. Rec Board/Council - Eagle Outdoor Pool Discussion
March 7, 2023	(Meeting Cancelled)
March 13, 2023 (COMPLETED)	Retreat/Work Session at Frost Creek.
April 4, 2023 (COMPLETED)	JOINT Meeting P&Z and Council ReCode.
May 2, 2023	(Meeting Cancelled)
June 6, 2023	(Meeting Cancelled)
July 4, 2023	(Meeting Cancelled)
August 8, 2023	Affordable Housing items to discuss on guidelines for LERP
September 5, 2023	2023 – 2027 Capital Improvement Plan – Work Session
October 3, 2023	2023 – 2024 Operating Budget – Work Session
November 7, 2023	
December 5, 2023	
Request for Additional Work Sessions	Topic



To: Mayor Turnipseed and Town Council

From: Nikki Davis, Economic Development & Housing Specialist

Date: June 27, 2023

Agenda Item: Proposition 123 – State Affordable Housing Fund

REQUEST: No action requested. This is a memorandum to update Town Council on staff’s approach and anticipated next steps.

BACKGROUND: In 2022, Colorado voters passed measure Proposition 123 which created the *State Affordable Housing Fund* dedicating hundreds of millions of dollars annually to affordable housing development and related programs. Specifically, the measure earmarks 0.1 percent of Colorado’s taxable income. Forty percent of the funds are allocated to the *Affordable Housing Support Fund* administered by the Department of Local Affairs (DOLA) while the remaining sixty percent is channeled through the *Affordable Housing Financing Fund* overseen by the Colorado Office of Economic Development and International Trade (OEDIT) and administered by Colorado Housing and Finance Authority (CHFA). Within its first year, the state estimates \$58 million to be transferred to the *Housing Support Fund* and \$87 million to the *Housing Financing Fund*. Grants and loans are available to non-profits, community land trusts, private entities, and local governments.

To qualify and access these funds, municipalities must first file a *Local Government Affordable Housing Commitment* pledging to increase its affordable housing stock by 3% annually – or an aggregate 9% over three years – and create a “fast-track” review process for affordable housing projects. The requirement for the latter does not take effect until 2026. As part of filing the commitment, each community / filing group is responsible for establishing its own baseline amount of existing affordable housing. Information which supports the baseline determination must comply with statutorily established definitions and approved data sources. The filing deadline is November 1, 2023 to access the first cycle of funding.

ANALYSIS: With the program in its infancy, there are still unanswered questions related to funding levels, distribution timeline, prioritization, and compliance. It is worth noting that once a local government has filed its commitment, it is considered eligible to submit funding applications to DOLA and / or CHFA. To help local governments navigate the initial steps, DOLA’s Community Development Office will be offering free technical assistance between mid-July through October related to establishing baselines and growth commitments. Requests for assistance must be submitted by June 30. Alternatively, CHFA will launch a separate site in early July with resources related to the *Housing Financing Fund*. Seeking further guidance, staff will meet with the Eagle County’s Housing & Development Authority to learn more about challenges and opportunities gleaned from their first attempts to opt in.

Ahead of filing a commitment, staff will organize a Town Council work session to assess baseline and growth commitment scenarios to determine the most appropriate and impactful levels to pledge against.

COMMUNITY INPUT: None at this time.

BUDGET/STAFF IMPACT: No anticipated budget or staff impact in the near term.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: By opting into Proposition 123 and filing a commitment to increase Eagle's affordable housing inventory 3% annually over the next three years, or 9% aggregate, accessing the *State Affordable Housing Fund* would impact the Town's efforts to diversify its attainable housing stock both in rental and for-sale options.

RECOMMENDED ACTION OR PROPOSED MOTION: None requested from Town Council at this time.

ATTACHMENTS:

- Proposition 123 Statue ([LINK](#))
- Proposition 123 Technical Assistance from DOLA ([LINK](#))
- Filing Tools:
 - Proposition 123 Implementation FAQs ([LINK](#))
 - Baseline Assistance Tool ([LINK](#)) and Reference Data Table ([LINK](#))
 - Commitment Form ([LINK](#))



To: Mayor and Town Council

From: Community Development Department Staff
Chad Phillips, A.I.C.P., Director

Date: 6/27/2023

Agenda Item: Tabling of the Adoption of the new Land Use and Development Chapter, Title 4 of the Municipal Code (ReCode) and Review of topic-specific issues.

REQUEST:

- 1) Review of certain elements of the ReCode draft including the Uses by Zone District chart and the Landscaping requirements,
- 2) Review of the draft Town of Eagle Zoning Map and table it's adoption to the August 8, 2023 Council meeting, and
- 3) Table the adoption of the Land Use and Development Code to the August 8, 2023 Council meeting.

BACKGROUND:

The June 27, 2023 Town Council meeting was scheduled and advertised for consideration of adoption of the ReCode draft. Due to delays in providing the Planning & Zoning Commission, Town Council, and the public an adoption draft, the adoption process has been postponed. The remaining ReCode schedule is as follows:

- June 20th P&Z Commission - topic-specific review and table recommendation of Zoning Map
- June 27th – Adoption draft to be released to the public
- June 27th – Town Council topic-specific review and table adoption of ReCode and Zone Map
- July 11th – Town Council topic-related review (if needed)
- July 18 P&Z Commission hearing to recommend approval of ReCode and Zone Map
- August 8 – Town Council approval of ReCode and Zone Map

In addition to the review of the draft Zoning Map, staff would like to take this opportunity to discuss with Council and take public comment on some of the remaining issues that have been identified. Such issues include review of the Uses by Zone District Chart and the Landscaping requirements.

ANALYSIS:

ZONING MAP

With the substantial changes proposed in the Town of Eagle Land Use and Development Code update “ReCode” (Title 4 of the Municipal Code), changes to the adopted Town of Eagle Official Zoning Map are in order. Modifications to the existing map fit into the following categories:

- Change of Zone District names,
- Inclusion of new mixed-use (CMU) and Commercial Interchange (CI) districts,

- Elimination of the Central Business District and replace with a combination of the Broadway (BD), Commercial Mixed-Use 1 (CMU1), and Old Town Residential (OTR) districts,

These recommended changes reflect:

- Public comment received through the ReCode process,
- Support/implementation of the Comprehensive and Sub-Area plans,
- New additions to the draft ReCode,

These recommended changes *do not* reflect:

- Parcel-specific rezonings and modifications that have not been considered by staff as compliant with the standards for rezoning. Such standards are as follows:

Section 4.05.030. - Rezoning. *(from the existing Land Use and Development Code)*

A. Conditions for rezoning.

The Town Council may amend the number, shape, or boundaries of any zone district, removing any property from one zone district and adding it to another zone district, only after recommendation of the Planning Commission. A rezoning may be granted where the findings are made:

- 1. That the rezoning is compatible with surrounding land uses, and is consistent with the Town's goals, policies and plans;*
- 2. That the land to be rezoned was previously zoned in error or the existing zoning is inconsistent with the Town's goals, policies and plans;;*
- 3. That the area for which rezoning is requested has changed substantially such that the proposed rezoning better meets the needs of the community; or*
- 4. That the rezoning is incidental to a comprehensive revision of the Town's zoning map which recognizes a change in conditions and is consistent with the Town's goals, policies and plans.*

As part of the process for updating/amending the Official Zone Map, staff send over 200 notices to landowners who are potentially impacted the most by the draft map. Recipients of this notice are mainly located South of Grand Avenue in the West Eagle area, the East Eagle interchange area, and Old Town areas surrounding Broadway. While Council has seen some of these changes in the past, this will be the first opportunity to review the updated map and take public comment from neighbors who were notified. Staff has included a recommended motion to table adoption (below).

While this agenda item was originally scheduled for adoption, staff would like to take this opportunity to review the map one more time and take public comment prior to the new adoption hearing date of August 8, 2023.

At the June 20th P&Z meeting, the Commission reviewed the map and took extensive public comment. Overall, public comment centered around the following topics:

- Differences between the proposed Old Town Residential (OTR) district and current zoning.
- More housing should be allowed in the East Eagle zones.
- Is the CMU1 district appropriate for the West Eagle area? (the commercial element – is the West Eagle Plan out of date?)
- Future commercial uses and height maximums on Capitol between Grand and 4th.
- Tap fees and infrastructure concerns.
- In the OTR, increased residential density is a concern.

P&Z did not direct staff to make changes to the Zoning Map and tabled the recommendation for adoption to the July 18th meeting. Staff has provided Town Council a suggested motion to table the adoption below.

USES BY ZONE DISTRICT CHART

At the June 6th P&Z meeting, staff presented the most recent version of the Uses by Zone District Chart. This version included changes that involved removing the “PL” (permitted w/ limitations) category and replacing it with “A” Administrative Permit (with required public notice) and “M” Minor/Administrative Permit (that doesn’t require notice). At the June 20th P&Z meeting, they once again reviewed this draft and the new A and M categories. P&Z members supported the chart as presented. Overall, public comment and P&Z discussion centered around the following topics:

- Anticipated parking issues on and around Broadway.
- Parking of RV’s and trailers in residential areas.
- Infrastructure associated with new curb and gutter in OTR district.
- Most public comment agreed that OTR residential density should be limited to duplex and ADU’s.

LANDSCAPING CRITERIA

Staff and Clarion continue to make refinements to the landscaping section of ReCode. This draft includes the following addition/modifications:

- Moved Landscaping out of the Development Standards section, so that it applies to any property needing a permit in the Town,
- Added a Maintenance section to ensure that property owners are maintaining required landscaping overtime,
- Required the use of low-water, drought-tolerant, adaptive plants, fire-wise plants where possible, and plant materials that are suitable for the local environment,
- Wildfire protection standards have been included. (Staff is requesting direction on whether to make these mandatory or just as general guidelines),
- Moved Clear Vision Area language into landscaping,
- Included location specific standards for properties along the 1-70 corridor to promote denser landscape screening along the interstate,
- Minimum standards allow for maximum design flexibility,
- Additional flexibility in parking landscaping standards,
- Screening is now consolidated in one primary place and include standards for recycling and waste collection, RV storage, and personal property, and
- Fence standards have also been consolidated into one primary location.

On June 20th, discussion and feedback from P&Z included:

- Firewise plantings and the wildland urban interface (WUI) concerns with balancing 1) defensible space, 2) drought-resistant vegetation, and 3) Town beautification.
- Snow storage shouldn’t be limited to paved areas

Public comment received included concern that the landscaping fencing buffers for RV’s are required to be 6’ in ReCode but in reality, RV’s are much taller than 6’.

COMMUNITY INPUT:

See above.

BUDGET / STAFF IMPACT:

N/A

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

Nothing particularly associated with the general review of tonight's discussion topics.

PROPOSED MOTION:

I move to table the consideration of adoption of the new Zone District Map and the Land Use and Development Code to August 8, 2023.

ATTACHMENTS:

- Uses by Zone District Chart
- Landscaping Section
- Draft Zoning Map

Table 4.9-1: Primary Use Table

	Residential Districts					Rural and Agriculture Districts			Mixed-Use, Commercial and Industrial Districts							Govt. and Civic Districts		
New Zone Districts	R1	R2	R3	R4	OTR	RR1	RR2	R	CMU1	CMU2	BD	CG	CGE	CI	IND	PC1	PC2	Use-Specific Standards
KEY: P = Permitted / M = Minor Permit (no notice) / A = Administrative Permit / C = Conditional Use / S = Special Use / - = Not Permitted																		
RESIDENTIAL USES (Use category description Sec. 4.9.20B)																		
Cottage Court	-	A	A	A	A	-	-	-	A	-	-	-	-	-	-	A	-	4.9.60A
Dormitory Living / Hostel	-	-	C	C	-	-	-	-	-	-	-	S	S	S	-	S	-	
Duplex / Two-Family Dwelling	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	
Mansion House (4+ units/structure)	-	P	P	P	P	-	-	-	P	-	-	-	-	-	-	A	-	
Manufactured Home, Standard or Tiny	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	4.9.60D
Manufactured Home Park	-	S	S	S	S	-	-	-	-	-	-	-	-	-	-	S	-	
Mixed-Use Structure									A	A	A							4.9.60C
Multi-Unit Dwelling (3 to 8 units / structure)	-	-	P	P	P	-	-	-	P	C	-	-	C	-	-	A	-	
Multi-Unit Dwelling (8+ units / structure)	-	-	P	P	-	-	-	-	-	C	-	-	C	-	-	-	-	
Single Family Dwelling	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	
Townhome (3+ units / structure)	-	P	P	P	P	-	-	-	P	C	-	-	C	-	-	P	-	
LODGING (Use category description Sec. 4.9.20D)																		
Bed and Breakfast Facility	A	A	A	-	A	A	A	A	A	-	-	-	-	-	-	-	-	4.9.80D.1
Boutique Hotel (small format)	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Hotel / Motel (large format)	-	-	-	-	-	-	-	-	-	-	-	A	A	A	-	-	-	
Recreational Vehicle Park / Camping	-	-	-	-	-	-	S	C	-	-	-	-	A	-	-	C	-	4.9.80D.2, 4.9.80D.4
Short-Term Rental	A	A	A	A	A	A	A	A	A	A	A	-	-	-	-	-	-	4.9.80D.5
Van Life	-	-	-	-	-	-	-	-	-	S	-	S	S	S	S	-	-	
AGRICULTURE (Use category description Sec. 4.9.20F)																		
Commercial Green House	-	-	-	-	-	M	M	M	-	-	-	C	C	C	-	-	-	
Community Gardens	A	A	A	A	A	M	M	M	A	-	-	-	-	-	-	A	A	4.9.110A
Farmer’s Market	-	-	-	-	-	-	C	M	-	-	-	-	-	A	-	A	A	4.9.110B
Farm Stand	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-	P	C	
Horse Boarding	-	-	-	-	-	M	M	M	-	-	-	-	-	-	-	C	-	
Outfitter Guide	-	-	-	-	-	C	C	C	-	-	-	A	A	A	-	-	-	
Ranching / Farming	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	C	-	
Riding Stables	-	-	-	-	-	M	M	M	-	-	-	-	-	-	-	-	-	
Solar Farm	-	-	-	-	-	-	C	C	-	-	-	C	C	-	C	S	-	
Wind Farm	-	-	-	-	-	-	C	C	-	-	-	C	C	-	C	S	-	
OPEN SPACE AND RECREATION (Use category description Sec. 4.9.20C)																		
Golf Course	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	C	-	
Motor Sports Track	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Parks / Playgrounds	A	A	A	A	A	P	P	P	P	P	P	P	P	P	P	P	-	
Playfields, includes lighting and/or PA system	-	-	-	-	-	-	-	C	-	-	-	-	A	A	-	C	-	
Preserves / Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreation Facility, indoors (<6,500 sf)	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	
Recreation Facility, indoors (>6,500 sf)	-	-	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	
Recreation Facility, outdoors	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	P	-	
Shooting/Archery Range, indoors	-	-	-	-	-	-	-	-	-	-	-	S	S	-	S	-	-	
Swimming Pool, outdoor, public	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-	A	-	
PUBLIC, CIVIC, INSTITUTIONAL, EDUCATIONAL, HEATHCARE (Use category description Sec. 4.9.20C)																		
Assisted Living / Group Home	A	A	A	A	A	A	-	-	A	A	A	-	-	-	-	A	-	4.9.60B, 4.9.70A
Bus Stop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Bus/Fleet Maintenance Facility	-	-	-	-	-	-	-	-	-	-	-	A	A	-	A	-	-	
Cemetery	-	-	-	-	-	-	-	S	-	-	-	-	-	-	-	S	-	
College / University	-	-	-	-	-	-	C	C	-	-	-	S	C	C	-	C	-	
Community Building / Civic Assembly	C	C	C	C	C	C	C	C	A	P	P	A	A	A	-	A	-	
Emergency Services Station	-	-	-	-	-	-	-	A	-	-	-	A	A	A	A	A	-	
Funeral Home / Crematorium	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	-	
Government / Public Service Offices	-	-	-	-	-	-	-	-	A	A	A	A	A	A	A	P	P	4.9.70A
Government / Public Service Operations Yard	-	-	-	-	-	-	-	A	-	-	-	A	A	A	A	A	-	
Hospital	-	-	-	-	-	-	-	-	-	-	-	S	S	S	-	S	-	4.9.70C
Library	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	P	-	
Medical Office	-	-	-	-	-	-	-	-	A	P	A	A	A	A	-	-	-	
Museum	A	A	A	A	A	A	A	A	A	P	A	A	A	A	-	A	-	
Nursing Facility	A	A	A	A	A	A	-	-	-	C	-	-	-	-	-	-	-	
Outpatient Medical Clinic	-	-	-	-	-	-	-	-	-	A	A	A	A	A	-	A	-	
Post Office	S	S	S	S	S	S	S	S	C	C	-	A	A	A	-	A	-	
Pre-School / Childcare Center	A	A	A	A	A	A	A	A	A	A	-	-	A	A	-	A	-	4.9.80B
Public / Civic Assembly or Auditorium	-	-	-	-	-	-	-	-	A	A	A	A	A	A	-	A	-	
Regional Transit Station	-	-	-	-	-	-	-	-	-	A	A	A	A	A	-	A	-	
Religious Assembly / Church	A	A	A	A	A	A	A	A	A	A	A	A	A	A	-	A	-	4.9.70F

Table 4.9-1: Primary Use Table

	Residential Districts					Rural and Agriculture Districts			Mixed-Use, Commercial and Industrial Districts							Govt. and Civic Districts		
New Zone Districts	R1	R2	R3	R4	OTR	RR1	RR2	R	CMU1	CMU2	BD	CG	CGE	CI	IND	PC1	PC2	Use-Specific Standards
KEY: P = Permitted / M = Minor Permit (no notice) / A = Administrative Permit / C = Conditional Use / S = Special Use / - = Not Permitted																		
Research Facility	-	-	-	-	-	-	C	C	-	C	C	A	A	A	A	-	-	
School K-12, public	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	P	-	
School / Trade / Private Academy	-	C	C	C	C	C	C	C	C	C	-	A	A	A	A	C	-	
Urgent Care Facility	-	-	-	-	-	-	-	-	-	C	-	A	A	A	C	-	-	
Utility Substation	-	-	-	S	-	-	-	-	-	-	-	C	C	C	A	-	-	4.9.70E
Water Impoundment	-	-	-	-	-	-	-	S	-	-	-	-	-	-	-	S	-	
MIXED-USE / COMMERCIAL (Use category description Sec. 4.9.20D)																		
Auto Repair	-	-	-	-	-	-	-	-	-	C	-	A	A	-	A	-	-	
Auto Sales / Rentals	-	-	-	-	-	-	-	-	-	C	-	A	A	-	A	-	-	
Bank / Financial Institution	-	-	-	-	-	-	-	-	M	P	M	P	P	P	P	-	-	
Bar / Tavern / Distillery	-	-	-	-	-	-	-	-	A	P	P	A	A	P	-	-	-	
Boutique Food and Drink (no alcohol)	-	-	-	-	-	-	-	-	M	P	P	M	M	M	-	-	-	
Car Wash	-	-	-	-	-	-	-	-	-	C	-	P	P	P	P	-	-	
Commissary / Commercial Kitchen	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	
Fast Food	-	-	-	-	-	-	-	-	-	A	A	A	A	P	-	-	-	
Gas Station / Traveler’s Convenience	-	-	-	-	-	-	-	-	-	C	-	M	M	M	M	-	-	4.9.90H
General Retail, <10,000 sf, local	-	-	-	-	-	-	-	-	A	P	P	A	A	A	-	-	-	
General Retail, >10,000 sf, regional	-	-	-	-	-	-	-	-	-	-	-	S	S	P	-	-	-	
Grocery / Supermarket	-	-	-	-	-	-	-	-	-	A	A	A	P	P	-	-	-	
Hardware Store	-	-	-	-	-	-	-	-	-	M	A	A	P	P	-	-	-	
Home Furnishings / Flooring / Fabrics / Appliances	-	-	-	-	-	-	-	-	-	M	A	P	P	P	-	-	-	
Kennel Board Facility / Pet Daycare	-	-	-	-	-	-	-	-	-	C	-	A	A	A	P	-	-	4.9.80A
Landscape / Plant Sales	-	-	-	-	-	-	-	-	A	A	-	A	A	A	-	-	-	
Liquor Store	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	
Lumberyard	-	-	-	-	-	-	-	-	-	-	-	M	M	C	P	-	-	
Mobile Vending	-	-	-	-	-	-	-	-	M	M	M	M	M	M	M	M	-	
Motor Sports, repair / sales	-	-	-	-	-	-	-	-	-	C	-	A	A	-	A	-	-	
Non-Motor Sports Services / Sales (?)	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	
Outdoor Storage	-	-	-	-	-	-	-	-	-	-	-	A	A	-	A	-	-	4.9.100C.2
Parking Facility	-	-	-	-	-	-	-	-	C	A	C	A	A	A	A	-	-	
Personal / Professional Services	-	-	-	-	-	-	-	-	P	A	P	P	P	A	-	-	-	
Professional Office	-	-	-	-	-	-	-	-	P	P	P	P	P	A	-	-	-	
Recreation Services	-	-	-	-	-	-	-	-	-	A	-	A	A	A	-	-	-	
Recycling Drop-off	-	-	-	-	-	-	-	-	-	-	-	A	A	-	P	-	-	
Restaurant	-	-	-	-	-	-	-	-	P	P	P	A	A	A	-	-	-	
Restore / Thrift / Antique / Second Hand Retail	-	-	-	-	-	-	-	-	A	A	A	A	A	A	A	-	-	
Self-Storage / Mini-Storage	-	-	-	-	-	-	-	-	-	-	-	C	C	-	C	-	-	4.9.80C.1
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	
Theater	-	-	-	-	-	-	-	-	-	A	A	A	A	A	-	A	-	
Veterinarian, office	-	-	-	-	-	-	-	-	P	P	P	P	P	-	P	-	-	
Veterinarian, outdoor/kennel	-	-	-	-	-	-	-	-	-	C	-	A	A	-	P	-	-	
INDUSTRIAL, WHOLESALE, STORAGE (Use category description Sec. 4.9.20E)																		
Asphalt or Concrete Plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	
Bulk Storage of Hazardous Materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	
Contractor’s Shop / Warehouse, indoors	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	-	-	
Contractor’s Yard, outdoor storage	-	-	-	-	-	-	-	-	-	-	-	A	A	-	A	-	-	
Equipment Rental / Sales	-	-	-	-	-	-	-	-	-	-	-	C	C	-	A	-	-	
Food Processing	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	-	-	
Machine Shop / Welding / Carpentry, indoors	-	-	-	-	-	-	-	-	-	-	-	A	A	-	P	-	-	
Manufacturing and Assembly, heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	
Manufacturing and Assembly, light	-	-	-	-	-	-	-	-	-	-	-	A	A	-	A			
Mineral Extraction and Processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	
Motor Freight Depot / Rail Transfer Yard	-	-	-	-	-	-	-	-	-	-	-	S	S	-	S	-	-	
Newspaper Production / Printing	-	-	-	-	-	-	-	-	-	-	-	P	C	S	P	-	-	
Salvage / Wrecking Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	
Sawmill / Forestry Product Processing	-	-	-	-	-	-	-	A	-	-	-	S	S	-	A	-	-	
Sign Shop	-	-	-	-	-	-	-	-	P	A	A	P	A	-	A	-	-	
Wholesale Assembly	-	-	-	-	-	-	-	-	*	-	-	A	A	-	A	-	-	
Wholesale Warehouse / Distribution Center	-	-	-	-	-	-	-	-	-	-	-	A	A	-	A	-	-	4.9.100C

Chapter 4.11 Landscaping and Buffering Standards¹

4.11.10 PURPOSE

The purpose of this chapter is to ensure that new landscaping and the retention of existing vegetation are integral parts of all development and that they contribute added high quality to development, retain and increase property values, conserve water resources, mitigate against wildfire and improve the environmental and aesthetic character of Eagle. It is also the intent of this chapter to provide flexible requirements that encourage and allow for creativity in landscape design. The landscape standards will:

- A. Minimizing noise, air, water, and visual pollution.
- B. Reducing the amount of reflected glare and heat absorbed in and around developments.
- C. Break up the visual impact of large expanses of parking lots.
- D. Reducing and managing plant materials that can contribute to wildfire hazards.
- E. Providing screening from wind and dust.
- F. Require the use of xeriscaping and drought-tolerant native and naturalized plantings.
- G. Reduce the overall per capita use of water in the Town.
- H. Promote the utilization of storm water detention as an irrigation source.
- I. Ensure that climate appropriate landscaping is an integral part of the site design and development process.

4.11.20 APPLICABILITY

All projects requiring a development plan application, administrative review, a use permit (Special or Conditional), or a building permit and any landscape improvements shall meet the landscaping requirements of this chapter.

4.11.30 GENERAL REQUIREMENTS FOR ALL LANDSCAPING

A. Landscape Plan Required

A landscape plan shall be submitted for all developments as determined under Applicability. Plant materials shall be installed prior to issuance of a Certificate of Occupancy, unless the Director approves a temporary delay of installation until the planting season with a required Performance Guarantee. The applicant shall provide landscape, irrigation, and grading plans. Landscape Plans shall include the following information:

1. Property lines and dimensions.
2. Existing and finished grade.
3. North arrow and both graphic and written scales.
4. Name of applicant and landscape consultant, if any.

¹ Current Section 4.07.020, updated and revised to meet modern landscaping standards.

5. A legend indicating all proposed plan materials with common and botanical names, indication of drought tolerant plants, sizes, maximum spacing, caliper size and quantities.
6. Method of irrigation.
7. Location of all plant material, other landscape features (including without limitation wetlands, water bodies, rock outcroppings, detention areas, retaining walls) and buildings and paved areas (both existing and proposed).
8. Impervious surface calculation for all impervious areas including without limitation buildings, patios, decks, and driveways.
9. Ground surfaces and materials by types, such as paving, sod, mulch, edger, seed mixes, shrub and flower beds, etc., shall be clearly indicated.
10. Clearly labeled locations and calculations for amounts for all of the required landscape vegetation, including the percentage of drought tolerant plantings and any required parking area landscaping.
11. Identify which existing trees will remain on the property and how they will be protected from damage during construction.
12. Identify the location(s) of all snow storage areas in relation to proposed landscaped areas and parking.
13. Identify construction debris storage and staging areas, unless submitting a separate construction plan.
14. Additional information may be required by the Town on a case-by-case basis if such information is deemed necessary to determine compliance with the provisions of this LUDC.

B. Landscape Materials

Low-water, drought-tolerant, adaptive plants shall be used for all new landscaping. It is strongly encouraged to use fire-wise plants wherever possible. Materials shall be suitable for the local climate. The Town recommends utilizing the low-water/drought-tolerant/fire-wise plant materials lists available through the CSU Extension Office. Applicants who propose to use plants materials that are not on a CSU list must provide information describing how the plant types proposed are low-water, drought-tolerant, and FireWise.

1. Turf Grass

The use of Kentucky Bluegrass is prohibited. Turf grass shall be a high-altitude, drought-tolerant product. Turf grass is not permitted on slopes greater than 20%.

The use of turf grass shall be limited as follows:

Table 4.11-1: Use of Turf Grass By Zone District	
Residential Low and Medium	2,500 square feet per dwelling unit
Residential High	Limited to private open space areas
Mixed-Use	Limited to private open space areas
Commercial and Industrial	No turf grass allowed
Public	Allowed
Rural	5,000 square feet per dwelling unit

2. Minimum Plant Specifications

All plant materials installed to meet the requirements of this LUDC shall meet the following minimum size requirements:

- a. Trees: minimum caliper of 3 inches.
- b. Shrubs: minimum of five gallons.

C. Wildfire Protection

Applicants may provide either a wildfire protection buffer or choose landscaping materials that help create a defensible space, as provided below.

1. Landscaping Defensible Space (Firewise) Guidelines

These are general voluntary guidelines intended to provide property owners and tenants with direction as to best practices for defensible space.

- a. Trees and shrubs nearest to primary structures should be widely spaced with lower heights than those farther away.
- b. Plant in small, irregular clusters or islands. Avoid planting in large masses.
- c. Use decorative rock, gravel, and steppingstones pathways to break up the continuity of vegetation and fuels.
- d. Incorporate a diversity of plant types and species to minimize loss from pests and disease.
- e. Use of organic or inorganic mulches to conserve moisture and reduce weed growth are recommended. Avoid large continuous mulched areas.
- f. Optimal landscaping clearance from structure:
 - i. Grass – 5' from structure
 - ii. Shrubs – 5' from structure
 - iii. Trees – 10' from structure

2. Wildfire Protection Buffer

a. Applicability

- i. All new residential and mixed-use construction shall comply with the requirements of this section.
- ii. Residential redevelopment shall comply as required in Section 4.17.120.D. Redevelopment Applicability or Adjustment of Standards Determination.

b. Safety Zone

- i. FireWise plants are allowed within the safety zone.
- ii. Planting of non-Firewise plants shall comply with the following:
 - (a) No hazardous brush or trees (i.e., junipers or conifers) shall be allowed within 15 feet of any habitable structure.
 - (b) Conifers or other similarly combustible plants shall not be planted under soffit vents.

- (c) The applicant may request fire official approval to maintain existing small shrubbery or trees in areas not exceeding 100 square feet in size and no more than 15 linear feet in any direction that encroach into the 15-foot wildfire protection buffer. Existing landscaping areas that are retained shall be separated by clear areas of at least 10 feet or more of noncombustible materials or grass that is regularly mowed.
- (d) Propane tanks shall be located outside of the safety zone and placed on a gravel or concrete pad.
- (e) Firewood shall be stored at least 15 feet from the exterior wall of a habitable structure unless it has a fire-retardant cover or is stored in a shed.

c. Branches and Limbs

- i. The limbs of large trees shall not overlap another tree and dead limbs shall be pruned to a height of 10 feet above the ground. Tree clusters may be allowed if the fire official determines that sufficient clear area is provided.
- ii. Tree branches shall not extend over or under the roof or eaves, and shall not be within 15 feet of a deck or similar combustible projection, wood burning appliance, or chimney.

d. Landscape Design

Landscape design shall comply with the following FireWise landscape guidelines:

- i. Plants nearest a habitable structure and in the safety zone shall be more widely spaced and smaller than those farther away.
- ii. Planting areas shall be designed as small, irregular clusters and islands, not large masses.
- iii. The continuity of the vegetation shall be broken up with decorative rock, gravel, and steppingstone pathways.
- iv. A variety of plant types and species shall be incorporated into the landscaping to help ensure plant health by reducing insects and diseases.
- v. Mulch shall be applied to conserve moisture and reduce weed growth. Mulch can be organic (wood chips or small bark pieces) or inorganic (gravel or rock). Pine bark, thick layers of pine needles, or other materials that can easily carry fire are prohibited.

e. Maintenance

Persons owning, leasing, or otherwise maintaining structures covered by provisions of this LUDC are responsible for proper maintenance of the Safety Zone, including modifying or removing flammable vegetation and keeping leaves, needles, and other dead vegetative material from accumulating on roofs of structures.

D. Site Triangle / Clear Vision Area

No walls/fences, buildings, trees, shrubs, or other obstructions to view in excess of 24 inches in height shall be placed on any corner lot within a triangular area formed by the curb line and a line connecting them at points 10-feet from the intersection of the curb lines. Plantings in this area should be selected for natural growth patterns that would not require maintenance to meet this requirement.

E. Streetscape Landscaping

Except in the Broadway District, a landscape area shall be established along all streets between public right-of-way and any buildings, parking lots, loading areas, storage areas, screening walls or fences, or other improvements in association with any use, in accordance with the following:

Table 4.11-2: Minimum Width of Landscape Area	
Adjacent To	Width (Feet)
I-70	15
Any other street	10

1. Necessary driveways and maneuvering areas for parking lots may be put in these areas with the approval of the Director. Parking spaces are not allowed in this area.
2. The required landscaped areas shall be planted at the rate of one tree per 25 sf for all streets in the required landscaped area.
 - a. These landscape areas shall be designed in a manner that takes into account existing patterns of surrounding development and the existing landscape.
 - b. A minimum of 50 percent of required street frontage landscape areas shall be covered with cultivated landscaping and maintained.
 - c. Ground cover shall consist of low-water, drought-tolerant, adaptive plants.

F. Right-of-Way Landscaping Responsibility

1. Landscaping allowed in the public right-of-way shall be a maximum height of 24 inches. Trees may be allowed if branches are trimmed up to a minimum of eight feet above ground level. The allowance of street trees or trees in the right-of-way is at the discretion of the Public Works Director.
2. To the maximum extent practicable, landscaping plans shall be coordinated with the placement of utilities to avoid conflicts with above and below ground utilities and overhead light fixtures. Landscaping is required as identified in this chapter, but placement may vary to avoid unnecessary conflict.
3. Landscaping within the public right-of-way shall consist of low-water, drought-tolerant, adaptive plants. Turf grass is prohibited.

G. Maintenance

1. Landscaped areas shall be well-maintained, safe, clean and attractive at all times. Maintenance shall include without limitation the following:
 - a. Landscaped areas shall be kept free of trash, litter, weeds, and other such materials or plants not a part of the landscape.
 - b. All plant material shall be maintained in a healthy and growing condition and shall be replaced with plant material of similar variety and size (size not to be smaller than the minimum required by this LUDC at the time of replacement) if diseased, damaged, destroyed, or removed within 45 days of installation, or by an agreed-upon date if seasonal conditions prohibit replacement within the 45-day period.

- c. Fruit-bearing trees shall be picked and pruned as needed during the fruiting season to avoid attracting wild animals.
 - d. In the event of drought and water rationing, focus on maintaining plants closest to your residence or business.
 - e. Turf shall be mowed to 4 inches or less, except in riparian areas or water setbacks.
 - f. Outdoor irrigation fixtures shall be water use efficient fixtures and watering shall be limited to an amount sufficient to keep plant material alive and healthy.
 - g. Abutting landscaped areas lying between public right-of-way lines and the property shall be maintained unless such streets or landscaped areas are expressly designated to be maintained by a designated governmental authority.
- 2. It is the duty of any property owner or occupant to control noxious weeds, as defined by the CSU Extension Office, which aggressively invade native plant communities or are carriers of detrimental insects, diseases, or parasites and it is unlawful to permit such noxious weeds to grow.
 - 3. The maintenance of landscaping in the public right-of-way in all zoning districts shall be the responsibility of the adjacent property owner, whether an individual, corporation, or homeowner's association.

H. Revegetation of Disturbed Native Land

This section is applicable only to areas that have undisturbed native land on the property and back up to Town open space or BLM lands (and therefore would not apply to former or current agricultural lands). Development activities should only disturb, clear, or grade the area necessary for construction.

- 1. All areas disturbed by grading or construction, not being formally landscaped, shall be mulched and revegetated with native seeding or other native plant materials. All seeded areas shall receive seeding mulch in order to promote growth and increase soil contact. A minimum of three inches of topsoil shall be installed utilizing existing stockpiled topsoil from the site, when possible. Seeded areas in excess of 3:1 (horizontal: vertical) slope (33 percent) shall receive biodegradable erosion control blankets, to reduce potential for damage from heavy, concentrated storm-water runoff.
- 2. Keep vehicles and construction equipment out of undisturbed areas to preserve the natural ground cover and vegetation.
- 3. Following construction, stockpiled topsoil should be uniformly redistributed to a depth of three inches.
- 4. Topsoil shall consist of adequate and fully composted organic material.

4.11.40 LOCATION SPECIFIC STANDARDS

A. I-70 Corridor Buffer

1. Applicability

The following standards shall apply to parcels that abut the I-70 corridor. For new uses that required additional landscaping under this section, the requirements of this section apply. General landscaping maintenance requirements apply to all parcels in the I-70 corridor.

2. Buffer Requirements

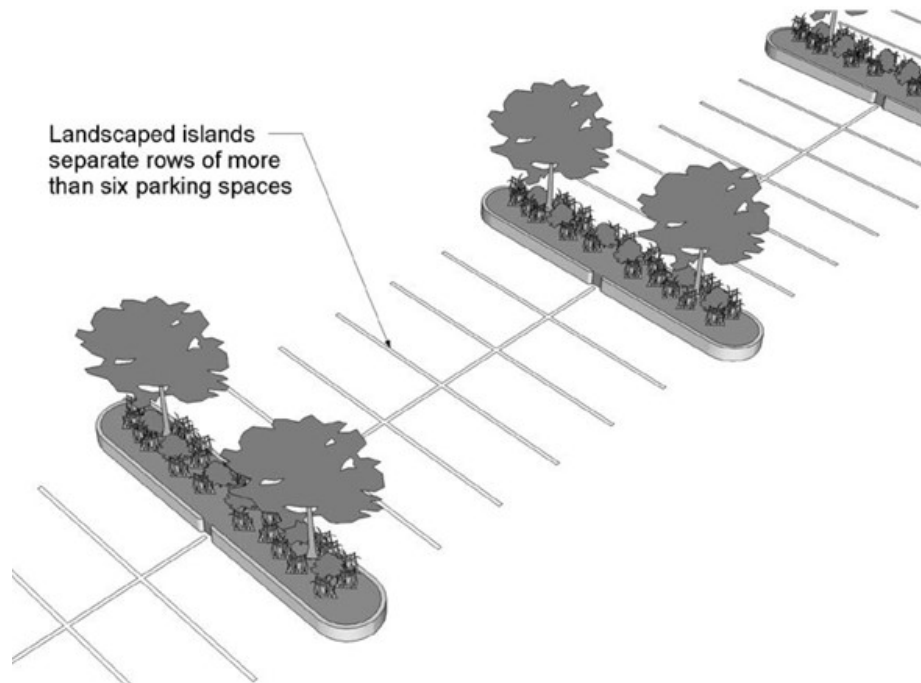
- a. A minimum 15-foot-wide landscape buffer paralleling the property line shared with the interstate right-of-way shall be provided, as well as along any public or private streets that front the interstate right-of-way.
- b. A minimum of one tree shall be planted in the buffer for every 25 linear feet of property line or street frontage.
- c. Tree species, groupings and height at maturity shall be sufficient to screen outdoor uses on the property from views from vehicles traveling in either direction on I-70.
- d. Shrub massing shall be used in conjunction with tree plantings. Selected shrubs shall have a minimum mature height of eight feet.
- e. Fencing may be required in conjunction with required landscape minimums for more intense outdoor uses.

4.11.50 PARKING LOT LANDSCAPING

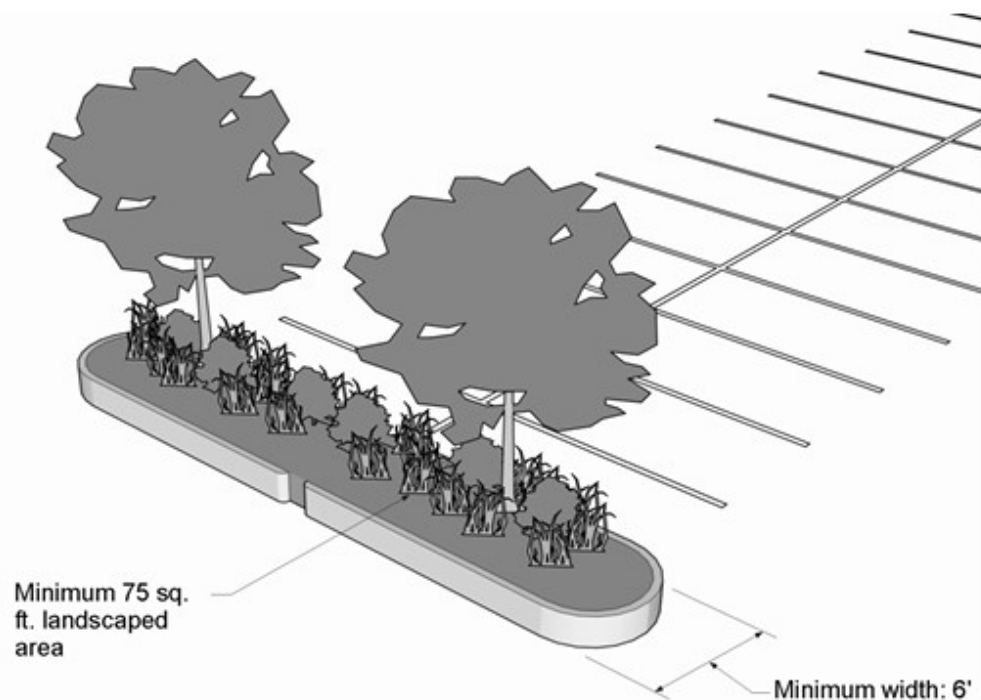
A. Landscaped Islands or Rain Gardens Required

1. In all districts, landscaped islands, rain gardens, or a combination of the two shall be provided in parking areas along the ends of parking rows, adjacent to lot lines, and used to define the location and pattern of primary internal access drives.
2. Landscape islands and/or rain gardens shall be used to separate rows of more than 10 parking spaces in all zone districts except the Broadway District.²

² June 16: Update image to show islands for every 10 spaces.



3. Parking lot landscaped islands or rain gardens shall be a minimum of six feet wide and contain a minimum of 75 square feet of landscaped area.



4. Parking lot planting islands and rain gardens shall contain a minimum of one tree for every 10 parking spaces in nonresidential uses, and one tree per every 6 spaces in residential uses, exclusive of perimeter landscaping and street trees.
5. All parking lots serving nonresidential uses shall be separated from adjacent residential zoning districts or uses by a minimum six-foot high fence, wall, or landscaping approved by the Director.
6. The landscape islands or rain garden may be required to use raised borders, at the discretion of the Director.

B. Parking Lot Drainage Design

1. Where appropriate and approved by the Town, the use of porous pavement or specially designed brick or block should be considered to increase percolation and on-site water retention for plant material, replenish groundwater, and reduce stormwater runoff volumes.
2. Drainage from parking lots shall not cross public sidewalks, be released onto adjacent property, or be released into natural watercourses without suitable treatment. Long curb sections shall have curb cuts or catch basin grates at frequent intervals to minimize the volume of storm water being carried. The surface of landscape islands and divider strips may be concave to help channel surface water runoff. The following drainage options are permitted within parking lot landscape areas, subject to design approval from Public Works:
 - a. Rain gardens.
 - b. Bio-swales.
 - c. Drainage inlets.
3. Dirt or gravel parking lots, such as those allowed for campgrounds or certain special events venues, are exempt from Parking Lot Drainage Design.

C. Parking Lot Snow Storage

1. One parking space for every ten parking spaces shall be designated as a snow storage area and comply with the following:
 - a. Must be a paved surface with proper drainage, preferably located at the low end of the parking lot drainage system.
 - b. Shall be located so as not to interfere with the safe movement of pedestrians and traffic, and shall not be within clear vision areas at entrance/exit points and road intersections.
 - c. Plowed snow shall not be placed on landscaped areas but may be placed in a required perimeter buffer or parking lot interior landscape area that contains plant materials and other surface treatments that are tolerant of ice melting chemicals and that can withstand the weight of the snow.
 - d. During abundant snowfall years, property owner is responsible for removing snow that is in excess of required snow storage areas.
2. A property owner may allow parking in a snow storage area during any snow season where the owner provides the Director with an executed agreement to have all snow removed from the site after any snow event that produces more than one inch of snow in a 12-hour period.
3. New seasonal uses are not subject to the parking lot snow storage requirements.

4.11.60 SCREENING

A. Purpose

The purpose of screening standards is to completely hide stored materials from view of persons standing on the ground outside the storage area. If no particular location is specified, the standards shall be interpreted as based on the vantage point of a person standing on the ground 50-feet from the screening device on any side.

B. Screening Requirements

1. Screening of Mechanical Equipment

All mechanical equipment, either ground-mounted or located on a rooftop, shall be screened from the view of a person standing on the property line on the far side of an adjacent public street. Individual screening of rooftop mechanical equipment is prohibited. Units shall either be grouped together “penthouse style” or screened with a parapet wall the entire length of the building. Such a parapet wall shall be designed to be integral to the overall architecture of the building.

2. Parking Lot Screening

Perimeter screening buffers shall be a minimum of five feet wide or a combination of fencing and a two-foot-wide buffer may be used. Screening shall be sufficient to screen views into parking lots from public rights-of-way.

3. Storage, Recycling and Waste Collection, and Loading Areas

- a. Storage, recycling, and waste collection, and loading areas shall be located at least 20-feet from any public street, public sidewalk, or building with a residential use. Placement of storage, recycling, and solid waste collection, and loading areas shall be sited so as not to interfere with vehicular visibility or circulation.
- b. Storage, waste collection, loading areas, and other service functions shall be incorporated into the overall design of the building and landscaping so that the acoustic impacts of these functions are contained to the maximum extent feasible, and so that such features are fully screened and out of view from public streets. Screening materials for solid waste collection and loading areas shall be of the same and of equal quality as the materials used for the primary building and landscaping.
- c. All waste collection or storage areas for multi-family projects and nonresidential projects shall be maintained within a structure on the property or enclosed by a six-foot solid material that is constructed using similar materials to the primary building(s) on the site. The enclosed trash storage areas are allowed within the setback so long as the enclosure is not covered, and the fences or wall meet the allowed fence height. Trash storage areas immediately adjacent to public alleys may be allowed without screening.

4. Storage of Recreational Vehicle

The storage of a recreational vehicle, including campers, motor homes, trailers, snowmobiles, boats, or similar vehicles (whether motorized or not), may be stored on private property but not on the designated driveway, provided that the recreational vehicle is buffered from view with a solid fence at least six feet in height or dense shrubbery of equal height from all adjacent residential properties. The storage of recreational vehicles is not permitted in any required front

yard. Recreational vehicles stored inside or in rear yards shall not create secondary driveways or ruts or paths through landscaping to access storage areas.

5. Storage of Other Personal Property

The storage of personal property in a front yard is prohibited. Storage of personal property in a side or rear yard for a period of more than 15 or more consecutive days shall be screened by a solid wood fence or wall, the height of which shall be consistent with the requirements of the zone district within which the property is located. The fence also shall comply with all other materials, maintenance, and other height requirements of this section. Typical outdoor items such as patio furniture or children's play structures do require screening.

C. Screening Materials

1. Screening walls or fences shall be constructed from durable materials suited to Eagle's climate and that will require low maintenance. All screening devices shall be constructed of materials and in a manner that creates a completely opaque screen through which it is not possible to see any portion or silhouette of the items being screened. Unless otherwise specified, acceptable materials for screening may include:
 - a. Masonry walls with stucco or other acceptable finish or constructed from masonry units with a stone or wood pattern or finish.
 - b. Rock or stone walls.
 - c. Wooden fences constructed from pressure treated wood or native wood or any materials which can withstand exposure to the weather, and which are approved by the Direction shall be acceptable.
 - d. Plant materials appropriate for screening such as trees or shrubs commonly used in hedging.
2. Other materials may be approved by the Director, based on durability and suitability within the neighborhood.
3. Vinyl is not an approved screening material.

D. Height

No materials, with the exclusion of vehicles, stored within an outdoor storage area or behind a screening fence, wall, or hedging shall be stacked or stored in a way that exceeds the height of the screening walls, fence, or structure.

E. Maintenance

1. All walls, fences, or hedging shall be maintained in good condition.
2. Any walls, fences, or hedging used to enclose outdoor storage areas shall require a building permit and construction details shall be reviewed for compliance with the criteria in this section.

4.11.70 FENCING

A. Maximum Fence Heights

1. Generally Applicable Standards

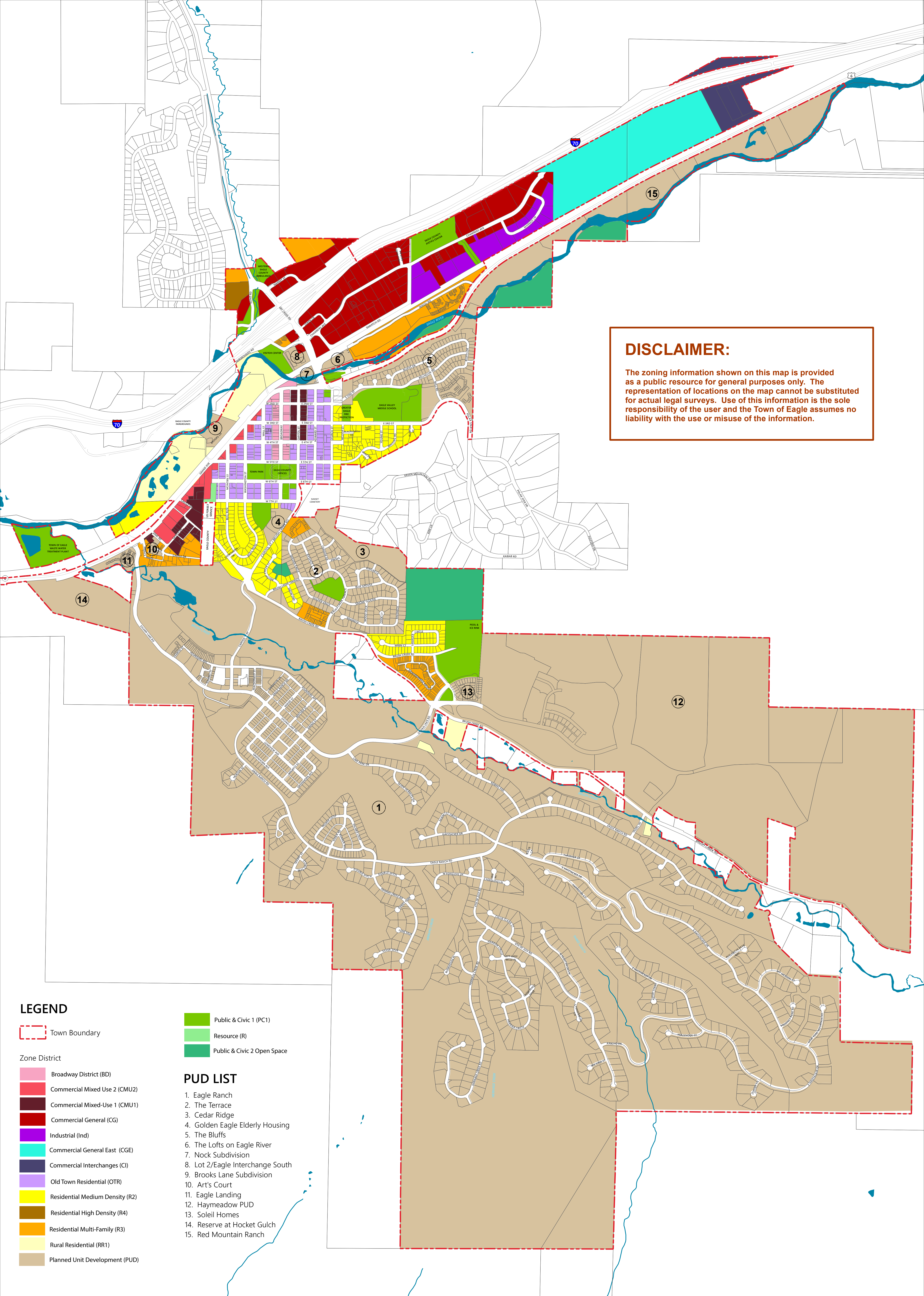
- a. **Sec. Error! Reference source not found.** clear vision areas must be maintained, and fencing may be required to be reduced to comply.

- b. A building permit is required for any fence over six feet high.
- c. Fencing within or adjacent to wildlife habitat or wildlife movement corridors shall be limited to 42 inches. Both wildlife habitat and wildlife movement corridor fencing as well as fencing associated with agricultural uses in the Agricultural and Rural zone districts shall adhere to the recommendations of Colorado Parks & Wildlife described in “Fencing with Wildlife in Mind” or successor publication.
(<https://cpw.state.co.us/Documents/LandWater/PrivateLandPrograms/FencingWithWildlifeInMind.pdf>)

2. Maximum Height by Zone District

Fences shall comply with the following height maximums:

Table 4.11-3: Maximum Fence Heights				
	Residential Districts			Nonresidential Districts
	Interior Lot	Corner Lot	Through Lot [1]	
Front Yard	42 in	42 in	42 in	42 in
Side Yard	6 ft	6 ft	6 ft	8 ft
Rear Yard	6 ft	6 ft	42 in	8 ft
Street side yard in front ½ lot		42 in	42 in	8 ft
Notes: [1] Fence heights for through lots and street side yards adjacent to an arterial street may be eight feet in rear yard if no access is provided and eight feet on rear half or side yard.				



DISCLAIMER:

The zoning information shown on this map is provided as a public resource for general purposes only. The representation of locations on the map cannot be substituted for actual legal surveys. Use of this information is the sole responsibility of the user and the Town of Eagle assumes no liability with the use or misuse of the information.

LEGEND

Town Boundary

Zone District

- Broadway District (BD)
- Commercial Mixed Use 2 (CMU2)
- Commercial Mixed-Use 1 (CMU1)
- Commercial General (CG)
- Industrial (Ind)
- Commercial General East (CGE)
- Commercial Interchanges (CI)
- Old Town Residential (OTR)
- Residential Medium Density (R2)
- Residential High Density (R4)
- Residential Multi-Family (R3)
- Rural Residential (RR1)
- Planned Unit Development (PUD)

- Public & Civic 1 (PC1)
- Resource (R)
- Public & Civic 2 Open Space

PUD LIST

- Eagle Ranch
- The Terrace
- Cedar Ridge
- Golden Eagle Elderly Housing
- The Bluffs
- The Lofts on Eagle River
- Nock Subdivision
- Lot 2/Eagle Interchange South
- Brooks Lane Subdivision
- Art's Court
- Eagle Landing
- Haymeadow PUD
- Soleil Homes
- Reserve at Hocket Gulch
- Red Mountain Ranch



**TOWN OF EAGLE
ZONING MAP**



To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: June 27, 2023

Agenda Item: Resolution 43, Series 2023 “A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Members to Various Boards and Commissions”

REQUEST: The council is requested to select a replacement to the following committees that were vacated when Janet Bartnik resigned: Grand Avenue Corridor Stakeholder Committee, Affordable Housing Eagle County/Town of Eagle, Vail Valley Partnership Economic Advisory Committee, and the Eagle Valley Transportation Authority.

BACKGROUND: Janet Bartnik resigned earlier this year, creating a vacancy on appointed committees. Here is a full list of council committees:

<u>Organization Name</u>	<u>Member</u>	<u>Alternate</u>
Affordable Housing Eagle County/Town of Eagle	Geoff Grimmer	VACANCY
CC4CA	Geoff Grimmer	
CML Policy and Legislative Committee	Geoff Grimmer	
Downtown Development Authority	Sarah Parrish	
Eagle County Climate Action Committee/Sustainability	Geoff Grimmer	Eddie Wilson
Eagle County Housing and Development Authority Advisory Committee (ECHDA)	Bret Hooper	Dominic Mauriello
Eagle Ranch Housing Corporation	Ellen Bodenhemier	Scott Turnipseed
Eagle Ranch Wildlife Committee	Ellen Bodenhemier	
Eagle Recreation Facility Advisory Corporation Board	Dennis Wike	Scott Turnipseed
ECO Transit Advisory Board	Nick Sunday	Ellen Bodenhemier
Economic Vitality Committee	Nick Sunday	
Grand Avenue Corridor Stakeholder Committee	Ellen Bodenhemier	VACANCY
Land Use Code Update Committee	Scott Turnipseed	
MEAC	Sarah Parrish	
NWCCOG	Geoff Grimmer	Larry Pardee
Open Space and Recreation Advisory Committee	Ellen Bodenhemier	
Vail Valley Partnership Economic Advisory	VACANCY	
Eagle Valley Transportation Authority	VACANCY	Nick Sunday

ANALYSIS: Information regarding each committee can be found by following the links to their respective website pages.

- [Grand Avenue Corridor Stakeholder Committee](#)
- [Affordable Housing Eagle County/Town of Eagle](#) - meetings are scheduled as needed.
- [Vail Valley Partnership Economic Advisory](#) - Time Commitment: Serving on the Economic Advisory Council will require a minimum commitment of 16 hours per year. Advisory Council meetings are usually held 4 times per year on a quarterly basis (two hours each), with associated preparation time to review meeting materials and other public meetings and business outreach efforts.
- [Eagle Valley Transportation Authority](#) - meets the second Wednesday of every month from 12:30 - 2:00 p.m.

COMMUNITY INPUT: No input is required, these positions are not open to public appointment.

BUDGET / STAFF IMPACT: There is no budget impact with this process.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Council participation and attendance on these committees allow each member to support the Town's Strategic Plan in all forms.

RECOMMENDED ACTION OR PROPOSED MOTION: MOTION to appoint XXX to the Grand Avenue Corridor Stakeholder Committee, XXX to the Affordable Housing Eagle County/Town of Eagle, XXX to the Vail Valley Partnership Economic Advisory Committee, and XXX to the Eagle Valley Transportation Authority. *The Resolution will be updated with those names for signature.*

ATTACHMENTS:

1. Resolution 43- 2023 Appointing Members to Boards and Commissions

**TOWN OF EAGLE, COLORADO
RESOLUTION NO. 43
(SERIES 2023)**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS**

WHEREAS, the Town Council has several boards and commissions requiring participation from councilmembers; and

WHEREAS, the Town Council has reviewed and discussed appointments to various volunteer boards listed below; and

WHEREAS, the following Council Members have expressed interest in serving on these boards and committees.

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

Section 1. The following individuals are hereby appointed or reappointed to the listed boards and commissions:

<u>Organization Name</u>	<u>Member</u>	<u>Alternate</u>
Affordable Housing Eagle County/Town of Eagle	Geoff Grimmer	VACANCY
CC4CA	Geoff Grimmer	
CML Policy and Legislative Committee	Geoff Grimmer	
Downtown Development Authority	Sarah Parrish	
Eagle County Climate Action Committee/Sustainability	Geoff Grimmer	Eddie Wilson
Eagle County Housing and Development Authority Advisory Committee (ECHDA)	Bret Hooper	Dominic Mauriello
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Eagle Ranch Wildlife Committee	Ellen Bodenhemier	
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ECO Transit Advisory Board	Nick Sunday	Ellen Bodenhemier
Economic Vitality Committee	Nick Sunday	
Grand Avenue Corridor Stakeholder Committee	Ellen Bodenhemier	VACANCY
Land Use Code Update Committee	Scott Turnipseed	
MEAC	Sarah Parrish	
NWCCOG	Geoff Grimmer	Larry Pardee
Open Space and Recreation Advisory Committee	Ellen Bodenhemier	

<u>Organization Name</u>	<u>Member</u>	<u>Alternate</u>
Vail Valley Partnership Economic Advisory	VACANCY	
Eagle Valley Transportation Authority	VACANCY	Nick Sunday

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado, held on June 27, 2023.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor Turnipseed and Town Council
From: Tom Gosiorowski, PE Public Works Director
Martha Miller, PE Project Manager
Date: June 21, 2023
Agenda Item: Grand Avenue ECO Transit Bus Shelter Project

REQUEST:

Staff requests the Council's consensus to move forward with the construction of two bus shelters at the existing bus stops on Grand Avenue near the intersection of King Road.

BACKGROUND:

In response to a request from Ellen Bodenheimer, staff has worked with ECO Transit to create a partnership to build two bus shelters on the west end of Grand Avenue near King Road. These are the only two bus stops in Eagle that don't have a shelter to provide riders protection from the weather. Before staff does any additional work on this project, we would like to know from Council if they would like us to move forward with this project.

ANALYSIS:

A potential partnership has been created with the understanding that ECO Transit will purchase the shelters (~\$43,000) and the Town will pay for the concrete work (\$22,914.50) as well as install the shelters, trash receptacles (~\$800), and bike racks (~\$1030). Additionally, the Town will contribute in-kind services to assemble and install the bike racks, trash receptacles, and shelters (~\$10,000). It is estimated that the Town's contribution to this project will be approximately \$34,345 including the in-kind services and ECO Transit will contribute approximately \$43,000.

The shelter on the north side of Grand Avenue will most like remain after the construction of Grand Avenue Corridor Improvements project but the shelter and pad on the south side will probably need to be relocated. The Grand Ave Corridor construction project is estimated to start in 2025/26.

COMMUNITY INPUT:

Over the past year, Town has received a requests for a shelters at this location.

BUDGET/STAFF IMPACT:

This project was not budgeted in the 2023 fiscal year, nor identified in the Town's current capital improvement Plan. However, due to timing of project, if the Council would like to move forward with the project in 2023 there are funds available within the Capital Improvements Fund (CIF). In addition to the monetary contribution from the CIF and in-kind assembly services from the Street's department, it's estimated that it will take approximately 20 hours of staff time to prepare a construction and maintenance Intergovernmental Agreement (IGA) with ECO Transit and oversee the construction.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This project aligns with the Town's 2023 Goal/Strategic Plan of improvements which is consistent with the Strategic Plan Major Objective of Match Infrastructure To Quality Of Life.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve or deny that staff continues work on the Grand Avenue Bus Shelter project including the preparation of an IGA with ECO Transit.

ATTACHMENTS:

N/A