

**GRAND JUNCTION CITY COUNCIL
WORKSHOP AGENDA**

**MONDAY, JUNE 30, 2003, 7:00 P.M.
CITY HALL AUDITORIUM, 250 N. 5TH STREET**

MAYOR'S INTRODUCTION AND WELCOME

- 7:00 **COUNCILMEMBER REPORTS**
- 7:10 **REVIEW FUTURE WORKSHOP AGENDAS** [Attach W-1](#)
- 7:15 **CITY MANAGER'S REPORT**
- 7:25 **REVIEW WEDNESDAY COUNCIL AGENDA**
- 7:30 **STRATEGIC PLAN UPDATE** [Attach W-2](#)
- 7:55 **CINEMA AT THE AVALON PROPOSAL:** Parks & Recreation Director Joe Stevens will present options for allowing movies downtown at the Avalon. [Attach W-3](#)
- 8:25 **PUBLIC WORKS AND PARKS CIP PRE-BUDGET DISCUSSION AND REVENUE DISCUSSION:** Staff will review long term projects and revenue projections in preparation for upcoming budget discussions. [Attach W-4](#)
- 9:30 **ADJOURN**

This agenda is intended as a guideline for the City Council. Items on the agenda are subject to change as is the order of the agenda.

**Attach W-1
Future Workshop Agenda**

CITY COUNCIL WORKSHOP AGENDAS

**** JULY 14, MONDAY 11:30 AM***

- 11:30 City of Grand Junction hiring practices*
- 12:15 Cable franchise discussion*

JULY 14, MONDAY 7:00PM

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 GRAND MESA CENTER DEVELOPMENT REIMBURSEMENT REQUEST
- 7:45 WEST SIDE DOWNTOWN AREA PLAN

**** AUGUST 4, MONDAY 11:30 AM***

- 11:30 Riverside Bypass update*
- 12:15 Economic development – role of the City*

AUGUST 4, MONDAY 7:00PM

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 FIFTH STREET TRAFFIC CALMING
- 8:05 DROUGHT RESPONSE MEMORANDUM OF UNDERSTANDING

**** AUGUST 18, MONDAY 11:30 AM***

- 11:30 Cell towers update*

AUGUST 18, MONDAY 7:00PM

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 Strategic Plan report from Neighborhood Programs team
- 8:00 Strategic Plan report from Code Enforcement team

~~SEPTEMBER 1, MONDAY~~ –LABOR DAY HOLIDAY

SEPTEMBER 15, MONDAY 7:00PM

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 OPEN

BIN LIST FROM CITY COUNCIL RETREAT (June 2003)

1. Need to explain to residents how Council works, e.g. two readings of ordinances, public record issues, how issues are brought forward to Council, how zoning works in our community.
2. Re-visit “Friendly Native” type program
3. Discuss identifying specific uses for property tax, e.g. economic development or infrastructure.
4. City Council meeting with the Parks & Recreation Board
5. City Council meeting with the Riverfront Commission

**Attach W-2
Strategic Plan Update**

**M
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O**

To: Mayor and City Council
From: David Varley
CC: Kelly Arnold, City Manager
Date: 25 June 2003
Re: June Strategic Plan Progress Report
(for discussion at City Council Workshop on 30 June 2003)



The Council's recently adopted Strategic Plan has 76 Action Steps, most of which are to be accomplished during 2003. To help us track all these Action Steps and make sure they are completed we provide a written progress report every month. Attached to this memo is the report for the month of June which will be discussed at the City Council workshop on 30 June 2003.

Each monthly Strategic Plan report contains an update for only those Action Steps that were to be completed during the previous month. This report covers the Action Steps that were to be completed during the month of June 2003. The only Action Step that was scheduled to be completed during June is Step 11.A which is to conduct a feasibility study or analysis to prioritize future interchange locations. However, the completion date for this Action Step was changed to October 2003 because it is tied to the schedule for updating the transportation model which is currently underway by the MPO.

There is another Action Step, however, that was completed early and is included in this report. Action Step 9.B was to be completed in July but the

team has finished its work early and has prepared a report of their activities which is included in this update.

GRAND JUNCTION CITY COUNCIL
STRATEGIC PLAN 2002 – 2012

MONTHLY PROGRESS REPORT
May 2003



Solution

A BALANCE OF CHARACTER,
ECONOMY AND ENVIRONMENT

Action Step 9.B: *Complete review of codes and enforcement practices and report to City Council. (July 2003)*

Action by
City
Council
requested

Progress: A team was formed to work on this Action Step. During the course of their meetings the team reviewed several different parts of the City Code. A final report with recommendations was developed by this team. A copy of this report is included beginning on page 3. This team would like City Council to schedule some time to review their report and recommendations.

FINAL REPORT

City Council Strategic Plan

Objective 9

June 12, 2003

INTRODUCTION

This is the final report from the Code Enforcement Review Team that was assigned as part of the City Council Strategic Plan, specifically addressing Objective 9 relating to code enforcement practices.

Within the solution of Balancing Character, Economy and Environment is the goal:

Put in place strategies that enhance the attractiveness and character of the community.

Under this goal, objective 9 states:

Review the current code requirements and enforcement methods for practicality and take appropriate action.” This objective was assigned a two year implementation timeframe. The two actions under this objective were to

A) Create a team of City Council and staff to review current codes and enforcement practices and

B) Complete review and report to City Council. The final report from the team is to be ready for City Council by July 2003.

THE COMMITTEE

The team members that served on the Code Review Team are: Cindy Enos-Martinez, Gregg Palmer, Reford Theobold, Bob Blanchard, Doug Cline, Amy Clymer, Dan Wilson and Ivy Williams.

The team met five times reviewing sections of the code and discussing recommendations for changes that can be made to the code and/or to enforcement procedures in order to support the balance of character, economy and environment as stated in the solution above.

SUMMARY OF TEAM MEETINGS

1. Code sections that support enforcement actions and related complaints were reviewed. Codes that are routinely enforced but do not affect the objective of “attractiveness and character of the community” were not reviewed.
2. Since the enforcement of weeds is conducted only six months out of the year and is enforced by separate staff from the zoning enforcement staff, the two enforcement procedures were reviewed separately.

3. The committee acknowledged that the final report on the Growth Plan Update included action items that relate to Code Enforcement. The two Zoning and Development Code sections that will be looked at are landscaping (scheduled for review in 2003) and a limited review of the sign code (scheduled for 2004).
4. Objective 9.A is directly related to the Vital Neighborhood Solution and goals to create programs to strengthen neighborhoods and provide a framework for them to work closely with the City on important issues. Ivy Williams, Bob Blanchard and Amy Clymer, who are also members of the Neighborhood Team, will work to ensure that the two team goals and actions are in concert with one another.
5. Meeting discussions included:
 - a. The weed program, how it operates currently and possible changes that could improve efficiency.
 - b. Neighborhood driven enforcement that would allow the neighborhood to prioritize violation concerns.
 - c. Whether or not pro-activity should be increased
 - d. Budget impacts related to any recommended changes
 - e. Pros and cons of weekend enforcement
 - f. Problems of enforcement
 - g. PD support of enforcement

RECOMMENDATIONS

While several sections of the Zoning and Development Code and Municipal Code were reviewed, only those sections where changes were recommended to code language and/or enforcement procedures are included in this report. The format will be:

- The violation type including the specific Zoning and Development Code citation.
- The most common complaint(s) received by the Code Enforcement Division.
- Any specific recommendation(s) provided for an enforcement change or code language change will be listed.

1. Signs: Violations of Zoning and Development Code Section 4.2

The code states that:

1. "No sign shall be placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property including the posting of handbills except as may otherwise expressly be authorized by this regulation."
2. "Prohibited signs are signs which: d. Contain or consist of portable signs, tent signs, or strings of light bulbs not permanently mounted on a rigid background;"

3. Under allowed temporary signs is found “A non-illuminated sign, not to exceed six (6) square feet in area.....pertaining to the sale or lease of the premises on which it is located.

Common complaints or well known violations of the codes above are:

1. Yard Sale, weight loss, sell your home, make money signs are commonly placed illegally on public poles including traffic signs, light poles, utility boxes, in the roundabouts, in medians and other public places.
2. Businesses place portable signs (including A-frame or sandwich boards and stick in the ground style) in front of the business and sometimes in rights-of-way to include medians, on corners and other off premise lots.
3. Real estate signs (including “open house”) are commonly placed on city rights-of-way at sub-division entrances and intersections.
4. Main Street is treated differently than other commercial areas.

Recommendations:

A limited review of the sign code should include the following:

- Language that legalizes portable signs on Main Street
- Legalize portable signs in other shopping areas that have characteristics similar to Main Street (wide sidewalks, pedestrian orientation, no hazard created for examples).
- If portable signs are legalized, the justification would be based on
 - 1) extra wide sidewalks;
 - 2) pedestrian orientation and
 - 3) existing use of the exterior space (sidewalks)
- In no case should portable signs be allowed in medians
- Consider Car dealers’ request for balloons or other antenna decorations on all weekends and more frequent opportunities to display banners (code allows 30 days per calendar quarter).
- The fee for temporary sign permits should be reviewed.

- Allow Realtor's request for open house signs for designated hours
- Temporary on site signs should be allowed for specific one time events such as auctions, gem and gun shows.
- Yard Sale signs—should be allowed on Fridays, weekends and extended holiday weekends. If signs are not removed by Monday, should the signs just be removed from the poles or should Code Enforcement be following up with an enforcement contact on any yard sale sign removed from a public pole?
- Campaign signs – Consider a timeframe after a campaign ends for requiring removal of these signs. Free speech signs would continue to be unregulated.

2. Dead Landscaping – Violation of Zoning and Development Code Section 6.5.B.15

The code states that required landscaping be maintained by watering, weeding and pruning and that any plant that dies must be replaced within ninety days of notification or, if during the winter, by the next April 1st.

The most common complaint (often generated internally) is that landscaping is dead or dying on a property.

Recommendation:

The landscape section of the Zoning and Development Code is being reviewed as part of the Community Development Department's Work Program for 2003.

The requirement for a revocable permit for any landscaping in the right-of-way is not uniformly required. There is a team effort by the Planners and Code Enforcement in enforcement of this code section to keep required landscaping alive and maintained. Other than approved development, it is recommended that in order for Code Enforcement to pro-actively determine all rights-of-way that have been landscaped without a revocable permit that adding enforcement staff be considered.

3. Overnight Camping – Violation of Zoning and Development Code Section 6.2.B.3

The code states that overnight camping is allowed for up to two weeks total during any twelve (12) month period as long as the camper is not in the public right of way or in a private parking lot made available to the public.

The most common complaint is that someone is living in a camper, trailer or vehicle in a yard, behind a commercial building or on a vacant lot that are not zoned for camping.

Recommendation:

The committee recommends adding a provision to the code for hospice or other medical care situations that may exceed the allowed two weeks per year. The provision should require written need for care from a licensed medical practitioner.

4. Smoking in Public Places – Violation of the Municipal Code Section 16-127.

The code states that public places will be non-smoking and that restaurants with more than 30 seats may provide a smoking section in the restaurant so long as patrons do not have to pass through smoke to get to the restrooms, to reach the non-smoking section seating or while waiting to be seated.

The most common complaint is that smoking is occurring in a public area or that a restaurant is not in compliance with some part of the ordinance.

Recommendation:

This issue is currently being addressed by the City Council. Depending on the resolution, the appropriate Codes will be amended accordingly.

5. Weeds – Violation of Municipal Code Chapter 16 Article II.

The code states that any property within city limits will be maintained to keep any weeds on the property cut to within three inches of the ground. The property owner is responsible from the edge of the curb or pavement to the center of any alley.

The most common complaint is that weeds are growing somewhere on a property.

Recommendation:

The 2001 customer service survey listed weeds as the number one citizen concern. In 2002, the responsibility for weeds was divided into two categories so that Public Works will maintain weeds on city owned properties and Code Enforcement enforces weeds on private properties. The committee had the following recommendations for weed enforcement:

- The Public Works' maintenance of city owned properties has proven to be a 12 month job. The assigned crew leader and tractor operator kept busy all winter. One additional seasonal worker will be hired for the summer. It was suggested that the budget for maintaining city owned properties be gradually increased to provide additional operational staff so the City is keeping up with the results of anticipated growth.
- It was suggested that weeds growing outside perimeter fencing on older subdivisions may create an unfair situation for the homeowners living on

properties adjacent to the fence. The code holds adjacent property owners responsible for maintaining the weeds to the edge of the pavement or curb. There are sometimes access barriers to get to the weeds and there is no HOA in older subdivisions to assign the maintenance of the area. The maintenance challenge is complicated more if the adjacent residents are elderly (Cottonwood Meadows Orchard Avenue fence line was the cited example).

It was suggested to pick a year when HOA establishment was required for sub-divisions (1990 was suggested). Subdivisions established prior to that year would be exempted from the code requirement for maintaining to edge of street if:

- 1) There is no HOA
- 2) There is perimeter fencing with weeds between the fence and the sidewalk or street and
- 3) Adjacent owners have access barriers to get to the weed area and have to access the weeds by going to the main sub-division entrance.

The Cottonwood Meadows Orchard Avenue fence line was the only example that could be identified with the qualifications above. Most subdivisions are maintaining the outside perimeter between a fence and sidewalk. The Cottonwood Meadows neighborhood is the only neighborhood that complained in 2002 about the requirement. This fence line is a high visibility weed problem in a highly visible area and was maintained by a city crew until 2002.

- Two surveyors are hired to cover every private property within city limits. The assigned areas are inspected about four times each season. If the level of complaints about private property inclined Council to recommend increasing the frequency of inspections, additional personnel would be required. Additional personnel would require additional surveying vehicles and additional office space
 - The cost of a seasonal surveyor is minimally \$10, 599 for wages and personnel costs.
 - The cost of a used vehicle is minimally \$4,000
 - The cost of additional space would need further study
- There was also a discussion about transients (who sometimes set up camp in a weedy area). When this problem is identified, PD will coordinate with Code Enforcement to clear the weeded area (even on properties over one acre) to discourage transients from camping.

6. General zoning enforcement procedures

The committee also reviewed the following general enforcement procedures:

1. Issue a voluntary compliance request allowing ten days to correct the violation. (The exception is that immediate compliance would be required to remedy any dangerous condition).
2. A Notice of Violation is issued if the violation remains after the ten day voluntary compliance request.
3. Issue a summons when compliance is not reached by time established by the Notice of Violation, compliance has not been reached as established in a management plan, if the Notice of Violation is ignored or refused or if the violation is a repeat by the same violator.

Recommendations:

- If a violation is repeated within a two year period, the provision of allowing ten days to voluntarily comply should not be allowed. This should apply when the owner of the property is the violator or to a property that is renter occupied (even in the renters are different) because the owner of a rental property is notified of violations that occur on a property and should take measures to educate renters of city codes regarding junk, outdoor storage and the like.
- Maintain the practice that was established after the presentation to City Council in April 2002 to write tickets and not negotiate a management plan for compliance if a violator is guilty of the same violation a second time within a two year period.
- Follow closely the outcome of the Neighborhood Group to make enforcement changes that may be outlined by the group to better meet the needs of the neighborhoods, especially in managing junk and inoperable vehicles.
- Continue to build relationships with other departments and coordinate enforcement efforts with the assigned Police Department beat officers and the neighborhoods.
- Staff should continue to be available for inspections outside normal working hours including evenings and weekends to meet customer demand.
- Due to the continued increase in demand for Code Enforcement, additional staff will be required if any increase in service is desired. The statistics represent the need for 1) increasing the summer administrative clerk position to full time

and 2) at least one Code Enforcement Officer. The cost to add these positions are:

- Administrative Clerk upgrade would increase recurring personnel costs by approximately \$30,619 (salary 29,355 + benefits \$8,513 – current seasonal pay \$7,249 = \$30,619). There would be minimal increase in operating costs since this work station is fully operational for full time.
- One Full time Code Enforcement Officer would increase recurring personnel costs by \$58,927 (Salary \$41,064 + Benefits \$11,909 + operational expenses \$4,875 = \$58,927) and approximately \$23,500 in the first year for a vehicle and work station set-up.

Attach W-3
Cinema at the Avalon

REPORT ON CINEMA AT THE AVALON
June 23, 2003

The City of Grand Junction has been approached by the Board of Directors of the Avalon Cinema Incorporated (ACI) about how to best program film and film events in the Avalon Theatre. Approximately a year ago, the City entered into a 3 year memorandum of understanding (MOU) with the Avalon Foundation Board, which runs through June 30, 2005. The initial budget for the Avalon identified projected 2003 expenses at \$237,615 and revenues of \$162,830. Through the end of May, it appears that revised expenses will be closer to \$190,000 and revenues will be in the \$90,000 range. The variance represents a \$25,000 shortfall for the Avalon Theatre. That's the bad news and to a degree, is partially attributable to a soft economy and fewer rentals than projected. The good news is that with \$13,019 positive cash flow at Two Rivers Convention Center (TRCC) through May, TRCC appears to be ignoring economic trends and generating sufficient cash flow to cover the projected operating deficit at the Avalon. This is important because the two operations were initially combined for budgetary and management efficiencies. This trend is projected to continue through December simply because TRCC is exceeding expectations and should profit from the new downtown hotel slated to open later this month.

It is conceivable to project that the TRCC subsidy (without the Avalon) may be \$110,108 rather than the budgeted \$244,888. It appears as though the TRCC/Avalon budget can weather a near term Avalon shortfall but, from a policy perspective, this is not what was intended for the Avalon (or Two Rivers) when the City entered into an MOU with the Avalon Foundation Board of Directors although it was generally recognized that it would take some time to determine how to best program and market the Avalon Theatre. One excellent market niche may be expanding Cinema at the Avalon.

This spring, Cinema at the Avalon and Harold Stalf, Executive Director of the DDA ask the City to consider opening up the Avalon Theatre for two movies per day for up to 330 days per year at no rental cost to the ACI. It was proposed that the City could keep the concession revenue in order to cover the cost of utilities, custodial and general maintenance costs. Projections indicate that concession revenue will not be sufficient to cover the City's cost. Under this alternative, the subsidy would most certainly increase. However, the Cinema at the Avalon suggest that one of their goals, aside from providing a quality entertainment venue, is to draw more people to downtown Grand Junction to visit shops, dine and basically spend money. Does the City of Grand Junction want to invest additional general fund support in the Avalon?

A 2nd proposal or alternative provides an opportunity for the City to continue to strive toward an estimated \$75,000 subsidy. In essence, this approach reduces the non-profit rental rate by 50 % or from \$350/day to \$175/day. Additionally, it would permit the Cinema at the Avalon to operate and retain all concession revenue associated with their movies. Unfortunately, according to Harold Stalf, this alternative is a "deal breaker" for ACI.

From the City's perspective and in keeping with published fees and charge schedules, a 3rd alternative is full rental (\$350/day) by the Cinema at the Avalon coupled with retention, by the City, of all concession revenue. This is most costly for the Cinema at the Avalon organization, but would theoretically eliminate the City's subsidy for the Avalon Theatre. As an aside, the current rate for for-profit organizations is \$1000/day.

A fourth alternative and perhaps a most practical approach, if the City of Grand Junction wants to encourage ACI, is to increase the operating expenses at the Avalon by an estimated \$12,247/yr for up to two years and see if ACI can generate revenue necessary to cover their expense and provide an opportunity to; 1) determine whether or not there is a niche for on-going movies in downtown Grand Junction; 2) obtain greater usage of the Avalon and attempt to stabilize or reduce general fund support; 3) draw more people to downtown Grand Junction.

ALTERNATIVES					
		Proposal #1	Proposal #2	Proposal #3	Proposal #4
Sources of Revenue:	Revenue	Concessions Only	Proposed Rental Only	Full Rental & Concessions	Partial Waiver of Utilities / ACI Ability to Pay
Concessions Revenue	\$1.00	\$13,200.00	\$0.00	\$13,200.00	\$0.00
Proposed Rental Revenue	\$175.00	\$0.00	\$57,750.00	\$0.00	\$36,000*
Listed Rental Revenue	\$350.00	\$0.00	\$0.00	\$115,500.00	\$0.00
TOTAL REVENUE:		\$13,200.00	\$57,750.00	\$128,700.00	\$36,000.00
Direct Sources of Expenses:					
Food Cost	35.00%	\$4,620.00	\$0.00	\$4,620.00	\$0.00
Labor Cost per Hour	\$7.00	\$20,790.00	\$9,240.00	\$20,790.00	\$11,550.00
Benefits Part Time	24.00%	\$4,990.00	\$2,218.00	\$4,990.00	\$2,772.00
Utilities per Day	\$100.00	\$33,000.00	\$33,000.00	\$33,000.00	\$20,625.00
Janitorial per Person	\$0.20	\$2,640.00	\$2,640.00	\$2,640.00	\$3,300.00
Miscellaneous / Variables		\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
TOTAL EXPENSES:		\$76,040.00	\$57,098.00	\$76,040.00	\$48,247.00
TOTAL REVENUE/EXPENSES		(\$62,840.00)	\$652.00	\$52,660.00	(\$12,247.00)

*\$36,000 for 15 months payable in arrears

Recommended provisions that will be incorporated into an MOU, should Council direct staff to proceed, include, under alternative #4:

1. At the sole discretion of the Director of Parks and Recreation or his designee, the City may preempt a Primary Date if written notice of the preemption is provided to ACI at the address given herein within 30 days of a scheduled date; the City may preempt a Secondary Date if written notice of the preemption is provided to ACI at the address given herein within 15 days of a scheduled date. ACI shall be relieved of paying rent for any and all preemptions; ACI may not claim lost profit or advantage or breach of this agreement by or because of a pre-emption or preemptions.
2. The City will be responsible for contracting and paying for utilities, janitorial and general building maintenance.
3. ACI shall contract with a person and/or firm acceptable to the City for the maintenance of the film equipment. ACI shall be solely responsible for the cost of preventative and on-going maintenance.
4. The City shall maintain the building, which includes but is not limited to cleaning the Theatre and the restrooms. ACI shall clean the concession sales/preparation area and reasonably use and maintain the concession equipment and facilities.
5. The City shall provide use of the Theatre's safe for money; ticket and concession proceeds shall be nightly balanced/reconciled. The City assumes no liability for lost or stolen money, tickets or other valuables.
6. ACI shall be required to document revenue and expenses for the admissions, concessions, advertising and film rental. ACI's bookkeeping shall be subject to audit by the City on 5 days advance notice.
7. ACI agrees to develop programming that will maximize revenue to the City while operating the Theatre as and within an arts theater genre. The City and ACI agree to share any and all financial data concerning the Theatre, program pricing, demographics of patrons (if known) and any and all other information relating to ticket and concession sales, building maintenance and utility costs, etc.
8. ACI shall be responsible for printing and selling tickets, advertising, concession sales, film rental, insurance at a minimum of \$1 million for CGL or GIA and any and all costs of administration for and during any and all ACI showings, programming and events at the Avalon. The City shall be an additional named insured on ACI's insurance. ACI shall provide the City with an ACCORD form evidencing the insurance in the form and amount required by the City. ACI's insurance shall not be cancelled without 30 days advance, written notice to the City. ACI shall neither direct nor require any physical changes to the Theatre; in

the event of a dispute the City shall have and maintain final authority over all aspects of operation of the Theatre.

9. ACI agrees to emphasize exceptional customer service. ACI, by and through its staff, shall greet and serve patrons in a manner consistent with the best arts theaters in Denver. Customers shall be sincerely thanked for their patronage.
10. ACI commits that it will provide all necessary full and part-time staff; the Theatre manager shall be hired and compensated by ACI subject to review and approval by the City. The City agrees that it will not unreasonably reject any applicant. Volunteers may perform as food and beverage servers, ushers and as the projectionist. If ACI fails to provide such workers then the City may: 1) staff the Theatre and charge ACI for the total burdened cost of minimum staffing (as established in this agreement or as otherwise agreed in writing for any film/film event) or 2) the City may cancel any and all scheduled showings for which minimum staffing is not present at the Theatre and ready to work at least 30 minutes before show time. ACI and the City agree that minimum staffing is 4 persons (1 manager, 1 F&B server, 1 usher and 1 projectionist.) for audiences in excess of 150 people.
11. ACI volunteers shall be subject to reasonable background inquiry and screening; the City has the sole and exclusive right to reject any or all ACI volunteer(s) for any or no reason. The City agrees that it will not unreasonably reject any applicant/volunteer. The City's decision to reject an applicant/volunteer shall be final.
12. ACI shall indemnify and hold the City harmless for any and all ACI expenses and financial obligations. The City shall be entitled to review ACI's contract documents to confirm that the City is not liable there under and/or that ACI has properly caused indemnified the City.
13. The City, in conjunction with ACI and the Avalon Foundation Board, shall schedule the Theatre such that Primary (Friday, Saturday and Sunday evenings and nights/two showing per night) and Secondary Dates (Wednesday and Saturday matinees/one showing between 2:00 and 4:00 P.M.) are consistently available to ACI during the first 6 months of operation under this agreement. Calendars showing the Primary Dates and the Secondary Dates agreed to as of this contract are attached. Those calendars are incorporated herein by this reference. Other dates may be added and dates changed by written agreement of the City and ACI. The City may refuse to change and/or add dates if ACI is not current on its financial obligations to the City and/or any concession and/or film vendor or supplier.
14. The sale of beer, wine or liquor by ACI is prohibited. ACI may request liquor sales provided by the City.
15. ACI shall be entitled to the proceeds from its ticket sales; the same shall be reserved as they accrue, to pay for projection, film rental, marketing and

insurance. Any and all film rental contracts by and between ACI and its vendors shall clearly be made in the name of ACI and shall not obligate the City to pay for any rental, late fees, shipping charges, damage, damage deposit or otherwise financially obligate the City by or because a film(s) is shown in the Theatre.

**Attach W-4
Public Works & Parks CIP**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject		CIP & Revenue Update worksheet				
Meeting Date		June 30, 2003				
Date Prepared		June 25, 2003			File #	
Author		Ron Lappi		Admin. Services and Finance Director		
Presenter Name		Kelly Arnold Ron Lappi Mark Relph Joe Stevens		City Manager Admin. Services & Finance Director Public Works Director Parks & Rec. Director		
Report results back to Council		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When
Citizen Presentation		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name
<input checked="" type="checkbox"/>	Workshop	Formal Agenda			Consent	Individual Consideration

Summary: This workshop session was scheduled as a pre-budget planning session for the City Council to review the results of the City Council CIP survey; discuss important CIP issues; and to receive an update on the latest Sales Tax Projections and General Fund Revenues in total.

Budget: This report has no budget impact, but the subject matter is all about future budgets.

Action Requested/Recommendation: Give comments and directions to the City Manager and staff on budget issues identified and raised at this workshop. The staff will then proceed with the CIP and General Fund Budget development.

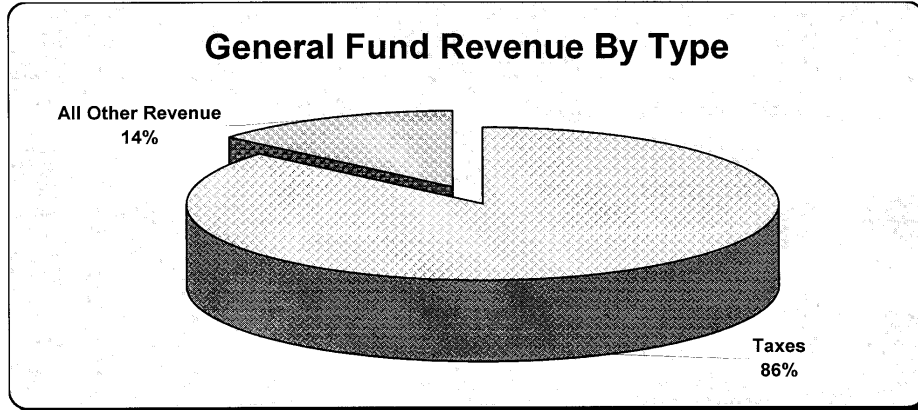
Attachments: Many materials to be reviewed will be provided at the workshop, but attached are General Fund revenue estimates (including Sales & Use Tax Projections) and our familiar Tabor Projection worksheets.

Background Information: The following is a general outline of the topics to be discussed during this hour of the workshop Monday night.

1. Recap of City Council CIP Survey results, comments, questions, and majority opinions, if any.
 - a. Public Works: issues and projects requiring further discussion
 - b. Parks & Rec: issues and projects requiring further discussion
2. Sales Tax Update for General Fund and Sales Tax CIP, as well as, overall general fund estimates.

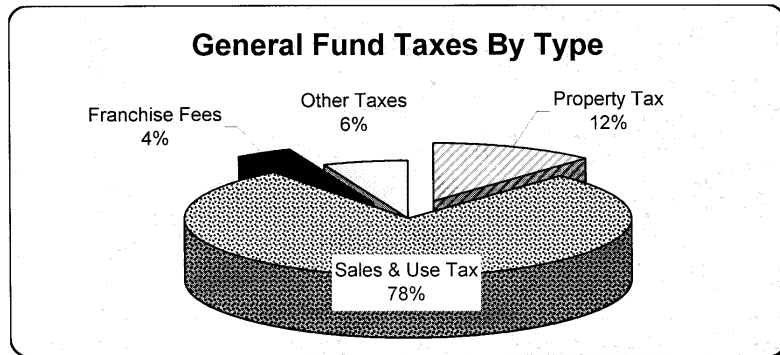
PRELIMINARY PROJECTIONS

Revised 2003, Preliminary Estimates for 2004 2005



Revenue By Type	2003	2004	2005	% Of Total
Taxes	\$ 34,958,972	\$ 36,969,217	\$ 39,210,796	86.3%
Interfund Charges	973,000	1,011,920	1,052,397	2.4%
Other Charges For Service	3,464,966	3,551,590	3,640,380	8.3%
Investment Income	268,000	300,000	300,000	0.7%
Other Revenue	997,713	1,034,797	1,073,327	2.4%
Total Revenue	\$ 40,662,651	\$ 42,867,524	\$ 45,276,900	100.0%

Taxes By Type	2003	2004	2005	% Of Total
Property Tax	\$ 4,192,000	\$ 4,439,213	\$ 4,559,304	11.9%
Sales & Use Tax	27,059,180	28,818,027	30,691,198	77.9%
Franchise Fees	1,473,000	1,546,650	1,623,983	4.2%
Other Taxes	2,234,792	2,165,327	2,336,311	6.1%
Total Revenue	\$ 34,958,972	\$ 36,969,217	\$ 39,210,796	100.0%



Tabor Compliance Worksheet

(Best Guess for Council Retreat 6/13/03)

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005																																																				
Prior Year Denver/Boulder CPI	4.20%	4.40%	4.30%	3.50%	3.30%	2.40%	2.90%	3.96%	4.66%	3.27%	3.00%	3.00%																																																				
Growth in Property Value from Annexations and New Construction	10.20%	5.04%	6.75%	7.67%	4.37%	3.26%	4.06%	4.18%	5.65%	4.50%	5.00%	3.00%																																																				
Total Allowed Growth	14.40%	9.44%	11.05%	11.17%	7.67%	5.66%	6.96%	8.14%	10.53%	7.77%	8.00%	6.00%																																																				
Projected "Black Box" Revenue Growth																																																																
"Black Box" Revenue: Margin (Refund)	\$ 840,000	\$ 559,364	\$ 1,320,817	\$ 1,151,436	\$ (122,107)	\$ (595,018)	\$ (162,845)	\$ 1,404,869	\$ 1,404,019	\$ 1,143,608	\$ 1,463,000	\$ 185,600																																																				
Refund from Property Tax Limitation	\$ -	\$ -	\$ -	\$ -	\$ (136,732)	\$ (36,136)	\$ (245,167)	\$ (165,208)	\$ (320,273)	\$ (294,672)	\$ (350,000)	\$ (300,000)																																																				
TOTAL REFUND REQUIRED	\$ -	\$ -	\$ -	\$ -	\$ (136,732)	\$ (595,018)	\$ (245,167)	\$ (165,208)	\$ (320,273)	\$ (294,672)	\$ (350,000)	\$ (300,000)																																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Levy Year</th> <th>Actual</th> <th>Actual</th> <th>Actual</th> <th>Actual</th> <th>Actual</th> <th>Actual</th> <th>Actual</th> <th>Actual</th> <th>Actual</th> <th>Actual</th> <th>Actual</th> <th>Actual</th> </tr> <tr> <th>Collection Year</th> <th>1999</th> <th>2000</th> <th>2001</th> <th>2002</th> <th>2003</th> <th>2004</th> <th>2005</th> <th>2006</th> <th>2007</th> <th>2008</th> <th>2009</th> <th>2010</th> </tr> </thead> <tbody> <tr> <td>Assessed Value</td> <td>\$ 322,868,688</td> <td>\$ 382,132,990</td> <td>\$ 440,947,146</td> <td>\$ 468,909,080</td> <td>\$ 519,000,000</td> <td>\$ 544,000,000</td> <td>\$ 593,000,000</td> <td>\$ 629,000,000</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Credit Mill Levy Required</td> <td>0.377</td> <td>1.568</td> <td>0.556</td> <td>0.331</td> <td>0.617</td> <td>0.542</td> <td>0.384</td> <td>0.477</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>													Levy Year	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Collection Year	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	Assessed Value	\$ 322,868,688	\$ 382,132,990	\$ 440,947,146	\$ 468,909,080	\$ 519,000,000	\$ 544,000,000	\$ 593,000,000	\$ 629,000,000					Credit Mill Levy Required	0.377	1.568	0.556	0.331	0.617	0.542	0.384	0.477				
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Note: Shaded areas represent projected numbers.