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**GRAND JUNCTION CITY COUNCIL
MONDAY, MARCH 5, 2018**

**PRE-MEETING (DINNER) 5:00 P.M. ADMINISTRATION CONFERENCE ROOM
WORKSHOP, 5:30 P.M.
CITY HALL AUDITORIUM
250 N. 5TH STREET**

To become the most livable community west of the Rockies by 2025

1. Discussion Topics

- a. Introduction of the New Grand Junction Regional Airport Authority Executive Director
- b. The Offering of Invocations at City Council Meetings
- c. Lodging Tax Discussion

2. Next Workshop Topics

- a. March 19: Update on the Recreation Center Feasibility Study

3. Other Business

What is the purpose of a Workshop?

The purpose of a Workshop is for the presenter to provide information to City Council about an item or topic that they may be discussing at a future meeting. The less formal setting of a Workshop is intended to facilitate an interactive discussion among Councilmembers.

How can I provide my input about a topic on tonight's Workshop agenda?

Individuals wishing to provide input about Workshop topics can:

1. Send an email (addresses found here www.gjcity.org/city-government/) or call one or more members of City Council (970-244-1504);
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2. Provide information to the City Manager (citymanager@gjcity.org) for dissemination to the City Council. If your information is submitted prior to 3 p.m. on the date of the Workshop, copies will be provided to Council that evening. Information provided after 3 p.m. will be disseminated the next business day.
 3. Attend a Regular Council Meeting (generally held the 1st and 3rd Wednesdays of each month at 6 p.m. at City Hall) and provide comments during "Citizen Comments."
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Grand Junction City Council

Workshop Session

Item #1.a.

Meeting Date: March 5, 2018

Presented By:

Department: City Council

Submitted By:

Information

SUBJECT:

Introduction of the New Grand Junction Regional Airport Authority Executive Director

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

FISCAL IMPACT:

SUGGESTED ACTION:

Attachments

None



Grand Junction City Council

Workshop Session

Item #1.b.

Meeting Date: March 5, 2018

Presented By: Greg Caton, City Manager

Department: City Council

Submitted By: Wanda Winkelmann, City Clerk

Information

SUBJECT:

The Offering of Invocations at City Council Meetings

EXECUTIVE SUMMARY:

The purpose of this item is to review the current process regarding the offering of invocations prior to City Council meetings and discuss any changes City Council would like to make.

BACKGROUND OR DETAILED INFORMATION:

In 2008 Resolution No. 114-08 was adopted that provides definitions and outlines procedures regarding invocations. An invocation is defined as a verbal or written statement delivered at the beginning of a public meeting of the City Council (or other deliberative public body of the City). The invocation is the offering of a brief pronouncement of simple values intended to solemnize the occasion of the meeting.

Annually the City Clerk advertises in the newspaper that a list of possible invocation speakers is being compiled and interested spiritual leaders may contact the City Clerk to be included on the list. On a quarterly basis the spiritual leaders are randomly selected and invited (via letter) to offer an invocation at an upcoming City Council meeting. A copy of Resolution No. 114-08 is included with the invitation letter. If the spiritual leader is unavailable to deliver the invocation on the assigned meeting date, the "invocation" is replaced with a "moment of silence" on the City Council meeting agenda.

Finally, Resolution No. 114-08 provides direction to the City Attorney to prepare a statement of the applicable Constitutional law and, upon request, make that statement

available to the invocation speakers and City Council.

Notice of this City Council discussion was mailed to those known, established congregations and spiritual assemblies located in Mesa County and those who have expressed interest in the topic and have requested to be an invocation speaker.

The practices of other Colorado municipalities is attached. The following summarizes those practices:

Number of municipalities with...				
An invocation at each meeting	A moment of silence at each meeting	A moment of silence after a major event	No practice regarding invocation or moment of silence	Other practice
2	3	6	9	1

FISCAL IMPACT:

This item has no fiscal impact.

SUGGESTED ACTION:

This item is for City Council discussion and direction to staff, if any, regarding Resolution 114-08. Options include:

1. Eliminate the invocation and hold a moment of silence after the Pledge of Allegiance.
2. Eliminate the invocation and the moment of silence and begin the meeting after the Pledge of Allegiance.
3. Make no change to the current practice.

Attachments

1. Resolution No. 114-08
2. Public Invocation Opinion City Attorney
3. Notice of City Council Discussion on Invocations at Council Meetings
4. Summary of Municipalities Practices Invocations at City Council Meetings

RESOLUTION 114-08

A RESOLUTION CONCERNING THE OFFERING OF INVOCATIONS PRIOR TO THE MEETINGS OF THE CITY COUNCIL AND OTHER DELIBERATIVE BODIES OF THE CITY OF GRAND JUNCTION

Recitals:

Over the course of the last 217 years, the United States government and the various governments of the States, Counties, Cities and Towns that comprise our great country have worked to honor the Constitutional principles and traditions of separation of Church and State as the same are provided for by the First Amendment of the United States Constitution.

The First Amendment provides, among other things, that “Congress shall make no law respecting an establishment of religion.” That principle is made applicable to the States and other subdivisions of government by and through the Fourteenth Amendment and the decisions of various courts construing and applying the Constitution and the Bill of Rights.

The Establishment Clause of the First Amendment was written in order to keep the government from preferring one religion over another, to keep the government from requiring persons to profess a belief or disbelief in any religion and to ensure that no person would be penalized for professing beliefs or disbeliefs.

The Establishment Clause among other things serves to protect religion from the influence of governmental direction and control by disallowing the government from taking a position on matters of religious belief or from making submission to religion in any way a determining factor of a person’s importance, position or influence in the community or the conduct of governmental affairs.

The City has been called upon by some of the City’s citizens, in the name of the Establishment Clause of the First Amendment, to consider the means and methods by which invocations are offered at City Council meetings. That call has caused the City staff and in turn City Council to review and re-affirm their legal obligations to ensure thoughtful adherence to the principles of separation of Church and State but not the separation of God and State.

Many legal cases have been argued and decided on many different facts and points of law regarding separation of Church and State. While that body of law is not wholly settled, one principle, as articulated by the United States Supreme Court, is that it is constitutionally permissible for a public body to invoke divine guidance on the work of the public body.

The Court has further ruled that an invocation or prayer for such divine guidance is not an establishment of religion or a step toward establishment in violation of the First Amendment; instead an invocation is simply a tolerable acknowledgement of beliefs widely held among the people of the United States. The City Council trusts that those same beliefs are widely held by the people of the City of Grand Junction.

The City Council as a statement of its policy does hereby resolve that all invocations and prayers offered at City Council meetings should not serve to establish a religion and in order to achieve that policy and to be consistent with the legal traditions of our country, invocations and prayers offered at City Council meetings or meetings of other deliberative public bodies of the City must not proselytize a particular religious tenet or belief or aggressively advocate a specific religious creed or derogate another religious faith or doctrine.

It is the policy of the City that the invocation is the offering of a brief pronouncement of simple values intended to solemnize the occasion of the meeting. The invocation is not intended for the exchange of views or public discourse; it is intended for the benefit of the City Council or other deliberative public body.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

“Invocation” or “prayer” means a verbal or written statement delivered at the beginning of a public meeting of the City Council or another deliberative public body of the City. In order to comply with applicable Constitutional principles, an invocation or prayer must not be offered to proselytize or advance any one faith or belief or to disparage any other faith or belief.

“Deliberative public body” means the Planning Commission, the Zoning Board of Appeals, the Parks and Recreation Advisory Board and any other authoritative board or commission of the City.

By this resolution the City Council does adopt an invocation policy that is consistent with the principles of the Establishment Clause and honors the long and closely held traditions of our country. The City Council finds and declares as its policy that:

(a) an invocation or prayer as defined herein is to be offered at the beginning of meetings of the City Council or another City deliberative public body (if that deliberative public body passes a standing resolution for an invocation) for the benefit of the City Council and/or the members of the deliberative public body or for observation or acknowledgement of non-sectarian religious or non-religious events, persons or historical events.

(b) an invocation or prayer may be offered on a voluntary basis, at the beginning of the meeting, by:

- (i) a chaplain chosen by the City Council for the City including the deliberative public bodies that desire an invocation or
- (ii) an invocation speaker selected on a random, rotating basis from among a pool of spiritual leaders serving congregations in the City and surrounding local community.

(c) to ensure reasonable objectivity in the selection of invocation speakers the City Council shall on an annual basis direct the City Clerk to compile a list of all known, established congregations and spiritual assemblies located in the community by reference to local telephone book(s), the internet or similar sources or both in the sole discretion of the City Clerk and to advertise in a newspaper of general circulation in the City that the list is being compiled and that interested spiritual leaders may contact the City Clerk to be included on the list.

On a quarterly basis the City Clerk shall randomly select spiritual leaders from the compiled list of congregations or assemblies and invite the spiritual leader of the selected assembly or congregation to offer an invocation. The invitation must contain, in addition to scheduling and other general information, the following statement:

“A spiritual leader is free to offer an invocation according to the dictates of his/her own conscience but in order to comply with applicable Constitutional law, the City Council requests that the invocation not be exploited to proselytize a particular religious tenet or religious creed or derogate another religious faith or to disparage any other faith or belief.”

“Each person who accepts this invitation to deliver an invocation at an upcoming meeting of the City Council and/or a deliberative public body of the City has been selected to deliver an invocation on a random basis.”

“If you [the randomly selected spiritual leader] do not agree to be the invocation speaker, then a moment of silence may be called for by the president of the City Council or the chair of the deliberative public body.”

(d) To ensure that those attending meetings at which an invocation is offered are aware of the purpose of the invocation, the agenda shall contain the following statement:

“The invocation is offered for the use and benefit of the City Council [other deliberative public body as applicable]. The invocation is intended to solemnize the occasion of the meeting, express confidence in the future

and encourage recognition of what is worthy of appreciation in our society. During the invocation you may choose to sit, stand or leave the room.”

(e) In order that the City Council or deliberative public bodies may have access to advice on the current status of the law concerning invocations, the City Attorney shall prepare a statement of the applicable Constitutional law and, upon request, make that statement available to the invocation speakers and the City Council. As necessary, the City Attorney shall update his statement to reflect any changes in the law.

(e) The City Attorney shall defend against a facial challenge to the constitutionality of this Resolution.

(f) Nothing in this section prohibits the City Council or deliberative public body from amending this resolution upon advice from the City Attorney or a determination by a majority of the City Council or deliberative public body, as a matter of policy, to not schedule invocations prior to meetings of the City Council or City body(ies).

Passed and adopted this 6th day of August, 2008.

/s/ Gregg Palmer
President of the Council

ATTEST:

/s/ Stephanie Tuin
City Clerk

Memorandum Opinion

To: Mayor Rick Taggart and the Honorable City Council

CC: City Manager Greg Caton

From: City Attorney John Shaver

Subject: Resolution 114-08 - Applicable Case Law and Commentary

Date: August 6, 2008 Updated May 9, 2013 and November 10, 2017

In accordance with Resolution 114-08 adopted by the City Council on August 6, 2008, which Resolution is attached, I offer this memorandum regarding principles of Constitutional law as they relate to the Resolution. Upon request, I will make this statement available to the invocation speakers as provided for in the Resolution. I will periodically update this statement to reflect changes in the law. The most recent update is prompted by the City Council scheduling a work session on December 4, 2017 to discuss the Resolution and the offering of invocations pursuant to it.

The Colorado Supreme Court has ruled that, in certain circumstances, an attorney offering an opinion may be held liable to third parties that might reasonably rely on such attorney's opinion. Because of that, I write with the limitation that only the members of the City Council and the deliberative Boards and Commissions of the City may rely on the information and opinions contained herein. No other person is authorized to rely on the opinions provided herein; neither may any person reproduce or distribute this letter without the written consent of the City Council.

The Establishment Clause of the United States Constitution provides that government cannot make any law respecting an establishment of religion. The practice of offering an invocation or legislative prayer prior to meetings of public bodies has generally been held not to violate the Establishment Clause, provided that certain limitations are respected by persons offering an invocation/ legislative prayer.

While this memo will summarize guiding principles of law, due to the complexity of the court decisions, it will not present an exhaustive review of all relevant jurisprudence. Consultation with the City Attorney is advised when the Resolution and/or this memo do not fully answer questions concerning the Resolution.

The First Amendment to the United States Constitution provides:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble and to petition the government for a redress of grievances.

The Establishment Clause of the First Amendment, which is made applicable to the States and political subdivisions thereof by the 14th Amendment to the Constitution, prohibits the government from taking or appearing to take a position on questions of religious belief or from making adherence to religion relevant in any way to a person's standing in the

community. A reasonable construction of the First Amendment is that no government can openly or secretly participate in the affairs of any religious organization or group and vice versa. Legislative prayer, however, has been found to harmonize with the Establishment Clause of the First Amendment as an exception to the tri-partite test adopted in the seminal case of *Lemon v. Kurtzman*, 403 U.S. 602. See, *Marsh v. Chambers*, 463 U.S. 783 regarding legislative prayer.

The so-called *Lemon* test provides that in order to not violate the Establishment Clause a governmental action or policy must have a secular purpose, the primary effect of the action must neither advance nor inhibit religion and that there must not be an excessive entanglement with religion.

The second prong of that test was modified in the decision of *Allegheny County v. American Civil Liberties Union*, 492 U.S. 573, to provide that actions involving religion must be reviewed in context and to meet muster under the Establishment Clause the purpose or effect of the action must not be to endorse religion. As written and for the purposes articulated therein, it is my opinion that the Resolution does not serve to endorse religion and more particularly, following the most recent decision from the Supreme Court, *Town of Greece v. Galloway*, the offering of invocations, even if a specific religion appears to be favored, does not constitute a violation of the Establishment Clause.

While the *Marsh* decision held that under the facts presented in the case that legislative prayer or an invocation was constitutional, some lower courts have held otherwise when confronted with different facts. Those cases are noted in the table of cases attached hereto; however, the law as defined by the United States Supreme Court currently allows invocations.

It is a generally held principle that the First Amendment protects against government creating a "state" sponsored religion. In order that the invocation offered for the Grand Junction City Council and/or the members of other City deliberative public bodies is constitutionally supportable, the City Council has aspired to inclusiveness in the selection of speakers and that those speakers offer broadly stated principles of spirituality and/or centering thoughts. The law requires that the invocation not be exploited to proselytize religion and that the prayers not disparage or advocate a specific religious creed or doctrine. See, *Simpson v. Chesterfield County Board of Supervisors*, 404 F.3d 276, cert. denied 546 U.S. 937 and *Pelphrey v. Cobb County Georgia*, 448 F. Supp. 2d 1357.

In the case of *Wynne v. Town of Great Falls, South Carolina*, 376 F.3d 292, cert. denied 545 U.S. 1152 the court determined that invoking the name of Jesus Christ to the exclusion of other deities associated with other religions served to advance one faith in preference to others in violation of the Establishment Clause. Accordingly, the City Council has determined in its statement of policy that "a spiritual leader is free to offer an invocation according to the dictates of his/her own conscience but in order to comply with applicable Constitutional law, the City Council requests that the invocation not be exploited to proselytize a particular religious tenet or religious creed or derogate another

religious faith or to disparage any other faith or belief." The majority opinion in *Greece* as described below affirms the principles of the Resolution.

Through the process established in the Resolution the City Council has established a means by which any group or individual is given a reasonable opportunity to participate in the offering of an invocation or opening remarks for the use and benefit of the City Council or other deliberative body. If you have questions about the selection process, please consult with the City Clerk and/or City Attorney. The City Clerk may prepare a separate document describing the selection process.

In 2014 in the case of *Town of Greece v. Galloway* 134 S.Ct. 1811, the United States Supreme Court in a 5-4 decision upheld *Greece's* practice of beginning town board meetings with a prayer that was very often Christian/invoked the name of Christ. The Court found that the prayers did not violate the constitutional principle against establishment of religion.

Justice Kennedy wrote for the majority; Justice Kagan wrote for the dissent. Interestingly both the majority and the dissenting opinions allow for legislative prayer. The challenge and in turn the decision is more about the content of the prayers than the offering of them. The *Town of Greece* selection process is very similar to that used in Grand Junction with invocations being offered by volunteer speakers from the community.

In the majority opinion Justice Kennedy wrote that "absent a pattern of prayers that over time denigrate, proselytize, or betray an impermissible government purpose, a challenge based solely on the content of a particular prayer will not likely establish a constitutional violation."

In the dissenting opinion Justice Kagan summarized the ideological divide presented by the issue when she wrote that the First Amendment provides that "every citizen, irrespective of her religion, owns an equal share in her government."

The offering of invocations (or not) is a matter of City Council policy; at present there is no law or construction of any Constitutional principle that disallows invocations and/or prescribes the content thereof. The current invocation policy was established by Resolution 114-08 and can be amended or rescinded by resolution. Resolution 114-08 is attached for ready reference.

Both before and since the invocation of August 2, 2017 some questions have been asked about restricting or prescribing the content of invocations. In response to those questions my answers and advice has been that such restrictions would be unconstitutional and only further complicate matters. In *Lee v. Weisman* 505 U.S. 577 the Supreme Court has instructed against imposing restrictions on the content of public prayer offered by private speakers as such would violate those speakers First Amendment rights. As well, any such

restriction or prescription is likely to be claimed to inhibit or advance one religion over another in contravention of the second prong of the *Lemon* test. Accordingly, I would advise against any changes to the Resolution or Council policy which prescribed the content of an invocation.

Certainly the City Council may choose to continue the invocation policy established by Resolution 114-08, it may choose to take steps to expand the pool of speakers to offer more nonsectarian prayers and greater religious diversity or it may rescind the Resolution in its entirety.

I will be pleased to discuss this memorandum with you at the upcoming City Council work session.

United States Supreme Court

Allegheny County v. American Civil Liberties Union, 492 U.S. 573 (1989)
Flast v. Cohen, 392 U.S. 83 (1968)
Hein v. Freedom from Religion Foundation, Inc. 127 S. Ct. 2553 (2007)
Lee v. Weisman 505 U.S. 577 (1992)
Lemon v. Kurtzman, 403 U.S. 602 (1971)
Marsh v. Chambers, 463 U.S. 783 (1983)
Massachusetts, Commonwealth of v. Mellon, 262 U.S. 447 (1923)
Town of Greece v. Galloway 572 U.S. ____ (2014)

Second Circuit

Galloway v. Town of Greece, 681 F.3d 20 (2012)

Third Circuit

Doe v. Indian River School District, 653 F.3d 256 (2011)

Fourth Circuit

Simpson v. Chesterfield County Bd. Of Sup'rs, 404 F.3d 276 (2005)
Turner v. City Council of Fredericksburg, 2006 WL 2375715 (E.D. Va. 2006)
Wynne v. Town of Great Falls, South Carolina, 376 F.3d 292 (2004)
Joyner v. Forsyth County, 653 F.3d 341 (2011)

Fifth Circuit

Doe v. Tangipahoa Parish School Bd., 494 F.3d 494, 223 Ed. Law Rep. 72 (2007)
Doe v. Tangipahoa Parish School Bd., 473 F.3d 188, 215 Ed. Law Rep. 539 (2006)

Seventh Circuit

Hinrichs v. Bosma, 440 F.3d 393 (2006)
Hinrichs v. Bosma, 410 F. Supp. 2d 745 (S.D. Ind. 2006)
Hinrichs v. Bosma, 400 F. Supp. 2d 1103 (S.D. Ind. 2005)

Hinrichs v. Speaker of House of Representatives of Indiana General Assembly, 506 F.3d 584, 30 A.L.R.6th 737 (2007)

Eighth Circuit

Bogen v. Doty, 598 F.2d 1110 (1979)

Tenth Circuit

Snyder v. Murray City Corp., 159 F.3d 1227 (1998)

Eleventh Circuit

Bats v. Cobb County, GA, 495 F. Supp. 2d 1311 (N.D. Ga. 2007)

Pelphrey v. Cobb County, GA, 448 F. Supp. 2d 1357 (N.D. Ga. 2006)

Pelphrey v. Cobb County, Ga., 410 F. Supp. 2d 1324 (N.D. Ga. 2006)

District of Columbia Circuit

Kurtz v. Baker, 829 F.2d 1133 (1987)

Newdow v. Eagen, 309 F. Supp. 2d 29 (2004)

California

Rubin v. City of Burbank, 101 Cal. App. 4th 1194, 124 Cal. Rptr. 2d 867 (2d Dist. 2002)

New Jersey

Marsa v. Wernik, 86 N.J. 232, 430 A.2d 888 (1981)

Utah

Utah Const. Art. I, § 4. See 7

Society of Separationists, Inc. v. Whitehead, 870 P.2d 916 (1993)

A Resolution Concerning the Offering of Invocations Prior to the Meetings of the City Council and Other Deliberative Bodies of the City of Grand Junction

Recitals:

Over the course of the last 217 years, the United States government and the various governments of the States, Counties, Cities and Towns that comprise our great country have worked to honor the Constitutional principles and traditions of separation of Church and State as the same are provided for by the First Amendment of the United States Constitution.

The First Amendment provides, among other things, that “Congress shall make no law respecting an establishment of religion.” That principle is made applicable to the States and other subdivisions of government by and through the Fourteenth Amendment and the decisions of various courts construing and applying the Constitution and the Bill of Rights.

The Establishment Clause of the First Amendment was written in order to keep the government from preferring one religion over another, to keep the government from requiring persons to profess a belief or disbelief in any religion and to ensure that no person would be penalized for professing beliefs or disbeliefs.

The Establishment Clause among other things serves to protect religion from the influence of governmental direction and control by disallowing the government from taking a position on matters of religious belief or from making submission to religion in any way a determining factor of a person’s importance, position or influence in the community or the conduct of governmental affairs.

The City has been called upon by some of the City’s citizens, in the name of the Establishment Clause of the First Amendment, to consider the means and methods by which invocations are offered at City Council meetings. That call has caused the City staff and in turn City Council to review and re-affirm their legal obligations to ensure thoughtful adherence to the principles of separation of Church and State but not the separation of God and State.

Many legal cases have been argued and decided on many different facts and points of law regarding separation of Church and State. While that body of law is not wholly settled, one principle, as articulated by the United States

Supreme Court, is that it is constitutionally permissible for a public body to invoke divine guidance on the work of the public body.

The Court has further ruled that an invocation or prayer for such divine guidance is not an establishment of religion or a step toward establishment in violation of the First Amendment; instead an invocation is simply a tolerable acknowledgement of beliefs widely held among the people of the United States. The City Council trusts that those same beliefs are widely held by the people of the City of Grand Junction.

The City Council as a statement of its policy does hereby resolve that all invocations and prayers offered at City Council meetings should not serve to establish a religion and in order to achieve that policy and to be consistent with the legal traditions of our country, invocations and prayers offered at City Council meetings or meetings of other deliberative public bodies of the City must not proselytize a particular religious tenet or belief or aggressively advocate a specific religious creed or derogate another religious faith or doctrine.

It is the policy of the City that the invocation is the offering of a brief pronouncement of simple values intended to solemnize the occasion of the meeting. The invocation is not intended for the exchange of views or public discourse; it is intended for the benefit of the City Council or other deliberative public body.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

“Invocation” or “prayer” means a verbal or written statement delivered at the beginning of a public meeting of the City Council or another deliberative public body of the City. In order to comply with applicable Constitutional principles, an invocation or prayer must not be offered to proselytize or advance any one faith or belief or to disparage any other faith or belief.

“Deliberative public body” means the Planning Commission, the Zoning Board of Appeals, the Parks and Recreation Advisory Board and any other authoritative board or commission of the City.

By this resolution the City Council does adopt an invocation policy that is consistent with the principles of the Establishment Clause and honors the long and closely held traditions of our country. The City Council finds and declares as its policy that:

(a) an invocation or prayer as defined herein is to be offered at the beginning of meetings of the City Council or another City deliberative public body (if that deliberative public body passes a standing resolution for an invocation) for the benefit of the City Council and/or the members of the deliberative public body or for observation or acknowledgement of non-sectarian religious or non-religious events, persons or historical events.

(b) an invocation or prayer may be offered on a voluntary basis, at the beginning of the meeting, by:

(i) a chaplain chosen by the City Council for the City including the deliberative public bodies that desire an invocation or

(ii) an invocation speaker selected on a random, rotating basis from among a pool of spiritual leaders serving congregations in the City and surrounding local community.

(c) to ensure reasonable objectivity in the selection of invocation speakers the City Council shall on an annual basis direct the City Clerk to compile a list of all known, established congregations and spiritual assemblies located in the community by reference to local telephone book(s), the internet or similar sources or both in the sole discretion of the City Clerk and to advertise in a newspaper of general circulation in the City that the list is being compiled and that interested spiritual leaders may contact the City Clerk to be included on the list.

On a quarterly basis the City Clerk shall randomly select spiritual leaders from the compiled list of congregations or assemblies and invite the spiritual leader of the selected assembly or congregation to offer an invocation. The invitation must contain, in addition to scheduling and other general information, the following statement:

“A spiritual leader is free to offer an invocation according to the dictates of his/her own conscience but in order to comply with applicable Constitutional law, the City Council requests that the invocation not be exploited to proselytize a particular religious tenet or religious creed or derogate another religious faith or to disparage any other faith or belief.”

“Each person who accepts this invitation to deliver an invocation at an upcoming meeting of the City Council and/or a deliberative public body of the City has been selected to deliver an invocation on a random basis.”

“If you [the randomly selected spiritual leader] do not agree to be the invocation speaker, then a moment of silence may be called for by the president of the City Council or the chair of the deliberative public body.”

(d) To ensure that those attending meetings at which an invocation is offered are aware of the purpose of the invocation, the agenda shall contain the following statement:

“The invocation is offered for the use and benefit of the City Council [other deliberative public body as applicable]. The invocation is intended to solemnize the occasion of the meeting, express confidence in the future and encourage recognition of what is worthy of appreciation in our society. During the invocation you may choose to sit, stand or leave the room.”

(e) In order that the City Council or deliberative public bodies may have access to advice on the current status of the law concerning invocations, the City Attorney shall prepare a statement of the applicable Constitutional law and, upon request, make that statement available to the invocation speakers and the City Council. As necessary, the City Attorney shall update his statement to reflect any changes in the law.

(e) The City Attorney shall defend against a facial challenge to the constitutionality of this Resolution.

(f) Nothing in this section prohibits the City Council or deliberative public body from amending this resolution upon advice from the City Attorney or a determination by a majority of the City Council or deliberative public body, as a matter of policy, to not schedule invocations prior to meetings of the City Council or City body(ies).

Notice of City Council Discussion on Invocations at Council Meetings

On Monday, March 5, 2018, at its regularly scheduled Workshop Meeting commencing at 5:30 p.m., City Council will be discussing the topic of invocations at City Council meetings. This discussion is among City Council and, because it is a Workshop Meeting, no comment will be taken from the public.

Location: City Hall Auditorium, 250 North 5th Street, Grand Junction, CO

Why am I receiving this notice?

You are receiving this notice because you have either expressed interest in the topic in the past or have been/requested to be an invocation speaker.

What is a City Council Workshop?

A Workshop is an informal meeting for City Council to receive information or discuss a certain topic in a less formal setting than a regular City Council meeting. Workshops are typically held on the 1st and 3rd Mondays of each month at 5:30 p.m. at City Hall.

Can the public attend the Workshop and provide comments?

The meeting is open to the public. **Because the purpose of the Workshop is for Council to deliberate on certain topics, no public comment is taken.**

How can I provide my input regarding this topic?

There are several ways you can provide your input:

1. Send an email to City Council at citycouncil@gjcity.org.
2. Leave a recorded message for City Council at 970.244.1504.
3. Attend a City Council meeting (held on the 1st and 3rd Wednesdays of each month at 6 p.m.) and sign up to provide your comments during the "Citizen Participation" portion of the meeting.

What will happen after the Workshop? How can I stay informed?

If City Council chooses to make changes to its current practice regarding invocations, a discussion regarding those changes will be held at a City Council meeting. Individuals wanting to stay informed about future discussions and/or actions on this topic are encouraged to view City Council meeting agendas, which are found online at the City's website www.gjcity.org and posted the Friday before the meeting.

Where can I obtain more information?

The resolution adopted in 2008 concerning the offering of invocations at City Council meetings can be found online at <http://hprmsearch.gjcity.org/RecordView/26504>.

Invocations at City Council Meetings

City Council Workshop Discussion

March 5, 2018

Municipality	Practice
1. Snowmass Village	On a rare occasion, will have a moment of silence.
2. Glenwood Springs	None
3. Centennial	None
4. Windsor	Mayor may call for a moment of silence after a tragedy.
5. Montrose	None
6. Parker	None
7. Greenwood Village	In the past 20 years, out of 495 meetings, 15 moments of silence.
8. Silt	Moment of silence at each meeting.
9. Thornton	None
10. Palisade	None
11. Fort Collins	None
12. Rifle	Moment of silence at each meeting.
13. Greeley	Rare moment of silence or moment of remembrance.
14. Loveland	None
15. Arvada	Moment of reflection at every meeting.
16. Longmont	Rare moment of silence for major event.
17. Fruita	Invocation at each meeting.
18. Aurora	Invocation at each meeting.
19. Cherry Hills Village	Rare moment of silence.
20. Basalt	A mission statement that telegraphs Basalt's uniqueness is read by a member of Council.
21. Gunnison	None

Summary: Number of municipalities with...				
An invocation at each meeting	A moment of silence at each meeting	A moment of silence after a major event	No practice regarding invocation or moment of silence	Other practice
2	3	6	9	1

N=21



Grand Junction City Council

Workshop Session

Item #1.c.

Meeting Date: March 5, 2018

Presented By: Greg Caton, City Manager

Department: City Manager

Submitted By: Gregory LeBlanc, Assistant to the City Manager

Information

SUBJECT:

Lodging Tax Discussion

EXECUTIVE SUMMARY:

The City has coordinated with a working group of stakeholders to discuss how an increase in lodging tax could be used. This group discussed a 3% overall increase to the lodging tax. Potential uses include 1% for airline support or partnerships, 0.75% support for the Greater Grand Junction Sports Commission, and 1.25% in additional funding for Visit Grand Junction's marketing efforts.

This item is intended for City Council discussion and direction to staff, if any. Representatives from the working group will be present during the discussion to help with the presentation of information and to provide clarification for City Council.

BACKGROUND OR DETAILED INFORMATION:

During a joint meeting in the fall of 2016 with the Visit Grand Junction Advisory Board and City Council, there was discussion regarding increasing the City's Lodging Tax. At that time, City Council requested more information on how the additional lodging tax revenues would be utilized and ultimately recommended to consider deferring the ballot initiative for a lodging tax increase due to two other questions that would take priority for the Spring 2017 ballot. On December 19, 2016, the Visit Grand Junction Board sent a letter to Council with the recommendation to postpone placing the initiative on the ballot because more time was needed to build a solid comprehensive and measurable plan, per Council's request.

Since the election held in the spring of 2017, the City has coordinated with a group of

stakeholders that have been meeting to discuss how an increase in the lodging tax could be used. This group, including representatives from the City, Chamber of Commerce, Visit Grand Junction Advisory Board, and the Sports Commission discussed a 3% overall increase to the lodging tax. Potential uses include 1% for airline support (through minimum revenue guarantees), 0.75% support for the Greater Grand Junction Sports Commission, and 1.25% in additional funding for Visit Grand Junction’s marketing efforts.

The Grand Junction Regional Air Service Alliance (comprised of GJEP, Chamber of Commerce, and other stakeholders) held a meeting on January 4th and discussed “Revenue Guarantees” provided from funding from a potential increase in lodging tax as an agenda item. The Alliance sent a letter to the Grand Junction City Council requesting discussion at a City Council Workshop regarding a potential increase in lodging tax on January 23. There was also discussion about a question going to voters in the fall of 2018.

Attached is a copy of the letter from the Alliance as well as the 2017 Colorado Association of Destination Marketing Associations (CADMO) tax and funding report. The City of Grand Junction’s current tax schedule is described in the table below. The total tax a guest pays per room is 11.02%. 100% of the lodging tax goes to Visit Grand Junction, our local Destination Marketing Organization (DMO).

Lodging Tax	State Tax	Local Tax	County Tax	Total Tax Guest Pays/Room	Percent of Lodging Tax DMO Receives
3%	2.9%	2.75%	2.37%	11.02%	100%

Grand Junction, compared to other destination markets, is relatively competitive. Boulder has a 7.5% lodging tax, and guests pay 12.30% tax in total per room. Steamboat Springs, in comparison, only has a 1% lodging tax, but guests pay 11.65% in total taxes per room. In most cases, guests staying in Grand Junction pay less in taxes overall compared to other communities due to lower local and county taxes.

This item is intended for City Council discussion and direction to staff, if any. Representatives from the working group will be present during the discussion to help with the presentation of information and to provide clarification for City Council.

FISCAL IMPACT:

N/A

SUGGESTED ACTION:

This item is for City Council discussion and direction to staff, if any.

Attachments

1. CADMO Report
2. EC Letter to Council 012318
3. VGJ - Lodging tax increase letter to Mayor Council - 2018 - March 2
4. VGJ - Colorado Destinations Check Out Rates & Ranking- 2017

CADMO DMO TAX AND FUNDING REPORT, 2017			
Destination	Tax	DMO Budget	Comments / Questions
Alamosa Updated 2017 PUBLIC (Governmental) Staff: FT – 4 PT – 1	<u>1.9% Lodging Tax</u> 2.9% State Tax 2% Local Tax 3% County Tax 4% Other Tax (Marketing Dist Tax) Total Tax Guest Pays/ Room – 13.8% Percent of Lodging Tax DMO Receives – 100%	Total Operating Budget: \$700,000 Revenue Sources: Lodging Tax Rev: \$250,000 Membership: \$0 Other Tax Rev (Mkting Dist): \$450,000 Other Income: \$0 \$700,000 Total Revenue	1. Is DMO funded in full or partially by a lodging Tax? Yes, and it is dedicated. 2. If taxes have changed in recent years, please describe. Our County Sales Tax went up 1% in 2016.
Aspen Updated 2017 501C6 Staff: FT – 6	<u>2% Lodging Tax</u> 2.9% State Tax 2.4% Local Tax 3.6% County Tax 0.4% Other Tax (Roaring Fork Transit Tax) Total Tax Guest Pays/Room - 11.3% Percent of Lodging Tax DMO Receives – 75% (of 2% lodging tax)	Total Operating Budget: \$2.6M Revenue Sources: Lodging Tax Rev: \$2.6M Membership: \$0 Other Tax Rev: Other Income: \$0 \$2.6M Total Revenue	1. Is DMO funded in full or partially by a lodging Tax? Yes, partially. 75% of 2% lodging tax dedicated to marketing. Other 25% goes to transportation services that provide free transport around City of Aspen.
Aurora Updated 2017 PRIVATE Staff: FT – 8 PT – 1	<u>8% Lodging Tax</u> 2.9% State Tax 3.75% Local Tax 2% County Tax: 0.25% Arapahoe County 0.75% Adams County 1% Douglas County Other Tax: 1% RTD, .10% Cultural Facilities	Total Operating Budget: \$1,787,600 Revenue Sources: Lodging Tax Rev: \$1,772,600 Membership: \$15,000 Other Tax Rev: \$0 \$1,787,600 Total Revenue	1. Is DMO funded in full or partially by a lodging Tax? Yes, and it is dedicated through an annual contract. 2. Comments for other Revenue Arrangements We are a membership DMO.

	<p>Total Tax Guest Pays/Room - 12.25% Arapahoe 12.75% Adams 15.25% Gaylord (with incentives) 15% Hyatt Regency Aurora (with incentives)</p> <p>Percent of Lodging Tax DMO Receives – 12.25% of the 8% lodging tax for the first \$5M/50% of lodgers tax over 5M</p>		
<p>Boulder Updated 2017</p> <p>PRIVATE</p> <p>Staff: FT – 9 PT – 4</p>	<p><u>7.5% Lodging/Accommodations Tax</u> 2.9% State Tax 0% Local Tax (all included in accommodations tax) .0985% County Tax 1.1% Other Tax (RTD, SCFD, & others)</p> <p>Total Tax Guest Pays/Room – 12.485%</p> <p>Percent of Lodging (Accommodations) Tax DMO Receives - 20%</p> <p><u>Plus</u> a Food Service tax on top of Sales Tax in restaurants: DMO receive 100% of the .15% tax</p>	<p>Total Operating Budget: \$2,140,545</p> <p>Revenue Sources:</p> <p>Lodging/Accommodations Tax Rev: \$1,436,861 Membership: N/A Other Tax Food Service Rev: \$699,934</p> <p>Other Income: \$3,750 (County for Boulder County Film Commission); supplemental funds, when taxes over perform</p> <p>\$2,140,545 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? DMO is partially funded by a lodging/accommodations tax. Tax goes into general fund with a city contract totaling 20% of that tax to DMO.</p> <p>2. Comments for other Revenue Arrangements: DMO is also partially funded by a food service tax. In addition, the Boulder County Film Commission income helps us manage the county film commission organization.</p>

<p>Breckenridge Updated 2017</p> <p>PUBLIC</p> <p>Staff: FT – 20 PT – 0</p>	<p><u>3.4% Lodging Tax</u> 2.9% State Tax 2.5% Local Tax 2.0% County Tax Other Tax – .75% mass transit and .725% affordable housing</p> <p>Total Tax Guest Pays/Room – 12.275%</p> <p>Percent of Lodging Tax DMO Receives – 2%</p>	<p>Total Operating Budget: \$5,115,965</p> <p>Revenue Sources: Lodging Tax Rev: \$4,125,115 Membership: \$0 Other Income: \$150,000 Breckenridge Ski Resort Partnership; \$547,000 events income; \$123,450 Welcome Center income; \$68,000 OTA marketing surcharge; \$48,000 Ski.com Partner Sales; \$54,400 miscellaneous</p> <p>\$5,115,965 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes. Budget annually presented to the Breckenridge Town Council for approval.</p> <p>2. If taxes have changed in recent years, please describe. In November 2016 the Affordable Housing Tax was passed at a rate of .725% in Summit County.</p>
<p>Carbondale Updated 2017</p> <p>Staff: FT – 0 PT – 1</p>	<p><u>2% Lodging Tax</u> 2.9% State Tax 3.5% Local Tax 1% County Tax Other Tax – 1% RTA</p> <p>Total Tax Guest Pays/Room – 10.4%</p> <p>Percent of Lodging Tax DMO Receives – 100%</p>	<p>Total Operating Budget: \$99,681</p> <p>Revenue Sources: Lodging Tax Rev: \$98,489 Membership: \$0</p> <p>Other Income: \$1,192 in merchandise income</p> <p>\$99,681 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes and it is dedicated.</p>
<p>Chaffee County Updated 2017</p> <p>PUBLIC</p> <p>Staff: FT – 1 PT – 0</p>	<p><u>1.9% Lodging Tax</u></p> <p>Percent of Lodging Tax DMO Receives – 100%</p>	<p>Total Operating Budget: \$530,000</p> <p>Revenue Sources: Lodging Tax Rev: \$530,000 Other Income: CTO Matching Grant</p> <p>\$530,000 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes, and it is an annual request to an 11 person board.</p>

<p>Colorado Springs Updated 2017</p> <p>PRIVATE</p> <p>Staff: FT – 19 PT – 2</p>	<p><u>2% Lodging Tax</u> 2.9% State Tax 3.12% City Tax 1.23% County Tax 1% Other Tax (Rural Transportation Authority)</p> <p>Total Tax Guest Pays/Room – 10.25%</p> <p>Percent of Lodging Tax DMO Receives - 66.7%</p>	<p>Total Operating Budget: \$4,427,596</p> <p>Revenue Sources: Lodging Tax Rev: \$3,354,944 Membership: \$712,129 (includes \$404,500 in dues, ad and lead sales to members and 50% of visitor guide net profit in partnership with Pikes Peak Country Attractions Asso.) Other Tax Rev: \$323,723 (Automobile Rental Tax) Other Income: \$24,000 (El Paso County Support); \$12,800 (Interest and Souvenir Sales)</p> <p>\$4,427,596 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes, and it is annually appropriated.</p> <p>2. If taxes have changed in recent years, please describe. County added a 0.23% public safety tax & city added a 0.62% road repair tax.</p>
<p>Crested Butte/Gunnison Updated 2017</p> <p>PRIVATE</p> <p>Staff: FT – 4 (Contracted) PT – 1 (Contracted)</p>	<p><u>4% Lodging Tax</u> 2.9% State Tax 4% Local Tax 1% County Tax 0.35% Other Tax (RTA)</p> <p>Total Tax Guest Pays/Room - 12.25%</p> <p>Percent of Lodging Tax DMO Receives - 90%</p>	<p>Total Operating Budget: \$1.3M</p> <p>Revenue Sources: Lodging Tax Rev: \$1.3M</p> <p>\$ 1.3M Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes, and it is dedicated.</p>

<p>Denver Updated 2017</p> <p>PRIVATE</p> <p>Staff: FT – 63 PT – 10</p>	<p><u>10.75% Lodging Tax</u> 2.9% State Tax 0% Local Tax 0% County Tax 1.1% Other Tax (RTD is 1% & Cultural is 0.1%)</p> <p>Total Tax Guest Pays/Room – 14.75%</p> <p>Percent of Lodging Tax DMO Receives - 2.75%</p>	<p>Total Operating Budget: \$27M</p> <p>Revenue Sources: Lodging Tax Rev: \$23.7M Membership: \$1M Other Income: \$1.3M (Advertising); \$1M (Sponsorships/Other)</p> <p>\$27M Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes, and it is dedicated from the City & County of Denver via a 10-year agreement.</p>
<p>Durango Updated 2017</p> <p>PRIVATE</p> <p>Staff: FT – 5 PT – 10 2 – Contracted</p>	<p><u>4% Lodging Tax (2% City/2% County)</u> 2.7% State Tax 3% Local Tax 2% County Tax</p> <p>Total Tax Guest Pays/Room – 9.7%</p> <p>Percent of Lodging Tax DMO Receives - 100% from County and 70% from City</p>	<p>Total Operating Budget: \$1,150,000</p> <p>Revenue Sources: Combination of City & County lodging tax, DATO pay to play programs and grants Lodging Tax Rev: \$900,000 Membership: \$0 Other Tax Rev: Any additional city appropriations Other Income: Self-generated revenue from co-op advertising, partner matching, or Welcome Center advertising</p> <p>\$ 1,150,000 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes. Annual request from city and a pass through from county.</p>
<p>Estes Park Updated 2017</p> <p>PUBLIC</p> <p>Staff: FT – 6 PT – 3</p>	<p><u>2% Lodging Tax</u> 2.9% State Tax 5% Local Tax 0.65% County Tax</p> <p>Total Tax Guest Pays/Room – 10.55%</p> <p>Percent of Lodging Tax DMO Receives -</p>	<p>Total Operating Budget: \$3.2M</p> <p>Revenue Sources: Lodging Tax Rev: \$2,151,604 Membership: \$0 Other Tax Rev: \$0 Other Income: \$507,000 (Stakeholders Ad</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes and it is dedicated.</p>

	100%	Revenue)/\$600,000 (Surplus cash reserves carry over from 2016) \$3.2M Total Revenue	
Fort Collins Updated 2017 PRIVATE Staff: FT – 9 PT – 0	<u>3% Lodging Tax</u> 2.9% State Tax 3.85% Local Tax 0.65% County Tax 2.25% Other Tax – (Fort Collins Tax on Food for Home Consumption) Total Tax Guest Pays/Room – 10.4% Percent of Lodging Tax DMO Receives - 70%	Total Operating Budget: \$1,149,376 Revenue Sources: Lodging Tax Rev: \$988,932 Membership: \$42,000 Other Tax Rev: \$108,144 (Special Lodging District) Other Income: \$10,300 \$1,149,376 Total Revenue	1. Is DMO funded in full or partially by a lodging Tax? Yes, on an annual request. We have a 5 year contract with the City. An RFP is offered in 5 year cycles with funding distributed approximately 90 days after the first of each year. 2. Comments for other Revenue Arrangements: Revenue Sources – Lodging taxes, membership fees, special lodging district (projected down 30%), advertising, interest, and CTA (Certified Tourism Ambassador) program.
Fremont County Updated 2017 Staff: FT – 1 (Contractor)	<u>2% Lodging Tax</u> 2.9% State Tax 2.9% Local Tax 2.5% County Tax Total Tax Guest Pays/Room – 10.3% Percent of Lodging Tax DMO Receives - 100%	Total Operating Budget: \$200,000 Revenue Sources: Lodging Tax Rev: \$200,000 Membership: \$0 Other Income: CTO Grants of \$25,000 (not guaranteed); occasional funding from City of Canon City of no more than \$25,000 \$200,000 Total Revenue	1. Is DMO funded in full or partially by a lodging Tax? Yes. It is a lodging tax approved by voters and permanently reauthorized in 2015.

<p>Glenwood Springs Updated 2017</p> <p>PUBLIC (Governmental)</p> <p>Staff: FT – 2 PT – 0</p>	<p><u>2.5% Lodging Tax</u> 2.9% State Tax 3.7% Local Tax 1% County Tax 1% Other/ Tax (Acquisitions and Improvements Tax – Used for parks, trails, arts, recreation, etc.)</p> <p>Total Tax Guest Pays/Room – 11.1%</p> <p>Percent of Lodging Tax DMO Receives – 92.5%</p>	<p>Total Operating Budget: \$930,367</p> <p>Revenue Sources: Lodging Tax Rev: \$930,367 Membership: \$0 Other Tax Rev: \$0 Other Income: \$0</p> <p>\$930,367 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes. The Glenwood Springs Chamber Resort Asso. Is the tourism promotion marketing vendor for the City of Glenwood Springs. The annual budget is set by chamber tourism staff, approved by the city-appointed tourism promotion board with final approval of city council.</p>
<p>Grand County Updated 2017</p> <p>PUBLIC (Governmental)</p> <p>Staff: FT – 0 Contract – 3</p>	<p><u>1.8% Lodging Tax</u> 2.9% State Tax 8.2% - 11.2% Local Tax (Varies) 1.3% County Tax</p> <p>Total Tax Guest Pays/Room – 14.2%</p> <p>Percent of Lodging Tax DMO Receives – 100%</p>	<p>Total Operating Budget: \$989,715</p> <p>Revenue Sources: Lodging Tax Rev: \$989,715 Membership: \$0 Other Tax Revenue: \$0 Other Income: \$0</p> <p>\$989,715 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes. Governed by board of 12 appointed by County Commissioners.</p>
<p>Grand Junction Updated 2017</p> <p>PUBLIC (Governmental)</p> <p>Staff: FT – 9 PT – 0</p>	<p><u>3 % Lodging Tax</u> 2.9% State Tax 2.75% Local Tax 2% County Tax</p> <p>Total Tax Guest Pays/Room – 10.65%</p> <p>Percent of Lodging Tax DMO Receives - 100%</p>	<p>Total Operating Budget: \$2,148,000</p> <p>Revenue Sources: Lodging Tax Rev: \$1,465,000 Membership: \$0 Other Tax Rev: \$673,000 (Vendor’s Fee Portion) Other Income: \$10,000 misc.</p> <p>\$2,148,000 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes, and it is dedicated.</p>

<p>Greeley Updated 2017</p> <p>PRIVATE</p> <p>Staff: FT – 2 PT – 0</p>	<p>3 % Lodging Tax 2.9% State Tax 4.11% Local Tax No County Tax</p> <p>Total Tax Guest Pays/Room – 7.31%</p> <p>Percent of Lodging Tax DMO Receives - 3%</p>	<p>Total Operating Budget: \$260,000</p> <p>Revenue Sources: Lodging Tax Rev: \$260,000 Membership: \$0 Other Tax Rev: \$0 Other Income: \$0</p> <p>\$ 260,000 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes, and it is dedicated in a two year cycle.</p>
<p>Longmont Updated 2017</p> <p>PRIVATE</p> <p>Staff: FT – 3 PT – 0</p>	<p>2 % Lodging Tax 2.9% State Tax 3.275% Local Tax 0.985% County Tax 1.1% Other Tax (RTD 1% and Cultural .1%)</p> <p>Total Tax Guest Pays/Room – 10.26%</p> <p>Percent of Lodging Tax DMO Receives - 100%</p>	<p>Total Operating Budget: \$381,541</p> <p>Revenue Sources: Lodging Tax Rev: \$381,541 Membership: \$0 Other Tax Rev: \$0 Other Income: \$0</p> <p>\$ 381,541 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes. It is an annual request.</p>
<p>Manitou Springs Updated 2017</p> <p>Staff: FT – 4 PT – 2</p>	<p>2 % Lodging Tax 2.9% State Tax 3.9% Local Tax 1.23% County Tax 1.0% Other Tax (RTA)</p> <p>Total Tax Guest Pays/Room – 11.03%</p> <p>Percent of Lodging Tax DMO Receives - 100%</p>	<p>Total Operating Budget: \$526,344</p> <p>Revenue Sources: Lodging Tax Rev: \$369,344 Membership: \$50,000 Other Tax Rev: \$100,000 Special Events; \$7,000 Office Income and Misc.</p> <p>\$ 526,344 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes, but subject to approval of City Council each year. The amount is specified for economic development and promotion by ordinance but not necessarily to our organization.</p> <p>2. Comments for other Revenue Arrangements: The funds listed in Lodging Tax are actually a formula that is created through a combination of lodging tax and a percentage of a percentage of the excise tax and sales tax revenues.</p>

<p>Mesa Verde Country Updated 2017</p> <p>PRIVATE</p> <p>Staff: FT – 2 PT – 0</p>	<p>3.9% Lodging Tax (City 2%, County 1.9%) 2.9% State Tax 4.05% Local Tax 0% County Tax</p> <p>Total Tax Guest Pays/Room – 14.55% (City – 9.35%; County – 5.2%)</p> <p>Percent of Lodging Tax DMO Receives - Varies from year to year</p>	<p>Total Operating Budget: \$383,000</p> <p>Revenue Sources: Divided between City of Cortez general fund, City of Cortez lodger’s tax and Montezuma County lodger’s tax. All three vary from year to year.</p> <p>\$383,000 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes, on an annual request that varies year to year.</p>
<p>Morgan County Updated 2017</p> <p>PUBLIC (Governmental)</p> <p>Staff: FT – 1 PT – 0</p>	<p><u>1.9% Lodging Tax</u> 2.9% State Tax 3% Local Tax 0% County Tax</p> <p>Total Tax Guest Pays/Room – 7.8%</p> <p>Percent of Lodging Tax DMO Receives – 90%</p>	<p>Total Operating Budget: Averages \$225,000 annually</p> <p>Revenue Sources: Lodging Tax Rev: \$150,000 Membership: \$0 Other Income: Varies on previous year reserve dollars and occasional grant dollars</p> <p>\$225,000 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes, but there is a governing body allocating funds as needed.</p>
<p>Ouray Updated 2017</p> <p>PRIVATE</p> <p>Staff: FT – 2 Pt – 8</p>	<p><u>\$3 per night per hotel room/vacation rental; \$1 per RV/campsite/unfurnished cabin</u> 2.9% State Tax 4% Local Tax 2% County Tax</p> <p>Total Tax Guest Pays/Room - 8.9% (plus fixed fees)</p>	<p>Total Operating Budget: \$500,000</p> <p>Revenue Sources: Lodging Tax Rev: \$220,000 Membership: \$85,000 Other Tax Rev: \$0 Other Income: \$195,000 (Includes annual Jeep raffle, merchandise sales, grants and co-op marketing income)</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? Yes, on an annual request. The annual marketing request is made to the Ouray City Council. Council requests a flat fee that represents 86.875% of the most recently completed FY (usually the prior) to fund the upcoming year’s marketing program.</p>

	Percent of Lodging Tax DMO Receives - 86.857%	\$ 500,000 Total Revenue	
Pagosa Springs Updated 2017 PUBLIC (Governmental) Staff: FT – 2 PT – 3	<u>(4.9% Town, 1.9% County) Lodging Tax</u> 2.9% State Tax 4% County Tax (Split 50/50 Between Town and County) Total Tax Guest Pays/Room – 11.8% Town/8.8% County Percent of Lodging Tax DMO Receives - 100%	Total Operating Budget: \$750,000 Revenue Sources: Lodging Tax Rev: \$750,000 Membership: \$0 Other Tax Rev: \$0 Other Income: \$0 \$ 750,000 Total Revenue	1. Is DMO funded in full or partially by a lodging Tax? Yes. The Pagosa Springs Area Tourism Board is an advisory board to both Town Council and the Board of County Commissioners. The annual budget is approved by both governing entities. Bylaws indicate at least 50% of collections must be used for external marketing. 2. If taxes have changed in recent years, please describe. Prior to 2015, PSATB was funded by the Town’s lodging tax collection. The Board was restructured and IGA between Town and County signed in spring, 2015. Under the agreement all lodging tax collections go to the PSATB, the Town serves as fiscal agent, budget and Board appointments are approved by both Town and County.
Pueblo Updated 2017 Private Staff: FT – 8 PT – 3	<u>4.3% Lodging Tax</u> 2.9% State Tax 3% City Tax 1% County Tax ½ cent sales tax for Economic Development Fund Total Tax Guest Pays/Room – 11.7% Percent of Lodging Tax DMO Receives – Not a set %	Total Operating Budget: \$880,000 Revenue Sources: Lodging Tax Rev: \$400,000 Membership: \$30,000 (Hospitality Industry Dues) Other Tax Revenue: \$0 Other Income: \$450,000 (Pueblo Chile Festival & other event fundraisers)	1. Is DMO funded in full or partially by a lodging Tax? Yes, on an annual request. We make a budget request and an amount is proposed by the City Manager and approved by City Council. We received \$400,000 out of \$1,341,000 in lodging tax for 2017.

		\$880,000 Total Revenue	
Snowmass Village Updated 2017 PUBLIC (Governmental) Staff: FT – 15 PT – 5	<u>2.4% Lodging Tax</u> (Group Sales Fund) 2.9% State Tax (State of Colorado) 3.5% City Tax (1% Sales Tax & 2.5% Marketing Tax) 3.60% County Tax (Pitkin County) 0.40% Other Tax (Roaring Fork Transit Authority Tax) Total Tax Guest Pays/Room – 12.80% Percent of Lodging Tax DMO Receives - 4.9% (2.5% Marketing Tax, 2.4% Lodging Tax to fund Group Sales)	Total Operating Budget: \$5,800,000 (2016) Revenue Sources: Lodging & Marketing Tax Rev: 2016 = \$5,800,000 Membership: \$0 Other Tax Rev: \$0 Other Income: \$0 \$ 5,800,000 Total Revenue *We do not budget 100% of our projected revenues. And, fortunately, our actual revenues usually exceed projected so we have a reserve fund.	1. Is DMO funded in full or partially by a lodging Tax? Yes, partially 2. If yes, is it dedicated or annual request? Dedicated- Both the Marketing Sales Tax (approved in 2002-2003) and the Lodging Tax (approved in 2005-2006) are voter approved taxes. 3. If taxes have changed in recent years, please describe. Taxes have not changed since originally voter approved. 4. Comments for other Revenue Arrangements Marketing: Co-Ops with Stakeholders on Advertising, Group Sales, Group support and/or Co-Ops at events/Tradeshows.
Steamboat Springs Updated 2017 PRIVATE Staff: FT – 10 PT – 5 (Visitor Center)	<u>1% Lodging Tax</u> 2.9% State Tax 4.5% Local Tax 1% County Tax 2% Other Tax (Local Marketing Dist) Total Tax Guest Pays/Room - 11.4% Percent of Lodging Tax DMO Receives – 0%	Total Operating Budget: \$1,700,000 Revenue Sources: Lodging Tax Rev: \$0 Membership: \$500,000 Other Tax Rev: \$0 Other Income: \$750,000 from city's general fund; \$200,000 from special events; \$100,000 special events separate from DMO events; \$150,000 economic development) \$ 1,700,000	1. Is DMO funded in full or partially by a lodging Tax? No. Our marketing budget comes from the City's general fund through an annual request - \$750,000 2.If taxes have changed in recent years, please describe. Beginning Jan. 1, 2017, general sales tax decreased by 0.25%. There had been a 0.25% general sales tax voted in by the public to support air service. The tax was proposed to run for 5 years and sunsetted.

<p>Vail/Beaver Creek/Avon Updated 2017</p> <p>PRIVATE</p> <p>Staff: FT – 9 PT – 3</p>	<p><u>Vail</u></p> <p>1.4% Lodging Tax 2.9% State Tax 4% Local Tax 1.5% County Tax</p> <p>Total Tax Guest Pays/Room – 9.8%</p> <p>Percent of Lodging Tax DMO Receives – 0%</p> <p><u>Beaver Creek</u></p> <p>0.96% Lodging Tax 2.9% State Tax 5.35% Local Tax 1.5% County Tax</p> <p>Total Tax Guest Pays/Room – 10.71%</p> <p>Percent of Lodging Tax DMO Receives – 0%</p> <p><u>Avon</u></p> <p>4% Lodging Tax 2.9% State Tax 4% Local Tax 1.5% County Tax</p> <p>Total Tax Guest Pays/Room – 12.4%</p> <p>Percent of Lodging Tax DMO Receives - 0%</p>	<p>Total Operating Budget: \$1,600,000</p> <p>Revenue Sources:</p> <p>Lodging Tax Rev: \$0 – No direct lodging tax revenue but we do have government contracts in the amount of \$500,000 for tourism services.</p> <p>Membership: \$500,000 Other Tax Rev: \$0 Other Income: \$600,000 (Economic development, air service development, leadership programming, events, affinity programs</p> <p>\$1,600,000 Total Revenue</p>	<p>1. Is DMO funded in full or partially by a lodging Tax? No, but we do have government contracts in the amount of \$500,000 for tourism services.</p>
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**Grand Junction Regional
Air Service Alliance**



January 23, 2018

Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501
(delivered electronically)

Dear Members of the Council,

As the President of the Grand Junction Regional Air Service Alliance, a 501c6 nonprofit corporation dedicated to improving commercial air service options in Mesa County I would urge the City Council to consider asking voters in 2018 to increase the lodging tax and provide a portion of this revenue for minimum revenue guarantees to our organization.

The Grand Junction Regional Air Service Alliance (GJRASA) is a joint effort administered by the Grand Junction Area Chamber of Commerce and the Grand Junction Economic Partnership. The board of directors of GJRASA are appointed by the boards of the Chamber and GJEP and the CEOs of both organizations fulfill the role of administrators for the corporation.

For the past two years GJRASA has reviewed the status of the current levels of commercial air service in the Valley and looked for opportunities that expand service for business travelers and tourists. After a passenger demand study and discussions with a commercial air service consultant retained by the Grand Junction Regional Airport, our board is convinced that there are opportunities for air carriers to be profitable by providing more direct flights to more locations from our area. However, it is a reality of the current economic environment that in order to achieve that level of service risk will need be mitigated for the air carriers. The need for minimum revenue guarantees for airlines to begin serving other markets such as Los Angeles and/or Chicago are imperative if we are to move the needle on this needed economic infrastructure.

We would like to request that the City Council host a workshop to discuss asking voters to increase the lodging tax and that the discussion of the need for sustainable source of funding for air service minimum revenue guarantees be part of that workshop.

Thank you for considering this request.

Sincerely,

Jay Seaton
President

A handwritten signature in black ink, appearing to read 'Jay Seaton', is written over a horizontal line. The signature is fluid and cursive.



March 2, 2018

The Honorable Mayor Rick Taggart
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Dear Mayor Taggart and members of City Council,

The Visit Grand Junction Board of Directors met on March 1, 2018 to discuss the future advancement of tourism to our area through a proposed increase to the Grand Junction lodging tax.

Today, tourism in Mesa County is the number one basic industry. It provides direct and indirect employment for over 5,500 residents and generates \$139.9 million in wages, over \$12.9 million in local tax collection, and \$282.3 million in travel spending to local businesses. Over the past 28 years, Visit Grand Junction has successfully implemented marketing and sales programs that have been used for attracting conventions, meetings, world-wide visitors and media, and diverse special events. However, in recent years our competitive edge has lost momentum due to stagnant resources.

As the tourism landscape and needs of the community changes over the next 25 years, additional revenue is critical to maintain our share in the rapidly changing and competitive marketplace and provide sustainability for the Visit Grand Junction organization.

The Visit Grand Junction Board respectfully request that the City Council refer a Ballot Initiative for the November 2018 County Election, which would raise the current 3% lodging tax an additional 3% for a total of 6%.

Elements of the ordinance:

- 1) A lodging tax increase of 3.0% is paid by visitors and if possible, be exempt from Tabor restrictions. The Visit Grand Junction Board recommends the additional 3% be utilized for:
 - Funding towards the efforts of the Grand Junction Regional Air Service Alliance
 - Funding towards the total budget of Visit Grand Junction to expand regional and national marketing and promote new air service routes
 - Sustainable funding to support the marketing efforts of the Greater Grand Junction Sports Commission and the development of additional special events
- 2) This tax will be paid by guests of hotels, motels, short-term vacation rentals, bed and breakfasts, private business campgrounds (not including Federal and State campgrounds), and similar establishments providing temporary quarters or space for less than 30 days. Unless staying in these establishments, residents do not pay this tax.
- 3) The original lodging tax transfers all monies to Visit Grand Junction, a department of the City of Grand Junction, to administer the designated marketing funds. The Board recommends that revenue

derived from this new tax be funded through Visit Grand Junction and not directly to separate special interests.

- 4) The City Council oversight of City lodging tax revenue and the 9-member Visit Grand Junction Advisory Board has resulted in strong fiscal accountability, communication and continued success of the mission. Should an increase in the lodging tax be approved by the voters, the Visit Grand Junction Advisory Board recommends continued oversight by the City of Grand Junction and its' elected officials of all collections.
- 5) This new lodging tax comes with the understanding that with the market shifts, demographic changes, and expanding attractions, Visit Grand Junction would be able to respond as needed to market changes.
- 6) Upon passage, the Visit Grand Junction Advisory Board recommends the addition of two board seats with representation from the Greater Grand Junction Sports Commission and the Grand Junction Regional Air Service Alliance.

An additional investment in effective destination marketing is economic development. These new funds are needed to remain competitive regionally, nationally and internationally. This investment will attract new visitors, create significant local economic activity and generate crucial tax revenue to support essential community services. Without this investment, Grand Junction could relinquish these benefits to competing destinations. This additional revenue from an increase in the lodging tax has the power to give our community the boost it needs to secure a diversified economy.

The Visit Grand Junction Advisory Board appreciates your time and consideration of this request.

Sincerely,

Julie Shafer

Julie Shafer
Visit Grand Junction Board Chair

Board Members:
Brad Taylor
Susie Kiger
Josh Niernberg
Kevin Reimer
Britt Mathwich
Tammy Andersen
Elizabeth Hallgren
Paul Petersen

Colorado Destinations Check-Out Rates - 2017

Rank	Destination	Lodging Tax	City/Local Tax	County Tax	State Tax	Other Tax (i.e. transit)	Total Check-out Rate	Notes
1	Denver	10.75%	0.00%	0.00%	2.90%	1.10%	14.75%	
2	Mesa Verde Country	3.90%	4.05%	0.00%	2.90%	3.70%	14.55%	
3	Grand County	1.80%	8.20%	1.30%	2.90%	0.00%	14.20%	
4	Alamosa	1.90%	2.00%	3.00%	2.90%	4.00%	13.80%	
5	Snowmass Village	2.40%	3.50%	3.60%	2.90%	0.40%	12.80%	
6	Aurora	8.00%	3.75%	0.25%	2.90%	1.10%	12.75%	
7	Boulder	7.50%	0.00%	0.0985%	2.90%	1.10%	12.485%	
8	Avon	4.00%	4.00%	1.50%	2.90%	0.00%	12.40%	
9	Breckenridge	3.40%	2.50%	2.00%	2.90%	1.48%	12.275%	
10	Crested Butte/Gunnison	4.00%	4.00%	1.00%	2.90%	0.35%	12.25%	
11	Pagosa Springs	4.90%	2.00%	2.00%	2.90%	0.00%	11.80%	
12	Pueblo	4.30%	3.00%	1.00%	2.90%	0.50%	11.70%	
13	Steamboat Springs	1.00%	4.50%	1.00%	2.90%	2.00%	11.40%	
14	Aspen	2.00%	2.40%	3.60%	2.90%	0.40%	11.30%	
15	Glenwood Springs	2.50%	3.70%	1.00%	2.90%	1.00%	11.10%	
16	Manitou Springs	2.00%	3.90%	1.23%	2.90%	1.00%	11.03%	
17	Grand Junction	3.00%	2.75%	2.37%	2.90%	0.00%	11.02%	
18	Beaver Creek	0.96%	5.35%	1.50%	2.90%	0.00%	10.71%	
19	Estes Park	2.00%	5.00%	0.65%	2.90%	0.00%	10.55%	
20	Fort Collins	3.00%	3.85%	0.65%	2.90%	0.00%	10.40%	
21	Carbondale	2.00%	3.50%	1.00%	2.90%	1.00%	10.40%	
22	Fremont county	2.00%	2.90%	2.50%	2.90%	0.00%	10.30%	
23	Longmont	2.00%	3.275%	0.985%	2.90%	1.10%	10.26%	
24	Colorado Springs	2.00%	3.12%	1.23%	2.90%	1.00%	10.25%	
25	Greeley	3.00%	4.11%	0.00%	2.90%	0.00%	10.01%	
26	Durango	2.00%	3.00%	2.00%	2.90%	0.00%	9.90%	
27	Vail	1.40%	4.00%	1.50%	2.90%	0.00%	9.80%	
28	Ouray	0.00%	4.00%	2.00%	2.90%	0.00%	8.90%	plus \$3.00/nt lodging fee
29	Morgan County	1.90%	3.00%	0.00%	2.90%	0.00%	7.80%	
30	Chaffee County	1.90%	0.00%	2.50%	2.90%	0.00%	7.30%	

GJ Current Check-out Ranking: 17th

	Check-out Rate	State Rank
If Increase:	1.00%	12.02%
	1.25%	12.27%
	1.50%	12.52%
	1.75%	12.77%
	2.00%	13.02%
	2.25%	13.27%
	2.50%	13.52%
	2.75%	13.77%
	3.00%	14.02%
	3.25%	14.27%
	3.50%	14.52%
	3.75%	14.77%
	4.00%	15.02%