

**FRUITA CITY COUNCIL
SEPTEMBER 15 2015
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

3. AGENDA - ADOPT/AMEND

4. PROCLAMATIONS AND PRESENTATIONS

- A.** Dawna Callahan, Community Relations Specialist with the Colorado Lottery presents the Fruita Parks and Recreation Department with the "Starburst Award" for the Fruita Bike Park, Phase II

5. PUBLIC PARTICIPATION

This section is set aside for the City Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the City Council will not discuss the issue and will not take an official action under this section of the agenda. **Please limit comments to a five-minute period.**

6. CONSENT AGENDA

These are items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. A Single **Public Hearing** will be opened for all items on the Consent Agenda. These items will be approved by a single motion of the Council. The Mayor will ask if there is anyone present who has objection to such procedure as to certain items. Members of the Council may also ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section for full discussion. Any item that is removed from the consent agenda will be placed at the end of the regular agenda.

- A.** MINUTES – A request to approve the minutes from the September 1, 2015 City Council meeting

B. CAMILLA'S KAFFE

- 1) A request to approve a Sidewalk Restaurant Permit Application for A & C Inc., dba Camilla's Kaffe located at 206 E. Aspen Avenue
- 2) A request to approve a Modification of Liquor License premises for a Beer and Wine License for A & C Inc., dba Camilla's Kaffe located at 206 E. Aspen Avenue to allow beer and wine on a Sidewalk Restaurant

C. COPPER CLUB BREWING COMPANY

- 1) A request to approve a Sidewalk Restaurant Permit Application for Copper Club Brewing Company located at 233 E. Aspen Avenue
- 2) A request to approve a Modification of Liquor License premises for Copper Club Brewing Company located at 233 E. Aspen Avenue to allow beer on a Sidewalk Restaurant

- D. **BOARDS AND COMMISSIONS** – A request to approve the reappointment of Ken Kreie to the Downtown Advisory Board for another three year term to expire in September of 2018
- E. **BOARDS AND COMMISSIONS** – A request to approve the reappointment of Dave Karisny to the Planning Commission for another three year term to expire in September of 2018
- F. **BOARDS AND COMMISSIONS** – A request to approve the appointment of Shawna James to the Arts and Culture Board to fulfill an unexpired term plus an additional three year term to expire in March of 2020
- G. **ORDINANCE 2015-13 – Second Reading** – A request to approve an Ordinance accepting a right-of-way adjacent to West Ottley Avenue (Co-Op Expansion Project)
- H. **ORDINANCE 2015-14 – Second Reading** – A request to approve an Ordinance accepting a right-of-way adjacent to Highway 6 & 50 for a future roadway connection to West Ottley Avenue (Co-Op Expansion Project)
- I. **AUGUST 2015 FINANCIAL REPORTS** – A request to approve the August 2015 Financial Reports

7. PUBLIC HEARINGS

Public Hearings are the formal opportunity for the city council to LISTEN to the public regarding the issue at hand. For land use hearings and liquor license hearings; the Council is required to act in a quasi-judicial capacity. When acting as a quasi-judicial body, the Council is acting in much the same capacity as a judge would act in a court of law. Under these circumstances, the judicial or quasi-judicial body must limit its consideration to matters which are placed into evidence and are part of the public record. The council must base their decision on the law and evidence presented at the hearing.

- 1) **Applicant Presentation (15 minutes max)** The petitioner is asked to present the proposal. Presentations should be brief and to the point and cover all of the main points of the project.
- 2) **Staff presentation (15 minutes max)** Staff will present the comments and reports received from review agencies, and offer a recommendation.
- 3) **Public Input (limit of 5 minutes per person.** If two people in the audience are willing to cede their time to the speaker, that speaker may receive a total of 10 minutes, referred to as banking time). People speaking should step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made.
- 4) **Applicant Rebuttal (limited to 5 minutes)** The Mayor will ask for the applicant's rebuttal. During this brief time, the applicant should answer the questions raised by the public.
- 5) **The hearing is then closed to public comments.**
- 6) **Questions from the Council.** After a Council member is recognized by the Mayor, they may ask questions of the staff, the applicant, or the public.
- 7) **Make a motion.** A member of the City Council will make a motion on the issue.
- 8) **Discussion on the motion.** The City Council may discuss the motion.
- 9) **Vote.** The City Council will then vote on the motion.

8. ADMINISTRATIVE AGENDA

A. City Manager Mike Bennett

- 1) Gateway Community Engagement Process Administrative Report

B. City Engineer Sam Atkins

- 1) Downtown Improvements Project Update

9. COUNCIL REPORTS AND ACTIONS

10. CITY MANAGER'S REPORT

11. ADJOURN



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: TURE NYCUM, PARKS AND RECREATION DIRECTOR
DATE: SEPTEMBER 15, 2015
RE: STARBURST AWARD FOR FRUITA BIKE PARK, PHASE II

BACKGROUND

For the past 32 years the Colorado Lottery has been providing funds for parks, recreation, open space, conservation, education and wildlife projects. The Starburst Awards recognize excellence in the use of Lottery funds for community and conservation projects. Starburst nominations are reviewed and winning projects are chosen based on the creativity of the project, economic and social impact to the community, and whether the project achieved its goal.

Dawna Callahan, Community Relations Specialist with Colorado Lottery will present the City of Fruita with a 2015 Starburst Award for the Fruita Bike Park, Phase II project.

**FRUITA CITY COUNCIL
REGULAR MEETING
SEPTEMBER 1, 2015**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given and the Pledge of Allegiance was recited.

2. CALL TO ORDER AND ROLL CALL

Council members present were Bruce Bonar, Mel Mulder, Kyle Harvey, Stacey Mascarenas, Joel Kincaid and Bob Fuller. Mayor Buck called the meeting to order at 7:00 p.m.

Mayor Buck asked if there were any corrections or additions to the agenda. City Manager Mike Bennett stated that there were not.

3. AGENDA – ADOPT/AMEND

- **COUNCILOR BONAR MOVED TO APPROVE THE AGENDA AS PRESENTED. COUNCILOR MULDER SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

4. PROCLAMATIONS AND PRESENTATIONS

There were no proclamations or presentations on the agenda.

5. PUBLIC PARTICIPATION

Mrs. Vera Mulder stated that she wanted to make the City Council a proposition. She said that the Children's Nature Center will be moving and she thinks this is an awful thing for the City to let happen because Dinosaur Journey has plans for improvement. Mrs. Mulder stated that the John McConnell Math & Science Center has been successful in raising money to go forward with what they are doing.

Mrs. Mulder said that Fruita doesn't have money for this and doesn't have money for that and certainly not to clean up the mess of the old sewer lagoons. She asked the City Council to give Janet Gardner that property (the sewer lagoons) for a dollar, a hundred dollars or five hundred dollars and attach some stipulations to that because she feels that once Janet Gardner has the land in her possession, she can garner grants and support money that she has no way of touching right now.

Mrs. Mulder said the City of Fruita could write a contract and give Janet Gardner conditional use or ownership of the land, for example, the City could say that in fifteen or twenty years from now, if that land isn't cleaned up and the institution hasn't laid a foundation, then the property would revert back to the City. She asked what the City would lose.

Mrs. Mulder continued that the City of Fruita has the chance to have three incredible things in Fruita that would put it on the map because Fruita can't seem to get businesses here and seems to be a bed and breakfast for everybody else.

Mrs. Mulder said that making this (an educational complex consisting of Dinosaur Journey, the Math & Science Center and the Children's Nature Center) would draw people from all over.

Mrs. Mulder said she was really appealing to the City Council to use their good common sense and do this because there would be nothing to lose.

Mrs. Mulder stated that her son, his wife and her grandkids came to Fruita from Minneapolis, MN where the educational system is phenomenal because the state puts any extra money back into the schools. She continued that her son and his wife travel extensively with the kids and they have seen lots of things, but they went to Dinosaur Journey and the Children's Nature Center and they said they have never been to a place where they received so much attention and education as the Children's Nature Center. Mrs. Mulder said, (to the Council) "don't commit the mortal sin of letting that (Children's Nature Center) institution go."

There were no further comments from the public.

6. CONSENT AGENDA

- A. MINUTES - A REQUEST TO APPROVE THE MINUTES FROM THE AUGUST 18, 2015 CITY COUNCIL MEETING**
- B. NO COAST SUSHI:**
 - 1) A REQUEST TO APPROVE A SIDEWALK RESTAURANT PERMIT APPLICATION FROM UMIN CHU, LLC DBA NO COAST SUSHI LOCATED AT 229 E. ASPEN AVENUE**
 - 2) A REQUEST TO APPROVE A MODIFICATION OF LIQUOR LICENSE PREMISES FOR A BEER AND WINE LIQUOR LICENSE FOR UMIN CHU, LLC DBA NO COAST SUSHI LOCATED AT 229 E. ASPEN AVENUE TO ALLOW ALCOHOL ON A SIDEWALK RESTAURANT**
- C. BOARDS AND COMMISSIONS REAPPOINTMENT – A REQUEST TO APPROVE THE REAPPOINTMENT OF JIM MORRIS TO THE BOARD OF ADJUSTMENTS FOR ANOTHER THREE YEAR TERM TO EXPIRE IN SEPTEMBER OF 2018**
- D. RESOLUTION 2015-23 – A REQUEST TO APPROVE A RESOLUTION RECOGNIZING SEPTEMBER 14 – 20, 2015 AS “COLORADO CITIES AND TOWNS WEEK”**

- E. CONDITIONAL USE PERMIT – A REQUEST TO APPROVE A CONDITIONAL USE PERMIT FOR ILLUSIONS BRIDAL LOCATED AT 816 GRAND AVENUE**
- F. CONDITIONAL USE PERMIT – A REQUEST TO APPROVE A CONDITIONAL USE PERMIT FOR QUALITY SHEET METAL LOCATED AT 816 GRAND AVENUE**
- G. CONDITIONAL USE PERMIT – A REQUEST TO APPROVE A CONDITIONAL USE PERMIT FOR THE EQUINE FACILITY AT 1679 RUBY LEE DRIVE**

Mayor Buck opened the Consent Agenda for public comments. Hearing none, she referred to the City Council.

- COUNCILOR KINCAID MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR FULLER SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

7. PUBLIC HEARINGS

There were no Public Hearings on the agenda.

8. ADMINISTRATIVE AGENDA

A. PUBLIC WORKS DIRECTOR KEN HALEY

1) GRAND VALLEY REGIONAL DRAINAGE UPDATE

Public Works Director Ken Haley gave the Council a PowerPoint presentation regarding an update on the Grand Valley Regional drainage situation. He noted that he had given the Council a presentation in June of 2015 and he wanted to give an update of what has happened since then.

Mr. Haley said that between March and May of 2015, staff worked with a whitepaper group that included different entities in the valley. They discussed how to best handle regional drainage. The recommendations of that group were to have one drainage entity handle all the drainage systems including maintaining drains, drainage Master Plans, irrigation return and seep, floodplain management, water quality and capital projects. The group recommended that the one entity be the Grand Valley Drainage District (GVDD).

Mr. Haley continued that on June 16, 2015, staff brought the matter to the City Council and the Council passed a motion that “the Fruita City Council support moving forward to the next step in the discussions with the concept of forming one regional drainage entity under Title 37 and expanding the drainage district.”

Mr. Haley's presentation included a timeline that was discussed during the whitepaper conversations. He pointed out that June 22, 2015 was the deadline to make the decision to form the drainage authority under either Title 37 or Title 29 of the Colorado Revised Statutes.

Mr. Haley said that the next step in the process was to set up committees to discuss the big policy issues such as what the boundaries of the organization would be and how those would work, how the representation and leadership of the board would look, how funding would be obtained for the organization, how the legal and logistic aspects would come into play, and how to implement the entire program.

Mr. Haley continued that the GVDD set up a series of committee meetings, the first of which was in July. Three separate committees were formed: the Financial Plan Committee, the Governance and Communication Committee and the Operations, Expansion and Logistics Committee. Representatives from Fruita on these committees included City Engineer Sam Atkins (Financial Plan), Councilor Bob Fuller (Governance & Communication) and Public Works Director Ken Haley (Operations, Expansion & Logistics). Each committee met once in July and on July 21st, the GVDD notified the committee members that they were moving forward with implementing fees in January of 2016. Mr. Haley said this was somewhat contradictory to what the committees had been discussing.

Mr. Haley said that at this time, a lot of the committee members were pretty confused on why the GVDD was moving forward without the support of the committee members and without full recommendations from those committees.

Mr. Haley said the reason this will impact Fruita is because the GVDD's boundaries go from Palisade to Fruita north of the Colorado River. In District 1 (at the west end of the valley), the boundary encompasses all of the City of Fruita with the exception of the Kingsview Subdivision on the south side. He continued that when the GVDD talks about implementing fees within their existing boundary, it means that Fruita residents will be impacted and responsible for paying those fees.

Mr. Haley continued that on August 6, 2015, County Commissioner Scott McInnis and Grand Junction City Councilman Duncan McArthur wrote a letter to the GVDD Board which stated that if the Board does move forward with the implementation of the fees, they would like some representation on the Board and involvement in how it moves forward. The GVDD then responded back the following week asking the City of Grand Junction to support them in moving forward with the current board and the implementation of fees. That same week, Scott McInnis and Duncan McArthur sent a letter to the GVDD Board suggesting that maybe they have a third party such as the Department of Local Affairs (DOLA) come in to facilitate and do an evaluation on what would be the best makeup of the board. Mr. Haley said that there had been other correspondences during this time, as well as press releases.

Mr. Haley said it was his understanding that DOLA responded that they were not interested in or were not the best suited for being a facilitator for the forming of the drainage authority.

Mr. Haley said that regardless of all this, he still has hope and that the main goal is still the same; the hard part is how to get there. He said the main issues that haven't been grasped yet are board representation, the implementation logistics and how the organization will be funded.

Mr. Haley said that since the GVDD notified everyone that they were moving forward with the implementation of fees in January of 2016, none of the committees have met and haven't been involved in discussions. He continued that the GVDD plans to have an ad hoc committee meeting on September 3rd to discuss the implementation of fees and to get feedback. Mr. Haley noted that an ad hoc committee is not something that Fruita has participated in up to this point because the committee members were focused on the whitepaper timeline.

Councilor Bonar noted that the fee Resolution (proposed by the GVDD) was continued to the next meeting of the GVDD Board, which will be held on September 9th. He added that the board was also holding a workshop session on September 2nd.

Mr. Haley said that the fee Resolution shows that every residential property in Fruita will essentially be assessed \$36 per year. For all new houses, there will be a \$963 impact fee. For the City of Fruita's facilities, the fees would be based on impervious area and would total upwards of \$23,000 in 2016. He continued that these fees would be charged to everybody including non-profits and tax-exempt organizations. School District 51 would be responsible for over \$100,000 in storm water fees next year. There have been some discussions about rebates.

Councilor Fuller asked if the fee being charged would be for storm water management or irrigation and seep.

Mr. Haley responded that the GVDD's Financial Plan that they are presenting has two sides: 1) Operational General Fund expenses (which are funded by mill levy that is currently in place and generates roughly \$1.7 million per year) and 2) an Enterprise Fund, which is where the impact fees and storm water fees would go. The Enterprise Fund would fund capital improvements such as operating and maintaining additional drainage infrastructure, as well as personnel and equipment.

Mr. Haley noted that there were a couple of different versions of GVDD's Financial Plan because they are trying to decide whether to take on a debt service plan to do some big capital projects up front or not. He said the Financial Plan that was in his presentation did not include any debt service and that capital projects in this plan include the Buthorn Drain Phase 1, Buthorn Drain Phase 2, Appleton Drain, Carpenter Drain and 29 Road Drainage. Mr. Haley noted that none of these capital projects are located in Fruita.

Mr. Haley said he was not looking for any direction from Council yet; he was just getting a lot of questions about what is going on, so he was giving the Council the opportunity to get caught up on some of the things that have been happening.

Councilor Fuller asked if the columns in the Financial Plan were annual. Mr. Haley confirmed that they were.

Councilor Fuller noted that according to the Financial Plan, in the year 2016, the GVDD would have an ending balance of \$1,503,000 in the Enterprise Fund but they were going to spend \$50,000 on capital improvements. He asked where the other \$1,450,000 was going. Mr. Haley said he did not know the answer to Mr. Fuller's question. He added that City Engineer Sam Atkins was on the Financial Planning Committee, so possibly he knew more about it.

Mr. Atkins said it appears that the GVDD would be banking the revenue early and because the capital improvements were large dollar amounts, they weren't able to immediately fund the projects. He said it would take a couple of years before they would actually be able to start on the projects. Mr. Atkins added that the estimated cost of starting the Buthorn Drain project was \$5 million, so it would take time to build up the money to pay for it.

Mayor Buck asked if federal, state and county properties were going to be subject to the storm water fees as well. Mr. Haley confirmed this to be true.

Councilor Mascarenas asked if churches would be included as well and Mr. Haley responded that they would.

Councilor Mascarenas asked Mr. Haley if he had estimated costs of the fees for churches in Fruita.

Mr. Haley said he did not have this information specific to churches, but that was something he could look into.

Mr. Atkins explained that the fees will be based on an equivalent residential unit of 2,500 square feet of impervious surface (which includes the rooftop and pavement). The square footage would be divided by 2,500 and results in the \$3 per month fee that is being proposed. If a property were 5,000 square feet, the fee would be about \$6 per month. This formula is being used for both residential and commercial properties.

Councilor Mascarenas asked if businesses would have to pay the mill levy property tax that they already pay (which is higher than residential) as well as the additional storm water fee. Mr. Haley confirmed that this was what GVDD was proposing.

Councilor Fuller stated that it seems as though the impervious surface calculation is designed to manage storm water and not necessarily irrigation. He asked if this was correct. Mr. Haley confirmed that this is correct. He said the mill levy would take care of the irrigation and return flow and the impact and storm water fees would handle the drainage.

Councilor Fuller said then, presumably, the capital improvement projects funded by the Enterprise Fund will be only for storm water management. Mr. Haley responded that this was the intent.

Councilor Fuller asked if the Buthorn Drain was an irrigation ditch. Mr. Haley said the drain does have some tail water in it, but it is a capacity improvement that has been caused by development over time and increased flows.

Mayor Buck noted that the average taxpayer is going to get hit with the implementation of a storm water fee because not only do they pay property taxes, the City is going to have to reduce its services by \$23,000, the county is going to reduce their services by however much they have to pay and it seems like the regular Joe is just going to get hammered.

Councilor Fuller added that the City of Fruita is being charged a fee without having any control over the funds use and therefore, the City is being taxed without representation.

Councilor Bonar said that the reason that the fee Resolution wasn't signed at the last GVDD meeting was because he was concerned about double taxation and the impact on the school district and others. He continued that it is very messy; the Uniformity Principle applies to taxes and fees within the state and it says that you cannot charge different entities different rates for a tax or a fee and you cannot exempt different groups without exempting everybody or charging everybody the same, so the easy way isn't easy.

Councilor Fuller responded that churches are exempt from property taxes and therefore, they do not pay a mill levy. Councilor Bonar agreed that this is correct. Councilor Fuller said they were still going to be forced to pay the storm water fee. Councilor Bonar again agreed that this was correct.

Councilor Bonar continued that in regards to the school district, there is a precedent in Champion, Illinois to give an education credit to the school district and the rationale is that the school district participates in public education to make people aware of the function of the storm water system and why it is important. He added that this would enable the storm water enterprise to rebate to the school district the cost of the fees, which is a legally defensible way to reimburse the school district and minimize the impact on them.

Councilor Bonar said that there is also the issue of the municipalities, particularly Palisade and Fruita, who are entirely within the GVDD's boundaries. He stated that the City spends roughly \$12,000 per year on maintenance of storm water facilities and the anticipated municipal fees would be roughly \$20,000 to \$24,000. The proposal that Councilor Bonar said he heard about is that if the City enters into an Intergovernmental Agreement (IGA) with the GVDD for the handling of storm water, then the City would not have to pay the usual \$12,000 in maintenance fees and there would be ways to offset the costs of the newly implemented fees. Councilor Bonar said he has not seen the numbers to satisfy him that this is possible, but this is what has been proposed. He said this is what is happening now; trying to figure out how to make this work.

Councilor Fuller said this really doesn't address the issue because it does not provide any control on behalf of the City of Fruita for turning over responsibility of storm water management to the GVDD.

Councilor Bonar said that in the IGA, the City could negotiate on how money is spent on behalf of the City of Fruita.

Councilor Fuller asked why the City of Fruita would do that.

Councilor Bonar asked why the City would not do that. He said that the City is already paying money, so why wouldn't it try to enter into agreement to say where the money is going.

Councilor Fuller responded that the City shouldn't do that because rather, they should maintain control over the City's own storm water management.

Councilor Bonar responded that the fees are coming and nobody can stop them.

Councilor Fuller said people could choose to not pay them. Councilor Bonar responded that that would be another story, but the bottom line is that the GVDD has the statutory authority to establish an enterprise within its boundaries and the statutory authority to charge a utility for the enterprise without violating TABOR and without going to the taxpayers. He said like it or not, it's happening.

Councilor Fuller said this was provided the County Clerk will allow the GVDD to bill for the fees. Councilor Bonar responded that up until two weeks ago, the County Assessor was fine with everything but the County Assessor has suddenly decided that it's not going to be possible because Scott McInnis said that the GVDD is using its leverage. The GVDD will therefore bill outside of the County Assessor's Office and the fees will not be part of property taxes.

Councilor Bonar continued that in regards to representation, the City of Fruita lives in District 1 of the GVDD and he is currently the elected representative for District 1. He said his term is up in April and anyone is certainly welcome to run for the seat or find a candidate to do so.

Councilor Fuller asked who was representing Palisade on the GVDD and Councilor Bonar said Dick Bowman was Palisade's representative on the board. Councilor Fuller asked if Mr. Bowman lives in Palisade and Councilor Bonar said he lives right on the outside of Palisade on the eastern end of the valley. Mark Harris represents the central part of the valley.

Councilor Fuller asked if the GVDD was not going to change its governance, then. Councilor Bonar said this is correct.

Councilor Mascarenas said she thought everyone was in agreement including the GVDD of the timeframe in that fees wouldn't be implemented until 2017 and that everyone would be working together as a community to achieve the goals. She said she is disappointed that this is not the case because now the goodwill and the trust are concerns and the citizens are going to be impacted. Councilor Mascarenas said that although the GVDD has its opinions and is receiving legal counsel, she is still going to wait and see how it will play out because there are still stories to be told.

Councilor Mascarenas added that Scott McInnis and Duncan McArthur really took the bull by the horns, but in her mind, it was supposed to be everybody in the valley working together.

Public Works Director Ken Haley said that as staff, he feels like the process in the committee meetings was being productive in helping move forward to the greater goal that everyone was trying to achieve.

Councilor Mascarenas said she was still hoping that the committees will continue meeting.

Mr. Haley responded that the GVDD was the one leading the committees, and they have since cancelled all the committee meetings.

Councilor Mascarenas asked if the committees could continue to meet and people could chose to attend or not. She said she didn't know if what GVDD was trying to do was possible without community and municipality support. She added that she was just still hopeful that the GVDD was going to be a team player.

Mr. Haley said that he thinks there are ways to work together on how the implementation will go, and that whether the fees start in 2016 or 2017, it probably really doesn't matter, even though it will be harder in some instances than the other. He continued that the hardest thing to face is telling the constituents and residents what the fee is for and how they are benefitting from it and what services they are being provided. Mr. Haley said the public education piece will be very important.

Councilor Fuller commented that the citizens of Fruita will not benefit from it because there are no Enterprise Fund projects in Fruita, so the City will have an Intergovernmental Agreement which will help to manage storm water, but he thinks that the City could do a better job than the GVDD because he feels that historically, this has been the case.

Councilor Fuller reiterated that the citizens will not see any benefit directly from the Enterprise Fund.

Councilor Bonar said that he believes that the first budgeted phase in the model is to pay for basin studies for the Little and Big Salt Washes and Adobe Creek, which were supposed to have been completed under the 5-2-1 Drainage Authority. (The studies were done for the eastern end of the valley but were never completed in Fruita). Councilor Bonar said these basin studies are necessary to determine what the storm water facility sizes need to be.

Councilor Fuller said the Financial Model does not say that.

Mr. Haley said that those drainage studies were cut from the current Financial Model.

Councilor Bonar said this was something that the City of Fruita could negotiate as part of the IGA between the City and the GVDD.

Mr. Haley said he knows that this has obviously turned into a political issue and he knows that Mesa County has pushed back and still wants to move forward towards having representation on the GVDD Board before they will support it.

Mayor Buck said she wanted to acknowledge that Councilor Bonar is in a very difficult position right now. She added that she appreciates what he is doing and that she believes he is doing what he thinks is right, and that it is just a hard situation right now.

Councilor Fuller said he thought Councilor Bonar has presented the GVDD's position accurately and correctly, and that is what the City Council was looking for. He said his concern is that in the absence of a consensus on the Council to provide Councilor Bonar with some direction as to what

the City of Fruita would like to see, that Councilor Bonar is pretty much playing it by ear, although he has certainly defended the City's position admirably up to now based on what he's been able to do.

Councilor Bonar advised everyone to be well aware that he makes no commitments on behalf of the City of Fruita while he is serving on the GVDD board and also to be aware that he has the interest of Fruita and the lower valley in mind as well as the rest of the GVDD in making decisions. He said he has to balance what he thinks needs to be done with what he thinks needs to be done and he is trying.

He added that part of the difficulty in the process at the moment was one vision of a single drainage responsibility covering the entire 5-2-1 Drainage Authority perimeter. He said the real sticking point is how to get there and the GVDD's management has come up with a sequential, manageable expansion plan of what can be done now to bring in the money and then the expansion can progressively occur as opposed to having a single drainage authority up and running on day one with a 5-2-1 governance. Councilor Bonar said the GVDD feels that it didn't work last time, so why would anyone think it would now?

Councilor Bonar continued that there were negotiations between parties that he was not a part of to work the differences out, but it became clear that Mesa County was not a viable partner. He said at the same time, there are people sitting in a meeting complaining about flooding that's taking place on their property because of an undersized culvert and Mesa County is telling them to talk to the GVDD, who says they can't help because they don't have the authority or the money to do that.

Councilor Bonar said Mesa County said they are not willing to discuss fees until after the November 2016 Election. At this point, the GVDD said they do not need Mesa County to do what they can do to handle storm water within their own boundaries. Councilor Bonar said if any of the other entities want to participate, participation is welcome and through IGA's, mutually acceptable ways to expand the service can be found. He made the comment that "you can't eat an elephant all at once, you eat it one bite at a time."

Councilor Mascarenas asked for clarification that Councilor Bonar's position is not representing the Fruita City Council. She said she needed to know that because the City Council did pass a Resolution contradicting Council Bonar's position. Councilor Bonar confirmed that this was correct. He said he is telling the Fruita City Council what he has observed in meetings that he attended while not being a Fruita City Councilor and that he was trying to give as much insight as he could and answer any questions asked of him. He said they are two different hats that he has to wear.

City Manager Mike Bennett said that he asked Mr. Haley to give the update on the Grand Valley regional drainage because there have been a lot of questions and there is a lot to it, so it's hard to cover simply in weekly updates. Mr. Bennett said he wanted to make sure that everybody was up to speed on the timeline from the last update in June to this point. He added that he has shared with some City Councilors that from the staff's perspective, staff was hopeful when they were working together in the committees, but now other factors have come into play.

Mr. Bennett continued that in an ideal world, when you have a utility or a multi-jurisdictional governmental entity that is covering across boundaries, the protocol would be that there would be one IGA that everyone was a part of, but there are many factors at play that make this a little more difficult in this point in time. He said this is one of the reasons that staff hasn't jumped into any kind of negotiations yet. He said that currently, staff is evaluating the City's cost, but essentially is watching from the sidelines because there is no active committee for the City to be a part of. Mr. Bennett said staff is definitely paying attention to what is going on, but it is not the City's role to lead the process. He added that when the fees are assessed and the GVDD takes on its additional responsibilities, if it comes down to a situation where no one is working together, then the City will absolutely have to look out for its own interests.

Councilor Fuller asked if staff had seen a draft of an IGA from the GVDD. Mr. Bennett responded that he believed the GVDD's attorney sent it to the City of Fruita's attorney Ed Sands, but he hadn't heard from Mr. Sands about yet and he would be following up on it. Mr. Bennett stated he thought the GVDD's attorneys sent IGA to the other entities as well.

Councilor Mascarenas asked if any of the other entities had entered into any IGA with the GVDD and Mr. Bennett said they had not as far as he was aware. Councilor Bonar said that the IGAs were sent out to solicit feedback in how to draft the Resolution going forward. He added that after the Resolution has been passed, then the entities can negotiate the actual IGAs.

Councilor Bonar further stated that the IGAs that were sent to Ed Sands (who represents both Fruita and Palisade) and John Shaver (the City of Grand Junction's attorney) did not contain specifics but rather more generalities and not the beginnings of negotiations.

Councilor Fuller asked if the City of Fruita would then have the opportunity to negotiate after the fee is set in stone. Councilor Bonar said he wouldn't use the term "set in stone." He said once the Resolution is passed to implement a fee, the fee can be changed by Resolution, as can other details.

Councilor Fuller said the fee has to be uniform, so if it's based on a logical square footage, then the formula must apply to every entity inside the boundary. Councilor Bonar said this is correct. Councilor Fuller said there was no real negotiating, then.

Mr. Bennett said he did receive earlier that day from the GVDD a draft Resolution that they will be discussing at the upcoming meetings.

Councilor Bonar said he believes there is a clause in the Resolution that requires a review at the end of the first year to look at whether the model needs to be adjusted.

Councilor Mulder noted that the 5-2-1 has a special meeting come up on September 16th from 2:00 to 4:00 pm at the County building and Fruita does still have an IGA with the 5-2-1 Drainage Authority. He continued that he was quite sure that Scott McInnis and Duncan McArthur would be providing their comments about what they want to see. Councilor Mulder said he just wanted to point out that the 5-2-1 was still in the background and the IGA with Fruita was voted on only six months ago.

Mr. Haley said the 5-2-1 is still doing what it needs to do as far as water quality aspects and maintaining that and this won't change until the alternate entity takes over. He said the 5-2-1 is required by state regulations to fulfill these obligations. Mr. Haley reminded everyone that the City of Fruita does currently contribute about \$5,000 to the 5-2-1 Drainage Authority every year. He noted that once the GVDD takes control, the 5-2-1 Drainage Authority will be dissolved.

Councilor Harvey asked if Scott McInnis and Duncan McArthur were on any of the GVDD's committees. Councilor Fuller stated that Mr. McInnis was on the Governance Committee with him.

Councilor Harvey asked if the County Commissioner was representative of what the committees were actually talking about and looking to do. Councilor Fuller said it was in line with what had been flushed out in the whitepaper and Tim Ryan was also on the Governance Committee and did not raise any objections to the direction in which the committee was leaning. He said this was appointed representation from the various municipalities and the county. Councilor Fuller said this was all he could say and then it was dissolved and the GVDD went their own way.

Mr. Haley noted that the Governance Committee that Councilor Fuller was on was the only committee that had elected officials on it. The other two committees (Financial Planning and Operations and Logistics) were all made up of staff members.

Councilor Harvey asked if the different committees were communicating. He said he just wondered how it got to the point where all of a sudden, there is an e-mail blast from Mesa County.

Mr. Haley said he believes there were a lot of discussions going on outside of those committee meetings that he and others were not privy to.

Mr. Bennett noted that each of the committees only met once. Mr. Fuller added that the idea was that a facilitator was present (at least at the Governance Committee) and it was his intent to provide a written summary of the conversations, and this was to then be disseminated to all the members of the committee, which never happened, so there is no record of the conversations that took place (at least at the Governance Committee meeting). Mr. Haley said the same was true of the committee that he was on (Operations and Logistics).

Councilor Mulder asked Mr. Haley if he was still on the Technical Advisory Committee for the 5-2-1 Drainage Authority. Mr. Haley said he is. Councilor Mulder asked if Mr. Haley had been to a meeting recently regarding what is occurring. Mr. Haley said he would be attending a meeting of the 5-2-1 at the end of the week and they would be talking about the issues.

9. COUNCIL REPORTS AND ACTIONS

COUNCILOR KINCAID

Councilor Kincaid reported that the Fruita Tourism Advisory Council met the previous week and they still have some concerns. One of these concerns is that tourism is over budget in about ten different categories and most of them are in the management and planning section. The budget currently has \$5,700 available for the rest of the year. \$3,000 was spent on search engine

optimization. The City's marketing firm, Cobb & Associates, did not have any good answers for why that is happening.

Councilor Kincaid continued that tourism website visits were down 28% year-to-date from last year as of April. In May, the visits were down 3.6%. In June, the visits were up 5% and in July, they were up 30%. In August, the visits were up 70%. Councilor Kincaid said that \$4,700 was spent on Facebook ads (that wasn't spent last year) and Google display ads ran another \$2,700 (that also wasn't spent last year). Mayor Buck asked if Cobb & Associates went and spent the money on their own. Councilor Kincaid said that those items were in the budget, but the search engine optimization should have been started in January, but that still hasn't occurred and Cobb & Associates has not had a good reason why.

Councilor Kincaid continued that the Tourism Advisory Board has communicated to Cobb & Associates that they need to get on their game because there is one year left on their contract. Cobb & Associates says that effective April 21st, Google changed they changed their algorithm, so that is why the visitation numbers are down. Councilor Kincaid said this doesn't make sense, so a lot of the Tourism board members had some things to say that needed to be said.

Cobb & Associates has also said that the organic search is down 41% compared to 59% last year. Councilor Kincaid said that if no money was paid for any advertising, the numbers this year would have been 2,951 visits in July, but they are at 2,911 so visits are down by 40 without paying for advertising. Cobb & Associates also said they think the tourism website needs to be redesigned again onto a Wordpress platform, but Councilor Kincaid said it was just redesigned last year, so the board told them they were not interested in doing that.

Councilor Kincaid said that the board's concern is that Cobb & Associates is over budget in management and planning because it's money that's not going towards the marketing that the City needs done.

Mayor Buck asked where the money for the Interbike e-mail blasts was coming from. Councilor Kincaid responded that the Human Resources Director has some budget line items for signage that probably won't be used this year, so it will come out of that. He explained that the Tourism Advisory Board has been discussing doing an e-mail blast to about 2,000 attendees at the Interbike show and probably 200 of those recipients are decision makers that the board wants to target.

Councilor Kincaid noted that there was a video created by Colorado Mesa University students where two guys were sitting on a bench in the Circle and they were talking about the "twelve-minute" rule where there is always something to do twelve minutes from Fruita, so they drive up to the Colorado National Monument. A decision was made that any videos must be approved by a committee before they get posted on the internet.

Councilor Kincaid said he has talked with the City Manager about the possibility of giving Cobb & Associates a smaller budget in 2016 while the City takes some of the money and does its own decision making for the spending of marketing funds.

Councilor Kincaid said he was also concerned when he heard Cobb & Associates say that Fruita's key tourism season is the summer. The board informed them that it is spring and fall, not summer. Councilor Kincaid said that Eric Mello had a good handle on Fruita's tourism, but with him and Terry leaving, there is a big gap at the marketing firm.

Councilor Mascarenas noted that Eric Mello is a professor at CMU who frequently uses Fruita as a subject for his classes. Councilor Kincaid said this is where the video came from that he spoke about; the class has a writer and a videographer.

Mr. Bennett said that the students have done a decent job; it's just that the video sent the wrong message for Fruita.

Mayor Buck asked if there was any money in the budget to replace the dinosaur banner on the grain elevator because it is getting very faded.

Councilor Kincaid said he recalled that the banner was very expensive. Mayor Buck said she recalled that the frame was approximately \$15,000 but that it was only a couple of thousand to replace the actual banner. Councilor Kincaid said the Tourism Board could look at that and see.

Mr. Bennett stated that he recently found out that the extra money in signage would not cover the whole e-mail blast to Interbike. He said it would cover a large portion, but not all of it.

Mayor Buck said she just wanted to put a "bug in the ear" for next year's budget that it would be great to replace the banner because it is looking pretty sad.

Councilor Kincaid concluded by saying that Cobb & Associates has done a great job over the last six years or so, but they have just been struggling to hit the mark since the latest transition.

COUNCILOR MASCARENAS

Councilor Mascarenas reported that she attended the Grand Valley Regional Transportation Committee (GVRTC) the previous Monday and the board is shooting for October 26, 2015 to have a roundtable workshop with state legislators, the Deputy Director of the Colorado Department of Transportation (CDOT) and legislative liaisons.

Councilor Mascarenas also reported that representatives from the Grand Junction Visitor and Convention Bureau (VCB) have been denied conferences because of the lack of public transportation such as a shuttle service from hotels. The VCB has made a plea to the Grand Valley Transit (GVT) to see if they would be a partner in providing transportation for conferences, but there are costs and man hours associated with that. Councilor Mascarenas said there have been discussions that folks could pay for the transportation via conference registration fees.

Councilor Mascarenas said that GVT ridership has been going down; however, revenue is going up. Overall, there has been a 12.5% increase in revenue and last month, there was a 52% increase in revenue. She explained that the reason for this is that now there is a fare box and GVT has an actual count of riders that they didn't have in the past. The ridership numbers of the past were

probably inflated because they couldn't keep track of how many people were actually riding the buses.

Councilor Mascarenas noted that she had a Chamber board meeting later in the week.

COUNCILOR HARVEY

Councilor Harvey stated that his board meetings would be held the following Wednesday. He said that as a side note, he had a friend in town who is a representative for the National Outdoor Leadership School (NOLS), which is an organization that takes youth out on adventures and teaches them all the right ways to do everything from camping to canyoneering, whitewater rafting, kayaking and other outdoor activities. NOLS was in Fruita because it is part of their territory and they went to the rock climbing place over by Discovery Kids. They have been trying to get in touch with CMU because they are looking for people to partner with in the valley. Councilor Harvey said the group was super impressed by Fruita; they thought it was the coolest place ever. NOLS is based out of Lander, WY, which is somewhat similar in size and downtown character to Fruita. Councilor Harvey said the group gave him some information that he would be passing along to the City Manager because he wondered if there was some way that the City could partner with NOLS in the future.

Councilor Harvey also noted that his gallery and bookstore opened and they did an interview with a literary website called realpants.com, which is a serious and well-known site in the literary community. He added that in the interview, he promoted Fruita and since then, he has had people contacting the bookstore and checking out the town.

Mr. Bennett said he was going to add this in the Weekly Information Update. Councilor Mascarenas suggested that Mr. Bennett provide the link to the website so that Council members could share it.

Mr. Bennett said that Councilor Harvey did a great job explaining Fruita.

COUNCILOR MULDER

Councilor Mulder said he just wanted to reiterate what Mrs. Mulder said earlier about the Children's Nature Center and added that the center has made quite an impression on people. He said it is just too bad that something can't be worked out that would be suitable for everybody involved. Councilor Mulder stated that the Math & Science Center is going to be moving forward with or without Theresa, who has accepted another job for a non-profit organization. He just asked that the Council and staff keep in mind what Mrs. Mulder proposed.

COUNCILOR BONAR

Councilor Bonar reported that over the weekend, he enjoyed a rather tasty India Pale Ale called Johnny's American IPA, which was 4% alcohol. He said what was significant about this is that he bought it at the City Market, whom he thought had a 3.2% beer license. (Clerk's Note: Colorado Liquor Rules state that "No licensee shall sell, offer or expose for sale or distribute within the state

any fermented malt beverages in bottles or cans of less than thirty-three (33) ounces capacity unless said containers, or a label attached thereto, shall carry thereon, in clear and legible and indelible print a statement which clearly indicates that the beverage therein contains not more than 3.2% alcohol by weight *or 4% alcohol by volume*. The beverage Councilor Bonar referred to is 4% alcohol by volume and can be legally sold by stores with a 3.2% beer license.)

MAYOR BUCK

Mayor Buck stated that Luis Benitez, the Head of the new Colorado Outdoor Recreation Industry Office for the state will be at the Interbike show with Governor Hickenlooper. Fruita Parks and Recreation Director Ture Nycum met Mr. Benitez over the weekend and he and Mayor Buck invited him to lunch on Tuesday to talk about Fruita. The Colorado Outdoor Rec Industry Office is making the Grand Valley the incubator site for the outdoor industry. Mayor Buck said she thought it would turn out to be a good thing.

10. CITY MANAGER'S REPORT

Mr. Bennett stated that he would be in a meeting the following day with the Economic Development partners (Municipal and county managers, Business Incubator Center, and the Grand Junction Economic Development Partnership (GJEP)) to discuss the North Star study that was completed. Grand Junction and Mesa County contracted with North Star to do branding for the valley and after numerous meetings and everybody looking at different names to call the valley (e.g., Grand Valley, Mesa County, Greater Grand Junction, or western Colorado), North Star came in with their presentation to the Creative Marketing Committee (representatives from the various marketing firms in the valley) and basically all the messages that they had were based on Grand Junction. Mr. Bennett continued that the City of Grand Junction asked all of the Economic Development partners to mention this to their boards. North Star's position is that it would be out of the scope of work to change the focus at this point in time. Mr. Bennett said there was some discussion related to that; and obviously Mesa County and Grand Junction paid for the studies so they have the say in how it goes. However, they do want feedback from the other entities in the valley and Mr. Bennett said he was going to communicate (unless the Council disagrees) that Fruita was interested in a more valley-wide approach for a name rather than being Grand Junction specific. He said this is the same consensus from pretty much all the Economic Development partners.

Mr. Bennett also stated that in the City Link and the Weekly Information Update, there was an invitation to the Open House at the City Shops on September 15th before the next Council meeting. It's an Open House from 3:00 to 6:00 p.m. and there will be a ribbon cutting by the Federal Mineral Lease District, who helped fund the project along with the Department of Local Affairs (DOLA). Mr. Bennett noted that this will be Fruita's highlight event for the Colorado Municipal League's (CML's) "Colorado Cities and Towns Week." City vehicles and other equipment will be on display and there will be free hot dogs and tours of the new City Shops Facility at 900 E. Kiefer Avenue.

Mr. Bennett continued that he had an advertisement pop up in his newsfeed on Facebook that invited him to vote for Cortez to be the "Most Adventurous Town in Colorado." He said he clicked on it to find out more and learned that Fruita is in that same running, so he started sharing it with local people and businesses and got it on the tourism website. Fruita is currently up against Canon

City and for some reason, Fruita is in the “large city” category. Mr. Bennett said Fruita is by far in the lead in Round 1 and he suggested that people vote everyday and share it with others. The contest is sponsored by Elevation Outdoors Magazine and Mr. Bennett said he would send the link to the Mayor and Council members.

Mr. Bennett showed the Mayor and Council the City of Fruita’s new website on the video equipment in the Council room. He said that City staff worked on it and did a great job and that everyone seems to really like the clean look and feel of the site. Mr. Bennett asked that everyone let people know about a feature on the website called the “Community Calendar” where people can submit a community event such as an event where a band is playing. People can submit pictures with their events as well. The community events are submitted via e-mail to Deputy City Clerk Deb Woods, who will be responsible for approving the events.

Mr. Bennett reviewed the basics of the website for the Mayor and Council members. He noted that the Recreation and Events section of the website will see the most traffic (as it has in the past) but is much easier to use now.

Mr. Bennett noted that one new addition to the website is a social media section where there are a couple of Youtube channels that have videos about Fruita made by Cullen Purser and the “Why Fruita” videos he makes while meeting with people in the community. He said that more videos and other content will be added as time goes on.

Mr. Bennett asked the Mayor and Council to let staff know if they have any ideas or thoughts about the new website.

11. ADJOURN

With no further business before the Council, the meeting was adjourned at 8:29 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk
City of Fruita



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: DEBRA WOODS, DEPUTY CITY CLERK
DATE: SEPTEMBER 15, 2015
**RE: A & C INC. DBA CAMILLA'S KAFFE – A REQUEST TO APPROVE A
SIDEWALK RESTAURANT PERMIT APPLICATION FOR CAMILLA'S
KAFFE LOCATED AT 206 E. ASPEN AVENUE**

BACKGROUND

Camilla's Kaffe located at 206 E. Aspen Avenue has submitted an application for a Sidewalk Restaurant Permit. The application is attached hereto.

Chapter 12.14 of the Fruita Municipal Code provides for the permitting of a sidewalk restaurant, which is an extension of an existing facility into the public right-of-way. The issuance or denial of the permit is at the discretion of the City Council and the Council may place special conditions upon the Sidewalk Restaurant Permit. The Council also has the right to deny the application if it finds that any provision of the code or special condition placed upon the permit has been violated.

The Sidewalk Restaurant Permit application has been reviewed by Police Chief Judy Macy, Community Development Director Dahna Raugh, City Engineer Sam Atkins, Public Works Director Ken Haley, and Lower Valley Fire District Marshal Dick Pippenger. The City Clerk's Office received one comment from City Engineer Sam Atkins that the distance from the fence to the edge of the sidewalk and the existing pedestal be maintained at the required 6 feet. There were no concerns from any of the other reviewers, including the Fruita Police Department. E-mailed comments from the LVFPD, the Fruita PD and the City Engineer are attached.

FISCAL IMPACT

None

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The City Of Fruita is charged with protection of the public health, safety and welfare. The review of applications for sidewalk restaurant permits ensures that the establishment is operating by the rules and regulations adopted by the City concerning sidewalk restaurants and provide for adequate pedestrian traffic flows.

OPTIONS AVAILABLE TO THE COUNCIL

1. Approval of the Sidewalk Restaurant Permit Application from Camilla's Kaffe located at

- 206 E. Aspen Avenue
2. Denial of the Sidewalk Restaurant Permit Application from Camilla's Kaffe located at 206 E. Aspen Avenue

RECOMMENDATION

It is the recommendation of the Fruita City Staff that the Council move to:

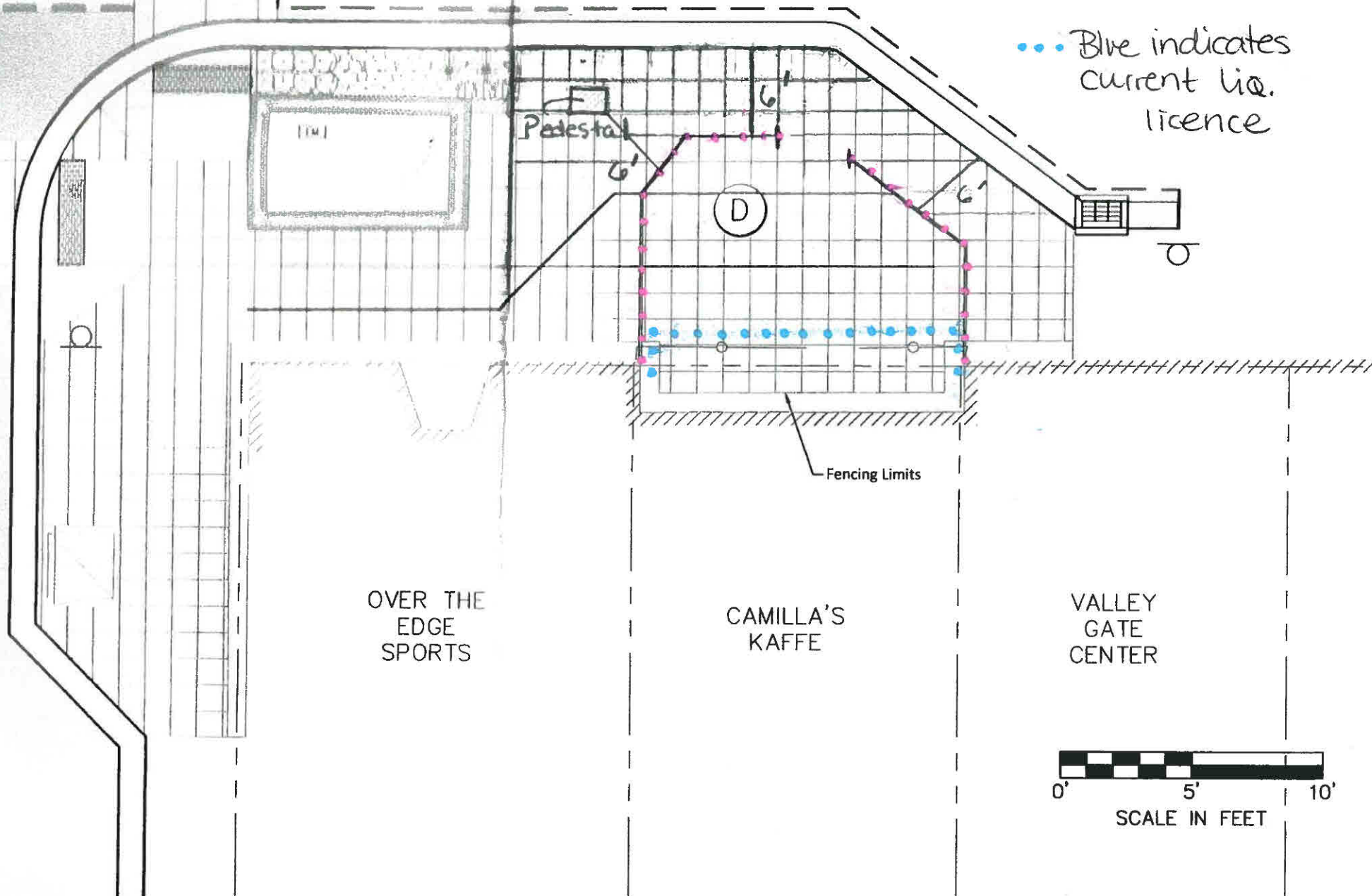
- **APPROVE THE SIDEWALK RESTAURANT PERMIT APPLICATION FOR CAMILLA'S KAFFE LOCATED AT 206 E. ASPEN AVENUE SUBJECT TO THE FOLLOWING CONDITIONS:**
 1. **THE PATIO SHALL BE ENCLOSED WITH A FENCE EXCEPT FOR ONE ENTRANCE FROM THE SIDEWALK**
 2. **THE PATIO SHALL NOT ENCROACH UPON THE PEDESTRIAN SIDEWALK, WHICH SHALL BE SIX FEET WIDE THE ENTIRE PERIMETER OF THE SIDEWALK RESTAURANT**
 3. **COMPLIANCE WITH THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL FIRE CODE WILL BE REQUIRED IF PATIO IS PROVIDED WITH AWNINGS, CANOPIES OR ARE ENCLOSED IN THE FUTURE**
 4. **THE ENTRANCE/EXIT SHALL BE MONITORED WITH PERSONNEL TO ENSURE THAT ALCOHOL IS CONTROLLED WITHIN THE AREA AND THERE ARE NO VIOLATIONS OF THE LIQUOR CODE**
 5. **THE OUTSIDE PATIO SHALL BE KEPT CLEAN AND CLEAR OF GLASS AND OTHER DANGEROUS OR UNSIGHTLY ITEMS AT ALL TIMES**

(NEW)

Fence 42" Tall
Walkway / opening 60" wide

... Pink indicates
Camilla's Kaffe's
proposed fenced
area

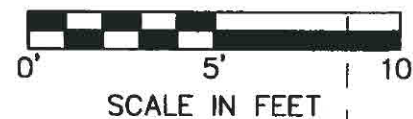
... Blue indicates
current liq.
licence



OVER THE
EDGE
SPORTS

CAMILLA'S
KAFFE

VALLEY
GATE
CENTER





APPLICATION FOR SIDEWALK RESTAURANT PERMIT

1. Applicant Information

Business Name: Camilla's Kaffe
Name of Applicant: Camilla and Aaron Smith
Business Location: 206 E Aspen ave. Fruita CO 81521
Mailing Address: 'same'
Phone: 970-858 7950 Fax: _____ Cell: 970-260 4515

Beneficial Owners or Partners (if applicant is other than a sole proprietorship)

Name: _____
Address: N/A
Name: _____
Address: _____
Name: _____
Address: _____

2. Type of Business or Activity

Describe the type of business or activity to be conducted. Include sidewalk seating capacity, types of merchandise to be sold or displayed, operating hours (attach narrative if needed).

Restaurant serving Breakfast + Lunch. And serving Beer and Wine. Open Mond Thru Sund. 7am - 4pm Seating 30.

3. Location

Describe the location for which this permit is being requested by giving a street address or attaching a map with the location indicated. Please attach a plot plan diagram of where the items will be placed on the property in question.

206 E. Aspen ave. Front of Building - on Sidewalk -

4. Structure

Describe any semi-permanent or moveable structure to be used in the sidewalk restaurant including fences and barriers, and attach blueprints, drawings, sketches, or pictures.

Semi permanent - 42-48 inches Tall -

5. Other permits and Licenses

Please check the appropriate licenses you need or currently have (attach copies of the ones you currently have).

☒ State Sales Tax License
☒ Food Service

☒ Liquor License
☒ Fruita Business License

☒ City Sales Tax
☐ Other _____

6. Proof of Consent

All applications for permits for permanent and semi-permanent structures must include proof of consent of two-thirds of the businesses within 75 feet of the location of permit. The signature of at least two-thirds of the business owners within 75 feet on a petition describing the proposed business or activity is necessary.

7. Insurance

The Ordinance requires a signed Hold Harmless Agreement and Proof of Liability insurance coverage. Please attach:

- a. A properly executed Hold Harmless and Indemnification Agreement.
- b. Insurance Commitment, binder, or policy for personal injury, property damage, products liability, food products liability, and other actions which protect the permittee and the City of Fruita in the amount of not less than \$150,000 per person for bodily injury, \$400,00 for property damage, and \$400,000 for each occurrence.

8. Assurances

The applicant assures the City of Fruita that if a permit is issued, they will comply with all of the requirements and provisions of the Fruita Municipal Code and all other applicable ordinances and laws. The applicant further assures that they have obtained all necessary and required permits or licenses to engage in the business or activity proposed.

SIGNED: Cant
Applicant

08/20/15
Date

9. Fees

A Permit Fee of \$150.00 will be paid to the City Clerk prior to the issuance of the permit.

10. Restrictions

The person to whom a sidewalk restaurant permit has been issued may conduct business on the public right-of-way in the downtown area subject to the following restrictions:

- A. The holder of a sidewalk restaurant permit shall pick up any paper, cardboard, wood or plastic containers, wrappers or any similar litter which is deposited by any person on the sidewalk within 25 feet of the approved location designated on the permit; and the approved location designated on the permit; and the permitted shall provide a suitable container for the placement of such litter by customers or other persons;
- B. The permittee shall not sell at a location other than that designated on his permit;
- C. The permittee shall not leave his equipment or merchandise unattended unless it is secured;
- D. The permittee shall not conduct the business for which this permit is issued hereunder between the hours of 12:00 midnight and 6:00 a.m.;

- E. No permit shall be issued to any individual to conduct a sidewalk restaurant unless and until consent is obtained from two-thirds of the businesses within seventy-five (75) feet of the proposed location;
- F. No permittee shall conduct business in violation of any other ordinance or law, or without any of the required health, sanitation or other permits;
- G. The sidewalk restaurant cannot extend for more than 10 feet onto the sidewalk, but in no event shall the remaining width of the sidewalk for pedestrian flow be less than five (5) feet'
- H. The sidewalk restaurant shall be set off from the public right-of-way by some manner of partition at least three (3) feet in height which may be moveable or installed on a semi-permanent basis.

Suspension or Revocation of Permit

The City Council may revoke or suspend the permit of any person to conduct business on the sidewalks of the City of Fruita if it finds that 1) such person has violated any of the provisions of this ordinance or other ordinances of the City; 2) any necessary health permit has been suspended, revoked or cancelled, or 3) the permittee does not have a currently effective insurance policy in the minimum amount provided as herein specified.

Hold Harmless/Idemnity Agreement

I, Camilla Nilsson - Smith, applicant for sidewalk restaurant permit to conduct activities in the Downtown Area, agree that I shall:

- a) Hold harmless the City of Fruita, its officers and employees from any claims for damage to property or injury to persons which may arise from or be occasioned by any activity carried on by me within the Downtown area.
- b) Indemnify the City of Fruita, its officers and employees against any claim, loss, judgement or action, of any nature whatsoever, including reasonable attorney fees, that may arise from or be occasioned by any activity carried on by me within the Downtown Area.

I realize that the consideration for this release is the granting of a permit to me by the City of Fruita, and I realize and agree that this Hold Harmless/Indemnity Agreement shall take effect whenever I begin to conduct the sidewalk restaurant for which a permit has been issued. I also understand and agree that this agreement shall apply to any activities which I carry on which are done in violation of the terms of the permit.

Dated this 20th day of August, 2015



Signed

PROOF OF CONSENT

TO ACCOMPANY AN APPLICATION FOR A SIDEWALK RESTAURANT

Fruita City Ordinance Number 1991-12 allowing for an regulating sidewalk restaurants requires in Section 12.14.040 (G) "the proof of consent of two-thirds of the businesses within 75 feet of the location of a sidewalk restaurant before a permit can be issued. This form is required to be filled out and submitted by the applicant before a permit can be issued.

Applicant CANILLI'S KAFFE
 Location 206 E Aspen Ave
 Description of Activity ADDED FENCE FOR FRONT PATIO SEATING

All Businesses within 75 Feet

Business Name	Address	Owner	Consent
Cavalcade	201 E Aspen	Jeanne Purser	yes
Over the Edge	202 Aspen	George Gatscos	Negative
Wanda's			
Flowers			
Rose Hill Gallery	212 E Aspen	Linda Kurtz	YES
Edward Jones	205 E ASPEN	GREG L. GREEN	APPROVE
Premium Accounting	203 E Aspen	Rosemary Wesnidge	Yes
Flowers By Jimmie	218 E Aspen	Jimmie L. Downer	yes

***NOTE:** ALL businesses within 75 feet should be listed. Those consenting should sign in the consent column.

Debra Woods

From: Sam Atkins
Sent: Tuesday, September 08, 2015 3:04 PM
To: Debra Woods
Subject: RE: Revised diagram for Camilla's sidewalk restaurant permit application

My only comment is that the distance from the pedestal to the fence should be maintained at the required 6-feet. Aside from that, it appears that the fencing plan is contained in the area that I provided as the limits of fenced area.

Thanks,

Samuel L. Atkins, PE
City of Fruita | City Engineer
325 E. Aspen Avenue
Fruita, CO 81521
970.858.8377 office
satkins@fruita.org

From: Debra Woods
Sent: Tuesday, September 08, 2015 11:17 AM
To: Judy Macy; Dahna Raugh; Sam Atkins; Ken Haley; Dick Pippenger; dpippenger@fruita.org
Cc: Mike Bennett
Subject: Revised diagram for Camilla's sidewalk restaurant permit application

Please review the attached revised diagram and submit your comments to me if possible by this Friday. I'm trying to get it on the Council agenda for Sept. 15th.

Thanks!
Deb

Debra Woods
Deputy City Clerk
City of Fruita
(970) 858-3663
dwoods@fruita.org

Debra Woods

From: Judy Macy
Sent: Wednesday, September 09, 2015 11:51 AM
To: Debra Woods
Subject: RE: Revised diagram for Camilla's sidewalk restaurant permit application

Deb,

The Police Department has no issues with the revised permit application.

Judy

Judy Macy
Chief of Police | City of Fruita
157 S. Mesa St.
Fruita, Co. 81521
970.858.3008

From: Debra Woods
Sent: Tuesday, September 08, 2015 11:17 AM
To: Judy Macy; Dahna Raugh; Sam Atkins; Ken Haley; Dick Pippenger; dpippenger@fruita.org
Cc: Mike Bennett
Subject: Revised diagram for Camilla's sidewalk restaurant permit application

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Thanks!

Deb

Debra Woods

Deputy City Clerk
City of Fruita
(970) 858-3663
dwoods@fruita.org

Debra Woods

From: Dick Pippenger [dpippenger@lvfdfire.org]
Sent: Wednesday, September 09, 2015 12:41 PM
To: Debra Woods
Subject: Cammila's
Attachments: Patios 8-15.doc

Deb, No objection to Cammalia's Kaffe Patio.

Please include the attached document as a condition.

Thanks,

Dick

Richard Pippenger
Fire Marshal
Lower Valley Fire District
P. O. Box 520
Fruita, CO 81521
970-858-3133

Attachment to LVFPD's email of 9/9/15

Compliance with the International Building Code and the International Fire Code will be required if patios are provided with awnings, canopies or are enclosed in the future.

Portable outdoor gas fired heating appliances shall not be used under awnings or canopy's over patios if side walls are down unless the manufacturer of the heaters certifies in writing that the heaters are listed and approved for use in an enclosed space. **Businesses must provide in writing from the manufacturer of the heaters that the patio heaters are listed and approved in accordance with section 603.4.2.2.1 of the IFC. The certification must include that the heaters are listed and approved for use in enclosed spaces.** The risk of carbon monoxide poisoning is a known danger of using unvented appliances in an enclosed space.

Under all conditions patio heaters must also be kept at least five feet from combustible materials and exits. Reference Section 603.4.2 of the IFC.

If patios are covered in the future address numbers will be required to be relocated or modified in size to be visible from the street.



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: DEBRA WOODS, DEPUTY CITY CLERK
DATE: SEPTEMBER 15, 2015
**RE: CAMILLA'S KAFFE LOCATED AT 206 E. ASPEN AVENUE – A
REQUEST TO APPROVE A MODIFICATION OF PREMISES FOR A
BEER AND WINE LIQUOR LICENSE**

BACKGROUND

Camilla's Kaffe located at 206 E. Aspen Avenue has submitted an application for a permit to create an outdoor Sidewalk Restaurant for the purpose of serving patrons beer and wine directly in front of their current location. This requires filing a Modification of Premises to their existing liquor license that will require both local and state (Liquor Enforcement Division) approval.

The modification as proposed includes an outdoor dining patio which will be enclosed with metal fencing 42" in height.

The Sidewalk Restaurant Permit application has been reviewed by Police Chief Judy Macy, Community Development Director Dahna Raugh, City Engineer Sam Atkins, Public Works Director Ken Haley, and Lower Valley Fire District Marshal Dick Pippenger. The City Clerk's Office received one comment from City Engineer Sam Atkins that the distance from the fence to the edge of the sidewalk and the existing pedestal be maintained at the required 6 feet. There were no concerns from any of the other reviewers, including the Fruita Police Department. E-mailed comments from the Fruita PD are attached.

FISCAL IMPACT

None

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The City of Fruita is charged with protection of the public health, safety and welfare. The review of modifications of premises where alcoholic beverages are sold and served ensures that the licensed establishment is operating by the rules and regulations adopted by the City of Fruita.

OPTIONS AVAILABLE TO THE COUNCIL

Approve the Modification of premises permit

Deny the Modification of premises permit due to specific concerns stated as part of the motion. (If permission is denied, the licensing authority must give notice in writing and state grounds

upon which the application is denied).

RECOMMENDATION

It is the recommendation of the Fruita City Staff that the Council move to:

APPROVE THE REQUEST FOR MODIFICATION OF PREMISES FOR CAMILLA'S KAFFE SUBJECT TO THE FOLLOWING RESTRICTIONS /RECOMMENDATIONS:

- 1. THE PATIO SHALL BE ENCLOSED WITH A FENCE EXCEPT FOR ONE ENTRANCE FROM THE SIDEWALK**
- 2. THE PATIO SHALL NOT ENCROACH UPON THE PEDESTRIAN SIDEWALK, WHICH SHALL BE SIX FEET WIDE**
- 3. OUTSIDE ALCOHOL SHALL NOT ENTER THE PATIO NOR SHALL ALCOHOL SERVED BY NO COAST SUSHI LEAVE THE FENCED IN AREA**
- 4. THE ENTRANCE/EXIT SHALL BE MONITORED WITH PERSONNEL TO ENSURE THAT ALCOHOL IS CONTROLLED WITHIN THE AREA AND THERE ARE NO VIOLATIONS OF THE LIQUOR CODE.**
- 5. THE OUTSIDE PATIO SHALL BE KEPT CLEAN AND CLEAR OF GLASS AND OTHER DANGEROUS OR UNSIGHTLY ITEMS AT ALL TIMES**

PERMIT APPLICATION AND REPORT OF CHANGES

CURRENT LICENSE NUMBER 3522190000
ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN
LOCAL LICENSE FEE \$ _____
APPLICANT SHOULD OBTAIN A COLORADO LIQUOR & BEER CODE BOOK TO ORDER CALL (303) 370-2165

1. Applicant is a <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company		PRESENT LICENSE NUMBER <div style="font-size: 1.2em; margin-top: 10px;">26-1919538</div>
2. Name of Licensee <div style="font-size: 1.2em; margin-top: 5px;">A & C Inc</div>	3. Trade Name <div style="font-size: 1.2em; margin-top: 5px;">Camilla's Kaffe</div>	
4. Location Address <div style="font-size: 1.2em; margin-top: 5px;">206 E Aspen avenue</div>		
City <div style="font-size: 1.2em; margin-top: 5px;">FRUITA</div>	County <div style="font-size: 1.2em; margin-top: 5px;">MESA</div>	ZIP <div style="font-size: 1.2em; margin-top: 5px;">81521</div>

SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.

Section A – Manager reg/change	Section C
<ul style="list-style-type: none"> • License Account No. _____ 1983-750 (999) <input type="checkbox"/> Manager's Registration (Hotel & Restr.)...\$75.00 2012-750 (999) <input type="checkbox"/> Manager's Registration (Tavern).....\$75.00 <li style="padding-left: 20px;"><input type="checkbox"/> Change of Manager (Other Licenses) NO FEE 	<ul style="list-style-type: none"> 2210-100 (999) <input type="checkbox"/> Retail Warehouse Storage Permit (ea) \$100.00 2200-100 (999) <input type="checkbox"/> Wholesale Branch House Permit (ea).... 100.00 2260-100 (999) <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) . 50.00 2230-100 (999) <input type="checkbox"/> Change Location Permit (ea)..... 150.00 2280-100 (999) <input checked="" type="checkbox"/> Change, Alter or Modify Premises <div style="margin-left: 40px;">\$150.00 x <u>1</u> Total Fee <u>150.00</u></div> 2220-100 (999) <input type="checkbox"/> Addition of Optional Premises to Existing H/R <div style="margin-left: 40px;">\$100.00 x _____ Total Fee _____</div> 1988-100 (999) <input type="checkbox"/> Addition of Related Facility to Resort Complex <div style="margin-left: 40px;">\$75.00 x _____ Total Fee _____</div>
Section B – Duplicate License	
<ul style="list-style-type: none"> • Liquor License No. _____ 2270-100 (999) <input type="checkbox"/> Duplicate License\$50.00 	

DO NOT WRITE IN THIS SPACE – FOR DEPARTMENT OF REVENUE USE ONLY

DATE LICENSE ISSUED	LICENSE ACCOUNT NUMBER	PERIOD
-750 (999)	-100 (999)	<div style="font-size: 0.8em;"> The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically. </div>
TOTAL AMOUNT DUE		\$ _____ .00

INSTRUCTION SHEET

FOR ALL SECTIONS, COMPLETE QUESTIONS 1-4 LOCATED ON PAGE 1

☐ Section A

To Register or Change Managers, check the appropriate box in section A and complete question 8 on page 4. Proceed to the Oath of Applicant for signature (Please note: Hotel, Restaurant, and Tavern licensees are required to register their managers).

☐ Section B

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 4 for Oath of Applicant signature.

☐ Section C

Check the appropriate box in section C and proceed below.

- 1) *For a Retail Warehouse Storage Permit*, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 2) *For a Wholesale Branch House Permit*, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 3) *To Change Trade Name or Corporation Name*, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 4) *To modify Premise*, go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 5) *For Optional Premises or Related Facilities* go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 6) *To Change Location*, go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

STORAGE PERMIT

5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit☐ **Retail Warehouse Permit for:**

- ☐ On-Premises Licensee (Taverns, Restaurants etc.)
☐ Off-Premises Licensee (Liquor stores)

☐ **Wholesalers Branch House Permit**

Address of storage premise: _____

City _____, County _____, Zip _____

Attach a deed/ lease or rental agreement for the storage premises.

Attach a detailed diagram of the storage premises.

CHANGE TRADE NAME OR
CORPORATE NAME**6. Change of Trade Name or Corporation Name**

- ☐ Change of Trade name / DBA only
☐ Corporate Name Change (Attach the following supporting documents)
 1. Certificate of Amendment filed with the Secretary of State, or
 2. Statement of Change filed with the Secretary of State, and
 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.

Old Trade Name

New Trade Name

Old Corporate Name

New Corporate Name

CHANGE OF LOCATION

7. Change of Location

NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 12-47-311 (1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.

Date filed with Local Authority _____ Date of Hearing _____

(a) Address of current premises _____

City _____ County _____ Zip _____

(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)

Address _____

City _____ County _____ Zip _____

(c) New mailing address if applicable.

Address _____

City _____ County _____ State _____ Zip _____

(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.

CHANGE OF MANAGER	<p>8. Change of Manager or to Register the Manager of a Tavern or a Hotel and Restaurant liquor license.</p> <p>(a) Change of Manager (attach Individual History DR 8404-I H/R and Tavern only)</p> <p>Former manager's name _____</p> <p>New manager's name _____</p> <p>(b) Date of Employment _____</p> <p>Has manager ever managed a liquor licensed establishment? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Does manager have a financial interest in any other liquor licensed establishment? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, give name and location of establishment _____</p>	
MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY	<p>9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility</p> <p>NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.</p> <p>(a) Describe change proposed <u>Outdoor seating expansion; we will enlarge our fenced in area to allow for more seats and to be able to serve more beer/wine.</u></p> <p>(b) If the modification is temporary, when will the proposed change:</p> <p>Start _____ (mo/day/year) End _____ (mo/day/year)</p> <p>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00</p> <p>(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?</p> <p>(If yes, explain in detail and describe any exemptions that apply) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(d) Is the proposed change in compliance with local building and zoning laws? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.</p> <p>(g) Attach any existing lease that is revised due to the modification.</p>	
<p>OATH OF APPLICANT</p> <p>I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.</p>		
<p>Signature <u>Cailh</u></p>	<p>Title <u>OWNER</u></p>	<p>Date <u>08/20/15</u></p>
<p>REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY/ COUNTY)</p> <p>The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. THEREFORE, THIS APPLICATION IS APPROVED.</p>		
<p>Local Licensing Authority (City or County) <u>The City of Fruita</u></p>		<p>Date filed with Local Authority <u>9/3/15</u></p>
<p>Signature _____</p>	<p>Title <u>LORI BUCK MAYOR</u></p>	<p>Date _____</p>
<p>REPORT OF STATE LICENSING AUTHORITY</p> <p>The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.</p>		
<p>Signature _____</p>	<p>Title _____</p>	<p>Date _____</p>

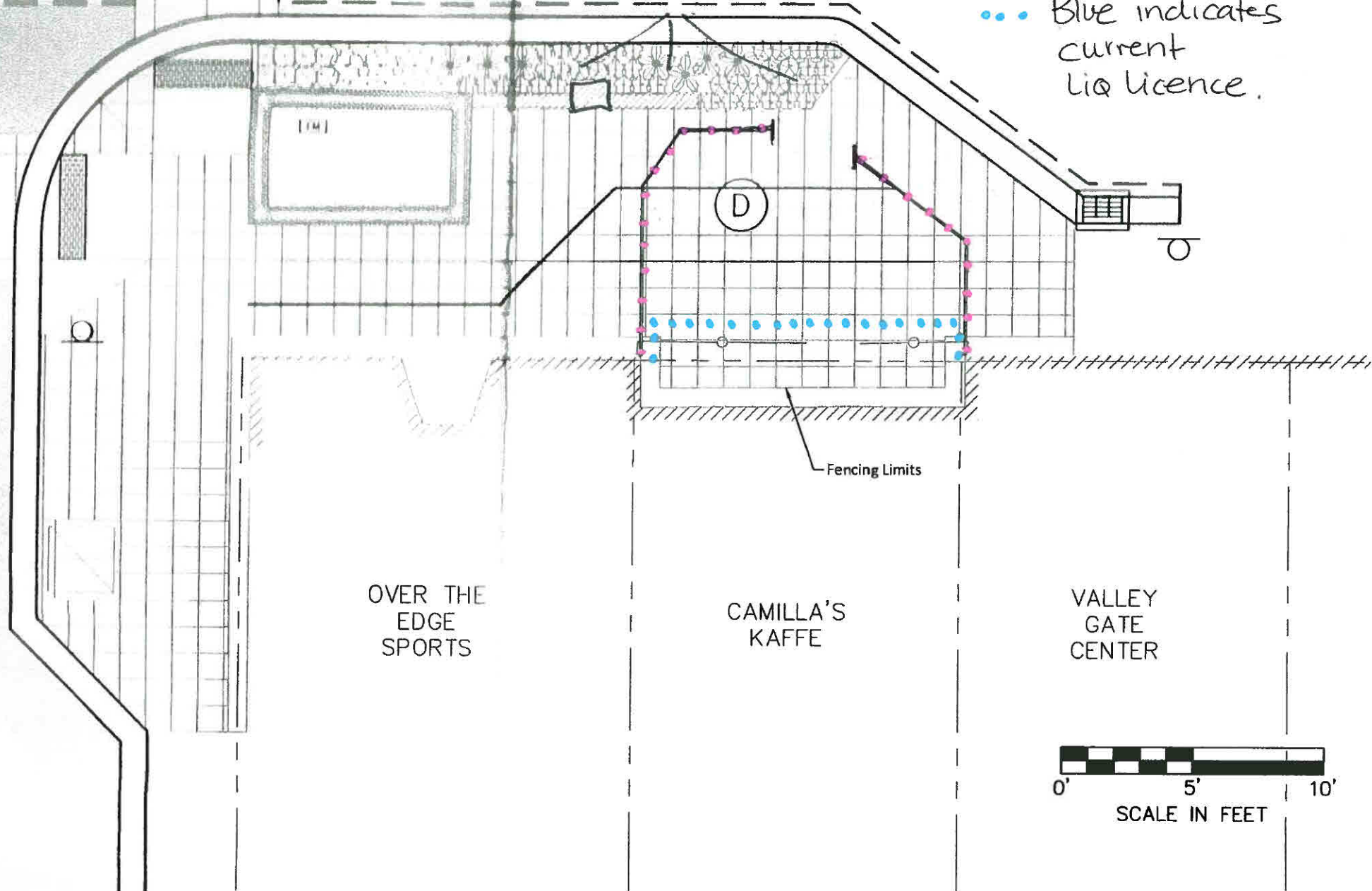
(NEW)
Rcvd 9/3/15

Fence 42" Tall
Walkway/opening 60" wide

No Landscaping

... Pink indicates
Camilla's Kaffe's
proposed fenced
area

... Blue indicates
current
liq licence.



OVER THE
EDGE
SPORTS

CAMILLA'S
KAFFE

VALLEY
GATE
CENTER

0' 5' 10'
SCALE IN FEET

Debra Woods

From: Judy Macy
Sent: Wednesday, September 09, 2015 11:51 AM
To: Debra Woods
Subject: RE: Revised diagram for Camilla's sidewalk restaurant permit application

Deb,

The Police Department has no issues with the revised permit application.

Judy

Judy Macy
Chief of Police | City of Fruita
157 S. Mesa St.
Fruita, Co. 81521
970.858.3008

From: Debra Woods
Sent: Tuesday, September 08, 2015 11:17 AM
To: Judy Macy; Dahna Raugh; Sam Atkins; Ken Haley; Dick Pippenger; dpippenger@fruita.org
Cc: Mike Bennett
Subject: Revised diagram for Camilla's sidewalk restaurant permit application

Please review the attached revised diagram and submit your comments to me if possible by this Friday. I'm trying to get it on the Council agenda for Sept. 15th.

Thanks!

Deb

Debra Woods

Deputy City Clerk
City of Fruita
(970) 858-3663
dwoods@fruita.org



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: DEBRA WOODS, DEPUTY CITY CLERK
DATE: SEPTEMBER 15, 2015
RE: MOONLIGHT DRIVE, LLC DBA COPPER CLUB BREWING COMPANY
– A REQUEST TO APPROVE A SIDEWALK RESTAURANT PERMIT
APPLICATION FOR COPPER CLUB BREWING COMPANY LOCATED
AT 233 E. ASPEN AVENUE

BACKGROUND

The Copper Club Brewing Company located at 233 E. Aspen Avenue has submitted an application for a Sidewalk Restaurant Permit. The application is attached hereto.

Chapter 12.14 of the Fruita Municipal Code provides for the permitting of a sidewalk restaurant, which is an extension of an existing facility into the public right-of-way. The issuance or denial of the permit is at the discretion of the City Council and the Council may place special conditions upon the Sidewalk Restaurant Permit. The Council also has the right to deny the application if it finds that any provision of the code or special condition placed upon the permit has been violated.

The Sidewalk Restaurant Permit application has been reviewed by Police Chief Judy Macy, Community Development Director Dahna Raugh, City Engineer Sam Atkins, Public Works Director Ken Haley, and Lower Valley Fire District Marshal Dick Pippenger. The City Clerk's Office received comments from the Lower Valley Fire Protection District (Dick Pippenger), the Fruita Public Works Department (Ken Haley), the Fruita Police Department (Chief Judy Macy), and City Engineer (Sam Atkins). These e-mailed comments are attached and were provided to the owner of the Copper Club Brewing Company, Daniel Collins, who submitted his response to the various recommendations (also attached).

In summary, the Copper Club Brewing Company's feedback states that they will comply with all the reviewing entities' recommendations.

FISCAL IMPACT

None

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The City Of Fruita is charged with protection of the public health, safety and welfare. The review of applications for sidewalk restaurant permits ensures that the establishment is operating by the rules and regulations adopted by the City concerning sidewalk restaurants and provide for

adequate pedestrian traffic flows.

OPTIONS AVAILABLE TO THE COUNCIL

1. Approval of the Sidewalk Restaurant Permit Application from the Copper Club Brewing Company located at 233 E. Aspen Avenue
2. Denial of the Sidewalk Restaurant Permit Application from the Copper Club Brewing Company located at 233 E. Aspen Avenue

RECOMMENDATION

It is the recommendation of the Fruita City Staff that the Council move to:

- **APPROVE THE SIDEWALK RESTAURANT PERMIT APPLICATION FOR THE COPPER CLUB BREWING COMPANY LOCATED AT 233 E. ASPEN AVENUE SUBJECT TO THE FOLLOWING CONDITIONS:**
 1. **THERE SHALL BE A MINIMUM OF 36 INCHES OF CLEARANCE BETWEEN BENCH SEATING ON THE PATIO**
 2. **TABLES AND SEATING SHALL NOT BE ANCHORED TO THE SIDEWALK**
 3. **THE PATIO SHALL BE ENCLOSED WITH A FENCE THAT IS A MINIMUM OF 42 INCHES IN HEIGHT AND WILL HAVE ONE ENTRANCE FROM THE SIDEWALK**
 4. **A GATE WITH A MINIMUM OF 36 INCHES OF CLEARANCE AND EQUIPPED WITH PANIC HARDWARE THAT ALARMS WHEN THE GATE IS OPENED MUST BE INSTALLED AT THE NORTH END OF THE PATIO ON PEACH STREET**
 5. **THE PATIO SHALL NOT ENCROACH UPON THE PEDESTRIAN SIDEWALK, WHICH SHALL BE SIX FEET WIDE THE ENTIRE PERIMETER OF THE SIDEWALK RESTAURANT**
 6. **COMPLIANCE WITH THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL FIRE CODE WILL BE REQUIRED IF PATIO IS PROVIDED WITH AWNINGS, CANOPIES OR ARE ENCLOSED IN THE FUTURE**
 7. **IF PATIO IS INSTALLED WITH AN AWNING ON THE IN THE FUTURE, COPPER CLUB BREWING COMPANY WILL APPLY FOR A BUILDING PERMIT**
 8. **MATERIALS FOR AWNING AND FENCING WILL BE OF MAXIMUM**

DURABILITY

- 9. THE ENTRANCE/EXIT SHALL BE MONITORED WITH PERSONNEL TO ENSURE THAT ALCOHOL IS CONTROLLED WITHIN THE AREA AND THERE ARE NO VIOLATIONS OF THE LIQUOR CODE**
- 10. THE OUTSIDE PATIO SHALL BE KEPT CLEAN AND CLEAR OF GLASS AND OTHER DANGEROUS OR UNSIGHTLY ITEMS AT ALL TIMES**



APPLICATION FOR SIDEWALK RESTAURANT PERMIT

1. Applicant Information

Business Name: Copper Club Brewing Co. (Moonlight Drive LLC)
Name of Applicant: Daniel Collins
Business Location: 233 E. Aspen Ave. Fruita, Co.
Mailing Address: P.O. Box 478 Fruita, Co. 81521
Phone: 970-858-8318 Fax: _____ Cell: 970-640-4661

Beneficial Owners or Partners (if applicant is other than a sole proprietorship)

Name: Robert Eyster
Address: 242 Orchards Cir. Woodstock, Ga. 30188
Name: James Sunkell
Address: 2256 N. Easter Hill Dr. Grand Junction, Co. 81507
Name: _____
Address: _____

2. Type of Business or Activity

Describe the type of business or activity to be conducted. Include sidewalk seating capacity, types of merchandise to be sold or displayed, operating hours (attach narrative if needed).

Brewery & Taproom selling beer & soda
30 seats
M-W = 4pm - 9pm, TH = 4pm - 11pm, Fri & Sat = 2pm - 11pm, Sun = 2pm - 8pm

3. Location

Describe the location for which this permit is being requested by giving a street address or attaching a map with the location indicated. Please attach a plot plan diagram of where the items will be placed on the property in question.

233 E. Aspen Ave. Front & side of building
to sidewalk line.

4. Structure

Describe any semi-permanent or moveable structure to be used in the sidewalk restaurant including fences and barriers, and attach blueprints, drawings, sketches, or pictures.

Fence = wooden 42"-48" in height
Benches & Picnic Table = wooden
Corrugated metal awning on east side
See attached

5. Other permits and Licenses

Please check the appropriate licenses you need or currently have (attach copies of the ones you currently have).

☒ State Sales Tax License
☐ Food Service

☐ Liquor License
☒ Fruita Business License

☒ City Sales Tax
☒ Other manufacturing
& wholesale license
for malt liquor

6. Proof of Consent

All applications for permits for permanent and semi-permanent structures must include proof of consent of two-thirds of the businesses within 75 feet of the location of permit. The signature of at least two-thirds of the business owners within 75 feet on a petition describing the proposed business or activity is necessary.

7. Insurance

The Ordinance requires a signed Hold Harmless Agreement and Proof of Liability insurance coverage. Please attach:

- a. A properly executed Hold Harmless and Indemnification Agreement.
- b. Insurance Commitment, binder, or policy for personal injury, property damage, products liability, food products liability, and other actions which protect the permittee and the City of Fruita in the amount of not less than \$150,000 per person for bodily injury, \$400,00 for property damage, and \$400,000 for each occurrence.

8. Assurances

The applicant assures the City of Fruita that if a permit is issued, they will comply with all of the requirements and provisions of the Fruita Municipal Code and all other applicable ordinances and laws. The applicant further assures that they have obtained all necessary and required permits or licenses to engage in the business or activity proposed.

SIGNED: _____

Applicant

8/27/15

Date

9. Fees

A Permit Fee of \$150.00 will be paid to the City Clerk prior to the issuance of the permit.

10. Restrictions

The person to whom a sidewalk restaurant permit has been issued may conduct business on the public right-of-way in the downtown area subject to the following restrictions:

- A. The holder of a sidewalk restaurant permit shall pick up any paper, cardboard, wood or plastic containers, wrappers or any similar litter which is deposited by any person on the sidewalk within 25 feet of the approved location designated on the permit; and the approved location designated on the permit; and the permitted shall provide a suitable container for the placement of such litter by customers or other persons;
- B. The permittee shall not sell at a location other than that designated on his permit;
- C. The permittee shall not leave his equipment or merchandise unattended unless it is secured;
- D. The permittee shall not conduct the business for which this permit is issued hereunder between the hours of 12:00 midnight and 6:00 a.m.;

- E. No permit shall be issued to any individual to conduct a sidewalk restaurant unless and until consent is obtained from two-thirds of the businesses within seventy-five (75) feet of the proposed location;
- F. No permittee shall conduct business in violation of any other ordinance or law, or without any of the required health, sanitation or other permits;
- G. The sidewalk restaurant cannot extend for more than 10 feet onto the sidewalk, but in no event shall the remaining width of the sidewalk for pedestrian flow be less than five (5) feet'
- H. The sidewalk restaurant shall be set off from the public right-of-way by some manner of partition at least three (3) feet in height which may be moveable or installed on a semi-permanent basis.

Suspension or Revocation of Permit

The City Council may revoke or suspend the permit of any person to conduct business on the sidewalks of the City of Fruita if it finds that 1) such person has violated any of the provisions of this ordinance or other ordinances of the City; 2) any necessary health permit has been suspended, revoked or cancelled, or 3) the permittee does not have a currently effective insurance policy in the minimum amount provided as herein specified.

Hold Harmless/Idemnity Agreement

I, Daniel Collins, applicant for sidewalk restaurant permit to conduct activities in the Downtown Area, agree that I shall:

- a) Hold harmless the City of Fruita, its officers and employees from any claims for damage to property or injury to persons which may arise from or be occasioned by any activity carried on by me within the Downtown area.
- b) Indemnify the City of Fruita, its officers and employees against any claim, loss, judgement or action, of any nature whatsoever, including reasonable attorney fees, that may arise from or be occasioned by any activity carried on by me within the Downtown Area.

I realize that the consideration for this release is the granting of a permit to me by the City of Fruita, and I realize and agree that this Hold Harmless/Indemnity Agreement shall take effect whenever I begin to conduct the sidewalk restaurant for which a permit has been issued. I also understand and agree that this agreement shall apply to any activities which I carry on which are done in violation of the terms of the permit.

Dated this 27th day of August, 2015

Daniel Collins
Signed

Proof of Consent

To Accompany an Application for a Sidewalk Restaurant

Fruita City Ordinance Number 1991-12 allowing for and regulating sidewalk restaurants requires in Section 12.14.040 (G) "the proof of consent of two-thirds of the businesses within 75 feet of the location" of a sidewalk restaurant before a permit can be issued. This form is required to be filled out and submitted by applicant before a permit can be issued.

Applicant Copper Club Brewing Co.

Location 233 E. Aspen Ave.

Description of Activity outdoor seating
for brewery / Taproom along
front & side of building

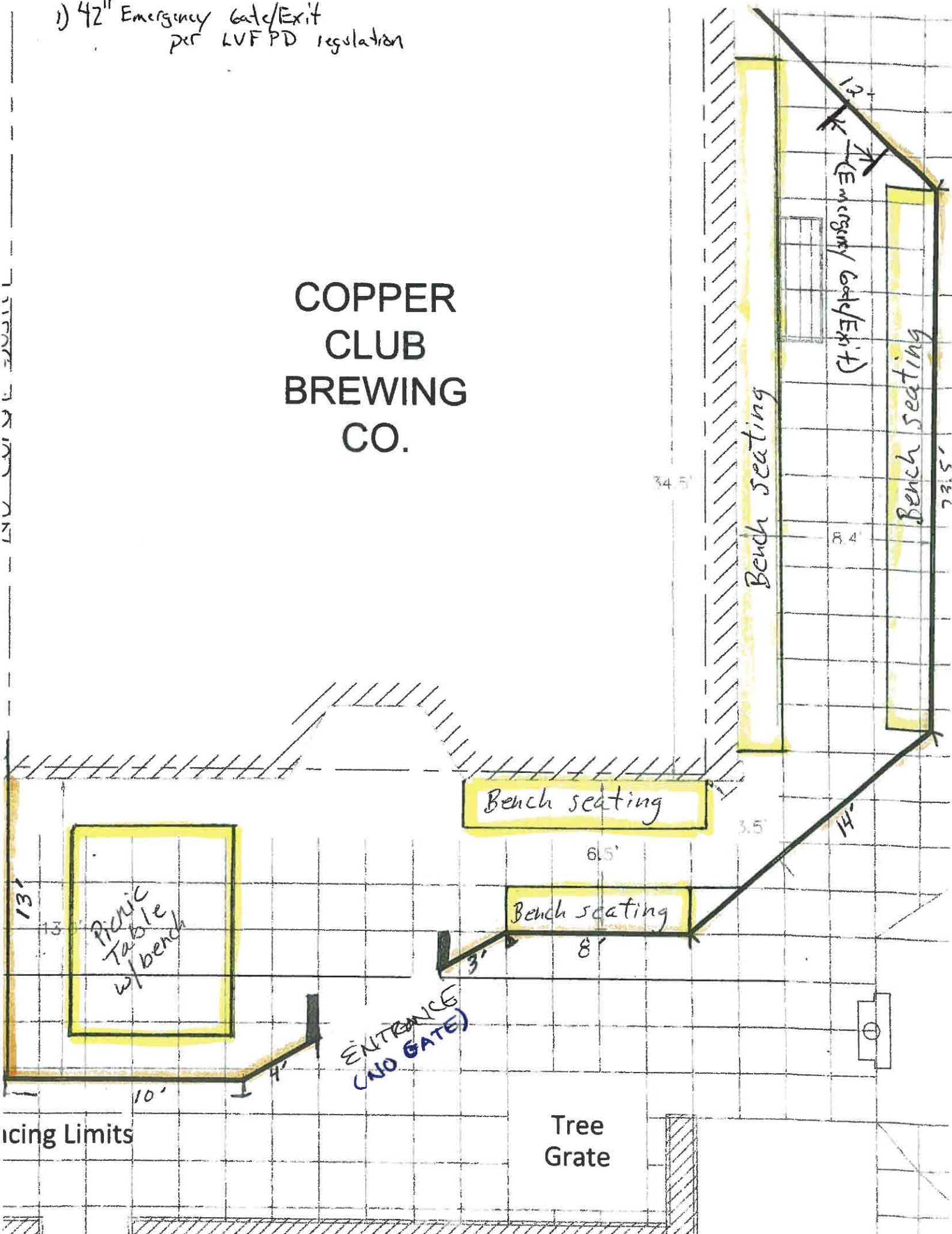
Businesses within 75 Feet

<u>Business name</u>	<u>Address</u>	<u>Owner</u>	<u>Consent</u>
1. <u>NoCoastSushi</u>	<u>229 E Aspen St</u>	<u>Lisa Borek</u>	<u>USA Borek</u>
2. <u>Domino's</u>		<u>not available</u>	
3. <u>Chow Down</u>	<u>225 E. Aspen St.</u>	<u>Krista Borek</u>	<u>KBorek</u>
4.			
5.			
6.			
7.			
8.			
9.			
10.			

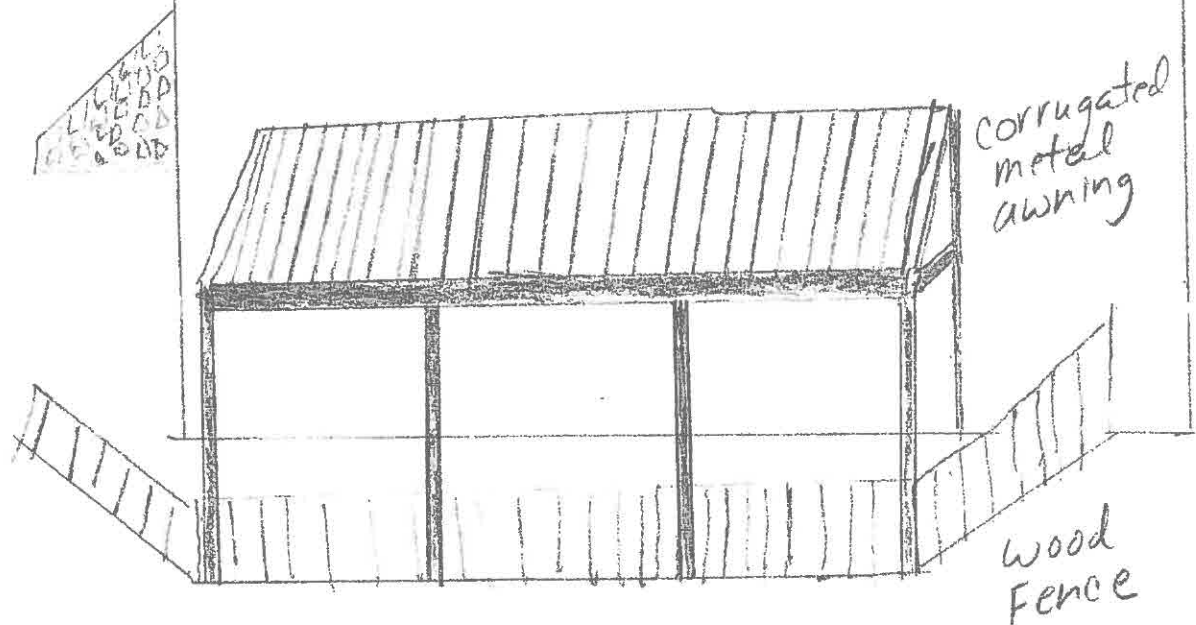
Note: All Businesses within 75 feet should be listed, Those consenting should sign in the consent column.

1) 42" Emergency Gate/Exit
per LVFPD regulation

COPPER CLUB BREWING CO.



Eastside of
Building





Wood fence
example

from LVFPD

Copper Club Brewing Co. Patio comments.

This is an A-2 Occupancy under the Fire Code.

Section 1028.9.1 requires a minimum aisle width of 36 inches. 42 inches is preferred.
(Areas between bench seating)

(Peach) A gate with a minimum open clearance of 36 inches and equipped with panic hardware that alarms when the gate is opened must be installed at the North end of the patio on Mulberry St. Ref: Section 1015.7 Outdoor Patios as amended by LVFD and the City of Fruita .

The proposed 6 foot gate on Aspen must be removed.

The canopy must comply with Sections 3105 and 3202 of the Building Code. A building permit is required.

Portable outdoor gas fired heating appliances shall not be used under awnings or canopy's over patios if side walls are down unless the manufacturer of the heaters certifies in writing that the heaters are listed and approved for use in an enclosed space. **Businesses must provide in writing from the manufacturer of the heaters that the patio heaters are listed and approved in accordance with section 603.4.2.2.1 of the IFC. The certification must include that the heaters are listed and approved for use in enclosed spaces.** The risk of carbon monoxide poisoning is a known danger of using unvented appliances in an enclosed space.

Under all conditions patio heaters must also be kept at least five feet from combustible materials and exits. Reference Section 603.4.2 of the IFC.

If patios are covered in the future address numbers will be required to be relocated or modified in size to be visible from the street.

From PW Dept.

Debra Woods

From: Ken Haley
Sent: Thursday, September 10, 2015 1:48 PM
To: Debra Woods; Judy Macy; Dahna Raugh; Sam Atkins; dpippenger@fruita.org; Dick Pippenger
Cc: Mike Bennett
Subject: RE: Copper Club sidewalk restaurant permit application

Deb,

The Public Works Department has reviewed the sidewalk restaurant application for Copper Club and have the following comments:

1. Overall layout of the fenced area appears to be acceptable as long as emergency egress requirements are satisfied. Will defer to LVFPD.
2. PW would prefer metal fencing be used in lieu of wood. PW is not entirely opposed to wood as the sole fencing material. However, suitable building materials should be of sufficient durability and appearance to comply with the Design Standards contained in the Land Use Code. All other sidewalk restaurants downtown have proposed metal fencing that appears to be more permanent and require less maintenance. If wood fencing materials are used, anchoring methods to the concrete should be approved by PW prior to installation.
3. The metal awning structure on the Peach Street frontage appears as though it will require a building permit. Roofing materials should be such that rusted metal roofing materials do not drain directly onto, and stain, sidewalk.
4. Tables and bench seating within the permitted area shall not be anchored to the sidewalk.

Thank you for the opportunity to provide feedback.

Kenneth A. Haley, P.E.
City of Fruita | Public Works Director
900 Kiefer Avenue
Fruita, CO 81521
970.858.9558 office

From: Debra Woods
Sent: Tuesday, September 08, 2015 11:45 AM
To: Judy Macy; Dahna Raugh; Sam Atkins; Ken Haley; dpippenger@fruita.org; Dick Pippenger
Cc: Mike Bennett
Subject: Copper Club sidewalk restaurant permit application

Please see attached. I'm also trying to get this on the agenda for Sept 15th. Is it possible to get your comments/concerns by this Friday for the Council packet?

Thanks!

Deb

Debra Woods
Deputy City Clerk
City of Fruita
(970) 858-3663
dwoods@fruita.org

From: Fruita PD

Debra Woods

From: Judy Macy
Sent: Thursday, September 10, 2015 8:54 AM
To: Debra Woods
Cc: Mike Bennett; Ken Haley; Sam Atkins
Subject: RE: Copper Club modification of licenses premises

Deb,

The modification request has been reviewed and the PD has no issues with the modification.

The restaurant permit has been reviewed and the PD recommends the following:

- Fencing must be permanent and a minimum of 42 inches in height.
- There is a second emergency entrance/exit on the East side – meeting Fire Department regulations.

Judy Macy
Chief of Police | City of Fruita
157 S. Mesa St.
Fruita, Co. 81521
970.858.3008

From: Debra Woods
Sent: Tuesday, September 08, 2015 11:48 AM
To: Judy Macy
Subject: Copper Club modification of licenses premises

Judy – here's the part that will go to the Council and the state to modify the licensed premises for beer. May I have your comments/concerns by this Friday to get it in the Council packet for Sept 15th? You can include your comments for both this and the sidewalk restaurant permit in one response if you like.

Thanks!

Deb

Debra Woods

Deputy City Clerk
City of Fruita
(970) 858-3663
dwoods@fruita.org

from: Engineering

Debra Woods

From: Sam Atkins
Sent: Tuesday, September 08, 2015 3:22 PM
To: Debra Woods
Subject: RE: Copper Club sidewalk restaurant permit application

The Copper Club sidewalk restaurant layout as submitted is acceptable to the Engineering Dept.

Thanks,

Sam Atkins

From: Debra Woods
Sent: Tuesday, September 08, 2015 11:45 AM
To: Judy Macy; Dahna Raugh; Sam Atkins; Ken Haley; dpippenger@fruita.org; Dick Pippenger
Cc: Mike Bennett
Subject: Copper Club sidewalk restaurant permit application

Please see attached. I'm also trying to get this on the agenda for Sept 15th. Is it possible to get your comments/concerns by this Friday for the Council packet?

Thanks!

Deb

Debra Woods

Deputy City Clerk
City of Fruita
(970) 858-3663
dwoods@fruita.org

From: Copper Club Brewing Co.

Feedback from City Comments

- 1) All proposed fencing will be at least 42 inches in height with an emergency ingress/egress. (See attached drawing)
- 2) There will be no outdoor heating.
- 3) Tables & Seating will not be anchored.
- 4) Awning will be properly permitted and built to code. Materials selected for awning and fencing will be of maximum durability. Anchoring system will be submitted for approval with Fruita Public Works.

Copper Club Brewing Co. understands that prior to installation, a building permit may be required, as well as, final approval from the City and Public Works.



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: DEBRA WOODS, DEPUTY CITY CLERK
DATE: SEPTEMBER 15, 2015
RE: COPPER CLUB BREWING COMPANY LOCATED AT 233 E. ASPEN AVENUE – A REQUEST TO APPROVE A MODIFICATION OF PREMISES FOR A MANUFACTURER (BREWERY) AND WHOLESALE BEER (MALT LIQUOR) LICENSE

BACKGROUND

The Copper Club Brewing Company located at 2233 E. Aspen Avenue has submitted an application for a permit to create an outdoor Sidewalk Restaurant for the purpose of serving patrons beer on an outdoor patio. This requires filing a Modification of Premises to their existing liquor license that will require both local and state (Liquor Enforcement Division) approval.

The modification as proposed includes an outdoor patio which will be enclosed with fencing 42” in height, as well as an additional storage area in the back of the building.

The Modification of Licensed Premises application has been reviewed by Police Chief Judy Macy, who states that the Fruita Police Department has no issues with the modification. Chief Macy’s e-mailed comments are attached.

FISCAL IMPACT

None

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The City of Fruita is charged with protection of the public health, safety and welfare. The review of modifications of premises where alcoholic beverages are sold and served ensures that the licensed establishment is operating by the rules and regulations adopted by the City of Fruita.

OPTIONS AVAILABLE TO THE COUNCIL

Approve the Modification of premises permit

Deny the Modification of premises permit due to specific concerns stated as part of the motion. (If permission is denied, the licensing authority must give notice in writing and state grounds upon which the application is denied).

RECOMMENDATION

It is the recommendation of the Fruita City Staff that the Council move to:

APPROVE THE REQUEST FOR MODIFICATION OF PREMISES FOR COPPER CLUB BREWING COMPANY SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE PATIO SHALL BE ENCLOSED WITH A FENCE THAT IS A MINIMUM OF 42 INCHES IN HEIGHT AND WILL HAVE ONE ENTRANCE FROM THE SIDEWALK**
- 2. A GATE WITH A MINIMUM OF 36 INCHES OF CLEARANCE AND EQUIPPED WITH PANIC HARDWARE THAT ALARMS WHEN THE GATE IS OPENED MUST BE INSTALLED AT THE NORTH END OF THE PATIO ON PEACH STREET**
- 3. OUTSIDE ALCOHOL SHALL NOT ENTER THE PATIO NOR SHALL ALCOHOL SERVED BY COPPER CLUB BREWING COMPANY LEAVE THE FENCED IN AREA**
- 4. THE ENTRANCES/EXITS OF THE PATIO SHALL BE MONITORED WITH PERSONNEL TO ENSURE THAT ALCOHOL IS CONTROLLED WITHIN THE AREA AND THERE ARE NO VIOLATIONS OF THE LIQUOR CODE.**
- 5. THE OUTSIDE PATIO SHALL BE KEPT CLEAN AND CLEAR OF GLASS AND OTHER DANGEROUS OR UNSIGHTLY ITEMS AT ALL TIMES**

FOR DEPARTMENT USE ONLY

PERMIT APPLICATION AND REPORT OF CHANGES

CURRENT LICENSE NUMBER _____

ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN

LOCAL LICENSE FEE \$ _____

APPLICANT SHOULD OBTAIN A COLORADO LIQUOR & BEER CODE BOOK TO ORDER CALL (303) 370-2165

1. Applicant is a

- ☐ Corporation ☐ Individual
☐ Partnership ☒ Limited Liability Company

PRESENT LICENSE NUMBER

4700152
4700170

2. Name of Licensee

Copper Club Brewing Company

3. Trade Name

Copper Club Brewing Company

4. Location Address

233 E Aspen Ave

City

Fruita

County

Mesa

ZIP

81521

SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.

Section A - Manager reg/change

• License Account No. _____

1983-750 (999) ☐ Manager's Registration (Hotel & Restr.)...\$75.00

2012-750 (999) ☐ Manager's Registration (Tavern).....\$75.00

☐ Change of Manager (Other Licenses) NQ FEE

Section B - Duplicate License

• Liquor License No. _____

2270-100 (999) ☐ Duplicate License\$50.00

Section C

2210-100 (999) ☐ Retail Warehouse Storage Permit (ea) \$100.00

2200-100 (999) ☐ Wholesale Branch House Permit (ea) 100.00

2260-100 (999) ☐ Change Corp. or Trade Name Permit (ea) 50.00

2230-100 (999) ☐ Change Location Permit (ea)..... 150.00

2280-100 (999) ☒ Change, Alter or Modify Premises

\$150.00 x _____ Total Fee _____

2220-100 (999) ☐ Addition of Optional Premises to Existing H/R

\$100.00 x _____ Total Fee _____

1988-100 (999) ☐ Addition of Related Facility to Resort Complex

\$75.00 x _____ Total Fee _____

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

DATE LICENSE ISSUED

LICENSE ACCOUNT NUMBER

PERIOD

-750 (999)

-100 (999)

The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.

TOTAL
AMOUNT DUE \$

.00

INSTRUCTION SHEET

FOR ALL SECTIONS, COMPLETE QUESTIONS 1-4 LOCATED ON PAGE 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 8 on page 4. Proceed to the Oath of Applicant for signature (Please note: Hotel, Restaurant, and Tavern licensees are required to register their managers).

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 4 for Oath of Applicant signature.

☐ **Section C**

Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 4) **To modify Premise**, go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 5) **For Optional Premises or Related Facilities** go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

STORAGE PERMIT

5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit☐ **Retail Warehouse Permit for:**

- ☐ On-Premises Licensee (Taverns, Restaurants etc.)
☐ Off-Premises Licensee (Liquor stores)

☐ **Wholesalers Branch House Permit**

Address of storage premise: _____

City _____, County _____, Zip _____

Attach a deed/ lease or rental agreement for the storage premises.
 Attach a detailed diagram of the storage premises.

CHANGE TRADE NAME OR
CORPORATE NAME**6. Change of Trade Name or Corporation Name**

- ☐ Change of Trade name / DBA only
☐ Corporate Name Change (Attach the following supporting documents)
 1. Certificate of Amendment filed with the Secretary of State, or
 2. Statement of Change filed with the Secretary of State, and
 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.

Old Trade Name

New Trade Name

Old Corporate Name

New Corporate Name

CHANGE OF LOCATION

7. Change of Location

NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 12-47-311 (1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.

Date filed with Local Authority _____ Date of Hearing _____

(a) Address of current premises _____

City _____ County _____ Zip _____

(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)

Address _____

City _____ County _____ Zip _____

(c) New mailing address if applicable.

Address _____

City _____ County _____ State _____ Zip _____

(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.

This detailed floor plan illustrates the layout of a brewery, featuring various equipment and seating areas. The plan includes a large storage area at the top left, a cooler, and a storage area at the top right. The central area contains a brew house with two fermenters, two brew tanks, and a cooler. A mash tun is located near the fermenters. The bottom left area includes a bar, a stage/raised seating area, and a cooler. The bottom right area features a long bar and a large seating area with round and rectangular tables. The plan also shows a rest area with a toilet and a sink. Dimensions are provided for various sections, and the overall dimensions of the building are 35' 0" wide by 117' 0" deep.

Floor Plan	
REVISIONS	<p>Copper Club Brewing Company Floor Plan Aspen Avenue Fruita, Colorado</p>
SCALE: 1" = 5'	DRAWN BY: DMW DATE: 5/18/15

From: Fruita PD

Debra Woods

From: Judy Macy
Sent: Thursday, September 10, 2015 8:54 AM
To: Debra Woods
Cc: Mike Bennett; Ken Haley; Sam Atkins
Subject: RE: Copper Club modification of licenses premises

Deb,

The modification request has been reviewed and the PD has no issues with the modification.

The restaurant permit has been reviewed and the PD recommends the following:

- Fencing must be permanent and a minimum of 42 inches in height.
- There is a second emergency entrance/exit on the East side – meeting Fire Department regulations.

Judy Macy
Chief of Police | City of Fruita
157 S. Mesa St.
Fruita, Co. 81521
970.858.3008

From: Debra Woods
Sent: Tuesday, September 08, 2015 11:48 AM
To: Judy Macy
Subject: Copper Club modification of licenses premises

Judy – here's the part that will go to the Council and the state to modify the licensed premises for beer. May I have your comments/concerns by this Friday to get it in the Council packet for Sept 15th? You can include your comments for both this and the sidewalk restaurant permit in one response if you like.

Thanks!

Deb

Debra Woods

Deputy City Clerk
City of Fruita
(970) 858-3663
dwoods@fruita.org



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL

FROM: DEPUTY CITY CLERK DEBRA WOODS FOR MAYOR BUCK AND COUNCILOR HARVEY

DATE: SEPTEMBER 15, 2015

RE: BOARDS AND COMMISSIONS REAPPOINTMENT – A REQUEST TO APPROVE THE REAPPOINTMENT OF KEN KREIE TO THE DOWNTOWN ADVISORY BOARD FOR ANOTHER THREE-YEAR TERM TO EXPIRE IN SEPTEMBER OF 2018

BACKGROUND

Ken Kreie's term on the Downtown Advisory Board expired in October of 2015, at which time staff sent a letter inquiring whether he wished to be reappointed. Mr. Kreie did not respond.

On September 1, 2015, staff sent a follow-up e-mail to Jeannine Purser, Chair of the Downtown Advisory Board inquiring about the status of all Downtown Advisory Board members. Jeannine's reply to this e-mail is attached. She noted that member Ken Kreie asked staff to send him another application for reappointment to the Board, which he submitted the following day and is attached. The updated list of Downtown Advisory Board members is also attached.

Mayor Buck and Councilor Harvey recommend the reappointment of Ken Kreie to the Downtown Advisory Board for a three-year term to expire in September of 2018.

FISCAL IMPACT

N/A

APPLICABILITY TO CITY GOALS AND OBJECTIVES

Boards and Commissions provide valuable input to the City and help establish goals and objectives. They provide a link between citizens of Fruita and city government.

OPTIONS AVAILABLE TO THE COUNCIL

1. Reappoint Ken Kreie to the Downtown Advisory Board for a three-year term to expire in September of 2018
2. Instruct staff to publish a notice of vacancy and repeat the interview process.

RECOMMENDATION

It is the recommendation of Mayor Buck and Councilor Harvey that the following reappointment be made:

Ken Kreie to the Downtown Advisory Board for a three-year term to expire in September of 2018.

**CITY OF FRUITA
BOARDS AND COMMISSIONS
MEMBERSHIP APPLICATION**



BOARD OR COMMISSION: Downtown Advisory

NAME: Ken Kreie

MAILING ADDRESS: 304 West Applewood Dr

RESIDENCE ADDRESS: City State Zip
Fruita, CO 81521

PHONE NUMBER: 970.270.3305 970.263.7800
Home Work

E-MAIL ADDRESS: kenkreie@gmail.com

How long have you been a resident of Fruita? approx 10 years

Occupation/Employer: Senior Scientist/Olsson Associates

List any volunteer and/or work experience:

Current board member of Downtown advisory board, GJ Chamber Energy and Economic Development Board, Orchard Valley West HOA President, Cavalcade Board Member

Are you presently serving on a board or commission? If so, which one(s)?

Yes. Downtown Advisory

Why do you want to be a member of this board or commission?

To continue helping shape downtown into a place where people want to work, live and play.

List any abilities, skills, or interests which are applicable to the board or commission for which you are applying.

City of Fruita
Boards and Commissions Application
Page 2

Are you committed to attending meetings?



Yes



No

Are you committed to serving an entire term?



Yes



No

Please specify any activities which might create serious conflict of interest if you should be appointed to a particular board or commission. (If unsure, please call the City Manager's office at 858-3663)

List any licenses, certificates or other specialized training applicable to the board or commission for which you are applying.

Additional information or references you believe may be helpful in considering your application.

Signature

K. P. P.

Digitally signed by K. P. P.
DN: cn=K. P. P., o=City of Fruita, ou=City of Fruita, email=K. P. P., c=US

Date 9/2/15

All applicants are strongly encouraged to attend a regularly scheduled meeting of the board or commission for which they are applying. Frequent non-attendance may result in termination of the appointment.

ATTACHMENTS TO APPLICATION MUST BE LIMITED TO TWO PAGES

Please feel free to submit a resume along with this application. Application and any attachments should be returned to the Fruita City Council c/o the City Clerk, 325 E. Aspen, Fruita, CO 81521. Although we have indicated the best time to apply for a particular board, we accept applications for any of the boards year-round. Thank you.



325 E. Aspen
Suite 155
Fruita CO 81521

Phone:
970/858-3663

Fax:
970/858-0210

E Mail
fruita@fruita.org

Web Site
www.fruita.org

City Manager's Office
970/858-3663

City Clerk/Finance
970/858-3663

Community
Development
970/858-0786

Municipal Court
970/858-8041

Police Department
970-858-3008

Engineering
970/858-8377

Human Resources
970/858-8373

Public Works
970/858-9558

Parks and Recreation
970/858-0360

*will apply for reapppt.
yis.*

September 2, 2014

Ken Kreie
304 W. Applewood Dr.
Fruita, CO 81521

Dear Ken:

Please be advised that your term on the Downtown Advisory Board will expire in October of 2014.

Should you wish to remain on the Board, I have enclosed an application along with a copy of your original application. Please return the new application as soon as you possibly can, and you will be reappointed by the Fruita City Council. I will then mail you a letter informing you of your reappointment and when your new term will expire.

Should you no longer wish to remain on the Downtown Advisory Board, please mail or e-mail a letter of resignation and I will advertise the vacancy. My e-mail address is dwoods@fruita.org.

Please contact me should you have any questions and I will be happy to assist you.

Sincerely,

Debra Woods
Deputy City Clerk

Debra Woods

From: Jeannine Purser [jeannine@cavalcadefruita.com]
Sent: Tuesday, September 01, 2015 11:48 AM
To: Debra Woods
Subject: Re: Downtown Advisory Board member list

Hi Debra,

Actually both Veronica and Camilla resigned before their babies were born. Ken asked if you would please send him another application. Ken has still been coming to our meetings, but not voting. Our current active members are myself, Linda Kurtz, Dustin Wells, Jesse Mease, and Laci Mease. Thanks for looking into this.

Jeannine

On Tue, Sep 1, 2015 at 11:18 AM, Debra Woods <dwoods@fruita.org> wrote:

Good morning, Jeannine –

I need your help on the member list for the DAB. I started to do letters to Veronica, you and Camilla Smith because your terms are expiring in October – to see if you want to apply for reappointment. I got to looking at the list and noticed that Ken Krie's term expired in October of 2014, at which time I sent him a letter to see if he wanted to apply for reappointment, but I never heard back from him.

So, I guess what I need to know is:

1. Are the members not listed in red (resigned) still attending meetings and considered board members (Such as Ken Krie)?
2. Is there any other information I have on the list that is incorrect?

I will wait to hear back from you before I send any more letters about reappointments.

I really appreciate any help you can give me to get my information accurate.

Have a great day,

Deb

Debra Woods

Deputy City Clerk

City of Fruita



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL

FROM: DEPUTY CITY CLERK DEBRA WOODS FOR MAYOR BUCK AND COUNCILOR MULDER

DATE: SEPTEMBER 15, 2015

RE: BOARDS AND COMMISSIONS REAPPOINTMENT – A REQUEST TO APPROVE THE REAPPOINTMENT OF DAVE KARISNY TO THE PLANNING COMMISSION FOR ANOTHER THREE-YEAR TERM TO EXPIRE IN SEPTEMBER OF 2018

BACKGROUND

Dave Karisny's term on the Planning Commission will expire in October of 2015. On September 2, 2015, Dave Karisny submitted his application to be reappointed to the Planning Commission.

Mayor Buck and Board Liaison Councilor Mulder recommend the reappointment of Dave Karisny to the Planning Commission for a three-year term to expire in September of 2018.

If Dave Karisny is reappointed, there will be no remaining vacancies on the Planning Commission.

FISCAL IMPACT

N/A

APPLICABILITY TO CITY GOALS AND OBJECTIVES

Boards and Commissions provide valuable input to the City and help establish goals and objectives. They provide a link between citizens of Fruita and city government.

OPTIONS AVAILABLE TO THE COUNCIL

1. Reappoint Dave Karisny to the Planning Commission for a three-year term to expire in September of 2018
2. Instruct staff to publish a notice of vacancy and repeat the interview process.

RECOMMENDATION

It is the recommendation of Mayor Buck and Councilor Mulder that the following reappointment be made:

Dave Karisny to the Planning Commission for another three-year term to expire in September of 2018

rcvd 9/2/15

CITY OF FRUITA Planning Commission
~~CITY COUNCIL~~
MEMBERSHIP APPLICATION



NAME: Dave Karisny
MAILING ADDRESS: 917 Squire Ct
Fruita, CO 81521
City State Zip

RESIDENCE ADDRESS: 917 Squire Ct
PHONE NUMBER: (970) 858-3014 ()

E-MAIL ADDRESS: Home fruitaexit19@gmail.com Work

How long have you been a resident of Fruita? 25+

Occupation/Employer: retired Mesa County Valley Schools Dist 51

Volunteer and/or work experience: Colorado Canyons Association,
cmu Dimensions, non-credited classes for people over 50, Dist 51
1983-2013, past fruita city council member 2000-2008, GVRTC
2006-2008, 5-2-1 member 2000-2008

1. Are you presently serving on a board or commission? If so, which one(s)?

Planning Commission

2. Why do you want to be a member of the ~~City Council~~ Planning Commission?

Wish to use knowledge and skills learned over past
years for the best interest of the citizens of Fruita.

3. List any abilities, skills, or interests which are applicable to the board or commission for which you are applying.

Always try to be well prepared and objective
when making decisions. Ability to work with people.
Good attendance over many years.

-
4. Are you committed to attending meetings? yes
 5. Are you committed to serving an entire term? yes
 6. Please specify any activities which might create serious conflict of interest if you should be appointed to a particular board or commission. (If unsure, please call the City Manager's office at 858-3663)
None
 7. List any licenses, certificates or other specialized training applicable to the board or commission for which you are applying.
Previous training when on City Council and Planning Commission.
 8. Additional information or references you believe may be helpful in considering your application.

Signature

David Karing

Date

9-2-2015

All applicants are strongly encouraged to attend a regularly scheduled meeting of the board or commission for which they are applying. Frequent non-attendance may result in termination of the appointment.

ATTACHMENTS TO APPLICATION MUST BE LIMITED TO TWO PAGES

Please feel free to submit a resume along with this application. Application and any attachments should be returned to the Fruita City Council c/o the City Clerk, 325 E. Aspen, Fruita, CO 81521 or dwoods@fruita.org by Thursday, May 3, 2012.



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL

FROM: DEPUTY CITY CLERK DEBRA WOODS FOR MAYOR BUCK AND COUNCILOR HARVEY

DATE: SEPTEMBER 15, 2015

RE: BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF SHAWNA JAMES TO THE ARTS AND CULTURE BOARD TO FULFILL AN UNEXPIRED TERM PLUS AN ADDITIONAL THREE-YEAR TERM TO EXPIRE IN MARCH OF 2020

BACKGROUND

In November of 2014, Board member John Lintott resigned, thus creating a vacancy. His term was due to expire in March of 2017.

On August 27, 2015, Shawna James submitted her application for appointment to the Board, which is attached.

Mayor Buck and Councilor Harvey recommend the appointment of Shawna James to the Arts and Culture Board to fulfill an unexpired term plus an additional three-year term to expire in March of 2020.

If Shawna James is appointed, there will be no remaining vacancies on the Arts and Culture Board.

FISCAL IMPACT

N/A

APPLICABILITY TO CITY GOALS AND OBJECTIVES

Boards and Commissions provide valuable input to the City and help establish goals and objectives. They provide a link between citizens of Fruita and city government.

OPTIONS AVAILABLE TO THE COUNCIL

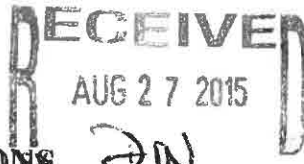
1. Appoint Shawna James to the Arts and Culture Board to fulfill an unexpired term plus an additional three-year term to expire in March of 2020
2. Instruct staff to publish a notice of vacancy and repeat the interview process.

RECOMMENDATION

It is the recommendation of Mayor Buck and Councilor Harvey that the following appointment be made:

Shawna James to the Arts and Culture Board to fulfill an unexpired term plus an additional three-year term to expire in March of 2020

**CITY OF FRUITA
BOARDS AND COMMISSIONS
MEMBERSHIP APPLICATION**



BOARD OR COMMISSION: Arts + Culture
NAME: Shawna James
MAILING ADDRESS: 1193 17.5 Rd.
Fruita, CO 81521
City State Zip

RESIDENCE ADDRESS: Same as above
PHONE NUMBER: (720) 347-5833 ()
Home Work
E-MAIL ADDRESS: shawna.james303@gmail.com

How long have you been a resident of Fruita? 3 weeks
Occupation/Employer: unemployed
Volunteer and/or work experience:
Mission & Ministry counsel & committee
Health Care work experience

1. Are you presently serving on a board or commission? If so, which one(s)?
No
2. Why do you want to be a member of this board or commission?
Support my new community as well
as serve and contribute to the community
center and city of Fruita
3. List any abilities, skills, or interests which are applicable to the board or commission for which you are applying.
Love a variety of arts and crafts as well
as scrapbooking, crochet & painting
as personal hobbies.

City of Fruita
Boards and Commissions Application
Page 2

4. Are you committed to attending meetings? yes
5. Are you committed to serving an entire term? yes
6. Please specify any activities which might create serious conflict of interest if you should be appointed to a particular board or commission. (If unsure, please call the City Manager's office at 858-3663)
no
7. List any licenses, certificates or other specialized training applicable to the board or commission for which you are applying.
NONE
8. Additional information or references you believe may be helpful in considering your application.
Jacqu Foster - Senior Services Supervisor
- Signature James Date 8/27/15

All applicants are strongly encouraged to attend a regularly scheduled meeting of the board or commission for which they are applying. Frequent non-attendance may result in termination of the appointment.

ATTACHMENTS TO APPLICATION MUST BE LIMITED TO TWO PAGES
Please feel free to submit a resume along with this application. Application and any attachments should be returned to the Fruita City Council c/o the City Clerk, 325 E. Aspen, Fruita, CO 81521. Although we have indicated the best time to apply for a particular board, we accept applications for any of the boards year-round. Thank you.

Shawna M. James
1193 17.5 Rd
Fruita, CO 81521
(720) 347-5833

shawna.james303@gmail.com

OBJECTIVE

To obtain a medical coding position with opportunity for learning and development

SKILLS AND QUALIFICATIONS

- CPC-A
- Medicare and commercial billing experience
- Formal coding education and experience
- Experience Posting ERN's, RA's and EOB's
- Extensive healthcare revenue cycle background and experience.
- Strong analytical, organizational and communication skills.
- Ability to work independently and multi-task successfully to meet a variety of task requirements and targeted goals.

Degrees: Bachelor of Arts, Regis University, December 2001
Social Sciences, Elementary Education Certification

HIT, Arapahoe Community College- in progress

Certifications: CPC-A AAPC membership

Software:

- MS Office
- Meditech BAR
- Meditech LSS
- 3M encoder
- Magic
- Medipac
- Medibase Base Recover
- Connance Agency Manager
- ACICS
- SSI n
- DMS
- Cerner HER
- MedAssets
- Brightree

Technical:

- Determine appropriate primary source of payment based on insurance, billable charges, physician documentation, correct CPT and ICD-9 codes and modifiers for Accounts Receivable claims.
- Knowledge of insurance terminology and accounts receivable for acute care hospital inpatient, outpatient and Physician's professional billing.
- Knowledge of UB04 and HCFA claim forms.

- Knowledge of commercial insurance, government regulatory insurance, worker's compensation, auto claims, grants, client accounts and third party claims.
- Identify appropriate payments, denials, appeals, contractual adjustments, coordination of benefits, refunds and collections status.
- Knowledge of EOB's and RA's, Benefits and Eligibility.
- Release of Information (ROI)
- Review CMN's to determine qualification for DME
- Collect patient demographic and insurance information, signatures for consent, ABN's, HIPAA practice notification.
- Knowledge of Medicare Reopenings, Redeterminations, Reconsiderations, ALJ
- Knowledge of Medical Record structure and correct documentation practices
- Complete appropriate authorizations and referrals
- Knowledge of Anatomy and physiology, diagnosis, diagnostic tests and procedures
- Knowledge of CPT, ICD-9 and HCPC coding
- Teamwork in collaborative efforts to problem solve and create solutions

WORK EXPERIENCE

USA Mobility, Inc. July 2014 – present

Commercial and Medicare Coding and Billing
AR Collections and analysis
Cash posting
Commercial appeals
Medicare Reopenings, Redeterminations, Reconsiderations

Centura Healthcare January, 2006-- July 2014

Revenue Management -Patient Financial Services
Hospital Account Specialist
Provider Account Specialist
Commercial Billing and AR
Mission and Ministry-Education Chair 2011-current

Apria Healthcare September, 1999 — November, 2004

Suspended Billing QAC
CMN certification review
Customer Service Intake, Authorizations - Home Infusion and Enteral Feeding Department
Coverage Verification Representative
Customer Service Lead

St. Anthony Hospitals January, 1991—September, 1999

Patient Registration
Referrals/Front Office-Centura Family Physicians
Ward Secretary-Cardiac ICU

Lutheran Medical Center August, 1990—September, 1991

Ward Secretary-- ER Department



AGENDA ITEM COVER SHEET

TO: Fruita City Council and Mayor

FROM: Community Development Department

DATE: August 18, 2015

RE: Ordinance 2015-13, 2nd Reading, An Ordinance of the Fruita City Council Accepting Right-of-Way Adjacent to West Ottley Avenue (Application #2013-9, CO OP Expansion)

Ordinance 2015-14, 2nd Reading, An Ordinance of the Fruita City Council Accepting Right-of-Way Adjacent to Highway 6 & 50 For a Future Roadway Connection to West Ottley Avenue (Application #2013-9, CO OP Expansion)

BACKGROUND

A roadway connection between Highway 6 & 50 and West Ottley Avenue adjacent to the CO OP is part of the City's long range transportation plan for this area as shown on the Fruita Area Street Classification and Traffic Control Plan (a portion of the City's Master Plan). As part of the development approval for the expansion of Fruita Consumers' Cooperative Association (CO OP) business located at 1650 Highway 6 & 50, a portion of right-of-way for this future roadway connection is required to be dedicated to the public to set the location of the roadway connection with Highway 6 & 50 and the connection to Ottley Avenue. Right-of-way is required to be accepted by an Ordinance of the City Council. Attached are two ordinances for these pieces of right-of-way for the Council to consider.

FISCAL IMPACT

Dedication of right-of-way and easements to provide for public utilities and a safe and efficient transportation system in the area is expected to have an overall positive fiscal impact to the City.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The dedicated right-of-ways are for a future collector roadway as shown on the Fruita Area Street Classification and Traffic Control Plan which is a portion of the City's Master Plan. The City's Master Plan also promotes efficient provision of public utilities. Both the right-of-ways and easements further the goals and objectives expressed in the City's Master Plan.

OPTIONS AVAILABLE TO COUNCIL

Ordinance 2015-13 (right-of-way adjacent to Ottley Avenue)

1. Approve Ordinance 2015-13 – 2nd Reading, An Ordinance of the Fruita City Council Accepting Right-of-Way Adjacent to West Ottley Avenue
2. Denial of the proposed Ordinance

Ordinance 2015-14 (right-of-way adjacent to Highway 6 & 50)

1. Approval of Ordinance 2015-14, 2nd Reading, An Ordinance of the Fruita City Council Accepting Right-of-Way Adjacent to Highway 6 & 50 For a Future Roadway Connection to West Ottley Avenue
2. Denial of the proposed Ordinance.

RECOMMENDATION

Ordinance 2015-13 (right-of-way adjacent to Ottley Avenue)

Staff recommends that the City Council move to approve Ordinance 2015-13, 2nd Reading, An Ordinance of the Fruita City Council Accepting Right-of-Way Adjacent to West Ottley Avenue

Ordinance 2015-14 (right-of-way adjacent to Highway 6 & 50)

Staff recommends that the City Council move approve Ordinance 2015-14, 2nd Reading, An Ordinance of the Fruita City Council Accepting Right-of-Way Adjacent to Highway 6 & 50 For a Future Roadway Connection to West Ottley Avenue

ORDINANCE 2015-13

**AN ORDINANCE OF THE FRUITA CITY COUNCIL ACCEPTING RIGHT-OF-WAY
ADJACENT TO WEST OTTLEY AVENUE
(Application #2013-09, COOP Expansion)**

WHEREAS, additional right-of-way along West Ottley Avenue is necessary for a safe and efficient transportation system in this area as it continues to develop, and

WHEREAS, as part of the approval for the expansion of the Fruita Consumer's Cooperative Association, Inc., located at 1650 Highway 6 & 50, this additional right-of-way adjacent to West Ottley Avenue is required to be dedicated to the City of Fruita, and

WHEREAS, the property owners have provided a deed to dedicate the required right-of-way to the City which is attached as Exhibit A.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

THAT the right-of-way adjacent to West Ottley Avenue described on attached Exhibit A and shown on attached Exhibit B is hereby accepted by the Fruita City Council.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 15th DAY OF SEPTEMBER, 2015.**

CITY OF FRUITA, COLORADO

ATTEST:

Lori Buck, Mayor

Margaret Sell, City Clerk

EXHIBIT A
ORDINANCE 2015-13

RIGHT-OF-WAY DEED

Fruita Consumers' Cooperative Association, Grantor, owner in fee of the real property hereinafter described for good and valuable consideration, the receipt and sufficiency of which are hereby confessed and acknowledged, hereby grants and conveys to the City of Fruita, Colorado, a home rule municipal corporation, Grantee, without warranty of title, a public street right-of-way over and across that real property in the County of Mesa, State of Colorado, to wit:

A right of way dedication to the City of Fruita lying within the Northwest ¼ of the Northeast ¼ of Section 18, Township 1 South, Range 2 West, Ute Meridian, City of Fruita, Mesa County, and State of Colorado, considering the line from the North ¼ Corner of Section 18 and the East 1/16 Corner of Sections 7 & 18 to bear S 89° 50' 48" W a distance of 1321.82 feet as shown on attached Exhibit B and more particularly described as follows:

Beginning at the North ¼ Corner of Section 18;
Thence along the North line of the Section 18, N 89°50'48" E a distance of 818.99 feet;
Thence S 00°15'08" W a distance of 40.00 feet;
Thence S 89°50'48" W a distance of 217.07 feet;
Thence S 37°11'02" W a distance of 37.20 feet;
Thence S 00°33'40" E a distance of 10.00 feet;
Thence S 89°26'20" W a distance of 60.00 feet;
Thence N 00°33'40" W a distance of 10.80 feet;
Thence N 38°03'25" W a distance of 37.02 feet;
Thence S 89°50'48" W a distance of 496.30 feet to the East line of the NW 1/4 of Section 18;
Thence along the East line of the NW 1/4 Section 18 N 00°11'29" W a distance of 40.00 feet to the Point of Beginning;
having an area of 0.822 acres.

and conveys the same for public right-of-way and public utility purposes, only.

IN WITNESS WHEREOF, Grantor has executed this document the 2 day of June, 2015.

Fruita Consumers' Cooperative Association

By: _____

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 2nd day of June, 2015, by Alex Kamas as President / CEO of FRUITA CONSUMERS Cooperative Assoc.

WITNESS MY HAND AND OFFICIAL SEAL.

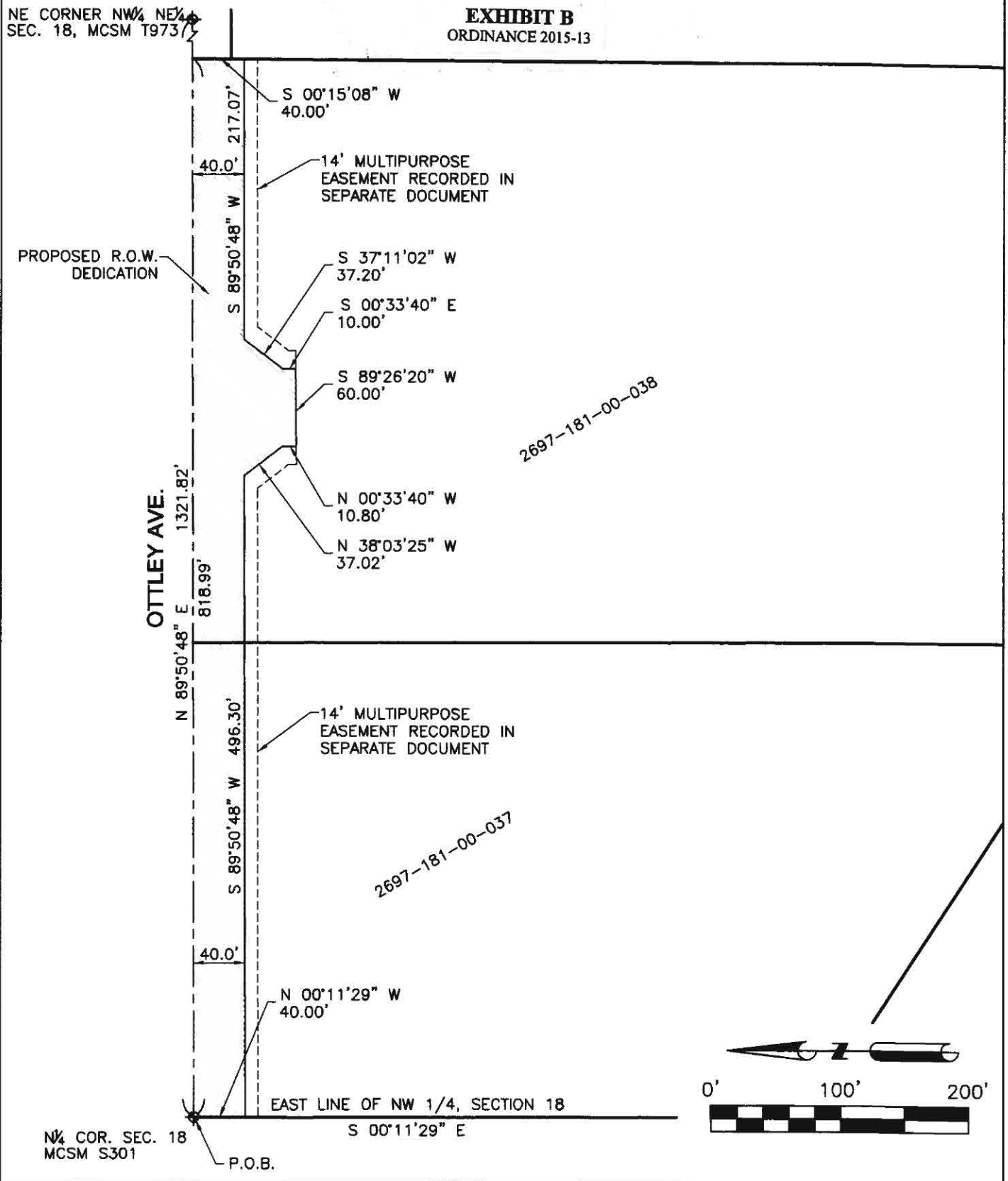
My commission expires: 2-2-16

Notary Public



NE CORNER NW 1/4 NE 1/4
SEC. 18, MCSM T9737

EXHIBIT B
ORDINANCE 2015-13



FRUITA COOP SITE



ATKINS AND ASSOCIATES, INC.
518 28 Road, Suite B-105
Grand Junction, Colorado 81501

ORDINANCE 2015-14

**AN ORDINANCE OF THE FRUITA CITY COUNCIL ACCEPTING RIGHT-OF-WAY
ADJACENT TO HIGHWAY 6 & 50 FOR A FUTURE ROADWAY CONNECTION TO
WEST OTTLEY AVENUE
(Application #2013-09, COOP Expansion)**

WHEREAS, right-of-way for a future roadway connection between Highway 6 & 50 and West Ottley Avenue is necessary for a safe and efficient transportation system in this area as it continues to develop, and

WHEREAS, as part of the approval for the expansion of the Fruita Consumer's Cooperative Association, Inc., located at 1650 Highway 6 & 50, the portion of this right-of-way adjacent to Highway 6 & 50 is required to be dedicated to the City of Fruita, and

WHEREAS, the property owners have provided a deed to dedicate the required right-of-way to the City which is attached as Exhibit A.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

THAT right-of-way adjacent to Highway 6 & 50 for a future roadway connection to West Ottley Avenue, as described on attached Exhibit A and shown on attached Exhibit B is hereby accepted by the Fruita City Council.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 15TH DAY OF SEPTEMBER, 2015.**

CITY OF FRUITA, COLORADO

ATTEST:

Lori Buck, Mayor

Margaret Sell, City Clerk

EXHIBIT A
ORDINANCE 2015-14
(page 1 of 2 pages)
RIGHT-OF-WAY DEED

Fruita Consumers' Cooperative Association, Grantor, owner in fee of the real property hereinafter described for good and valuable consideration, the receipt and sufficiency of which are hereby confessed and acknowledged, hereby grants and conveys to the City of Fruita, Colorado, a home rule municipal corporation, Grantee, without warranty of title, a public street right-of-way over and across that real property in the County of Mesa, State of Colorado, to wit:

A right of way dedication to the City of Fruita lying within the Northwest ¼ of the Northeast ¼ of Section 18, Township 1 South, Range 2 West, Ute Meridian, City of Fruita, Mesa County, and State of Colorado, considering the line from the North ¼ Corner of Section 18 and the East 1/16 Corner of Sections 7 & 18 to bear S 89° 50' 48" W a distance of 1321.82 feet as shown on attached Exhibit B and more particularly described as follows:

Beginning at the North ¼ Corner of Section 18;
Thence S 35°05'20" E a distance of 918.07 feet to the Point of Beginning;
Thence S 56°34'04" E a distance of 30.00 feet;
Thence S 33°25'56" W a distance of 30.00 feet;
Thence S 03°25'56" W a distance of 33.33 feet to the north right of way line of State Highway 6 & 50;
Thence along the north right of way line of State Highway 6 & 50 N 56°34'04" W a distance of 93.33 feet;
Thence N 63°25'56" E a distance of 33.33 feet;
Thence N 33°25'56" E a distance of 30.00 feet;
Thence S 56°34'04" E a distance of 30.00 feet to the Point of Beginning;
having an area of 0.092 acres.

and conveys the same for public right-of-way and public utility purposes, only.

IN WITNESS WHEREOF, Grantor has executed this document the 2 day of June, 2015.

Fruita Consumers' Cooperative Association

By:

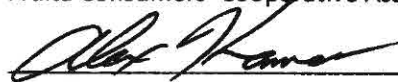
_____

EXHIBIT A
ORDINANCE 2015-14
(page 2 of 2 pages)

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 2nd day of June, 2015, by Alex Kamas as President/CEO of FRUITA CONSUMERS COOPERATIVE ASSOC.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 2-2-16

Teresa Davis
Notary Public

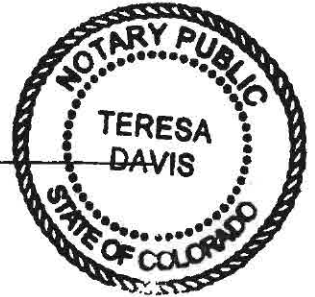
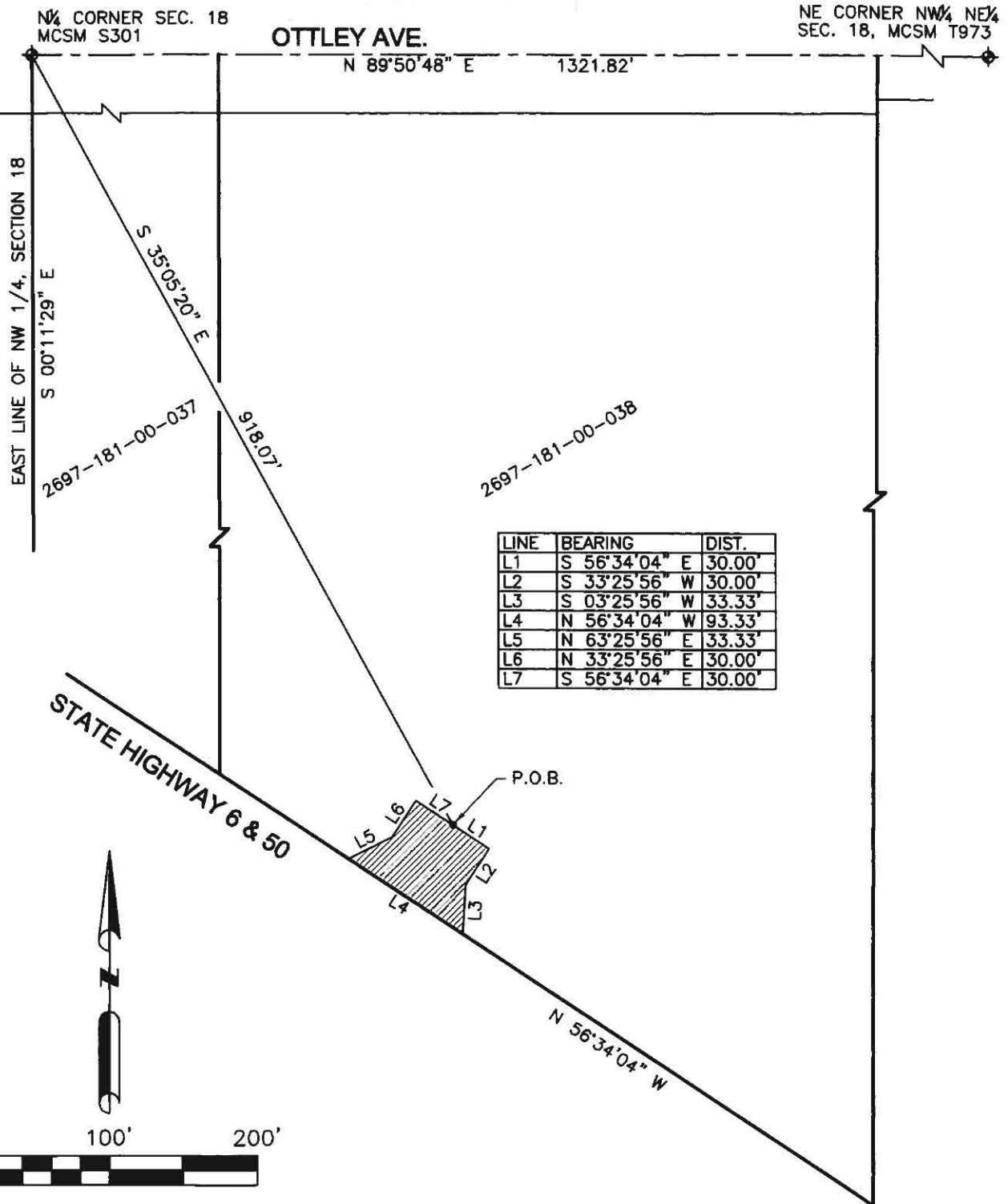


EXHIBIT B
ORDINANCE 2015-14



FRUITA COOP SITE



ATKINS AND ASSOCIATES, INC.
518 28 Road, Suite B-105
Grand Junction, Colorado 81501



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MARGARET SELL, FINANCE DIRECTOR
DATE: SEPTEMBER 15, 2015
RE: AUGUST 2015 FINANCIAL REPORTS

BACKGROUND

Attached are copies of the August 2015 Financial Reports for the City of Fruita.

Sales and Use Tax Revenues. The following chart shows the percentage change in the most recent months collections of sales and use tax revenue compared to the same month last year, and the year to date collections compared to the same time frame for the prior year.

City sales tax revenue was up 0.5% for the month which is a trend in the right direction but we are still significantly lower than amounts received in the prior year and short of budgeted amounts. County sales tax revenues are up 5.5% over the prior year and are better than budgeted amounts, offsetting some of the decline in City sales tax and motor vehicle use tax revenues. Use tax on building materials is down 46% over the prior year. However, we budgeted a decrease of 45% some we are tracking pretty closely with budgeted numbers for building material use taxes.

Sales and Use Tax Revenues			
Type	Month	% change Month	% change Y-T-D
City	Jul-15	0.50%	-6.18%
County	Jul-15	1.43%	5.50%
Use tax on Motor Vehicles	Aug-15	23.71%	-5.61%
Use tax on Building Materials	Jul-15	-42.21%	-46.19%

Community Center Fund – July 2015. The combination of city sales and use tax revenues for the month reflect an 4% decrease over 2014 revenues and a year to date decrease of 10.15%. The decline in city sales and use tax revenues noted above affects the Community Center Fund more intensely than the General Fund as there are no County sales tax revenue increases in the Community Center Fund to offset the decreases.

Marketing and Promotion Fund – July 2015. Lodging tax revenues are up 30% for the month and up 21% for the 2015 fiscal year. There was a 7% decline in revenues in 2014 and the 2015 increase offsets that decline and will hopefully bring us back up to 2013 revenues of \$100,000 or slightly higher.

General Fund Revenues - August 2015. The General Fund Revenue report is a detailed budget to actual revenue report. Revenues are at 69% of the budgeted amount for the year (67% = 8/12 of the year).

Revenue vs Expense by Account Type – August 2015. This report presents summary information on revenues and expenses and budget comparisons for all funds. The report includes revenues and expenses by category or type of revenue/expense and also by department. The following is a summary of the report by fund showing actual revenues and expenses as a percentage of budget.

Revenues and Expenses as Percentage of Budget - August 2015		
	Revenues as a % Budget	Expenses as a % of Budget
General Fund	69%	57%
Conservation Trust Fund	49%	5%
Marketing	71%	75%
Community Center	69%	58%
Capital Projects	37%	40%
Debt Service	47%	47%
Devils Canyon	78%	53%
Irrigation Water	76%	72%
Sewer	60%	44%
Trash	59%	50%
Fleet Maintenance Fund	97%	72%
Total	58%	50%

FISCAL IMPACT

None.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

These reports provide financial information to the Council to monitor the City's financial position and may be used as a tool to hold staff accountable for accomplishing goals and objectives set forth in the Budget.

OPTIONS AVAILABLE TO THE COUNCIL

Approval of Financial Reports

Approval of Financial Reports with clarification on specific items

RECOMMENDATION

It is the recommendation of Fruita City staff that the City Council, by motion:

ACCEPT THE AUGUST 2015 FINANCIAL REPORTS AS PRESENTED.

GENERAL FUND 2% CITY SALES TAX REVENUES - September 9, 2015

	2010	2011	2012	2013	2014	2015	\$ Variance	% Variance
Jan	98,322.29	89,314.15	101,419.74	110,204.24	107,894.03	108,459.92	565.89	0.52%
Feb	84,525.46	95,295.86	110,489.69	96,957.80	117,630.56	107,188.89	-10,441.67	-8.88%
Mar	100,841.31	99,780.60	107,316.93	116,327.45	151,397.66	122,437.25	-28,960.41	-19.13%
Apr	102,872.82	120,678.35	142,421.79	131,340.78	130,473.13	119,605.83	-10,867.30	-8.33%
May	110,519.20	110,761.47	96,366.93	139,145.24	146,354.29	141,096.31	-5,257.98	-3.59%
Jun	113,710.31	121,036.54	153,521.01	134,614.06	145,170.75	142,137.11	-3,033.64	-2.09%
Jul	106,381.35	111,666.79	117,642.13	119,997.86	128,914.77	129,557.37	642.60	0.50%
Aug	106,951.08	108,226.15	117,891.22	132,205.95	139,363.95			
Sep	109,072.31	127,962.44	136,662.04	119,797.21	137,994.97			
Oct	100,306.58	105,477.56	118,473.48	131,267.83	123,354.93			
Nov	92,589.67	102,290.50	89,760.11	118,140.73	116,620.45			
Dec	108,661.53	110,977.83	111,679.39	123,646.37	123,855.91			
TOTAL	1,234,753.91	1,303,468.24	1,403,644.46	1,473,645.52	1,569,025.40	870,482.68	-57,352.51	-6.18%
%	3.14%	5.57%	7.69%	4.99%	6.47%			

2015 Budget= \$1,600,000, 2% Increase from 2014 Actual Revenues

927,835.19 870,482.68 (57,352.51) -6.18%

COUNTY SALES TAX REVENUES AUGUST 11, 2015

	2010	2011	2012	2013	2014	2015	\$ Variance	% Variance
Jan	113,058.19	120,360.46	139,025.37	134,836.51	130,571.18	143,816.00	13,244.82	10.14%
Feb	118,275.57	128,907.44	141,496.92	132,354.45	136,453.63	139,681.16	3,227.53	2.37%
Mar	139,649.23	147,913.58	160,249.88	152,973.96	156,998.09	166,560.39	9,562.30	6.09%
Apr	133,088.63	143,042.21	160,533.08	151,855.18	154,276.05	159,563.89	5,287.84	3.43%
May	147,139.03	153,133.55	154,553.36	160,201.04	162,075.43	176,074.56	13,999.13	8.64%
Jun	119,282.18	162,878.08	161,305.05	163,671.23	165,562.44	176,818.44	11,256.00	6.80%
Jul	143,771.76	152,964.04	147,950.00	155,143.98	166,412.21	168,785.26	2,373.05	1.43%
Aug	151,631.97	166,457.23	162,644.66	160,891.70	167,517.03			
Sep	148,068.43	155,015.91	151,264.37	158,830.58	169,036.62			
Oct	145,127.53	134,741.13	147,651.90	156,348.63	156,686.58			
Nov	144,375.13	153,895.13	141,634.37	149,817.01	153,873.00			
Dec	170,647.84	181,793.63	173,798.76	177,187.35	194,349.22			
TOTAL	1,674,115.49	1,801,102.39	1,842,107.72	1,854,111.62	1,913,811.48	1,131,299.70	58,950.67	5.50%
%	-4.18%	7.59%	2.28%	0.65%	3.22%			

2015 Budget=\$1,914,000, 0% change from 2014 actual revenue

1,072,349.03 1,131,299.70 58,950.67 5.50%

Use Tax on Vehicles - 2% General Fund

	2009	2010	2011	2012	2013	2014	2015	Variance	% Change
JAN	20,721.07	21,010.53	28,474.28	30,152.69	27,942.83	56,070.39	34,956.67	-21,113.72	-37.66%
FEB	22,901.63	23,512.06	32,236.80	25,415.92	38,537.86	36,000.06	50,225.73	14,225.67	39.52%
MAR	34,251.57	31,711.06	33,956.87	36,496.12	43,071.73	38,156.08	26,009.96	-12,146.12	-31.83%
APR	32,178.98	25,064.54	24,077.10	40,616.59	36,939.81	52,092.34	32,776.89	-19,315.45	-37.08%
MAY	28,991.09	27,124.89	41,212.91	45,918.39	41,984.05	42,159.85	42,823.62	663.77	1.57%
JUN	31,756.88	26,232.32	38,459.02	41,628.76	44,597.09	42,893.54	41,419.11	-1,474.43	-3.44%
JUL	27,302.19	31,988.69	39,392.08	40,487.84	38,899.29	46,697.95	52,885.65	6,187.70	13.25%
AUG	26,662.40	32,405.36	39,759.24	47,323.03	48,828.89	52,311.48	64,714.85	12,403.37	23.71%
SEP	31,920.89	39,773.57	35,811.70	30,358.71	45,580.49	37,084.71			
OCT	27,699.09	25,993.80	30,785.97	47,064.75	43,843.87	60,005.46			
NOV	17,431.56	26,057.48	28,049.93	25,419.72	41,660.04	29,508.89			
DEC	25,156.62	22,964.99	37,661.47	37,047.69	50,357.95	50,261.97			
YTD	326,973.97	333,839.29	409,877.37	447,930.21	502,243.90	543,242.72	345,812.48	(20,569.21)	-5.61%
%	-41.02%	2.10%	22.78%	9.28%	12.13%	8.16%			
						366,381.69	345,812.48	(20,569.21)	-5.61%

2015 Budget = \$550,000 - 1% increase from 2014 actual revenues

Use Tax on Building Materials - 2% General Fund

	2009	2010	2011	2012	2013	2014	2015	Variance	% Change
JAN	3,558.19	18,147.60	5,439.12	26,313.85	20,923.45	13,167.04	14,735.14	1,568.10	11.91%
FEB	4,047.25	8,504.62	16,282.90	16,100.01	14,788.93	11,632.38	2,458.97	-9,173.41	-78.86%
MAR	6,919.27	6,162.62	30,509.68	25,506.73	10,552.31	7,307.73	8,211.61	903.88	12.37%
APR	8,919.35	35,306.94	9,839.22	14,732.71	26,597.25	14,357.92	7,344.73	-7,013.19	-48.85%
MAY	9,562.65	16,486.49	7,073.59	12,539.25	13,725.38	12,874.85	3,720.34	-9,154.51	-71.10%
JUN	13,956.59	11,810.90	3,208.84	21,515.83	11,902.04	13,891.13	6,139.39	-7,751.74	-55.80%
JUL	17,372.54	16,884.69	7,956.54	18,255.65	15,093.09	24,526.19	9,501.34	-15,024.85	-61.26%
AUG	25,575.83	9,649.66	7,344.90	16,064.36	27,974.64	12,311.44	7,115.25	-5,196.19	-42.21%
SEP	11,542.90	4,380.71	13,268.39	24,727.66	13,947.63	21,844.73			
OCT	14,667.33	11,302.35	17,526.21	17,943.01	23,497.04	9,547.81			
NOV	6,436.47	14,520.62	8,709.93	5,819.74	10,256.27	9,042.11			
DEC	11,833.53	3,754.79	2,630.75	14,482.99	4,810.32	13,018.26			
YTD	134,391.90	156,911.99	129,790.07	214,001.79	194,068.35	163,521.59	59,226.77	-50,841.91	-46.19%
%	-53.64%	16.76%	-17.28%	64.88%	-9.31%	-15.74%			
						110068.68	59226.77	-50841.91	-46.19%

2015 Budget - \$90,000 - 45% reduction from 2014 actual revenues

2015 COMMUNITY CENTER FUND TAX REVENUES
1% Sales and Use Tax Revenues - September 9, 2015

	2009 Total	2010 Total	2011 Total	2012 Total	2013 Total	2014 Total	City Sales Tax	Use Tax on Motor Vehicles	Use Tax on Building Materials	2015 Total	\$ Change	% Chg
Jan	56,593.55	68,740.22	61,514.93	78,943.15	79,535.26	88,565.74	54,229.96	17,478.33	7,367.57	79,075.86	-9,489.88	-10.72%
Feb	58,002.09	58,148.39	71,825.86	76,002.81	75,142.30	82,631.50	53,594.44	25,112.86	1,229.48	79,936.78	-2,694.72	-3.26%
Mar	67,748.11	69,072.06	81,884.01	84,659.89	84,975.73	98,430.74	61,218.62	13,004.98	4,105.80	78,329.40	-20,101.34	-20.42%
Apr	75,033.32	81,620.90	77,165.81	98,885.55	97,438.92	98,461.69	59,802.91	16,388.45	3,672.37	79,863.73	-18,597.96	-18.89%
May	73,839.15	77,162.18	79,523.99	77,412.30	97,427.34	100,694.49	70,548.05	21,411.81	1,860.17	93,820.03	-6,874.46	-6.83%
Jun	73,538.22	75,828.93	81,352.21	108,332.79	95,556.60	100,977.70	71,068.55	20,709.55	3,069.70	94,847.80	-6,129.90	-6.07%
Jul	67,544.66	77,627.37	79,507.70	88,192.80	86,995.11	100,069.45	64,778.69	26,442.83	4,750.67	95,972.19	-4,097.26	-4.09%
Aug	74,268.70	74,500.07	77,665.14	90,639.31	104,504.75	101,993.43		32,357.43	3,557.62			
Sep	80,243.54	76,613.29	87,316.31	95,874.21	89,662.68	98,462.20						
Oct	68,996.64	68,780.04	76,894.86	91,740.61	99,304.36	96,454.10						
Nov	53,157.55	66,475.61	69,525.19	60,499.78	85,028.51	77,585.72						
Dec	70,957.51	67,542.34	75,635.02	81,605.04	89,407.32	93,568.08						
TOTAL	819,923.04	862,111.40	919,811.03	1,032,788.24	1,084,978.88	1,137,894.84	435,241.22	172,906.24	29,613.38	601,845.79	-67,985.52	-10.15%
% +/-		5%	6.69%	12.28%	5.05%	4.88%						
2015 Budget							800,000.00	280,000.00	45,000.00	1,125,000.00		
% of Budget							54.41%	61.75%	65.81%	53.50%		

669831.31

601845.79 -67985.52 -10.15%

MARKETING AND PROMOTION FUND
3% Lodging Tax Revenues - September 20, 2015

	2009	2010	2011	2012	2013	2014	2015	Difference	%
Jan	4,316.10	2,830.41	3,338.63	2,076.12	1,865.42	3,835.87	3,295.72	-540.15	-14.08%
Feb	2,602.49	3,071.45	3,706.38	5,076.82	3,188.23	1,782.08	3,688.48	1,906.40	106.98%
Mar	6,911.31	3,913.06	5,794.48	7,102.70	4,233.87	6,250.18	7,582.11	1,331.93	21.31%
Apr	11,522.20	6,371.84	8,841.90	8,604.24	12,736.42	9,984.25	9,261.50	-722.75	-7.24%
May	12,440.47	7,956.58	11,733.32	11,886.54	13,101.84	13,393.62	13,948.38	554.76	4.14%
Jun	13,343.74	21,363.33	11,893.86	12,811.34	12,179.20	8,646.09	14,742.08	6,095.99	70.51%
Jul	7,927.72	11,871.26	9,621.68	10,697.76	7,045.91	8,991.16	11,676.25	2,685.09	29.86%
Aug	7,538.02	11,636.43	10,462.73	11,478.01	8,063.40	7,171.28			
Sep	18,157.77	11,580.70	10,956.22	11,061.65	7,074.25	7,753.38			
Oct	5,940.42	6,220.05	8,141.23	8,189.25	12,413.50	3,106.86			
Nov	3,289.52	8,265.08	5,119.32	2,957.31	3,536.66	17,384.48			
Dec	8,076.81	3,959.65	3,902.25	5,164.09	14,224.16	4,401.91			
TOTAL	102,066.57	99,039.84	93,512.00	97,105.83	99,662.86	92,701.16	64,194.52	11,311.27	21.39%
		-2.97%	-5.58%	3.84%	2.63%	-6.99%			
						52,883.25	64,194.52	11,311.27	21.39%

2015 Budget - \$97,000 - 4.43% increase from 2014 actual revenues

General Ledger

General Fund Revenues

Period 08 - 08
Fiscal Year 2015

Account Number	Description	Current Month	End Bal	Budget	% Received
110-000-00-3110	Property Tax	\$ (10,550.53)	\$ (1,081,262.42)	\$ (1,065,075.00)	101.52%
110-000-00-3120	Specific Ownership Tax	\$ (13,072.90)	\$ (94,937.79)	\$ (138,000.00)	68.80%
110-000-00-3130	County Sales Tax	\$ (176,074.56)	\$ (1,290,604.80)	\$ (1,914,000.00)	67.43%
110-000-00-3131	City Sales Tax	\$ (142,137.11)	\$ (981,401.47)	\$ (1,600,000.00)	61.34%
110-000-00-3132	Use Tax on Vehicles	\$ (52,885.65)	\$ (331,359.60)	\$ (550,000.00)	60.25%
110-000-00-3133	Use Tax on Building Materials	\$ (7,115.25)	\$ (59,226.77)	\$ (90,000.00)	65.81%
110-000-00-3142	Cigarette Tax	\$ (869.71)	\$ (7,775.25)	\$ (13,000.00)	59.81%
110-000-00-3182	Franchise Fees	\$ (41,432.09)	\$ (254,156.95)	\$ (430,000.00)	59.11%
110-000-00-3190	Penalties and Interest	\$ (300.56)	\$ (14,902.94)	\$ (3,000.00)	496.76%
	Taxes	\$ (444,438.36)	\$ (4,115,627.99)	\$ (5,803,075.00)	70.92%
110-000-00-3210	Business Licenses	\$ (275.00)	\$ (9,507.00)	\$ (18,500.00)	51.39%
110-000-00-3211	Liquor Licenses	\$ (50.00)	\$ (3,525.00)	\$ (8,500.00)	41.47%
110-000-00-3220	Street Excavation Permits	\$ (420.00)	\$ (1,770.00)	\$ (100.00)	1770.00%
110-000-00-3221	Other Permits	\$ (85.00)	\$ (1,220.00)	\$ (2,000.00)	61.00%
	Licenses and permits	\$ (830.00)	\$ (16,022.00)	\$ (29,100.00)	55.06%
110-000-00-3330	Severance & Mineral Leasing Ta	\$ -	\$ -	\$ (220,000.00)	0.00%
110-000-00-3351	Add. Motor Vehicle Reg Fees	\$ (1,855.50)	\$ (12,841.50)	\$ (18,500.00)	69.41%
110-000-00-3352	State Highway Users Tax	\$ (31,986.01)	\$ (248,460.26)	\$ (373,000.00)	66.61%
110-000-00-3353	App. Motor Vehicle Reg Fees	\$ (2,395.00)	\$ (18,097.50)	\$ (26,000.00)	69.61%
110-000-00-3370	Tree Grants	\$ -	\$ -	\$ -	0.00%
110-000-00-3371	Mesa County Grants	\$ -	\$ (1,015.60)	\$ (1,000.00)	101.56%
110-000-00-3373	Local Agency Police Grants	\$ -	\$ (6,047.65)	\$ (6,000.00)	100.79%
110-000-00-3380	Mesa County Road & Bridge Tax	\$ (232.12)	\$ (23,451.98)	\$ (21,000.00)	111.68%
	Intergovernmental revenue	\$ (36,468.63)	\$ (309,914.49)	\$ (665,500.00)	46.57%
110-000-00-3413	Planning Fees	\$ (1,403.00)	\$ (10,172.00)	\$ (15,000.00)	67.81%
110-000-00-3421	Vehicle Inspection Fees	\$ -	\$ (935.00)	\$ (1,100.00)	85.00%
110-000-00-3455	Impound Fees	\$ -	\$ -	\$ (100.00)	0.00%
110-000-00-3470	Recreation Registration Fees	\$ (10,746.00)	\$ (58,784.37)	\$ (80,000.00)	73.48%
110-000-00-3472	Special Event Appl & Booth Fee	\$ (112.50)	\$ (4,067.50)	\$ (5,500.00)	73.95%
110-000-00-3473	Retail Sales	\$ (277.96)	\$ (8,754.09)	\$ (10,500.00)	83.37%
110-000-00-3475	Internet sales	\$ -	\$ (757.06)	\$ (1,000.00)	75.71%
110-000-00-3477	Park Rentals	\$ (175.00)	\$ (9,515.00)	\$ (11,000.00)	86.50%
110-000-00-3478	Shipping and Handling Charges	\$ -	\$ -	\$ (200.00)	0.00%
110-000-00-3479	Scholarship Program	\$ (301.00)	\$ (2,079.01)	\$ (3,000.00)	69.30%
110-000-00-3480	Manpower and other charges	\$ -	\$ (6,650.75)	\$ (7,500.00)	88.68%
110-000-00-3483	Penalties	\$ (1,400.39)	\$ (13,533.39)	\$ (20,000.00)	67.67%
	Charges for services	\$ (14,415.85)	\$ (115,248.17)	\$ (154,900.00)	74.40%
110-000-00-3510	City and County Court	\$ (1,618.77)	\$ (19,549.58)	\$ (23,000.00)	85.00%
110-000-00-3511	Penalty Assessments	\$ (900.00)	\$ (9,330.00)	\$ (16,000.00)	58.31%

Account Number	Description	Current Month	End Bal	Budget	% Received
110-000-00-3512	Restitution to City	\$ (63.87)	\$ (179.31)	\$ -	0.00%
110-000-00-3513	Misdemeanor Fee	\$ (120.00)	\$ (1,080.00)	\$ -	0.00%
	Fines and forfeitures	\$ (2,702.64)	\$ (30,138.89)	\$ (39,000.00)	77.28%
110-000-00-3610	Interest on deposits	\$ (1,069.89)	\$ (7,109.86)	\$ (4,000.00)	177.75%
110-000-00-3611	Interest on assessments	\$ -	\$ -	\$ -	0.00%
110-000-00-3613	Gain (Loss) on investments	\$ -	\$ (123.87)	\$ -	0.00%
	Interest	\$ (1,069.89)	\$ (7,233.73)	\$ (4,000.00)	180.84%
110-000-00-3640	Senior Center Donations	\$ (32.00)	\$ (524.94)	\$ (1,000.00)	52.49%
110-000-00-3641	Miscellaneous Donations	\$ -	\$ -	\$ -	0.00%
110-000-00-3642	Recreation Donations	\$ -	\$ (777.30)	\$ -	0.00%
110-000-00-3645	Special Event Donations	\$ -	\$ (16,500.00)	\$ (16,500.00)	100.00%
	Donations	\$ (32.00)	\$ (17,802.24)	\$ (17,500.00)	101.73%
110-000-00-3680	Miscellaneous	\$ (885.99)	\$ (3,114.38)	\$ (1,000.00)	311.44%
110-000-00-3681	Cash Over (Short)	\$ (0.60)	\$ (23.50)	\$ -	0.00%
110-000-00-3682	Refunds	\$ -	\$ (621.24)	\$ -	0.00%
	Miscellaneous	\$ (886.59)	\$ (3,759.12)	\$ (1,000.00)	375.91%
110-000-00-3911	Transfer from Sewer Fund	\$ -	\$ (75,000.00)	\$ (150,000.00)	50.00%
110-000-00-3912	Transfer from Trash Fund	\$ -	\$ (25,000.00)	\$ (50,000.00)	50.00%
110-000-00-3913	Transfer from Devils Canyon Fu	\$ -	\$ (13,550.00)	\$ (27,100.00)	50.00%
110-000-00-3914	Transfer from Marketing & Prom	\$ -	\$ -	\$ -	0.00%
110-000-00-3915	Transfer from Irrigation Fund	\$ -	\$ (5,000.00)	\$ (10,000.00)	50.00%
	Transfers from other funds	\$ -	\$ (118,550.00)	\$ (237,100.00)	50.00%
110-000-00-3937	Capital Lease Proceeds	\$ -	\$ -	\$ -	0.00%
110-000-00-3950	Sale of Equipment	\$ -	\$ (3,480.00)	\$ -	0.00%
110-000-00-3960	Insurance payments	\$ (1,154.31)	\$ (12,289.37)	\$ -	0.00%
	Other financing sources	\$ (1,154.31)	\$ (15,769.37)	\$ -	0.00%
110-000-00-3555	Development Impact Fees	\$ (52,498.68)	\$ (52,498.68)	\$ (52,025.00)	100.91%
	Development impact fees	\$ (52,498.68)	\$ (52,498.68)	\$ (52,025.00)	100.91%
110-000-00-3624	Rail Car Rentals	\$ -	\$ -	\$ -	0.00%
110-000-00-3625	Rent on Lands and Water	\$ (1,520.88)	\$ (17,367.04)	\$ (25,000.00)	69.47%
110-000-00-3626	Facility Rentals	\$ (60.00)	\$ (885.00)	\$ (1,800.00)	49.17%
	Rents	\$ (1,580.88)	\$ (18,252.04)	\$ (26,800.00)	68.10%
Revenue Total		\$ (556,077.83)	\$ (4,820,816.72)	\$ (7,030,000.00)	-69.00%

General Ledger Actual vs Budget Report

User: msteelman
Printed: 09/10/15 08:31:36
Period 08 - 08
Fiscal Year 2015



Sort Level	Description	Period Amt	End Bal	Budget	Variance	% ExpendCollect
110	General Fund					
000						
R01	Taxes	-444,438.36	-4,115,627.99	-5,803,075.00	-1,687,447.01	70.92
R02	Licenses and permits	-830.00	-16,022.00	-29,100.00	-13,078.00	55.06
R03	Intergovernmental revenue	-36,468.63	-309,914.49	-665,500.00	-355,585.51	46.57
R04	Charges for services	-14,415.85	-115,248.17	-154,900.00	-39,651.83	74.40
R05	Fines and forfeitures	-2,702.64	-30,138.89	-39,000.00	-8,861.11	77.28
R06	Interest	-1,069.89	-7,233.73	-4,000.00	3,233.73	180.84
R07	Donations	-32.00	-17,802.24	-17,500.00	302.24	101.73
R08	Miscellaneous	-886.59	-3,759.12	-1,000.00	2,759.12	375.91
R09	Transfers from other funds	0.00	-118,550.00	-237,100.00	-118,550.00	50.00
R10	Other financing sources	-1,154.31	-15,769.37	0.00	15,769.37	0.00
R11	Development impact fees	-52,498.68	-52,498.68	-52,025.00	473.68	100.91
R12	Rents	-1,580.88	-18,252.04	-26,800.00	-8,547.96	68.10
000		-556,077.83	-4,820,816.72	-7,030,000.00	-2,209,183.28	68.57
 410	 <i>General Government Department</i>					
E01	Personnel services, salaries	16,437.39	120,941.44	186,700.00	65,758.56	64.78
E02	Personnel services, benefits	3,246.98	28,431.71	42,775.00	14,343.29	66.47
E03	Purchased professional service	8,905.00	41,349.47	60,500.00	19,150.53	68.35
E04	Purchased property services	276.94	2,454.94	6,100.00	3,645.06	40.24
E05	Other purchased services	521.73	4,443.15	6,950.00	2,506.85	63.93
E06	Supplies	-39.35	1,565.01	2,025.00	459.99	77.28
E07	Capital	1,019.15	1,019.15	1,025.00	5.85	99.43
E08	Special projects	5,159.27	35,912.27	39,500.00	3,587.73	90.92
410	<i>General Government Department</i>	35,527.11	236,117.14	345,575.00	109,457.86	68.33
 415	 <i>Administration Department</i>					
E01	Personnel services, salaries	21,878.81	184,262.86	284,300.00	100,037.14	64.81
E02	Personnel services, benefits	5,478.87	60,797.44	99,100.00	38,302.56	61.35
E03	Purchased professional service	3,855.50	57,966.79	93,075.00	35,108.21	62.28
E04	Purchased property services	5,310.00	62,235.46	86,975.00	24,739.54	71.56
E05	Other purchased services	3,678.28	17,026.54	31,600.00	14,573.46	53.88

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% ExpendCollect
E06	Supplies	3,801.23	36,074.27	52,200.00	16,125.73	69.11
E07	Capital	2,395.00	26,327.95	46,700.00	20,372.05	56.38
415	<i>Administration Department</i>	46,397.69	444,691.31	693,950.00	249,258.69	64.08
418	<i>Engineering Department</i>					
E01	Personnel services, salaries	14,380.80	120,944.07	188,525.00	67,580.93	64.15
E02	Personnel services, benefits	5,805.80	53,204.71	74,575.00	21,370.29	71.34
E03	Purchased professional service	-15.00	400.00	9,000.00	8,600.00	4.44
E04	Purchased property services	0.00	5,000.03	5,725.00	724.97	87.34
E05	Other purchased services	106.29	1,375.44	3,250.00	1,874.56	42.32
E06	Supplies	227.38	1,228.11	8,400.00	7,171.89	14.62
E07	Capital	0.00	3,495.00	4,000.00	505.00	87.38
418	<i>Engineering Department</i>	20,505.27	185,647.36	293,475.00	107,827.64	63.26
419	<i>Community Development Dpmt</i>					
E01	Personnel services, salaries	12,272.21	101,398.47	163,200.00	61,801.53	62.13
E02	Personnel services, benefits	5,815.93	50,537.09	74,300.00	23,762.91	68.02
E03	Purchased professional service	0.00	282.32	2,375.00	2,092.68	11.89
E04	Purchased property services	0.00	4,417.00	4,725.00	308.00	93.48
E05	Other purchased services	201.81	1,649.94	7,200.00	5,550.06	22.92
E06	Supplies	-12.56	2,147.96	7,250.00	5,102.04	29.63
E08	Special projects	1,500.00	2,563.06	4,000.00	1,436.94	64.08
419	<i>Community Development Dpmt</i>	19,777.39	162,995.84	263,050.00	100,054.16	61.96
421	<i>Police Department</i>					
E01	Personnel services, salaries	88,922.78	771,338.00	1,242,985.00	471,647.00	62.06
E02	Personnel services, benefits	36,220.67	328,845.15	481,925.00	153,079.85	68.24
E03	Purchased professional service	-445.67	11,497.84	22,800.00	11,302.16	50.43
E04	Purchased property services	5,267.00	79,563.68	84,650.00	5,086.32	93.99
E05	Other purchased services	23,117.72	180,143.26	296,450.00	116,306.74	60.77
E06	Supplies	4,198.33	27,226.30	72,400.00	45,173.70	37.61
E07	Capital	2,256.77	122,851.55	154,100.00	31,248.45	79.72
421	<i>Police Department</i>	159,537.60	1,521,465.78	2,355,310.00	833,844.22	64.60
431	<i>Public Works Department</i>					
E01	Personnel services, salaries	40,363.15	296,857.47	422,700.00	125,842.53	70.23
E02	Personnel services, benefits	14,053.00	132,226.35	180,300.00	48,073.65	73.34
E03	Purchased professional service	156.00	5,068.31	7,700.00	2,631.69	65.82
E04	Purchased property services	122,766.22	314,896.05	360,425.00	45,528.95	87.37
E05	Other purchased services	175.15	1,377.82	2,350.00	972.18	58.63
E06	Supplies	25,385.96	193,115.16	384,150.00	191,034.84	50.27
E07	Capital	0.00	36,357.99	225,000.00	188,642.01	16.16
431	<i>Public Works Department</i>	202,899.48	979,899.15	1,582,625.00	602,725.85	61.92

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% ExpendCollect
451	<i>Parks and Recreation Dept</i>					
E01	Personnel services, salaries	37,974.82	308,052.45	505,700.00	197,647.55	60.92
E02	Personnel services, benefits	12,847.20	123,167.70	172,450.00	49,282.30	71.42
E03	Purchased professional service	1,283.25	28,254.08	31,325.00	3,070.92	90.20
E04	Purchased property services	6,194.77	74,537.86	79,525.00	4,987.14	93.73
E05	Other purchased services	2,616.24	8,129.33	17,250.00	9,120.67	47.13
E06	Supplies	10,112.89	94,006.89	144,300.00	50,293.11	65.15
E07	Capital	5,311.92	12,760.26	13,000.00	239.74	98.16
E08	Special projects	1,282.00	20,090.15	21,800.00	1,709.85	92.16
451	<i>Parks and Recreation Dept</i>	77,623.09	668,998.72	985,350.00	316,351.28	67.89
490	<i>Non-Departmental Expenses</i>					
E02	Personnel services, benefits	4,167.51	13,849.41	21,000.00	7,150.59	65.95
E03	Purchased professional service	259.52	29,164.77	41,625.00	12,460.23	70.07
E04	Purchased property services	679.71	4,266.36	10,000.00	5,733.64	42.66
E05	Other purchased services	503.52	158,682.40	162,800.00	4,117.60	97.47
E08	Special projects	0.00	22,056.24	42,000.00	19,943.76	52.51
E11	Contingency	0.00	0.00	171,740.00	171,740.00	0.00
E12	Transfers to other funds	0.00	477,048.81	1,380,225.00	903,176.19	34.56
E15	Reserves	0.00	0.00	220,000.00	220,000.00	0.00
490	<i>Non-Departmental Expenses</i>	5,610.26	705,067.99	2,049,390.00	1,344,322.01	34.40
Revenue Total		-556,077.83	-4,820,816.72	-7,030,000.00	-2,209,183.28	-0.69
Expense Total		567,877.89	4,904,883.29	8,568,725.00	3,663,841.71	0.57
110	General Fund	11,800.06	84,066.57	1,538,725.00	1,454,658.43	5.46

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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
121	Conservation Trust Fund					
000						
R03	Intergovernmental revenue	0.00	-63,737.61	-130,000.00	-66,262.39	49.03
R06	Interest	0.00	0.00	-50.00	-50.00	0.00
000		0.00	-63,737.61	-130,050.00	-66,312.39	49.01
880	Purchase of Dev Rights					
E08	Special projects	0.00	0.00	16,000.00	16,000.00	0.00
E12	Transfers to other funds	0.00	7,750.00	150,000.00	142,250.00	5.17
880	Purchase of Dev Rights	0.00	7,750.00	166,000.00	158,250.00	4.67
Revenue Total		0.00	-63,737.61	-130,050.00	-66,312.39	-0.49
Expense Total		0.00	7,750.00	166,000.00	158,250.00	0.05
121	Conservation Trust Fund	0.00	-55,987.61	35,950.00	91,937.61	-155.74

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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
125	Marketing and Promotion Fund					
000						
R01	Taxes	-11,676.25	-68,596.43	-97,000.00	-28,403.57	70.72
R04	Charges for services	0.00	-202.40	0.00	202.40	0.00
R06	Interest	0.00	0.00	-50.00	-50.00	0.00
000		-11,676.25	-68,798.83	-97,050.00	-28,251.17	70.89
 465	 <i>Marketing Operations</i>					
E01	Personnel services, salaries	1,008.40	8,053.24	14,000.00	5,946.76	57.52
E02	Personnel services, benefits	233.02	1,977.09	5,400.00	3,422.91	36.61
E04	Purchased property services	120.22	120.22	600.00	479.78	20.04
E05	Other purchased services	6,828.04	46,335.41	62,225.00	15,889.59	74.46
E06	Supplies	0.00	1,702.42	3,500.00	1,797.58	48.64
E08	Special projects	4,000.00	22,500.00	22,500.00	0.00	100.00
465	<i>Marketing Operations</i>	12,189.68	80,688.38	108,225.00	27,536.62	74.56
 <i>Revenue Total</i>		-11,676.25	-68,798.83	-97,050.00	-28,251.17	-0.71
<i>Expense Total</i>		12,189.68	80,688.38	108,225.00	27,536.62	0.75
125	Marketing and Promotion Fund	513.43	11,889.55	11,175.00	-714.55	106.39

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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
127	Community Center Fund					
000						
R01	Taxes	-101,069.00	-685,993.89	-1,125,000.00	-439,006.11	60.98
R04	Charges for services	-80,713.58	-756,865.30	-982,250.00	-225,384.70	77.05
R06	Interest	-1.84	-11.09	0.00	11.09	0.00
R07	Donations	-75.00	-938.72	-825.00	113.72	113.78
R08	Miscellaneous	-129.24	-1,041.02	0.00	1,041.02	0.00
R09	Transfers from other funds	0.00	-47,500.00	-95,000.00	-47,500.00	50.00
R10	Other financing sources	0.00	-9,572.73	0.00	9,572.73	0.00
R12	Rents	-1,574.80	-32,387.30	-35,000.00	-2,612.70	92.54
000		-183,563.46	-1,534,310.05	-2,238,075.00	-703,764.95	68.55
451	Parks and Recreation Dept					
E01	Personnel services, salaries	78,753.98	575,707.33	852,975.00	277,267.67	67.49
E02	Personnel services, benefits	13,399.25	126,880.60	176,950.00	50,069.40	71.70
E03	Purchased professional service	5,096.39	27,820.04	41,150.00	13,329.96	67.61
E04	Purchased property services	5,191.28	53,561.10	98,275.00	44,713.90	54.50
E05	Other purchased services	4,028.09	24,581.98	31,750.00	7,168.02	77.42
E06	Supplies	24,415.40	169,311.48	287,150.00	117,838.52	58.96
E07	Capital	114.48	4,286.87	10,900.00	6,613.13	39.33
E12	Transfers to other funds	0.00	321,471.36	713,925.00	392,453.64	45.03
E15	Reserves	0.00	0.00	25,000.00	25,000.00	0.00
451	Parks and Recreation Dept	130,998.87	1,303,620.76	2,238,075.00	934,454.24	58.25
Revenue Total		-183,563.46	-1,534,310.05	-2,238,075.00	-703,764.95	-0.69
Expense Total		130,998.87	1,303,620.76	2,238,075.00	934,454.24	0.58
127	Community Center Fund	-52,564.59	-230,689.29	0.00	230,689.29	0.00

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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
130	Capital Projects Fund					
000						
R05	Fines and forfeitures	0.00	0.00	0.00	0.00	0.00
R06	Interest	-181.48	-1,121.46	0.00	1,121.46	0.00
000		-181.48	-1,121.46	0.00	1,121.46	0.00
 704	 <i>FHW Radiology & Hospital Exp.</i>					
E08	Special projects	0.00	0.00	0.00	0.00	0.00
704	<i>FHW Radiology & Hospital Exp.</i>	0.00	0.00	0.00	0.00	0.00
 708	 <i>Downtown Improvements</i>					
E03	Purchased professional service	0.00	25,025.00	25,025.00	0.00	100.00
E07	Capital	0.00	55.86	501,100.00	501,044.14	0.01
R03	Intergovernmental revenue	0.00	-11,262.50	-237,050.00	-225,787.50	4.75
R09	Transfers from other funds	0.00	-11,262.50	-289,075.00	-277,812.50	3.90
708	<i>Downtown Improvements</i>	0.00	2,555.86	0.00	-2,555.86	0.00
 733	 <i>Sidewalk Replacement</i>					
E07	Capital	10,826.36	27,113.91	30,000.00	2,886.09	90.38
R05	Fines and forfeitures	0.00	-2,052.15	0.00	2,052.15	0.00
R09	Transfers from other funds	0.00	-8,815.80	-30,000.00	-21,184.20	29.39
733	<i>Sidewalk Replacement</i>	10,826.36	16,245.96	0.00	-16,245.96	0.00
 735	 <i>Overlays</i>					
E07	Capital	0.00	47.20	500,000.00	499,952.80	0.01
R03	Intergovernmental revenue	-100,000.00	-100,000.00	-100,000.00	0.00	100.00
R09	Transfers from other funds	0.00	0.00	-400,000.00	-400,000.00	0.00
735	<i>Overlays</i>	-100,000.00	-99,952.80	0.00	99,952.80	0.00
 736	 <i>Business Park Improvements</i>					
E07	Capital	0.00	0.00	29,400.00	29,400.00	0.00
R11	Development impact fees	0.00	0.00	-29,400.00	-29,400.00	0.00
736	<i>Business Park Improvements</i>	0.00	0.00	0.00	0.00	0.00

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
740	<i>Ottley Avenue Improvements</i>					
E07	Capital	78,082.53	615,770.41	800,000.00	184,229.59	76.97
R03	Intergovernmental revenue	0.00	-268,810.80	-400,000.00	-131,189.20	67.20
R09	Transfers from other funds	0.00	-216,786.74	-350,000.00	-133,213.26	61.94
R11	Development impact fees	0.00	-52,090.34	-50,000.00	2,090.34	104.18
740	<i>Ottley Avenue Improvements</i>	78,082.53	78,082.53	0.00	-78,082.53	0.00
742	<i>Hwy 340 and I-70 Improvements</i>					
E03	Purchased professional service	0.00	0.00	40,000.00	40,000.00	0.00
R03	Intergovernmental revenue	0.00	0.00	-20,000.00	-20,000.00	0.00
R09	Transfers from other funds	0.00	0.00	-20,000.00	-20,000.00	0.00
742	<i>Hwy 340 and I-70 Improvements</i>	0.00	0.00	0.00	0.00	0.00
745	<i>J.2 Road Improvements</i>					
E07	Capital	0.00	395.69	200,000.00	199,604.31	0.20
R11	Development impact fees	0.00	0.00	-200,000.00	-200,000.00	0.00
745	<i>J.2 Road Improvements</i>	0.00	395.69	0.00	-395.69	0.00
763	<i>Drainage Improvements</i>					
E07	Capital	0.00	52,033.77	52,500.00	466.23	99.11
R09	Transfers from other funds	0.00	-52,033.77	-52,500.00	-466.23	99.11
763	<i>Drainage Improvements</i>	0.00	0.00	0.00	0.00	0.00
781	<i>Shop Improvements</i>					
E03	Purchased professional service	1,576.90	21,788.00	20,225.00	-1,563.00	107.73
E07	Capital	0.00	1,190,153.04	1,285,650.00	95,496.96	92.57
R03	Intergovernmental revenue	0.00	-552,725.31	-552,725.00	0.31	100.00
R09	Transfers from other funds	0.00	-477,847.98	-753,150.00	-275,302.02	63.45
781	<i>Shop Improvements</i>	1,576.90	181,367.75	0.00	-181,367.75	0.00
790	<i>Kokopelli Trail</i>					
E03	Purchased professional service	1,075.00	4,300.00	40,000.00	35,700.00	10.75
R09	Transfers from other funds	0.00	0.00	-40,000.00	-40,000.00	0.00
790	<i>Kokopelli Trail</i>	1,075.00	4,300.00	0.00	-4,300.00	0.00
791	<i>Big Salt Wash Trail Imp</i>					
E07	Capital	296.00	45,614.13	1,008,800.00	963,185.87	4.52
R03	Intergovernmental revenue	0.00	0.00	-854,000.00	-854,000.00	0.00
791	<i>Big Salt Wash Trail Imp</i>	296.00	45,614.13	154,800.00	109,185.87	29.47
795	<i>Reed Park Improvements</i>					
E07	Capital	0.00	3,500.00	423,000.00	419,500.00	0.83

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
R03	Intergovernmental revenue	0.00	0.00	-315,000.00	-315,000.00	0.00
R09	Transfers from other funds	0.00	-3,500.00	-108,000.00	-104,500.00	3.24
795	Reed Park Improvements	0.00	0.00	0.00	0.00	0.00
803	General Park Improvements					
E07	Capital	0.00	6,750.00	10,500.00	3,750.00	64.29
R07	Donations	-3,000.00	-3,000.00	-3,000.00	0.00	100.00
R09	Transfers from other funds	0.00	-6,750.00	-7,500.00	-750.00	90.00
803	General Park Improvements	-3,000.00	-3,000.00	0.00	3,000.00	0.00
Revenue Total		-103,181.48	-1,768,059.35	-4,811,400.00	-3,043,340.65	-0.37
Expense Total		91,856.79	1,992,547.01	4,966,200.00	2,973,652.99	0.40
130	Capital Projects Fund	-11,324.69	224,487.66	154,800.00	-69,687.66	145.02

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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
140	Debt Service Fund					
000						
R03	Intergovernmental revenue	0.00	-123,566.78	-247,125.00	-123,558.22	50.00
R06	Interest	-79.30	-5,234.83	-5,250.00	-15.17	99.71
R09	Transfers from other funds	0.00	-321,471.36	-713,925.00	-392,453.64	45.03
000		-79.30	-450,272.97	-966,300.00	-516,027.03	46.60
470	<i>Debt Service</i>					
E09	Debt service principal	0.00	0.00	50,000.00	50,000.00	0.00
E10	Debt interest & bond issuance	0.00	445,256.25	890,025.00	444,768.75	50.03
470	<i>Debt Service</i>	0.00	445,256.25	940,025.00	494,768.75	47.37
Revenue Total		-79.30	-450,272.97	-966,300.00	-516,027.03	-0.47
Expense Total		0.00	445,256.25	940,025.00	494,768.75	0.47
140	Debt Service Fund	-79.30	-5,016.72	-26,275.00	-21,258.28	19.09

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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
210	Devils Canyon Center Fund					
000						
R12	Rents	-2,800.00	-22,400.00	-28,800.00	-6,400.00	77.78
000		-2,800.00	-22,400.00	-28,800.00	-6,400.00	77.78
450	DCC Administration					
E05	Other purchased services	0.00	1,700.00	1,700.00	0.00	100.00
E12	Transfers to other funds	0.00	13,550.00	27,100.00	13,550.00	50.00
450	DCC Administration	0.00	15,250.00	28,800.00	13,550.00	52.95
Revenue Total		-2,800.00	-22,400.00	-28,800.00	-6,400.00	-0.78
Expense Total		0.00	15,250.00	28,800.00	13,550.00	0.53
210	Devils Canyon Center Fund	-2,800.00	-7,150.00	0.00	7,150.00	0.00

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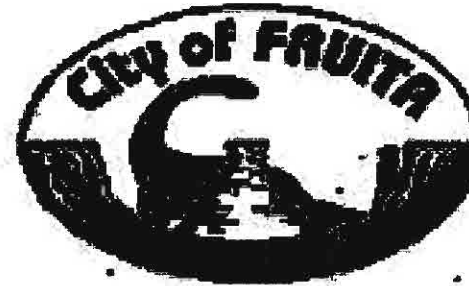
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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
211	Irrigation Water Fund					
000						
R04	Charges for services	-37.75	-72,780.63	-95,500.00	-22,719.37	76.21
R06	Interest	0.00	0.00	-25.00	-25.00	0.00
000		-37.75	-72,780.63	-95,525.00	-22,744.37	76.19
431	Public Works Department					
E01	Personnel services, salaries	2,013.56	31,513.41	38,075.00	6,561.59	82.77
E02	Personnel services, benefits	686.36	13,861.62	19,275.00	5,413.38	71.92
E04	Purchased property services	0.00	1,375.00	1,375.00	0.00	100.00
E05	Other purchased services	139.60	5,783.14	8,000.00	2,216.86	72.29
E06	Supplies	255.14	11,235.92	14,150.00	2,914.08	79.41
E11	Contingency	0.00	0.00	4,650.00	4,650.00	0.00
E12	Transfers to other funds	0.00	5,000.00	10,000.00	5,000.00	50.00
431	Public Works Department	3,094.66	68,769.09	95,525.00	26,755.91	71.99
Revenue Total		-37.75	-72,780.63	-95,525.00	-22,744.37	-0.76
Expense Total		3,094.66	68,769.09	95,525.00	26,755.91	0.72
211	Irrigation Water Fund	3,056.91	-4,011.54	0.00	4,011.54	0.00

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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
212	Sewer Fund					
000						
R04	Charges for services	-21,734.64	-1,825,949.52	-3,074,000.00	-1,248,050.48	59.40
R06	Interest	-528.77	-3,394.69	-4,300.00	-905.31	78.95
R08	Miscellaneous	-4,311.29	-4,389.82	-100.00	4,289.82	4,389.82
000		-26,574.70	-1,833,734.03	-3,078,400.00	-1,244,665.97	59.57
433	Sewer					
E01	Personnel services, salaries	29,889.60	243,366.42	480,525.00	237,158.58	50.65
E02	Personnel services, benefits	12,729.32	118,136.79	189,175.00	71,038.21	62.45
E03	Purchased professional service	16,336.63	45,152.37	62,375.00	17,222.63	72.39
E04	Purchased property services	713.26	64,275.72	69,175.00	4,899.28	92.92
E05	Other purchased services	11,320.16	83,141.04	120,950.00	37,808.96	68.74
E06	Supplies	18,858.37	198,498.11	356,150.00	157,651.89	55.73
E07	Capital	0.00	7,502.00	430,300.00	422,798.00	1.74
E09	Debt service principal	0.00	591,375.19	591,525.00	149.81	99.97
E10	Debt interest & bond issuance	0.00	575,356.79	575,375.00	18.21	100.00
E12	Transfers to other funds	0.00	414,697.98	765,000.00	350,302.02	54.21
E15	Reserves	0.00	0.00	1,395,000.00	1,395,000.00	0.00
433	Sewer	89,847.34	2,341,502.41	5,035,550.00	2,694,047.59	46.50
600	Treatment System					
E07	Capital	0.00	0.00	60,000.00	60,000.00	0.00
600	Treatment System	0.00	0.00	60,000.00	60,000.00	0.00
603	Sewer Line Upgrades					
E07	Capital	2,910.00	2,910.00	220,000.00	217,090.00	1.32
603	Sewer Line Upgrades	2,910.00	2,910.00	220,000.00	217,090.00	1.32
Revenue Total		-26,574.70	-1,833,734.03	-3,078,400.00	-1,244,665.97	-0.60
Expense Total		92,757.34	2,344,412.41	5,315,550.00	2,971,137.59	0.44
212	Sewer Fund	66,182.64	510,678.38	2,237,150.00	1,726,471.62	22.83

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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
215	Trash Fund					
000						
R04	Charges for services	-421.59	-403,210.35	-681,000.00	-277,789.65	59.21
000		-421.59	-403,210.35	-681,000.00	-277,789.65	59.21
432	Sanitation Department					
E05	Other purchased services	52,981.46	315,324.20	631,000.00	315,675.80	49.97
E12	Transfers to other funds	0.00	25,000.00	50,000.00	25,000.00	50.00
432	Sanitation Department	52,981.46	340,324.20	681,000.00	340,675.80	49.97
Revenue Total		-421.59	-403,210.35	-681,000.00	-277,789.65	-0.59
Expense Total		52,981.46	340,324.20	681,000.00	340,675.80	0.50
215	Trash Fund	52,559.87	-62,886.15	0.00	62,886.15	0.00

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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
220	Fleet Maintenance Fund					
000						
R04	Charges for services	0.00	-275,525.00	-284,925.00	-9,400.00	96.70
000		0.00	-275,525.00	-284,925.00	-9,400.00	96.70
431	Public Works Department					
E01	Personnel services, salaries	11,441.05	91,392.96	114,225.00	22,832.04	80.01
E02	Personnel services, benefits	3,542.32	32,815.41	47,025.00	14,209.59	69.78
E03	Purchased professional service	0.00	106.00	500.00	394.00	21.20
E04	Purchased property services	0.00	1,474.62	2,200.00	725.38	67.03
E06	Supplies	11,660.71	70,748.35	107,400.00	36,651.65	65.87
E07	Capital	9,400.00	9,400.00	9,400.00	0.00	100.00
E11	Contingency	0.00	0.00	4,175.00	4,175.00	0.00
431	Public Works Department	36,044.08	205,937.34	284,925.00	78,987.66	72.28
Revenue Total		0.00	-275,525.00	-284,925.00	-9,400.00	-0.97
Expense Total		36,044.08	205,937.34	284,925.00	78,987.66	0.72
220	Fleet Maintenance Fund	36,044.08	-69,587.66	0.00	69,587.66	0.00

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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
<i>Revenue Total</i>		-884,412.36	-11,313,645.54	-19,441,525.00	-8,127,879.46	-0.58
<i>Expense Total</i>		987,800.77	11,709,438.73	23,393,050.00	11,683,611.27	0.50



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MICHAEL BENNETT, CITY MANAGER
DATE: SEPTEMBER 15, 2015
RE: UPDATE ON THE GATEWAY DESIGN COMMUNITY ENGAGEMENT PROCESS

BACKGROUND

At the March 12, 2105 City Council meeting, City Council passed a resolution to support a grant application to the Department of Local Affairs seeking funds for the development of a gateway enhancement plan for the main entrance to Fruita off of I-70. DOLA awarded a \$20,000 grant to match the City's commitment of \$20,000 toward the project. Since that time, staff has focused on how to first engage the community to identify the priorities of gateway enhancements, the theme and feel that residents would like the gateway to convey and what features residents would like to see in a gateway design prior to engaging a design firm to design the plan.

Staff designed a process that includes preparing packets that are placed in willing restaurants, the Civic Center, the Community Center and the City's website that include simple instructions, five survey questions and the opportunity to draw or write ideas of what people would like to see. Staff engaged the University Technical Assistance Program, a partner with DOLA, to help in the engagement process and create the packets, and ultimately analyze the feedback and create 2-3 visual concepts that the City can use to narrow down the priority phases and designs to then use the grant funds to design and subsequently enable the City to seek construction grants in the future. This method of community engagement is unique in the fact that it allows people to think and provide feedback on their own time through an interactive and easy-to-follow packet during the entire month of October.

Staff will update City Council on the engagement process and present examples of the materials in the community engagement packets to be released at the end of September.

FISCAL IMPACT

Funds and grant are already secured and budgeted. This is simply an update on the process.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The City has developed various goal statements over the years focused on economic development, establishing community anchors, increasing tourism that encompass enhancing the appearance of the community and entryways to the City. This process is also a new approach to gathering community feedback in a more engaged manner convenient for the citizens.

OPTIONS AVAILABLE TO COUNCIL

This is an update from staff.

RECOMMENDATION

No action necessary.



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: SAM ATKINS, CITY ENGINEER
DATE: SEPTEMBER 15, 2015
RE: DOWNTOWN IMPROVEMENTS PROJECT UPDATE

BACKGROUND

The City of Fruita adopted a Downtown Master Plan in 2013, further design was completed earlier in the summer, and construction is ongoing with completion of the first phase of this Master Plan in late September. Staff will provide an update to City Council on the finalized scope of the first phase, the status of construction progress, and anticipated completion date and effects on the Fruita Fall Festival. The update will also detail the progress of dealing with local businesses having a desire to apply for sidewalk restaurant permits within the City right of way.