

DOWNTOWN MANAGEMENT COMMISSION

November 3, 2014

5:30 p.m. - Regular Meeting

Council Chambers- 1777 Broadway

AGENDA

1. Roll Call
2. Approval October 6, 2014 Meeting Minutes
3. Public Participation
4. Police Update
5. Parks Update
6. BID Update
7. Public Hearing and Consideration of a Motion to Recommend to City Council Changes to the Mall Ordinance
8. AMPS Update – City Council Study Session 10/28
9. MOU for Trinity Lutheran
10. Matters from Commissioners
11. Matters from Staff
 - Update on the Smoking Ban - Landrith
 - West Pearl Construction Update – Matthews
 - Upcoming 2015 Commission Vacancies: John Koval – property owner

Attachments

- Meeting Minutes – October 6, 2014
- Sales and Use Tax Revenue Report – August 2014
- Changes to the Mall Ordinance Memo and Ordinance
- Police Stats
- Downtown Boulder Open/Close List
- Downtown Boulder User Report – 2014
- City Council Study Session Memo on AMPS
- Draft MOU for Trinity Lutheran and Cost Review

<p>DUHMD/PS 2014 Priorities</p> <p>University Hill Hill Reinvestment Strategy Development, Adoption and Implementation</p> <ul style="list-style-type: none">• Capital Improvements• Marketing and Events• Organizational Structure• Clean and Safe• Innovation <p>Smoking Ban 14th Street Mixed Use Development Partnership "Parklet" pilot</p> <p>Boulder Junction Implementation of TDM District</p> <ul style="list-style-type: none">• PILOT payments• Revised budget projections <p>Depot Square Garage Operations Parking Plan for future development Smoking Ban</p> <p>Downtown "Parklet" Study Smoking Ban Civic Area Plan Participation Civic Use Pad Recommendation Implementation of Bond Projects:</p> <ul style="list-style-type: none">• 15th Street Streetscape	<ul style="list-style-type: none">• West End Streetscape <p>Parking AMPS Phase I Implementation: Work Plan Development, Scope and Phased Implementation Garage Arts Plan Parking Philosophy NPP Expansions</p> <p>Internal Division Value Goal: Customer Service Name Change Office Space Planning and Remodel Phase II</p> <p>DMC 2014 Priorities</p> <ul style="list-style-type: none">• Civic Area Plan• Homelessness• Downtown Vitality• West Pearl Streetscape Project <p>Mission Statement: We serve the downtown, University Hill and affected communities by providing quality program, parking enforcement, maintenance and alternative modes services through the highest level of customer service, efficient management and effective problem solving.</p>
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**CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING MINUTES FORM**

NAME OF BOARD/COMMISSION: **DOWNTOWN MANAGEMENT COMMISSION**

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: **Ruth Weiss – 303-413-7318**

NAMES OF MEMBERS, STAFF, AND INVITED GUESTS PRESENT:

BOARD MEMBERS: KOVAL, CRABTREE, SHAPINS, DEANS, MILLSTONE (left at 6:44pm)

STAFF: WINTER, MATTHEWS, WEISS, LANDRITH, HERRING, JOBERT, MARTIN,
McELDOWNEY, MAHER

GUESTS: ADAMS

TYPE OF MEETING: **Regular** **October 6, 2014**

AGENDA ITEM 1 – Roll Call: Meeting called to order at 5:33 p.m.

AGENDA ITEM 2 – Approval of the September 8, 2014 (See Action Item Below):

AGENDA ITEM 3 – Public Participation: None

AGENDA ITEM 4 – Police Update: McEldowney said there wasn't a lot going on that was of concern for September. There were only two calls of significance one at a garage and another on the mall with two arrests. There were 25 bar calls with 2 arrests. There was one felony arrest for assault at RTD against a security guard. Increase in police staff was discussed.

AGENDA ITEM 5– Parks Update: Martin said there is a new Parks supervisor from Washington State, Gordon Hanscom, who is in charge of the Civic Area including the mall. Hanscom is on board and has a facility maintenance background. Parks is working to increase the level of parks maintenance. Martin continued that soon the tulips will be planted, several ash trees will be replanted in the spring, and the 1400 block irrigation will begin in January. A buffalo statue has been donated and staff is investigating locations on the mall and the city process.

AGENDA ITEM 6 – BID Update: Maher said that Fall Festival was a success; Agora on the Creek on the 21st at 8 am will be a breakfast regarding the intercept survey; Munchkin Masquerade will be on the 31st; Operations – graffiti removal was done last month; Visitor Center numbers are even with last year; the Downtown Boulder Guide Books are popular in Denver and have been reprinted; working on holiday mailers for DBI holiday events; worked with Michael Landon Jr. for a made for TV movie to be shot on the mall and they would like the mall lighting to be beefed up and will be using Go Lite and Riffs for filming.

AGENDA ITEM 7 - Public Hearing and Consideration of a Motion to Recommend to City Council the DUHMD/PS 2015 Budget – Jobert thanked Millstone and Deans for meeting with her last week; each year there is an overview from the city manager on the budget and there was a zero percent NPE increase for 2015 is budgeted. Budget highlights includes parking kiosks are in need of upgrading to the tune of \$50,000, and a new deputy director, and these are above and beyond costs for next year, along with a 16% rate increase for long term garage permits to \$330 per quarter. Deans mentioned Jobert's flair with numbers. Crabtree questioned how the 16% increase came about. Jobert explained that it is in line with the private sector parking rates. Deans questioned how to get an accurate number of the waitlist.

Millstone motioned to support the budget as moved and with changes, Deans seconded the motion. Opened for Public comment. Public Hearing is closed. All Commissioners approved. The motion passed by 5 – 0.

AGENDA ITEM 8– Mall Ordinance Changes Update: Landrith said that the changes are housekeeping items that need updating which included number of mobile food carts, definitions of special events from special activities, and special events permits with 6 days to the same person. Looking for feedback from boards on this area if there is a concern. Crabtree questioned what qualifies as a special event. Winter said there the sweet spot on the number of events on the mall and it's more of a management item than a law. Winter also mentioned the need to have the ability to deny

permits in the ordinance. Aerosol painting and noise was discussed. Shapins thinks it's great to update the code and would be careful to recognize that the mall is a public space and not to discourage people with new experiences. Winter said that a balance is struck with events and their dates are important as there are traditions with certain events. Mall carts and patio permits were discussed.

AGENDA ITEM 9– Feedback on AMPS Best Practices: Winter said a memo went out to various boards on Best Practices and it will be shared with DBI and BID to bring all up to date on the Best Practices research. There is also a lot of research on the TDM policies for new development and an update on the planning code changes and ongoing work. Best practices checked in with what other cities are doing across the country such as Berkeley, Ann Arbor, Ft. Collin, Madison, WI and other cities to learn from there practices and were encouraged to look at cities outside of the United States as well. Automated parking and driverless cars are being considered by communities as innovations along with trolleys and district areas – it's a mixed bag of things and staff is looking for what is missing that should be looked at. The TDM took a more accelerated direction and code changes for parking with short and long term changes. Deans said the effort is admirable by Winter and rich with ideas.

Feedback included: TDM strategies and Parking Management strategies would probably have the most conversation per Winter. Remote parking strategy was discussed. Parking tax and performance based parking was mentioned and has to do with demand and availability. Policy recommendations are sought about parking pricing. Millstone needed more time to evaluate. Koval needed to know more about the budgeting aspect. Koval was looking for staff to offer what is achievable and can be done; how is the interface going with other boards and working groups? Winter said that interdepartmentally and AMPS is being worked on cohesively and its implementation is in the details and there will be some tradeoffs and discussions. Winter said that the Joint Board meeting is not going to happen before going to council on October 28th. Winter mentioned she could go through the list and highlight the higher level items. Feedback needed by Oct. 15. Shapins mentioned that it's hard to comprehend the universality of the possibilities with all the different districts and the land use and the planning and the urban design framework. Winter offered that it's a matter of connecting the dots with the TMP and Comp Plan to get a better alignment with other plans. Winter discussed the toolbox of downtown and looking at other areas 'toolbox' and their issues/integration. Deans commented that she is concerned about people saying not to build parking downtown, individual business did not have to build parking downtown, the right data is not available and it nice to be looking at cutting edge items, and cities with trains and subways is not applicable to Boulder.

AGENDA ITEM 10 - Matters from the Commissioners: Joint Board and District Board Meetings were discussed regarding scheduling. Shapins went to the Civic Pad meetings in the last two weeks. Winter said there is a public meeting on AMPS from 4 – 6 and a Public Workshop from 6 – 8 on October 20th. Attendees to the Civic Pad meetings were discussed. Winter said at the October 20th Open House, consultants will display their concepts.

AGENDA ITEM 9 – Matters from the Staff: Landrith said that the proposed smoking ban is moving council forward with a holistic approach with the golf course being included in the ban along with the alleyways, shelters and Chautauqua. There were concerns with the employees and visitors that smoke and the negativity on their businesses. Deans questioned what happens now. Landrith replied that the issue will go to city council in November. Winter said that the sense is there will be a total ban. Landrith continued that the ecigarettes were included in the ban. Winter added that Maher is doing a survey on the subject.

Matthews said that the first load of sandstone benches for the West Pearl Streetscape came in for a sense of space; most of the intersection at 9th and Pearl is reconfigured, there is a new loading zone; Pearl West project piers are in; and a truck every 6 minutes will haul dirt five days a week from the Camera site. There is a traffic plan that the last truck is at 4:30pm. 909 is under construction and the alley is their only access.

Winter said that discussions are continuing with Trinity Lutheran; details with MOU are being worked on; and hoping to get costs to commission at next meeting.

Meeting adjourned at 7:31 pm.

ACTION ITEMS:

MOTION: Koval motioned to approve the September 8, 2014 meeting minutes subject to corrections. Crabtree seconded the motion. The motion was approved 5 – 0.

MOTION: The Downtown Management Commission recommends to City Council the DUHMD/PS 2015

Budget. Millstone motioned to support the 2015 DUHMD/PS Budget as moved and with changes, Deans seconded the motion and all commissioners approved. The motion passed by 5-0.

FUTURE MEETINGS

November 3, 2014

Council Chambers

Regular Meeting

APPROVED BY:

DOWNTOWN MANAGEMENT
COMMISSION

Attest:

Ruth Weiss, Secretary

Sue Deans, Chair

City of Boulder

Sales & Use Tax Revenue Report

August, 2014

Issued October 15, 2014

This report provides information and analysis related to August 2014 year-to-date sales and use tax collections. Results are for actual sales activity through the month of August, the tax on which is received by the city in the subsequent month. For clarification of any information in this report, please contact Cheryl Pattelli, Director of Finance, at (303)441-3246 or pattellc@bouldercolorado.gov.

PLEASE NOTE: Pursuant to a vote in November, the sales and use tax rate changed on January 1, 2014 from 3.41% to 3.56%. Therefore, actual dollars collected in the report may show as being higher in 2014 solely because of the tax rate increase. However, the actual percentages changes included in this report have been normalized to be able to compare the actual increase or decrease for this year compared to the same period in 2013 as if the rates were the same. This normalized percentage better reflects the underlying economic activity in the city and enables city staff to readily determine if revenue targets are being met.

REVENUE COMPARISONS TO COMPARABLE PERIOD IN PRIOR YEAR

As reflected in Table 1, YTD “normalized” Sales and Use Tax has increased from the 2013 base by 8.91%.

TABLE 1

ACTUAL SALES AND USE TAX REVENUE

TAX CATEGORY	% CHANGE IN REVENUE Increase/(Decrease)	% OF TOTAL
Sales Tax	5.83%	77.73%
Business/Consumer Use Tax	45.37%	11.37%
Construction Use Tax	(0.87%)	8.01%
Motor Vehicle Use Tax	17.17%	2.89%
Total Sales & Use Tax	8.91%	100.00%

Retail sales tax from recreational marijuana is a new revenue source in 2014. Therefore, adjusted numbers are provided in Table 2 to better illustrate underlying retail sales and related tax, excluding revenue from recreational marijuana. Further, due to a number of uncertainties in costs related to the sale of this new commodity, much of this revenue is being reserved to pay for costs associated with this new business segment, and is not available for other purposes.

TABLE 2

SALES AND USE TAX REVENUE ADJUSTED TO EXCLUDE RECREATIONAL MARIJUANA

TAX CATEGORY	% CHANGE IN REVENUE Increase/(Decrease)	% OF TOTAL
Sales Tax	4.38%	77.49%
Business/Consumer Use Tax	45.26%	11.48%
Construction Use Tax	(0.87%)	8.10%
Motor Vehicle Use Tax	17.17%	2.92%
Total Sales & Use Tax	7.74%	100.00%

MACRO ISSUES TO CONSIDER

August YTD Sales and Use Tax revenue continues to be encouraging. The next question, when considering committing revenue to on-going expenditures might be, what do the 2014 trends portend for the future?

Although total Sales and Use Tax revenue is up in total by 8.91%, some of this revenue is for newly taxable retail commodities and may not show similar rates of increase in the future. Excluding revenues from sales of both medical and recreational marijuana for both 2014 and 2013 reflects that our traditional retail sales tax revenue source from brick and mortar stores in the city is up by a more modest 4.24%.

Other tax components (Business Use Tax and Motor Vehicle Use Tax) are currently trending upward and may continue to be strong for the short term as we recover from the recession, but they will ultimately settle back down to lower rates of increase or even decrease somewhat from current levels.

Although difficult to quantify, other trends impacting spending on taxable goods in the city follow:

- Unemployment continues to decline, increasing earned income and consumer confidence.
- Housing prices continue to increase. The U.S. stock market, although down for the month of September, is up YTD. These factors contribute to what is often called "the wealth effect" where people with increased assets feel more comfortable spending money on both taxable and non-taxable items and services.
- Recent declines in the cost of gasoline should increase disposable income, at least until next spring and summer when gasoline prices are expected to rise again.
- Housing prices and rents continue to increase, possibly decreasing disposal income available for the type of retail purchases that we rely on as our retail sales tax revenue base.
- Paying off large student loans may reduce disposable income for a relatively large segment of our population.
- Increasing internet sales (those upon which retail sales tax is not collected by the vendor) will continue to divert some of the disposable income that was previously a part of the retail sales tax base for the City of Boulder. For 2014 this amount is estimated to be four million dollars in lost tax collections.
- Business spending on new capital equipment tends to occur in cycles and the end of the recession may have triggered a high point in this cycle.
- Auto purchases were relatively slow during the recession with the average age of the vehicle fleet in the country approaching eleven years. When new purchases decrease the age of the fleet, replacements may slow.

DETAILED ANALYSIS OF MAJOR CATEGORIES

The following monthly information is provided to identify trends in the various categories. While this information is useful, it is important to remember that relatively small aberrations (like the timing of remittances by certain vendors) can make relatively large monthly variances.

Retail Sales Tax – August YTD retail sales tax revenue was up by 5.83% from that received in 2013. Without the tax revenue from the sale of recreational marijuana (which was not in the comparative 2013 base) the YTD increase would have been 4.38%. A portion of the February increase was due to audit revenue collected during that month. Also, beginning in April, the sale of recreational marijuana has improved the variance as there is no comparative revenue in the prior year. The negative percentage change in June is due primarily to revenue from a very large business computer provider in 2013 that was not duplicated in 2014.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
2.83%	5.87%	2.92%	11.09%	8.05%	(0.19%)	9.16%	8.87%

Food Stores - Retail sales tax revenue for food stores is up 5.69% YTD. A portion of the variable performance is due to timing issues where the vendor files 13 tax returns per year and the extra return does not occur in the same month each year.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
3.70%	(11.10%)	8.47%	12.32%	13.68%	0.83%	8.76%	10.08%

Sales at **Eating Places** are both an important revenue source (Eating Places comprise approximately 13.00% of sales/use tax) and are often an indicator of the health of the economy in the city. This discretionary category is often correlated with disposable income and consumer confidence. Total August YTD retail tax at Eating Places is up by 4.10%.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
1.47%	7.57%	(1.30%)	6.34%	10.01%	0.13%	4.71%	4.52%

Apparel Store retail sales are up by 8.15% YTD. A portion of the monthly fluctuations was due to the timing of receipt of certain remittances.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
(1.35%)	13.85%	15.64%	(18.70%)	(0.60%)	9.12%	8.99%	36.31%

General Retail is down by 2.09% YTD. This appears to be consistent with retail trends on the national level.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
(16.62%)	6.07%	3.91%	4.62%	(2.89%)	(4.09%)	3.83%	(7.83%)

Public Utilities (primarily retail sales tax on natural gas and electricity) are up by 2.26% YTD. Tax on Public Utilities comprises approximately 5.00% of total sales and use tax revenue. Even as natural gas prices and rates increase, the direction for this category may be uncertain if conservation strategies are successful and businesses significantly cut their energy use. According to a 2006 study by the City of Boulder, commercial and industrial sector energy use makes up 83% of Boulder’s energy use.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
5.63%	9.85%	9.89%	(0.98%)	(0.31%)	9.27%	4.59%	0.13%

MEDICAL MARIJUANA RETAIL SALES TAX

Total YTD retail sales tax revenue collected in this category is \$722,092, up by 18.49% from the same period in 2013. Monthly sales tax revenue and the percentage change by month, is presented below. This industry segment represents less than three fourths of one percent of total sales/use tax collections.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
\$86,993	\$110,174	\$75,274	\$63,256	\$79,663	\$85,190	\$91,897	\$144,791
25.13%	50.58%	(11.38%)	(17.65%)	9.92%	10.70%	17.22%	60.98%

RECREATIONAL MARIJUANA RETAIL SALES TAX AND EXCISE TAX

The first remittances related to sales of recreational marijuana were received in the month of February. The Municipal Code prohibits providing any information that would identify sales by individual vendors. Beginning with April data, enough vendors have reported to obscure individual data. Therefore, we will begin to report year-to-date revenue related to the sale of recreational marijuana. August YTD retail sales tax collections for the sale of recreational marijuana were \$782,002.

Significant YTD increases / decreases by tax category are summarized in Table 3.

TABLE 3

2014 YTD RETAIL SALES TAX (% Change in Comparable YTD Collections)	
STRENGTHS: <ul style="list-style-type: none"> ▪ Food stores up by 5.69% ▪ Eating Places up by 4.10% ▪ Apparel Stores up by 8.15% ▪ Home Furnishings up by 11.37% ▪ Transportation/Utilities up by 4.43% ▪ Automotive Trade up by 3.87% ▪ Building Material Retail up by 9.28% ▪ Consumer Electronics up by 28.23% ▪ All Other (including marijuana sales) up by 33.93% ▪ Downtown up by 7.86% ▪ Basemar up by 2.54% ▪ UHGID up by 11.01% ▪ N. 28th St. Commercial up by 11.24% ▪ BVRC (excl 29th St) up by 15.04% ▪ TwentyNinth St up by 2.80% ▪ Table Mesa up by 3.48% ▪ The Meadows up by 13.88% ▪ Pearl Street Mall up by 5.92% ▪ Boulder Industrial up by 6.97% ▪ Public Utilities up by 2.26% 	WEAKNESSES: <ul style="list-style-type: none"> ▪ General Retail down by 2.09% ▪ Computer Related Business down by 33.49% (Use Tax in this category up by 26.17%) ▪ University of Colorado down by 1.88% ▪ Out of State down by 4.03% ▪ Gunbarrel Industrial down by 3.91% ▪ Gunbarrel Commercial down by 4.96%

2014 USE TAX (% Change in YTD Comparable Collections)	
STRENGTHS: <ul style="list-style-type: none"> ▪ Business Use Tax up by 45.37% ▪ Motor Vehicle Use Tax up by 17.17% 	WEAKNESSES <ul style="list-style-type: none"> ▪ Construction Use Tax down by 0.87% (when adjusted to exclude dedicated Boulder Junction tax, down by 5.43%)

BUSINESS USE TAX

YTD Business Use Tax is up significantly (45.37%) through the month of August. This tax category can be very volatile as it is associated primarily with the amount and timing of purchase of capital assets by businesses in the city and the amount and timing of audit revenue. August 2014 YTD audit revenue was approximately \$2 million. While we expect this revenue category to be up for the year due to increasing business confidence and related spending, it may be unrealistic to expect this high rate of increase to continue.

MOTOR VEHICLE USE TAX

August YTD Motor Vehicle Use Tax is up by 17.17%. This tax category applies to the purchase of vehicles registered in the city. As individuals and businesses become more confident about jobs and the economy, they are replacing their vehicles and thus reducing the average age of their fleet. It appears that 2014 will be a strong year for motor vehicle sales, but at some point the rate of increase will slow as the average age of the total vehicle fleet in the city declines and the comparative numbers from the prior year become more difficult to meet or exceed. August was the first month in 2014 where Motor Vehicle Tax was close to flat (up only 1.49%).

ACCOMMODATION TAX

YTD 2014 Accommodation Tax revenue is up by 14.29% from the same period in 2013. The hotel industry in Boulder is in a state of flux. The Hampton Inn in Gunbarrel opened in June of 2013 so increases from the comparative 2013 revenue base will be more difficult to achieve in November and December of 2014. It is uncertain if/when other new properties in the pipeline will open. Some upward adjustment in room and occupancy rates may be possible during the transition when the total number of rooms available in the City is down slightly. While we expect this revenue category to be flat or up slightly in 2014, many unknowns will define the actual collections. Some of the changes follow:

- America Best Value – closed March 2014 (to be converted to student housing)
- Golden Buff – closed October 2014 (to be redeveloped into two hotels)
- Boulder Outlook – proposed to close November 2014
- Hampton Inn, Gunbarrel – opened June 2013
- Hyatt Place Depot Square – broke ground, projected opening January, 2015
- Other Planned Properties – in concept or site review

ADMISSIONS TAX

Year-to-date 2014 Admission Tax revenue is down by 11.22% from the same period in 2013. Admissions Tax collections are dependent on the number of taxable productions and events held in the City and the level of attendance at such events.

TRASH TAX

Year-to-date 2014 Trash Tax receipts are up by 3.23%.

REVIEW OF VARIOUS ECONOMIC DATA & PREDICTIONS FOR THE FUTURE

Three recent articles in the *Boulder County Business Report* by Biz West Media continue to illustrate the positive direction of the regional economy:

Index: State's business leaders remain positive: The confidence of Colorado business leaders remains positive and has slightly increased going into third quarter 2014, according to the most recent Leeds Business Confidence... The third-quarter index posted a reading of 61.2, an increase from 61 last quarter.

While both large and small employers were notably positive heading into the new quarter, large employers (with 50 or more employees) expressed greater optimism with an index of 64 compared to 58.8 for small employers. Expectations measured positive – at 50 or higher – for all of the metrics within the index, which include the national economy, state economy, industry sales, industry profits, capital expenditures and hiring plans.

The across-the-board positive standings represent 11 consecutive quarters of positive expectations, according to the index. “Increased confidence coincides with increasing home prices, employment gains, rebounding household income and falling foreclosure rates,” Wobbekind said.

Jobless rates go below 4% in Boulder, Larimer counties:

Boulder County's non-seasonally-adjusted unemployment rate was 3.8 percent in August. The county's rate hadn't been so low since hitting 3.7 percent in May 2008. Despite the low figures, both counties still have room to improve to match 2007 unemployment levels. In May 2007, Boulder County was at 2.8 percent. Still, the rates are big drops from a month before. In July, both counties had rates of 4.3 percent.

Boulder's economic growth wins no. 1 spot nationally:

A NerdWallet.com study ranks Boulder No. 1 in the country for economic growth from 2009 to 2013, thanks in large part to a steep rise in median wages over that period.

The NerdWallet study analyzed U.S. Census Bureau data for more than 500 of the largest American cities. Three criteria weighed in: growth in the working age population, employment growth; and median income growth.

While working age population growth in Boulder was minimal from 2009 to 2013 at 0.26 percent, median wages leaped 49.51 percent, more than anywhere else in the country. The employment rate, meanwhile, grew 5.42 percent. All three factors were weighted equally.

"Boulder has experienced strong growth in recent years, and it doesn't appear to be slowing down anytime soon," NerdWallet wrote about Boulder. "A growing number of businesses, especially in the tech sector, have propelled the city's rise." Boulder was the only Colorado city listed among the top 20 in the study.

The Conference Board *Consumer Confidence Index*® declines:

The Conference Board Consumer Confidence Index®, which had increased in August, declined in September. The Index now stands at 86.0, down from 93.4 in August.

Says Lynn Franco, Director of Economic Indicators at the Conference Board: "Consumer confidence retreated in September after four consecutive months of improvement. A less positive assessment of the current job market, most likely due to the recent softening in growth, was the sole reason for the decline in consumers' assessment of present-day conditions. Looking ahead, consumers were less confident about the short-term outlook for the economy and labor market, and somewhat mixed regarding their future earnings potential. All told, consumers expect economic growth to ease in the months ahead."

A September 12, 2014 article in the *Christian Science Monitor* titled "Retail sales bounce back in August. Why consumers are feeling confident" discusses trends in national retail sales:

Retail sales looked like a drag on US economy for much of the summer, as stagnant wages and other financial uncertainties kept shoppers out of stores. But things got a little better in August.

US retail sales increased 0.6 percent last month, according to new figures released Friday by the Commerce Department. That doesn't seem like much, but it's the indicator's best performance in four months. Additionally, retail sales growth for June and July was revised slightly upward, from flat to 0.3 percent and from 0.2 percent to 0.4 percent respectively. "Today's report helps put the spending data more back in line with improving fundamentals," Joshua Shapiro, chief US economist with MFR, Inc. writes via e-mailed analysis.

The growth for August was broad-based: a strong month for auto sales led the charge (up 1.5 percent), with furniture, building materials, electronics, and sporting goods enjoying strong sales as well. The biggest slump was gasoline's 0.8 percent slide, which was likely due to uncommonly cheap gas prices during the summer months. The only other two categories in the negative were general merchandise and department stores, which fell 0.1 percent and 0.4 percent respectively. Cumulative, retail sales are up 1 percent for the third quarter of 2014 so far.

Upbeat consumer sentiment data, also released Friday, bolstered analysts' notions that US consumers are slowly but surely starting to spend money again. The University of Michigan's Consumer Sentiment index increased two points from August to September, according to preliminary readings.

Total Net Sales/Use Tax Receipts by Tax Category	AUGUST YTD Actual			
	2013	2014	% Change	% of Total
Sales Tax	51,533,348	56,937,765	5.83%	77.73%
Business Use Tax	5,487,612	8,328,074	45.37%	11.37%
Construction Sales/Use Tax	5,672,238	5,869,937	-0.87%	8.01%
Motor Vehicle Use Tax	1,730,982	2,117,395	17.17%	2.89%
Total Sales and Use Tax	64,424,180	73,253,172	8.91%	100.00%

Total Net Sales/Use Tax Receipts by Industry Type	AUGUST YTD Actual			
	2013	2014	%Change	% of Total
Food Stores	8,531,438	9,457,899	6.19%	12.91%
Eating Places	8,674,454	9,424,369	4.07%	12.87%
Apparel Stores	2,286,893	2,579,162	8.03%	3.52%
Home Furnishings	1,611,454	1,882,666	11.91%	2.57%
General Retail	13,075,958	14,377,545	5.32%	19.63%
Transportation/Utilities	5,083,955	5,674,237	6.91%	7.75%
Automotive Trade	4,574,208	5,180,559	8.48%	7.07%
Building Material-Retail	2,287,913	2,606,745	9.13%	3.56%
Construction Firms Sales/Use Tax	4,862,966	5,375,553	5.88%	7.34%
Consumer Electronics	1,175,610	1,524,253	24.19%	2.08%
Computer Related Business Sector	4,241,519	4,460,509	0.73%	6.09%
All Other	8,017,813	10,709,674	27.95%	14.62%
Total Sales and Use Tax	64,424,180	73,253,172	8.91%	100.00%

Total Net Sales/Use Tax Receipts by Geographic Area	AUGUST YTD Actual			
	2013	2014	% Change	% of Total
North Broadway	926,621	907,327	-6.21%	1.24%
Downtown	4,165,879	5,075,240	16.70%	6.93%
Downtown Extension	460,543	467,992	-2.66%	0.64%
UHGD (the "hill")	657,565	782,625	14.00%	1.07%
East Downtown	429,414	596,912	33.15%	0.81%
N. 28th St. Commercial	2,975,939	3,297,903	6.15%	4.50%
N. Broadway Annex	517,369	291,675	-46.00%	0.40%
University of Colorado	684,817	826,657	15.63%	1.13%
Basemar	1,618,008	1,917,493	13.52%	2.62%
BVRC-Boulder Valley Regional Center	12,192,544	14,674,731	15.29%	20.03%
29th Street	4,996,640	5,347,229	2.51%	7.30%
Table Mesa	1,582,985	1,705,579	3.20%	2.33%
The Meadows	509,943	663,346	24.60%	0.91%
All Other Boulder	3,923,582	4,517,754	10.29%	6.17%
Boulder County	713,074	752,214	1.04%	1.03%
Metro Denver	2,381,497	2,177,413	-12.42%	2.97%
Colorado All Other	199,314	221,682	6.54%	0.30%
Out of State	6,673,666	6,852,482	-1.65%	9.35%
Airport	51,715	26,267	-51.35%	0.04%
Gunbarrel Industrial	3,530,292	5,774,155	56.67%	7.88%
Gunbarrel Commercial	761,431	779,041	-2.00%	1.06%
Pearl Street Mall	1,885,605	2,085,684	5.95%	2.85%
Boulder Industrial	6,104,386	6,934,299	8.81%	9.47%
Unlicensed Receipts	1,514,163	974,962	-38.32%	1.33%
County Clerk	1,730,982	2,117,395	17.17%	2.89%
Public Utilities	3,236,205	3,485,116	3.15%	4.76%
Total Sales and Use Tax	64,424,180	73,253,172	8.91%	100.00%

Miscellaneous Tax Statistics	AUGUST YTD Actual		
	2013	2014	% Change in Taxable Sales
Total Food Service Tax	407,195	415,353	2.00%
Accommodations Tax	3,561,293	4,070,156	14.29%
Admissions Tax	401,007	356,016	-11.22%
Trash Tax	882,300	910,767	3.23%
Disposable Bag Fee	0	133,800	#DIV/0!
Rec Marijuana Excise Tax	0	187,655	#DIV/0!

COMPARISON OF YEAR-TO-DATE ACTUAL REVENUE FOR THE YEAR 2014 TO COMPARABLE PERIOD IN 2013

USE TAX BY CATEGORY			SALES TAX BY CATEGORY			
AUGUST YTD Actual			Standard Industrial Code	AUGUST YTD Actual		
2013	2014	% Change		2013	2014	% Change
79,932	132,479	58.76%	Food Stores	8,451,506	9,325,421	5.69%
106,537	112,742	1.37%	Eating Places	8,567,917	9,311,627	4.10%
11,243	9,880	-15.83%	Apparel Stores	2,275,650	2,569,282	8.15%
7,791	18,022	121.57%	Home Furnishings	1,603,662	1,864,644	11.37%
953,309	1,986,170	99.57%	General Retail	12,122,650	12,391,375	-2.09%
129,181	272,404	101.99%	Transportation/Utilities	4,954,774	5,401,833	4.43%
1,802,069	2,174,519	15.58%	Automotive Trade	2,772,138	3,006,040	3.87%
14,400	13,068	-13.07%	Building Material-Retail	2,273,513	2,593,676	9.28%
4,640,214	5,151,830	6.35%	Construction Sales/ Use Tax	222,751	223,723	-3.80%
59,976	30,730	-50.92%	Consumer Electronics	1,115,634	1,493,524	28.23%
2,433,014	3,204,780	26.17%	Computer Related Business	1,808,505	1,255,730	-33.49%
2,653,167	3,208,782	15.85%	All Other	5,364,647	7,500,890	33.93%
12,890,832	16,315,406	21.23%	Total Sales and Use Tax	51,533,348	56,937,765	5.83%

USE TAX BY CATEGORY			SALES TAX BY CATEGORY			
AUGUST YTD Actual			Geographic Code	AUGUST YTD Actual		
2013	2014	% Change		2013	2014	% Change
50,063	43,093	-17.55%	North Broadway	876,558	864,233	-5.56%
289,192	710,001	135.17%	Downtown	3,876,687	4,365,240	7.86%
32,858	45,307	32.08%	Downtown Extension	427,684	422,685	-5.33%
8,993	30,997	230.16%	UHGID (the "hill")	648,572	751,628	11.01%
37,535	142,272	263.07%	East Downtown	391,879	454,640	11.13%
185,708	57,565	-70.31%	N. 28th St. Commercial	2,790,231	3,240,338	11.24%
232,880	4,402	-98.19%	N. Broadway Annex	284,489	287,272	-3.28%
225	125,386	53279.06%	University of Colorado	684,592	701,271	-1.88%
341,577	551,123	54.55%	Basemar	1,276,431	1,366,370	2.54%
255,784	338,771	26.86%	BVRC	11,936,760	14,335,960	15.04%
72,501	62,576	-17.33%	29th Street	4,924,139	5,284,653	2.80%
26,124	23,609	-13.44%	Table Mesa	1,556,861	1,681,970	3.48%
9,505	68,355	588.85%	The Meadows	500,438	594,991	13.88%
1,846,935	2,156,003	11.82%	All Other Boulder	2,076,646	2,361,751	8.94%
77,777	129,005	58.88%	Boulder County	635,297	623,208	-6.04%
767,872	350,152	-56.32%	Metro Denver	1,613,625	1,827,261	8.47%
7,381	73,185	849.75%	Colorado All Other	191,934	148,497	-25.89%
721,427	888,636	17.99%	Out of State	5,952,239	5,963,846	-4.03%
36,106	8,824	-76.59%	Airport	15,610	17,442	7.03%
2,778,099	5,019,547	73.07%	Gunbarrel Industrial	752,192	754,608	-3.91%
4,293	27,828	520.91%	Gunbarrel Commercial	757,137	751,212	-4.96%
26,215	29,642	8.31%	Pearl Street Mall	1,859,390	2,056,041	5.92%
2,113,094	2,476,846	12.28%	Boulder Industrial	3,991,293	4,457,453	6.97%
1,166,003	728,214	-40.18%	Unlicensed Receipts	348,160	246,748	-32.11%
1,730,982	2,117,395	17.17%	County Clerk	0	0	0.00%
71,704	106,670	42.50%	Public Utilities	3,164,501	3,378,446	2.26%
12,890,832	16,315,406	21.23%	Total Sales and Use Tax	51,533,348	56,937,765	5.83%

TOTAL CITY SALES AND USE TAX COLLECTIONS

REVENUE CATEGORY	YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL	% Change in Taxable Sales
RETAIL SALES TAX	2007	5,118,353	5,014,615	6,918,421	4,965,981	5,500,701	6,712,841	5,565,371	6,393,028	6,954,377	5,747,963	5,695,703	8,411,484	72,998,838	9.34%
Rate Chg3.56%>3.41%	2008	5,197,400	5,105,109	6,005,946	5,331,447	5,488,450	6,572,335	5,508,796	6,258,640	6,620,535	5,382,779	5,255,155	7,443,455	70,170,045	0.35%
Rate3.41%	2009	4,919,570	4,659,632	5,850,038	5,077,648	5,131,444	6,428,343	5,206,770	5,790,533	6,093,314	5,170,325	4,735,769	7,814,230	66,877,613	-4.69%
	2010	4,576,034	5,386,190	6,196,697	5,320,225	5,470,595	6,895,283	5,522,076	5,943,315	6,855,385	5,652,938	5,240,211	8,414,157	71,473,106	6.87%
	2011	5,394,367	5,132,437	6,692,597	5,630,200	5,708,608	7,016,826	5,580,953	6,531,707	7,286,644	5,765,805	5,830,545	8,390,145	74,960,833	4.88%
	2012	5,363,541	5,129,096	6,754,740	5,599,150	5,988,770	7,304,270	5,551,489	7,062,958	7,502,227	6,188,194	5,693,025	9,604,529	77,741,989	3.71%
	2013	5,557,163	5,824,808	7,171,949	5,707,649	6,197,302	7,968,604	6,161,076	6,944,797	7,500,133	6,591,707	6,120,225	9,739,609	81,485,022	4.81%
Rate 3.56%	2014	5,965,991	6,438,048	7,706,036	6,619,759	6,990,628	8,303,288	7,020,977	7,893,039					56,937,765	-33.07%
Change from prior year (Month)		2.83%	5.87%	2.92%	11.09%	8.05%	-0.19%	9.16%	8.87%	-100.00%	-100.00%	-100.00%	-100.00%		
Change from prior year (YTD)		2.83%	4.39%	3.82%	5.53%	6.04%	4.75%	5.36%	5.83%	-7.61%	-16.89%	-23.98%	-33.07%		
CONSUMER USE TAX (includes Motor Vehicle)	2007	763,650	574,006	975,178	888,726	733,196	858,072	975,456	652,501	923,667	732,463	716,317	1,575,908	10,369,140	-6.63%
Rate 3.41%	2008	818,034	991,472	1,109,160	669,214	736,901	1,067,769	732,334	596,399	899,934	989,683	599,876	1,253,267	10,464,043	5.35%
	2009	909,558	657,250	1,062,587	997,891	531,724	790,819	858,325	1,299,767	989,089	741,578	698,452	1,600,457	11,137,497	6.44%
	2010	687,502	778,796	913,223	701,931	662,382	945,800	620,328	633,593	909,315	752,143	618,493	1,366,131	9,589,636	-13.90%
	2011	1,247,135	650,595	1,034,670	727,395	850,561	1,166,185	958,724	771,357	1,044,032	703,092	903,665	1,410,793	11,468,205	19.59%
	2012	763,425	768,580	859,971	976,451	1,212,071	1,033,899	729,829	940,127	957,894	1,417,818	737,310	1,469,940	11,867,314	3.48%
	2013	1,132,015	762,369	979,120	866,143	911,993	963,938	835,063	768,003	1,338,726	1,121,736	807,130	1,522,486	12,008,722	1.19%
Rate 3.56%	2014	924,895	901,234	1,328,607	1,727,986	666,706	2,541,847	1,056,846	1,297,348					10,445,469	-16.68%
Change from prior year (Month)		-21.74%	13.23%	29.98%	91.10%	-29.98%	152.58%	21.23%	61.81%	-100.00%	-100.00%	-100.00%	-100.00%		
Change from prior year (YTD)		-21.74%	-7.66%	5.16%	25.06%	14.27%	38.02%	35.84%	38.60%	16.92%	3.37%	-4.59%	-16.68%		
CONSTRUCTION USE TAX	2007	293,078	347,860	112,016	293,061	621,413	430,207	1,119,425	259,226	421,376	286,524	376,978	253,590	4,814,755	-13.02%
RateChg3.56%>3.41%	2008	330,080	347,219	748,549	454,797	327,855	241,649	100,759	442,652	347,954	217,885	107,831	381,753	4,048,982	-12.21%
Rate3.41%	2009	944,905	111,907	425,028	776,511	279,761	995,132	721,209	676,301	235,485	223,169	591,970	1,467,798	7,449,176	83.98%
	2010	591,599	242,591	245,829	362,619	226,230	1,921,675	1,075,078	467,423	245,361	234,021	406,868	531,670	6,550,964	-12.06%
	2011	622,872	281,210	274,661	240,970	2,150,036	352,336	352,846	455,211	478,988	314,958	177,137	471,157	6,172,383	-5.78%
	2012	385,392	1,697,323	315,856	503,719	342,448	375,499	595,334	214,896	422,866	473,523	799,552	371,254	6,497,662	5.27%
	2013	732,539	941,380	298,613	577,351	366,959	728,141	845,123	1,182,131	1,196,147	876,749	622,491	1,511,632	9,879,257	52.04%
	2014	716,119	1,110,714	600,580	430,524	571,269	1,688,472	373,129	379,130					5,869,937	-43.09%
Change from prior year (Month)		-6.36%	13.02%	92.65%	-28.57%	49.12%	122.12%	-57.71%	-69.28%	-100.00%	-100.00%	-100.00%	-100.00%		
Change from prior year (YTD)		-6.36%	4.54%	17.88%	7.36%	12.61%	34.49%	17.13%	-0.87%	-18.14%	-27.40%	-32.81%	-43.09%		
TOTAL FOR MONTH & CHANGE FROM PREVIOUS YEAR (MONTH & YTD)															
Rate Chg 3.41%>3.56%	2007	6,175,081	5,936,481	8,005,615	6,147,768	6,855,311	8,001,120	7,660,252	7,304,754	8,299,420	6,766,951	6,788,999	10,240,982	88,182,732	5.73%
Ratechg3.56%>3.41%	2008	6,345,513	6,443,800	7,863,654	6,455,459	6,553,206	7,881,753	6,341,889	7,297,691	7,868,423	6,590,347	5,962,862	9,078,475	84,683,070	0.26%
Rzte3.41%	2009	6,774,033	5,428,789	7,337,653	6,852,049	5,942,929	8,214,294	6,786,304	7,766,601	7,317,887	6,135,072	6,026,191	10,882,485	85,464,286	0.92%
	2010	5,855,134	6,407,577	7,355,749	6,384,774	6,359,207	9,762,758	7,217,482	7,044,332	8,010,061	6,639,102	6,265,572	10,311,957	87,613,706	2.51%
	2011	7,264,374	6,064,242	8,001,928	6,598,565	8,709,205	8,535,347	6,892,523	7,758,275	8,809,664	6,783,855	6,911,348	10,272,096	92,601,421	5.69%
	2012	6,512,359	7,594,999	7,930,567	7,079,320	7,543,289	8,713,668	6,876,652	8,217,981	8,882,987	8,079,535	7,229,887	11,445,723	96,106,966	3.79%
	2013	7,421,717	7,528,557	8,449,682	7,151,142	7,476,254	9,660,683	7,841,262	8,894,931	10,035,006	8,590,192	7,549,846	12,773,727	103,373,001	7.56%
	2014	7,607,004	8,449,996	9,635,223	8,778,269	8,228,603	12,533,607	8,450,951	9,569,517	0	0	0	0	73,253,172	-32.12%
Less Refunds	2006	-40,302	-5,272	-22,761	-363	-5,099	0	0	-7,568	-806	-5,947	-406	-16,773	-105,296	
	2007	0	-38,291	-2,013	-729	-9,326	-14,547	-14,440	-677	0	-5,963	0	-5,015	-91,001	
	2008	-978	0	-46,974	-1,409	0	-2,375	-445	-9,493	-1,429	0	-48,521	-500	-112,123	
	2009	-3,335	0	0	-1,111	-602	-692	-967	-3,520	-2,747	-179,087	-65,331	-26,376	-283,770	
	2010	-3,469	-68,130	-35,924	-1,444	-43,920	-3,832	-1,648	-4,204	-7,969	0	-12,480	-214	-183,234	
	2011	-8,569	-2,479	-1,188	-2,918	0	0	-7,175	0	0	-162	0	-140,199	-162,690	
Adjusted total	2007	6,175,081	5,898,190	8,003,602	6,147,039	6,845,984	7,986,572	7,645,812	7,304,077	8,299,420	6,760,988	6,788,999	10,235,967	88,091,731	5.76%
	2008	6,344,536	6,443,800	7,816,680	6,454,050	6,553,206	7,879,378	6,341,444	7,288,198	7,866,995	6,590,347	5,914,341	9,077,975	84,570,947	0.23%
Rate3.41%	2009	6,770,698	5,428,789	7,337,653	6,850,938	5,942,327	8,213,602	6,785,337	7,763,080	7,315,140	5,955,985	5,960,860	10,856,109	85,180,517	0.72%
	2010	5,851,665	6,339,447	7,319,826	6,383,330	6,315,288	9,758,926	7,215,834	7,040,127	8,002,092	6,639,102	6,253,092	10,311,744	87,430,472	2.64%
	2011	7,255,806	6,061,763	8,000,739	6,595,647	8,709,205	8,535,347	6,885,348	7,758,275	8,809,664	6,783,693	6,911,348	10,131,897	92,438,731	5.73%
	2012	6,512,359	7,594,999	7,930,567	7,079,320	7,543,289	8,713,668	6,876,652	8,217,981	8,882,987	8,079,535	7,229,887	11,445,723	96,106,966	3.97%
	2013	7,421,717	7,528,557	8,449,682	7,151,142	7,476,254	9,660,683	7,841,262	8,894,931	10,035,006	8,590,192	7,549,846	12,773,727	103,373,001	7.56%
	2014	7,607,004	8,449,996	9,635,223	8,778,269	8,228,603	12,533,607	8,450,951	9,569,517	0	0	0	0	73,253,172	-32.12%
% Change (month)		-1.82%	7.51%	9.23%	17.58%	5.43%	24.27%	3.23%	3.05%	-100.00%	-100.00%	-100.00%	-100.00%		
% Change (YTD)		-1.82%	2.88%	5.17%	8.07%	7.55%	10.94%	9.85%	8.91%	-5.77%	-15.51%	-22.55%	-32.12%		

Sales and Use Tax Revenues Generated on The Downtown Mall by SIC Code

	Food Stores	Eating Places	Apparel Stores	Home Furnish.	Gen. Merchandise	Construction	All Others	GRAND TOTAL
2011 (sales tax rate of 3.41%)								
January	2,928	66,101	29,190	7,855	34,512	201	5,040	145,827
February	3,470	70,801	28,617	7,434	35,055	252	4,669	150,297
March	3,980	81,526	42,461	9,151	48,830	1,898	6,007	193,904
April	3,596	77,090	37,727	9,348	45,072	119	4,731	177,682
May	3,967	88,058	42,266	10,307	60,947	1,320	7,346	214,210
June	4,560	89,786	47,353	10,258	63,721	4,433	8,346	228,543
July	1,483	97,575	58,723	13,679	63,427	11,762	4,492	251,142
August	4,389	108,868	48,300	12,932	64,536	677	7,900	247,602
September	7,527	83,661	54,702	11,161	59,424	3,252	8,539	228,276
October	4,242	95,879	54,514	11,272	46,196	37	6,641	218,780
November	2,586	65,737	34,570	15,082	48,036	890	6,508	173,409
December	6,234	79,779	60,332	29,632	96,423	59	11,274	283,776
2011 TOTAL	48962	1004861	538754	148110	666178	24899	81493	2,513,448
2012 (sales tax rate of 3.41%)								
2012 TOTAL	55184	1287832	555044	147717	674189	18311	82826	2,821,103
2013 (sales tax rate of 3.41%)								
January	2,384	90,901	31,131	7,642	41,822	1,586	6,857	182,323
February	4,983	86,618	27,557	7,387	39,312	2,291	4,270	172,418
March	4,635	108,923	54,375	8,575	47,799	20	3,847	228,174
April	2,481	105,544	40,522	7,830	49,521	1,074	3,829	210,801
May	4,537	106,528	53,177	10,486	60,409	85	6,036	241,258
June	3,446	126,332	58,360	10,248	72,037	2,944	6,796	280,163
July	6,696	124,982	56,676	11,621	74,025	746	5,706	280,452
August	5,256	123,766	64,299	12,501	72,927	2,929	8,334	290,012
September	4,312	107,396	40,456	7,928	51,124	127	7,288	218,631
October	4,367	105,894	59,110	9,853	52,023	-	8,810	240,047
November	4,232	88,149	39,058	14,429	55,342	-	7,290	208,500
December	6,143	85,900	63,723	28,709	101,846	9,161	10,088	305,570
2013 TOTAL	53472	1260923	588444	137209	718187	20963	79151	2,858,349
2014 (sales tax rate of 3.56%)								
January	3,302	85,271	28,026	6,829	37,742	833	4,568	166,571
February	3,856	98,027	41,026	7,082	40,703	7,671	12,000	210,365
March	4,685	102,057	43,182	9,116	55,194	654	10,524	225,412
April	4,410	112,112	44,846	8,721	53,203	-	8,957	232,249
May	4,508	123,034	52,233	11,002	65,929	3,840	12,701	273,247
June	5,258	127,320	52,274	10,898	73,635	4,995	11,843	286,223
July	4,754	143,732	50,214	12,113	92,479	267	30,327	333,886
August	4,389	134,391	82,240	12,979	83,641	759	39,329	357,728
September	-	-	-	-	-	-	-	0
October	-	-	-	-	-	-	-	0
November	-	-	-	-	-	-	-	0
December	-	-	-	-	-	-	-	0
2014 TOTAL	35162	925944	394041	78740	502526	19019	130249	2,085,681

% Change from 2011-2012	12.71%	28.16%	3.02%	-0.27%	1.20%	-26.46%	1.64%	12.24%
% Change from 2012-2013	-3.10%	-2.09%	6.02%	-7.11%	6.53%	14.48%	-4.44%	1.32%
% Change from 2013-2014	-2.14%	1.53%	-2.24%	-1.14%	5.13%	56.04%	173.16%	5.95%
% Change from previous year month	-20.01%	4.01%	22.51%	-0.55%	9.86%	-75.18%	352.03%	18.15%

Sales Tax Revenues Generated on the Downtown Mall by SIC Code

	Food Stores	Eating Places	Apparel Stores	Home Furnish.	Gen. Merchandise	All Others	GRAND TOTAL
2011 (sales tax rate of 3.41%)							
January	2,910	65,957	29,095	7,855	34,487	5,040	145,344
February	3,445	70,664	28,221	7,434	35,022	4,669	149,455
March	3,953	81,375	42,432	9,151	48,677	5,177	190,818
April	3,584	76,801	37,647	9,348	45,038	4,731	177,149
May	3,961	87,915	42,068	10,307	60,908	7,346	212,506
June	4,554	89,625	46,433	10,258	63,676	7,857	222,489
July	1,483	97,097	58,311	13,679	63,350	4,492	238,414
August	4,351	108,588	48,068	12,932	64,455	7,900	246,294
September	7,474	82,235	52,979	11,161	59,355	7,930	221,207
October	4,201	95,669	54,463	11,272	46,123	6,641	218,360
November	2,549	65,522	34,524	15,082	47,903	6,506	172,084
December	6,169	79,392	60,316	29,632	96,299	9,392	281,241
2011 TOTAL	48,633	1,000,841	534,548	148,110	665,294	77,681	2,475,360
2012 (sales tax rate of 3.41%)							
2012 TOTAL	54,676	1,277,112	563,212	147,717	668,472	76,260	2,777,449
2013 (sales tax rate of 3.41%)							
January	2,371	90,449	30,728	7,642	41,481	4,938	177,609
February	4,966	86,268	26,262	7,387	39,036	4,152	168,071
March	4,599	108,576	54,250	8,575	47,728	3,724	227,452
April	2,460	104,357	40,083	7,830	49,460	3,775	207,965
May	4,472	104,775	53,053	10,486	60,344	5,997	239,127
June	3,425	125,845	57,695	10,248	71,962	5,863	275,038
July	6,673	124,038	56,534	11,621	73,650	5,608	278,124
August	5,229	123,237	63,898	12,501	72,838	8,298	286,001
September	3,655	106,135	40,282	7,928	51,067	5,261	214,328
October	4,156	105,602	59,054	9,853	51,866	8,810	239,341
November	3,982	87,939	38,478	14,429	55,242	7,290	207,360
December	5,780	85,521	63,020	28,709	101,738	8,973	293,741
2013 TOTAL	51,768	1,252,742	583,337	137,209	716,412	72,689	2,814,157
2014 (sales tax rate of 3.56%)							
January	3,236	84,800	27,857	6,829	37,714	3,444	163,860
February	3,761	97,322	40,355	7,082	40,619	11,915	201,054
March	4,630	101,711	43,040	9,116	55,124	9,184	222,805
April	4,355	111,784	44,765	8,721	53,147	8,886	231,658
May	4,472	122,720	52,090	11,002	65,848	12,602	268,734
June	5,226	126,868	52,226	10,826	73,635	11,412	280,193
July	4,738	143,241	50,205	12,113	92,197	30,185	332,679
August	4,293	133,918	81,234	12,979	83,494	39,117	355,035
September	-	-	-	-	-	-	-
October	-	-	-	-	-	-	-
November	-	-	-	-	-	-	-
December	-	-	-	-	-	-	-
2014 TOTAL	34,711	922,364	391,772	78,668	501,778	126,745	2,056,038
Total % Change from 2011-2012	12.43%	27.60%	3.49%	-0.27%	0.48%	-1.83%	12.20%
Total % Change from 2012-2013	-5.32%	-1.91%	5.45%	-7.11%	7.17%	-4.68%	1.32%
Total % Change from 2013-2014	-2.77%	1.84%	-1.89%	-1.23%	5.29%	186.64%	5.92%
% Change from previous year month	-21.36%	4.09%	21.77%	-0.55%	9.80%	351.54%	18.91%

Sales and Use Tax Revenues Generated in CAGID (Excluding the Mail) by SIC Code

	Food Stores	Eating Places	Apparel Stores	Home Furnish.	Gen. Merchandise	Auto. Transport.	Construction	All Others	GRAND TOTAL
2011 (sales tax rate of 3.41%)									
January	2,074	211,068	24,834	29,147	110,488	2,017	4,228	23,772	407,627
February	-	219,026	31,397	8,284	107,741	2,003	3,038	24,662	386,151
March	-	256,053	36,629	11,972	120,059	2,827	15,055	74,313	516,907
April	3,056	254,771	37,183	11,458	132,921	2,538	11,166	37,928	491,019
May	3,661	278,324	42,867	21,440	148,346	2,780	13,840	28,788	540,045
June	1,128	284,315	47,897	18,791	136,936	2,588	23,699	131,870	649,228
July	1,194	314,287	42,986	9,947	168,343	2,963	7,817	35,901	582,838
August	1,218	299,410	44,427	9,660	159,649	3,163	26,381	8,268	552,177
September	1,095	283,563	42,367	12,442	147,583	2,735	3,775	80,291	573,861
October	1,193	286,724	41,810	21,590	142,667	2,632	4,765	53,725	555,104
November	1,677	237,828	31,937	14,341	124,518	2,259	13,278	21,764	447,603
December	3,359	249,838	39,027	12,385	181,607	2,187	4,667	75,430	568,505
2011 TOTAL	19,655	3,175,205	463,360	180,856	1,682,856	30,693	131,708	596,712	6,281,065
2012 (sales tax rate of 3.41%)									
2012 TOTAL	30,389	3,262,719	469,321	196,012	1,747,183	32,464	116,176	597,014	6,451,278
2013 (sales tax rate of 3.41%)									
January	1,006	208,424	24,850	17,256	126,402	2,281	37,975	24,434	442,628
February	1,028	210,415	26,859	7,102	127,502	2,259	(214)	11,667	386,618
March	4,113	288,457	36,275	21,116	143,321	2,654	27,222	39,452	562,610
April	2,424	258,801	43,256	15,318	151,707	2,777	12,626	14,987	501,886
May	1,125	265,298	41,881	17,532	172,042	3,268	17,727	7,355	526,228
June	4,082	319,612	38,360	12,453	181,523	8,688	26,860	80,843	672,421
July	1,400	288,575	37,641	9,584	178,565	3,615	9,101	17,439	545,920
August	1,372	298,780	32,025	13,847	156,795	3,893	3,076	17,771	527,566
September	3,495	252,537	54,161	10,612	192,476	14,503	22,719	104,711	655,214
October	1,302	288,691	48,857	12,373	195,086	3,277	7,234	23,983	580,803
November	1,754	268,969	28,424	11,611	158,229	2,643	23,128	7,661	501,819
December	6,038	265,730	28,172	18,957	200,039	4,472	33,750	67,085	624,243
2013 TOTAL	29,139	3,213,689	440,761	167,761	1,983,687	54,330	221,203	417,388	6,527,958
2014 (sales tax rate of 3.56%)									
January	1,034	210,406	30,654	8,922	90,948	2,837	102,750	43,978	491,529
February	1,073	252,127	22,042	20,930	88,938	2,858	19,465	39,988	447,421
March	4,026	302,651	46,602	23,393	96,791	8,085	22,998	112,444	616,992
April	1,113	322,362	30,744	17,488	93,794	7,774	8,238	229,441	710,954
May	1,230	344,174	35,775	19,525	117,079	6,826	116,907	86,567	728,083
June	1,241	342,782	39,418	21,944	116,443	3,471	92,745	145,132	763,156
July	1,241	343,892	39,443	9,291	129,161	3,861	49,451	97,450	673,790
August	1,376	335,701	53,456	10,084	132,085	4,052	659	105,899	643,312
September	-	-	-	-	-	-	-	-	-
October	-	-	-	-	-	-	-	-	-
November	-	-	-	-	-	-	-	-	-
December	-	-	-	-	-	-	-	-	-
2014 TOTAL	12,336	2,454,075	298,134	131,577	865,239	39,764	413,213	860,899	5,075,237
% Change from 2011-2012									
	54.61%	2.76%	1.29%	8.38%	3.82%	5.77%	-11.79%	0.05%	2.71%
% Change from 2012-2013									
	-4.11%	-1.50%	-6.09%	-14.41%	13.54%	67.35%	90.40%	-30.09%	1.19%
% Change from 2013-2014									
	-28.60%	9.93%	1.57%	10.35%	-33.05%	29.40%	194.56%	285.43%	16.70%
% Change from previous year month									
	-3.93%	7.62%	59.89%	-30.24%	-19.31%	-0.30%	-79.47%	470.80%	16.80%

Sales Tax Revenues Generated in CAGID (Excluding the Mail) by SIC Code

	Food Stores	Eating Places	Apparel Stores	Home Furnish.	Gen. Merchandise	Auto. Transport.	Construction	All Others	GRAND TOTAL
2011 (sales tax rate of 3.41%)									
January	2,074	209,899	24,834	28,126	108,819	2,000	-	17,341	394,092
February	-	217,819	31,397	8,186	107,551	1,992	-	17,949	384,893
March	-	254,333	36,629	11,949	119,473	2,815	-	56,602	481,800
April	3,056	253,077	37,183	11,442	130,281	2,523	101	29,299	466,962
May	3,661	276,733	42,867	21,417	147,995	2,764	-	25,341	520,768
June	1,128	282,719	47,997	18,734	138,329	2,566	85	115,106	606,565
July	1,194	312,963	42,988	9,347	167,923	2,935	-	27,116	584,463
August	1,218	297,789	44,427	9,680	157,367	3,149	-	5,410	519,020
September	1,095	281,826	42,273	11,595	147,169	2,708	1	67,753	554,420
October	1,193	284,981	41,733	21,058	142,272	2,597	-	47,466	541,300
November	1,677	236,565	31,937	13,005	124,077	2,236	-	16,181	425,878
December	3,359	247,700	38,954	11,985	180,384	2,154	145	48,051	532,712
2011 TOTAL	19,655	3,156,402	463,117	177,502	1,671,611	30,438	333	473,615	5,992,673
2012 (sales tax rate of 3.41%)									
2012 TOTAL	30,389	3,206,102	468,356	173,873	1,798,783	32,204	333	483,357	6,133,397
2013 (sales tax rate of 3.41%)									
January	1,006	206,696	24,850	14,530	123,652	2,260	-	7,914	380,908
February	1,028	208,483	26,801	4,980	123,645	2,239	-	6,225	373,301
March	4,023	284,345	36,265	14,006	140,205	2,626	9	20,398	501,878
April	1,117	256,655	43,256	11,041	148,093	2,716	-	13,241	476,119
May	1,125	267,228	41,789	14,957	164,852	3,246	-	6,514	499,711
June	4,001	316,158	38,360	8,573	178,036	8,568	16	61,664	615,366
July	1,400	286,388	37,841	7,119	174,918	3,469	-	7,860	518,998
August	1,372	296,554	31,923	13,847	153,274	3,876	-	9,962	510,908
September	3,354	250,116	54,152	7,410	173,883	14,486	7	72,130	575,538
October	1,302	286,269	48,817	8,890	163,693	3,144	-	8,158	520,273
November	1,754	266,285	28,390	8,982	153,712	2,625	-	6,613	468,341
December	5,911	283,671	28,136	10,208	194,814	4,457	157	45,561	558,915
2013 TOTAL	27,393	3,188,848	440,380	130,523	1,892,677	53,702	189	266,041	5,999,753
2014 (sales tax rate of 3.56%)									
January	1,034	208,722	30,629	8,922	86,769	2,878	-	42,572	381,326
February	1,073	247,007	21,874	18,048	78,528	2,518	-	38,648	407,896
March	3,907	295,393	48,561	18,893	93,923	7,699	75	100,754	567,195
April	1,113	314,507	30,701	16,145	93,324	7,533	-	75,028	538,351
May	1,230	337,737	35,379	16,836	116,424	6,811	-	85,009	599,426
June	1,241	337,783	39,404	19,727	115,867	3,449	55	118,693	636,219
July	1,241	337,779	39,380	6,981	127,785	3,839	-	87,697	604,682
August	1,376	329,737	53,406	7,706	131,284	4,032	-	102,825	630,346
September	-	-	-	-	-	-	-	-	-
October	-	-	-	-	-	-	-	-	-
November	-	-	-	-	-	-	-	-	-
December	-	-	-	-	-	-	-	-	-
2014 TOTAL	12,215	2,408,665	297,314	113,248	843,884	38,559	130	651,226	4,365,241
Total % Change from 2011-2012	54.61%	1.57%	1.13%	-2.04%	4.02%	5.80%	0.09%	2.06%	2.35%
Total % Change from 2012-2013	-9.86%	-0.54%	-5.97%	-24.93%	8.85%	66.76%	-43.24%	-44.96%	-2.18%
Total % Change from 2013-2014	-22.37%	8.70%	1.39%	21.81%	-33.01%	27.40%	398.09%	366.98%	7.86%
% Change from previous year month	-3.93%	6.50%	60.25%	-46.65%	-17.97%	-0.36%	#DIV/0!	888.68%	18.20%

Total Downtown Sales Tax Revenue (CAGID and Pearl St)

	3.26	3.41	3.41	3.41	3.41	3.41	3.41	3.41	3.41	3.41	3.41	3.56
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
January	399,626	434,133	428,679	500,130	482,428	518,849	487,710	560,031	539,435	527,526	558,519	545,206
February	414,518	423,848	480,561	521,590	535,979	547,789	473,426	484,820	534,348	579,961	541,371	608,750
March	505,065	560,462	587,831	624,521	704,243	637,871	566,690	582,620	672,618	745,914	729,329	790,000
April	462,299	503,934	541,195	612,044	610,029	623,468	552,281	609,595	644,111	696,264	684,086	770,009
May	539,985	555,417	582,705	647,568	696,047	713,579	646,112	669,398	733,274	770,788	738,837	868,160
June	590,377	634,909	676,115	733,917	799,000	736,287	1,074,918	753,018	829,054	856,497	890,404	916,411
July	518,676	598,929	634,356	679,183	702,834	718,557	654,639	727,545	802,877	741,295	796,720	937,361
August	544,903	596,047	653,113	706,316	740,097	767,013	732,097	734,903	765,314	868,158	796,810	985,381
September	535,186	627,434	684,271	722,706	789,130	692,174	624,411	723,979	775,627	822,775	789,862	
October	518,967	567,706	607,382	635,866	688,559	666,347	617,267	688,420	759,660	695,018	759,613	
November	454,071	497,670	544,120	469,178	602,818	551,792	535,953	621,221	597,762	698,993	675,701	
December	690,557	770,218	793,483	896,526	829,816	726,256	657,741	798,946	813,953	907,657	852,655	
Totals	6,174,230	6,770,707	7,213,810	7,749,546	8,180,981	7,899,981	7,623,245	7,954,497	8,468,033	8,910,846	8,813,907	6,421,278

\$ change from	- 231,935	596,477	443,103	535,736	431,435	- 281,000	- 276,736	331,252	513,537	442,813	- 96,939	
% change from	-3.6%	9.7%	6.5%	7.4%	5.6%	-3.4%	-3.5%	4.3%	6.5%	5.2%	-1.1%	
3 year avg cl	-4.1%	1.1%	4.2%	7.9%	6.5%	3.2%	-0.5%	-0.9%	2.4%	5.3%	3.5%	

City Wide Yearly Summary

CAGID and Mall Sales and Use Tax as a Percent of Total City Wide Sales and Use Tax

	Food Stores	Eating Places	Apparel Stores	Home Furnishings	General Merch	All Other	Total
2014	\$9,457,899 1%	\$9,424,369 36%	\$2,579,162 27%	\$3,406,919 6%	\$14,377,545 10%	\$34,007,278 4%	\$73,253,172 9.8%
2013	\$13,454,838 1%	\$13,174,730 34%	\$3,774,426 27%	\$4,692,270 6%	\$20,776,166 13%	\$47,500,571 2%	\$103,373,001 9.1%
2012	\$13,060,743 1%	\$12,937,276 35%	\$3,717,039 28%	\$22,440,706 2%	\$19,948,416 12%	\$24,002,787 4%	\$96,106,967 9.6%
2011	\$12,241,084 1%	\$11,838,300 35%	\$3,426,738 29%	\$5,259,120 6%	\$19,948,416 12%	\$39,725,073 2%	\$92,438,731 9.5%
2010	\$11,130,533 1%	\$10,930,482 36%	\$2,690,372 33%	\$4,459,406 6%	\$19,279,577 12%	\$38,940,102 2%	\$87,430,472 9.4%
2009	\$11,160,109 1%	\$10,572,840 35%	\$2,626,020 33%	\$4,304,383 17%	\$17,515,062 11%	\$39,002,103 2%	\$85,180,517 9.3%
2008	\$11,204,475 0%	\$10,910,035 36%	\$2,819,260 34%	\$4,827,635 7%	\$18,101,297 13%	\$36,708,245 3%	\$84,570,947 10.1%
2007	\$11,205,584 1%	\$10,888,135 36%	\$2,804,311 33%	\$5,522,090 7%	\$18,040,152 13%	\$39,631,459 2%	\$88,091,731 9.8%
2006	\$10,392,069 1%	\$9,582,212 38%	\$2,424,694 37%	\$4,611,056 9%	\$15,402,540 15%	\$37,371,060 4%	\$79,783,631 11.0%
2005	\$10,046,723 1%	\$8,995,846 38%	\$2,362,366 37%	\$4,465,788 9%	\$14,587,419 15%	\$35,882,350 2%	\$76,340,492 10.0%
2004	\$10,148,861 1%	\$8,637,718 36%	\$2,232,147 41%	\$4,118,312 10%	\$14,123,007 15%	\$32,171,342 2%	\$71,431,387 9.9%
2003	\$9,052,658 1%	\$7,847,285 35%	\$2,046,951 41%	\$3,922,549 10%	\$13,185,423 15%	\$31,552,637 3%	\$67,607,503 10.4%
2002	\$9,294,397 1%	\$8,133,237 35%	\$2,346,305 37%	\$4,164,992 11%	\$13,572,651 15%	\$33,815,600 3%	\$71,327,182 10.1%
2001	\$9,312,676 1%	\$8,384,190 34%	\$2,646,021 37%	\$4,537,112 11%	\$15,553,807 13%	\$38,279,526 2%	\$78,713,332 9.1%
2000	\$9,080,910 1%	\$8,484,601 32%	\$3,159,262 37%	\$5,915,794 9%	\$17,887,211 12%	\$36,269,737 3%	\$80,797,515 9.5%
1999	\$9,207,721 1%	\$7,790,648 30%	\$3,359,914 35%	\$5,553,219 9%	\$17,008,884 12%	\$33,893,706 3%	\$76,814,092 9.2%
1998	\$8,932,097 1%	\$7,469,094 29%	\$3,252,729 34%	\$3,570,448 12%	\$15,736,140 11%	\$30,637,104 3%	\$69,597,612 9.1%
1997	\$7,739,779 1%	\$6,797,237 30%	\$2,781,018 28%	\$3,129,089 14%	\$15,439,169 13%	\$28,494,047 2%	\$64,380,339 9.3%
1996	\$7,611,055 1%	\$6,614,561 29%	\$2,782,149 27%	\$2,862,572 15%	\$15,111,950 13%	\$26,975,579 2%	\$61,957,866 9.1%

CAGID and Mail Yearly Summary
SALES and USE Tax Breakdown by Industry Category

This chart does not factor change in sales tax rate change

Year	Food Stores	Eating Places	Apparel Stores	Home Furnishings	General Merch	All Other	Total	% change
2014	\$47,498	\$3,880,019	\$692,175	\$210,317	\$1,367,765	\$1,463,144	\$7,160,918	100%
2013	\$82,611	\$4,474,612	\$1,029,205	\$304,670	\$2,701,874	\$793,035	\$9,386,307	1.23%
2012	\$85,573	\$4,550,551	\$1,024,365	\$343,729	\$2,421,372	\$846,791	\$9,272,381	5.43%
2011	\$88,617	\$4,180,066	\$1,002,115	\$328,997	\$2,349,034	\$665,715	\$8,794,513	6.57%
2010	\$70,130	\$3,880,876	\$898,763	\$275,517	\$2,331,670	\$795,618	\$8,252,575	4.55%
2009	\$90,702	\$3,662,530	\$877,050	\$711,868	\$1,953,052	\$628,296	\$7,893,497	-7.96%
2008	\$53,956	\$3,876,669	\$952,169	\$337,898	\$2,282,469	\$1,073,446	\$9,576,608	-0.79%
2007	\$95,998	\$3,930,574	\$915,216	\$400,345	\$2,392,662	\$910,116	\$9,644,930	-1.59%
2006	\$89,498	\$3,648,151	\$898,310	\$411,471	\$2,313,444	\$1,422,740	\$8,784,613	14.67%
2005	\$86,454	\$3,421,618	\$681,002	\$389,093	\$2,167,694	\$715,009	\$7,660,869	7.81%
2004	\$83,887	\$3,141,620	\$904,648	\$393,012	\$2,089,921	\$463,110	\$7,106,198	1.35%
2003	\$74,145	\$2,742,867	\$845,180	\$389,354	\$1,973,549	\$886,479	\$7,011,574	-2.78%
2002	\$72,607	\$2,854,183	\$875,150	\$464,839	\$2,006,573	\$636,382	\$7,211,734	0.42%
2001	\$75,359	\$2,853,128	\$972,298	\$488,348	\$2,064,518	\$727,228	\$7,181,876	-8.11%
2000	\$72,675	\$2,740,325	\$1,157,122	\$539,287	\$2,156,991	\$982,496	\$7,646,866	7.74%
1999	\$91,976	\$2,333,744	\$1,179,320	\$493,423	\$2,066,272	\$934,543	\$7,099,279	11.62%
1998	\$90,134	\$2,150,351	\$1,090,800	\$436,127	\$1,756,311	\$834,265	\$6,960,047	6.35%
1997	\$89,373	\$2,027,812	\$788,006	\$423,595	\$1,944,035	\$697,436	\$5,980,247	5.54%
1996	\$96,564	\$1,895,926	\$738,435	\$436,004	\$2,017,401	\$479,307	\$5,666,237	9.89%
1995	\$92,497	\$1,724,770	\$588,726	\$392,985	\$1,731,611	\$620,919	\$5,151,508	6.89%
1994	\$93,338	\$1,518,413	\$587,830	\$444,251	\$1,700,769	\$474,921	\$4,819,522	100%

CAGID and Mail Yearly Summary
SALES Tax Breakdown by Industry Category

This chart does not factor change in sales tax rate change

Year	Food Stores	Eating Places	Apparel Stores	Home Furnishings	General Merch	All Other	Total	% change
2014	\$46,926	\$3,331,029	\$689,086	\$191,916	\$1,345,662	\$816,660	\$6,421,279	100%
2013	\$79,161	\$4,441,590	\$1,023,717	\$267,732	\$2,609,089	\$392,621	\$8,813,910	-1.08%
2012	\$85,065	\$4,483,214	\$1,021,568	\$321,590	\$2,407,255	\$591,886	\$8,910,578	5.23%
2011	\$88,287	\$4,157,243	\$967,665	\$325,612	\$2,336,905	\$582,321	\$8,468,033	6.46%
2010	\$69,771	\$3,848,681	\$868,314	\$274,604	\$2,325,279	\$542,760	\$7,954,439	4.34%
2009	\$59,819	\$3,622,195	\$875,174	\$710,598	\$1,951,595	\$403,863	\$7,623,245	-3.50%
2008	\$53,433	\$3,815,239	\$950,225	\$334,234	\$2,275,609	\$471,240	\$7,899,981	-3.43%
2007	\$95,798	\$3,879,561	\$913,775	\$393,603	\$2,384,296	\$513,949	\$8,180,981	5.57%
2006	\$89,106	\$3,607,336	\$897,115	\$386,962	\$2,295,259	\$473,767	\$7,749,546	7.41%
2005	\$86,019	\$3,373,571	\$860,079	\$381,806	\$2,155,216	\$338,119	\$7,214,809	6.61%
2004	\$83,374	\$3,084,715	\$903,711	\$390,387	\$2,086,655	\$218,667	\$6,767,708	9.61%
2003	\$72,545	\$2,702,412	\$840,575	\$354,141	\$1,964,846	\$239,710	\$6,174,230	-3.57%
2002	\$72,115	\$2,796,110	\$872,641	\$436,777	\$1,997,807	\$227,529	\$6,402,980	-2.74%
2001	\$73,248	\$2,756,121	\$970,925	\$486,186	\$2,043,123	\$253,717	\$6,563,320	-5.92%
2000	\$72,499	\$2,706,001	\$1,154,714	\$538,703	\$2,141,271	\$384,115	\$6,997,303	8.35%
1999	\$60,777	\$2,287,116	\$1,177,775	\$493,467	\$2,052,375	\$358,398	\$6,457,908	9.91%
1998	\$88,255	\$2,128,285	\$1,086,634	\$438,230	\$1,743,427	\$391,001	\$5,875,632	3.72%
1997	\$96,013	\$1,988,439	\$777,595	\$422,810	\$1,917,831	\$462,187	\$5,664,675	4.21%
1996	\$98,211	\$1,861,867	\$736,297	\$433,917	\$1,974,989	\$330,772	\$5,436,073	12.47%
1995	\$90,727	\$1,693,218	\$588,494	\$389,699	\$1,699,384	\$371,640	\$4,833,162	4.19%
1994	\$92,912	\$1,503,606	\$587,463	\$442,029	\$1,694,284	\$318,724	\$4,639,018	100%



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: November 18, 2014

AGENDA TITLE: Introduction, first reading and consideration of a motion to order published by title only, an ordinance amending Chapter 4-11, Mall Permits and Leases,” Sections 4-1-9 “Authority to Deny Issuance of Licenses,” 4-20-11 “Mall License and Permit Fees,” and 8-6-6 “Requirements for Revocable Permits, Short-term Leases and Long-term Leases,” B.R.C. 1981, to update the code to be consistent with current mall practices and needs, and setting forth related details.

PRESENTER/S

Jane S. Brautigam, City Manager
David Driskell, Executive Director, Community Planning and Sustainability
Molly M. Winter, Director, Downtown & University Hill Management
Division/Parking Services
Sandra Llanes, Senior Assistant City Attorney
Lane Landrith, Business Coordinator, Downtown & University Hill Management
Division/Parking Services
Ashlee Herring, Communications and Special Events Oversight Coordinator, Downtown
& University Hill Management Division/Parking Services
Sloane Walbert, Associate Planner, P&DS

EXECUTIVE SUMMARY

The purpose of this council agenda item is to inform and seek feedback from City Council on the Pearl Street Mall revised code, and propose modifications to the current ordinance. (Attachment A.)The Boulder Revised Code, Chapter 4-11-1; Legislative Intent, provides this informational summary:

The purpose of this chapter is to promote the public interest by enhancing the attractiveness of the mall environment; providing opportunities for creative, colorful, pedestrian-focused commercial activities on a day/night, year-round and seasonal basis; encouraging commercial activity and entertainment that adds charm, vitality, diversity,

and good design to the mall area; encouraging the upgrading of storefronts and the development of compatible and well-designed improvements; providing revenue to offset in part the cost of maintaining the mall area; providing reasonable time, place, and manner restrictions on constitutionally protected activities so that they may flourish without detracting from the purpose of the mall as a commercial forum and a means of access to businesses on the mall; and limiting private development on the mall to those proposals of the highest quality that advance these purposes.

The code sections addressing the Pearl Street Mall permits have not been updated for over 30 years. Changes are needed to bring Section 4-11 into alignment with current policies and practices, to accommodate additional community requests for more events on the mall, to adapt to physical changes to the mall, to increase diligence on maintaining an overall benefit to the community and to address circumstances under which permits can be denied.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to introduce on first reading and order published by title only, an ordinance amending Chapter 4-11, Mall Permits and Leases,” Sections 4-1-9 “Authority to Deny Issuance of Licenses,” 4-20-11 “Mall License and Permit Fees,” and 8-6-6 “Requirements for Revocable Permits, Short-term Leases and Long-term Leases,” B.R.C. 1981, to update the code to be consistent with current mall practices and needs.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: Special events collect and remit required sales tax in accordance with the city’s standard operating procedure and bring visitors and vitality to downtown.
- Environmental: The Pearl Street Mall provides zero waste receptacles and strongly encourages special events to adhere to a zero waste event. Best practices for waste water disposal are used with each event permit.
- Social: Serving as a City of Boulder park, the Pearl Street Mall provides a unique gathering space for cultural, musical, artistic, and educational events at no charge to the public.

OTHER IMPACTS

Fiscal - City staff time for review and oversight of all special event permit applications and events.

BOARD AND COMMISSION FEEDBACK

- Downtown Management Commission (DMC) reviewed the mall ordinance updates and summary of amendments, and gave initial approval to support the staff recommendation to amend the city ordinance as proposed. Downtown Management Commission supported the ordinance changes as proposed, but

offered that Mall Entertainment permits not become too restrictive as to limit the types and number of potential performers.

- Downtown Boulder, Inc. (DBI) supported the staff recommendation to amend the city ordinance as proposed.
- Downtown Boulder Business Improvement District Board (BID) supported the staff recommendation to amend the city ordinance as proposed.

ANALYSIS

As background below are the most common Pearl Street Mall permit applications and the policies used in reviewing for approval or denial.

Special Events Permits

Applications for a special event on the Pearl Street Mall are accepted under the following conditions:

1. The event is to benefit and involve participation from a non-profit organization.
2. The event has a benefit to the community, such as musical, cultural, artistic, or educational.
3. Repeat events in good standing are given first right of refusal for the similar event weekend during the upcoming event year. As many events are grant funded, confirming the next year's proposed event date is crucial to certain applications.
4. New events are encouraged to apply for review, with the understanding that events may not occur within 10 days of another permitted event. This creates a greater balance of uses on the Mall as a park, a place to people watch, a venue for street performers, and a viable retail and commercial district.
5. All city of Boulder policies, code cites, and risk exposure requirements are applied consistently to all applications (**Attachment C**).

Other Mall Permits: Personal Service, Advocacy, Mobile Food Carts, etc.

There is a fine balance in achieving the appropriate environment for the Mall as a community gathering place, retail and office center, and popular event venue. With a variety of options, permits allow for chair massage to balloon hats, tarot readings to fire-juggling performers. Permit application requirements vary to limit risk exposure to the city, maintain an appropriate number of personal service permit locations during peak season via a lottery system, and providing free assigned spaces for non-profit advocacy.

The thirteen mobile vending carts are reviewed annually for permit compliance, and subsequently renewed with first right of refusal. Any mobile vending cart vacancies are publicly noticed and a competitive application process is culminated in a juried selection process with full participation from the council appointed Downtown Management Commission (DMC) members.

The code sections addressing the Pearl Street Mall permits have not been updated for over 30 years. These proposed code changes are needed to bring the code in alignment with current policy practices, to accommodate additional community request for more events on the Pearl Street Mall, to increase diligence on maintaining an overall benefit to

the community, to adapt to physical changes to the mall, and to address circumstances under which permits can be denied. Listed below is a summary and rationale for proposed mall code section changes. Please see **Attachment B** for additional information on the changes.

4-11-7 & 4-11-8 “Permits for patios and building encroachments”: Currently any encroachments proposed for the mall are reviewed as a revocable permit or lease under Chapter 8-6 which is administered by Community Planning and Sustainability. The change in Section 4 reflects this existing practice.

4-11-2 “Definitions”; Definition of “special activity”: The changes proposed include, 1) change the terminology to reflect the more common practice of using the term “special event”; 2) designating the city manager (staff) as responsible for scheduling events rather than Downtown Management Commission (DMC); 3) removing specific requirements for sales conducted as a fundraising activity by a nonprofit group; and, 4) and finally adding “artist using non-airborne mediums” to the Ambulatory vendor permits to control the location due to health risks with spray paint. Otherwise artists creating art on the mall do not need a permit.

4-11-4 “Uses prohibited without a permit”: Amended section (c) proposes to allow amplified music on the mall only as part of an approved special event permit. Acoustic music is allowed without the need for any permit.

4-11-12 “Mobile Vending Cart Permit”: Under section (b), changed maximum number of carts allowed on mall from 14 to 13. The mall’s capacity is at 13 carts due to Mall renovations and added amenities in 2000. Section (i) establishes a more user-friendly process of renewing Mobile Vending Cart permits that are in good standing rather than having to reapply as a new vendor.

4-11-16 “Special Event Permit”: Section (b) is amended to reflect the current practice of approving more than six days per year to the same organization during a calendar year. Over the course of the last 30 years, the Mall has evolved into a popular event venue. The Business Improvement District, formed in 1999, created the mechanism for producing more festivals, art fairs, parades, music series and special events that have enhanced the vitality of downtown Boulder.

4-11-18 “General Permit and Lease Requirements”: Clarified in section (c) that the provisions of 4-1-9 “Authority to Deny Issuance of Permits and Licenses” is applicable to the mall, giving staff the ability to deny or revoke a permit where the specified conditions have been violated.

4-11-19 “Application Procedures”: Includes monthly mall permits in the list of permits that the DMC does not approve. The standard practice of staff reviewing and approving permit and is now being reflected in the code.

4-11-22 “Termination of Permits”: Amended section (c) provides staff with discretion to deny a permit for 3 years subsequent to being revoked, pending due process and a formal review.

4-1-9 “Authority to Deny Issuance of Permits and Licenses”;

This proposed amendment provides staff with additional criteria for denial of permit:

- Providing false information or misrepresenting a material fact on application;
- The applicant has within the past three years, from application date, violated a law or condition in a license governing the activities permitted by the license;
- The applicant has previously unlawfully conducted activities that require a permit or license without obtaining such permission in advance;
- The applicant had a city issued license revoked within the past three years.

Please refer to **Attachment B** for a complete listing of the proposed mall ordinance updates.

In addition to the ordinances in the BRC, staff has developed policies and application requirements to ensure the safety of the public, to balance the number of community events with the needs of the downtown businesses and to facilitate good customer service and clarity with the event producers. Please see **Attachment C** for additional information on existing policies and procedures. Based on experience over the years and feedback from mall businesses, staff currently operates under the guideline of scheduling special events every other weekend during the summer months.

RECOMMENDATION

Staff recommends the changes to the Section 4-11 of the Boulder Revised Code (**Attachment A**). These proposed changes more accurately reflect the physical modifications in Mall infrastructure, and the current operational standards set forth for safety and enjoyment of all when balancing the diverse needs of our nationally recognized downtown mall.

ATTACHMENTS

- A: Mall B.R.C. Ordinance with Amendments
- B: Mall Ordinance Updates – Summary of Amendments
- C: Mall Event Policy Guidelines

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 4-11, "MALL PERMITS AND LEASES," SECTIONS 4-1-9 "AUTHORITY TO DENY ISSUANCE OF LICENSES," 4-20-11 "MALL LICENSE AND PERMIT FEES," AND 8-6-6 "REQUIREMENTS FOR REVOCABLE PERMITS, SHORT-TERM LEASES AND LONG-TERM LEASES," B.R.C. 1981, TO UPDATE THE CODE TO BE CONSISTENT WITH THE CURRENT MALL PRACTICES AND NEEDS, AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER,
COLORADO:

Section 1. Chapter 4-11, B.R.C. 1981, is amended to read:

....

4-11-2. Definitions.

The following terms used in this chapter have the following meanings, unless the context clearly indicates otherwise:

"Advocacy adjunct" means lightweight tables, chairs, and signs capable of being moved easily in case of emergency which are entirely within an advocacy area and do not exceed six feet in height.

"Advocacy area" means those designated areas of the mall where tables, chairs, and signs otherwise prohibited may be employed pursuant to the provisions of this chapter as an adjunct to political advocacy, noncommercial fundraising, and petitioning the government.

"Ambulatory vendor" means a portrait, caricature or landscape artist using non-airborne mediums, or any person who engages in the business of selling balloons, balloon sculptures, flowers or shoe shines.

~~"Building extension" means any structure that is an extension of an existing building front or basement adjacent to the mall and that encroaches upon the mall.~~

~~"Building ornament" means any awning, sign, planter box, or other ornament on a building adjacent to the mall that encroaches upon the air space above the mall.~~

"Encroachment" means a private improvement, structure or obstruction extending into or located within, upon, above or under any public right of way or public easement.

1 "DMC" means the Downtown Management Commission established by section 2-3-5,
2 "Downtown Management Commission," B.R.C. 1981.

3 "Educational activity" means all noncommercial activity of any person or group directed at
4 informing or persuading the public which is consistent with the provisions of this code and the
5 laws of the state and the United States, and specifically includes the passage of petitions and the
6 advocacy of candidates and issues in any election.

7 "Entertainment" means a performance or show designed to entertain the public but excludes
8 services provided on a one to one basis.

9 "Entertainment vending" means the sale of a recorded performance of an entertainer by that
10 entertainer while that entertainer is performing.

11 ~~"Festive activity" means a cultural event of community wide interest, including, without
12 limitation, events involving sales, the primary purpose of which is not for profit, which is
13 consistent with the legislative intent of this chapter, and which is scheduled by the DMC and
14 approved by the city manager.~~

15 "Kiosk" means a freestanding structure erected by the City within a pedestrian circulation area
16 and used for the posting of notices or advertisements. It also means a small building located in
17 Mall Zone 3 and operated under lease for the sale of food, flowers, newspapers, or other goods
18 approved by the ~~city manager~~ DMC.

19 "Mall" means the Boulder downtown pedestrian mall established by Ordinance No. 4022,
20 adopted February 18, 1975.

21 "Noncommercial" means that which does not involve the sale of real or personal property or a
22 service.

23 "Nonprofit group" means an entity which has received a tax status determination by the United
24 States Internal Revenue Service as a section 501 tax exempt organization, or which is
25 incorporated as a nonprofit corporation under the laws of the state of Colorado, or which is
26 incorporated as a nonprofit corporation under the laws of another state and has been issued a
27 certificate of authority by the secretary of state for Colorado to conduct affairs in Colorado.

28 "Personal services vendor" means any person providing personal services on a one on one basis
29 which does not involve the sale of goods.

30 "Sale" or "sell" means the exchange of goods or services for money or other consideration, and
31 includes the offering of goods or services for a donation except when a writing is offered for a
32 donation to express bona fide religious, social, political, or other ideological views, and the
33 writing is carried by the person offering it and not set on the ground or any structure.

34 "Special ~~activity~~ Event" means an educational or cultural event of community-wide interest,
35 including, without limitation, events involving sales, the primary purpose of which is not for

1 profit, which is consistent with the legislative intent of this chapter, and which is scheduled and
2 approved by the city manager, festive activity, -or an activity not involving sales and sponsored
3 by a nonprofit group, that involves the use of a booth, blanket, table, structure, cart, or other
4 equipment on the mall. It also means sales conducted as a fundraising activity by a nonprofit
5 group, ~~if:~~

6 (a) ~~The group has volunteer members actively engaged in carrying out the objects of the~~
7 ~~entity;~~

8 (b) ~~The sales on the mall are made only by the group's volunteer members;~~

9 (c) ~~Such volunteer members receive no remuneration, direct or indirect, from the sales or~~
10 ~~sales activities; and~~

11 (d) ~~Any goods sold either bear conspicuously on their exterior the name of the group or its~~
12 ~~registered trademark, or such goods are unique to the group and are not readily available~~
13 ~~through retail stores in the City.~~

14 "Special entertainment" means any activity which involves the juggling, casting, throwing or
15 propelling of a knife or burning projectile on the mall, or involves the use of equipment on the
16 mall which is more than six feet above the surface of the mall when at rest or when bearing a
17 load while being used in the act.

18 **4-11-4. Uses Prohibited Without Permit.**

19 (a) (1) No person shall sell, display for sale, or advertise for sale any goods or services to the
20 public on the mall without a valid permit or lease therefor issued under this chapter. This
21 subsection does not apply to a sign, including, without limitation, a sandwich board, carried by a
22 person and not set on or affixed to the ground.

23

24 (c) No person shall install or construct a ~~building extension, building ornament~~ an encroachment,
25 or kiosk on the mall without a valid permit or lease therefor issued under this chapter and/or
section 8-6.

(d) No person shall use amplified sound on the mall ~~without obtaining~~ unless it is part of an
approved special activity Special Event permit issued under this chapter allowing such amplified
sound ~~an amplified sound permit.~~

....

4-11-4.5. Advocacy Area Permit.

(a) The city manager shall designate four areas per block within Zones 3 or 4 in the 1100, 1200,
and 1400 blocks, and ten areas within the 1300 block as advocacy areas. Each area shall be five
feet by six feet.

1

2 (e) If a ~~special activity~~Special Event permit is issued for an arts related event and covering every
3 block of the mall, the manager shall designate and provide alternative locations within the same
4 block if feasible, or elsewhere on the mall if feasible, and otherwise as close to the mall as
5 practicable to all applicants, not exceeding twenty-two, who qualify for advocacy area permits.
6 The manager may so displace users of advocacy areas for only one such ~~special activity~~Special
Event permit in any calendar year.

6

7 (h) Sales of goods or services for any purpose are permitted under an advocacy area permit only
8 if the permittee also has a ~~special activity~~Special Event permit, but a permittee may solicit
9 donations so long as no portion of the donation goes to the financial benefit of any natural person
10 who is soliciting the donation. If the permittee is soliciting donations and is also giving out goods
11 or services related to the advocacy, such goods or services must not be given on condition that a
12 donation is made, and must be available free to anyone requesting such goods or services,
13 although the permittee may limit the number any one person may receive so long as such limit is
14 not conditioned upon the donation.

12

13 **4-11-5. Ambulatory Vending Permit.**

14 (a) Ambulatory vending is permitted only in Zones 1, 2, and 3. An applicant for an ambulatory
15 vending permit, any of which is to be used in Zone 1, shall first obtain the written consent of the
16 tenant occupying the building in front of which the applicant desires to locate.

16

17 (f) Sales shall be limited to items created at point of sale.

18 **4-11-6. ~~Amplified Sound Permit.~~ Repealed**

19 ~~(a) Amplified sound permits may be issued for all zones. An applicant for an amplified sound
20 permit which is to include any part of Zone 1 shall obtain the written consent of the tenant
21 occupying the building in front of which the applicant desires to locate.~~

22 ~~(b) The city manager may permit the use of amplified sound only if the amplified sound is
23 essential to the exercise of a use allowed under this chapter and will benefit the public or
24 enhance the ambiance of the mall. Every use of amplified sound shall comply with section 5-9-3,
25 "Exceeding Decibel Sound Levels Prohibited," B.R.C. 1981. The manager may attach such other
reasonable conditions on the use of an amplified sound permit as may reduce friction among
competing uses of the mall or serve the purposes of this subsection.~~

1 ~~(c) An amplified sound permit is valid only for the period and location specified in the permit.~~
2 ~~No applicant may be issued more than one permit for a day. No fee will be charged for issuance~~
3 ~~of an amplified sound permit.~~

4 **4-11-7. Building Extension Permit or Lease. Repealed**

5 ~~(a) Building extensions are permitted only in Zone 1.~~

6 ~~(b) A person who wishes to construct a permanent building extension on mall property shall~~
7 ~~obtain a lease from the City in accordance with section 2-2-8, "Conveyance of City Real~~
8 ~~Property Interests," B.R.C. 1981. The lease may be renewed and shall contain provisions for the~~
9 ~~eventual acquisition of title to the permanent building extension by the City or for the removal of~~
10 ~~such construction at the owner's expense along with restoration of the mall to its original~~
11 ~~condition at the termination or expiration of the lease.~~

12 ~~(c) Every lease also shall provide that if the city requires the use of the leased property before~~
13 ~~expiration of the lease period, it may terminate the lease upon reasonable notice to the owner and~~
14 ~~reasonable compensation for the expenses of removing the building extension.~~

15 ~~(d) Each application for a lease shall be reviewed by the DMC, which shall recommend to the~~
16 ~~city manager for approval, approval with conditions to be incorporated in the lease agreement, or~~
17 ~~denial of the application. If granted, tThe manager then will decide whether to grant the lease~~
18 ~~application and prescribe the lease terms.~~

19 ~~(e) The city will not issue a lease for a basement level building extension, except those approved~~
20 ~~prior to September 15, 1981.~~

21 ~~(f) A permanent building extension shall remain open to the public during the minimum number~~
22 ~~of retail business hours specified in the lease agreement.~~

23 ~~(g) A building extension permit or lease may be issued only if:~~

24 ~~(1) The existing building front conforms, or is improved so as to conform, to the City of~~
25 ~~Boulder Downtown Boulder Private Development Guidelines for Architecture and Signs,~~
26 ~~June 1976; and~~

27 ~~(2) The proposed building extension will benefit the public or enhance the ambiance of the~~
28 ~~mall.~~

29 ~~(h) The construction of a building extension shall be completed within the time period~~
30 ~~established in the permit or lease, which shall in no event exceed one year, or the permit or lease~~
31 ~~will automatically expire.~~

32 ~~(i) All building extensions, including, without limitation, basement stairwells, shall be~~
33 ~~illuminated as necessary to ensure public safety during hours of operation and non-operation~~
34 ~~from dusk until 3:00 a.m.~~

1 ~~(j) A building extension permit is valid for the period of May 1 to April 30 of the following year,~~
2 ~~upon payment of the fee prescribed by section 4-20-11, "Mall License and Permit Fees," B.R.C.~~
3 ~~1981. For the first year of the permit, this fee will be prorated for the balance of the permit~~
4 ~~period. A building extension permit is renewable automatically every year upon payment of the~~
5 ~~applicable fee, unless terminated or revoked in accordance with section 4-11-22, "Termination of~~
6 ~~Permits," B.R.C. 1981.~~

7 ~~(k) The holder of a building extension permit or lease shall indemnify and hold harmless the city,~~
8 ~~its officers, employees, and agents against any and all claims arising from any occurrence~~
9 ~~occasioned by the permitted use, and shall maintain during the period of the permit or lease~~
10 ~~comprehensive general public liability and property damage insurance, as prescribed by section~~
11 ~~4-1-8, "Insurance Required," B.R.C. 1981, naming the city, its officers, employees, and agents as~~
12 ~~insureds; providing that the insurance is primary insurance and that no other insurance~~
13 ~~maintained by the city will be called upon to contribute to a loss covered by the policy; and~~
14 ~~providing for thirty days' notice of cancellation or material change to the city.~~

15 **4-11-8. Building Ornament Permit. Repealed**

16 ~~(a) Building ornaments are permitted only in Zone 1.~~

17 ~~(b) A building ornament permit may be issued only if:~~

18 ~~(1) The existing building front conforms, or is improved so as to conform, to the City of~~
19 ~~Boulder Downtown Boulder Private Development Guidelines for Architecture and Signs,~~
20 ~~June 1976; and~~

21 ~~(2) The proposed building ornament will benefit the public or enhance the ambiance of the~~
22 ~~mall.~~

23 ~~(c) No fee will be charged for the issuance of a building ornament permit, whose term is~~
24 ~~perpetual.~~

25 **4-11-9. Entertainment Vending Permit.**

(a) Entertainment vending permits may be issued for all zones. An applicant for an entertainment vending permit which is to include any part of Zone 1 shall obtain the written consent of the tenant occupying the building in front of which the applicant desires to locate.

....

(d) A musical entertainment vending permit is valid for ~~three continuous days or~~up to one month upon payment of the fee prescribed by section 4-20-11, "Mall License and Permit Fees," B.R.C. 1981.

....

4-11-12. Mobile Vending Cart Permit.

1 (a) Mobile vending carts are allowed only in Zones ~~1~~, 2, and 3. ~~An applicant for a mobile~~
2 ~~vending cart permit which is to include any part of Zone 1 shall obtain the written consent of the~~
3 ~~tenant occupying the building in front of which the applicant desires to locate.~~

4 (b) The city manager may issue as many mobile vending cart permits as the manager deems
5 appropriate, but the manager shall not permit the operation of more than ~~fourteen~~ thirteen mobile
6 vending carts on the mall at the same time.

7 (f) No operator of a mobile vending cart shall conduct the operator's primary trade at locations
8 other than those authorized in the permit. But the operator may sell goods in transit upon request.
9 If an authorized location conflicts with a ~~special activity~~ Special Event, the city manager may
10 temporarily relocate the vendor. The city manager may also approve permanent changes of
11 location as other locations become available, if two permittees agree in writing to exchange
12 locations or temporarily on a month to month basis during September through May if the city
13 manager has reason to believe that the regular vendor will not be using the location.

14 (i) A mobile vending cart permit is valid for a one year period, beginning April 1 and ending
15 March 31, with two options to renew for additional one year periods, upon timely payment of the
16 fee prescribed by section 4-20-11, "Mall License and Permit Fees," B.R.C. 1981. A mobile
17 vending cart permit is not automatically renewable thereafter. A permittee who wishes to
18 continue operating after the expiration of the permit shall follow the application procedures
19 required of a continuing vendor as established by city manager rule in accordance with section 4-
20 11-19, "Application Procedures," B.R.C. 1981. ~~new applicant.~~

21 (k) Each cart shall display a sign at least one foot by one foot visible to the public which contains
22 the required dates and hours of operation, the items for sale, and the prices of the items. The sign
23 shall be presented to the city manager for approval before it is used. All items ~~and their prices~~
24 must be approved by the city manager as part of the application process. The city manager may
25 approve item changes or substitutions upon receiving written application for such change.

26 (l) No person shall fail to maintain, and provide proof when requested, of the permit authorizing
27 such use.

28 **4-11-15. Sidewalk Sales Permits.**

29 (a) The city manager may, ~~after receiving the advice of the DMC,~~ issue a mall sidewalk sale
30 permit to any nonprofit organization whose principal purpose is the advancement of the cultural
31 or economic interests of the downtown area of the City and which has a demonstrated history of
32 at least three years of substantial, active efforts advancing those goals.

1

2 (d) ~~The applicant may condition individual sub-permit eligibility only on the assent of individual~~
3 ~~owners to the sharing of the reasonable promotional costs of the applicant for the sale event on a~~
4 ~~flat rate, per participant basis, not to exceed \$50.00 for each day per sub-permit, and the payment~~
5 ~~of such amount to the applicant. The applicant shall specify such amount on the application, and~~
6 ~~the city manager shall issue the permit only if the amount is reasonable.~~

7 **4-11-16. ~~Special Activity~~Special Event Permit.**

8 (a) ~~Special activity~~Special Event permits may be issued for all zones. An applicant for a ~~special~~
9 ~~activity~~Special Event permit which is to include any part of Zone 1 shall obtain the written
10 consent of the tenant occupying the building in front of which the applicant desires to locate.

11 (b) A ~~special activity~~Special Event permit is valid for ~~one to six days per year~~ the approved
12 number of days upon payment of the fee prescribed by section 4-20-11, "Mall License and
13 Permit Fees," B.R.C. 1981. ~~No more than six days total may be permitted to the same person~~
14 ~~during a calendar year.~~

15 (c) A ~~special activity~~Special Event permit issued to a government is valid for one to ten days per
16 year without a fee.

17 (d) The city manager may, by contract, provide for one or more series of artistic performances
18 for the entertainment of the mall public, which series shall involve regularly scheduled
19 performances over four weeks, with a minimum number of performances of once per week, with
20 each performance lasting a minimum of one hour and a maximum of four hours. Such a contract
21 shall serve as a ~~special activity~~Special Event permit, allowing the use of a stage or other
22 equipment, and amplified sound, as specified in the contract.

23 (e) The city manager may only permit the use of amplified sound in connection with a Special
24 Event, and only if the amplified sound is essential to the exercise of a use allowed under this
25 chapter, and will benefit the public or enhance the ambiance of the mall. Every use of amplified
sound will comply with Section 5-9-3, "Exceeding Decibel Sound Levels Prohibited," B.R.C.
1981. The manager may attach such other reasonable conditions on the use of amplified sound
as may reduce friction among competing uses of the mall or serve the purposes of this chapter.

26 **4-11-17. Special Entertainment Permit.**

27 (a) Special entertainment permits may be issued only for Zones 1, 2, and 4. An applicant for a
28 special entertainment permit which is to include any part of Zone 1 shall obtain the written
29 consent of the tenant occupying the building in front of which the applicant desires to locate.

30

31 (c) A special entertainment permit is valid for the period and the hours specified in the permit,
32 which shall be for reasonable hours and a reasonable period no greater than ~~three~~ one months per

1 permit; no fee will be charged for its issuance. Such a permit is not an exclusive license for use
2 of the area of the mall designated therein. The manager may attach such other reasonable
3 conditions on the use of a special entertainment permit as may reduce friction among competing
4 uses of the mall or serve the purposes of this subsection.

5 **4-11-18. General Permit and Lease Requirements.**

6 (a) The city manager shall not approve a permit or lease application pursuant to this chapter
7 unless it complies with the following general design requirements:

8 (1) The proposed design conforms with every applicable city code; and

9 (2) The proposed design conforms with the applicable design criteria in the City of Boulder
10 Downtown Boulder Private Development Guidelines for Architecture and Signs, June, 1976.

11 (b) ~~A lessee or permittee is responsible for~~ No person shall fail to maintaining the area within and
12 in proximity to the location of the leased premises or permitted location in a neat, clean, and
13 hazard-free condition, including, without limitation, disposing of all trash off-site.

14 (c) The provisions of Section 4-1-9, "Authority to Deny Issuance of Permits and Licenses,"
15 B.R.C. 1981, shall be applicable to this chapter. In addition, tThe city manager may deny a
16 permit, except for a newspaper vending machine permit, if the application does not meet the
17 purposes and requirements of this chapter; would violate any law; or the proposed use would
18 constitute a physical hazard to the public health, safety, or welfare, or would violate any law.

19 **4-11-19. Application Procedures.**

20 (a) The DMC shall review each mobile vending cart application for a permit ~~or lease~~ in
21 accordance with the purposes and requirements of this chapter and recommend to the city
22 manager approval, approval with conditions, or denial of the application. ~~This subsection does~~
23 ~~not apply to newspaper vending machine permit applications or applications for daily permits~~
24 ~~other than special activity permits, or applications for advocacy area permits, or to any class of~~
25 ~~permit which the DMC has, by resolution, determined not to review.~~

(b) The city manager, after receiving a completed application and if applicable, a
recommendation from the DMC as provided in subsection (a) of this section, shall determine
whether each application for a permit or lease meets the purposes and requirements of this
chapter and ~~approve,~~ approve with conditions, ~~or disapprove~~ deny the application.

(c) The city manager may require reasonable proof of authority from any person purporting to
sign an application for the use of any person or entity other than the signator.

(d) The city manager may adopt rules and regulations establishing the process for accepting,
reviewing, and approving all permit and lease applications submitted pursuant to this chapter,

1 including the contents of such applications and the specific criteria that will be considered in the
2 review process. Each applicant shall comply with such requirements.

3 (e) Each applicant for a permit or lease shall obtain all required building, health, sales tax, or
4 other permits or licenses from all applicable government departments.

5 (f) The permittee shall prominently display the permit.

6 (g) Whenever any permittee desires to change the use or the location of the activity authorized by
7 the permit, the permittee shall follow the review and approval process required of a new
8 applicant.

9 (h) Applications for mobile vending cart permits shall be submitted to the city manager no later
10 than the fifteenth of December in the year preceding the permit year. Applications for permits
11 issued on a monthly basis shall be submitted to the city manager between the first and the
12 twenty-fifth day of the preceding month. Applications for daily permits shall be submitted no
13 more than seven days in advance of the day for which they are to be exercised. No person shall
14 be issued more than three permits of the same type in any seven day period. The provisions of
15 this subsection do not apply to advocacy area permits.

16 (i) Permit applications shall be made on the form provided by the city manager for the permit
17 sought, and shall contain all the information required by the form, including any required
18 attachments or exhibits. The manager may reject incomplete applications.

19 **4-11-22. Termination of Permits.**

20 (a) Any permit issued hereunder may be revoked by the city manager ~~under the procedures as~~
21 prescribed by section 4-1-10, "Revocation of Licenses," B.R.C. 1981, for any violation of this
22 ~~chapter law~~, or a breach of a condition in the permit.

23 (b) Upon revocation or expiration of any permit, the permittee shall immediately remove all
24 structures or improvements from the permit area and restore the area to its condition existing
25 prior to issuance of the permit.

(c) If a permit is revoked, the permittee may not be approved ~~apply~~ for the same type of permit
for ~~three~~ one years after the effective date of the revocation. Approval of applications submitted
subsequent to the three year ban are discretionary and subject to the applicant's ability to
demonstrate rehabilitation and the likelihood of future permit compliance.

26 **4-11-23. Amendments.**

The DMC may recommend amendments to this chapter to the city council.

Section 2. Section 4-1-9, B.R.C. 1981, is amended to read:

27 **4-1-9. Authority to Deny Issuance of Permits and Licenses.**

1 (a) The city manager may deny an application for a permit or license under this title upon a
2 determination that:

3 (1) The applicant has failed to supply any of the information required on the application;

4 (2) The applicant has provided false information or misrepresented a material fact in
5 connection with an application;

6 ~~(3)~~ The applicant has failed to obtain required insurance;

7 ~~(4)~~ The applicant has failed to pay the required license fee;

8 (5) The applicant has within the past three years, from application date, violated a law or
9 condition in a license governing the activities permitted by the license;

10 (6) The applicant has previously unlawfully conducted activities that require a permit or
11 license without obtaining such permission in advance;

12 (7) The applicant had a city issued license revoked within the past three years;

13 ~~(8)~~ The applicant is not qualified by experience, training, or education to engage in the
14 activity authorized by the license; ~~or;~~ ~~or~~

15 ~~(9)~~ The applicant has been finally convicted of an offense and would create danger to
16 the public health, safety, or welfare if the applicant were to engage in such offensive
17 conduct after the license were issued.

18

19 Section 3. Section 4-20-11, B.R.C. 1981, is amended to read:

20 **4-20-11. Mall License and Permit Fees.**

21 The following fees shall be paid before issuance of a mall ~~building extension,~~ kiosk, mobile
22 vending cart, ambulatory vendor, entertainment vending, personal services vending, or animal
23 permit, ~~or special activity permit,~~ and rental of advertising space on informational kiosks:

24 ~~(a) For building extension permits, an annual fee of \$15.50 per square foot of occupied~~
25 ~~space;~~

(b) For kiosk permits, an annual fee to be negotiated by contract with the city manager;

.....

Section 4. Section 8-6-6, B.R.C. 1981, is amended to read:

8-6-6. Requirements for Revocable Permits, Short-Term Leases and Long-Term Leases.

(a) Purpose and Scope: Public rights-of-way and public easements are held by the City in trust for public use to ensure the health, safety and welfare of the residents of the City. The city council intends that all decisions regarding the granting of permission to place an encroachment into public right-of-way or public easements are legislative in nature. The City may determine from time to time at its discretion to issue a revocable permit, short-term lease or long-term lease subject to the requirements set forth in this section for certain encroachments into public rights-of-way and public easements that do not adversely affect its present or future use.

~~(k) Mall Permit Required: Nothing in this section shall be deemed to waive or supersede the requirement to obtain a license or permit to place structures on the Downtown Boulder Mall, as required by chapter 4-11, "Mall Permits and Leases," B.R.C. 1981.~~

Section 5. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 6. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this _____ day of _____ 2014.

Mayor

Attest:

City Clerk

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READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this ____ day of _____, 20__.

Mayor

Attest:

City Clerk

DRAFT

ATTACHMENT B: MALL ORDINANCE UPDATES – SUMMARY OF AMENDMENTS

<p>4-11-7 & 4-11-8 “Permits for patio’s and building encroachments”</p>	<p>– moved from Chapter 4-11 “Mall Permits and Leases” to 8-6-6 “Requirements for Revocable Permits, Short-Term Leases and Long-Term Leases”</p> <p>- From P&DS: After doing some research I would recommend removing all sections related to “Building Extensions” or “Building Ornaments” in Title 4. In 1997 Ordinance 5919 created Chapter 8-6 and defined the use of revocable permits and leases to manage any encroachments in the public right-of-way. It appears this ordinance also moved the authority to review and approve encroachments from the DMC to Public Works. As far as I am aware we have not approved a Building Extension or Building Ornament (as defined in Title 4) on the mall since this ordinance was adopted. Currently any encroachments proposed for the mall would be reviewed as a revocable permit or lease under Chapter 8-6. See BRC 8-6-3 and 8-6-6. Directing all proposed encroachments on the mall to the criteria in Chapter 8-6 would consolidate and codify the policies and practices for managing encroachments into the right-of-way, which was the objective of Ordinance 5919.</p>
<p>4-11-2 “Definitions”</p>	<p>- The definition of “special activity” was changed to reflect the more common practice of using the term “special event”. This change was implemented throughout the chapter. Other changes to the term “special event” include providing that the city manager (staff) schedule events rather than DMC and removing specific requirements for sales conducted as a fundraising activity by a nonprofit group. “Festive activity” was removed and combined with “special event”.</p> <p>- Removal of “building extension” and “building ornament” because no longer applicable to this chapter.</p> <p>- added “artist using non-airborne mediums” to Ambulatory vendor due to health risks with spray paint.</p> <p>- Added the term, “encroachment” as referenced in 4-11-4(c).</p>

ATTACHMENT B: MALL ORDINANCE UPDATES – SUMMARY OF AMENDMENTS

4-11-4 “Uses prohibited without a permit”	<ul style="list-style-type: none"> – amended section (c) to only allow amplified music on the mall as part of an approved special event permit. - Repealed 4-11-6 “Amplified Sound Permit” to be consistent with the amended section above (allowing amplified sound permits only as part of a special event).
4-11-9 “Entertainment Vending Permit”	<ul style="list-style-type: none"> – amended section (d) to allow approval of permit for up to one month rather than “3 continuous days or one month”. - From a consistency perspective all permits are only approved for one month.
4-11-12 “Mobile Vending Cart Permit”	<ul style="list-style-type: none"> – Removed ability to locate carts in zone 1. There has never been an approval for a cart in zone 1. Zone 1 is right up against a store front and requires written consent from tenant. - Under section (b), changed maximum number of carts allowed on mall from 14 to 13. The Mall’s capacity is at 13. This is due to Mall renovations in 2000. - Under section (i), established a more user friendly process of renewing vending cart permits rather than having to reapply as a new vendor. - Under section (l), added a requirement that permittee provide proof when requested of permit. This will be helpful to enforcement.
4-11-15 “Sidewalk Sales Permits”	<ul style="list-style-type: none"> – removed section (d) which provided details about how the applicant could determine sub permit eligibility based on cost sharing with other permittees and city manager made final determination on whether the amount was reasonable. Staff does not want to be involved in making these business type decisions for permittee.
4-11-16 “Special Event Permit”	<ul style="list-style-type: none"> – amended section (c) to reflect the current practice of approving permits for one month rather than three months per permit. -amended section (b) to reflect the current practice of approving more than six days per year to the same person during a calendar year.
4-11-18 “General Permit and Lease requirements”	<ul style="list-style-type: none"> – clarified in section (c) that the provisions of 4-1-9 “Authority to Deny Issuance of Permits and Licenses” is applicable to the

ATTACHMENT B: MALL ORDINANCE UPDATES – SUMMARY OF AMENDMENTS

	Mall.
4-11-19 “Application Procedures”	- included monthly permits to the list of permits that DMC does not approve. This has been the standard practice and is now being reflected in the code.
4-11-22 “Termination of Permits”	– Amended section (c) to provide staff with discretion to deny a permit for 3 years subsequent to being revoked.
4-1-9 “Authority to Deny Issuance of Permits and Licenses”	<p>– amended code to provide additional basis for denial of permit to include:</p> <ul style="list-style-type: none"> - Providing false information or misrepresenting a material fact on application; - The applicant has within the past three years, from application date, violated a law or condition in a license governing the activities permitted by the license; - The applicant has previously unlawfully conducted activities that require a permit or license without obtaining such permission in advance; - The applicant had a city issued license revoked within the past three years.

DRAFT

ATTACHMENT C – MALL EVENT POLICY GUIDELINES

City of Boulder PUBLIC EVENT INFORMATION – Pearl Street Mall Permit Requirements and Other Information

Pearl Street Mall Special Event Permits are limited to allow a minimum 10 days of non-event activity between permit dates.	Small Event Less than 100 people	Large Event Over 100 people
Required attachments for Application: Proof of non-profit status 501© letter from IRS OR State articles of incorporation	yes	yes
Map indicating: *Location of tents/tables/chairs, stage, trash/electrical cords *Rally route (if applicable) *Base maps are available at our office. *Booths must be open on all sides	yes	yes
Damage Deposits	\$500 may be required	\$500
Insurance Certificate naming the City of Boulder, its employees and elected officials, as additional insured. A general liability insurance policy with a combined single limit of \$1 million per occurrence, and \$2 million aggregate. Separate alcohol service liability riders may be required. The following verbiage must be in the description area of the insurance rider: “The City of Boulder, its employees and elected officials, are named as an additional insured on general liability for (name the event, the date, location).” The City will not accept insurance riders if this language does not appear.	yes	yes
Performers Schedule Name of group (s) Approximate Performance Times	yes	yes
Music or other amplified sound will not commence before 7:00 a.m. or continue after 12:00 a.m. Amplified sound may be limited to a specific time. The City of Boulder noise regulations are listed under <u>Boulder Revised Code Chapter 5-9</u> , and a copy of the ordinance may be obtained from the City of Boulder website at www.bouldercolorado.gov , under Codes and Regulations. If a complaint is received, the Boulder Police Department may respond. A warning and/or summons may be issued to the Event Organizer and result in a requirement that all music, bands and amplification be turned down or turned off.		
If Electrical is needed (optional) (all electrical cords must be taped down during event). No plug strips allowed; Planter/pole outlets = 8 amps or 1000 watt limit. 110 OUTLETS ONLY Key deposit (optional). Daily rate is set yearly by Boulder City Council.	\$18.00/day in 2014 \$200	\$18.00/day in 2014 \$200

ATTACHMENT C – MALL EVENT POLICY GUIDELINES

City of Boulder PUBLIC EVENT INFORMATION – Pearl Street Mall Permit Requirements and Other Information

Other Information A to Z

Amplified Sound Hours:	Pearl Street Mall, CAGID and DBBID: Amplified sound permitted between the hours of 7:00am to 12:00am midnight. The use of amplified sound may be restricted on a case by case basis pursuant to the discretion allowed in City Code Chapter 4-11: Mall Permits and Leases, BRC.
Banners and Signs:	May not be placed across streets intersecting the Mall. No A-Frame Signs. No chalking or painting on city property, including the bricks on the Pearl Street Mall.
Courthouse Lawn:	Apply to Boulder County: Sheree Stroud – 303-441-4571; sstroud@bouldercounty.org
Damages:	Provided full cleaning and maintenance are completed to return the permitted area to its original state, event deposit will be returned.
Deposits:	Deposits will be cashed by the city upon approval of the application. Deposits will be refunded by check 10 days after the event. Any deductions due to failure to comply with these requirements will be noted.
Electricity:	Only 110 outlets are available on the Pearl Street Mall. Cost is per day, set annually by the Boulder City Council. No power strips allowed. Electrical key must be returned to Boulder Parking Services front desk within 48 hours after the completion of the event.
Food:	If food is served, approval is required from the Boulder County Health Department: 303-441-1150.
Flyers:	Events will be required to flyer stores/restaurants one week before date of event with all pertinent information, including food and merchandise sales. Event organizer must get city staff approval of vendor information that will be sent out, prior to releasing it to the public.
Mobile Carts:	Do not set up within 10 feet of mobile vending carts. Mobile Vending Carts must be accommodated and notified of the event's location in writing a minimum of 7 days prior to your event permit date.
No Gaming Activities:	No raffle tickets, games of chance, etc. are allowed on the Mall.
Public Restroom Cleaning:	Additional Mall restroom cleanings during a Special Event are required. The current contractual service provider must be hired for a fee of \$60 per visit, payable to CITY OF BOULDER. Regularly scheduled restroom cleanings will take place at 1:00, 5:00, and 9:00 PM, and Special Events must pay for additional cleanings at 3:00 PM and 7:00 PM, depending upon the event ending time.

ATTACHMENT C – MALL EVENT POLICY GUIDELINES

City of Boulder PUBLIC EVENT INFORMATION – Pearl Street Mall Permit Requirements and Other Information

Parking: No cars/trucks are allowed on the Pearl Street Mall after 10:00 a.m. Park only in the fire lanes for loading/unloading (herringbone pattern on the brick).

Parking Procedures for Special Events

Each special events organization that requires street closure and parking restrictions shall enter into a contract with Downtown University Hill Management Division/Parking Services, for the overtime hiring of parking officers.

Requests for parking service officers must be made 30 days in advance of the scheduled date of the event. The contract shall be completed and returned 2 weeks prior the scheduled date of the event along with the required fees.

Without a valid contract in place prior to the scheduled event, DUHMD/PS will not respond to or provide services related to the relocation of vehicles located within the closed street.

An event coordinator, who has been approved to hold an event, requiring street closure and parking restrictions, will be contacted by Parking Services for the completion of the contract for parking officers. It is the discretion of the Assistant Parking Manager to determine the number of parking officers assigned to work such an event.

Organizations who sponsor an event shall comply with the specification outlined in the City of Boulder Downtown & University Hill Event & Street Closure Application and the Request for Parking Service Officer Contract.

Contract specifications for the use of Parking Service Officers:

- It is the responsibility of the event coordinator to post the required signs at least 72 hours in advance in a metered or pay station area. Additionally, other areas require signs to be posted at least 72 hours in advance.
- Each city block shall have no less than six no parking signs and shall be affixed so the sign is visible from a parked position. Two of the signs shall be posted at each end of the respective block. The signs shall be attached to either permanent posts, (meter posts or sign posts) or removable posts such as wooden or metal stakes or similar material. No signs shall be located or attached to pay station kiosk or traffic control device. Signs shall be affixed to their respective posts by plastic ties or wire. No signs shall be taped to any object.
- Once posted it is the responsibility of the event staff to maintain the signage. (DUHMD/PS recommends that the event staff check signage at least twice each day and if possible, take photos or video of the posted signs.)
- All vehicles that remain in a closed area after the required signs have been posted will be relocated. Costs associated with the relocation of vehicles are the responsibility of the event coordinator. Relocation fees are determined by the tow company at the rate of \$70.00 for a single axle and \$110.00 for dollied vehicle.
- The assigned parking service officer and/or the tow company will provide the event coordinator with a list of vehicles relocated and there location.
- Parking service officers are only hired to issue citations for parking violations and coordinate the relocation of vehicles.
- Costs associated for the use of Parking Services are based on budgetary considerations, which are evaluated annually. Current charges are \$50.00 per hour at a minimum of three hours for each parking officer hired. Additionally costs include a vehicle fee of \$20.00 and a 10% administrative fee. Events occurring on a recognized holiday will be charged at the rate of \$100.00 per hour at a minimum of three hours for each parking officer hired along with the vehicle fee and administrative fee.
- Cancellation of a contract with less than 72 hours notice will result in an additional cost of 10% of the total amount due. Cancellation of a contract with less than 24 hours notice will result in an additional cost of 100% of the total amount due.

ATTACHMENT C – MALL EVENT POLICY GUIDELINES

City of Boulder PUBLIC EVENT INFORMATION – Pearl Street Mall Permit Requirements and Other Information

Porta-Lets:	If event attendance is over 1000 people per day, and/or alcohol service has been permitted, porta-lets will be required.
Sales Tax:	Call the City of Boulder Sales Tax Office to determine these requirements. 303-441-3050. Sales and Admissions Tax Licenses Any charges for entrance into events are subject to the City’s admissions tax and any sale of tangible personal property is subject to the City’s sales tax. The event organizer is responsible for the collection of sales and admissions tax even if the tax is collected by vendors unless the tax department authorizes self-pay by a licensed vendor. Call the City’s Tax Department (303-441-4026) for licensing information and procedures for collection and remittance of tax. Promoters must be in good standing with City Sales Tax prior to approval of this permit application.
Teardown & Trash Removal:	Must be completed by midnight of the final day of the event. Organizer is responsible for removing ALL event trash/recycling/compost from the area or fees will be assessed to the security deposit.
Tents & Fire Code Compliance:	A permit is required to erect and use a tent in excess of 20 Ft. x 20 Ft. feet or a canopy in excess of 400 square feet or a canopy in excess of 400 square feet if the perimeter is open for at least 75%. A canopy with 100% of the perimeter open requires a permit in excess of 700' square feet. Please contact Planning and Development Services, located at 1739 Broadway on the third floor for a permit application. A representative from the Boulder Fire Department will conduct the physical inspection of the tent/canopy prior to use. Should you have any questions, please contact Boulder Fire Department special events chief @ 303.441.4356. Use sand bags to tie down tents; water-filled barrels must not be emptied onto the Mall or adjacent streets; use a sewer drain only. Vendor inventory must be stored under tables, not behind tents. Tents must be open on all sides, especially on the south side of the mall to allow Mall merchants to be accessible through vendor tents.
Trash and Recycling: City trash cans are not to be covered during events.	You are required to recycle during your event. Zero waste events are strongly encouraged. Call the Local Environmental Action Division at 303-441-1878 if you have additional questions. Events will not be approved if an authorized recycling plan is not attached to this permit application. Attach a copy of the approved plan to this application.

ATTACHMENT C – MALL EVENT POLICY GUIDELINES

**City of Boulder
PUBLIC EVENT INFORMATION – Pearl Street Mall
Permit Requirements and Other Information**

You will also be required to comply with Boulder County’s Storm water Best Practices <http://www.bouldercounty.org/env/water/pages/stormwater.aspx>

By county ordinance, it is a crime to place any foreign substance whether solid or liquid into any body of water or watercourse.

COMMERCIAL AND RESIDENTIAL MALL POLICE CALL STATISTICS

MONTH	Assault		Auto Theft		Burglary		Crim. Mis.		Crim. Tres.		Disturbance		Domestic		Drunk		DUI		Felony Menacing		Fight	
	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013
January	3	3				3	4	4	2	6	23	45		5	20	24	3	2				
February	3	4				1	5	2	1	1	22	20	2		22	5		3				
March	8	5				1	3	4	1	1	39	28	3	3	11	16	3	6				
April	3	3					5	4		1	24	26	3	2	14	15	4	3				
May		4						3		2		31		2		14		2				
June	3	3				1	5	2			29	31	1	1	15	17	3	3				
July	4	2					5	4	2		38	30	1	4	17	9	7	2				
August	4	7						7		1	46	33	4	4	9	13	4	3				
September		8					2	3			35	20	1	2	9	7	3	3				
October	2	7					6	7			39	25	2	4	16	4	8	3				
November		6						4		3		28				21		3				
December		3						4				30		3		28		3				
MONTH	Fireworks		Hang Ups		Harassment		Indec. Exp.		Liq. Law Vio.		Littering		Loitering		Narcotics		Noise		Open Door		Party	
	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013
January			14	13	2	17	1			7			12	8	5	5			3	2		
February			5	8	6	3		1	2	8			2	5	2	4			7	3		
March			7	12	5	4		1	4	4			13	9	2	7				2		
April			10	9	9	7	2	1	5	1			14	8	6	8				1		
May				22		8				2				13		9						
June			12	7	6	4	1			1			17	15	5	6				2		
July			11	11	10	8	3		1	1			17	18	9	8						
August			12	10	11	7	2	1	5	10			18	21	12	4			1	1		
September			9	9	4	5	1		1	2			17	10	2	2				1		
October			5	5	8	8		3	7	1				10	7	3			2	3		
November				10		9				3					12		1					
December				17		3		3		1					4		4				3	
MONTH	Prowler		Robbery		Sex Assault		Shoplifting		Shots		Stabbing		Suicide		Suspicious		Theft		Trespass		Weapon	
	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013
January					1	2									2		27	31				
February				1											5	2	22	13				
March				1											5	3	29	22				
April					1	1									4	6	33	26				
May						4										4		35				
June	1				1										2		22	32				
July					1										2	5	33	34				
August	1			1	2										4	3	11	33				
September						2									2	3	5	25				
October					2										4		13	15				
November						1										5		23				
December		1		1												1		13				

Opened in 2013-2014

Business			Open Date	Notes
Earthbound Trading	935	Pearl	February-13	national soft goods (replacing Eclectix)
Timothy's of Colorado	1136	Spruce	February-13	fine jewelry
Meta Skateboards	1505	Pearl	March-13	
Island Farm	1122	Pearl	April-13	Soft goods/clothing
The Riverside	1724	Bdwy	April-13	Event center, café, wine bar, co-working space
Bohemian Biergarten	2017	13th	April-13	Replaces Shugs
Bishop	1019	10th	April-13	home furnishings (owners of 3rd and Vine)
ReMax of Boulder	1320	Pearl	April-13	replaces Little Buddha
Old Glory Antiques	777	Pearl	May-13	Replaces West End Gardener
Yeti Imports	2015	Brdwy	May-13	Replaces BolderWorld
Into Earth	1200	Pearl	July-13	Replaces LeftHand Books
The Savvy Hen	1908	Pearl	July-13	
The Dragontree	1521	Pearl	July-13	Day Spa
Steele Photography	2039	11th	July-13	
FlipFlopShop	1110	Pearl	August-13	Replaces Blue Skies
BOCO Fit	2100	Pearl	August-13	Fitness gym
Ceder & Hyde	2015	10th	October-13	Apparel
Fjall Raven	777	Pearl	October-13	replaces Old Glory
Lon	2037	13th	November-13	Gifts
Boulder Brands	1600	Pearl	November-13	Marketing services
Wok Eat	946	Pearl	December-13	replaces World Café
Zeal	1710	Pearl	December-13	replaces H Burger
AlexandAni	1505	Pearl	January-14	Jewelry
Made in Nature	1708	13th	January-14	Organic food products
Foundation Health	1941	Pearl	January-14	Medical office
Sforno	1308	Pearl	March-14	replaces Roma
Regus	1434	Spruce	March-14	Shared office
Cariloha	1468	Pearl	April-14	bamboo products
Explicit	2115	13th	April-14	Street ware
Fior di Latte	1433	Pearl	June-14	gelato
Goorin Bros Hat Shop	943	Pearl	June-14	Hats
Nature's Own	1215	Pearl	July-14	replaces Gaiam
PMG	2018	10th	August-14	replaces Beehive
Ramble on Pearl	1638	Pearl	August-14	
VPK by Maharishi ayurve	2035	Bdwy	September-14	
Ninox	1136	Spruce	September-14	
LYFE Kitchens	1600	Pearl	October-14	former Gondolier space
Liberty Puzzles	1420	Pearl	October-14	Replaces KldRobot
Iris Piercing/Jewelry	1713	Pearl	October-14	

Closed in 2013-2014

Business			Close Date	Notes
Silhouette	2115	10th	January-13	
Sensorielle	1300	13th	January-13	Moved to Lafayette
Little Buddha	1320	Pearl	February-13	Moved to Yehti Imports
Boulder Map Gallery	1708	13th	March-13	Moved to Table Mesa
Blue Skies	1110	Pearl	March-13	
Left Hand Books	1200	Pearl	March-13	
Installation	1955	Bdwy	March-13	
West End Gardener	777	Pearl	March-13	
Bolder World	2015	Bdwy	April-13	replaced by Yeti Imports

Swiss Chalet	1642	Pearl	Jun-13	
Lilli	1646	Pearl	June-13	Chelsea to replace
H Burger	1710	Pearl	June-13	
Timothy's of Colorado	1136	Spruce	July-13	
Atlas Coffee	1500	Pearl	July-13	
Sweet Bird Studio	2017	17th	July-13	
Old Glory Antiques	777	Pearl	July-13	
A Café	2018	Bdwy	September-13	
Independent Motors	250	Pearl	November-13	
Om Time	2035	Bdwy	November-13	
Boulder Mart	1713	Pearl	December-13	
Retail Therapy	1638	Pearl	December-13	
Jovie	2115	13th	December-13	
Holiday & Co	943	Pearl	January-14	
Il Caffè	1738	Pearl	January-14	converted to private event space for Frasca
Roma	1308	Pearl	January-14	being replaced by Sforno
Twirl	1727	15th	January-14	rethinking concept
Bacaro	921	Pearl	March-14	new owner/concept
Maiberry	1433	Pearl	March-14	replaced by gelato
hip consignment	1468	Pearl	March-14	moved out of Downtown
Gaiam Living	1215	Pearl	March-14	
Define Defense	1805	11th	March-14	
Julie Kate Photography	1805	11th	March-14	
Bacaro	921	Pearl	March-14	
Steele Photography	2039	11th	April-14	
Trattoria on Pearl	1430	Pearl	May-14	
Into Earth	1200	Pearl	May-14	
Gypsy Wool	1227	Spruce	June-14	Moved to 30th & Arapahoe, Rebecca's took space
3rd and Vine Design	1815	Pearl	July-14	
kidrobot	1420	Pearl	August-14	
Enchanted Ink	1200	Pearl	August-14	Moved to Broomfield
Pita Pit	1509	Arapahoe	August-14	
Roger the Barber	1200	Pearl	August-14	
Boulder and Beyond	1211	Pearl	September-14	
I Support U	1825	Pearl	September-14	bought building @ 47th and Valmont
Future				
Business			Open Date	Notes
Organic Sandwich	1500	Pearl	Fall 14	
World of Beer	921	Pearl	Early 2015	

Downtown Boulder User Survey Summer 2014

Final Report

Prepared for:

Downtown Boulder Inc.

Boulder Convention & Visitors Bureau

City of Boulder Downtown Management

Commission

Prepared by:

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BOULDER
colorado usa



USER SURVEY SUMMARY

SUMMER 2014

Introduction

This report summarizes the results of the 2014 Downtown Boulder User Survey, a randomly administered intercept survey of Downtown area pedestrians conducted on and near the Pearl Street Mall area of Boulder, Colorado. A total of 750 interviews were completed during the research period between late June 2014 and late August 2014.

The purpose of the Downtown user research program is to identify and monitor on an ongoing basis the characteristics and experiences of mall users. The survey, originally conducted annually, is now undertaken every other summer, with data going back to 1993. One of the key attributes of this research project is the ability to benchmark current results against past figures and to monitor important trends over time.

Key topics in this year's survey include the mall visitor mix (visitors and residents), spending patterns, quality of the visitor experience, advertising awareness, mode of travel to the Downtown area, awareness and usage of the pay-by-phone system, panhandlers' behavior, suggestions for improvements, and other important issues. Additionally, City of Boulder residents were asked about competitive issues (including the frequency of visiting other major shopping areas), awareness of Downtown parking alternatives, and attendance at special events and festivals. Out-of-town visitors were asked if they were spending the night, information sources they used for planning their visit, total spending while in Boulder and the primary purpose of their trip to Boulder.

Presentation of research results are intended to assist Downtown Boulder, Inc., the City of Boulder Downtown Management Commission, the Downtown Business Improvement District, and the Convention & Visitors Bureau's understanding of key issues and concerns from the perspective of the visitor/user in order to set priorities for improvement, image, branding, and functioning of this key Downtown area.

Methodology

Interviews were conducted at various times throughout the day, between 9:30 a.m. and 7:30 p.m. along Pearl Street from 10th Street to 16th Street. Similar to the research conducted in prior years, the surveys were concentrated on the pedestrian area of Pearl Street Mall, though a portion of the research was done both one block east and one block west of the mall proper. The interviewing methodology has been consistent in terms of time of day, time of year, location of interviews, and sampling procedures; thus, year-to-year comparisons are valid.

New this summer was the introductions of electronic tablets, replacing the paper surveys that were used in the past. The tablets streamlined the data collection process and increased the cooperation rate among potential survey respondents.

The 2014 survey is the seventeenth Downtown Boulder User Survey that RRC Associates has conducted for Downtown Boulder, Inc., the City of Boulder, and the Boulder Convention & Visitors Bureau. In this report, the 2014 results are compared to results from prior years, particularly the most recent results, to assist in identifying trends. Year to year, many questions remain similar, allowing for monitoring of longitudinal trends.

Several questions were asked only to specific sub-groups of survey respondents (such as overnight visitors or City residents); as a result, only the segment to which the question was posed is discussed. Within this report, segments only with notable changes may be discussed in an effort to highlight findings of particular interest.

Terminology

Throughout the report, in narrative form with the executive summary and graphs that follow, two points of comparison are used: year-to-year comparisons and visitor mix comparisons. Year-to-year comparisons identify long-term trends and frequently use averages of all visitor types. Delineation of the visitor mix employs the following classifications:

- Visitors/user: All survey respondents.
- Local: Residents of the City of Boulder; segmented as non-student and student.
- Boulder County resident: Living in Boulder County, outside the City of Boulder.
- Colorado resident: Colorado visitors residing outside Boulder County.
- Visitor residing outside Colorado: Except for an initial discussion of visitor mix residency, this term includes U.S. visitors residing in other states, international visitors and part-time/summer resident.
- Overnight visitor: Visitors staying the night regardless of residency.

Executive Summary

This brief section highlights some of the most important and salient findings from the user survey research project. Please see the full report for more detail on these and other topics.

- Visitor Mix. This year's surveys documented a generally similar mix of visitors to historic results. However, 2014 did see an elevated share of full-time Boulder residents represented within the overall visitor mix, as well as part-time Boulder residents and students. Meanwhile, Colorado residents outside of Boulder County comprised a proportionately smaller share of visitors to the Downtown area. Relative to City of Boulder residents, this past summer had an increased share of visitors from Central/West Boulder and East Boulder, and proportionately smaller share of North Boulder residents.
- Spending Penetration and Amounts. The percentage of respondents spending money declined somewhat (75 percent, down from a historical average of 85 percent). However, the average spending amount was generally similar to 2012 and higher than the historical average. In particular, average retail spending was up this past summer compared to prior summers of the survey program. Similar to historical findings, out-of-state residents were particularly likely to make purchases (81 percent) and spent the most on average among all visitor segments (\$80.28).
- General Satisfaction. Levels of satisfaction were generally very high, rebounding in most cases from across-the-board declines in 2012, and matching or surpassing the high average ratings of 2010. Most highly rated were the feeling of security/safety, the overall cleanliness & maintenance, family orientation/kids play areas, and customer service in retail stores. Two areas of the visitor experience did earn lower averages this past summer, however: Downtown Information Center and directory information/signs may be areas for improvement moving forward.
- Downtown Experience. An important question asked respondents to indicate whether the overall Downtown experience has improved, declined, or stayed the same. Nearly a third of all respondents noted the experience has stayed the same, and slightly more respondents noted the experience improved as compared to those who noted it declined. An open-ended follow-up invited respondents to explain their answers, which prompted rich and varied responses. The full set of comments can be found as an appendix to this report, but some common themes included desires for additional amenities, parking, construction, transients, and visitor information among other topics.
- Demographics. The demographic results show a healthy and diverse mix of different ages, incomes, and household status among Downtown users. The average age is 40.5 years, with a gender split of about 50-50.
- Special Events. Special events continue to be a strong draw to Downtown visitation. Of note, this past summer saw the Farmers' Market play a significantly larger role in attracting residents Downtown.

Draft Report Findings

Visitor Mix

This survey defines visitors by residency in broad terms (city, county, state, and out-of-state). All categories are presented below with relevant highlights.

- Full-time City of Boulder residents. The largest group of Downtown users this summer was residents of the City of Boulder (40 percent). Full-time residents were more represented in the visitor mix this past summer than what has been reported historically (35 to 37 percent range).
 - Residence within Boulder. Among full-time Boulder residents, the largest share of respondents live in Central/West Boulder (33 percent), followed by 25 percent who live in the Downtown core area, 15 percent who reside in North Boulder, 14 percent in East Boulder, and 12 percent from South Boulder. Results suggest that the Pearl Street Mall area attracts a wide variety of residents, and not just those within close proximity to Downtown. Year-over-year trends worth noting include an increase in representation among Central/West Boulder respondents as compared to the last several years, as well as a gradual increase in residents from East Boulder.
- U.S. visitors residing outside Colorado. The second largest group of Downtown users this summer was out of state U.S. residents (25 percent, slightly down from last summer but within the typical historical range of 25 to 27 percent). The most common origins of out-of-state visitors included California, Texas, and Massachusetts, among other states across the U.S. This group of visitors demonstrates the importance of out-of-state tourism to Boulder.
- Colorado residents outside Boulder County. The third largest group of Downtown users was Colorado residents outside Boulder County (13, down from the historical range of 21 to 23 percent). This group is generally from the Denver metro area outside of Boulder County (including residents of Denver, Broomfield, Arvada, and Aurora).
- Boulder County residents outside the City of Boulder. This group, primarily residents of Longmont, Louisville, and Lafayette, represents 12 percent of the total user mix Downtown and has remained relatively stable over the last several summers.
- Part-time/summer residents/students. This segment accounts for 7 percent of the overall visitor mix. A year-over-year analysis shows that this segment of visitors, while small, has been gradually increasing over the past several summers.
- International visitors. Similar to historical results, international visitors account for roughly 3 percent of the overall visitor mix. While a small portion of overall respondents, results suggest that Downtown attracts a diverse and vibrant mix of visitors.

Figure 1
User Profile
By Year

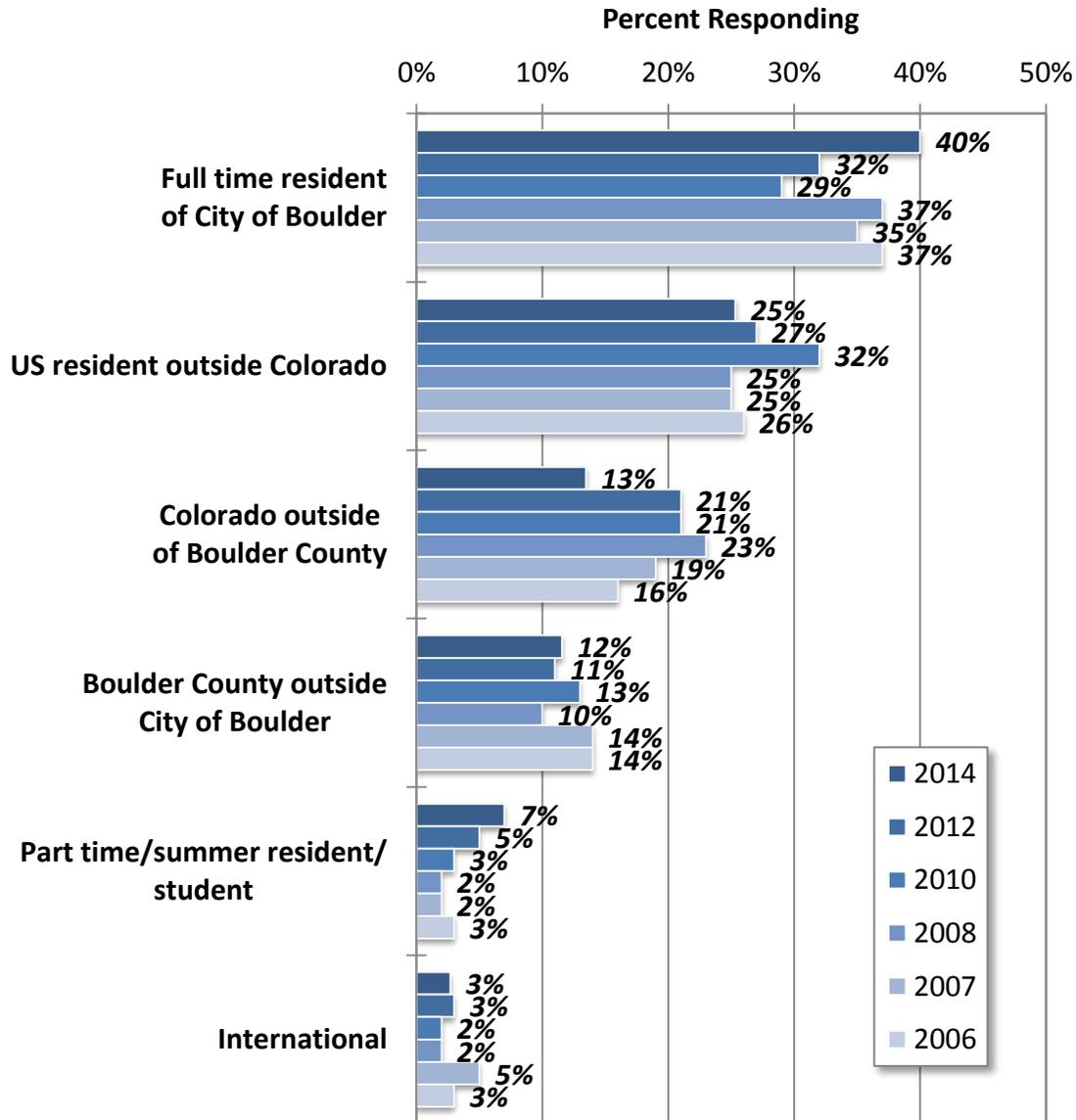
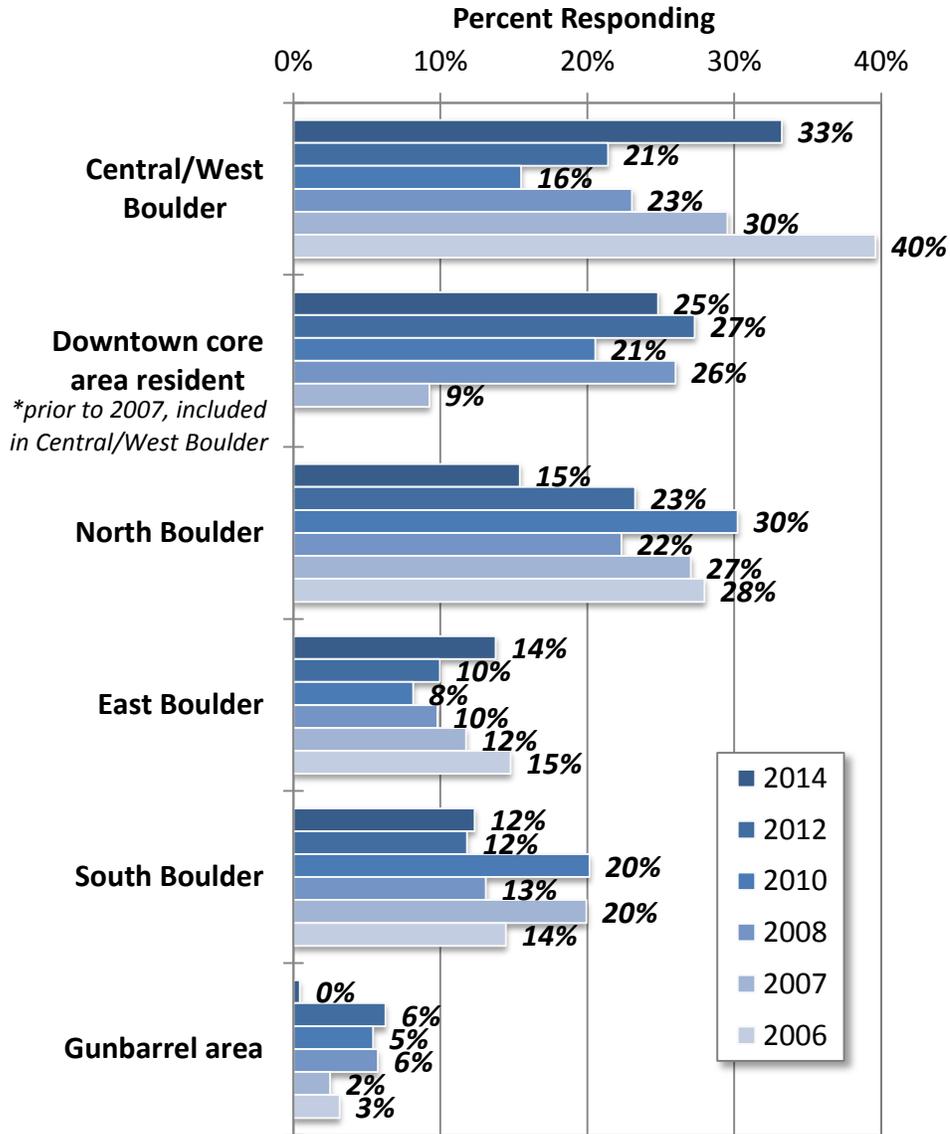


Figure 2
In What Part of the City of Boulder do you Live?
By Year



Overnight Visitors

Among those who live outside Boulder County (48 percent of all users), 60 percent were spending the night in the Boulder area, and the other 40 percent were visiting for the day only.

Overnight visitors were asked a series of dedicated questions about their trip, including length of stay, spending patterns on the trip, purpose of the visit, size of travel party, information sources used to plan the trip, and others.

- Accommodations. Among overnight visitors only, 43 percent were staying with family or friends, and 50 percent were staying in commercial lodging, including 37 percent in commercial lodging in the City of Boulder and 13 percent in commercial lodging outside the City but in the Boulder area. The remaining 7 percent were staying in other locations. As compared to historical data, there was a slightly elevated share of overnight visitors staying outside of the City.
- Length of Stay. The average length of stay in Boulder was 4.8 nights, with a median of 4 nights. This is similar to 2012, but generally higher than historical results (4.2 to 4.4 range).
- Size of Travel Party. The average travel party size was 2.6 people, with a median of two people. The average party size was within range of results from prior survey years (2.4 to 2.8 person range). This year saw a decline in the share of one-person parties, and proportionate increases in 3-, 4, and 5-person parties.
- Purpose of Trip. Out-of-County visitors were asked to identify the primary purpose of their trip to Boulder. Over one-third of respondents were visiting friends or family (37 percent), followed by 22 percent who were visiting for recreation/general vacation/sightseeing. Smaller shares of respondents noted visiting for a college-related visit (11 percent), special event (8 percent), business (8 percent), a stop on a tour of the region/area (6 percent), or a combined business and pleasure trip (4 percent). Results demonstrate that regardless of a wide variety of reasons for visiting, Downtown is a key part of a trip to Boulder.
- Information Sources Used. Word of mouth played a large role in information planning this summer, with 66 percent of respondents noting it as at least one of the sources they relied on for trip planning information. Websites (40 percent), experience of a prior visit (34 percent), Downtown Boulder Visitor Guide (13 percent), and social media (11 percent) were also largely utilized.
- Spending Patterns. Overnight visitor spending is important to local businesses and is an important contributor to the lodging and sales tax collections. Average figures for spending were generally higher than historical spending (likely because of inflation and post-recessionary economic health), with the exception of “other” spending: Lodging (\$436 per party), Shopping (\$314), Dining/Entertainment (\$388), and Other Spending (\$2). The total amount spent in Boulder on the trip averaged \$1,140 per travel party, with a median of \$900 per travel party. This is up from 2012, which had previously been the highest spending year (\$876 average and \$417 median).

-

Figure 3
Overnight User Questions
By Year

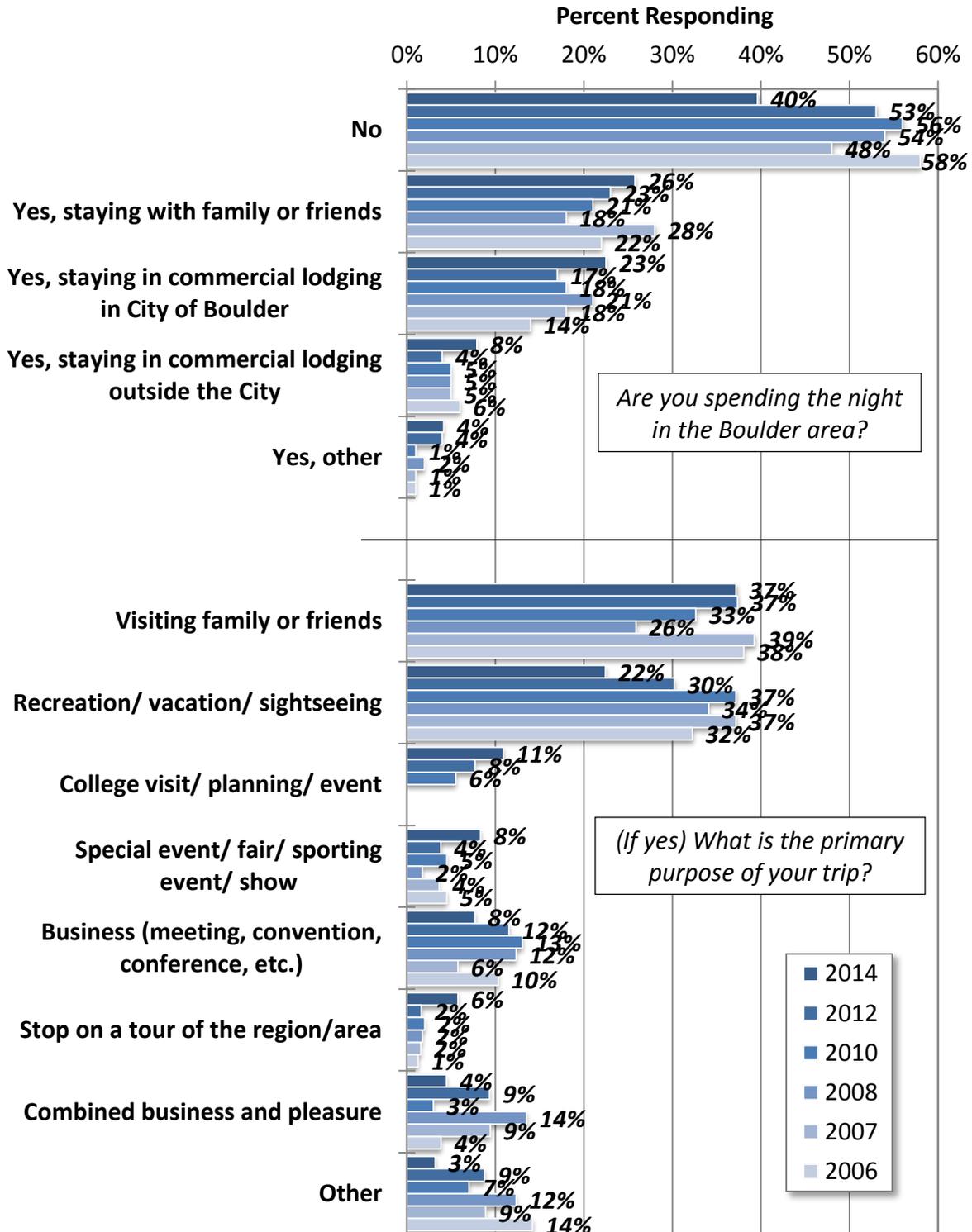
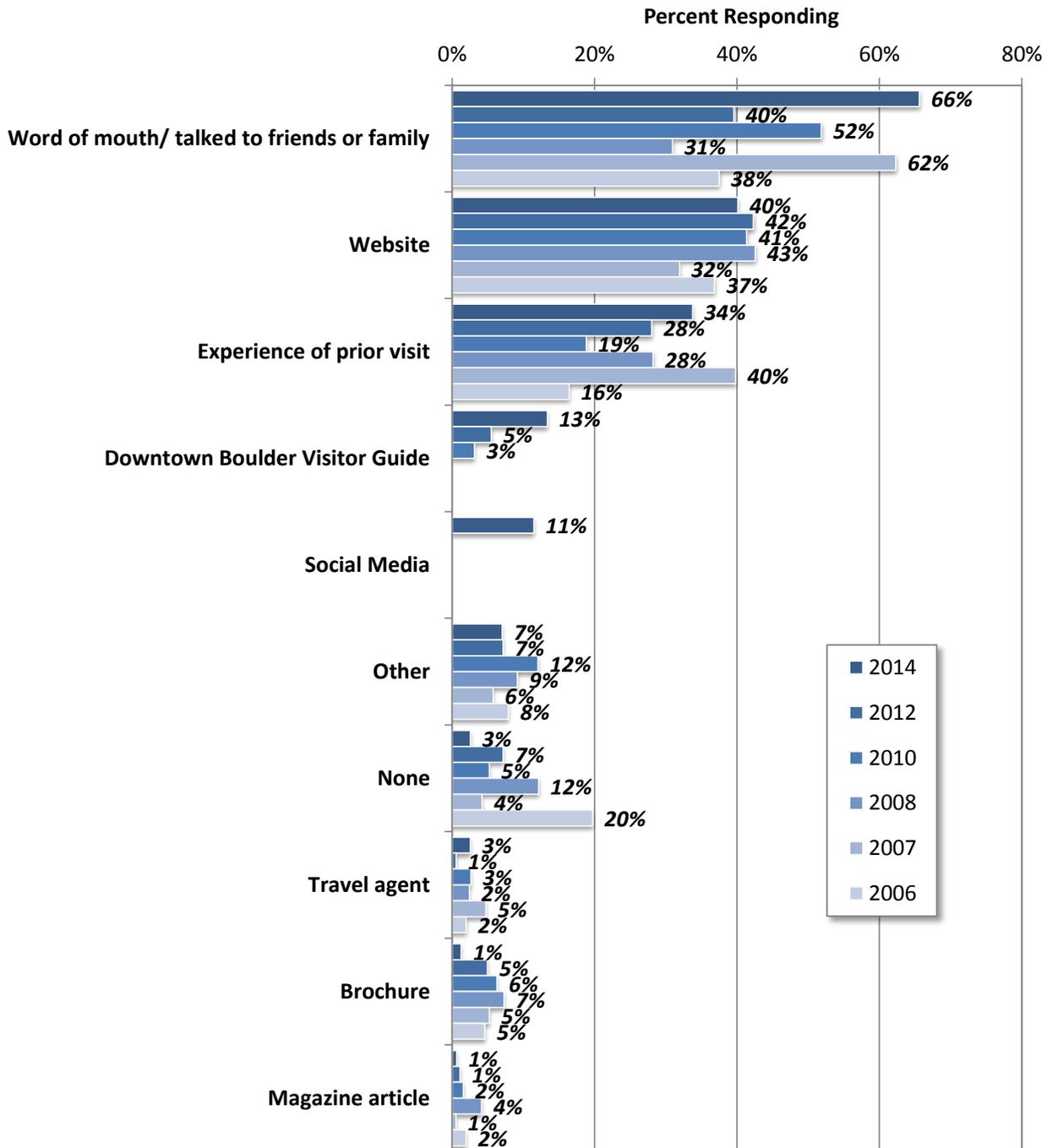


Figure 4
Information Sources Used In Trip Planning
Overnight Visitors Only, By Year



User Demographics

The demographics of Downtown users are worthwhile to pay attention to, as it has implications for visitor perceptions, interests, and behaviors. Overall, the results show a mix of users, including students, families, empty-nesters, and singles.

- Age. The average age of users is 40.5 years, somewhat lower than the past two survey years (42.3 in 2012 and 41.6 in 2010), but generally within range of historical results. Most respondents fall within the 25 to 64-year-old age range (62 percent). Age varies by visitor type, with Boulder residents who are students averaging 21 years on the low end and Boulder County residents on the high end, with an average age of 47.1.
- Household Status. The profile shows a healthy mix of household types, with near equal shares of singles without children (27 percent) and households with children at home (26 percent). Empty-nesters made up 21 percent of the visitor profile, followed by couples without children and university students (13 percent each, respectively). This year saw an elevated share of university students, from a historic range of about 7 percent to 13 percent.
- Household Income. Household income levels were similar to past years, with some slight variations observed. Generally, the household income profile is wide ranging and relatively moderate overall. Twenty-two percent indicated earning less than \$15,000 (primarily students), 19 percent earn between \$15,000 and \$49,999, 13 percent earn \$50,000 to \$74,999, 20 percent are in the \$75,000 to \$99,999 bracket, 18 percent report between \$100,000 and \$199,999, while 9 percent are in the \$200,000 or more category. Out-of-state users have the highest household income profile, with 48 percent earning over \$100,000 annually (up from 38 percent in 2012).
- Gender. The gender split is almost even, with 49 percent male and 51 percent female, consistent with historical averages.

Table 1 on the following page outlines some of the demographic characteristics of users documented in this year's survey, with 2014 results segmented by various visitor types. The subsequent graphs also illustrate demographic patterns by survey year and by 2014 user type.

Table 1
Selected User Demographics

Demographics	2014 Overall	2014 User Type				
		City of Boulder Resident (Non-student)	City of Boulder Resident (Student)	Boulder Co. Resident	CO Resident outside BoCo	Visitor living outside CO
<u>GENDER</u>						
Male	49%	49%	44%	59%	42%	50%
Female	51%	51%	56%	41%	58%	50%
<u>HOUSEHOLD INCOME</u>						
\$0 - \$14,999	22%	6%	86%	13%	12%	12%
\$15,000 - \$24,999	7%	6%	11%	6%	12%	3%
\$25,000 - \$49,999	12%	22%	2%	9%	12%	8%
\$50,000 - \$74,999	13%	22%	1%	18%	12%	8%
\$75,000 - \$99,999	20%	21%	0%	28%	28%	21%
\$100,000 - \$199,999	18%	17%	1%	16%	21%	27%
\$200,000 or more	9%	5%	0%	9%	3%	21%
<u>AGE</u>						
20 or younger	14%	10%	47%	5%	2%	9%
21 - 24	13%	7%	48%	14%	7%	3%
25 - 34	20%	30%	5%	15%	22%	16%
35 - 44	14%	16%	0%	7%	19%	18%
45 - 54	15%	11%	0%	15%	21%	26%
55 to 64	14%	11%	0%	26%	22%	16%
65 to 74 (2010 & prior: 65 or older)	9%	11%	0%	16%	5%	10%
75 or older	2%	4%	0%	1%	1%	2%
AVERAGE AGE	40.5	41.6	21.0	47.1	44.5	45.4
<u>HOUSEHOLD STATUS</u>						
Single, no children	27%	37%	19%	30%	30%	17%
Couple, no children	13%	15%	4%	12%	17%	14%
Household with children at home	26%	29%	0%	18%	31%	37%
Empty Nester	21%	19%	0%	40%	23%	27%
University Student	13%	0%	77%	0%	0%	6%

Figure 5
Visitor Demographics - Gender/Age
By Year

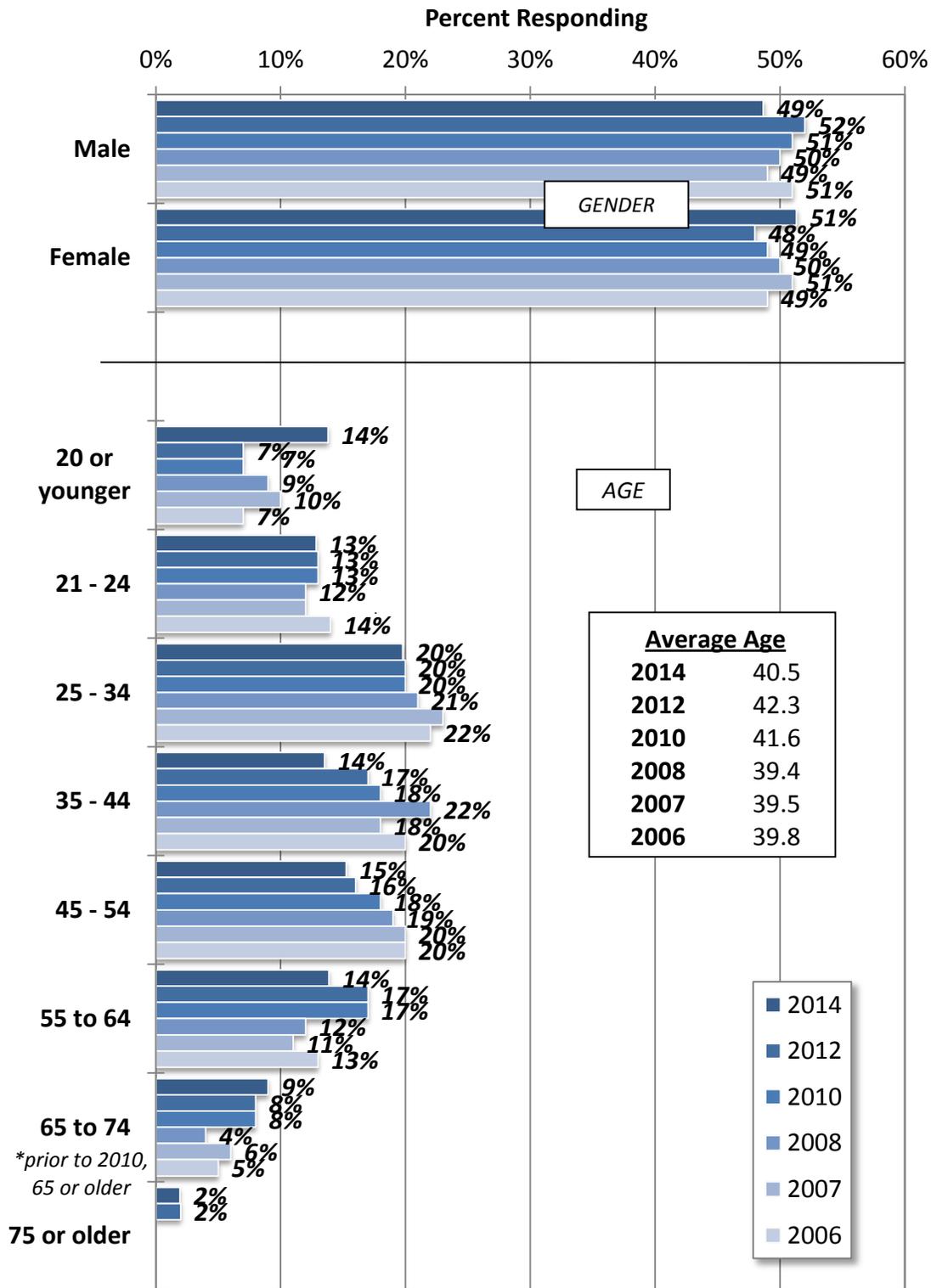


Figure 6
Visitor Demographics - Gender/Age
By 2014 Visitor Type

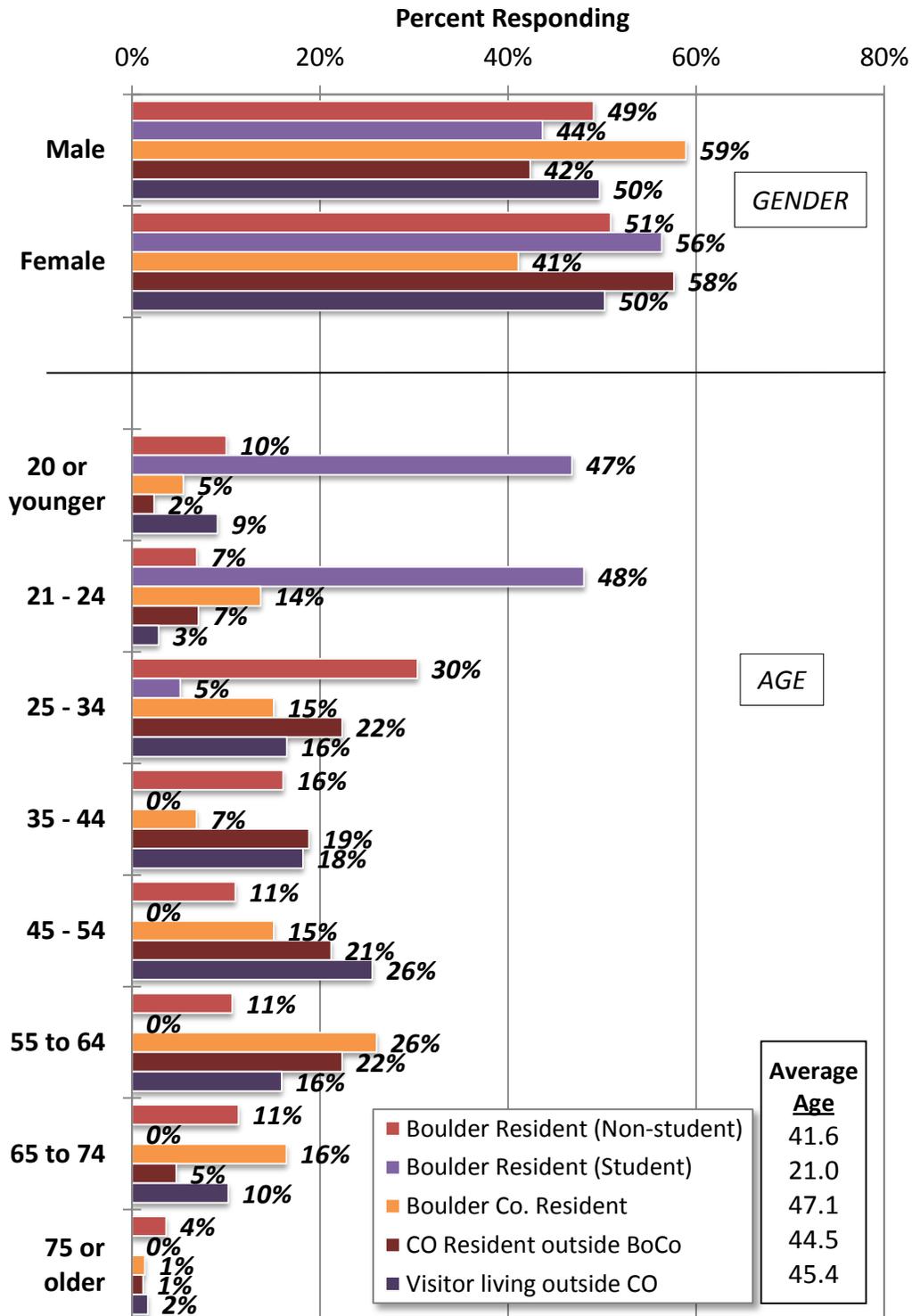


Figure 7
Visitor Demographics – Household Status/Household Income
By Year

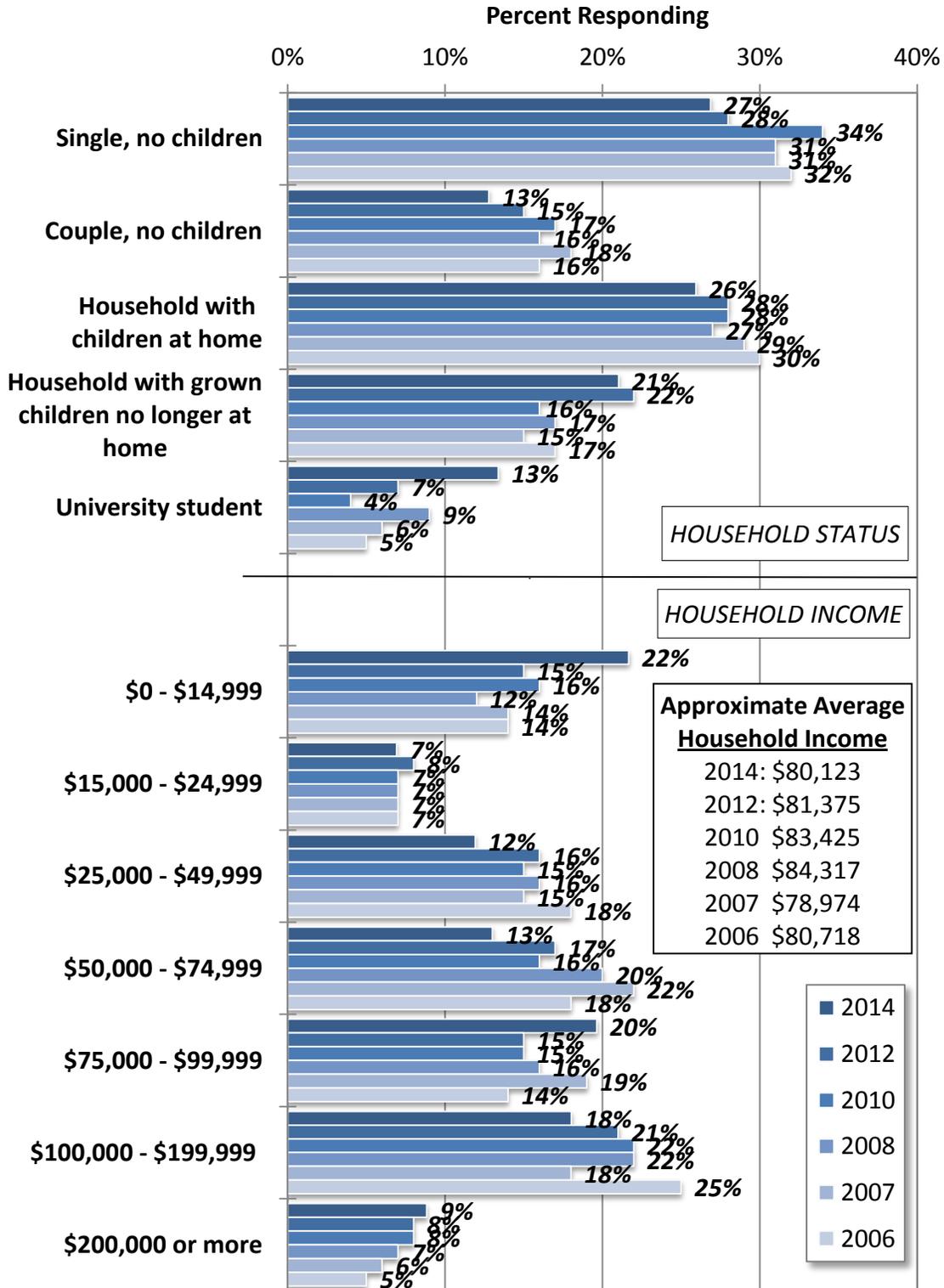
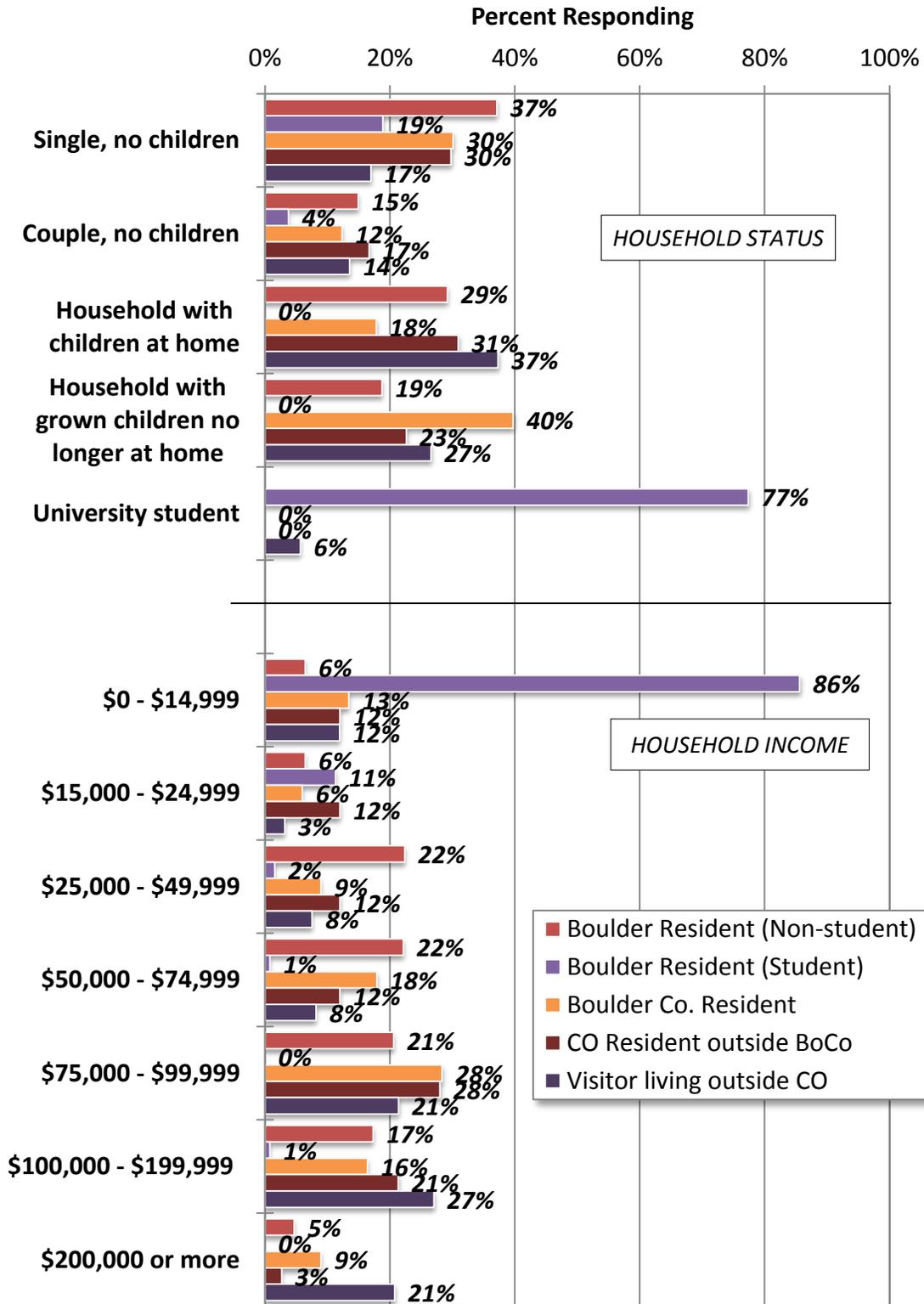


Figure 8
Visitor Demographics - Household Status/Household Income
By 2014 Visitor Type

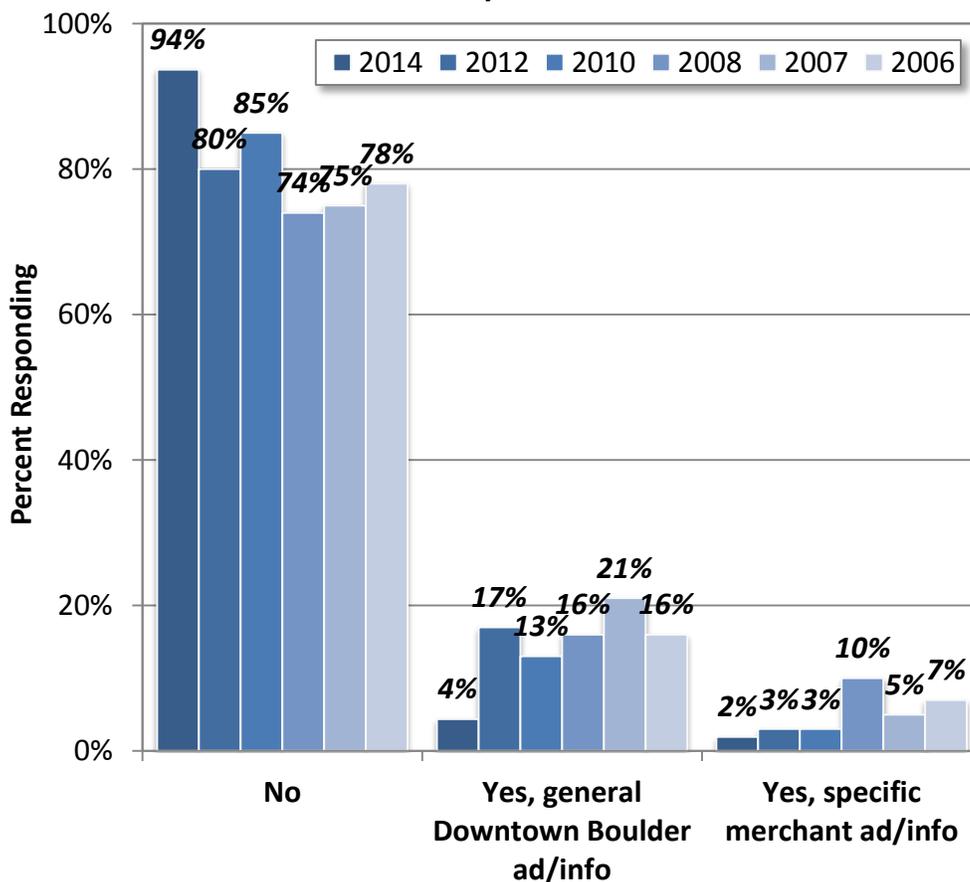


Marketing and Media

Interest exists in understanding awareness of advertisements among Downtown users. Given a fast-paced media environment, in which social media plays a particularly large role, it is worthwhile to evaluate what vehicles of marketing messages “stick” the most. All visitors were asked if they were aware of any advertising or information sources prior to their visit. Results indicate that a majority were not aware (94 percent), the highest reported since the question was introduced (historically within the range of 71 to 85 percent).

Of the slim 4 percent who said they were aware of Downtown Boulder advertising, 25 percent read the Downtown Boulder Visitor Guide, 18 percent saw a general or feature article, 13 percent visited BoulderDowntown.com, 11 percent noted they saw it in a newspaper, 10 percent from an “other” web page, 7 percent via social media such as Facebook or Twitter, and percent through direct mail. An additional 23 percent of these respondents noted an “other” source for Downtown Boulder information and 17 percent did not remember where they encountered the advertising.

Figure 9
Advertising Awareness
By Year



Primary Reason for Visiting Downtown

All visitors were asked their primary reason for coming to Downtown Boulder that day. The number one reason for visiting Downtown Boulder was enjoying the setting/ people watching/ hanging out, cited by 34 percent of visitors. This has historically been the first or second most reported answer since the survey program began asking this question. Visitors from out of state are particularly apt to mention this reason (52 percent). See Figure 10.

Other primary reasons for visiting Downtown include a meal (22 percent), shopping (14 percent), and employment/job related/job search (11 percent). Employment is a much more common reason among students who live in Boulder (25 percent) than other visitor segments. Meanwhile, Boulder County residents are more likely to come Downtown for a meal (27 percent) than other visitor segments (20 to 22 percent).

Secondary Reasons for Visiting Downtown

In addition to the primary purpose of their Downtown visit, survey respondents were also asked about other activities they were doing while Downtown. The top secondary reason is hanging out/enjoying the setting/people watching (52 percent), followed by shopping (42 percent), coffee/ice cream/snack (38 percent), eating a meal (36 percent), and watching street entertainment (35 percent).

All Activities Participated in Downtown

The total results in a measure of all activities visitors participated in while Downtown. Overall, enjoying the setting/ people watching/ hanging out is most popular (done by 81 percent of all respondents), followed by eating a meal (55 percent), shopping (52 percent), coffee/ice cream/snack (38 percent), and watching street entertainment (33 percent). See Figure 12. These patterns are relatively consistent across the various major user groups, with out-of-state residents generally participating with greater frequency in most all of the top activities compared to Boulder City and County residents. See Figure 13.

Figure 10
Primary Reason for Coming to Downtown Boulder Today
By Year

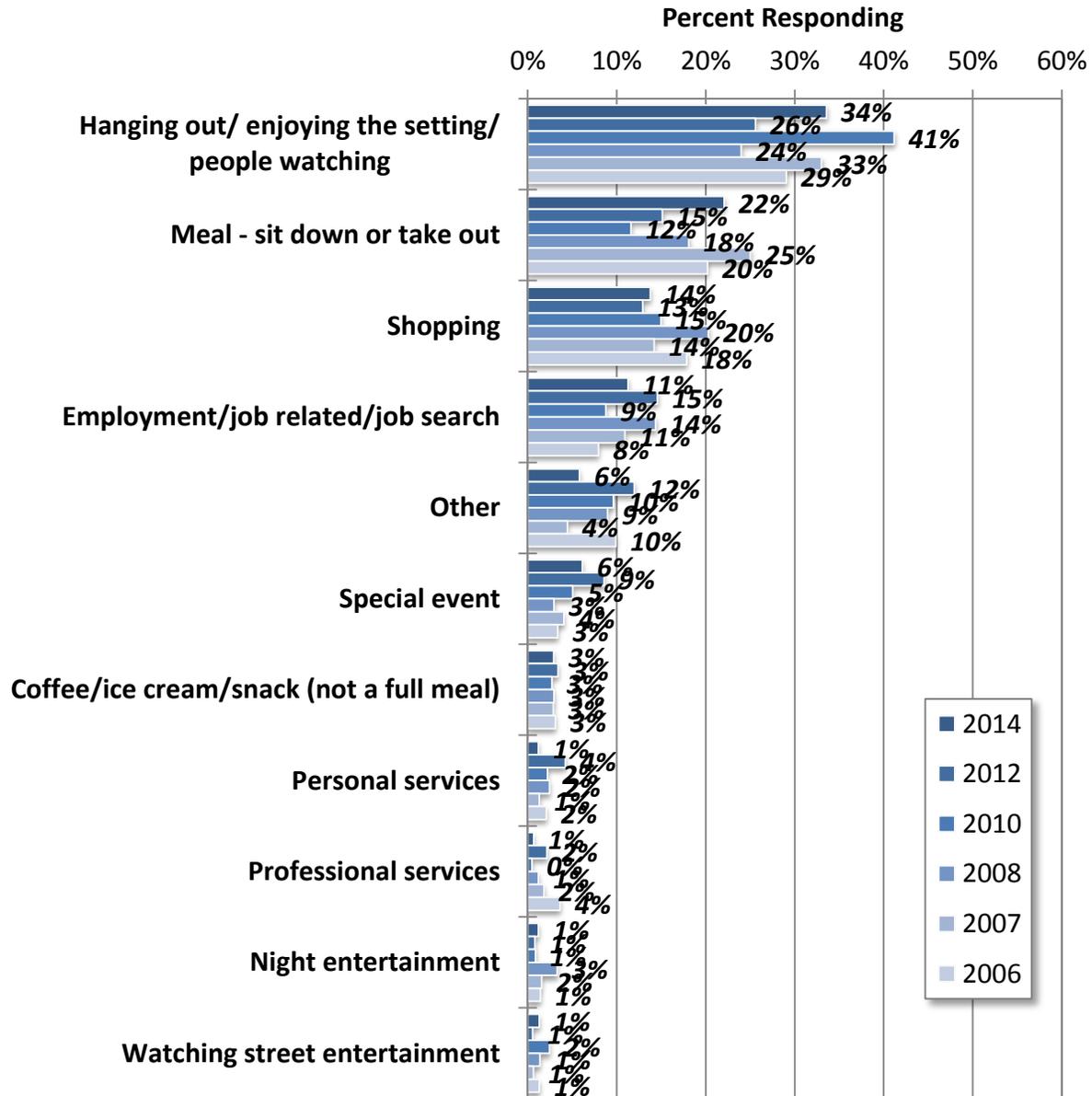


Figure 11
Primary Reason for Coming to Downtown Boulder Today
By 2014 Visitor Type

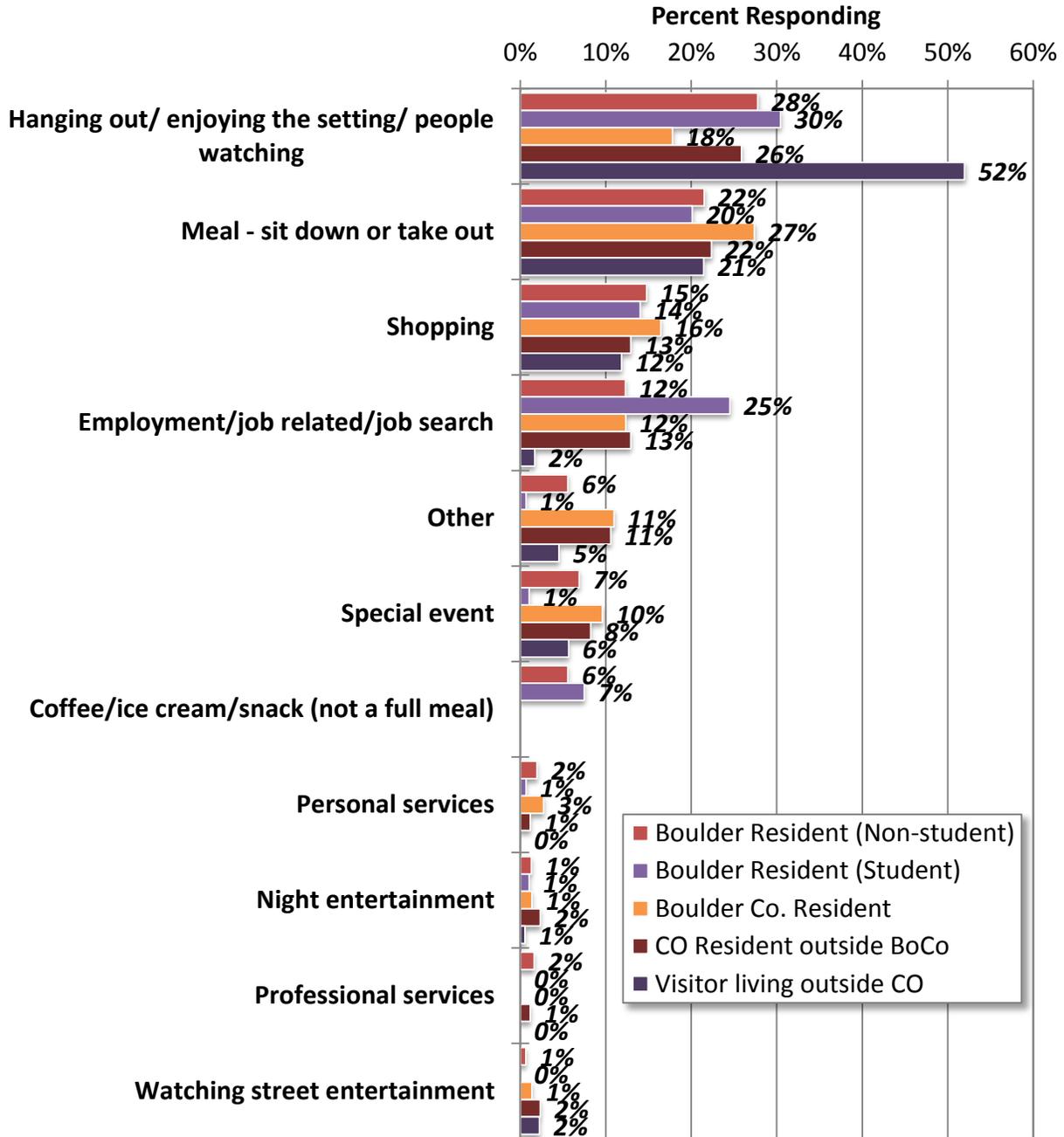


Figure 12
All Activities This Visit (Primary Activity plus Other Activities)
By Year

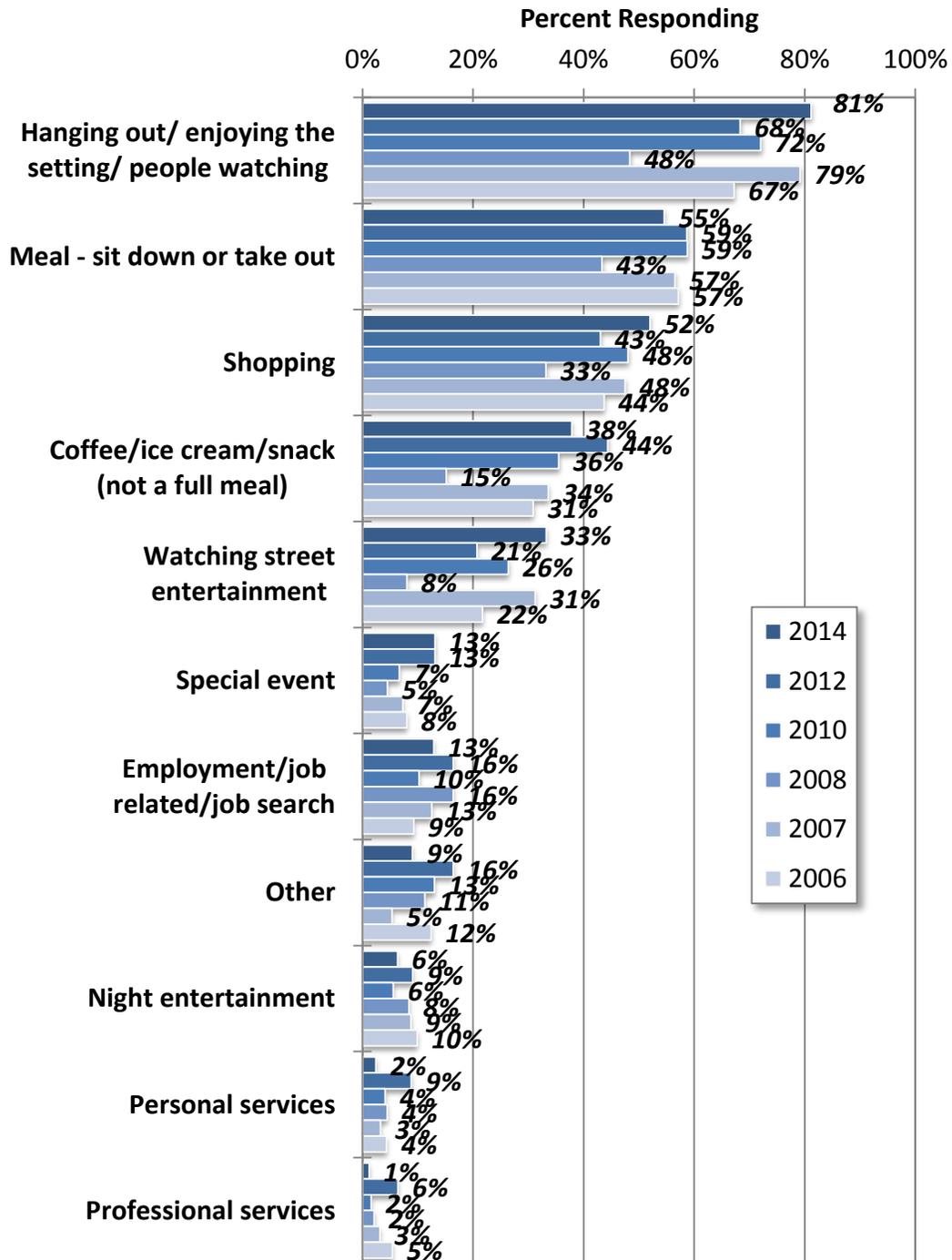
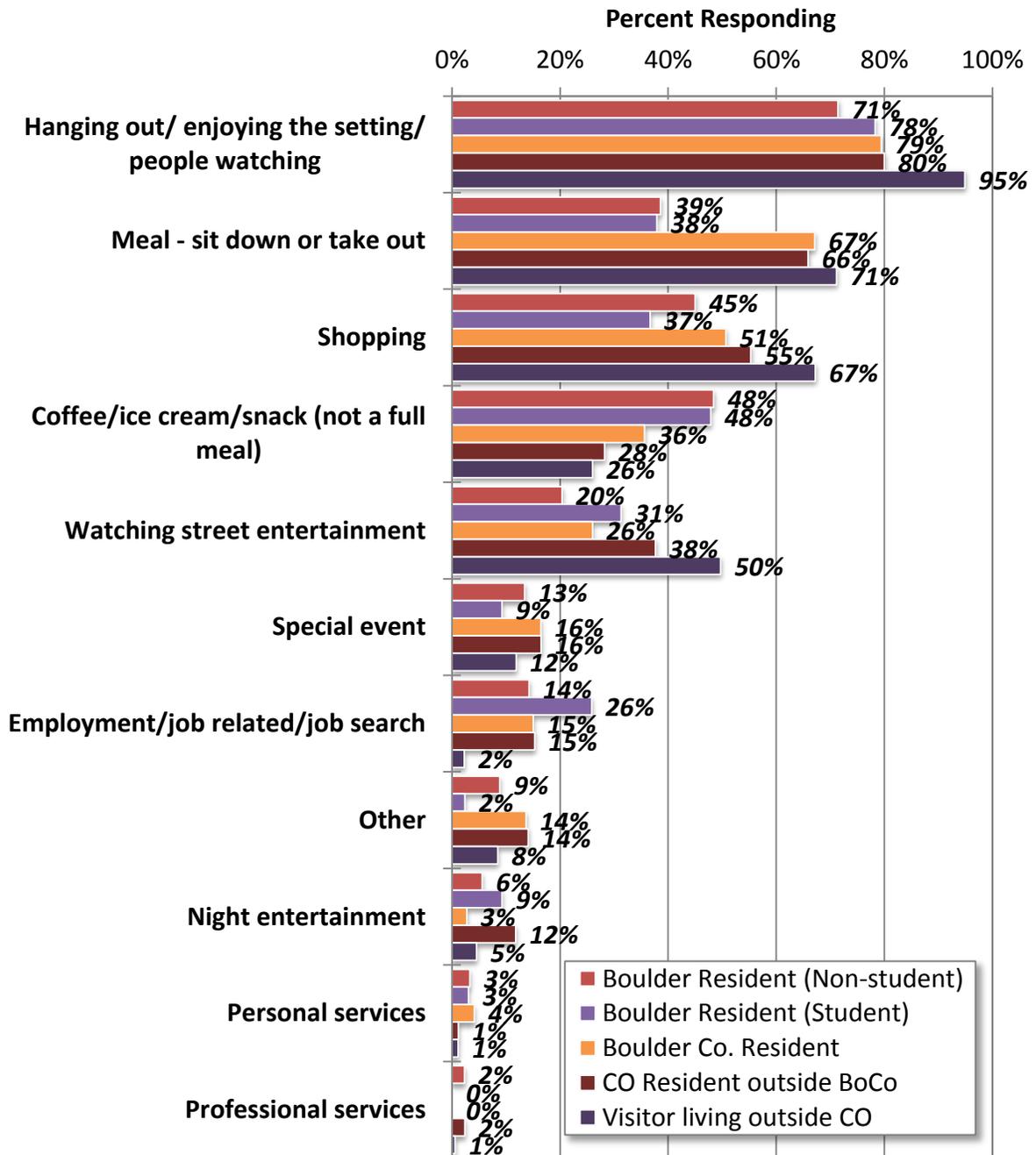


Figure 13
All Activities This Visit (Primary Activity plus Other Activities)
By 2014 Visitor Type



Spending Patterns

An important metric developed out of the research is the average amount of money Downtown users spend on various purchases (restaurant/bar, shopping, retail, and “other”), as well as total spending by person. The results show that a majority of those surveyed indicated that they planned to spend some amount of money in the Downtown area on the day they were surveyed (75 percent), and the average amount per person was about \$58 (similar to last year and generally slightly higher than the historical range).

Purchase Frequency. Overall, three-quarters of respondents said they would make a purchase of some kind. This is the lowest share of respondents indicating they would make a purchase in the history of the survey program (historically in the 85 percent range). A further analysis of results indicates that this decline in share of spending is influenced by the higher share of university students represented in the 2014 data.

Average Amount Spent. Though spending penetration was down, the average amount spent per person was similar to 2012 and higher than previous summers, averaging \$58.43. The distribution of this amount was \$24.47 spent at retail stores/art galleries, \$33.21 spent at restaurants/bars (up from the historical range), and \$0.75 spent on other purchases. The table below illustrates some of the spending patterns documented in historical surveys.

Table 2A
Spending Penetration and Average Spending
2005 to 2014

<i>Spending Patterns</i>	Year of Survey					
	2006	2007	2008	2010	2012	2014
Percent making a purchase today	88%	89%	84%	89%	84%	75%
Restaurant/Bar	\$24.62	\$21.88	\$27.82	\$22.13	\$27.69	\$24.47
Retail store/Art gallery	\$25.84	\$28.38	\$26.55	\$28.59	\$28.90	\$33.21
Other	\$0.80	\$1.32	\$1.16	\$1.41	\$3.64	\$0.75
Total	\$51.26	\$51.58	\$55.53	\$52.12	\$60.23	\$58.43

Segmentation of Spending. Some variation is seen in the spending figures between different visitor segments. Most spenders made a food purchase (about 90 percent overall). However, Colorado residents living outside of Boulder were the least likely to make a food purchase (78 percent). Meanwhile, 59 percent of all respondents made some sort of retail purchase, with varying levels of purchasing frequency by visitor type. Visitors from outside of Colorado were most likely to make a retail purchase (73 percent), followed by Colorado residents from outside of Boulder County (62 percent), and Boulder County residents (58 percent). Roughly half of Boulder residents made a retail purchase, including non-students (50 percent) and students (47 percent). Visitors from outside of Colorado spend the most, on average, on food/drink (\$36) and retail (\$43).

Spending by User Type. Consistent with historic patterns, out-of-town users spent more per person on average on their daily trip than did City or County residents. Out-of-state users spent an average of \$80.23 per person and Boulder County residents spent \$62.33 on average. Colorado out-of-County residents spent \$64.74 on average per person. City non-student users spend an average of \$44.16, while student users spent the least on average, at \$32.90.

Table 2b
Spending Penetration and Average Spending
2014 User Type

Spending Patterns	2014 User Type				
	City of Boulder Resident (Non-student)	City of Boulder Resident (Student)	Boulder Co. Resident	CO Resident outside BoCo	Visitor living outside CO
Percent making a purchase today	79%	59%	75%	68%	81%
Restaurant/Bar	\$16.70	\$15.24	\$25.84	\$24.53	\$36.18
Retail store/Art gallery	\$14.20	\$19.75	\$13.75	\$32.34	\$45.89
Other	\$.32	\$1.37	\$0.00	\$.14	\$1.51
Total	\$44.16	\$32.90	\$62.33	\$64.74	\$80.28

Figure 14
Are You Spending Money Today?
By Year

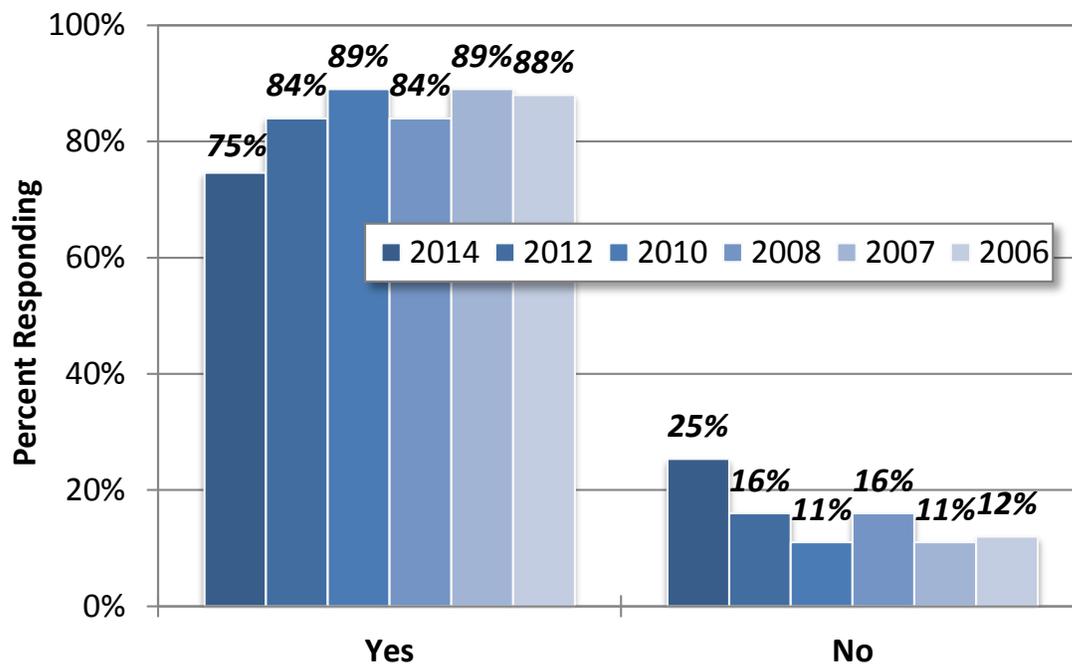


Figure 15
Are You Spending Money Today?
By 2014 Visitor Type

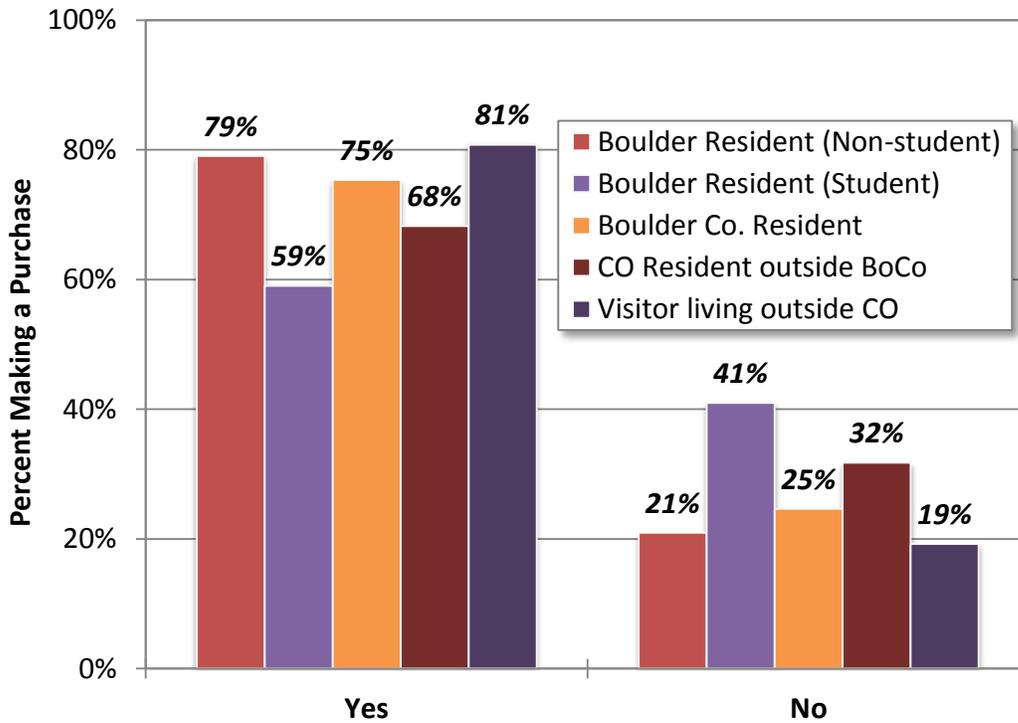


Figure 16
Average Total Spending (Not Including Non-Spenders)
By Spending Category, By Year

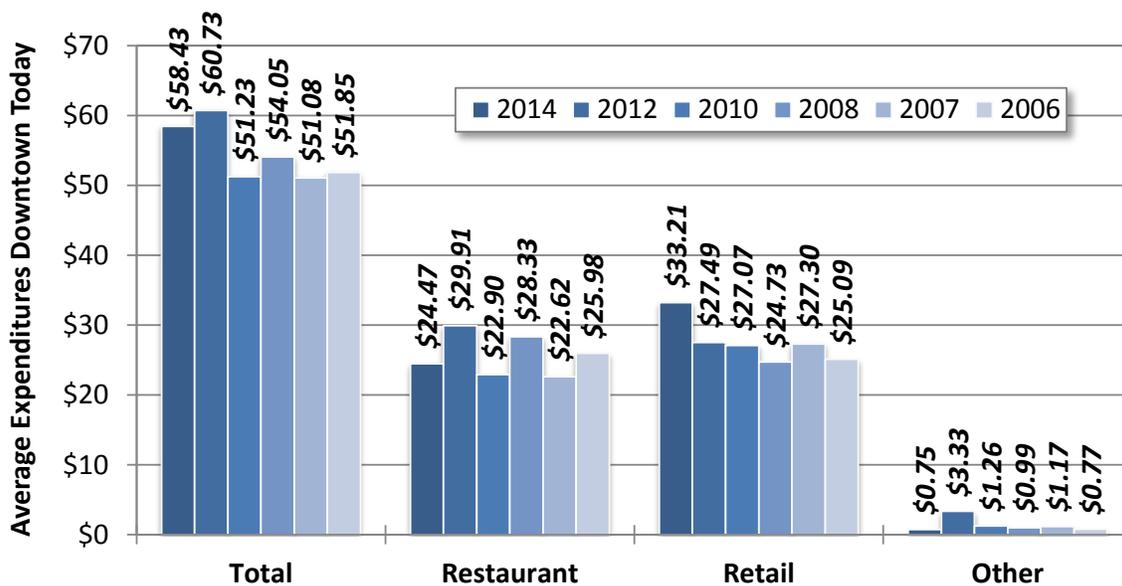


Figure 17
Average Total Spending (Not Including Non-Spenders)
By 2014 Visitor Type

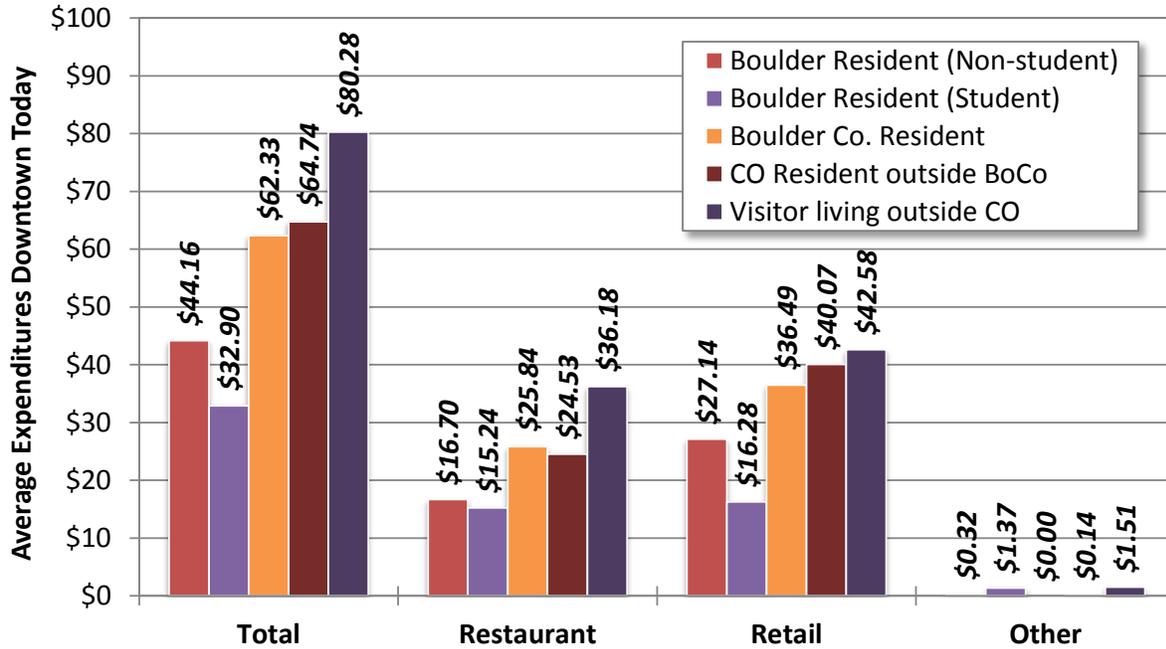
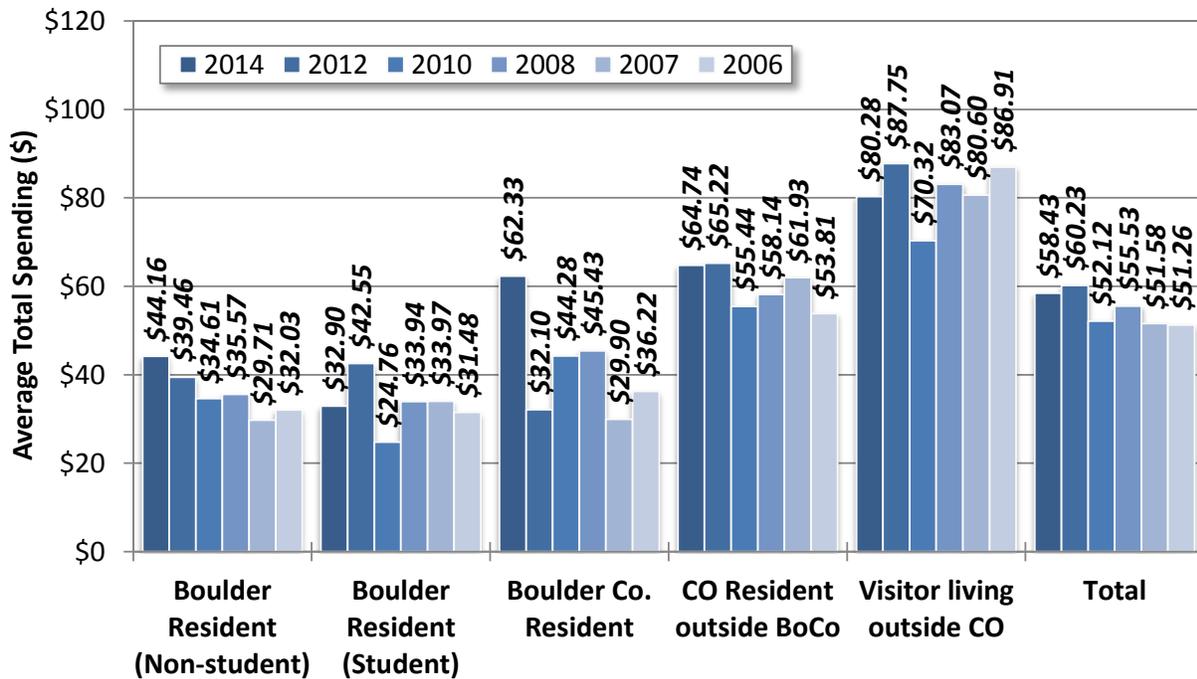


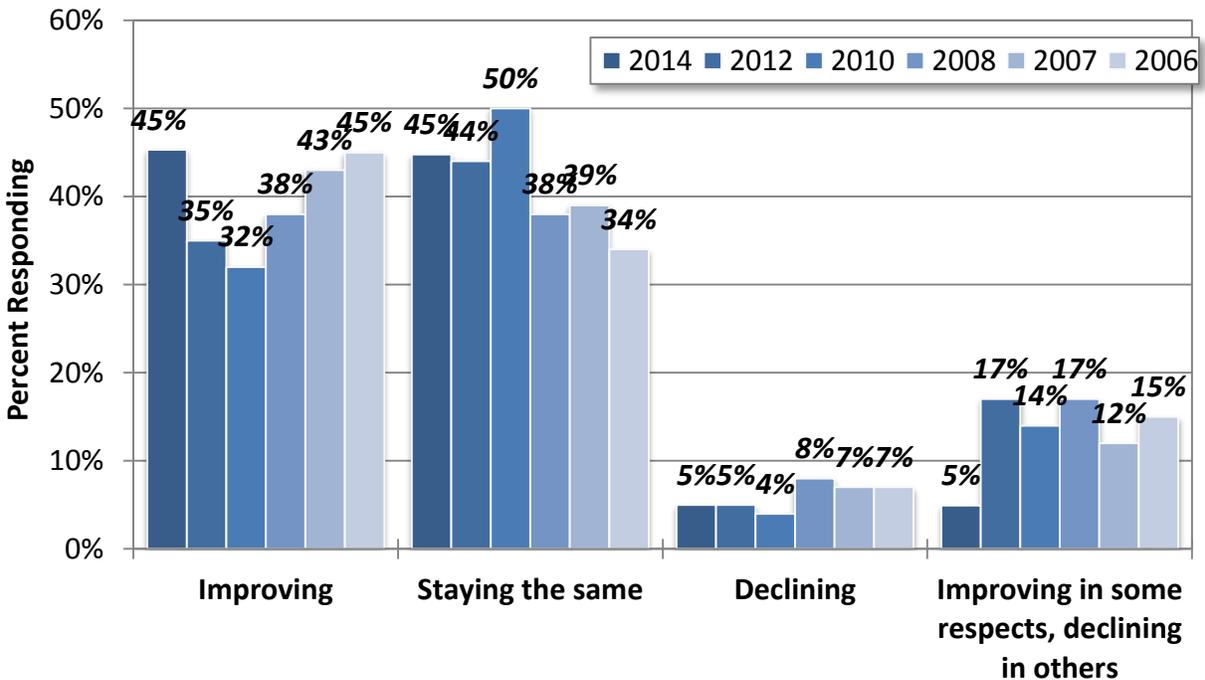
Figure 18
Average Total Spending (Not Including Non-Spenders)
By Year, By Visitor Type



Improve/Decline

Respondents were asked for their opinion about the general direction of the experience in Downtown Boulder over the past several years – whether it is improving, declining, staying the same, or some combination. Most respondents indicated that the Downtown experience is either improving (45 percent) or staying the same (45 percent). Very few thought it was declining (5 percent) or a combination of improving in some respects and declining in others (5 percent). This year saw an increased share of respondents noting that Downtown was improving (highest since 2006), and a proportionately smaller share of respondents noting that Downtown was improving in some areas and declining in others.

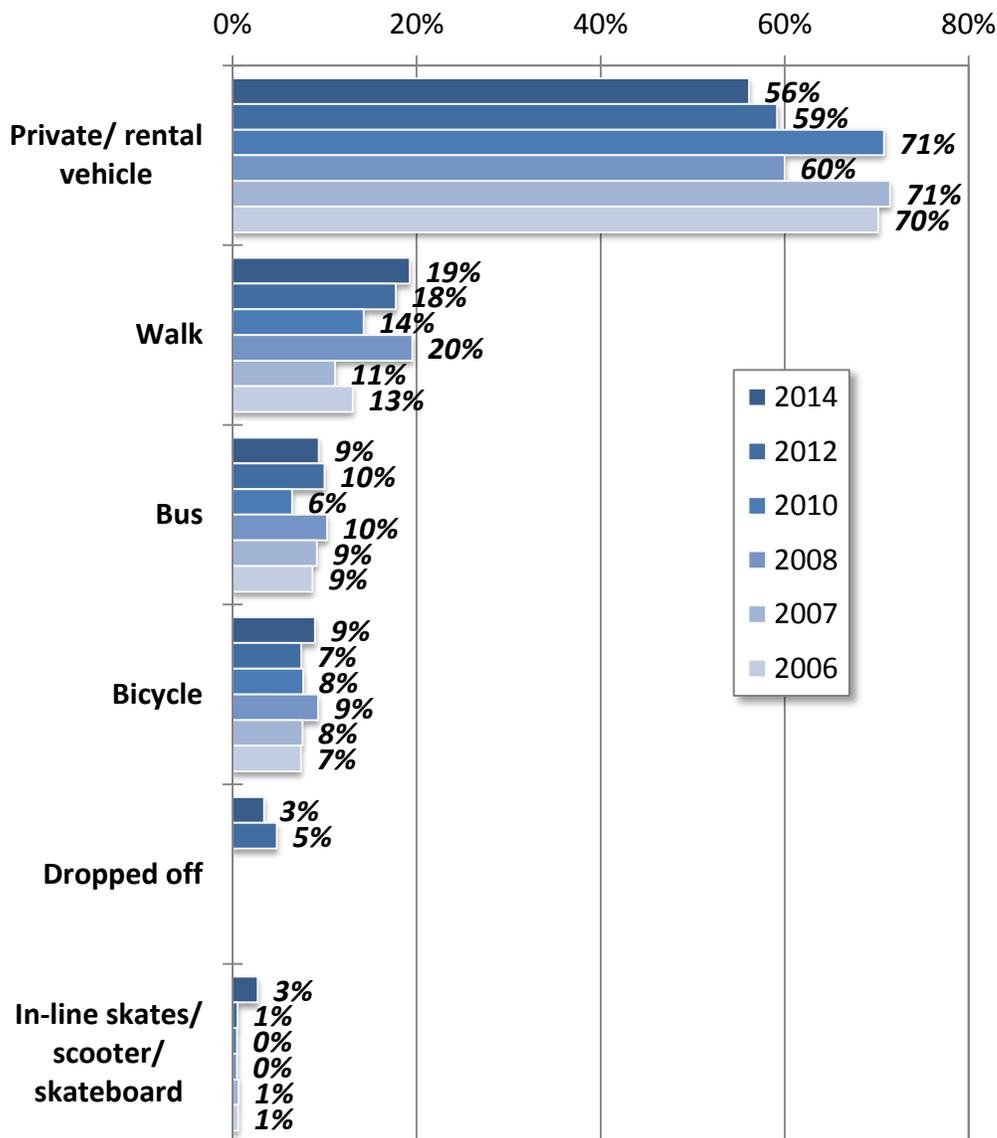
Figure 19
Downtown Experience Improving or Declining over Past Few Years
By Year



Transportation and Parking

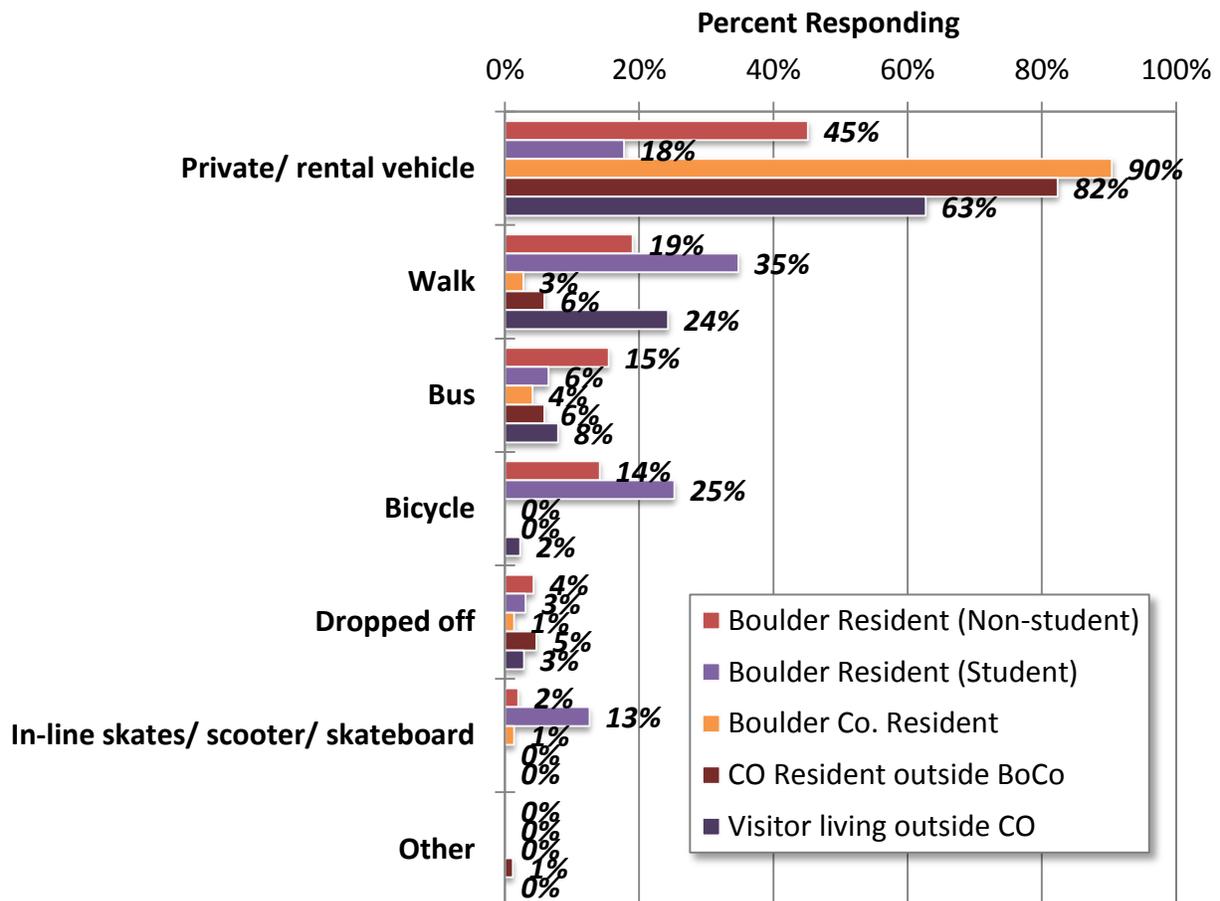
While most respondents take a private or rental vehicle as their transportation method to Downtown (56 percent), this is a smaller share than what has been recorded historically. The next most common method of transportation is walking (19 percent), followed by bus (9 percent), biking (9 percent), getting dropped off (3 percent), and in-line/ skates/ scooter/ skateboard (3 percent). Most of those utilizing alternate modes are students (75 percent) and non-student residents of Boulder (58 percent).

Figure 20
Mode of Transportation Downtown
By Year
Percent Responding



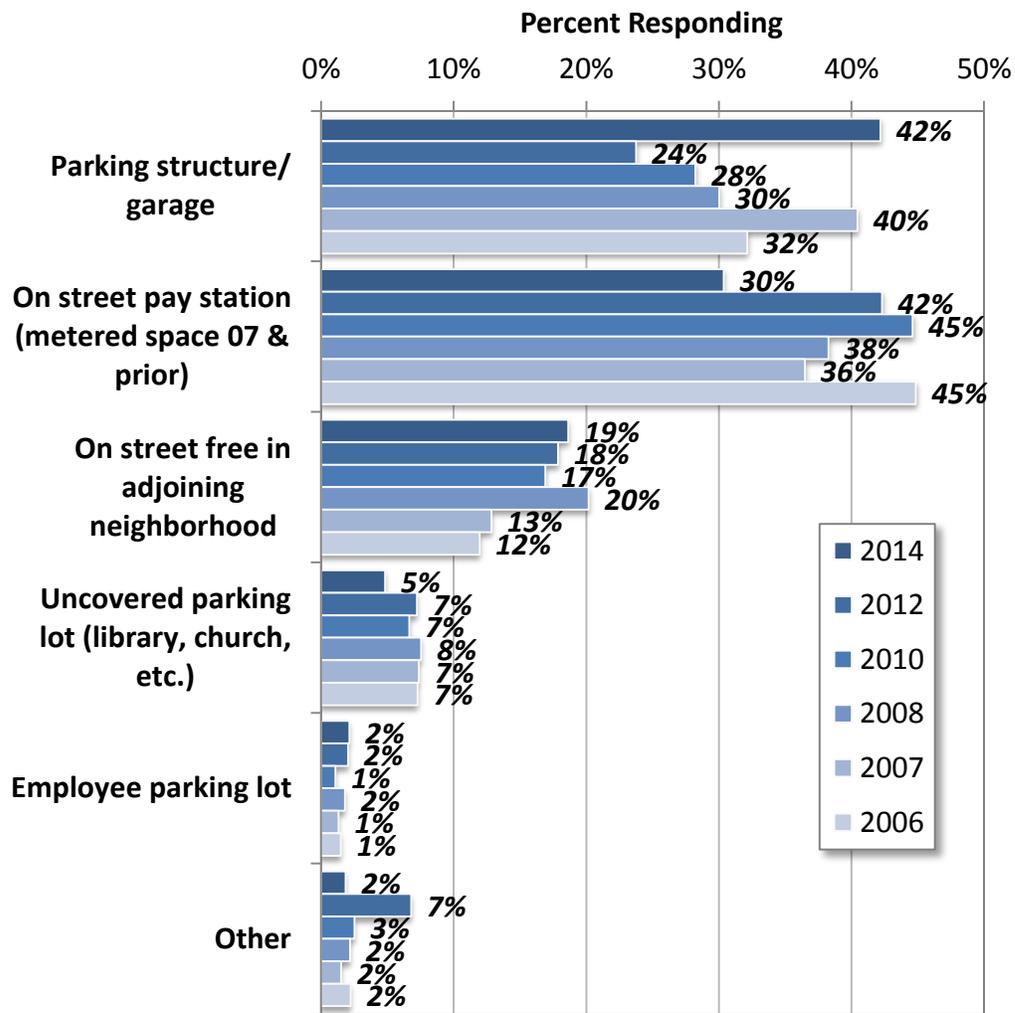
When transportation modes are evaluated by visitor type, some variations are observed. For example, Boulder County residents are most likely to drive to Downtown (90 percent), followed by Colorado residents outside of Boulder County (82 percent). Students are the least likely to drive (18 percent), instead relying on methods such as walking (35 percent), biking (25 percent), or in-line skates/scooter/skateboard (13 percent).

Figure 21
Mode of Transportation Downtown
By 2014 Visitor Type



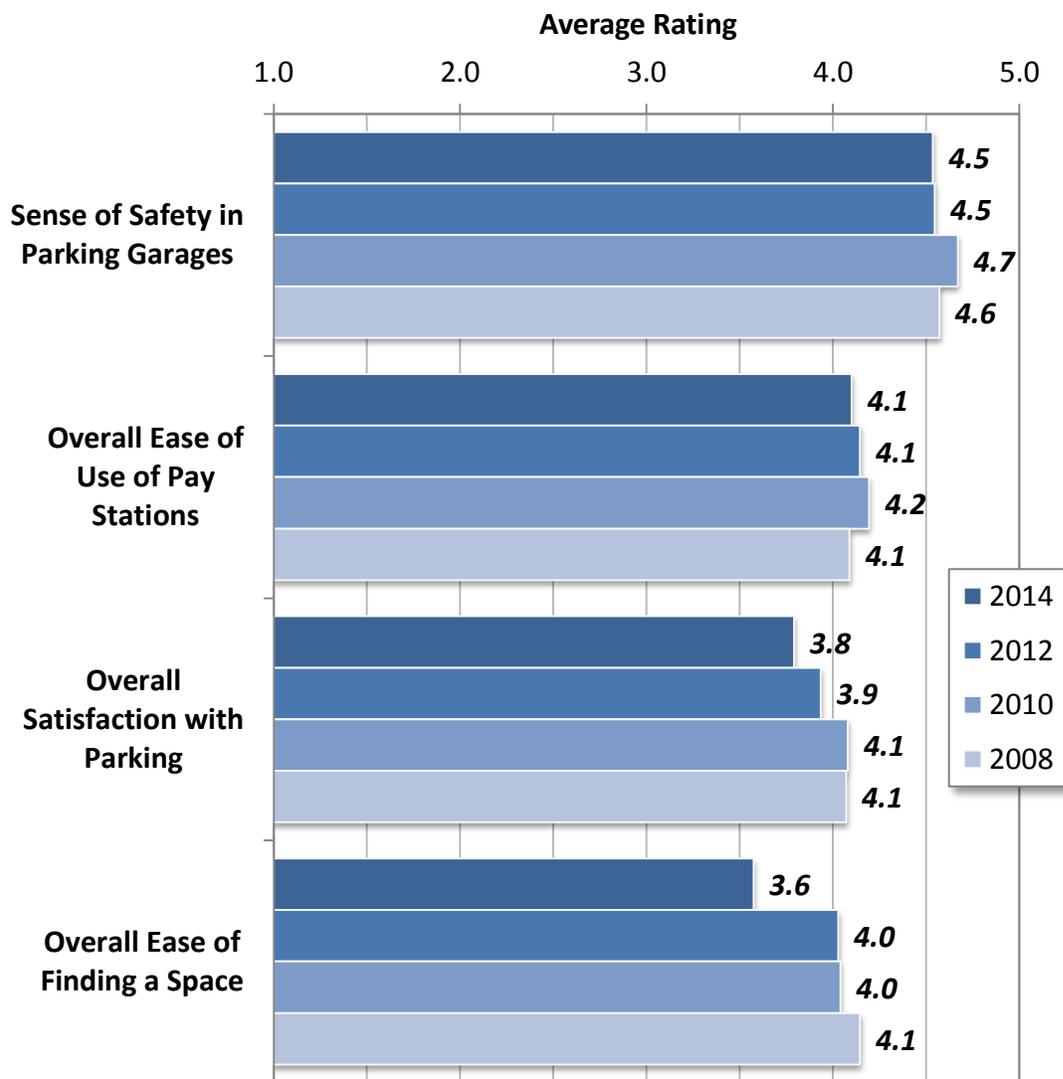
Those who took a private or rental vehicle Downtown were asked where they parked their car. Parking behaviors changed somewhat this past summer as compared to summers past. While the on-street pay station had typically been the most common parking method (around 43 percent), in 2014 less than one-third of survey respondents used on-street pay stations. Instead, using a parking structure/garage was much more common among visitors, with 42 percent of respondents citing this as the location of their parked vehicle. Other parking locations have remained stable over time. The overall shift toward parking structure/garages potentially indicates a higher level of awareness of the garages as a parking option, particularly the availability of free parking on weekends in garages Downtown.

Figure 22
Location of Parked Vehicle
By Year



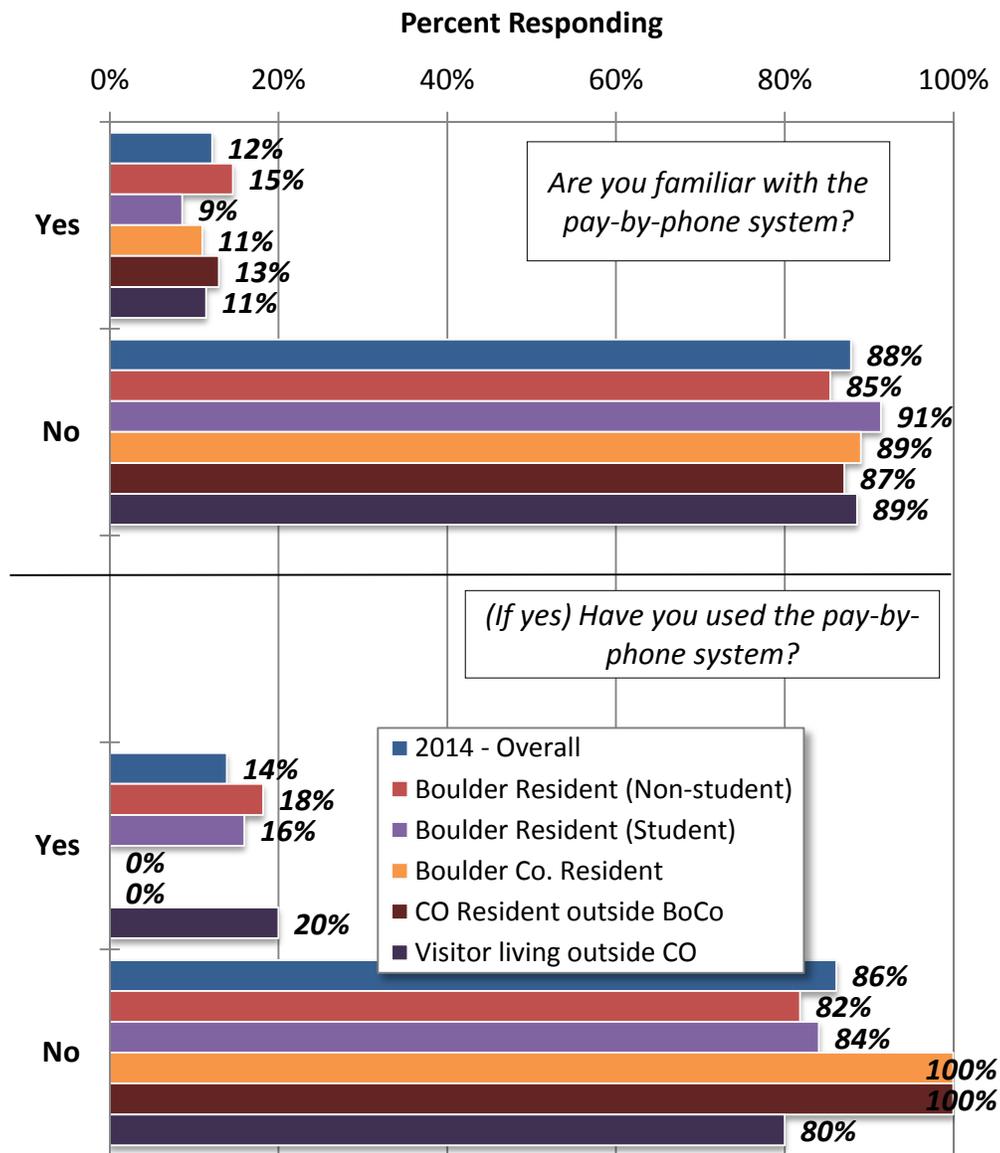
Using a scale of 1 to 5 where 1 was “poor” and 5 “very good,” respondents who drove Downtown were asked to rate aspects of their parking experience. Overall, ratings were generally high. Sense of safety (4.5) and overall ease of use of pay station (4.1) were rated within similar range of historical results. However, two areas—overall satisfaction with parking (3.8) and overall ease of finding a space (3.6)—have experienced gradual declines in ratings since 2008. It may be worth exploring aspects of the parking experience further in order to manage perceptions as they relate to satisfaction and ease of finding parking. However, these areas of satisfaction mostly suggest that Downtown is busy, which ultimately is a positive finding.

Figure 23
Ratings of Parking Experience



A new question asked respondents whether they were familiar with the pay-by-phone system, and if so, have they used the pay-by-phone system? Overall, 12 percent of all respondents were familiar with this new system, and of those that were familiar, 14 percent have used it. Interestingly, awareness and use of the pay-by-phone system did not vary too dramatically by visitor segment. However, Boulder County residents and Colorado residents living outside of Boulder County, unanimously had not used the system previously.

Figure 24
Awareness and Use of the Pay-by-Phone System

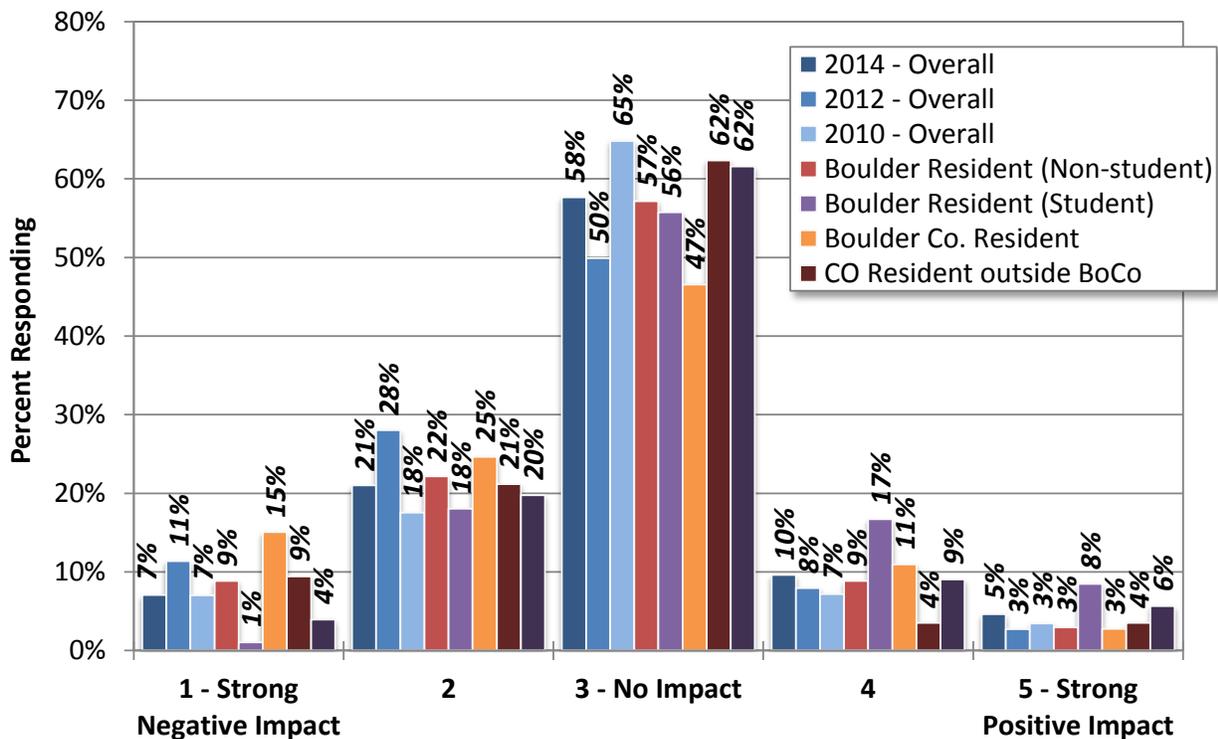


Transient Issues

A question on the survey, asked since 2010, was “To what extent, if any, do the activities or behaviors of panhandlers/transients impact your enjoyment of the experience in Downtown Boulder, either positively or negatively?” Results show less of a negative impact this summer as compared to last summer, and similar ratings to 2010. In 2014, 28 percent of respondents noted that panhandlers had a strong or moderate negative impact, compared to 39 percent in 2012, and 25 percent in 2010.

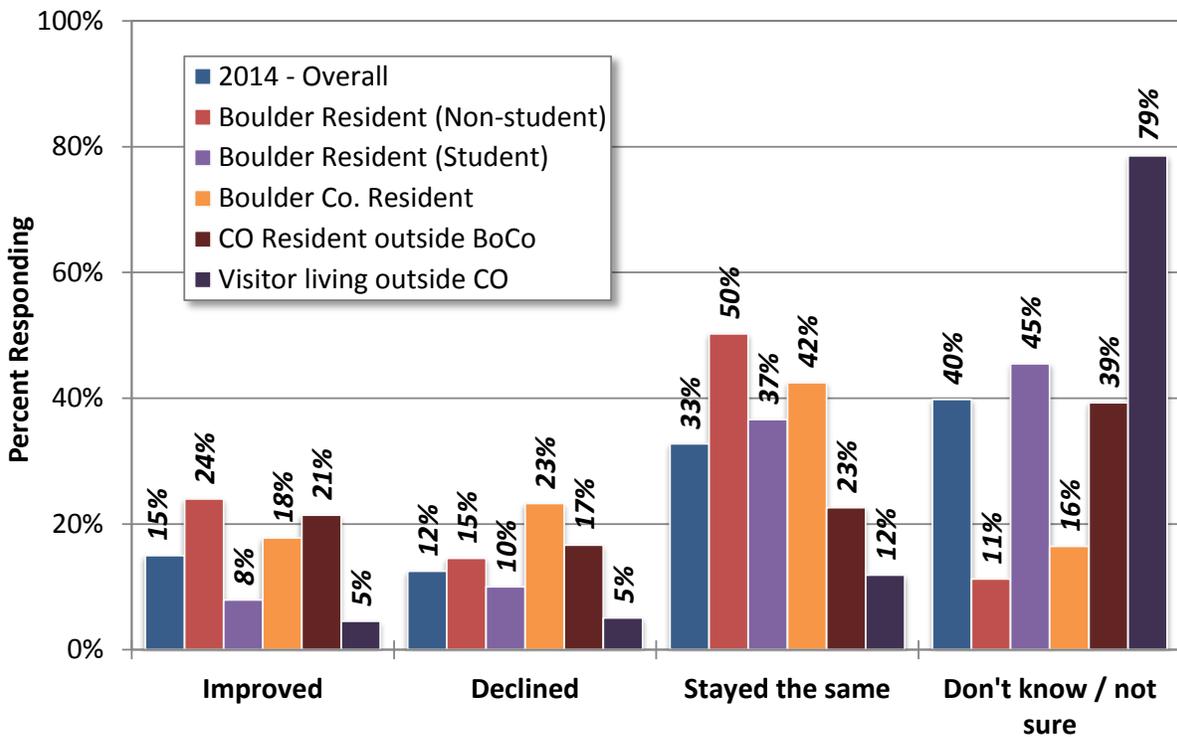
Looking at the results in greater detail shows that Boulder County residents were most negatively impacted by panhandlers (40 percent), followed by City of Boulder residents (non-students), and Colorado residents outside of Boulder County (31 percent each, respectively). Meanwhile, visitors living outside of Colorado (24 percent) and students (19 percent) were not as negatively impacted by the activities and behaviors of panhandlers.

Figure 25
Do the Activities/Behaviors of Panhandlers Impact Your Enjoyment?
Overall and By 2014 Visitor Type



A new but related survey question asked whether the situation with panhandlers/transients has improved, declined, or stayed the same. Overall, 15 percent noted the situation has improved, 33 percent noted it stayed the same, 12 percent indicated it declined, and a notable 40 percent of respondents said they did not know or were not sure. Students and Colorado residents living outside of Boulder County were particularly likely to note the situation has improved, Boulder residents (non-students) were most likely to say the situation has stayed the same, and Boulder County residents were more likely than other visitor segments to indicate the situation has declined. Not surprisingly, a majority of visitors living outside of Colorado reported they were unsure.

Figure 26
Would you say the situation with panhandlers/transients has:
Overall and By 2014 Visitor Type



Satisfaction

An important section of the survey questionnaire asked respondents to rate their satisfaction with a variety of general attributes related to the experience Downtown. The satisfaction ratings were strong this year, matching or surpassing the high experience ratings of 2010 in most categories. It is worth noting that ratings generally rebounded from the slight declines recorded in 2012 for most categories as well.

Results show that the highest rated aspects of the experience were the feeling of security/ safety (average of 4.6 out of five, 70 percent rating a 5 out of 5), overall cleanliness and maintenance (4.5, 60 percent), family orientation/ kids play areas (4.5, 56 percent), customer service in retail stores (4.5, 56 percent), variety of restaurants (4.4, 54 percent), special events/festivals (4.4, 51 percent), and variety of retail shops/art galleries (4.2, 37 percent).

Two areas of the experience earned relatively low ratings, showing notable declines from the range of prior years. Downtown Information Center earned an average of 4.0 this past summer, with 21 percent of respondents giving a rating of 5 out of 5 (down from a stable average of about 4.3 from prior years of the survey program). Meanwhile, directory information and signs earned a 3.7 average, with just 16 percent of respondents giving a rating of 5 out of 5. Results suggest that while all areas of the visitor experience remain strong, that information tailored toward visitors could use improvement.

When satisfaction ratings are evaluated by visitor type, results indicate generally similar ratings of experience among all visitor segments. However, out-of-state visitors tend to give slightly higher average ratings than do other groups for most categories (with the exception of the information-related aspects of the experience and special events). See Figure 28.

Figure 27
General Ratings of the Downtown Experience
By Year

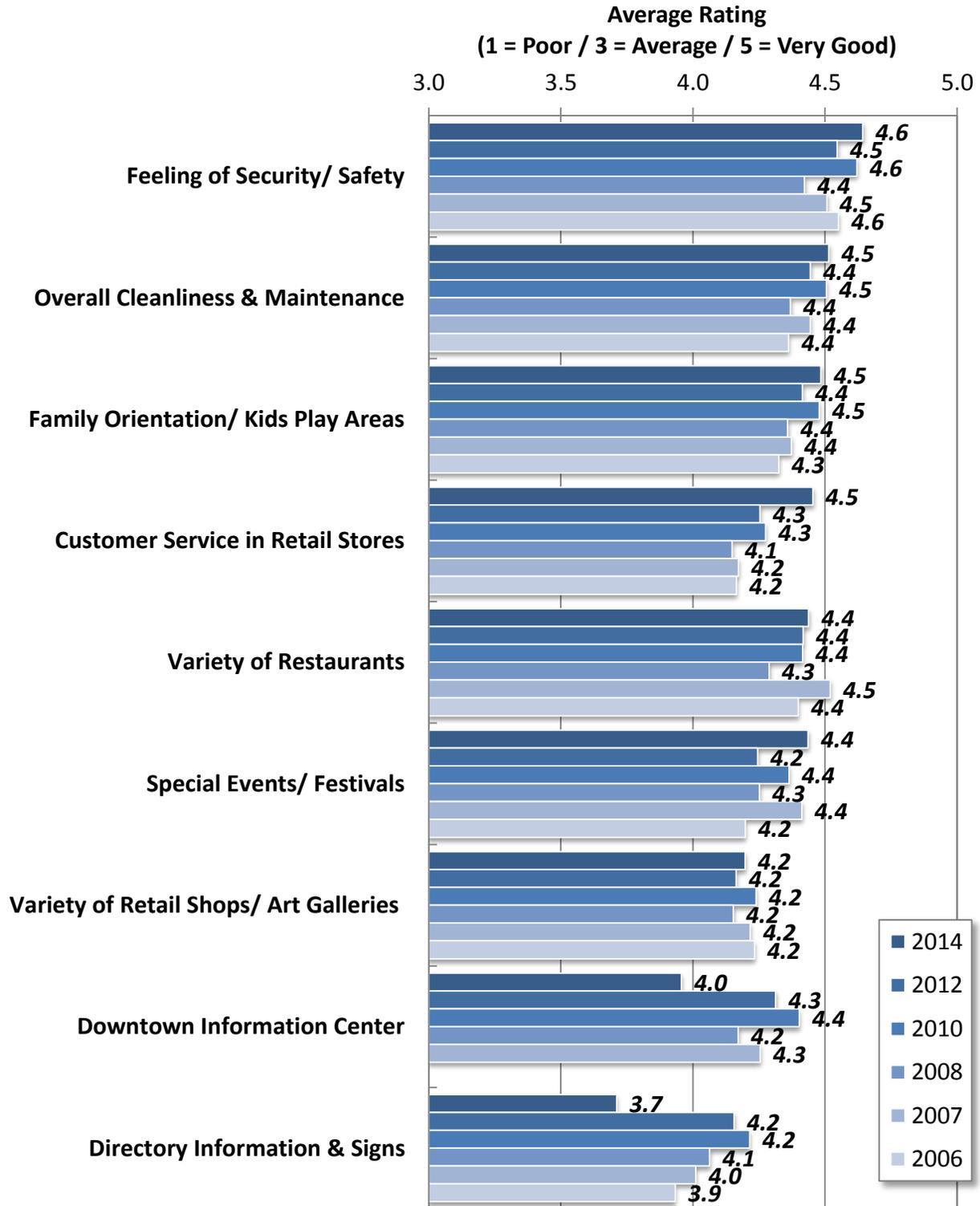


Figure 28
General Ratings of the Downtown Experience
By 2014 Visitor Type

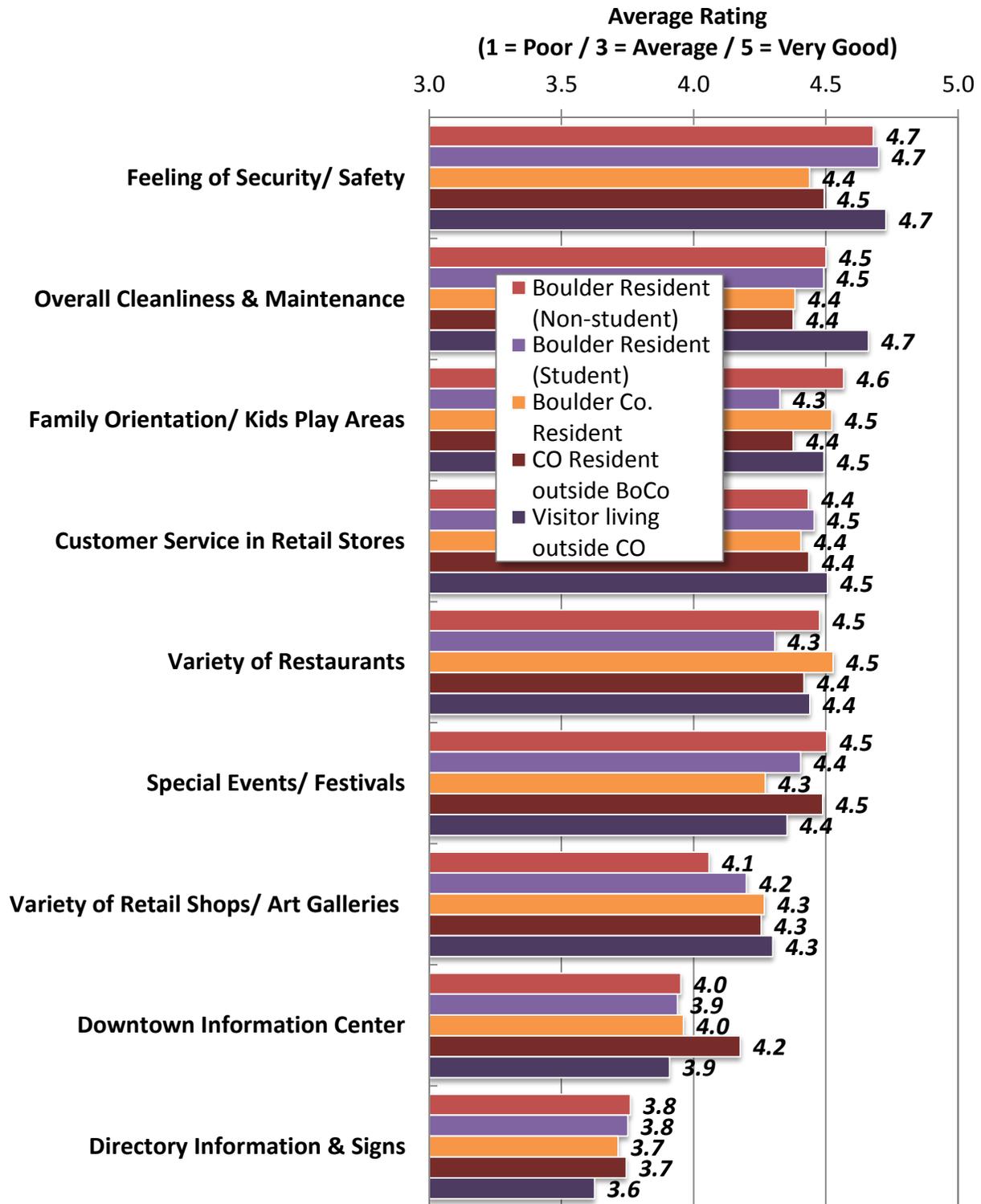
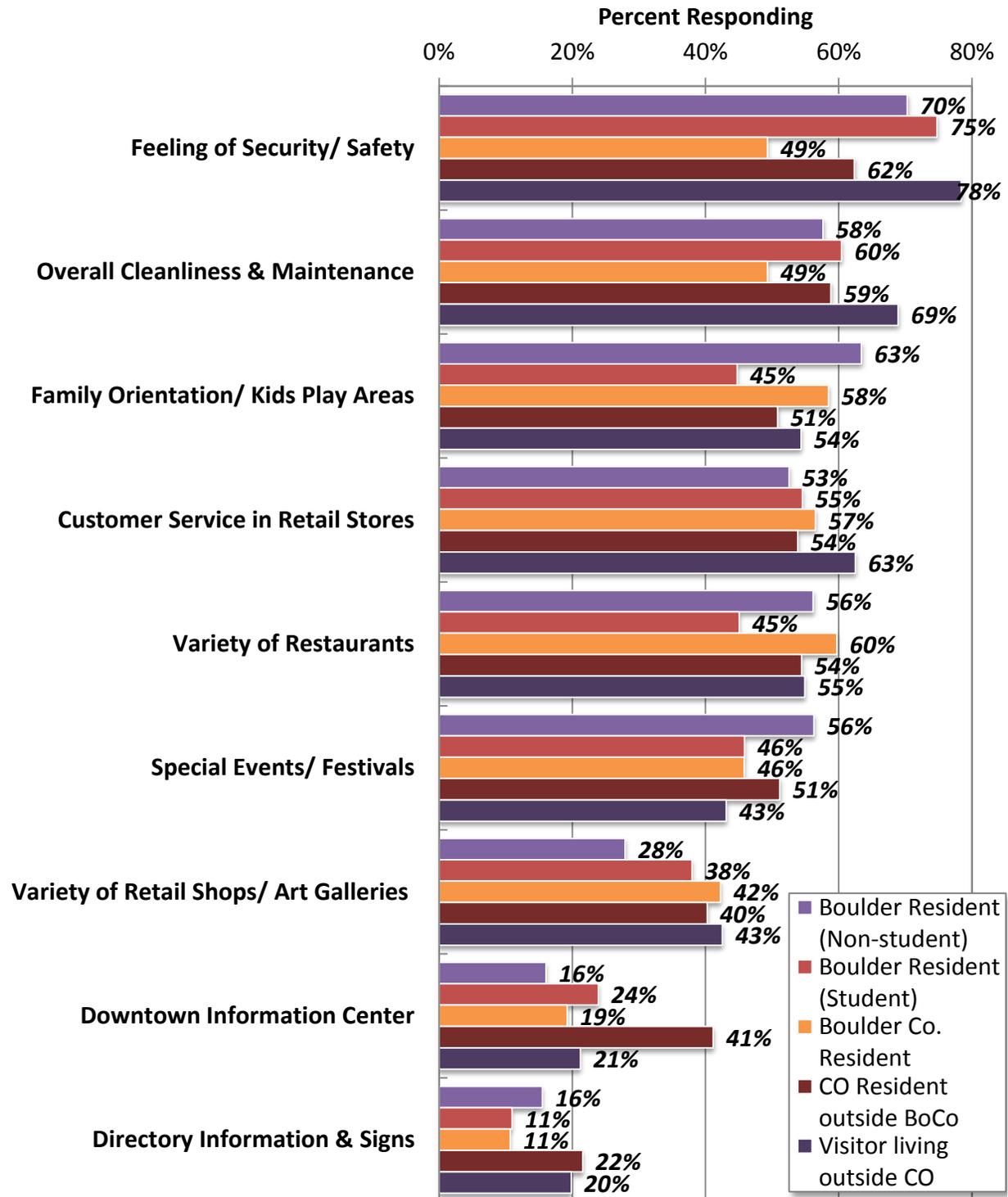
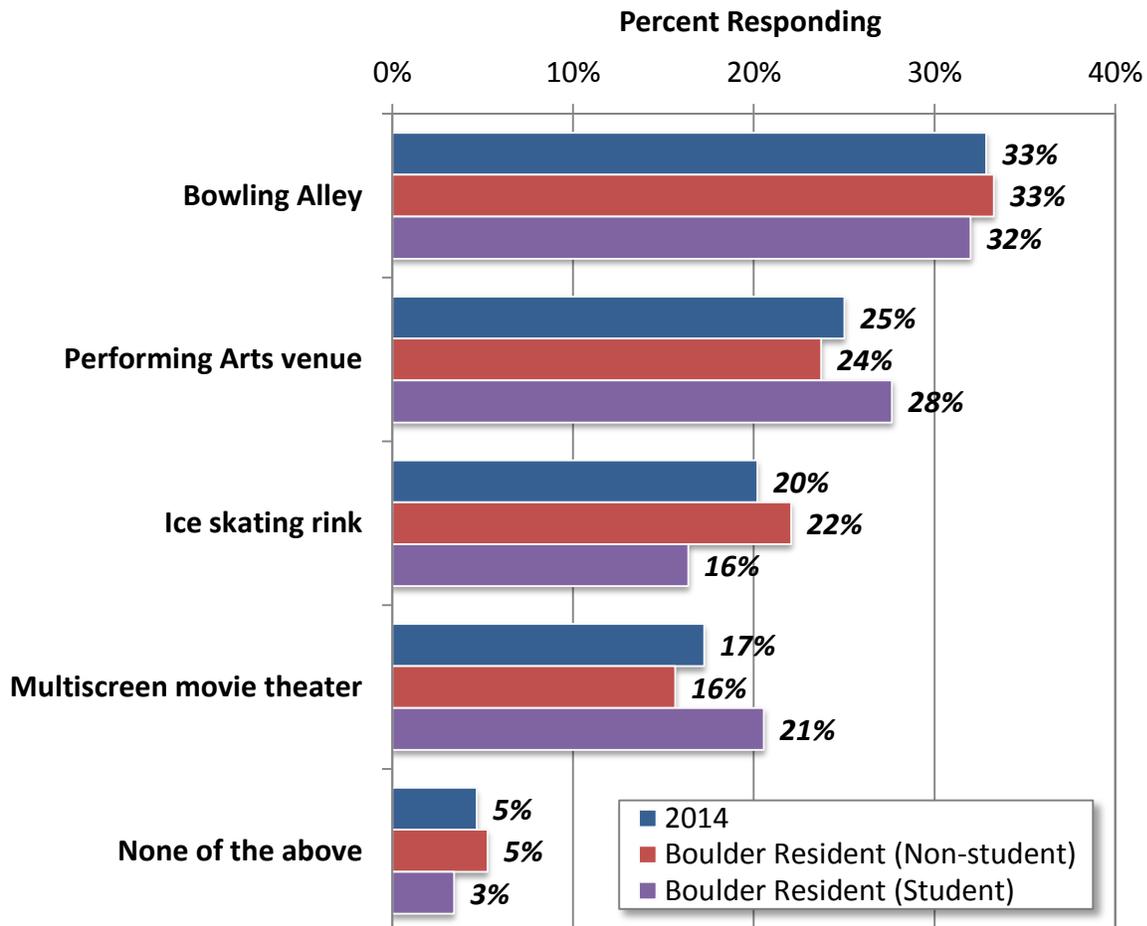


Figure 29
“Very Good” Ratings of the Downtown Experience
By 2014 Visitor Type



A new question introduced to the 2014 survey, asked City of Boulder residents which entertainment venues they would most likely to see added to Downtown Boulder. As shown in the graph to follow, a bowling alley was the most desired addition, with a third of all respondents choosing this venue. One in four respondents indicated wanting a performing arts venue, one in five wanted an ice skating rink, and 17 percent chose a multiscreen movie theater. Only 5 percent of respondents noted they did not want any of the choices listed, suggesting that interests mainly lie with the types of venues suggested. When assessed by whether the respondent was a non-student or student, results suggest that interests are largely similar between the two user groups. However, students were more likely to want a performing arts venue (28 percent) or multi-screen movie theater (21 percent), while non-students showed greater interest in an ice skating rink (22 percent).

Figure 30
Which entertainment venues would you most like to see added?
By Overall and 2014 Visitor Type



Comments

Several open-ended questions were asked on the survey this year to solicit feedback from survey respondents regarding their suggestions for specific types of stores and restaurants they would like to see in Downtown Boulder. The responses are instructive and are summarized here, with a full listing of the comments in the appendix section of this report.

[Over the past few years, would you say the quality of the Downtown experience has been:]

Why do you feel that way?

- *Improving* Always new events going on and my kids always have a great time
- *Improving* Ease of parking and getting around diversity of shops has improved
- *Improving* Great that the west end is being re done, should be extended to 9th, lots of more pedestrian areas and flowers
- *Improving* Just feels more like a community and there's always things to do
- *Improving* Love the downtown boulder banners on the streetlights, Pearl feels more like a community
- *Improving* More shops and events, there always seems to be things going on around Pearl
- *Improving* So many new stores/restaurants with lots of window advertising, lots of sales, much more crowded, lots of tourists
- *Improving* The town is more developed but still has a small town feel with the local businesses
- *Staying the Same* Busier and more crowded too many street performers
- *Staying the Same* Getting upscale which may not be good
- *Staying the Same* More expensive but still locally owned businesses
- *Staying the Same* Not happy with the construction
- *Declining* I think the homelessness and panhandling problem has gotten worse
- *Declining* More tourists diluting the local feel of Pearl street and making it more crowded and fueling the terrible street performers
- *Declining* Much more commercial with the inconvenience of construction
- *Declining* There is much more traffic than there was in past years, maybe because of disorganized road work
- *Combination* Cooler stuff better quality, however too many chains that are too expensive
- *Combination* It seems to be more organized, but the construction has caused for an increase in traffic
- *Combination* Many new restaurants and stores but homeless population takes away from the experience
- *Combination* Parking is still a pain but activities on pearl street seem to be constantly improving
- *Combination* Very Lively but inconvenient construction with noise and traffic

What specific comments/suggestions do you have about [your ratings of the Downtown Boulder experience] that would help to improve the Downtown Boulder area?

- Community bulletin board to put up events going on around boulder county as Boulder and pearl street particularly seem like the heart of the county
- Covered areas for when it's raining
- Downtown Pearl street rewards program with a point system and stores participate and offer gifts/special discounts
- Drinking fountains that are easier to fill water bottles
- Hard to see street signs , fix and improve ground level pay stations

- *Have designated area for street performers that do not get in the way of the flow of foot traffic*
- *It would be cool to have an open container law after a certain hour so you could walk from bar to bar with a drink*
- *Keep local businesses around and highlight their company and create a designation for locally owned and operated businesses to promote local atmosphere*
- *Make it more gear towards a younger crowd*
- *More bike racks*
- *No diversity in the population. promoting events for diversity like the world cup on pearl street*
- *Outdoor heaters in the winter*

What retailer(s), either local or chain, have you visited elsewhere that you wish was also located in Downtown Boulder?

- *Buffalo Wild Wings*
- *Burger/sandwich shop or Jewish deli*
- *Cheap food trucks*
- *Children's clothes store*
- *Cupcake shop*
- *Donut/bagel/pastry shop*
- *Hardware/craft store*
- *Less chains*
- *More brunch places*
- *More diversity like incentives for ethnic bookstores and community centers or shared spaces*
- *More local restaurants*
- *More sports bars*
- *More vegetarian/vegan*
- *Salad shop like mod market and mad greens and dual piano upscale bar or speakeasy*
- *Seafood restaurant*
- *Steakhouse restaurant*
- *Whole Foods*

Special Events

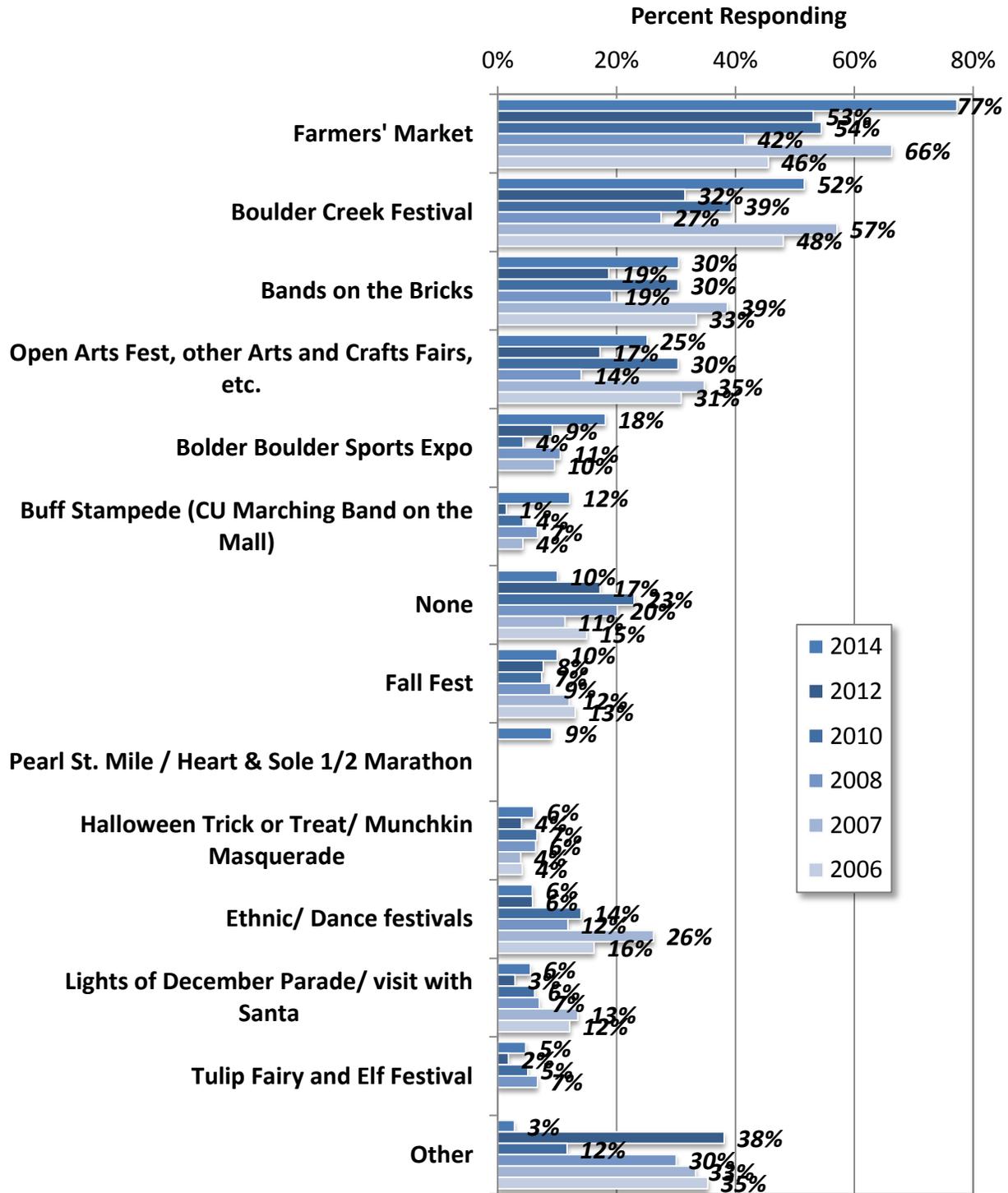
Several activities, concerts, special events, and festivals have motivated visitors who are residents of the City of Boulder to specifically make a trip to Downtown Boulder. The Farmers' Market has been a strong motivator in particular, with 77 percent of all visitors noting they specifically came Downtown to attend this event. This is a much higher share than what has been recorded historically, showing that the Market has increased in importance relative to attracting visitors Downtown.

Other events that had relatively high shares of respondents reporting they came Downtown specifically to attend, include the Boulder Creek Festival (52 percent), Bands on the Bricks (30 percent), Open Arts Fest and other arts and crafts fairs (25 percent), Boulder Boulder Sports Expo (18 percent), and Buff Stampede (12 percent).

Year-over-year trends worthy of note include the higher shares of respondents reporting that the Farmers' Market, Boulder Creek Festival, Boulder Boulder Sports Expo, and Buff Stampede motivated them to specifically come Downtown than had been the case in prior years. Conversely, Ethnic/Dance festivals and Lights of December Parade/visit with Santa have been gradually less of a draw over time. Meanwhile, the other events have remained relatively stable over time.

When assessed by whether the respondent is a non-student or student resident, results show that non-students were more likely to come Downtown specifically for a variety of events. Non-student residents were more likely than student residents to attend the Farmer's Market (80 percent), Bands on the Bricks (32 percent), Open Arts Fest (27 percent), Ethnic/Dance festivals (20 percent), Fall Fest (13 percent), Buff Stampede (13 percent), Pearl St. Mile/Heart & Sole Half Marathon (11 percent), Halloween Trick or Treat/Munchkin Masquerade (9 percent), Lights of December Parade (8 percent), and Tulip Fairy and Elf Festival (7 percent). Meanwhile, students were just slightly more likely to attend the Boulder Creek Festival (52 vs. 51 percent) and "other" events (4 percent vs. 2 percent).

Figure 31
Which Activities, Special Events, etc. have you Attended this Past Year?
City of Boulder Residents, By Year



Competition

Significant interest exists in understanding the patterns of City of Boulder residents related to shopping, entertainment, and dining out at other areas. It should be noted that, because this survey was administered in Downtown Boulder, infrequent or non-customers of the Downtown area are not represented in the results.

Overall, the average City of Boulder survey respondent indicated that they have visited Downtown Boulder 11.2 times during the prior two months, down somewhat from historic ranges for this question. Also popular was the 29th Street Mall, with 79 percent visiting at least once for an average of 3.4 times in the past two months. Downtown Denver was also relatively popular for being somewhat distant, with 1.9 visits on average and 61 percent making at least one visit in the prior two months. Flatiron Crossing was down in popularity among respondents than has been the case historically, with an average of 0.6 visits and 32 percent visiting, along with Louisville, Lafayette, or Niwot Downtowns, with an average of 0.5 visits in the past two months (16 percent visited). Even less popular were Cherry Creek and Orchard Town Center.

Figure 32
Average Visits to Downtown Boulder / Other Regional Shopping Areas in Past 2 Months
City of Boulder Residents Only

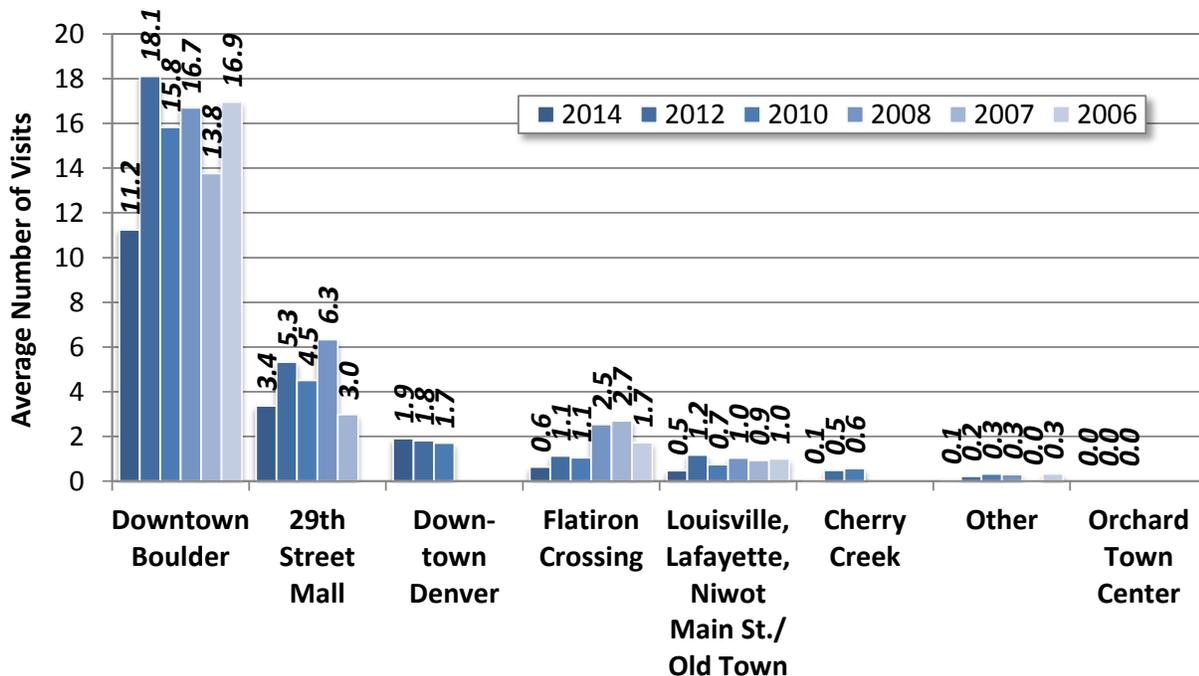
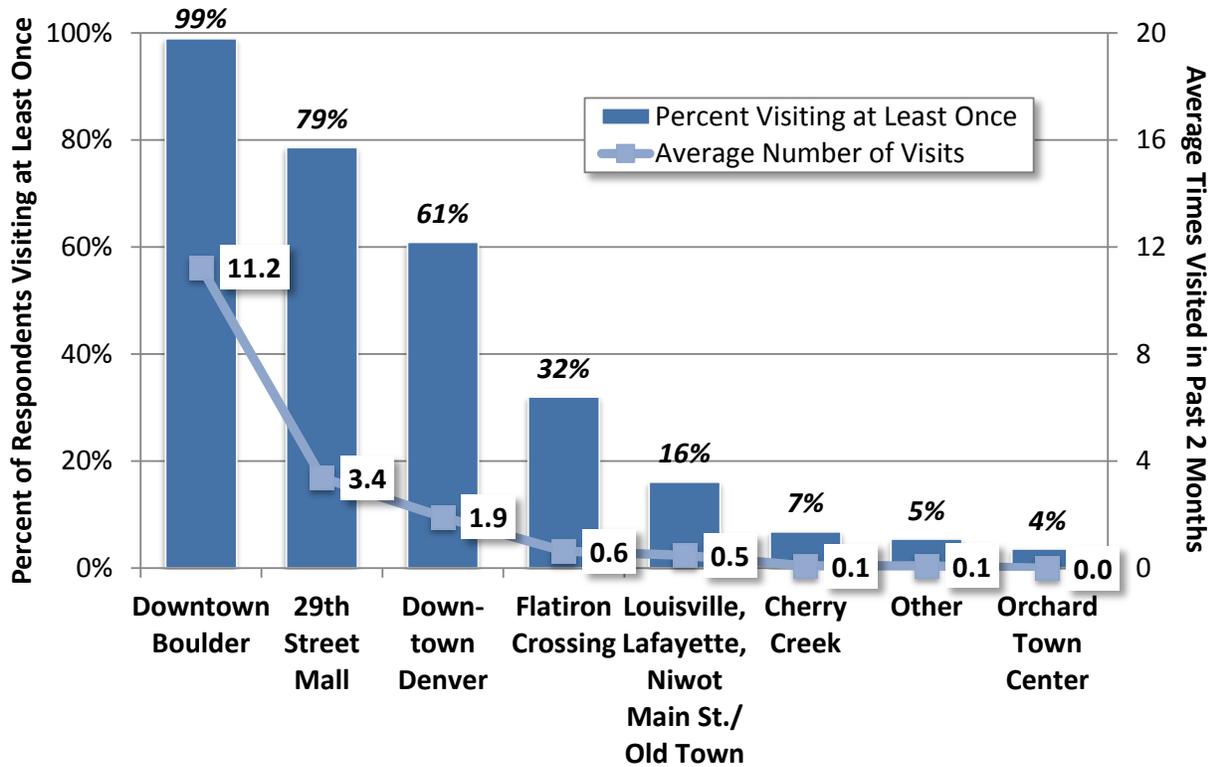


Figure 32 above shows the average number of visits over the past several summers. In Figure 33 to follow, average visits and percentages having visited are presented.

Figure 33
Visits to Downtown Boulder / Other Regional Shopping Areas in Past 2 Months
City of Boulder Residents Only, 2014



Geographic Residence

The following graphs illustrate the geographic origins of Downtown users. A majority of visitors are from Colorado (73 percent), similar, if not just slightly higher, than historical results. The next most common out-of-state origins this summer included California (3.1 percent), Texas (2.7 percent), Massachusetts (2.0 percent), Illinois (1.9 percent), New York (1.8 percent), Florida (1.6 percent), Missouri (1.2 percent), Wisconsin (1.1 percent), and Arizona (1.0 percent). All other locations comprised the remaining 6.8 percent of visitors.

Among in-state visitors, the most popular counties of origin included Boulder (77.5 percent), Denver (4.5 percent), and Larimer (4.3 percent) Counties. In particular, Downtown Boulder drew notable shares of visitors from Louisville (5.2 percent), Broomfield (2.3 percent), and Aurora (1.6 percent).

Figure 34
State of Residence
By Year

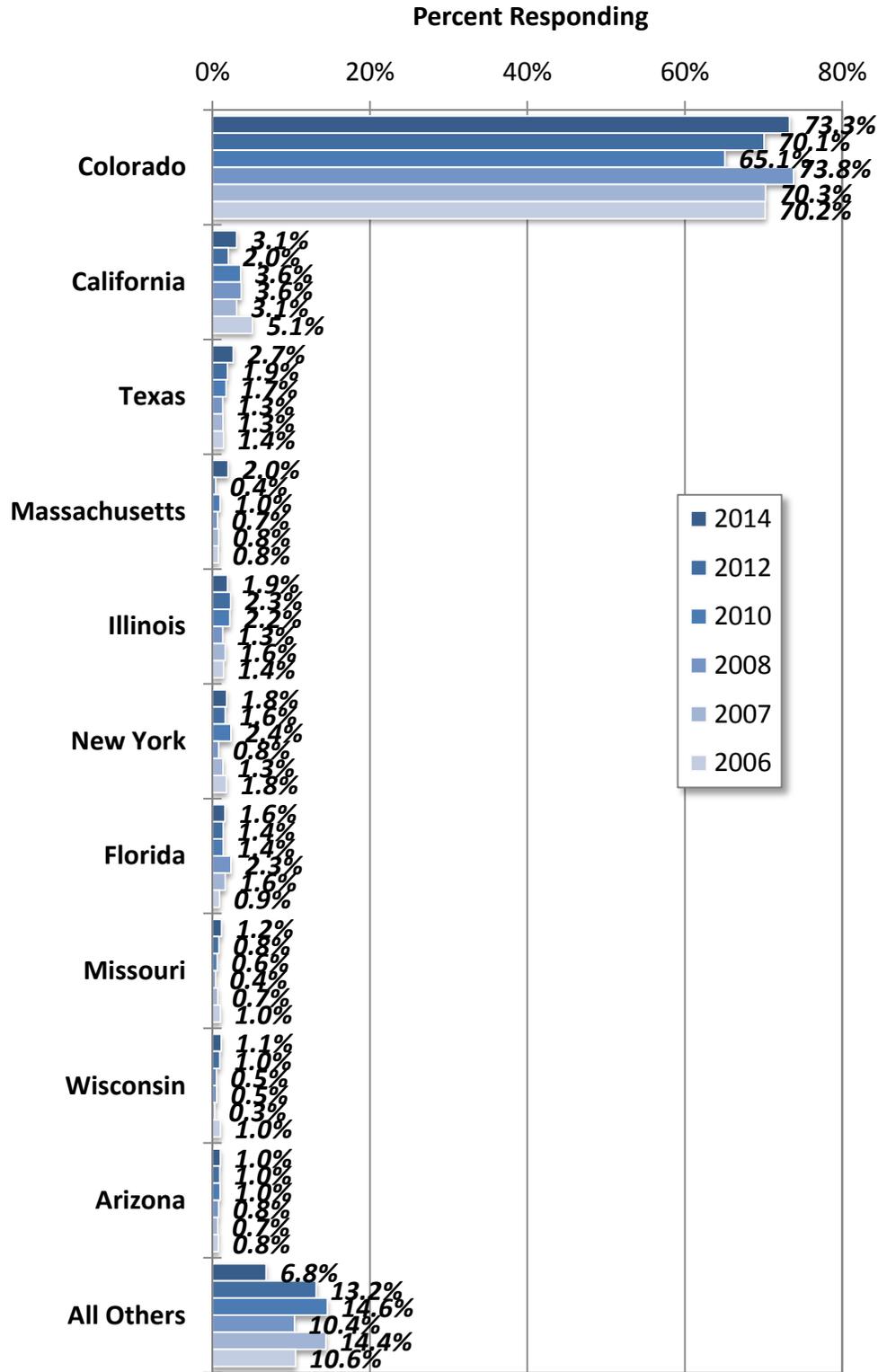


Figure 35
County of Residence
Colorado Residents Only, By Year
Percent Responding

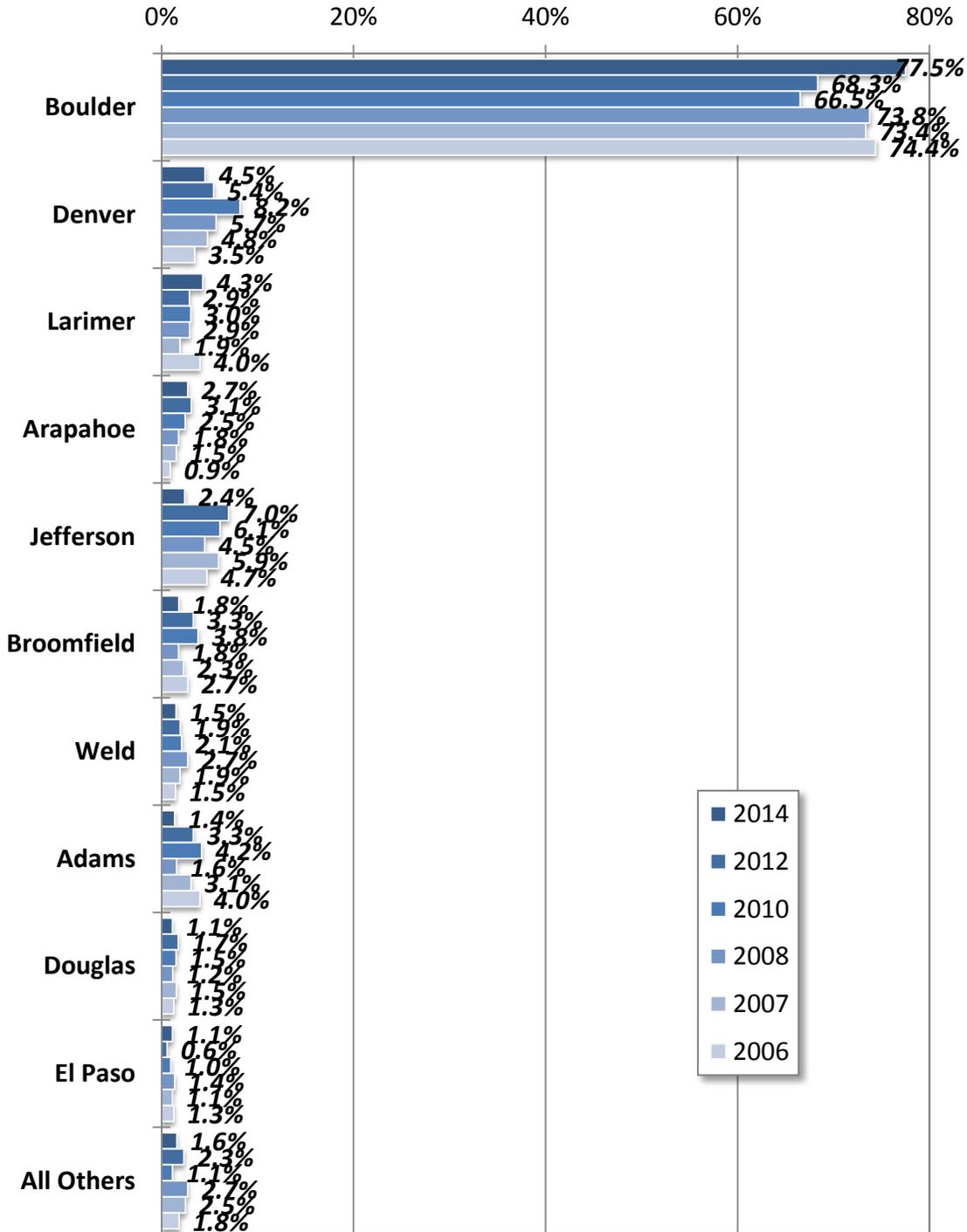


Figure 36
Area of Dominant Influence
By Year



Conclusion

The results of the user survey research program provide important information about and feedback from the users of the Downtown Boulder area. The information contained within this report is intended to assist Downtown Boulder, Inc., the City of Boulder Downtown Management Commission, the Downtown Business Improvement District, and the Convention & Visitors Bureau's understanding of key issues and concerns from the perspective of the visitor/user in order to set priorities for improvement, image, branding, and functioning of this key Downtown area. User satisfaction is generally very high, a positive finding of the research, though many suggestions were offered regarding improvements and changes to the area. It will remain important to continue to monitor issues such as competition with other shopping and entertainment areas, the impact of panhandlers, potential entertainment areas of interest, parking, crowding, and other subjects of interest as they emerge.



Study Session MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
Maureen Rait, Executive Director, Public Works
Tracy Winfree, Director, Public Works for Transportation
David Driskell, Director, Community Planning and Sustainability
Molly Winter, Director, Downtown and University Hill Management Division
and Parking Services (DUHMD/PS)
Susan Richstone, Deputy Director, Community Planning and Sustainability
Lesli Ellis, Comprehensive Planning Manager
Michael Gardner-Sweeney, Transportation Planning and Operations Coordinator
Kathleen Bracke, GO Boulder Manager, Public Works Transportation
Chris Hagelin, Senior Transportation Planner, GO Boulder
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Date: October 28, 2014

Subject: Update on the Access Management and Parking Strategy (AMPS)

EXECUTIVE SUMMARY

The purpose of this Study Session is to:



1. Review the best practices and innovations research conducted as part of the Access Management and Parking Strategy (AMPS) project;
2. Seek input on options for Transportation Demand Management (TDM) policies for new development; and
3. Share ongoing work plan items related to AMPS and next steps.

The purpose of AMPS is to review and update the current access and parking management policies and programs and develop a new, overarching citywide strategy in alignment with city goals. The project goal is to evolve and continuously improve Boulder's citywide access and parking management policies, strategies and programs tailored to address the unique character and needs of the different parts of the city. The project purpose, goals and guiding principles are shown in **Attachment A**.

The primary focus of the study session is to share the best practices and innovation research and to seek more detailed input on the Transportation Demand Management (TDM) policies for new private developments which is one of the early phase components of the AMPS work program.

Staff has gathered input from the community, boards and commissions to help identify priorities for further research and community discussion. Outreach to the city advisory boards and the public is essential, with the dual purpose of educating the community about the multimodal access system and seeking input and ideas about future opportunities for enhancements. The community and Board members attended a joint Civic Area and AMPS open house on Oct. 20 from 4-6 p.m. at Boulder Museum of Contemporary Art (BMoCA). Initial community and board input is summarized in Section II below. Staff is preparing the most recent feedback from the boards and commissions, coffee talks and open house which will be submitted to Council prior to the study session.

A joint board workshop will be scheduled in the first quarter of 2015 to provide an additional opportunity for all of the various board members to collaborate in the AMPS process. Community outreach is continuing throughout the AMPS process through a series of coffee shop talks, public meetings, and social media/web, including Inspire Boulder.

In-depth analysis in the other AMPS focus areas is on-going and more detailed information and staff recommendations in these areas, as well as in the TDM focus area, will be coming to the City Council in early 2015 for review and consideration.

Questions for City Council

1. Does City Council have feedback regarding the best practices and innovation research? Specifically, is anything missing? And does Council have any initial guidance on the policy questions staff should bring back in early 2015?
2. What is council's input on the key aspects of TDM Plan policies for new private developments?
3. Does council have any feedback regarding the ongoing AMPS related work plan items and next steps?

MEMO ORGANIZATION

- I. Background**
- II. Community, Board and Commission Feedback**
- III. Best Practices and Innovation Research**
- IV. Transportation Demand Management Plans for New Private Development**
- V. Short Term Code Changes**
- VI. Ongoing Work Related to AMPS**
- VII. Timeline**
- VIII. Next Steps**

I. BACKGROUND

The City of Boulder's parking management and parking district system has a long history, with the first parking meters installed on Pearl Street in 1946. During the past decades, Boulder's parking system has evolved into a nationally recognized, district-based, multimodal access system incorporating transit, bicycling and pedestrians along with automobile parking in order to meet city goals, support the viability of the city's commercial centers, and maintain the livability of its neighborhoods. Parking districts are currently in place in three areas of the community: downtown, University Hill and Boulder Junction.

The AMPS project approach emphasizes collaboration among city departments and close coordination with the numerous current and anticipated planning efforts and initiatives such as the Transportation Master Plan (TMP) Update, Economic Sustainability Strategy, and Climate Commitment. In addition of considering enhancements to existing districts, AMPS will be examining parking and access policies and strategies outside of the districts, including parking requirements by land use, bicycle parking requirements, neighborhood parking permit program, and on-street parking.

Elements of the AMPS project approach include:

- Integrated planning coordinated with other master planning efforts;
- A that focuses on a particular set of goals and guiding principles that create an adaptable set of tools and methods, allowing the city to continually improve and innovate to achieve its goals;
- Evaluation of existing and new parking and access management policies and practices within existing districts and across the community, including on- and off-street parking, and public and private parking areas; and,
- Development of context-appropriate strategies using the existing districts as role models for other transitioning areas within the community and incorporating national best practices research.

City Council held study sessions on [Jun. 10](#) and [Jul. 29](#) to review work to-date on the seven focus areas (District Management, On- & Off-Street Parking, Technology, Transportation Demand Management, Code Changes, Parking Pricing, and Enforcement) and provide overall direction on the approach for AMPS, as well as short-term code changes. View a summary of the two study sessions [here](#).

This memo contains a summary of the best practices and innovation research, analysis of options for updating TDM Tool Kit for new private development, a summary of the short-term code changes, updates on other efforts related to AMPS, and an updated timeline.

II. COMMUNITY, BOARD AND COMMISSION FEEDBACK

Staff continues to compile community, board and commission feedback to inform the development of AMPS. Beginning in late summer and continuing into fall 2014, staff has been conducting outreach to residents and commuters through the project website, Inspire Boulder, and a series of coffee talks throughout Boulder to help develop a good understanding of how the community currently views parking and access management.

In addition to Inspire Boulder and the coffee talks, the following community, board and commission activities are scheduled and a summary will be provided for the final Council Study Session Memo.

- October 1 – Boulder Junction Access Districts Commissions
- October 6 – Downtown Management Commission
- October 13 – Transportation Advisory Board
- October 15 – University Hill Commercial Area Management Commission
- October 16 – Planning Board
- October 20 – Joint AMPS / Civic Area Open house

III. BEST PRACTICES AND INNOVATION RESEARCH

This phase of the AMPS project considers best practices from other communities for all the different focus areas. The information gathered from the best practices research will provide staff and the community with approaches and ideas to improve existing access and parking management programs, as well as consider new programs throughout the city. Click [here](#) to view the full report compiled by Kimley-Horn. **Attachment E** is a summary list of all the best practices in the report and includes a summary of parking- and transportation-related programs of peer cities and other cities as examples to learn from. Below are some of the highlights for each focus area, along with specific examples of potential strategies identified for further analysis and consideration.

District Management

Boulder has well-defined and successful parking and access management districts in the downtown and on University Hill. Elements of these districts have been adapted to create the new access and parking management districts in the Boulder Junction transit-oriented development area. The district management focus area will further the enhancement and evolution of existing access and parking districts, as well as consider new districts that could be formed to address the specific issues and opportunities in other areas of the city such as North Boulder and along the east Arapahoe Avenue corridor. A toolkit of policies, implementation strategies and operational procedures will be developed to assist in the creation of new districts. The following are several specific examples of potential strategies identified for further analysis and consideration:

1. Edge Parking as a Commuter Parking Strategy – Seattle, Washington and Santa Clara Valley, California (Best Practice # 10) - This strategy provides shared remote parking within mixed-use development and is associated with transit-oriented developments and/or mobility hubs. The plans include coordination with existing districts to develop shared parking options for employees in edge locations with transit and bike options to travel the “last mile.” Parking spaces could be shared to maximize the benefit, with off-site employee parking during the day and residential parking at night.
2. Neighborhood Parking Management Plans and Benefit Districts – Houston and Austin, Texas (Best Practice # 34 and 35) - These communities provide examples of strategies

for both commercial and residential neighborhoods to develop specific parking solutions and parking/transportation-related investments. Applications have varied in different types of neighborhoods, and the strategies include the option of sharing parking revenues for community benefit.

3. Integration with Broader Community Planning Strategies – *Vancouver, British Columbia; Seattle, Washington; and Portland, Oregon (Best Practices #32, 36 and 37)* - These cities have taken a comprehensive and holistic approach to integrated planning, including transportation through either a cluster or district approach that addresses multiple sustainability components.
4. Neighborhood Parking Permit Program Permit Pricing – *Seattle, Washington and Charlotte, North Carolina (Best Practice #39)* - These different parking permit pricing structures will be reviewed and evaluated in the context of the program goals, including regional pricing. Potential relationships with the Neighborhood Parking Management Plans and Benefit Districts best practice will also be considered.

On- and Off-Street Parking

One of the significant issues for providing good access to a community is how it allocates limited curbside (on-street) space. This space tends to be used as unrestricted parking on most roadways, with restricted parking (either time-restricted by sign or by meter) in commercial areas like the downtown, University Hill and the North Boulder commercial area. However, there are many other uses for this curbside space that compete with these general uses. These other uses include handicapped-only designated parking; commercial loading zones; passenger loading zones; taxi stops; RTD bus stops; bicycle parking corrals; and parklets, as well as new possibilities such as on-street B-cycle stations; on-street electric vehicle (EV) charging stations; or designated car-share parking spaces. The challenge is how to balance the demand for all of these different uses with the limited curbside supply in a fair and equitable manner that meets the city's various goals and objectives. Staff is creating a "Policy Document" that will guide decision-making about balancing the use of limited curbside space.

Included in this focus area is off-street parking, either in parking lots or garages. The on-street and off-street parking resources work together to provide a variety of parking access options. For instance, in commercial areas, on-street parking is more focused on convenience for short-term parking, while off-street parking provides more long-term parking for employees and all-day visitors. Coordinated management of the two different resources is essential for providing access to the variety of different users and supporting the viability of commercial areas. Specific examples are:

72-hour On-street Parking - (Best Practice #5)

Currently, the B.R.C. restricts on-street parking to no more than 72 hours at a time, so parked vehicle must be moved every 72 hours. This restriction is in place for a variety of reasons. It is used to ensure that vehicles are not left abandoned in the public right-of-way with no resource for removal. It is also used to denote the time requirement in advance of a construction project or special event that temporary "No Parking" signs be placed on a roadway. If vehicles must be moved every 72 hours, then signs for temporary parking restrictions for special events need to be

placed 72 hours in advance. It has been suggested through community input that this 72-hour parking restriction should be either modified or eliminated. One reason suggested is that a requirement to move a vehicle every 72 hours is counter to some of the community's transportation (less driving) and environmental (better air quality) goals. Staff is investigating the need for modifying or eliminating this 72-hour restriction, and options for doing so if that is the policy direction.

Coordinated Private Parking Systems - Seattle, Washington (Best Practice #7)

Seattle has addressed the challenge of reduced parking from a waterfront viaduct project by developing a program that provides consistent public access to private parking facilities, including coordinated marketing and branding. This approach maximizes utilization of existing parking resources.

Parking Garage Management - San Francisco, California; Seattle, Washington; and Denver, Colorado

Staff will also be considering the off-street parking approaches of SFpark, Seattle car2go, and [Denver Strategic Parking Plan](#).

Technology

Technology has become an integral part of access and parking management strategies. Boulder has adopted a variety of technologies to make parking more convenient and efficient. These include a variable messaging system in the downtown garages to monitor garage occupancy, on-street parking kiosks, and a pay-by-phone option via the [Parkmobile](#) app. As new technologies evolve, staff will be considering cost-effective, customer-oriented and sustainable apps and systems to enhance the parking and access experience. In addition, the garage gate access and permitting technology systems will be replaced in 2015 and a request for proposals process is underway (see Section VI of the memo). An example is:

Parking Apps - Phoenix, Arizona, San Francisco and Los Angeles, California (Best Practice #14)

Parking applications for smartphones, tablets and other electronic devices are valuable tools for both customers and staff. Currently, the city does not have an adequately accurate database to provide reliable service to patrons. During the AMPS process, staff will be developing a database with detailed information about the location, number, and type of parking spaces. The PARCS (Parking Access and Revenue Control System) equipment project for the parking garages is one means to achieve a consistent count and provide the database link. The city's current level of sophistication with on-street parking management can provide a lower level of information. In later phases of AMPS, staff will look at how technology (geographic information systems and transaction data) can provide real-time information about the available on-street parking and explore what other cities utilizing similar equipment are doing and how to integrate apps for all modes of travel.

Transportation Demand Management

Transportation Demand Management (TDM) involves all programs that reduce single-occupant vehicle trips, including travel by transit, bikes, walking and carpool and vanpool programs. In

addition, there are strategies for telecommuting and parking pricing. The TDM focus area includes three primary components; the integration of TDM with access and parking management; refinement of the policies, implementation, and evaluation of TDM plans in the review of private developments; and the management of TDM programs in districts (existing and new/citywide). The City of Boulder's downtown has a robust and successful employee TDM program that has contributed to a major shift in the way that downtown employees access this high-density area. The free downtown employee EcoPass, support of bike- and car-share, and providing public bike parking are all successful elements of the current TDM program. Some examples are:

TDM for New Private Development

This element of the TDM focus area has been a priority and an early work plan item, as it is a part of the recently updated Transportation Master Plan (TMP). Staff has worked with Urban Trans, a sub consultant for the AMPS project, to identify national best practices and outline a series of steps to create a policy framework for updating Boulder's program. Detailed information regarding TDM Plan policy options are described Section IV.

Enhancements to Existing TDM Programs - Ann Arbor, Michigan and Arlington County, Virginia (Best Practices # 31 and 33)

The best practices research from those two communities focuses on additional opportunities for outreach, education and program development to enhance existing programs and engage constituents. Each community also has an educational component to share information about travel options and evaluation results. Additional research and staff coordination is being conducted with City of Portland, Oregon.

Code Changes (Best Practice #25)

Planning staff is working on updates to the land use code for parking requirements citywide (e.g., adding special parking requirements for uses with low parking demand such as the airport and warehouses where current parking requirements require too much and updating the code to meet American with Disabilities Act requirements). In addition, these initial code changes include updates to the city's land use code to enhance bicycle parking for new private developments. See Section V.

Longer-term code changes would respond to recent changes in travel behavior (e.g., increased bicycling and transit use) and the AMPS' principles for shared, unbundled, managed, and paid parking (SUMP). Code changes could include, but not be limited to, increased use of unbundled parking, shared parking requirements, parking maximums, automatic parking reductions and special parking requirements for high frequency transit corridors.

Staff is considering the following best practices for the long-term parking code changes:

- Analyze current parking requirements to assess whether the appropriate amount of parking is being provided based on contemporary travel conditions;
- Establish maximum parking requirements in addition to minimum parking requirements;
- Allow shared parking agreements between properties if the owners can demonstrate that parking needs would be met for land uses on both sites based on different hours of usage;

- Create new parking standards specific to land use rather than generalized per zoning district;
- Develop district-specific parking standards such as overlays, special requirements along transit corridors, unbundled parking, transit-oriented development areas, etc. based on the shared parking characteristics of an area (similar to how parking requirements are required and managed in downtown Boulder);
- Explore automatic parking reductions based on set conditions (e.g., car-share availability, transit access, bike parking above required amounts, etc.);
- Reassess the city's current parking design standards to determine if alternative car stall sizes are warranted among other design considerations; and,
- Accommodate electric vehicle charging stations.

Communities that have initiated some or all of the best practices listed above and are being analyzed as part of the AMPS process include Fort Collins, Colorado; Arlington, Virginia; Ann Arbor, Michigan; Largo, Florida; Eugene, Oregon; Portland, Oregon; and Madison, Wisconsin.

Parking Pricing

Parking pricing and enforcement fines will be reviewed and analyzed along with comparisons with other local and regional communities. The SUMP parking principles – shared, unbundled, managed and paid – are the basis for the city's parking management strategies. It will be important to appropriately price the parking in various areas of the community to meet multiple objectives: manage parking, provide convenient access, encourage multimodal travel, maintain neighborhood livability and ensure economic viability. Public outreach and education will be a major component of the process. This effort will be coordinated with the review of parking enforcement fines. Pricing for both long-term (permit) and short-term parking will be considered. The following are some parking pricing best practices that will be analyzed:

Performance-based and/or Variable Pricing - *Seattle, Washington; San Francisco, Los Angeles and Redwood City, California (Best Practice #22)*

Pricing parking based on parking demand, where locations with greater demand have a higher rate and locations with less demand have a lower rate. The intent is balanced parking management and providing availability and turnover in high-demand areas. Parking rates can be changed by time period or location. An optimal industry standard is 85 percent occupancy.

Progressive Pricing - *Albany, New York (Best Practice #23)*

Rates in a progressive pricing structure are determined by the length of time a vehicle remains parked. The intent is to provide flexibility by allowing those who wish to park longer to do so at a progressively higher rate. The elevated rate structure deters people from parking for long periods of time, thus creating more availability for others.

Coordinate On- and Off-street Parking Rates - *(Best Practice #4)*

On- and off street parking rates should be coordinated so that the parking facilities work together as a comprehensive system to achieve a common goal: to encourage longer-term parkers to use off-street facilities and short-term parkers to use the more convenient on-street parking. Higher rates on-street will also encourage greater turnover.

Parking Tax - *San Francisco, California; Pittsburgh, Pennsylvania; Vancouver, British Columbia; and Sydney, Australia (Best Practice #24)*

There are a variety of types of parking taxes. Commercial parking taxes are applied to parking rental transactions; per-space parking levies are a special property tax applied to parking facilities. Parking taxes can raise funds and help achieve various planning objectives, including more compact development and increased use of alternative modes, but can be unpopular.

Enforcement

Enforcement is a key to balancing parking access and management through education, customer service and regulation in an effort to better serve those who live, work and visit the City of Boulder.

Development of a Parking Enforcement Manual - *Variety of communities (Best Practice # 20)*

Staff continues to evaluate current policies and has been provided with sample policies from the consultant as best practices gathered from a variety of communities. Kimley-Horn developed a [Sample Parking Enforcement Operations Manual](#) and a [Sample Parking Enforcement Audit Checklist](#).

Parking Enforcement Fines: *Fort Collins, Colorado (Best Practice # 19)*

While certain parking fines have been increased over time, the over-time-at-meter rates have not been increased in at least 20 years. During the AMPS project, a detailed review will be conducted of other peer communities, as well as an analysis of the relationship to the short-term parking rates. Graduated or escalating parking fines is an approach used in different communities that focuses on fining repeat violators, rather than people who occasionally receive tickets, such as tourists.

Evaluation

Arlington County, Virginia (Best Practice #31)

An essential component of AMPS will be on-going evaluation. Staff will be determining the appropriate goals for the different focus areas and then refining and enhancing current methods to determine and evaluate how successfully the goals are met and how well the goals align with the AMPS guiding principles. The city currently uses a variety of surveys – Boulder Valley employee travel survey, Boulder resident travel survey, Downtown Boulder employee travel survey, Downtown intercept survey, Downtown Bike Occupancy Survey – and other data regarding parking utilization and revenues that provide statistics for access and parking management performance. Identifying how best to use this data to evaluate success and share it staff, policy makers, and with the public will be an outcome of the AMPS project.

The [Arlington County Commuter Services Performance Report](#) is an excellent example of an annual report that tracks performance and progress towards achieving defined objectives and goals. The report includes drive-alone commute mode share, average weekday vehicle trips and miles, and transit usage. Additionally, they track bicycle usage, bike-share memberships, number of employers with the Arlington Transportation Partners, resident awareness of TDM services, and greenhouse gas emission reductions attributed to their programs.

IV. TRANSPORTATION DEMAND MANAGEMENT PLANS FOR PRIVATE DEVELOPMENT

Under current city code, which sets policies for Site Review, commercial and residential developments that generate additional vehicle trips in excess of specific amounts are required to submit a Transportation Demand Management (TDM) Plan. The TDM Plan demonstrates how a applicant intends to “significantly” reduce vehicle trip generation. The city provides a TDM Toolkit and staff assistance to guide applicants through the Site Review process and develop a TDM Plan.

As part of the Transportation Master Plan (TMP) update and the AMPS work program, staff is working to make changes to Site Review TDM Plan policies and processes and is updating the TDM Toolkit for new developments. The options presented by staff include findings from a review of peer cities that have regulated TDM plans for new developments through ordinances. The draft report compiled by UrbanTrans and Kimley-Horn’s for the AMPS work program can be found at www.bouldertransportation.net.

During City Council study sessions about the TMP and AMPS in June and July of 2014, council members expressed the concept of implementing a TDM program for new developments that has specific ordinance-based requirements and that are actively monitored, evaluated, and enforceable (“TDM with teeth”). To implement such a program, several key aspects need to be determined, including:

- Specific goals and objectives of the TDM plans;
- Target level of the measurable objective(s);
- Trigger(s) for when such plans are required;
- TDM Plan design;
- Timing and duration of monitoring;
- Enforcement to meet TDM Plan objectives; and,
- Program staffing and funding evaluation.

Attachment B of the memo contains background and questions related to policy options for TDM Plans for new private developments. It is based on current practices in the City of Boulder and other peer cities, as well as municipalities that have ordinances in place to guide the design, implementation, evaluation and enforcement of TDM plans that mitigate the impacts of new developments. **Attachment C** contains the current language of the Design and Construction Standards (DCS), which currently dictate the TDM Plan process for Site Review in the City of Boulder. **Attachment D** provides a list of potential elements that could be included or required as part of TDM Plans.

At this early phase of rethinking TDM Plans for new developments and modification of the TDM Toolkit, staff is seeking initial feedback from members of the boards and City Council to develop the policy framework and recommendations to update the city’s TDM Tool Kit for new development.

Measuring Success:

1. Which measurable objective should determine the success of a TDM plan for new developments?

2. Which factors should be taken into account when calculating target levels for the measureable objective?

Triggers and Thresholds:

3. What triggers (and thresholds) should be considered in a regulatory approach to TDM Plans for new developments?
4. Are there TDM Plan elements that should be required based on the characteristics of the development?

Monitoring and Enforcement:

5. What should be the timing and duration of TDM Plan monitoring?
6. What kind of “teeth” and how much “teeth” is right for Boulder?

Funding

7. How will a regulated TDM Plan program be funded and staffed?

V. SHORT-TERM CODE CHANGES

As part of the Access Management and Parking Strategy (AMPS) process, staff is bringing forward an initial set of short-term ordinances that can be implemented as part of the early phase of work for AMPS.

1. Update vehicle parking standards to simplify and correct parts of the vehicle parking requirements that require too much parking, contain errors or are difficult to implement. Some examples are reducing parking requirements for low-parking-demand uses (i.e., warehouses, self-storage, and aircraft hangers), simplifying requirements for restaurants and retail in large commercial centers, and other cleanup items and updates.;
2. Revise bike parking requirements for new development to base bike parking requirements on land use type and require both short- and long-term bike parking.; and,
3. Amend the bicycle parking design standards in the Design and Construction Standards.

The [Sept. 18 report](#) to Planning Board has additional details and the ordinances are scheduled for a second reading at City Council on Nov. 6. Future longer-term parking-related code changes that are more complex in nature will be coming forward as part of the next phase of the AMPS process.

VI. ONGOING WORK RELATED TO AMPS

- With assistance from Kimley-Horn, staff is developing a request for proposals for the replacement of downtown garage access, revenue control and permitting systems to a state-of-the-art system that will coordinate with other technologies such as the variable messaging system.
- Negotiations are continuing for a shared parking option between the Central Area General Improvement District (CAGID) and Trinity Lutheran Church in downtown and a public-private partnership redevelopment of the University Hill General Improvement District (UHGD) 14th Street parking lot with Del Mar Interests.

- As one of the action items from the recently updated [Transportation Master Plan](#), the city is exploring the concept of a mobility hub for North Boulder, at the intersection of North Broadway and US 36. The mobility hub could include potential opportunities for enhancing transit stations, bike parking, bike-share, car-share, and edge parking (park-and-ride), kiss-and-ride, etc. The city is working with CDOT, RTD, Boulder County, and area property owners to develop concept sketches for consideration in fall 2014. In a related effort, staff is in initial discussions with a developer regarding a public-private partnership for a shared parking garage that could be used as edge parking for downtown employees.
- Staff is also exploring opportunities for mobility hub(s) as part of the Envision East Arapahoe corridor planning process.
- Downtown CAGID long-term parking permit rate increases are proposed in the 2015 budget for both the downtown and University Hill surface lots and garages. These proposed rates are consistent with the private parking rates.
- Staff is considering potential policy recommendations for on-street car-share parking to provide flexibility with new car-share programs.
- Implementation of the communitywide and Downtown Employee Travel Survey is underway this fall. The survey is done biannually and provides valuable information to evaluate and monitor access and parking management programs.
- Preliminary discussions are underway with the Steelyards Association regarding the potential of a coordinated parking management and TDM program for the mixed-use neighborhood in anticipation of the completion of Depot Square at Boulder Junction.
- Parking staff is coordinating with the Southwest Energy Efficiency Project (SWEEP) and Climate Commitment staff regarding electric vehicle charging stations at parking facilities.
- A downtown parklet study will determine potential criteria and locations, operational parameters and considerations, installation requirements, and recommendations for potential sites. The evaluation of the pilot parklet on University Hill will be completed this fall and provide valuable information for the development of future parklets in the downtown.
- With the projected completion of the Depot Square mixed-use development in Boulder Junction in early 2015, staff will be working with the multiple parties – the hotel, RTD, affordable housing and Boulder Junction Parking District – to implement a parking management system to accommodate the variety of users of the shared parking garage. The Boulder Junction district will develop a parking pricing strategy to implement the SUMP principles and reflect the market of the surrounding area.
- Coordination is ongoing with Community Planning and Sustainability staff, Transportation staff, and consultants regarding the parking and access projections for the Civic Area planning effort and integration of future TDM programs and additional parking.
- The downtown bike rack occupancy count was completed in August 2014. This survey provides valuable information and informs staff of locations for additional bike racks. The final report will be distributed in late October.
- DUHMD/PS is pursuing an innovative pilot program with a downtown Boulder startup company, Parkifi. Parkifi is developing a real-time parking space occupancy technology system and is proposing to pilot the program in the Broadway and Spruce Street surface

parking lot, on-street spaces and potentially in the downtown garages. The pilot will consist of installing sensors in parking spaces at no cost to the city. The sensors will be connected to a Parkifi gateway that will be connected to a cloud-based dashboard that displays occupancy data. A goal will be to work with the city's existing mobile payment vendor, Parkmobile, to provide real-time parking data to customers.

VII. TIMELINE

Attachment F includes a timeline for the project, along with major milestones and outreach activities.

VIII. NEXT STEPS

Information from the October community outreach and input from City Council and boards will be used to refine the best practices research and analyze options for each of the AMPS focus areas. A multi-department staff meeting will be scheduled in November to review and plan the next steps, including future work plan items and areas for policy recommendations. In early 2015, staff will schedule a joint board workshop and council study session to provide an update on next steps and policy recommendations. In particular, parking policy questions are expected to begin the vetting process in the next Council study session. Community engagement and outreach will continue to ensure public feedback and participation regarding AMPS.

- November – City Staff workshop
- First Quarter 2015 – Joint City Board and Commission Meeting
- First Quarter 2015 – City Council Study Session
- Spring 2015 – AMPS recommendations for consideration by Boards and City Council

For more information, please contact Molly Winter at winterm@bouldercolorado.gov or Kathleen Bracke at brackek@bouldercolorado.gov, or visit www.bouldercolorado.gov/amps.

ATTACHMENTS

- A. Project Purpose, Goals and Guiding Principles
- B. TDM Plan Policy Options for Private New Developments
- C. Design and Construction Standards and TDM Plans
- D. TDM Plan Elements
- E. Summary List of Best Practices Documentation
- F. Project Timeline

ATTACHMENT A: PROJECT PURPOSE, GOALS, AND GUIDING PRINCIPLES

Purpose

Building on the foundation of the successful multi-modal, district-based access and parking system, the Access Management and Parking Strategy (AMPS) will define priorities and develop over-arching policies, and tailored programs and tools to address citywide access management in a manner consistent with the community's social, economic and environmental sustainability principles.

Goals

The Access Management and Parking Strategy (AMPS) will:

- Be consistent with and support the city's sustainability framework: safety and community well-being, community character, mobility, energy and climate, natural environment, economic vitality, and good governance.
- Be an interdepartmental effort that aligns with and supports the implementation of the city's master plans, policies, and codes.
- Be flexible and adapt to support the present and future we want while providing predictability.
- Reflect the city's values: service excellence for an inspired future through customer service, collaboration, innovation, integrity, and respect.

Guiding Principles

1. Provide for All Transportation Modes: Support a balance of all modes of access in our transportation system: pedestrian, bicycle, transit, and multiple forms of motorized vehicles—with the pedestrian at the center.
2. Support a Diversity of People: Address the transportation needs of different people at all ages and stages of life and with different levels of mobility – residents, employees, employers, seniors, business owners, students and visitors.
3. Customize Tools by Area: Use of a toolbox with a variety of programs, policies, and initiatives customized for the unique needs and character of the city's diverse neighborhoods both residential and commercial.
4. Seek Solutions with Co-Benefits: Find common ground and address tradeoffs between community character, economic vitality, and community well-being with elegant solutions—those that achieve multiple objectives and have co-benefits.
5. Plan for the Present and Future: While focusing on today's needs, develop solutions that address future demographic, economic, travel, and community design needs.
6. Cultivate Partnerships: Be open to collaboration and public and private partnerships to achieve desired outcomes.

ATTACHMENT B: TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN POLICY OPTIONS FOR PRIVATE NEW DEVELOPMENT

MEASURING SUCCESS:

Goals and Measurable Objectives TDM Plans for New Developments

The overarching reasons for incorporating TDM into the Site Review process and regulating implementation and evaluation is to meet the goals and objectives of the Boulder Valley Comprehensive Plan, the City of Boulder's Sustainability Framework and the Transportation Master Plan. However, when designing a new set of policies and a TDM toolkit, it is important to understand the *specific* reasons in terms of new developments.

Currently, the City focuses on vehicle trip reduction as the key measurable objectives of TDM plans. The Design and Construction Standards state that when a commercial development is expected to exceed 100 vehicle trips at peak hour or 20 vehicle trips at peak hour for residential developments, a traffic study is required. See Attachment C for additional background. One element of the traffic study is the design of a TDM Plan, which provides an outline of site design amenities and vehicle trip reduction strategies to mitigate traffic impacts. To be approved, the TDM plan must be judged to provide a "significant" reduction in vehicle trips. However, what is meant by "significant" trip reduction is not defined by ordinance, nor is there any regulatory mechanism to enforce the implementation of the plan or penalties for failing to meet the plan objectives.

In Boulder Junction, the Trip Generation Allowance ordinance is more specific and focuses on allowing just 45 percent of all trips in single-occupant vehicles within the TDM Access District as a whole. It is up to the District to implement, monitor, and intensify the TDM strategies designed to meet the ordinance. As properties redevelop in Boulder Junction, payment-in-lieu-of-taxes (PILOT) fees and property taxes are collected to fund the Boulder Junction TDM program. The funds are being used to provide RTD Eco Passes to all residents and employees within the District, free carshare memberships and subsidized bikeshare memberships. As more properties redevelop and join the District, staff will begin to monitor SOV trips and make adjustments as necessary to meet the target.

Steps to Design Framework of a Regulatory Approach to TDM Plans

Step 1: Identify which measurable objective(s) should determine the success of a TDM Plan for new developments and which factors should be taken into account when calculating target levels for the measurable objective(s).

To design a regulatory approach for TDM Plans for new developments, staff is working through a number of steps that when completed will provide a framework for a set of policies and processes of a TDM ordinance. The first step is to decide what will be the measurable objective(s) that will determine whether a TDM plan is successful or not as well as the target level(s) for the objective(s). A review of peer cities and municipalities that have ordinances in place reveal a limited number of key measures. These include:

- Vehicle trips,
- Single-occupant vehicle trips, more specifically, and
- Average vehicle ridership (AVR)

Typically, the target level of vehicle trip reduction is based on a percent reduction from peak hour ITE trip generation rates based on size and land-use. Our current Site Review traffic studies estimate the number of vehicle trips that a specific-sized land use will generate and the City could determine what percent reduction will align with our wider transportation and sustainability goals. In Fairfax County, Virginia for example, vehicle trip reduction targets vary based on size and location, specifically proximity to transit oriented development (TOD) locations.

In places where reducing SOV trips is the basis of a TDM ordinance for new developments, the target is generally set by wider city or county goals. For example, our TMP objective is to have just 25 percent of all trips by residents in SOVs by 2025 and currently in Boulder Junction TDM Access District the target is to have just 45 percent of all trips by residents and employees immediately. In Cambridge, Massachusetts TDM plans are required to meet a 10 percent reduction in the SOV mode share from overall drive alone mode share of the census tract in which the development is located.

Average vehicle ridership (AVR) is typically found in California where air quality regulations require TDM plans for new and existing developments. AVR is calculated by dividing the number of persons traveling by all persons trips (including transit riders) by the number of private vehicle trips, while taking into account the average vehicle ridership of multiple-occupant vehicles. In Pasadena, California, the peak hour AVR targets range from 1.5 to 1.75 for large commercial developments depending on location and proximity to TOD locations. In California, TDM plans and targets must meet the regional Air Quality Management District's regulations and monitoring requirements as well.

When deciding which measurable objective to use it is important to consider the time and cost to collect the necessary data from property managers, residents and employees. While vehicle trip generation can be measured with driveway counts, SOV mode share and AVR require the administration of surveys to collect the necessary data.

Setting Target Levels

Once a measurable objective is identified, setting the target levels can be a difficult process considering of the level of complexity that can be generated if the calculation of target levels varies based on the characteristics of development. Based on the review of peer cities and municipalities with ordinances in place there is a potentially a large number of characteristics that could influence the target level of the measureable objective. The report on peer cities and existing ordinances provides examples of specific target levels for locations with ordinances in place.

For both commercial and residential developments, the most frequently used characteristics include land-use, size and location. Location is often related to proximity to a TOD location or transit level of service in general. In our case, the City may also want to consider proximity to

our Community Transit Network (CTN) routes and future bus rapid transit (BRT) service specifically, as well as location in a current or future parking management or TDM district. Also, depending what changes, if any, are made to the City's parking code, it may be necessary to include parking supply as an additional factor given the frequency of requests for parking reductions.

For the City, it will be important to align targets with the BVCP, TMP and Sustainability Framework objectives related to SOV mode share, VMT, transportation-related GHG emissions. An option to consider is have targets change over time to match the trajectory of the necessary reductions to meet the goal of an 80 percent reduction in GHG by 2050.

Step 1- Staff Considerations: *Staff is considering using SOV mode share as the primary objective since it is also used as a TMP objective and the key metric of the existing Boulder Junction Trip Generation Allowance ordinance. Tracking of this measurable objective would be accomplished through survey of employees/residents of the development. Staff also is considering the collection of vehicle trip generation data through traffic counts to validate survey findings through the use of pneumatic tube counters at entrances of the development.*

Staff is considering using land-use, size, proximity to CTN or BRT service and frequency of service, location in an existing Parking or TDM Access District, and parking supply in relation to reductions from minimum parking requirements as the key factors in determining specific target levels for the measurable objective(s). For multi-family residential, location in an existing Neighborhood Eco Pass program could also impact specific target levels. TAB also suggested proximity to the city's multi-use path system as an additional factor to consider.

Step 2: Determine what triggers and thresholds should be considered in a regulatory approach to TDM Plans for new developments.

In all places with TDM ordinances for new development, there are some projects that are exempt from the requirements. Typically, this is based on size or estimated ITE trip generation rates. As previously stated, the Design and Construction Standards state that when a commercial development is expected to exceed 100 vehicle trips at peak hour or 20 vehicle trips at peak hour for residential developments an approved TDM Plan needs to be submitted. The City may want to revisit these figures and raise or lower the thresholds based on staff feedback on the frequency of exempted Site Review developments.

While trip generation or size measured in square feet, or number of bedrooms for residential, are most typically used, the City may want to consider some other triggers which either exempt or automatically require a regulated TDM plan. As mentioned, a request for parking reduction could automatically trigger the need for a plan. Other options to consider include location within a TOD or sub-plan area or in an existing district such as CAGID or UHGID. Under current code, any property that redevelops in Boulder Junction is already required to meet the Trip Generation Allowance through the District or independently.

Step 2- Staff Considerations: *Staff is not considering changing the trip generation thresholds currently in place. Staff is also considering the inclusion of parking reduction requests as a*

trigger for requiring TDM Plans as well as location in an existing parking or TDM Access District, or in an existing or future TOD site.

Step 3: Identify which TDM Plan elements, if any, should be required based on the characteristics of a specific development.

Once a TDM plan is required for a new development, the plan must be designed through a collaborative process with city staff and the applicants. One of the key aspects to consider in regard to plan design is whether or not there are required elements. For example, parking cash-out programs, in which an employee is financially compensated for not using a parking space, were frequently required in regional California Air Quality Management Districts. On the other side of the spectrum, plans could be flexible and customized to each development without any required elements. TDM plan ordinances that do not require specific elements still meet the overall goals through monitoring and enforcement. When developments are not meeting the target levels are typically required to submit modified plans until the target is reached and in some areas are subject to financial penalties.

In Boulder, RTD Eco Passes for residents or employees could be a required element based on the characteristics of the development. In locations underserved by transit, the unbundling of parking could be a required element of multi-tenant commercial properties or attached multi-family residential projects. There is a long list of TDM plan elements that could be required in addition to Eco Pass and unbundled parking. Attachment D contains a list of residential and commercial TDM plan elements which could be required in certain cases.

Step 3- Staff Considerations: *Staff's preference would be to have very few required TDM Plan elements required which would allow TDM Plans to be more flexible and customized for each particular site. If a development is located in an existing District such as CAGID or Boulder Junction for example, participation in certain programs like the Eco Pass would be automatic. However, staff does not recommend that Eco Pass participation be a required element, with the exception of a residential development being located within an existing Neighborhood Eco Pass program. Since Eco Pass participation has proven to be one of the most effective strategies for changing travel behavior it is highly likely that it will be a necessary element to be in compliance with a TDM Plan ordinance wherever transit level of service is adequate.*

The few elements that could be required include:

- *Facilitation of scheduled TDM Plan evaluations or submission of required reporting*
- *Appointment of ETC as a point of contact for commercial developments or residential properties*

Additional elements to consider include:

- *Business Eco Pass participation based on transit LOS*
- *Unbundled parking for multi-tenant commercial or multi-family residential properties with possible size thresholds*
- *Showers and Changing Facilities for commercial developments with possible size thresholds*

- *Neighborhood Eco Pass program participation if development is located within existing program boundaries*
- *Transportation Management Organization (TMO) membership as a way to secure services to meet TDM Plan requirements.*

Step 4: Determine the Timing and Duration of TDM Plan Monitoring

Once regulated TDM plans have been implemented they need to be monitored to ensure that the target levels of the measurable objectives are being met. In designing a TDM ordinance for new developments, decisions need to be made about how often and for how long the effectiveness of the TDM plan is evaluated. The review of peer cities and current ordinances in place reveal that plans are typically evaluated annually for a certain number of years. After that period, often three to five years, the requirement either ends or compliance with the ordinance continues but with less periodic monitoring.

A frequent question of Boards and Council specifically concerns the duration of required Eco Pass participation, which in practice has been three years in time. With an ordinance in place that requires permanent compliance to a specific target, the “required duration” of any specific TDM Plan element becomes moot.

Developments are sometimes required to submit annual reports that are based on data collected by themselves or consultants or in some areas by city or county staff. Who actually is responsible for submitting reports and collecting data often depends on staff resources and the number of TDM plans that are required to be monitored.

When a development is not meeting their targets annual evaluations can continue beyond the initial time period. If targets are being met, require annual evaluations can cease or evaluations requirements can change. For example in Cambridge, when a development has been met its objective three years in a row, their file is set aside in a pool of projects that can be randomly selected for a special evaluation every five years.

Step 4- Staff Consideration: *Staff is considering an approach in which compliance to the TDM Plan ordinance is permanent. Developments would have three years to be in compliance and to meet the measurable objective target. During those first three years, annual evaluations would be conducted or annual reporting would be required. If a development is non-compliant in any of the first three years, then action is taken to modify the existing TDM Plan with assistance from GO Boulder and/or Boulder Transportation Connections (BTC), the city’s local transportation management organization (TMO).*

If after the initial three years the development is still non-compliant, then additional measures are taken and possible fines or fees are levied. Any fines, fees, or escrowed funds are then reinvested into the development to provide additional programs, services or incentives to motivate travel behavior change until the development is in compliance. Any development that is in compliance three years in a row would still be required to meet the target, but would no longer be required to be annually evaluated or submit annual reports. Instead the development

would be placed in a pool subject to random or periodic review to check for compliance similar to the process used in Cambridge.

Step 5: TDM Plan Enforcement

The difference in the City's current approach to TDM Plans for new developments and a regulatory approach is the ability to actually enforce that target objectives be met and outline a course of action if targets are not met. There is a wide spectrum of options for how TDM Plans can be enforced. In some areas, developments simply have to make "a good faith effort" to achieve the target levels. In others, like Cambridge, MA, properties face a \$10 per parking space per day fine if in non-compliance with the ordinance and the city also has a right to revoke the landowner's parking permits if non-compliance continues. Without the willingness to enforce it, a TDM ordinance is not worth pursuing.

Like in Cambridge, TDM Plan requirements are most often enforced through the use of fines, with a few exceptions. In Fairfax County, letters of credit are held and developments that fail to meet the vehicle trip reduction goals are required to use those funds to implement additional TDM plan elements or strategies. Continued failure to reduction goals in Fairfax County can result in the assessment of fines against the penalty fund. In Bloomington, MN the city requires financial guarantees valued at \$50 per parking space. In both places the letter of credit or escrow account funds are returned if the development meets the plan objectives for the required consecutive years. Under current practice in the City, letters of credit or escrowed financial guarantees are used to ensure that commercial developments participate in the Eco Pass programs they have agreed to provide.

In Montgomery County, Maryland and in the Warner Center of Los Angeles, new developments required to have TDM Plans must join their local transportation demand management organization/association (TMO or TMA). In exchange for annual membership fees, the TMO provides programs and services to assist in meeting the target levels. The TMO fees are collected as part of the property's tax assessment. Locally, Boulder Transportation Connections (BTC), in conjunction with DRCOG's Way to GO regional TDM program, could fill a similar role in providing outreach services to assist in the implementation and monitoring of TDM Plans for new developments, which at the same time securing needed funding and cultivating relationships with employers and employees. Instead of membership fees going directly to BTC, any fines imposed on a property could be used to fund BTC outreach to developments that are not meeting their targets. BTC's 2014 scope of work with the city includes conducting evaluations of existing TDM Plans and will commence with evaluations of Two-Nine North on 29th Street and the Whole Foods on Pearl Street this fall.

As the report illustrates, there are a variety of ways to enforce a TDM ordinance and policy makers will need to decide how much "teeth" is the right amount. Before deciding on an enforcement approach, Colorado state and local laws need to be thoroughly reviewed to determine their legality.

Step 5- Staff Consideration: *The issue of active monitoring, evaluation, and enforcement and just how much "teeth" is the right amount will be one of the more challenging aspects of a TDM*

Plan ordinance for new developments. Staff is considering an approach based on the use of escrowed financial guarantees that are set aside by developments. The escrowed funds or financial guarantees would be used to pay for additional programs, services or incentives if a development is in non-compliance with the ordinance. The funds could also be released to the local TMO to be used to provide assistance to the development in question. The level of the financial guarantee would need to be high enough to ramp up a development's TDM Plan when there is persistent non-compliance or include additional fees if original financial guarantee is spent. Input from the City Attorney's Office will be critical in development of the ordinance and enforcement procedures.

As the TDM program for new development is updated based on Council guidance and direction, staff also will identify the resources required to implement and maintain the program.

ATTACHMENT C: DESIGN AND CONSTRUCTION STANDARDS: TDM PLANS

The foundation for TDM Plans within the Development Process is located in the Boulder Revised Code 9-2 Review Process under 9-2-14-d-16 of the Site Review section where it states that a traffic study required by city of Boulder Design and Construction Standards.

In section 2.02 of the city of Boulder Design and Construction Standards, it states:

(A) Traffic Assessment

The Director will require an applicant to submit a Traffic Assessment in order to adequately assess the impacts of any development proposal on the existing and planned transportation system. The Assessment shall include a peak hour trip generation study projection (Refer to 2.03(J)) and may require additional information as determined by the Director.

(B) Traffic Study Requirements

For any development proposal where trip generation from the development during the peak hour of the adjacent street is expected to exceed 100 vehicles for nonresidential applications, or 20 vehicles for residential applications the Director will require an applicant to submit a Traffic Study to evaluate the traffic impacts of any development proposal required to undergo a concept review as set forth in Section 9-4-10, "Concept Plan Review and Comment," B.R.C. 1981. The traffic study may include the information required in Subsections (A) through (K), of Section 2.03, "Traffic Study Format," of these Standards at the discretion of the Director.

The TDM Plan requirements are specifically referred to in section I of Chapter 2:

(I) Travel Demand Management Strategies

Include an outline of travel demand management strategies to mitigate traffic impacts created by proposed development and implementable measures for promoting alternate modes travel, including but not limited to the following:

- (1) **Site Design:** Incorporate design features that facilitate walking, biking, and use of transit services to access a proposed development, including features such as transit shelters and benches site amenities, site design layouts, orientations and connections to increase convenience for alternate modes and reduce multiple trips to and from the site, and direct connections to existing offsite pedestrian, bicycle, and transit systems.
- (2) **Programs and Education:** Incorporate alternate modes programs, such as providing transit passes to employees and residents, van pooling to the site by a major employer, ride-sharing, parking pricing, and planned delivery services, and educational measures such, as promoting telecommuting, distributing transit schedules and trails maps, signing alternate travel routes, and providing an onsite transportation coordinator or plan to educate and assist residents, employees, and customers in using alternate modes.

ATTACHMENT D: TDM PLAN ELEMENTS

Residential Development Elements	Commercial Development Elements
<u>Parking</u>	<u>Parking</u>
Managed On-Site Parking	Managed On-street Parking
Unbundled Parking	Unbundled Parking
Short-term bicycle parking	Short-term Bicycle Parking
Long-term bicycle parking	Long-term Bicycle Parking
Electric Vehicle Parking/Charging	Electric Vehicle Parking/Charging
Carshare Vehicle Parking	Carshare Vehicle Parking
	Preferential Parking
	Employee Paid Parking
	Parking Cash-out Program
<u>Infrastructure/Amenities</u>	<u>Infrastructure/Amenities</u>
Pedestrian Access/Safety Enhancements	Pedestrian Access/Safety Enhancements
Bicycle Access/Safety Enhancements	Bicycle Access/Safety Enhancements
Transit Enhancements	Transit enhancements
Onsite Amenities	Onsite Amenities
Transportation Information Center	Transportation Information Center
	Showers
	Changing Facilities/Lockers
<u>Programs</u>	<u>Programs</u>
NECO Pass Program	BECO Pass Program Participation
Alternative Transportation Subsidy Fund	Alternative Transportation Subsidy Fund
Resident Orientation Packets	Employee/Tenant Orientation Packets
Carshare Membership Subsidy Program	Carshare Membership Subsidy Program
Bikeshare Membership Subsidy Program	Bikeshare Membership Subsidy Program
Pool Bike Program	Pool Bike Program
	Transportation Management Organization Membership
	Financial Incentive/Pre-tax Programs
	Alternative Work Schedules and Policies
	ETC Appointment
	Walk and Bike Month Participation
	Walk and Bike Month Sponsorship
<u>Evaluation</u>	<u>Evaluation</u>
Scheduled TDM Plan Evaluation	Scheduled TDM Plan Evaluation

ATTACHMENT E: SUMMARY LIST OF BEST PRACTICES DOCUMENTATION

PARKING MANAGEMENT STRATEGIES – ON-STREET

1. Evaluate the use and management of loading zones to improve loading efficiency and access to businesses
2. Review implications of new federal regulations related to Accessible (ADA) Parking
3. Assess the use of time zones as a parking management tool in lower demand zones
4. Coordinate on- and off- street parking rates
5. Reassess Boulder's 72 hour on-street parking limitation (abandoned vehicles)
6. Repurpose on-street parking spaces

PARKING MANGEMENT STRATEGIES – OFF-STREET

7. Develop relationships/potential partnerships with private parking providers
8. Evaluate the use of one day parking permits
9. Develop a parking and access management program strategic communication plan and annual report
10. Explore the concept of "edge parking" as potential commuter parking strategy
11. Use parking to create a sense of place
12. Explore "brackets" systems of shared parking

TECHNOLOGY AND INNOVATION STRATEGIES

13. Develop an overview of currently available parking technology options
14. Research the latest developments in parking apps
15. Multi-modal apps and payment options
16. Explore emerging best practices in electric charging stations
17. Automated parking garages
18. Preparing for "driverless cars"

PARKING ENFORCEMENT STRATEGIES

19. Escalating parking fine structures
20. Develop enhanced parking enforcement operations and training manual
21. Develop parking enforcement checklist

PARKING PRICING STRATEGIES

22. Performance based or variable pricing
23. Progressive on-street parking pricing
24. Parking Taxes

PARKING CODE STRATEGIES

25. Review and update parking codes

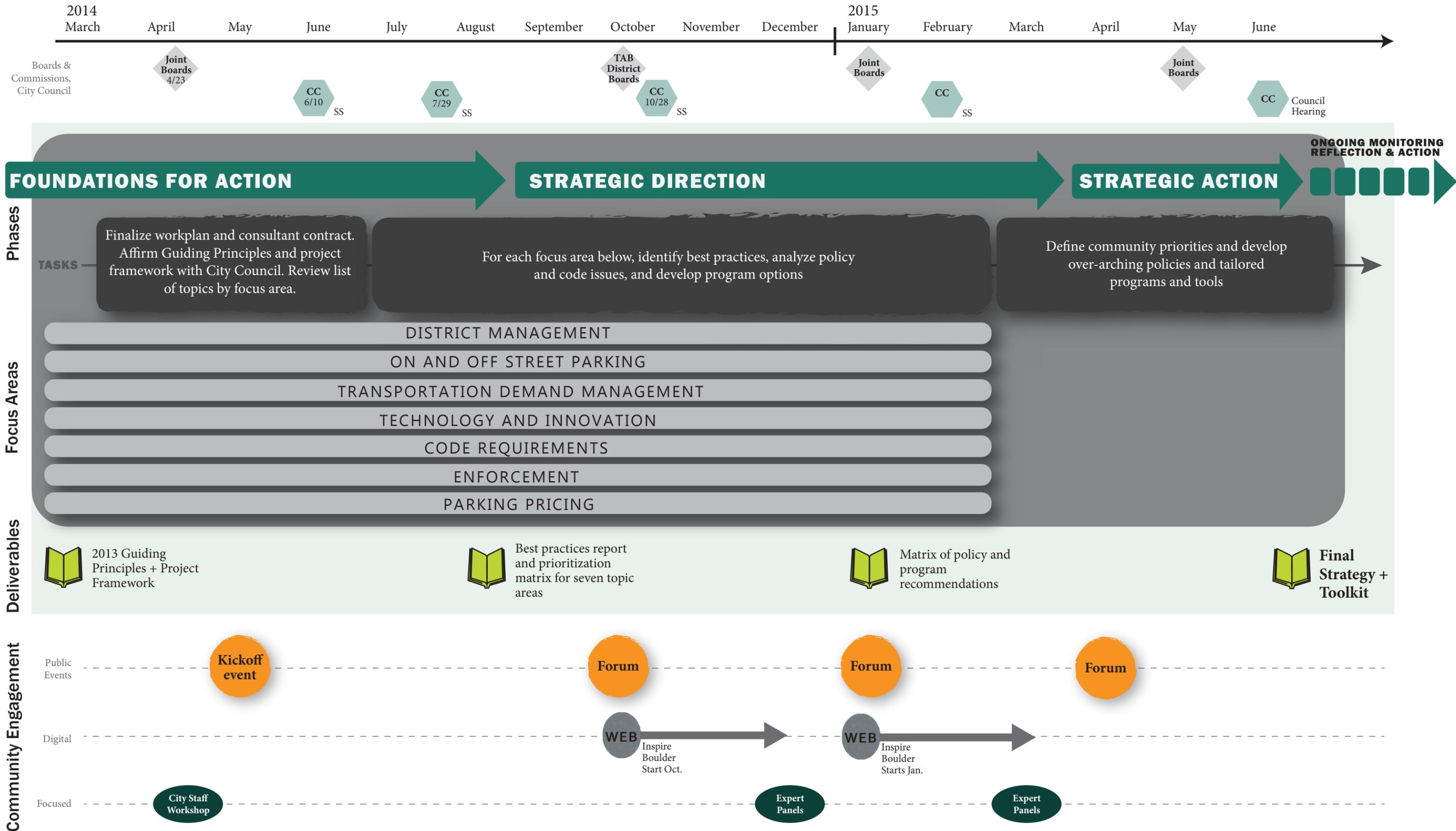
TDM STRATEGIES

26. Explore "first and last mile" strategies
27. Trip reduction or trip generation allowance
28. Explore the concept of increasing availability by decreasing demand
29. Local government's role in promoting car share

30. Parking cash out options
31. Adopt a research and educational mission to promote all modes of transportation

DISTRICT MANAGEMENT STRATEGIES

32. Livable neighborhood plans
33. Integrated downtown management and TDM programs
34. Neighborhood partnership program
35. Neighborhood district parking management plans and benefit districts
36. Seattle's Urban Village strategy for neighborhood development
37. Industry cluster development
38. Innovation districts
39. Neighborhood parking programs
40. Transit oriented corridor
41. District Trolley



Trinity Lutheran Church Project
BuildMark Feedback on Parking Garage
October 10, 2014

Overview

As a follow up to BuildMark's February 2014 review and report for the Trinity Lutheran Church Project Schematic Design (SD) pricing dated July 24, 2013, BuildMark has reviewed the Design Development (DD) pricing and is providing the following narrative. To further understand the DD pricing & allocations, BuildMark met with Chris Jacobs of Element Properties on September 30, 2014. Erik Hartronft, the project architect, joined the conversation by phone. The overall cost increases from SD to DD are summarized below, divided between Hard & Soft Costs.

Project Hard Costs

Schematic Design Hard Cost Pricing **\$5,942,175**

Assumed Schematic Design Allocations

Residential	40%	\$2,376,870
Fellowship Hall	25%	\$1,485,544
Parking Structure	35%	\$2,079,761
TOTAL	100%	\$5,942,175

Design Development Hard Cost Pricing **\$7,148,322**

Assumed Design Development Allocations

Residential	38%	\$2,715,806
Fellowship Hall	19%	\$1,388,345
Parking Structure	43%	\$3,044,171
TOTAL	100%	\$7,148,322

Per the Fischer Construction DD estimate dated August 19, 2014, hard costs have increased approximately \$1.2M (20%) from the SD to the DD estimate. Some of the largest cost increases occurred in the following categories: Masonry, Carpentry, Roofing, HVAC & Electrical.

As shown above, the hard cost allocation between the 3 property types has changed dramatically between SD and DD with the Parking Structure absorbing approximately \$965K (80%) of the hard cost increase. The SD allocations above seemed reasonable at the SD level, the DD allocations were derived by Fischer Construction going line by line through the DD estimate and allocating costs across the 3 property types. The Parking Structure allocation increased dramatically with the assumption that the majority of Earthwork, Shoring, Concrete, Steel and Waterproofing costs are allocated to the Parking Structure.

CAGID Hard Costs

In our meeting with Chris, we reviewed the allocation assumptions used to arrive at the \$2.4M (79% of the \$3.0M Parking Structure DD allocation) CAGID Hard Cost allocation. The detailed spreadsheet is attached to this letter. As shown on the spreadsheet, a majority of the CAGID Hard Cost allocations are assumed to be 67.9% (55 CAGID spaces divided by the 81 total spaces). Some of the larger cost categories (Concrete Reinforcement, Cast-in-Place Concrete, Structural Steel, Waterproofing) have allocation %'s above the 67.9% because the vast majority of these costs are allocated to CAGID spaces on the lower parking level located below grade. Chris feels these higher CAGID allocations are warranted as these costs are attributed to the 55 CAGID spaces and the majority of these costs wouldn't exist if an underground parking garage wasn't built as part of the Trinity project.

Project Soft Costs

Schematic Design Soft Cost Pricing **\$1,741,464**

Assumed Schematic Design Allocations

Residential	45%	\$779,489
Fellowship Hall	36%	\$630,491
Parking Structure	19%	\$331,484
TOTAL	100%	\$1,741,464

Design Development Soft Cost Pricing **\$1,798,718**

Assumed Design Development Allocations

Residential	49%	\$876,087
Fellowship Hall	33%	\$588,468
Parking Structure	19%	\$334,164
TOTAL	100%	\$1,798,719

As you can see above, the Project Soft Costs haven't changed much from SD to DD pricing. Chris and I reviewed the soft costs in our meeting and the allocation changes agreed to are included on the attached spreadsheet. In many instances when underwriting a real estate development, soft costs are assumed to be a % of hard costs. To arrive at the 28.92% CAGID soft cost allocation, the 43% of Parking Structure Hard Cost allocation was multiplied by 67.9%.

BuildMark Summary

1. The Total Hard Cost of \$2.521M (including a 5% contingency) or \$45,848/space is a significantly higher cost than BuildMark has observed on recent projects and in recent discussions with general contractors. Recent projects and general contractor pricing feedback have been in the \$30K - \$38K per space range. The hard cost is considerably higher due to the majority of the following hard costs allocated to the 55 CAGID parking spaces: Earthwork, Shoring, Concrete, Steel and Waterproofing.

2. The approximate 20% increase in the Fischer Construction Hard Cost estimates from SD (July 2013) to DD (August 2014) feels high. Construction costs have definitely increased over the past year, but BuildMark would expect this increase to be more around 10-15%.
3. In discussions with Chris, BuildMark understands that the Fischer Construction DD pricing doesn't include any allowance for parking equipment. BuildMark isn't sure the CAGID parking equipment required, but parking equipment could add \$30-40K in additional CAGID costs.
4. The Soft Costs of \$334,164 (19% of the \$1,798,719 in Soft Costs) attributed to the Parking Structure seems reasonable and fair to assume, the 19% allocation hasn't changed since the SD pricing. BuildMark feels Chris has been reasonable in the soft cost allocation categories to the Parking Structure. As you can see in the attached spreadsheet, Chris didn't allocate soft costs such as Legal, Accounting, Loan Fees and Marketing to the Parking Structure.
5. As we all know, allocating hard & soft costs between different product types within a real estate development isn't an exact science and is very difficult for all parties to feel they have been treated equally. BuildMark believes Chris has used reasonable rationale to allocate hard & soft costs between CAGID and the Trinity Church.
6. In conversations with Chris, BuildMark understands the next step, if CAGID decides to move forward, is for all parties to agree to a Memo of Understanding (MOU) on the deal terms for the Trinity Project. Chris would like the MOU to include a total CAGID cost range where CAGID would be comfortable moving forward to construction documents. The overall pricing & allocation will change once construction documents are complete and Fischer Construction prices the drawings. Chris stated that Trinity has spent approximately \$250K on design & engineering to date and would like an MOU in place before recommending that the Trinity Church continues to spend money.

Let us know if you have further questions or want to discuss any of the items above. Thanks for thinking of BuildMark to assist CAGID in the Trinity Project due diligence effort.

Trinity Lutheran Church Updated September 2014
CAGID Parking Lot Cost Allocation

CAGID Lot Soft Costs	Amount	% of Total
Permit & City Fees	77,554	12.74%
Legal	-	0.00%
Accounting	-	0.00%
Loan Fees & Construction Interest Reserve	-	0.00%
Due Diligence	-	0.00%
Project Management	103,096	28.92%
Marketing / Branding	-	0.00%
Architecture	107,809	28.92%
Structural Engineering	17,061	28.92%
Mechanical & Electrical Engineering	4,100	10.00%
Energy Consultant	-	0.00%
Civil Engineering	11,856	28.92%
Fischer Pre Construction	-	0.00%
Landscape Architecture	1,908	28.92%
Geotech	434	28.92%
Acoustic Consultant	-	0.00%
Kitchen Consultant	-	0.00%
Survey	1,093	28.92%
Reimbursable Expenses - All Consultants	2,024	28.92%
Soft Cost Contingency	7,229	28.92%
Total Soft Costs	334,163	19%
Change from Original Proposal	(38,572)	

Project Soft Costs (Housing, Fellowship, and Parking Combined)	Amount
Permit & City Fees	608,885
Legal	45,750
Accounting	15,000
Loan Fees & Construction Interest Reserve	174,815
Due Diligence	-
Element - Project Management	356,531
Marketing / Branding	15,000
Architecture	372,832
Structural Engineering	59,000
Mechanical & Electrical Engineering	41,000
Energy Consultant	8,225
Civil Engineering	41,000
Fischer Pre Construction	7,800
Landscape Architecture	6,600
Geotech	1,500
Acoustic Consultant	5,000
Kitchen Consultant	4,000
Survey	3,780
Reimbursable Expenses - All Consultants	7,000
Soft Cost Contingency	25,000
Soft Costs Total	1,798,718

DD Cost Summary		
	Total Cost	% of Total
Parking Garage	3,044,171	42.59%
Fellowship	1,388,345	19.42%
Residential	2,715,806	37.99%
Total	7,148,322	100.00%

CAGID Percentages		
Hard Costs	67.90%	55/81 spaces
Soft Costs	28.92%	% of Total Hard Costs times 55/81 spaces

CAGID Cost Summary		
Soft Cost Per Parking Space (55 Spaces)		6,076
Hard Cost Per Parking Space (55 Spaces)		45,848
Total Cost Per Space (55 Spaces)		51,923

CAGID Lot Hard Costs	Amount	% of Total
General Conditions	33,900	67.90%
Contingency	33,951	67.90%
Utility Pole Relocation	3,395	67.90%
Selective Demolition	1,245	67.90%
Ped Walkway / Barriers	30,302	67.90%
Dewatering	33,951	67.90%
Site Utilities	14,328	67.90%
Shoring	113,432	67.90%
Earthwork	101,982	67.90%
Export Soils	104,694	67.90%
Erosion Control	1,494	67.90%
Underslab Drainage	12,000	100.00%
Asphalt Concrete Paving	13,580	67.90%
Unit Pavers / Waterproofing	63,750	75.00%
Concrete Caissons	64,950	75.00%
Landscaping Allowance	10,185	67.90%
Concrete Reinforcement	234,422	80.00%
Cast-in-Place Concrete	654,300	80.00%
Stud Rail	13,580	67.90%
Grout	679	67.90%
Structural Steel	154,600	100.00%
Metal Joists/Deck	12,600	100.00%
Dampproofing	2,377	67.90%
Building Insulation	5,610	67.90%
Firestopping	1,358	67.90%
Sealants & Caulking	2,943	67.90%
Doors & Frames	2,275	67.90%
Gypsum Wallboard	17,654	67.90%
Flooring	5,093	67.90%
Painting	3,809	67.90%
Identifying Devices / Directory	679	67.90%
Hudraulic Elevator	22,294	67.90%
Fire Protection	13,580	67.90%
Plumbing	32,640	80.00%
HVAC	20,778	67.90%
Electrical	10,185	67.90%
Security	10,185	67.90%
Waterproofing, Parking Garage Only	364,120	100.00%
12" Deck in lieu of composite w/WP & Pavers	(42,344)	100.00%
Hard Cost Subtotal	2,180,553	
O/H & Profit (7.5% of Hard Costs)	163,542	
Safety/Small Tools	12,334	
Insurance	23,564	
Builder's Risk	9,426	
Bond	23,178	
Subtotal	2,412,596	
Contingency (5% of Hard Costs)	109,028	
Total Hard Costs	2,521,624	
Total CAGID Cost Allocation	2,855,788	

Total Garage Hard Costs - 81 Spaces	Amount
General Conditions	49,925
Contingency	50,000
Utility Pole Relocation	5,000
Selective Demolition	1,833
Ped Walkway / Barriers	44,626
Dewatering	50,000
Site Utilities	21,101
Shoring	167,054
Earthwork	150,191
Export Soils	154,185
Erosion Control	2,200
Underslab Drainage	12,000
Asphalt Concrete Paving	20,000
Unit Pavers / Waterproofing	85,000
Concrete Caissons	86,600
Landscaping Allowance	15,000
Concrete Reinforcement	293,028
Cast-in-Place Concrete	817,875
Stud Rail	20,000
Grout	1,000
Structural Steel	154,600
Metal Joists/Deck	12,600
Dampproofing	3,500
Building Insulation	8,262
Firestopping	2,000
Sealants & Caulking	4,334
Doors & Frames	3,350
Gypsum Wallboard	26,000
Flooring	7,500
Painting	5,610
Identifying Devices / Directory	1,000
Hudraulic Elevator	32,833
Fire Protection	20,000
Plumbing	40,800
HVAC	30,600
Electrical	15,000
Security	15,000
Waterproofing, Parking Garage Only	364,120
12" Deck in lieu of composite w/WP & Pavers	(42,344)
Hard Cost Subtotal	2,751,383
O/H & Profit (7.5% of Hard Costs)	206,354
Safety/Small Tools	15,563
Insurance	29,733
Builder's Risk	11,893
Bond	29,245
Subtotal	3,044,171
Contingency (5% of Hard Costs)	137,569
Total	3,181,740
Combined Total	4,980,458