



Jay Miller, Mayor  
Alan Lambert, Mayor Pro Tem  
Richard Carter, Councilor  
Keith Lambert, Councilor  
Jonathan Rice, Councilor  
Jennifer Sanborn, Councilor  
Randy Winkler, Councilor

City Hall  
City Council Chambers  
202 Railroad Avenue  
Rifle, CO

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Comcast Channel 10

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**REGULAR MEETING  
March 21, 2012**

**WORKSHOP 6:00 P.M.  
CONFERENCE ROOM**

- 6:00 P.M.            Discussion with Municipal Judge Victor Zerbi
- 6:30 P.M.            Discussion on Bureau of Land Management Oil Shale Programmatic  
Environmental Impact Statement (Mike Braaten)

**REGULAR MEETING 7:00 P.M.  
COUNCIL CHAMBERS**

*The City Council may take action on any of the following agenda items as presented or modified prior to or during the meeting, and items necessary or convenient to effectuate the agenda items.*

- 7:00 p.m.            1.    Regular Meeting Call to Order and Roll Call
- 7:03 p.m.            2.    Consent Agenda – consider approving the following items:  
          A. Minutes from the March 5, 2012 Special Meeting  
          B. Minutes from the March 7, 2012 Regular Meeting  
          C. Set hearings to consider suspension or revocation of liquor  
              licenses of Plaza Liquors, Rocky Mountain Liquors, Shale Country  
              Liquors, Wing Nutz Bar and Grill, Winchester Nite-Club, Fiesta  
              Guadalajara, Rifle Brewing Company, Thai Chili Bistro, Wal-Mart  
              Superstore, and Sports Corner; appoint Hearing Officer to  
              conduct hearings; and appoint Special Counsel to conduct  
              investigations and prosecute licensees

- D. Addendum to Queen’s Crown Annexation Agreement-Fairway Avenue Costs
  - E. Intergovernmental Agreement with Garfield County Regarding Sidewalk Improvements
  - F. Funding request from Visitor Improvements Fund
  - G. January 2012 Sales Tax Report
  - H. Accounts Payable
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- 7:08 p.m.      3. Citizen Comments and Live Call-In ((970) 665-6406)  
(For issues NOT on the Agenda. Please limit comments to 3 minutes.)
  - 7:11 p.m.      4. Action, if any, on Workshop Items (Mayor Miller)
  - 7:15 p.m.      5. Receive update from WPX Energy (formerly Williams Production RMP)  
(Donna Gray and Susan Alviljar)
  - 7:30 p.m.      6. Public Hearing – Special Event Liquor Permit – Colorado Mountain  
College Foundation (Lisa Cain)
  - 7:35 p.m.      7. ~~Public Hearing – Application to Transfer Hotel & Restaurant Liquor  
License from Angelica Burgara d/b/a El Kora Mexican Restaurant to  
Arturo Saucedo d/b/a El Kora Mexican Restaurant (Lisa Cain) hearing  
cancelled – will be set for later date~~
  - 7:40 p.m.      8. Consider Fairway Avenue funding request (Hubbard Gulch LLC)
  - 7:50 p.m.      9. Consider approving bid to paint pool, locker rooms, and slide structure  
(Aleks Briedis)
  - 8:00 p.m.      10. Consider allowing daytime parking on Acacia Avenue adjacent to  
Deerfield Park – Resolution No. 8, Series of 2012 (Rick Barth)
  - 8:10 p.m.      11. Consider awarding contract to Johnson Construction for \$177,822.60 for  
Highway 13 safety improvements (Rick Barth)
  - 8:20 p.m.      12. Consider amending Rifle Municipal Code Section 13-4-20 - Utility System  
Improvement Fee Surcharge – Ordinance No. 6, Series of 2012 (second  
reading) (Matt Sturgeon)
  - 8:30 p.m.      13. Consider Ordinance No. 7, Series of 2012 (Utility Service Charge  
Amendments to RMC Appendix A and Section 13-4-60) (second reading)  
(Jim Neu)
  - 8:40 p.m.      14. Consider directing City Attorney to draft updated animal control  
ordinances (Daryl Meisner)
  - 8:50 p.m.      15. Administrative Reports
    - A. City Manager Verbal Report
    - B. Other Reports
  - 9:00 p.m.      16. Comments from Mayor and Council

*The order and times of agenda items listed above are approximate and intended as a guideline for the City Council.*

**Next Regular Meeting of Council: April 4, 2012 at 7:00 p.m.**

# Oil Shale Briefing

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Rifle City Council Work Session – March 21, 2012

# Overview of presentation

- 2008 Oil Shale Record of Decision
- “Fresh Look” Alternatives
- BLM’s Preferred Alternative
- Council Discussion/Direction for Staff on City’s Comments on BLM.
  
- PIONEERS Act, HR \_\_\_\_\_, Introduced by Congressman Doug Lamborn, CO – Colo. Springs.

# Energy Policy Act of 2005

- Energy Policy Act of 2005, Public Law (P.L.) 109-58, Required BLM to establish a commercial leasing program for oil shale and tar sands resources. In particular, the requirement that a programmatic environmental impact statement be completed —for a commercial leasing program on public lands, with an emphasis on the most geologically prospective lands in Colorado, Utah, and Wyoming.||

# 2008 Record of Decision on Oil Shale

- Identified the most geologically prospective oil shale areas within the planning unit;
- Designated 1,991,222 acres of land within the most geologically prospective oil shale area as available for application for leasing for commercial oil shale development in accordance with applicable Federal, state, and local regulations and BLM policies;
- Removes the administrative barrier to BLM considering any application to lease oil shale – specifically – the requirement to amend individual BLM regional Resource Management Plans;
- Allowed the use of surface mining technologies ONLY in areas in Utah and Wyoming where the overburden is 0 to 500 ft thick;
- Requires additional NEPA analysis of the environmental, social, and economic effects of reasonably foreseeable development before the issuance of leases for commercial development;
- Requires additional NEPA analysis of the site-specific environmental, social, and economic effects of particular development proposals to consider site-specific and project-specific factors before the approval of project-specific development plans; and
- Requires the BLM to consider and give priority to the use of land exchanges, where appropriate and feasible, to consolidate land ownership and mineral interests within the oil shale basins.

## Fresh Look at 2008 R.O.D.

- Due to lawsuit brought by a number of environmental groups in January 2009, DOI/BLM agrees to take a “fresh look” at the 2008 record of decision.
- “Specifically, the BLM, through its planning process, intends to take a hard look at whether it is appropriate for approximately 2,000,000 acres to remain available for potential development of oil shale and approximately 431,000 acres of public land to remain available for potential development of tar sands.”

# New Oil Shale PEIS

- “...the PEIS is analyzing an **allocation decision**, the amendment of 10 existing land use plans to designate certain public lands as open, and certain other lands as closed for application for future oil shale and tar sands leasing.”

# New Oil Shale PEIS - Alternatives

1. No Action Alternative: Same as 2008, 2,017,741 M acres for commercial leasing.
2. A. Oil Shale Conservation Focus: 462K acres, 35,308 acres in Colorado removes Lands with Wilderness Characteristics, Sage Grouse Habitat, Areas of Critical Environmental Concern, etc.  
B. Oil Shale Conservation Focus with RD&D first, Same as "A," but require RD&D lease prior to commercial leasing (BLM Preferred Alternative).
3. RD&D with Preference Lease Right Only: 32,640 acres in Colorado and Utah
4. A. Moderate Development: 1.4-2.0M acres (Alt1 minus ACECs, etc.), 330,000 Acres in Colorado.  
B. Moderate Development with RD&D

## Preferred Alternative: 2(b)

“...the BLM has chosen Alternative 2(b) as the preferred alternative for oil shale, and Alternative 2 as the preferred alternative for tar sands. With respect to oil shale, the BLM would like to maintain focus on RD&D projects, so as to obtain more information about the technological requirements for development of this resource, as well as the environmental implications, before committing to broad-scale commercial development. For instance, the BLM looks forward to gaining a clearer understanding of the implications of development of oil shale for water quality and quantity.”

## NEPA, Endangered Species Act, National Historic Preservation Act requirements

Additional NEPA, etc. analysis would be required before any leases for commercial development can be issued.

Site specific NEPA analysis also would be conducted during the review and approval of project plans of development.

# Discussion of the Council's Position

City Council discussion and direction for staff to develop comments to be submitted to the BLM: Which alternative does Council favor? (Comment Deadline: May 4, 2012)

1. No Action
- 2a. Conservation
- 2b. Conservation with RD&D
3. RD&D Only
- 4a. Moderate Development
- 4b. Moderate Development with RD&D

Historic Position: Require Research, Development and Demonstration prior to commercial leasing.

## RIFLE CITY COUNCIL MEETING

Wednesday, March 5, 2012

### SPECIAL MEETING

7:00 p.m. \* Council Chambers

A special meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Jay Miller.

**PRESENT ON ROLL CALL:** Councilors Rich Carter, Alan Lambert, Keith Lambert, Jonathan Rice, Jen Sanborn, Randy Winkler, and Mayor Jay Miller.

**OTHERS PRESENT:** John Hier, City Manager; Matt Sturgeon, Assistant City Manager/Director of Planning; Lisa Cain, City Clerk; Jim Neu, City Attorney; Michael Churchill, Channel 10 Assistant Manager; Daryl Meisner, Police Chief; Dick Deussen, Utilities Director; Robert Burns, Water Supervisor; Charles Kelty, Finance Director; Gil Frontella; Greg Valunas; Jim Shira; Nora Shira; Mike McCoy; Clint Croy; Bret Cook; Carmie Cook; and Nella Barker.

#### ***DISCUSS AND CONSIDER TAKING ACTION ON WATER PLANT ISSUES***

Council did not discuss or take action on water plant issues.

#### ***DISCUSS ORDINANCE NO. 7, SERIES OF 2012 (UTILITY SERVICE CHARGE AMENDMENTS TO RMC APPENDIX A AND SECTION 13-4-60)***

City Manager John Hier and City Attorney Jim Neu explained that the City adopted a new utility code in late 2004 that changed the way the City calculated tap fees, which used to be based upon the size of the water line servicing the structure. The City enacted an Equivalent Residential Unit (EQR) Schedule that looked at the structure's use, how many square feet it contained and how many water fixtures it had. An EQR Schedule is a more accurate way to determine the impact to the City's system, and this is how tap fees are charged.

Monthly service charges were also tied to the EQR value assigned to each structure. Single family dwellings were billed no different than before at 1 EQR and multi-family units on master meters were still billed 1 EQR per unit.

Every single family dwelling and each multi-family dwelling unit was charged a base monthly fee (about \$14) and then a usage fee for all water used above four thousand gallons. In the example of a four apartment complex on one master meter, they would have paid  $\$14 \times 4 \text{ units} = \$56$ , and they would have paid a usage fee for all usage above 16,000 gallons (i.e.,  $4 \text{ units} \times 4,000 \text{ gallons} = 16,000 \text{ gallons}$ ). That is because the first 4,000 gallons of usage is included with the base fee. Some multi-family units never paid extra for water usage because they never exceeded the monthly minimum of 4,000 gallons times the number of units. Other multi-family units, such as mobile home courts, often exceeded this minimum and paid a base rate per unit and a usage fee.

On the commercial side, staff had no idea how many EQR to attribute to commercial developments existing at that time, so each commercial account was billed 1 EQR. Utility staff reasoned that commercial developments would make up the difference through the tiered water usage rate over the 4,000 gallon monthly allocation. To codify this practice, the 2007 ordinance changed the service charges invoiced each month from "per EQR" to "per account."

Finance staff interpreted this to mean that multi-family complexes were to be charged one base fee no matter how many units were in the complex, and then be billed for all usage above 4,000 gallons. This resulted in a reduced water bill for many small multi-family complexes that didn't use 4,000 gallons per unit per month. Larger multi-family complexes (King's Crown, a mobile home court, for example) paid about the same total bill as they previously had paid simply because they were being billed one base fee and a usage fee for all water used above four thousand gallons, which about equaled the per unit base fees.

In 2011, staff caught the mistake and the new ordinance recently adopted clarified that all customers are supposed to pay a base fee on a per unit basis and pay for usage. This change conformed to Section 13-1-380 which has been in the Code for many years and did not "increase" rates for multi-family units - it simply fixed a billing error. This has significantly increased the total water/sewer bill for owners/renters in small multi-family complexes. The increase is especially significant because these multi-family users are paying the base water rate and base sewer rate, and the base sewer rate more than doubled since 2007 (that was a result of the new waste water treatment plant and associated rate increase).

Gil Frontella, Greg Valunas, Mike McCoy, Clint Croy, and Brett Cook presented information about the effect of the 2011 ordinance on water and sewer bills at multi-family residences.

Jim Shira and Nora Shira presented information about the effect of the 2011 ordinance on water and sewer bills at a recreational vehicle (RV) park.

In 2008 the City amended the EQR Schedule for multi-family units to reflect the various impacts on the City's system related to the number of units in a building and their size. The amendment reduced the EQR values for many multi-family units. Staff suggested that small multi-family complexes could be billed at a reduced monthly base rate as compared to single family residences, as reflected in the revised EQR Schedule, in order to reduce water and sewer bills for multi-family complexes.

After discussion, Council directed staff to prepare an ordinance allowing small multi-family complexes to be billed based on the EQR values for those complexes, establishing an EQR value for RV parks, and allowing RV parks to be billed based on the EQR values for those parks.

Council also directed staff to process credits against bills for excess charges for January and February 2012 resulting from the 2011 ordinance.

**EXECUTIVE SESSIONS**

- **FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER CRS SECTION 24-6-402(4)(B) REGARDING PENDING LITIGATION**
- **TO DISCUSS PERSONNEL MATTERS UNDER CRS 24-6-402(2)(F) AND NOT INVOLVING: (1) ANY SPECIFIC EMPLOYEES WHO HAVE REQUESTED DISCUSSION OF THE MATTER IN OPEN SESSION; (2) ANY MEMBER OF THIS BODY OR ANY ELECTED OFFICIAL; (3) THE APPOINTMENT OF ANY PERSON TO FILL AN OFFICE OF THIS BODY OR OF AN ELECTED OFFICIAL; OR (4) PERSONNEL POLICIES THAT DO NOT REQUIRE THE DISCUSSION OF MATTERS PERSONAL TO PARTICULAR EMPLOYEES**

Councilor A. Lambert moved to adjourn to executive sessions to receive legal advice and to discuss personnel matters; seconded by Councilor Rice (8:17 p.m.).

Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

Upon return to open session following conclusion of the executive sessions, meeting adjourned at 9:15 p.m.

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Lisa H. Cain  
City Clerk

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Jay D. Miller  
Mayor

**RIFLE CITY COUNCIL MEETING**

Wednesday, March 7, 2012

REGULAR MEETING

7:00 p.m. \* Council Chambers

A regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Jay Miller.

**PRESENT ON ROLL CALL:** Councilors Rich Carter, Alan Lambert, Keith Lambert, Jonathan Rice, Jen Sanborn, Randy Winkler, and Mayor Jay Miller.

**OTHERS PRESENT:** John Hier, City Manager; Matt Sturgeon, Assistant City Manager/Director of Planning; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; Dick Deussen, Utilities Director; Charles Kelty, Finance Director; Michael Erion, Consulting Engineer; Rick Barth, City Engineer; Angela Roff, City Prosecutor; Daryl Meisner, Police Chief; Mary Meisner; Allison Powell; Benny Bentz; Oscar Yamaguchi; Jake Murphy; Gina Reece-Long; Brett Long; Michael Erion; Phil Vaughan; Tom Fiore; and Heidi Rice.

**CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:**

- A. Minutes from the February 15, 2012 Regular Meeting
- B. Set public hearing for El Kora Mexican Restaurant liquor license transfer application
- C. Unaudited December Financial Statement
- D. December Sales Tax Report
- E. Accounts Payable

Councilor A. Lambert moved to approve Consent Agenda Items A, B, C, D, and E; seconded by Councilor Carter.

Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

**CITIZEN COMMENTS AND LIVE CALL-IN**

Rifle High School seniors Allison Powell, Benny Bentz, Oscar Yamaguchi, and Jake Murphy thanked the Rifle Community Foundation for funding a portion of the cost for them to attend the Colorado Close Up program.

Police Chief Daryl Meisner announced his intent to retire this summer, after nearly 39 years of service.

There were no other citizen comments or live call-ins.

***PUBLIC HEARING – SPECIAL EVENT LIQUOR PERMIT – RIFLE AREA CHAMBER OF COMMERCE***

Mayor Miller opened the public hearing and swore in Gina Reece-Long, Event Coordinator, Rifle Area Chamber of Commerce. Ms. Reece-Long presented the Chamber's application for a special event permit to provide liquor service at the Rifle Area Chamber of Commerce's Annual Dinner at Grand River Hospital's meeting rooms on March 10, 2012, from 5:00 PM to midnight. City Clerk Lisa Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid.

Councilor K. Lambert moved to approve a Special Event Liquor Permit for the Rifle Area Chamber of Commerce on March 10, 2012, from 5:00 PM to midnight, at Grand River Hospital's meeting rooms at 501 Airport Road; seconded by Councilor Sanborn.

Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

***PUBLIC HEARING – SPECIAL EVENT LIQUOR PERMIT – DUCKS UNLIMITED, INC.***

Mayor Miller opened the public hearing and swore in Brett Long, Banquet Co-Chair, Ducks Unlimited, Inc. Mr. Long presented Ducks Unlimited's application for a special event permit to provide liquor service at its Annual Banquet on April 28, 2012, from 4:00 PM to 11:00 PM, at Grand River Hospital's meeting rooms. Ms. Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid.

Councilor A. Lambert moved to approve a Special Event Liquor Permit for Ducks Unlimited, Inc. on April 28, 2012, from 4:00 PM to 11:00 PM, at Grand River Hospital's meeting rooms at 501 Airport Road; seconded by Councilor Carter.

Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

***PUBLIC HEARING - WATERSHED DISTRICT PERMIT NO. 2-12 - BARGATH, LLC KOKOPELLI PIPELINE, PHASE 2, BEAVER CREEK***

Mayor Miller opened the public hearing and swore in Phil Vaughan and Tom Fiore. Mr. Vaughan and Mr. Fiore presented the application of Bargath, LLC for a Watershed District Permit from the City to construct a 16-inch natural gas pipeline in the Beaver Creek Watershed, including a crossing of Beaver Creek and a crossing of an unnamed tributary to Beaver Creek. Michael Erion, P.E., Consulting Engineer for the City of Rifle, classified the project as "minor impact" due to the nature of the project and its being part of the cumulative impacts within the watershed.

Originally, staff proposed that the applicant construct the pipeline crossing of Beaver Creek with a double wall pipe concrete encasement or liner system for 10 feet on both sides of Beaver Creek. In response, the applicant proposed to install heavy wall pipe with Fusion Bonded Epoxy coating and Abrasion Resistant Overlay protective coating up to 54 feet on both sides of Beaver Creek and up to 33 feet on both sides of the tributary to Beaver Creek. Mr. Erion recommended that Council approve the permit as amended.

Council discussed the following issues with Mr. Fiore, Mr. Vaughan, and staff:

- The pipeline would run generally 4 feet below grade, except at Beaver Creek and its tributary, where it would run 7 feet below grade.
- Classification of impacts under the permit process ("no impact," "minor impact," and "major impact")
- "Related facilities" that would be allowed by the permit (in this case, none besides the pipeline itself)
- Importance of the applicant's participation in the process to solve problems within the watershed identified at Council's workshop on February 15, including attendance at a meeting planned for March 29
- Amendment of the application as to the pipe specifications at the creek and tributary crossings
- Orientation of the pipeline (east-west) with respect to the roads (north-south) through the watershed
- The 25-year design life of the pipeline
- Applicant's and its successors' incentives to make periodic inspections of the pipeline
- Maintenance of the cathodic protection (induced electrical charge) on the outside of the pipeline
- Vegetation of the 175-foot-wide by 3-mile-long "scar" within the watershed that construction of the pipeline would create
- Impact on roads within the watershed from trucks hauling pipe to be placed within the pipeline corridor
- Planned construction from July to October
- Weighting of the pipe below Beaver Creek and its tributary with concrete saddles
- Location of Phase 1 of the pipeline (Jolley Mesa to Dry Hollow) and its stream crossings
- Crossings of water courses within the watershed by pipelines constructed by other permittees

- Applicant’s successful use of the design proposed to cross Beaver Creek and its tributary at other crossings of water courses
- Methods that the applicant will use to install the pipeline under Beaver Creek and its tributary
- Length of “typical” sections of pipe, methods for connecting the sections (including curved portions), and the applicant’s techniques for assuring weld and pipe integrity
- Hydro pressure testing of the pipeline
- Cleaning of the interior of the pipeline

Councilor Rice moved to approve Watershed District Permit No. 2-12 - Bargath, LLC Kokopelli Pipeline, Phase 2, Beaver Creek; seconded by Councilor A. Lambert.

Council discussed how multiple “minor impact” projects could create a “major impact” on the watershed.

Roll Call: Yes - Carter, A. Lambert, Rice, Winkler, Miller. No – K. Lambert, Sanborn.

***CONSIDER ORDINANCE NO. 7, SERIES OF 2012 - UTILITY SERVICE CHARGE AMENDMENTS TO RMC APPENDIX A AND SECTION 13-4-60 (FIRST READING)***

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING APPENDIX A TO THE RIFLE MUNICIPAL CODE TO ADJUST THE ADMINISTRATION OF WATER AND SEWER SERVICE FEES TO BE ON AN EQR BASIS AND AMENDING SECTION 13-4-60 TO ASSIGN EQR VALUES FOR RECREATIONAL VEHICLE PARKS

City Attorney Jim Neu reminded Council of its discussion at its special meeting on March 5, 2012 about the effect of changes to the Rifle Municipal Code on water and sewer bills at multi-family residences and a recreational vehicle (RV) park. As directed by Council, staff prepared proposed Ordinance No. 7, Series of 2012, allowing small multi-family complexes to be billed based on the Equivalent Residential Unit (EQR) values for those complexes, establishing an EQR value for RV parks, and allowing RV parks to be billed based on their EQR values.

Councilor K. Lambert moved to approve Ordinance No. 7, Series of 2012, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor Sanborn.

Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

***CONSIDER AWARDING PURCHASE OF VEHICLES***

Utilities Director Dick Deussen recommended that Council award a contract for the purchase of a ¾-ton flat bed pickup truck for the Parks Department to Columbine Ford in the amount of \$26,833.04, and a contract for the purchase of a multi-purpose dump body for the Operations and Maintenance Department to MacDonald Equipment in the amount of \$42,950. Mr. Deussen recommended the amount above the budget (\$1,833.04 for the pickup and \$1,950 for the dump body) be obtained from the Fleet Fund balance for the pickup and from the General Fund balance for the dump body.

Councilor Winkler moved to award a contract for the purchase of a ¾-ton flat bed pickup truck to Columbine Ford in the amount of \$26,833.04, and a contract for the purchase of a multi-purpose dump body to MacDonald Equipment in the amount of \$42,950; seconded by Councilor Carter.

Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

**CONSIDER BOND COUNSEL PROPOSALS**

Finance Director Charles Kelty recommended that Council award a contract for bond counsel services to assist with the 2012 Water Treatment Plant construction project bond issue to Kutak Rock LLP in an amount not to exceed \$10,000.

Councilor K. Lambert moved to award a contract for bond counsel services to assist with the 2012 Water Treatment Plant construction project bond issue to Kutak Rock LLP in an amount not to exceed \$10,000; seconded by Councilor Rice.

Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

**GARFIELD COUNTY AIRPORT RUNWAY EXTENSION ANNEXATION**

**A. Ordinance Nos. 1 and 2, Series of 2012 (second reading) (Garfield County Airport Runway Extension Annexation and Zoning).**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ANNEXING TO THE CITY OF RIFLE, COLORADO CERTAIN REAL PROPERTY KNOWN AS THE GARFIELD COUNTY AIRPORT RUNWAY EXTENSION PROPERTY

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE GARFIELD COUNTY AIRPORT RUNWAY EXTENSION PROPERTY ANNEXATION PUBLIC ZONE DISTRICT

**B. Ordinance No. 3, Series of 2012 (second reading) (Garfield County Airport Safety Zone Disconnection).**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO APPROVING THE DISCONNECTION OF CERTAIN TERRITORIES ADJOINING THE GARFIELD COUNTY REGIONAL AIRPORT COMMONLY REFERRED TO AS THE SAFETY ZONE DISCONNECTION

**C. Ordinance No. 4, Series of 2012 (second reading) (Garfield County Airport Runway Extension Right-of-Way Vacation)**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING THE VACATION OF A PORTION OF AIRPORT ROAD WITHIN THE CITY

Mr. Neu reminded Council that, at its February 1, 2012 meeting, it approved on first reading annexation and zoning ordinances for the Garfield County Airport Runway Extension Property. At the public hearing at that meeting, Council also considered and approved Resolution Nos. 3 and 4, Series of 2012, making the required findings of fact for the annexation of the Runway Extension Property and setting forth the City's Annexation Plan, respectively.

Ordinance No. 1, Series of 2012 annexes the Runway Extension Property, and Ordinance No. 2, Series of 2012 zones the Runway Extension Property Public Zone ("PZ") District.

As previously discussed, a portion of the Airport's new safety zone is now under City jurisdiction, and the City and County agree it should be under County jurisdiction. Accordingly, Ordinance No. 3, Series of 2012 approves the disconnection of the Safety Zone parcel from the City in compliance with C.R.S. §31-12-501, et seq.

Airport Road has been realigned and relocated, thus making a portion of the existing Airport Road right-of-way obsolete. Exhibit A to Ordinance No. 4, Series of 2012 graphically depicts the realigned roadway, including the

right-of-way to be vacated by the City. As previously discussed, the County has dedicated adequate right-of-way to the City to accommodate the realigned Airport Road. Thus, Ordinance No. 4 would vacate the obsolete right-of-way. As described on Exhibit B to the Ordinance, in vacating this portion of Airport Road the City is reserving a necessary storm sewer easement.

There are no substantive changes to the ordinances on second reading. However, staff has revised the reporting requirements described in the annexation ordinance to comply with state statute. Future annexation ordinances will recite that the City will deliver three certified copies of annexation ordinances and three copies of annexation maps to the County Clerk and Recorder rather than two copies. It is the County Clerk's obligation to deliver the third copy to the Colorado Department of Revenue.

The newspaper neglected to publish these ordinances by title in a timely fashion so second reading was delayed from February 15 to this meeting.

Councilor A. Lambert moved to approve Ordinance Nos. 1, 2, 3, and 4, Series of 2012, on second reading as presented and to order them to be published in full as required by Charter; seconded by Councilor Rice.

Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

***CONSIDER AMENDING RIFLE MUNICIPAL CODE WITH RESPECT TO ABANDONED PROPERTY – ORDINANCE NO. 5, SERIES OF 2012 (SECOND READING)***

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO REPEALING AND REENACTING CHAPTER 1, ARTICLE VIII OF THE RIFLE MUNICIPAL CODE REGARDING DISPOSITION OF ABANDONED PERSONAL PROPERTY**

Mr. Neu explained that currently, Rifle Municipal Code (RMC) Section 1-8-30 requires the City to send written notice to all known owners of unclaimed property greater than \$50.00 in value prior to disposition and to publish notice in the paper prior to disposition of any unclaimed property less than \$50.00 in value or property with no ascertainable owner. Most of the unclaimed property in the Police Department's custody is of nominal value and are articles not reclaimed by prisoners transported to Garfield County Jail. Staff proposes adopting a more streamlined process to dispose of these items, requiring mailed or published notice, depending on whether ownership is known, only for articles of \$100.00 or more in value. Abandoned articles of less than \$100.00 in value would be subject to disposition at the custodian's discretion without notice. Further, the amendments to RMC Chapter 1, Article VIII include procedures for the disposition of weapons and criminal instruments that were not previously included in the RMC.

Councilor Carter moved to approve Ordinance No. 5, Series of 2012, on second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor Rice.

Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

***CONSIDER AMENDING RIFLE MUNICIPAL CODE SECTION 13-4-20 - UTILITY SYSTEM IMPROVEMENT FEE SURCHARGE – ORDINANCE NO. 6, SERIES OF 2012 (FIRST READING)***

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 13-4-20 OF THE RIFLE MUNICIPAL CODE TO ELIMINATE THE MARCH 31, 2012 SUNSET FOR THE WATER AND SEWER SYSTEMS IMPROVEMENT FEE SURCHARGE OPTION FOR NONRESIDENTIAL PROJECTS**

Assistant City Manager/Director of Planning Matt Sturgeon reminded Council that in 2010 it approved a system improvement fee surcharge program for nonresidential users as a means to alleviate front-end development costs and spread payments for system improvement fees. The program permits payment of nonresidential system improvement fees in equal monthly installments over a three year period commencing at building permit application. The surcharge program, codified at Section 13-4-20 of the Rifle Municipal Code, sunsets on March 31, 2012. After administering the program for several years, staff supports extending the surcharge option as an efficient means to benefit commercial development that does not adversely impact the City's ability to provide efficient and cost-effective services for its residents. Thus, Ordinance No. 6, Series of 2012 before Council on first reading would eliminate the March 31, 2012 sunset date for the surcharge program. If the sunset provision is eliminated, City staff will continue to monitor the fiscal impact of the surcharge program and advise the Council if changes are needed in the future. The system improvement fee surcharge program will continue to be optional for all eligible customers, and customers will still have the option to pay system improvement fees in full at the time of building permit application.

Councilor Winkler moved to approve Ordinance No. 6, Series of 2012, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor A. Lambert.

Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

***CONSIDER APPROVING BID TO PAINT POOL, LOCKER ROOMS, AND SLIDE STRUCTURE***

Due to this item's submission after creation of Council's document packet for tonight's meeting, Council declined to take action on this item. It will consider this matter at its March 21 meeting.

**ADMINISTRATIVE REPORTS**

Mr. Hier reported to Council on the following issues: personnel changes; recycling; sewer service line problems at East Avenue; and water plant tour.

Mr. Sturgeon informed Council of a technical issue affecting its electronic calendar, and he announced that there would be several events during the week of April 16 related to downtown planning.

Ms. Cain reminded Council of its March 14 workshop with the Garfield Re-2 School District Board of Directors.

Mr. Deussen noted that GE Zenon representatives were on site evaluating the City's reverse osmosis equipment. Increased turbidity in the Colorado River has resulted in the City drawing water from the intake pond, instead of directly from the river. There will be a public hearing on April 2 about the water treatment plant.

**COMMENTS FROM MAYOR AND COUNCIL**

Councilor Sanborn commented that the City needs to take a progressive stance with respect to watershed protection.

Councilor Rice commended all of the Rifle High School students in Colorado Close Up, and he thanked the Rifle Community Foundation for assisting with funding for student participation in the program.

Councilor K. Lambert thanked outgoing employees for their service. He thanked City Planner Nathan Lindquist for his dedication to downtown planning.

Mayor Miller and the Council expressed their appreciation to Chief Meisner.

***EXECUTIVE SESSION FOR CONFERENCE WITH CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER CRS 24-6-402(4)(B); FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER CRS 24-6-402(4)(E); AND TO DISCUSS THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF REAL, PERSONAL, OR OTHER PROPERTY INTEREST UNDER CRS 24-6-402(4)(A)***

Councilor A. Lambert moved to adjourn to executive session to discuss personnel matters; seconded by Councilor Rice (9:25 p.m.).

Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

Upon return to open session following conclusion of the executive session, meeting adjourned at 10:12 p.m.

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Lisa H. Cain  
City Clerk

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Jay D. Miller  
Mayor

**ADDENDUM TO  
AMENDMENT TO  
QUEEN'S CROWN ANNEXATION AGREEMENT  
CONSTRUCTION OF FAIRWAY AVENUE/HIGHWAY 13 INTERSECTION**

THIS ADDENDUM is made and entered into this 21<sup>st</sup> day of March, 2012 by and between the CITY OF RIFLE, COLORADO, a Colorado home-rule municipality (hereinafter "City"), and HUBBARD GULCH DEVELOPMENT, LLC, a Colorado limited liability company (hereinafter "Developer").

**WITNESSETH:**

WHEREAS, Developer is the owner of certain real property located in the City of Rifle, Colorado known as Queen's Crown Annexation and described on Exhibit A attached hereto and incorporated herein by this reference (hereinafter the "Property"); and

WHEREAS, to set forth their agreements concerning the terms and conditions of the annexation of the Property to the City and the zoning and development of the Property, the City and Developer entered into the Queen's Crown Annexation Agreement dated April 15, 2009 and recorded as Reception No. 766895 in the Office of the Garfield County Clerk and Recorder (the "Annexation Agreement"); and

WHEREAS, the Annexation Agreement established terms and conditions for the design, construction, and dedication of Fairway Avenue from its terminus in Palomino Park Subdivision to and including an intersection with Highway 13 (the "Fairway Avenue Extension"); and

WHEREAS, in order to establish further terms and conditions for the construction of a portion of the Fairway Avenue Extension comprising of the Fairway Avenue/Highway 13 intersection and associated public improvements (the "Project"), the City and Developer subsequently entered into the Amendment to Queen's Crown Annexation Agreement Construction of Fairway Avenue/Highway 13 Intersection dated March 17, 2011 (the "Fairway Avenue Agreement"); and

WHEREAS, pursuant to Section 4.D of the Fairway Avenue Agreement and in reference to Section 5.b. of the Annexation Agreement, Developer has submitted for review and approval by the City a final accounting of its expenses for the Project, and the parties wish to enter into this Addendum as contemplated by the Fairway Avenue Agreement and Annexation Agreement accordingly.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

1. Recitals. The foregoing recitals are incorporated herein as material representations and acknowledgments of the parties.
2. Final Accounting. Pursuant to Section 4.D of the Fairway Avenue Agreement, Developer has completed the Project as defined by the Fairway Avenue Agreement, and the City has

accepted the Fairway Avenue/Highway 13 intersection public improvements. Moreover, Developer has submitted to the City for its review and approval a final accounting of all costs and expenses for the Project, including each party's financial contribution, which is attached hereto as Exhibit B. The attached costs shall serve as the final allocation of costs between the parties for the Project, which is only a portion of the Fairway Avenue Extension as defined in Section 5.b. of the Annexation Agreement completed to date, as follows:

City of Rifle	\$727,500.00	74%
Hubbard Gulch Development	<u>\$255,000.00</u>	<u>26%</u>
	\$972,500.00	100%

3. Recording. This Addendum shall be recorded in the Office of the Garfield County Clerk and Recorder.

4. Ratification of Annexation Agreement and Fairway Avenue Agreement. The parties hereby affirm and ratify the Annexation Agreement and the Fairway Avenue Agreement. Nothing herein shall modify Developer's obligation to pay for fifty percent (50%) of the total costs for the Fairway Avenue Extension.

WHEREFORE, the parties hereto have executed duplicate originals of this Addendum on the day and year first written above.

CITY OF RIFLE, COLORADO

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

HUBBARD GULCH DEVELOPMENT,  
LLC:

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_



## *Legal Description*

### *Queen's Crown Subdivision*

A PARCEL OF LAND BEING THE SE1/4SE1/4 SECTION 5 AND A PORTION OF THE NE1/4NE1/4 SECTION 8, TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE SIXTH P.M., COUNTY OF GARFIELD, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5, A BLM BRASS CAP IN PLACE, THE POINT OF BEGINNING; THENCE S89°56'27" W ALONG THE SOUTHERLY BOUNDARY OF SAID SECTION 5 A DISTANCE OF 30.00 FEET, TO A POINT ON THE WESTERLY RIGHT OF WAY FOR FAIRWAY AVENUE PER RECEPTION NUMBER 294025; THENCE LEAVING SAID SOUTHERLY BOUNDARY S00°29'39" E A DISTANCE OF 6.65 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY FOR THE CITY OF RIFLE BYPASS; THENCE CONTINUING ALONG SAID BYPASS THE FOLLOWING FOUR (4) COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 879.90 FEET AND A CENTRAL ANGLE OF 21°59'32" A DISTANCE OF 337.74 FEET (CHORD BEARS S57°01'48" W A DISTANCE OF 335.67 FEET)
- 2) S43°40'59" W A DISTANCE OF 207.80 FEET
- 3) S44°30'29" W A DISTANCE OF 500.10 FEET
- 4) S41°38'15" W A DISTANCE OF 757.49 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID NE1/4NE1/4 SECTION 8; THENCE ALONG SAID WESTERLY BOUNDARY N00°25'02" W A DISTANCE OF 1263.73 FEET TO THE EAST SIXTEENTH CORNER OF SAID SECTION 5 AND SAID SECTION 8, A BLM BRASS CAP IN PLACE; THENCE N00°08'12" W A DISTANCE OF 1321.36 FEET TO THE SOUTHEAST SIXTEENTH OF SAID SECTION 5; THENCE N89°39'42" E ALONG THE NORTHERLY BOUNDARY OF SAID SE1/4SE1/4 SECTION 5 A DISTANCE OF 1308.59 FEET TO THE S1/16 CORNER OF SAID SECTION 4 AND SECTION 4; THENCE S00°32'52" E ALONG THE EASTERLY BOUNDARY OF SAID SECTION 5 A DISTANCE OF 1330.50 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 57.03 ACRES MORE OR LESS.

EXHIBIT

A



**INTERGOVERNMENTAL AGREEMENT  
BETWEEN GARFIELD COUNTY AND THE CITY OF RIFLE  
TO SHARE THE COST OF SIDEWALK REPLACEMENT**

This Intergovernmental Agreement is entered into by and between **Garfield County, State of Colorado** (“County”) and the **City of Rifle, Colorado** (“City”) (collectively, the “Parties”) to share the costs required to repair and replace approximately 1,000 feet of sidewalk, portions of which are located within the jurisdiction of each Party (the “IGA”).

**RECITALS**

WHEREAS, the County is a body politic and corporate of the State of Colorado whose powers are exercised by the Board of County Commissioners (“BOCC”). COLO. REV. STAT. §§ 30-5-125 and 30-11-103 (2011); and

WHEREAS, the City is a Colorado Home Rule Municipality. Colo. Const. art. XX, § 6; and

WHEREAS, the Parties are authorized and encouraged to cooperate with each other to make the most efficient and effective use of their powers and responsibilities. Colo. Const. art. XIV, § 18(2) (a)-(c) and art. XI, § 2; COLO. REV. STAT. §§ 23-31-120 (2007) and 29-1-201 (1971); and

WHEREAS, approximately 1,000 feet of sidewalk along Prefontaine Avenue, which connects west Rifle to the Rifle High School and is generally shown on Exhibit A (the “Sidewalk Area”), is in poor condition, cracked, uneven, non-existent, or weed-overgrown; and

WHEREAS, approximately sixty-percent (60%) of the Sidewalk Area is within County jurisdiction and forty-percent (40%) is within the jurisdiction of the City; and

WHEREAS, the City estimates the total cost of necessary repairs and improvements to the Sidewalk Area to be \$25,000 and has offered to have its own crews perform the work; and

WHEREAS, the Parties agree that it is appropriate to repair and replace the sidewalk and agree that it will be more efficient and cost effective and of greatest service to the public for the Parties to share the cost of repair and replacement of the Sidewalk Area under the terms and conditions set forth herein (the “Project”);

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements identified below, the Parties agree as follows:

1. Incorporation of Recitals. The foregoing Recitals are incorporated herein as if set forth in full.

2. Project Location. The Sidewalk Area to be repaired and replaced as part of this Project is located along the east side of Prefontaine Avenue in Rifle, Colorado, beginning at approximately 5<sup>th</sup> Street and heading north past 7<sup>th</sup> Street to and including what is known as the “Gentry’s Driveway”, ending at the north side of the Gentry’s Driveway, as depicted on Exhibit A, which is incorporated herein for all purposes. The entire length of the Project is approximately 1,000 feet, of which the City owns the southern 2/5 the Sidewalk Area between 5<sup>th</sup> Street and 7<sup>th</sup> Street and the County owns the remaining 3/5 portion from 7<sup>th</sup> Street to the north end of the Gentry’s Driveway.

3. Project Scope. The City agrees to remove the existing asphalt sidewalk and create a new concrete walkway, five feet in width, for the entire length of the Sidewalk Area and to perform or install all necessary improvements, which may include but may not be limited to, at the City’s discretion, the following:

- a. Removing and disposing of existing asphalt sidewalk and improving the subgrade with a typical Class 6 base course where the original asphalt was laid down;
- b. Installing a handicap ramp for future crossing to 7<sup>th</sup> Street;
- c. Improving the cut to the Gentry’s Driveway;
- d. Re-cutting the roadside swale where necessary to improve flow away from the road shoulder and sidewalk edge;
- e. Removing any existing or potential trip hazards.

4. Project Cost. The City estimates that the cost of work identified as the Project Scope is \$25,000.00. The Parties agree to share this cost in proportion to the length of the pathway in their respective jurisdictions whereby the County will contribute \$15,000.00 toward the cost and the City will contribute \$10,000.00.

- a. If estimated or actual Project Cost exceeds \$25,000.00, the City will notify the County of the increase before commencing work or otherwise incurring any cost for which it will seek contribution from the County. The County will not be responsible for a proportionate share of the costs in excess of that stated in paragraph 4 without its written consent.
- b. If actual Project Cost is less than \$25,000, the City will return 60% of the savings to the County.

5. The City's Rights and Responsibilities.

- a. Construction. The City shall be solely responsible for construction of the sidewalk in conformance with the Project Scope on a schedule it deems necessary and appropriate for Project completion.
- b. Snow Removal. The City shall, at its own expense, perform or provide snow removal for the entire length of the Sidewalk Area, regardless of whether it is in City or County jurisdiction.
- c. Sidewalk Maintenance. To the extent the City maintains sidewalks within its jurisdiction by performing or providing services such as weed or trash removal, sweeping, or the like, the City shall also maintain, at its own expense, the entire length of the Sidewalk Area, regardless of whether it is in City or County jurisdiction.

6. The County's Rights and Responsibilities.

- a. Payment of Proportionate Share. The County agrees to contribute Fifteen Thousand Dollars (\$15,000.00) towards the cost of improving 1,000 lineal feet of sidewalk along the east side of Prefontaine Avenue. The County agrees to make its payment to the City upon receipt of a signed invoice from the City once the project has started.
- b. Waiver of Permit Fees. The County agrees to waive any fees associated with permitting work to be performed in the County right of way.

7. Sidewalk Repair. The City and County shall each be responsible for repairs needed to their respective portions of the Sidewalk Area, regardless of the reason repairs are undertaken, and shall not be responsible for repairs to portions of the Sidewalk Area outside their respective right of ways. Repair obligations of either Party shall be contingent upon annual appropriation of funds sufficient to perform the level of repair determined appropriate by the responsible Party.

8. Payments Subject to Annual Appropriations. The Parties' financial obligations under this IGA are subject to annual appropriation and budgeting by each Party. This IGA is not intended to, nor does it create a multi-year fiscal obligation as defined by Section 20, Article X of the Constitution of the State of Colorado. The Parties are not under any obligation to make

any future apportionment or allocation to this Agreement; however, by their signatures below, both Parties confirm that each has appropriated its respective share of the Project Cost identified in paragraph 4 above in this current fiscal year.

9. Breach and Notice. If either party fails to perform its respective obligations, the non-breaching party shall provide thirty (30) days' notification of such failure to the breaching party's representative. If the breaching party fails to correct or remedy the breach, the non-breaching party may terminate this IGA by written notification to the other party's representative and shall have no other further obligations under this IGA.

10. Indemnity/No Waiver of Governmental Immunity Act. The County and the City agree to reciprocal indemnification of the other party for any claim brought against one party as a result of activities of the other party pursuant to this Agreement. Nothing herein shall be deemed a waiver of the Colorado Governmental Immunity Act for either party. COLO. REV. STAT. § 24-10-101 *et seq.* (1963, as amended) (the "GIA"). The parties shall defend and hold each other harmless to ensure that there is no contravention of the intent of the GIA, regardless of which party's property a claim from the activities subject to this IGA may arise.

11. No Third-Party Beneficiary. No third party may enforce or rely upon this IGA.

12. Term of Agreement. This IGA shall become effective upon signature of the last party to sign and will terminate on December 31, 2012. All rights concerning remedies, fees and costs shall survive termination of this IGA.

13. Amendment and Assignment. This IGA may be amended by the Parties solely through a written agreement signed by both Parties. This IGA may not be assigned by either party.

14. Counterparts. This IGA may be executed in counterparts, each of which shall be deemed an original, and all of which, when taken together, shall be deemed the same instrument. Facsimile or photographic signatures of either party to this IGA or subsequent modifications thereto, shall be effective for all purposes.

15. Governing Law, Venue and Survival. The laws of the State of Colorado shall govern the validity, performance and enforcement of this IGA. Should either party institute legal action for enforcement of this IGA, venue of such action shall be in Garfield County, Colorado.

16. Whole Agreement. This IGA sets forth the whole agreement of the Parties. No representations, either verbal or written, shall be considered binding on either party to the extent not set forth herein.

17. Captions. The captions in this IGA are inserted only for the purpose of convenient reference and are in no way to define, limit or prescribe the scope or intent of this Agreement or any part thereof.

18. Authority. Each person signing this IGA represents and warrants that the individual is fully authorized to enter into and execute this IGA and to bind the Party it represents to the terms and conditions thereof.

19. Notice and Representatives. All notices required under this IGA shall be transmitted in writing and shall be deemed duly given when hand-delivered or sent by certified mail, return receipt requested and postage prepaid, or by electronic communication, addressed to the designated representative(s) as follows:

City of Rifle: City Manager  
City of Rifle  
P.O. Box 1908  
Rifle, CO 81650

With a copy to: Jim Neu  
Karp Neu Hanlon, P.C.  
P.O. Drawer 2030  
Glenwood Springs, CO 81602

Garfield County: County Manager  
Garfield County, Colorado  
108 8<sup>th</sup> Street, Suite 213  
Glenwood Springs, CO 81601

With a copy to: County Attorney's Office  
Garfield County, Colorado  
108 8<sup>th</sup> Street, Suite 219  
Glenwood Springs, CO 81601  
(970) 945-9150  
(970) 384-5005 (Fax)  
Email: [AGorgey@Garfield-County.com](mailto:AGorgey@Garfield-County.com)

Either Party may change the identity of its designated representative and the address to which future notices shall be sent by providing written notice in accordance with this paragraph. Formal amendment of this IGA to affect such a change is not required.

20. Severability. Should any provision of this IGA be found to be in conflict with any law of the United States or the State of Colorado or to otherwise be unenforceable, the remaining provisions shall be deemed severable and the validity of such shall not be affected provided that the remaining provisions can be construed in substance to constitute the agreement which the parties intended to enter into under this IGA.

IN WITNESS WHEREOF, the City and the County have executed duplicate originals of this IGA.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS OF  
GARFIELD COUNTY, COLORADO**

\_\_\_\_\_  
Clerk to the Board

By: \_\_\_\_\_  
John Martin, Chairman

Date: \_\_\_\_\_

**ATTEST:**

**CITY OF RIFLE, COLORADO**

\_\_\_\_\_  
Clerk to the Board

By: \_\_\_\_\_  
Mayor

Date: \_\_\_\_\_



Area Reference Map, not to scale





## MEMORANDUM

To: Rifle City Council

From: Visitor Improvement Fund Advisory Board ("VIF") / Will Cross – Secretary

Date: March 15<sup>th</sup>, 2012

Re: Rifle Rendezvous Funding Request

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On March 13, 2012 the Visitor Improvement Fund Advisory Board ("VIF") unanimously approved the funding of Three Thousand & 00/100 dollars (\$3,000) to the Rifle Rendezvous Festival to support the upcoming event. The 2012 VIF budget has Two Thousand & 00/100 dollars (\$2000) allocated for 2012 Rifle Rendezvous; VIF respectfully recommends an additional One Thousand & 00/100 dollars (\$1000) be transferred from the VIF contingency account (#204-4650-400-900) to the VIF special events account (#204-4650-400-323) for these purposes.

In this regard the VIF recommends approval of this funding by the Rifle City Council.

Respectfully submitted,

Will Cross / VIF - Secretary



## MEMORANDUM

To: Rifle City Council

From: Visitor Improvement Fund Advisory Board ("VIF") / Will Cross – Secretary

Date: March 15<sup>th</sup>, 2012

Re: Multi-use Banner Funding Request

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On March 13, 2012 the Visitor Improvement Fund Advisory Board ("VIF") unanimously approved the funding of Seven Hundred and Fifty & 00/100 dollars (\$750) for the purpose of acquiring a banner to promote the upcoming Rifle Downtown Development & Design Academy program ("3DA"). The design of the banner shall be such that it can be altered with minimal expense in the future to be used by VIF and various other entities for the general promotion of The City of Rifle and upcoming events. VIF respectfully requests funding in the amount of Seven Hundred and Fifty & 00/100 dollars (\$750) to be transferred from the VIF contingency account (#204-4650-400-900) to the VIF special events account (#204-4650-400-323) for the purpose of acquiring the above mentioned banner.

In this regard the VIF recommends approval of this funding by the Rifle City Council.

Respectfully submitted,

Will Cross / VIF - Secretary



**MEMORANDUM**

To: John Hier, City Manager  
 From: Charles Kelty, Finance Director *ck*  
 Date: March 15, 2012  
 Subject: January 2012 Sales, Lodging, and Use Tax Report

Total Sales, Use, and Lodging Tax revenues, for the month ended January 31, 2012, is \$540,530, which is an increase of 11% from the previous month's amount \$488,224.

Sales tax revenues are \$494,442 a 9% increase from the previous year of \$452,578. Building and Motor Vehicle Use Tax revenues are \$37,390, which is a 33% increase from the previous year's figure of \$28,139. Lodging Taxes revenues are \$8,698 a 16% increase from the previous year \$7,507.

**Sales Tax Report  
 Prior Year Comparison**

Business Category	For Sales in January			Year-to-Date		
	2011	2012	% Change	2011	2012	% Change
Bars and Restaurants	\$ 45,307	\$ 48,568	7%	\$ 45,307	\$48,568	7%
Car Parts and Sales	35,141	37,131	6%	35,141	37,131	6%
Food	68,325	65,556	-4%	68,325	65,556	-4%
General Retail	175,223	183,677	5%	175,223	183,677	5%
Hardware	28,905	17,791	-38%	28,905	17,791	-38%
Liquor Stores	13,038	13,399	3%	13,038	13,399	3%
Motels	10,696	12,502	17%	10,696	12,502	17%
Oil & Gas	20,815	55,381	166%	20,815	55,381	166%
Leasing/Misc	4,147	8,701	110%	4,147	8,701	110%
Utilities	50,981	51,735	1%	50,981	51,735	1%
<b>Total Sales Tax</b>	<b>\$ 452,578</b>	<b>\$ 494,442</b>	<b>9%</b>	<b>\$ 452,578</b>	<b>\$ 494,442</b>	<b>9%</b>
<b>Fund Allocation:</b>						
General Fund	\$247,935	\$270,869	9%	\$247,935	\$270,869	9%
Street Improvement	64,654	70,635	9%	64,654	\$70,635	9%
Rifle Information Center	10,681	11,669	9%	10,681	\$11,669	9%
Parks & Recreation	129,308	141,269	9%	129,308	\$141,269	9%
<b>Total Sales Tax</b>	<b>\$452,578</b>	<b>\$494,442</b>	<b>9%</b>	<b>\$452,578</b>	<b>\$494,442</b>	<b>9%</b>



**Building and Motor Vehicle Use Taxes  
Prior Year Comparison**

Business Category	For Sales in January			Year-to-Date		
	2011	2012	% Change	2011	2012	% Change
Building Use Taxes	\$138	\$542	292%	\$138	\$542	292%
Motor Vehicle Use Taxes	28,001	36,848	32%	28,001	36,848	32%
<b>Total Use Tax</b>	<b>\$ 28,139</b>	<b>\$ 37,390</b>	<b>33%</b>	<b>\$ 28,139</b>	<b>\$ 37,390</b>	<b>33%</b>
<b>Fund Allocation:</b>						
General Fund	\$15,415	\$20,483	33%	\$15,415	\$20,483	33%
Street Improvement	4,020	5,341	33%	4,020	5,341	33%
Rifle Information Center	664	882	33%	664	882	33%
Parks & Recreation	8,040	10,683	33%	8,040	10,683	33%
<b>Total USE Tax</b>	<b>\$28,139</b>	<b>\$37,390</b>	<b>33%</b>	<b>\$28,139</b>	<b>\$37,390</b>	<b>33%</b>

**Lodging Taxes  
Prior Year Comparison**

Business Category	For Sales in January			Year-to-Date		
	2011	2012	% Change	2011	2012	% Change
Lodging Taxes	\$7,507	\$8,698	16%	\$7,507	\$8,698	16%
<b>Total Lodging Tax</b>	<b>\$ 7,507</b>	<b>\$ 8,698</b>	<b>16%</b>	<b>\$ 7,507</b>	<b>\$ 8,698</b>	<b>16%</b>

<b>Total Sales, Use, Lodging Taxes</b>	<b>\$ 488,224</b>	<b>\$ 540,530</b>	<b>11%</b>	<b>\$ 488,224</b>	<b>\$ 540,530</b>	<b>11%</b>
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## Report Criteria:

Summary report.  
Invoices with totals above \$0 included.  
Paid and unpaid invoices included.

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>1003</b>						
<b>Action Shop Services, Inc</b>						
	SI64622	PROPANE FUEL	01/04/2012	12.12	12.12	03/09/2012
	SI64831	TRUCK WASH	01/18/2012	30.00	.00	
Total 1003:				42.12	12.12	
<b>1004</b>						
<b>Verizon Wireless</b>						
	1058434016	COUNCIL-LAMBERT	02/18/2012	5,589.75	5,589.75	03/09/2012
Total 1004:				5,589.75	5,589.75	
<b>1009</b>						
<b>B &amp; B Plumbing, Inc</b>						
	030612	ROW PERMIT DEPOSIT REFUN	03/06/2012	500.00	500.00	03/09/2012
	36022	REPLACED PUMP	02/22/2012	911.50	.00	
	36159	REPAIRED LINE OF GREASE T	03/09/2012	282.50	.00	
Total 1009:				1,694.00	500.00	
<b>1018</b>						
<b>Valley Lumber</b>						
	64657	GAL ORDORLESS MINERAL SPI	02/24/2012	13.99	.00	
	64778	DRILL BET SET	02/29/2012	23.56	.00	
	64948	CEMENT	03/06/2012	23.98	.00	
	64984	GORILLA DUCT TAPE	03/06/2012	15.97	.00	
Total 1018:				77.50	.00	
<b>1022</b>						
<b>Central Distributing Co</b>						
	899618	Supplies	02/15/2012	80.99	.00	
	901064	Supplies	02/29/2012	108.25	.00	
	901069	Supplies	02/29/2012	268.37	.00	
	901071	Supplies	02/29/2012	191.25	.00	
	901891	Supplies	03/07/2012	127.17	.00	
	901896	Supplies	03/07/2012	457.60	.00	
Total 1022:				1,233.63	.00	
<b>1026</b>						
<b>Cirsa</b>						
	120641	LEXIPOL POLICY MANUAL FEE	02/15/2012	1,259.00	1,259.00	03/09/2012
Total 1026:				1,259.00	1,259.00	
<b>1050</b>						
<b>Colo Parks &amp; Recreation Assc</b>						
	3653802	MEMBERSHIP DUES/BRACKEN	03/01/2012	72.00	.00	
	3664868	MEMBERSHIP DUES/TURGEON	03/05/2012	72.00	.00	
	3693973	MEMBERSHIP DUES/BRIEDIS	03/09/2012	260.00	.00	
	3702161	MEMBERSHIP DUES/EDGETON	03/12/2012	72.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	3715978	SPORTS SKILLS CHALLENGE	03/14/2012	35.00	.00	
Total 1050:				511.00	.00	
<b>1055</b>						
<b>Columbine Ford, Inc</b>						
	110940	KIT ALAR	02/09/2012	189.08	.00	
	111193	KIT SENS	02/27/2012	202.20	.00	
	111202	KIT SENS	03/01/2012	50.55	.00	
Total 1055:				441.83	.00	
<b>1076</b>						
<b>Garfield County Treasurer</b>						
	022912	Landfill-2012-00000054	02/29/2012	576.76	.00	
Total 1076:				576.76	.00	
<b>1100</b>						
<b>Karp, Neu, Hanlon P.c.</b>						
	022912	GENERAL NON PLANNING	02/29/2012	10,980.20	.00	
	9812	AIRPORT PTNR	02/29/2012	537.50	.00	
	9813	wATER RIGHTS	02/29/2012	4,795.00	.00	
	9814	0604 GENERAL PLANNING	02/29/2012	2,689.00	.00	
	9815	0605 UMPTRA	02/29/2012	152.00	.00	
	9816	ECANA	02/29/2012	43.00	.00	
	9817	1363 SEWER FUND	02/29/2012	508.25	.00	
	9818	WHITE RIVER	02/29/2012	43.00	.00	
	9819	QUEENS CROWN	02/29/2012	86.00	.00	
	9820	PARKS REC	02/29/2012	247.00	.00	
	9821	WILLIAMS WATERSHED	02/29/2012	359.25	.00	
	9822	SUNSET TOWNHOMES	02/29/2012	1,389.00	.00	
	9824	4000 29B RUNWAY EXPANSION	02/29/2012	209.00	.00	
	9825	KG DOWNTOWN	02/29/2012	236.50	.00	
Total 1100:				22,274.70	.00	
<b>1105</b>						
<b>Meadow Gold Dairies</b>						
	50209016	DAIRY PRODUCTS/SENIOR CT	03/01/2012	36.00	.00	
	50209084	DAIRY PRODUCTS/SENIOR CT	03/08/2012	102.01	.00	
Total 1105:				138.01	.00	
<b>1106</b>						
<b>Micro Plastics Inc</b>						
	90273	PLAQUE	02/15/2012	65.60	.00	
	90400	SELF INKING STAMP	02/27/2012	19.75	.00	
Total 1106:				85.35	.00	
<b>1108</b>						
<b>Mountain Clear Bottled Water</b>						
	6884 030212	BOTTLED WATER	03/02/2012	230.55	.00	
Total 1108:				230.55	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>1110</b>						
<b>Napa Auto Parts</b>						
	209762	ARM ALL	01/12/2012	7.77	.00	
	214509	FUSE HOLDER	02/11/2012	244.59	.00	
	215493	CABLE TIE	02/17/2012	16.69	.00	
	216167	HYDR HOS	02/22/2012	19.97	.00	
	217005	REFLECTR	02/28/2012	8.12	.00	
	217093	BAT CHGR	02/28/2012	85.38	.00	
	217218	GREASE FITTING	02/29/2012	3.99	.00	
	217397	B UP LOT	03/01/2012	48.38	.00	
	217619	FUNNEL SET 4-PC	03/02/2012	14.07	.00	
	219086	SAFETY CABLES	03/12/2012	20.99	.00	
	219323	MOTHERS	03/13/2012	43.77	.00	
	219417	POLISHING	03/14/2012	.28	.00	
Total 1110:				514.00	.00	
<b>1118</b>						
<b>Parts House</b>						
	5613-16944	BATTERY MAINTAINER	02/20/2012	73.64	.00	
	5613-17079	CQ THERMOSTATS	02/27/2012	24.81	.00	
Total 1118:				98.45	.00	
<b>1120</b>						
<b>Xcel Energy Inc</b>						
	316179812	250 E 16TH ST	02/28/2012	92.40	92.40	03/09/2012
	316373919	TRAFFIC LIGHT	03/01/2012	69.04	69.04	03/09/2012
	316375069	CLOCK	03/01/2012	4.98	4.98	03/09/2012
	316516025	2515 W CENTENNIAL-ADMIN	03/01/2012	204.33	204.33	03/09/2012
	316520645	2515 W CENTENNIAL-WRAS	03/01/2012	192.42	192.42	03/09/2012
	316657006	2515 W CENTENNIAL-WWTP	03/02/2012	7,667.27	7,667.27	03/09/2012
	31675302	SPRINKLER /FLASHER	03/01/2012	17.80	17.80	03/09/2012
Total 1120:				8,248.24	8,248.24	
<b>1125</b>						
<b>Rifle Chamber Of Commerce</b>						
	031512	1ST QTR 2012 PAYMENT	03/15/2012	25,780.00	.00	
	031512.	2ND QTR PAYMENT	03/15/2012	25,780.00	.00	
Total 1125:				51,560.00	.00	
<b>1132</b>						
<b>Rifle Lock &amp; Safe</b>						
	31581	DEADLATCHES	03/07/2012	148.00	.00	
Total 1132:				148.00	.00	
<b>1134</b>						
<b>Rifle City Petty Cash</b>						
	030612	ADJUSTMENT	03/06/2012	184.31	184.31	03/09/2012
Total 1134:				184.31	184.31	
<b>1138</b>						
<b>Schmueser/Gordon/Meyer, Inc</b>						
	99055A-169	PHASE 415	02/20/2012	500.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1138:				500.00	.00	
<b>1143</b>						
<b>Swallow Oil Company</b>						
	022912	INVOICE 022112	02/29/2012	6,728.60	.00	
Total 1143:				6,728.60	.00	
<b>1145</b>						
<b>Thatcher Company</b>						
	1276922	Alum/Aluminum Sulfate	02/20/2012	4,999.46	.00	
Total 1145:				4,999.46	.00	
<b>1166</b>						
<b>Busy Bee Floral</b>						
	021712	PLANT JULIE WALPOLE	02/17/2012	50.00	50.00	03/09/2012
Total 1166:				50.00	50.00	
<b>1181</b>						
<b>Garfield Steel &amp; Machine, Inc</b>						
	00080663	STRIP	03/12/2012	21.36	.00	
Total 1181:				21.36	.00	
<b>1188</b>						
<b>Jean's Printing</b>						
	120079	printing	01/11/2012	233.78	233.78	03/09/2012
	120080	printing	01/11/2012	379.86	379.86	03/09/2012
Total 1188:				613.64	613.64	
<b>1191</b>						
<b>Lewan &amp; Associates, Inc</b>						
	985511	B&W METER	03/01/2012	6.57	.00	
Total 1191:				6.57	.00	
<b>1205</b>						
<b>American Water Works Associat</b>						
	561964	STANDARD METHODS EXAMIN	02/09/2012	417.30	417.30	03/09/2012
Total 1205:				417.30	417.30	
<b>1339</b>						
<b>Grand Junction Pipe &amp; Supply</b>						
	C2358284	FLANGE GSKT	02/29/2012	56.00	.00	
	C2358286	PRIMER PINT	02/29/2012	30.81	.00	
Total 1339:				86.81	.00	
<b>1350</b>						
<b>Loesch And Crann Ditch Company</b>						
	021712	ASSESSMENT 2011 OPERATIN	02/17/2012	200.00	200.00	03/09/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1350:				200.00	200.00	
<b>1407</b>						
<b>Usa Blue Book</b>						
	601767	BACTERIOSTATIC ADDITIVE	02/17/2012	276.42	.00	
	604197	NON-MERCURY NIST THERMO	02/22/2012	361.17	.00	
	614161	TAYLOR CIRCULART CHART P	03/06/2012	116.82	.00	
Total 1407:				754.41	.00	
<b>1505</b>						
<b>Markertek Video Supply</b>						
	1000343	CONNECTRONICS	02/29/2012	78.07	.00	
	999385	PLASTIC FILM/VIDEO CAMERA	02/24/2012	344.93	.00	
Total 1505:				423.00	.00	
<b>1734</b>						
<b>United Companies/Oldcastle SW Group Inc</b>						
	849561	ROAD BASE	02/16/2012	2,076.80	.00	
	850405	ROAD BASE	02/22/2012	416.26	.00	
Total 1734:				2,493.06	.00	
<b>1768</b>						
<b>Faris Machinery Company</b>						
	G22653	DIAMOND BLADE	02/21/2012	593.10	.00	
	T13275	RENTAL CONTRACT	12/31/2011	2,540.00	2,540.00	03/09/2012
Total 1768:				3,133.10	2,540.00	
<b>1806</b>						
<b>CDMS INC</b>						
	8811	DSL ACCESS - Cemetery	03/01/2012	17.95	.00	
Total 1806:				17.95	.00	
<b>1830</b>						
<b>Grand Valley Foods</b>						
	119517	FOOD PRODUCT/SR CENTER	02/24/2012	804.44	.00	
	119631	FOOD PRODUCT/SR CENTER	03/02/2012	998.07	.00	
	119751	FOOD PRODUCT/SR CENTER	03/09/2012	1,071.55	.00	
Total 1830:				2,874.06	.00	
<b>1990</b>						
<b>Bookcliff Survey Services, Inc</b>						
	8210	EXISTING CONDITIONS SURVE	02/28/2012	600.00	.00	
Total 1990:				600.00	.00	
<b>2122</b>						
<b>Utility Notification Center Co</b>						
	21202586	RTL TRANSMISSIONS	02/29/2012	78.89	.00	
Total 2122:				78.89	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>2145</b>						
<b>Lafarge Northern Mountain Div</b>						
	23094793	ULTRHORIZONTAL 40150	02/23/2012	263.88	.00	
Total 2145:				263.88	.00	
<b>2169</b>						
<b>Information Systems Consulting</b>						
	0061088-IN	Smartnet Maintenance contract re	02/13/2012	14,252.40	.00	
Total 2169:				14,252.40	.00	
<b>2181</b>						
<b>Nalco Chemical Company</b>						
	96438452	Drum 210 LITER	02/16/2012	1,468.01	.00	
Total 2181:				1,468.01	.00	
<b>2208</b>						
<b>Amerigas</b>						
	0613-305280A	PROPANE/WATER	02/23/2012	586.95	.00	
Total 2208:				586.95	.00	
<b>2235</b>						
<b>Acme Alarm Company Inc</b>						
	6908MON	2ND QUARTER MONITORING 2	03/01/2012	90.00	.00	
	7062MON	2ND QUARTER MONITORING 2	03/01/2012	105.00	.00	
Total 2235:				195.00	.00	
<b>2240</b>						
<b>Northern Tool &amp; Equipment Co</b>						
	25581055	2000W COMPANION HONDA	02/06/2012	1,174.10	.00	
Total 2240:				1,174.10	.00	
<b>2409</b>						
<b>Reserve Account</b>						
	030612	POSTAGE	03/06/2012	2,420.31	2,420.31	03/09/2012
Total 2409:				2,420.31	2,420.31	
<b>2573</b>						
<b>Mountain West Office Products</b>						
	270162I	supplies	01/16/2012	118.79	118.79	03/09/2012
	270776I	supplies	01/27/2012	18.47	18.47	03/09/2012
	272376I	supplies	03/02/2012	57.71	.00	
Total 2573:				194.97	137.26	
<b>2846</b>						
<b>Colo Mtn News Media</b>						
	7503154 02021	AD	02/02/2012	165.69	165.69	03/09/2012
	7534018 02091	AD	02/09/2012	165.69	165.69	03/09/2012
	7563097 02161	AD	02/16/2012	165.69	165.69	03/09/2012
	7583180-0223	AD	02/23/2012	165.69	165.69	03/09/2012
	767423A 0308	AD	03/08/2012	15.69	15.69	03/09/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 2846:				678.45	678.45	
<b>3015</b>						
<b>Kroger/King Sooper Cust Charge</b>						
	170832	MEETING	03/07/2012	12.67	12.67	03/09/2012
Total 3015:				12.67	12.67	
<b>3083</b>						
<b>ALSCO</b>						
	1132345	LAUNDRY/senior center	02/28/2012	49.72	.00	
	1132346	work shirts and pants	02/28/2012	27.24	.00	
	1135437	LAUNDRY/senior center	03/06/2012	57.88	.00	
	1135438	work shirts and pants	03/06/2012	28.37	.00	
	1138497	LAUNDRY/senior center	03/13/2012	51.21	.00	
	1138498	work shirts and pants	03/13/2012	27.96	.00	
Total 3083:				242.38	.00	
<b>3091</b>						
<b>Newman Signs Inc</b>						
	TI-0245654	S-SQUARE TUBE	02/22/2012	802.50	.00	
Total 3091:				802.50	.00	
<b>3139</b>						
<b>Berry Gayla</b>						
	102510	REIMBURSEMENT PIZZA	10/25/2010	167.53-	.00	
Total 3139:				167.53-	.00	
<b>3156</b>						
<b>Superwash Of Rifle</b>						
	2008 020612	CAR WASH	02/06/2012	64.19	.00	
	2025 020612	CAR WASH	02/06/2012	97.44	.00	
Total 3156:				161.63	.00	
<b>3251</b>						
<b>Mountain Communications And Ei</b>						
	207619	GRASS MESA RENTAL	03/01/2012	250.00	.00	
Total 3251:				250.00	.00	
<b>3285</b>						
<b>Johnson-Carter Architects, PC</b>						
	1105C-5	ARCHITECTURAL SERVICES	03/07/2012	2,400.00	.00	
Total 3285:				2,400.00	.00	
<b>3446</b>						
<b>Staples Business Advantage</b>						
	8021026192	supplies	02/11/2012	357.26	357.26	03/09/2012
Total 3446:				357.26	357.26	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>3780</b>						
<b>Concrete Equipment</b>						
	126117	J-51AW EPOXY UNICARTRIDGE	02/22/2012	46.11	.00	
Total 3780:				46.11	.00	
<b>3798</b>						
<b>Ace Industrial Supplies</b>						
	1155859	BLUE MASKING TAPE	02/13/2012	583.64	.00	
Total 3798:				583.64	.00	
<b>4141</b>						
<b>True Brew Coffee Service</b>						
	141088	COFFEE	03/03/2012	112.69	.00	
Total 4141:				112.69	.00	
<b>4207</b>						
<b>Radio Shack</b>						
	10144953	1/4 PLG	02/22/2012	3.39	.00	
	10144978	CABLE CLIP	02/23/2012	3.98	.00	
	10145166	ROCK TRAVEL CHARGER	03/01/2012	24.99	.00	
	10145178	LOGITECH WIRELESS HEADSE	03/01/2012	99.99	.00	
Total 4207:				132.35	.00	
<b>4244</b>						
<b>Boogie Down Light And Sound Inc.</b>						
	7032012	CENTENNIAL PARK JULY 3, 201	03/07/2012	400.00	400.00	03/09/2012
Total 4244:				400.00	400.00	
<b>4339</b>						
<b>Design Concepts</b>						
	0014653	Deerfield Park Construction Drawi	02/29/2012	357.50	.00	
Total 4339:				357.50	.00	
<b>4708</b>						
<b>H&amp;h Woodworking Inc</b>						
	8380	Fitness Ctr Energy Upgrades	03/09/2012	5,416.00	.00	
Total 4708:				5,416.00	.00	
<b>4811</b>						
<b>United Site Services Inc</b>						
	114-439305	PORTABLE RESTROOM METR	02/13/2012	65.00	.00	
	114-439306	PORTABLE RESTROOM -MOUN	02/13/2012	140.00	.00	
Total 4811:				205.00	.00	
<b>4825</b>						
<b>Cross Propane Gas</b>						
	004477	Propane Gas at O&M Shop	02/29/2012	2,138.40	.00	
Total 4825:				2,138.40	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>4879</b>						
<b>Cardiff Cleaning Services</b>						
	4345	CLEANING JUSTICE CENTER	02/15/2012	4,175.00	.00	
Total 4879:				4,175.00	.00	
<b>4926</b>						
<b>Ge Capital</b>						
	56968997	KIP PRINTER	03/07/2012	391.49	.00	
Total 4926:				391.49	.00	
<b>4963</b>						
<b>Intellipay Inc</b>						
	321	transaction fee	03/06/2012	130.88	130.88	03/09/2012
Total 4963:				130.88	130.88	
<b>5181</b>						
<b>FRED'S HARDWARE</b>						
	20300 022912	SUPPLIES	02/29/2012	18.36	.00	
	20301 022912	SUPPLIES	02/29/2012	271.49	.00	
	20302 022912	SUPPLIES	02/29/2012	88.45	.00	
	20303 022912	SUPPLIES	02/29/2012	43.05	.00	
	20304 022912	SUPPLIES	02/29/2012	4.40	.00	
	20305 022912	SUPPLIES	02/29/2012	7.85	.00	
	20306 022912	SUPPLIES	02/29/2012	33.33	.00	
Total 5181:				466.93	.00	
<b>5192</b>						
<b>PECZUH PRINTING COMPANY</b>						
	182402	BUSINESS CARDS	02/23/2012	34.00	.00	
Total 5192:				34.00	.00	
<b>5207</b>						
<b>Hayes, Peter</b>						
	030407	EDUCATION -EXPENSES	03/04/2007	159.88	159.88	03/09/2012
Total 5207:				159.88	159.88	
<b>5243</b>						
<b>Miller, Jay</b>						
	022412	CML CONFERENCE	02/24/2012	117.10-	.00	
Total 5243:				117.10-	.00	
<b>5365</b>						
<b>American Windshield Repair</b>						
	8123	windshield repair	03/01/2012	40.00	.00	
Total 5365:				40.00	.00	
<b>5384</b>						
<b>MOUNTAIN HIGH PAINT</b>						
	2363	PAINT AND PAINT SUPPLIES	02/22/2012	200.41	.00	
	2376	PAINT AND PAINT SUPPLIES	02/27/2012	67.74	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5384:				268.15	.00	
<b>5413</b>						
<b>Bruno, Colin, Jewell &amp; Lowe PC</b>						
	122079	Legal Fees	02/29/2012	267.00	.00	
Total 5413:				267.00	.00	
<b>5503</b>						
<b>JAY-MAX SALES</b>						
	215838-01	NEMESIS SAFETY GLASS	02/29/2012	7.84	.00	
	216085-00	HEAT SHRINK	02/22/2012	86.00	.00	
	216085-01	HEAT SHRINK	02/29/2012	25.00	.00	
	216496-00	COTTON RAGS	03/07/2012	15.50	.00	
Total 5503:				134.34	.00	
<b>5548</b>						
<b>Power Equipment Company</b>						
	G202051410	FILTER ELEMENT	02/16/2012	456.70	.00	
	G202051425	PARABOLIC STEEL PIN	02/17/2012	178.58	.00	
Total 5548:				635.28	.00	
<b>5613</b>						
<b>SunEdison, LLC/pump station</b>						
	771203012631	PUMP STATION #1	03/01/2012	3,008.87	3,008.87	03/09/2012
Total 5613:				3,008.87	3,008.87	
<b>5645</b>						
<b>ABC TREE AND LAWN CARE</b>						
	3586	TREE TRIMMING	02/15/2012	175.00	175.00	03/09/2012
Total 5645:				175.00	175.00	
<b>5680</b>						
<b>Malcolm Pirnie, Inc.</b>						
	0436140	RRWPF Design Completion	12/31/2011	14,700.00	.00	
Total 5680:				14,700.00	.00	
<b>5752</b>						
<b>Accutest Mountain States</b>						
	D2-24405	alkalinity, organic carbon/water te	03/07/2012	642.00	.00	
Total 5752:				642.00	.00	
<b>5787</b>						
<b>ZENTMYER DRYWALL</b>						
	627754	REPLACE CEILING TILES	03/07/2012	140.00	.00	
Total 5787:				140.00	.00	
<b>5833</b>						
<b>SunEdison, LLC/SunE U6 holding</b>						
	781203012360	energy innovation center	03/01/2012	7,997.64	7,997.64	03/09/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5833:				7,997.64	7,997.64	
<b>5846</b>						
<b>Mesa County Health Department</b>						
	832-12	Water Testing	03/06/2012	20.00	20.00	03/09/2012
	833-12	Water Testing	03/06/2012	20.00	20.00	03/09/2012
	834-12	Water Testing	03/06/2012	20.00	20.00	03/09/2012
	835-12	Water Testing	03/06/2012	20.00	20.00	03/09/2012
	836-12	Water Testing	03/06/2012	20.00	20.00	03/09/2012
	837-12	Water Testing	03/06/2012	20.00	20.00	03/09/2012
Total 5846:				120.00	120.00	
<b>5945</b>						
<b>Loyal E Leavenworth pc</b>						
	1215	LEGAL FEES	02/29/2012	82.70	.00	
Total 5945:				82.70	.00	
<b>5960</b>						
<b>Recreation Fee Refunds</b>						
	2000520.002	REC FEE REFUND	05/25/2010	24.00-	.00	
Total 5960:				24.00-	.00	
<b>6067</b>						
<b>Mountain Roll-offs, Inc.</b>						
	030112	MARCH SERVICES	03/01/2012	36,014.68	.00	
	59013	RECYLCE SERVICE/CARDBOA	03/01/2012	15.00	.00	
	59271	PORTABLE RESTROOM	03/01/2012	103.55	.00	
Total 6067:				36,133.23	.00	
<b>6115</b>						
<b>Annette &amp; Ed Arnold</b>						
	092310	supplies	09/23/2010	721.06-	.00	
Total 6115:				721.06-	.00	
<b>6133</b>						
<b>GILCO, INC</b>						
	26362	EQUIPMENT T MOBILIZATION	03/02/2012	112.50	.00	
	722957	DYED DIESEL	02/13/2012	1,353.06	.00	
	770744	DYED DIESEL	03/01/2012	1,463.65	.00	
Total 6133:				2,929.21	.00	
<b>6137</b>						
<b>Impressions of Aspen</b>						
	14718	BATTERIES	12/31/2011	24.90	24.90	03/09/2012
	15162	SUPPLES	12/27/2011	215.62	215.62	03/09/2012
	15582	SUPPLIES	02/28/2012	399.90	.00	
	15603	SUPPLIES	03/02/2012	139.49	.00	
	15610	SUPPLIES	03/02/2012	244.94	.00	
	15610.1	SUPPLIES	03/02/2012	2.30	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6137:				1,027.15	240.52	
<b>6161</b>						
<b>Ewing Irrigation Products</b>						
	4381821	CHALK	02/20/2012	796.64-	.00	
Total 6161:				796.64-	.00	
<b>6195</b>						
<b>Western Slope Communications</b>						
	33570	HOLLY DAYS	12/28/2011	175.00	175.00	03/09/2012
	33571	HOLLY DAYS	12/09/2011	150.00	150.00	03/09/2012
	33572	HOLLY DAYS	12/10/2011	175.00	175.00	03/09/2012
	34059	ADVERTISEMENT	02/29/2012	320.00	.00	
	34060	ADVERTISEMENT	02/29/2012	320.00	.00	
Total 6195:				1,140.00	500.00	
<b>6221</b>						
<b>Wells Fargo Financial Leasing</b>						
	6745724245	XEROX COPIER	03/02/2012	336.44	.00	
Total 6221:				336.44	.00	
<b>6225</b>						
<b>BRUBACHER DESIGN</b>						
	478	WORK CODE SIGN	03/06/2012	168.00	.00	
	485	SIGNS	03/13/2012	56.00	.00	
Total 6225:				224.00	.00	
<b>6242</b>						
<b>Xerox Corporation</b>						
	060359285	BASE CHARGE	03/01/2012	258.65	.00	
Total 6242:				258.65	.00	
<b>6248</b>						
<b>Colorado River Engineering, Inc.</b>						
	3888	RIFLE BOAT RAMP	02/21/2012	806.25	.00	
Total 6248:				806.25	.00	
<b>6303</b>						
<b>Law Office of Angela Roff, PC</b>						
	555	CITY PROSECUTOR	02/29/2012	4,219.31	.00	
Total 6303:				4,219.31	.00	
<b>6332</b>						
<b>DIRECTV</b>						
	17233552792	BUSINESS CHOICE MONTHLY	02/29/2012	118.99	118.99	03/09/2012
Total 6332:				118.99	118.99	
<b>6354</b>						

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>ALL SEASONS LAUNDRY</b>						
	23374	GYM TOWELS	02/29/2012	133.56	.00	
Total 6354:				133.56	.00	
<b>6380 BROHN PLUMBING AND HEATING</b>						
	2373	REPAIR WOMENS LOCKER RO	03/01/2012	170.00	.00	
	2376	INSTALLATION HOT WATER HE	03/01/2012	1,454.32	.00	
Total 6380:				1,624.32	.00	
<b>6383 CENTURY LINK</b>						
	1204145234	OM	02/29/2012	551.99	551.99	03/09/2012
Total 6383:				551.99	551.99	
<b>6394 ALLSTATE ENVIRONMENTAL</b>						
	020312-01	ICE SNOW MELT	02/05/2012	1,509.50	.00	
	021512-02	NON SELECTIVE WEED KILLER	02/15/2012	2,401.00	.00	
Total 6394:				3,910.50	.00	
<b>6406 FRONTELLA, GIL</b>						
	136534	CLEANING PLANTERS	02/20/2012	124.00	124.00	03/09/2012
	136535	CLEAN UP DRAINAGE 4TH ST	03/05/2012	155.00	155.00	03/09/2012
Total 6406:				279.00	279.00	
<b>6409 RIFLE TOWING</b>						
	17486	TOWING	02/12/2012	112.00	.00	
Total 6409:				112.00	.00	
<b>6518 Tetra Tech Inc.</b>						
	50541991	SWWTP Lagoon Decommissionin	03/05/2012	2,831.28	.00	
Total 6518:				2,831.28	.00	
<b>6548 CACALOCO COMPOST INC</b>						
	9282	40 YRDS COMPOST	02/29/2012	600.00	600.00	03/09/2012
	9286	110 YARDS COMPOST	02/29/2012	1,650.00	1,650.00	03/09/2012
Total 6548:				2,250.00	2,250.00	
<b>6550 MAXIM HEALTH SYSTEMS</b>						
	WELL-1660	WELLNESS HEALTHFAIR	02/23/2012	3,855.00	3,855.00	03/09/2012
Total 6550:				3,855.00	3,855.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>6551</b> <b>NWCCHT</b>						
	123111	RACK CARD DISPLAY HOLDER	12/31/2011	180.00	180.00	03/09/2012
Total 6551:				180.00	180.00	
<b>6552</b> <b>GARFIELD CLEAN ENERGY</b>						
	2012-001	2012 GARFIELD CLEAN ENERG	03/02/2012	38,000.00	.00	
Total 6552:				38,000.00	.00	
<b>6553</b> <b>CHARLIER ASSOCIATES, INC</b>						
	962	CONSULTING FEES	02/24/2012	26,922.75	.00	
Total 6553:				26,922.75	.00	
Grand Totals:				313,344.07	43,188.08	

Dated: \_\_\_\_\_

City Finance Director: \_\_\_\_\_

## Report Criteria:

- Summary report.
- Invoices with totals above \$0 included.
- Paid and unpaid invoices included.

March 15, 2012

Mayor Jay Miller  
Rifle City Council  
P. O. Box 1908  
Rifle, Colorado 81650

Re: March 7, 2012 City Council Meeting

Dear Mayor Miller and Members of the Rifle City Council:

The purpose of this letter is to briefly outline the discussion we will have at the March 7, 2012 Rifle City Council Meeting.

1. Ordinance No. 6, Series of 2012 (Utility System Improvement Fee Surcharge). In 2010 the Rifle City Council approved a system improvement fee surcharge program for nonresidential users as a means to alleviate front-end development costs and spread payments for system improvement fees. The program permits payment of nonresidential system improvement fees in equal monthly installments over a three year period commencing at building permit application. The surcharge program, codified at Section 13-4-20 of the Rifle Municipal Code, sunsets on March 31, 2012. After administering the program for several years, staff supports extending the surcharge option as an efficient means to benefit commercial development that does not adversely impact the City's ability to provide efficient and cost-effective services for its residents. Thus, Ordinance No. 6, Series of 2012 before you on second reading eliminates the March 31, 2012 sunset date for the surcharge program. If the sunset provision is eliminated, City staff will continue to monitor the fiscal impact of the surcharge program and advise the Council if changes are needed in the future.

We recommend approval of Ordinance No. 6, Series of 2012 on second reading.

2. Ordinance No. 7, Series of 2012 (Utility Service Charge Amendments to RMC Appendix A and Section 13-4-60). At first reading of Ordinance No. 7, Series of 2012, we discussed staff's recommendations concerning utility billing. Beginning in January of this year, the City started charging service fees for water and sewer service on a per-unit basis, instead of a per-account basis. Section 13-1-380(f) of the Rifle Municipal Code provides that rates for multi-family units and any other units on a master meter shall be based upon the number of constructed units, irrespective of whether each unit is occupied, and that was the impetus for the Code change. Because of the impact on smaller multi-family units, staff recommends billing water and sewer service fees on a per-EQR (Equivalent Residential Unit) basis, noting that the City's EQR Schedule at Section 13-4-60 of the RMC assigns values of less than one EQR for smaller multi-family housing types and more accurately reflects the true impact on the

City's utility systems.

Public comment at the City Council's special meeting on this topic also identified a need to revise the EQR value for recreational vehicle parks to more accurately reflect their impact on the City's utility system. We are not enacting any new fees or rate increases to the fee schedule other than to implement the EQR-based billing regime and reorganize Appendix A. Appendix A as codified does not reflect the most current adopted fees as are being assessed and some fees are duplicated, so as an administrative measure we are re-enacting the fee schedule to accurately state the City's utility fees and charges. As an ancillary measure, we propose the deletion of Section 13-5-110 of the Code, which refers to fees for backflow prevention tests that are currently handled and invoiced by a private company rather than the City. This last measure is a revision Ordinance No. 7 from first reading that was requested by the Utility Department.

The effective date of the Ordinance is now proposed as January 1, 2012. This will authorize credits to those multi-family customers who were billed on a per-unit basis in January and February of this year. The credit amount will be the difference between per-unit and per-EQR billing for multi-family units, based on the EQR Schedule.

We recommend approval of Ordinance No. 7, Series of 2012 on second reading, as amended.

3. Intergovernmental Agreement with Garfield County Regarding Sidewalk Improvements. As Council has heard in the past from concerned citizens, approximately 1,000 feet of sidewalk along the east side of Prefontaine Avenue, which connects west Rifle to the Rifle High School is in poor condition, cracked, uneven, non-existent, or weed-overgrown. Approximately sixty-percent (60%) of the Sidewalk Area is within County jurisdiction and forty-percent (40%) is within the jurisdiction of the City. Staff worked with the County to agree on project funding to repair and replace the sidewalk and those terms are included in the enclosed IGA. Exhibit A to the IGA shows the location of sidewalk at issue. The Project is estimated to cost \$25,000 and will be performed by City crews. The County will pay its 60% portion, or \$15,000. The City will maintain the entire length of the sidewalk, but each entity is responsible for replacement of the portions of the sidewalk in its respective jurisdiction.

We recommend approval of the IGA on your consent agenda.

4. Addendum to Queen's Crown Annexation Agreement-Fairway Avenue Costs. Enclosed on your consent agenda is an Addendum to the Queen's Crown Annexation Agreement confirming the costs spent to date on the construction of Fairway Avenue. In the Annexation Agreement, the City and the Developer agreed to share the costs of the Fairway Avenue 50% each. To date, only the intersection with Highway 13 has been completed and the City has contributed \$727,500 and the Developer has spent \$255,000. This document is required by the Annexation Agreement to evidence each party's contribution to the Project.

Mayor Jay Miller  
Rifle City Council  
Page 3

We recommend approval of the Addendum to the Queen's Crown Annexation Agreement on your consent agenda.

5. Resolution No. 8, Series of 2012 (Deerfield Parking Restrictions). The Rifle Parks Department has requested that daytime parking be permitted on Acacia Avenue adjacent to Deerfield Park. Currently parking is prohibited in that location. Section 8-1-130 of the Rifle Municipal Code authorizes the City Council to adopt by resolution parking restrictions on certain streets, alleys and parking lots. In accordance with this authority, Resolution No. 8, Series of 2012 would permit parking adjacent to Deerfield Park except between the hours of 10:00 pm and 6:00 am, when parking will remain prohibited. The area will be signed accordingly. Staff will provide additional information on this matter at your meeting.

We recommend approval of Resolution No. 8, Series of 2012.

6. 2011 Liquor License Violations. The Rifle Police Department routinely conducts compliance checks to determine whether local establishments are complying with the terms of their liquor licenses and the Rifle Municipal Code. In June and July of 2011, a number of such establishments were cited for violations, including sales to minors and minors illegally on the premises. The servers involved with these incidents received criminal citations and were subject to prosecution in Rifle Municipal Court. As to civil enforcement against the liquor license holder, the City's previous options under the Rifle Municipal Code were to suspend or revoke the local license. However, state statute permits another remedy—the imposition of a fine against the license holder in lieu of revocation or suspension. By Ordinance No. 16, Series of 2011, the Council approved amendments to Section 6-5-100 of the Code that permit this alternate remedy. The Code now includes a procedure for assessing a fine in lieu of license suspension or revocation following notice and hearing.

With this tool in place, staff has assembled Orders to Show Cause and Notices of Hearing for nine liquor license violations occurring in 2011. Procedurally, the Council, acting as the City of Rifle Local Licensing Authority, must take several actions to set this process in motion. First, the Local Licensing Authority must set the time and place of hearing for each of the violations. City Clerk Lisa Cain has assembled a hearing schedule, and each of the Orders to Show Cause and Notices of Hearing includes the appropriate date and time. The hearings will be conducted on April 11 and 12, 2012, and license holders will have the opportunity to meet with staff prior to the hearing to consider settlement. Second, the Local Licensing Authority must appoint Special Counsel to conduct investigations and prosecute the licensees on behalf of the City. This step is required by Section 6-5-100(d) of the Code. City Prosecutor Angela Roff has agreed to serve as Special Counsel for the hearings. We recommend that the Council appoint her to serve at the Authority's pleasure as Special Counsel for liquor license violations without a specified time period so reappointment is not necessary for future violations. The City Attorney will act on behalf of and advise the City Council acting as Local Licensing Authority.

KARP NEU HANLON, P.C.

Mayor Jay Miller  
Rifle City Council  
Page 4

Finally, we recommend that the Authority appoint a Hearing Officer to hear the violations as authorized by Section 1-7-50 of the Code. Appointment of the Hearing Officer will lessen the burden on the Council, as Local Licensing Authority, to preside over two days of hearings. The Hearing Officer will recommend a Stipulation and Order for each offense, which will be considered by Council meeting after the hearings are concluded. We recommend the appointment of Barb Clifton to serve as Liquor License Hearing Officer at the Authority's pleasure. Ms. Clifton has served in a similar role for the City in regards to zoning violations and other civil matters.

We recommend approval of the items related to the 2011 liquor license violations on your consent agenda.

As always, please feel free to call us prior to the meeting if you have any questions.

Very truly yours,

KARP NEU HANLON, P.C.

James S. Neu

Enclosures



**To:** Mayor and City Council; John Hier, City Manager

**From:** Lisa Cain, City Clerk

**Date:** Thursday, March 15, 2012

**Subject:** Special Event Permit: Colorado Mountain College Foundation

---

Colorado Mountain College Foundation has applied for a Special Event Permit to serve liquor at an event at the Colorado Mountain College Rifle Campus at 3695 Airport Road on March 30, 2012.

The following criteria have been met by the applicant:

- The fees have been paid.
- The application is complete.
- The applicant has not exceeded 15 permit days in 2012.

The Public Hearing was properly noticed on the premises. Representatives from the applicant will be present to discuss the application and answer questions.

Based on the above information, I recommend approval of this application.

DR 8439 (06/28/06)  
 COLORADO DEPARTMENT OF REVENUE  
 LIQUOR ENFORCEMENT DIVISION  
 1375 SHERMAN STREET  
 DENVER CO 80261  
 (303) 205-2300

## APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

**IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT  
 AND ONE OF THE FOLLOWING (See back for details.)**

- |                                    |  |   |
|------------------------------------|--|---|
| <input type="checkbox"/> SOCIAL    | <input type="checkbox"/> ATHLETIC                              | <input checked="" type="checkbox"/> PHILANTHROPIC INSTITUTION |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER    | <input type="checkbox"/> POLITICAL CANDIDATE                  |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES  |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION                 |   |

<b>LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:</b>	<b>DO NOT WRITE IN THIS SPACE</b>
2110 <input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00-PER-DAY	LIQUOR PERMIT NUMBER
2170 <input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00-PER-DAY	

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE Colorado Mountain College Foundation	State Sales Tax Number (Required) 74-2393418
--	---

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP)  P.O. Box 1763 Glenwood Springs, CO 81602	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP)  West Garfield CMC Campus 3695 Airport Road Rifle, CO 81650
---	--

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
------	---------------	---	--------------

4. PRES./SECY OF ORG. or POLITICAL CANDIDATE Dr. Stan Jensen	
---	--

5. EVENT MANAGER Crystal Schiller	
--------------------------------------	--

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES HOW MANY DAYS? 4	7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM?
---	--

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED?  Yes  No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date	Date	Date	Date	Date
Hours From .m.				
3/30/2012				
From 8 p .m.				
To 9:30 p .m.				

**OATH OF APPLICANT**

*I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.*

SIGNATURE <i>Crystal Schiller</i>	TITLE Development Coordinator	DATE 3/9/2012
--------------------------------------	----------------------------------	------------------

**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

**THEREFORE, THIS APPLICATION IS APPROVED.**

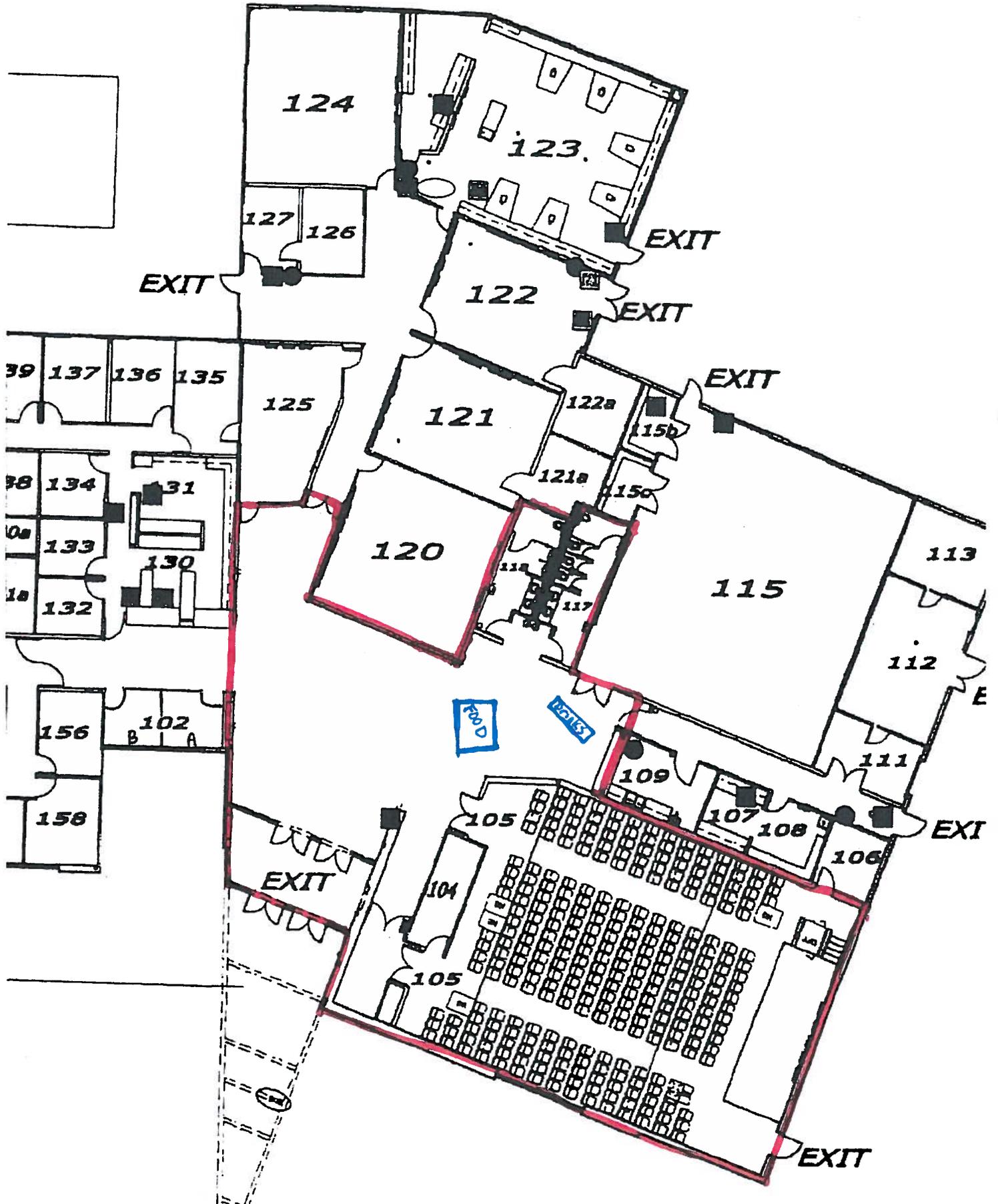
LOCAL LICENSING AUTHORITY (CITY OR COUNTY)	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK (970) 665-6405
--	---	---

SIGNATURE	TITLE	DATE
-----------	-------	------

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

LIABILITY INFORMATION			
License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$

(Instructions on Reverse Side)





**Colorado Mountain College Purchasing & Contracts Department**  
831 Grand Avenue, Glenwood Springs, Colorado 81601  
P970.945.8691 P 800.621.8559 F970.947.8324

March 9, 2012

Colorado Mountain College Foundation  
802 Grand Avenue  
Glenwood Springs, CO 81601

Colorado Mountain College grants permission to the Colorado Mountain College Foundation for the use of our Rifle Campus on March 30, 2012 from 7PM until 9:30PM for their Community Cinema event. Our campus is located at 3695 Airport Rd, Rifle, CO.

Sincerely,

Steve Boyd  
Purchasing and Contracts Manager

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

**COLORADO MOUNTAIN COLLEGE FOUNDATION, INC.**

is a **Nonprofit Corporation** formed or registered on 11/14/1985 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19871645464.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 03/09/2012 that have been posted, and by documents delivered to this office electronically through 03/12/2012 @ 11:34:15.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 03/12/2012 @ 11:34:15 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8190991.



A handwritten signature in blue ink, appearing to read "Scott Gessler".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."*

Internal Revenue Service

Department of the Treasury

P. O. Box 2508  
Cincinnati, OH 45201

Date: April 29, 2003

Person to Contact:  
Judy Simonson 31-04016  
Customer Service Specialist  
Toll Free Telephone Number:  
8:00 a.m. to 6:30 p.m. EST  
877-829-5500  
Fax Number:  
513-263-3756  
Federal Identification Number:  
74-2393418

Colorado Mountain College Foundation, Inc.  
c/o E. Alexandra Yajko  
PO Box 1763  
Glenwood Springs, CO 81602-1763

Dear Sir or Madam:

This is in response to your request of March 25, 2003 regarding your organization's tax exempt status.

Our records indicate that a determination letter issued in February 1986 granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in sections 509(a)(1) and 170(b)(1)(A)(iv).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

## City of Rifle

### Special Events Liquor Permit Application

Name of Applicant / Organization: Colorado Mountain College Foundation

Thank you for your interest in a Special Event in the City of Rifle. In addition to the State Application (Form #DR 8439), the following information must be provided in order for your application to be considered. Incomplete applications will be rejected. Please do not hesitate to contact the City Clerk with questions at (970) 665-6405.

1. The City requires that a Special Events Permit application be received no later than 45 days prior to the event. What is the date(s) of your event? *March 30<sup>th</sup>, 2012*

2. What security measures will you take to ensure your event will be safe for all participants and control entry of under age persons?

Crystal Schiller is ServSafe Certified and will be serving all drinks and food will be served.

3. Will minors be allowed at your event?  yes  no  
If "yes," what measures will you take to ensure that alcoholic beverages are not sold to or consumed by minors?

Crystal Schiller who is ServSafe Alcohol Certified will check IDs.

4. Per Rifle Municipal Code 6-5-170(a)(3), the City requires that at least one server, manager, or owner/operator, including volunteers, who has successfully completed an approved educational liquor serving seminar, is present at all times and is supervising the dispensing of alcoholic beverages. What is the name of the person(s) who has this certification and will be on the premises the entire time of your event?

*Crystal Schiller - Development Coordinator - CMC Foundation*

5. Have you included the appropriate fees with your application? Need Invoice sent to Found.  
Fees: For Malt, Vinous, and Spirituous Liquor or for Fermented Malt Beverage (3.2% Beer)  
Check payable to the *City of Rifle* for \$100.00 per event *Will be invoiced.*

6. Does your diagram of the intended licensed premises include:  
 Measurements/dimensions of the area to be licensed?  
 Points of ingress/egress?  
 An outline *in red* of the area to be licensed?

7. I have read the Rifle Municipal Code provisions regarding (copies of these sections are attached to this form):

- Sections 10-8-30, 10-8-50 & 10-8-60(7) No minors allowed on licensed premises
- Section 10-8-80 Open container law
- Section 6-5-170 Educational requirements for Licensees

Signature: *Crystal Schi* Date: *3/9/12*

# Rifle Campus Community Events



3695 Airport Rd

970.625.1871

Brought to you by Chevron and CMC



## Revenge of the Electric Car

Friday, March 30th, 2012 at 7pm

Behind the closed doors of Nissan, GM, and Tesla Motors, **Revenge of the Electric Car** tells the story of the global resurgence of electric cars by following the major car makers as they jump to produce new electric models and to be the first, the best, and win over the public.



## Hell and Back Again

Wednesday, April 18th, 2012 at 7pm

What does it mean to lead men in war? What does it mean to come home — injured physically and psychologically — and build a new life?

**Hell and Back Again** asks and answers these questions with the conflict in Afghanistan as the backdrop. Two overlapping narratives intercut: the life of a Marine on the war front, and the life of the same Marine in recovery at home.



## Strong!

Friday, May 18th, 2012 at 7pm

A formidable figure, standing at 5'8" and weighing over 300 pounds, Cheryl Haworth struggles to defend her champion status as her lifetime weightlifting career inches toward its inevitable end. **Strong!** chronicles her journey and the challenges this unusual elite athlete faces, exploring popular notions of power, strength, beauty and health.



PBS Community Cinema

8-9:30

30-40 p.

All movies will be shown in the Rifle Campus Clough Auditorium with a short discussion and reception following. They are free and open to the public.





ID NO. 7367722

CARD NO. 8587376

**ServSafe Alcohol CERTIFICATE**

**CRYSTAL SCHILLER**

Card expires three years from the date of the examination. Local laws apply.

DATE OF EXAMINATION

11/18/2011





**To:** Mayor and City Council; John Hier, City Manager  
**From:** Lisa Cain, City Clerk  
**Date:** Thursday, March 15, 2012  
**Subject:** Application to Transfer Liquor License: El Kora Mexican Restaurant

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At its March 7, 2012 meeting, Council scheduled a public hearing on March 21 to review the application of Arturo Saucedo d/b/a El Kora Mexican Restaurant to transfer to himself the Hotel & Restaurant Liquor License for premises located at 160 East 26<sup>th</sup> Street. Staff has not yet received fingerprint check results on Mr. Saucedo. Staff recommends that Council cancel the March 21 public hearing.

Once we have received fingerprint check results, we will ask Council to schedule the hearing on this application.

**DEPARTMENT OF PLANNING & DEVELOPMENT**

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



**MEMORANDUM**

TO: Honorable Mayor and City Council  
FROM: Matt Sturgeon, Assistant City Manager  
DATE: March 9, 2012  
SUBJECT: Fairway Avenue Joint Participation Request

Hubbard Gulch Development, LLC., is coming before City Council March 21, 2012, to propose the City joint venturing to complete Fairway Avenue from Hwy 13 to W 24<sup>th</sup> Street. The developer's formal request is attached and fully explains the terms the general partner will introduce. The one item not mentioned in the letter is their desire to use overburden from the City's resource pit.

The City Council approved a FY 2012 Street Bond Capital Project of \$806,325. The funds are budgeted entirely within a contingency line item. To date, Council has not approved another project that utilized these same funds.

The City, to date, has contributed \$727,500 towards the Fairway Ave intersection. If Council approved the proposed joint venture, the following would be the breakdown for Fairway Ave. expenditures:

	Hubbard Gulch	City of Rifle
Intersection	\$255,000	\$727,500
Roadway (proposed)	\$450,000	\$450,000
TOTAL	\$705,000	\$1,177,500

The City, when approving the Queen's Crown Annexation Agreement, agreed to a 50-50 split of the costs associated with constructing Fairway Ave. The City will have contributed \$241,250 more than required by this agreement. The developer is proposing to pay back the City through future lot sales. Legal Council will need to advise Council on the risk associated with this type of security.



# ISOM & ASSOCIATES

Architecture    Land Planning    Project Management

March 9, 2012

Matt Sturgeon  
City of Rifle  
202 Railroad Avenue  
Rifle, CO 81650

RE: Construction of Fairway Avenue

Dear Matt:

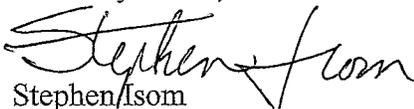
Dave Young, the general partner of Hubbard Gulch Development, LLC, would like to discuss with the City Council a joint venture to build the remainder of Fairway Avenue from the existing new intersection with Highway 13 by-pass northerly to the existing Fairway Avenue. We would like to be on your agenda for Wednesday, March 21, 2012. It is proposed that the City participate 50/50 on the construction of Fairway Avenue.

We have received a preliminary cost estimate from Johnson Construction of \$805,563.40. This estimate will need to be verified and at least one competitive bid received prior to issuance of a contract. It is estimated that the cost of soils testing, engineering observation, and contract coordination would be \$50,000 and there would be a \$50,000 contingency. Therefore, each party would put up approximately \$450,000 to build Fairway Avenue.

The existing imbalance in cost of construction of the intersection of Fairway Avenue with Highway 13 is approximately \$300,000 owed by Hubbard Gulch Development LLC. Hubbard Gulch would be willing to pledge a percentage of revenues from future lot sales against this indebtedness. This would be discussed also at the meeting.

We look forward to meeting with you on the 21<sup>st</sup>.

Sincerely Yours,

  
Stephen/Isom

CC. Dave Young

K705 Matt Sturgeon 03092012

P.O. Box 9    214 Capitol Street, Eagle, Colorado 81631    970-328-2388    F: 970-328-6266

(970) 625-2251 FAX (970) 625-0280

PO BOX 1640 Rifle, CO 81650

Digging Colorado Since 1943

[ici@johnconinc.com](mailto:ici@johnconinc.com)

**Job: Fairway Ave Construction**

**Attn: Steve Isom**

**Date: March 1, 2012**

1. Mobilization	1 LS	\$ 10,800.00
2. Clear and Grub	1 LS	\$ 7,950.00
3. Topsoil	4220 CY @ 3.25	\$ 13,715.00
4. Earthwork	28000 CY @ 7.50	\$ 210,000.00
5. 8" Sewer	500 LF @ 44.50	\$ 22,250.00
6. 6" Sewer	100 LF @ 44.00	\$ 4,400.00
7. 4' Manholes	4 EA @ 3850.00	\$ 15,400.00
8. 14" Water Line	900 LF @ 66.50	\$ 59,850.00
9. 14" Water Line Removal	860 LF @ 25.00	\$ 21,500.00
10. 14" Fittings	15 EA @ 1020.00	\$ 15,300.00
11. 14" Valves	2 EA @ 3000.00	\$ 6,000.00
12. 10" Water Line	460 LF @ 57.20	\$ 26,312.00
13. 10" Fittings	8 EA @ 530.00	\$ 4,240.00
14. 10" Valves	1 EA @ 2335.00	\$ 2,335.00
15. 8" Water Line	20 LF @ 49.00	\$ 980.00
16. 8" Fittings	1 EA @ 380.00	\$ 380.00
17. 8" Valves	1 EA @ 1710.00	\$ 1,710.00
18. 6" Water Line	220 LF @ 45.00	\$ 9,900.00
19. 6" Fittings	3 EA @ 230.00	\$ 690.00
20. 6" Valves	6 EA @ 1290.00	\$ 7,740.00
21. Fire Hydrants	3 EA @ 3220.00	\$ 9,660.00
22. 4" Water Line	60 LF @ 38.00	\$ 2,280.00
23. 4" Fittings	1 EA @ 210.00	\$ 210.00
24. 2" Water Line	150 LF @ 35.50	\$ 5,325.00
25. Air Vac Manhole	1 EA @ 5185.00	\$ 5,185.00
26. 18" Storm Drain	280 LF @ 41.60	\$ 11,648.00
27. 12" Storm Drain	20 LF @ 44.50	\$ 890.00
28. Storm Drain Inlet	4 EA @ 2025.00	\$ 8,100.00
29. Storm Drain Manhole	1 EA @ 2525.00	\$ 2,525.00
30. 12" Irrigation	160 LF @ 44.00	\$ 7,040.00
31. Dry Utility Trenching	3000 LF @ 3.65	\$ 10,950.00
32. 30" Curb and gutter	2631 @ 13.90	\$ 36,570.90
33. 36" Curb and gutter	38 LF @ 22.75	\$ 864.50
34. 6" Curb	42 LF @ 24.60	\$ 1,033.20
35. 6" Sidewalk	158 SF @ 5.60	\$ 884.80
36. 4" Sidewalk	6405 SF @ 3.70	\$ 23,698.50

37. Cross Pans and ADA	2490 SF @ 7.75	\$ 19,297.50
38. Class 6 road section	4108 TN @ 20.50	\$ 84,214.00
39. Paving	1260 TN @ 93.55	\$ 117,873.00
40. Survey	1 LS	\$ 15,862.00

TOTAL \$ 805,563.40

Notes:

This is revised to show that we could use onsite dirt to build all of Fairway Ave.

Not included is the rock retaining wall and MSE wall. A full engineered plan must be in place before a cost can be figured for the walls.

This price is only good for 30 days.

Pipe must be purchase before March 15 or a price increase will take place.

Paving prices will increase after March 15 due to the oil market and the start of paving season.

This price does not include and bonds.

**Thank you**  
**Michael Johnson**  
**President**



**CITY OF RIFLE  
PURCHASE REQUEST**

<b>1.</b>	<b>For the Purchase of (description)</b>	
	Painting of pool, bathrooms, slide structure and deck numbers.	

<b>2.</b>	<b>Vendor Name</b>
	Leyba Painting, Inc.

<b>3.</b>	<b>Vendor Address</b>
	0156 Cindy's Way
	Rifle, CO 81650

<b>4.</b>	<b>Amount Requested</b>	<b>Amount Budgeted</b>	<b>Finance Director Verified Funds Avail.</b>
	\$22,905	\$23,100	

<b>5.</b>	<b>Fund Number</b>	<b>Dept. Name</b>	<b>Dept. #</b>	<b>Sub-Account #</b>
	210	Pool	4513	400.430

<b>6.</b>	<b>Type of Purchase</b>	
	<input type="checkbox"/>	Capital Construction
	<input type="checkbox"/>	Capital Construction – Change Order
	<input type="checkbox"/>	Capital Equipment
	<input type="checkbox"/>	Plant Equipment
	<input type="checkbox"/>	Materials, supplies, non-profession/technical services (includes computer/software maint.)
	<input checked="" type="checkbox"/>	Professional Services
	<input type="checkbox"/>	Utilities (includes equipment installation)
	<input type="checkbox"/>	Land, easements, ROW

<b>7.</b>	<b>Purchasing Process Required</b>	
	<input checked="" type="checkbox"/>	Open Market
	<input type="checkbox"/>	Comparative Pricing
	<input type="checkbox"/>	Request for Proposal (attach bid tab)
	<input type="checkbox"/>	Formal Bid (attach bid tab and advertisement)
	<input type="checkbox"/>	Single Source (attach an explanation)

<b>8.</b>	<b>Authorization Required</b>	
	<input type="checkbox"/>	City Manager
	<input type="checkbox"/>	City Council

<b>9.</b>	<b>Signatures</b>		
	<b>Position</b>	<b>Signature</b>	<b>Date</b>
	Department Director		3/6/12
	City Manager		
	City Council Approval (meeting date)		

<b>10.</b>	<b>Purchase Order # assigned by Finance</b>	

**March 6, 2012**

**I have contacted the following paint contractors for bids to paint the pool, bathrooms, slide structure and deck numbers.**

**High Desert Painting- They do not paint pools**

**Cherokee Painting- Don- He never got back to me**

**Sunshine Painting- They said no**

**Westwind Painting- Never returned calls**

**Belgard Painting- Mike said no**

**I have received 2 bids for the project:**

**Hoffmeister Painting: \$20,410**

**Leyba Painting: \$22,905**

**I would like to award the bid to Leyba Painting, he provided a more detailed bid and also has done work and painted the out building and fence at the pool in the last 2 years. We have been pleased with his quality of work in the past and would like to use his company's services again. He has also gone over the paint specs that he would be using and researched the best paint to use for this project.**

**Linda Stilson**

**Recreation Coordinator/ Aquatics**

# Leyba Painting Inc

**Proposal.**

0156 Cindy's Way  
 Rifle, Colorado. 81650  
 970-625-8644. Fax: 970-625-3321

DATE: AUGUST 23, 2011

EXPIRATION DATE: SEPTEMBER 15, 2011

City Of Rifle  
 Attention: Linda Stilson  
 Re: Rifle Metro Pool  
 Rifle, Colorado.

PROJECT	CONTACT	PAYMENT TERMS	DUE DATE
Rifle Metro Pool	Linda Stilson	Upon Completion	

		TOTAL
Slide Structure: Sand and remove all loose and or peeling paint from brown steel structure as well as all water scale prior to paint. Prime all raw and or exposed steel. Application of TWO coats of Sherwin Williams Shry Cryl acrylic metal finish in color to match existing brown to all steel structure at slide.	\$3990.00	\$3990.00
Men's and Women's Locker rooms: Men's Locker: Remove loose and or peeling paint from shower area only, re fill block area, and apply two coats of Sherwin Williams Acrylic epoxy to entire shower area in color to match existing. \$680.00 Women's Locker: Remove loose and or peeling paint from two walls in locker room and fill block. Apply two coats of epoxy to two walls in locker room. Remove loose panty from floor, fill, and repaint entire locker room floor with a water based epoxy with sand grip added to assure a no slippage finish to floor. \$1750.00	\$2430.00	\$2430.00
Pool Shell: Power wash entire interior pool shells at all pools. Scrub all interior surfaces with a Insul-X PC pool cleaner to remove all caulk, scum, oils, and lotions from pool surface. Rinse and let dry 24 hrs. Scuff entire pool shell surface with 150 grit sandpaper and rinse again, and let dry 24 hrs. Application of TWQ coats of Insul-Guard Epoxy pool coating IG-40XX series in color to be determined to all of pool shell surfaces on two separate days. Lap lines and number depths will be painted a separate color after epoxy is completely dry. Pool must not be filled for 14 days after epoxy has been applied.	\$15,960.00	\$15,960.00
Removing of loose and or peeling deck paint where numbers are applied, and repaint all numbers and depths on side of pool decking with a Shry Cryl epoxy paint to match existing.	\$525.00	\$525.00
<b>TOTAL</b>		<b>\$22,905.00</b>

Quotation prepared by:   
 Carlos Leyba. Leyba Painting Inc.

All materials are guaranteed to be as specified. And the work to be performed in accordance with the specifications submitted for the above work, and completed in a substantial workmanlike manner.  
 All work not already priced out on the above proposal, will be considered extra. Any and all extra work will be priced out per project, or on a time and material basis. Leyba Painting Inc. time and material rate is \$50.00 per hour per man.  
 Past due accounts are subject to a 5% surcharge together with reasonable attorney fees and filing costs.

To accept this quotation, sign here and return: \_\_\_\_\_  
 Linda Stilson. Rifle Metro Pool

**Hoffmeister Painting Inc.**

0164 Booms Place  
 Rifle, CO 81650  
 970-625-2120 office  
 970-625-2907 fax

# Estimate

Date	Estimate #
3/1/2012	20466

Name / Address
Rifle Rec Atten: Linda 202 Railroad Avenue Rifle, CO 81650

Project
Art Dague Pool

Description	Rate	Total
<b>Pool Re-Paint</b> (Kids Pool, Main Pool and Slide Pool)  Power wash, remove loose paint, clean and apply two coats of Epoxy Paint.  Re-paint all Lap Lane Lines, Depth Marker (in pool and along side of pools).  <b>Steel Slide Structure</b>  Power wash, sand, prime rust areas and two coats of paint.  <b>Boys Locker/Shower room</b>  Walls- where needed, remove loose paint, misc. patching and two coats of paint.  Floor- where needed, remove loose paint and touch up.  <b>Girls Locker/Shower room</b>  Walls- where needed, remove loose paint, misc. patching and two coats of paint.  Floor- remove loose paint and apply one coat of paint.  <b>Entry</b>  Walls- remove loose paint, misc. patching and two coats of paint where needed.	20,410.00	20,410.00
<b>NOTE: This proposal may be withdrawn by us if not accepted within 90 Days.</b>		<b>Total</b> \$20,410.00

**CITY OF RIFLE, COLORADO  
RESOLUTION NO. 8  
SERIES OF 2012**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,  
COLORADO AMENDING PARKING RESTRICTIONS FOR ACACIA  
AVENUE TO PERMIT PARKING ADJACENT TO DEERFIELD PARK.

WHEREAS, the Rifle City Council by Ordinance No. 11, Series of 2010 adopted the 2010 Edition of the Model Traffic Code, with amendments, at Chapter 8, Article I of the Rifle Municipal Code (the “Code”); and

WHEREAS, Section 8-1-130 of the Code amends subsection 1204(10) of the Model Traffic Code, 2010 Edition, to provide that the City Council may adopt by resolution parking restrictions on certain streets, alleys, and parking lots within the City; and

WHEREAS, the Rifle Parks Department has identified a need to permit daytime parking on Acacia Avenue adjacent to Deerfield Park, an area where parking is currently prohibited; and

WHEREAS, the Rifle City Council finds and determines that the best interests of the citizens of Rifle will be served by permitting parking on Acacia Avenue adjacent to Deerfield Park; provided, however, that parking in such area shall be prohibited between the hours of 10:00 pm and 6:00 am.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

- 1) The City incorporates the foregoing recitals as findings by the City Council.
- 2) The parking restrictions for the segment of Acacia Avenue adjacent to Deerfield Park are hereby amended to permit parking; provided, however, that parking between the hours of 10:00 pm and 6:00 am shall be prohibited. The area in which parking is permitted shall be posted accordingly.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 21<sup>st</sup> day of March, 2012.

CITY OF RIFLE, COLORADO

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



March 14<sup>th</sup>, 2012

City Council

With this memo the Public Works department presents Johnson Construction, Inc., has satisfied the bidding requirements and been selected as the Primary Contractor for the Highway 13 improvements. To our surprise, Johnson was the only bidder. At least four potential prime contractors did pick up plans and specifications. The bid was under the budget. The timeframe for work will be April-May.

Respectfully,

Rick L. Barth, P.E.  
City Engineer  
Rifle, CO  
970-665-6559



(1)  
**CITY OF RIFLE  
BID FORM**

**FOR CONSTRUCTION OF: S.H. 13 SAFETY IMPROVEMENTS  
(CENTENNIAL PARKWAY TO WHITERIVER AVENUE)**

DATE: March 13, 2012

**OWNER:** City of Rifle  
202 Railroad Avenue  
Rifle CO 81650  
Attn: Rick Barth

**BIDDER:** Name of Bidder Johnson Construction Inc  
Address of Bidder 4151 W Centennial Parkway  
Rifle, CO 81650  
Phone Number (970) 625-2251  
Email Address mike@johnconinc.com  
Contact Name Michael Johnson

THE UNDERSIGNED BIDDER, having familiarized himself with the Work required by the Contract Documents, the site and conditions where the Work is to be performed, local labor conditions, and all laws, regulations, and other factors affecting performance of the Work, and having satisfied himself of the expense and difficulties attending performance of the Work,

HEREBY PROPOSES and agrees, if this Bid is accepted, to enter into Agreement with the Owner to perform all work, including the assumption of all obligations, duties, and responsibilities necessary to the successful completion of the contract and the furnishing of all materials and equipment required to be incorporated in and form a permanent part of the Work; tools, equipment, supplies, transportation, facilities, labor, superintendence, and services required to perform the Work; and bonds, insurance, submittals; and all fees as indicated or specified in the Contract Documents to be performed or furnished by BIDDER for the amount identified and detailed in the BID SCHEDULE and further totaled below ("Bid Proposal Amount"):

SCH A	Eighty nine thousand two hundred sixty six dollars seventy cents	Dollars(\$ <u>89,266.70</u> )
	(written)	(numeric)
SCH B	One hundred four thousand two hundred eighty four dollars	104,284.00
	11	
SCH C	One hundred seventy seven thousand eight hundred twenty two dollars sixty cents	177,822.60

(2)  
**CITY OF RIFLE  
BID FORM**

**DOCUMENTS AND ADDENDA:**

The BIDDER submits that he has carefully examined the site of the proposed work and the existing conditions, as well as the drawings and specifications. Also, he has thoroughly reviewed the proposal form, Instructions to Bidders, General Conditions, Supplementary Conditions, General Requirements, and the Specifications and Drawings, and acknowledges that the following addenda covering revisions to the drawings and/or specifications, and the cost, if any, of such revisions has been included in the Total Bid Price.

Addendum No. One Dated 3/8/12

Addendum No. Two Dated 3/13/12

Addendum No. \_\_\_\_\_ Dated \_\_\_\_\_

**CHANGES TO THE WORK:**

BIDDER agrees to perform all the WORK for the Total Base Bid price identified in the "Bid Proposal Amount." If circumstances arise during construction of this project which dictate a change in quantity, then the pricing for that particular portion of the job will be adjusted up or down with the BIDDER'S Schedule of Values (as included in the Contract Documents) to the revised quantity required by the construction circumstances of these plans. Final payment will be based upon count or measurement of items in place upon completion of the project at the units of measure and unit prices, with the exception of lump sum items.

For changes not covered by a contract unit price, BIDDER proposes that all such changes ordered to the work which increases the Scope of Work shall be priced in advance of the work and such unit prices will be approved by the Owner prior to commencement of work.

**PERFORMANCE AND LABOR & MATERIAL PAYMENT BONDS:**

By signing and submitting this Bid Proposal, the BIDDER certifies that upon demand, Performance and Labor & Material Payment Bonds can be furnished in amounts sufficient to cover the total proposed cost of work.

**TIME OF COMMENCEMENT, COMPLETION, AND DAMAGES:**

The BIDDER agrees that, if awarded the Contract, the Work will be substantially complete, ready for occupancy by Owner, according to the schedule submitted by BIDDER of within the indicated construction durations specified within the Contract Documents except for delays caused by Acts of God, neglect of the Owner or the

**(3)**  
**CITY OF RIFLE**  
**BID FORM**

Representative of the Owner or other causes beyond the BIDDER'S control, and allows for no time due to labor disputes or strikes. Weather (unless severe) is not considered as an excuse for delay of the work.

Time is expressly declared to be of the essence in completion of the Work covered by the Contract Documents. Where additional time is allowed under the Agreement for the Completion of the work, the new time limits shall be of the essence of the Agreement.

**GENERAL AGREEMENTS:**

The BIDDER agrees to the following:

The BIDDER has had an opportunity to examine the Site of the work and has examined the Contract Documents therefore.

The BIDDER has carefully prepared the bid proposal upon the basis thereof and has carefully examined and checked the Bid Proposal and the materials, equipment and labor required thereunder, the cost thereof, and figures therefore, and hereby states that the amount or amounts set forth in the Bid Proposal is, or are, correct and that no mistake or error has occurred in the Bid Proposal or in the BIDDER's computations upon which the Bid Proposal is based and the BIDDER agrees that no claim for reformation, modification, rescission or correction of the Bid Proposal will be made after the scheduled closing time for the receipt of Bid Proposals.

The BIDDER understands that the Owner reserves the right to reject any or all Bids for any or no reason and to waive any informality in the bidding.

The BIDDER understands that this Bid shall not be withdrawn for a period of 60 calendar days after the scheduled closing time for receiving bids.

The BIDDER understands that unless a bid item is included on the "Bid Schedule", no separate payment shall be made for items required to complete the work in accordance with the contract. If included on the bid schedule, than work under the item will be paid at the unit or units given and shall include all necessary work complete and in place.

In preparing the Bid Proposal, the BIDDER has verified and is reasonably assured of the availability of all labor, materials, and products in this document.

The BIDDER has carefully reviewed the Bid Documents in their entirety and has agreed to meet these requirements.

(4)  
**CITY OF RIFLE  
BID FORM**

DOCUMENT EXECUTION:

DATED This 13 th \_\_\_\_\_ day of March \_\_\_\_\_, 2012

Johnson Construction Inc

(Name of Firm)

4151 W Centennial Parkway

(Street Address)

Rifle, CO 81650

(City, State, Zip)



(Signature)

Michael Johnson

(Printed Signature)

President

(Title)

Please check as appropriate:

An individual

A Partnership Between:

A Corporation organized under the laws of the State of Colorado

**END OF BID FORM**

**ATTACHMENT A**  
**LIST OF MATERIALS SUPPLIERS / SUBCONTRACTORS**

Provide the name of the materials supplier or subcontractor included in your base bid price. Any changes in the providers listed below can be made only with the approval of the Owner. Any amount of work greater than 10% of the amount bid shall be considered as a subcontractor/Materials Supplier.

<b>Name of Subcontractor /Materials Supplier</b>	<b>Work Item Performed or Provided</b>	<b>% of Value</b>
A-1 Traffic	Traffic Control	10
Mays SCH A & B Rod Co SCH C	Concrete	15
United Co	Paving	10

**End of Attachment A**

(1)  
**CITY OF RIFLE**  
 S.H. 13/ SAFETY IMPROVEMENTS  
 (CENTENNIAL PARKWAY TO WHITERIVER AVENUE)

SCHEDULE A (S.H. 13 GRAVEL COVER MEDIAN)

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>CONTRACT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
			<u>ITEM #</u>			
1	128 <i>(Unit Price – Words)</i>	SY	202-00195	REMOVAL OF MEDIAN COVER Nine dollars thirty cents	\$ 9.30	\$ 1,190.40
2	488 <i>(Unit Price – Words)</i>	LF	202-00203	REMOVAL OF CURB AND GUTTER Two dollars ninety five cents	\$ 2.95	\$ 1,439.60
3	1,187 <i>(Unit Price – Words)</i>	SY	202-00220	REMOVAL OF ASPHALT MAT Five dollars fifty cents	\$ 5.50	\$ 6,528.50
4	195 <i>(Unit Price – Words)</i>	SF	202-00250	REMOVAL OF PAVEMENT MARKINGS Three dollars thirty cents	\$ 3.30	\$ 643.50
5	1 <i>(Unit Price – Words)</i>	EA	202-00821	REMOVAL OF SIGN PANEL Seventy eight dollars	\$ 78.00	\$ 78.00
6	180 <i>(Unit Price – Words)</i>	CY	203-00060	EMBANKMENT MATERIAL (COMPLETE IN PLACE) Nineteen dollars	\$ 19.00	\$ 3,420.00
7	4 <i>(Unit Price – Words)</i>	HR	203-01597	POTHOLING One hundred sixty dollars	\$ 160.00	\$ 640.00
8	2 <i>(Unit Price – Words)</i>	EA	210-00810	RESET GROUND SIGN One hundred fifty five dollars twenty five cents	\$ 155.25	\$ 310.50
9	1,080 <i>(Unit Price – Words)</i>	SY	213-00070	LANDSCAPE WEED BARRIER FABRIC Ninety cents	\$ 0.90	\$ 972.00
10	61 <i>(Unit Price – Words)</i>	TON	403-00720	HOT MIX ASPHALT (PATCHING) (ASPHALT) Two hundred fifty eight dollars	\$ 258.00	\$ 15,738.00
11	804 <i>(Unit Price – Words)</i>	LF	609-21010	CURB AND GUTTER TYPE 2 (SECTION I-B) Fourteen dollars fifteen cents	\$ 14.15	\$ 11,376.60
13	9,721 <i>(Unit Price – Words)</i>	SF	610-00055	MEDIAN COVER MATERIAL (STONE) Seventy five cents	\$ 0.75	\$ 7,290.75
14	63 <i>(Unit Price – Words)</i>	SF	614-00012	SIGN PANEL (CLASS II) Twelve dollars ninety five cents	\$ 12.95	\$ 815.85

15	4	EA	614-01573	STEEL SIGN SUPPORT (2-1/2 INCH ROUND NP-40) (POST & SLIPBASE)		
		(Unit Price – Words)	One hundred dollars		\$ 100.00	\$ 400.00
16	1	EA	620-00020	SANITARY FACILITY		
		(Unit Price – Words)	Two hundred twenty dollars		\$ 220.00	\$ 220.00
17	1	LS	625-00000	CONSTRUCTION SURVEYING		
		(Unit Price – Words)	Four thousand dollars		\$ 4,000.00	\$ 4,000.00
18	1	LS	626-00000	MOBILIZATION		
		(Unit Price – Words)	Twelve thousand four hundred eighty three dollars		\$ 12,483.00	\$ 12,483.00
19	1	LS	626-01000	PUBLIC INFORMATION SERVICES		
		(Unit Price – Words)	Two thousand five hundred dollars		\$ 2,500.00	\$ 2,500.00
20	8	GAL	627-00005	EPOXY PAVEMENT MARKING		
		(Unit Price – Words)	One hundred thirty two dollars		\$ 132.00	\$ 1,056.00
21	104	SF	627-00070	PREFORMED THERMOPLASTIC PAVEMENT MARKING		
		(Unit Price – Words)	Sixteen dollars		\$ 16.00	\$ 1,664.00
22	1	LS	630-10005	TRAFFIC CONTROL		
		(Unit Price – Words)	Twelve thousand five hundred dollars		\$ 12,500.00	\$ 12,500.00
23	1	FA	700-70010	F/A MINOR CONTRACT REVISIONS		
		(Unit Price – Words)	Four Thousand		\$4000.00	\$4000.00

TOTAL BID PRICE:

Eighty nine thousand two hundred sixty six dollars seventy cents  
 (written) Dollars(\$ 89,266.70 )  
 (numeric)

**(2)**  
**CITY OF RIFLE**  
**S.H. 13 SAFETY IMPROVEMENTS**  
**(CENTENNIAL PARKWAY TO WHITERIVER AVENUE)**

**SCHEDULE B (ADDITION OF WHITERIVER AVENUE ISLANDS)**

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>CONTRACT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
			<u>ITEM #</u>			
1	128 <i>(Unit Price – Words)</i>	SY	202-00195 Nine dollars thirty cents	REMOVAL OF MEDIAN COVER	\$ 9.30	\$ 1,190.40
2	488 <i>(Unit Price – Words)</i>	LF	202-00203 Two dollars ninety five cents	REMOVAL OF CURB AND GUTTER	\$ 2.95	\$ 1,439.60
3	1,345 <i>(Unit Price – Words)</i>	SY	202-00220 Five dollars and fifty cents	REMOVAL OF ASPHALT MAT	\$ 5.50	\$ 7,397.50
4	195 <i>(Unit Price – Words)</i>	SF	202-00250 Three dollars thirty cents	REMOVAL OF PAVEMENT MARKINGS	\$ 3.30	\$ 643.50
5	1 <i>(Unit Price – Words)</i>	EA	202-00821 Eighty dollars	REMOVAL OF SIGN PANEL	\$ 80.00	\$ 80.00
6	199 <i>(Unit Price – Words)</i>	CY	203-00060 Eighteen dollars	EMBANKMENT MATERIAL (COMPLETE IN PLACE)	\$ 18.00	\$ 3,582.00
7	6 <i>(Unit Price – Words)</i>	HR	203-01597 One hundred sixty dollars	POTHOLOGING	\$ 160.00	\$ 960.00
8	3 <i>(Unit Price – Words)</i>	EA	210-00810 One hundred fifty five dollars	RESET GROUND SIGN	\$ 155.00	\$ 465.00
9	1,080 <i>(Unit Price – Words)</i>	SY	213-00070 Ninety cents	LANDSCAPE WEED BARRIER FABRIC	\$ 0.90	\$ 972.00
10	75 <i>(Unit Price – Words)</i>	TON	403-00720 Two hundred fifty eight dollars	HOT MIX ASPHALT (PATCHING) (ASPHALT)	\$ 258.00	\$ 19,350.00
11	968 <i>(Unit Price – Words)</i>	LF	609-21010 Fourteen dollars fifteen cents	CURB AND GUTTER TYPE 2 (SECTION I-B)	\$ 14.15	\$ 13,697.20
12	764 <i>(Unit Price – Words)</i>	SF	610-00020 Six dollars twenty cents	MEDIAN COVER MATERIAL (PATTERNED CONCRETE)	\$ 6.20	\$ 4,736.80
13	9,721 <i>(Unit Price – Words)</i>	SF	610-00055 Seventy five cents	MEDIAN COVER MATERIAL (STONE)	\$ 0.75	\$ 7,290.75

14	67	SF	614-00012	SIGN PANEL (CLASS II)		
	(Unit Price – Words)		Sixteen dollars seventy five cents		\$ 16.75	\$ 1,122.25
15	5	EA	614-01573	STEEL SIGN SUPPORT (2-1/2 INCH ROUND NP-40) (POST & SLIPBASE)		
	(Unit Price – Words)		One hundred dollars		\$ 100.00	\$ 500.00
16	1	EA	620-00020	SANITARY FACILITY		
	(Unit Price – Words)		Two hundred twenty dollars		\$ 220.00	\$ 220.00
17	1	LS	625-00000	CONSTRUCTION SURVEYING		
	(Unit Price – Words)		Four thousand two hundred dollars		\$ 4,200.00	\$ 4,200.00
18	1	LS	626-00000	MOBILIZATION		
	(Unit Price – Words)		Fourteen thousand five hundred forty nine dollars		\$ 14,549.00	\$ 14,549.00
19	1	LS	626-01000	PUBLIC INFORMATION SERVICES		
	(Unit Price – Words)		Two thousand five hundred dollars		\$ 2,500.00	\$ 2,500.00
20	7	GAL	627-00005	EPOXY PAVEMENT MARKING		
	(Unit Price – Words)		One hundred thirty two dollars		\$ 132.00	\$ 924.00
21	104	SF	627-00070	PREFORMED THERMOPLASTIC PAVEMENT MARKING		
	(Unit Price – Words)		Sixteen dollars		\$ 16.00	\$ 1,664.00
22	1	LS	630-10005	TRAFFIC CONTROL		
	(Unit Price – Words)		Twelve Thousand eight hundred dollars		\$ 12,800.00	\$ 12,800.00
23	1	FA	700-70010	F/A MINOR CONTRACT REVISIONS		
	(Unit Price – Words)		Four Thousand		\$4,000.00	\$4,000.00

TOTAL BID PRICE:

One hundred four thousand two hundred eighty four dollars  
 (written) Dollars(\$ 104,284.00 )  
 (numeric)

**(3)**  
**CITY OF RIFLE**  
**S.H. 13 SAFETY IMPROVEMENTS**  
**(CENTENNIAL PARKWAY TO WHITERIVER AVENUE)**

**SCHEDULE C (S.H. 13 PATTERNED CONCRETE MEDIAN)**

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>CONTRACT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
		<u>ITEM #</u>				
1	626 <i>(Unit Price – Words)</i>	SY	202-00195 Eight dollars fifty cents	REMOVAL OF MEDIAN COVER	\$ 8.50	\$ 5,321.00
2	488 <i>(Unit Price – Words)</i>	LF	202-00203 Two dollars ninety five cents	REMOVAL OF CURB AND GUTTER	\$ 2.95	\$ 1,439.60
3	1,345 <i>(Unit Price – Words)</i>	SY	202-00220 Five dollars fifty cents	REMOVAL OF ASPHALT MAT	\$ 5.50	\$ 7,397.50
4	195 <i>(Unit Price – Words)</i>	SF	202-00250 Tree dollars thirty cents	REMOVAL OF PAVEMENT MARKINGS	\$ 3.30	\$ 643.50
5	1 <i>(Unit Price – Words)</i>	EA	202-00821 Eighty dollars	REMOVAL OF SIGN PANEL	\$ 80.00	\$ 80.00
6	370 <i>(Unit Price – Words)</i>	CY	203-00060 Sixteen dollars	EMBANKMENT MATERIAL (COMPLETE IN PLACE)	\$ 16.00	\$ 5,920.00
7	6 <i>(Unit Price – Words)</i>	HR	203-01597 One hundred sixty dollars	POTHOLING	\$ 160.00	\$ 960.00
8	6 <i>(Unit Price – Words)</i>	EA	210-00810 One hundred fifty five dollars	RESET GROUND SIGN	\$ 155.00	\$ 930.00
10	75 <i>(Unit Price – Words)</i>	TON	403-00720 Two hundred fifty eight dollars	HOT MIX ASPHALT (PATCHING) (ASPHALT)	\$ 258.00	\$ 19,350.00
11	968 <i>(Unit Price – Words)</i>	LF	609-21010 Seventeen dollars	CURB AND GUTTER TYPE 2 (SECTION I-B)	\$ 17.00	\$ 16,456.00
12	14,972 <i>(Unit Price – Words)</i>	SF	610-00020 Five dollars fifteen cents	MEDIAN COVER MATERIAL (PATTERNED CONCRETE)	\$ 5.15	\$ 77,105.80
14	67 <i>(Unit Price – Words)</i>	SF	614-00012 Thirteen dollars sixty cents	SIGN PANEL (CLASS II)	\$ 13.60	\$ 911.20
15	5 <i>(Unit Price – Words)</i>	EA	614-01573 One hundred dollars	STEEL SIGN SUPPORT (2-1/2 INCH ROUND NP-40) (POST & SLIPBASE)	\$ 100.00	\$ 500.00

16	1	EA	620-00020	SANITARY FACILITY		
		(Unit Price – Words)	Two hundred twenty dollars		\$ 220.00	\$ 220.00
17	1	LS	625-00000	CONSTRUCTION SURVEYING		
		(Unit Price – Words)	Four thousand five hundred dollars		\$ 4,500.00	\$ 4,500.00
18	1	LS	626-00000	MOBILIZATION		
		(Unit Price – Words)	Fourteen thousand dollars		\$ 14,000.00	\$ 14,000.00
19	1	LS	626-01000	PUBLIC INFORMATION SERVICES		
		(Unit Price – Words)	Two thousand five hundred dollars		\$ 2,500.00	\$ 2,500.00
20	7	GAL	627-00005	EPOXY PAVEMENT MARKING		
		(Unit Price – Words)	One hundred thirty two dollars		\$ 132.00	\$ 924.00
21	104	SF	627-00070	PREFORMED THERMOPLASTIC PAVEMENT MARKING		
		(Unit Price – Words)	Sixteen dollars		\$ 16.00	\$ 1,664.00
22	1	LS	630-10005	TRAFFIC CONTROL		
		(Unit Price – Words)	Thirteen thousand dollars		\$ 13,000.00	\$ 13,000.00
23	1	FA	700-70010	F/A MINOR CONTRACT REVISIONS		
		(Unit Price – Words)	Four Thousand		\$4000.00	\$4000.00

TOTAL BID PRICE:

One hundred seventy seven thousand eight hundred twenty two dollars sixty cents      Dollars(\$ 177,822.60 )  
 (written)      (numeric)



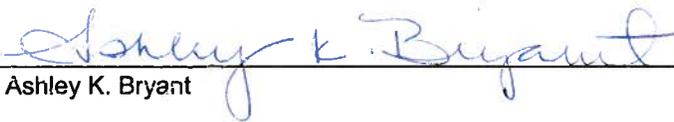
The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or affected by any extension of the time within which the OWNER may accept such BID; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

Johnson Construction, Inc. \_\_\_\_\_ (L.S.)  
Principal

By:  \_\_\_\_\_

Merchants Bonding Company (Mutual) \_\_\_\_\_  
Surety

By:  \_\_\_\_\_  
Ashley K. Bryant Attorney-in-Fact

IMPORTANT - Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

**MERCHANTS**  
**BONDING COMPANY**  
**POWER OF ATTORNEY**

Know All Persons By These Presents, that the MERCHANTS BONDING COMPANY (MUTUAL), a corporation duly organized under the laws of the State of Iowa, and having its principal office in the City of Des Moines, County of Polk, State of Iowa, hath made, constituted and appointed, and does by these presents make, constitute and appoint

Andrew P. Walters, Timothy J. Blanchard, Ashley K. Bryant, Linda Wilkerson

of Grand Junction and State of Colorado its true and lawful Attorney-in-Fact, with full power and authority hereby conferred in its name, place and stead, to sign, execute, acknowledge and deliver in its behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

**SIX MILLION (\$6,000,000.00) DOLLARS**

and to bind the MERCHANTS BONDING COMPANY (MUTUAL) thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the MERCHANTS BONDING COMPANY (MUTUAL), and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following Amended Substituted and Restated By-Laws adopted by the Board of Directors of the MERCHANTS BONDING COMPANY (MUTUAL) on November 16, 2002.

ARTICLE II, SECTION 8 - The Chairman of the Board or President or any Vice President or Secretary shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

ARTICLE II, SECTION 9 - The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed.

In Witness Whereof, MERCHANTS BONDING COMPANY (MUTUAL) has caused these presents to be signed by its President and its corporate seal to be hereto affixed, this 3rd day of November, 2010.



MERCHANTS BONDING COMPANY (MUTUAL)

By *Larry Taylor*  
President

STATE OF IOWA  
COUNTY OF POLK ss.

On this 3rd day of November, 2010, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL), the corporation described in the foregoing instrument, and that the Seal affixed to the said instrument is the Corporate Seal of the said Corporation and that the said Instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.



*Cindy Smyth*  
Notary Public, Polk County, Iowa

STATE OF IOWA  
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL), do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said MERCHANTS BONDING COMPANY (MUTUAL), which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Company on this 13 day of March 2012.



*William Warner Jr.*  
Secretary

Bid Opening  
Tuesday March 13, 2012

2:00 PM

Rick Barth  
Brian Prunty  
Maryann Dodson

City Hall upstairs conference room

Bidder	Total Price
Johnson Construction	Sched A 89,216 <sup>70</sup>
	B 104,284-
	C 177,822 <sup>60</sup>

Present -  
Pave Hillebrand - Kuerston Const  
Mike Johnson - Johnson Const  
Rick Barth  
Brian Prunty  
Maryann Dodson -

**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 6  
SERIES OF 2012**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING  
SECTION 13-4-20 OF THE RIFLE MUNICIPAL CODE TO ELIMINATE THE  
MARCH 31, 2012 SUNSET FOR THE WATER AND SEWER SYSTEMS  
IMPROVEMENT FEE SURCHARGE OPTION FOR NONRESIDENTIAL  
PROJECTS.

WHEREAS, by Ordinance No. 4, Series of 2010, the Rifle City Council approved a system improvement fee surcharge program for nonresidential users as a means to alleviate front-end development costs and spread payments for system improvement fees in equal installments over a three year period commencing at building permit application; and

WHEREAS, the Ordinance, codified at Section 13-4-20 of the Rifle Municipal Code, sunsets on March 31, 2012, at a time when the City wishes to encourage new commercial users on its utility system and new businesses in Rifle; and

WHEREAS, in its ongoing efforts to assist with the economic viability of new commercial development in the City of Rifle, City staff continues to identify the system improvement fee surcharge program as an efficient means to benefit such development but not adversely impact the City's ability to provide efficient and cost-effective services for its residents and remain fiscally responsible; and

WHEREAS, the Rifle Utility Department believes its capital funding needs will be met adequately by collecting system improvement fees for participating nonresidential users over the three year period, and the City will continue to monitor the fiscal impact of the surcharge program; and

WHEREAS, the Rifle City Council finds and determines the best interests of Rifle citizens will be met by amending Section 13-4-20 of the Rifle Municipal Code to eliminate the March 31, 2012 sunset provisions accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 13-4-20 of the Rifle Municipal Code is hereby amended to read as follows, with deletions shown in strike-through text:

**13-4-20. Payment due date.**

(a) Except as provided in subsection (b), all system improvement fees due pursuant to this Article shall be paid at the time of the application for a building permit or, if no building permit is required, prior to City approval of the application for a connection permit.

(b) To assist with the economic viability of new developments in the City, nonresidential users owing system improvement fees as calculated in Section 13-4-60 may opt to pay such fees in the form of a system improvement fee surcharge as set forth herein. The system improvement fee surcharge shall replace the system improvement fee payment described in Section 13-4-10 and shall be payable in thirty-six (36) equal, interest-free monthly installments. Monthly payments for the surcharge will commence upon application for building permit or, if no building permit is required, prior to the change in use set forth in Section 13-4-40. The system improvement fee surcharge shall be billed on the statement for water and sewer service charges set forth in Section 13-1-410. Capacity in the City's water and sewer systems shall not be perpetually reserved and appurtenant to the premises served until full payment of the system improvement fees is made. All provisions of the Rifle Municipal Code which apply to charges for water and sewer service set forth at Sections 13-1-420 through 13-1-440 apply to the system improvement fee surcharge. Notwithstanding the provisions of Section 13-1-280, failure to remit payments for the system improvement fee surcharge for a period of twelve (12) consecutive months shall result in the total abandonment of the water and sewer EQRs subject to the system improvement fee surcharge which will eliminate any lien on the premises served for the unpaid system improvement fees; provided, however, all other fees and charges, including interest, late charges and/or delinquency fees shall remain due and owing and subject to all collection procedures of the Rifle Municipal Code.

~~(c) — The system improvement fee surcharge option set forth in subsection (b) above shall sunset on March 31, 2012 and the amendments made in this Section 2 shall be repealed at that time unless the City Council takes affirmative action otherwise.~~

INTRODUCED on March 7, 2012, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on March 21, 2012, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this \_\_\_ day of \_\_\_\_\_, 2012.

CITY OF RIFLE, COLORADO

BY \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 7  
SERIES OF 2012**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING  
APPENDIX A TO THE RIFLE MUNICIPAL CODE TO ADJUST THE  
ADMINISTRATION OF WATER AND SEWER SERVICE FEES TO BE ON  
AN EQR BASIS AND AMENDING SECTION 13-4-60 TO ASSIGN EQR  
VALUES FOR RECREATIONAL VEHICLE PARKS.

WHEREAS, the City of Rifle continues to experience increased costs associated with the operation, maintenance, repair and replacement of its water and sewer system and now must make a major financial commitment to construct a new wastewater treatment facility for the benefit of its residents; and

WHEREAS, the City continually analyzes how to most equitably bill customers for water and sewer service and has revised rates and collection practices throughout the past five years accordingly to maintain fiscal health and respond to customer needs; and

WHEREAS, the City is currently charging service fees for water and sewer service on a per-account basis, with additional fees charged for water use over 4,000 gallons of monthly water use per account; and

WHEREAS, Section 13-1-380(f) of the Rifle Municipal Code (“RMC”) provides that rates for multi-family units and any other units on a master meter shall be based upon the number of constructed units, irrespective of whether each unit is occupied; and

WHEREAS, staff recommends billing water and sewer service fees on a per-EQR (Equivalent Residential Unit) basis, noting that the City’s EQR Schedule at Section 13-4-60 of the RMC assigns values of less than one EQR for smaller multi-family housing types and more accurately reflects the true impact to the City’s utility systems; and

WHEREAS, in analyzing how service payments will be received, staff has also identified a need to revise the EQR value for recreational vehicle parks to more accurately reflect their impact on the City’s utility system; and

WHEREAS, the Chapter 13 fee schedule at Appendix A to the RMC contains certain outdated references that should be revised as an administrative clean-up measure to reflect current fees and charges; and

WHEREAS, the Rifle City Council finds and determines that to adequately meet the City’s current and future needs and to remain fiscally responsible, Appendix A to the RMC should be revised to provide for EQR base rate billing in the City and to reflect the current fees being charged by the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The following water service fees referenced in the RMC at Appendix A, page Appx-5, are hereby amended to read as follows, with additions shown in bold, double underlined text and deletions in strike-through text:

13-1-380	Flat fee	\$18.29 per <del>water account</del> <b><u>EQR</u></b> up to 4,000 gallons of monthly water use <b><u>per EQR</u></b>
	Plus (in addition to above)	\$3.54/1,000 gallons or part thereof, of water use/month over 4,000 gallons

Section 3. The following sewer service fees referenced in the RMC at Appendix A, page Appx-7, are hereby amended to read as follows, with additions shown in bold, double underlined text and deletions in strike-through text:

13-3-510	Flat fee	\$36.92 per <del>sewer account</del> <b><u>EQR</u></b> up to 4,000 gallons of monthly water use <b><u>per EQR</u></b>
	Plus (in addition to above)	\$8.27/1,000 gallons or part thereof, of water use/month over 4,000 gallons

Section 4. Section 5.f of the EQR Schedule at Section 13-4-60 of the Rifle Municipal Code is hereby amended to assign the following EQR values for recreational vehicle parks as follows, with additions shown in bold, double underlined text and deletions in strike-through text:

5. Transient Residential Units	
f. Recreational vehicle parks ( <del>spaces filled by recreational vehicles on a year round basis shall be evaluated under the "mobile home park" category</del> )	
<b><u>i. spaces filled by recreational vehicles on a year-round basis</u></b>	<b><u>0.3</u></b>
<b><u>ii. Camping or vehicle spaces (per space)</u></b>	<b><u>1.00</u></b> <b><u>By</u></b> <b><u>Special</u></b> <b><u>Review</u></b>
<b><u>iii. Camper dump station</u></b>	<b><u>By</u></b> <b><u>Special</u></b> <b><u>Review</u></b>

Section 5. Section 13-5-110 of the Rifle Municipal Code, "Testing fees," is hereby deleted in its entirety, and the existing Section 13-5-120 is hereby renumbered as Section 13-5-110 accordingly.

Section 6. The Chapter 13 Fee Schedule at Appendix A of the RMC is repealed and reenacted to reflect current utility fees and charges in the City, including the revisions described

in Sections 2 and 3 herein. Except as described in Sections 2 and 3 herein, the revisions shown below do not reflect substantive revisions to the Fee Schedule but rather administrative corrections.

<i>Chapter 13</i>		
13-1-370	Water meter activation, installation at time of initial connection to City's water system	Reimburse City for actual cost of acquisition, installation & inspection of water meters, plus 15% handling charge as determined by Public Works Director
13-1-380	Water rates	
	Standard water service fees for users within corporate city limits: All classes of water users located within the corporate City limits shall pay the following monthly water service fees:	
	Flat fee	\$18.29 per EQR up to 4,000 gallons of monthly water use per EQR
	Plus (in addition to above)	\$3.54/1,000 gallons or part thereof, of water use/month over 4,000 gallons/EQR
	Variable rates/other fees	
	Outside corporate City limits	200% applicable in-City rate (Subject to flat fee at increased rate)
	Senior citizen/disabled (in City only)	80% applicable in-City rate (Subject to flat fee at discounted rate)
	Single-family residential premium	\$3.81/1,000 gallons (if use exceeds 30,000 gallons/EQR)
	Multi-family or master meter premium (per EQR)	\$3.81/1,000 gallons (if use exceeds 21,000 gallons/EQR)
	Interruptible water service rate	\$3.18/1,000 gallons
	Bulk sales rate (hydrant – when permitted)	\$25.00 per month plus 400% applicable in-City rate for use
	Bulk sales – vending machine	\$10.93/1,000 gallons
	Pressure surcharge (south of river)	\$0.56/1,000 gallons
	Late charge (per delinquency notice)	\$7.84/delinquency notice
	Duplicate bill charge	\$1.09 each duplicate issued
	Meter installation/account activation fee	\$100.00
	Meter activation charge	\$18.52
	Meter installation	
	Less than or equal to 1”	\$222.24
	Greater than or equal to 1½”	\$277.83
	Water connection inspection	\$92.62
	Future water rate increases: Effective January 1, 2012, water service fees for all classes of water users shall increase on January 1 of each calendar year by 5% .	
13-1-430	Processing and preparation of water and sewer delinquency notices	\$7.84 per notice
	Processing and preparation of water and sewer shut-off notices	\$15.00 per notice
	Physical turn-off of services (per employee trip)	\$30.00
	Physical turn-on of services:	
	Customer’s first time	No fee assessed
	Second time	\$45.00

	Third time and any thereafter	\$60.00
13-1-730	Meter calibration and additional reading	
	Meters up to and including 1", if meter is accurate	\$39.20
	Meter exceeding 1", if meter is accurate	Actual costs
	Additional meter reading requested by customer	\$7.84
13-3-350	Major contributing user surcharge	\$0.24 per pound BOD \$0.39 per pound SS
	Sampling and analysis charge	\$100.00 per sampling
13-3-510	Sewer rates	
	Flat fee	\$36.92 per EQR up to 4,000 gallons of monthly water use per EQR
	Plus (in addition to above)	\$8.27/1,000 gallons or part thereof, of water use/month over 4,000 gallons/EQR
	Variable rates/other fees	
	Senior citizen/disabled (in-City only) (residential classification)	80% of applicable in-City rate (Subject to flat fee at discounted rate)
	Outside City limits (all classifications)	200% applicable in-City rate (Subject to flat fee at increased rate)
	Sewer connection inspection	\$102.70
	Future sewer rate increases: Effective January 1, 2012, sewer service fees for all classes of sewer users located within the corporate City limits shall increase on January 1 of each calendar year by 5%.	
13-3-560	Interest assessments on delinquent water, sewer and refuse collection charges	1.25%/month
13-3-620	Application fee for wastewater hauler license	\$100.00 per vehicles used by the applicant
13-3-690	Fee payment for domestic and industrial wastewater hauling	
	Flat fee	\$100.00 up to and including first 1,000 gallons
	Plus (in addition to above)	\$10.00 for each 100 gallons over 1,000 gallons
13-4-70	Water system improvement fees	
	Water system improvement fee (in-City), per EQR	\$5,743.27
13-4-80	Northeast Tank Upper Pressure Zone Impact Fee	
	(a) The Northeast Tank Upper Pressure Zone includes all developable lands generally located above an elevation of 5,465 feet mean sea level, on or adjacent to the Graham Mesa and Highlands East development areas, including those areas which lie north and east of the intersection of Ute Avenue and Fifth Street and those areas lying east of the west terminus of Arabian Avenue with 12th Street. A map generally depicting the Northeast Tank Upper Pressure Zone is on file and available for review during normal business hours at the City Clerk's Office at City Hall. The City Manager, in consultation with the City Public Works Director, shall make the final determination of whether a specific parcel of land is located within the Northeast Tank Upper Pressure Zone.	
	(b) Impact fee, per EQR	\$1,860.00
	(c) The Northeast Tank Upper Pressure Zone impact fee is a separate and additional charge to the residential water system development fee established in Section 13-4-70.	

	Upon payment of the costs and debt service of the construction of the Northeast Water Storage Tank, the final determination of which shall be made by the City Manager, in consultation with the Public Works Director, the Northeast Tank Upper Pressure Zone impact fee shall no longer be imposed.	
13-4-90	Wastewater system improvement fees and surcharge	
	(a) Sewer system improvement fee (in-City), per EQR	\$6,382.37
	(b) Wastewater system improvement fee, outside City. Note: The increased rate for out-of-City use shall not apply to those areas outside of the corporate limits of the City which are served by a contract that expressly establishes different rules with regard to the wastewater system improvement fees due for service to such area.	200% of in-City rate
	(c) Manufacturing/industrial discharge premium: See Section 13-4-90(c) for a discharge premium applied to sewer users – including but not limited to industrial or manufacturing users – who contribute sewage that is stronger than average residential sewage.	
	(d) Surcharge. See Section 13-4-90(d) for an additional charge applied to users who connect to the City's County Road 346 project.	

Section 6. The effective date for the administrative and billing provisions established herein shall be January 1, 2012.

INTRODUCED on March 7, 2012, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on March 21, 2012, passed with amendments, approved, and ordered published in full as required by the Charter.

Dated this \_\_\_ day of \_\_\_\_\_, 2012.

CITY OF RIFLE, COLORADO

BY \_\_\_\_\_  
 Mayor

ATTEST:

\_\_\_\_\_  
 City Clerk

## Memorandum

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**TO:** THE HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** DARYL MEISNER, CHIEF OF POLICE  
**DATE:** MARCH 14, 2012  
**RE:** UPDATE ANIMAL CONTROL ORDINANCES

---

The current animal control ordinances were last modified around 1990. Since then there have been several changes in State law, animal control practices and the City in general.

For example, in our current ordinance, we have the ability to quarantine dogs following an animal bite. We are able to do an in-home quarantine if the circumstances warrant. However, if the animal owner doesn't follow the order, there is no violation of law or consequences provided in our ordinance.

In another area, we still require annual rabies vaccination even though the current state of veterinary medicine has the ability to provide for a three year vaccine. This places an extra financial burden on animal owners.

Other areas of concern involve certain exotic or uncommon animals and how they are governed. Our current ordinance is very weak and unclear as to the requirements of an owner to possess such animals.

I have examined a number of other Cities ordinances and have located one that I believe is very close to fitting our needs. I have provided that to the City Attorney in the event City Council chooses to consider an upgrade.

I am requesting your approval for the City Attorney to proceed with preparation of an updated ordinance for your consideration.

**UTILITY DEPARTMENT  
INTEROFFICE MEMO**



**TO: City Council**

**FROM: Dick Deussen, Utilities Director** *DD*

**DATE: March 14, 2012**

**RE: Leak Detection**

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The City recently completed a leak detection investigation for about 10% of the City's water distribution system. The areas covered included Rifle Village South, Rimrock, Deerfield and Promontory. The work was performed under contract by Utility Services Associates. Attached is the executive summary of their report. The entire report is available upon request.

As shown, only 3 leaks were determined with a total water loss estimated at 3,153,600 gallons per year or about 0.6% of the total water production. City staff will fix the leaks during this year.

We hope to continue this important work next year.



# Final Report



**Water Line Leak Detection Project for:**  
**City of Rifle, CO**



**Project Dates:**  
**01/23/2012 through 02/01/2012**

 **utility services associates**  
EVALUATE. MANAGE. CONSERVE

919 SW 150<sup>th</sup> St, Suite B  
Burien, WA 98166

Phone: (877) 585-LEAK(5325)  
Fax: (206) 244-0278  
Email: [info@leakdetectionservice.com](mailto:info@leakdetectionservice.com)

Web: [www.leakdetectionservice.com](http://www.leakdetectionservice.com)

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## LEAK DETECTION EXECUTIVE SUMMARY

From January 23, 2012 through February 1, 2012, USA completed a leak survey for City of Rifle, CO. Our Field Technician, Scott Brown, used and appreciated the information provided by Troy and Brent to expedite and provide an accurate survey. The tables below detail the information gathered.

Time Spent on Project	
Surveying:	42.5 Hr
Pinpointing:	3 Hr
Other Time:	18 Hr
<b>Total Time:</b>	<b>63.5 Hr</b>

Total Areas Surveyed	
Total Distance in Miles	6.646
Total Distance in feet	35,090

The mileage was estimated by the technician and may not match maps.

Access Points Contacted	
Hydrants	65
Valves	190
Services	431
Other	0
<b>Total</b>	<b>686</b>

Leak Type Noises Detected	
Hydrants	1
Valves	7
Services	10
Other	0
<b>Total</b>	<b>18</b>

Leaks Pinpointed	
Main	0
Hydrant	1
Valve	2
Service Line	0
Service Connection	0
Meter	0
<b>Total</b>	<b>3</b>

Total Water Loss Identified	
Gallons Per Minute (GPM):	6
Gallons Per Day (GPD):	8,640
Gallons Per Year (GPY):	3,153,600

Average Water Loss Identified	
Gallons Per Minute (GPM):	2
Gallons Per Day (GPD):	2,880
Gallons Per Year (GPY):	1,051,200

This project was divided into two phases; the survey phase and the pinpointing phase. The following pages outline exactly how those two phases progressed and the results of each. Any leaks pinpointed will be detailed in the attached Leak Reports.

# City of Rifle

## Utility Department News

### Water

- Fire District has reviewed plans and approved fire protection concept for the new water treatment plant.
- GE/Zenon Engineer arrived on site this past week and has cataloged and evaluated the Reverse Osmosis Equipment purchased from Intel.
- Plans have been revised to show the new alignment on US 6 for the raw water pipeline. A modification to the existing access permit will be requested.
- Prequalification Documents have been prepared to prequalify water treatment plant contractors, scheduled to be issued in April.
- Planning and Zoning Board to review Water Plant on March 20th.
- Public Hearing on Water Treatment Project scheduled for April 2nd at 10:00pm.
- Leak Detection Survey completed. Executive summary has been included in the packet.
- Additional pump installation is proceeding at the Northeast Booster Pump Station.
- Tour of GMWTP by city employees was successful and educational. A big thanks to Brian Prunty for driving the shuttle bus.
- Divers to install mixing equipment in 3mg tank on the 14th of March. After suiting up and before entering tank they are sprayed with high strength chlorine solution so water quality is not compromised.

### Wastewater

- Generator at the RAS Building at RRWWRF has been repaired and installed.
- A new belt on the Belt Filter Press is to be installed. The existing belt finally failed after 2 years of service.
- Access walkway to equipment on surface of digester has been designed. After fabrication it will be installed by staff.

### Sanitation

- Pick up of items from Spring Cleanup will be on April 23 thru 27th and on April 30th thru May 4th. Further notification will be posted.

BEFORE THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO

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CONCERNING THE APPLICATION FOR A WATERSHED DISTRICT PERMIT BY ANTERO  
RESOURCES PIPELINE CORPORATION

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VALLEY FARMS B PAD TO BURCKLE A PAD NATURAL GAS PIPELINE

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FINDINGS OF NO IMPACT AND APPROVAL OF WATERSHED DISTRICT  
PERMIT NO. 3-12

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**I. BACKGROUND**

1. In February 2012, Antero Resources Pipeline Corporation (the "Applicant" or "Antero") applied to the City of Rifle (the "City") for a watershed district permit to construct and operate one (1) twelve inch (12") diameter steel natural gas pipeline from the Valley Farms B Pad to the Burckle A Pad, approximately 1,700 feet long (the "Activity"). The application and supporting documentation was prepared by Kahuna Ventures, LLC and dated February 2, 2012. The Activity is located within five (5) miles of the City's Colorado River water intake structure and within the City's watershed district jurisdiction. The Application was submitted pursuant to City of Rifle Ordinance No. 22, Series of 1994, codified in Article II of Chapter 13 of the Rifle Municipal Code.

2. After reviewing the Application, the City received a letter from Michael Erion, P.E. of Resource Engineering, Inc., the City's consulting engineer, dated March 1, 2012 (the "Erion Letter"), which is attached hereto as Exhibit A and incorporated herein by this reference. The Erion Letter concluded that the Activity proposed to be performed will not negatively impact the City's waterworks or water supply so long as Antero performs the Activity as set forth in the Application and complies with the conditions stated in the Erion Letter.

**II. FINDINGS OF FACT**

3. The proposed activity is within the defined boundaries of the City's Watershed District as defined in RMC §13-2-20, specifically within five (5) miles of the City's Colorado River municipal water diversion and intake structure. The proposed Activity includes the construction of approximately 1,700 feet of twelve inch (12") diameter steel pipeline to transport natural gas from the Valley Farms B Pad to the Burckle A Pad.

4. The Application filed by Antero is complete.

5. The Applicant has paid the application fee required under RMC §13-2-110.

6. Based on the Erion Letter, the City finds that the proposed Activity on the Property does not pose any risk to the City's waterworks or water supply if the Applicant performs the Activity as set forth in the Application and complies with the conditions set forth in the Erion Letter, and therefore makes a finding pursuant to Rifle Municipal Code 13-2-120(d) that the proposed Activity will have No Impact on the City's waterworks with such conditions.

City of Rifle, Colorado  
Watershed District Permit No. 3-12  
Antero Resources Pipeline Corporation  
Valley Farms B Pad to the Burckle A Pad

### **III. CONCLUSIONS OF LAW AND ISSUANCE OF PERMIT**

7. The foregoing Findings of Facts are incorporated herein by reference.
8. The City has jurisdiction over the proposed activity pursuant to RMC §13-2-20 and City of Rifle Ordinance No. 22, Series of 1994.
9. Based on the Erion Letter, the City hereby determines that this decision shall constitute a No Impact Watershed District Permit for the proposed Activity on the Property pursuant to Rifle Municipal Code §13-2-120(d); provided the Applicant performs the Activity as set forth in the Application and complies with the conditions set forth in the Erion Letter.
10. The Applicant shall post with the City a performance guarantee in a form approved by the City Attorney in the minimum amount of \$25,000.00 to ensure compliance with the terms and conditions set forth herein and to allow the City to step in and take corrective actions should the Applicant default on any such term or condition. Said performance guarantee shall remain in effect until the completion of the Activity and reclamation of the Activity as set forth in the Erion Letter. The performance guarantee shall not be released without the express written consent and approval of the City that the required period has expired. Said performance guarantee shall indemnify and hold harmless the City from any injuries which are the result of the activities undertaken pursuant to this Permit and ensure the strict compliance and performance by the Applicant of the terms and conditions set forth herein. The City may upon thirty (30) days written notice require the Applicant to indemnify the City for damages suffered as a result of activities undertaken pursuant to this Permit or to take corrective action for any violations of the Permit regardless of whether said violations result in damages to the City. In the event that the Applicant fails to respond or take action as required within said thirty (30) days, the Applicant shall be deemed in default under the terms and conditions of this Permit and the City may execute upon the performance guarantee without further notice to the Applicant.
11. A copy of this Permit shall be sent by certified mail, return receipt requested, to the Applicant, unless such requirement is waived by Applicant.
12. Pursuant to Rifle Municipal Code §13-2-110(7), the Applicant shall reimburse the City for all outside professional services, including but not limited to engineering, legal, consulting, publication and copying fees associated with the review of the application prior to the issuance of this Permit.

City of Rifle, Colorado  
Watershed District Permit No. 3-12  
Antero Resources Pipeline Corporation  
Valley Farms B Pad to the Burckle A Pad

13. This Permit shall not be effective until approved by the City and agreed to and by the Applicant.

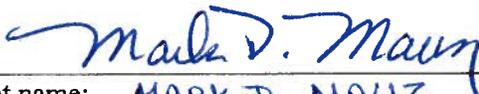
Dated this 12 day of March, 2012.

CITY OF RIFLE, COLORADO

By   
Rick Barth, City Engineer

City of Rifle Watershed District Permit No. 3-12 accepted and agreed to this 3<sup>th</sup> day of March, 2012.

ANTERO RESOURCES PIPELINE CORPORATION

By:   
Print name: MARK D. MAUZ  
Its: Vice President