



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

Cablecast Live on  
Comcast Channel 10

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The City of Rifle will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 665-6405 for assistance.

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**REGULAR MEETING  
August 15, 2012**

**WORKSHOP 6:00 P.M.  
COUNCIL CHAMBERS**

6:00 P.M. Discuss Main Street Program with Rifle Regional Economic Development Corporation (Michael Langhorne; 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 August 1, 2012 Regular Meeting  
B. Liquor License Renewal – X Point, Shanghai Garden  
C. Modification of Licensed Premises – X Point  
D. Intergovernmental Agreement with Garfield County Clerk for services related to November 2012 general election  
E. Accounts Payable
- 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. Consider amendment to Rifle Heights Subdivision Third Amendment to Subdivision Improvement Agreement (Barb Clifton)
- 7:25 p.m. 6. Consider amending Rifle Municipal Code to require filing of final plats within one year – Ordinance No. 17, Series of 2012 – second reading (Nathan Lindquist)
- 7:35 p.m. 7. Consider calling for election to increase sales and use tax by .75% to fund Water Enterprise and New Water Treatment Plant – Ordinance No. 18, Series of 2012 – second reading (Jim Neu)
- 7:45 p.m. 8. Consider awarding contract for Airport Road overlay (Rick Barth)
- 7:55 p.m. 9. Consider awarding contract for professional services – sales tax audits (Charles Kelty)
- 8:05 p.m. 10. Administrative Reports  
A. City Manager Verbal Report  
B. Other Reports
- 8:15 p.m. 11. 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: September 5, 2012 at 7:00 p.m.**



**RIFLE CITY COUNCIL MEETING**

Wednesday, August 1, 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, Keith Lambert, Jonathan Rice, Jen Sanborn, Randy Winkler, and Mayor Jay Miller.

Councilor K. Lambert moved to excuse Councilor Alan Lambert from tonight’s meeting; seconded by Councilor Carter. Roll Call: Yes – Carter, K. Lambert, Rice, Sanborn, Winkler, Miller

**OTHERS PRESENT:** John Hier, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; Blair Bracken, Community Events Coordinator; Mike Braaten, Government Affairs Coordinator; Aleks Briedis, Recreation Director; Dick Deussen, Utility Director; Charles Kelty, Finance Director; Nathan Lindquist, City Planner; Dustin Marantino, Police Officer; and John Scalzo.

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

- A. Minutes from the July 18, 2012 Regular Meeting
- B. June 2012 Sales Tax Report
- C. June 2012 Financial Report
- D. Adopt Budget Calendar – Resolution No. 15, Series of 2012
- E. Accounts Payable

Councilor Rice moved to approve Consent Agenda Items A, B, C, and E; seconded by Councilor Sanborn.

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

With respect to Item D, Mayor Miller noted that the budget workshop scheduled for October 10 will not occur, because Council will be hosting the Colorado Municipal League District 11 meeting that evening.

Councilor Rice moved to approve Resolution No. 15, Series of 2012, as amended; seconded by Councilor K. Lambert.

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

**CITIZEN COMMENTS AND LIVE CALL-IN**

Community Events Coordinator Blair Bracken presented Council a “Rifle is Broncos Country” flag. Broncos representatives were supposed to present the flag to the City during last month’s Garfield County Air Show, but adverse weather caused the presentation to be cancelled.

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

***CONSIDER ADOPTING MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN FOR GARFIELD COUNTY - RESOLUTION NO. 17, SERIES OF 2012***

City Planner Nathan Lindquist recommended that Council adopt the Multi-Jurisdictional Natural Hazard Mitigation Plan for Garfield County. Adopting the plan does not mandate Rifle to complete a specific project; however, an adopted plan would make participants eligible for future Federal Emergency Management Agency grants to mitigate items mentioned within the plan. Council suggested amending the resolution to specify that execution of the plan's actions would be subject to the City's financial discretion.

Councilor Carter moved to approve Resolution No. 17, Series of 2012, adopting the Multi-Jurisdictional Natural Hazard Mitigation Plan for Garfield County, as amended; seconded by Councilor Rice.

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

***CONSIDER AMENDING RIFLE MUNICIPAL CODE TO REQUIRE FILING OF FINAL PLATS WITHIN ONE YEAR – ORDINANCE NO. 17, SERIES OF 2012 – FIRST READING***

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING SECTIONS 16-5-440 AND 16-11-70 OF THE RIFLE MUNICIPAL CODE REGARDING THE RECORDING OF FINAL SUBDIVISION PLATS

Mr. Lindquist reported that the Planning Commission recommended that Council approve proposed Ordinance No. 17, Series of 2012, requiring final plats to be recorded within one year of Council's approval. Approved subdivisions without recorded final plats potentially result in clouds to title, unclear vested rights, and administrative burden.

Councilor Winkler moved to approve Ordinance No. 17, 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, K. Lambert, Rice, Sanborn, Winkler, Miller

***CONSIDER AUTHORIZING APPLICATION FOR GREAT OUTDOORS COLORADO GRANT FOR DEERFIELD PARK – RESOLUTION NO. 16, SERIES OF 2012***

Recreation Director Aleks Briedis informed Council that staff is completing a \$350,000 grant request to Great Outdoors Colorado (GOCO) for Deerfield Regional Park Completion – Phase 1 for a restroom, plaza, landscaping, bleachers and in-ground dugouts by Cooper Field and landscaping and lighting in the parking lot. The Re-2 School District will be partnering with the City on this project, contributing \$600,000.

Design Concepts is working on updating the construction drawing set for this current phase. Cost estimates will be completed in the next couple of weeks to include with the grant application.

Applications are due on August 29. Grants will be awarded and announced on December 11. If the City is awarded the grant, staff expects to go to bid in early 2013 with construction beginning in the spring of 2013.

Staff recommends approval of Resolution No. 16, Series of 2012, supporting the project.

Councilor Rice moved to approve Resolution No. 16, Series of 2012, authorizing a grant application for Deerfield Regional Park Completion - Phase 1; seconded by Councilor Carter.

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

***CONSIDER CALLING FOR ELECTION TO INCREASE SALES AND USE TAX BY .5% TO FUND WATER ENTERPRISE AND NEW WATER TREATMENT PLANT – ORDINANCE NO. 18, SERIES OF 2012 – FIRST READING***

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, TO PROVIDE FOR AN INCREASE IN SALES AND USE TAX BY ONE-HALF PERCENT (0.5%) TO FUND THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES AND SUBMITTING THIS ORDINANCE FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE NOVEMBER 2012 GENERAL ELECTION.

City Attorney Jim Neu noted that Council has been discussing placing a sales tax ballot question at the November general election to assist the City's water customers with financing the construction of the new water treatment plant. Ordinance No. 18, Series of 2012 would put that question before the electorate and if approved, amend the Rifle Municipal Code accordingly. The Ordinance would increase the City's sales and use tax by one-half percent effective on January 1, 2013 and it would terminate upon the repayment of the indebtedness that is financing the new treatment plant.

John Scalzo suggested asking for a 1 percent increase in sales tax to reduce the need to increase water rates.

Councilor Sanborn moved to approve Ordinance No. 18, Series of 2012, on first reading, amended to provide for an increase in sales and use tax by three-quarters percent (0.75%), and to order it to be published by title as required by Charter; seconded by Councilor Rice.

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

***CONSIDER AUTHORIZING EXPENDITURE OF CAPITAL FUND MONIES FOR COUNTY GRANT MATCH FOR ENERGY INNOVATION PARK***

City Manager John Hier explained that the City entered into an Intergovernmental Agreement (IGA) with Garfield County on May 16, 2012, to form a multi-jurisdictional partnership to complete west UMTRA (a/k/a Energy Innovation Center) infrastructure improvements. This IGA identifies total costs being approximately \$870,000 with the City's portion being \$170,000.

At the May 16 meeting it was discussed and understood the City's funds would come from the Capital Fund where Council budgeted \$300,000 as contingency for FY2012. Action taken by Council on May 16 did not expressly include a motion to apply dollars from the Capital Fund. Therefore, staff is requesting that Council take action to direct the use of \$170,000 from the Capital Fund to complete engineering and build infrastructure on the west UMTRA site.

Councilor K. Lambert moved to authorize the expenditure of \$170,000 from the Capital Fund to complete engineering and build infrastructure on the west UMTRA site; seconded by Councilor Carter.

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

***CONSIDER AUTHORIZING EMERGENCY EXPENDITURE FOR WEST 12TH STREET BRIDGE***

Mr. Hier noted that the recent flood in Hubbard Gulch destroyed portions of the culverts and road surface at 12<sup>th</sup> Street and Park Avenue. Staff is currently developing an estimate of the cost of repairs and will present the estimate to Council for consideration at a future meeting.

***CONSIDER APPOINTING REPRESENTATIVES TO COLORADO MUNICIPAL LEAGUE POLICY COMMITTEE***

Currently, Mayor Miller is a voting member of the Colorado Municipal League’s Policy Committee, and Government Affairs Coordinator Mike Braaten is an alternate member. Council’s consensus was for Mayor Miller and Mr. Braaten to continue serving in these appointed positions.

**ADMINISTRATIVE REPORTS**

Mr. Hier reported to Council on the following issues: flash flood on July 22; West UMTRA (Energy Innovation Center) infrastructure improvements; wastewater plant sludge; incoming Police Chief John Dyer; newly-hired Utility Technician Charles Dye; sales tax rates in neighboring jurisdictions; sewer jet truck; fire restrictions; and watering restrictions.

**COMMENTS FROM MAYOR AND COUNCIL**

Councilor Winkler encouraged people to purchase tickets for the Great Rifle Rotary Ball Drop taking place on August 4. Proceeds benefit the “Raising a Reader” program.

Councilor K. Lambert encouraged people to attend the County Fair.

***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 Rice moved to adjourn to executive session to receive legal advice, discuss negotiations, and discuss real estate matters; seconded by Councilor Sanborn (8:15 p.m.).

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

Upon return to open session following conclusion of the executive session, meeting adjourned at 8:49 p.m.

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Lisa H. Cain  
City Clerk

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Jay D. Miller  
Mayor



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

**From:** Lisa Cain, City Clerk

**Date:** Thursday, August 09, 2012

**Subject:** Liquor License Renewals

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**THESE BUSINESSES HAVE FILED LIQUOR LICENSE RENEWAL APPLICATIONS:**

<u>Business Name/Address</u>	<u>Type of License</u>
Monique C Krelovich d/b/a X Point 139 W 3rd St, #1	Tavern
J and E Co d/b/a Shanghai Garden 1538 Railroad Ave	Hotel and Restaurant

The following criteria have been met by these businesses:

- The application is complete.
- The fees have been paid.

Based on the above information, I recommend approval of these renewal applications.



19. If applicant is a corporation, partnership, association or limited liability company, applicant must list ALL OFFICERS, DIRECTORS, GENERAL PARTNERS, AND MANAGING MEMBERS. In addition applicant must list any stockholders, partners, or members with OWNERSHIP OF 10% OR MORE IN THE APPLICANT. ALL PERSONS LISTED BELOW must also attach form DR 8404-I (Individual History record), and submit finger print cards to their local licensing authority.

NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*

\*If total ownership percentage disclosed here does not total 100% applicant must check this box

Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant

**Additional Documents to be submitted by type of entity**

- CORPORATION     Cert. of Incorp.     Cert. of Good Standing (If more than 2 yrs. old)     Cert. of Auth. (If a foreign corp.)  
 PARTNERSHIP     Partnership Agreement (General or Limited)     Husband and Wife partnership (no written agreement)  
 LIMITED LIABILITY COMPANY     Articles of Organization     Cert. of Authority (If foreign company)     Operating Agmt.  
 ASSOCIATION OR OTHER    Attach copy of agreements creating association or relationship between the parties

Registered Agent (if applicable)

Address for Service

**OATH OF APPLICANT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature

Title

Date

*Margaret K...*

*owner / X Pome*

*June 24, 2017*

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

Date application filed with local authority

*July 24, 2012*

Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1)) C.R.S.

*N/A - Renewal*

**THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:**

That each person required to file DR 8404-I (Individual History Record) has:

Yes No

Been fingerprinted .....

Been subject to background investigation, including NCIC/CCIC check for outstanding warrants .....

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license .....

(Check One)

Date of inspection or Anticipated Date \_\_\_\_\_

Upon approval of state licensing authority.

The foregoing application has been examined, and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority for

Telephone Number

TOWN, CITY  
 COUNTY

Signature

Title

Date

Signature (attest)

Title

Date

## ATTACHMENT TO LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

**This page must be completed and attached to your signed renewal application form.  
 Failure to include this page with the application may result in your license not being renewed.**

Trade Name of Establishment <i>The X Point</i>		State License Number <i>42-96275-000</i>	
1. Operating Manager <i>Monique Krelovich</i>		Home Address _____	
Date of Birth _____			
2. Do you have legal possession of the premises for which this application for license is made? Are the premises owned or rented: <i>Rented</i> It rented, expiration date of lease: <i>July 2013</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
3. Has there been any change in financial interest (new notes, loans, owners, etc.) since the last annual application? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders or owners, (other than licensed financial institutions) are materially interested.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
4. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been convicted of a crime? If yes, attach a detailed explanation.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
5. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been denied an alcoholic beverage license, had an alcoholic beverage license suspended or revoked, or had interest in any entity that had an alcoholic beverage license denied, suspended or revoked? If yes, attach a detailed explanation.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
6. Does the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), have a direct or indirect interest in any other Colorado liquor license (include loans to or from any licensee, or interest in a loan to any licensee)? If yes, attach a detailed explanation.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
7. Corporation or Limited Liability Company (LLC) or Partnership applicants must answer these questions. Since the date of filing of the last annual license application: (a) Are there, or have there been: any officers or directors; or managing members; or general partners added to or deleted from applicant for renewal of a 3.2 beer or liquor license? (b) Are there or have there been: any stockholders with 10% or more of the issued stock of the Corporation; or any members with 10% or more membership interest in the LLC; or any partners with 10% or more interest in the partnership added to or deleted from the applicant for renewal of a 3.2 beer or liquor license? (c) If Yes to (a) or (b), complete and attach Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, and all supporting documentation, and fees your Local Licensing Authority immediately.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>
No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
8. Sole proprietorships, Husband-Wife Partnerships or Partners in General Partnerships:  <div style="text-align: center;"><b>EVIDENCE OF LAWFUL PRESENCE</b></div> <p>Each person identified above must complete and sign the following affidavit. Please make additional copies if necessary. Each person must also provide a copy of their driver's license or state issued identification card.</p> <p>In lieu of form DR 4679, the undersigned swears or affirms under penalty of perjury under the laws of the State of Colorado that (check one):</p> <p><input checked="" type="checkbox"/> I am a United States Citizen</p> <p><input type="checkbox"/> I am not a United States Citizen but I am a Permanent Resident of the United States</p> <p><input type="checkbox"/> I am not a United States Citizen but I am lawfully present in the United States pursuant to Federal Law</p> <p><input type="checkbox"/> I am a foreign national not physically present in the United States</p> <p>I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, or fraudulent statement or misrepresentation in this sworn affidavit is punishable under the criminal laws of Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.</p>			
Signature <i>Monique Krelovich</i>	Printed name <i>Monique Krelovich</i>	Date <i>7/24/12</i>	

**LIQUOR OR 3.2 BEER LICENSE  
 RENEWAL APPLICATION**



SHANGHAI GARDEN  
 SANDY HQ  
 PO BOX 1931  
 GLENWOOD SPRINGS CO 81602-1931

License Number 42-60235-0000	License Type 1970
Liability Information 24 035 722110 C 092308	
Business Location 1538 RAILROAD AVE RIFLE CO	
Current License Expires SEP 22, 2012	
DEPARTMENTAL USE ONLY	
Total Amount Due	
Total Paid \$ 500 <sup>00</sup>	Date

- This renewal reflects no changes from the last application. Complete page 2 and file now!
- Yes there are changes from the last application. If applicant is a Corporation or Limited Liability company, use DR 8177 and send in with this renewal. Any other changes of ownership require a transfer of ownership. See your Local Licensing Authority immediately.

Wholesaler, manufacturer, importer, and public transportation system license renewals do not need Local Licensing Authority approval and must be returned directly to the Colorado Department of Revenue at least 30 days prior to the current license expiration date.

This application for renewal must be returned to your CITY OR COUNTY Licensing Authority at least 45 days prior to the expiration date of your current license. Failure to do so may result in your license not being renewed. Include both pages of this renewal and payment.

**OATH OF APPLICANT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature 	Date 7/16/12	Business Phone 970-625-4430
Title President	Sales Tax Number 42-6-235-0000	

**REPORT AND APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S.  
**THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority for	Date
Signature	Title
	Attest

DO NOT DETACH

DO NOT DETACH

DO NOT DETACH

**LIQUOR OR 3.2 BEER LICENSE  
 RENEWAL APPLICATION**

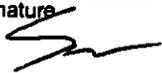
Make check payable to: Colorado Department of Revenue. The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient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

Business Name SHANGHAI GARDEN	LICENSE NUMBER (Use for all reference) 42-60235-0000		PERIOD 09-13
TYPE OF LICENSE ISSUED HOTEL AND RESTAURANT LIQUOR LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND 2320-100(999) \$ 50.00	STATE FEE 1970-750(999) \$ 25.00	CITY 85% OAP 2180-100(999) \$ 425.00

SUB-TOTAL \$ 500.00  
 ADD \$100.00 TO RENEW RETAIL WAREHOUSE STORAGE PERMIT 2210-100(999) \$ \_\_\_\_\_  
 TOTAL AMOUNT DUE \$ \_\_\_\_\_

## ATTACHMENT TO LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

**This page must be completed and attached to your signed renewal application form.  
 Failure to include this page with the application may result in your license not being renewed.**

Trade Name of Establishment <b>Shanghai Garden</b>		State License Number <b>42-60235-0000</b>
1. Operating Manager <b>Sandy Ho</b>	Home Address	Date of Birth
2. Do you have legal possession of the premises for which this application for license is made? Are the premises owned or rented: <u>Rented</u> If rented, expiration date of lease: <u>04/01/2018</u>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
3. Has there been any change in financial interest (new notes, loans, owners, etc.) since the last annual application? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders or owners, (other than licensed financial institutions) are materially interested.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
4. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been convicted of a crime? If yes, attach a detailed explanation.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been denied an alcoholic beverage license, had an alcoholic beverage license suspended or revoked, or had interest in any entity that had an alcoholic beverage license denied, suspended or revoked? If yes, attach a detailed explanation.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
6. Does the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), have a direct or indirect interest in any other Colorado liquor license (include loans to or from any licensee, or interest in a loan to any licensee)? If yes, attach a detailed explanation.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
7. Corporation or Limited Liability Company (LLC) or Partnership applicants must answer these questions. Since the date of filing of the last annual license application: (a) Are there, or have there been: any officers or directors; or managing members; or general partners added to or deleted from applicant for renewal of a 3.2 beer or liquor license? (b) Are there or have there been: any stockholders with 10% or more of the issued stock of the Corporation; or any members with 10% or more membership interest in the LLC; or any partners with 10% or more interest in the partnership added to or deleted from the applicant for renewal of a 3.2 beer or liquor license? (c) If Yes to (a) or (b), complete and attach Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, and all supporting documentation, and fees your Local Licensing Authority immediately.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
8. Sole proprietorships, Husband-Wife Partnerships or Partners in General Partnerships:  <b>EVIDENCE OF LAWFUL PRESENCE</b> Each person identified above must complete and sign the following affidavit. Please make additional copies if necessary. Each person must also provide a copy of their driver's license or state issued identification card.  In lieu of form DR 4879, the undersigned swears or affirms under penalty of perjury under the laws of the State of Colorado that (check one):  <input type="checkbox"/> I am a United States Citizen <input type="checkbox"/> I am not a United States Citizen but I am a Permanent Resident of the United States <input type="checkbox"/> I am not a United States Citizen but I am lawfully present in the United States pursuant to Federal Law <input type="checkbox"/> I am a foreign national not physically present in the United States  I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, or fraudulent statement or misrepresentation in this sworn affidavit is punishable under the criminal laws of Colorado Revised Statute 18-6-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.		
Signature 	Printed name <b>Sandy Ho</b>	Date <b>7/14/12</b>



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

**From:** Lisa Cain, City Clerk

**Date:** Thursday, August 09, 2012

**Subject:** Modification of Premises Application: X Point

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Monique C Krelovich d/b/a X Point has filed an application to modify the premises at 139 W 3rd St, #1, for which there is a current Tavern Liquor License, as follows:

- 1) The patio on the north side of the building would be added to the licensed premises.
- 2) Instead of 2 bars (one in the southeast corner of the premises and the other next to the west wall of the premises), there is 1 bar near the center of the north portion of the premises.
- 3) There is a firewall separating the north portion of the premises from the south portion.

The applicant has asked me whether events at which minors were present could be held in the south portion of the premises, since it is separated from the north portion by the firewall. After I discussed this with the Assistant City Attorney, I advised the applicant that the establishment restrictions in Rifle Municipal Code Chapter 10, Article VIII, would prohibit the presence of minors in any part of the premises. I also advised her that she could apply for an underage event permit, but the permit would be conditioned upon no alcohol being served in any part of the premises during the event.

The following criteria have been met by this business:

- The application is complete.
- The fees have been paid.

Based on the above information, I recommend approval of the application to modify the premises.



## INSTRUCTION SHEET

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

**Section A**

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

**Section B**

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

**Section C**

Check the appropriate box in section C and proceed below.

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

STORAGE PERMIT	<p><b>5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit</b></p> <p><input type="checkbox"/> <b>Retail Warehouse Permit for:</b></p> <p style="padding-left: 20px;"><input type="checkbox"/> On-Premises Licensee (Taverns, Restaurants etc.)</p> <p style="padding-left: 20px;"><input type="checkbox"/> Off-Premises Licensee (Liquor stores)</p> <p><input type="checkbox"/> <b>Wholesalers Branch House Permit</b></p> <p>Address of storage premise: _____</p> <p>City _____, County _____, Zip _____</p> <p>Attach a deed/ lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.</p>				
CHANGE TRADE NAME OR CORPORATE NAME	<p><b>6. Change of Trade Name or Corporation Name</b></p> <p><input type="checkbox"/> Change of Trade name / DBA only</p> <p><input type="checkbox"/> Corporate Name Change (Attach the following supporting documents)</p> <p style="padding-left: 20px;">1. Certificate of Amendment filed with the Secretary of State, or</p> <p style="padding-left: 20px;">2. Statement of Change filed with the Secretary of State, <u>and</u></p> <p style="padding-left: 20px;">3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td> <td style="width: 50%; padding: 2px;">New Trade Name</td> </tr> <tr> <td style="width: 50%; padding: 2px;">Old Corporate Name</td> <td style="width: 50%; padding: 2px;">New Corporate Name</td> </tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
CHANGE OF LOCATION	<p><b>7. Change of Location</b></p> <p><b>NOTE TO RETAIL LICENSEES:</b> An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 12-47-311 (1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.</p> <p>Date filed with Local Authority _____ Date of Hearing _____</p> <p>(a) Address of current premises _____</p> <p style="padding-left: 20px;">City _____ County _____ Zip _____</p> <p>(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)</p> <p style="padding-left: 20px;">Address _____</p> <p style="padding-left: 20px;">City _____ County _____ Zip _____</p> <p>(c) New mailing address if applicable.</p> <p style="padding-left: 20px;">Address _____</p> <p style="padding-left: 20px;">City _____ County _____ State _____ Zip _____</p> <p>(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. include kitchen area(s) for hotel and restaurants.</p>				

CHANGE OF MANAGER	<p><b>8. Change of Manager or to Register the Manager of a Tavern or a Hotel and Restaurant liquor license.</b></p> <p>(a) Change of Manager (attach Individual History DR 8404-I H/R and Tavern only)</p> <p>Former manager's name _____</p> <p>New manager's name _____</p> <p>(b) Date of Employment _____</p> <p>Has manager ever managed a liquor licensed establishment?..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Does manager have a financial interest in any other liquor licensed establishment?..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, give name and location of establishment _____</p>
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MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY	<p><b>9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility</b></p> <p>NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.</p> <p>(a) Describe change proposed <u>Fire wall Added, Bar location changed, Patio Addition</u></p> <p>(b) If the modification is temporary, when will the proposed change:</p> <p>Start _____ (mo/day/year) End _____ (mo/day/year)</p> <p>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00</p> <p>(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?</p> <p>(If yes, explain in detail and describe any exemptions that apply) ..... Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(d) Is the proposed change in compliance with local building and zoning laws? ..... Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises?</p> <p>..... <u>N/A</u> ..... Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. <del>xxx</del></p> <p>(g) Attach any existing lease that is revised due to the modification. <u>Lease not revised</u></p>
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**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 <u>Monique K...</u>	Title <u>owner</u>	Date <u>June 24 2012</u>
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**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY / 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 applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	Date filed with Local Authority <u>July 24, 2012</u>	
Signature	Title	Date

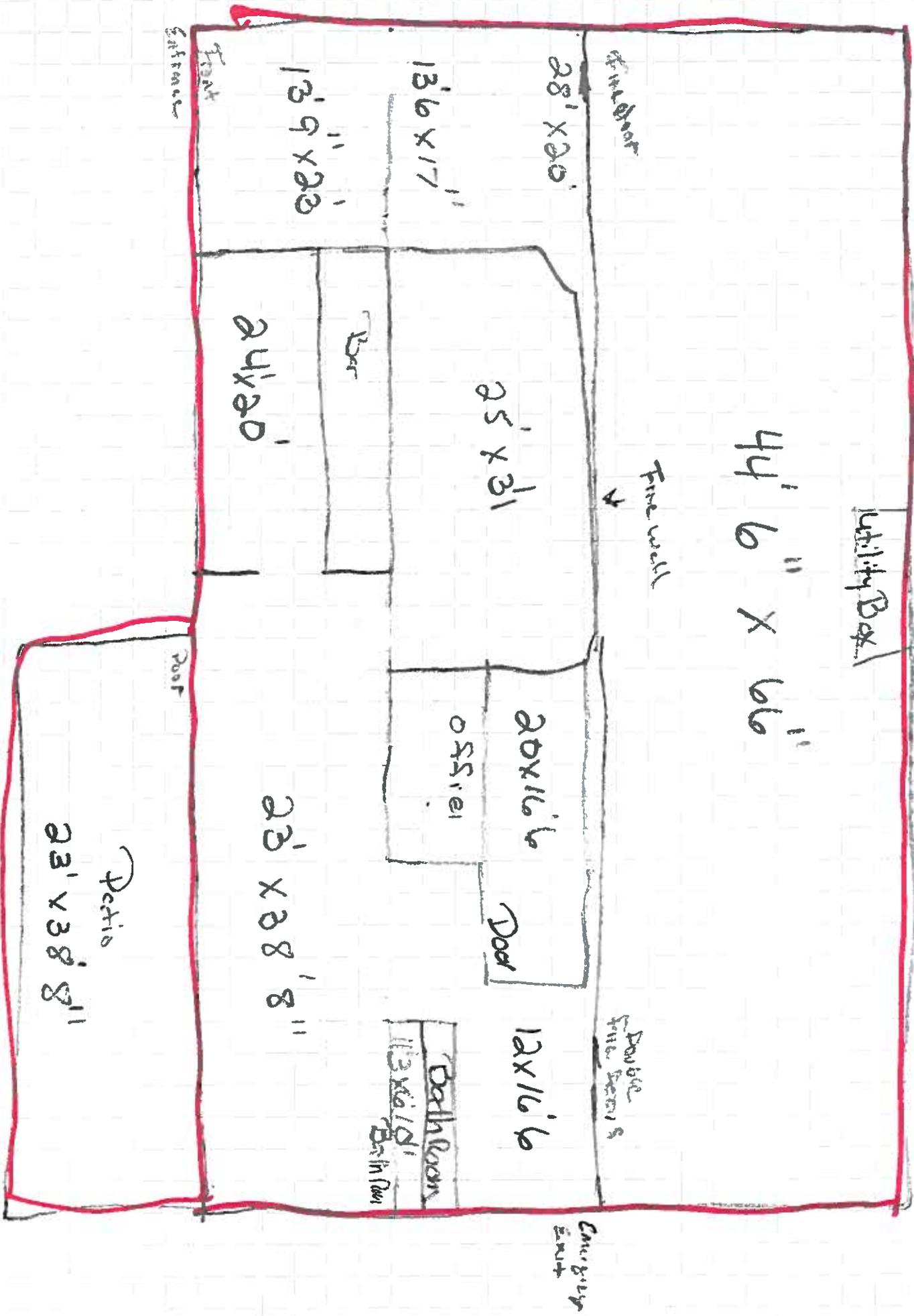
**REPORT OF STATE LICENSING AUTHORITY**

The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

Signature	Title	Date
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DIAGRAM OF PREMISES - Proposed



NAME OF ESTABLISHMENT: The X Point

**LETTER OF AGREEMENT FOR NOVEMBER 6, 2012  
COORDINATED GENERAL ELECTION**

This Letter of Agreement shall serve as the intergovernmental agreement between the Garfield County Clerk & Recorder (hereinafter referred to as County Clerk) and the City of Rifle, in Garfield County, Colorado, (hereinafter referred to as City), collectively referred to herein as the "Parties".

1. **PURPOSE.** Pursuant to the terms of this Agreement, the County Clerk and City agree to the scheduling of a Coordinated General Election. Such Coordinated Election involves more than one political subdivision with overlapping boundaries, and the County Clerk shall serve as the Coordinated Election Official for all political subdivisions involved in the election. This election shall be held under the provisions of the Uniform Election Code (Code), Title I of the Colorado Revised Statutes and the Rules and Regulations of the Secretary of State.
2. **JURISDICTIONAL LIMITATION.** If any City encompasses territory in more than one county, this Agreement shall be construed to apply only to that portion of the City within Garfield County.
3. **DESIGNATION OF OFFICIALS.** The County Clerk shall serve as the Coordinated Election Official for all political subdivisions involved in the Coordinated Election. The County Clerk will serve as the "Contact Officer" to act as the primary liaison or contact between the City and the County Clerk for the Coordinated Election. The City shall designate an "Election Officer" who will have primary responsibility for the conduct of election procedures to be handled by the City and who shall act as the primary liaison between the City and the Contact Officer. The City designates Lisa Cain, City Clerk, as the Election Officer. To the extent that the Code requires, this person is the City's "designated election official".
4. **COORDINATED GENERAL ELECTION POLLING LOCATIONS & DROP-OFF SITES.** The Coordinated Election shall be conducted as a polling place election. Service centers, drop-off sites, and combined polling locations will be those established and designated by the County Clerk. Posting of the locations prior to the date of the election shall be the responsibility of the County Clerk.

The Garfield County Clerk's office located at 109 8<sup>th</sup> St, Suite 200 in Glenwood Springs and the branch office located at 144 E 3<sup>rd</sup> St. in Rifle will be available for registered electors to request ballots or replacement ballots, pick up returned mail-in ballots, vote and/or deposit mail-in ballots during regular business hours Monday - Friday beginning October 16 through November 5, 2012 and from 7:00 am to 7:00 pm on Election Day (November 6, 2012). An accessible electronic voting machine will be available for persons with disabilities at the Garfield County Clerk's main office in Glenwood Springs and the branch office in Rifle during the hours listed above.

Other drop-off sites for mail ballots are the offices of the Carbondale, New Castle, Silt, and Parachute Town Clerks. Ballots may be dropped off at these sites beginning October 16 through November 6, 2012, during their normal business hours which are 8:00 am to 5:00 pm Monday-Friday.

The list of combined polling locations on Election Day November 6, 2012 is:

Precincts 1-4 at Carbondale Town Hall

Precincts 5-12 at Glenwood Springs Community Center

Precincts 13-15 and 18 at New Castle Community Center

Precincts 16-18 at Silt Fire Station

Precincts 19-23 at the Garfield County Fairgrounds North Hall

Precincts 24-27 at Battlement Mesa Activity Center

If the City allows property owners, who are registered voters in the State of Colorado, but reside outside the legal boundaries of that City to vote on the City's issues or candidates, the City shall work with the County Clerk to determine the names and addresses of those eligible electors using the list of property owners provided by the Garfield County Assessor. The City will be responsible for all costs incurred in obtaining those lists from the County Assessor.

5. **APPOINTMENT OF ELECTION JUDGES.** All Election Judges shall be appointed and trained by the County Clerk.
6. **LEGAL NOTICES.** All legal notices of election which are required to be given to the electorate of the City according to statute governing that election prior to certification of the ballot content to the Clerk shall be the responsibility of the City. A copy of all legal notices published by the City shall be submitted to the County Clerk.

Publication of legal notices concerning the Coordinated General Election required by C. R. S. § 1-5-205 at least 10 days before Election Day shall be the responsibility of the County Clerk.

7. **RECEIVING AND PROCESSING OF PETITIONS.** The petition process for the City shall be entirely the responsibility of the City, and shall be done in compliance with applicable Colorado statutes, ordinances or charter provisions. This process includes but is not limited to: approving the candidate or initiative petitions to be circulated within the City; receiving the petitions; and verifying the signatures on the petitions within the City. It shall be the responsibility of the City to inform candidates and issue committees of the Campaign & Political Finance requirements. Filings are to be made with the appropriate Town/City Clerk for municipal candidates and the Secretary of State for Special District Candidates.
8. **BALLOT CONTENT.** In accordance with Colorado law, the ballot content must be certified to the County Clerk by the City, in its exact and final form, no later than 4:30 p.m. sixty (60) days before the election. Such ballot content must be delivered

to the County Clerk at 109 8<sup>th</sup> Street, Suite 200 in Glenwood Springs via email to [jalberico@garfield-county.com](mailto:jalberico@garfield-county.com) on electronic media as well as on hard copy (paper). The City assumes all responsibility and cost for any judicial proceedings regarding whether or not issues or candidates legally should be placed on the ballot. The list of candidates/questions must be typed exactly as it is to appear on the ballot, including the correct order. For candidates, specify titles of offices, order of offices and the order of the names to appear. **All text for issues shall be submitted in Notepad format.** The City shall proof and provide written acknowledgement approving the layout and text of the sample and official ballots within one business day of receipt of the ballot proofs from the County Clerk. The City shall proof and provide written acknowledgement approving the audio files created for the accessible voting machine. The County Clerk will submit audio files via e-mail to the City for approval.

The City shall immediately notify the County Clerk of all official write-ins, withdrawals and watcher appointments and shall maintain regular office hours for the purpose of receiving official filings.

9. **TABOR NOTICES.** The City shall provide to the County Clerk all required Amendment 1 Notices concerning the City's ballot issues and questions in the manner according to the Code, **Attachment 1** to this Agreement, and the requirements of the Colorado Constitution.

The County Clerk shall produce a mailed Notice of the Ballot issues and/or questions (Amendment 1 Notice) required by the Colorado Constitution, Article X, Section 20 in accordance with **Attachment 1**.

10. **PREPARATION OF COORDINATED ELECTION.** The County Clerk shall be responsible for the preparation and printing of the sample and official ballots, ordering and printing of election forms and supplies. The County Clerk shall also be responsible for providing, preparing and delivering equipment and supplies.
11. **CONDUCT OF THE COORDINATED ELECTION.** The County Clerk shall be responsible for the conduct of the Coordinated Election, including receiving the certification of watchers as provided by C.R.S. § 1-7-107 and the appointment of observers as provided by law. The Coordinated Election shall be conducted under the provisions of C.R.S. Title I, and the Rules and Regulations of the Secretary of State.
12. **TABULATION OF BALLOTS.** Processes relating to and tabulation of ballots shall be the responsibility of the County Clerk. An unofficial tally of votes will be available to the City upon request after completion of the counting of ballots on election night.

13. **CANVASS OF VOTES.** The canvass of votes will be conducted by the County Clerk and the canvassers appointed by the County Clerk. Such canvass will be completed no later than seventeen days after the election, and official results of the canvass will be provided to all political subdivisions participating in the Coordinated Election. Each City will be responsible for issuing their own Certificates of Election to candidates upon receipt of the official results from the County Clerk. Any additional certificates of election which are required by law to be forwarded to another division of government shall be the responsibility of the City.
14. **ALLOCATION OF COST OF ELECTION.** The County Clerk shall determine the cost allocation for each political subdivision participating in the Coordinated Election. The City shall reimburse the County Clerk for such election costs allocated to the City. Payment of expenses allocated to the City shall be made directly to the County Clerk. The election invoice will be itemized and prorated for each City.
- Such reimbursement shall be made to the County Clerk within 45 days from the receipt of billing from the County Clerk. Anticipated expenses include but are not limited to: election judges and other election personnel, ballots, election forms, printing, election supplies, legal notices paid for by the County, postage, and rental charges.
15. **INDEMNIFICATION.** To the extent permitted by law, the City agrees to indemnify, defend and hold harmless the County Clerk from any and all loss, costs, demands or actions, arising out of or related to any actions, errors or omissions of the City, its officers or employees, in completing the responsibilities of the City relating to the Coordinated Election of November 6, 2012.
16. **NOTICES.** Any and all notices to be given pursuant to this Agreement are deemed to have been received and to be effective as follows: (1) three (3) days after the same shall have been mailed by certified mail, return receipt requested; (2) immediately upon hand delivery; or (3) immediately upon receipt of confirmation that a fax was received; to the address of the Parties as set forth below or to such Party or addresses as may hereinafter be designated in writing.

County Clerk: Jean Alberico  
Garfield County Clerk & Recorder  
109 8<sup>th</sup> Street, Suite 200  
Glenwood Springs, CO 81601  
[jalberico@garfield-county.com](mailto:jalberico@garfield-county.com)

City: Lisa Cain, City Clerk  
City of Rifle  
P. O. Box 1908  
Rifle, CO 81650  
[lcain@rifleco.org](mailto:lcain@rifleco.org)

17. **CANCELLATION.** In the event the election is canceled before Election Day, the City shall be responsible for its prorated share of election expenses incurred to the date of notification of cancellation, in writing, to the county clerk.
18. **TIME OF ESSENCE.** Time is of the essence of this Agreement. The statutory time requirements of the Code and the time requirements set in the Secretary of State's current Rules and Regulations Governing Election Procedures shall apply to completion of the tasks required by this Agreement. An Election Calendar with specific dates, which will be considered binding, is attached hereto as **Attachment 2** and incorporated herein by reference.
19. **TERM OF AGREEMENT.** This Agreement shall be effective and binding for the November 6, 2012 Coordinated General Election and is intended to be effective through December 31, 2012 or to the conclusion of any appeal or contest of the Election of November 6, 2012, whichever is longer.
20. **INTEGRATION.** The Parties acknowledge that this Agreement constitutes the complete agreement and understanding between them relating to the subject matter hereof and that no Party is relying upon any oral representations made by another Party or employee, agent or officer of the Party.
21. **CONFLICT OF AGREEMENT WITH LAW, IMPAIRMENT.** In the event any provision of this Agreement conflicts with the Election Code, other statute, or provision of the Constitution of the State of Colorado or any valid Resolution or Ordinance adopted prior to the date of this Agreement, this Agreement shall be modified to conform to such law, resolution or provision.
22. **AMENDMENT.** This Agreement can be amended only in writing and by signatures of both Parties.
23. **GOOD FAITH.** The Parties shall implement this Agreement in good faith, acting in good faith in all matters that require joint or coordinated action.

**THIS LETTER OF AGREEMENT** is executed by the parties hereto as of the dates and year written below.

**GARFIELD COUNTY CLERK**

**CITY OF RIFLE**

\_\_\_\_\_  
Jean M. Alberico

**By** \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

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

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

**ATTEST:**

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

## ATTACHMENT 1

### PRODUCTION OF "AMENDMENT 1 NOTICE" (TABOR NOTICE) FOR 2012 COORDINATED GENERAL ELECTION IGA

WHEREAS, the County Clerk and Recorder of Garfield County, Colorado ("County Clerk") and the City of Rifle ("City"), (collectively, the "Parties"), have entered into an intergovernmental agreement to cooperate and contract for the purpose of conducting a coordinated election; and

WHEREAS, Const. Colo. Art. X, Sec. 20 ("TABOR") requires the production of a mailed notice of the ballot issues to be determined for the City that are subject to the requirements of said constitutional section ("TABOR Notice"); and

WHEREAS, the TABOR Notices of several jurisdictions are to be sent as a package where jurisdictions overlap ("TABOR Notice Package"); and

WHEREAS, the need to produce the TABOR Notice Package requires that there be countywide coordination of its production and mailing to effectuate the purposes of said constitutional section; and

WHEREAS, the Parties desire to set forth their respective responsibilities in the production and mailing of the TABOR Notice Package.

NOW THEREFORE, the Parties agree as follows:

1. The County Clerk shall perform the following services and activities for the City's election:

a. Determine the "least cost" method for mailing the TABOR Notice Package and determine the City's proportional share of the total cost.

b. Combine the text of the TABOR Notice produced by the City with those of other jurisdictions to produce the TABOR Notice Package.

c. Address the package to "All Registered Voters" at each address of one or more active registered electors residing within the City boundaries or to each postal patron. Nothing herein shall preclude the County Clerk from sending the TABOR Notice of the City to persons other than electors of the City if doing so arises from the County Clerk's efforts to mail the TABOR Notice Package at "least cost".

d. Determine the order in which the TABOR Notice submittal of the City and those of other jurisdictions, if any, shall be placed in the TABOR Notice Package, provided, however, that the materials supplied by the City shall be kept together as a group and in the order supplied by the City.

e. Mail the TABOR Notice Package, addressed as required by law, at least 30 days before the election to registered electors residing within the City boundaries.

f. Provide copies of the TABOR Notice Package to the City to mail to registered electors residing outside of the City who own property within the City boundaries.

## Attachment 1 - TABOR NOTICE - Page 2 of 3

g. Refer inquiries, correspondence, and calls concerning the substance of the ballot issues and ballot questions or the operations of the City to such person designated as the Election Officer by the City.

h. Write, print, and incorporate any notice to be included in the TABOR Notice Package that may inform the elector of the polling place or that may provide other information as may be required by law.

i. Provide the City an itemized statement of the costs of performing the tasks performed by the County Clerk hereunder.

2. The City shall perform the following services and activities for the City's election:

a. Designate an "Election Officer" to act as liaison between the City and the County Clerk.

b. Determine the ballot issues to be voted upon at the election.

c. Include, within its TABOR Notice, ballot titles in this order of preference: "NOTICE OF ELECTION TO INCREASE TAXES/TO INCREASE DEBT/ON A CITIZEN PETITION/ON A REFERRED MEASURE."

d. Inform the County Clerk of any voter-approved additions to the TABOR Notice for the City and incorporate such additions into the TABOR Notice supplied to the County Clerk.

e. Designate a person ("Election Officer") to be available to respond to inquiries, correspondence, and calls concerning the substance of the ballot issues or the operations of the City. The City shall communicate this designation to the County Clerk at the time of certification of the ballot content. The Election Officer shall be reasonably available to the County Clerk and shall within a reasonable time reply to the originator of all such inquiries, correspondence, and calls.

f. Determine the ballot title and text in accord with TABOR.

g. Prepare the layout of the TABOR Notice for the City in accord with TABOR.

h. Summarize written comments concerning ballot issues following receipt of such comments received from the public and provide summaries for use in the TABOR Notice as required by TABOR.

i. Provide the City's completed TABOR Notice to the County Clerk on or before the 42<sup>nd</sup> day preceding the election and provide the number of eligible electors outside of the City boundaries.

j. For Title 32 Citys, mail the TABOR Notice by the notice deadline to each address of one or more active registered electors who reside outside of the City.

**Attachment 1 - TABOR NOTICE - Page 3 of 3**

k. Perform such acts as may be required by law, including circulation, approval, review, and all other activities, relating to any petition that may concern the City. The Election Officer shall interact with any City petition representatives, including but not limited to, working to ensure that the Election Officer receives the summary of written comments for their petition within the time required by law.

l. Pay the costs shown in the itemized statement provided by the County Clerk either directly to the County Clerk or to such vendors or subcontractors as the County Clerk may designate.

IN WITNESS WHEREOF, the Parties hereto have executed this Attachment 1 to be effective the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

CITY OF RIFLE

GARFIELD COUNTY CLERK

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Jean M. Alberico, County Clerk

ATTEST:

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

# 2012 Election Calendar

<b>December, 2011</b>		
7-December (Wednesday)	Last day to affiliate with the <b>Republican Party</b> in order to vote in the <b>February 7th Republican Party precinct caucus</b> . (2 months before the precinct caucus)	1-3-101(1)
<b>January, 2012</b>		
3-January (Tuesday)	Deadline to be affiliated with a major or minor party to run as a party candidate. Deadline to be unaffiliated to access the ballot by petition as an unaffiliated candidate.	1-4-601(4)(a) 1-4-801(3) 1-4-802(1)(g)(II) 1-4-1304(2)(b)
6-January (Friday)	Last day to affiliate with the <b>Democratic Party and ACP Party</b> in order to vote in the <b>March 6th Democratic Party and ACP Party precinct caucuses</b> . (2 months before the precinct caucuses)	1-3-101(1)
9-January (Monday)	Last day to update your voter registration address to participate in the <b>February 7th Republican Party precinct caucus</b> . (Must be a resident of the precinct for 30 days and registered no later than 29 days before the precinct caucus)	1-3-101(1)
9-January (Monday)	Last day to change precinct boundaries before the <b>February 7th Republican Party precinct caucus</b> . (No later than 29 days prior)	1-5-103(1)(a)
10-January (Tuesday)	Last day for county clerk to furnish the <b>Republican Party</b> with a list of registered electors in the county who are affiliated with the Party. (No later than 28 days prior to precinct caucuses)	1-3-101(3)(a)
11-January (Wednesday)	General Assembly to convene 2012 regular session.	Art. V, Sect. 7
13-January (Friday)	Deadline to submit a petition to qualify as a minor political party. (Must be signed by at least 10,000 registered electors and submitted to the Secretary of State no later than the second Friday in January)	1-4-1302(1)
*	21 days after receipt of the petition to qualify as a minor political party, the Secretary of State shall issue a statement of sufficiency/insufficiency. (February 3, 2012 if petition is received on January 13, 2012)	1-4-1302(4)(b)
*	An insufficient petition to qualify as a minor political party may be amended once prior to 3 p.m. on the 7th day after the notice of insufficiency.	1-4-1302(4)(c)
26-January (Thursday)	Last day to post signs for the <b>February 7th Republican Party precinct caucus</b> . (No later than 12 days before the precinct caucuses)	1-4-602(4)
<b>February, 2012</b>		
6-February (Monday)	Last day to register to vote for the <b>March 6th Democratic Party and ACP Party precinct caucuses</b> . (Must be a resident of the precinct for 30 days and registered no later than 29 days before the precinct caucus)	1-3-101(1)
6-February (Monday)	Last day to change precinct boundaries before the <b>March 6th Democratic Party and ACP Party precinct caucuses</b> . (No later than 29 days prior)	1-5-103(1)(a)
6-February (Monday)	First day to circulate major/minor party candidate petitions. (First Monday in February)	1-4-801(5) 1-4-802(1)(d)(II)
6-February (Monday)	Last day for state central committees to file party bylaws or rules with the Secretary of State. (No bylaw or rule may be filed or amended after the 1st Monday in February)	1-3-103(9)(a)
7-February (Tuesday)	<b>Republican Party Precinct Caucus Day</b> (In a presidential election year, political parties may choose to hold their precinct caucus on the 1st Tuesday in February.)	1-3-102(1)(a)(I)
7-February (Tuesday)	Last day for county clerk to furnish the <b>Democratic and ACP Parties</b> with a list of registered electors in the county who are affiliated with the Party. (No later than 28 days prior to the <b>March 6th Democratic and ACP Parties precinct caucus</b> )	1-3-101(3)(a)
23-February (Thursday)	Last day to post signs for the <b>March 6th Democratic Party and ACP Party precinct caucuses</b> . (No later than 12 days before the precinct caucuses)	1-4-602(4)
27-February (Monday)	Last day to notify the Secretary of State and submit a plan for conducting the Primary Election by mail ballot. (No later than 120 days prior to the Primary Election)	1-7.5-105(1.5)

**Use this as a reference guide only. Always refer to the Colorado Constitution, Revised Statutes, and Secretary of State Rules for applicable provisions.**

# 2012 Election Calendar

March, 2012		
28-March (Wednesday)	Last day to establish polling places and submit ADA surveys for the Primary Election. (90 days before)	1-5-102.5 Rule 7.3 Rule 7.7
28-March (Wednesday)	Deadline to hold <b>Republican Party county assemblies</b> . (No later than 50 days after precinct caucuses if the precinct caucus is held on February 7)	1-4-602(1)(a)(I)
28-March (Wednesday)	Last day for the county clerk and recorder to mail a voter information card to any registered elector whose registration record has been marked "inactive - failed to vote" if the Primary Election is to be conducted by mail ballot. (Not less than 90 days before a mail ballot election)	1-7.5-108.5(1)
31-March (Saturday)	Deadline to hold <b>Democratic Party and ACP Party county assemblies</b> if the precinct caucuses were held on March 6th. (No later than 25 days after precinct caucuses)	1-4-602(1)(a)(I)
*	County candidates' designations and acceptances must be filed no later than 4 days after the adjournment of the assembly. If faxed, the original must also be filed and postmarked no later than 10 days after the adjournment of the assembly.	1-4-601(3)(a) 1-4-604(3)
April, 2012		
2-April (Monday)	Last day to file major/minor party candidate petitions. (No later than 85th day before the Primary Election)	1-4-801(5) 1-4-802(1)(f)(II)
6-April (Friday)	Deadline for submitting draft to title board for initiatives to be voted on in 2012. (12 days before the last Title Board Hearing held on April 18th, no later than 3 p.m.)	1-40-106(1)
9-April (Monday)	Earliest day an unaffiliated candidate may circulate a petition. (No petition shall be circulated earlier than 211 days before the General Election)	1-4-802(1)(d)(I)
14-April (Saturday)	Last day to hold major/minor party assemblies. (No later than 73 days before the Primary Election)	1-4-601(1) 1-4-1304
*	Designations and acceptance forms must be filed no later than 4 days after adjournment of the assembly. If faxed, the original must also be filed and postmarked no later than 10 days after the adjournment of the assembly.	1-4-601(3)(a) 1-4-604(6)(a) 1-4-1304(3), (4)
*	Objections to nominations, designations, or petitions shall be filed with the district court within 5 days after the election official's sufficiency statement was issued or after the certificate of designation was filed with the designated election official.	1-4-909(1)
18-April (Wednesday)	Last Title Board Hearing for measures that will appear on the 2012 General Election ballot.	1-40-106(1)
20-April (Friday)	Last day a write-in candidate may file an Affidavit of Intent for the Primary Election. (By the close of business on the 67th day before the Primary Election)	1-4-1102(1)
24-April (Tuesday)	Last day for the county chairperson to certify lists of election judges to the county clerk. (Last Tuesday of April)	1-6-103(1)
24-April (Tuesday)	Last day an unaffiliated voter may give notice in writing to the county clerk that he/she wishes to serve as an election judge. (Last Tuesday of April)	1-6-103.7
*	County clerk to send notices of appointment to election judges. Each person appointed as an election judge shall file an acceptance form within 7 days after the certification and acceptance form are mailed.	1-6-104(1) 1-6-106(3)
27-April (Friday)	Security and contingency plans due to the Secretary of State. (No later than 60 days before the Primary Election)	SOS Rules 43.2, 43.3
27-April (Friday)	Last day for the Secretary of State to certify the Primary Election ballot content to the county clerks. (No later than 60 days before the Primary Election)	1-5-203(1)(a)
27-April (Friday)	The designated election official of each political subdivision that intends to conduct a Primary Election shall certify the ballot content. (No later than 60 days before the Primary Election)	1-5-203(3)(a)
27-April (Friday)	The county clerk and recorder may cancel the Primary Election if there are no contested races. (By the close of business on the 60th day before the Primary Election)	1-4-104.5
29-April (Sunday)	Any VRD application signed after this day must be delivered or postmarked no later than 5 business days after the application is signed. (Less than 30 days before the registration deadline)	1-2-702(2)

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# 2012 Election Calendar

<b>May, 2012</b>		
7-May (Monday)	Earliest day for judicial candidates to file declaration of intent. (Not more than 6 months before the General Election)	Art. VI, Sect. 25 1-1-106(4)
12-May (Saturday)	First day that a county clerk and recorder conducting the Primary Election by mail ballot may mail a notice to all unaffiliated active registered electors and all unaffiliated electors marked "inactive - failed to vote." (No sooner than 45 days before the Primary Election)	1-7.5-107(2.3)(a)
12-May (Saturday)	Deadline to send mail/mail-in ballots to overseas military voters. (No later than 45 days prior to the Primary Election)	1-8.3-110
12-May (Saturday)	First day that school of instruction for all election judges may be held by the county clerks or designated election officials. (Not more than 45 days prior to the Primary Election)	1-6-101(5)
25-May (Friday)	Deadline for the county clerk and recorder conducting the Primary Election by mail ballot to mail a notice to all unaffiliated active registered electors and all unaffiliated electors marked "inactive - failed to vote." (No later than 30 days before the Primary Election)	1-7.5-107(2.3)(a) 1-1-106(5)
25-May (Friday)	Ballots for Primary Election must be printed and in possession of the county clerk and recorder. (No later than 32 days before the Primary Election)	1-5-402(1)
25-May (Friday)	Last day for voters who are affiliated with a political party to change their affiliation if they wish to vote in a different party's primary election. (No later than 29 days before the Primary Election)	1-2-219(1)
	Note: In order to participate in the primary election, unaffiliated voters may affiliate at any time before and through the day of the primary election.	1-1-106(5)
29-May (Tuesday)	Last day to register to vote for the Primary Election. (No later than 29 days before the Primary Election)	1-2-201(3) 1-8.3-107
29-May to 26-June	Elector may complete a sworn affidavit for a change of address in the county clerk's office stating that he/she moved within the state prior to 30 days before the Primary Election. (28 days before and on election day)	1-2-216(4)
<b>June, 2012</b>		
4-June (Monday)	First day mail & mail-in ballots may be sent to voters, except for UOCAVA voters. First day mail & mail-in ballots may be made available at the county clerk's office. (No sooner than 22 days before the Primary Election)	1-8-111(1) 1-7.5-107(3)
5-June (Tuesday)	Last day for Secretary of State to designate a point of contact for the Emergency Electronic Transfer form. (No later than 21 days before the Primary Election)	Rule 42.11.2
6-June (Wednesday)	Last day for the county clerk to give published notice of the Primary Election if conducted by mail ballot. (No later than 20 days before the Primary Election)	1-7.5-107(2.5)
8-June (Friday)	Deadline for the county clerk to send mail ballots for a Primary Election conducted by mail ballot. (No later than 18 days before the Primary Election)	1-7.5-107(3)(a)(I)
11-June (Monday)	Last day to appoint the Board of Canvassers for the Primary Election. (At least 15 days before the Primary Election)	1-10-101(1)(a)
11-June (Monday)	Counting of mail/mail-in ballots may begin 15 days prior to the Primary Election. No results may be disclosed until after 7:00 p.m. on election day.	1-7.5-107.5 1-8-302(2)(b)
12-June to 26-June	Drop off locations must be open for Primary Elections conducted by mail ballot. (At least 14 days before election day, including the last Saturday)	1-7.5-107(4.3)(b)
14-June (Thursday)	Last day to post polling place signs for the Primary Election. (At least 12 days before the election)	1-5-106
15-June(Friday)	Equipment inventory lists for the Primary Election are due to the Secretary of State. (Not less than 10 days prior to Primary Election)	Rule 11.4.2(d) 1-1-106(5)
16-June (Saturday)	Last day for the county clerk to give published notice of the Primary Election. (No later than 10 days before)	1-5-205(1)
16-June (Saturday)	Early voting may begin at the early voting polling places for the Primary Election with approval of the board of county commissioners. (10 days before the Primary Election)	1-8-202
16-June (Saturday)	Counting of early voters' ballots may begin 10 days before the election. No results may be disclosed until after 7:00 p.m. on election day.	1-8-302(2)

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# 2012 Election Calendar

18-June to 26-June	Service centers must be open for Primary Elections conducted by mail ballot. (At least 8 days before and on election day, except Sunday)	1-7.5-107(4.5)(c)
19-June (Tuesday)	Election setup records for the Primary Election are due to the Secretary of State. (No later than 5:00 pm on the 7th day before the Primary Election)	Rule 11.7.1
19-June (Tuesday)	Last day to apply for a mail-in ballot for the Primary Election if the ballot is to be mailed. (7 days before the election)	1-8-104(3)
22-June (Friday)	Last day for early voting for the Primary Election. (Close of business the Friday before the Primary Election)	1-8-208(3)
22-June (Friday)	Last day to apply for a mail-in ballot for the Primary Election if the ballot is picked up in-person. (Close of business the Friday before)	1-8-104(3)
26-June (Tuesday)	<b>Primary Election</b> (Polls open 7:00 a.m. to 7:00 p.m.)	1-4-101(1)
26-June (Tuesday)	All ballots must be in the hands of the county clerk by 7:00 p.m. on election day. Ballots cast by military and overseas voters must be sent no later than 7:00 P.M. on election day and received by the close of business on the 8th day after the election.	1-8-113(1)(a) 1-8-115(1)(b), (2) 1-8.3-111 1-8.3-113
28-June (Thursday)	Deadline for the Secretary of State to notify counties of the voting devices and races selected for auditing purposes. (Within 48 hours after the close of polls)	Rule 11.5.4.1
28-June (Thursday)	Deadline for the county clerk to send missing signature, signature verification, and missing ID letters for mail, mail-in, and provisional. (Within 3 days from signature/ID verification but no later than 2 days after election day)	1-7.5-107(3.5)(d) 1-7.5-107.3 1-8-113(3)(d) 1-8-114.5(2)(a) 1-8.5-105(3)(a) Rule 26.4.9
<b>July, 2012</b>		
2-July (Monday)	Deadline for the Secretary of State to notify the county clerks and the minor political party that has lost minor political party status. (No later than July 1)	1-4-1305(2) 1-1-106(4)
2-July to 16-July	Notification of party lot drawing for ballot positions of candidates to appear on the 2012 General Election ballot.	1-5-404(2) 1-1-106(4)
5-July (Thursday)	Last day for ballots cast by military and overseas electors to be received by the county clerk in order to be counted. (No later than the 8th day after election day)	1-8.3-111 1-8.3-113 1-1-106(4)
5-July (Thursday)	Last day for elector to cure signature discrepancy or missing signature, or to provide missing ID for mail, mail-in, and provisional ballot to be counted. (Within 8 days after election day)	1-7.5-107(3.5)(d) 1-7.5-107.3 1-8-113(3)(d) 1-8-114.5(2)(a) 1-8.5-105(3)(a) 1-1-106(4) Rule 26.4.9
6-July (Friday)	Last day for verification and counting of provisional ballots to be completed. (Within 10 days after the Primary Election)	1-8.5-105(5)
9-July (Monday)	Deadline to complete the canvass and submit official Abstract of Votes for the Primary Election to the Secretary of State. (No later than the 13th day after the election)	1-10-102(1)
9-July (Monday)	Deadline to submit the results of the post-election audit to the Secretary of State. (No later than 5 p.m. on the 13th day after the Primary Election)	Rule 11.5.4.11
12-July (Thursday)	Last day to file an unaffiliated candidate nomination petition. (No later than 3:00 p.m. on the 117th day before the General Election)	1-4-802(1)(f)(I)
16-July (Monday)	Last day for Secretary of State to compile & total the returns and order appropriate recounts of the Primary Election. (No later than the 20th day after the Primary Election)	1-10-103(2)

# 2012 Election Calendar

17-July (Tuesday)	Last day interested parties may request a recount of the Primary Election at their own expense. (Within 21 days after the Primary Election)	1-10.5-106(2)
19-July (Thursday)	Last day for a write-in candidate to file an Affidavit of Intent for the General Election. (By the close of business on the 110th day before the General Election)	1-4-1102(1)
26-July (Thursday)	Last day to complete statutory or requested recount of the Primary Election. (30 days after the Primary Election)	1-10.5-102(2) 1-10.5-106(2)
27-July (Friday)	If a political subdivision has taken formal action to participate in the General Election, they must notify the county clerk of their participation. (100 days before the General Election)	1-7-116(5) 1-1-106(5)
<b>August, 2012</b>		
2-August (Thursday)	Last day for the DEO to issue a statement of sufficiency/insufficiency for unaffiliated candidate petitions. (No later than 96 days before the General Election)	1-4-908(3)
6-August (Monday)	Deadline to file an initiative petition with the Secretary of State for the 2012 General Election, no later than 3:00 p.m. (3 months before the election)	Art V, Sect. 1(2)
6-August (Monday)	Last day for judicial candidates to file a Declaration of Intent. (Not less than 3 months prior to General Election)	Art. VI, Sect. 25
8-August (Wednesday)	Last day to establish polling places and submit ADA surveys for the General Election. (90 days before)	1-5-102.5 Rule 7.3 Rule 7.7
8-August (Wednesday)	Last day to file an unaffiliated statement of intent to run for president. (No later than 90 days before the General Election)	1-4-303(1)
13-August (Wednesday)	Last day to amend a previously filed unaffiliated candidate nomination petition. (No later than 3 p.m., 85 days before the General Election)	1-4-912
23-August (Thursday)	Last day for the DEO to notify an unaffiliated candidate of whether the amended nominating petition is sufficient. (No later than the 75th day before the General Election)	1-4-912
28-August (Tuesday)	Intergovernmental agreements to be signed by county clerks and political subdivisions. (No later than 70 days before the General Election)	1-7-116(2)
<b>September, 2012</b>		
5-September (Wednesday)	Last day for the Secretary of State to issue statements of sufficiency or insufficiency for initiative petitions filed on August 6th. (No more than 30 calendar days after the petition is filed)	Art. V, Sec. 1(2) 1-40-116(2)
*	Lot drawing for ballot position of nonpartisan candidates may be held any time prior to ballot certification.	1-5-406
7-September (Friday)	Deadline for the DEO of each political subdivision to certify the ballot order and content if the election is being coordinated with the county clerk. (No later than 60 days before the General Election)	1-5-203(3)(a)
7-September (Friday)	Security and contingency plans due to the Secretary of State. (No later than 60 days before the General Election)	Rule 43.2 Rule 43.3
9-September (Sunday)	Any VRD application signed after this day must be delivered or postmarked no later than 5 business days after the application is signed. (Less than 30 days before the registration deadline)	1-2-702(2)
10-September (Monday)	Last day for the Secretary of State to send notice and certification of the General Election ballot to the county clerks. (No later than 57 days before the General Election)	1-5-203(1)
21-September (Friday)	Last day to file pro/con comments pertaining to local ballot issues with the DEO in order to be included in the issue mailing. (Friday before the 45th day before the election)	Art. X, Sect. 20(3)(b)(v) 1-7-901(4)
22-September (Saturday)	Deadline to send mail-in ballots to overseas military voters. (No later than 45 days prior to the election)	1-8.3-110
22-September (Saturday)	First day that school of instruction for all election judges may be held by the county clerk or DEO. (Not more than 45 days prior to the election)	1-6-101(5)

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# 2012 Election Calendar

25-September (Tuesday)	Last day for the DEO to deliver ballot issue notices to the county clerk and recorder. (No later than 42 days before the election)	1-7-904
<b>October, 2012</b>		
5-October (Friday)	Ballots for the General Election must be printed and in possession of the DEO. (Not less than 32 days before the General Election)	1-5-403(1)
5-October (Friday)	Last day to mail notice of election ballot issues. (At least 30 days before a ballot issue election)	Art. X, Sect. 20(3)(b) 1-7-106 1-1-106(5)
9-October (Tuesday)	Last day to register to vote for the General Election. (No later than 29 days before)	1-2-201(3) 1-8.3-107
9-October to 6-November	Elector may complete a sworn affidavit for a change of address in the county clerk's office stating that he/she moved within the state no later than the 30th day before the election. (For the 28 days before and on the day of the election)	1-2-216(4)(a)
12-October (Friday)	Deadline for the county clerk and recorder to mail a voter information card concerning the General Election to all eligible electors whose records are marked active or inactive - failed to vote. (No later than 25 days before the election)	1-5-206(1)(a)
15-October (Monday)	First day mail-in ballots may be sent to voters, except for UOCAVA voters. First day replacement ballots may be made available at the county clerk's office. (No sooner than 22 days before the General Election)	1-8-111(1)
16-October (Tuesday)	Last day for Secretary of State to designate a point of contact for the Emergency Electronic Transfer form. (No later than 21 days before the General Election)	Rule 42.11.2
22-October (Monday)	Early voting begins at the early voters' polling place for the General Election. (15 days before the election)	1-8-202
22-October (Monday)	Last day for county chairpersons of each of the two major political parties to appoint Board of Canvassers for the General Election. (At least 15 days before the election)	1-10-101(1)(a)
22-October (Monday)	Counting of mail-in ballots may begin 15 days prior to the election. No results can be disclosed until after 7:00 p.m. on election day.	1-8-302(2)(b)
25-October (Thursday)	Last day to post polling place signs for the General Election. (At least 12 days before the election)	1-5-106
26-October (Friday)	Equipment inventory lists are due to the Secretary of State for the General Election. (Not less than 10 days prior to General Election)	Rule 11.4.2(d) 1-1-106(5)
27-October (Saturday)	Last day for county clerks to give notice of the General Election. (At least 10 days before the election)	1-5-205(1)
27-October (Saturday)	Counting of early voters' ballots may begin 10 days prior to the election. No results can be disclosed until after 7:00 p.m. on election day.	1-8-302(2)
30-October (Tuesday)	Elections Setup Records are due to the Secretary of State for the General Election. (No later than 5:00 pm on the 7th day prior to the election)	Rule 11.7.1
30-October (Tuesday)	Last day to apply for a mail-in ballot for the General Election if mailed. (7th day preceding the election)	1-8-104(3)
<b>November, 2012</b>		
2-November (Friday)	Last day to apply for a mail-in ballot for the General Election if picked up at the county clerk's office. (Friday preceding the election)	1-8-104(3)
2-November (Friday)	Last day for early voting at the early voting polling places for the General Election. (Close of business the Friday before the election)	1-8-208(3)
6-November (Tuesday)	<b>General Election</b> (Polls open 7:00 a.m. to 7:00 p.m.)	1-1-104(17) 1-4-201
6-November (Tuesday)	All ballots must be in the hands of the county clerk by 7:00 p.m. on election day. Ballots cast by military and overseas voters must be sent no later than 7:00 P.M. on election day and received by the close of business on the 8th day after the election.	1-8-113(1)(a) 1-8-115(1)(b), (2) 1-8.3-111 1-8.3-113

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## 2012 Election Calendar

8-November (Thursday)	Deadline for the Secretary of State to notify counties of the voting devices and races selected for auditing purposes. (Within 48 hours after the close of polls)	Rule 11.5.4.1
8-November (Thursday)	Deadline for the county clerk to send missing signature, signature verification, and missing ID letters for mail-in and provisional. (Within 3 days from signature/ID verification but no later than 2 days after election day)	1-8-113(3)(d) 1-8-114.5(2)(a) 1-8.5-105(3)(a) Rule 26.4.9
14-November (Wednesday)	Last day for ballots cast by military and overseas electors to be received by the county clerk in order to be counted. (No later than the 8th day after election day)	1-8.3-111 1-8.3-113
14-November (Wednesday)	Last day for elector to cure signature discrepancy or missing signature, or to provide missing ID for mail-in and provisional ballot to be counted. (Within 8 days after election day)	1-8-113(3)(d) 1-8-114.5(2)(a) 1-8.5-105(3)(a) 1-1-106(4) Rule 26.4.9
20-November (Tuesday)	Last day for verification and counting of provisional ballots to be completed. (Within 14 days after the General Election)	1-8.5-105(5)
23-November (Friday)	Deadline to complete the canvass for the General Election. (No later than the 17th day after the election)	1-10-102(1)
23-November (Friday)	Counties shall report the results of the post-election audit to the Secretary of State. (No later than 5 p.m. on the 17th day after the General Election)	Rule 11.5.4.11
26-November (Monday)	Deadline to submit official Abstract of Votes for the General Election to the Secretary of State. (No later than the 18th day after the election)	1-10-103(1) 1-1-106(4)
<b>December, 2012</b>		
6-December (Thursday)	Last day for the Secretary of State to compile and total returns from all counties and order appropriate recounts, if any. (30 days after the General Election)	1-10-103(2) 1-10.5-102(2)
7-December (Friday)	Last day an interested party may request a recount of the results of the General Election at their own expense. (Within 31 days after the election)	1-10.5-106(2)
13-December (Thursday)	Last day to complete a requested recount. (No later than the 37th day after the General Election)	1-10.5-106(2)

## 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>						
	RI34863	REPLACED GEAR HEAD ASSY	07/25/2012	65.50	65.50	08/02/2012
	RI34877	REPAIR RECOIL	07/26/2012	27.50	.00	
	S168111	POLE PRUNER	07/16/2012	539.95	539.95	08/02/2012
	SI68038	PROPANE FUEL	07/13/2012	13.16	13.16	08/02/2012
	SI68332	POLY CUT BLADES	07/25/2012	103.97	.00	
	SI68420	NYLOCK NUT	07/30/2012	37.14	.00	
	SI68459	BLOWER	07/31/2012	449.95	.00	
	SI68467	POLY CUT BLADES	07/31/2012	31.98	.00	
Total 1003:				1,269.15	618.61	
<b>1004</b>						
<b>Verizon Wireless</b>						
	1102841323	WATER	07/18/2012	4,692.00	4,692.00	08/03/2012
Total 1004:				4,692.00	4,692.00	
<b>1009</b>						
<b>B &amp; B Plumbing, Inc</b>						
	36999	REPAIRED LEAKING HOSEBIB	08/01/2012	281.20	.00	
	37020	SLIDE POOL BOILER	08/03/2012	95.00	.00	
Total 1009:				376.20	.00	
<b>1018</b>						
<b>Valley Lumber</b>						
	67754	UNION SCH80	05/17/2012	4.49	4.49	07/27/2012
	68537	CONCRETE MIX	06/05/2012	10.38	10.38	08/03/2012
	69120	TEFLON TAPE	06/20/2012	6.78	6.78	08/03/2012
	69155	NUMB KIT 3 VINYL	06/21/2012	25.46	25.46	07/27/2012
	69156	FLAGGING TAPE WHITE	06/21/2012	30.27	30.27	07/27/2012
	70351	CONSTRUCTION FIR	07/23/2012	60.06	.00	
	70392	CONCRETE MIX	07/24/2012	51.90	.00	
	70417	WIRE BRUSH	07/24/2012	7.48	.00	
	70459	FIRECODE SHEETROCK	07/25/2012	30.45	.00	
	70472	GALV BUSHING	07/25/2012	16.98	.00	
	70517	5 GALLON PAINT STRAINER	07/26/2012	7.98	.00	
	70556	UTILITY POLY	07/27/2012	13.98	.00	
	70627	BATTERY	07/30/2012	26.97	.00	
	70634	T12 FL BULB	07/30/2012	10.98	.00	
	70657	ACE SHOVEL	07/30/2012	50.97	.00	
	70692	FAUCET HANDLES CRYSTAL	07/31/2012	11.99	.00	
	70795	BALD EAGLE NO LINER	08/02/2012	71.04	.00	
	70821	PUSH BROOM	08/02/2012	19.99	.00	
Total 1018:				458.15	77.38	
<b>1022</b>						
<b>Central Distributing Co</b>						
	907288	Supplies	04/30/2012	263.30	263.30	08/03/2012
	908272	Supplies	05/09/2012	604.90	604.90	08/02/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	908830	Supplies	05/14/2012	120.96	120.96	08/02/2012
	909066	Supplies	05/16/2012	260.52	260.52	08/02/2012
	915980	Supplies	07/19/2012	51.01	.00	
	916427	Supplies	07/25/2012	390.49	.00	
	917186	Supplies	08/01/2012	121.12	.00	
	917202	Supplies	08/01/2012	122.59	.00	
	917739	Supplies	08/06/2012	273.54	.00	
	917987	Supplies	08/08/2012	78.15	.00	
	917993	Supplies	08/08/2012	251.16	.00	
Total 1022:				2,537.74	1,249.68	
<b>1055</b>						
<b>Columbine Ford, Inc</b>						
	113240	MOTOR ASY	07/11/2012	31.08-	.00	
Total 1055:				31.08-	.00	
<b>1076</b>						
<b>Garfield County Treasurer</b>						
	073112	Landfill	07/31/2012	3,574.40	.00	
Total 1076:				3,574.40	.00	
<b>1083</b>						
<b>Youth Zone</b>						
	053112	ASSES & RECOMM/EDMOND/C	05/31/2012	1,750.00	1,750.00	07/27/2012
	063012	ASSES & RECOMM/EDMOND/C	06/30/2012	1,250.00	1,250.00	07/27/2012
Total 1083:				3,000.00	3,000.00	
<b>1097</b>						
<b>Johnson Construction Inc</b>						
	080212-FINAL-	RIFLE PLAZA II	08/02/2012	26,713.65	.00	
	PAY ESTIMAT	S.H. 13 SAFETY IMPROVEMENT	07/13/2012	2,762.29	2,762.29	08/02/2012
	PAY ESTIMAT	5th and 16th St Imp - 2012 Imp P	07/23/2012	81,296.55	81,296.55	08/02/2012
	PAY ESTIMAT	5th and 16th St Imp - 2012 Imp P	07/23/2012	29,766.91	29,766.91	08/02/2012
Total 1097:				140,539.40	113,825.75	
<b>1102</b>						
<b>Macdonald Equipment Co</b>						
	MO2672	Multi-purpose Dump Body	08/03/2012	43,950.00	.00	
Total 1102:				43,950.00	.00	
<b>1105</b>						
<b>Meadow Gold Dairies</b>						
	50210571	DAIRY PRODUCTS/SENIOR CT	07/23/2012	51.58	.00	
	50210602	DAIRY PRODUCTS/REC -POOL	07/24/2012	297.41	.00	
	50210610	DAIRY PRODUCTS/SENIOR CT	07/26/2012	12.00	.00	
	50210639	DAIRY PRODUCTS/REC -POOL	07/27/2012	224.68	224.68	08/03/2012
	50210649	DAIRY PRODUCTS/SENIOR CT	07/30/2012	66.00	.00	
	50210676	DAIRY PRODUCTS/REC -POOL	07/31/2012	82.36	82.36	08/03/2012
	50210732	DAIRY PRODUCTS/SENIOR CT	08/06/2012	45.00	.00	
	50210766	DAIRY PRODUCTS/REC -POOL	08/07/2012	55.94	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1105:				834.97	307.04	
<b>1110</b>						
<b>Napa Auto Parts</b>						
	239678	CLEANER	07/16/2012	12.67	12.67	08/02/2012
	240951	HAIR PIN CLIP	07/23/2012	20.25	20.25	08/02/2012
	241033	EX LONG SAE HEX	07/24/2012	51.47	.00	
	241057	BEARINGS	07/24/2012	72.27	.00	
	241486	FUEL FILTER	07/26/2012	16.46	.00	
	241537	EXT POLE SQUEEGE	07/26/2012	13.69	.00	
	241712	EYE WASH	07/27/2012	14.99	.00	
	242064	BALL MOUNT	07/30/2012	68.32	.00	
	242222	HAMMER	07/31/2012	157.59	.00	
Total 1110:				427.71	32.92	
<b>1111</b>						
<b>Neve's Uniforms, Inc</b>						
	NE16001	UNIFORM /PD	07/30/2012	81.94	.00	
Total 1111:				81.94	.00	
<b>1114</b>						
<b>Wells Fargo Bank West</b>						
	073112	OBI CWRPDA-SWRP/CO WATE	07/31/2012	9,126.69	9,126.69	07/31/2012
Total 1114:				9,126.69	9,126.69	
<b>1120</b>						
<b>Xcel Energy Inc</b>						
	0431769818	1221 E CENTENNIAL	07/24/2012	15.91	15.91	08/03/2012
	0432491781	250 E 16TH ST	07/27/2012	13.94	13.94	08/03/2012
	332556296	ST LGT MAIN CAP	07/16/2012	15,657.89	15,657.89	07/27/2012
	333093756	800 AIRPORT	07/19/2012	34,197.81	34,197.81	07/27/2012
Total 1120:				49,885.55	49,885.55	
<b>1125</b>						
<b>Rifle Chamber Of Commerce</b>						
	4164	advertising	07/30/2012	267.00	.00	
	4165	advertising	07/30/2012	21,092.00	.00	
Total 1125:				21,359.00	.00	
<b>1138</b>						
<b>Schmueser/Gordon/Meyer, Inc</b>						
	99055A-174	2012 WATER RATE SETTING A	07/26/2012	240.00	.00	
	99055F-2-10	RIFLE ENERGY CENTER PHAS	05/30/2012	310.00	.00	
	99055F-211	RIFLE ENERGY CENTER PHAS	06/30/2012	310.00	.00	
	99055F-2-9	RIFLE ENERGY CENTER PHAS	04/30/2012	7,815.00	.00	
	99055N-16	RIFLE REGIONAL WWTF CONS	07/25/2012	75.00	.00	
Total 1138:				8,750.00	.00	
<b>1143</b>						
<b>Swallow Oil Company</b>						
	073112	CAR WASH	07/31/2012	5,456.60	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	135825	DIESEL /FLEET	07/30/2012	1,733.10	.00	
Total 1143:				7,189.70	.00	
<b>1181</b>						
<b>Garfield Steel &amp; Machine, Inc</b>						
	00079940	14 CUTOFF WHEEL	08/07/2012	95.30	.00	
	00079950	14 CUTOFF WHEEL	08/07/2012	91.89-	.00	
	00082413	80 NITROGEN FULL	07/26/2012	14.52	.00	
Total 1181:				17.93	.00	
<b>1188</b>						
<b>Jean's Printing</b>						
	121945	printing	07/20/2012	62.68	62.68	08/02/2012
	121992	printing	07/26/2012	26.69	.00	
Total 1188:				89.37	62.68	
<b>1191</b>						
<b>Lewan &amp; Associates, Inc</b>						
	155516	B&W METER	07/26/2012	90.61	.00	
	155517	B&W METER	07/26/2012	105.77	.00	
	155518	B&W METER	07/26/2012	212.81	.00	
	155519	B&W METER	07/26/2012	235.83	.00	
Total 1191:				645.02	.00	
<b>1219</b>						
<b>Westheffer Company, Inc</b>						
	374800	TEEJET SPRAY	07/23/2012	81.66	.00	
Total 1219:				81.66	.00	
<b>1312</b>						
<b>Honnen Equipment Co.</b>						
	394563	FILTER ELEME	07/09/2012	160.00	160.00	08/02/2012
Total 1312:				160.00	160.00	
<b>1339</b>						
<b>Grand Junction Pipe &amp; Supply</b>						
	C237023	MARKING PAINT	07/23/2012	116.28	.00	
	C2371212	METER PIT DUPLEX	07/13/2012	2,379.80	.00	
	C2371565	Fiber Conduit	07/17/2012	12,183.75	.00	
	C2371879	CEMENT QUART	07/20/2012	893.31	.00	
	C2372236	PE WIRE AWG WHITE	07/25/2012	375.00	.00	
Total 1339:				15,948.14	.00	
<b>1437</b>						
<b>TAYLOR FENCE COMPANY OF GRAND</b>						
	G31504	CONST. PANEL RENTAL	07/27/2012	125.00	.00	
Total 1437:				125.00	.00	
<b>1447</b>						

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>Gempler's Inc.</b>						
	1018970567	BACKPACK SPRAYER	07/20/2012	272.35	.00	
Total 1447:				272.35	.00	
<b>1682</b>						
<b>Safety Kleen</b>						
	58378195	16 G PARTS WASHER SOLVEN	07/24/2012	221.79	.00	
Total 1682:				221.79	.00	
<b>1692</b>						
<b>A-1 Traffic Control</b>						
	28919	SIGN RENTAL	07/25/2012	10.00	.00	
	28967	SIGN RENTAL	07/31/2012	12.00	.00	
Total 1692:				22.00	.00	
<b>1709</b>						
<b>J.p. Cooke Co</b>						
	189410	100 BLUE AA LIC TAGS	07/23/2012	47.50	.00	
Total 1709:				47.50	.00	
<b>1734</b>						
<b>United Companies/Oldcastle SW Group Inc</b>						
	856925	ROAD BASE	04/13/2012	502.10	.00	
Total 1734:				502.10	.00	
<b>1768</b>						
<b>Faris Machinery Company</b>						
	B00760	HOSE REEL ASSY	07/25/2012	1,234.16-	.00	
	G23406	DIAMOND BLADE	07/30/2012	543.50	.00	
Total 1768:				690.66-	.00	
<b>1830</b>						
<b>Grand Valley Foods</b>						
	122253	FOOD PRODUCT/SR CENTER	07/27/2012	676.56	.00	
	122376	FOOD PRODUCT/SR CENTER	08/03/2012	843.64	.00	
	122436	FOOD PRODUCT/SR CENTER	08/07/2012	49.93	.00	
Total 1830:				1,570.13	.00	
<b>1990</b>						
<b>Bookcliff Survey Services, Inc</b>						
	8350	ACCESS EASEMENT EXHIBIT U	05/30/2012	250.00	.00	
	8449	LOCATE WATERLINE PENWILL	07/24/2012	330.00	.00	
Total 1990:				580.00	.00	
<b>2021</b>						
<b>Gmco Corporation</b>						
	28917	DUST GARD/STREETS	07/30/2012	1,740.00	.00	
Total 2021:				1,740.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>2122</b>						
<b>Utility Notification Center Co</b>						
	210207631	RTL TRANSMISSIONS	07/31/2012	204.47	.00	
Total 2122:				204.47	.00	
<b>2139</b>						
<b>CDW Government, Inc</b>						
	N114310	XEROX PAPER TRAY	07/17/2012	261.19	.00	
Total 2139:				261.19	.00	
<b>2235</b>						
<b>Acme Alarm Company Inc</b>						
	7077CON	CONTRACT FOR TIE ANSUL FI	07/20/2012	220.00	.00	
Total 2235:				220.00	.00	
<b>2370</b>						
<b>B&amp;b Landscape/jerry Baysinger</b>						
	003951	TREE TRIMMING	08/03/2012	825.00	.00	
Total 2370:				825.00	.00	
<b>2480</b>						
<b>RIFLE ROTARY CLUB</b>						
	080312	MEMBERSHIP DUES/MEISNER	08/03/2012	200.00	200.00	08/03/2012
Total 2480:				200.00	200.00	
<b>2573</b>						
<b>Mountain West Office Products</b>						
	278844I	supplies	07/31/2012	36.03	.00	
	278850I	supplies	08/01/2012	48.90	.00	
Total 2573:				84.93	.00	
<b>2835</b>						
<b>L.L. Johnson Distributing Co</b>						
	1606292-00	FLANGE LOCK	07/13/2012	135.50	.00	
Total 2835:				135.50	.00	
<b>2846</b>						
<b>Colo Mtn News Media</b>						
	7870584A	AD	05/07/2012	86.81	86.81	07/27/2012
	8066779R	AD	06/27/2012	222.97	222.97	07/27/2012
	8066822R	AD	06/26/2012	1,687.47	1,687.47	07/27/2012
Total 2846:				1,997.25	1,997.25	
<b>2936</b>						
<b>Farmer Bros. Co.</b>						
	56177243	FOOD PRODUCTS/SENIOR CTR	07/23/2012	33.00	.00	
Total 2936:				33.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>2960</b>						
<b>Walmart Community</b>						
	0015437	SUPPLIES	07/15/2012	5.40	5.40	08/03/2012
	001596	SUPPLIES	07/01/2012	15.99	15.99	08/03/2012
	002691	SUPPLIES	07/02/2012	8.00	8.00	08/03/2012
	004039	SUPPLIES	07/04/2012	7.96	7.96	08/03/2012
	009210	SUPPLIES	07/09/2012	37.59	37.59	08/03/2012
	009393.	SUPPLIES	07/09/2012	54.08	54.08	08/03/2012
	011183	SUPPLIES	07/11/2012	17.21	17.21	08/03/2012
	013270	SUPPLIES	06/13/2012	40.50	40.50	08/03/2012
	015107	SUPPLIES	07/15/2012	21.08	21.08	08/03/2012
	023226	SUPPLIES	07/23/2012	22.68	22.68	08/03/2012
	025944	SALT	07/25/2012	54.97	54.97	07/27/2012
	026858	REPAIR CEILING	07/26/2012	18.59	18.59	07/27/2012
	027507	SUPPLIES	07/27/2012	6.80	6.80	08/03/2012
	031022	SUPPLIES	07/31/2012	19.86	19.86	08/03/2012
	031363	SUPPLIES	07/31/2012	310.77	310.77	08/03/2012
Total 2960:				641.48	641.48	
<b>2970</b>						
<b>Diamond Vogel Paints</b>						
	751102794	PAINT	07/09/2012	535.00	.00	
	751102890	PAINT	07/13/2012	535.00	.00	
Total 2970:				1,070.00	.00	
<b>3015</b>						
<b>Kroger/King Sooper Cust Charge</b>						
	006105	FOOD /SR CENTER	07/23/2012	98.93	98.93	07/27/2012
	0220310	SUPPLIES	07/27/2012	19.98	19.98	08/03/2012
	079485	SNACKS	07/31/2012	27.45	27.45	08/03/2012
	102907	FOOD /SR CENTER	07/17/2012	29.33	29.33	07/27/2012
	177916	FOOD /SR CENTER	07/19/2012	9.24	9.24	07/27/2012
Total 3015:				184.93	184.93	
<b>3083</b>						
<b>ALSCO</b>						
	1153789	work shirts and pants	04/19/2012	27.96	27.96	07/27/2012
	1156558	work shirts and pants	04/24/2012	27.96	27.96	07/27/2012
	1194749	LAUNDRY/senior center	07/24/2012	63.42	.00	
	1200786	LAUNDRY/senior center	08/07/2012	55.10	.00	
Total 3083:				174.44	55.92	
<b>3091</b>						
<b>Newman Signs Inc</b>						
	TI-0251576	U-CHANNEL POST	07/27/2012	975.42	.00	
Total 3091:				975.42	.00	
<b>3251</b>						
<b>Mountain Communications And El</b>						
	208393	GRASS MESA RENTAL	08/01/2012	250.00	.00	
Total 3251:				250.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>3347</b>						
<b>V.I.P. Trash Services LLC</b>						
	38779 070112	TRASH PICKUP/DDA	07/01/2012	140.00	140.00	08/03/2012
Total 3347:				140.00	140.00	
<b>3389</b>						
<b>Sandy's Office Supply Inc</b>						
	985913	SUPPLIES	07/27/2012	113.86	.00	
Total 3389:				113.86	.00	
<b>3780</b>						
<b>Concrete Equipment</b>						
	129960	REBAR	07/05/2012	117.00	117.00	08/02/2012
	130311	REBAR	07/16/2012	40.69	.00	
Total 3780:				157.69	117.00	
<b>3858</b>						
<b>Wells Fargo Bank Mn Na</b>						
	073112	OBI:CWRPDA-SWRP/RIFLE-148	07/31/2012	9,247.09	9,247.09	07/31/2012
Total 3858:				9,247.09	9,247.09	
<b>4207</b>						
<b>Radio Shack</b>						
	10148655	PHONE CAR CHARGER	07/25/2012	26.28	26.28	08/02/2012
Total 4207:				26.28	26.28	
<b>4240</b>						
<b>Platinum Plus For Business</b>						
	CAIN 071112	MANUALS	07/11/2012	1,879.17	1,879.17	07/27/2012
	DUESSEN 071	LUNCH-EMPLOYEES	07/11/2012	161.10	161.10	07/27/2012
	FLATEN 07111	LUNCH-FUNERAL	07/11/2012	42.00	42.00	07/27/2012
	GALLEGOS 07	GIFT CARD EMPLOYEES CHILD	07/11/2012	322.93	322.93	07/27/2012
	KEHOE 07111	TRAINING VIRTUALIZATION PR	07/11/2012	225.00	225.00	07/27/2012
	SHANAHAN 07	MICHAELS SUPPLIES	07/11/2012	657.64	657.64	07/27/2012
	WHITMORE 07	REPAIR PARTS	07/11/2012	915.04	915.04	07/27/2012
Total 4240:				4,202.88	4,202.88	
<b>4288</b>						
<b>Native American Crane Svs Inc</b>						
	12-130	BOOM TRUCK	08/06/2012	450.00	.00	
Total 4288:				450.00	.00	
<b>4345</b>						
<b>Helen Artist-Rogers/HR Design</b>						
	072712	DDA MANAGEMENT	07/27/2012	2,333.27	2,333.27	07/27/2012
Total 4345:				2,333.27	2,333.27	
<b>4507</b>						
<b>Neopost Inc/Neofunds</b>						
	48760810	EQUIPMENT RENTAL	06/10/2012	149.85	149.85	07/27/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 4507:				149.85	149.85	
<b>4590</b>						
<b>Colorado Poolscapes Inc</b>						
	43187-1	POOL REPAIR	07/31/2012	396.78	.00	
	44125-1	POOL CHEMICALS	08/03/2012	595.00	.00	
Total 4590:				991.78	.00	
<b>4630</b>						
<b>Kirkman, Ula</b>						
	96	PERFORMANCE/SR CENTER	07/19/2012	75.00	75.00	07/27/2012
	97	PERFORMANCE/SR CENTER	07/26/2012	75.00	75.00	07/27/2012
Total 4630:				150.00	150.00	
<b>4682</b>						
<b>Lighting Accessory &amp; Warning S</b>						
	5097	SETINA PARTITION REPLACEM	07/17/2012	51.50	.00	
Total 4682:				51.50	.00	
<b>4701</b>						
<b>Tri County Fire Protection</b>						
	91049	BACKFLOW PREV TEST	07/23/2012	190.00	.00	
Total 4701:				190.00	.00	
<b>4796</b>						
<b>Mountain Air Mechanical Hvac</b>						
	16156	REPAIR AIR CONDITIONER	07/24/2012	723.22	.00	
Total 4796:				723.22	.00	
<b>4811</b>						
<b>United Site Services Inc</b>						
	114-721681	PORTABLE RESTROOM JOYCE	07/19/2012	100.00	.00	
	114-721682	PORTABLE RESTROOM HEINZ	07/19/2012	100.00	.00	
	114-721683	PORTABLE RESTROOM DAVID	07/19/2012	220.00	.00	
Total 4811:				420.00	.00	
<b>4838</b>						
<b>Sun Trust Bank Corpotation</b>						
	073112	4430005039/1097081/HONEY W	07/31/2012	26,254.45	26,254.45	07/31/2012
Total 4838:				26,254.45	26,254.45	
<b>4879</b>						
<b>Cardiff Cleaning Services</b>						
	4480	CLEANING JUSTICE CENTER	07/15/2012	4,175.00	.00	
Total 4879:				4,175.00	.00	
<b>4905</b>						
<b>Taylor, Michael</b>						
	073012	WORK BOOTS	07/30/2012	37.45	37.45	08/03/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 4905:				37.45	37.45	
<b>4963</b>						
<b>Intellipay Inc</b>						
	469	transaction fee	07/31/2012	132.15	.00	
Total 4963:				132.15	.00	
<b>4969</b>						
<b>Stout's Electric Motor Service</b>						
	40962	SHIELDED BEARING	07/18/2012	85.60	.00	
	40963	REWIND LABOR, REWIND MAT	07/23/2012	413.31	.00	
Total 4969:				498.91	.00	
<b>4989</b>						
<b>Mr Power S/Sandor Drucker</b>						
	184	SIDEWALK CLEANING/DDA	07/31/2012	1,984.00	1,984.00	08/03/2012
Total 4989:				1,984.00	1,984.00	
<b>5023</b>						
<b>CASELLE INC</b>						
	43779	CONTRACT SUPPORT/FINANC	08/01/2012	3,642.00	.00	
Total 5023:				3,642.00	.00	
<b>5034</b>						
<b>WELLS FARGO BANK NA</b>						
	073112	WPCRF/FOAN W07A104W/WAS	07/31/2012	665,044.49	665,044.49	07/31/2012
Total 5034:				665,044.49	665,044.49	
<b>5181</b>						
<b>FRED'S HARDWARE</b>						
	20301 083112	SUPPLIES	08/16/2012	260.77	.00	
	20305 0812	SUPPLIES	08/16/2012	84.30	.00	
	20306 083112	SUPPLIES	08/16/2012	233.34	.00	
Total 5181:				578.41	.00	
<b>5253</b>						
<b>FASTENAL</b>						
	50958	HBL2313 CONNCTR	07/09/2012	27.79	.00	
	51210	HOSE	07/18/2012	437.90	.00	
	51218	WHITE BRAZEAU DESIGN	07/18/2012	61.71	.00	
	51242	WIRE GRIPS	07/18/2012	175.02	.00	
	51315	5.5 GALLON COOLER	07/20/2012	54.42	.00	
	51438	SAFETY GLASSES	07/26/2012	101.53	.00	
	51439	BRAZEAU	07/26/2012	13.01	.00	
Total 5253:				871.38	.00	
<b>5285</b>						
<b>O'dell, Robert</b>						
	073012	Safety Boots	07/30/2012	112.99	112.99	08/03/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5285:				112.99	112.99	
<b>5438</b>						
<b>Roaring Fork Leadership</b>						
	072612	TUITION ROARING FORK LEAD	07/26/2012	200.00	200.00	07/27/2012
Total 5438:				200.00	200.00	
<b>5473</b>						
<b>McAfee</b>						
	95354173	FAIL SAFE DISASTER RECOVER	07/01/2012	225.60	225.60	07/27/2012
Total 5473:				225.60	225.60	
<b>5548</b>						
<b>Power Equipment Company</b>						
	G207052679	FILTER ELEMENT	07/11/2012	55.22	55.22	08/02/2012
Total 5548:				55.22	55.22	
<b>5595</b>						
<b>All About Sprinklers</b>						
	2053	ASST FITTINGS	07/26/2012	685.00	685.00	08/03/2012
Total 5595:				685.00	685.00	
<b>5849</b>						
<b>NUTECH SPECIALTIES, INC</b>						
	86589	PETROLEUM DISILLATES	07/19/2012	71.28	.00	
Total 5849:				71.28	.00	
<b>5926</b>						
<b>Law Enforcement Alliance for Defense</b>						
	072312	LEGAL DEFENSE FUND	07/23/2012	175.00	175.00	08/03/2012
Total 5926:				175.00	175.00	
<b>5958</b>						
<b>Utility Refund</b>						
	2170102	REFUND-660 ASPEN AVE	07/25/2012	224.52	224.52	07/27/2012
Total 5958:				224.52	224.52	
<b>5960</b>						
<b>Recreation Fee Refunds</b>						
	2000115004	REC FEE REFUND	07/30/2012	36.00	36.00	08/03/2012
	2000816002	REC FEE REFUND	07/26/2012	55.00	55.00	07/27/2012
	2000817002	REC FEE REFUND	07/26/2012	60.00	60.00	07/27/2012
	2000818002	REC FEE REFUND	07/26/2012	80.00	80.00	07/27/2012
	2000819002	REC FEE REFUND	07/26/2012	100.00	100.00	07/27/2012
	2000820002	REC FEE REFUND	07/26/2012	70.00	70.00	07/27/2012
Total 5960:				401.00	401.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Banana's Fun Park	72312	NATIONAL NIGHT OUT	07/23/2012	640.00	640.00	07/27/2012
Total 6050:				640.00	640.00	
<b>6057</b>						
<b>Specter Instruments</b>	1207022323	ANNUAL RENEWAL	07/23/2012	395.00	.00	
Total 6057:				395.00	.00	
<b>6063</b>						
<b>Colorado Dept of Public Health</b>	0010097	BEAVER CREEK	07/24/2012	715.00	715.00	08/03/2012
	10096	GMWTP	07/24/2012	715.00	715.00	08/03/2012
	9008	WATER PERMITS	07/24/2012	6,090.00	6,090.00	08/03/2012
	9009	WATER PERMITS	07/24/2012	81.00	81.00	08/03/2012
Total 6063:				7,601.00	7,601.00	
<b>6067</b>						
<b>Mountain Roll-offs, Inc.</b>	080112	RECYCLCLE SERVICES	08/01/2012	15.00	.00	
	94951	20 YD SLUDGE EXCHANGE	07/23/2012	899.90	.00	
Total 6067:				914.90	.00	
<b>6093</b>						
<b>Rifle Postal Service</b>	072012	STANDARD MAIL RENEWAL NO	07/20/2012	190.00	190.00	07/27/2012
Total 6093:				190.00	190.00	
<b>6133</b>						
<b>Mountain Petroleum Company</b>	725402	DYED DIESEL	07/19/2012	1,389.98	.00	
Total 6133:				1,389.98	.00	
<b>6137</b>						
<b>Impressions of Aspen</b>	16200	SUPPLIES	07/09/2012	167.99	.00	
	16279	SUPPLIES	07/20/2012	170.42	.00	
	16352	SUPPLIES	08/02/2012	33.90	.00	
Total 6137:				372.31	.00	
<b>6140</b>						
<b>Outdoor Services</b>	2955	AMINE VANQUISH	07/25/2012	320.00	.00	
	2956	AMINE VANQUISH	07/25/2012	151.50	.00	
Total 6140:				471.50	.00	
<b>6144</b>						
<b>COMCAST CABLE</b>	071312	IXFINITY TV	07/13/2012	2.47	2.47	08/03/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6144:				2.47	2.47	
<b>6195</b>						
<b>Western Slope Communications</b>						
	35209	ADVERTISEMENT	07/31/2012	400.00	400.00	08/03/2012
	35210	ADVERTISEMENT	07/31/2012	400.00	400.00	08/03/2012
Total 6195:				800.00	800.00	
<b>6225</b>						
<b>BRUBACHER DESIGN</b>						
	634	REFLECTIVE WRAP	07/17/2012	448.00	.00	
Total 6225:				448.00	.00	
<b>6242</b>						
<b>Xerox Corporation</b>						
	063085800	BASE CHARGE	08/01/2012	258.65	.00	
Total 6242:				258.65	.00	
<b>6248</b>						
<b>Colorado River Engineering, Inc.</b>						
	4068	RIFLE BOAT RAMP	07/13/2012	510.00	.00	
Total 6248:				510.00	.00	
<b>6282</b>						
<b>Kansas State Bank</b>						
	073112	PRINCIPAL	07/31/2012	1,672.98	1,672.98	07/31/2012
Total 6282:				1,672.98	1,672.98	
<b>6295</b>						
<b>Labyrinth Healthcare Group</b>						
	14919	MONTHLY ADVOCACY SERVIC	08/01/2012	276.00	276.00	08/03/2012
Total 6295:				276.00	276.00	
<b>6303</b>						
<b>Law Office of Angela Roff, PC</b>						
	805	CITY PROSECUTOR	06/30/2012	4,167.57	4,167.57	07/27/2012
Total 6303:				4,167.57	4,167.57	
<b>6318</b>						
<b>Oasis Irrigation Company</b>						
	5894 080312	251 UTE ROAD	08/03/2012	25.00	25.00	08/03/2012
	5895 080312	BUILDING F SYSTEM IMPROVE	08/03/2012	25.00	25.00	08/03/2012
Total 6318:				50.00	50.00	
<b>6330</b>						
<b>COUNTY HEALTH POOL</b>						
	080112	COBRA INSURANCE	08/01/2012	531.82	531.82	08/03/2012
	080112,	IT	08/01/2012	98,081.64	98,081.64	08/03/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6330:				98,613.46	98,613.46	
<b>6332</b>						
<b>DIRECTV</b>						
	18339533442	MONTHY FEE	07/29/2012	150.99	150.99	08/03/2012
Total 6332:				150.99	150.99	
<b>6354</b>						
<b>ALL SEASONS LAUNDRY</b>						
	23806	GYM TOWELS	07/31/2012	144.16	144.16	08/03/2012
Total 6354:				144.16	144.16	
<b>6355</b>						
<b>LAFARGE WEST INC</b>						
	23806611	ULTRAHORIZONTAL	05/18/2012	1,442.50	1,442.50	08/02/2012
	23832168	ULTRAHORIZONTAL	05/22/2012	1,442.50	1,442.50	08/02/2012
	23938377	ULTRAHORIZONTAL	05/31/2012	1,442.50	1,442.50	08/02/2012
	24058658	ULTRAHORIZONTAL	06/11/2012	1,442.50	1,442.50	08/02/2012
	24205014	ULTRAHORIZONTAL	06/22/2012	1,016.88	1,016.88	08/02/2012
	24244196	ULTRAHORIZONTAL	06/26/2012	1,370.88	1,370.88	08/02/2012
	24359113	ULTRAHORIZONTAL	07/08/2012	654.63	654.63	08/02/2012
	24410803	ULTRAHORIZONTAL	07/11/2012	726.25	.00	
	24507891	ULTRAHORIZONTAL 40150	07/19/2012	1,263.44	.00	
Total 6355:				10,802.08	8,812.39	
<b>6357</b>						
<b>FIRST STRING</b>						
	4408	COTTON POCKET TEE	07/30/2012	336.00	.00	
	4413	EASY CARE SHIRT	07/30/2012	105.00	.00	
	4414	POLO SHIRTS	07/30/2012	127.75	.00	
Total 6357:				568.75	.00	
<b>6384</b>						
<b>Professional Services Employers Trust</b>						
	080112	INSURANCE	08/01/2012	267.00	267.00	08/03/2012
Total 6384:				267.00	267.00	
<b>6394</b>						
<b>ALLSTATE ENVIRONMENTAL</b>						
	071112-01	NON SELECTIVE WEED KILLER	07/11/2012	2,401.00	.00	
Total 6394:				2,401.00	.00	
<b>6401</b>						
<b>Synergy Gymnastics Academy, LLC</b>						
	080112	GYMNASTICS SERVICES	08/01/2012	2,888.00	2,888.00	08/03/2012
Total 6401:				2,888.00	2,888.00	
<b>6402</b>						
<b>CENTURY LINK</b>						
	6250108 07221	FITNESS CENTER	07/22/2012	144.08	144.08	08/03/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	6254904 07221	POLICE	07/22/2012	104.85	104.85	08/03/2012
	6254960 07221	POLICE	07/22/2012	114.43	114.43	08/03/2012
	6257330 07221	OM	07/22/2012	466.43	466.43	08/03/2012
	6259179 07221	FINANCE	07/22/2012	92.06	92.06	08/03/2012
	K7191113095	FITNESS CENTER	07/22/2012	980.36	980.36	08/03/2012
Total 6402:				1,902.21	1,902.21	
<b>6409</b>						
<b>RIFLE TOWING</b>						
	17790	TOWING	07/17/2012	50.00	.00	
Total 6409:				50.00	.00	
<b>6484</b>						
<b>MURR WELDING &amp; DESIGN INC</b>						
	4665	REPAIR SLIDE GATE METRO P	07/24/2012	280.00	.00	
	4671	REPAIR LIGHT POLE DEERFIEL	07/25/2012	403.20	.00	
Total 6484:				683.20	.00	
<b>6537</b>						
<b>Holscher, Mayberry &amp; Company,LLC</b>						
	041612	2011 FINANCIAL STMT AUDIT	04/16/2012	5,250.00	.00	
Total 6537:				5,250.00	.00	
<b>6549</b>						
<b>Advanced Contracting, LLC</b>						
	1238	deerfield Restroom dividers replac	08/03/2012	3,032.00	3,032.00	08/03/2012
Total 6549:				3,032.00	3,032.00	
<b>6553</b>						
<b>CHARLIER ASSOCIATES, INC</b>						
	071212	Hud Grant 33607-DT Transit Dev	07/12/2012	17,213.58	.00	
	994	DOT Grant CMS 33608 - DT Tran	07/12/2012	500.00	.00	
Total 6553:				17,713.58	.00	
<b>6568</b>						
<b>MICRO PLASTICS</b>						
	92613	TROPHY	08/02/2012	35.70	.00	
Total 6568:				35.70	.00	
<b>6582</b>						
<b>WESLEY DAVID BARTON</b>						
	080312	CENTENNIAL CONCERT	08/03/2012	700.00	700.00	08/03/2012
Total 6582:				700.00	700.00	
<b>6584</b>						
<b>PHAT DADDY</b>						
	072712	CENTENNIAL CONCERT SERIE	07/27/2012	900.00	900.00	07/27/2012
Total 6584:				900.00	900.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>6596</b>						
<b>SEAN STRODE</b>						
	080312	CENTENNIAL CONCERT	08/03/2012	450.00	450.00	08/03/2012
Total 6596:				450.00	450.00	
<b>6612</b>						
<b>CEDAR NETWORKS</b>						
	145654	INTERNET CONNECTION	05/01/2012	2,260.00	2,260.00	07/27/2012
	149839	INTERNET CONNECTIONS	08/01/2012	2,260.00	.00	
Total 6612:				4,520.00	2,260.00	
<b>6639</b>						
<b>Vermeer Colorado</b>						
	4886	4" Hammerhead Mole - conduit	07/23/2012	6,330.00	.00	
Total 6639:				6,330.00	.00	
<b>6661</b>						
<b>ARCADIS US, INC</b>						
	0461871	RIFLE RRWPF PHASE II	07/13/2012	99,900.24	99,900.24	08/02/2012
	0461882	RIFLE RRWPF PHASE II	07/13/2012	4,619.59	4,619.59	08/02/2012
Total 6661:				104,519.83	104,519.83	
<b>6662</b>						
<b>STRAND, NELLIE</b>						
	072512	APPLICANCE REBATE PROGRA	07/25/2012	100.00	100.00	07/27/2012
Total 6662:				100.00	100.00	
<b>6663</b>						
<b>DOYLE, SONYA</b>						
	072312	APPLICANCE REBATE PROGRA	07/23/2012	100.00	100.00	07/27/2012
Total 6663:				100.00	100.00	
<b>6664</b>						
<b>GARAVAGLIA, JOHN</b>						
	063012	REIMBURSEMENT FUEL	06/30/2012	52.90	52.90	07/27/2012
Total 6664:				52.90	52.90	
<b>6665</b>						
<b>CHERYL AND COMPANY</b>						
	072312	RELEASE ABANDONED VEHICL	07/23/2012	170.00	170.00	07/27/2012
Total 6665:				170.00	170.00	
<b>6666</b>						
<b>GRAY, CHRISTI</b>						
	072012	REIMBURSEMENT CAMCA TRAI	07/20/2012	88.40	88.40	07/27/2012
Total 6666:				88.40	88.40	
<b>6667</b>						

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
HERNANDEZ, ALVARO	072712	APPLIANCE REBATE PROGRA	07/27/2012	100.00	100.00	08/03/2012
Total 6667:				100.00	100.00	
<b>6668</b>						
<b>BARNES ELECTRIC</b>	105373	SPORTFIELD LIGHTING REPAI	07/26/2012	1,722.26	.00	
Total 6668:				1,722.26	.00	
<b>6669</b>						
<b>SKAGGS</b>	1907717	ARMOR BODY -UNIFORMS	07/30/2012	1,668.00	.00	
Total 6669:				1,668.00	.00	
<b>6670</b>						
<b>RODCO CONCRETE, LLC</b>	468	REMOVAL ASPHALT, GRADING	06/15/2012	5,702.24	.00	
Total 6670:				5,702.24	.00	
Grand Totals:				1,343,113.85	1,138,535.3	

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

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

Report Criteria:

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



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August 9, 2012

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

Re: August 15, 2012 City Council Meeting

Dear Mayor Miller and Members of the Rifle City Council:

The purpose of this letter is to briefly outline items we worked on for the August 15, 2012 Rifle City Council Meeting. I will not be at your meeting, but Karl Hanlon will be in my stead.

1. Ordinance No. 17, Series of 2012 (Recording of Subdivision Plats). In conjunction with the Planning Commission, City staff has been working to address outstanding subdivision projects in the City, ranging from undeveloped subdivisions with unrecorded plats to completed projects with outstanding public improvement issues. As part of these efforts, staff proposes revisions to the Rifle Municipal Code that will encourage subdivision applicants to record final plats in a timely manner. Approved subdivisions without recorded final plats potentially result in clouds to title, unclear vested rights, and administrative burden. At its June 26, 2012 meeting, the Planning Commission recommended approval of Ordinance No. 17, Series of 2012, which would amend Section 16-4-440(e) of the Rifle Municipal Code (RMC”) to render final plat and related subdivision approvals void and ineffective if the applicant fails to submit all required documents, pay all applicable fees and charges, and satisfy any other conditions of approval within one year of the City Council’s approval of the final plat. The applicant may, however, request an extension of the approval within the one-year period for good cause shown. Upon timely submittal of such a request, the City Council would determine whether to extend the subdivision approval by resolution. The proposed revisions also clarify that the burden to record final plats is on the applicant, rather than on the City.

Ordinance No. 17 also proposes a companion amendment to RMC Section 16-11-70 stating that unless otherwise exempted or extended, failure to properly record all plats and agreements required to be recorded within one year of the final approval action will result in the forfeiture of vested property rights. Staff and the Council are always willing to work with developers to ensure approved subdivisions are constructed, and the amendments proposed by Ordinance No. 17 would provide clearer direction on delayed projects to both the City and applicants.

**KARP NEU HANLON, P.C.**

Mayor Jay Miller  
Rifle City Council  
Page 2

We recommend approval of Ordinance No. 17, Series of 2012 on second reading.

2. Ordinance No. 18, Series of 2012 (Increase Sales and Use Tax by 0.75% to fund Water Enterprise and New Water Treatment Plant). To assist the City's water customers with financing the construction of the new water treatment plant, Council has been discussing placing a sales tax ballot question at the November general election. Ordinance No. 18, Series of 2012 in your packet puts that question before the electorate and if approved, amends the Rifle Municipal Code accordingly. The Ordinance increases the City's sales and use tax by .75% effective on January 1, 2013 and it would terminate upon the repayment of the indebtedness that is financing the new treatment plant. Upon amendment of Ordinance No. 18 by Council on first reading, the sales tax rate was increased from .5% to .75% and changes to the ordinance shown as redline reflect that amendment. We also included a final draft of the Ordinance with all of the amendments accepted.

3. Rifle Heights Subdivision Third Amendment to SIA. The Third Amendment to the Subdivision Improvements Agreement ("SIA") for Rifle Heights Subdivision represents the latest agreement between the City and the developer regarding payment of the Whiteriver Avenue Costs required by the Annexation Agreement and SIA. The developer, Rifle Heights Land Company, LLC ("RHLC"), was obligated to pay the City \$159,101.70 for the construction of a portion of Whiteriver Avenue fronting the Property to City standards (the "Whiteriver Avenue Costs") within eighteen (18) months of the recording of the Phase 1 Final Plat. After RHLC failed to meet its obligation, the City subsequently extended the deadline twice. Following expiration of the second extension on August 21, 2011, the City recorded a Notice and Affidavit of Default against the property.

Since that time, the remaining unsold lots in Phase 1 and Phase 2 of the Rifle Heights Subdivision were acquired by a bank after RHLC's default, but two related entities—RH Holdings Co., LLC and RH Ventures, LLC— have been approved to reacquire the Property. In anticipation of the upcoming closing, City staff and the developer have proposed a new resolution to payment of the Whiteriver Avenue Costs that will permit the release of the Notice of Default. The Third Amendment included in your packets provides that the developer will pay the \$159,101.70, plus four percent (4%) interest commencing September 1, 2009 until paid as described in the Second Amendment to the SIA, in installments of \$5,000.00 prior to the conveyance of each lot in Phase 1 owned by the developer. To evidence the payment of the Whiteriver Avenue Costs for each lot and permit the conveyance such lots, the City Manager will execute a Release prior to closing. The Third Amendment further provides that the Whiteriver Avenue Costs must be paid in full prior to the approval of a Final Plat for the second phase of development in the Property. The sale of Phase 2 of the Rifle Heights Subdivision, or of any parcels or lots comprising the property other than Phase 1, to any purchaser will cause the entire remaining Whiteriver Avenue Costs to become immediately due and payable in full.

The developer's attorney, Barb Clifton, has submitted a letter dated August 7, 2012

**KARP NEU HANLON, P.C.**

Mayor Jay Miller  
Rifle City Council  
Page 3

requesting that the four percent (4%) interest fee be waived. As described above, the Third Amendment as drafted includes the 4% interest, which was agreed to by the developer in the Second Amendment to the SIA.

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

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127 E. 5th Street  
Rifle, CO 81650

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August 7, 2012

Matt Sturgeon, Assistant City Manager  
City of Rifle  
HAND DELIVERED

**RE: Rifle Heights Subdivision Improvements Agreement  
Request for Wavier of 4% Escalation Fee**

Dear Mr. Sturgeon:

As you know, I represent RH Ventures, LLC and its principal Ron Atkinson. Please consider this letter RH Ventures, LLC's request that the City waive the 4% escalation fee on the Whiteriver Avenue Costs. This request is based upon the following reasons:

- 1) According to City staff, the escalation fee was put in place in order to provide for an increase in construction costs over time. While the Cost of Living Index has increased since 2009, Mr. Atkinson's experience indicates that construction costs have actually decreased.
- 2) Improvements to Whiteriver Avenue have not yet taken place and the City has not yet spent monies on construction costs. If the Whiteriver Costs had been paid in 2009-2010, the City would have earned only bank-rate interest in the range of less than 1% per annum.
- 3) The Rifle Heights Subdivision has demonstrated that it is a quality project as one of the few projects in the area with new home and lot sales and the issuance of building permits during the last several years. In this market, however, minimizing the costs to a buyer/builder is the key to a successful project, the quicker repayment of the Whiteriver Costs, and the generation of income to the City from permit fees, etc.

We would be pleased to further discuss the reasons for this request at the City Council meeting on August 15, 2012. Thank you for your consideration.

Sincerely,

  
Barbara L. Clifton

**THIRD AMENDMENT TO  
SITE SPECIFIC DEVELOPMENT PLAN AND  
SUBDIVISION IMPROVEMENTS AGREEMENT  
FOR RIFLE HEIGHTS SUBDIVISION  
AND  
RELEASE OF NOTICE AND AFFIDAVIT OF DEFAULT**

**PHASE 1**

THIS AGREEMENT is made this \_\_\_ day of \_\_\_\_\_, 2012, by and between the CITY OF RIFLE, COLORADO, a Colorado municipal corporation whose address is P.O. Box 1908, Rifle, Colorado 81650 (hereinafter the “City” or “Rifle”), RH HOLDING CO., LLC, a Colorado limited liability company whose address is 8757 E. Wesley Drive, Denver, Colorado 80231, and RH VENTURES, LLC a Colorado limited liability company whose address is 8757 E. Wesley Drive, Denver, Colorado 80231 (hereinafter collectively “Developer”).

**WITNESSETH:**

WHEREAS, Developer is the owner of certain real property located in the City of Rifle, Colorado known as Rifle Heights Subdivision and described on Exhibit A attached hereto and incorporated herein by this reference (hereinafter the “Property”); and

WHEREAS, by Annexation Agreement dated August 27, 2007 and recorded as Reception No. 732100 in the Office of the Garfield County Clerk and Recorder (the “Annexation Agreement”), the City and Developer’s predecessor in interest Rifle Heights Land Company, LLC (“RHLC”) established certain terms and conditions for the annexation and development of the Property; and

WHEREAS, the City and RHLC subsequently entered into a Site Specific Development Plan and Subdivision Improvements Agreement for Phase 1 of the Property dated January 15, 2008, which Agreement is recorded in the Office of the Garfield County Clerk and Recorder at Reception No. 743334 (hereinafter the “Phase 1 SIA”); and

WHEREAS, the Final Plat for Phase 1 was recorded with the Garfield County Clerk and Recorder on February 21, 2008; and

WHEREAS, Paragraph 5 of the Annexation Agreement and Paragraph 4 of the Phase 1 SIA required RHLC to remit to the City \$159,101.70 for the construction of a portion of Whiteriver Avenue fronting the Property to City standards (the “Whiteriver Avenue Costs”) within eighteen (18) months of the recording of the Phase 1 Final Plat (which was August 21, 2009); and

WHEREAS, the City subsequently granted RHLC two extensions for payment of the Whiteriver Avenue Costs, most recently by approval of the Second Amendment to Site Specific Development Plan and Subdivision Improvements Agreement For Rifle Heights Subdivision on July 21, 2010 (the “Second Amendment”); and

WHEREAS, following expiration of the second extension to remit the Whiteriver Avenue Costs on August 21, 2011, the City recorded a Notice and Affidavit of Default for Rifle Heights Subdivision on November 11, 2011, which Notice and Affidavit of Default is recorded as Reception No. 810370 in the Office of the Garfield County Clerk and Recorder (the “Notice of Default”); and

WHEREAS, Developer has proposed a new resolution to payment of the Whiteriver Avenue Costs that will permit the release of the Notice of Default, and the City and Developer wish to establish the terms and conditions for such payment and release as set forth herein.

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. Payment of Whiteriver Avenue Costs. The City agrees to the following terms and conditions for payment of the Whiteriver Avenue Costs, as defined in the Phase 1 SIA and Second Amendment thereto.
  - a. Developer shall remit to the City \$159,101.70, plus four percent (4%) interest commencing September 1, 2009 until paid as described in the Second Amendment, for the construction of a portion of Whiteriver Avenue fronting the Property to City standards, which amount constitutes the Whiteriver Avenue Costs.
  - b. The Whiteriver Avenue Costs shall be paid in installments of \$5,000.00 prior to the conveyance of each lot in Phase 1 owned by Developer. To evidence the payment of the Whiteriver Avenue Costs for each lot and permit the conveyance of the lot, the City Manager shall execute a Release in the form attached hereto as Exhibit B and deliver said Release to the title company prior to closing.
  - c. The Whiteriver Avenue Costs shall be paid in full prior to the approval of a Final Plat for the second phase of development in the Property. The sale of Phase 2 of the Property, or of any parcels or lots comprising the Property other than Phase 1, to any purchaser shall cause the entire remaining Whiteriver Avenue Costs to become immediately due and payable in full.
3. Release of Affidavit and Notice of Default. As consideration for the payment of the Whiteriver Avenue Costs as described herein, the City hereby releases the Notice of Default and agrees and acknowledges that said Notice of Default shall be of no further force or effect.
4. Notice of Encumbrance. This Agreement shall serve as notice to Developer of the City’s right to payment of the Whiteriver Avenue Costs, which, if not paid by Developer shall become a lien on the Property.

5. Ratification. Except as expressly modified herein, the parties ratify and affirm the Phase 1 SIA and Second Amendment thereto.

6. Recordation. This Agreement shall be recorded in the records of the Garfield County Clerk and Recorder.

WHEREFORE, the parties hereto have executed this Second Amendment on the day and year first written above.

CITY OF RIFLE, COLORADO

By: \_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
Clerk

RH HOLDING CO., LLC

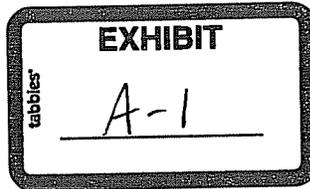
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

RH VENTURES, LLC

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

[Notaries on following page]





A PARCEL OF LAND SITUATE IN THE SW1/4NE1/4 SECTION 9, TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GARFIELD, STATE OF COLORADO, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 9, A 3 1/2" ALUMINUM CAP LS NO. 19598 IN PLACE; THENCE N45°47'16"E 1849.04 FEET TO A POINT ON THE EASTERLY LINE OF SAID SW1/4NE1/4 AND THE WESTERLY LINE OF ARABIAN HEIGHTS FILING NO. 2 AND THE SOUTHERLY RIGHT-OF-WAY OF 16TH STREET THE TRUE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY AND ALONG SAID EASTERLY LINE S00°39'57"E 1212.87 FEET; THENCE DEPARTING SAID EASTERLY LINE S89°19'23"W 42.39 FEET; THENCE S00°40'37"E 32.23 FEET TO A POINT ON THE NORTHERLY LINE OF THE SCALZO ADDITION; THENCE S89°12'11"W ALONG SAID NORTHERLY LINE A DISTANCE OF 970.18 FEET; THENCE DEPARTING SAID NORTHERLY LINE S00°44'46"E 28.00 FEET; THENCE S89°35'13"W 6.64 FEET; THENCE N00°15'06"E 32.53 FEET THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET AN ARC LENGTH OF 83.56 FEET (THE CHORD OF WHICH BEARS N13°55'52"E 82.77 FEET; THENCE N27°36'37"E 123.76 FEET; THENCE N00°23'21"W 238.03 FEET; THENCE S89°35'13"W 39.58 FEET; THENCE N28°06'26"W 88.99 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 20.15 FEET (THE CHORD OF WHICH BEARS N56°20'05"E 20.02 FEET); THENCE S35°59'08"E 96.26 FEET; THENCE S89°10'15"E 20.84 FEET; THENCE N48°28'03"E 167.21'; THENCE N68°20'02"E 127.25 FEET; THENCE N87°45'18"E 225.85 FEET; THENCE S89°02'19"E 154.52 FEET; THENCE N85°45'40"E 105.98 FEET; THENCE N01°34'09"E 65.40 FEET; THENCE N18°48'26"E 51.95 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 275.00 FEET AN ARC LENGTH OF 42.70 FEET (THE CHORD OF WHICH BEARS N83°52'10"W 42.65 FEET; THENCE N79°25'18"W 37.06 FEET; THENCE N01°34'23"E 92.75 FEET; THENCE N82°57'46"W 49.41 FEET; THENCE N08°01'00"W 69.23 FEET; THENCE N04°53'01"E 75.77 FEET; THENCE N10°45'12"E 99.75 FEET; THENCE N01°11'38"E 142.64 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY OF 16TH STREET; THENCE ALONG SAID RIGHT-OF-WAY N83°38'24"E 130.85 FEET; THENCE CONTINUING ALONG SAID RIGHT-OR-WAY N82°17'30"E 146.32 FEET TO THE TRUE POINT OF BEGINNING.

Less those portions of Tract A, Tract B and the streets dedicated to the City of Rifle as shown on the Final Plat of Rifle Heights Subdivision, Phase 1 recorded in the office of the Garfield County Clerk and Recorder as Reception No. 743333.

Except Lot 95, Rifle Heights Subdivision, Phase 1, conveyed in instrument recorded March 13, 2008 under Reception No. 744556 and released in instrument recorded March 24, 2008 under Reception No. 745139.

Except Lot 13, Rifle Heights Subdivision, Phase 1, conveyed in instrument recorded March 20, 2008 under Reception No. 744933 and released in instrument recorded March 28, 2008 under Reception No. 745603.

Except Lot 24, Rifle Heights Subdivision, Phase 1, conveyed in instrument recorded April, 3 2008 under Reception No. 745941 and released in instrument recorded September 27, 2010 under Reception No. 791963.

Except Lots 90 and 94, Rifle Heights Subdivision, Phase 1, conveyed in instrument recorded May 22, 2009 under Reception No. 768472 and released in instrument recorded March 9, 2010 under Reception No. 782986.

Except Lot 89, Rifle Heights Subdivision, Phase 1, conveyed in instrument recorded September 1, 2009 under Reception No. 774297 and released in instrument recorded September 3, 2009 under Reception No. 774418.

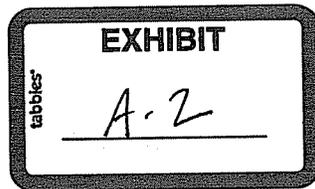
**Except Lot 91, Rifle Heights Subdivision, Phase 1, conveyed in instrument recorded September 23, 2010 under Reception No. 791327 and released in instrument recorded January 6, 2011 under Reception No. 796864.**

**Except Lots 38 and 40, Rifle Heights Subdivision, Phase 1, conveyed in instrument recorded December 22, 2010 under Reception No. 796178 and released in instrument recorded December 22, 2010 under Reception No. 796201.**

**Except Lot 87, Rifle Heights Subdivision, Phase 1, conveyed in instrument recorded January 21, 2011 under Reception No. 797804 and released in instrument recorded February 15, 2011 under Reception No. 798866.**

**Except Lot 88, Rifle Heights Subdivision, Phase 1, conveyed in instrument recorded October 15, 2010 under Reception No. 793049 and released in instrument recorded March 22, 2011 under Reception No. 800373.**

**Except Lot 92, Rifle Heights Subdivision, Phase 1, conveyed in instrument recorded March 1, 2011 under Reception No. 799497 and released in instrument recorded March 9, 2011 under Reception No. 799899.**



A PARCEL OF LAND SITUATE IN THE SW1/4NE1/4 SECTION 9, TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GARFIELD, STATE OF COLORADO, ALL BEARINGS RELATIVE TO A BEARING OF N00°23'21"W BETWEEN THE CENTER 1/4 CORNER OF SAID SECTION 9, A 3-1/2" ALUMINUM CAP LS NO. 19598 IN PLACE AND THE NORTH 1/4 CORNER OF SAID SECTION 9, A BRASS CAP IN MONUMENT BOX IN PLACE, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID CENTER 1/4 CORNER; THENCE N02°24'08"E 821.34 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY LINE OF A PARCEL OF LAND AS DESCRIBED IN BOOK 1051 AT PAGE 263 N89°36'39"E 460.00 FEET; THENCE DEPARTING SAID SOUTHERLY LINE AND ALONG THE EASTERLY LINE OF SAID PARCEL N00°23'21"W 430.71 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 16TH STREET; THENCE DEPARTING SAID EASTERLY LINE AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES:

- 1.) N68°00'35"E 67.01 FEET
- 2.) S47°33'26"E 68.86 FEET
- 3.) S89°30'09"E 125.30 FEET
- 4.) N87°41'04"E 175.37 FEET
- 5.) N83°38'24"E 146.20 FEET

TO A POINT ON THE WESTERLY LINE OF RIFLE HEIGHTS SUBDIVISION, PHASE 1, RECORDED AS RECEPTION NO. 743333 IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER'S OFFICE; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING NINETEEN (19) COURSES:

- 1.) S01°11'38"W 142.64 FEET
- 2.) S10°45'12"W 99.75 FEET
- 3.) S04°53'01"W 75.77 FEET
- 4.) S08°01'00"E 69.23 FEET
- 5.) S82°57'46"E 49.41 FEET
- 6.) S01°34'23"W 92.75 FEET
- 7.) S79°25'18"E 37.06 FEET
- 8.) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 275.00 FEET, AN ARC LENGTH OF 42.70 FEET (CHORD BEARS S83°52'10"E 42.65 FEET)
- 9.) S18°48'26"W 51.95 FEET
- 10.) S01°34'09"W 65.40 FEET
- 11.) S85°45'40"W 105.98 FEET
- 12.) N89°02'19"W 154.52 FEET
- 13.) S87°45'18"W 225.85 FEET
- 14.) S68°20'02"W 127.25 FEET
- 15.) S48°28'03"W 167.21 FEET
- 16.) N89°10'15"W 20.84 FEET
- 17.) N35°59'08"W 96.26 FEET
- 18.) ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 20.15 FEET (CHORD BEARS S56°20'05"W 20.02 FEET)
- 19.) S28°06'26"E 88.99 FEET

THENCE DEPARTING SAID WESTERLY LINE S89°35'13"W 320.42 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF WHITERIVER AVENUE; THENCE N00°23'21"W 360.35 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE TRUE POINT OF BEGINNING.

**EXHIBIT B**

**RELEASE AND ACKNOWLEDGMENT OF PAYMENT  
OF  
WHITERIVER AVENUE COSTS  
RIFLE HEIGHTS SUBDIVISION**

This RELEASE is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the City of Rifle, Colorado.

In consideration of payment of the per-lot Whiteriver Avenue Costs as specified in the Third Amendment to Site Specific Development Plan and Subdivision Improvements Agreement for Rifle Heights Subdivision and Release of Notice and Affidavit of Default dated \_\_\_\_\_, 2012 and recorded as Reception No. \_\_\_\_\_ in the Office of the Garfield County Clerk and Recorder (the "Third Amendment") for the following real property located in the City of Rifle, Colorado:

Lot(s) \_\_\_\_\_, Phase 1, Rifle Heights Subdivision,

the City of Rifle hereby acknowledges and agrees that said Lot(s) are in satisfaction of the requirements of Section 2 of the Third Amendment and may be conveyed free and clear of further obligation to the City with respect to the Whiteriver Avenue Costs.

CITY OF RIFLE, COLORADO

\_\_\_\_\_  
City Manager

**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 17  
SERIES OF 2012**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING  
SECTIONS 16-5-440 AND 16-11-70 OF THE RIFLE MUNICIPAL CODE  
REGARDING THE RECORDING OF FINAL SUBDIVISION PLATS.

WHEREAS, Section 16-5-440 of the Rifle Municipal Code (“RMC”) governs the Rifle City Council’s review and approval of final subdivision plans; and

WHEREAS, the City of Rifle currently has on its books several projects for which final subdivision plans were approved in the manner provided in RMC Section 16-5-440 but for which final plats were never submitted to the City for recording in the Office of the Garfield County Clerk and Recorder in conformance with RMC Section 16-5-440(e) and (f) or otherwise recorded by the developer; and

WHEREAS, the City wishes to discourage the practice of obtaining final subdivision plan approval but withholding recording of plats, as it adversely impacts both private and public interests related to notice, middle and long range planning, and timely construction of anticipated public improvements; and

WHEREAS, City staff recommends amending RMC Section 16-5-440 to impose a one-year time limit on the recording of final plats from the date of final approval, after which time the approval for such plats shall be rendered void and ineffective, and correspondingly amending RMC Section 16-11-70 to cite to the one-year recording deadline in reference to the creation of vested rights; and

WHEREAS, the Rifle City Council finds and determines that the best interests of Rifle citizens will be served by amending RMC Sections 16-5-440 and 16-11-70 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 16-5-440(f) of the Rifle Municipal Code is hereby amended to read as follows, with deletions shown in strike-through text and additions in bold, double-underlined text.

**16-5-440. City Council review of final subdivision plans.**

\* \* \*

(f) Recording and filing requirement. ~~The City Clerk shall cause the final plat to be recorded with the County Clerk and Recorder and shall return one blue line copy with all executed signatures to the subdivider within thirty (30) days of approval by the City Council.~~

~~The City Clerk shall also file copies of the plat and annexation ordinances (if appropriate) as required by state statute.~~ **Within one year of the date of final subdivision plan approval by the City Council, the applicant shall submit to the City a final plat to be recorded with the County Clerk and Recorder. The final plat submittal shall include two complete reproducible mylar copies of the final plat together with all required documents, including all required signatures thereto, and payment of all applicable fees and charges and satisfaction of all other conditions of approval. Failure of the applicant to timely meet this submittal deadline shall cause the final plat and any related subdivision approvals to become void and ineffective unless the City Council extends such approval by resolution in its sole discretion within the one-year period following the applicant presenting good cause to support such extension.**

Section 3. Section 16-11-70 of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in bold, double-underlined text.

**16-11-70. Duration of approval; effective date; effect on prior approvals; extensions.**

Approval by the City Council of a site specific development plan pursuant to this Article shall operate to grant vested rights for a period of three (3) years from the date of the City Council's final approval action, unless a longer or shorter period is requested by the applicant and is approved by the City Council in its sole discretion. **Unless otherwise exempted or extended, failure to properly record all plats and agreements required to be recorded, as specified herein, within one year of the final approval action shall result in the forfeiture of vested property rights and shall render the final approval void and ineffective.** In the event amendments to the site specific development plan are proposed and approved, the effective date of such amendments, for the purpose of the duration of the vested property right, shall be the date of the approval of the original site specific development plan, unless the City Council specifically finds to the contrary and incorporates such findings in its approval of the amendment. If and only if vested rights are approved by the City Council pursuant to this Section, such approval shall automatically extend the duration of the approval periods described in Sections 16-5-290(a)(2) and (a)(4) of this Chapter for preliminary subdivision plans or planned unit development preliminary plans, as applicable, so that such approval periods shall expire at the same time as any vested rights granted pursuant to this Section. If the property owner or his or her successors or assigns fails to submit a complete application for approval of a final subdivision plan or planned unit development final development plan within the vested rights period, then any and all prior approvals for the property shall automatically expire at the end of the vested rights period, and any development or subdivision of the property shall require recommencement of the entire process described in this Chapter. For good cause shown, upon application filed pursuant to this Chapter prior to the expiration of the approved vested rights period, the vested rights period may be extended once for up to one (1) year.

Section 4. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Rifle City

Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED on August 1, 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 August 15, 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. 18  
SERIES OF 2012**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, TO PROVIDE FOR AN INCREASE IN SALES AND USE TAX BY ~~ONE-HALFTHREE-QUARTER~~ PERCENT (0.75%) TO FUND THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES AND SUBMITTING THIS ORDINANCE FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE NOVEMBER 2012 GENERAL ELECTION.

WHEREAS, on July 6, 1965, the qualified electors of the City of Rifle, Colorado, approved Ordinance No. B-14, imposing a one percent (1.0%) retail sales tax; and

WHEREAS, this Ordinance is now contained and codified within Title IV, Chapter 4-2 of the Rifle Municipal Code (the "RMC"), wherein it is referred to as "Retail Sales and Use Tax"; and

WHEREAS, the Retail Sales and Use Tax was amended by the qualified electors of the City of Rifle voting on the imposition of an additional one percent (1.0%) sales tax at the regular municipal election held in September 1973; and

WHEREAS, the Retail Sales and Use Tax was further amended by the qualified electors of the City of Rifle voting on the imposition of an additional one-half percent (0.5%) sales tax at the regular municipal election held in September 1987; and

WHEREAS, the Retail Sales and Use Tax was further amended by the qualified electors of the City of Rifle voting on the imposition of an additional one percent (1.0%) sales and use tax at the regular municipal election held in September 2005 to fund recreation programs and facilities, parks, trails, and open space purposes; and

WHEREAS, to meet the current and future water service needs of the City, the City Council has committed to incur indebtedness to construct a new water treatment plant and appurtenant facilities; and

WHEREAS, to lessen the burden on water utility rate payers, the City Council desires to increase the sales and use tax by ~~one-halfthree-quarter~~ percent (0.75%) and specifically commit those revenues to repay the indebtedness related to those capital facilities, with such sales and use tax increase terminating upon the repayment of the indebtedness; and

WHEREAS, in order to provide for those purposes, the Council has determined that it is necessary to submit to the registered voters of the City of Rifle the question of whether to amend the RMC to increase the sales tax and use tax by ~~one-halfthree-quarter~~ percent (0.75 %), which question will be submitted to the registered voters at the general election to be held on November 6, 2012.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO,

ORDAINS THAT:

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

Section 2. Purpose. The purpose of this Ordinance is to impose an additional ~~one-half~~three-quarter percent (0.75 %) tax on retail sales and on certain services by amending the present Retail Sales and Use Tax provisions, and to provide for the use of the proceeds thereof to repay the indebtedness related to the construction of a new water treatment plant and appurtenant facilities (the "Water Sales Tax"). The Water Sales Tax shall terminate upon the repayment of any such indebtedness incurred for the construction of such new water treatment facilities.

Section 3. Subject to registered voter approval, the first clause of Section 4-2-110 of the RMC relating to the amount of sales tax imposed on the transactions set forth therein is hereby repealed and re-enacted as follows:

**Section 4-2-110 Sales tax imposed upon certain transactions, property and services.**

There is hereby levied a tax in an amount equal to four and one-quarter percent (4.025%) of the amount of the sale, which shall be imposed upon:

\* \* \*

Section 4. Subject to registered voter approval, subsection (a) of Section 4-2-210 of the RMC relating to the amount of use tax imposed on the transactions set forth therein is hereby repealed and re-enacted as follows:

**Section 4-2-210 Use tax on certain transactions, property and services.**

(a) A use tax of four and one-quarter percent (4.025%) of the retail purchase price of all the tangible personal property described in this section shall be payable to and collected by the Finance Director.

Section 5. Subject to registered voter approval, Section 4-2-40 of the RMC is amended by the addition of the following subsection (c) and amending current subsection (c) and renumbering it as subsection (d) as follows:

**Section 4-2-40 Tax revenues pledged for certain purposes.**

\*\*\*

(c) The proceeds of the ~~one-half~~three-quarter percent (0.75%) increase in sales and use tax imposed by Ordinance No. 18, Series of 2012, shall be used solely for the construction of new

water treatment facilities either by direct expenditure or the payment of principal and interest on indebtedness incurred for the construction of new water treatment facilities with such ~~one-half~~three-quarter percent (0.75%) sales and use tax terminating upon the repayment of any such indebtedness incurred for the construction of new water treatment facilities.

(d) Three and one-third percent (3 $\frac{1}{3}$ %) of sales tax revenues not specifically allocated by Subsections (a), ~~and~~ (b) and (c) above shall be used solely for the development and encouragement of tourism and industry within the City, including but not specifically limited to the construction, operation and maintenance of the Rifle Information Center, as determined by the budget process by the City Council.

Section 6. Effective Date. If approved as hereinafter set forth, this Ordinance and the taxes imposed hereby shall become effective for all sales which occur from and after January 1, 2013.

Section 7. Submission to Voters. This ordinance shall be submitted to, and must receive the approval of a majority, of the registered voters of the City of Rifle voting on the question of approving the foregoing amendment to the RMC regarding an increase in the sales and use tax by ~~one-half~~three-quarter percent (0.75 %) at the general election which shall be held on Tuesday, November 6, 2012. As near as practical, this election shall be held in compliance with the Colorado Municipal Election Code, as amended.

Section 8. Publication and Ballot Form. The City Clerk shall cause a notice of election for the following ballot question to be published as part of the general election publication published in The Citizen Telegram in substantially the following form at least 30 days prior to the election, on or before October 3, 2012:

**NOTICE OF BALLOT QUESTION CONCERNING AN INCREASE IN SALES AND USE TAX BY ~~ONE-HALF~~THREE-QUARTER PERCENT (0.75%) FROM THREE AND ONE-HALF PERCENT (3.5%) TO FOUR ~~AND ONE-QUARTER~~ PERCENT (4.025%) TOTAL, WHICH ~~ONE-HALF~~THREE-QUARTER PERCENT (0.75%) INCREASE SHALL BE DEDICATED EXCLUSIVELY TO REPAY THE INDEBTEDNESS INCURRED FOR THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES.**

**NOTICE IS HEREBY GIVEN that an election will be held on Tuesday, November 6, 2012, between the hours of 7:00 a.m. and 7:00 p.m. at the polling places established for Rifle, Colorado. At this election, the following question shall be submitted to the registered voters of the City of Rifle:**

**A. “SHALL THE CITY OF RIFLE SALES AND USE TAXES BE INCREASED BY NOT MORE THAN \$1,10650,000 IN THE**

**FIRST FULL FISCAL YEAR, AND BY SUCH ADDITIONAL AMOUNTS AS ARE GENERATED ANNUALLY THEREAFTER, BY AN INCREASE IN CITY SALES AND USE TAX BY ~~ONE-HALFTHREE-QUARTER~~ PERCENT (0.75%) FROM THREE AND ONE-HALF PERCENT (3.5%) TO FOUR AND ONE-QUARTER PERCENT (4.025%) TOTAL, WHICH INCREASE SHALL TAKE EFFECT ON JANUARY 1, 2013, AND WHICH REVENUES THEREFROM, TOGETHER WITH INVESTMENT EARNINGS THEREON, SHALL BE USED SOLELY TO FUND THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES EITHER BY DIRECT EXPENDITURE OR THE PAYMENT OF PRINCIPAL AND INTEREST ON INDEBTEDNESS INCURRED FOR THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES WITH SUCH ~~ONE-HALFTHREE-QUARTER~~ PERCENT (0.75%) SALES AND USE TAX TERMINATING UPON THE REPAYMENT OF SUCH INDEBTEDNESS INCURRED FOR THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES,**

**AND SUCH REVENUES TO BE COLLECTED BY THE CITY AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?"**

Section 9. Application. Upon passage of this Ordinance and voter approval at the subject election, the increase in the sales and use tax shall apply to all retail sales and certain services which occur on or after January 1, 2013, as provided by C.R.S. §29-2-106(2). Upon approval of this Ordinance by the registered voters, the City Clerk shall transmit a certified copy hereof to the Executive Director of the Department of Revenue, and to the Garfield County Clerk and Recorder as provided by C.R.S. §29-2-106(7), as amended.

Section 10. TABOR Notice. At least thirty (30) days prior to the election, on or before October 3, 2012, the City Clerk shall mail at the least cost, a titled notice or set of notices addressed to "All Registered Voters" at each address of one or more active registered voters concerning the ballot question referenced in this Ordinance No. 18, Series of 2012. The notice shall be entitled "**NOTICE OF ELECTION TO INCREASE TAXES.**" The notice shall also include all information required by Article X, Section 20 (3)(b) ("The Taxpayer's Bill of Rights").

INTRODUCED on August 1, 2012, read by title, passed on first reading with amendments,

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 August 15, 2012, passed with ~~out~~ 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. 18**  
**SERIES OF 2012**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, TO PROVIDE FOR AN INCREASE IN SALES AND USE TAX BY THREE-QUARTER PERCENT (0.75%) TO FUND THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES AND SUBMITTING THIS ORDINANCE FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE NOVEMBER 2012 GENERAL ELECTION.

WHEREAS, on July 6, 1965, the qualified electors of the City of Rifle, Colorado, approved Ordinance No. B-14, imposing a one percent (1.0%) retail sales tax; and

WHEREAS, this Ordinance is now contained and codified within Title IV, Chapter 4-2 of the Rifle Municipal Code (the "RMC"), wherein it is referred to as "Retail Sales and Use Tax"; and

WHEREAS, the Retail Sales and Use Tax was amended by the qualified electors of the City of Rifle voting on the imposition of an additional one percent (1.0%) sales tax at the regular municipal election held in September 1973; and

WHEREAS, the Retail Sales and Use Tax was further amended by the qualified electors of the City of Rifle voting on the imposition of an additional one-half percent (0.5%) sales tax at the regular municipal election held in September 1987; and

WHEREAS, the Retail Sales and Use Tax was further amended by the qualified electors of the City of Rifle voting on the imposition of an additional one percent (1.0%) sales and use tax at the regular municipal election held in September 2005 to fund recreation programs and facilities, parks, trails, and open space purposes; and

WHEREAS, to meet the current and future water service needs of the City, the City Council has committed to incur indebtedness to construct a new water treatment plant and appurtenant facilities; and

WHEREAS, to lessen the burden on water utility rate payers, the City Council desires to increase the sales and use tax by three-quarter percent (0.75%) and specifically commit those revenues to repay the indebtedness related to those capital facilities, with such sales and use tax increase terminating upon the repayment of the indebtedness; and

WHEREAS, in order to provide for those purposes, the Council has determined that it is necessary to submit to the registered voters of the City of Rifle the question of whether to amend the RMC to increase the sales tax and use tax by three-quarter percent (0.75 %), which question will be submitted to the registered voters at the general election to be held on November 6, 2012.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

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

Section 2. Purpose. The purpose of this Ordinance is to impose an additional three-quarter percent (0.75 %) tax on retail sales and on certain services by amending the present Retail Sales and Use Tax provisions, and to provide for the use of the proceeds thereof to repay the indebtedness related to the construction of a new water treatment plant and appurtenant facilities (the “Water Sales Tax”). The Water Sales Tax shall terminate upon the repayment of any such indebtedness incurred for the construction of such new water treatment facilities.

Section 3. Subject to registered voter approval, the first clause of Section 4-2-110 of the RMC relating to the amount of sales tax imposed on the transactions set forth therein is hereby repealed and re-enacted as follows:

**Section 4-2-110 Sales tax imposed upon certain transactions, property and services.**

There is hereby levied a tax in an amount equal to four and one-quarter percent (4.25%) of the amount of the sale, which shall be imposed upon:

\* \* \*

Section 4. Subject to registered voter approval, subsection (a) of Section 4-2-210 of the RMC relating to the amount of use tax imposed on the transactions set forth therein is hereby repealed and re-enacted as follows:

**Section 4-2-210 Use tax on certain transactions, property and services.**

(a) A use tax of four and one-quarter percent (4.25%) of the retail purchase price of all the tangible personal property described in this section shall be payable to and collected by the Finance Director.

Section 5. Subject to registered voter approval, Section 4-2-40 of the RMC is amended by the addition of the following subsection (c) and amending current subsection (c) and renumbering it as subsection (d) as follows:

**Section 4-2-40 Tax revenues pledged for certain purposes.**

\*\*\*

(c) The proceeds of the three-quarter percent (0.75%) increase in sales and use tax imposed by Ordinance No. 18, Series of 2012, shall be used solely for the construction of new water treatment facilities either by direct expenditure or the payment of principal and interest on

indebtedness incurred for the construction of new water treatment facilities with such three-quarter percent (0.75%) sales and use tax terminating upon the repayment of any such indebtedness incurred for the construction of new water treatment facilities.

(d) Three and one-third percent (3 $\frac{1}{3}$ %) of sales tax revenues not specifically allocated by Subsections (a), ~~and~~ (b) and (c) above shall be used solely for the development and encouragement of tourism and industry within the City, including but not specifically limited to the construction, operation and maintenance of the Rifle Information Center, as determined by the budget process by the City Council.

Section 6. Effective Date. If approved as hereinafter set forth, this Ordinance and the taxes imposed hereby shall become effective for all sales which occur from and after January 1, 2013.

Section 7. Submission to Voters. This ordinance shall be submitted to, and must receive the approval of a majority, of the registered voters of the City of Rifle voting on the question of approving the foregoing amendment to the RMC regarding an increase in the sales and use tax by three-quarter percent (0.75 %) at the general election which shall be held on Tuesday, November 6, 2012. As near as practical, this election shall be held in compliance with the Colorado Municipal Election Code, as amended.

Section 8. Publication and Ballot Form. The City Clerk shall cause a notice of election for the following ballot question to be published as part of the general election publication published in The Citizen Telegram in substantially the following form at least 30 days prior to the election, on or before October 3, 2012:

**NOTICE OF BALLOT QUESTION CONCERNING AN INCREASE IN SALES AND USE TAX BY THREE-QUARTER PERCENT (0.75%) FROM THREE AND ONE-HALF PERCENT (3.5%) TO FOUR AND ONE-QUARTER PERCENT (4.25%) TOTAL, WHICH THREE-QUARTER PERCENT (0.75%) INCREASE SHALL BE DEDICATED EXCLUSIVELY TO REPAY THE INDEBTEDNESS INCURRED FOR THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES.**

**NOTICE IS HEREBY GIVEN that an election will be held on Tuesday, November 6, 2012, between the hours of 7:00 a.m. and 7:00 p.m. at the polling places established for Rifle, Colorado. At this election, the following question shall be submitted to the registered voters of the City of Rifle:**

- A. “SHALL THE CITY OF RIFLE SALES AND USE TAXES BE INCREASED BY NOT MORE THAN \$1,650,000 IN THE FIRST FULL FISCAL YEAR, AND BY SUCH ADDITIONAL**

**AMOUNTS AS ARE GENERATED ANNUALLY THEREAFTER, BY AN INCREASE IN CITY SALES AND USE TAX BY THREE-QUARTER PERCENT (0.75%) FROM THREE AND ONE-HALF PERCENT (3.5%) TO FOUR AND ONE-QUARTER PERCENT (4.25%) TOTAL, WHICH INCREASE SHALL TAKE EFFECT ON JANUARY 1, 2013, AND WHICH REVENUES THEREFROM, TOGETHER WITH INVESTMENT EARNINGS THEREON, SHALL BE USED SOLELY TO FUND THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES EITHER BY DIRECT EXPENDITURE OR THE PAYMENT OF PRINCIPAL AND INTEREST ON INDEBTEDNESS INCURRED FOR THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES WITH SUCH THREE-QUARTER PERCENT (0.75%) SALES AND USE TAX TERMINATING UPON THE REPAYMENT OF SUCH INDEBTEDNESS INCURRED FOR THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES,**

**AND SUCH REVENUES TO BE COLLECTED BY THE CITY AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?"**

Section 9. Application. Upon passage of this Ordinance and voter approval at the subject election, the increase in the sales and use tax shall apply to all retail sales and certain services which occur on or after January 1, 2013, as provided by C.R.S. §29-2-106(2). Upon approval of this Ordinance by the registered voters, the City Clerk shall transmit a certified copy hereof to the Executive Director of the Department of Revenue, and to the Garfield County Clerk and Recorder as provided by C.R.S. §29-2-106(7), as amended.

Section 10. TABOR Notice. At least thirty (30) days prior to the election, on or before October 3, 2012, the City Clerk shall mail at the least cost, a titled notice or set of notices addressed to "All Registered Voters" at each address of one or more active registered voters concerning the ballot question referenced in this Ordinance No. 18, Series of 2012. The notice shall be entitled "**NOTICE OF ELECTION TO INCREASE TAXES.**" The notice shall also include all information required by Article X, Section 20 (3)(b) ("The Taxpayer's Bill of Rights").

INTRODUCED on August 1, 2012, read by title, passed on first reading with amendments, 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 August 15, 2012, passed with 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

August 9, 2012



**Rifle City Council**  
Attn: Mayor Jay Miller

Dear Mayor and Council,

This is to present for the purpose of Award of Contract and agreement between the City of Rifle and FRONTIER PAVING, INC., for the purposes of a mill-and-overlay project for a significant portion of Airport Road. Bid documents were prepared and bids submitted by three qualified bidders, of which Frontier was low. Their bid was in order and complete.

As you are aware this project has available to it GCFML Grant monies. The bids were low enough that we are in negotiation with Frontier for an expansion of the extent of work to take the overlay project further to the east, improving the heavily used industrial and commercial arterial street.

The bid tabulation is attached for your review.

Respectfully,

A handwritten signature in blue ink that reads "Rick L. Barth".

Rick L. Barth, P.E.  
City Engineer  
Rifle, CO



## 2012 Airport Road improvement

City of Rifle, Colorado

### Bid Schedule D- Airport Rd

				United Companies		Frontier Paving		Grand River Construction	
Pay Item	Description	Unit	Est. Qty.	Unit Price	Amount of Bid	Unit Price	Amount of Bid	Unit Price	Amount of Bid
1	Mobilization	LS	1	\$16,500.00	\$16,500.00	\$4,025.00	\$4,025.00	\$10,000.00	\$10,000.00
2	Traffic Control	LS	1	\$23,000.00	\$23,000.00	\$10,000.00	\$10,000.00	\$16,475.00	\$16,475.00
3	Sawcutting	LF	300	\$1.00	\$300.00	\$0.00	\$0.00	\$0.01	\$3.00
4	Rotomill 2" of Asphalt, deliver to City property,	SY	11000	\$1.95	\$21,450.00	\$1.20	\$13,200.00	\$1.25	\$13,750.00
5	Striping Sherwin-Williams Hotline Waterborne	LS	1	\$5,600.00	\$5,600.00	\$10,900.00	\$10,900.00	\$12,100.00	\$12,100.00
6	Water Valve Box adjustment, 1"	EA	9	\$340.00	\$3,060.00	\$65.00	\$585.00	\$65.00	\$585.00
7	Synthetic mat, AASHTO M288 equivalent nonwoven paving fabric, 4.1 oz/yd	SY	11000	\$2.05	\$22,550.00	\$2.50	\$27,500.00	\$3.50	\$38,500.00
8	3" HBP, 64-22, single course	SY	11000	\$14.40	\$158,400.00	\$14.20	\$156,200.00	\$14.55	\$160,050.00
9	Minor Contract Revisions	DOL	15000	\$1.00	\$15,000.00	\$1.00	\$15,000.00	\$1.00	\$15,000.00
<b>Total</b>				Estimate	<b>\$265,860.00</b>	Estimate	<b>\$237,410.00</b>	Estimate	<b>\$266,463.00</b>
Local Preference				0%	\$0.00	2%	\$4,748.20	2%	\$5,329.26
Total					\$265,860.00		\$232,661.80		\$261,133.74

PROJECT: A mill and overlay of Airport Road from the concrete transition near Alpine Bank and going as far east as we can go. Frontier is low bidder and appears to have all their documents in order. We have applied with the County, the provider of the FML grant, to expand the scope to use more of the available grant monies. We are negotiating to see if we can extend to the east Wal Mart entry.



## MEMORANDUM

To: John Hier, City Manager  
From: Charles Kelty, Finance Director *ck*  
Date: August 9, 2012  
Subject: Sales Tax Compliance/Education Recommendation

I have received and reviewed proposals from three firms which provide Sales Tax Compliance/Education services for government entities. The primary purpose for these services will be to assist the City of Rifle with developing a Sales Tax Education program for local vendors. However, there will be an audit component included with these services.

I am recommending the City engages two firms to assist me with developing this program. A local firm in Grand Junction, James P. Flynn, Certified Public Accountant, will assist with the compliance/education component as well as coordinating audits with selected smaller local vendors. James P. Flynn, CPA provides services at an hourly rate of \$97.50 plus reimbursable travel expenses.

The second firm is Revenue Recovery Group, Inc., which will coordinate audits of the larger national chains that have a local presence. Revenue Recovery Group, Inc. offers services at an hourly rate of \$135.00 plus reimbursable travel expenses.

The Finance Department included in its 2012 Budget \$5,000 for this project.

I respectfully request City Council's permission to engage these two companies.





## MEMORANDUM

To: City Manager Hier, Mayor Miller and City Council

From: Mike Braaten, Government Affairs Coordinator

Date: August 9, 2012

Re: Staff Report

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### Statewide Ballot information

There will likely be four statewide ballot issues on the ballot in November. The following have met the filing requirements, however numbers 3 and 4 below are yet to have the signatures counts certified. Please let me know should City Council care to take a position on any of the items.

1. Legislative Referred measure to reform the State's Personnel System (**Amendment 5**)
2. Legalization of small amounts of Marijuana (**Amendment 64**)
3. Definition of Personhood - beginning at conception. (Under Signature Review)
4. Overturn Citizen's United Supreme Court Ruling - mandates for Colorado Congressional delegation and the state legislature relating to removing corporate funds from elections. (Under Signature Review)

Draft 2012 Blue Book/Ballot information is available at the following link:

<http://www.leg.state.co.us/LCS/Initiative%20Referendum/1112initrefr.nsf/Ballot%20Analysis?OpenView>

### Governor's Office undertaking a "prison utilization study"

The Governor's Office of State Planning and Budgeting is undertaking a state legislature mandated study of the Dept. of Corrections facilities (including contract private prisons) and usage, called the Prison Utilization Study. This study will analyze populations, costs, impacts to communities, potential for re-use, etc. There is some speculation that this will lead to closures and consolidations and could include the Rifle Correctional Center. Staff has had discussions with the Rifle Area Chamber of Commerce and Commissioner Mike Samson on this issue. Staff is still gathering information, but may propose a joint letter of the three entities to the Governor's Office to convey our concerns with the study and the impact the RCC has within our County.

Final numbers energy employment numbers will be available when direct distributions are announced on August 31<sup>st</sup>.

### Grant Applications submitted and being planned.

Staff has submitted two grant proposals in the last week. The first being a \$10,000 request (maximum request allowed) to aid in the renovation of the Ute Theater and the second being a small \$2,500 request to Natural Soda to sponsor the 2012 Rifle Fall Festival.

Staff will soon be meeting to discuss projects to submit to the Garfield County Federal Mineral Lease District (Fall grant round opens Aug. 16<sup>th</sup>) and the Dept. of Local Affairs Energy Impact Grant Program which recently opened a grant cycle with grant applications due Dec. 3, 2012.

#### **Rifle Day Care Center discussion**

The Department of Local Affairs, in collaboration with the Colorado Dept. of Human Services recently called together two meetings exploring the potential development of a new day care center in Rifle. DOLA has funding for construction or remodeling of a facility through federal community development block grant funding (CDBG) and the State recognizes the need with the closure of Summit, limited infant home care, and the fast approaching inauguration of the 4-day school week for RE-2. Staff continues to help DOLA and approach interested parties, but the issue will languish without a champion. In addition to those listed, also involved in the discussion has been Garfield County Human Services, CMC, the Early Childhood Network, among others. Staff has also discussed the issue with Commissioner Mike Samson and has made an initial contact with Catholic Charities on the issue as well. Staff will continue to report on the matter as more develops.

#### **CDOT Relinquishment**

Land Surveying work is completed and staff has planning another meeting with CDOT Region 3 staff on Aug. 30 to further discuss potential terms of relinquishment of the Hwy 13 bridge surface/entrance into Rifle and the park and ride lot. Staff will report back to Council as more information becomes available.

#### **DOLA Energy Employee Counts and Direct Distribution**

I participated on the statewide DOLA energy employee oversight committee in July. The number of energy employees residing within the boundaries of counties and municipalities is one of the factors used in distribution of state severance tax and federal mineral lease direct payments to local governments. Although the final figures are still being verified, the state realized an increase in energy employees, primarily concentrated primarily along the Front Range. However, both Garfield County and Rifle saw a fairly significant increase in energy employees residing within their boundaries. In addition to the growth of energy development (specifically: Oil in the Front Range), there is speculation that companies working in Garfield County have improved their reporting and encouraging their subcontractors to report.

#### **REDC/Main Street discussion**

Staff has been participating in discussions with the Board and Staff and participated in meetings with the RREDC, DOLA, DDA, and the Chamber in moving forward with a formal Main Street program that would be administered by RREDC. A workshop with Council is scheduled for Aug. 15 to discuss the Rifle/RREDC Main Street concept with City Council.

#### **COGCC Hires New Director**

Matthew Lepore, a former Colorado Deputy Attorney General, and Lawyer for the COGCC will soon take over as the new Executive Director of the Colorado Oil and Gas Conservation Commission (COGCC). He comes to the COGCC after working for Beatty and Wozniak – a Denver law firm.

## City of Rifle

# Utility Department News

- A press release on August 2, 2012, lifted restrictions on water use for irrigation. However citizens will be reminded that water conservation is important and any reduction in use will assist the City in meeting demands.
- Water production in June, prior to the irrigation restrictions, was higher than the same month for the previous nine years. A total of 99,000,000 gallons was produced and delivered to the residents. In July, due to the restrictions, the demand dropped by 9% to about 93,000,000 gallons.
- Nine contractors were notified they were prequalified to bid on the new water treatment plant. One is headquartered in Arizona, two in Utah and remaining firms are located in Colorado.
- The Utility Department converted two new trucks to CNG-Bi-Fuel through a grant from Encana in the amount of \$27,500. The trucks will be used by the water division and the collection/distribution division. The two older trucks were retired from the fleet. CNG fuel is about \$1.00 less per gallon than diesel and the savings each year will be about \$4,000-\$5,000.
- The Source Water Protection Plan for the Colorado River and Beaver Creek Watersheds is nearing completion by the Colorado Rural Water Association and will be presented to Garfield County Commissioners on August 20th. Five public water supply organizations, Rifle, New Castle, Parachute, Silt and Talbott Enterprises, have met together over the past year in preparation of the Plan.
- Congratulations are in order for Marsha McCormick and Trish Manuppella of the Wastewater Division, who recently passed the exam for wastewater treatment operator, Class D. This is the first examination towards the Class A wastewater license.
- A workshop, Water Quality and Distribution System Essentials, will be presented at Rifle City Hall on August 28-29 for water system operators in Colorado. Items to be taught include Monitoring to protect Public Health, Disinfection, Cross Connection Control, Unidirectional Flushing (a demonstration by the Rifle crew), Emergency Planning and Water Quality Parameters.

August 15, 2012