



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

City Hall
City Council Chambers
202 Railroad Avenue
Rifle, CO

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Comcast Channel 10

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**REGULAR MEETING
September 5, 2012**

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

- 6:00 P.M. Garfield Clean Energy 2012 Progress Report and 2013 Scope and Budget Target (Tom Baker and Jeff Dickinson)
- 6:30 P.M. Discuss installation of Solar PPA (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 15, 2012 Regular Meeting
 - B. Liquor License Renewal – Wal-Mart
 - C. Liquor Licensee Trade Name Change – Wal-Mart
 - D. Stipulation with Black Diamond Minerals, LLC and Proposed Decree in District Court, Water Division 5, Case No. 10CW297
 - E. July 2012 Sales Tax Report
 - F. July 2012 Financial Report
 - G. 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. Administer oath of office to Police Chief John Dyer with Change of
Command Ceremony (Mayor Miller)
- 7:25 p.m. 6. Shared and Cooperative Services Project Update (Mike Morgan, Chief of
Rifle Fire Protection District)
- 7:45 p.m. 7. Consider CMC Airpark PUD Minor Subdivision Final Plat – Resolution
No. 18, Series of 2012 (Matt Sturgeon)
- 8:00 p.m. 8. Discuss creating exception to liquor-licensed establishment restrictions
for movie theaters (Jim Neu)
- 8:15 p.m. 9. Consider awarding contract for Energy Innovation Center improvements
(Rick Barth)
- 8:25 p.m. 10. Consider awarding contract for 12th Street culvert (Rick Barth)
- 8:35 p.m. 11. Garfield County Federal Mineral Lease District and Department of Local
Affairs grants (Mike Braaten)
 - A. Garfield County Federal Mineral Lease District BioSolids
Mini Grant Application - Resolution No. 19, Series of 2012
 - B. Garfield County Federal Mineral Lease District Grant
Application - Resolution No. 20, Series of 2012
- 8:50 p.m. 12. Consider Rifle Regional Economic Development Corporation Main Street
Coordinator funding (Mike Braaten)
- 9:05 p.m. 13. Discuss election rules (Jim Neu)
- 9:15 p.m. 14. Administrative Reports
 - A. City Manager Verbal Report
 - B. Other Reports
- 9:25 p.m. 15. 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 19, 2012 at 7:00 p.m.



Memorandum

To: Rifle Mayor and Council

From: GCE Staff

Date: September 5, 2012

Re: GCE 2012 Progress Report YTD and 2013 Budget Target

Purpose: The purpose of this item is three-fold:

- To summarize GCE Strategic Plan (in progress).
- To provide an update of 2012 progress year-to-date.
- To recommend a 2013 budget target for your consideration.

Discussion - Strategic Plan:

- **GCE Strategic Plan** – Recently, the GCE Board embarked on a strategic planning process. During that process the Board created Vision and Mission Statements and amended and reaffirmed three Goals.

Vision Statement

Garfield County will be the most energy efficient county in the country.

Mission Statement

The mission of Garfield Clean Energy Collaborative is to educate and provide energy efficiency solutions and alternative and renewable energy opportunities to all individuals and organizations in order to build a stronger, more resilient economy benefiting citizens of Garfield County.

Goal #1: Increase per capita energy efficiency by 20% by 2020 over a 2009 baseline to have a stronger, more resilient and energy-secure economy.

Goal #2: Reduce petroleum consumption 25% by 2020, over a 2009 baseline, as a means to a stronger, more resilient and energy-secure economy.

Goal # 3: Obtain 35% of our electricity from renewable sources by 2020 as a means to a stronger, more resilient and more energy-secure economy.

Key Numbers – The following table illustrates some of the “key numbers” that provide a context for understanding the economic development and energy security impacts of this work.

**“Key Numbers”
GCE Strategic Plan**

<u>Energy and Economy Related Category</u>	<u>Strategic Plan Impact</u>
Total energy expenditures in Garfield County 2009 – 2020	\$3,000,000,000
Savings from 20% increase in efficiency throughout the county by 2020	\$297,000,000
Direct new jobs resulting from meeting our 20% efficiency goal 2009 - 2020	250-300
2020 energy cost savings and annual energy cost savings each year going forward without additional efficiency investment	\$67,000,000
Total expenditures for foreign oil in Garfield County 2009 – 2020	\$800,000,000

With the above table as a context, how achievable is a 20% increase in efficiency?

GCE Partner experience indicates 20% efficiency is achievable. For example:

- Active Energy Management (AEM) (controls, behavior, tune-up or building systems) actions have delivered savings without capital investment:
 - ✓ 15% - 45% energy savings in the School districts (results vary by school)
 - ✓ 40% energy savings at the Carbondale Recreation Center
 - ✓ 20% energy savings in County Administration Building in GWS
 - ✓ 13% energy savings in GWS City Hall
 - ✓ 15% energy savings in recent months at New Castle Wastewater plant

In general for AEM actions, the Return on Investment is virtually immediate due to the lack of capital investment.

- Energy Upgrade Programs (equipment installation, air sealing, insulation), with Active Energy Management, has delivered:
 - ✓ 40% energy savings County Courthouse
 - ✓ 60% energy savings County Riding Arena in Rifle
 - ✓ 15% energy savings at Carbondale Town Hall
 - ✓ 25% electricity savings at Carbondale Wastewater plant

The Return on Investment for Energy Upgrade Program work varies depending on the specific investment but is generally less than 0.2:1 (or payback within 5 years and at times much shorter).

- Combining efficient buildings with rooftop photovoltaic (PV) systems, Garfield County now has many great examples of renewable energy systems meeting or exceeding large portions of electrical demand. Solar systems now deliver:
 - ✓ Over 150% of electricity needs at Garfield County Riding Arena
 - ✓ Over 175% of electricity needs at New Castle Public Works
 - ✓ Over 150% of electricity needs at Rifle Wastewater
 - ✓ 50% of electricity needs at Carbondale Recreation Center
 - ✓ 50% of electricity needs at Carbondale Third Street Center
 - ✓ 27% of electricity needs at Rifle Library
 - ✓ Over 25% of electricity needs at New Castle Library
 - ✓ Over 20% of electricity needs at Silt Town Hall
 - ✓ Over 10% of electricity needs at Parachute Town Hall

In general, investments in PV are made in conjunction with utility rebates, grants and power purchase agreements (PPA). CLEER/GCE attempts to leverage available financing mechanisms in a manner that allow partners to avoid up-front costs for PV systems.

In 2013 GCE will pursue the Strategic Plan Vision and Goals. The GCE Board is in the process of identifying specific action steps to comprehensively outline what it will take to achieve our 20% increase in energy efficiency. The actual work undertaken in 2013 will depend on GCE funding. The GCE Board has created a finance subcommittee to brainstorm how GCE can expand revenues to achieve GCE Vision and Goals.

2012 Year-to-Date Progress Report: Attachment 1 is a 2012 progress report for the City of Rifle.

2013 Budget: Partners contributions for 2012 are listed below. (Please note that both CMC and USFS are actively considering becoming full Partners in GCE.)

**GCE Partner Contribution
2012**

Partner	Funding
Garfield County	\$155,000
Silt	\$ 11,000 recommended
Rifle	\$ 38,000
Parachute	\$ 1,500
New Castle	\$ 13,000
Glenwood Springs	\$ 43,000
Carbondale	\$ 24,000
RFTA	\$ 20,000
Library District	\$ 5,000

In addition to the above funding from Partners for 2012, Garfield County had a DOE Better Buildings grant, which totaled \$160,000. This Better Buildings grant implemented the Garfield Clean Energy Challenge for residential and commercial properties (see attachment for results specific to your community). If GCE is to continue the Garfield Clean Energy Challenge and other programs and if GCE is to increase its effectiveness, we will need to secure additional funding for 2013.

Next Steps: The GCE Board requests Partners include funding for GCE programs in 2013 budgets and suggest a minimum contribution consistent with 2012 level.

Garfield Clean Energy 2012 Mid-year Progress Report City of Rifle

Garfield Clean Energy Goals (passed by resolution by all partners in 2010):

- Increase efficiency and reduce energy consumption by 20 percent by 2020.
- Reduce petroleum consumption by 25 percent by 2020.
- 30 percent of our electricity generated from renewables by 2020.

Greening Government: Conservation, Efficiency Upgrades, and Renewables.

As a direct result of Garfield Clean Energy programs that have taken place at City of Rifle government buildings, the City is now saving:

ANNUAL ENERGY SAVINGS	\$17,400	annually
CUMULATIVE ENERGY SAVINGS AS OF AUG 28 2012	\$10,500	to-date

All energy savings data in this document is calculated from actual bills and real time tracking via the Garfield Energy Navigator. www.garfieldenergynavigator.org.

Additional savings will accrue from Energy Performance Contract improvements already completed that were not included in the numbers above.

Additional projects will bring additional savings. Those additional projects planned for the remaining months of 2012 include Active Energy Management, Building Conservation Plans and Annual Reports at: Wastewater Treatment Plant, Public Works O&M, Police, Parks Maintenance Facility, and City Hall.

Here are notes for understanding the chart on next page where you'll find detail on projects in each building.

Project Type definitions:

- *AEM - Active Energy Management:*
 - *Projects run by GCE and CLEER in partnership with the Town.*
 - *Strong focus on low-cost and no-cost improvements.*
 - *Use of Energy Navigator "live data" to guide improvements.*
- *EPC - Energy Performance Contract:*
 - *Projects initiated by the City with GCE's assistance.*
 - *Capital investment in equipment upgrades, led by Ennovate*

GCE Partner	Bldg Name	Project #	Project Type	Project Detail	# of bldgs	Results Detail	2009 total elec cost	2009 total gas cost	Annual Energy Savings	Start Date for future savings: (for use in cumulative calcs)	CUMULATIVE SAVINGS since start date
Rifle	City Hall	1	Solar PV	9.9kW Solar PV	1	9.9 kW Solar PV	\$20,209	\$6,827	\$1,485	5/1/2010	\$3,458
		2	EPC	HVAC projects at Town Hall by Ennovate	1	TBD			TBD		TBD
			Kiosk	Provided touch-screen Energy Navigator Kiosk	1	Enables Active Energy Management (AEM)				11/1/2011	\$0
			AEM	Datalogger/Navigator or: Live Town Hall elect	1	5% conservative estimate from AEM savings			\$1,350	11/1/2011	\$1,113
		3	AEM	AEM savings will come through EPC changes	1	GG project to pay for tracking			\$0	11/1/2011	\$0
Rifle	Wastewater Plant	1	AEM	CLEER Wastewater Energy Management Training scheduled for June 15th 2012	1	forecast: 5% cost savings at from electricity demand management	\$200,266	\$13,774	\$10,300	6/1/2012	\$2,483
Rifle	Police Station	1	Solar PV	9.9kW Solar PV	1	9.9 kW Solar PV	\$17,117	\$10,865	\$1,485	5/1/2010	\$3,458
		2	EPC	HVAC projects by Ennovate	1	TBD			TBD		
		3	AEM	Schedule refinement	1	Use "live data" installed to track solar to achieve building savings			\$1,300	5/1/2012	
		4	Upgrade	Police Garage - Condensing Unit Heater to replace Make-up Air Heater	1	Recommendation made - budget not yet available			\$0		\$0
Rifle	Parks Maintenance Facility	1	AEM	Created a plan to: improve scheduling, add timers to hot water, add timers to exhaust fans, and to install Energy Navigator hardware.	1	Project underway - no results to report - savings of 10% or more may be possible	\$8,400 (2010 data)	\$7,900 (2010 data)			
Rifle	Public Works O&M	1	Solar PV	9.9kW Solar PV	1	9.9 kW Solar PV	\$5,104	\$11,011	\$1,485	5/1/2010	\$3,458
TOTALS:							\$242,696.00	\$42,477.00	\$17,405.00		\$13,971.23

Transportation & Fleets:

- GCE worked with Town Staff and the Council to adopt of a Fleet Efficiency Policy that lowers fleet operational costs through lifecycle-cost purchasing, alternative fuels, and low-cost management methods.
- GCE provided funding for 4 Neighborhood Electric Vehicles for town use.
- GCE assisted Swallow Oil in seeking grant funds that helped build the CNG filling station now selling fuel in downtown Rifle.
- Western Slope CNG Collaborative is assisting the community in building fuel demand at the Rifle CNG station to bring down fuel prices.
- GCE assisted town staff in seeking funding from Encana for 2 CNG trucks.

Garfield Clean Energy Challenge for homes and businesses:

***Note – all data is from actual invoices for work complete and a mix of deemed savings and actual savings calculations.*

Residential:

County-wide: 154 audits and 130 Retrofits

Rifle: 12 audits and 9 retrofits

Total invested in audits and upgrades by Rifle homeowners: \$29,500

Total invested by County-wide homeowners: \$326,000

Estimated annual savings for Rifle families: \$2,700 (cumulative) Approx. \$300 per household.

Commercial:

County-wide: 110 participating businesses, 67 upgrades

Rifle: 34 participating businesses, 23 upgrades

Total invested by Commercial businesses across county: \$1,100,000

Total invested in audits and upgrades by Rifle businesses: \$717,200

Estimated annual savings for Rifle businesses: \$72,000

Rifle Businesses (**bold** have completed some upgrade projects):

Savage Land Company

The Ranch House Mercantile

East Third Street Professionals

Alpine Bank - Rifle

Rifle Chiropractic and Wellness Center

Rifle Ranger District

KFC Rifle

Advanced Auto Repair

Ute Theatre

Kum n' Go Stores (Rifle)

Bookcliff Art Council

Alpine Bank Central Ops

7th Day Adventist Church

Rifle Mercantile

Midland LLC

Rifle Housing Authority (with 106 residential units)

Napa Auto Parts of Rifle

Lift Up

Miscellanea

Thomas Stuver Law Firm

WingNutz

Miller Dry Goods

Mac5 Mortgage

Red River Quick Mart

Farmers Insurance, Joe Carpenter

Vet-Trans, Joe Carpenter

Bookcliffs Professional Building

Pruett and Associates, Realtors

Elder Trucking Company

Rifle Fireside Lanes

Bray Real Estate

First Assembly of God Church

Jim Lord Agency, American Family Insurance

Rifle Fitness Center

Renewable energy:

- Government roof top assessment complete as part of solar rooftop survey for GCE partners.
- Working with local utilities and contractors to stay ahead of changing solar rebates and other financing opportunities.
- Advising Town of Carbondale on solar requirements in their green building code and use of off-site solar gardens.
- Advising City of Glenwood Springs on solar leasing opportunities for their customers.
- Joined Department of Energy's Solar Rooftop Assessment program and presenting GCE progress at national convention on June 13 and 14.

Outreach and education:

Events held since January 2012

Contractor Update Event, Feb. 2, 2012 — Carbondale

Over 45 local contractors attended this event to learn from Garfield Clean Energy and local utilities about 2012 programs and how they can use these programs to increase their efficiency work.

Xcel Energy Auditor Training, Feb. 16, 2012 — Glenwood Community Center
Garfield Clean Energy was a co-sponsor and helped schedule this important and required training for auditors, which allows them to participate in Xcel's new audit rebate program. This was the only training held on the Western Slope.

IECC 2009 Code Training, Feb. 24 — Carbondale Town Hall

Garfield Clean Energy helped coordinate and line up meeting space.

Fleet Efficiency & CNG event, April 13 — Glenwood Springs

CLEER and Garfield Clean Energy joined the Governor's Energy Office in presenting an event focused on fleet efficiency and accelerating adoption of CNG vehicles in the region. More than 60 people attended.

Regional Trails, Biking and Walking Summit, April 20 — Glenwood Springs

Garfield Clean Energy ran a summit focused on the economic development benefits, health benefits, and energy benefits of increased trail connectivity in our communities. This event drew 80 attendees from chambers of commerce, governments, health organizations, and tourism businesses.

Encana Energy Expo, May 5 — Rifle Riding Arena

Garfield Clean Energy staffed a table to give out light bulbs, show folks the Energy Navigator and the energy use in the Riding Arena, and sign them up for the Garfield Clean Energy Challenge.

Yampah High School Efficiency Tour, May 11 — Rifle

Garfield Clean Energy staffer met up with Yampah High School students at a business in Rifle that recently completed efficiency upgrades to show them and explain the importance of efficiency.

Electric Vehicle Day screening of "Revenge of the Electric Car," May 14 and 15 — Carbondale and Glenwood Springs.

Screening was followed with a presentation by CLEER to provide an update on the latest technologies and infrastructure developments.

Holy Cross Energy 5-Year Efficiency Plan: Consulted in January and February 2012 with in-person meetings and provided feedback on new efficiency plan. Provided comments based on challenges and success of Garfield Clean Energy.

Solar Leasing Exploration with Glenwood Electric: Researched and Organized this effort in Jan 2012. Brought in company to discuss potential for utility-connected solar-electric, power purchase agreements, and potential for Third party leasing and rebate assignment. Explored programs and incentive offerings and how the groups can work together to maximize benefits.

Glenwood Springs All-Electric Home Mailing Research, Ongoing

Using GIS data and Source Gas mapping to create targeted mailing list.

Media Stories since Jan. 2012

Date	Publication	Title	Web link
5/31	Rifle Citizen Telegram	Ex-Rifle mayor in new Redford documentary about Colorado River	http://www.citizenetelegram.com/article/20120531/MISC04/120539994/1037&parentprofile=1036
5/31	Glenwood Post Independent	Carbondale Middle wins school biking challenge	http://www.postindependent.com/article/20120531/VALLEYNEWS/120539997/1083&ParentProfile=1074
5/28	Glenwood Post Independent	New business recycles light bulbs that contain mercury	http://www.postindependent.com/article/20120528/VALLEYNEWS/120529897/1083&parentprofile=1074635
5/28	CBS 4 Denver	New Technology Could Help Save Glenwood Caverns	http://denver.cbslocal.com/2012/05/28/new-technology-could-help-save-glenwood-caverns/
5/21	Glenwood Post Independent	Sunnyside Retirement Center wins award	http://www.postindependent.com/article/20120521/VALLEYNEWS/120529992
5/21	Glenwood Post Independent	Efficient Lighting helps preserve formations in Glenwood Caverns	http://www.postindependent.com/article/20120521/VALLEYNEWS/120529999/1083&parentprofile=1074275
5/21	Aspen Times	Glenwood Caverns change lighting	http://www.aspentimes.com/article/20120521/NEWS/120529989/1077&parentprofile=1058964
5/13	Denver Post	Week Ahead	http://www.cleanenergyeconomy.net/news/DenverPost.5.13.12.Amoryevent.jpg
5/11	Glenwood Post Independent	Revenge of the Electric Car	http://www.postindependent.com/article/20120511/VALLEYNEWS/120519980&parentprofile=searc
5/10	Sopris Sun	Electric Car Film	http://issuu.com/soprissun/docs/sun_051012_20pgs/1
5/9	KDNK Radio	Jeff Dickinson of CLEER on Mandated Mitigation and Community Solar Gardens in Carbondale	http://www.kdnk.org/story.cfm?id=1336769637660
4/30	Glenwood Post Independent	Energy efficiency now a bigger share of business for building contractors	http://www.postindependent.com/article/20120430/VALLEYNEWS/120429866/1083&ParentProfile=1074
4/24	KDNK Radio	Marilyn Gleason of KDNK interviews CLEER's Mike Ogburn about the Energy Navigator	http://www.kdnk.org/story.cfm?id=1335386112306
4/21	Glenwood Post Independent	Trails summit brings region's leaders together	http://www.postindependent.com/article/20120421/VALLEYNEWS/120429998/1083&parentprofile=1074
4/19	Rifle Citizen Telegram	Church sees new kind of light with energy upgrades	http://www.citizenetelegram.com/article/20120419/MISC04/120419979/1002&parentprofile=1001
4/2	Glenwood Post Independent	Main Street energy program to save regional businesses \$240,000 a year	http://www.postindependent.com/article/20120402/VALLEYNEWS/120409994/1083&ParentProfile=1074
4/2	Denver Post	Main Street energy program to save regional businesses \$240,000 a year	http://www.denverpost.com/breakingnews/ci_20306919/main-street-energy-program-save-regional-businesses-240?source=rss
4/2	Aspenpost.net	Main Street energy program to save regional businesses \$240,000 a year	http://aspenpost.net/2012/04/02/main-street-energy-program-to-save-regional-businesses-240000-a-year/
3/23	Vail Daily	Read more: Main Street energy program to save regional businesses \$240,000 a year	http://www.vaildaily.com/article/20120323/NEWS/120329915
3/22	Sopris Sun	Read The Denver Post's Terms of Use of its content: http://www.denverpost.com/termsfuse	http://issuu.com/soprissun/docs/sun_032212_16pgs

3/19	Glenwood Post Independent	Garfield Clean Energy program highlighted in Department of Energy national newsletter	http://www.postindependent.com/article/20120319/VALLEYNEWS/120319882/1005&parentprofile=1074
3/15	Sopris Sun	DOE Notices Garfield Clean Energy	http://issuu.com/soprissun/docs/sun_031512_16pgs
3/15	Rifle Citizen Telegram	Fairgrounds riding arena is now a net energy generator	http://www.citizentelegram.com/article/20120315/MISC04/120319994/1064&ParentProfile=1001
3/9	Aspen Times	RFTA Gets \$365,000 grant for cleaner buses	http://www.aspentimes.com/article/20120209/NEWS/120209836
2/24	Glenwood Post Independent	Energy efficiency looks good through rose-colored glasses	http://www.postindependent.com/article/20120224/VALLEYNEWS/120229938
2/2	Sopris Sun	GCEC elects Russi, McKinney	http://issuu.com/soprissun/docs/sun_020212_12pgs
1/10	Glenwood Post Independent	Western Colorado could meet east in CNG efforts	http://www.postindependent.com/article/20120109/VALLEYNEWS/120109879
1/5	Glenwood Post Independent	RFTA seeks final OK for CNG buses	http://www.postindependent.com/article/20120105/VALLEYNEWS/120109954



MEMORANDUM

To: City Manager Hier, Mayor Miller and City Council

From: Mike Braaten, Government Affairs Coordinator

Date: August 29, 2012

Re: Martifer Solar Power Purchase Agreement – unsolicited proposal

Earlier this month, the City received an unsolicited proposal to install additional solar on Rifle facilities from Martifer Solar in cooperation with SOL Energy based in Carbondale. Their proposal would be a solar power purchase agreement (similar to the City's PPA with Sun Edison) and have SOL Energy conducting the installation and maintenance and the whole project would be financed through RSB Funds.

Martifer is a Portuguese company that specializes in large scale solar installations with US offices in Denver, Connecticut and California and they have recently installed solar for the Town of Breckenridge, City of Evans, Lake County and the JeffCo School district. They were also a partner with the Community Energy Collective in the installation of the 700 kW array at the Garfield County Airport.

After a discussion with City staff and Legal and in reviewing the City's Xcel bills, they have refined their proposal to include approximately 690 kW of new solar covering 14 city owned sites. Those sites include the Senior Center, Police Station, City Hall, Deerfield Park Field Lights, NE Pump Station, the Cemetery Irrigation pump, Public Works O&M building, Parks Maintenance Building, Airport Booster Pump and the South Lift Station.

Martifer's proposal will require no out of pocket costs from the City and will install enough solar on each of the sites to make them effectively net-zero, meaning the solar power they produce cover their needs and they should have minimal need to draw additional power from the Xcel power grid. Additionally, Martifer proposes to move our Xcel billing from a low kilowatt/high demand charge (called Xcel billing category Secondary General) to a higher kilowatt/low demand charge (called billing category "SGL"). This billing modification would take advantage of the net-zero solar installations as the sites would no longer need substantial "grid" energy and reducing the demand charge will reduce our current and future bills. They also are proposing this billing rate change for the existing 2.3 mW of solar at wastewater and water intake pump Sun Edison solar arrays as it will save us significant money going forward.

Subject to contract negotiations, their proposal would install the arrays on the selected sites and the City would then lock in a power purchase rate at approximately \$.0614 cents/kW hour moving forward for the next 20 years. There would be an optional buy-out at 6 years, 20 years and possibly others that would be spelled out in the contract. Current proposed 6-year buy out cost would be about \$387,380 or about 20% of the estimated market value. Should the City exercise one of the buy-out options, then additional savings would be realized as the Xcel Renewable Energy Credits (RECs) would flow to the City instead of the financing entity (RSB Funds). Martifer is also guarantying a 5 percent initial annual savings in the City's Xcel

power bill on the associated sites (verified through production meters) and the City should realize additional savings as the cost of electricity increases (5-8% annually) but the City's costs remain essentially fixed due to the PPA at \$.0614 cents/kWh with an annual increase/adjustment of 3%.

Unfortunately, certain conditions require the City to move relatively quickly if there is a desire from Council to move forward with the PPA with Martifer. Xcel Solar Incentives are limited and will be exhausted in the next few months. Martifer was the recipient of some large federal incentives that allowed them to purchase solar panels at a reduced rate, but to maintain the reduced rate on the panels (called the safe-harbor clause), Martifer must assign addresses to those reduced cost panels or pay-back the Federal incentives. Of note – only the addresses need to be assigned – installation must occur by 2014.

CLEER/Garfield Clean Energy are aiding staff in the analysis of the proposal. The only concern they've raised is whether or not the sites in question are already operating efficiently – ie: some of the pumps slated for solar consideration may be "constant speed" rather than the more energy efficient "variable speed" pumps. Additionally, the Justice Center is still being fine-tuned for energy efficiency issues.

In a meeting with staff responsible for each of the proposed sites for solar, the consensus was that this proposal was worthy of further consideration and that it should be discussed with City Council to determine if there was desire to move forward with the Power Purchase Agreement with Martifer.

Dan Ferguson with Martifer Solar will be attending the City Council workshop to present their proposal and take questions from staff and council.

If Council desires to move forward with the Power Purchase Agreement with Martifer, then there will be an action item relating to the approval of a letter of intent with Martifer Solar on Council's September 19th agenda to that effect.

Feel free to call or email me if there are any questions prior to the meeting that I may be able to address.

Tuesday, Aug 28, 2012

City of Rifle
1221 E. Centennial Pkwy.
Rifle, CO 81650

Martifer Solar USA and Sol Energy Present this proposal and Letter of Intent for the design, installation, operation and financing of a 691.75 kW solar renewable energy project to the City of Rifle (“the City”) under the terms of a 20 year Solar Power Purchase Agreement (PPA).

Under this proposal, the City’s current kWh utility parity usage rate will be discounted by 5%, to \$0.09351. The cost per solar kWh will rise by 3% annually. The proposed structure is projected to save the City \$826,759 when compared to projected annual utility rate increase of 5%.

This proposal requires no capital investment or expense from the City until such time as the City enters into the Solar Power Purchase Agreement. The City’s financial obligation under such as agreement will be limited to the purchase of power produced by the proposed renewable energy project.

During the term of the Solar Power Purchase Agreement the City will have early buyout option.

An early buyout of the agreement will increase the savings from the project based on the then current fair market value purchase price. Primarily, these savings occur because with an early buyout the energy production goes directly to the City as cost reductions and not through a tax paying, cost adding third party. Additionally, any remaining production based incentives would go directly to the City. If the buyout amount was 20% of the original cost of the system, the additional benefit of an early buyout is estimated to be an additional \$1,687,307 in savings.

This calculation does not include production from the project’s full estimated economic life which could be 35 years or more.

A simple cash flow analysis is attached that shows the financial benefits with a buyout in year 6.

This proposal shall be subject to satisfaction of the following condition(s):

- I. Specifications provided by:
Sol Energy, llc
520 S. Third St. #30
Carbondale, CO 81623

Ken Olson
(970) 963.1060
ken@sol-energy.us
- II. Xcel Energy offers RECs at \$0.09/kWh over 20 years under its new compliance plan starting June, 2012, and the City, in conjunction with Martifer and Sol Energy is able to reserve RECs with Xcel at that level.

Upon receipt of a copy of this proposal and Letter of Intent signed by the City, Martifer Solar and Sol Energy will begin designing the project. ***Signing this Letter of Intent imposes no legal or financial obligations on the City.*** Signing this Letter of Intent allows Martifer Solar and Sol Energy to complete a full analysis of the proposed project. Once that analysis is completed, Martifer Solar and Sol Energy will propose a binding and mutually acceptable engagement agreement with the City which the City can accept or reject in its sole discretion. This Letter of Intent is not a binding contract between the City and Martifer Solar or Sol Energy, and until an actual contract is executed, neither party is bound.

Subject to the conditions contained herein, the City accepts this Proposal and Letter of Intent.

City of Rifle

Dan Ferguson
Community Solar Channel Mngr.
Martifer Solar USA
Denver, Colorado
720.298.7084
dferguson@martifersolarusa.com

This offering is structured so that the City and the financial entity both find the base offering economically positive. Furthermore, while under no contractual obligation to do so, the parties will find it to their mutual benefit to sell or donate the project to the City before end of term.

Should the parties reach an agreement to sell/purchase the project to the City, the financial entity would get a net gain and the City would materially improve its savings as the benefits of the project would flow directly to its budget rather than passing through a tax-paying, cost-adding third party.

Proposal Summary

Date: 08/28/12

Project Name: City of Rifle -

System Summary

System Location:

01. Senior Center	62.32 kW
02. Police Station	143.73 kW
03. City Hall	154.93 kW
04. Taugenbaugh Field Lights	38.70 kW
05. N E Pump Station	109.73 kW
06. Cemetery Irrigation	10.45 kW
07. Public Works O&M	24.81 kW
08. Parks Maintenance	55.35 kW
09. Airport Booster	43.17 kW
10. South Lift Station	15.67 kW
11. Cooper Field Lights	6.89 kW
12. Centennial Park Pump	9.03 kW
13. 451 E. 30 th St.	9.26 kW
14. 3000 Acacia BLPRK	7.72 kW
TOTAL System Size:	691.75 kW DC
System Production:	1,029,140 kWh - year 1
Price:	Fixed EPC of \$2.80 / Watt DC
	TOTAL Price: \$1,936,900

Equipment

Module Type:	Hanwha 245W Polycrystalline or similar
Inverter Type:	Advanced Energy/ PVP or similar
Racking Type:	S-Flex non-penetrating roof mount system or similar

Commercial Operation Date (COD): Martifer understands that time is of the essence and will endeavor to complete this project as quickly as circumstances allow. Martifer has constructed similar projects in approximately two to three months after permitting is complete.

System Description: 691.75 (Total) kW DC system connected directly to the Xcel Energy utility grid.

Scope of Work:

Martifer to provide turnkey engineering, design, procurement and construction services for up to 9 Solar PV arrays that total a 691.75 kW DC PV solar system interconnected to the Xcel Energy utility grid in accordance with the specifications herein

Assumptions:

The pricing, system configuration, proposal and offer are based on the following assumptions. Deviations from these assumptions may result in change orders and/or have a financial impact to the project.

- Interconnection point is located on the exterior of the building providing enough room for locating the inverter within 10 feet.
- Wind region of 85 mph or less
- Six installation sites
- Inverter configuration is an Advanced Energy PV Powered Inverter system (or Similar).
- Martifer will be responsible for securing the building permit
- Martifer will submit the interconnection application and secure the interconnection agreement, provided we receive a complete interconnection study
- Interconnection voltage 13.9kV or less

Exclusions:

Unless otherwise noted, the following exclusions apply. If any of these items are required, Martifer would be pleased to supply the required services at our client's request.

- Electrical Service: this bid does not include the supply, installation, upgrade, or modification of any electrical service equipment such as AC switchgear, substations and/or the equipment and labor necessary to interconnect the system.
- Security Clearance: security clearance(s) and their associated costs are not considered in this bid
- Prevailing Wage: prevailing wages are not considered in this bid
- Union Labor: union labor and its associated costs are not considered in this bid

- Reports, Studies and Surveys: this bid does not consider reports, studies or surveys including but not limited to the following: Environmental impact reports or studies (EIR/EIS), zoning, feasibility studies, easements, entitlements, liens/lien releases, interconnection feasibility studies. Soil testing is included in the bid price.
- Construction Period Finance: construction period finance is considered in this bid.
- Production Guarantees: production guarantees and their associated costs are considered in this bid
- Uptime Guarantee: uptime guarantees and their associated costs are not considered in this bid
- Operations and Maintenance (O&M): O&M and its associated cost is not considered in this bid
- Martifer Solar assumes no liability or responsibility for existing site conditions which would preclude us from installing the proposed solar system. Such conditions include but are not limited to the ability of the structure to support the proposed solar system, current structural loading capacity of the proposed installation location, toxic or other hazardous materials, flooding considerations, the presence of rare or endangered species and liens or other legal considerations.

City of Rifle Simple Cash Flow Analysis

- 1 - Calculated with an average XCEL Energy rate increase of 5% annually.
- 2 - Calculated with a PPA amount increase of 3% annually.
- 3- Adds cost of \$387,380 for buyout in year 6.

Year	Xcel Cost w/o Solar	Xcel Cost With Solar	PPA Amount	On-going REC Pmt.	Elec. Savings	Cash Balance
1	\$139,276	\$36,079	\$96,223	\$92,623	\$6,974	\$6,974
2	\$146,240	\$37,883	\$99,110	\$92,159	\$9,247	\$16,221
3	\$153,552	\$39,777	\$102,083	\$91,698	\$11,692	\$27,913
4	\$161,229	\$41,766	\$105,145	\$91,240	\$14,318	\$42,231
5	\$169,291	\$43,854	\$108,300	\$90,783	\$17,137	\$59,368
6	\$177,755	\$46,047	\$0	\$90,329	\$131,708	-\$196,304 BUYOUT
7	\$186,643	\$48,349	\$0	\$89,877	\$138,294	-\$58,010
8	\$195,975	\$50,767	\$0	\$89,428	\$145,209	\$87,198
9	\$205,774	\$53,305	\$0	\$88,981	\$152,469	\$239,667
10	\$216,063	\$55,970	\$0	\$88,536	\$160,092	\$399,760
11	\$226,866	\$58,769	\$0	\$88,093	\$168,097	\$567,857
12	\$238,209	\$61,707	\$0	\$87,652	\$176,502	\$744,359
13	\$250,120	\$64,793	\$0	\$87,214	\$185,327	\$929,686
14	\$262,626	\$68,032	\$0	\$86,777	\$194,593	\$1,124,279
15	\$275,757	\$71,434	\$0	\$86,343	\$204,323	\$1,328,602
16	\$289,545	\$75,006	\$0	\$85,912	\$214,539	\$1,543,141
17	\$304,022	\$78,756	\$0	\$85,482	\$225,266	\$1,768,407
18	\$319,223	\$82,694	\$0	\$85,054	\$236,529	\$2,004,937
19	\$335,184	\$86,828	\$0	\$84,629	\$248,356	\$2,253,293
20	\$351,944	\$91,170	\$0	\$84,206	\$260,774	\$2,514,066

RIFLE CITY COUNCIL MEETING

Wednesday, August 15, 2012

REGULAR MEETING

7:00 p.m. * Council Chambers

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

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

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager/Director of Planning; Lisa Cain, City Clerk; Karl Hanlon, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; Rick Barth, City Engineer; Mike Braaten, Government Affairs Coordinator; Dick Deussen, Utility Director; Charles Kelty, Finance Director; Daryl Meisner, Police Chief; Ron Atkinson; Barb Clifton; Gil Frontella; Mike McKibbin; John Scalzo; and John Steele.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the August 1, 2012 Regular Meeting
- B. Liquor License Renewals – 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

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

Roll Call: Yes – A. Lambert (abstaining as to Item A), Carter, K. Lambert, Rice, Sanborn, Winkler, Miller

Council tabled consideration of Item C to its meeting of September 5, 2012, so the applicant could be present to answer Council’s questions on the application.

CITIZEN COMMENTS AND LIVE CALL-IN

Ruth Gould complimented the City on the attractive flower containers in the City Hall/Library Plaza and at the entrances to City parks. Council extended its appreciation to Parks Maintenance Worker Janet Bertram for her attention to the flower containers.

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

CONSIDER AMENDMENT TO RIFLE HEIGHTS SUBDIVISION THIRD AMENDMENT TO SUBDIVISION IMPROVEMENT AGREEMENT

City Attorney Karl Hanlon explained that the Rifle Heights Subdivision developer, Rifle Heights Land Company, LLC (“RHLC”), failed to meet its obligation 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 18 months of the recording of the Phase 1 Final Plat.

Since that time, the unsold lots in Phase 1 and Phase 2 of the subdivision were acquired by a bank after RHLC's default, but 2 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 provides that the developer will pay the \$159,101.70, plus 4 percent interest commencing September 1, 2009, in installments of \$5,000 prior to the conveyance of each lot in Phase 1 owned by the developer. 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.

Ron Atkinson and Barb Clifton, representing RH Ventures, LLC, requested that the City waive the 4 percent interest on the Whiteriver Avenue Costs.

Councilor Winkler moved to approve the proposed Third Amendment to the Subdivision Improvements Agreement for Rifle Heights Subdivision, amended to provide for payment of the Whiteriver Avenue Costs, plus 1 percent interest commencing September 1, 2009, in installments of \$5,000 per lot, with a balloon payment of any unpaid costs after 5 years; seconded by Councilor A. Lambert.

Roll Call: Yes – Carter, A. Lambert, 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 – SECOND 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

Assistant City Manager/Director of Planning Matt Sturgeon 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 Rice moved to approve Ordinance No. 17, Series of 2012, on second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor K. Lambert.

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

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

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.

Mr. Hanlon 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 three-quarter percent effective on January 1, 2013, and it would terminate upon the repayment of the indebtedness that is financing the new treatment plant.

John Steele noted that water rates will increase September 1. The City should make additional efforts to notify customers that the increase is taking effect.

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

Gil Frontella said that revenues from the tax increase ought not to be used for water treatment plant operations and maintenance. He added that, because he believes that recovery from the current recession will be slow, the City should not build a new water treatment plant at this time, but should instead repair the existing plant.

Councilor Carter moved to approve Ordinance No. 18, Series of 2012, on second reading as amended and to order it to be published in full as required by Charter; seconded by Councilor Winkler.

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

CONSIDER AWARDING CONTRACT FOR AIRPORT ROAD OVERLAY

City Engineer Rick Barth presented bids for a mill-and-overlay project for a significant portion of Airport Road. Frontier Paving, Inc. submitted the lowest bid, for \$237,410.

This project has available to it Garfield County Federal Mineral Lease District (GCFMLD) grant monies. Staff has applied to GCFMLD to use more of the available grant monies to expand the project scope, so that the mill-and-overlay can extend to the east Wal-Mart entry.

Councilor K. Lambert moved to award a contract to Frontier Paving, Inc. for the Airport Road mill-and-overlay project in an amount not to exceed \$237,410, and to allow the City to negotiate to expand the project scope to a total not to exceed \$470,000; seconded by Councilor Sanborn.

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

CONSIDER AWARDING CONTRACT FOR PROFESSIONAL SERVICES – SALES TAX AUDITS

Finance Director Charles Kelty requested Council's permission to engage 2 firms to develop a Sales Tax Education program for local vendors. An audit component would be included with these services.

Council's consensus was that the City should spend up to \$5,000 to develop a Sales Tax Education program for local vendors.

ADMINISTRATIVE REPORTS

Mr. Hier extended the City staff's condolences to the family of Frank Shaw. He reported to Council on the following issues: 12th Street bridge repair; City advertising; incoming Police Chief John Dyer; and 2013 budget.

Mr. Sturgeon reported to Council on these issues: Sign Code; and Energy Innovation Center infrastructure.

Governmental Affairs Coordinator Mike Braaten reported to Council on state ballot issues.

Police Chief Daryl Meisner reported to Council on these issues: National Night Out; and School Resource Officer Agreement.

COMMENTS FROM MAYOR AND COUNCIL

At Councilor Sanborn’s request, staff announced a reminder about the increase in water rates taking effect September 1.

Mayor Miller and the Council expressed their condolences to the families of Frank Shaw and Jim Boone.

Meeting adjourned at 8:22 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor



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

From: Lisa Cain, City Clerk

Date: Friday, August 31, 2012

Subject: Liquor License Renewal

THIS BUSINESS HAS FILED ITS LIQUOR LICENSE RENEWAL APPLICATION:

<u>Business Name/Address</u>	<u>Type of License</u>
Walmart #5232 1000 Airport Road	3.2% Beer Retail (Off Premises)

The following criteria have been met by Walmart #5232:

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

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

APPLICATION DOCUMENTS CHECKLIST AND WORKSHEET

Instructions: This check list should be utilized to assist applicants with filing all required documents for licensure. **All** documents must be properly signed and correspond with the name of the applicant exactly. **All** documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

ITEMS SUBMITTED, PLEASE CHECK ALL APPROPRIATE BOXES COMPLETED OR DOCUMENTS SUBMITTED

I. APPLICANT INFORMATION

- A. Applicant/Licensee identified.
- B. State sales tax license number listed or applied for at time of application.
- C. License type or other transaction identified.
- D. Return originals to local authority.
- E. Additional information may be required by the local licensing authority.

II. DIAGRAM OF THE PREMISES

- A. No larger than 8 1/2" X 11".
- B. Dimensions included (doesn't have to be to scale). Exterior areas should show control (fences, walls, etc.).
- C. Separate diagram for each floor (if multiple levels).
- D. Kitchen - identified if Hotel and Restaurant.

III. PROOF OF PROPERTY POSSESSION

- A. Deed in name of the Applicant ONLY (or)
- B. Lease in the name of the Applicant ONLY.
- C. Lease Assignment in the name of the Applicant (ONLY) with proper consent from the Landlord and acceptance by the Applicant.
- D. Other Agreement if not deed or lease.

IV. BACKGROUND INFORMATION AND FINANCIAL DOCUMENTS

- A. Individual History Record(s) (Form DR 8404-I).
- B. Fingerprints taken and submitted to local authority. (State authority for master file applicants.)
- C. Purchase agreement, stock transfer agreement, and or authorization to transfer license.
- D. List of all notes and loans.

V. CORPORATE APPLICANT INFORMATION (If Applicable)

- A. Certificate of Incorporation (and/or)
- B. Certificate of Good Standing if incorporated more than 2 years ago.
- C. Certificate of Authorization if foreign corporation.
- D. List of officers, directors and stockholders of parent corporation (designate 1 person as "principal officer").

VI. PARTNERSHIP APPLICANT INFORMATION (If Applicable)

- A. Partnership Agreement (general or limited). Not needed if husband and wife.

VII. LIMITED LIABILITY COMPANY APPLICANT INFORMATION (If Applicable)

- A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office).
- B. Copy of operating agreement.
- C. Certificate of Authority (if foreign company).

VIII. MANAGER REGISTRATION FOR HOTEL AND RESTAURANT, TAVERN LICENSES WHEN INCLUDED WITH THIS APPLICATION

- A. \$75.00 fee.
- B. Individual History Record (DR 8404-I).

6. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years?	Yes No <input type="checkbox"/> <input type="checkbox"/>												
7. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state); (a) been denied an alcohol beverage license? (b) had an alcohol beverage license suspended or revoked? (c) had interest in another entity that had an alcohol beverage license suspended or revoked? If you answered yes to 7a, b or c, explain in detail on a separate sheet.	Yes No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>												
8. Has a 3.2 beer license for the premises to be licensed been denied within the preceding one year? If "yes," explain in detail.	Yes No <input type="checkbox"/> <input type="checkbox"/>												
9. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current or former financial interest in said business including any loans to or from a licensee.	Yes No <input type="checkbox"/> <input type="checkbox"/>												
10. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement? <input type="checkbox"/> Ownership <input type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____	Yes No <input type="checkbox"/> <input type="checkbox"/>												
a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:													
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:35%; height: 20px;">Landlord</td> <td style="width:35%;">Tenant</td> <td style="width:30%;">Expires</td> </tr> </table>	Landlord	Tenant	Expires										
Landlord	Tenant	Expires											
Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11". (Doesn't have to be to scale)													
11. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.													
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:35%;">Name</th> <th style="width:15%;">Date of Birth</th> <th style="width:15%;">FEIN or SSN</th> <th style="width:35%;">Interest</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Name	Date of Birth	FEIN or SSN	Interest									
Name	Date of Birth	FEIN or SSN	Interest										
Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.													
12. Name of Manager for all on and on/off applicants. _____	Date of Birth <input style="width: 100px; height: 20px;" type="text"/>												
13. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.	Yes No <input type="checkbox"/> <input type="checkbox"/>												
14. Tax Distraint Information. Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? If yes, provide an explanation and include copies of any payment agreements.	Yes No <input type="checkbox"/> <input type="checkbox"/>												

15. If applicant is a corporation, partnership, association or a 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	Date of Birth	Position	% Owned*
Please see attached	all officers have finger print & personal history on file			

* If total ownership percentage disclosed here does not total 100%, applicant must check this box
Applicant affirms that no individual, other than those disclosed herein, owns 10% or more of the applicant

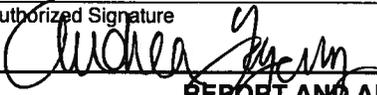
Additional Documents to be submitted by type of entity

- 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 Agrmt.
 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 Assistant Secretary	Date 8/16/12
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REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY/COUNTY)

Date application filed with local authority	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.
---	---

THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:

- That each person required to file DR 8404-I (Individual History Record) has:
- | | | |
|--|-------------------------------------|--------------------------|
| | Yes | No |
| <input checked="" type="checkbox"/> Been fingerprinted | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Been subject to background investigation, including NCIC/CCIC check for outstanding warrants | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
- 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 N/A Renewal
 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	<input type="checkbox"/> TOWN, CITY <input type="checkbox"/> 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 Wal-Mart Stores, Inc. dba Walmart# 5232		State License Number 09-49518-0072
1. Operating Manager Kevin Steward	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>Owned</u> If rented, expiration date of lease: _____		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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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: <div style="text-align: center;">EVIDENCE OF LAWFUL PRESENCE</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 4879, the undersigned swears or affirms under penalty of perjury under the laws of the State of Colorado that (check one):</p> <p><input 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 18-6-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.</p>		
Signature	Printed name	Date

STORE #	TYPE	CITY	STATE	DATE	FINE AMOUNT	REASON FOR CITATION	Disposition
2125	Supercenter	Lakewood	CO	February-05	\$339.79	Sale to Minor	10 day suspension taken 8-1-06 through 8-10-06
869	Supercenter	Alamosa	CO	April-06	\$0.00	Sale to Minor	
5051	Supercenter	Greely	CO	January-07	\$300.00	Sale to minor	In lieu of 5 day suspension
1019	Wal-Mart	Canyon City	CO	March-07	\$0.00	Sale to minor	3 day suspension
5033	Supercenter	Fort Morgan	CO	January-08	\$200.00	Sale to minor	5 day suspension held in abeyance for 1 yr
5033	Supercenter	Fl Morgan	CO	January-08	2 day suspension with 5 days held in abeyance	Sale to minor	No fine offered, just suspension
1384	Supercenter	La Junta	CO	January-08	\$200.00	Sale to minor	
3227	Supercenter	Monument	CO	October-08	\$200 + 2 day suspension	sale to minor	in lieu of 7 day suspension (2 days served plus fine of \$200 and 5 days in abeyance)
3227	Supercenter	Monument	CO	October-08	\$200 and a 2 day suspension	Sale to minor	5 days suspension held in abeyance
3227	Supercenter	Monument	CO	October-08	\$200 and 7 day suspension	Sale to Minor	5 days held in abeyance
924	Supercenter	Sterling	CO	June-97	\$0.00	Sale to Minor	
924	Supercenter	Sterling	CO	March-09	\$200.00	Sale to Minor	in lieu of 2 day suspension
2892	Supercenter	Parker	CO	December-00		Sale to Minor	
2892	Supercenter	Parker	CO	May-12	\$0.00	Sale to Minor	
2270	Supercenter	Durango	CO	June	\$116.40	Sale to Minor	
2892	Supercenter	Parker	CO	August-12	\$0.00	Sale to Minor	5 day suspension

2892	Supercenter	Parker	CO	March-09	\$0.00	Sale to Minor	5 days suspension (2 additional days held in abeyance for 1 yr period)
966	Supercenter	Cortez	CO	December-03	\$200.00	Sale to Minor	
966	Supercenter	Cortez	CO	December-04	0.00	Sale to Minor	15 day suspension with 8 days held in abeyance
953	Supercenter	Loveland	CO	March-09		Failure to change agent	5 day suspension; 5 days in abeyance
953	Supercenter	Loveland	CO	March-11		Failure to change agent	3-day suspension 7 days in abeyance
3227	Supercenter	Cortez	CO	April-00	\$0.00	Sale to Minor	
4599	Supercenter	Timnath	CO	June-11	\$371.25	Sale to Minor	
5232	Supercenter	Rifle	CO	June-11	\$313.35	Sale to Minor	5-day suspension 10 days abeyance
966	Supercenter	Cortez	CO	June-03	\$0.00	Sale to Minor	
5033	Wal-Mart	Aurora	CO	June-09	\$200.00	Sale to Minor	
5051	Wal-Mart	Brighton	CO	February-12	\$582	Sale to Minor	
924	Supercenter	Sterling	CO	May-10		Sale to Minor	20 day suspension 11 active, 9days in abeyance

Store City	State	Zip	State Lic. Type	State Lic. #	Exp. Date	County	City Lic. Type	City Lic. #	City Exp. Date	FEIN #
PUEBLO	CO	81008	3.2 Beer	09-49518-0055	8/26/2012	Pueblo County	3.2 BEER	09-49518-55P	8/26/2011	71-0415188
ALAMOSA	CO	81101	3.2 Beer	09-49518-0002	4/18/2013	Alamosa County	3.2 BEER	n/a	4/18/2011	71-0415188
LONGMONT	CO	80501	3.2 Beer	09-49518-0003	9/1/2012	Boulder County	3.2 BEER	09-49518-0098	12/20/2011	71-0415188
SALIDA	CO	81201	3.2 Beer	09-49518-0005	7/10/2012	Chaffee County	3.2 BEER	09-49518-0003	9/1/2011	71-0415188
STERLING	CO	80751	3.2 Beer	09-49518-0007	3/25/2013	Logan County	3.2 BEER	1099	7/10/2011	71-0415188
LOVELAND	CO	80537	3.2 Beer	09-49518-0009	3/11/2013	Lafayette County	3.2 BEER	n/a	3/25/2011	71-0415188
TRINIDAD	CO	81082	3.2 Beer	09-49518-0008	1/11/2013	Las Animas County	3.2 BEER	0239	3/11/2011	71-0415188
CORTEZ	CO	81321	3.2 Beer	09-49518-0011	8/14/2012	Montezuma County	3.2 BEER	6095	12/31/2011	71-0415188
GREENEY	CO	80631	3.2 Beer	09-49518-0010	1/11/2013	Weld County	3.2 BEER	09-49518-0011	8/14/2011	71-0415188
CASTLE ROCK	CO	80104	3.2 Beer	09-49518-0010	1/11/2013	Douglas County	3.2 BEER	09-495180010	1/11/2012	71-0415188
FRISCO	CO	80443	3.2 Beer	09-49518-0012	5/12/2013	Summit County	3.2 BEER	n/a	5/12/2011	71-0415188
PUEBLO	CO	81005	3.2 Beer	09-49518-0013	6/19/2012	Pueblo County	3.2 BEER	09-49518-13P	6/19/2011	71-0415188
LOVELAND	CO	80538	3.2 Beer	09-49518-0089	8/27/2012	Lafayette County	3.2 BEER	n/a	8/27/2011	71-0415188
CANON CITY	CO	81212	3.2 Beer	09-49518-0015	5/18/2013	Fremont County	3.2 BEER	09-49518-0015	5/18/2011	71-0415188
LAFAYETTE	CO	80026	3.2 Beer	09-49518-0016	8/26/2012	Boulder County	3.2 BEER	09-49518-0016	8/23/2011	71-0415188
MONTROSE	CO	81401	3.2 Beer	09-49518-0017	10/15/2012	Montrose County	3.2 BEER	1050	10/15/2011	71-0415188
GLENWOOD SPRINGS	CO	81601	3.2 Beer	09-49518-0018	9/16/2012	Garfield County	3.2 BEER	none	9/16/2011	71-0415188
AVON	CO	81620	3.2 Beer	09-49518-0019	5/4/2013	Eagle County	3.2 BEER	2065	5/4/2011	71-0415188
COLORADO SPRINGS	CO	80909	3.2 Beer	09-49518-0021	4/15/2013	El Paso County	3.2 BEER	654	4/15/2011	71-0415188
THORNTON	CO	80229	3.2 Beer	09-49518-0022	11/17/2012	Adams County	3.2 BEER	BE 0039	11/17/2011	71-0415188
HIGHLANDS RANCH	CO	80130	3.2 Beer	09-49518-0047	5/1/2013	Douglas County	n/a	n/a	n/a	n/a
FOUNTAIN	CO	80817	3.2 Beer	09-49518-0024	6/8/2012	El Paso County	3.2 BEER	10-764	6/8/2011	71-0415188
GRAND JUNCTION	CO	81501	3.2 Beer	09-49518-0025	9/11/2012	Mesa County	3.2 BEER	5020317	9/11/2011	71-0415188
LITTLETON	CO	80123	3.2 Beer	09-49518-0094	12/17/2011	Denver County	n/a	n/a	n/a	n/a
LA JUNTA	CO	81050	3.2 Beer	09-49518-0029	3/29/2011	Otero County	3.2 BEER	n/a	3/29/2011	71-0415188
COLORADO SPRINGS	CO	80905	3.2 Beer	09-49518-0049	6/9/2011	El Paso County	3.2 BEER	1568	6/9/2011	71-0415188
AURORA	CO	80012	3.2 Beer	09-49518-0030	9/7/2011	Arapahoe County	3.2 BEER	168133	9/7/2011	71-0415188
GUNNISON	CO	81230	3.2 Beer	09-49518-0031	7/27/2011	Gunnison County	3.2 BEER	10-40	7/27/2011	71-0415188
BRIGHTON	CO	80601	3.2 Beer	09-49518-0032	5/2/2011	Adams County	3.2 BEER	622	5/2/2011	71-0415188
AURORA	CO	80015	3.2 Beer	09-49518-0064	12/16/2011	Arapahoe County	3.2 BEER	130419	12/16/2011	71-0415188
STEAMBOAT SPRINGS	CO	80487	3.2 Beer	09-49518-0035	9/17/2011	Route County	3.2 BEER	2010-56	9/18/2011	71-0415188
COLORADO SPRINGS	CO	80920	3.2 Beer	09-49518-0037	2/4/2011	El Paso County	3.2 BEER	700806	2/4/2011	71-0415188
LAKEWOOD	CO	80214	3.2 Beer	09-49518-0038	2/21/2012	Jefferson County	3.2 BEER	09-49518-0038	2/21/2012	71-0415188
WESTMINSTER	CO	80031	3.2 Beer	09-49518-0046	9/21/2012	Jefferson County	3.2 BEER	1623301	9/21/2011	71-0415188
DURANGO	CO	81303	3.2 Beer	09-49518-0051	6/28/2012	La Plata County	3.2 BEER	10678	6/28/2011	71-0415188
EVERGREEN	CO	80439	3.2 Beer	09-49518-0048	10/3/2011	Jefferson County	n/a	n/a	n/a	n/a
LAMAR	CO	81052	3.2 Beer	09-49518-0054	9/29/2012	Prowers County	3.2 BEER	3059	9/29/2011	71-0415188
FORT COLLINS	CO	80524	3.2 Beer	09-49518-0059	10/17/2012	Larimer County	3.2 BEER	09-49518-0059	10/17/2011	71-0415188
ENGLEWOOD	CO	80110	3.2 Beer	09-49518-0058	11/2/2012	Arapahoe County	3.2 BEER	177857	12/2/2011	71-0415188
COMMERCE CITY	CO	80022	3.2 Beer	09-4951-0056	10/6/2012	Adams County	3.2 BEER	11907	10/6/2011	71-0415188
PARKER	CO	80134	3.2 Beer	09-49518-0057	9/12/2011	Douglas County	3.2 BEER	305	9/12/2011	71-0415188
MONUMENT	CO	80132	3.2 Beer	09-49518-0084	8/7/2012	El Paso County	3.2 BEER	09-49518-0084	8/7/2011	71-0415188
CENTENNIAL	CO	80112	3.2 Beer	09-49518-0080	1/6/2012	Arapahoe County	3.2 BEER	01062012	1/6/2012	71-0415188
PUEBLO WEST	CO	81007	3.2 Beer	09-49518-0082	1/22/2013	Pueblo County	n/a	n/a	n/a	n/a
DENVER	CO	80207	3.2 Beer	09-49518-0062	1/22/2013	Denver County	n/a	n/a	n/a	71-0415188

DENVER	CO	80231	3.2 Beer	09-49518-0061	8/20/2012	Atahoe County	3.2 BEER	129991	8/20/2011	71-0415188
COLORADO SPRINGS	CO	80915	3.2 Beer	09-49518-0068	9/8/2012	El Paso County	3.2 BEER	716560	9/6/2011	71-0415188
WOODLAND PARK	CO	80863	3.2 Beer	09-49518-0088	8/22/2012	Teller County	3.2 BEER	09-49518-0088	8/22/2011	71-0415188
WESTMINSTER	CO	80003	3.2 Beer	09-49518-0091	4/3/2013	Adams County	3.2 BEER	2805501	4/3/2011	71-0415188
WESTMINSTER	CO	80234	3.2 Beer	09-49518-0086	12/6/2012	Adams County	3.2 BEER	2687301	12/6/2011	71-0415188
LAKEWOOD	CO	80226	3.2 Beer	09-49518-0085	1/15/2013	Jefferson County	3.2 BEER	09-49518-0085	1/15/2012	71-0415188
BRONFIELD	CO	80020	3.2 Beer	09-49518-0096	5/13/2013	Adams County	3.2 BEER	28-7010	5/13/2011	71-0415188
FALCON	CO	80831	3.2 Beer	09-49518-0087	6/24/2012	El Paso County	n/a	n/a	n/a	n/a
CRAIG	CO	81625	3.2 Beer	09-49518-0090	10/24/2013	Moffat County	3.2 BEER	09-49518-0090	10/24/2011	71-0415188
BRIGHTON	CO	80602	3.2 Beer	09-49518-0097	5/10/2012	Adams County	3.2 BEER	BE 0047	5/10/2011	71-0415188
TIMNATH	CO	80547	3.2 Beer	09-49518-0092	4/21/2013	Larimer County	3.2 BEER	none	2/22/2011	71-0415188
ELIZABETH	CO	80107	3.2 Beer	09-49518-0093	7/14/2012	Elbert County	n/a	n/a	n/a	n/a
FORT MORGAN	CO	80701	3.2 Beer	09-49518-0067	11/24/2012	Morgan County	3.2 BEER	2010-19	11/22/2011	71-0415188
GRENFLEY	CO	80634	3.2 Beer	09-49518-0069	3/20/2013	Weld County	3.2 BEER	state lic#09-49518-0069	3/20/2011	71-0415188
GRAND JUNCTION	CO	81505	3.2 Beer	09-49518-0073	9/30/2012	Mesa County	3.2 BEER	5020316	9/30/2011	71-0415188
COLORADO SPRINGS	CO	80920	3.2 Beer	09-49518-0075	12/22/2012	El Paso County	3.2 BEER	708427	12/22/2011	71-0415188
AURORA	CO	80016	3.2 Beer	09-49518-0079	10/25/2012	Apache County	3.2 BEER	141243	10/25/2011	71-0415188
RIFLE	CO	81650	3.2 Beer	09-49518-0072	9/18/2012	Garfield County	3.2 BEER	26-10	8/2/2011	71-0415188
AURORA	CO	80011	3.2 Beer	09-49518-0081	9/28/2012	Adams County	3.2 BEER	146049	9/28/2011	71-0415188
BRONFIELD	CO	80021	3.2 Beer	09-49518-0077	6/23/2012	Broomfield County	3.2 BEER	49-2010	6/23/2011	71-0415188
LONGMONT	CO	80504	3.2 Beer	09-49518-0083	2/28/2013	Boulder County	3.2 BEER	09-49518-0083	2/28/2011	71-0415188
DELTA	CO	81416	3.2 Beer	09-49518-0078	8/24/2012	Delta County	3.2 BEER	none	8/24/2011	71-0415188
COLORADO SPRINGS	CO	80920	3.2 Beer	12-33986-0011	10/18/2012	El Paso County	3.2 BEER	N/A	10/8/2011	71-0794414
ARVADA	CO	80002	Beer/Wine/Liquor	12-33986-0008	3/9/2013	Jefferson County	BEER WINE LIQUOR	14781	3/9/2011	71-0794414



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

From: Lisa Cain, City Clerk

Date: Friday, August 31, 2012

Subject: Report of Changes

Wal-Mart Supercenter #5232 has filed a Report of Changes under the Liquor Code to change its trade name to Walmart #5232. The following criteria have been met:

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

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

FOR DEPARTMENT USE ONLY

PERMIT APPLICATION AND REPORT OF CHANGES

CURRENT LICENSE NUMBER 09-49518-0072
ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN
LOCAL LICENSE FEE \$ 103.75
APPLICANT SHOULD OBTAIN A COLORADO LIQUOR & BEER CODE BOOK TO ORDER CALL (303) 370-2166

1. Applicant is a		PRESENT LICENSE NUMBER
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company		09-49518-0072
2. Name of Licensee		3. Trade Name
Wal-Mart Stores, Inc.		Walmart Super Center#5232
4. Location Address		
1000 Airport RD		
City	County	ZIP
Rifle	Garfield	81650

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

Section A – Manager reg/change	Section C
<p>• License Account No. <u>09-49518-0072</u></p> <p>1983-750 (999) <input type="checkbox"/> Manager's Registration (Hotel & Restr.)...\$75.00</p> <p>2012-750 (999) <input type="checkbox"/> Manager's Registration (Tavern).....\$75.00</p> <p style="padding-left: 20px;"><input type="checkbox"/> Change of Manager (Other Licenses) NO FEE</p>	<p>2210-100 (999) <input type="checkbox"/> Retail Warehouse Storage Permit (ea) \$100.00</p> <p>2200-100 (999) <input type="checkbox"/> Wholesale Branch House Permit (ea).... 100.00</p> <p>2260-100 (999) <input checked="" type="checkbox"/> Change Corp. or Trade Name Permit (ea) . 50.00</p> <p>2230-100 (999) <input type="checkbox"/> Change Location Permit (ea)..... 150.00</p> <p>2280-100 (999) <input type="checkbox"/> Change, Alter or Modify Premises \$150.00 x _____ Total Fee _____</p> <p>2220-100 (999) <input type="checkbox"/> Addition of Optional Premises to Existing H/R \$100.00 x _____ Total Fee _____</p> <p>1988-100 (999) <input type="checkbox"/> Addition of Related Facility to Resort Complex \$75.00 x _____ Total Fee _____</p>
Section B – Duplicate License	
<p>• Liquor License No. _____</p> <p>2270-100 (999) <input type="checkbox"/> Duplicate License \$50.00</p>	

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

DATE LICENSE ISSUED	LICENSE ACCOUNT NUMBER	PERIOD

-750 (999)	-100 (999)	<small>The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.</small>	TOTAL AMOUNT DUE \$.00
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INSTRUCTION SHEET

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

Section A

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

Section B

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

Section C

Check the appropriate box in section C and proceed below.

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

STORAGE PERMIT

5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit

Retail Warehouse Permit for:

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

Wholesalers Branch House Permit

Address of storage premise: _____

City _____, County _____, Zip _____

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

CHANGE TRADE NAME OR CORPORATE NAME

6. Change of Trade Name or Corporation Name

Change of Trade name / DBA only

Corporate Name Change (Attach the following supporting documents)

1. Certificate of Amendment filed with the Secretary of State, or
2. Statement of Change filed with the Secretary of State, and
3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.

Old Trade Name	New Trade Name
Wal-Mart Supercenter# 5232	Walmart# 5232
Old Corporate Name	New Corporate Name
Wal-Mart Stores, Inc.	No Change

CHANGE OF LOCATION

7. Change of Location

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

Date filed with Local Authority _____ Date of Hearing _____

(a) Address of current premises _____

City _____ County _____ Zip _____

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

Address _____

City _____ County _____ Zip _____

(c) New mailing address if applicable.

Address _____

City _____ County _____ State _____ Zip _____

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

CHANGE OF MANAGER

8. Change of Manager or to Register the Manager of a Tavern or a Hotel and Restaurant liquor license.

(a) Change of Manager (attach Individual History DR 8404-I H/R and Tavern only)

Former manager's name _____

New manager's name _____

(b) Date of Employment _____

Has manager ever managed a liquor licensed establishment?..... Yes No

Does manager have a financial interest in any other liquor licensed establishment?..... Yes No

If yes, give name and location of establishment _____

MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY

9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility

NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.

(a) Describe change proposed _____

(b) If the modification is temporary, when will the proposed change:

Start _____ (mo/day/year) End _____ (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00

(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?

(If yes, explain in detail and describe any exemptions that apply) Yes No

(d) Is the proposed change in compliance with local building and zoning laws? Yes No

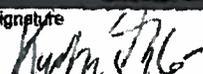
(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises? Yes No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

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 	Title License and Compliance Manager	Date 05/21/2012
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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
Signature	Date
Title	

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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**Offer of Settlement
Subject to CRE 408**

DISTRICT COURT, WATER DIVISION 5, COLORADO
Garfield County Courthouse
109 8th Street, Suite 104
Glenwood Springs, Colorado 81601

CONCERNING THE APPLICATION FOR WATER
RIGHTS OF:

BLACK DIAMOND MINERALS, LLC

IN GARFIELD COUNTY, COLORADO

Attorneys for Applicant:

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▲ Court Use Only ▲

Case Number: 10CW297

FINDINGS OF FACT, CONCLUSIONS OF LAW, JUDGMENT AND DECREE

This matter comes before the Water Court upon the application of Black Diamond Minerals, LLC (“Applicant”) for a decree approving absolute and conditional surface and storage water rights. The Water Court, having considered the pleadings, the stipulations of the parties, and the evidence presented, and being fully advised in the premises makes the following Findings of Fact, Conclusions of Law, Judgment and Decree (“Decree”).

FINDINGS OF FACT

1. The name, address and telephone number of the Applicant is: Black Diamond Minerals, LLC, 1600 Stout Street, Suite 1710, Denver, Colorado 80202, (303) 973-3228.
2. The Applicant filed this application for appropriative surface and storage water rights with the Clerk of the Water Court on December 27, 2010.
3. Timely and adequate notice of the pendency of this proceeding *in rem* was given in the manner required by law. The Water Court has jurisdiction over the subject matter of this

proceeding and over all who have standing to appear as parties, whether they have appeared or not.

4. Timely Statements of Opposition were filed by the following:
 - a. City of Rifle
 - b. Joan L. Savage, individually and as nominee of Buffalo Basin, LTD
 - c. Richard & Abbi Withrow
 - d. Dale Babcock
 - e. Craig Bruner
 - f. Ray Coombs
 - g. Shirley Donaghue
 - h. John & Neva Downing
 - i. Jacob & Kristine Edge
 - j. Arthur J. & Sheila R. Estes
 - k. Joel & Cindy Fisher
 - l. Robert Flohr
 - m. Joe Gottschalk
 - n. Susanna Hoeppli
 - o. Bobby & Genevieve Hooker
 - p. John Stewart Downing Family, LLP
 - q. Gary & Jill Knaus
 - r. Nate & Jo Leuallen
 - s. Russell & Kathy Marsh
 - t. Ronald & Vicky Mead
 - u. Daryl Meisner
 - v. James & Judy Meyer
 - w. Dina Miller
 - x. George & Chris Pearson
 - y. Audrey Squires
 - z. Steven Tanis
 - aa. Tom Vondette
 - bb. Jim & Deb Williams
 - cc. David Youberg
 - dd. Lorile Loesch
 - ee. Richard & Yvonne Gehrett

The time for filing Statements of Opposition and for seeking leave to intervene has expired.

5. The land and water rights involved herein are not included within the boundaries of any designated ground water basin.
6. The Application was referred to the Water Referee on December 28, 2010 and re-referred back to the Water Judge on March 6, 2012. A Consultation Report by the Division Engineer

was filed with the Water Court on March 28, 2010 (sic)(2011). The Applicant responded to the Division Engineer's Consultation Report on May 19, 2011. The concerns raised by the Division Engineer have been adequately addressed herein.

7. The Applicant has reached stipulations with the following parties:

- a. Joan L. Savage, individually and as nominee of Buffalo Basin, LTD

The Applicant has entered into the stipulations listed above, which are incorporated herein by reference, the conditions of which reasonably limit or otherwise affect the Applicant's right to execute the appropriative rights described herein. These stipulations are hereby approved and to the extent the stipulations affect the Applicant's rights, the stipulations are made a part of this Decree. These stipulations shall bind and benefit the Applicant and the other parties to these stipulations. Except as expressly provided in this Decree, the parties in this case other than the signatories to these stipulations, are neither bound by, nor do they benefit from, these stipulations.

8. The following parties have withdrawn their Statements of Opposition:

- a. Opposer David R. Youberg withdrew his statement of opposition by letter to the Court dated April 30, 2012, which was e-filed on May 8, 2012.

9. The Applicant is a Delaware Limited Liability Company. The conditional and absolute surface and storage water rights requested herein are required for the purpose of performing oil and gas development and related activities on land owned, leased or otherwise controlled or used by the Applicant in Garfield County.

10. Absolute and Conditional Water Rights:

- a. Surface Water Rights:

i. Tepee Park Ranch Pump and Pipeline:

1. Source: Beaver Creek, a tributary of the Colorado River.
2. Legal description of the point of diversion: SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, T7S, R94W of the 6th PM, at a point located 2120 feet from the East section line and 2400 feet from the North section line.
3. Amount of water decreed: 1.0 cfs (0.3 cfs, absolute; 0.7 cfs, conditional).
4. Date of Appropriation: October 20, 2008.

ii. Tepee Park Ranch Ditch:

1. Source: Beaver Creek, a tributary of the Colorado River
 2. Legal description of the point of diversion: SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, T7S, R94W of the 6th PM, at a point located 2210 feet from the East section line and 2760 feet from the North section line.
 3. Amount of water decreed: 1.0 cfs, conditional.
 4. Date of Appropriation: October 20, 2008.
- b. Water Storage Rights:
- i. Tepee Park Ranch Reservoir No. 1:
 1. Source of Supply: Beaver Creek, a tributary of the Colorado River.
 2. Legal description (center point of reservoir): SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, T7S, R94W of the 6th PM, at a point located 2320 feet from the East section line and 2180 feet from the North section line.
 - a. Location of Dam: N/A; below grade reservoir.
 3. Date of Appropriation: October 20, 2008.
 4. Amount decreed: 2.85 Acre Feet, absolute.
 - a. Dead Storage: 0.00 Acre Feet.
 5. Rate of diversion for filling: 1.0 cfs.
 - a. Name and capacity of ditch used to fill reservoir: Tepee Park Ranch Pump and Pipeline and Tepee Park Ranch Ditch.
 6. Surface Area at High Water Line: 0.25 Acres.
 - a. Maximum Height of Dam: N/A.
 - b. Length of Dam: N/A.
 - ii. Tepee Park Ranch Reservoir No. 2:
 1. Source of supply: Beaver Creek, a tributary of the Colorado River.

2. Legal description of reservoir: The reservoir will be located at the following location:
 - a. Location of Dam (intersection of dam axis and outlet pipe): SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, T7S, R94W of the 6th PM, at a point located 1780 feet from the North section line and 2010 feet from the East section line.
 3. Date of Appropriation: October 20, 2008.
 4. Amount Claimed: 16.6 Acre Feet, conditional.
 - a. Dead Storage: 0.0 Acre Feet.
 5. Rate of diversion for filling: 1.0 cfs.
 - a. Name and capacity of ditch used to fill reservoir: Tepee Park Ranch Pump and Pipeline and Tepee Park Ranch Ditch.
 6. Surface Area at High Water Line: 1.6 Acres.
 - i. Maximum Height of Dam: 20 Feet.
 - ii. Length of Dam: 600 Feet.
 7. Provided the Applicant receives approval from all applicable state and federal agencies, if such approval is required, the flow of Beaver Creek shall be bypassed around the Tepee Park Ranch Reservoir No. 2 making it an off-channel reservoir. If Beaver Creek is bypassed around Tepee Park Ranch Reservoir No. 2, Applicant will install a sufficient barrier to prevent filling directly from Beaver Creek, except through the Tepee Park Ranch Pump and Pipeline or the Tepee Park Ranch Ditch.
11. The legal descriptions for the ditch and reservoirs that have yet to be constructed as described above are based upon the Applicant's best estimate of the proposed location. The final locations may vary and will be established in any decree awarding absolute water rights therefore. See map attached hereto as **Exhibit A**.
12. How Appropriations were initiated: On October 20, 2008, the Applicant commenced construction of the facilities necessary to divert and impound water for the beneficial uses sought herein.
13. Beneficial Uses: The Applicant shall make use of the water diverted and/or stored for the following purposes: oil and gas construction, drilling, completion, and production operations; mining of gravel, domestic, irrigation, revegetation, dust control, road and pad

construction, extraction and treatment of oil and gas, fire protection, evaporation, and for the augmentation of diversions only to the extent administration officials consider precipitation replacement "augmentation". In addition to the initial use and storage of such water, Applicant has the right to re-use, successively use and disposal of such water to extinction. The Applicant has the right to fill and refill storage sites in priority, and to carryover stored water on the same terms, with the same appropriation date and for the same purposes as are described above.

- a. Location of Use: Water shall be used to support all oil and gas extraction, construction, drilling, completion, and production operations using well pads located upon lands owned and/or leased by Applicant and its successors and assigns. Applicant may use the water for dust control as necessary on the access roads leading to and located upon the Tepee Park Ranch. Applicant currently has control, ownership or lease of over 4,350 acres of lands located in portions of Sections 5, 6, 7 and 8 of T8S, R93W, 6th P.M., portions of Sections 30 and 31 of T7S, R93W, 6th P.M. and portions of Sections 15, 22, 23, 24, 25, 26, 27, 35 and 36 of T7S, R94W, 6th P.M., as further shown on attached **Exhibits B-1 and B-2**, which may be utilized for oil and gas extraction purposes.
 - b. Diversions pursuant to this decree for irrigation and revegetation uses shall be limited to the revegetation and restoration of any areas impacted by drilling or mining operations, including access roads, pipeline rights of way and other infrastructure supporting these operations within the property identified in paragraph 13.a. above.
14. The Court finds based upon the Applicant's fiscal condition the Applicant has the intention, the authority and the financial capacity to, and can and will, divert, capture, possess, control and beneficially use the rights sought herein, and the project sought herein can and will be completed within a reasonable time. Furthermore, the Court finds water is available in priority to supply the appropriations and that technical considerations do not preclude construction of the Tepee Park Ranch Reservoir No. 2.

CONCLUSIONS OF LAW

15. The foregoing Findings of Fact are incorporated into these Conclusions of Law to the extent they constitute conclusions of law.
16. This Court has jurisdiction over the subject matter of this case, to enter the decree requested, and over all persons affected thereby, whether they appeared or not. This is a "water matter" as described in C.R.S. §§ 37-92-101, *et seq.*
17. The water rights described in the foregoing Findings of Fact are appropriative water rights with a date of appropriation and, like other appropriative water rights, must be adjudicated and exercised in accordance with their priority vis-à-vis other decreed water rights.

18. This application was properly filed with the Water Court pursuant to C.R.S. § 37-92-302(1)(a). Timely statements of opposition were filed by the parties specified hereinabove. The time for filing additional statements of opposition or to intervene has expired.
19. Full and adequate notice of the claims adjudicated herein has been given in the manner required by law.
20. The Applicant has met all required standards and burdens of proof necessary to adjudicate the requested water rights, and is, therefore, entitled to a decree confirming and approving the requested water rights.
21. The subject pipeline, ditch and reservoirs named herein are part of a unified system for the gathering, use and/or distribution of water necessary to pursue the Applicant's oil and gas development activities and the beneficial use of the water rights decreed herein. The Applicant's ability to complete and make absolute the conditional appropriative rights sought herein is dependent on several factors, therefore, for purposes of showing diligence and completing the appropriative water rights, diligence as to any part of the Applicant's water rights system on the property as described herein shall be considered diligence as to completion of the appropriations.
22. The Applicant has fully complied with all requirements and met all standards and burdens of proof, including but not limited to those in Sections 37-92-103(3)(a), 37-92-103(4), 37-92-103(6), 37-92-103(7), 37-92-302, 37-92-303, 37-92-304, and 37-92-305, C.R.S., and is, therefore, entitled to this decree confirming water rights for the surface and storage rights named above and described herein.
23. The Applicant has the intention, the authority and the financial capacity to, and can and will, divert, capture, possess, control and beneficially use the water rights involved in this matter and the project can and will be completed within a reasonable time.

JUDGMENT AND DECREE

24. The foregoing Findings of Fact and Conclusions of Law are incorporated as part of this Judgment and Decree.
25. The Applicant's water rights are hereby approved, confirmed and adjudicated, as set forth in the Findings of Fact above, including and subject to the terms and conditions stated herein. The appropriative rights confirmed herein were applied for in 2010 and shall be administered as junior to all senior decreed rights and otherwise in a manner that is non-injurious to senior water rights, as provided herein.
26. No owners of, or persons entitled to use, water under a vested water right or a decreed right will be injured or injuriously affected by the operation of the Applicant's rights as decreed herein.

27. Applicant will install and maintain appropriate measuring and recording devices on all points of diversion as reasonably requested by the Division Engineer or Water Commissioner for the proper administration of these rights.
28. The Applicant will provide stage-area-capacity curves or tables for the storage structures as reasonably required by the Division Engineer and Water Commissioner. In addition, the Applicant will install staff gages and a rain gage to measure precipitation. The storage structures will be constructed to either prevent or pass out-of-priority inflows that occur, including precipitation that reaches the ground elsewhere and flows across the ground into the storage structures. Such releases shall be based on the staff gauge readings. Precipitation falling on the surface of the reservoir need not be released as such precipitation would have historically been consumed by surface vegetation.
29. The Applicant will maintain daily accounting records of diversions and storage of water under these rights. The Applicant will report the amounts and dates of water diversion and storage under these rights to the local Water Commissioner on a monthly basis, or as otherwise directed. Applicant will provide copies of such reports to the parties hereto upon request.
30. Provided the Applicant receives approval from all applicable state and federal agencies, if such approval is required, the Tepee Park Ranch Reservoir No. 2 will be constructed as an off-channel reservoir. The Applicant shall construct and maintain a physical by-pass of Beaver Creek around the reservoir. In the event groundwater is exposed during construction of the reservoir, the reservoir will be backfilled so as not to expose groundwater until such time as the pond is lined in accordance with the State Engineer's guidelines dated August 1999. Tepee Park Ranch Reservoir No. 2 will also be constructed with an outlet pipe to allow appropriate and timely releases of water to Beaver Creek.
31. Once construction of Tepee Park Ranch Reservoir No. 2 is completed, Tepee Park Ranch Reservoir No. 1 will store recycled water and Tepee Park Ranch Reservoir No. 2 will store only water from Beaver Creek. Water will not be allowed to flow from Tepee Park Ranch Reservoir No. 1 into Tepee Park Ranch Reservoir No. 2. Thus no produced or recycled water will be stored in Tepee Park Ranch Reservoir No. 2, and no produced or recycled water will be discharged into Beaver Creek.
32. Clean water releases to Beaver Creek will be made from Tepee Park Ranch Reservoir No. 1 only until such time as Tepee Park Ranch Reservoir No. 2 is operational. At that time, required releases from the water stored in either reservoir shall be made from the water stored in Tepee Park Ranch Reservoir No. 2 only.
33. Tepee Park Ranch Reservoir Nos. 1 and 2 shall be lined to prevent the interception of groundwater.

34. The Tepee Park Ranch Ditch shall be lined to prevent transit loss and the interception of groundwater and will be equipped with a lockable headgate to ensure no out-of-priority withdrawals occur. The Tepee Park Ranch Pump and Pipeline shall be equipped with a permanent lockable headgate structure and/or lockable wet well to ensure no out-of-priority withdrawals occur.
35. The Applicant shall install and maintain signs in the area of Tepee Park Ranch Reservoir Nos. 1 and 2 and at the Beaver Creek crossing stating that no direct access to the creek is allowed for water diversions and that water diversions may only be made pursuant to and at the locations identified in this decree. The Applicant shall install and maintain fencing in the area of the creek crossing to restrict access to Beaver Creek.
36. The Water Commissioner and other state water administration officials shall be allowed uninhibited access to the Tepee Park Ranch in order to administer these water rights.
37. The application in this matter did not seek a decree for produced ground water. The Applicant's operations on the Tepee Park Ranch do not produce ground water that would trigger a need for a water right under *Vance v. Wolfe*, 205 P.3d 1165 (Colo. 2009). However, to the extent that produced ground water would trigger a need for a water right as required under *Vance v. Wolfe*, BDM will obtain a water right for such produced water.
38. The Tepee Park Ranch Pump and Pipeline is decreed absolute in the amount of 0.3 cfs, and the Tepee Park Ranch Reservoir No. 1 is decreed absolute in the amount of 2.85 acre-feet, for the following beneficial uses: mining of gravel, drilling, dust control, irrigation and revegetation.
39. Diversions pursuant to this decree for domestic beneficial uses shall be limited to 0.162 acre-feet per year. Diversions pursuant to this decree for irrigation and revegetation beneficial uses shall be limited to 0.90 acre-feet per year.
40. Tepee Park Ranch Reservoir No. 2 will be a jurisdictional dam. Plans and specifications shall be reviewed and approved by the Dam Safety Branch of the Division of Water Resources prior to construction.
41. So long as the Applicant desires to maintain the conditional rights decreed herein, it shall file with the Water Clerk an application for a sexennial finding of reasonable diligence on or before the last day of _____, 20____, and thereafter as provided by law until a determination is made that such conditional rights have become absolute by reason of completion of the appropriation.

Dated: _____, 20__.

By the Court:

James Boyd
Water Judge
Water Division No. 5

ATTACHED EXHIBITS

Exhibit A: Map illustrating locations of structures.

Exhibits B-1 and B-2: Maps of lands owned/leased by Applicant upon which water may be beneficially used.

Exhibit C: Sample accounting (to be provided at a later date)

DISTRICT COURT, WATER DIVISION 5, COLORADO
Garfield County Courthouse
109 8th Street, Suite 104
Glenwood Springs, Colorado 81601

CONCERNING THE APPLICATION FOR WATER
RIGHTS OF:

BLACK DIAMOND MINERALS, LLC

IN GARFIELD COUNTY, COLORADO

Attorneys for Applicant:

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Austin Hamre, #17823

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▲ Court Use Only ▲

Case Number: 10CW297

STIPULATION BETWEEN APPLICANT AND THE CITY OF RIFLE

Applicant, Black Diamond Minerals, LLC, (“Applicant”) and the City of Rifle (“Rifle”), an Opposer herein, through their undersigned attorneys hereby stipulate and agree that:

1. A Decree of the Water Court may be entered in this matter provided it is no less restrictive upon the Applicant than the Findings of Fact, Conclusions of Law, Judgment and Decree set forth in the Applicant’s proposed decree dated July 13, 2012, attached hereto as **Appendix I**, (“proposed Decree”) and provided the following provisions hereinafter stated are observed.
2. This Stipulation is entered into by way of compromise and settlement of this litigation and the agreement of the undersigned parties for entry of said proposed Decree shall not be construed as concurrence by these parties beyond the Decree adjudicated herein with any findings of fact or conclusions of law contained therein or with the engineering methodologies utilized by either party in arriving at this Stipulation, and nothing contained in any Decree shall be binding upon either party in any proceeding other than the current proceeding and any subsequent proceedings involving the same rights adjudicated herein.

3. Rifle shall be given the opportunity to review any changes to the proposed Decree attached hereto as **Appendix I** in order to verify the terms and conditions in any such changed draft remain consistent with this Stipulation.
4. At times when Rifle is calling in priority under its senior rights diverted through the Rifle Town Intake for the Starke Ditch and the Starke Ditch First Enlargement and L&C Ditch pursuant to Case Numbers CA0089 & CA4954, the Applicant shall observe the priority system requirements and curtail its diversions to the extent necessary for Rifle to divert its senior rights for their decreed purposes.
5. The Applicant shall continue to comply with and maintain as needed its existing Watershed Protection Permit from the City of Rifle and its Stormwater Management Plans and Permits from the Colorado Department of Public Health and Environment. Nothing in the decree entered herein shall in any way alter the terms or conditions of the Applicant's past or existing Watershed Protection Permits or Stormwater Management Plans and Permits.
6. Rifle consents to the Applicant's motion to the Water Court for an order approving this Stipulation between these parties.
7. Both Rifle and the Applicant agree this Stipulation shall bind and benefit them and will be binding upon and benefit their assigns and successors in interest; however, except as may be expressly provided in any Decree which may be entered by the Water Court in this matter, individuals other than the parties to this Stipulation are neither bound by nor are they intended to benefit from this Stipulation.
8. Rifle and the Applicant further stipulate that each will bear its own costs and fees associated with their appearance in this matter.
9. The parties hereto represent and affirm the signatories to this Stipulation are legally authorized to bind the parties.
10. This Stipulation shall be enforceable by the parties as either an agreement or, upon Court approval, as an order of the Water Court.
11. Nothing in this Stipulation or any Decree entered by the Water Court shall prevent Rifle from fully participating in any subsequent Water Court action that involves all or any portion of the water rights that are the subject of the above-captioned case.

Dated this ____ day of _____ 2012.

KARP NEU HANLON, P.C.

By: _____
Michael J. Sawyer, #32313
Jeffrey J. Conklin, #40194

ATTORNEYS FOR THE CITY
OF RIFLE

DUNCAN, OSTRANDER & DINGESS, PC

By: 

John M. Dingess, #12239
Teri L. Petitt, #17002

ATTORNEYS FOR THE
APPLICANT

E-FILED PURSUANT TO CRCP 121

*A PHYSICAL COPY OF THIS DOCUMENT, DULY SIGNED BY THE ATTORNEYS NAMED ABOVE, IS ON FILE AT THE OFFICE OF
DUNCAN, OSTRANDER & DINGESS, P.C., PURSUANT TO CRCP RULE 121, SECTION 1-26(9).*



MEMORANDUM

To: John Hier, City Manager
 From: Charles Kelty, Finance Director *ck*
 Date: August 30, 2012
 Subject: July 2012 Sales, Use, and Lodging Tax Report

Total Sales, Use, and Lodging Tax revenues, for the seven months' ending July 31, 2012, is \$4,129,885, a 5% increase from the previous year's \$3,922,921.

Sales tax revenues are \$3,733,372 a 5% increase from the previous year's \$3,554,197. Building and Motor Vehicle Use Tax revenues are \$334,242, a 12% increase from the previous year's figure of \$297,898. Lodging Taxes revenues are \$62,271 a 12% decrease from the previous year's \$70,826.

**Sales Tax Report
 Prior Year Comparison
 For Sales in July**

Business Category	For Sales in July			Year-to-Date		
	2011	2012	% Change	2011	2012	% Change
Bars and Restaurants	\$ 57,667	\$ 58,535	2%	\$ 360,258	\$ 383,207	6%
Car Parts and Sales	33,074	30,501	-8%	253,850	272,495	7%
Food	75,129	73,922	-2%	494,723	497,029	0%
General Retail	215,083	198,286	-8%	1,389,757	1,406,025	1%
Hardware	20,567	25,934	26%	202,685	232,594	15%
Liquor Stores	19,001	14,583	-23%	105,192	106,024	1%
Motels	21,989	18,863	-14%	100,869	94,295	-7%
Oil & Gas	36,571	36,897	1%	266,927	350,749	31%
Leasing/Misc	7,732	7,233	-6%	58,698	83,348	42%
Utilities	38,475	43,425	13%	321,238	307,606	-4%
Total	\$ 525,287	\$ 508,180	-3%	\$ 3,554,197	\$ 3,733,372	5%
Allocation to Funds:						
General Fund	\$287,767	\$278,395	-3%	\$1,947,091	\$2,045,248	5%
Street Improvement	75,041	72,597	-3%	507,742	533,339	5%
Rifle Information Center	12,397	11,993	-3%	83,879	88,108	5%
Parks & Recreation	150,082	145,194	-3%	1,015,485	1,066,678	5%
	\$525,287	\$508,180	-3%	\$3,554,197	\$3,733,372	5%

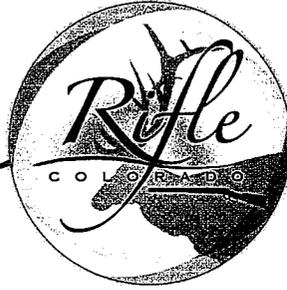


**Building and Motor Vehicle Use Taxes
Prior Year Comparison**

Business Category	For Sales in July			Year-to-Date		
	2011	2012	% Change	2011	2012	% Change
Building Use Taxes	\$76,928	\$509	-99%	\$77,066	\$63,120	-18%
Motor Vehicle Use Tax	18,144	26,729	47%	220,832	271,122	23%
Total Use Tax	\$ 95,072	\$ 27,238	-71%	\$ 297,898	\$ 334,242	12%
Fund Allocation:						
General Fund	\$52,083	\$14,922	-71%	\$163,197	\$183,107	12%
Street Improvement	13,582	3,891	-71%	42,557	47,749	12%
Rifle Information Center	2,244	643	-71%	7,030	7,888	12%
Parks & Recreation	27,163	7,782	-71%	85,114	95,498	12%
Total USE Tax	\$95,072	\$27,238	-71%	\$297,898	\$334,242	12%

**Lodging Taxes
Prior Year Comparison**

Business Category	For Sales in July			Year-to-Date		
	2011	2012	% Change	2011	2012	% Change
Lodging Taxes	\$15,426	\$11,926	-23%	\$70,826	\$62,271	-12%
Total Lodging Tax	\$ 15,426	\$ 11,926	-23%	\$ 70,826	\$ 62,271	-12%
Total Sales, Use, Lodg	\$ 635,785	\$ 547,344	-14%	\$ 3,922,921	\$ 4,129,885	5%



MEMORANDUM

To: John Hier, City Manager
From: Charles Kelty, Finance Director *ck*
Date: August 30, 2012
Subject: July 2012 Financial Reports

Attached are the Financial Reports for the seven months ending July 31, 2012. Below are a few comments:

Page 1 **General Fund Revenues** – Total revenues are \$4,341,192, which compared to the prior year's \$4,270,799 is \$70,393 and 2% higher. Sales Tax revenues year-to-date are approximately 5% higher than previous year.

General Fund Expenditures – Total expenditures are \$4,951,055, which compared to the prior year's \$4,048,943 is \$902,112 and 22% higher. Two grants (HUD and DOT) have incurred expenses, which are included in the Planning Department.

Page 2 **Visitor Improvement Fund** – Total revenues are \$63,379, which compared to the prior year's \$72,413 is \$9,034 and 12% lower. Total expenses are \$79,892, which compared to the prior year's \$89,715 is \$9,823 and 11% lower.

Page 3 **Parks & Recreation Fund Revenues** – Total revenues are \$1,466,794, which compared to the prior year's \$1,310,762 is \$156,032 and 12% higher.

Parks & Recreation Fund Expenditures – Expenditures are \$1,481,461, which compared to the prior year's \$1,431,288 is \$50,173 and 4% higher.

Page 4 **Water Fund Revenues** – Overall, revenues are \$1,558,381, which compared to the prior year's \$1,374,356 is \$184,025 and 13% higher. Operating revenues were 13% higher than the prior year. Water rights revenues were 33% less than prior year. Capital revenues were 48% higher than the prior year.

Water Fund Expenses – Overall, total expenses are \$1,682,799, which compared to the prior year of \$1,607,493 is \$75,306 and 5% higher. Operating and Maintenance expenses are 22% higher than last year. Water rights expenses are 69% higher than last year. Water System Improvements (Capital) expenses is 36% less than last year.



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Wastewater Fund Revenue – Total revenues are \$1,744,779, which compared to the prior year's \$1,306,555 is \$438,224 and 34% higher. Operating Revenues are 17% higher and Capital Revenues are \$218,616 higher.

Wastewater Expenses – Total expenses were \$2,160,802, which compared to the prior year's \$2,120,863 is \$39,939 and 2% higher.

Page 6

Sanitation Fund Revenues – Total revenues are \$281,665, which compared to the prior year's \$333,071 is \$51,406 and 15% less.

Sanitation Fund Expenses – Total expenses are \$307,927, which compared to the prior year's \$293,331 is \$14,596 and 5% higher.

CITY OF RIFLE
 FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
 FOR THE 7 MONTHS ENDING JULY 31, 2012

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
<u>REVENUE</u>					
GENERAL REVENUES	7,445,079.00	460,141.86	4,341,192.42	3,103,886.58	4,270,799.44
	<u>7,445,079.00</u>	<u>460,141.86</u>	<u>4,341,192.42</u>	<u>3,103,886.58</u>	<u>4,270,799.44</u>
<u>EXPENDITURES</u>					
MAYOR/COUNCIL	82,250.00	4,643.83	40,419.32	41,830.68	32,543.14
CITY CLERK	163,237.00	14,115.70	88,807.52	74,429.48	85,857.91
MUNICIPAL COURT	182,794.00	16,003.54	100,137.96	82,656.04	96,709.24
CITY MANAGER	172,633.00	19,039.63	103,369.00	69,264.00	97,363.29
GOVERNMENT AFFAIRS	155,964.00	12,700.61	72,342.98	83,621.02	80,641.23
FINANCE	466,224.00	49,967.46	278,454.00	187,770.00	235,795.62
ATTORNEY	224,500.00	22,370.62	143,131.46	81,368.54	144,970.75
PLANNING/ZONNING	678,071.00	56,640.00	464,726.60	213,344.40	237,129.12
CITY HALL	148,417.00	14,733.79	91,745.93	56,671.07	88,891.81
GROUNDS AND FACILITY MAINT.	69,536.00	7,832.03	26,090.75	43,445.25	32,506.57
COMMUNITY ACCESS TV	119,360.00	11,867.53	67,023.73	52,336.27	64,966.65
POLICE	2,321,446.00	220,252.62	1,281,093.80	1,040,352.20	1,283,973.48
JUSTICE CENTER BLDG. OPERATION	389,448.00	7,747.04	186,023.51	203,424.49	195,066.93
BUILDING INSPECTIONS	150,125.00	14,869.63	82,847.71	67,277.29	86,700.75
STREETS	1,123,978.00	86,225.27	768,079.20	355,898.80	533,759.20
CONSTRUCTION CREW - INHOUSE	211,601.00	25,077.78	133,893.27	77,707.73	100,531.62
PUBLIC WORKS	202,414.00	20,543.58	119,635.81	82,778.19	80,160.98
ANIMAL SHELTER	91,303.00	21,755.48	66,231.10	25,071.90	53,161.23
CEMETERY O & H	69,181.00	5,339.19	34,128.29	35,052.71	35,864.59
SENIOR CENTER	460,496.00	29,419.87	224,675.04	235,820.96	201,824.61
NON DEPARTMENTAL	530,219.00	12,998.63	288,198.24	242,020.76	280,524.68
OPERATING TRANSFERS OUT	290,000.00	.00	290,000.00	.00	.00
	<u>8,303,197.00</u>	<u>674,143.83</u>	<u>4,951,055.22</u>	<u>3,352,141.78</u>	<u>4,048,943.40</u>
	<u>(858,118.00)</u>	<u>(214,001.97)</u>	<u>(609,862.80)</u>	<u>(248,255.20)</u>	<u>221,856.04</u>

CITY OF RIFLE
 FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
 FOR THE 7 MONTHS ENDING JULY 31, 2012

VISITOR IMPROVEMENT FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
<u>REVENUE</u>					
VISITOR IMPROVEMENT	135,876.00	10,970.77	63,379.38	72,496.62	72,412.64
	135,876.00	10,970.77	63,379.38	72,496.62	72,412.64
<u>EXPENDITURES</u>					
VISITOR IMPROVEMENT	249,392.00	22,125.81	79,892.09	169,499.91	89,714.62
	249,392.00	22,125.81	79,892.09	169,499.91	89,714.62
	(113,516.00)	(11,155.04)	(16,512.71)	(97,003.29)	(17,301.98)

CITY OF RIFLE
 FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
 FOR THE 7 MONTHS ENDING JULY 31, 2012

PARKS & RECREATION

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
<u>REVENUE</u>					
PARKS AND REC REVENUE	2,956,799.00	201,381.04	1,466,794.49	1,490,004.51	1,310,762.07
	2,956,799.00	201,381.04	1,466,794.49	1,490,004.51	1,310,762.07
<u>EXPENDITURES</u>					
RECREATION	481,988.00	49,052.77	294,714.85	187,273.15	368,774.88
POOL	206,711.00	47,423.85	146,488.93	60,222.07	152,410.00
RIFLE FITNESS CENTER	384,157.00	22,961.41	168,457.98	215,699.02	38,300.29
COMMUNITY EVENTS	97,602.00	10,820.08	54,694.20	42,907.80	.00
PARK MAINTENANCE	1,037,424.00	99,966.66	558,299.21	479,124.79	489,836.27
PARKS CAPITAL	344,827.00	920.20	161,966.44	182,860.56	278,015.37
NON-DEPARTMENTAL	93,810.00	4,468.02	52,804.11	41,005.89	64,916.65
OPERATING TRANSFER OUT	71,917.00	5,576.42	44,034.94	27,882.06	39,034.94
	2,718,436.00	241,189.41	1,481,460.66	1,236,975.34	1,431,288.40
	238,363.00	(39,808.37)	(14,666.17)	253,029.17	(120,526.33)

CITY OF RIFLE
 FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
 FOR THE 7 MONTHS ENDING JULY 31, 2012

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
<u>REVENUE</u>					
WATER REVENUE	2,387,389.00	287,505.90	1,457,046.27	930,342.73	1,284,233.49
WATER RIGHTS REVENUE	64,500.00	836.73	26,479.95	38,020.05	39,646.85
CAPITAL REVENUE	7,962,000.00	1,640.98	74,855.15	7,887,144.85	50,475.21
	<u>10,413,889.00</u>	<u>289,983.61</u>	<u>1,558,381.37</u>	<u>8,855,507.63</u>	<u>1,374,355.55</u>
<u>EXPENDITURES</u>					
WATER O&H	1,881,772.00	183,730.43	1,226,270.91	655,501.09	1,003,845.07
WATER RIGHTS	134,000.00	10,808.45	114,099.46	19,900.54	67,441.72
WATER SYSTEM IMPROVEMENTS	4,865,593.00	104,519.83	342,428.39	4,523,164.61	536,206.37
	<u>6,881,365.00</u>	<u>299,058.71</u>	<u>1,682,798.76</u>	<u>5,198,566.24</u>	<u>1,607,493.16</u>
	<u>3,532,524.00</u>	<u>(9,075.10)</u>	<u>(124,417.39)</u>	<u>3,656,941.39</u>	<u>(233,137.61)</u>

CITY OF RIFLE
 FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
 FOR THE 7 MONTHS ENDING JULY 31, 2012

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
<u>REVENUE</u>					
WASTE WATER REVENUE	2,568,910.00	201,670.72	1,497,427.07	1,071,482.93	1,277,818.72
WASTE WATER REVENUE	327,000.00	325.91	247,352.18	79,647.82	28,736.12
	<u>2,895,910.00</u>	<u>201,996.63</u>	<u>1,744,779.25</u>	<u>1,151,130.75</u>	<u>1,306,554.84</u>
<u>EXPENDITURES</u>					
SEWER O&H	2,797,073.00	783,502.03	2,135,881.28	661,191.72	2,044,666.29
SEWER SYSTEM IMPROVEMENTS	75,000.00	2,460.50	24,920.91	50,079.09	76,196.39
	<u>2,872,073.00</u>	<u>785,962.53</u>	<u>2,160,802.19</u>	<u>711,270.81</u>	<u>2,120,862.68</u>
	<u>23,837.00</u>	<u>(583,965.90)</u>	<u>(416,022.94)</u>	<u>439,859.94</u>	<u>(814,307.84)</u>

CITY OF RIFLE
 FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
 FOR THE 7 MONTHS ENDING JULY 31, 2012

SANITATION FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
<u>REVENUE</u>					
SANITATION FUND	494,097.00	40,788.92	281,665.09	212,431.91	333,071.43
	494,097.00	40,788.92	281,665.09	212,431.91	333,071.43
<u>EXPENDITURES</u>					
SANITATION	504,026.00	45,853.06	307,926.54	196,099.46	293,331.37
	504,026.00	45,853.06	307,926.54	196,099.46	293,331.37
	(9,929.00)	(5,064.14)	(26,261.45)	16,332.45	39,740.06

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
1003						
Action Shop Services, Inc						
	082812	TRIMMER LINE	08/28/2012	589.95	.00	
	SI68654	NYLON LINE	08/09/2012	73.96	.00	
	SI68846	TRIMMER LINE	08/20/2012	85.73	.00	
	SI68944	NYLOCK NUT	08/24/2012	74.28	.00	
	SI69000	GEARBOX GREASE TRIMMERS	08/28/2012	38.99	.00	
Total 1003:				862.91	.00	
1009						
B & B Plumbing, Inc						
	36780	REPAIRS RESTROOMS	08/23/2012	406.80	406.80	08/24/2012
	36927	PT 1526 21 BIP	07/23/2012	176.40	.00	
	37009	ROTO ROOTED LINE CENTENN	08/02/2012	187.50	.00	
	37068	REPAIRED CRACKED PIPE PO	08/10/2012	102.15	.00	
	37072	REPAIRED PUMP POOL	08/10/2012	3,446.48	.00	
	37123	REPAIR METER PIT LINE	08/20/2012	110.00	.00	
Total 1009:				4,429.33	406.80	
1018						
Valley Lumber						
	68553	CEDAR	06/06/2012	50.40	50.40	08/17/2012
	68747	SAFETY SNAP	07/11/2012	44.82	.00	
	70555	GLOSS BLACK GALLON	07/27/2012	154.94	.00	
	70808	FLASHLIGHT RUBBER	08/02/2012	107.21	.00	
	70927	KICKPLATE BRASS	08/06/2012	289.90	.00	
	70941	FLEX HANDLE	08/06/2012	20.97	.00	
	70987	DEWALT CHARER	08/07/2012	74.99	.00	
	71072	PVC	08/09/2012	2.29	.00	
	71084	LATCH KNOB UNV BLACK	08/09/2012	10.99	.00	
	71138	80 CONCRETE MIX	08/10/2012	62.28	.00	
	71262	SAFETY YELLOW	08/14/2012	17.96	.00	
	71451	1 GALLON POLY GAS CAN	08/20/2012	12.99	.00	
	71533	DEWALT RECIP SAW	08/22/2012	219.99	.00	
	71535	WAFER SELF DRILL	08/22/2012	4.45	.00	
	71541	METAL CUTOFF BLAD	08/22/2012	27.39	.00	
	71548	SAFETY SNAP	08/22/2012	8.25	.00	
Total 1018:				1,109.82	50.40	
1022						
Central Distributing Co						
	916426	Supplies	07/25/2012	117.98	.00	
	917192	Supplies	08/01/2012	78.41	.00	
	917992	Supplies	08/08/2012	217.29	.00	
	917996	Supplies	08/08/2012	41.48	.00	
	918686	Supplies	08/15/2012	274.47	.00	
	918689	Supplies	08/15/2012	65.78	.00	
	918691	Supplies	08/15/2012	112.84	.00	
	919480	Supplies	08/22/2012	26.59	.00	
	919485	Supplies	08/22/2012	366.35	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	920273	Supplies	08/29/2012	81.56	.00	
Total 1022:				1,382.75	.00	
1023						
Chelewski Pipe & Supply						
	070512	PIPE & FITTINGS	07/05/2012	167.67	.00	
Total 1023:				167.67	.00	
1041						
Colo Dept Of Public Hlth & Env						
	0011407	JULY 2012 TOXICOLOGY	07/31/2012	50.00	50.00	08/24/2012
Total 1041:				50.00	50.00	
1055						
Columbine Ford, Inc						
	0801612	2013 Ford Police Explorer	08/16/2012	32,328.44	.00	
	113519	INDICATOR	08/02/2012	24.91	.00	
	113527	HOUSING	08/01/2012	72.41	.00	
	113528	O RING	08/02/2012	39.07	.00	
	218458	REPAIR	08/14/2012	958.88	.00	
Total 1055:				33,423.71	.00	
1056						
Colo Water Conservation						
	083012	INTEREST	08/30/2012	127,002.02	127,002.02	08/30/2012
Total 1056:				127,002.02	127,002.02	
1059						
Consolidated Electrical Distr						
	4983-528448	HID LAMP METAL HALIDE	08/30/2012	250.34	.00	
	4983-530784	HID LAMP METAL HALIDE	08/23/2012	602.06	.00	
Total 1059:				852.40	.00	
1060						
Copeland Concrete, Inc						
	31258	3 MH COLLAR	08/15/2012	31.00	.00	
Total 1060:				31.00	.00	
1062						
Dana Kepner Company						
	1360714-00	TOUCHCOUPLER	07/30/2012	3,550.00	.00	
	1364142-00	1" meters for line replacement on	08/06/2012	4,393.80	.00	
	1364508-00	9 LL 3 WIRE	08/17/2012	1,765.40	.00	
Total 1062:				9,709.20	.00	
1076						
Garfield County Treasurer						
	R410029	BRENDON THEATRE DEVELOP	08/17/2012	263.68	263.68	08/17/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1076:				263.68	263.68	
1083						
Youth Zone						
	073112	ASSES & RECOMM/EDMOND/C	07/31/2012	2,250.00	2,250.00	08/24/2012
Total 1083:				2,250.00	2,250.00	
1087						
Grainger						
	9895007046	PUMP SUMP	08/06/2012	140.12	.00	
	9904089282	GASKET RING 6	08/16/2012	13.22	.00	
	9908771372	FLANGE SPREADER	08/22/2012	197.80	.00	
Total 1087:				351.14	.00	
1094						
Hy-way Feed & Ranch Supply						
	537340	SCOOP SHOVELS	08/08/2012	558.55	.00	
Total 1094:				558.55	.00	
1097						
Johnson Construction Inc						
	082212	5th and 16th St Imp - 2012 Imp P	08/22/2012	115,930.64	.00	
	209121	EMERGENCY WATERMAIN REP	08/13/2012	7,152.78	.00	
Total 1097:				123,083.42	.00	
1100						
Karp, Neu, Hanlon P.c.						
	11223	GENERAL NON PLANNING	07/31/2012	10,056.80	10,056.80	08/17/2012
	11224	AIRPORT PTNR	07/31/2012	401.00	401.00	08/17/2012
	11225	wATER RIGHTS	07/31/2012	10,700.95	10,700.95	08/17/2012
	11226	GENERAL PLANNING	07/31/2012	972.00	972.00	08/17/2012
	11227	UMPTRA	07/31/2012	1,018.00	1,018.00	08/17/2012
	11228	ECANA	07/31/2012	107.50	107.50	08/17/2012
	11229	SEWER FUND	07/31/2012	152.00	152.00	08/17/2012
	11230	QUEENS CROWN	07/31/2012	107.50	107.50	08/17/2012
	11231	RIFLE HEIGHTS ANNEX	07/31/2012	773.50	773.50	08/17/2012
	11232	PARKS REC	07/31/2012	266.00	266.00	08/17/2012
	11234	AIRPORT PTNR	07/31/2012	38.00	38.00	08/17/2012
	11247	PROPERTY MAIN VIOLATION 1	07/31/2012	340.00	340.00	08/17/2012
Total 1100:				24,933.25	24,933.25	
1105						
Meadow Gold Dairies						
	50210728	DAIRY PRODUCTS/REC -POOL	08/03/2012	133.18	.00	
	50210807	DAIRY PRODUCTS/REC -POOL	08/10/2012	27.12	.00	
	50210811	DAIRY PRODUCTS/SENIOR CT	08/13/2012	165.00	.00	
	50210831	DAIRY PRODUCTS/REC -POOL	08/14/2012	87.72	.00	
	50210894	DAIRY PRODUCTS/SENIOR CT	08/20/2012	69.02	.00	
	50210988	DAIRY PRODUCTS/SENIOR CT	08/27/2012	46.32	.00	
Total 1105:				528.36	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1110						
Napa Auto Parts						
	217892	LAMP	08/23/2012	23.30	23.30	08/24/2012
	221402	PINS 25	08/23/2012	.36	.36	08/24/2012
	223202	PUNCH	08/28/2012	2.41	.00	
	226808	DEEP CYCLE GEL BATTERY	08/23/2012	390.85	390.85	08/24/2012
	227752	GSKT MKR	08/23/2012	17.88	17.88	08/24/2012
	228960	O-RINGS	08/23/2012	1.69	1.69	08/24/2012
	228981	LITERBAGS	07/10/2012	24.09	.00	
	230958	80-90 OIL	08/23/2012	10.88	10.88	08/24/2012
	241246	RADSPC	07/25/2012	19.52	.00	
	242048	FUSE ASSORT	07/30/2012	12.99	.00	
	242361	SILICONE	08/01/2012	44.26	.00	
	243161	PERMATEX	08/07/2012	8.99	.00	
	243169	BRAKE ROTOR	08/07/2012	173.26	.00	
	243401	BRAKE ROTOR	08/08/2012	173.26	.00	
	243667	SUPPLES	08/09/2012	32.84	.00	
	244139	GOJO	08/13/2012	52.58	.00	
	244197	EPOXY	08/13/2012	12.58	.00	
	244226	BRAKE ROTOR	08/14/2012	403.25	.00	
	244236	SOLENOID	08/14/2012	61.99	.00	
	244865	40 IN HD BUNGEE CORD	08/17/2012	4.99	.00	
	245592	CREDIT ADJUSTEMENT	08/22/2012	16.46-	16.46-	08/24/2012
	245945	CUT OFF WHEEL	08/24/2012	65.94	.00	
Total 1110:				1,521.45	428.50	
1114						
Wells Fargo Bank West						
	081012	INTEREST-COL WATER RESOU	08/10/2012	29,405.28	29,405.28	08/24/2012
	083012	ESCROW ACCT FEE	08/30/2012	221,189.19	221,189.19	08/30/2012
Total 1114:				250,594.47	250,594.47	
1118						
Parts House						
	5613-20729	ANTIFREEZE GAL	08/01/2012	208.08	.00	
	5613-20786	ANTIFREEZE GAL	08/03/2012	107.70	.00	
	5613-20794	PRESTONE ALL MAKES GAL	08/03/2012	107.70-	.00	
	5613-20954	FILTERS	08/13/2012	15.53	.00	
	5613-21005	NEW WATER PUMPS	08/15/2012	80.99	.00	
Total 1118:				304.60	.00	
1120						
Xcel Energy Inc						
	0434107622	236 W 4TH ST	08/08/2012	26.78	26.78	08/17/2012
	0434109370	300 W 5TH ST UNIT STAGE	08/08/2012	87.44	87.44	08/17/2012
	0434130492	124 W 2ND ST APT B	08/08/2012	50.56	50.56	08/17/2012
	335988930	STREET LIGHTS	08/13/2012	12,963.81	12,963.81	08/24/2012
Total 1120:				13,128.59	13,128.59	
1126						
Rifle City Of						
	1357101 08011	2416-22 RAIL AVE	08/01/2012	1,103.46	1,103.46	08/24/2012
	1453101 08011	50 UTE AVE	08/01/2012	297.91	297.91	08/24/2012
	2003101 08011	201 E. 18th st	08/01/2012	446.29	446.29	08/24/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	2004101 08011	612 RAILROAD	08/01/2012	63.60	63.60	08/24/2012
	2005101 08011	1612 RAILROAD	08/01/2012	1,121.30	1,121.30	08/24/2012
	2006101 08011	101 S EAST AVE	08/01/2012	858.60	858.60	08/24/2012
	2007101 08011	301 E 30TH ST	08/01/2012	52.82	52.82	08/24/2012
	2017102 08011	1718 RAILROAD AVE	08/01/2012	1,864.34	1,864.34	08/24/2012
	2033001 08011	750 UTE AVE	08/01/2012	55.21	55.21	08/24/2012
	20380101 0801	0409 CR 265/POUND	08/01/2012	71.98	71.98	08/24/2012
	2042001 08011	202 RAILROAD	08/01/2012	219.42	219.42	08/24/2012
	2211101 08011	1201 RAILROAD	08/01/2012	442.02	442.02	08/24/2012
	2214101 08011	1500 DOGWOOD DR	08/01/2012	811.39	811.39	08/24/2012
	2215101 08011	225 EAST AVE	08/01/2012	35.99	35.99	08/24/2012
	2325101 08011	1500 DOGWOOD DR	08/01/2012	6.36	6.36	08/24/2012
	2575101 08011	E 4TH ST	08/01/2012	32.45	32.45	08/24/2012
	2599101 08011	280 E 30TH	08/01/2012	3.18	3.18	08/24/2012
	2975101 08011	1775 W CENTENNIAL	08/01/2012	18.29	18.29	08/24/2012
	3079101 08011	595 W 24TH	08/01/2012	779.39	779.39	08/24/2012
	3221101 08011	000 BROWNING DR	08/01/2012	18.29	18.29	08/24/2012
	3351101 08011	1221 E CENTENNIAL	08/01/2012	18.29	18.29	08/24/2012
	3636101 08011	250 E 16TH	08/01/2012	117.66	117.66	08/24/2012
	3641101 08011	360 S 7TH ST	08/01/2012	28.91	28.91	08/24/2012
	3673101 08011	3100 DOKES	08/01/2012	157.87	157.87	08/24/2012
	3679101 08011	300 W 5TH ST	08/01/2012	1,352.87	1,352.87	08/24/2012
	3707101 08011	2515 WEST CENTENNIAL PARK	08/01/2012	82.01	82.01	08/24/2012
	779102 080112	132 e 4th st	08/01/2012	55.21	55.21	08/24/2012
	823101 080112	202 RAILROAD	08/01/2012	81.18	81.18	08/24/2012
	873106 080112	236 w 4th st-Utilites Rental Proper	08/01/2012	295.39	295.39	08/24/2012
Total 1126:				10,491.68	10,491.68	
1134						
Rifle City Petty Cash						
	082312	ADJUSTMENT	08/23/2012	182.12	182.12	08/24/2012
Total 1134:				182.12	182.12	
1143						
Swallow Oil Company						
	081512	CAR WASH	08/15/2012	4,103.00	.00	
Total 1143:				4,103.00	.00	
1145						
Thatcher Company						
	1288612	Aluminum Sulfate (ALUM) for wat	07/23/2012	4,977.78	.00	
Total 1145:				4,977.78	.00	
1188						
Jean's Printing						
	121536	printing	08/28/2012	1,806.17	.00	
	121911	printing	07/17/2012	237.43	.00	
	122068	printing	08/01/2012	304.00	.00	
Total 1188:				2,347.60	.00	
1191						
Lewan & Associates, Inc						
	158234	B&W METER	08/01/2012	15.47	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1191:				15.47	.00	
1249						
Berthod Motors Inc						
	160556	SEAL	07/30/2012	293.88	.00	
	161191	ROTARY SWI	08/23/2012	22.51	.00	
Total 1249:				316.39	.00	
1252						
Elmer Glass Company/rifle Inc						
	IO15956	CLEAR ANNEALED GLASS	08/08/2012	25.00	.00	
Total 1252:				25.00	.00	
1256						
Resource Engineering, Inc						
	11324	341-10.15 ANTERO RESOURCE	07/31/2012	213.00	.00	
	11325	341-10.30 GRAND RIVER GATH	07/31/2012	341.20	.00	
	11326	341-10.7 ENCANA WATERSHED	07/31/2012	213.00	.00	
	11327	341-13.7 PIONEER DITCH	07/31/2012	476.75	.00	
Total 1256:				1,243.95	.00	
1258						
Hach Company						
	7886800	PHOSPHORUS	08/08/2012	509.00	.00	
	7891158	TKN TNT	08/10/2012	114.00	.00	
	7897773	LBOD PROBE CABLE	08/15/2012	868.00	.00	
	7901831	NUTRIENT BFR SOLN PLWS	08/17/2012	40.35	.00	
Total 1258:				1,531.35	.00	
1300						
Kois Brothers Equip Co						
	94523	VIK PROLINE RH TARP ARM	07/18/2012	226.82	.00	
Total 1300:				226.82	.00	
1339						
Grand Junction Pipe & Supply						
	C2367929	PIPE	08/30/2012	853.38	.00	
	C2367930	HYMAX	08/30/2012	249.00	.00	
	C2372024	BTFKY VKV WAFER	07/23/2012	357.80	.00	
	C2374098	ball vlv pvc	08/17/2012	98.23	.00	
	C2374112	METER PI SIMPLEX	08/17/2012	830.60	.00	
	C2374151	FLANGE GSKT	08/17/2012	8.60	.00	
	C2374599	TAP SDL	08/23/2012	426.20	.00	
	C2374608	STAW WATTLE	08/23/2012	54.00	.00	
Total 1339:				2,877.81	.00	
1358						
Timber Line Electric & Control						
	15638	SCADA SUPPORT TANK LEVEL	08/13/2012	637.50	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1358:				637.50	.00	
1381						
Zee Medical, Inc						
	0011012302	FIRST AID SUPPLIES	08/23/2012	186.62	.00	
Total 1381:				186.62	.00	
1563						
Quill Corporation						
	4859651	SUPPLIES	08/06/2012	228.65	.00	
Total 1563:				228.65	.00	
1734						
United Companies/Oldcastle SW Group Inc						
	879385	RAP CREDIT	08/20/2012	102.12-	.00	
Total 1734:				102.12-	.00	
1768						
Faris Machinery Company						
	J08659	REPAIR VACUUM TRUCK	08/16/2012	5,500.00	.00	
	J08659-	REPAIR VACUUM TRUCK	08/16/2012	9,252.42	.00	
Total 1768:				14,752.42	.00	
1830						
Grand Valley Foods						
	122504	FOOD PRODUCT/SR CENTER	08/10/2012	708.50	.00	
	122645	FOOD PRODUCT/SR CENTER	08/17/2012	683.25	.00	
	122696	FOOD PRODUCT/SR CENTER	08/21/2012	94.72	.00	
	122786	FOOD PRODUCT/SR CENTER	08/24/2012	872.16	.00	
	122820	FOOD PRODUCT/SR CENTER	08/28/2012	40.52	.00	
Total 1830:				2,399.15	.00	
1893						
K-d Flags						
	26104	4X6 TOUGH-TEX US FLAGS	08/09/2012	1,162.40	.00	
Total 1893:				1,162.40	.00	
2169						
Information Systems Consulting						
	0063674-IN	CBI CONNECTION PROJECT	08/01/2012	940.00	.00	
	0063678-IN	PROJECT SERVICES	08/01/2012	940.00	.00	
Total 2169:				1,880.00	.00	
2181						
Nalco Chemical Company						
	96772920	Drum 210 LITER	07/26/2012	2,124.12	.00	
	96776067	Drum 210 LITER	07/27/2012	2,086.84	.00	
Total 2181:				4,210.96	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
2235						
Acme Alarm Company Inc						
	7135SO	REMOVE CARD SWIPE	08/20/2012	100.00	.00	
Total 2235:				100.00	.00	
2247						
Rocky Mountain Electric Motors						
	F3214	SERVICE CALL/Water	07/10/2012	1,050.00	.00	
Total 2247:				1,050.00	.00	
2343						
Mountain Pest Control						
	0297722	PEST CONTROL	08/08/2012	50.00	.00	
Total 2343:				50.00	.00	
2409						
Reserve Account						
	082312	POSTAGE	08/23/2012	1,733.74	1,733.74	08/24/2012
Total 2409:				1,733.74	1,733.74	
2412						
B&H Photo - Video, Inc						
	63222938	kanexpro	08/17/2012	88.35	.00	
Total 2412:				88.35	.00	
2470						
Friends Of Rifle Animal Shltr						
	082712	FOURTH QTR PAYMENT	08/27/2012	21,100.75	.00	
Total 2470:				21,100.75	.00	
2540						
Walker Electric						
	4169	REPAIR SLIDE PUMP	07/24/2012	255.00	.00	
Total 2540:				255.00	.00	
2573						
Mountain West Office Products						
	277193	supplies	08/27/2012	72.99-	.00	
	279050I	supplies	08/03/2012	36.23	.00	
	279370I	supplies	08/10/2012	40.58	.00	
	279651I	supplies	08/17/2012	51.96	.00	
	279663I	supplies	08/16/2012	30.16	.00	
	280119	supplies	08/29/2012	83.08	.00	
Total 2573:				169.02	.00	
2690						
Down Valley Septic & Drain LLC						
	JUL120012	ROLL OFF - TIP /CEMETARY	07/31/2012	200.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 2690:				200.00	.00	
2846						
Colo Mtn News Media						
	8093776 07261	AD	07/26/2012	63.00	63.00	08/24/2012
	8101877	AD	07/07/2012	148.50	148.50	08/17/2012
	8101877 07061	AD	07/06/2012	148.50	148.50	08/17/2012
	8266811A 081	AD	08/14/2012	75.67	75.67	08/24/2012
Total 2846:				435.67	435.67	
2960						
Walmart Community						
	002135	SUPPLIES	08/02/2012	37.70	37.70	08/17/2012
	005465	SUPPLIES	08/05/2012	3.98	3.98	08/17/2012
	007482	SUPPLIES	08/07/2012	119.28	119.28	08/17/2012
	007622	SUPPLIES	08/07/2012	22.00	22.00	08/17/2012
	009259	FOOD SUPPLIES	08/09/2012	63.15	63.15	08/24/2012
	010197	SUPPLIES	08/10/2012	7.96	7.96	08/17/2012
	013358	SUPPLIES	07/13/2012	140.20	140.20	08/17/2012
	014782	SUPPLIES	08/14/2012	19.15	19.15	08/17/2012
	014819	FOOD SUPPLIES	08/14/2012	25.38	25.38	08/24/2012
	016204	SUPPLIES	08/16/2012	17.22	17.22	08/24/2012
	020971	SUPPLIES	08/20/2012	18.02	18.02	08/24/2012
	029548	SUPPLIES	07/29/2012	7.94	7.94	08/17/2012
	029816	SUPPLIES	07/29/2012	15.76	15.76	08/17/2012
	029844	SUPPLIES	07/29/2012	3.47	3.47	08/17/2012
	029904	SUPPLIES	07/29/2012	15.88	15.88	08/17/2012
	CREDIT	SUPPLIES	08/14/2012	16.01-	16.01-	08/17/2012
Total 2960:				501.08	501.08	
3015						
Kroger/King Sooper Cust Charge						
	015535	PRAB	08/06/2012	38.84	38.84	08/17/2012
	025325	FOOD /SR CENTER	08/13/2012	97.98	97.98	08/24/2012
	061021	FOOD /SR CENTER	08/14/2012	45.48	45.48	08/24/2012
	066348	SUPPLIES	08/07/2012	198.91	198.91	08/24/2012
	085097	SUPPLIES	08/07/2012	110.85	110.85	08/24/2012
	088923	SUPPLIES	08/07/2012	8.37	8.37	08/24/2012
	169734	FOOD /SR CENTER	08/09/2012	31.80	31.80	08/24/2012
Total 3015:				532.23	532.23	
3083						
ALSCO						
	1194750	work shirts and pants	07/24/2012	29.96	.00	
	1197821	work shirts and pants	07/31/2012	29.96	.00	
	1200787	work shirts and pants	08/07/2012	29.96	.00	
	1203798	LAUNDRY/senior center	08/14/2012	56.74	.00	
	1203799	work shirts and pants	08/14/2012	29.96	.00	
	1206791	LAUNDRY/senior center	08/21/2012	64.52	.00	
	1209781	LAUNDRY/senior center	08/28/2012	68.01	.00	
Total 3083:				309.11	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3091						
Newman Signs Inc						
	TI-0251908	S-SQUARE TUBE	08/03/2012	1,922.50	.00	
Total 3091:				1,922.50	.00	
3107						
Northern Safety Co Inc						
	990109408	BEE BOPP34 WASP HORNET S	08/23/2012	86.92	.00	
Total 3107:				86.92	.00	
3156						
Superwash Of Rifle						
	2036 080712	CAR WASH	08/07/2012	5.05	.00	
Total 3156:				5.05	.00	
3389						
Sandy's Office Supply Inc						
	984452	SUPPLIES	07/19/2012	374.98	.00	
Total 3389:				374.98	.00	
3446						
Staples Business Advantage						
	8022528127	supplies	07/21/2012	61.19	61.19	08/24/2012
	8022737941	supplies	08/11/2012	120.09	120.09	08/24/2012
Total 3446:				181.28	181.28	
3628						
Deussen, Richard						
	072312	REIMBURSEMENT TRAVEL	07/23/2012	241.92	241.92	08/24/2012
Total 3628:				241.92	241.92	
3771						
Waste Management Inc						
	0718425-1185-	RIFLE MOUNTAIN PARK	08/01/2012	764.25	.00	
Total 3771:				764.25	.00	
3847						
Drive Train Industries Inc						
	04 553676	FILTER	08/14/2012	248.48	.00	
Total 3847:				248.48	.00	
3858						
Wells Fargo Bank Mn Na						
	083012	OBI:CWRPDA-SWRP/RIFLE-148	08/30/2012	9,247.09	9,247.09	08/30/2012
Total 3858:				9,247.09	9,247.09	
3955						
Holy Cross Energy						
	080712	BEAVER CREEK HEADGATE	08/07/2012	26.29	26.29	08/17/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	080712.	Baron Lane St Lights	08/07/2012	19.58	19.58	08/17/2012
Total 3955:				45.87	45.87	
4141						
True Brew Coffee Service						
	144269	COFFEE	08/09/2012	147.23	.00	
	144270	COFFEE	08/09/2012	49.36	.00	
Total 4141:				196.59	.00	
4207						
Radio Shack						
	10142232	HP 92 BLACK	08/30/2012	29.98	.00	
	10149023	OTTERBOX DEFENDER IPAD	08/08/2012	89.99	.00	
	10149064	8GB BLUE FACET USB	08/09/2012	23.97	.00	
	10149086	PEARL BUD W/MIC WHITE	08/09/2012	19.99	.00	
	10149149	GUGAWARE WIRED OPTICAL M	08/13/2012	14.99	.00	
	10149239	ROCK PHONE LINE	08/15/2012	11.99	.00	
	10149391	CABLE	08/21/2012	13.77	13.77	08/24/2012
Total 4207:				204.68	13.77	
4240						
Platinum Plus For Business						
	BARTH 08111	MISC EXPENSES	08/11/2012	53.41	53.41	08/24/2012
	BRAATEN-081	DCI MEETING	08/11/2012	300.39	300.39	08/24/2012
	BRIEDIS 0811	USER FEE WEBTIMECLOCK	08/11/2012	98.45	98.45	08/24/2012
	BURNS 08111	TRAINING	08/11/2012	255.00	255.00	08/24/2012
	CAIN 081112	TRAINING	08/11/2012	209.95	209.95	08/24/2012
	CHRISTENSE	EASY SAVINGS CREDIT	08/11/2012	524.52	524.52	08/24/2012
	DEUSSEN 081	LODGING-MEETING	08/11/2012	345.79	345.79	08/24/2012
	EDGETON 081	CRVCRS PRIZES	08/11/2012	1,296.58	1,296.58	08/24/2012
	FLATEN 08111	INTOX CLASS	08/11/2012	9.48	9.48	08/24/2012
	KELTY 081112	LUNCH INVESTMENT CONSULT	08/11/2012	73.20	73.20	08/24/2012
	MEISNER 081	ITUNES	08/11/2012	156.55	156.55	08/24/2012
	MILES 081112	TRAINING	08/11/2012	91.45	91.45	08/24/2012
	MILLER 08111	TRAINING	08/11/2012	420.76	420.76	08/24/2012
	PINA 081112	NOTARY COMMISSION	08/11/2012	10.00	10.00	08/24/2012
	STEWART 081	NATIONAL NIGHT OUT - CONDI	08/11/2012	6.51	6.51	08/24/2012
	STURGEON 0	COFERENCE	08/11/2012	1,062.39	1,062.39	08/24/2012
	TAYLOR 0811	PICK UP DUMP TRUCK-DENVE	08/11/2012	1,182.56	1,182.56	08/24/2012
	TURGEON 081	CRAFTS	08/11/2012	60.83	60.83	08/24/2012
	WHITMORE 08	MEETING DEERFIELD PHASE	08/11/2012	41.70	41.70	08/24/2012
Total 4240:				6,199.52	6,199.52	
4339						
Design Concepts						
	21116.00	Deerfield Park Completion Plan C	08/05/2012	3,109.15	.00	
Total 4339:				3,109.15	.00	
4406						
Rifle Creek Stone Inc						
	29818/29821	ROAD BASE	08/13/2012	346.84	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 4406:				346.84	.00	
4590						
Colorado Poolscapes Inc						
	44143-2	POOL CHEMICALS	08/23/2012	4,032.87	.00	
Total 4590:				4,032.87	.00	
4630						
Kirkman, Ula						
	98	PERFORMANCE/SR CENTER	08/17/2012	75.00	75.00	08/24/2012
Total 4630:				75.00	75.00	
4796						
Mountain Air Mechanical Hvac						
	16228	CLEAN INSPECT EQUIPMENT	08/02/2012	1,767.48	.00	
Total 4796:				1,767.48	.00	
4811						
United Site Services Inc						
	114-48057	PORTABLE RESTROOM HEINZ	08/30/2012	65.00	.00	
	114-48061	PORTABLE RESTROOM DAVID	08/30/2012	220.00	.00	
	114-48166	PORTABLE RESTROOM CENTE	08/30/2012	620.00	.00	
	114-647059	DELUXE RESTROOM ROAN CLI	08/30/2012	255.00	.00	
	114-739669	PORTABLE RESTROOM METR	07/30/2012	200.00	.00	
	114-739670	PORTABLE RESTROOM MOUN	07/30/2012	1,470.00	.00	
	114-743308	PORTABLE RESTROOM DEER	07/31/2012	910.00	.00	
	114-745343	PORTABLE RESTROOM JOYCE	08/16/2012	100.00	.00	
	114-755420	PORTABLE RESTROOM/	08/06/2012	340.00	.00	
	114-757966	PORTABLE RESTROOM CENTE	08/07/2012	620.00	.00	
	114-775344	PORTABLE RESTROOM HEINZ	08/16/2012	100.00	.00	
	114-775345	PORTABLE RESTROOM DAVID	08/16/2012	220.00	.00	
	114-783817	PORTABLE RESTROOM DEER	08/21/2012	840.00	.00	
Total 4811:				5,960.00	.00	
4869						
My Precious Pet						
	126	FISH TANK/SR CENTER	08/12/2012	65.00	65.00	08/24/2012
Total 4869:				65.00	65.00	
4967						
Touch Tone Communications						
	073112	OM	07/31/2012	208.92	208.92	08/17/2012
Total 4967:				208.92	208.92	
4969						
Stout's Electric Motor Service						
	41099	RECONDITIONED MOTOR	08/02/2012	85.60	.00	
	41102	RECONDITIONED MOTOR	08/08/2012	895.86	.00	
Total 4969:				981.46	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
5085						
DIGITAL ALLY						
	1049832	REPAIR	08/08/2012	420.00	.00	
Total 5085:				420.00	.00	
5122						
KUTAK ROCK LLP						
	1774218	Bond Counsel - WTP Financing	08/13/2012	10,000.00	.00	
	1774218-	2012 DRINKING WATER REVOL	08/13/2012	15,000.00	.00	
Total 5122:				25,000.00	.00	
5181						
FRED'S HARDWARE						
	20300 083112	SUPPLIES	08/31/2012	315.79	.00	
	20303 083112	SUPPLIES	08/31/2012	255.70	.00	
Total 5181:				571.49	.00	
5192						
PECZUH PRINTING COMPANY						
	187771	BUSINESS CARDS	08/14/2012	34.00	.00	
	187886	envelopes	08/17/2012	540.70	.00	
Total 5192:				574.70	.00	
5234						
SUMMIT SWEEPING SERVICE, LLC						
	5020	PARKING LOT	08/01/2012	.00	.00	
	5020-	PARKING LOT	08/01/2012	105.00	.00	
Total 5234:				105.00	.00	
5253						
FASTENAL						
	51396	SWAMP	07/25/2012	13.07	.00	
	51572	SK1188 KAZBEK	08/01/2012	12.11	.00	
	51687	18 V NANO BATTERY	08/07/2012	279.98	.00	
	51812	3 BUNA CAMLOCK GASK	08/14/2012	4.94	.00	
Total 5253:				310.10	.00	
5298						
New Castle Recreation						
	081512	REFEREE CLINIC	08/15/2012	75.00	75.00	08/17/2012
Total 5298:				75.00	75.00	
5434						
LAW OFFICES OF PAUL GERTZ, PC						
	25179	COURT APPOINTED COUNSEL	08/09/2012	438.75	438.75	08/24/2012
Total 5434:				438.75	438.75	
5503						
JAY-MAX SALES						
	221351-00	COTTON RAGS	08/07/2012	32.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5503:				32.00	.00	
5518						
CURRENT SOLUTIONS						
	4545	HID PRINTABLE PROXIMITY CA	08/06/2012	492.00	.00	
	4553	CAT6 PLENUM RATED CABLE	08/20/2012	1,058.50	.00	
Total 5518:				1,550.50	.00	
5548						
Power Equipment Company						
	G207052880	WIPER ARM	07/31/2012	72.90	.00	
Total 5548:				72.90	.00	
5609						
Ohio Calibration Laboratories						
	12605	Calibration PD	08/10/2012	35.00	.00	
	12606	Calibration PD	08/10/2012	35.00	.00	
	12607	Calibration PD	08/10/2012	50.00	.00	
Total 5609:				120.00	.00	
5732						
GENTRY, ERICA						
	081712	CONFERENCE	08/17/2012	284.95	284.95	08/17/2012
Total 5732:				284.95	284.95	
5752						
Accutest Mountain States						
	D7-28218	alkalinity, organic carbon/water te	08/06/2012	160.00	.00	
	D7-28219	alkalinity, organic carbon/water te	08/06/2012	870.00	.00	
Total 5752:				1,030.00	.00	
5796						
Norit Americas Inc.						
	522487	Po 444	08/15/2012	1,825.00	.00	
Total 5796:				1,825.00	.00	
5810						
HARRINGTON INDUSTRIAL PLASTICS						
	008B6888	3 FLANG 1 PC	07/24/2012	255.31	.00	
	008B7476	BUSHING	08/13/2012	48.64	.00	
Total 5810:				303.95	.00	
5821						
ENVIRO-CHEM						
	7317	CHRONIC WET TWO SPECIES	08/24/2012	1,068.30	1,068.30	08/24/2012
	7399	BIOSOLIDS FOR RADIUM	08/13/2012	1,120.00	1,120.00	08/17/2012
Total 5821:				2,188.30	2,188.30	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
5829						
Tom's Striping						
	080612	SPRAY WEEDS	08/06/2012	2,450.00	2,450.00	08/17/2012
Total 5829:				2,450.00	2,450.00	
5958						
Utility Refund						
	1506101	REFUND-1145 PARK AVE	08/22/2012	55.21	55.21	08/24/2012
Total 5958:				55.21	55.21	
5960						
Recreation Fee Refunds						
	2000816002	REC FEE REFUND	07/26/2012	55.00-	.00	
	2000816002 07	REC FEE REFUND	07/26/2012	55.00	55.00	08/24/2012
	2000824002	REC FEE REFUND	08/13/2012	80.00	80.00	08/17/2012
	2000825002	REC FEE REFUND	08/16/2012	80.00	80.00	08/17/2012
	2000827002	REC FEE REFUND	08/20/2012	15.00	15.00	08/24/2012
Total 5960:				175.00	230.00	
6020						
CMCA						
	080812	MEMBERSHIP	08/08/2012	160.00-	.00	
Total 6020:				160.00-	.00	
6051						
HR Design						
	1526	INTERIOR DESIGN NEW WATE	08/15/2012	1,162.50	.00	
	1527	INTERIOR FINISHES UTE CENT	08/28/2012	225.00	.00	
Total 6051:				1,387.50	.00	
6067						
Mountain Roll-offs, Inc.						
	080112-	MONTHLY FEE	08/01/2012	35,933.38	.00	
	080112.	PORTABLE RESTROOM	08/01/2012	109.01	.00	
	103533	SLUDGE	08/21/2012	660.00	.00	
Total 6067:				36,702.39	.00	
6137						
Impressions of Aspen						
	16295	SUPPLIES	07/25/2012	454.96	.00	
	16343	SUPPLIES	08/01/2012	123.42	.00	
	16463	SUPPLIES	08/21/2012	388.75	.00	
	16492	SUPPLIES	08/23/2012	1,295.00	.00	
	16493	SUPPLIES	08/23/2012	499.99	.00	
Total 6137:				2,762.12	.00	
6144						
COMCAST CABLE						
	081312	IXFINITY TV	08/13/2012	1.00	1.00	08/24/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6144:				1.00	1.00	
6161						
Ewing Irrigation Products						
	5180087	50 LB PLUS 5 CHALK	07/31/2012	624.20	.00	
Total 6161:				624.20	.00	
6187						
Bracken Blair						
	081712	FUEL REIMBURSEMENT	08/17/2012	41.18	41.18	08/17/2012
Total 6187:				41.18	41.18	
6189						
USTF						
	082212	TAE KWON DO 2ND QTR	08/22/2012	270.00	270.00	08/24/2012
Total 6189:				270.00	270.00	
6221						
Wells Fargo Financial Leasing						
	6745034080	XEROX COPIER	08/02/2012	336.44	336.44	08/24/2012
Total 6221:				336.44	336.44	
6225						
BRUBACHER DESIGN						
	667	STOP SIGNS	08/23/2012	128.00	.00	
Total 6225:				128.00	.00	
6282						
Kansas State Bank						
	083012	PRINCIPAL	08/30/2012	1,672.98	1,672.98	08/30/2012
Total 6282:				1,672.98	1,672.98	
6303						
Law Office of Angela Roff, PC						
	829	CITY PROSECUTOR	07/31/2012	4,169.82	4,169.82	08/24/2012
Total 6303:				4,169.82	4,169.82	
6310						
SIRUS XM Radio Inc.						
	X-775311127	XM SERVICE	08/10/2012	115.55	115.55	08/24/2012
Total 6310:				115.55	115.55	
6347						
ALL HOURS CLEANING & MAINTENANCE						
	2990	MONTHLY CLEANING	08/05/2012	800.00	.00	
Total 6347:				800.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6355						
LAFARGE WEST INC						
	2442340	ULTRAVERTICA 3010	07/13/2012	272.50	.00	
Total 6355:				272.50	.00	
6357						
FIRST STRING						
	4319	UNIFORMS	08/27/2012	465.00	.00	
	4388	COTTON SHORT SLEEVE T-SHI	07/17/2012	700.00	.00	
	4411	UNIFORMS	07/30/2012	375.00	.00	
	4422	UNIFORMS	08/08/2012	2,268.00	.00	
	4428	T-SHIRTS	08/08/2012	278.50	.00	
Total 6357:				4,086.50	.00	
6383						
CENTURY LINK						
	1225402714	FITNESS CENTER	08/11/2012	6.38	6.38	08/24/2012
Total 6383:				6.38	6.38	
6392						
YEH & ASSOCIATES						
	8930	GEOTECHNICAL SERVICES	07/31/2012	954.27	.00	
Total 6392:				954.27	.00	
6409						
RIFLE TOWING						
	17626	TOWING	08/01/2012	123.00	.00	
Total 6409:				123.00	.00	
6412						
APP GEO						
	14605	WEBSITE HOSTING	07/31/2012	4,500.00	.00	
Total 6412:				4,500.00	.00	
6431						
Cavaliere, Julie						
	082412	CONCERT CENTENNIAL PARK	08/24/2012	750.00	750.00	08/24/2012
Total 6431:				750.00	750.00	
6441						
Rocky Mountain ALternative Fueling						
	073112	FUEL	07/31/2012	326.34	.00	
Total 6441:				326.34	.00	
6474						
HEJNY, NATHAN						
	081512	CODE ENFORCEMENT	08/15/2012	280.00	280.00	08/24/2012
Total 6474:				280.00	280.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6512						
C.B. WELLS						
	8	PERFORMANCE	08/11/2012	100.00	100.00	08/24/2012
Total 6512:				100.00	100.00	
6518						
Tetra Tech Inc.						
	50585971	SWWTP Lagoon Decommissionin	08/08/2012	2,331.00	.00	
	50585972	ODOR CONTROL EVALUATION	08/08/2012	8,673.75	.00	
Total 6518:				11,004.75	.00	
6537						
Holscher, Mayberry & Company,LLC						
	081612	FINAL BILL PARITY CERTIFICAT	08/16/2012	250.00	250.00	08/24/2012
Total 6537:				250.00	250.00	
6553						
CHARLIER ASSOCIATES, INC						
	998	Hud Grant 33607-DT Transit Dev	08/10/2012	36,092.10	.00	
	998-	DOT Grant CMS 33608 - DT Tran	08/10/2012	14,183.00	.00	
Total 6553:				50,275.10	.00	
6566						
LADYBUG EXPRESS INC						
	437	FUNERAL PIECE	08/08/2012	65.00	65.00	08/17/2012
Total 6566:				65.00	65.00	
6568						
MICRO PLASTICS						
	92173	THICK NECK DRAPE RED, WHI	07/03/2012	117.60	.00	
	92612	AWARD RIBBONS	08/02/2012	946.64	.00	
Total 6568:				1,064.24	.00	
6573						
APRENDI INC						
	18393	LEGAL INTERPRETATION	07/31/2012	70.00	70.00	08/24/2012
Total 6573:				70.00	70.00	
6606						
Western Slope Supplies, Inc.						
	19	BOTTLED WATER	08/07/2012	62.15	62.15	08/24/2012
	671338	BOTTLED WATER	07/15/2012	20.58	20.58	08/24/2012
	8215570	BOTTLED WATER	07/10/2012	21.05	21.05	08/24/2012
	8215576	BOTTLED WATER	07/10/2012	14.20	14.20	08/24/2012
	8215577	BOTTLED WATER	07/10/2012	27.90	27.90	08/24/2012
	8215903	BOTTLED WATER	07/17/2012	55.30	55.30	08/24/2012
	8215909	BOTTLED WATER	07/17/2012	7.35	7.35	08/24/2012
	8215910	BOTTLED WATER	07/17/2012	34.75	34.75	08/24/2012
	9130338	BOTTLED WATER	07/03/2012	41.60	41.60	08/24/2012
	9130342	BOTTLED WATER	07/03/2012	47.60	47.60	08/24/2012
	9130851	BOTTLED WATER	07/24/2012	7.35	7.35	08/24/2012

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	9130852	BOTTLED WATER	07/24/2012	34.75	34.75	08/24/2012
	9130859	BOTTLED WATER	07/24/2012	7.35	7.35	08/24/2012
	9130860	BOTTLED WATER	07/24/2012	41.60	41.60	08/24/2012
	9131072	BOTTLED WATER	07/31/2012	27.90	27.90	08/24/2012
	9131073	BOTTLED WATER	07/31/2012	7.35	7.35	08/24/2012
	9131074	BOTTLED WATER	07/31/2012	21.05	21.05	08/24/2012
	9131088	BOTTLED WATER	08/01/2012	27.90	27.90	08/24/2012
	9131089	BOTTLED WATER	08/01/2012	7.35	7.35	08/24/2012
	9131090	BOTTLED WATER	08/01/2012	21.05	21.05	08/24/2012
Total 6606:				536.13	536.13	
6630						
BEMBENEK, GLENN						
	690003.1	Paver Cleaning-regrouting/sealing	07/09/2012	3,840.00	3,840.00	08/17/2012
Total 6630:				3,840.00	3,840.00	
6645						
R.L. PARSONS & SON ECI						
	6425	HW-F01 CONTACT	08/02/2012	250.34	.00	
Total 6645:				250.34	.00	
6649						
DYER, JOHN						
	082712	REIMBURSEMENT EXPENSES	08/27/2012	915.39	915.39	08/27/2012
Total 6649:				915.39	915.39	
6672						
DYE, CHARLES						
	080912	REIMBURSEMENT MILEAGE	08/09/2012	51.52	51.52	08/17/2012
	081712	CDL PERMIT FEE	08/17/2012	14.00	14.00	08/17/2012
Total 6672:				65.52	65.52	
6673						
PRADO, ALICIA						
	082312	APPLICANCE REBATE PROGRA	08/23/2012	200.00	200.00	08/24/2012
Total 6673:				200.00	200.00	
6674						
KARR, PAUL						
	082312	APPLIANCE REBATE PROGRA	08/23/2012	100.00	100.00	08/24/2012
Total 6674:				100.00	100.00	
6675						
PARKSON CORPORATION						
	AR1/51000782	PIPE	08/14/2012	110.45	.00	
Total 6675:				110.45	.00	
6676						
E-WASTE RECYCLERS OF COLORADO						
	2061	LARGE DESKTOP PRINTERS	08/13/2012	495.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6676:				495.00	.00	
6677						
AUTOPAYCHECKS, INC						
	38735A	SOFTWARE	08/06/2012	70.00	.00	
	38736A	SOFTWARE FITNESS CENTER	08/06/2012	30.00	.00	
Total 6677:				100.00	.00	
6678						
AARON'S HEATING & COOLING, INC						
	960	RECOVERY DISPOSAL USED R	08/15/2012	422.56	.00	
Total 6678:				422.56	.00	
6679						
GARFIELD COUNTY TREASURER						
	082312	2012 MOSQUITO CONTROL PR	08/23/2012	15,300.00	.00	
Total 6679:				15,300.00	.00	
Grand Totals:				895,921.17	468,770.20	

Dated: _____

City Finance Director: _____

Report Criteria:

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



Sander N. Karp
James S. Neu
Karl J. Hanlon
Michael J. Sawyer
James F. Fosnaught

Cassia R. Furman
Jeffrey J. Conklin
Hollie L. Wieland
Cody B. Doig

201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602
Telephone: 970. 945.2261
Facsimile: 970. 945.7336

James S. Neu
jsn@mountainlawfirm.com

Of Counsel
Anna S. Itenberg
Greg S. Russi
Robert L. Sperberg

Avon Office
70 Benchmark Road, #205
Avon, CO 81620
Telephone: 970.845.0200

August 30, 2012

www.mountainlawfirm.com

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

Re: September 5, 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 September 5, 2012 Rifle City Council Meeting.

1) Resolution No. 18, Series of 2012 (CMC Airpark PUD Minor Subdivision). Airport Land Partners Limited (“ALP”) donated land to Colorado Mountain College several years ago which has been developed as CMC’s Rifle Campus. ALP is requesting final plat approval of a three-tract minor subdivision so that it can convey additional land shown as Tracts B and C on the plat to CMC so that it can someday expand the Rifle Campus. Tract A is included in the application in order to avoid the technical subdivision since it will be severed by the right-of-way serving these properties. The Property is subject to the Rifle Airpark PUD Annexation Agreement, which defers the identification and implementation of fees and dedications to mitigate the impacts of development until the City’s approval of a PUD Final Development Plan application, which has not yet been submitted. Resolution No. 18, Series of 2012 would approve the minor subdivision requested by ALP with conditions.

Resolution No. 18 continues to prohibit development on the Property, specifically on Tract A to be retained by ALP, until a PUD Final Development Plan is approved. Tracts B and C can be developed once they are conveyed to CMC and rezoned A-PD (Public/Institutional). To develop them, CMC will need to enter into a Site Plan Improvements Agreement for the construction of any public improvements necessary for the proposed development. The primary public improvement contemplated by the Rifle Airpark PUD Preliminary Plan is the road providing access between Tracts A and B. If CMC proposes minimal development such as maintenance facilities or parking connected to its adjacent parcel, or ALP constructs the road as part of development of Tract A, there may be no public improvements triggered. The City’s Land Use Code will determine those requirements once development is proposed.

Staff will provide additional details on the final subdivision request and the development

KARP NEU HANLON, P.C.

Mayor Jay Miller
Rifle City Council
Page 2

contemplated for the CMC Property and the Rifle Airpark PUD at your meeting.

We recommend approval of Resolution No. 18, Series of 2012.

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



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Matt Sturgeon, Assistant City Manager

DATE: August 30, 2012

SUBJECT: CMC Airpark Minor Subdivision

Airport Land Partners (ALP) and CMC are requesting City Council approve the subject subdivision. ALP and CMC have agreed upon a land sale/partial donation that would convey two tracts (approx. 25 acres) of land surrounding the existing campus to CMC for future campus expansion.

This request is being made in advance of the Rifle Airpark Final Plat submittal for the entire development, because CMC is the recipient of a grant from the Clough Foundation to assist with this acquisition that requires the transfer occur by October.

This property will still be subject to the terms of the Rifle Airpark Annexation Agreement. The terms of this Agreement preclude CMC and ALP from seeking a building permit until the PUD Zoning is finalized with the Airpark Final Plat (or CMC seeks different zoning), and the road shown between Tract A and Tract B is constructed.

Staff recommends City Council approve this minor subdivision.



CITY OF RIFLE
202 RAILROAD AVENUE • P.O. BOX 1908 • RIFLE, CO 81650
WWW.RIFLECO.ORG

(970) 665-6490 • (970) 625-6268 Fax • planning@rifeco.org

RifleAirpark

Draft Application

APPLICATION FOR MINOR
SUBDIVISION AND FINAL PLAT
TO THE CITY OF RIFLE
OF 43.274 ACRES MORE OR LESS
LOCATED IN
RIFLE AIRPARK TRACTS A, B & C

Presented to:
City of Rifle, Colorado

August 30, 2012

Presented by:
Airport Land Partners,
a Limited Liability Corporation
312 AABC • Suite 1
Aspen, CO 61611
robert_howard@me.com

**Airport Land Partners Limited, a Colorado Limited Partnership
312 ABC Suite A
Aspen, Colorado 81611**

August 30, 2012

Mr. Matt Sturgeon
Assistant City Manager
City of Rifle
202 Railroad Ave.
Rifle, CO 81650

Dear Matt,

Enclosed please find our Application for Minor Subdivision Plat of Tracts A, B & C in Rifle Airpark.

As the Managing Partner of Airport Land Partners Limited, I have the authority to bind the partnership through any legal application and subsequent agreement.

This application creates two parcels – Tracts B & C – that will be the subject of an acquisition by Colorado Mountain College to add to their existing Rifle campus. We believe that this action will serve both the College and the Rifle community in providing for future expansion and development. The third parcel – Tract A – is included in the application in order to avoid the technical subdivision of a parcel less than 35 acres in size.

Thank you again for the continual support of the City of Rifle in facilitating this Application and the continuing development of Rifle Airpark. Rifle Airpark continues to be a vital component of the City of Rifle's future economic development and prosperity.

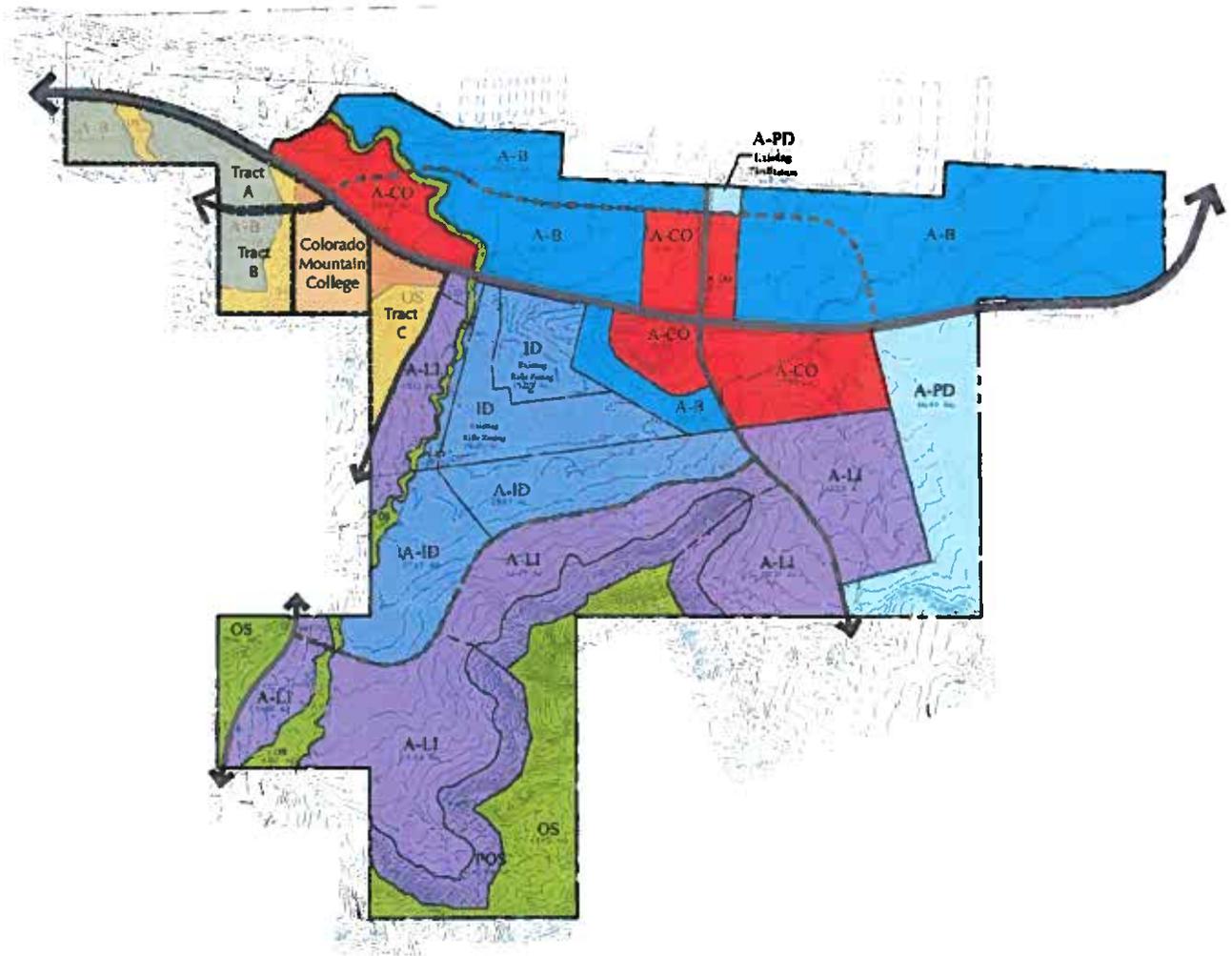
We look forward to your review comments.

Very truly yours,
Airport Land Partners Limited,

A handwritten signature in black ink, appearing to read "Robert A. Howard", written over a horizontal line.

Robert A. Howard
Managing Partner

Vicinity Map of the Minor Subdivision



Statement of Purpose

The purpose of this application is to create a Minor Subdivision and Final Plat for Tracts A, B and C within Rifle Airpark. Tracts B and C will, upon acquisition by CMC, be combined with the existing Rifle Airpark Campus of Colorado Mountain College in order to accomodate future expansion and development.

The Tracts A, B & C received preliminary plat approval on January 20, 2012 from the Rifle City Council. The land included in the application was annexed to the City of Rifle on November 15, 2011.

Subsequent to the granting of a final plat, CMC or its agent will seek rezoning of Tracts B & C in order to conform to the ultimate use of the land, a community college educational campus.

DEPARTMENT OF PLANNING & DEVELOPMENT
202 Railroad Avenue, Rifle, CO 81650
Phone: 970-665-6490 Fax: 970-625-6268



LAND USE APPLICATION FORM

Application Type (check all that apply):

- | | | |
|---|--|--|
| <input type="checkbox"/> Amended Plat | <input type="checkbox"/> Lot Line Rearrangement | <input type="checkbox"/> Sketch-Preliminary Subdivision Plan |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Minor Subdivision Sketch Plan | <input type="checkbox"/> Text Amendment |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Outside City Water/Sewer | <input type="checkbox"/> Vacation – Easement/Right-of-way |
| <input checked="" type="checkbox"/> Final Plat | <input type="checkbox"/> Preliminary Subdivision Plan | <input type="checkbox"/> Zoning Varlance |
| <input type="checkbox"/> Floodplain Development | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> Lot line dissolution | <input type="checkbox"/> Sketch Subdivision Plan | <input type="checkbox"/> GIS System Integration |
| | | <input type="checkbox"/> Other |

Brief Description of Application(s)

Seek approval of a Minor Subdivision and Final Plat consistant with Preliminary Tract Map Plat
previously adopted by the City of Rifle.

Property Information

Address: See attached legal description

Parcel ID number: _____

Legal Description (attach additional sheet if necessary): See attached legal description

Access to Property: County Road 352 east of central Rifle exit on I-70

Instructions for Submittal

- Original applications with original signatures must be provided.
- In addition to this application, all information on the supplemental checklist must be submitted.
- Incomplete applications will not be accepted and will delay processing.
- Initially, one copy of each document may be submitted to the Planning Department for review. When the documents are deemed adequate, additional copies as required by the Planning Department shall be submitted.
- All documents, plans, plats, etc. shall be no larger than 8 1/2" x 14" in size or folded to that or a smaller size.
- The property owner must fill out the Owner Affidavit in presence of notary.

STAFF USE ONLY

Pre-app conference: _____ (date) Application received: _____ (date)

Application complete: _____ (date) Case Number: _____

Fees: _____ Case Name: _____

Deposits: _____

Paid: _____ (date) Referrals sent _____ (date)

Project Team Information (fill in all that apply) (add additional sheets if needed):

Property Owner(s): Name: Airport Land Partners Limited Phone: 970-544-5150
Company: _____ Fax: 970-544-5151
Address: 312 ABC, Suite A, Aspen, CO 81611 Email: robert_howard@me.com
Authorized Rep.: Name: Robert A. Howard Phone: 970-544-5150
Company: Airport Land Partners Limited Fax: 970-544-5151
Address: 312 ABC, Suite A, Aspen, CO 81611 Email: robert_howard@me.com
Engineer/Designer(s): Name: Yancy Nichol Phone: 970-704-0311
Company: Sopris Engineering Fax: _____
Address: 502 Main Street, Carbondale, CO Email: ynochol@sopriseng.com
Billable party: Owner Representative Engineer

Billable Party

The Billable Party, by signing below, hereby agrees to reimburse the City the actual costs to the City for engineering, surveying, and legal services rendered in connection with the review of the Application. The Billable Party shall also reimburse the City for the cost of making any corrections or additions to the master copy of the official City map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. The Billable Party agrees that interest shall be imposed at rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In addition to any and all remedies available to the City and in the event the City is forced to pursue collection of any amounts due and unpaid, the City shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

Airport Land Partners Limited
Company (printed)
312 ABC, Suite A, Aspen, CO 81611
Address
970-544-5150
Phone

[Signature]
Signature
CO Drivers license
Type of Identification

County of Maricopa
State of Arizona

Sworn to and subscribed before me this 24th day
of August, 2012
(fill in month) (fill in year)

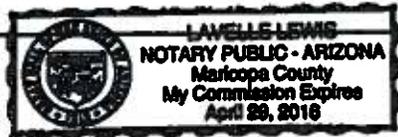
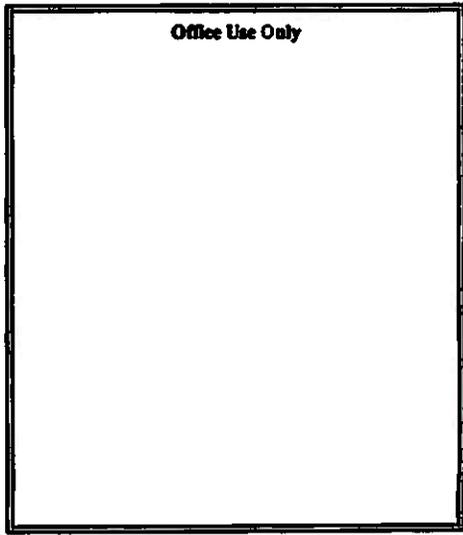
By Lavelle Lewis
(Contact name printed)

Witness my hand and official seal.

[Signature]
Notary Public
My Commission expires April 29, 2016

Robert A. Howard
Contact Name (printed)
robert_howard@me.com
Email
970-544-5151
Fax

SS



Disclosure of Property Ownership

- If owner is an individual, indicate name exactly as it appears on the deed.
- If owner is a corporation, partnership, limited partnership, or other business entity, name principals on a separate page. Please include the articles of organization, partnership agreement, etc., as applicable.
- If owner is a land trust, name beneficiaries on a separate page.
- If applicant is a lessee, indicate the owner(s) on a separate page.
- If applicant is a contract purchaser, attach a copy of the contract, and indicate the owner(s) on a separate page.

Please provide the name(s), mailing address(es), street address(es), and phone number(s) for all owners.

Property Owner Affidavit

I/We, Airport Land Partners, a Limited Liability corporation being first duly sworn, depose and state under penalties of perjury that I am (we are) the owner(s) of the property described herein and which is the subject of the application and proposed hearings; that all answers provided to the questions in this application, and all sketches, data, and all other supplementary matter attached hereto and made part of this application, are honest and true to the best of my (our) knowledge and belief. I (we) understand that this application must be complete and accurate prior to a hearing being scheduled. I (we) authorize City staff to visit the site as necessary for proper review of this application. I (we) further acknowledge that until paid, ALL LAND USE APPLICATION FEES, INCLUDING FEES FOR PROFESSIONAL REVIEW SERVICES, SHALL BECOME AND REMAIN A FIRST AND PERPETUAL LIEN ON OR AGAINST THE SUBJECT PREMISES PURSUANT TO RMC §16-1-60(e).

(If there are any special conditions such as guard dogs, locked gates, restricted hours, etc., please give the name and phone number of the person(s) who can provide access to the site.)

Robert A. Howard
Name (printed)

Name (printed)

312 ABC, Suite A, Aspen, CO 81611
Address

Address

970-544-5150
Phone

Phone

970-544-5151
Fax

Fax

[Signature]
Signature

Signature

CO Drivers license
Type of Identification

Maricopa
County of

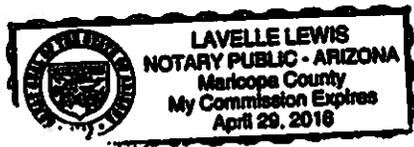
SS

Arizona
State of

Sworn to and subscribed before me this 24th day of August, 2012.
(fill in month) (fill in year)

By Lavelle Lewis
(name printed)

Witness my hand and official seal.
[Signature]
Notary Public



Authorized Representative

I/We permit Robert A. Howard (Authorized Representative name) to act as my/our representative in any manner regarding this application, to answer questions and to represent me/us at any meeting and public hearing(s) which may be held on this application.

NOTE: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to keep the owner(s) adequately informed as to the status of the application.

Robert A. Howard
Property Owners Name (printed)

Airport Land Partners Limited

312 ABC, Sulte A, Aspen, CO 81611
Address

970-544-5150
Phone

970-544-5151
Fax

[Handwritten Signature]
Signature

(D) Drivers license
Type of Identification

County of Maricopa

SS

State of Arizona

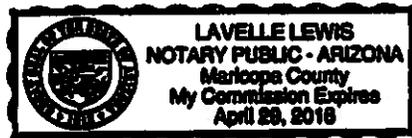
Sworn to and subscribed before me this 24th day of August, 2012
(fill in month) (fill in year)

By Lavelle Lewis
(name printed)

Witness my hand and official seal.

[Handwritten Signature]
Notary Public

My Commission expires April 29, 2016



Engineering Report

for

CMC Airpark Subdivision/PUD

Rifle, Colorado

Prepared for:
Airport Land Partners

SE Project Number: 29004.08
August, 2012

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- IV. Projected Water Demand & Infrastructure Capacity
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I. Executive Summary

This Engineering Report has been prepared in support of the Minor Subdivision Plat of CMC Airpark Subdivision/P.U.D. This report provides evidence that each created parcel has legal right of access and easements available to extend utility services.

Water services already are extended to the parcels or will be extended from Airport Road.

Sanitary sewer services are extended to the parcels or will be extended from Airport Road or adjacent tracts

Shallow Utilities will be extended from Airport Road or from County Road 319.

Drainage Improvements will be designed and detailed specific to the parcel or will be part of the regional stormwater solution depending on their development timeline.

Access will be provided from existing public ROW or from ROW created by this Minor Subdivision Plat. All of the CMC Airpark tracts, have or will have legal access to extend utilities and street improvements to serve the parcel.

II. Introduction

The CMC Airpark Plat will create Tracts A, B, C and Local 1 within the previously adopted Rifle Airpark Preliminary Tract Map Plat. Tracts B & C are currently being pursued by Colorado Mountain College to allow them to expand their existing campus which is located between the two aforementioned tracts. Local 1 will be dedicated to the City of Rifle as Right-of-Way. Tract A is located north of Local 1 and will result in a parcel of land less than 35 acres without contiguous boundary to the Rifle Airpark P.U.D. Per state statute this is not permitted and therefore will be platted as a tract on the CMC Airpark Plat.

III. Background

The Rifle Airpark Project is located south of the Garfield County Airport and encompasses approximately 440 acres of commercial, industrial and airport support development. A Preliminary Tract Plat Map of the Rifle Airpark PUD has been adopted by the City of Rifle and Tracts A, B, C and Local 1 are consistent with this previous document.

IV. Water

The proposed water for the tracts in the CMC Airpark PUD is described and included in the Sopris Engineering (SE) Water Service Report for Rifle Airpark PUD with a revision date of September 2011. To our knowledge Rifle has accepted this water service report for the entire PUD area. Tract A has an existing water main line extended to the west side of the tract. This water main will be looped through Tract A as determined by the development and connect to a water service from Local 1 ROW. Tract B will be served by a proposed water main line installed in Local 1 ROW from Airport Road. Tract C will be served from the existing water main in Airport Road. The water main lines and service lines in and around Tracts A, B, & C are shown on Exhibit A and are further described in the previous report.

V. Sewer

The proposed sanitary sewer for the tracts in the CMC Airpark PUD is described and included in the SE Wastewater Service Report for Rifle Airpark PUD dated July 2011. To our knowledge Rifle has accepted this wastewater service report for the entire PUD area. Tract A has two existing sanitary sewer main lines extended to the west side of the tract. A proposed sewer main line will be constructed under Airport Road, through Tract A, and in Local 1 tract to serve Tract B. Tract C can be served from two locations. The first Tract C service option is installation of the sewer main in Airport Road to Tract C. The second Tract C service option is a possible connection to the existing sewer in the adjacent existing CMC property to the west. The sanitary sewer main lines and service lines in and around Tracts A, B, & C are shown on Exhibit A and are further described in the previous report.

VI. Shallow Utilities

The proposed shallow utilities are as described and included in the SE Shallow Utilities Service Report for Rifle Airpark PUD dated June 2010. To our knowledge Rifle has accepted this utility service report for the entire PUD area. Tracts A & B of the CMC Airpark PUD will be served by shallow utilities in an easement parallel to the Local 1 ROW. Tract C shallow utilities will come from existing utilities in Airport Road and County Road 319. The shallow utilities are shown on Exhibit A and are further described in the previous report.

VII. Drainage

The proposed drainage and detention requirements for the tracts in the CMC Airpark PUD are described and included in the SE Master Drainage Report for Rifle Airpark dated October 2011. To our knowledge Rifle has accepted this drainage report for the entire PUD area. As outlined in the master drainage report, the required detention for the CMC Airpark tracts can be a part of the regional detention structure proposed for the entire airpark, or can be onsite drainage detention structures designed specific to the parcel. The master drainage report outlines the assumptions made for impervious areas of Tracts A, B, & C. If the parcels are developed before the regional detention, a site specific drainage system will be constructed based on actual site improvements proposed on each tract.

VIII. Access

The access locations to the CMC Airpark PUD tracts are shown on Exhibit A. Tracts A & B will have access from Local 1, which will become a 50' ROW dedicated to the City of Rifle. Typical sections of the Local 1 road including lane widths and types, curb & gutter, shoulders, drainage improvements, and landscape improvements are shown on the typical sections on Exhibit B. Access to Tract C will be from County Road 319 from the south end of the parcel. An alternate access to Tract C may be through the adjacent CMC property to the west. The future access improvements and tract traffic trip generations are detailed in the Traffic Impact Study prepared by Kimley Horn & Associates dated May 2011.

IX. Conclusions & Recommendations

Based on the reports and analysis prepared previously and summarized here for the CMC Airpark Minor Subdivision, each parcel will have legal access and all utility services to the property. The drainage detention requirements will be met by onsite detention or in the regional detention pond depending on the actual construction schedule.



Nick

3799 HIGHWAY 82 • P.O. BOX 2150
GLENWOOD SPRINGS, COLORADO 81602
(970) 945-5491 • FAX (970) 945-4081

January 4, 2007

Ms. Victoria Giannola
Sopris Engineering
502 Main Street, Suite A3
Carbondale, CO 81623

RE: Rifle Airport Commercial Park

Dear Ms. Giannola:

The above mentioned development is within the certificated service area of Holy Cross Energy.

Holy Cross Energy has existing power facilities located on or near the above mentioned project. These existing facilities have adequate capacity to provide electric power to the development, subject to the tariffs, rules and regulations on file. Any power line enlargements, relocations, and new extensions necessary to deliver adequate power to and within the development will be undertaken by Holy Cross Energy upon completion of appropriate contractual agreements and subject to necessary governmental approvals.

Please advise when you wish to proceed with the development of the electric system for this project.

Sincerely,
HOLY CROSS ENERGY

Buzz Quaco, Staking Engineer

BQ:vw
Quaco\Giannola

01/05/2007

Sopris Engineering
502 Main St, suite A3
Carbondale, CO 81623



RE: Rifle Airpark

Qwest Communications will provide telephone service, to the above mentioned project, as required by tariff, filed through the Colorado Public Utility Commission.

If you have any questions please call
970-384-0255

Sincerely,

A handwritten signature in cursive script that reads 'Gary Gibson'.

Gary Gibson
Senior Design Engineer

1/10/2007

Ms. Victoria Giannola
Sopris Engineering
502 Main St. Suite A3
Carbondale, CO
81623

Subject: Service Availability

Dear Ms. Giannola:

In accordance with our tariffs filed with and approved by the Colorado Public Utilities Commission, gas and/or electric facilities can be made available to serve your project at Rifle Airpark Subdivision.

Currently our lead time for design is 8 - 10 weeks. Lead time for construction, once the design has been approved, applicable costs have been paid and applicable contracts have been signed and returned, is 8 - 10 weeks. Due to workload, material availability and design complexity, design and construction lead times are approximate and subject to change. Please submit your plans at the earliest opportunity to better assure meeting your proposed schedule for receiving service.

Gas costs will be calculated in conformance with our filed SERVICE LATERAL CONNECTION AND DISTRIBUTION MAIN EXTENSION POLICY.

If you have any questions or comments, or if I can be of further assistance, please call me at the number listed below. My normal work hours are 7:00 a.m. to 5:30 p.m., Tuesday through Friday.

Sincerely,

**Jon Price
Xcel Energy
PO Box 849
Grand Junction, CO
81502
970-244-2693**



January 23, 2007

Sopris Engineering, LLC.
Nick Adeh
970-704-0311

RE: Rifle Airpark
Rifle, Colorado

Dear Nick:

Please accept this letter as confirmation of Comcast of Colorado/Florida, inc.'s ability to provide cable service to the captioned location. The provision of service is contingent upon successful negotiations of an agreement between the developer and Comcast Cable.

Should you require additional information, please contact Michael Johnson at 970-925-4311 or mobile at 970-930-4713.

Sincerely,

A handwritten signature in black ink that reads "Michael Johnson". The signature is written in a cursive style with a long, sweeping underline.

Michael Johnson
Construction Supervisor
Colorado Market

This letter is not intended to give rise to binding obligations for either party. Any contractual relationship between the parties will be the result of formal negotiations and will only become effective upon execution of the contract by representatives of the parties authorized to enter into such agreements. During any negotiations, each party will bear its own costs and will not be responsible for any costs or expenses of the other party, unless separately agreed to in writing.

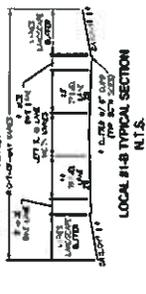
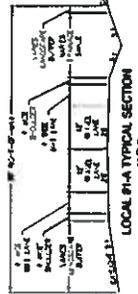
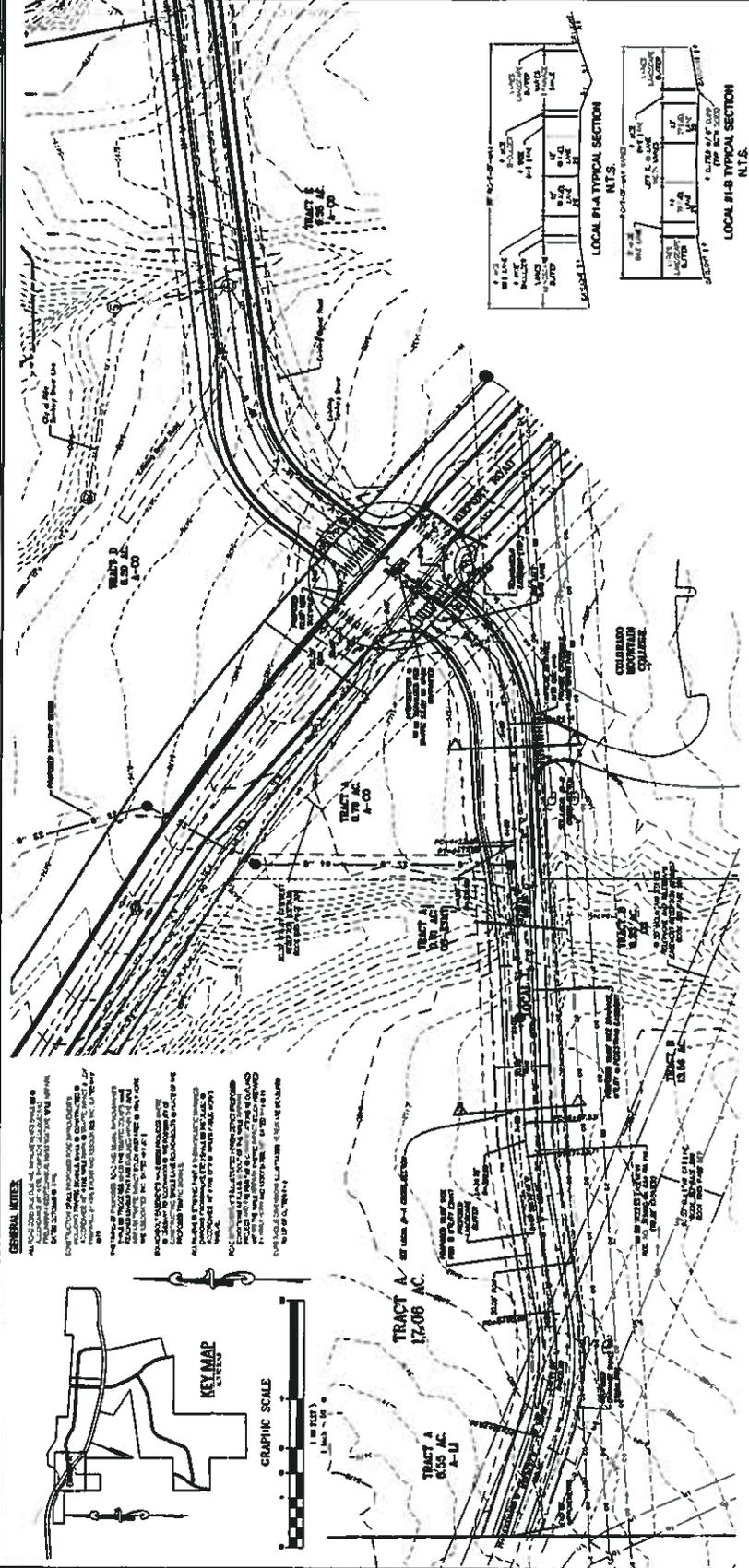
NOT FOR CONSTRUCTION

DATE	10/11/11
REVISION	
NO.	
DATE	
BY	
CHKD BY	
DATE	
BY	
CHKD BY	
DATE	

SOPRIS ENGINEERING, L.L.C.
 CIVIL CONSULTANTS
 4420 W. 10TH AVENUE
 DENVER, CO 80202
 (303) 733-1111

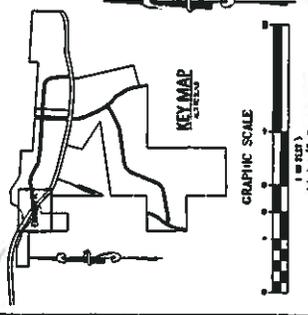
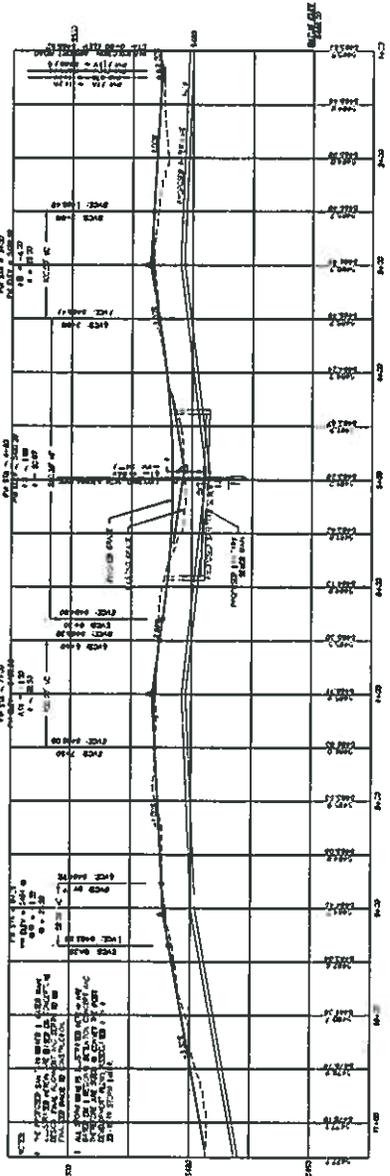
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BY	
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CITY OF RIFLE, COLORADO
CMC AIRPARK SUBDIVISION P.U.O.
EXHIBIT B - LOCAL 1
PLAN & PROFILE



CROSS SECTION NOTES:

- ALL CROSS SECTIONS SHALL BE IN ACCORDANCE WITH THE CITY OF RIFLE SUBDIVISION MAP ACT AND THE CITY OF RIFLE SUBDIVISION MAP ACT REGULATIONS.
- THE CROSS SECTIONS SHALL BE RECORDED IN THE COUNTY CLERK'S OFFICE.
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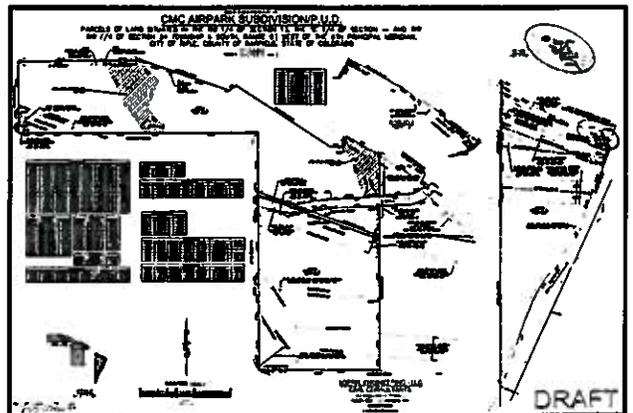
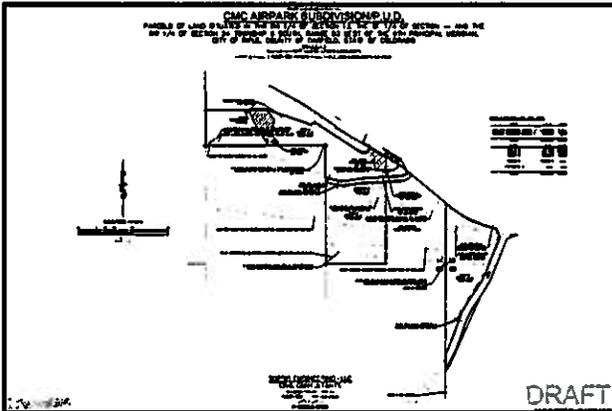
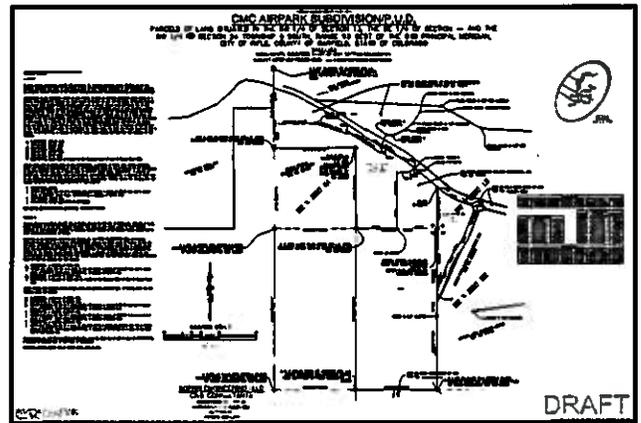


Copy of Colorado State Land Survey Monument Record

The necessary monument record will be provided by Sopris Engineering in a form acceptable to the City of Rifle staff.

Minor Subdivision Plat of: CMC AIRPARK SUBDIVISION/P.U.D.

The Minor Subdivision Plat, presented in thumbnail form below, is provided as a full-sized attachment to this application.



**Airport Land Partners Limited, a Colorado Limited Partnership
312 ABC Suite A
Aspen, Colorado 81611**

August 30, 2012

Mr. Matt Sturgeon
Assistant City Manager
City of Rifle
202 Railroad Ave.
Rifle, CO 81650

Dear Matt,

This letter serves to address specific requirements of the City of Rifle with respect to the attached submittal for Minor Subdivision Plat approval.

As the Managing Partner of Airport Land Partners Limited, I have the authority to bind the partnership through any legal agreement. With this authority I hereby respond to the above referenced requirements.

First, as supported by the deeds previously provided and the Preliminary Title Report provided in this submittal, I affirm that Airport Land Partners Limited, a Colorado limited partnership, is the legal owner of the subject property and there are no lien holders or security interest holders of this property.

Second, I affirm that the owners of Airport Land Partners Limited, its general and limited partners, do not object to the subdivision of the subject property as proposed on the Final Plat.

Finally, I affirm that, as may be required, the owners of Airport Land Partners Limited will subordinate their interests to any dedications to the City.

Very truly yours,

Airport Land Partners Limited,

A handwritten signature in black ink, appearing to read "Robert A. Howard", enclosed within a large, loopy oval scribble.

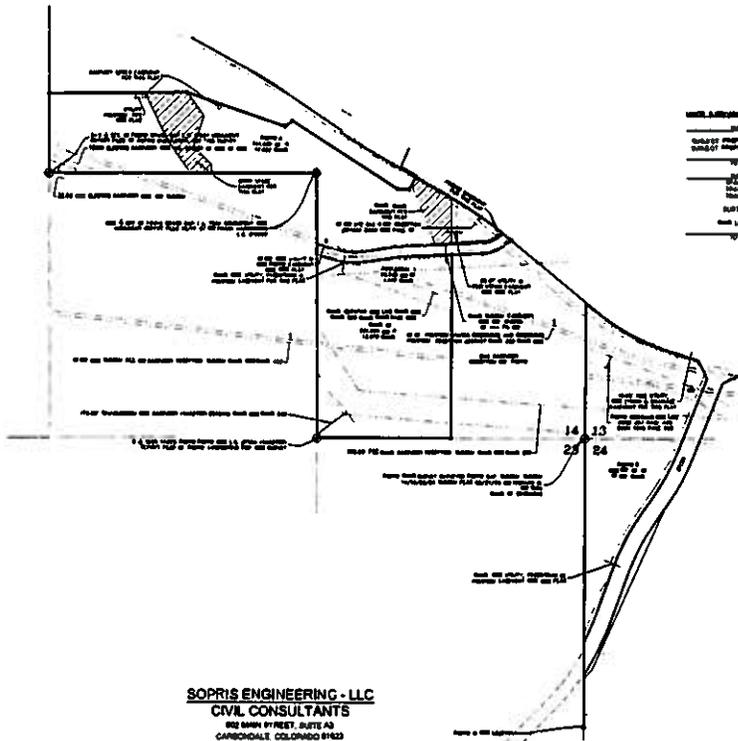
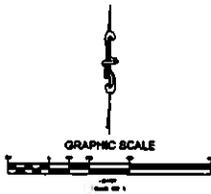
Robert A. Howard
Managing Partner

Airport Land Partners,
a Limited Liability Corporation
312 AABC • Suite 1
Aspen, CO 61611
robert_howard@me.com

MINOR SUBDIVISION PLAN OF:
CMC AIRPARK SUBDIVISION/P.U.D.

PARCELS OF LAND SITUATED IN THE SW 1/4 OF SECTION 13, THE SE 1/4 OF SECTION 14 AND THE
 NW 1/4 OF SECTION 24 TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE 6TH PRINCIPAL MERIDIAN,
 CITY OF RIFLE, COUNTY OF GARFIELD, STATE OF COLORADO

SHEET NO. 4
 TITLE EXCEPTIONS AND RECORDED EASEMENTS
 TRACT & LOCAL ROADWAY LAYOUT, AREA TABLE, AND EASEMENTS CREATED



AREA TABLE

TRACT	AREA (ACRES)
TRACT 1	1.2345
TRACT 2	0.9876
TRACT 3	1.5432
TRACT 4	2.1098
TOTAL	5.8641

SOPRIS ENGINEERING - LLC
 CIVIL CONSULTANTS
 802 MAIN STREET, SUITE A3
 CARBONDALE COLORADO 81423
 (970) 734-0344
 sopris@engr.com

DRAFT

THIS PLAN AND THE INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF SOPRIS ENGINEERING, LLC. NO PART OF THIS PLAN OR THE INFORMATION CONTAINED HEREIN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SOPRIS ENGINEERING, LLC.

**CITY OF RIFLE, COLORADO
RESOLUTION NO. 18
SERIES OF 2012**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,
COLORADO, APPROVING THE FINAL PLAT OF THE CMC AIRPARK
PUD MINOR SUBDIVISION IN THE CITY OF RIFLE

WHEREAS, Airport Land Partners Limited (“ALP”) and Grand River Plaza Development, Inc. (collectively the “Developers”) are the owners and developers of Rifle Airpark PUD consisting of approximately 594 acres (the “Rifle Airpark PUD”); and

WHEREAS, by Ordinance No. 15, Series of 2008, the City annexed the Rifle Airpark PUD into the City, and by Ordinance No. 16, Series of 2008, the City zoned the Property Planned Unit Development; and

WHEREAS, the City and the Developers entered into that certain Rifle Airpark Annexation Agreement recorded with the Garfield County Clerk and Recorder as Reception No. 811139 setting forth the terms and conditions of the annexation of the Rifle Airpark PUD (the “Annexation Agreement”); and

WHEREAS, the Annexation Agreement deferred the identification and implementation of fees and dedications to mitigate the development of the Rifle Airpark PUD until the City’s approval of a PUD Preliminary Development Plan application; and

WHEREAS, on November 15, 2011, after a duly-noticed public hearing and pursuant to Rifle Municipal Code §16-5-280, the City of Rifle Planning Commission approved a PUD Preliminary Development Plan for the Rifle Airpark PUD; and

WHEREAS, by Resolution No. 2, Series of 2012, the Rifle City Council approved a PUD Preliminary Development Plan for the Rifle Airpark PUD on January 18, 2012 subject to certain conditions, including the condition that identification and implementation of fees and dedications to mitigate the impacts of the development of the Property on the City, as set forth in the Annexation Agreement, would be deferred until the City’s approval of the PUD Final Development Plan application; and

WHEREAS, ALP is the owner of certain real property within the Rifle Airpark PUD known as the CMC Airpark PUD Minor Subdivision, as more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the “Property”), and wishes to obtain final plat approval for a minor subdivision of the Property prior to the approval of a PUD Final Development Plan for the Rifle Airpark PUD to facilitate the conveyance of property to Colorado Mountain College (“CMC”) adjacent to CMC’s Rifle Campus; and

WHEREAS, ALP desires to subdivide the Property into three (3) tracts and agrees and acknowledges that the terms and conditions of the Annexation Agreement and Resolution No. 2, Series of 2012 remain in place, except as modified and amended herein; and

WHEREAS, on September 5, 2012 the Rifle City Council reviewed the Final Minor Subdivision Plat application for the Property, and found these documents to be consistent with the approved Rifle Airpark PUD Preliminary Development Plan; and

WHEREAS, the City Council desires to approve the Final Subdivision Plat of the CMC Airpark PUD Minor Subdivision pursuant to Rifle Municipal Code §16-5-440(e) and expressly subject to the terms and conditions for development of the Property set forth herein.

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

1. The City Council incorporates the foregoing recitals as findings by the City Council.

2. That certain Final Subdivision Plat for the CMC Airpark PUD Minor Subdivision is hereby approved, subject to all terms and conditions contained herein, specifically:

Tract A, B and C of the Property, as shown the Final Plat for the Property, shall remain subject to all terms and conditions of the Annexation Agreement for the Rifle Airpark PUD and City of Rifle, Resolution No. 2, Series of 2012 requiring the approval of a PUD Final Development Plan for the Rifle Airpark PUD prior to any development on the Property; provided, however, upon the conveyance of Tracts B and C to CMC, Tracts B and C may be rezoned A-PD (Public/Institutional) separate from the remainder of the Rifle Airpark PUD pursuant to the Rifle Municipal Code and Tracts B and C may developed upon the approval of a site plan improvement agreement for the construction of any improvements necessary for the proposed development for Tracts B and C of the Property.

3. ALP shall comply with all of ALP's representations made in any applications and in statements during the public hearings before the Planning Commission and City Council and they shall be conditions of approval with which ALP shall comply unless specifically modified. ALP shall also comply in full with the requirements of the Rifle Municipal Code, including without limitation the requirements of the City of Rifle Public Works Manual. ALP shall also comply in full with the conditions of the Planning and Development Department's staff report presented to the City Council on even date herewith, which conditions must be satisfied prior to the recording of the Final Plat.

4. The Mayor of the City is hereby authorized to indicate the City Council's approval of the Final Plat for the Property by signing two (2) reproducible copies of the Final Plat. A true and correct copy of the Final Plat shall be deposited with the City Clerk and shall be available for public inspection at the Clerk's office after being fully executed by the parties.

5. The City Clerk is hereby directed to file one (1) copy of the Final Plat for the Property and the original of this Resolution in the Office of the City Clerk.

6. The City Clerk is hereby further directed to record this Resolution and the Final Plat for the Property in the Office of the Clerk and Recorder of Garfield County, and to file one (1) certified copy of the Final Plat and this Resolution with the Garfield County Assessor.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held the 5th day of September, 2012.

Dated this _____ day of _____, 2012.

CITY OF RIFLE, COLORADO

BY _____

Mayor

ATTEST:

City Clerk

AGREED AND ACKNOWLEDGED:

AIRPORT LAND PARTNERS LIMITED
a Colorado Limited Partnership

By: Airport Business Park Corporation,
a Colorado corporation, General Partner

By: Robert A. Howard, President

August 30, 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 Johnson Construction, Inc., for the construction of Phase II of the Energy Innovation Center expansion. SGM has assembled plans and managed the bid process. We had two bidders, of which JCI was low and within budget.

This project is to expand the roads and utilities to the remaining parcels on City property as well as to the western boundary of City property for UMETCO extension should they proceed at some time in the future.

The bid tabulation is attached for your review.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rick L. Barth".

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



Energy Innovation Center Phase II
City of Rifle, Colorado

8/30/2012

Pay Item	Description	Unit	Est. Qty.	Johnson Construction		Kuersten Construction	
				Unit Price	Amount of Bid	Unit Price	Amount of Bid
1	Mobilization	LS	1	\$33,750.00	\$33,750.00	\$9,200.00	\$9,200.00
2	Construction Surveying	LS	1	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
3	Clearing and Grubbing	LS	1	\$5,000.00	\$5,000.00	\$4,600.00	\$4,600.00
4	Storm Water Management	LS	1	\$3,350.00	\$3,350.00	\$14,200.00	\$14,200.00
5	Earthwork	LS	1	\$11,720.00	\$11,720.00	\$8,900.00	\$8,900.00
6	Class 2 ABC	SY	11,480	\$6.65	\$76,342.00	\$9.45	\$108,486.00
7	Base Course	SY	11,480	\$4.00	\$45,920.00	\$6.10	\$70,028.00
8	Asphalt Pavement	SY	9,144	\$20.63	\$188,640.72	\$23.50	\$214,884.00
9	4 ft Wide Valley Pan	LF	125	\$30.00	\$3,750.00	\$33.00	\$4,125.00
10	Water Main, Service Main and Appurtenances	LF	2,925	\$36.26	\$106,060.50	\$44.50	\$130,162.50
11	Fire Hydrants	EA	5	\$5,200.00	\$26,000.00	\$5,100.00	\$25,500.00
12	6 Inch water service line to each parcel 40 ft long	EA	3	\$2,600.00	\$7,800.00	\$3,900.00	\$11,700.00
13	4 inch water service line, bulk water slab, electric service, area light, bollards, and Bulk Water Station Unit purchase with installation	LS	1	\$71,720.00	\$71,720.00	\$84,200.00	\$84,200.00
14	Utility Sleeve Crossing-consists of three 4 inch dry utility sleeves	LS	2	\$1,120.00	\$2,240.00	\$1,200.00	\$2,400.00
15	4" Forced Sewer Main and Appurtenances	LF	1,917	\$15.63	\$29,962.71	\$27.00	\$51,759.00
16	12" Sewer Main, Services and Appurtenances	LF	1,512	\$27.27	\$41,232.24	\$36.00	\$54,432.00
17	Sewer Manholes	EA	4	\$3,360.00	\$13,440.00	\$7,000.00	\$28,000.00
18	ADS Culverts, 15 inch diameter42.5 ft long with end sections	EA	2	\$2,415.00	\$4,830.00	\$2,100.00	\$4,200.00
19	ADS Culverts, 18 inch diameter, one 55' long, the other 70.5' long, with end sections	EA	2	\$2,880.00	\$5,760.00	\$2,950.00	\$5,900.00
20	Dry Utility Placement, Trenching, and Backfill (Coordinate with XCEL and Qwest for gas, electric, and telephone Extensions)	LF	1,200	\$14.75	\$17,700.00	\$5.75	\$6,900.00
21	Signs	EA	1	\$102.00	\$102.00	\$550.00	\$550.00
22	Austrian Pines, 8' tall	EA	30	\$465.00	\$13,950.00	\$615.00	\$18,450.00
23	Canadian Choke Cherry 2" cal.	EA	15	\$270.00	\$4,050.00	\$270.00	\$4,050.00
24	Nor'easter Poplar, 2" cal	EA	55	\$270.00	\$14,850.00	\$340.00	\$18,700.00
25	Irrigation System (relocate and extend)	LS	1	\$10,700.00	\$10,700.00	\$9,600.00	\$9,600.00
26	Revegetation	LS	1	\$3,600.00	\$3,600.00	\$5,400.00	\$5,400.00
27	Minor Contract Revisions	LS	1	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
Total				Estimate	\$800,470.17	Estimate	\$954,326.50
				2%	\$16,009.40	2%	\$19,086.53
					\$784,460.77		\$935,239.97

August 30, 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 Holmes Concrete, LLC for the intended construction of a new concrete box culvert at 12th Street and Park Avenue.

A few weeks ago Council acknowledged and granted emergency fund action after the late July storm that caused a severe clog and damage to the upstream headwall. This project went from "important" to "urgent". Council approved up to \$80,000 for such work. This project will be a collaborative effort between City crews doing the preparation and restoration work and the contractor doing the concrete formwork.

Staff advertised and received two bids, the low of which has been submitted, reviewed and approved. We recommend award of contract for \$65,212.35.

The bid tabulation is attached for your review.

Respectfully,

A handwritten signature in blue ink that reads "Rick L. Barth". The signature is fluid and cursive.

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



**CITY OF RIFLE, COLORADO
RESOLUTION NO. 19
SERIES OF 2012**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,
COLORADO, SUPPORTING THE GRANT APPLICATION FOR A MINI-
GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE
DISTRICT AND THE COMPLETION OF A BIOSOLIDS ACTION PLAN.

WHEREAS, the City Council of the City of Rifle supports the Garfield County Federal Mineral Lease District grant application for a Biosolids Action Plan, and if the grant is awarded, the Rifle City Council supports the completion of the project; and

WHEREAS, the City of Rifle has requested \$25,000 from the Garfield County Federal Mineral Lease District, matched with \$25,000 in City funds, to hire a consultant to complete a Biosolids Action Plan for the Rifle Regional Wastewater Reclamation Facility.

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

1. The City incorporates the foregoing recitals as findings by the City Council.
2. The City Council of the City of Rifle strongly supports the application and has appropriated matching funds for a grant with Garfield County Federal Mineral Lease District.
3. If the grant is awarded, the City Council of the City of Rifle strongly supports the completion of the project.
4. The City Council of the City of Rifle authorizes the expenditure of funds necessary to meet the terms and obligations of any Grant awarded.
5. The project site is owned by the City of Rifle and will be owned by the City for the next 25 years.
6. The City Council of the City of Rifle will continue to maintain the biosolids plan in a high quality condition and will appropriate funds for maintenance annually.
7. If the grant is awarded, the City Council of the City of Rifle hereby authorizes the City Manager or his designee to sign the grant agreement with Garfield County Federal Mineral Lease District.
8. Nothing herein constitutes the approval of a multiple fiscal-year expenditure by the Rifle City Council.
9. The effective date of this Resolution is the date passed and approved below.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 5th day of September, 2012.

Dated this _____ day of _____, 2012.

CITY OF RIFLE, COLORADO

BY _____

Mayor

ATTEST:

City Clerk

**CITY OF RIFLE, COLORADO
RESOLUTION NO. 20
SERIES OF 2012**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,
COLORADO, SUPPORTING THE GRANT APPLICATION FROM THE
GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR
(TO BE COMPLETED AT THE CITY COUNCIL
MEETING)

WHEREAS, the City Council of the City of Rifle supports the Garfield County Federal Mineral Lease District grant application for (TO BE COMPLETED AT THE CITY COUNCIL MEETING), and if the grant is awarded, the Rifle City Council supports the completion of the project; and

WHEREAS, the City of Rifle has requested (TO BE COMPLETED AT THE CITY COUNCIL MEETING) from the Garfield County Federal Mineral Lease District, matched with (TO BE COMPLETED AT THE CITY COUNCIL MEETING) in City funds, to (TO BE COMPLETED AT THE CITY COUNCIL MEETING).

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

1. The City incorporates the foregoing recitals as findings by the City Council.
2. The City Council of the City of Rifle strongly supports the application and has appropriated matching funds for a grant with Garfield County Federal Mineral Lease District.
3. If the grant is awarded, the City Council of the City of Rifle strongly supports the completion of the project.
4. The City Council of the City of Rifle authorizes the expenditure of funds necessary to meet the terms and obligations of any Grant awarded.
5. The project site is owned by the City of Rifle and will be owned by the City for the next 25 years.
6. The City Council of the City of Rifle will continue to maintain the biosolids plan in a high quality condition and will appropriate funds for maintenance annually.
7. If the grant is awarded, the City Council of the City of Rifle hereby authorizes the City Manager or his designee to sign the grant agreement with Garfield County Federal Mineral Lease District.
8. Nothing herein constitutes the approval of a multiple fiscal-year expenditure by the Rifle City Council.

9. The effective date of this Resolution is the date passed and approved below.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 5th day of September, 2012.

Dated this _____ day of _____, 2012.

CITY OF RIFLE, COLORADO

BY _____

Mayor

ATTEST:

City Clerk



MEMORANDUM

To: City Manager Hier, Mayor Miller and City Council

From: Mike Braaten, Government Affairs Coordinator

Date: August 29, 2012

Re: RREDC Main Street Coordinator funding

As discussed during the August 15th workshop with City Council, staff has been working with the RREDC become the coordinating entity of the Rifle Main Street Candidate Program – and to move the Rifle Candidacy into a full-fledged main street community. In addition to an application process, a requirement to become a Main Street Community is to have a full-time main street coordinator to staff the program.

The RREDC has formally requested \$6,000 from the City for the last quarter of 2012 to hire a person that will serve as the Main Street Coordinator. By providing these funds to the RREDC now, Council is establishing an expectation that the 2013 funding request for \$24,000 to fund 50% of the Main Street Coordinator will also be approved.

During the Council discussion at the workshop, staff was directed to evaluate the funding potential to participate with the RREDC to hire a higher-level candidate to be the main street coordinator. Staff has identified unused funds in the Government Affairs budget that have historically funded the part-time grant coordinator position (Kathleen Morse). These funds have gone unused due to 1) the lack of funding for new DOLA grants for her to prepare and manage and 2) existing staff have taken up writing and administering grants. As of today, none of the \$17,200 budgeted for that position has been used in 2012. If approved, due to audit issues, the funds would be coded to Government Affairs: Professional Services 100-4135-400-320.

If Council chooses not to fund the position at this time, they should expect a request of \$24,000 to fund the position in 2013. If Council chooses not to fund the 2013 request, they will be, in effect, choosing to drop-out of the Colorado Main Street Program administered by the Colorado Dept. of Local Affairs.

Following this memo please find the position description developed by the RREDC for their proposed Main Street Coordinator and a brief description of the benefits of participation in the Colorado Main Street Program prepared by the Dept. of Local Affairs.

Additionally, more information is available at DOLA's Colorado Main Street Program home page:
<http://www.colorado.gov/cs/Satellite/DOLA-Main/CBON/1251594477385>

Job Description

POSITION TITLE	Main Street Coordinator
REPORTS TO	RREDC Manager

SUMMARY

The Main Street Coordinator is responsible for the development, conduct, execution and documentation of the Main Street downtown revitalization program. The Main Street Coordinator is the principal on-site staff person responsible for coordinating all program activities and volunteers, as well as representing the community regionally and nationally as appropriate. In addition, the Main Street Coordinator should help guide the organization as its objectives evolve. Position is half time Main Street Coordinator, half time RREDC Administrative Assistant to start. Salary DOQ. RREDC is an EOE.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Coordinating volunteers and program committees to accomplish activities of the downtown revitalization program
- Managing administrative aspects of the program
- Developing, in conjunction with program stakeholders, appropriate downtown revitalization strategies, including a work plan that focuses on all four points of the Main Street Approach
- Developing and conducting, in conjunction with the stakeholders, on-going public awareness and education programs, fostering public understanding of the downtown revitalization program's mission and goals
- Assisting business and property owners with improvement projects
- Encouraging a cooperative climate with other downtown or community organizations
- Helping to build productive relationships with appropriate public entities
- Developing and maintaining a data system to track the progress of the local program, including economic investment, building inventories, job creation and business retention, sales tax data, and volunteer participation
- Serving as an advocate for downtown issues at local and state level
- Working toward developing skills as a downtown management professional

EDUCATION & EXPERIENCE

- Ideal candidate would be currently serving in a comparable downtown development, economic development, or other non-profit organization; serious consideration would be afforded to individuals with a background in planning, business or public administration, economics, marketing, finance, or a related field
- Experience in marketing, public relations, historic preservation, design, real estate, or management desirable

KNOWLEDGE, SKILLS AND ABILITIES REQUIRED

- Technological aptitude and skills, including knowledge of software (including Windows 7; Microsoft Office Suite 2010 to include Excel, Word, Outlook, Publisher, and PowerPoint; and some Adobe Creative Suite 5 including Illustrator, Photoshop, and In Design would be preferred), hardware, internet including social media, website maintenance, and various office equipment
- Must be a "people person" and possess excellent communication skills with the ability to work with a wide range of constituents including board members and staff, community representatives, and business leaders
- Must be coachable and willing to learn and take direction
- Must possess a high level of energy and drive, a "make things happen" personality, and an achievement-oriented style

- Must possess a personal value system that encompasses high integrity, commitment to quality, and a solid work ethic, and be a passionate advocate for the mission and purpose of the Main Street Program and the RREDC
- Must be flexible, well organized, a self starter, and willing to take on additional responsibilities
- Attention to detail, creative thinking, and ability to work independently are essential



Colorado Main Street

Benefits of Participation in the Colorado Main Street Program: Services provided by the Department of Local Affairs

Service	Description	Candidate	Main Street	Graduate
General Technical Assistance Services				
Main Street Program Liaison	DOLA acts as liaison and facilitates communication between the community, other Colorado Main Streets, Downtown Colorado, Inc., and the National Trust For Historic Preservation Main Street Center.	√	√	√
On-call technical assistance	Provide over the phone or via internet advice and technical assistance as requested by the community, within the scope of available resources and expertise.	√	√	√
Capacity Building	Assist the local program in capacity building efforts, including assisting the program to work with their local governments and other partners. Assistance may include additional meetings with DOLA regional or Main Street staff, foundations, other state agencies or established Main Street Communities or the sharing of best practices.	√	√	√
Fundraising Capacity	Assist the local program in developing fundraising capacity to diversify local budgets. Assistance may include additional meetings with DOLA regional or Main Street staff, foundations, other state agencies or established Main Street Communities, or the sharing of written best practices.	√	√	√
Heritage Tourism Content	As resources permit, develop heritage tourism content for placement on state and local websites.	√	√	√
On-Site Technical Assistance Visits				
Resource Team Visit	For new Main Street programs, conduct a multi-disciplinary technical assistance visit and produce a report meant to serve as a strategic plan for the beginning year(s) of the program.		√	
Candidate Assessment	Conduct an on-site annual review of the Candidate's progress towards becoming a Main Street Community	√		
End-of-Year Assessment	Conduct an on-site annual review of the program's work in the four points and in meeting the national Main Street accreditation criteria.		√	√
Preservation Architect	Access to services of a preservation architect, for façade schematics, assessments, training and in-fill design work.	√	√	√

Training				
Start-Up Visit	On-site visit for development of vision, mission statement, goals, objectives, committee start up and organizational development; includes Main Street 101 training. Conducted at the end of the first year in the Candidate program.	√		
On-Site Training	Conduct on-site training sessions in the community. This could include training for one of the four committees, a facilitated board retreat, or a visioning session to identify goals, objectives and workplans for the organization. This training could also be combined with a training with the historic preservation architect.		√	√
Board/ Manager Orientation	Conduct orientation for new board members and new program managers, either on-site, via webinar, or in Denver.		√	√
Quarterly Managers' Meetings	Hold four quarterly meetings addressing the four points of design, economic restructuring, organization, and promotions for local managers.	√	√	√
Identify Partnerships & Resources				
Facilitate Connection to Resources	Connect local programs with partner services and resources from non-profits, other state agencies, federal agencies, private foundations and for-profit businesses.	√	√	√
Communications				
Colorado Main Street Newsletter	Quarterly newsletter providing Main Street updates, timely tips for local programs, calendars of events, and more.	√	√	√
Publicity	Facilitate and promote ongoing press coverage of the Colorado Main Street Program and its individual local programs.	√	√	√
Sharing Success	Post success stories and testimonials on the DOLA website and share links to the National Trust Main Street Center and other state coordinating programs.	√	√	√
Social Media	Maintain the Colorado Main Street Facebook page to promote the activities of local programs	√	√	√
Other Services				
Resource Materials	Provide access to resource materials on downtown revitalization and specifically organization, design, promotion and economic restructuring.	√	√	√
Quarterly report review	Review quarterly reports, compile reinvestment statistics, and provide guidance and advice.	√	√	√
Bench-marking	Establish benchmarks with the Candidate Program to ensure a successful application	√	√	√
		<p>The above services are provided in part through a generous grant from History Colorado, the State Historic Fund.</p>		



MEMORANDUM

To: City Manager Hier, Mayor Miller and City Council

From: Mike Braaten, Government Affairs Coordinator

Date: August 29, 2012

Re: Staff Report

Statewide Ballot information

I included statewide ballot information in my last staff report, but since, the Colorado Municipal League has completed a full analysis of the Amendment 64, "Legalization of marijuana use" and the CML Board has taken a formal position of opposition to the Amendment. I have provided their analysis and opposition information following this report. I have also provided below a link to Yes/No campaigns relating to the amendment. Please let me know if there is a desire to further discuss or take a position on the amendment.

Yes on Amendment 64 campaign: <http://www.regulatemarijuana.org/>

No on Amendment 64 campaign: <http://voteno64.com/>

Link to CML's analysis and opposition paper on Amendment 64 (also following this report):

<http://www.cml.org/uploadedFiles/CML%20A64%20opposition%20paper.pdf>

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

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

Follow up on Recycling Concern

Staff was recently questioned by a community relations representative for Waste Management, Inc regarding their perception that MRI, the City's contract waste and recycling hauler was land filling all plastics other than #1 and #2 at the Pitkin County Landfill. Specifically, the Waste Management representative was concerned that by doing so, MRI was not in compliance with their contract with the City of Rifle and that MRI should be fined according to the contract provisions.

Upon follow-up with Jason Ferguson, the operations and recycling manager for the Pitkin County Landfill, he assured City of Rifle staff that they do receive large mixed loads of recycling from MRI, but that those loads are placed in a special purpose tractor trailer and brought to the Eagle County Material Recovery Facility (MRF) where the recyclables are sorted and shipped to markets in California.

City of Rifle

Utility Department News

- A billing insert was sent out with the last water bill telling customers that the new rates will be in effect September 1st and will be reflected in their water bills received in October. The new rates were shown as well as the existing rates and an example on how to calculate the new cost of water based upon their usage. It was also stated that a sales tax increase of 3/4 cents will be on the ballot in November to partially pay for the loan required to construct the new water plant and if passed would reduce the new rates.
- Staff started review of the 90% drawings and specifications prepared by our consultant. General, Civil, Architectural, Structural and Process discipline drawings and specs have been reviewed. We still need to complete review of the Instrumentation, Electrical and Mechanical documents. Attached is a status report for the new plant.
- A safety meeting coordinated through CIRSA, scheduled for September 11th, will discuss asbestos handling as it pertains to asbestos-cement (AC) pipe. The City still has about a mile of AC water mains in the system that need to be repaired from time to time.
- The Fats, Oil and Grease (FOG) Program to eliminate these substances from wastewater because they interfere with the treatment process has been fairly successful. We have 62 grease traps, primarily in commercial establishments, that discharge to the sewerage system and all but 6 have responded to our request for cleaning. Under the municipal code, those with grease traps/oil sand separators are required to clean them and dispose of the grease/oil every six months.
- City crews will begin flushing water mains this month. Notices will be distributed to residents in the areas where flushing will occur. A notice will be on Channel 10 and placed in the newspaper.
- A workshop, Water Quality and Distribution System Essentials, was conducted at Rifle City Hall on August 28-29 for water system operators throughout Colorado. Items included Monitoring to protect Public Health (which involved taking samples from one of the City's taps), Disinfection, Cross Connection Control, Unidirectional Flushing (a demonstration by Rifle's Collection and Distribution crew), Emergency Planning and Water Quality Parameters.

September 5, 2012

REPORT ON NEW WATER PLANT (Rifle Regional Water Purification Facility)

Financial

The loan (25.5 million for 20 years) has been signed by the Water & Power Authority and City of Rifle and bonds sold to J.P. Morgan LLC at an interest rate of 2.65858%. The Water & Power Authority subsidized 30% of the interest amount so the interest rate for the City is 1.86%. Funds are available for construction. The first payment was due this year and has been paid in the amount of \$29,405.28. The next payment is due next year in February in the amount of \$286,824.72

The City will pay off two previous water loans to the State of Colorado in the amounts of \$202,936 and \$127,002, using funds from the water contingency this year, saving \$33,202.51 in interest cost.

Water rates will increase on September 1, 2012 and will be shown on the water bills for each customer in October.

A sales tax increase of $\frac{3}{4}$ percent will be placed on the ballot for the November election. The ballot language has been prepared and sent to Garfield County for printing. If the measure passes, the sales tax generated will be used solely to pay a portion of the water treatment plant loan with the remainder paid by water rates.

Engineering

Malcolm Pirnie has completed the plans and specifications to the 90% complete level and will be delivering the documents to the Colorado Department of Public Health (CDPHE) this month. After review and comment by CDPHE, and completion to 100%, the documents will be delivered to the 9 prequalified contractors. Bids will be received in January and award by Council is needed in February. Construction would begin in March or April 2013. A two year construction period is required. Start up of the new plant is expected in early 2015.

Other items are required to complete the work including 1) the purchase of wetlands credits from the wetlands bank; 2) obtaining permits from Army Corp of Engineers, Colorado Department of Transportation and Union Pacific Railroad; 3) removal of asbestos from the existing Graham Mesa Treatment Plant; 4) demolition of the Graham Mesa facility; 5) obtaining an easement for a gas line to and a sewer force main from the new plant; 6) purchase of furniture for the new plant; 7) purchase of software and programming for reporting/monitoring to CDPHE; 8) authorizing construction management and observation and 9) preparation of an Operations and Maintenance Manual.

The purchase of the membranes from GE-Zenon will be assigned to the contractor who will also install the equipment. The contractor will set the time of delivery to the site for installation which will then set the time for manufacturing and the Consumer Price Index (CPI) plus 1% date for payment. This cost (as set by the agreement with GE/Zenon except for the CPI increase) is included in the loan.

GE/Zenon has performed the inventory and determined the condition and improvements required for the reverse osmosis equipment purchased earlier by the City for installation at the new plant. The drawings prepared by them are included in the construction documents. Payment for this work was approved by Council.

James S. Neu
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Of Counsel
Anna S. Itenberg
Greg S. Russi
Robert L. Sperberg

Avon Office:
70 Benchmark Road, #205
Avon, CO 81620
Telephone: 970.845.0200

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August 27, 2012

Andrew Gorgey, Esq.
Garfield County Federal Mineral Lease District
P.O. Box 2477
Glenwood Springs, CO 81602

Sent via e-mail: gorgeylawpc@gmail.com

Re: City of Rifle FMLD Spring 2012 Grant Award

Dear Drew:

As we have discussed on the phone, the City of Rifle is about to enter into a contract to overlay a portion of Airport Road which is being funded with grant proceeds from the Garfield County Federal Mineral Lease District (the "Project"). The Project is a perfect fit for the inaugural GCFMLD grant program and Rifle's use of the Grant Award. Airport Road is the main east-west corridor along the south side of the Colorado River in Rifle. This road supports traffic for many oil and gas industry companies of varying kinds, the Garfield County Airport, Grand River Hospital, Alpine Bank, Wal-Mart and other retail outlets, numerous restaurants, Colorado Mountain College, CDOT and County traffic, as well as the planned 650 acre Rifle Airpark PUD. There is no other east-west connector in this part of Rifle and maintaining this corridor is vital to the regional economy.

The City wants to overlay the entire length of Airport Road to retain its integrity and avoid future reconstruction which would be invasive and disrupt numerous businesses. However, with limited resources, the City intended to overlay as much of Airport Road as it could to a logical intersection with its matching funds and the Grant Award. As such, the City did not define the Project by a specific number of lineal feet but viewed the Project based upon a fixed dollar amount. In its application, the City stated:

What is intended by this project is a major mill and overlay. Currently, the asphalt is a 4 inch mat. We plan to mill the top 2 inches repair and mend cracks with a synthetic crack treatment, and replace with a 3" mat, totaling a 5" thick asphalt layer which will increase durability and longevity. Pending pricing, the extent of this work will be from the end of the concrete near the roundabout to at least the Hospital entrance, potentially to the Wal-Mart entrance near Enterprise Court, depending on pricing. Our estimate to pave to the east Wal-Mart entry is \$470,000. (emphasis added).

KARP NEU HANLON, P.C.

Page 2

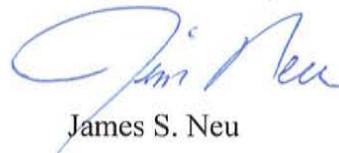
I am enclosing the City's answers to the Application Questionnaire that details the importance of Airport Road for the City of Rifle, Garfield County, the area's economy and access to major Garfield County public entities. The City is very happy with the bids it received for the Project and can overlay Airport Road from the roundabout concrete to the eastern entrance of the Rifle Business Park at Enterprise Court. Pursuant to the Grant Agreement between the City and GCFMLD: "The Grant shall be used by Grantee solely to complete the Project, in substantial conformity with the final plans, specifications, designs and uses approved by Grantor and in conformity with the Grant Application." Further: "Grantee shall not materially modify the Project or the Project budget (attached hereto as **Exhibit B**, the "Budget") without the prior written approval of the Grantor, or Grantor's designee, and such approval shall be in Grantor's sole discretion."

I am writing this letter to ensure the City and the GCFMLD are on the same page as to the Project before the City enters into its contract with the lowest responsible bidder. By using the Grant Award to overlay as much of Airport Road as possible, which was the request, the City is in conformity with the Grant Application. The City has not modified the Project or the Project Budget and it is utilizing the Grant Award and its matching funds exactly as was outlined in Exhibit B to the Grant Agreement, also enclosed. I understand the unit prices the City obtained are more favorable than estimated on Exhibit B, but that means the public is getting more for its money, which is a huge benefit, and within the scope of the Project. We do not believe there is a modification to the Project, but I want to confirm GCFMLD is of the same opinion. Because this is the first round of grant awards, communication is very important to ensure mutual understandings.

Please let me know if you need any additional information. Time is of the essence to get contractors to work, help the local economy and complete the Project during this construction season, so a prompt response would be appreciated.

Very truly yours,

KARP NEU HANLON, P.C.



James S. Neu

JSN:

Enclosures

cc: City Council
John Hier

Section 2 – Application – Selection Criteria Questions

GCFMLD: City of Rifle Application - May 2012 for Airport Road Mill & Overlay/Waterline Tie-In Connection

General Questions:

- 1. Under federal law, your proposal *must* be one of the following three types: (1) planning, (2) construction and maintenance of public facilities, or (3) provision of public services. Describe the scope of the project – what exactly will be built. Be specific, explaining preparatory work, quantities, dimensions, etc. If the project is intended to enhance, rehabilitate, or replace existing public works or other capital projects, describe the state of the existing public works or other capital projects.**

Airport Road is the main east-west corridor along the south side of the Colorado River in Rifle. Varying from three to five lanes, this road supports traffic for Grand Valley Hospital and Clinics, Alpine Bank, Wal-Mart, numerous restaurants, Colorado Mountain College, CDOT and County traffic, as well as many oil and gas industry companies of varying kinds. There is no other east-west connector in this part of Rifle.

Understandably, this road receives substantial heavy traffic. The western portion of Airport Road is cracking and showing pavement stress. No current traffic counts are available, but the City engineer estimates current volumes on the portion of Airport Road being addressed is approximately, on average, 10,000 vehicles per day.

What is intended by this project is a major mill and overlay. Currently, the asphalt is a 4 inch mat. We plan to mill the top 2 inches repair and mend cracks with a synthetic crack treatment, and replace with a 3" mat, totaling a 5" thick asphalt layer which will increase durability and longevity. Pending pricing, the extent of this work will be from the end of the concrete near the roundabout to at least the Hospital entrance, potentially to the Wal-Mart entrance near Enterprise Court, depending on pricing. Our estimate to pave to the east Wal-Mart entry is \$470,000.

As a second part of this project, the City has long needed a second major waterline connection from the north to the south side. This is a project being targeted for 2013 design and 2014 construction. In preparation for this, we need to make a new tie in connection at the intersection of Airport Road and Wapiti, just east of the Sonic Drive-In. It is anticipated that this work would be undertaken by our in-house public works crews prior to the paving work (and is considered an in-kind match to this grant request). This waterline tie-in connection is the first step in the new redundant connection as the target tie in location for the proposed new waterline is Wapiti Court. A secondary waterline connection is critical as more industrial and

Section 2 – Application – Selection Criteria Questions

commercial use expands on the south side of Rifle with the anticipated 650 acre Airpark development as well as uses along Airport Road and to provide a more secure water supply for the hospital and other large users. The waterline tie-in connection is included in this project to avoid future cut and patch work on Airport Road and the associated degradation of pavement often resulting from this type of pavement repair.

- 2. Explain how this project is one that would improve a community impacted by the development of natural resources? Describe the community/neighborhood the project will serve.**

This project will address Airport Road, arguably one of the most heavily used streets/roads in Rifle and possibly western Garfield County. It services Banks, Retail, Hotels, Restaurants, the Rifle Fire Department, the Grand River Hospital and Clinic, the Garfield County Airport and offices, the Western Garfield CMC Campus as well as some residences and numerous energy-industry companies. The road serves both City/County residents, shoppers from neighboring counties, and visitors and tourists. Additionally, Airport Road has significant land available for economic development attraction and expansion. It is imperative for the Rifle area economy that Airport Road is attractive and well maintained.

- 3. Explain how this project is one that will reduce or alleviate social, economic, or public finance impacts resulting from the development of natural resources?**

The City has a dedicated sales tax for streets, but due to the recent years' downturn in the economy, the street's sales tax revenues have been reduced. Additionally, the recent energy boom years and the resulting increased traffic on City streets required City Council to address significant repairs and safety issues that reduced the street fund reserves. This application for funding will assist the City in addressing a real and significant public need and alleviate the related public finance impact.

- 4. Please describe how this project will help the GCFMLD achieve its mission and specifically how granting your request will provide the greatest use of our resources for the greatest number of persons.**

This project addresses Airport Road, the only east-west travel route in south Rifle. The road serves both energy producers and energy service companies engaged in extraction on federal land. It is also heavily used by a regional population to access shopping, dining, services, lodging, health care, employment opportunities, the County Airport and offices, Rifle Fitness Center and Colorado Mountain College. Significant economic development potential exists

Section 2 – Application – Selection Criteria Questions

along this road with the recent designation of Rifle Air Park (650 acres) along with other existing retail, business and industrial opportunity sites. Lastly, this project moves forward a needed redundant waterline connection project that is a matter of public health and safety.

5. Describe the demand for your proposal in detail.

The City of Rifle's Engineering Department conducts an annual condition survey of every street in the City and identifies those roads in highest need of repair coupled with highest usage. Airport road was one of the top needs identified this year due to the volume of traffic together with pavement cracking, joint cracking and other signs of stress. Unfortunately, the available funds in our streets budget would not allow this project to move forward this year (and given the size of the project – it could be a few years before it is considered), hence the request to GCFMLD.

FUNDING

6. Describe the status of confirmed and potential funding sources including all applications previously submitted to other organizations requesting funding and the dates that which those funds are to be awarded. Please update the GCFMLD regarding the award (awarded or not) of other financial sources as they are confirmed.

A 29 percent cash match for this project will come from the City's Street Improvement Fund. Unfortunately, giving other street repair needs in the City, the Street Improvement Fund is unable to fund this entire project at this time. The water-tie in connection equipment and work will be completed as an in-kind match to the project (at a total cost of \$21,054) and funded from the City's water utility budget.

7. Provide a summary of and the individual commitment letters from those partners who have already committed cash or non-cash equivalents as funding for this project.

The City of Rifle is committed to providing the entire cash match and in-kind match for the project.

8. Is this project dependent upon receiving funding from the GCFMLD? What additional sources of funding not listed above could be utilized for this project?

Generally, a street repair and maintenance project is the responsibility of the City, but due to the economy and balancing the needs of the City, this project would go unfunded for now. Funding from GCFMLD would advance the project that would otherwise be stalled and not addressed for 2-3 years. Waiting to address Airport Road would result in a degraded pavement

Section 2 – Application – Selection Criteria Questions

condition and a reduction in appearance and the quality of the experience when traveling on the Airport Road. Additionally, if the mill and overlay project is delayed, the waterline connection would then require a cut and patch fix to install the tie-in connection. Other funding options for this project could be DOLA's energy impact fund or requesting financial assistance from Garfield County, however, the City feels at this time, GCFMLD is the most appropriate funding source for this project at this time.

9. Does this project require ongoing operational funding? If so, please describe the estimated funding amounts and the sources to fund this ongoing need.

Ongoing maintenance funding is provided by the City's Street improvement Fund.

10. Is this project part of an existing, established program or partnership? If so, please describe its accomplishments to date as they relate to the GCFMLD's mission as well as the partners involved.

This project was identified through the City of Rifle's Engineering Department's annual street condition inspection program which seeks to identify those streets in highest need of repair due to condition, volume, safety, etc. Through this program, the City, much like GCFMLD, seeks to judiciously marry projects with available resources for the benefit of the greatest number of citizens.

11. Please provide a detailed list of and support letters from of all participating partners contributing non-cash equivalents to the project.

The City, through its public works staff, is the only entity providing non-cash match to the project. This comes in the form of staff time, materials and equipment to complete the waterline tie-in connection to be completed prior to repaving. Total in-kind contribution is \$21,054, which is approximately 4 percent of the total project.

12. How much of your planned cash match is secured? How much of it is yet to be raised, and what are your plans for raising those additional funds? What is your "Plan B" if you are unable to raise those funds?

100% of the cash match (\$140,000/29% of the project) is secured and is provided by the City of Rifle Street Improvement Fund.

13. What is the plan to fund future management and/or operating costs of your project? If this project requires multi-phase applications and related approvals, describe other sources of funding other than funding from the GCFMLD in case this project does not receive future awards.

Section 2 – Application – Selection Criteria Questions

All future phases and maintenance costs will likely be paid for by the City or in partnership with a developer or a granting entity. The street mill and overlay is not a phased project. The waterline tie-in connection is being completed in anticipation of a redundant waterline project slated to be designed next year for construction in 2014. If not selected by GCFMLD, the City would likely be forced to put the project on hold until reserves are sufficient to cover the cost of the entire project. The City has funding available to move forward with the waterline tie-in connection, however, it would not be prudent to move forward with it as a “cut and patch” project at this time and if pursued, would only introduce more pavement problems to Airport Road. The mill and overlay affords the opportunity for the waterline tie-in connection to be installed without creating additional pavement issues.

Additional Questions

- 14. Please provide letters of support from all local governments that are expected to benefit from this project. These letters must be on official letterhead of the entity signed by an authorized signatory.**

Letters of support have been provided by Grand River Hospital District, Rifle Fire Protection District and the Rifle/Western Garfield County Campus of the Colorado Mountain College. Each entity recognizes the benefits of both the mill and overlay to the traveling public and the waterline tie in connection to ensure adequate and secure water service for south Rifle water users.

- 15. Who is supporting the project? Describe in summary and provide copies of all other additional support letters for this project including letters of support from individuals, community groups, newspaper articles, petitions, etc. Support letters/emails must be included with the application *and will not be accepted or considered by the GCFMLD if delivered in any other way.***

As noted above, the Grand River Hospital District, the Rifle Fire Protection District and Colorado Mountain College support the project. Given time constraints of this application process, the City has not solicited additional support for the project. The City assumes that most entities along Airport Road would be supportive of both aspects of the project.

- 16. Who is opposed to the project? Have neighbors, user groups, or other parties objected to the project? Include any letters, petitions, news articles, or other documents evidencing opposition. What has been done to address the concerns of those opposing, and how has the opposition responded?**

No known opposition to the project exists.

Section 2 – Application – Selection Criteria Questions

17. Describe the Applicant's ability to complete the specific actions required to accomplish this project. Have you demonstrated this ability before with similar projects?

The City has an annual street and pavement repair/replacement program and does these types of projects regularly during each year's construction season. In addition to this project, the City recently completed a safety modification to the entry to Rifle and anticipates completing a mill and overlay project on 16th Street and a mill and overlay along with waterline replacement work on East 5th Street during the summer/early fall of 2012.

18. Is the project "shovel ready" and will it be completed within two years of the award date?

Describe the planning that has gone into the project. Is design and engineering complete or is there work yet to be done? Using the sample Timeline provided by GCFMLD as a guide, please illustrate the timeline for completion of your project.

This project is shovel ready if selected for funding by GCFMLD. If selected, staff anticipates bidding-out the project in early July with work to begin sometime in August and completed within 3 weeks from the start date. Estimates for work have been provided by a local paving company. The City Engineer and Public Works Superintendent developed cost estimates for the waterline tie-in connection work. GCFMLD Timeline is included in this application, as required.

19. Describe the Applicants' project management team, who will be used to complete this project.

The Project Management Team will include:

- a. Rick Barth, City Engineer. Rick has been a registered Professional Engineer for 15 years.
- b. Brian Prunty, City Construction Inspector. 7 years with the City and approximately 30 years in the construction trade.
- c. Frank Shaw, City Public Works Superintendent. 10 years in public works with the City, approximately 20 years in the construction trades.
- d. John Hier, City Manager. 30 years in City Management.

Budget

20. Provide a detailed budget that presents information consistent with the answers presented throughout the Selection Criteria and on the Application Summary Form. Applicants must use the GCFMLD Budget Form. Budgets submitted in any other format will be rejected.

Please see the attached budget on the GCFMLD budget form.

Project Budget: Airport Road Mill & Overlay/Waterline Tie-in Connection

CASH	Use of Funds	Number of Units	Cost Per Unit	GCFMLD Funds	Applicant Funds	Partner Funds	Total Funding (\$)
	Airport Road Mill & Overlay			330,000.00	140,000.00		\$470,000.00
	Pay Contractor to complete Mill and Overlay						\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
	USE OF FUNDS - CASH SUBTOTAL			\$330,000.00	\$140,000.00	\$0.00	\$470,000.00

Project Budget: Airport Road Mill & Overlay/Waterline Tie-in Connection

IN-KIND	Use of Funds	No. of Units / Hours	Cost Per Unit / Hour	GCFMLD Funds	Applicant Funds	Partner Funds	Total Funding (\$)
Professional Services (City)							
Crew Leader	Time cost	40.00	27.00		1,080.00		\$0.00
Pipe Fitter	Time cost	40.00	19.25		770.00		\$1,080.00
Laborer	Time cost	40.00	15.45		618.00		\$770.00
Materials (City)							\$618.00
Hot Tap Connection	Part cost	1.00	3,100.00		3,100.00		\$0.00
Backfill material	material cost	1.00	640.00		640.00		\$3,100.00
Kicker Mud	material cost	1.00	137.00		137.00		\$640.00
Misc. Required Parts	Parts cost	1.00	293.00		293.00		\$137.00
Equipment (City)							\$293.00
Excavator	Equipment Use Cost	40.00	180.00		7,200.00		\$0.00
Frontend loader	Equipment Use Cost	40.00	120.00		4,800.00		\$7,200.00
Water Truck	Equipment Use Cost	10.00	88.00		880.00		\$4,800.00
Walk Behind compactor	Equipment Use Cost	20.00	30.00		600.00		\$880.00
Tandem Dump truck	Equipment Use Cost	8.00	117.00		936.00		\$600.00
							\$936.00
	USE OF FUNDS - IN-KIND SUBTOTAL				\$21,054.00	\$0.00	\$21,054.00
	10% Contingency				\$0	\$0	\$0
	TOTAL PROJECT COST			\$330,000.00	\$161,054.00	\$0.00	\$491,054.00