

RIFLE CITY COUNCIL MEETING

Wednesday, February 6, 2013

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, Jen Sanborn, Randy Winkler, and Mayor Jay Miller.

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

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager/Director of Planning; Lisa Cain, City Clerk; Jim Neu, City Attorney; Michael Churchill, Channel 10 Assistant Manager; J. R. Boulton, Police Lieutenant; Dick Deussen, Utilities Director; Dan Ferguson; Carleton Hoffmeister; Mike McKibbin; Ken Olson; and Amelia Shelley.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the January 16, 2013 Regular Meeting
- B. Annual Purchase of Chemicals for Graham Mesa Water Treatment Plant
- C. Purchase Fire Hydrants
- D. Reschedule June 19, 2013 Council meeting to June 17, 2013
- E. Accounts Payable

Councilor Carter moved to approve Consent Agenda Items A, B, C, D, and E; seconded by Councilor Sanborn. Roll Call: Yes – A. Lambert (abstaining as to Item A), Carter, K. Lambert, Sanborn, Winkler, Miller.

CITIZEN COMMENTS AND LIVE CALL-IN

Amelia Shelley, Executive Director, Garfield County Libraries, provided information about the Libraries' Big Read Event for 2013, featuring the book *The Grapes of Wrath*.

CONSIDER WAIVING FEES AT HUFFMAN GULCH FOR THE RIFLE SNOWMOBILE CLUB'S ANNUAL POKER RUN ON FEBRUARY 17

Rifle Snowmobile Club President Carleton Hoffmeister was present. As they have done in years past, the Snowmobile Club is requesting a waiver of all parking fees for their annual event, the Poker Run on February 17 at Huffman Gulch.

Councilor A. Lambert moved to waive parking fees at Huffman Gulch for the Snowmobile Club's Annual Poker Run on February 17; seconded by Councilor Sanborn. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Sanborn, Winkler, Miller.

CONSIDER MARTIFER SOLAR LICENSE AND POWER PURCHASE AGREEMENTS

Ken Olson of Sol Energy, Dan Ferguson of Martifer Solar, and Assistant City Manager/Director of Planning Matt Sturgeon reminded Council that Martifer Solar presented a solar power purchase agreement (PPA) proposal to City Council September 5, 2012. Following that workshop, City Council authorized a Letter of Intent with

Martifer on September 19, 2012. The Letter of Intent allowed Martifer and staff to evaluate fourteen sites and determine a project scope that met the financial needs of both the City and Martifer.

After conducting this thorough investigation, staff and Martifer concluded the following eight sites are suitable to site solar and make financial sense: Police Station; City Hall; Taughenbaugh Field Lights; Taughenbaugh Ball Park; Cemetery Irrigation; Public Works O&M; Parks Maintenance; and South Wastewater Lift Station.

Martifer's proposal requires no out of pocket costs from the City and will install arrays of sufficient size to make each site effectively net-zero. 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. Reducing the demand charge will reduce our current and future bills.

The PPA, as presented, will result in the installation of the stated arrays, and the City would lock in a power purchase rate beginning at \$.0707 cents/kW hour; this would escalate three percent annually. There is an option to buy-out each year starting year six which is described in the contract. The City also will have the option to purchase the solar infrastructure at fair market value between January 1 and January 15 of each year beginning in 2016 (after the first appropriation period). A buyout or purchase of the arrays must include all eight sites.

Staff estimates the City will save approximately seven percent on power at the subject sites in the first year. The City should realize additional savings as the cost of conventional power increases (5-8% annually); over the life of the PPA staff anticipates the City will save \$441,658.

Lastly, staff paid particular attention to the City Hall site because of the City's relationship with the Garfield County Library District. The City Hall array will be situated on the parking structure. The Garfield County Library District Board has reviewed the proposal and has no objections. Staff will assist with running the power line from the array (parking structure) to the inverters (north side of City Hall) to minimize the impacts to the plaza and landscaping.

Staff is reviewing the License Agreement for each site and the Solar Power Purchase Agreement and will present the agreements to Council to consider at its next meeting.

Councilor K. Lambert moved to table consideration of this matter to Council's next meeting; seconded by Councilor A. Lambert. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Sanborn, Winkler, Miller.

CONSIDER AMENDING RIFLE MUNICIPAL CODE TO ALLOW UTILITY CUSTOMERS TO REQUEST RELIEF FOR EXTENUATING CIRCUMSTANCES – ORDINANCE NO. 1, SERIES OF 2013 – 2ND READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 13-1-810 OF THE RIFLE MUNICIPAL CODE REGARDING RATES, CHARGES, TOLLS, FEES OR ASSESSMENTS OF WATER AND SEWER SERVICE AND THE APPEAL PROCEDURE REGARDING THE SAME

City Manager John Hier recommended that Council amend the Rifle Municipal Code to allow a utility customer to request relief when that customer has incurred charges as a result of extenuating circumstances beyond the customer's control.

Councilor Carter moved to approve Ordinance No. 1, Series of 2013, on second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor Sanborn.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported to Council on the following issues: snow and ice control; 2012 accomplishment report and 2013 work plans; Police Department retirement plan; employee recruitment; existing and new water treatment plants; and strategic planning retreat.

City Clerk Lisa Cain reported to Council on these issues: records management; employee benefits; and workshop with Rifle Regional Economic Development Corporation on February 13.

Mr. Sturgeon provided a legislative update to Council.

Channel 10 Assistant Manager Michael Churchill reported that staff is working to offer live internet streaming of Council meetings.

EXECUTIVE SESSION

- ***FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER CRS SECTION 24-6-402(4)(B); AND FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER CRS 24-6-402(4)(E)***
- ***TO DISCUSS PERSONNEL MATTERS UNDER CRS 24-6-402(2)(F) AND NOT INVOLVING: (1) ANY SPECIFIC EMPLOYEES WHO HAVE REQUESTED DISCUSSION OF THE MATTER IN OPEN SESSION; (2) ANY MEMBER OF THIS BODY OR ANY ELECTED OFFICIAL; (3) THE APPOINTMENT OF ANY PERSON TO FILL AN OFFICE OF THIS BODY OR OF AN ELECTED OFFICIAL; OR (4) PERSONNEL POLICIES THAT DO NOT REQUIRE THE DISCUSSION OF MATTERS PERSONAL TO PARTICULAR EMPLOYEES***

Councilor A. Lambert moved to adjourn to executive session to receive legal advice, discuss negotiations, and discuss personnel matters; seconded by Councilor Carter (7:48 p.m.). Roll Call: Yes - Carter, A. Lambert, K. Lambert, Sanborn, Winkler, Miller.

Upon return to open session following conclusion of the executive session, meeting adjourned at 8:37 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor