



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

City Hall
City Council Chambers
202 Railroad Avenue
Rifle, CO

Cablecast Live on
Comcast Channel 10

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REGULAR MEETING
June 17, 2013

WORKSHOP 6:00 P.M.
COUNCIL CHAMBERS

6:00 p.m. Discussion with Judge Zerbi

SPECIAL MEETING 6:30 P.M.
COUNCIL CHAMBERS

- 6:30 p.m. 1. Special Meeting Call to Order and Roll Call
- 6:33 p.m. 2. Executive Session - Discussion of a personnel matter 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.

**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 June 5, 2013 Regular Meeting
 B. Accounts Payable
- 7:08 p.m. 3. Citizen Comments and Live Call-In ((970) 665-6406)
 (For issues NOT on the Agenda. Please limit comments to 3 minutes.)
- 7:11 p.m. 4. Action, if any, on Workshop Items (Mayor Miller)
- 7:15 p.m. 5. Consider setting Charter Amendment ballot questions
 A. Consider setting Ballot Question for Charter Amendment
 Regarding Definition of Publication - Ordinance No. 9, Series of
 2013 – second reading (Jim Neu)
 B. Consider setting Ballot Question for Charter Amendment for
 Strategic Planning - Ordinance No. 10, Series of 2013 – second
 reading (Jim Neu)
 C. Consider setting Ballot Question for Charter Amendment for
 Budget Calendar – Ordinance No. 12, Series of 2013 - First
 reading (Jim Neu)
6. Consider Setting Ballot Question for .74% Sales Tax Increase and Debt
 Increase for Recreation Center - Ordinance No. 11, Series of 2013 –
 second reading (Jim Neu)
7. Consider Contract to provide services and pre-annexation agreement for
 Mathew and Jerri Ann Renner (Nathan Lindquist)
8. Update on Rifle Now (Matt Sturgeon)
9. Administrative Reports
 A. City Manager Verbal Report
 B. Other Reports
10. 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: July 1, 2013 at 7:00 p.m.



RIFLE CITY COUNCIL MEETING

Wednesday, June 5, 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, Randy Winkler, and Mayor Jay Miller.

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

OTHERS PRESENT: Matt Sturgeon, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Michael Churchill, Channel 10 Assistant Manager; Dick Deussen, Utilities Director; John Dyer, Police Chief; Diego Piña, Police Sergeant; Kim Wisdom, Court Administrator; Scott Aibner; Shelley Aibner; Dan Alvis; Dave Campbell; Paula Campbell; Gil Frontella; Lanny Grant; Dana Ingram; Thomas Ingram; David Keithley; Michael Langhorne; Ryan Mackley; Jeff Maynard; Nikki Maynard; Mike McKibbin; Susan Nichols; Marilyn Oden; T. J. Oden; Judy Ortiz; Maria Piña; Bob Rensberry; Helen Rogers; Kathy Rossilli; Liz Stinson; Angela Strode; Sean Strode; and Sandy Vaccaro.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the May 15, 2013 Regular Meeting
- B. Special Event Liquor Permits
 - Rifle Regional Economic Development Corporation (approve permit; cancel public hearing listed as Item 5 on agenda)
 - Loyal Order of Moose – Lodge #1345 (approve use of Centennial Park; approve permit; cancel public hearing listed as Item 6 on agenda)
- C. Designate persons authorized to sign City checks – Resolution No. 6, Series of 2013
- D. Reschedule July 3, 2013 Council meeting to July 1, 2013
- E. April 2013 Sales Tax Report
- F. April 2013 Financial Report
- G. Accounts Payable

Councilor Carter moved to approve Consent Agenda Items A, B, C, D, E, F, and G; seconded by Councilor A. Lambert. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Winkler, Miller.

PRESENTATION TO COURT ADMINISTRATOR KIM WISDOM

Court Administrator Kim Wisdom will leave her position later this month. Mayor Miller presented a plaque to Ms. Wisdom in appreciation for her thirteen years of service to the City.

CITIZEN COMMENTS AND LIVE CALL-IN

Dan Alvis asked about the applicability of the Taxpayer Bill of Rights (TABOR) to citizen initiatives.

Jeff Maynard stated his opposition to increased taxes, Recreation Center project timing, and paying for reverse osmosis water to use on his lawn.

Bob Rensberry stated his opposition to the Recreation Center, citing tax dollar mismanagement by the City.

Susan Nichols spoke on behalf of several citizens opposed to placing a Recreation Center funding issue on the ballot, citing the depressed economy, overextension of the City budget, rising costs of other goods and services, and “no” votes on previous recreation center ballot issues. Other concerns were that Rifle’s sales tax rate would become the highest in the county, and that few Rifle residents would support a recreation center by buying memberships. Ms. Nichols also asked Councilor Carter to recuse himself from future discussions of a recreation center because of a conflict of interest.

Angela Strode, Co-Chair, Committee for a Rifle Community and Recreation Center, stated her support for placing a Recreation Center funding issue on the ballot, citing citizen support for construction of a center.

Kathy Rossilli asked Council to place a Recreation Center funding issue on the ballot, so voters could decide.

Michael Langhorne, President, Rifle Regional Economic Development Corporation (RREDC), invited citizens to ask him about RREDC projects.

Shelley Aibner, Co-Chair, Committee for a Rifle Community and Recreation Center, invited the public to an informational meeting about the Recreation Center on June 12.

Ryan Mackley stated his support for a Recreation Center as a means of economic development of the City.

Liz Stinson said the question is not whether to build a Recreation Center, but how to fund its construction and operation. She urged Council to find a way to do so other than by raising taxes.

Sandy Vaccaro stated his support for a Recreation Center. He noted that voters approved a pool tax increase in 1987, when the economy was depressed.

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

CONSIDER CONTRACT WITH GARFIELD RE-2 SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER

Police Chief John Dyer explained that the City’s current contract with Garfield RE-2 School District for a School Resource Officer (SRO) provides that the City pays 90 percent of the cost of the SRO, while the School District pays 10 percent of the cost. The proposed contract would set the City’s share at 75 percent and the School District’s share at 25 percent.

Councilor K. Lambert moved to approve a School Resource Officer Agreement with Garfield RE-2 School District; seconded by Councilor Carter.

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

CONSIDER BOAT RAMP LEASE

Helen Rogers, Project Manager, Downtown Development Authority, and Gil Frontella, Chair, Visitor Improvement Fund Advisory Board, presented a proposed lease by the City from the Colorado Department of Transportation (CDOT) of land for development of a new boat ramp on the Colorado River. The lease provides for phased completion of restroom facilities, the boat ramp, and a pedestrian trail. Entering into the lease would not obligate the City to make these improvements. Constructing these improvements would remain subject to availability of funding.

Councilor Winkler moved to authorize the City Manager to sign the Lease Agreement with the Colorado Department of Transportation; seconded by Councilor A. Lambert.

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

CONSIDER AWARDING CONTRACT FOR ACACIA AVENUE WATER LINE

Utilities Director Dick Deussen recommended that Council award a contract to Johnson Construction, Inc. in the amount of \$123,996 for construction of a waterline loop connection from Acacia Avenue to Whiteriver Avenue.

Councilor Carter moved to award a contract to Johnson Construction, Inc. in the amount of \$123,996 for construction of a waterline loop connection from Acacia Avenue to Whiteriver Avenue; seconded by Councilor K. Lambert.

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

CONSIDER SETTING BALLOT QUESTIONS

A. Consider setting Ballot Question for Charter Amendment Regarding Definition of Publication - Ordinance No. 9, Series of 2013 – first reading

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE 2013 REGULAR MUNICIPAL ELECTION A QUESTION WHETHER SECTION 13.17(D) OF THE CITY CHARTER SHALL BE AMENDED TO ALLOW THE DEFINITION OF PUBLICATION TO BE DEFINED BY THE CITY COUNCIL BY ORDINANCE

Mr. Neu explained that proposed Ordinance No. 9, Series of 2013, would set a ballot question for the municipal election to be held September 10, 2013. The question would be whether to amend Section 13.17(d) of the Charter, which defines “publication” to mean in a newspaper of general circulation within the City. The amendment would allow Council the flexibility to determine by ordinance the most effective way to inform the residents. This would keep the City modern and meet the needs of the City into the future. Publishing ordinances in full in a newspaper is very costly to the City and publishing ordinances by title with notice that the entire ordinance is available in full on the City’s website is a more fiscally responsible and still effective method to inform the public. If the ballot question proposed in Ordinance No. 9, Series of 2013 passes and the Charter is amended accordingly, the Rifle Municipal Code would be amended to define publication to mean “ordinances shall be published by title in a newspaper of general circulation within the City and contain a notice that the entire ordinance is available in full on the City’s website, which website shall contain such ordinances in full for a minimum of sixty (60) days following final passage.”

Stephanie Schafer, Publisher, Citizen Telegram, expressed concern that citizens without access to a computer, or without the ability to come to City Hall, would no longer be able to read ordinances in the newspaper, if this charter amendment were approved.

Councilor A. Lambert moved to approve Ordinance No. 9, Series of 2013, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor Winkler.

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

B. Consider setting Ballot Question for Charter Amendment for Strategic Planning - Ordinance No. 10, Series of 2013 – first reading

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE 2013 REGULAR MUNICIPAL ELECTION A QUESTION WHETHER A NEW SECTION 3.12 OF THE CITY CHARTER SHALL BE ADOPTED REQUIRING THE CITY COUNCIL TO HOLD A STRATEGIC PLANNING SESSION ANNUALLY

Mr. Neu noted that since 2002, Council has annually held strategic planning sessions with department heads and key employees to develop, confirm and modify a vision statement, mission statement and goals for the City. At its last strategic planning session, Council instructed staff to prepare a ballot question to amend the City's Charter to require Council to annually hold strategic planning sessions because of the benefits the City has garnered through these sessions. Proposed Ordinance No. 10, Series of 2013, would set that ballot question.

Councilor K. Lambert moved to approve Ordinance No. 10, Series of 2013, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor A. Lambert.

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

CONSIDER SETTING BALLOT QUESTION FOR .74% SALES TAX INCREASE AND DEBT INCREASE FOR RECREATION CENTER - ORDINANCE NO. 11, SERIES OF 2013 – FIRST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE 2013 MUNICIPAL ELECTION A QUESTION WHETHER THE CITY SHOULD ISSUE SALES AND USE TAX REVENUE BONDS FOR THE PURPOSE OF FINANCING THE COST OF CONSTRUCTION OF A RECREATION CENTER WITH AN INCREASE IN SALES AND USE TAX BY .74% TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH BONDS AND OPERATION OF SUCH RECREATION CENTER

Mr. Neu remarked that following the request of Rifle citizens who have been working on a plan to construct a recreation center for the City, Council instructed staff to prepare a ballot question for the electorate's consideration to increase the City's sales and use tax by 0.74% and authorize the issuance of revenue bonds up to \$21,000,000 to finance the construction of the recreation center. If passed, a special fund would be created in which the revenues of the Recreation Center Sales Tax would be deposited to repay the revenue bonds issued and operate the recreation center. Proposed Ordinance No. 11, Series 2013 contains the necessary TABOR ballot question language.

Councilor Carter recused himself from consideration of this matter because of a potential conflict of interest.

Mr. Langhorne requested that the name of the facility include "also known as Health and Wellness Center," because of representations made during earlier fundraising efforts for the facility.

Ms. Aibner asked that the name of the facility include "Community."

Council will consider facility name changes when it considers this ordinance on second reading.

Ms. Nichols asked about the maximum length of the tax and the bond issue.

Councilor Winkler moved to approve Ordinance No. 11, Series of 2013, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor A. Lambert.

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

ADMINISTRATIVE REPORTS

Mr. Sturgeon reported to Council on water line breaks, personnel changes, and New Ute Theatre renovation.

City Clerk Lisa Cain announced municipal election key dates.

COMMENTS FROM MAYOR AND COUNCIL

Councilor K. Lambert congratulated Mayor Miller and Norma Miller on their 50th wedding anniversary.

Meeting adjourned at 8:25 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor

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						
	SI73003	BELT DRIVE DECK	05/30/2013	100.16	.00	
	SI73175	HELMET W/EPOXY COAT STEE	06/06/2013	64.99	.00	
	SI73177	TRIMMER	06/06/2013	653.84	.00	
	SI73245	ENGINE OIL	06/10/2013	39.84	.00	
Total 1003:				858.83	.00	
1004						
Verizon Wireless						
	9705069632	CITY OF RIFLE-CELL PHONES	05/18/2013	4,500.21	4,500.21	05/31/2013
Total 1004:				4,500.21	4,500.21	
1009						
B & B Plumbing, Inc						
	38526	RPLACED MOTOR	02/07/2013	488.53	.00	
Total 1009:				488.53	.00	
1018						
Valley Lumber						
	80271	6X6 KD FIR	05/17/2013	108.19	.00	
	80481	CONSTRUCTION FIR	05/24/2013	12.32	.00	
	80598	DUPLEX NAIL	05/28/2013	61.96	.00	
	80600	SPRAY ENAMEL	05/28/2013	33.72	.00	
	80621	SPRAY ENAMEL	05/29/2013	7.98	.00	
	80638	WHITE ROOFING SCREW	05/29/2013	12.17	.00	
	80662	BATTERY-ALKLINE	05/30/2013	10.99	.00	
	80670	WEDGES SLEDGE HAMMER	05/30/2013	69.49	.00	
	80680	GRADE REBAR	05/30/2013	29.96	.00	
	80695	ESTWING FRAM HAMMER	05/30/2013	34.99	.00	
	80740	DUSTPAN	05/31/2013	2.99	.00	
	80810	DEWALT COMPRESSOR	06/03/2013	259.99	.00	
	80870	PREMIUM CDR PICKET	06/04/2013	57.78	.00	
	80986	MASONRY SCREW	06/06/2013	21.23	.00	
	80992	CLOSER DOOR	06/06/2013	69.99	.00	
	81022	TRASH BAGS	06/07/2013	13.98	.00	
	81029	METAL KEY BLANK	06/07/2013	26.97	.00	
	81116	CHALK LINE	06/10/2013	5.49	.00	
	81120	WHITE FOOFING SCREWS	06/10/2013	82.24	.00	
	81123	SUNWOOD TREATED TIES	06/10/2013	11.99	.00	
	81145	NYLON SCREW ANCHOR	06/10/2013	12.08	.00	
	81178	LG TUBE	06/11/2013	12.98	.00	
Total 1018:				959.48	.00	
1022						
Central Distributing Co						
	945892	SUPPLIES	05/08/2013	275.74	.00	
	947500	SUPPLIES	05/22/2013	51.20	.00	
	948330	SUPPLIES	05/30/2013	165.71	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	948331	SUPPLIES	05/30/2013	470.87	.00	
	948336	SUPPLIES	05/30/2013	388.89	.00	
	948551	SUPPLIES	05/30/2013	51.16	.00	
	949004	SUPPLIES	06/05/2013	93.51	.00	
	949005	SUPPLIES	06/05/2013	111.49	.00	
Total 1022:				1,608.57	.00	
1031						
Colo Bureau Of Investigation						
	S13100002	LIQOUR LICENSE	05/06/2013	77.00	77.00	05/31/2013
	S130900002	LIQOUR LICENSE	04/06/2013	115.50	115.50	05/31/2013
Total 1031:				192.50	192.50	
1055						
Columbine Ford, Inc						
	117098	CAP ASY	06/04/2013	22.78	.00	
Total 1055:				22.78	.00	
1065						
Dodson Engineered Products Inc						
	167594	TAPE MEASURE	06/06/2013	80.00	.00	
Total 1065:				80.00	.00	
1087						
Grainger						
	9156186224	RIGID CELL FILTER	05/31/2013	553.12	.00	
Total 1087:				553.12	.00	
1097						
Johnson Construction Inc						
	209280	REPAIR BRENDEN THEATER	06/10/2013	10,130.00	.00	
Total 1097:				10,130.00	.00	
1100						
Karp, Neu, Hanlon P.c.						
	053113	RENNER PRE ANNEX	05/31/2013	23,037.41	.00	
Total 1100:				23,037.41	.00	
1105						
Meadow Gold Dairies						
	497896	DAIRY PRODUCTS/RIFLE POO	05/30/2013	591.42	.00	
	50213808	DAIRY PRODUCTS/RIFLE POO	05/16/2013	845.52	.00	
	50213929	DAIRY PRODUCTS/SENIOR CT	05/28/2013	46.32	.00	
	50213963	DAIRY PRODUCTS/SR CENTE	05/31/2013	15.00	.00	
	50214003	DAIRY PRODUCTS/SENIOR CT	06/04/2013	95.09	.00	
Total 1105:				1,593.35	.00	
1110						
Napa Auto Parts						
	283992	SUPER HC IND V-BELT	05/16/2013	103.52	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	284975	BRAKE DRUM	05/23/2013	34.69	.00	
	285003	BRAKE DRUM	05/23/2013	34.69	.00	
	285880	CAP FILTER	05/31/2013	9.98	.00	
	286309	V BELT	06/04/2013	22.98-	.00	
	286318	SEAT BELT	06/04/2013	33.69	.00	
	286347	CAP FILTER	06/04/2013	9.98-	.00	
	286675	LITERBAGS	06/06/2013	24.09	.00	
	286840	HITCHPIN	06/07/2013	28.97	.00	
	286847	NAPGOLD FUEL FILTER	06/07/2013	60.78	.00	
	286873	QUICK COUPLER	06/07/2013	10.99	.00	
	287218	EPOXY	06/10/2013	5.88	.00	
	287265	ODOR OUT	06/10/2013	5.49	.00	
	287359	BAT CLNR	06/11/2013	9.98	.00	
	287401	OIL FILTER	06/11/2013	12.74	.00	
Total 1110:				342.53	.00	
1111						
Neve's Uniforms, Inc						
	NE20984	BODY ARMOR/PD	04/22/2013	37.64	.00	
	NE21020	BODY ARMOR/PD	04/23/2013	10.98	.00	
	NE21720	BODY ARMOR/PD	05/16/2013	83.94	.00	
	NE21721	BODY ARMOR/PD	05/16/2013	162.89	.00	
	NE21785	BODY ARMOR/PD	05/20/2013	12.94	.00	
Total 1111:				308.39	.00	
1120						
Xcel Energy Inc						
	0472800361	1221 E CENTENNIAL PKWY	05/23/2013	15.73	15.73	05/31/2013
	0473544692	250 E 16TH ST	05/29/2013	31.44	31.44	06/07/2013
	300025745	132 E 4TH ST NEW UTE THEAT	05/20/2013	31.10	31.10	05/31/2013
	369279870	AREA LIGHTS	05/20/2013	20,261.10	20,261.10	05/31/2013
	370729634	PUMP 27346 HWY 6/24	05/31/2013	3,833.91	3,833.91	06/07/2013
Total 1120:				24,173.28	24,173.28	
1125						
Rifle Chamber Of Commerce						
	061313	3RD QTR PAYMENT	06/13/2013	24,825.00	.00	
Total 1125:				24,825.00	.00	
1132						
Rifle Lock & Safe						
	32431	KEYS	05/14/2013	3.50	.00	
	32474	KEYS	06/05/2013	1.75	.00	
	32479	KEYS	06/05/2013	7.50	.00	
	32481	BRASS TAGS	06/11/2013	106.40	.00	
Total 1132:				119.15	.00	
1143						
Swallow Oil Company						
	053113	UNLEAD	05/31/2013	6,890.58	.00	
Total 1143:				6,890.58	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1181						
Garfield Steel & Machine, Inc						
	00085952	PLATE	06/07/2013	26.84	.00	
Total 1181:				26.84	.00	
1188						
Jean's Printing						
	131740	PRINTING	05/21/2013	81.50	.00	
	131891	PRINTING	05/30/2013	61.36	.00	
	131892	PRINTING	05/30/2013	61.36	.00	
	131912	PRINTING	05/31/2013	81.50	.00	
Total 1188:				285.72	.00	
1191						
Lewan & Associates, Inc						
	306416	B&W METER	05/22/2013	589.47	589.47	05/31/2013
	312691	B&W METER	06/03/2013	19.76	.00	
Total 1191:				609.23	589.47	
1194						
Pitney Bowes, Inc						
	671380	REPAIR POSTAGE MACHINE	05/24/2013	542.32	542.32	05/31/2013
Total 1194:				542.32	542.32	
1249						
Berthod Motors Inc						
	165882	FILLER CAP	05/31/2013	28.24	.00	
	46641	2013 John Deere 60 D = Streets	05/07/2013	25,748.50	.00	
Total 1249:				25,776.74	.00	
1252						
Elmer Glass Company/rifle Inc						
	IO17352	CLEAR LEXAN	06/10/2013	201.00	.00	
Total 1252:				201.00	.00	
1258						
Hach Company						
	8322135	FILTER GLASS	05/31/2013	452.61	.00	
	8324388	PHOSPHORUS	06/03/2013	93.98	.00	
	8326874	TKN TNT	06/04/2013	238.00	.00	
Total 1258:				784.59	.00	
1339						
Grand Junction Pipe & Supply						
	1004770	COMP X MPT ADPTR	03/20/2013	594.62	594.62	06/07/2013
	3031675	RPR CLAMP	05/22/2013	778.30	.00	
	3040944	PVC80 COMBO	06/05/2013	217.45	.00	
Total 1339:				1,590.37	594.62	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1369						
Century Equipment Company						
	GP00163	PARTS	05/23/2013	360.06	.00	
Total 1369:				360.06	.00	
1458						
QA Balance Services Inc						
	9156	CALABRATION/WASTE WATER	05/22/2013	287.00	.00	
Total 1458:				287.00	.00	
1560						
Applied Concepts,inc						
	235786	RADAR REPAIR/PD	06/05/2013	178.43	.00	
Total 1560:				178.43	.00	
1692						
A-1 Traffic Control						
	30145	SIGN RENTAL	05/31/2013	93.00	.00	
Total 1692:				93.00	.00	
1734						
United Companies/Oldcastle SW Group Inc						
	922549	ROCK	05/21/2013	573.59	.00	
	923801	ROCK	05/23/2013	181.92	.00	
	924211	ROCK	05/28/2013	255.89	.00	
	924346	ROAD BASE	05/29/2013	714.70	.00	
	924505	ROAD BASE	05/30/2013	146.30	.00	
Total 1734:				1,872.40	.00	
1749						
Microsearch Laboratory Inc.						
	13-3173	MICROSCOPICE PARTICULATE	05/16/2013	625.00	.00	
Total 1749:				625.00	.00	
1830						
Grand Valley Foods						
	126678	FOOD PRODUCT/SR CENTER	05/24/2013	567.22	.00	
	126760	FOOD PRODUCT/SR CENTER	05/31/2013	978.57	.00	
Total 1830:				1,545.79	.00	
2122						
Utility Notification Center Co						
	21305646	RTL TRANSMISSIONS	05/31/2013	211.90	.00	
Total 2122:				211.90	.00	
2235						
Acme Alarm Company Inc						
	7778MON	3RDQTR MONITORING	06/01/2013	162.00	.00	
	7779MON	3RD QTR MONITORING	06/01/2013	105.00	.00	
	7780MON	3RD QTR MONITORING	06/01/2013	90.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 2235:				357.00	.00	
2497						
Techdepot/Solution 4Sure						
	B13056273V1	HP DRUM KIT	05/17/2013	242.06	.00	
Total 2497:				242.06	.00	
2573						
Mountain West Office Products						
	292149	SUPPLIES	06/05/2013	12.88	.00	
	292288	SUPPLIES	06/07/2013	81.06	.00	
	292295	SUPPLIES	06/10/2013	94.99	.00	
	292435	SUPPLIES	06/12/2013	16.28	.00	
Total 2573:				205.21	.00	
2846						
Colo Mtn News Media						
	9071676A	AD	04/06/2013	39.47	39.47	05/31/2013
	9071742A	AD	04/08/2013	14.67	14.67	05/31/2013
	9078020R 041	AD	04/11/2013	198.00	198.00	06/07/2013
	9110479A	AD	04/21/2013	13.66	13.66	05/31/2013
Total 2846:				265.80	265.80	
2960						
Walmart Community						
	005529	DVD PLAYER CASES	06/05/2013	26.40	26.40	06/07/2013
	020115	SUPPLIES	05/20/2013	7.12	7.12	06/07/2013
	020677	SUPPLIES	05/20/2013	43.95	43.95	06/07/2013
	020940	SUPPLIES	05/20/2013	130.05	130.05	06/07/2013
	025966	SUPPLIES	05/25/2013	99.88	99.88	06/07/2013
	030216	SUPPLIES	05/30/2013	18.61	18.61	05/31/2013
	041197 051413	SUPPLIES	05/14/2013	36.35	36.35	06/07/2013
Total 2960:				362.36	362.36	
3015						
Kroger/King Sooper Cust Charge						
	043198	MEETING	05/28/2013	81.64	81.64	06/07/2013
	061905	WATER	05/29/2013	28.80	28.80	05/31/2013
	116888	FOOD SUPPLIES	06/05/2013	91.87	91.87	06/07/2013
	126599	FOOD SUPPLIES	06/05/2013	109.94	109.94	06/07/2013
	138363	FOOD SUPPLIES	05/01/2013	72.59	72.59	05/31/2013
Total 3015:				384.84	384.84	
3016						
Flattops Fencing And Supply						
	1326	REPAIR POOL FENCE	06/05/2013	400.00	.00	
Total 3016:				400.00	.00	
3038						
Mountain View Tree Farm & Nurs						
	16100	CEDAR BALES	05/03/2013	907.00	907.00	06/07/2013

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	16222	GRASS	05/06/2013	71.00	71.00	06/07/2013
Total 3038:				978.00	978.00	
3083						
ALSCO						
	1323459	SUPPLIES	05/28/2013	25.00	.00	
	1323460	LAUNDRY	05/28/2013	61.86	.00	
	1326365	SUPPLIES	06/04/2013	25.37	.00	
Total 3083:				112.23	.00	
3091						
Newman Signs Inc						
	TI-0262180	ROADMK 60	05/29/2013	310.00	.00	
Total 3091:				310.00	.00	
3347						
V.I.P. Trash Services LLC						
	49268	TRASH PICKUP/DDA	05/01/2013	145.00	145.00	06/07/2013
Total 3347:				145.00	145.00	
3389						
Sandy's Office Supply Inc						
	026810	SUPPLIES	05/09/2013	133.95	.00	
	027218	SUPPLIES	05/14/2013	301.56	.00	
	027700	SUPPLIES	05/17/2013	395.83	.00	
	027703	CHAIRMAT	05/17/2013	270.32	.00	
Total 3389:				1,101.66	.00	
3707						
Interstate Battery System Inc						
	22034979	BATTERIES	05/28/2013	289.85	.00	
Total 3707:				289.85	.00	
4021						
Rifle Equipment Inc						
	RI004684	LIGHT TOWER WACKER	05/29/2013	163.75	.00	
Total 4021:				163.75	.00	
4045						
Sanborn Studio						
	908	Mural	06/12/2013	2,499.50	.00	
Total 4045:				2,499.50	.00	
4141						
True Brew Coffee Service						
	150285	COFFEE SUPPLIES/CITY HALL	06/01/2013	86.19	.00	
	150286	COFFEE	06/01/2013	54.20	.00	
Total 4141:				140.39	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
4207						
Radio Shack						
	10156571	CABLE	06/03/2013	39.99	.00	
Total 4207:				39.99	.00	
4215						
Ziegler, James						
	73603	RED TOTE BAG	06/07/2013	138.45	.00	
Total 4215:				138.45	.00	
4240						
Platinum Plus For Business						
	CAIN 051113	PAPAL WCOARMA	05/11/2013	638.42	638.42	05/31/2013
	FLATEN-05111	CONFERENCE	05/11/2013	62.36	62.36	05/31/2013
	HIER 051113	LUNCH STAFF	05/11/2013	374.65	374.65	05/31/2013
	KEHOE 05111	SUPPLIES	05/11/2013	21.51	21.51	05/31/2013
	RYAN 051113	SOS REGISTRATION FEE	05/11/2013	10.00	10.00	05/31/2013
Total 4240:				1,106.94	1,106.94	
4288						
Native American Crane Svs Inc						
	13-80	BOOM TRUCK	05/31/2013	225.00	.00	
Total 4288:				225.00	.00	
4345						
Helen Artist-Rogers/HR Design						
	053113	DDA MANAGEMENT	05/31/2013	2,500.00	2,500.00	05/31/2013
Total 4345:				2,500.00	2,500.00	
4590						
Colorado Poolscales Inc						
	51537-1	BELT DRIVE PENTAIR PROWLE	05/29/2013	97.77	.00	
Total 4590:				97.77	.00	
4918						
Proforce Law Enforcement						
	175508	SMART CART	05/31/2013	3,613.95	.00	
Total 4918:				3,613.95	.00	
4989						
Mr Power S/Sandor Drucker						
	224	PRESSURE WASHING CENTEN	06/01/2013	240.00	.00	
	225	SIDEWALK CLEANING/DDA	06/01/2013	828.00	828.00	06/07/2013
Total 4989:				1,068.00	828.00	
5023						
CASELLE INC						
	50014	CONTRACT SUPPORT/FINANC	06/01/2013	1,214.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5023:				1,214.00	.00	
5253						
FASTENAL						
	56776	BINDER	05/21/2013	184.65	.00	
	56794	COMBO WRENCH SET	05/21/2013	211.47	.00	
	56925	CABLE CUTTER	05/30/2013	246.70	.00	
	56964	BRAZEAU	05/31/2013	15.61	.00	
	56978	ROUGH PVC	05/31/2013	4.86	.00	
Total 5253:				663.29	.00	
5365						
American Windshield Repair						
	10826	WINDSHIELD REPLACEMENT	06/06/2013	277.95	.00	
Total 5365:				277.95	.00	
5503						
JAY-MAX SALES						
	230089-00	SUPPLIES	06/04/2013	96.00	.00	
Total 5503:				96.00	.00	
5595						
All About Sprinklers						
	2386	SVC VALVE CONTROLLER	05/28/2013	1,669.97	1,669.97	06/07/2013
Total 5595:				1,669.97	1,669.97	
5613						
SunEdison, LLC/pump station						
	771306020396	PUMP STATION #1	06/01/2013	6,068.85	6,068.85	06/07/2013
Total 5613:				6,068.85	6,068.85	
5752						
Accutest Mountain States						
	D5-37812	METALS SAMPLING PROGRAM	05/24/2013	357.00	.00	
Total 5752:				357.00	.00	
5821						
ENVIRO-CHEM						
	7590	CHRONIC WET TWO SPECIES	05/22/2013	920.00	.00	
Total 5821:				920.00	.00	
5833						
SunEdison, LLC/SunE U6 holding						
	781306020395	energy innovation center	06/01/2013	15,120.72	15,120.72	06/07/2013
Total 5833:				15,120.72	15,120.72	
5896						
IDEXX DISTRIBUTION, INC.						
	268652990	WP020I GAMMA IRRAD	05/21/2013	704.62	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5896:				704.62	.00	
5960						
Recreation Fee Refunds						
	2000882002	REC FEE REFUND	05/23/2013	75.00	75.00	05/31/2013
	2000884002	REC FEE REFUND	05/29/2013	60.00	60.00	05/31/2013
	2000888002	REC FEE REFUND	06/04/2013	80.00	80.00	06/07/2013
Total 5960:				215.00	215.00	
5967						
Harbor Freight Tools						
	0110661	SIDE CABINET	05/01/2013	210.42	.00	
Total 5967:				210.42	.00	
6040						
AIS Industrial & Construction Supply						
	497082-00	WOOD STAKES	05/30/2013	20.75	.00	
Total 6040:				20.75	.00	
6043						
Wilkins Angie						
	053113	MILEAGE REIMBURSEMENT	05/31/2013	58.78	58.78	06/07/2013
Total 6043:				58.78	58.78	
6067						
Mountain Roll-offs, Inc.						
	060513	MONTHLY FEE	06/05/2013	35,978.86	.00	
Total 6067:				35,978.86	.00	
6069						
CPRA						
	5872402	MEDMEMBERSHIPS FEES	05/22/2013	72.00	.00	
	5873041	MEMBERSHIP DUES	05/22/2013	72.00	.00	
Total 6069:				144.00	.00	
6137						
Impressions of Aspen						
	17856	SUPPLIES	05/07/2013	109.69	.00	
	17950	SUPPLIES	05/29/2013	171.90	.00	
	17954	SUPPLIES	05/29/2013	391.91	.00	
	17978	SUPPLIES	05/31/2013	4.50	.00	
	17998	SUPPLIES	06/06/2013	17.83	.00	
	3392CM	SUPPLIES	05/29/2013	109.69	.00	
Total 6137:				586.14	.00	
6225						
BRUBACHER DESIGN						
	882	SIGNS	05/31/2013	501.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6225:				501.00	.00	
6242						
Xerox Corporation						
	068338921	BASE CHARGE	06/01/2013	275.26	.00	
Total 6242:				275.26	.00	
6261						
Western Slope Materials, LLC						
	43978	SCREENED ROCK	05/18/2013	162.50	.00	
Total 6261:				162.50	.00	
6286						
ICMA						
	053113	MEMBERSHIP	05/31/2013	915.84	915.84	05/31/2013
Total 6286:				915.84	915.84	
6295						
Labyrinth Healthcare Group						
	17814	ADOCACY SERVICE JUNE FEE	05/20/2013	267.00	267.00	05/31/2013
Total 6295:				267.00	267.00	
6330						
COUNTY HEALTH POOL						
	053113	COBRA	05/31/2013	3,413.64	3,413.64	05/31/2013
	053113.	IT	05/31/2013	102,335.12	102,335.12	05/31/2013
Total 6330:				105,748.76	105,748.76	
6383						
CENTURY LINK						
	124490357	BOND CONFERENCE CALLS	01/11/2013	56.24	56.24	05/31/2013
Total 6383:				56.24	56.24	
6384						
Professional Services Employers Trust						
	060113	INSURANCE	06/01/2013	240.00	240.00	06/07/2013
Total 6384:				240.00	240.00	
6401						
Synergy Gymnastics Academy, LLC						
	060413	MONTHLY FEE	06/04/2013	4,283.00	4,283.00	06/07/2013
Total 6401:				4,283.00	4,283.00	
6402						
CENTURY LINK						
	6250108 05221	FITNESS CENTER	05/22/2013	142.88	142.88	06/07/2013
	6254904 05221	POLICE	05/22/2013	104.93	104.93	05/31/2013
	6254960 05221	POLICE	05/22/2013	112.55	112.55	05/31/2013
	6257330 05221	OM	05/22/2013	418.99	418.99	05/31/2013

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	6259179 05221	FINANCE	05/22/2013	89.76	89.76	06/07/2013
	K7191113095	FITNESS CENTER	05/22/2013	956.78	956.78	06/07/2013
Total 6402:				1,825.89	1,825.89	
6406						
FRONTELLA, GIL						
	360355	WEEDING	06/03/2013	289.00	289.00	06/07/2013
Total 6406:				289.00	289.00	
6485						
Tisco Inc/Energy Equip-GrandJct						
	10626 053113	SUPPLIES	05/31/2013	72.55	.00	
	10627 053113	SUPPLIES	05/31/2013	42.62	.00	
	10628 053113	SUPPLIES	05/31/2013	38.99	.00	
	10629 053113	SUPPLIES	05/31/2013	8.48	.00	
Total 6485:				162.64	.00	
6553						
CHARLIER ASSOCIATES, INC						
	1066	HUD	05/17/2013	28,225.37	.00	
Total 6553:				28,225.37	.00	
6568						
MICRO PLASTICS						
	96183	BADGE	04/30/2013	6.40	.00	
	96708	LASER PLATE	06/04/2013	61.85	.00	
Total 6568:				68.25	.00	
6606						
Western Slope Supplies, Inc.						
	691392	WATER	05/15/2013	15.00	.00	
	8220122	WATER	05/06/2013	14.20	.00	
	8220229	WATER	05/13/2013	43.95	.00	
	8220310	WATER	05/20/2013	21.05	.00	
	8220327	WATER	05/20/2013	7.35	.00	
	8220328	WATER	05/20/2013	41.60	.00	
	8220416	WATER	05/28/2013	7.35	.00	
	8220417	WATER	05/28/2013	27.90	.00	
	8220510	WATER	06/03/2013	7.35	.00	
	8220511	WATER	06/03/2013	27.90	.00	
Total 6606:				213.65	.00	
6612						
CEDAR NETWORKS						
	164401	INTERNET	06/07/2013	2,260.00	2,260.00	06/07/2013
Total 6612:				2,260.00	2,260.00	
6643						
SAFETY & CONSTRUCTION SUPPLY, INC						
	008211-IN	ERGODYNE WIND JACKET	05/20/2013	445.04	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6643:				445.04	.00	
6661						
ARCADIS US, INC						
	0521415	DESIGN RIFLE WTR PLANT	05/22/2013	15,476.00	.00	
Total 6661:				15,476.00	.00	
6685						
GARNER INDUSTRIES						
	169598	PHOTO INTERRUPTER ASSY	05/20/2013	33.34	.00	
Total 6685:				33.34	.00	
6720						
PIPESTONE EQUIPMENT						
	1675	CALIBRATE AUMA ACTUATOR	05/16/2013	1,275.00	.00	
Total 6720:				1,275.00	.00	
6728						
CB INDUSTRIES-DELTA, INC.						
	060113	BIOSOLIDS DISPOSAL	06/01/2013	4,498.75	.00	
Total 6728:				4,498.75	.00	
6731						
ALL AROUND SWEEPING						
	1662	MAY LANDSCAPE\	05/30/2013	2,281.00	.00	
Total 6731:				2,281.00	.00	
6759						
JAMES P FLYNN, CPA, LLC						
	052913	PROFESSIONAL SERVICES	05/29/2013	48.75	48.75	05/31/2013
Total 6759:				48.75	48.75	
6773						
AMERICAN HEALTH HOLDING, INC						
	053113	CONSULT A-DOC	05/31/2013	198.00	198.00	05/31/2013
	053113.	CONSULTA-DOC	05/31/2013	198.00	198.00	05/31/2013
Total 6773:				396.00	396.00	
6777						
MASTER PETROLEUM						
	2002428	COMBUSTIBLE LIQUID	06/06/2013	1,587.80	.00	
Total 6777:				1,587.80	.00	
6779						
COMMERCIAL TIRE SERVICE, INC						
	31504	TIRES	05/23/2013	536.32	.00	
Total 6779:				536.32	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6790						
O'REILLY AUTO PARTS						
	3761-270248	MINI FUSE	05/14/2013	3.09	.00	
	3761-271659	ROCKER SWITCH	05/23/2013	17.97	.00	
	3761-271824	HOLE PLUGS	05/24/2013	14.63	.00	
	3761-272468	GRONNET ASST	05/28/2013	3.99	.00	
	3761-272875	FILTER WRNCH	05/31/2013	10.99	.00	
	3761-273476	SEAT BELT	06/04/2013	14.99	.00	
	3761-273581	MURRAY AC KITS	06/04/2013	22.27	.00	
	3761-273672	DASH COVER	06/05/2013	48.47	.00	
	3761-273773	SEAT CONSOLE	06/05/2013	56.99-	.00	
	3761-273888	TAILGATED HYND	06/06/2013	49.99	.00	
	3761-273909	SEAT COVER	06/06/2013	26.99	.00	
	3761-274564	O-RING	06/10/2013	52.35	.00	
	3761-274648	ALTERNATOR	06/11/2013	158.49	.00	
	3761-274661	ALTERNATOR	06/11/2013	35.00-	.00	
	3761-274673	OIL FILTER	06/11/2013	17.19	.00	
Total 6790:				349.42	.00	
6826						
CALLAWAY PACKING INC						
	13472	FOOD SUPPLIES	06/04/2013	913.10	.00	
Total 6826:				913.10	.00	
6847						
DELTA RIGGING & TOOLS						
	GRA PSI59022	CHAIN	04/19/2013	188.99	188.99	05/31/2013
Total 6847:				188.99	188.99	
6848						
SNOWDEN JIMMY						
	053013	CENTENNIAL CONCERT SERIE	05/30/2013	300.00	300.00	05/31/2013
Total 6848:				300.00	300.00	
6850						
POTOTSKY, KATHY						
	050713	REIMBURSEMENT PIZZA	05/07/2013	120.06	120.06	06/07/2013
Total 6850:				120.06	120.06	
6851						
JAY'S						
	3	CATERING	04/24/2013	450.00	450.00	06/07/2013
Total 6851:				450.00	450.00	
6852						
DHM DESIGN						
	26615	RIFLE WAYFINDING	05/17/2013	1,567.20	1,567.20	06/07/2013
Total 6852:				1,567.20	1,567.20	
6853						

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
MATTHEW GERARD BOZZONE	053013	CENTENNIAL CONCERT'	05/30/2013	900.00	900.00	06/07/2013
Total 6853:				900.00	900.00	
6854						
BRATTON WINDOW & DOOR, INC	35135	SERVICE CALL	05/20/2013	135.00	.00	
Total 6854:				135.00	.00	
6855						
FUN EXPRESS	657555800-01	POOL SUPPLIES	05/22/2013	93.95	.00	
Total 6855:				93.95	.00	
6856						
SOMETHIN' SWEET CANDY PLUS!	29830	VESTS	06/05/2013	209.81	.00	
Total 6856:				209.81	.00	
6857						
CREEKBEND BISTRO	2	FINGER FOOD	06/07/2013	376.17	.00	
Total 6857:				376.17	.00	
Grand Totals:				394,404.30	180,153.39	

Dated: _____

City Finance Director: _____

Report Criteria:

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

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Of Counsel
Anna S. Itenberg
Greg S. Russi

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June 12, 2013

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

Re: June 17, 2013 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 June 17, 2013 Rifle City Council Meeting.

1. Ordinance No. 9, Series of 2013 (Setting Ballot Question for Charter Amendment Regarding Definition of Publication). City staff met regarding potential Charter Amendments that the City Council might want to consider to set a ballot question for the municipal election to be held September 10, 2013. One that come up involves Section 13.17(d) of the Charter that defines "publication" as it is used in the Charter to mean in a newspaper of general circulation within the City. With advancing technology and Rifle's citizenry's evolving methods of receiving information, having the definition of publication in the Charter seems a bit stringent. Allowing the City Council the flexibility to determine by ordinance the most effective way to inform the residents would keep the City modern and meet the needs of the City into the future. Publishing ordinances in full in a newspaper is very costly to the City and publishing ordinances by title with notice that the entire ordinance is available in full on the City's website is a more fiscally responsible and still effective method to inform the public. If the ballot question proposed in Ordinance No. 9, Series of 2013 passes and the Charter is amended accordingly, the Rifle Municipal Code would be amended to define publication to mean "ordinances shall be published by title in a newspaper of general circulation within the City and contain a notice that the entire ordinance is available in full on the City's website, which website shall contain such ordinances in full for a minimum of sixty (60) days following final passage."

We recommend approval of Ordinance No. 9, Series of 2013 on second reading.

2. Ordinance No. 10, Series of 2013 (Setting Ballot Question for Charter Amendment for Strategic Planning). Since 2002 the City Council has annually held strategic planning sessions with department heads and key employees to develop, confirm and modify a vision statement, mission statement and goals for the City. At your last strategic planning session, Council instructed staff to prepare a ballot question to amend the City's Charter requiring the City Council to annually hold strategic planning sessions because of the benefits the City has garnered through these sessions. Ordinance No. 10, Series of 2013 is before you for consideration to set that ballot

KARP NEU HANLON, P.C.

Page 2

question.

We recommend approval of Ordinance No. 10, Series of 2013 on second reading.

3. Ordinance No. 11, Series of 2013 (Setting Ballot Question for .74% Sales Tax Increase and Debt Increase for Recreation Center). Following the request of Rifle citizens who have been working on a plan to construct a recreation/health and wellness center for the City, Council instructed staff to prepare a ballot question for the electorate's consideration to increase the City's sales and use tax by 0.74% and authorize the issuance of revenue bonds up to \$21,000,000 to finance the construction of the recreation/health and wellness center. If passed, a special fund would be created in which the revenues of the Recreation Center Sales Tax would be deposited to repay the revenue bonds issued and operate the recreation/health and wellness center. Ordinance No. 11, Series 2013 contains the necessary TABOR ballot question language, and if approved by the electorate, we will prepare an implementation ordinance to codify the Recreation Center Fund. At Council's first reading of Ordinance No. 11, citizens requested that the ballot language be broadened to include the words "health and wellness and community" center to accurately describe the project proposed. Those amendments are highlighted in the Ordinance on second reading.

We recommend approval of Ordinance No. 11, Series of 2013, as amended, on second reading.

4. Ordinance No. 12, Series of 2013 (Setting Ballot Question for Charter Amendment Regarding the Date the Annual Budget is Submitted). Section 9.2 of the City Charter requires the City Manager to submit an annual budget to the City Council by September 20th of each year in order to have adequate time to certify the property tax mill levy. Since the Charter was adopted in 1963, state statutes have changed the timing of the property assessed valuation and mill levy certification, and, as you know, the City annually passes a resolution as part of its budget process to evidence these changed dates. Staff has identified this as another proposed Charter Amendment to clean up Section 9.2 to concur with the Local Government Budget Law of Colorado. Ordinance No. 12, Series of 2013 is before you for consideration to set that ballot question.

We recommend approval of Ordinance No. 12, Series of 2013 on first reading.

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

Very truly yours,
KARP NEU HANLON, P.C.

James S. Neu

JSN/
Enclosures

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 9
SERIES OF 2013**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE 2013 REGULAR MUNICIPAL ELECTION A QUESTION WHETHER SECTION 13.17(D) OF THE CITY CHARTER SHALL BE AMENDED TO ALLOW THE DEFINITION OF PUBLICATION TO BE DEFINED BY THE CITY COUNCIL BY ORDINANCE.

WHEREAS, Section 13.17(d) of the City of Rifle Charter defines “publication” as it is used in the Charter to mean in a newspaper of general circulation within the City; and

WHEREAS, with advancing technology and Rifle’s citizenry’s evolving methods of receiving information, allowing the City Council the flexibility to determine by ordinance the most effective way to inform the residents of Rifle meets the needs of the City; and

WHEREAS, publishing ordinances in full in a newspaper is very costly to the City and publishing ordinances by title with notice that the entire ordinance is available in full on the City’s website is a more fiscally responsible and still effective method to inform the public; and

WHEREAS, C.R.S. §31-2-210 requires any Charter Amendment to be approved by the electorate of the City, and the City Council desires to place the proposed Charter Amendment on the ballot for the regular municipal election to be held on September 10, 2013.

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

1. Recitals. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.
2. Submission to Voters. The following question stated in Section 3 below shall be submitted to the registered voters of the City of Rifle voting at the regular municipal election which shall be held on Tuesday, September 10, 2013.
3. Publication and Ballot Form. The City Clerk shall cause a notice of election for the following ballot question to be published as part of the regular municipal election publication published in the *Citizen Telegram* in substantially the following form.

**NOTICE OF BALLOT QUESTION CONCERNING AN AMENDMENT
TO THE CITY OF RIFLE CHARTER TO ALLOW THE CITY COUNCIL
TO DEFINE “PUBLICATION” BY ORDINANCE.**

**NOTICE IS HEREBY GIVEN that an election will be held on Tuesday,
September 10, 2013, between the hours of 7:00 a.m. and 7:00 p.m. At this**

election, the following question shall be submitted to the registered voters of the City of Rifle:

SHALL SECTION 13.17(D) OF THE CITY OF RIFLE CHARTER BE AMENDED WITH THE FOLLOWING UNDERLINED LANGUAGE TO READ AS FOLLOWS?

THE WORD "PUBLICATION" SHALL MEAN PUBLISHING IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE CITY OR AS DEFINED BY THE CITY COUNCIL BY ORDINANCE. ONLY IN TIME OF EMERGENCY OR DISASTER, OR WHEN NO SUCH NEWSPAPER IS AVAILABLE, MAY THE REQUIREMENTS OF PUBLICATION BE MET BY POSTING SUCH NOTICE IN AT LEAST SIX CONSPICUOUS PUBLIC PLACES WITHIN THE CITY. ANY NOTICE PUBLISHED BY POSTING SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION OR AS DEFINED BY THE CITY COUNCIL BY ORDINANCE WITHIN THE CITY AS SOON AS SUCH IS AGAIN AVAILABLE.

4. Amendment to Rifle Municipal Code. Subject to registered voter approval, Section 1-2-10 of the Rifle Municipal Code shall be amended with a definition of "publication" as follows:

Section 1-2-10 Definitions.

Publication as authorized by Section 13.17(d) and for the purposes of Sections 4.4(f), (h) and (i) of the City Charter shall mean ordinances shall be published by title in a newspaper of general circulation within the City and contain a notice that the entire ordinance is available in full on the City's website, which website shall contain such ordinances in full for a minimum of sixty (60) days following final passage.

5. Effective Date. If approved by the registered voters as set forth above, this the amendment to the Rifle Municipal Code shall become effective October 1, 2013.

INTRODUCED, on June 5, 2013, read in full, passed on first reading, and ordered published by title as required by the City Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on June 17, 2013, passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this _____ day of _____, 2013.

CITY OF RIFLE, COLORADO

By: _____
Mayor

ATTEST:

City Clerk

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 10
SERIES OF 2013**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR
THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF
THE CITY OF RIFLE AT THE 2013 REGULAR MUNICIPAL ELECTION A
QUESTION WHETHER A NEW SECTION 3.12 OF THE CITY CHARTER
SHALL BE ADOPTED REQUIRING THE CITY COUNCIL TO HOLD A
STRATEGIC PLANNING SESSION ANNUALLY.

WHEREAS, since 2002 the City Council of the City of Rifle has annually held strategic planning sessions with department heads and key employees to develop, confirm and modify a vision statement, mission statement and goals for the City; and

WHEREAS, the City Council finds that strategic planning affords an opportunity for participants to express desires, opinions, perspectives and beliefs in a congenial setting; creates a venue to productively discuss and debate realities; establishes a common vision and priorities for the City to focus the energy and resources of the City; and gives guidance to City Staff to efficiently and effectively move the City forward; and

WHEREAS, holding strategic planning sessions annually offers the City the ability to learn from past successes and obstacles and maintain a vision statement and mission statement that delivers continuity through changing City Councils and City Administrations; and

WHEREAS, the City Council proposes amending the City's Charter by adding a requirement that the City Council annually hold a strategic planning session with department heads and key employees to ensure that strategic planning remains an integral tool for the City; and

WHEREAS, C.R.S. §31-2-210 requires any Charter Amendment to be approved by the electorate of the City, and the City Council desires to place the proposed Charter Amendment on the ballot for the regular municipal election to be held on September 10, 2013.

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

1. Recitals. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.
2. Submission to Voters. The following question stated in Section 3 below shall be submitted to the registered voters of the City of Rifle voting at the regular municipal election which shall be held on Tuesday, September 10, 2013.
3. Publication and Ballot Form. The City Clerk shall cause a notice of election for the following ballot question to be published as part of the regular municipal election publication

published in the *Citizen Telegram* in substantially the following form.

NOTICE OF BALLOT QUESTION CONCERNING AN AMENDMENT TO THE CITY OF RIFLE CHARTER TO REQUIRE THE CITY COUNCIL TO HOLD A STRATEGIC PLANNING SESSION WITH DEPARTMENT HEADS AND KEY EMPLOYEES ANNUALLY.

NOTICE IS HEREBY GIVEN that an election will be held on Tuesday, September 10, 2013, between the hours of 7:00 a.m. and 7:00 p.m. At this election, the following question shall be submitted to the registered voters of the City of Rifle:

SHALL SECTION 3.12 OF THE CITY OF RIFLE CHARTER BE ADOPTED TO REQUIRE THE CITY COUNCIL TO HOLD AT LEAST ANNUALLY A STRATEGIC PLANNING SESSION WITH DEPARTMENT HEADS AND KEY EMPLOYEES TO REVIEW, CONFIRM AND MODIFY A VISION STATEMENT, MISSION STATEMENT AND GOAL STATEMENTS OF THE CITY?

INTRODUCED, on June 5, 2013, read in full, passed on first reading, and ordered published by title as required by the City Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on June 17, 2013, passed without amendments, approved, and ordered published in full as required by the Charter.

DATED this ____ day of _____, 2013.

CITY OF RIFLE, COLORADO

By: _____
Mayor

ATTEST:

City Clerk

CITY OF RIFLE, COLORADO
ORDINANCE NO. 12
SERIES OF 2013

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE 2013 REGULAR MUNICIPAL ELECTION A QUESTION WHETHER SECTION 9.2 OF THE CITY CHARTER SHALL BE AMENDED SO THE DATE THE ANNUAL BUDGET IS SUBMITTED TO THE CITY COUNCIL COINCIDES WITH THE LOCAL GOVERNMENT BUDGET LAW OF COLORADO.

WHEREAS, Section 9.2 of the Charter of the City of Rifle requires the City Manager to submit an annual budget to the City Council by September 20th of each year in order to have adequate time to certify the property tax mill levy; and

WHEREAS, since the Charter was adopted in 1963, state statutes have changed the timing of the property assessed valuation and mill levy certification; and

WHEREAS, these changes have necessitated that the timing of the budget process be changed to be consistent with current statutes and the City annually passes a resolution as part of its budget process to evidence these changes; and

WHEREAS, the City Council proposes amending the City's Charter by amending Section 9.2 to concur with the Local Government Budget Law of Colorado; and

WHEREAS, C.R.S. §31-2-210 requires any Charter Amendment to be approved by the electorate of the City, and the City Council desires to place the proposed Charter Amendment on the ballot for the regular municipal election to be held on September 10, 2013.

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

1. Recitals. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.
2. Submission to Voters. The following question stated in Section 3 below shall be submitted to the registered voters of the City of Rifle voting at the regular municipal election which shall be held on Tuesday, September 10, 2013.
3. Publication and Ballot Form. The City Clerk shall cause a notice of election for the following ballot question to be published as part of the regular municipal election publication published in the *Citizen Telegram* in substantially the following form.

NOTICE OF BALLOT QUESTION CONCERNING AN AMENDMENT TO SECTION 9.2 OF THE CITY OF RIFLE CHARTER SO THAT THE DATE THE ANNUAL BUDGET IS SUBMITTED TO THE CITY COUNCIL COINCIDES WITH THE LOCAL GOVERNMENT BUDGET LAW OF COLORADO.

NOTICE IS HEREBY GIVEN that an election will be held on Tuesday, September 10, 2013, between the hours of 7:00 a.m. and 7:00 p.m. At this election, the following question shall be submitted to the registered voters of the City of Rifle:

SHALL SECTION 9.2 OF THE CITY OF RIFLE CHARTER BE AMENDED WITH THE FOLLOWING ADDITIONS AND DELETIONS?

**~~ON OR BEFORE THE 20TH DAY OF SEPTEMBER OF EACH YEAR,~~
THE CITY MANAGER SHALL SUBMIT TO THE CITY COUNCIL A COMPLETE BUDGET FOR THE CITY FOR THE NEXT FISCAL YEAR BY THE DATE SET FORTH IN THE LOCAL GOVERNMENT BUDGET LAW OF COLORADO.**

INTRODUCED, on June 17, 2013, read in full, passed on first reading, and ordered published by title as required by the City Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on July 1, 2013, passed without amendments, approved, and ordered published in full as required by the Charter.

DATED this ____ day of _____, 2013.

CITY OF RIFLE, COLORADO

By: _____
Mayor

ATTEST:

City Clerk

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 11
SERIES OF 2013**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE 2013 MUNICIPAL ELECTION A QUESTION WHETHER THE CITY SHOULD ISSUE SALES AND USE TAX REVENUE BONDS FOR THE PURPOSE OF FINANCING THE COST OF CONSTRUCTION OF A RECREATION, HEALTH AND WELLNESS AND COMMUNITY CENTER WITH AN INCREASE IN SALES AND USE TAX BY .74% TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH BONDS AND OPERATION OF SUCH RECREATION, HEALTH AND WELLNESS AND COMMUNITY CENTER.

WHEREAS, the City of Rifle, Colorado (the "City") is a municipal corporation duly organized and operating under a home rule charter (the "City Charter") and the Constitution of the State of Colorado; and

WHEREAS, pursuant to Section 9.1 of the City Charter, special funds may be created by ordinance to provide for money to be held or used for special purposes and the City Council has been asked to establish a Recreation Center Fund for recreation, health and wellness and community center purposes, including but not limited to (i) constructing, acquiring and improving capital improvements, (ii) acquiring and improving real property interests and equipment, (iii) operating, maintaining, repairing, improving and replacing capital improvements, real property interests and equipment and (iv) providing for the repayment of revenue bonds issued for such purposes; and

WHEREAS, the source of revenue for the City Recreation Center Fund will be the revenues generated from a rate increase in the City sales and use tax of 0.74% commencing January 1, 2014, to continue for a period of thirty (30) years; and

WHEREAS, Section 10.2 of the City Charter authorizes the issuance of revenue bonds for any public purpose upon the affirmative vote of a majority of the registered electors of the City voting thereon; and

WHEREAS, Article X, Section 20 of the Constitution of the State of Colorado requires that the City have voter approval in advance of any tax rate increase and for the creation of any multiple-fiscal year direct or indirect debt or other financial obligation whatsoever; and

WHEREAS, pursuant to Section 2.3 of the City Charter the regular municipal election is to be held on September 10, 2013, and at the request of citizens of the City the City Council has agreed to submit a ballot issue to the qualified electors of the City at said election as set forth in this Ordinance.

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

ORDAINS THAT:

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

Section 2. Publication and Ballot Form. The City Clerk shall cause a notice of election for the following ballot question to be published as part of the regular municipal election publication published in *The Citizen Telegram* in substantially the following form at least 30 days prior to the election:

NOTICE OF BALLOT QUESTION CONCERNING AN INCREASE IN SALES AND USE TAX BY 0.74%, WHICH INCREASE SHALL BE DEDICATED EXCLUSIVELY TO REPAY THE INDEBTEDNESS INCURRED FOR THE CONSTRUCTION OF A NEW RECREATION, HEALTH AND WELLNESS AND COMMUNITY CENTER AND THE OPERATION OF SUCH RECREATION, HEALTH AND WELLNESS AND COMMUNITY CENTER.

NOTICE IS HEREBY GIVEN that an election will be held on Tuesday, September 10, 2013, between the hours of 7:00 a.m. and 7:00 p.m. At this election, the following question shall be submitted to the registered voters of the City of Rifle:

“SHALL THE CITY OF RIFLE TAXES BE INCREASED \$1,650,000 ANNUALLY AND THE CITY OF RIFLE DEBT BE INCREASED BY AN AMOUNT NOT TO EXCEED \$21,000,000, WITH A MAXIMUM REPAYMENT COST OF UP TO \$42,000,000; SUCH TAXES TO CONSIST OF A RATE INCREASE IN THE CITY SALES AND USE TAX OF 0.74% COMMENCING JANUARY 1, 2014, TO CONTINUE FOR A PERIOD OF THIRTY YEARS AND TERMINATING ON DECEMBER 31, 2043; SUCH DEBT TO CONSIST OF REVENUE BONDS PAYABLE FROM THE SALES AND USE TAX AUTHORIZED BY THE CITY COUNCIL AND ISSUED FOR THE PURPOSE OF CONSTRUCTING AND EQUIPPING A RECREATION, HEALTH AND WELLNESS AND COMMUNITY CENTER;

SUCH BONDS TO BE DATED AND SOLD AT SUCH TIME, AND AT SUCH PRICES (AT, ABOVE OR BELOW PAR) AND CONTAINING SUCH TERMS, NOT INCONSISTENT HERewith, AS THE CITY COUNCIL MAY DETERMINE; SHALL THE INCREASE IN THE CITY SALES AND USE TAX BE DEPOSITED INTO A CITY RECREATION

CENTER FUND AND USED SOLELY FOR RECREATION, HEALTH AND WELLNESS AND COMMUNITY CENTER PURPOSES, INCLUDING BUT NOT LIMITED TO (I) CONSTRUCTING, ACQUIRING AND IMPROVING CAPITAL IMPROVEMENTS, (II) ACQUIRING AND IMPROVING REAL PROPERTY INTERESTS AND EQUIPMENT, (III) OPERATING, MAINTAINING, REPAIRING, IMPROVING AND REPLACING CAPITAL IMPROVEMENTS, REAL PROPERTY INTERESTS AND EQUIPMENT AND (IV) PROVIDING FOR THE REPAYMENT OF REVENUE BONDS ISSUED FOR SUCH PURPOSES; AND SHALL THE TAX REVENUES AND THE INVESTMENT EARNINGS ON THE BOND PROCEEDS DEPOSITED IN THE CITY RECREATION FUND AND ALL EARNINGS THEREON (REGARDLESS OF AMOUNT) CONSTITUTE A VOTER-APPROVED REVENUE CHANGE, AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

Section 3. Challenges to Ballot Title and Content. For the purposes of C.R.S. §1-11-203.5, this Ordinance shall serve to set the title and content of the ballot issue set forth herein and the ballot title for such ballot issue shall be the text of the ballot issue itself. Any petition to contest the form or content of the ballot title must be filed with the District Court in and for Garfield County and a copy served on the City Clerk within five days after the date of publication of this Ordinance.

Section 4. Conduct of Election. The officers and employees of the City are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Ordinance.

Section 5. Effect of Election Results. If a majority of the votes cast on the ballot issue submitted at the election shall be in favor of the ballot issue, the City Council shall take such action, by ordinance, to amend the RMC to incorporate the ballot issue so approved consistent with the terms and provisions of the ballot issue and this Ordinance. Additionally, the City, acting through the City Council shall be authorized to proceed with the necessary action to issue bonds in accordance with the ballot issue and such authority shall be deemed and considered a continuing authority to issue the bonds at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

Section 6. TABOR Notice. At least thirty (30) days prior to the election, the City Clerk shall mail at the least cost, a titled notice or set of notices addressed to “All Registered

Voters” at each address of one or more active registered voters concerning the ballot question referenced in this Ordinance No. 11, Series of 2013. The notice shall be entitled “**NOTICE OF ELECTION TO INCREASE TAXES AND TO INCREASE DEBT.**” The notice shall also include all information required by Article X, Section 20 (3)(b) (“The Taxpayer’s Bill of Rights”).

INTRODUCED on June 5, 2013, read by title, passed on first reading with amendments, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on June 17, 2013, passed with **out** amendment, approved, and ordered published in full as required by the Charter.

Dated this ____ day of _____, 2013.

CITY OF RIFLE, COLORADO

BY _____

Mayor

ATTEST:

City Clerk

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

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

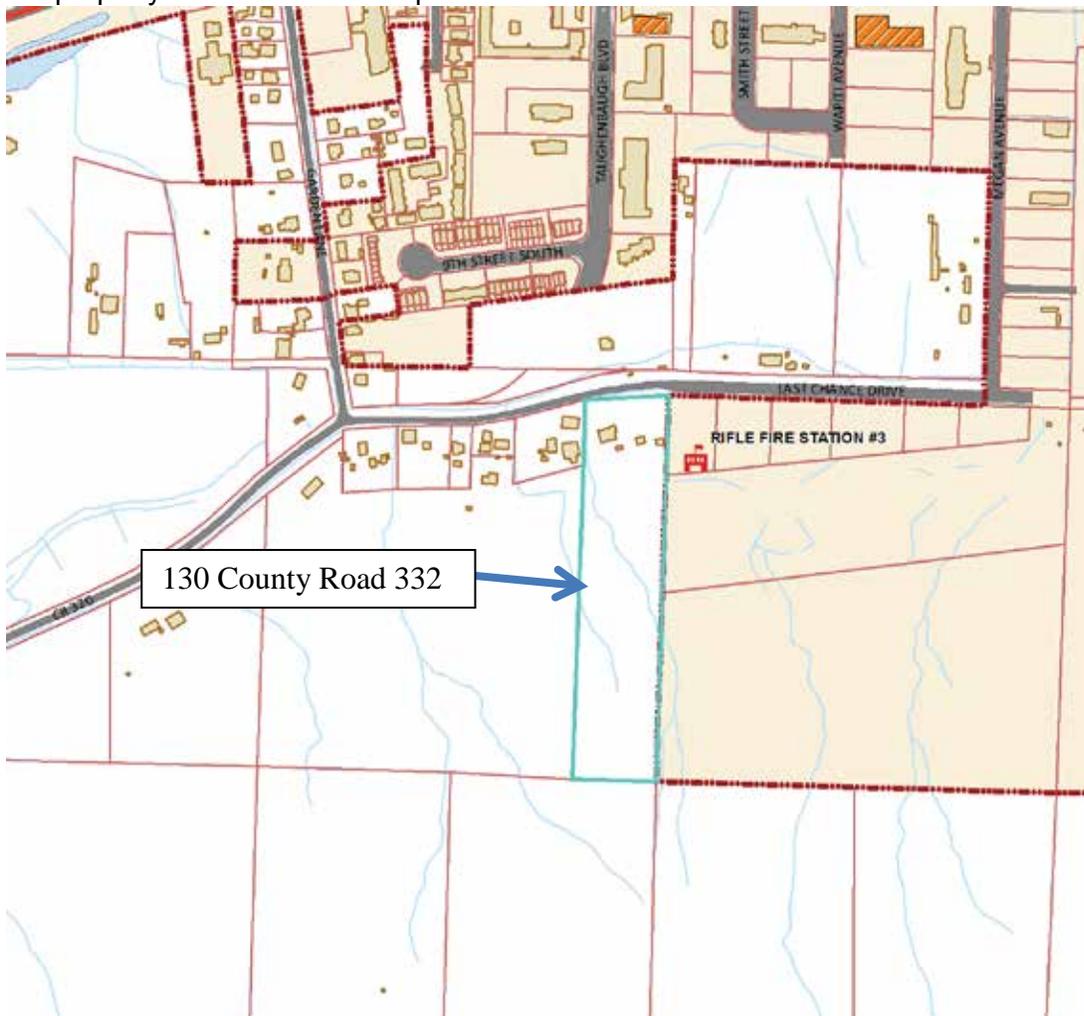


MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: NATHAN LINDQUIST, PLANNING DIRECTOR
DATE: JUNE 13, 2013
SUBJECT: OUT-OF-CITY WATER REQUEST/PRE-ANNEXATION 2013-1
130 COUNTY ROAD 332
APPLICANT: MATT AND JERRI ANN RENNER

REQUEST

The applicant requests that Planning Commission approve an Out-of-City Water Request and Pre-Annexation Agreement 2013-1 for a single-family residence at 130 County Road 332. See the property identified in the map below.



BACKGROUND

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

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



The property in question is approximately 8 acres in Garfield County jurisdiction in south Rifle on County Road 332, which becomes Last Chance Drive when it enters City jurisdiction. The property is adjacent to the new fire station on Last Chance Drive.

The applicants are requesting a tap to municipal water supply due to problems with their well. See the applicant statement included in the packet. Their property has the necessary contiguity to city limits to be eligible for annexation. However, the applicants are requesting an out-of-city water tap and pre-annexation agreement due to the costs associated with annexation. The applicants have been informed that out-of-city tap fees and rates are higher than for in-city properties.

The pre-annexation agreement is included in the packet for Council's review. The purpose of the pre-annexation agreement is to ensure that development and use of the property follows City regulations and policies in the interim period between installation of water service and annexation of the City.

CONDITIONS AND FINDINGS

The City of Rifle passed Resolution 3 Series of 1996 adopting a policy regarding the provision of water outside the City. The policy was adopted to: 1) further the City's land use plan; 2) assure that adverse impacts on the City from growth outside the City are mitigated; 3) plant capacity will be reserved primarily for properties that will ultimately be in the City, and; 4) provide that out-of-city water service does not place an undue operational burden on the City. Resolution 3 states that the policy was developed to respond to the predicament of the Graham Mesa water plant and its limited municipal water capacity.

The Resolution requires out-of-city water service applications to be compliant with at least one of the following conditions. (*staff comments shown in bold italics*):

1. The property is covered by the March 10, 1988 agreement with the Rifle Village South Metropolitan District, or other such pre-existing agreement;

Not applicable.

2. The City Council, after reviewing all available information, determines a particular water tap outside the City will create substantial and meaningful long-term employment opportunities for City residents, and that the water use is not determined to be excessive for the level of employment produced;

Not applicable; the use is a single-family residence.

3. The contiguity suitable for annexation does not now exist and the City Council determines, after receipt of review from the Planning Commission, that a water tap outside the City will permit the City to obtain a pre-annexation agreement for property that has been found to be necessary for the orderly expansion of service consistent with the City's Comprehensive Land Use Plan;

Not applicable. The contiguity suitable for annexation exists.

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

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



4. The City Council determines, after receipt of analysis by Staff, the issuance of an outside water tap will enhance the operation of the water system within the City through upgrading of water mains, looping, or addition of storage;

The tap would not upgrade mains, looping, or storage; however, Utility Department staff favors the request due to the need for revenue to fund operation of the water system.

5. The City Council determines there is a demonstrated significant human health hazard from existing domestic wells which could be eliminated with a City water tap, and that the water tap will be confined to use for development that exists as of this date.

The applicant stated to staff that the domestic well on the property runs dry annually and that they have concerns over water quality. The pre-annexation agreement limits the water service to one single-family residential use that exists as of this date. No other uses will be permitted for water service under this agreement.

FINDINGS

Resolution 3 Series of 1996 states that all of the following findings must be met prior to granting an out-of-city water tap:

1. All new residential development shall by contract agree to pay applicable off-site street impact and parkland dedication fees.
The pre-annexation agreement stipulates this.
2. The develop shall be responsible for any capacity and storage upgrades to the water distribution system that result from the out-of-city taps.
Upgrades to the system will not be required for this project.
3. Water main extensions shall meet all of City public works standards, and shall not be less than the City standard of eight inch. Long, dead end mains shall be avoided unless "looping" is expected to occur within a reasonable period of time.
Water mains are not being extended for this project.
4. The density and location of the development is not expected to place a burden on water system repair, maintenance and meter reading significantly higher that the user fee anticipated.
Staff does not anticipate that a single-family use on an already existing main will place an undue burden on the system.
5. All residential development to be served shall also be served by City sewer although an interim septic system may be permitted providing:
 - a. The City, State, or County find no adverse impacts as a result of septic system use.
The septic system is an existing system.
 - b. The developer installs a sewer main extension that the City determines is a fair, proportionate share of cost to extend the sewer main to the development, OR deposits with the City an amount (or provides other acceptable financial

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

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



guarantee for such amount) that guarantees extension. These funds shall be made available to either the City or a private developer to install a portion of the sewer main extension.

The pre-annexation stipulates that the property shall join any special improvement district created by the City that affects their property, including sewer main extensions.

- c. For all developments with more than five residential units, on-site sewer improvements are required to be installed to the property line to permit later connection to a main, and shall be installed to City specifications;
Not applicable; the use is single-family residential.

 - d. The developer shall be required to connect to the City sewer system when City service is within 400 feet of the property line.
The applicant requests a waiver of this policy due to existence of a septic system. No other uses are permitted on property without a request to the City to amend the agreement or connect to the municipal sewer system.
6. The developer has, or is, committed to installing all public improvements in the development to City standards and an adequate inspection mechanism exists at no cost to the City.
The fees associated with the tap will ensure improvements are installed and inspected to City standards.
7. All residential development in excess of one residence, or involving a subdivision, or more than one lot, must submit development plans to the City, and the Planning Commission has found once the property is annexed, the zoning, land use density, setbacks, transportation system, drainage, and other major factors are consistent with the Commission's planning for the area and will not place any undue burden on the City or adjacent property.

The use is only one residence.

RECOMMENDATION

Staff recommends that City Council approves out-of-city water service and Pre-Annexation Agreement 2013-1 for the property in question – 130 County Road 332 – with the following condition:

- 1. The applicant signs and records the pre-annexation agreement and pays all required fees.

Applicant Statement – Out of City Water Request

To the City of Rifle,

Matthew and Jerri Ann Renner would like to ask for an out of City water tap, the reason being our well goes dry every year before the spring thaw. Also, our well has a lot of minerals in it. Plus we will no longer have to buy drinking water. It will save us a lot of time and money just not having to worry about our water.

Thank you,

Matthew & Jerri Ann Renner

**CONTRACT TO PROVIDE SERVICES
AND PRE-ANNEXATION AGREEMENT**

THIS CONTRACT is made and entered into this ____ day of _____, 2013, by and between the CITY OF RIFLE, COLORADO, a municipal corporation (hereinafter "City") and MATHEW and JERRI ANN RENNER, as the owners of the real property described hereafter (hereinafter "Owners");

WITNESSETH:

WHEREAS, the Owners desire to obtain municipal water service hereinafter described from the City, and the City is capable of providing such service; and

WHEREAS, the Owners' property, hereinafter described, is not presently suitable for being annexed to the City of Rifle; however, at such time as Owners' property is suitable for annexation, Owners agree to annex the property to the City; and

WHEREAS, the parties desire to enter into this Agreement pursuant to C.R.S. §31-12-121 to set forth the terms and conditions of the extension of such services by the City.

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

1. Service Provided. The City agrees to provide Owners with municipal water service for a single family residence.
2. Property Served. The City will provide said water service to Owners' property (hereinafter "Property"), situate in the County of Garfield and State of Colorado, and described in Exhibit A attached hereto and incorporated herein by this reference.

The street address of Owners' Property is:

130 County Road 332
Rifle, Colorado 815650

3. Uses. The service described in Paragraph 1 shall be provided to the Property described in Exhibit A for single family residential uses only.

4. Costs. The City will provide said service subject to the rules, regulations, charges, fees, and ordinances of the City of Rifle as are now in effect, or as they may hereafter be amended. The cost of extending service lines will be borne by the Owners, as provided in the Rifle Municipal Code. At or prior to the first delivery of municipal service pursuant to this Contract, the Owners agree to pay all system improvement fees at the out-of-City rate. Owners further agree to reimburse the City for all engineering, legal, and associated fees and costs it incurs in the review and implementation of this Contract. The Owners and their agents, employees, and tenants shall be bound by all of the ordinances of the City of Rifle insofar as they may pertain to the provision of the municipal service herein described.

5. Service Charges. During the term of this Contract, the Owners agree to pay for the above-described municipal service at the rate and in the manner which may be provided by the Rifle Municipal Code for municipal utility consumers residing outside the City limits. The City reserves the right to modify these charges or regulations.

6. No Precedential Value. Nothing herein shall obligate the City to extend additional service to the Owners or to the Property, other than that service described in Paragraph 1, above. There shall be no expansion of such service without the express written consent of the City.

7. Service Subject to Municipal Code; Termination for Breach. The extension of municipal service under this Agreement is subject to all requirements of the Rifle Municipal Code applicable to the supplying of such services now in effect or as hereafter amended. A failure by the Owners to comply with all applicable provisions of the Rifle Municipal Code or with the terms of this Contract shall constitute a material breach, and the City shall be entitled to terminate this Contract upon such a breach and/or to discontinue the municipal services provided hereunder.

8. Annexation. To the maximum extent permitted by law, the parties agree that this Contract, pursuant to C.R.S. §31-12-121, constitutes an enforceable obligation upon the Owners, their successors, and assigns to annex the Property as required under the terms hereof. At such time as the Property is suitable for annexation to the City, as determined by the City Council, the Owners shall submit a petition for annexation to the City to annex the Property to the City. The Owners may annex their Property in conjunction with adjoining property owners; provided, however, that a petition for annexation is filed within sixty (60) days of the time the Owners' Property becomes suitable for annexation. The Owners shall pay all costs for review of the annexation petition, as required by the Rifle Municipal Code. The passage of time between the suitability of the Property for annexation and the time the City requests the Owners file a petition for annexation shall not constitute a waiver of the City's right to enforce, or estop the City from enforcing, the Owners' obligations under this paragraph. As required by the Rifle Municipal Code, the Owners will be required to submit a radiation hazards report with their petition for annexation or petition for annexation election.

9. Payment of Impact Fees. Owners agree to pay at the time of annexation all applicable offsite street impact fees and parkland dedication fees for the Property in the amounts set forth under Resolution No. 25, Series of 1995 and Resolution No. 6, Series of 2000, or as

hereafter amended, and any other fees prescribed by Resolution or Ordinance as may apply to annexations.

10. Termination Upon Annexation. This Contract shall terminate automatically on the effective date of the annexation to the City of the Property; provided, however, that nothing in this paragraph shall limit any other rights of termination provided in this Contract. Upon termination after annexation, service to the Property shall be provided pursuant to the Rifle Municipal Code and all applicable rules and regulations. Until annexation, nothing herein shall be construed as obligating the City to provide additional taps of any kind to the Owners of the Property.

11. Special Improvement Districts. The Owners, upon execution of this Contract and at any time thereafter, shall join in any street, curb, sidewalk, or other improvement district which may be formed by the City and which affects the Property.

12. Reserved.

13. Failure or Refusal to Annex. In the event the Owners fail to annex their Property to the City as required by this Contract, the City may, at its sole option and without otherwise limiting its legal rights, bring an action at law or equity, including an action for specific performance, to enforce the terms of this Contract, discontinue providing municipal service(s) to the Property, or treat this Contract as a petition for annexation and annex the Property without consent after thirty (30) days' written notice to Owners. The rights and remedies under this paragraph shall be cumulative. To the extent permitted by law, the Owners hereby appoint the City Clerk as their attorney-in-fact to execute and deliver all documents necessary to annex Owners' Property to the City, should the Owners fail or refuse to annex as required under this Contract. If the City proceeds to annex the Owners' Property as permitted under this paragraph, it may advance all fees and costs related to the annexation, and shall be entitled to recover the same as a personal obligation of the Owners. Such fees and costs shall also constitute a lien against the Owners' Property, which may be foreclosed as provided by law.

14. Lien Rights. The City shall be entitled to prepare and record a lien against the Owners' Property for the amount of any costs, fees, and other expenses which it has advanced or which the Owners are required to be pay pursuant to this Contract and/or the Rifle Municipal Code. Such costs and fees include, but are not limited to, system improvement fees, user fees, recording, annexation, and staff review and document preparation fees and costs; and engineering and attorneys' fees.

15. Time of Connection. The Owners shall, at their expense, connect to the offered City service pursuant to the Rifle Municipal Code within one (1) year of the date of execution of this Contract and said connection shall comply with the requirements of the City of Rifle Public Works Manual. In the event the Owners do not make such connection within such one-year time period, this Contract shall be null and void and of no precedential value, and all parties relieved of all obligations hereunder; provided, however, that if the City physically connects the offered City service to the Owners' Property after one (1) year, the fact of connection shall constitute a waiver of the time limit contained in this paragraph, and a bonafide purchaser of the Owners'

Property shall be entitled to rely thereon.

16. No Guarantee of Fire Flows. Nothing herein shall be construed to obligate the City to provide adequate fire flows for residences or developments outside the City which receive City water or sewer services hereunder.

17. Miscellaneous. The parties agree time is of the essence in the implementation of this Contract. All of the terms and conditions of this Contract shall bind the heirs, successors, assigns, or personal representatives of the parties hereto. This Contract constitutes a covenant which runs with the real Property. This Contract sets forth the entire understanding between the parties, and any previous agreements, promises, or understandings have been included in this Contract.

18. Recording; Fees. The City shall record this Contract upon execution. The Owners shall simultaneously with the execution of this Contract tender to the City the actual amount of recording fees. (Checks shall be payable to the Garfield County Clerk and Recorder.)

19. Affidavits. Upon completion or satisfaction by the Owners, or their successor in title, of all of the terms and conditions of this Contract, the City Manager is authorized to prepare an affidavit to that effect, which the Owners may record with the Garfield County Clerk and Recorder. If the Owners do not connect to the offered City services within the time limit state herein, the City shall have the right to record a notice of the termination of this Contract.

20. Regulatory Jurisdiction. The City shall have the right to terminate this Contract in its sole discretion in the event the Colorado Public Utility Commission, the Garfield County Commissioners, or any other governmental entity or body asserts regulatory jurisdiction over the rates, fees, or charges the City imposes pursuant to this Contract.

IN WITNESS WHEREOF, the parties have executed this Contract on the day and year first written above.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

City Clerk

OWNERS:

Matthew Renner

Jerri Ann Renner

STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

Acknowledged, subscribed, and sworn to before me this ____ day of _____,
2013, by Matthew Renner and Jerri Ann Renner.

WITNESS my hand and official seal.

My Commission expires: _____.

Notary Public

EXHIBIT A

LEGAL DESCRIPTION