City of
Rifle

CITY COUNCIL AGENDA

Randy Winkler, Mayor
Jay Miller, Mayor Pro Tem
Richard Carter, Councilor
Barbara Clifton, Councilor
Dirk Myers, Councilor
Hans Parkinson, Councilor
Jonathan Rice, Councilor

City Hall
City Council Chambers
202 Railroad Avenue
Rifle, CO

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Comcast Channel 10

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REGULAR MEETING
December 18, 2013

WORKSHOP 6:00 P.M.
CONFERENCE ROOM

6:00 P.M. New Ute Event Center (Blair Bracken)

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 December 4, 2013 Regular Meeting
B. Create Public Safety Citizen Advisory Board - Ordinance No. 23, Series of 2013 – 2nd reading
C. Eliminate Victims and Witness Assistance and Law Enforcement Program – Ordinance No. 24, Series of 2013 – 2nd reading
D. Adopt Personnel Manual – Resolution No. 22, Series of 2013
E. Liquor license renewals: Shale Country Liquors; BPOE Lodge Rifle Lodge No. 2195; Nacho's Mexican Dining
F. October 2013 Sales Tax Report
G. October 2013 Financial Report
H. Accounts Payable
I. Downtown Development Authority Board Appointments

J. Authorizing Cedar Networks License Agreement

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 Winkler)
7:15 p.m.	5.	Consider selling Fitness Center equipment (Tom Whitmore)
7:25 p.m.	6.	Consider Intergovernmental Agreement with Colorado Department of Transportation for Centennial Parkway devolution (Rick Barth)
7:35 p.m.	7.	Consider Development Fee Reductions and Waivers and Building Incentives – Ordinance No. 27, Series of 2013 – 1st reading (Matt Sturgeon)
7:45 p.m.	8.	Consider Minors on Liquor Licensed Premises Amendments amending liquor-licensed establishment restrictions – Ordinance No. 28, Series of 2013 – 1st reading (Jim Neu)
8:00 p.m.	9.	Administrative Reports
8:10 p.m.	10.	Comments from Mayor and Council
8:20 p.m.	11.	Executive session 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 (Matt Sturgeon)

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**: January 15, 2014 at 7:00 p.m.***

DRAFT

New Ute Events Center
Facility Polices and Agreement

1. PURPOSE

The City of Rifle is proud to offer the New Ute Events Center to contribute to a stronger community by helping meet an increasing regional need for a specialized venue. The Facility is a state of the art theatre and events center that can increase business and tourism in the City of Rifle and Western Garfield County by offering a space to gather and produce diverse, affordable and quality cultural programming. The New Ute Events Center provides non-discriminatory, public access to events which benefit from a theatrical platform inclusive of amenities such as on-site sound and lighting equipment, stage and changing rooms, table or bleacher-style audience seating, and vendor area. The Facility's goal is to provide a modern, safe, clean, and aesthetically pleasing facility for cultural and social uses.

2. TERMINOLOGY

2.1 "Renter" refers to the party reserving and renting the New Ute Events Center for the purpose of hosting an Event and agreeing to the policies set forth herein.

2.2 "Designated Alternate Contact" refers to the individual listed on the Facility Use Application who has authority to act on Renter's behalf and who will be able to direct any contracted services (DJ, vender, caterer, etc.) and who will be at the Facility during the entire rental period.

2.2 "Event" refers to the specific use and purpose of renting the Facility noted in the Facility Use Application and associated documentation for which Renter is requesting reservation. Facility "use" herein relates to such Event.

2.3 "Facility" refers to the New Ute Events Center, both terms used interchangeably.

2.4 "Agreement" refers to the written parameters and terms and conditions referenced within this policy document which defines the working relationship between Renter and City of Rifle.

3. PERMITTED USES

The Facility is a multi-purpose theatre and events center that can accommodate receptions, celebrations, meetings, concerts, performances, art shows, auctions, etc.

4. RESERVATIONS & CANCELLATIONS

4.1 The Facility is available on a first come, first serve basis. Reservations must be made in person, on the proper Facility Use Application. The Facility will only be rented to adults 21 years or older.

4.2 The New Ute Events Center will be indefinitely reserved for every First Friday event from October through April.

4.3 To ensure the Facility is available to the community, Events cannot be reserved in perpetuity for uses requiring recurring dates (such as every Thursday for one year). However, upon availability and on a case by case approval, Events may be reserved for up to a three (3) month period. The Facility may be rented for up to seven (7) consecutive days as space is available.

4.4 Event times must be specified in the Facility Use Application. All Renters are expected to vacate the premises by the hour specified. Additional hourly rental rates for exceeded contractual time will be charged double the regular rate in increments of one hour and consequential damages suffered by an impacted Renter of the Facility following such Event.

4.5 Facility Use Applications will be accepted in advance (subject to availability) according to the following:

	AT LEAST	UP TO
Meetings (no food/beverage)	Two (2) weeks	Three (3) months
Events (no alcohol)	One (1) month	Twelve (12) months
Events (alcohol)	Three (3) months	Twelve (12) months
Community Event		One (1) month

Exceptions will be dependent upon staff availability and the Events Coordinator's approval.

4.6 The Facility will be available between the hours of 6:00 a.m. and 12:00 a.m. (set up and tear down/clean up must fall within these hours) unless special exception with good cause is granted by the City Manager, such as New Years Eve celebration.

4.7 The Facility is closed and generally unavailable for rental on the following holidays:

New Year's Day	Independence Day
President's Day	Labor Day
Easter	Thanksgiving
Memorial Day	Christmas Eve and Day

Special exceptions and arrangements may be made, dependent upon staff availability and the Events Coordinator's approval. ALL FEES WILL BE DOUBLED ON HOLIDAYS.

4.8 Requests for changes to the hours of the Event must be received by two (2) weeks before the Event and are subject to availability. With less than two (2) weeks notice, such changes will further depend on staffing availability. Changes to the hours of the Event are subject to a $25.00 processing fee for the first change and $50.00 for each additional change. Only Renter or Designated Alternate Contact may make changes to a reservation, including changes to the Facility Use Application regarding payments, deposits, floor plan layouts, and cancellations.

4.9 Reservations will be held and Renter may cancel the Facility rental without penalty within two (2) weeks of submitting the Facility Use Application and applicable deposit. At the end of the two (2) week grace period, the following provisions apply:

- Rental cancelled less than one (1) month prior to the Event will forfeit full deposit.
- Cancellation notices received at least one (1) or more months prior to event will receive a refund of 50% of the deposit.
- The City reserves the right to cancel any Event that is misrepresented on the Facility Use Application.

4.10 Transfer of a Facility rental to another party for another purpose is prohibited.

5. INSURANCE

The New Ute Events Center's property insurance and comprehensive general liability insurance does not extend to a Renter's use of the Facility. Depending on the Event, at least two (2) weeks prior to the Event, Renter must provide a certificate of insurance that specifically names the "City of Rifle" as an additional insured that provides $1,000,000 of damage liability for a one-time event. The cost of such special event liability Insurance varies depending on the Event, number of attendees and hazard classification.

7. DEPOSIT

7.1 A $400 deposit is required for all Events with the Facility Use Application. The City reserves the right to require an additional deposit depending on the type of Event. Deposits for multi-day and re-occurring events will be considered with such Facility Use Applications. Deposits may be paid by credit card, cash, money order or cashier's check; personal checks will not be accepted. All deposits must be paid by Renter and the City will not accept deposits from another party.

7.2 The City will inspect the condition of the Facility following the Event and if, at the sole discretion of the City, the Facility is deemed in satisfactory condition, the deposit will be refunded in full. If damages have been incurred or the Facility is not properly cleaned, the deposit will be withheld to restore the Facility to its prior condition.

Restoration in excess of the deposit will be billed to Renter with full payment expected within thirty (30) days of receipt of the invoice. The deposit or remaining portions of the deposit will be refunded to Renter within sixty (60) days after the Event. Refunded deposits will be made payable by check to Renter and mailed to address listed on the Facility Use Application. No refunded deposits will be processed to second parties.

7.3 All or part of the deposit may be forfeited and the Event may be shut down or cancelled if any of the following occurs:

- Misrepresentation of the activity, Renter, or organization on the Facility Use Application or during the application process.
- Exceeding maximum capacity stated on the Facility Use Application.
- Misuse or mistreatment of City personnel, facilities, equipment or supplies by Renter or guests.
- Disregard of Facility rules.
- Event is shut down by Police, Fire, or City staff.
- Use of alcohol without proper permit including use outside of building or beyond approved bar hours and/or service to minors.
- Use of any equipment or supplies having an "open flame."
- Facility set up and clean up requirements are not met.
- Damage to the Facility.
- **The entire deposit will be forfeited if it becomes necessary to contact or dispatch the Police Department or Fire Department (including pulled fire alarms) during the course of an Event.**

Forfeiture of part or all of the deposit may result in the denial of future applications for use of the Facility.

8. FEES AND OTHER CHARGES

8.1 Facility use fees are organized into three categories: General, Non-profit, and Community. All rates are based upon four (4) hours of continuous use, which is the minimum rental. Additional hours are charged separately based on and rounded up to a full one (1) hour of usage. Full payment of all fees is due one (1) month prior to the Event date, or at the time of application if the Event is less than one (1) month away. Fees may be paid with credit card, cash, money order, or cashier's check. Personal checks will not be accepted.

	General	**Non-Profit**	**Community***
January – October Sunday - Thursday	$250.00	$150.00	$50.00
Friday - Saturday	$300.00	$200.00	$100.00
Each additional hr.	$40.00	$40.00	$40.00

November –December Sunday – Thursday	$300.00	$200.00	$75.00
Fri. – Sat.	$350.00	$250.00	$125.00
Each additional hr.	$50.00	$50.00	$50.00
Reservation and Security Deposit $400.00 per rental.			

*Event must be free, open to the public and booked no more than one month in advance of the Event date.

8.2 The New Ute Events Center offers certain services and equipment for Renter's use, which is available to rent upon request and for additional fees. There will be no outside technical equipment allowed. Temporary electrical or mechanical modifications are prohibited.

- **Set up** – the New Ute Events Center staff will set up tables and chairs for Renter's Event in any number equal to or less than the maximum seating capacity for a particular style of table and chair. Facility set-up charge is $100.00.

- **Audio/Visual (A/V) Equipment**. There are two categories of fees associated with the below listed audio/visual equipment:

  The "Basic A/V System" includes use of on-site basic lighting and sound and includes a brief orientation to its operation. By signing the Facility Use Application, and commencing upon Renter's Event, Renter acknowledges his or her understanding of equipment operation prior to its use. The "Basic A/V System" charge is $35.00/hour.

  The **"**Advanced A/V System" includes Renter's use of on-site lighting and sound and includes an attendant from the City of Rifle to operate the equipment. The Advanced A/V System" charge is $50.00/hour.

  - Projector
  - Conference Telephone
  - Easel
  - Microphone
  - Extension Cord

8.3 As a condition of Facility Use Application approval and use of the Facility for commercial for-profit purposes, the City of Rifle shall receive from Renter __ percent (__%) of all ticket sales at an Event.

8.4 As a condition of Facility Use Application approval and use of the Facility, the City of Rifle shall be paid __ percent (__%) of the proceeds of any vendor or catered sales including food and beverages at Event.

8.4 There is a $5.00 replacement charge per facility badge lost.

9. VENDOR SERVICES

Vending services may be independently contracted by Renter, the specifics of which must be noted in the Facility Use Application or provided to the City one (1) month before the Event. The City of Rifle is not responsible for agreements made between Renter and third-parties, however, certain conditions of approval apply.

10. ALCOHOL ON PREMISES

To be discussed.

11. DENIAL OF USE

The City of Rifle reserves the right to deny use of the New Ute Events Center for any reason. Approval will be denied if proposed activities may: jeopardize the equipment and/or facilities of the building; conflict with City of Rifle right of priority use; be incompatible with New Ute Events Center purpose, policies and/or procedures; and/or violate any policy or local, state or federal law.

12. GENERAL RULES OF CONDUCT

12.1 Renter or Designated Alternate Contact must be present in the Facility during the entire rental period.

12.2 Any item requiring a cart, dolly, or other equipment for transport due to weight or size or that cannot be moved comfortably through a standard door must be reviewed and approved in advance by the Events Coordinator.

12.3 Renter must clean the Facility after each rental. When arriving, it is Renter's responsibility to report any damage to the Events Coordinator in order to ensure the damage is not attributed to Renter during the course of occupancy. Renter shall:

- Prepare to tear down the Event not less than 30 minutes before exit time to avoid additional hourly usage fees.
- Remove all personal effects (food, decorations, etc.)
- Sweep Floors
- Clear tables, remove linens or wipe down tables, and empty trash
- All guests and participants must vacate the building and personal items removed by the exit time stated on the Facility Use Application

12.4 Illegal use or possession of controlled substances or weapons in the building or on the grounds is strictly prohibited.

12.5 Smoking, chewing or any other use of tobacco products within the building is prohibited.

12.6 All disruptive or illegal activity, including obscene language, quarreling or fighting is prohibited

12.7 Open flames (including candles) and flammable decorations are prohibited.

12.8 No equipment, scenery or decorations of any type may be used within the building or on the premises except as specifically provided in the approved Facility Use Application. Such equipment, scenery or decorations must conform to all local and state regulations and must not be attached to the walls, floors or ceilings.

12.11 Room capacity shall not be exceeded and all exit and emergency lights must be left on and exposed at all times. Stairs, corridors and entrances/exits must be kept free of obstruction and available to emergency ingress and egress at all times.

12.13 The City of Rifle reserves the right of its employees or contractors to access the New Ute Events Center at any time before, during or after the Event in order to observe adherence to the policies.

13. ON-SITE AMENITY SPECIFICATIONS

See attached

14. CHANGES IN POLICIES AND PROCEDURES

The City of Rifle reserves the right to modify any policy or procedure regarding the use of the Facility at any time without notice.

New Ute Events Center
Facility Use Application and Agreement

Application is made to use the City of Rifle's New Ute Events Center as follows:

Renter Name: _____
Group Contact (if different from Renter): _____
Name: _____
Phone: _____ Cell: _____
Address: _____
e-mail: _____

Designated Alternate Contact Name (if any): _____
Phone: _____ Cell: _____
Address: _____
e-mail: _____

Category of Renter (General, Non-Profit, Community) _____
Event Name: _____
Event Purpose: _____
Anticipated Attendance: _____
Event Date(s):_____
Event Times: _____
Is this a recurring event? ___ Yes / ___ No
Rental rate (including any additional hours) $_____

Additional Charges:

___ Audio Visual: ___ Basic / ___ Advanced

___ Set Up (specify style of tables and chairs) _____

___ Vending Sales Total: $_____ City of Rifle (__%): $_____

___ Ticket Sales Total: $_____ / City of Rifle (__%): $_____

Total charges: $_____

Description of equipment requiring pre-approval as condition of permit approval: specify name of equipment, its purpose, and its height, width and weight.

_____
_____
_____
_____

Documentation Checklist (check all applicable documentation needed for approval)
___ Alcohol permit
___ Special event permit
___ Certificate of insured indemnifying and naming City of Rifle as additional insured
___ Payment – including appropriate general rate, on-request charges and deposits
___ Signed agreement
___ Other: _____

Subtotal of Charges: $_____
Advance Payment Received: $_____
Purpose of advance payment: $_____
Form of payment received in advance: _____
Date Received: _____

Total Remaining Due: $ _____
Total Payment Received: Date: _____ $ _____

Renter (and the undersigned officer or agent or representative thereof, individually and jointly and severally with an organization) agrees (a) to pay for any loss or damages to person or property or claims thereof resulting to or arising from the use of the New Ute Events Center's property or facilities by Renter (and those granted access to the Facility thereby) whether from occurrence at the property or facility itself during such use, before or after such use, going to and from such use or otherwise, and (b) to reimburse or hold harmless the City of Rifle, and the members, agents, and employees thereof from any such loss, damage, or claim, including, but not limited to, its or their attorneys' fees. The prevailing party shall be entitled to an award of its attorneys' fees and costs incurred in any legal action to enforce the terms of this Agreement.

Renter (and the undersigned officer or agent or representative thereof, individually and jointly severally with the organization) agrees prior to use to comply with the policies set forth above upon approval of this Agreement.

This Agreement constitutes the complete agreement between the parties and supersedes all previous and contemporaneous agreements, proposals or representations, written or oral, concerning the subject matter of this Agreement. The waiver by either party of any default or breach of this Agreement shall not constitute a waiver of any other or subsequent default or breach.

Renter Name: _____
Renter Signature: _____Date_____

Date Facility Use Application Received: _____

____ Approved
____ Denied and reason for denial: _____

RIFLE CITY COUNCIL MEETING

Wednesday, December 4, 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 Randy Winkler.

PRESENT ON ROLL CALL: Councilors Rich Carter, Barb Clifton, Jay Miller, Dirk Myers, Hans Parkinson, Jonathan Rice, and Mayor Randy Winkler.

OTHERS PRESENT: Matt Sturgeon, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Michael Churchill, Channel 10 Assistant Manager; John Dyer, Police Chief; Charles Kelty, Finance Director; Kathy Pototsky, Court Administrator; Ava Bowles; Mike McKibbin; Jon Pototsky; and Alma Ruiz.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

A. Minutes from the November 20, 2013 Regular Meeting
B. Special Event Liquor Permit: BPOE Lodge Rifle Elks Lodge No. 2195 for December 6, 2013
C. Special Event Liquor Permit: Grand River Hospital District Volunteers Association for December 14, 2013
D. Appoint John Collins as Hearing Officer; set hearings to consider suspension or revocation of liquor licenses of Jon's Liquors, Rib City Grill, Kum & Go #4924, Choice Liquors, and Thai Chili Bistro
E. Extend Domestic Animal Shelter and Impoundment Services Agreement with Friends of Rifle Animal Shelter (FRAS) through Dec. 31, 2014
F. Ordinance No. 22, Series of 2013 (Refuse Collection Rates) – second reading
G. Accounts Payable

Councilor Carter moved to approve Consent Agenda Items A, B, C, D, E, F, and G; seconded by Councilor Rice. Roll Call: Yes - Clifton (abstaining as to E), Carter, Miller, Myers, Parkinson, Rice, Winkler

CITIZEN COMMENTS AND LIVE CALL-IN

John Scalzo thanked City crews for effective snow removal.

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

PUBLIC HEARING – CONSIDER APPLICATION OF ALMA RUIZ D/B/A DE MARCO'S FETTUCINE FOR LIQUOR LICENSE

Mayor Winkler opened the public hearing and swore in Alma Ruiz and Ms. Ruiz' daughter, Mariana Ruiz, who interpreted on behalf of Alma Ruiz. Alma Ruiz and Mariana Ruiz presented Alma Ruiz's application for a new Hotel & Restaurant liquor license for premises located at 119 West 3rd Street. Ms. Cain stated that the hearing was properly noticed, the application is complete, the fees have been paid, and staff's recommendation was that Council approve the application.

Councilor Parkinson moved to approve the application of Alma Ruiz d/b/a De Marco's Fettucine for a Hotel & Restaurant liquor license for premises located at 119 West 3rd Street; seconded by Councilor Myers. Roll Call: Yes - Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

CONSIDER CREATING PUBLIC SAFETY CITIZEN ADVISORY BOARD - ORDINANCE NO. 23, SERIES OF 2013 – 1ST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTER 2, ARTICLE V OF THE RIFLE MUNICIPAL CODE TO ESTABLISH A PUBLIC SAFETY CITIZEN ADVISORY BOARD

Police Chief John Dyer proposed that Council adopt Ordinance No. 23, Series of 2013, to establish a Public Safety Citizens Advisory Board to enhance police-community relations and facilitate a productive dialogue between the community and the Police Department regarding Police Department services. Council's consensus was to amend the ordinance as to membership requirements of the Board, so that the only requirement would be that at least 1 member be a high school student.

Councilor Carter moved to approve Ordinance No. 23, Series of 2013, creating a Public Safety Citizen Advisory Board on first reading as amended and to order it to be published as required by Charter; seconded by Councilor Parkinson. Roll Call: Yes - Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

CONSIDER ELIMINATING VICTIMS ASSISTANCE LAW ENFORCEMENT BOARD – ORDINANCE NO. 24, SERIES OF 2013 – 1ST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REPEALING CHAPTER 2, ARTICLE XIV OF THE RIFLE MUNICIPAL CODE REGARDING THE VICTIMS AND WITNESS ASSISTANCE AND LAW ENFORCEMENT PROGRAM

Chief Dyer explained that the City created the Victims and Witnesses Assistance and Law Enforcement ("VALE") Board in 2012. He noted that there is little need for a VALE Board through Rifle Municipal Court. The County has a victim's assistance program which runs through County Court. All of the City's more serious cases go through County Court, with Municipal Court handling lower level crimes. He and Court Administrator Kathy Pototsky suggested eliminating the VALE Board and setting up this simpler process: (1) If there is a request for assistance through the Municipal Court, the Court Administrator will send the request to the Police Chief; (2) The Police Chief will send the request, with a recommendation, to the City Prosecutor and City Manager; and (3) If they concur that resources should be expended, the Police Chief will authorize the Court Administrator to expend the funds, charging the expense to the law enforcement training fund, which is raised through fine assessments through the Municipal Court.

Councilor Parkinson moved to approve Ordinance No. 24, Series of 2013, repealing Chapter 2, Article XIV of the Rifle Municipal Code regarding the Victims and Witness Assistance and Law Enforcement Program on first reading as presented and to order it to be published as required by Charter; seconded by Councilor Carter. Roll Call: Yes - Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

CONSIDER ADOPTING 2014 BUDGET

City Manager Matt Sturgeon and Finance Director Charles Kelty presented the following items connected with adopting the 2014 budget:

- Resolution No. 19, Series of 2013, adopts the 2014 Budget.
- Ordinance No. 25, Series of 2013, provides for the annual appropriation.
- Resolution No. 20, Series of 2013, certifies the mill levy.

Mr. Sturgeon requested that Council approve 2 amendments to the 2014 budget: (1) increase the Water Fund by $185,000 to cover repairs at Graham Mesa Water Treatment Plant; and (2) increase the Capital Fund by $950,811 to cover Ute Theatre construction that was not completed in 2013.

Councilor Miller moved to approve Resolution No. 19, Series of 2013, as amended; approve Ordinance No. 25, Series of 2013, as presented and order it to be published as required by Charter; and approve Resolution No. 20, Series of 2013; seconded by Councilor Myers. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

PUBLIC HEARING - CONSIDER APPROVING 2013 SUPPLEMENTAL BUDGET

Mayor Winkler opened the public hearing. Mr. Sturgeon and Mr. Kelty presented the following items connected with approving a supplemental 2013 budget:

- Resolution No. 21, Series of 2013, amends the 2013 Budget.
- Ordinance No. 26, Series of 2013, approves a supplemental appropriation.

These items would amend the Capital Fund, the Urban Renewal Authority, and the Sewer Fund.

Councilor Miller moved to approve Resolution No. 21, Series of 2013 and approve Ordinance No. 26, Series of 2013, as presented and order it to be published as required by Charter; seconded by Councilor Rice. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

ADMINISTRATIVE REPORTS

Ms. Cain reminded Council of its workshop with the Downtown Development Authority on December 11 at 6:00 p.m.

Mr. Sturgeon reported to Council on the following issues: snow removal, development fees, and repair of the water treatment plant.

Councilor Clifton moved to waive the requirements of the City Purchasing Code as to purchase of materials to repair the water treatment plant; seconded by Councilor Rice. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

COMMENTS FROM MAYOR AND COUNCIL

Councilor Parkinson thanked Ava Bowles for her interest in the City budget.

Councilor Rice praised City crews for snow removal activities. He also compared the City budget with the state and federal budgets.

Councilor Miller will be attending a Colorado Municipal League Policy Committee meeting on December 5.

Councilor Clifton encouraged citizens to attend First Friday activities on December 6.

Councilor Myers encouraged citizens to attend the Symphony in the Valley Choral Festival on December 6. He also reminded citizens to shovel their sidewalks.

Meeting adjourned at 7:59 p.m.

Lisa H. Cain City Clerk	Randy Winkler Mayor

CITY OF RIFLE, COLORADO
ORDINANCE NO. 23
SERIES OF 2013

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTER 2, ARTICLE V OF THE RIFLE MUNICIPAL CODE TO ESTABLISH A PUBIC SAFETY CITIZEN ADVISORY BOARD.

WHEREAS, the Police Department of the City of Rifle seeks to enhance police-community relations and facilitate a productive dialogue between the community and the Police Department regarding Police Department services; and

WHEREAS, the Police Department believes the formation of a voluntary Community Advisory Board will foster valuable communication between the Police Department and Rifle citizens on important services, programs, and policy issues; and

WHEREAS, the City Council finds and determines that the formation of a Public Safety Citizen Advisory Board is in the best interest of the public health, safety and welfare of the citizens of Rifle and desires to amend the Rifle Municipal Code to create said Board.

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

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

Section 2. Article V, Chapter 2 of the Rifle Municipal Code is hereby amended to add a new Section 40 to read as follows.

Sec. 2-5-40. Public Safety Citizen Advisory Board.

(1) Public Safety Citizen Advisory Board established. There is hereby created and established a Public Safety Citizen Advisory Board, with powers delegated as provided in this Section, for the general purpose of enhancing police-community discussion and feedback, as well as providing advice and recommendations to the City Council on Police Department issues and performing other duties as set forth in this Section.

(2) Membership. The Public Safety Citizen Advisory Board shall consist of nine (9) voting members plus one (1) alternate member with voting rights only in the absence of a regular member. ~~Not less than five (5) members shall be residents of the City. At least two (2) members shall be owners or managers of businesses located within the City. One (1) member may be a currently enrolled Rifle High School student.~~ In the event a regular member of the Public Safety Citizen Advisory Board resigns or is removed from his or her position, the alternate, if interested in filling that position, will be required to submit an application and participate in the appointment process. The City shall be responsible for advertising for positions that need to be filled. The Chair or acting Chair of the Public Safety Citizen Advisory Board shall be responsible for notifying the City Manager if and

when there is a vacancy due to a resignation or other reason within two (2) weeks of the vacancy.

(3) Appointment – Terms. The City Council shall appoint all members to the Public Safety Citizen Advisory Board members. Initial appointments to the Public Safety Citizen Advisory Board shall be made for the following terms: (a) Two (2) members of the Public Safety Citizen Advisory Board shall be appointed for one-year terms; (b) Two (2) members of the Public Safety Citizen Advisory Board shall be appointed for two-year terms; (c) Two (2) members of the Public Safety Citizen Advisory Board shall be appointed for three-year terms; and (d) Three (3) members of the Public Safety Citizen Advisory Board shall be appointed for four-year terms. Notwithstanding the timing of the initial appointments, Public Safety Citizen Advisory Board terms shall commence March 1 of each year. All subsequent appointments, except for vacancies, shall be for four-year terms; provided, that members shall remain in office until their successors are appointed and confirmed, with the exception of ~~the~~ any high-school age student, whose term will remain at one year. Vacancies occurring otherwise than through the expiration of terms shall be filled for the remainder of the term of the member being replaced. Members may be removed at will at any time prior to the end of their term by the City Council. In addition, members who fail to attend three consecutive regular meetings may be considered to have vacated their positions and may be replaced, as provided for in this Section.

(4) Compensation. The members of Public Safety Citizen Advisory Board shall serve without compensation for their services as such, but may receive reimbursement for necessary travel and other expenses incurred on official duty when such expenditures have received prior authorization within the municipal budget.

(5) Duties of the Public Safety Citizen Advisory Board. It shall be the responsibility of the Public Safety Citizen Advisory Board to perform following duties:

(a) To review and provide a community perspective and recommendations concerning procedures, programs, and the effectiveness of the police service, to the City Manager, City Council, and the Chief of Police;
(b) To enhance police-community relations;
(c) To promote public awareness of the City's police services and programs;
(d) To hold public meetings from time to time to solicit public input regarding police services and programs;
(e) To review and make recommendations concerning Police Department policies, procedures, training, and programs;
(f) To serve as liaison between the Police Department and the community;
(g) To apprise the City Council, City Manager and the Chief of Police of the community's needs for police services;
(h) To review and make recommendations concerning such other and further matters as may be referred to the Public Safety Citizen Advisory Board, from time to time, by the City Council, City Manager or the Chief of Police;

(i) To make an annual report to the City Council regarding its activities.

Notwithstanding the broad powers of the Public Safety Citizen Advisory Board under this subsection (5), the Public Safety Citizen Advisory Board shall have no power or authority to investigate, review, or otherwise participate in matters involving specific police personnel or specific police-related incidents.

(6) Meetings and procedures. The Public Safety Citizen Advisory Board shall have at least one (1) regular meeting per quarter on such day of the month and at such time as may be determined by the Public Safety Citizen Advisory Board. Special meetings may be held as often as the Public Safety Citizen Advisory Board deems necessary. At the first Public Safety Citizen Advisory Board meeting following the commencement of new terms after March 1 of each year, the Public Safety Citizen Advisory Board shall organize by electing three (3) of its members to serve as Chair, Vice-Chair and Secretary, respectively, to serve at the pleasure of the Public Safety Citizen Advisory Board. All meetings of the Public Safety Citizen Advisory Board shall be open to the public. For purposes of conducting the Public Safety Citizen Advisory Board's business, exercising its powers and for all other purposes, a quorum of the Public Safety Citizen Advisory Board shall consist of five (5) or more members. Any action taken by a majority of those present, when those present constitute a quorum at any regular or special meeting of the Public Safety Citizen Advisory Board, shall be deemed and taken as the action and decision of the Public Safety Citizen Advisory Board. The Public Safety Citizen Advisory Board may elect such officers as it deems necessary in order to conduct its business. The Public Safety Citizen Advisory Board may adopt such rules of procedure as it deems necessary. The Public Safety Citizen Advisory Board shall tape record or keep minutes of all meetings held and business transacted. All records of the Public Safety Citizen Advisory Board shall be open for public inspection, except those that may be exempt from public disclosure under state law.

INTRODUCED on December 4, 2013, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on December 18, 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

CITY OF RIFLE, COLORADO
ORDINANCE NO. 24
SERIES OF 2013

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REPEALING CHAPTER 2, ARTICLE XIV OF THE RIFLE MUNICIPAL CODE REGARDING THE VICTIMS AND WITNESS ASSISTANCE AND LAW ENFORCEMENT PROGRAM.

WHEREAS, Chapter 2, Article XIV of the Rifle Municipal Code sets forth provisions for a Victims and Witnesses Assistance and Law Enforcement ("VALE") Board; and

WHEREAS, since the enactment of Chapter 2, Article XIV of the Rifle Municipal Code, no members of the VALE Board have been appointed, it has never been organized or met, and the Police Department does not see the need for the City to maintain the VALE Board; and

WHEREAS, the City Council finds and determines that repealing Chapter 2, Article XIV of the Rifle Municipal Code is in the best interest of the citizens of Rifle.

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

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

Section 2. Chapter 2, Article XIV, of the Rifle Municipal Code is hereby repealed.

INTRODUCED on December 4, 2013, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on December 18, 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

To: Mayor and City Council; Matt Sturgeon, City Manager

From: Lisa Cain, Human Resources Director

Date: Friday, December 13, 2013

Subject: Personnel Manual

The City of Rifle Personnel Manual was adopted in 2006. By Resolution No. 47, Series of 2008, and Resolution No. 27, Series of 2009, Council approved amendments to the Manual. The City reprinted the Manual in March 2010 and incorporated the 2008 and 2009 amendments in the 2010 reprinted version. Since March 2010, the City has amended the Manual with Resolution No. 8, Series of 2010; Resolution Nos. 14 and 18, Series of 2011; and Resolution Nos. 2 and 17, Series of 2013.

Staff recommends that Council adopt a new Personnel Manual that incorporates the 2010, 2011, and 2013 amendments, and includes the following additional changes:

Introduction	Moved Introduction so it precedes Table of Contents, to emphasize that the City is an "at will" employer
2.3 **Conditional Hire/Physical Examination**	• Clarified that employees shall not report for work until background check complete • Added "polygraph examination" to list of possible background check methods
2.5 **Nepotism Policy**	• Deleted exception for seasonal employees that sunset in 2011 • Deleted prohibition of a relative indirectly supervising another relative (retained prohibition of direct supervision)
3.1 **Temporary Employees**	If a temporary employee works more than 6 months, the Affordable Care Act requires the City to offer health insurance to the employee. So, staff recommends limiting the duration of a temporary position to 6 months.
3.3 **Part-time Employees**	If a part-time employee works an average of at least 30 hours per week, the Affordable Care Act requires the City to offer health insurance to the employee. So, staff recommends conforming the Manual to the Affordable Care Act by changing the threshold for health care benefits from 32 hours per week to 30 hours per week.
5.4 **Computation of Overtime and Compensatory Time**	In the example provided, the employee would NOT receive overtime for the Saturday work. Staff recommends deleting the example.
5.7 **Sick Leave Bank**	• Moved this section and made it a subsection of Section 6.3 (Sick Leave) • Deleted reference to "permanent City employee," because there is no such employee classification • Deleted as unnecessary the sentence about solicitation of donations to the sick leave bank.
6.10 **Leave Without Pay Not covered by FMLA**	City Manager approval now required in all cases

10.1 **Safety Policy - Program Policy Statement - Goals**	Inserted reference to City Safety Manual
10.4 **Use of Tobacco Products**	Added prohibition of chewing tobacco and electronic cigarettes
10.5 **Seatbelt Policy**	Conformed policy to the policy in the City Safety Manual by requiring use of seatbelts in equipment in which seatbelts have been installed (e.g., backhoe), as well as vehicles such as cars and trucks
10.6 **Dress Code**	• Changed name to "Personal Appearance" • Added language about facial hair, hairstyles, makeup, hygiene, piercings, and tattoos
10.8 **Office/Workstation Decorations Policy**	Added policy
14 **Drug and Alcohol Policy**	Added express prohibition of marijuana use
17 **Social Media Policy**	Added policy

Both a redline version of the Manual and a version that includes all of these changes is attached.

Staff recommends that Council adopt Resolution No. 22, Series of 2013, adopting a new Personnel Manual for the City.

CITY OF RIFLE, COLORADO
RESOLUTION NO. 22
SERIES OF 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, ADOPTING A NEW PERSONNEL MANUAL FOR THE CITY.

WHEREAS, Section 2-3-60 of the Rifle Municipal Code (the ACode@) states that the City Council may, from time to time, adopt, amend, alter, or abolish rules and regulations which deal with the employees of the City; and

WHEREAS, it has become apparent that many of the City=s existing personnel policies are in need of revision or clarification; and

WHEREAS, in response to this need, a committee of City staff members has produced for the City Council=s review and approval a new City of Rifle Personnel Manual; and

WHEREAS, the Code at Section 2-3-60(b) also states that to become effective, personnel rules must be adopted by resolution of the City Council at a regular or special meeting; and

WHEREAS, the Rifle City Council desires to adopt as official policy of the City the Rife Personnel Manual attached hereto as Exhibit A and incorporated herein by this reference.

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

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

Section 2. The City of Rifle Personnel Manual attached hereto as Exhibit A and incorporated herein by this reference is hereby adopted as the official personnel manual for the City.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 18th day of December, 2013.

CITY OF RIFLE, COLORADO

By_____
Mayor

ATTEST:

_____
City Clerk

December 18, 2013

City of Rifle

Personnel Manual

Adopted by the
City Council
December 18, 2013

INTRODUCTION

The purpose of this manual is to inform employees of the City of Rifle's personnel policies of general applicability. This manual is not all-inclusive and does not purport to address all conceivable circumstances, but addresses those topics likely to be of interest to employees in the course of day-to-day operations.

The policies in this manual are not intended to supersede the City's home rule charter, ordinances, or other applicable laws; in case of any conflict between these policies and such charter, ordinances, or laws, the latter shall prevail. The provisions of this manual apply to all employees of the City except as otherwise specified. Departments may have their own policies and procedures.

The policies in this manual are not intended and shall not be construed to vest any employee of the City of Rifle with any rights arising from any express or implied contract of employment, and employment with the City of Rifle is at will, and can be terminated at any time without procedures, cause, or notice. The City reserves the right to change or rescind these policies and to determine the application of these policies to specific circumstances using its sole discretion. The City further reserves the right to alter or eliminate any benefits provided to its employees as referenced in the personnel policies. Any alteration, elimination, or revision may be made applicable to then-current as well as future employees.

Certain provisions of this manual identify potential disciplinary action which may result from specified conduct. The inclusion of these provisions does not, and is not intended to, limit the imposition of disciplinary action which may be imposed for any violation, nor is the inclusion of disciplinary provisions intended to limit the City of Rifle's discretion with respect to imposition of discipline.

Any matter not specifically covered by this manual may be administered by the City Manager in a manner consistent with this manual.

CITY OF RIFLE PERSONNEL MANUAL

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DEFINITIONS

The following definitions apply whenever these words and phrases are used in this manual, unless the context clearly indicates otherwise:

ADA or Americans with Disabilities Act means the Americans with Disabilities Act, 42 USC 12101 et seq., as amended from time to time.

Appointing Authority means the City Manager or the City Manager's designee.

Charter means the City of Rifle City Charter as found in the Rifle Municipal Code.

Department Head shall include those positions which report directly to the City Manager.

FLSA or Fair Labor Standards Act means the Fair Labor Standards Act, 29 USC 201 et seq., as amended from time to time.

FMLA or Family Medical Leave Act means the Family Medical Leave Act, 5 USC 6382 et seq., as amended from time to time.

Immediate Family consists of the mother, father, sister, brother, husband, wife, son, daughter, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandchildren, and grandparents of the employee, or relatives who live with the employee during the time that they are employed by the City.

1 EQUAL EMPLOYMENT OPPORTUNITY

1.1 Introduction

It is the policy of the City of Rifle that there shall be no unlawful discrimination or harassment against employees or job applicants on the basis of race or color, religion or creed, sex or gender, sexual orientation, national origin or ancestry, age, physical or mental disability, military status, genetic information, or any other protected status. “Genetic information” includes information about an individual’s genetic tests and the genetic tests of an individual’s family members, including fetuses, family medical history, receipt of and/or results of genetic testing, and participation in genetic clinical research. Equal opportunity, as required by law, shall apply to all personnel actions including, but not limited to, recruitment, hiring, placement, promotion, transfer, demotion, layoff or termination. Equal opportunity shall also apply to all administrative actions such as compensation, benefits, training, and education.

This policy does not add to any rights that employees may be entitled to by law. Further, employment with the City may be terminated at any time, with or without cause, and with or without notice.

1.2 Equal Employment Opportunity Officer

The Human Resource Director shall serve as the equal employment opportunity officer to carry out the City’s equal employment opportunity policy.

2 EMPLOYMENT PRACTICES

2.1 Application for Vacancies

Whenever a job vacancy occurs, it shall be filled with the most qualified applicant available. To the extent permitted by law, if two equally qualified applicants apply for a City position, preference may be given to a City employee, a City resident, or a veteran of the U.S. Armed Forces.

Vacancies in positions are encouraged to be filled by promotion of qualified City employees. In each case, a determination will be made as to whether an open competitive examination or a promotional examination would best serve the interests of the City. Any City employee interested in a job vacancy shall submit a written letter of intent to apply for such vacancy stating job skills and qualifications. Promotions in every case must involve a definitive increase in duties and/or responsibilities, and shall not be made merely for the purpose of affecting an increase in compensation.

Job announcements may be posted on official City bulletin boards for a minimum of five (5) working days. The announcement shall specify the title, salary range, duties and minimum qualifications, the method and deadline for making applications, and other pertinent information. All vacancy announcements shall include a statement that the City is an equal opportunity employer. Summaries of job announcements may be placed in newspapers or other advertising media as deemed appropriate.

Résumés/application forms of an applicant who is hired will be placed in the employee's personnel file. Applications, unless renewed, shall be considered active for a period of 12 months. Applications for employment over one (1) year old may be destroyed to the extent permitted by law.

Applicants may be disqualified for consideration for employment when any of the following factors exists:

1) The applicant does not meet the minimum qualifications for the job as set forth in the job description;

2) The applicant has demonstrated an unsatisfactory employment record as evidenced by the results of the reference check;

3) The applicant has given any false information in his/her application or has otherwise practiced deception during the selection process;

4) The applicant fails to respond in a timely fashion to an invitation to interview; or

5) The applicant has a conviction record or personal history which negatively affects fitness to perform the required duties.

2.2 Selection Techniques

Such selection techniques as deemed appropriate may be used in the selection process. Those selection techniques may include, but are not limited to, the following:

1) Screening job applications and résumés based on previous work experience and/or job qualifications

2) Written testing

3) Examination based on practical application of skills

4) Interviews

5) Job-related tests of physical ability

6) Polygraph or psychological testing, upon conditional hire

7) Background investigations

2.3 Conditional Hire/Physical Examination

Upon conditional appointment, full-time Law Enforcement employees and any others deemed necessary based on job classification by the Human Resource Director are required to submit to a pre-employment physical examination by a doctor selected by the City.

As a condition of employment, prospective employees may be required to submit themselves to background checks, which may include polygraph examination, fingerprinting, criminal history, driving history, credit history, past employment history, and personal references. If a background check is required, it must be completed before employment begins. Conditional offers shall be withdrawn if the results of the background check are deemed to disqualify the applicant for the position.

2.4 Promotions, Transfers, Reinstatements

2.4.1 Promotions

Promotions may occur either with or without competitive examination. The City Manager or designee may authorize the promotion without examination of a qualified employee upon the written recommendation of the Department Head.

Notices of promotional opportunities may be posted on official City bulletin boards, and if a position is filled by promotion of a City employee, no outside advertising or interviewing shall be required.

2.4.2 Transfers

An employee may be transferred to a similar position in a different department. An employee desiring to be transferred shall make a written request to both Department Heads for consideration when a

vacancy occurs. The request must be approved by the Human Resource Director and the department supervisor receiving the employee.

Transfer of an employee from one position to another may be permitted if the Department Head determines that the employee meets the qualifications of the position, that the transfer is in the best interest of the City, and that further training and development of the employee in the new position would be beneficial to the City.

2.4.3 Reinstatements

A former employee may be rehired at the discretion of the Department Head, with City Manager approval, if a vacancy occurs in the same or similar position held by the former employee within one year of the date the employee left City employment. This is known as reinstatement and it may occur without a competitive examination. Such action originates only from departmental request. Request for the action must be submitted to the Human Resource Director by letter giving name, title, salary, date of separation, and date of proposed reinstatement, together with a report of personnel changes that must be approved by the City Manager before the employee reports for duty.

An employee may be reinstated at the same salary at the discretion of the Department Head and with the approval of the City Manager or Human Resource Director. Other than as provided for in this manual (see Section 2.11, Restoration of Length of Service), reinstated employees are considered new employees for all purposes.

2.5 Nepotism Policy

For the purposes of this section, “family member” includes mother, father, sister, brother, husband, wife, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandchildren, grandparents, aunts, uncles, nieces, nephews, first cousins, and step-relatives of the employee, or relatives who live with the employee during the time that they are employed by the City.

A family member of an employee shall not be considered for employment by the City in circumstances where one relative directly would exercise supervisory, appointment, or dismissal authority or disciplinary action over the other relative.

If City employees become relatives after employment by the City, and any of the circumstances exist or would exist as described in the preceding paragraphs, one of the employees shall be separated from employment or, if possible, moved to a non-conflicting position. The affected employees may choose the one to be separated but, if no agreement can be reached, the City Manager shall decide.

No family member of or person serving as a member of the City Council shall be eligible for employment with the City until the council member has been out of office for one year.

No appointing authority shall participate in or vote on decisions related to hiring, retention, promotion, or determination of the salary level of a member of his or her family.

The foregoing restrictions do not preclude consideration of a relative of an elected official or City employee for City employment except as specifically restricted herein. Evidence should be available demonstrating that procedures of the personnel policies were followed during the selection process and that the most qualified person was selected.

Violation of this policy by any appointing authority may lead to the immediate termination of the relative and appropriate disciplinary action against the appointing authority.

2.6 Residency

In addition to requirements set forth in the Rifle City Charter, those employees who live outside the City should be made aware that they may have to come into Rifle after hours, if necessary, and they must do so at their own expense and travel will be on their own time.

2.7 Employee Orientation

New employees will attend an orientation session that will include information concerning the City's salary and benefits programs, personnel policies, safety, and other City policies or programs relating to employment. New employees may also receive orientation information from their supervisor. Upon six months of employment, new employees may be evaluated.

2.8 Essential Personnel

Emergency situations may arise that dictate which City employees will be designated as "Essential Personnel." Emergencies can be caused by such developments as heavy snow or severe icing conditions, floods, earthquakes, or other natural disasters; air pollution; massive power failure; major fires; or epidemics. Significant emergency situations, of the scope and impact reflected in this guideline, will be the subject of public declaration of emergency or disaster by appropriate State or local authority.

The designation of Essential Personnel may be outlined in an employee's Job Description. These Personnel are required to report for duty during emergencies. Additionally, Essential Personnel are required to have a Family Care Plan that will describe how the employee's family will be cared for in the event of his/her absence from the home during the emergency.

2.9 Reduction in Force/Recall

The City, at its discretion, will determine whether layoffs and reductions in force are necessary as a result of lack of work, lack of funds, reorganization, curtailment of operations or programs or other circumstances in the City's best interest. Work hours for some or all positions may also be adjusted in

lieu of or in addition to layoffs if City circumstances warrant such action as determined by the City Manager. There is no City appeal process for decisions regarding layoffs and reductions in force.

1) When a layoff is necessary, Department Heads in consultation with the City Manager may consider the following factors, in no particular order of magnitude, in determining which position(s) will be necessary to dissolve:

    a) Performance of the employee.

    b) Versatility and future needs.

    c) Experience and special abilities possessed by the employee.

2) Any employee on leave of absence, including FMLA leave, during a layoff period will be subject to layoff on return to work, in accordance with the above considerations.

3) The reinstatement of laid off employees requires the approval of the Department Head and City Manager.

4) Under normal conditions, the order of recall for employees being reinstated will be in reverse order of the layoff. Employees recalled will be required to report to work within a two-week period and failure to do so may result in a waiver of the recall opportunity.

5) An employee reinstated after a layoff lasting 13 months or longer will be treated as a new employee for all purposes including any requirement for a re-employment physical examination at the City's expense.

6) An employee reinstated after a layoff lasting less than 13 months will maintain continuation of service if he or she reports to work within two weeks of notification of recall.

7) For compensation and benefit purposes, an employee's length of service will not include the length of time the employee was laid off.

2.10 Separation and Severance Pay Policy

This policy defines the various types of separations from the employ of the City and the effect of separation on benefits and continuous service.

This policy applies to all full-time employees. With the exception of the severance pay section, this policy also applies to part-time, seasonal, and temporary employees.

2.10.1 Types of Separations

1) Voluntary Termination occurs when the separation is initiated by the employee. Voluntary terminations include, but are not necessarily limited to, the following:

   a) Written or oral resignation (a two-week notice is preferred).

   b) Absence from work for three consecutive working days without notifying the employee's supervisor.

   c) Failure to report for work upon recall from layoff on the date designated.

   d) Failure to return from an approved leave of absence at the expiration of the leave.

   e) Retirement.

2) Involuntary Termination occurs when the separation is not initiated by the employee. Involuntary terminations include, but are not necessarily limited to, the following:

   a) Reduction in force - The City must reduce its work force for economic or other reasons.

   b) Termination without cause.

   c) Termination for cause - An employee is terminated for such reasons as inadequate performance, inefficiency, absenteeism, and violation of rules of conduct set forth in this Personnel Manual under Section 11.

   d) Death of the employee.

   e) Disability - An employee who has exhausted his/her accumulated leave, who is not on leave without pay status, and who is unable to perform his/her usual work assignment regardless of the employee's eligibility for disability benefits.

2.10.2 Exit Interview

Employees are requested to participate in a voluntary exit interview with the Human Resource Director.

2.10.3 Severance Pay

Contingent upon the employee signing a severance agreement and release, the City will make severance payments described below to eligible employees whose employment with the City is involuntarily terminated due to reduction in force. No severance pay will be granted for separations which are the result of voluntary termination, discharge, disability, or death.

1) Full-time Employees - In the event of reduction in force or release without fault of a full-time employee, the following severance pay schedule will be applicable:

a) At least one year but less than five years of continuous service - two weeks' severance pay.

b) At least five years but less than ten years of continuous service -three weeks' severance pay.

c) Ten years or more of continuous service - four weeks' severance pay.

2) In the event of an employee's death, his/her accumulated sick leave will be paid to the beneficiary.

3) Part-time, Temporary, or Seasonal Employees - No severance pay will be granted to part-time, temporary, or seasonal employees.

2.10.4 Accrued Vacation, Compensatory Time, Floating Holiday, and Sick Leave Pay

Upon termination, either voluntary or involuntary, employees will be paid for accrued vacation time and accrued compensatory time.

Upon termination, either voluntary or involuntary, there will be no payment for floating holidays.

Upon termination, either voluntary or involuntary, there will be no payment for sick leave, except as noted in Section 2.10.3(2), Severance Pay, and as noted below:

Upon voluntary termination or reduction in force, eligible employees who have worked for the City at least five or more years may use their sick leave in the following manner:

> At least 5 years but less than 10 Years of Continuous Service: One-half of the value of the sick leave can be used to pay for COBRA benefits, up to the extent allowed for by law. The value of the sick leave is calculated by multiplying the employee's final hourly wage by the number of sick hours.
>
> 10 Years or more of Continuous Service: The full value of the sick leave can be used to pay for COBRA benefits, up to the extent allowed for by law.

2.10.5 Group Insurance

Upon termination, either voluntary or involuntary, any life, accident, and short- and long-term disability insurance is canceled subject to the policies in force at the time.

Upon termination, either voluntary or involuntary, any health insurance is canceled the first of the month following the last day worked unless continuation of benefits has been chosen under COBRA laws.

2.11 Restoration of Length of Service

An employee who is involuntarily terminated due to reduction in force, and who is rehired, will have subsequent service "bridged" after a year of continuous service. For example, if an employee worked for

the City for 3 years, was laid off and later rehired, after a year of continuous service, his/her length of service would be 4 years. An employee who resigned or was discharged, and who is rehired, will not have any prior service restored or “bridged.” The date of rehire will become his/her service date.

However, computation of service for pension purposes and the effect of breaks in service on pension rights will be determined in accordance with the provisions of the City’s pension plan.

2.12 Personnel Records

The City of Rifle shall maintain information on each employee pertinent to his employment and shall retain all personnel records of City employees in accordance with §24-72-201 et seq., C.R.S. One complete set of personnel files shall be kept by the Human Resources Department for each employee. This will be the official file.

An employee, the employee’s Department Head, the City Manager, the City Attorney, or a former employee or his/her designated representative may examine the employee's personnel file during regular business hours. Designation of a representative shall be in writing, witnessed, and signed by the employee or former employee, and filed with the Personnel Department, before the representative may examine the file.

No documents shall be copied from a personnel record, except as required by the Open Records Act, without a written request from the employee designating the documents to be released and the person or entity to which the release is to be made, and indemnifying and holding harmless the City from any liability, claims, and demands resulting from such release.

2.13 Verification of Employment

To ensure that consistent and only need-to-know information is provided, all verification of current or former employment is made through the Human Resource Director.

Upon reasonable request, the Human Resources Department may verify to prospective employers of a present or former employee the dates of such individual's employment with the City and the latest or last position title held. No other information concerning an employee shall be released to any prospective employer, collection agency, credit bureau, or any other person or entity, unless the employee has designated the same as his representative in accordance with the above paragraph.

3 EMPLOYMENT STATUS

Employment with the City of Rifle is at will, and can be terminated at any time without procedures, cause, or notice.

During the course of their employment with the City, employees may be classified in the following categories:

3.1 Temporary

A temporary employee is defined as a person employed either on a part- or full-time basis in a job which has been established for a specific period of time or for the duration of a specific project or group of assignments. The duration of a temporary position cannot exceed six months. A temporary employee is not eligible to participate in employee benefit and leave programs nor may he/she exercise appeals per Chapter 11.

3.2 Seasonal

A seasonal employee is defined as a person employed either on a part- or full-time basis in a job which has been established for a specific period of time for work or projects only conducted during a specific time of year. The duration of a seasonal position cannot exceed six months. A seasonal employee is not eligible to participate in employee benefit or leave programs nor may he/she exercise appeals per Chapter 11.

3.3 Part-time

A part-time employee is defined as a person employed in a position which normally requires less than 40 hours per week.

A part-time employee regularly scheduled to work at least 30 hours per week is eligible to participate in employee benefit and leave programs on a prorated basis, including the employee-contribution retirement plan (457 plan) and the employer-contribution retirement program (401 plan). The City's contribution to the 401 plan will be prorated. For example, for an employee regularly scheduled to work 30 hours per week, the City will contribute to the 401 plan 75% (30/40) of the contribution the City would make for a full time employee.

A part-time employee regularly scheduled to work at least 30 hours per week is also eligible to participate in the City's health insurance program on a prorated basis. For example, an employee regularly scheduled to work 30 hours per week will receive 75% (30/40) of the health insurance benefit offered to a full time employee as set forth in Section 5.7.

3.3.1 Vacation

Vacation hours earned will be determined by length of time of service as outlined in Section 6.2.1, Vacation Leave. Time of service will be actual calendar years rather than a conversion to full-time equivalent. Employees regularly scheduled to work at least 20 hours a week will earn a percentage of that time depending upon how many hours they are regularly scheduled. For example, someone who is regularly scheduled to work 20 hours would earn 50% and someone at 30 hours would earn at 75% and, of course, whatever the percentage is in between. Regardless of their regular schedule and with their supervisor's prior approval, part-time employees may use up to 40 vacation hours in a week provided they have accrued the hours (see Section 6.2, Vacation Leave for information concerning vacation leave requests).

Part-time employees who become full-time employees will earn vacation hours based on service years computed by converting part-time hours worked to full-time equivalent. For example, a part-time employee who worked 20 hours a week for 8 years and then became a full-time employee would have 4 years of service.

3.3.2 Sick Leave

Sick leave will be earned by the same percentage of scheduled hours as detailed above. The normal rate of sick leave is 3.69 hours per pay period. Sick leave can be accumulated up to a maximum of 480 hours.

Sick leave, however, can only be taken according to the employee's established work schedule. If, for example, an employee is scheduled to work 4 hours on Tuesday, 4 hours on Wednesday, 8 hours on Thursday, and no hours on Friday or Monday and he or she becomes sick on Friday, Saturday, Sunday or Monday, he or she will receive no compensation. If he or she were sick on Wednesday and Thursday, he or she would be paid 4 hours of sick leave for Wednesday and 8 hours of sick leave for Thursday.

3.3.3 Holidays

Regularly designated City holidays will be paid according to the employee's established schedule. In the above example, if a holiday fell on a Tuesday, an employee would receive 4 hours holiday time; if it fell on a Thursday when an employee was scheduled to work 8 hours, he or she would receive 8 hours of scheduled time; if the holiday fell on Monday or Friday, the employee would receive no holiday pay. Part-time employees who work over 20 hours per week are entitled to pro-rated floating holidays based on hours worked in a week.

3.3.4 Family and Medical Leave Act

Part-time employees who work at least 1,250 hours for the City of Rifle per calendar year are eligible for FMLA benefits.

3.4 Full-time

A full-time employee is defined as a person employed in a position which normally requires at least 40 hours per week. A full-time employee is eligible to participate in all employee benefit and leave programs.

3.5 Inactive

Employees who have been granted approved leaves of absence without pay in accordance with the FMLA or otherwise.

3.6 Probationary

Employees who have been placed on probationary status for disciplinary reasons (see Section 11.2.2, Types of Discipline).

3.7 Exempt Positions

Those positions considered to be administrative, executive, or professional as defined by the Fair Labor Standards Act (FLSA). Payment of overtime is not made to this class of employee.

3.8 Non-exempt Positions

Those positions not classified as exempt per the FLSA. Payment of approved overtime will be made or compensatory time will be earned in accordance with the FLSA and Section 5.4, Computation of Compensatory Time.

4 EMPLOYMENT CONDITIONS

4.1 Attendance

The City offers full municipal service to citizens and visitors. In order to do this in a tradition of high quality, our departments must be fully staffed. Employees are expected to arrive at work on time according to their work schedule. Absenteeism detracts from this service and causes an undue burden for those employees who must fill in for absent employees. Absenteeism is cause for disciplinary action (see Section 11.2 Discipline).

4.2 Work Schedule

Departments shall observe working hours as necessary to perform the services required. These working hours may be left to departmental discretion, with the approval of the City Manager. Normal hours are 8:00 a.m. to 5:00 p.m., Monday through Friday; however, the hours may vary depending upon departmental needs.

The normal work week begins at 12:01 a.m. Sunday and runs through midnight on the following Saturday. Departments have the option of establishing their own work week to fit their needs, subject to City Manager approval. Departments may also establish a fourteen (14) day work period, subject to City Manager approval.

Full-time employees have a work week consisting of forty (40) hours within the seven-day period described above. This shall be the standard for all employees with the exception of those in law enforcement.

The Police Department operates 24 hours a day, 7 days a week. Shift assignments and work periods shall be established by the Police Chief as set forth in the Police Department's policies. Meal periods will be counted as time worked only if officers are available for assignments as required during meal periods.

4.2.1 Rest Periods

At the supervisor's discretion, employees working four consecutive hours may be granted one (1) 15-minute break during every four hour period if it does not disrupt work flow. Breaks not taken may not be accumulated or used at the beginning or end of the day or in conjunction with meal periods. The rest period should be granted near the middle of each four (4) hour shift whenever this is feasible. Rest periods shall be taken on or near the premises of the work site.

4.2.2 Meal Period

With the exception of Law Enforcement employees, all full-time employees shall be granted a 60 minute non-paid meal period during each eight (8) hour work shift. Department supervisors should see to it

that employees have the opportunity to take scheduled lunch breaks and do not work during lunch breaks, unless specifically requested to do so.

4.3 Job Duties

Job descriptions are meant to be general outlines of duties performed and specific requirements of skills and abilities needed to perform the position; they are descriptive. The City reserves the right to change an employee's job duties at any time. An employee who feels that his/her responsibilities have grown substantially should discuss the new duties with the Department Head and the City Manager and may request a review of job description and salary at any time. Classification upgrades and pay increases are subject to the annual budgeting and appropriation process.

5 SALARY ADMINISTRATION AND BENEFITS

5.1 Timesheets

All employees except exempt will make daily entries on a time sheet. Exempt employees will turn in a Record of Accrual Usage form. Completed time sheets for the pay period will be signed by both the employee and supervisor.

Payday occurs every other Friday. Time sheets for all employees except exempt must be turned in to their Department Head by 8:00 a.m. the Monday before payday. The Department Head must then turn in the time sheets to Payroll by 12:00 noon the Monday before payday.

5.2 Call Back

If an employee's position is considered "non-exempt" and he or is officially called back to work after departing from their regularly scheduled shift, the employee will be credited for the actual hours worked. Call-back hours will be counted as hours worked for the purposes of determining comp time/overtime during the work period. Workers who are called back to work on a holiday will be compensated for those hours in accordance with the holiday work policies.

5.3 Stand-by

Some "non-exempt" employees may be expected to be on stand-by for some periods of time. Stand-by may be required for, but not limited to, law enforcement, snow removal, parks maintenance, and water and sewer personnel. Stand-by classification is based on the following three-tiered system:

Level	Response Time	Compensation*
Level 1	< 10 minutes	20%
Level 2	< 30 minutes	10%
Level 3	< 120 minutes	5%

* in percentage of hours on call

All levels of stand-by require "reliable communication." Reliable communication refers to communication by radio, pager, or cell phone. Stand-by compensation in the form of straight time is based on the percentage of hours on stand-by duty. For example, if an employee is on Level 1 stand-by for an 8 hour period, 1.6 hours of straight time will be awarded (20% of 8 hours equals 1.6 hours).

Employees on stand-by are expected to be able to perform their job in a competent manner if called in. If called back while on stand-by, the call back provision will apply in addition to applicable straight time. Any stand-by time must be specifically authorized ahead of time by the Department Head and must be noted on time sheets.

Stand-by duty is not considered overtime work and is not used to calculate overtime compensation, except to the extent that the employee is actually called into work while on stand-by duty.

5.4 Computation of Overtime and Compensatory Time

With the exception of sworn law enforcement officers who are partially exempt from overtime under Section 7(k) of the FLSA and are subject to the Police Department's overtime policies, overtime work is defined as work in excess of the normal 40-hour-per-week work schedule in a given work period, subject to prior approval of the Supervisor. The intent is that overtime is to meet emergency response or the highest priority work which cannot be accomplished during normally scheduled hours.

Only nonexempt personnel will receive pay for overtime work. Employees may elect to accumulate or "bank" compensatory time, subject to accrual guidelines set forth in Section 6.13, Compensatory Time.

Only authorized overtime will be calculated at 1.5 times the actual time worked and either paid as overtime pay or banked as earned compensatory time at the election of the employee and subject to the provisions of this manual. For purposes of computing overtime, the following leave will be considered time worked: educational time as defined in Section 5.4.2. The following types of leave will not be considered time worked: vacation, holidays, including floating holidays, sick leave, funeral leave, maternity/paternity leave, jury leave, and administrative leave, use of earned compensation leave, or military duty.

5.4.1 Adjusting the Work-week Schedule

Supervisors may make immediate adjustments to the employee's scheduled work week to avoid the accumulation of unnecessary compensatory time.

For example, if an employee's regular schedule is:

Mon	Tue	Wed	Thur	Fri
8	8	8	8	8

but the employee actually works, for any approved reason,

Mon	Tue	Wed	Thur
8	12	10	108

the supervisor may tell the employee not to report on Friday as he/she already has accumulated 40 hours by Thursday. In this case, the employee would receive no overtime.

5.4.2 Time spent in City-initiated or required training

Time spent in City-initiated or required training programs, lectures, and meetings is considered hours worked for the purposes of determining overtime, but must be approved in advance. Taking courses in a public or private institution or pursuing additional education on a voluntary basis is not considered hours worked for the purposes of determining overtime regardless of whether the activity is job related.

Travel time for City-initiated training on approved methods of transportation for out-of-town City business is included in the calculation of overtime. Employees will only be paid for time spent on City approved transportation. For example, if an employee elects to drive an automobile when the City provides air transportation, he or she will only be paid for the hours he or she would have spent traveling by air. Time spent away from home but not in training or not traveling is not considered "hours worked" (see Section 15, Vehicle and Travel Policy).

5.5 Pay Advances

Except in very rare circumstances, no “advances" on paychecks shall be made by the City. Upon demonstration of extreme extenuating circumstances, the City Manager may approve an advance in his/her sole discretion.

5.6 Vacation Cash-Out

An employee may request and receive payment with the approval and in the sole discretion of the Department Head in exchange for accrued vacation leave, so long as forty (40) hours of accrued vacation remain for the benefit of the employee. The maximum number of vacation hours that may be exchanged is forty (40) hours. A minimum of ten (10) hours can be cashed out per request, and only two requests will be processed in a calendar year. Disbursements will only be made in accordance with the City’s payroll calendar, and separate checks are not allowed. Vacation cash-outs are irrevocable; once cashed out, the vacation hours cannot be bought back.

5.7 Health Care Benefits

Full-time employees hired on or after January 1, 2012, are eligible to participate in the following health insurance plans and benefits:

5.7.1 County Health Pool (CTSI) – B1000 plan with HRA Account

Under this plan, the City will pay 80% of the premium for single person coverage and 60% of the premium for family coverage. The City will also contribute $250 annually for single HRA accounts and $500 annually for family HRA accounts.

5.7.2 County Health Pool – HDHP with HSA

Under this plan, the City will pay 80% of the premium for single person coverage and 60% of the premium for family coverage. The City will also contribute $1,250 annually for single HSA accounts and $2,500 annually for family HSA accounts.

Employees hired after the beginning of a fiscal year will receive a pro rata contribution to their HRA or HSA accounts. Part-time employees are eligible to participate in these plans on a prorated basis as set forth in Section 3.3 of this Manual.

Eligibility for health insurance is governed by the Insurance Plan, and to the extent it differs from this policy, the Insurance Plan controls. In addition, employees must properly submit all required information and documentation for enrollment before the health insurance will become active and must pay their portion of any premiums. For detailed information about eligibility and insurance coverage, please contact the Insurance Plan Administrator.

6 LEAVES

Eligibility for leave as presented in this Chapter is based on Employment Status as defined in Chapter 3 of this manual.

6.1 Holidays

The following are the official City holidays for employees except as otherwise provided herein:

1.	New Year's Day	First Day of January
2.	President's Day	3rd Monday in February
3.	Memorial Day	Last Monday in May
4.	Independence Day	July 4th
5.	Labor Day	First Monday in September
6.	Thanksgiving Day and	Fourth Thursday in November
7.	Friday after Thanksgiving	
8.	Christmas Day	December 25th
9.-11.	Three Floating Holidays	One holiday awarded first payday in January, May, and September. Floating holidays may be used only with prior approval of the Department Head.

Eligible employees receive eight (8) hours of pay per holiday.

Whenever a holiday falls on Saturday, the preceding Friday shall be observed as the holiday; when it falls on a Sunday, the following Monday shall be observed. When a holiday falls within a period of paid leave (i.e., vacation, sick, etc.) the employee shall be paid for the holiday and the holiday shall not be subtracted from accrued leave.

If an employee is regularly scheduled to work on a holiday, he/she will receive overtime. If an employee is called out to work on a holiday (i.e., water break, snow plowing), he/she shall receive overtime. Such overtime work will be computed at 1.5 times the hours worked. The employee may elect to receive pay or bank it as earned compensatory time, subject to accrual guidelines set forth in Section 6.13, Compensatory Time.

Floating holidays shall not be considered to be scheduled holidays.

POLICE DEPARTMENT NON-EXEMPT SWORN OFFICER HOLIDAYS.

The following are the official holidays for all Police Department Sworn, Non-Exempt employees:

> All Police Department Sworn Non-Exempt employees shall be provided with 100 Floating Holiday hours per year. Employees in this category shall receive no fixed holiday leave. This Floating holiday leave will accrue on a semi-annual basis beginning on January 1, 2010, at the rate of 50 hours per six month period.

Floating holiday leave that is unused may not be carried over to the following calendar year, and may not be exchanged for pay.

Floating holiday leave will not be considered for purposes of overtime calculation.

6.2 Vacation Leave

Vacation time must be accrued by the pay period in which it is taken.

6.2.1 Accrual

Vacation time shall accrue as follows:

Completed Years of Service	Non-Exempt (In accumulated hours per pay period)	Exempt
1 – 4	3.08 hrs.	4.62 hrs.
5 – 14	4.62 hrs.	6.15 hrs.
15 or more	6.15 hrs.	7.69 hrs.

"Completed Years of Service" are determined by anniversary date.

Employees must request vacation time in accordance with department policies. Scheduling of leave time is at the discretion of the Department Head, based on operational considerations, departmental personnel demands, and the number of employees scheduled to be on leave at any particular time. A reasonable effort will be made to accommodate employee's requested dates of leave. Department Heads will approve leave on a first-come, first-served basis unless the department has other written policies for granting leave.

Vacation leave provisions for part-time employees are described in Section 3.3, Part-time.

6.2.2 Maximum amount of accrued vacation time.

All employees will be required to use at least 50% of their earned vacation for each calendar year. Failure to use 50% of vacation hours will result in the forfeiture of those unused vacation hours. For example, an employee who earns 80 hours of leave in one calendar year must use 40 vacation hours during the calendar year. If the employee uses only 32 hours of leave, an additional 8 hours of leave will

be forfeited and subtracted from his/her balance at the end of the calendar year. New employees will not be required to use at least 50% of their earned vacation time until their second complete calendar year.

The maximum number of vacation hours that an employee will be allowed to carry over from calendar year to calendar year is 340 hours.

6.3 Sick Leave

6.3.1 Amount of Sick Leave

Full-time employees shall receive 3.69 hours sick leave credit per pay period; sick leave taken shall not exceed the total amount accumulated by the employee. Sick leave may be carried over from year to year to a maximum of 480 hours.

6.3.2 Use of Sick Leave

Employees may use accrued sick leave for the following reasons: personal illness or physical incapacity resulting from causes beyond the employee's control; enforced quarantine of the employee in accordance with community health regulations; a doctor, optical, or dental appointment; in accordance with Domestic Violence Leave; or in certain circumstances to allow an employee to provide care for an immediate family member.

6.3.3 Family Sick Leave

Twenty-four (24) hours of sick leave per calendar year may be used to care for an ailing dependent family member living with the employee.

6.3.4 Reporting Sick Leave

An employee who is unable to work because of illness shall, prior to the employee's scheduled time to report for work, notify by telephone his/her immediate supervisor or other person designated by the City Manager.

6.3.5 Charging Sick Leave

Absence for a fraction or a part of the day that is chargeable to sick leave in accordance with these provisions shall be charged proportionally to the actual time taken. Sick leave taken shall be charged in increments of one quarter hour.

6.3.6 Doctor Certificate

Department Heads may require employees to verify their use of sick leave by requiring certification of illness from a licensed physician on the third consecutive day of sick leave or after six (6) days of sick leave taken in any 12 month period.

6.3.7 On-the-Job Illness

If the employee's supervisor determines that an illness is impairing that employee's performance or that of others in the section, the Department Head may require the employee to use sick leave.

6.3.8 Automatic Sick Leave Conversion

When an employee has accrued the maximum 480 hours of sick leave, he/she will automatically receive 1.38 hours of vacation per pay period in lieu of 3.69 hours sick leave.

6.3.9 Part-time Employees

Sick leave provisions for part-time employees are described in Section 3.3, Part-time.

6.3.10 Sick Leave Bank

The purpose of the City of Rifle Voluntary Sick Leave Bank (Bank) Policy is to provide additional paid leave for employees who have exhausted their sick and vacation leave benefits as the result of a catastrophic illness or injury. The Bank serves as a depository into which participating employees may voluntarily contribute leave for allocation to other participating employees. The purpose of the Bank is not to provide unlimited paid sick leave for any medical reason, but to alleviate the hardship caused when employees lose compensation as the result of a catastrophic illness or injury.

A City employee who has exhausted his/her vacation, sick, or compensation leave due to a non-work related illness or injury, which has totally incapacitated the employee from work, may request hours from the sick leave bank. Hours from the sick leave bank may also be used when an employee is required to take time off for an extended period of time to care for a member of his/her immediate family.

This program is strictly voluntary. Donors must have a minimum balance of eighty (80) hours of sick leave after making the donation. Donations are irrevocable once posted to the Sick Leave Bank.

It is the sole discretion of the City Manager to grant such leave to an employee. The City Manager's decision may not be appealed.

6.4 Domestic Violence Leave

6.4.1 Statutory Rights

Domestic Violence Leave is governed by Colorado law, C.R.S. 24-34-402.7, and is available only to individuals who qualify under the law, as it may be amended from time to time. The provisions of this policy are intended to comply with the State law and not to create rights that are different from or in addition to the law. This policy is automatically amended or repealed if the State law is amended or repealed.

6.4.2 Eligibility

In order to qualify for Domestic Violence Leave, Employer must have 50 or more employees and the employee must have been employed by Employer for twelve months or more, must be a victim of a crime of domestic violence, must have a qualifying reason for the leave, and must provide Employer sufficient notice of this qualifying reason.

6.4.3 Leave Benefit

Eligible employees shall be permitted to take up to three working days of unpaid leave from work in any twelve-month period, for qualifying reason, if the Employee is the victim of a crime of domestic violence.

6.4.4 Crime of Domestic Violence

A crime of domestic violence includes:

1) Domestic Abuse is defined in C.R.S. 13-14-101(2). This statute provides that "Domestic Abuse" means any act or threatened act of violence that is committed by any person against another person to whom the actor is currently or was formerly related, or with whom the actor is living or has lived in the same domicile, or with whom the actor is involved or has been involved in an intimate relationship. "Domestic abuse" may also include any act or threatened act of violence against the minor children of either of the parties;

2) Stalking as defined in C.R.S. 18-9-111(4). This statute provides that a person commits stalking if directly or indirectly through another person, such person knowingly:

    a) Makes a credible threat to another person, and, in connection with such threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or

    b) Makes a credible threat to another person, and, in connection with such threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or

    c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress.

A victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress. For the purposes of this subparagraph: (I) Conduct "in connection with" a credible threat means acts which further, advance, promote, or have a continuity of purpose, and may occur before, during, or after the credible threat; (II) "Credible threat" means a threat, physical action, or repeated conduct that would cause a reasonable person to be in fear for the person's safety or the safety of his or her immediate family, or of someone with whom the person has or had a continuing relationship. Such threat need not be directly expressed if the totality of the conduct would cause a reasonable person such fear; (III) "Immediate family" includes the person's spouse, grandparent, sibling, or child; and (IV) "Repeated" or "repeatedly" means on more than one occasion.

3) Sexual assault as defined in C.R.S. 18-3-402. This statute provides that a person who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

   a) The actor causes submission of the victim by means of sufficient consequences reasonably calculated to cause submission against the victim's will; or

   b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or

   c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or

   d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim, and is not the spouse of the victim; or

   e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age, and the actor is at least ten years older than the victim and is not the spouse of the victim; or

   f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim, and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or

   g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or

   h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented; and

4) Any other crime, the underlying factual basis of which has been found by a court on the record to include an act of domestic violence, as that term is defined in C.R.S. 18-6-8003(1). This statute provides that "Domestic Violence" means an act or threatened act of violence upon a person with

whom the actor is or has been involved in an intimate relationship. "Domestic Violence" also includes any other crime against a person or against property or any municipal ordinance violation against property, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

6.4.5 Qualifying Reasons for Leave

The Employee must be using the Leave from work to protect himself or herself by:

1) Seeking a civil restraining order to prevent domestic abuse pursuant to C.R.S. 13-14-102;

2) Obtaining medical care or mental health counseling or both for himself or herself or for his or her children to address physical or psychological injuries resulting from the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence;

3) Making his or her home secure from the perpetrator of the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence or seeking new housing to escape the perpetrator;

4) Seeking legal assistance to address issues arising from the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence and attending and preparing for court-related proceeding arising from the act or crime.

6.4.6 Notice to Employer

Except in cases of imminent danger to the health or safety of the Employee, an Employee seeking leave from work under this policy shall provide his or her immediate supervisor with advance notice by the next business day after the Employee becomes aware of the need for leave. The request must be accompanied by a copy of any subpoenas, court orders, police reports, medical provider's statements, or other documentation that will substantiate the need for leave. In the event prior notice is not possible because of imminent danger, the Employee must provide notice and supporting documentation, as required above, at the earliest opportunity.

6.4.7 Exhaustion of Other Paid Leave

Domestic Violence Leave is unpaid, unless the employee has accrued available leave (i.e. vacation, sick, or comp time). In this event, the Domestic Violence Leave will be used simultaneously with the accrued leave, to the extent available so that the leave will be paid. If the available accrued leave is less than three days, the remainder of the Domestic Violence Leave will be unpaid.

6.4.8 Confidentiality

Employer shall treat Employee's request for and use of this leave as confidential and shall discuss it only with those individuals who need to know for purposes of confirming the Employee's need for leave, granting or denying the request, coordinating the Employee's absence and work coverage during the period of absence, or for other legitimate business needs.

6.4.9 No Retaliation

Employee shall not be retaliated against for any request or use of this leave when the request or use is pursuant to an honest belief that the Domestic Violence Leave law applies to the circumstances.

6.4.10 No Greater Rights

An employee shall have no greater rights to continued employment or to other benefits and conditions of employment than if the employee was not entitled to leave under this policy. Nothing in this policy shall be construed to limit Employer's right to discipline or terminate any employee for any reason.

6.5 Leave under Family Medical Leave Act

6.5.1 Family and Medical Leave.

To the extent that the Family and Medical Leave Act (FMLA) applies, eligible employees may receive a total of 12 workweeks of leave during any 12-month period. This Act provides for leave in connection with incapacity due to pregnancy, prenatal medical care or childbirth; the care of the employee's child after birth or placement for adoption or foster care; the care of a child, spouse, or parent who has a serious health condition; or serious health condition of the employee that makes the employee unable to perform the employee's job.

For purposes of this policy, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves either:

1) An overnight stay in a medical care facility, OR

2) Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

   Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

6.5.2 Military Caregiver Leave

Military caregiver leave is available to care for a "covered servicemember" with a "serious injury or illness" as those terms are defined by the FMLA. Eligible employees may take up to 26 weeks of leave to care for a covered service member during a single 12-month period. FMLA leave already taken for other FMLA circumstances will be deducted from the total 26 weeks available for military caregiver leave.

Eligible employees with a spouse, child, or parent on covered active duty or called to covered active duty status may also use their 12-week FMLA leave entitlement to address certain qualifying exigencies as set forth in the FMLA.

6.5.3 Eligibility and Terms of Leave

An employee is eligible for family leave if he/she has been employed by the City for at least 12 months and has worked at least 1,250 hours during the 12-month period preceding the requested leave. Leave will consist of accumulated paid leave (which shall be used first) and leave without pay.

Intermittent leave or leave on a reduced leave schedule may be approved to coincide with a health treatment plan or other appropriate requirements for an individual employee, spouse, parent, or child. Such intermittent leave must be determined to be medically necessary by a health care provider. Leave due to qualifying exigencies may also be taken on an intermittent basis. Employees taking approved intermittent leave or reduced schedule leave may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

When necessary FMLA leave is foreseeable, the employee must provide the City with at least 30 days notice before the date the leave begins. If the event requires leave to begin in less than 30 days, the employee must provide such notice as is practicable and make a reasonable effort to schedule the treatment so as to avoid unduly disrupting City operations. A family member of the employee may give the notice if the employee is unable to do so.

Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees must also inform the City if the requested leave is for a reason for which FMLA leave was previously taken or certified. The City may also require that a request for FMLA leave be supported by a certification and periodic recertification supporting the need for leave. If notification and appropriate certification are not provided in a timely manner, approval of leave may be denied.

The City will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required. If they are not eligible, the City will provide the reason for the ineligibility. The City will also inform employees if leave will be designated as FMLA protected and the amount of leave counted against the employee's leave entitlement. If the City determines that the leave is not FMLA-protected, the City will notify the employee.

The City will not interfere with, restrain, or deny the exercise of any right provided under FMLA. The City will not discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for their involvement in any proceeding under or relating to the FMLA.

Most employees returning from FMLA leave shall be restored to the original or equivalent position with equivalent pay, benefits and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

The taking of FMLA leave will not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

The City will maintain equivalent coverage and premium level under the City's group health plan for the duration of an employee's FMLA leave. The City may recover any benefit premiums paid for the employee if the employee fails to return from leave, unless the failure to return from leave has resulted from a continuation of a serious health condition or other circumstances beyond the employee's control. If an employee is taking FMLA leave without pay, no other fringe benefits will continue to accrue nor will contributions to retirement plans continue during this period.

If an employee fails to report to work promptly at the end of the medical leave, the City of Rifle will assume that the employee has resigned.

6.6 Work-Related Injury Leave

See Section 7 of this manual.

6.7 Administrative Leave

An employee may be granted administrative leave with pay with approval of the City Manager during the time that an employee is participating in authorized meetings or other authorized activities related to his/her work. Administrative leave may also be granted for other matters as deemed appropriate by the City Manager.

6.8 Jury or Court Leave

To the extent required by law, employees shall be granted time off with pay when performing jury duty or when appearing before any court of law as a defendant in a civil action arising from the employee's job with the City. An employee released from jury duty before the end of his or her normal workday shall return to work to complete the remaining portion of his/her scheduled shift.

6.9 Educational Leave

Educational leave with or without pay may be granted to full-time employees at the discretion of Department Heads, subject to approval by the City Manager (see Section 9, Education and Training

Assistance Program). The direct relationship of the proposed educational experience to the employee's duties, ability, or potential may be considered in approving or disapproving requests for educational leave. The City Manager shall make the final determination whether to grant any educational leave and, if granted, whether such leave shall be with or without pay.

6.10 Leave without Pay Not Covered by FMLA

6.10.1 When leave without pay not covered by the FMLA may be granted

Leave without pay not covered by the FMLA (see Section 6.5, Leave under Family Medical Leave Act) may be granted without pay in cases of emergency and/or when a leave of absence would not be contrary to the best interests of the City. Employees are required to exhaust accrued vacation and compensatory time prior to taking unpaid leave under this section. A leave of absence may be granted only upon written request by an employee who presents the reason for the leave. Request for leave without pay shall be made through use of the City's Request for Time Off form. A request for a leave of absence without pay may be approved in writing by a Department Director, at his or her sole discretion, with the written approval of the City Manager, depending on the merit of the individual case.

If approved, an employee may work a modified schedule while taking periods of leave without pay. In this circumstance, the employee will accrue vacation and sick leave based on the number of hours actually worked.

6.10.2 Conditions

If an employee is taking leave without pay that is not covered by the FMLA, the following conditions will apply:

1) The City may fill a position formerly held by an employee on leave without pay not covered under FMLA.

2) Fringe benefits shall not accrue during a period of leave without pay not covered under FMLA, nor will the City make any contributions during such period for retirement or group insurance programs. However, the employee may participate in the group insurance programs during such period, provided the employee deposits in advance with the City the amounts necessary to cover the total cost of the premiums. Computation of service, for pension purposes other benefit plans, and the effect of leave without pay not covered by FMLA will be determined in accordance with the provisions of the applicable plan.

3) The City will make reasonable efforts to reinstate the employee to the same position previously occupied or to a similar position following a leave of absence not covered under FMLA. The City, however, cannot guarantee that the same position or a similar position will be available at the time an employee desires to return to work.

4) In the event an employee has been granted non-FMLA leave without pay and the City decides to fill the position while the employee is on leave, the employee will be given written notice of the City's decision and the option to return to work on a designated date. The designated return to work date shall be no less than two (2) weeks after the date of the notice. This notice will be sent via first class mail to the last official address provided by the employee. The employee shall have one week from the date of the notice to advise the City whether he or she will return to work on the designated date. If the employee fails to respond timely or advises the City that he or she will not return to work on the designated date, the employee shall be deemed to have resigned from his or her employment with the City. The resignation shall be effective the date the employee advises the City of his or her intent not to return to work or ten days after the date of the notice, whichever occurs first.

6.11 Military Leave and Emergency Military Leave

6.11.1 Purpose

The purpose of this policy is to outline the City of Rifle's accommodation for service in the uniformed forces. The terms of this policy are subject to the Uniformed Services Employment and Reemployment Act (USERRA).

6.11.2 Applicability/Scope

This policy applies to regular employees who are a member of the uniformed services (which includes all branches of the military and their respective reserves, Commissioned Corps of the Public Health Service, and any other category or persons designated by the President of the United States in time or war or emergency):

1) Who provide advance written notice or verbal notice to their supervisor and the Human Resources Department prior to leave;

2) Whose leave does not exceed five years (subject to exceptions required by law); and

3) Who report to work or submit applications for reemployment in accordance with this policy.

This policy does not apply to temporary employees, or employees who were:

1) Separated from service with dishonorable or bad conduct discharge;

2) Separated from service under other than honorable discharge;

3) Dismissed as commissioned officers in certain situations such as a result of a court martial or by the President in time of war;

4) Dropped from the military rolls as a result of being absent without authority for more than three months or being imprisoned by a civilian court.

6.11.3 Time-off and Benefits Continuance

1) Up to 15 days of paid time-off for military duty will be granted to full-time employees. Employees granted such time off will receive the difference, if any, between their base rates and their military pay (remuneration including but not limited to base pay, longevity, subsistence, flight hazard or overseas pay, but not including travel pay) for the period. Appropriate pay vouchers and copies of orders must be submitted to receive the City's portion. Reserves are eligible to receive the pay differential for their required military reserve duty and training, however, they will not be eligible for the pay differential for voluntary training or duty assignments.

2) In addition to the benefits described in paragraph 1) above, unpaid time-off will be granted in addition to any vacation time to which the employee is entitled. If the military time-off involuntarily coincides with the employee's scheduled vacation, the employee will be granted vacation at some other time. Employees who elect to have their military time-off coincide with their vacation shall not be entitled to receive make-up pay in addition to their regular vacation pay.

3) Life and health insurance as well as dental and vision coverage may be continued by the Employee and his or her dependents (if covered at the start of leave) for up to 31 days, as long as the employee pays his or her regular contribution. Employees on military leave are not covered by accidental death and dismemberment insurance (AD&D) or long-term disability insurance (LTD).

4) The benefits mentioned in paragraph 3) above will be discontinued after 31 days or, if earlier, the day after the deadline for the employee's return to work or application for reemployment. Upon termination of the employee's coverage, the employee (and eligible dependents) will be eligible for continuation coverage under COBRA, generally up to 18 months, at the full cost of the extended benefit as determined by the City at the regular COBRA rate. At the City's discretion, the employee may be required to produce documentation of length of service and status of discharge.

5) The City may, in its sole discretion, provide additional benefits during periods of war or national emergency.

6.11.4 Reemployment

1) <u>Notification of Intent to Return to Work</u> is required to maintain reemployment eligibility. Absent unusual circumstances, notice requirements are based on the following leave durations:

   a) <u>Less than 31 days or Fitness-for-Service Exam</u> – the employee must report to his or her immediate supervisor at the beginning of the first full regular scheduled work period that starts at least eight hours after the employee has returned from the location of service;

b) More than 30 days but less than 181 days – the employee must submit a request for reemployment to Human Resources within 14 days of the completion of service;

c) More than 180 days – the employee must submit a request for reemployment to Human Resources no later than 90 days after completion of the period of service.

d) Disability Incurred or Aggravated – An employee who has been hospitalized or is recovering from an injury or illness incurred or aggravated while serving must report to the Human Resources Department (if the service was less that 31 days), or submit a request for reemployment (if the service was greater than 30 days), at the end of the necessary recovery period (but which may not exceed two years).

2) Return to Work – In general, an employee will be reinstated to the position that he/she would have held had he/she been continuously employed and for which he or she is qualified (or for which he or she can become qualified in a reasonable period of time). The same applies for an employee with a disability that was incurred in, or aggravated during, the period of service. If the employee is unable to fulfill the duties due to disability or lack of qualifications, the employee may be placed in the same position the employee held prior to taking leave. If that position is no longer available, or the employee is no longer able to perform the duties of that position, the City shall place the employee in a similar position with similar benefits, to the extent such a position exists.

3) Benefits upon Return – Returning employees are eligible for immediate reinstatement to all welfare and benefit plans, and the period of military service will be deemed to constitute service for vesting and accrual purposes. If accrued benefits are based on employee contributions, returning employees are entitled to those benefits only to the extent that they make such contributions. Returning employees will be given three times the period of leave to make-up employee contributions that were missed, with the repayment period not to exceed five years. For example, if an employee was on leave for 90 days, he or she has 270 days (3 x 90) to make-up contributions to the 457 plan, subject to IRS Regulations.

6.12 Funeral Leave

All permanent employees are eligible for paid Funeral Leave in the event of a death in the immediate family. Funeral Leave will be provided for a maximum of three working days, up to and including the day of the funeral. Employees needing additional time off may request vacation or compensatory time in accordance with applicable provisions. Temporary and seasonal employees are eligible for unpaid Funeral Leave.

6.13 Compensatory Time

In no case will an employee who is eligible to receive overtime or standby pay be allowed to accumulate or use more than 40 hours of compensatory time annually. Compensatory time or standby time will be

automatically paid once 40 hours are accumulated. All accumulated compensatory time will be paid out at the end of each calendar year; employees will not be permitted to carry comp time from year to year.

Employee requests to use accrued compensatory time should be made as far in advance as reasonably possible and supervisors may honor these requests, unless doing so will unduly disrupt the operations of the Department or prevent essential service from being performed.

Personnel exempt from FLSA are eligible to receive compensatory time, but must utilize it within the pay period in which it occurs, or in the pay period immediately following the pay period in which it is earned. No accrual shall continue beyond these limits.

6.14 School Activity Leave.

Employees requesting time off for school-related activities may request up to six (6) hours in any month and eighteen (18) hours in an academic year to attend school related activities. These activities include:

1) The attendance of school and early childhood educational activities that are directly related to the educational advancement of a child. This includes, but is not limited to, parent-teacher conferences, meetings with child-care providers, interviews for a new school or child-care facility, participation in volunteer activities which support a child's educational advancement, or school-sponsored activities.

2) Employees who do not have children may request leave under this heading for participation in school activities deemed important to the educational advancement of a child, such as tutoring or attendance at school board meetings. "School" refers to elementary, secondary, and high schools, Head Start programs, or child-care facilities.

Requests for time off must be approved by the employee's supervisor so the employee's work schedule can be adjusted.

Eligible employees may use accrued vacation, comp time, or time off without pay while attending these activities.

6.15 Time Off to Vote.

The City of Rifle encourages employees to fulfill their civic responsibility by participating in elections. Therefore, an employee shall be granted leave with pay, up to a maximum of two hours, for voting in a local, statewide, primary or general election if the employee is scheduled to work eight hours or more on that day and does not have time to vote outside of working hours. Employees should request time off to vote from their supervisor at least two working days prior to the election. Advance notice is required so that the necessary time off can be scheduled. The City may require time off to be taken only at the beginning or end of the employee's workday or shift.

6.16 Suspension of Paid Leave

The City of Rifle reserves the right to postpone all paid leave for an employee, or recall an employee from paid leave, in the event of an emergency, except during a period of authorized sick leave, FMLA leave, or worker's compensation leave.

7 WORK-RELATED INJURY AND RETURN TO WORK POLICY

7.1 Return-to-Work Policy

The City of Rifle has elected to adopt a return-to-work policy with the intent to utilize eligible workers in a job-related incident in a productive capacity while they are recovering from an injury. The goal of temporary modified duty is to provide a progression of job duties that will return the injured worker to their regular job.

The Human Resources Director will be responsible for coordinating the return-to-work program.

7.2 Return to Work Program

The following return-to-work program should be followed when an employee sustains a work-related injury or illness.

1) All injuries will be reported immediately by the injured worker to the worker's direct supervisor, who will then notify the designated coordinator. Injuries will be filed with the City's Worker's Compensation Provider within two working days.

2) The injured worker will seek medical attention from the designated medical provider.

3) In case of an emergency, the injured worker is to seek medical attention from the nearest medical facility. Follow-up care must be coordinated through the designated medical provider. The Worker's Compensation Provider may not pay for medical expenses incurred by the injured worker, if he or she seeks unauthorized treatment from a non-designated medical provider. When possible, follow-up medical appointments are to be made before or after work hours. Time off for medical appointments will be treated consistently with other personnel policies.

4) The injured worker should deliver a copy of the medical provider's work status report to the designated coordinator within 24 hours of the medical visit, if feasible.

5) The designated coordinator is responsible for maintaining regular contact with the injured worker and the medical provider, and obtaining recovery status information and work restriction updates.

6) The designated coordinator will maintain a list of modified duty tasks. Once the employer is ready to make a job offer to the injured worker, the coordinator sends the proposed tasks to the treating physician for approval, in accordance with the formal job offer process.

7) During the modified duty period, the designated coordinator will provide to the Worker's Compensation Provider records of wages paid to the injured worker. If the injured worker is

receiving full wages during the modified duty period, the designated coordinator will provide the Worker's Compensation Provider a statement to that effect; no ongoing provision of pay records is then required.

8) Modified duty will be allowed as long as it is realistic for the job to continue, or until the injured worker receives a release to full duty or reaches maximum medical improvement (MMI).

9) The supervisor will monitor the injured worker's performance while on modified duty.

While on modified duty, the injured worker will be held to all existing personnel policies and will be responsible for maintaining acceptable performance standards as a condition of continued employment.

Modified duty assignments are designed to be temporary and transitional in nature. They will be reviewed jointly by the supervisor, injured worker and relevant staff to address increasing work duties and overall performance. While on worker's compensation leave, an employee may continue to receive health insurance benefits. The modified duty is not intended to exceed six months, unless authorized in writing by the Designated Coordinator.

8 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Rifle strives to provide assistance for employees with personal problems that may affect job performance. The purpose of this EAP is to offer employees assistance in such a way as to restore individual productivity and enable employees to lead meaningful lives.

8.1 Drugs or Alcohol

An employee who desires assistance with substance abuse may request an evaluation to assess the need for professional assistance. The City will pay for one evaluation. If in-patient treatment is required, the employee may use sick leave, compensatory time, and vacation time to the extent available. Costs incurred over and above the amount allowed by the City's medical insurance carrier will be the sole responsibility of the employee.

8.2 Mental/Physical Health

When in the judgment of the Department Head and with the concurrence of the City Manager, an employee's mental or physical health is such that it appears to adversely affect the employee's ability to perform duties of his/her position, the City may require the employee to undergo an examination by medical personnel of the City's choice and at the City's cost. If in-patient treatment is required, the employee may use sick leave, compensatory time, and vacation time to the extent available.

9 EDUCATION AND TRAINING ASSISTANCE PROGRAM

In order to provide employees with the skills necessary for performance of the requirements of their positions, employees may be eligible for tuition reimbursement. Consideration for reimbursement is contingent on satisfactory job performance as determined by the Department Head.

9.1 Employee-Initiated Education

A permanent, full-time employee seeking tuition reimbursement for an educational course must obtain advance approval from his or her Department Head. The Department Head may consider the availability of funds and content of the course as it relates to job responsibilities and potential advancement in determining whether tuition reimbursement shall be available. Department Heads have discretion to approve all, part, or none of the tuition and/or expenses associated with any educational course.

Reimbursement of tuition and book fees may be available upon presentation of both of the following:

1) Evidence of satisfactory completion (grade C or better) and the class grade in the form of a grade slip from the school or a letter from the instructor of the class.

2) A copy of a paid invoice detailing expenses for which the employee is seeking reimbursement.

The City will not pay for courses for employees whose employment is terminated, for any reason, prior to completing the class. Study and class attendance must be accomplished during non-working hours, unless arrangements to change an employee's work schedule are made in advance with the Department Head's approval.

9.2 City-Initiated Training

When an employee attends a seminar, training program, or school at the request of the Department Head, all reasonable expenses directly incident to the training shall be paid by the City. Training expenses are reimbursable to the employee for all training required by the City or by law.

Time spent traveling to attend courses using modes of transportation deemed acceptable to the City shall be considered hours worked (see Section 5.4.2, Computation of Compensatory Time). All other time spent preparing for and/or waiting for courses to begin shall not be considered hours worked.

10 RULES, POLICIES, AND PROCEDURES

10.1 Safety Policy - Program Policy Statement - Goals

The City of Rifle acknowledges that a valid safety program should be a part of the overall function of City government. Therefore, the City has adopted an Injury & Illness Prevention Program Manual containing the City's safety rules. A copy of the manual is available for each employee's review in the City facility to which the employee is assigned, as well as on the City's computer system. The safety program pertains to all employees and officers of the City.

All employees are responsible for requesting any equipment, equipment repairs, training, changes in procedures, or any activity necessary for the safe performance of their job. Employee safety requests which are not granted can be appealed by following the procedures outlined in Chapter 11.3 (Appeal Procedures).

Employees are expected to take individual responsibility for the safe performance of their job functions. It is the responsibility of each employee to read and understand all City safety rules. Each Department Head will evaluate his or her employees on how well each follows safety rules in the performance of their jobs.

A safety committee should hold meetings as necessary to review each Department's safety program activities.

10.2 Establishment of Rules, Policies, and Procedures

Each department may establish written rules, policies, and procedures pertaining to its individual operating needs and requirements. The rules shall not conflict with the provisions of this manual and in the case of any perceived conflict between department rules and this manual, the provision of this manual shall control. Departmental rules may be reviewed, amended, and/or repealed at the discretion of the Department Head.

10.3 Use of City Equipment

The use of City equipment for employees' personal purposes or for private gain is prohibited unless authorized in advance by the City Manager.

10.4 Use of Tobacco Products

The use of tobacco products, including but not limited to cigarettes, cigars, pipes, and chewing tobacco is prohibited in all City buildings, facilities, and vehicles, or while operating mechanized equipment. The use of electronic cigarettes in City buildings, facilities, and vehicles or while operating mechanized equipment is also prohibited.

10.5 Seatbelt Policy

Employees who drive City vehicles and equipment in which seatbelts are installed are required to wear seatbelts at all times when the vehicle or equipment is in motion. Employees with passengers are responsible for ensuring that the passengers are also wearing seatbelts.

10.6 Personal Appearance

During business hours or when representing the City, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their position and accepted social standards. Employees should follow the following personal appearance guidelines:

1) Office clothing must be free of holes or rips.
2) Dress and skirt length should be at a length at which you can sit comfortably in public. Skirts and dresses that ride halfway up the thigh and spaghetti-strap clothing are not allowed.
3) Closed-toed shoes are required for those employees working in the field.
4) An employee must dress in uniform if his/her job requires it.
5) Facial hair must be clean, well trimmed and neat.
6) Hairstyles are expected to be in good taste.
7) Excessive makeup is not permitted.
8) Offensive body odor and poor personal hygiene is not professionally acceptable.
9) Extreme facial jewelry, such as eyebrow rings, bull rings, lip rings, tongue studs, gauges, tunnels, and plugs, should not be worn during business hours.
10) Torso body piercings with visible jewelry or jewelry that can be seen through or under clothing should not be worn during business hours.
11) Visible tattoos should be covered during business hours.

10.7 Uniform and Clothing Policy

10.7.1 To be approved by the Department Head

Any clothing purchased by the City for employee use is to be approved by the Department Head and shall be paid for by that Department's clothing budget line item. Department Heads shall submit planned clothing purchases for the following year to be considered along with their annual budget requests. The clothing plan must be approved by the City Manager prior to implementation.

10.7.2 Property of the City

All clothing purchased by the City is the property of the City and shall be returned to the City if an employee leaves City employment, unless the Department Head determines otherwise.

10.7.3 Responsibility of the Department

The purchase of safety equipment and clothing is responsibility of the Department and is to be replaced based on need and/or as required by law at the determination of the Department Head.

10.7.4 Clothing to be functional

Clothing purchases should be driven by an employee's job duties and requirements and be functional in nature without unnecessary or excessive embroidery, trim, tailoring or styling.

10.7.5 Office Staff

Unless approved by the City Manager, the City will not purchase clothing or provide a clothing stipend for any "office staff". Office staff is defined as those City employees whose jobs are not associated with special clothing requirements or where an employee's personal clothing will not ordinarily be damaged in carrying-out their normal job duties.

10.7.6 Care

Unless approved by the City Manager, employees are responsible for laundering and proper care of all City-purchased clothing. Tattered, torn, ripped or badly faded City-clothing shall not be worn.

10.7.7 Volunteers

At the discretion of the Department Head, clothing may be provided to volunteers as a gift from the City.

10.7.8 Purchase of Clothing from the City

Clothing bearing the City name, City logo and/or Department designation may be purchased from the City by any City employee at their expense.

10.7.9 Worn Only While On Duty

All clothing bearing the City name, City logo and/or City Department designation purchased by the City should be worn only while "on-duty" conducting City business.

10.7.10 Department Policies

Individual City Departments may adopt additional policies to supplement this uniform and clothing policy with the approval of the City Manager.

10.8 Office/Workstation Decorations Policy

Posters, pictures, notes, etc., are permitted in offices and on the inside of workstation panels as long as they are tasteful and professional, and not annoying, abusive, profane, threatening, defamatory or offensive. In addition, in displaying posters, pictures, notes, etc., employees are prohibited from, in any manner, implying or suggesting that the City either supports a particular candidate, political issue or endorses the personal political opinions of the employee. Employees are expected to exercise great care, at all times, to distinguish their personal opinions about candidates or political issues from that of the City.

11 CONDUCT AND DISCIPLINE

Nothing in this section constitutes an agreement of employment for a specific period of time or is intended to affect the at-will employment relationship.

11.1 Conduct

City employees are expected to conduct themselves in a manner which reflects positively on the City and its departments. Every employee shall be held accountable for his/her actions, including, where appropriate, imposition of disciplinary action up to and including dismissal.

11.2 Discipline

An employee whose conduct or work performance detracts from the effectiveness of service provided to the community or hinders organizational operation shall be subject to discipline, up to and including dismissal.

11.2.1 Causes for Disciplinary Action

Many different kinds of conduct, including but not limited to the following, may result in the imposition of disciplinary measures, including, without limitation, suspension, demotion, or dismissal:

1) Breach of any City/Departmental policy, procedure, or rule

2) Insubordination by failure to follow instructions or direction of a supervisor

3) Inability to perform the essential duties of the job

4) Abusive, disrespectful, or discourteous language or conduct directed toward any other employee or a member of the public

5) Discrimination toward fellow employees or a member of the public

6) Violation of the City's discrimination or harassment policy (see Section 12)

7) Violation of the City's workplace violence policy (see Section 13)

8) Violation of the City's drug and alcohol policy (see Section 14)

9) Soliciting or accepting any fee, gift, or item of value for personal gain, in the course of work or in connection with work

10) Attempting deception in work-related matters

11) Absence from work without notification or authorization

12) Negligence or willful misconduct which endangers the health and safety of any person, or violation of safety rules/policies

13) Failure to properly maintain or operate City equipment or property

14) Inappropriate dress or appearance (see Section 10.6)

15) Being charged with any felony or misdemeanor crime

16) Being charged with any traffic violation while operating a City-owned vehicle

17) Inadequate job performance

18) Theft of City Property

19) Sleeping on the job

20) Falsification of records

11.2.2 Types of Discipline

An employee may be terminated as a result of a first disciplinary action; same termination need not necessarily be preceded by warnings or other less severe disciplinary actions.

Disciplinary actions may include any or all of the following steps, which may be repeated or bypassed as deemed appropriate:

1) Oral Warning - An immediate supervisor's or Department Head's verbal notice to an employee that his/her behavior or performance must be improved or corrected. An oral warning defines the improvement or corrective action required and informs the employee that failure to comply with the oral warning may result in more severe discipline. Supervisors shall retain a record of the oral warning. An oral warning is not appealable.

2) Written Reprimand - A written notice to an employee that his/her performance or behavior must be improved or corrected. The notice may be given by an immediate supervisor, Department Head, or City Manager, and shall be presented to the employee for review, signature, and written response at the option of the employee. Written reprimands contain a statement of the cause for the disciplinary action, improvement or corrective action required of the employee, time frames for such action, and consequences of the employee's failure to comply. Written reprimands shall be included in the employee's permanent personnel file. A written warning is not appealable.

3) Probationary Status - An employee may be placed on probationary status for various reasons, including but not limited to unacceptable job performance. An employee is placed on probationary

status in writing and for a specific period of time by his/her Department Head. An employee on probationary status is not eligible to receive pay increases of any kind. An employee may appeal placement on probationary status as outlined in Appeal Procedures.

4) Suspension - An employee may be suspended by the Department Head with or without pay for any period, depending upon the seriousness of the problem. The circumstances resulting in suspension shall be explained in a written communication to the employee and the signed copy shall be placed in the employee's permanent personnel file. Procedures for appealing a suspension are outlined in Appeal Procedures.

5) Demotion/Reduction in Grade - An employee may be demoted or reduced in grade by the Department Head. The employee shall be informed of the reasons for and terms of said demotion or reduction in grade and may appeal this action per Appeal Procedures.

6) Termination - An employee may be permanently removed from City service. A Department Head may impose a termination with the concurrence of the Human Resource Director and City Manager. The employee shall be advised of the cause of the termination, which shall be a final action of the City not subject to appeal.

11.3 Appeal Procedures

An employee who is subject to a disciplinary action eligible for appeal shall have five (5) working days after the disciplinary action to appeal the action to the Department Head who shall make inquiry into the facts and circumstances of the grievance. Written requests for extensions will be considered by the Department Head on a case by case basis. The Department Head shall review the matter and notify the employee of the appeal decision in writing within ten (10) working days. A copy of the written grievance shall be forwarded to the City Manager.

If the employee is dissatisfied with the Department Head's decision, the employee shall submit a written request for review of the decision to the City Manager within five (5) working days. The City Manager will take the necessary steps to review and investigate the complaint, and will then issue a written, final, and binding decision within ten (10) working days, or other mutually agreeable time period. If the Department Head imposed the disciplinary action, the appeal may be taken to the City Manager.

Department Heads or employees subject to disciplinary action imposed by the City Manager may appeal the action by filing a written request for the review of the decision within five (5) working days to the City Manager. A Committee consisting of the Mayor, a Department Head appointed by the City Manager, and a Department Head selected by the appealing Department Head or employee will take the necessary steps to review and investigate the complaint, and will then issue a written, final, and binding decision within fifteen (15) working days, or other mutually agreeable time period.

12 DISCRIMINATION & HARASSMENT POLICY

12.1 Introduction

The City of Rifle strives to provide a work environment which is free from unlawful discrimination and harassment. Harassment of any employee on the basis of race or color, religion or creed, sex or gender, sexual orientation, national origin or ancestry, age, physical or mental disability, military status, genetic information, or any other protected status is a serious violation of City policy and will not be tolerated. A prompt investigation of all claims and complaints of unlawful discrimination and harassment will be undertaken, and appropriate corrective action will be taken when the City determines that action is warranted.

12.2 Harassment Defined

12.2.1 Harassment can take many forms

Harassment can take many forms and can include, but is not limited to, slurs, comments, jokes, innuendoes, unwelcome compliments, pictures, cartoons, pranks, or other verbal or physical conduct which:

1) Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;

2) Has the purpose or effect of unreasonably interfering with an individual's work performance; or

3) Otherwise unreasonably affects an individual's employment opportunities.

12.2.2 Sexual harassment

Sexual harassment is a type of harassment and occurs when the verbal and/or physical conduct described above is sexual in nature or is gender-based (i.e., directed at a person because of his or her gender).

Examples of conduct which may constitute sexual harassment include, but are not limited to: pinching; grabbing; fondling; propositioning; making either explicit or implied job threats or promises in return for submission to sexual favors; making sexually-oriented comments on appearance or physical features; telling sexually oriented stories or jokes; and display or circulation of sexually-oriented pictures or photographs. Unwelcome conduct including sexual advances, requests for sexual favors, or other physical, verbal, or written conduct of a sexual nature may constitute sexual harassment.

12.3 Procedures

12.3.1 Inform the person responsible

Any employee who believes that he or she is being discriminated against or subjected to harassment of any kind immediately should inform the person responsible for the conduct that such conduct is unwelcome and plainly request that it stop immediately. Employees who are unable, for any reason, to approach the person responsible for the conduct directly should immediately inform a Department Head of the conduct in accordance with Section 12.3.2 of this manual.

12.3.2 Inform the City

Within five (5) working days after the incident or occurrence, the employee shall also inform the City of the discrimination or harassment by notifying his/her immediate supervisor or Department Head, the Human Resource Director, the City Manager, or any Department Head, as the employee chooses (in cases involving the City Manager, the Mayor should be notified). The notification may be in the form chosen by the employee; the employee is urged to put the notification in writing. Upon receipt of notification, the immediate supervisor, Department Head, Human Resources Director, or the City Manager (or the Mayor for cases involving the City Manager) shall investigate the complaint and make findings and/or recommendations.

12.3.3 Confidentiality

To the extent possible, complaints and investigations will be handled in a confidential manner.

12.3.4 Disciplinary Action

If it is determined that any employee's conduct constitutes discrimination or harassment, the employee may be subject to corrective and/or disciplinary action, including but not limited to termination of employment.

12.3.5 Retaliation

No employee shall be subjected to reprisal or retaliation for making such a notification. The employee should report immediately any incidents of reprisal, retaliation, discrimination or harassment which occur as a result of making such a notification.

12.3.6 Investigation of Retaliation Complaints

Upon notification of reprisal or retaliation, an investigation will be undertaken by the City Manager (or by the Mayor in cases where the City Manager is the subject of the complaint), who shall, within ten (10) working days after the employee's notification, or such additional time as may be necessary to conduct an investigation, inform the employee in writing of the results of the investigation.

13 WORKPLACE VIOLENCE POLICY

13.1 Introduction

The City strives to promote a safe environment free from violence, threats of violence, harassment, intimidation, stalking, and other disruptive behavior.

13.2 Violent Behavior Defined

Violence, threats, harassment, intimidation, stalking, and other disruptive behavior in the workplace will not be tolerated. Such behavior may include, but is not limited to, oral or written statements, gestures, bullying, or expressions that communicate a direct or indirect threat of physical harm toward employees, citizens, or City property or facilities. Threats may include veiled, conditional, or direct threats in verbal or written form that result in intimidation, harassment, harm, or endangerment to the safety of another person or property. Bullying is defined as the repeated mistreatment of a person at work by a coworker, supervisor, manager, or customer. The mistreatment may involve repeated acts of: 1) shouting, yelling, screaming, or swearing; 2) insults, put-downs, name-calling, or belittling; 3) public humiliation, criticism, or "dressing down"; 4) cruel or offensive pranks, jokes; or 5) physical behavior, such as pushing, blocking, or tripping. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

Possession of a firearm or illegal weapon of any kind, including those defined by Colorado Revised Statute Title 18, Article 12, is prohibited at work, including in a City vehicle or on a City-owned facility or parking lot, except when such possession is a necessary requirement of an employee's job.

13.3 Procedures

Threats or assaults that require immediate attention by police should be reported first to police at 9-1-1. Employees who observe or experience violent, threatening, harassing, intimidating, stalking, or other disruptive behavior by anyone on City property should report it immediately to their supervisor or department head.

Supervisors or department heads who receive such reports should report the incident by the next business day to the City Manager. The City shall address responsibility and timing of any investigation to be made. All reports of incidents will be taken seriously and will be dealt with appropriately. The employee making the report will be notified of the results of the investigation. To the extent possible, complaints and investigations will be handled in a confidential manner.

If it is determined that an employee's conduct violates the City's workplace violence policy, the offending employee may be subject to corrective and/or disciplinary action, including but not limited to termination of employment.

No employee shall be subjected to reprisal or retaliation for making a report of workplace violence; the employee should report to his/her supervisor or department head immediately any incidents of reprisal, retaliation, or harassment which occur as a result of making such a report.

14 DRUG AND ALCOHOL POLICY

14.1 Drug and Alcohol Policy Overview

The City of Rifle has a vital interest in maintaining safe, healthful, and efficient working conditions for its employees. Individuals under the influence of drugs, alcohol, or other controlled substances may cause serious safety and health risks, not only to themselves, but also to others who work with them.

The City of Rifle recognizes that the success of its operations is dependent upon the physical and psychological health of its employees. Accordingly, it is the right, obligation, and intent of the City of Rifle to take reasonable measures to ensure that alcohol, drugs, and controlled substances do not jeopardize the success of its operations or otherwise affect the City of Rifle, its employees, or it customers.

With these basic objectives in mind, the City of Rifle has established the following policy and procedures with regard to alcohol, drugs, and controlled substances.

14.2 Prohibited Activities

14.2.1 Alcohol

The use of, or being under the influence of, alcohol by any employee, subcontractor, contractor, or volunteer performing City business, or while in a City facility, is strictly prohibited.

14.2.2 Controlled Substance

The use, sale, purchase, transfer, manufacture, or possession of a controlled substance by any employee, while in a City facility or while performing City business, is prohibited. The presence of an amount of any controlled substance that results in a positive test of any employee, while in a City facility or while performing City business, is prohibited. Being under the influence of a controlled substance, while in a City facility or while performing City business, is prohibited. Although the Colorado Constitution has decriminalized marijuana use, marijuana use is still illegal under federal law. The City prohibits marijuana use by employees and will treat its use the same as any other use of a controlled substance.

14.2.3 Legal Drugs

The use, or being under the influence of, any legally obtainable drug by any employee while in a City facility or while performing City business, is prohibited, as such usage or influence may affect the safety of others. Employees who are under the influence of a legal drug may continue to work provided management has determined, after seeking appropriate medical counsel, that the employee does not pose a threat to his/her own safety or to the safety of others. Employees who feel, or who have been

informed that the use of a legal drug may impair their performance or present a safety risk, must report the use of such drug to management.

14.3 Testing

14.3.1 Pre-employment screening practices

Each department may maintain pre-employment screening practices designed to prevent the hiring of individuals who use illegal drugs or individuals whose use of legal drugs or alcohol indicates a potential for impaired or unsafe job performance.

14.3.2 Pre-employment Testing

Testing may take place at the time an applicant undergoes a pre-employment physical exam. Applicants whose test results are at a positive level for either drugs or alcohol will be rejected for employment.

14.3.3 Post-accident Testing

Any employee involved in an on-the job accident, whether as a victim, or the probable cause of the accident, may be subject to a blood test, urinalysis, or other drug or alcohol test. However, testing will not be limited to such situations.

14.3.4 Reasonable suspicion

All employees are subject to testing if the employee's supervisor has a reasonable suspicion of drug or alcohol use.

14.3.5 Commercial Driver's License

Employees whose position requires a Commercial Driver's License (CDL) are subject to random drug testing.

14.3.6 Samples and specimens

At its discretion, the City of Rifle may require its employees to provide a urine specimen or blood sample, at a collection site, and may require the testing of such samples and specimens. A positive-level test may result in disciplinary action at the City's exclusive discretion, including termination of employment. An employee's consent to submit to such a test is required as a condition of employment, and an employee's refusal to consent may result in disciplinary action at the City of Rifle's exclusive discretion, up to and including termination of employment, even for a first refusal.

14.4 Searches

The City, in its discretion, may conduct unannounced searches for illegal drugs or alcohol in City facilities. It is understood that these facilities are those of the City's, and there is no expectation of

privacy in employee lockers and/or other property which belongs to the City. There is absolutely no basis for the bringing of drugs or alcohol on the premises and locations such as lockers, desks, etc. These areas are the property of the City of Rifle, and they, as well as personal belongings, may be searched by the employer when it is considered necessary, at the City's exclusive discretion.

14.5 Employee Responsibility

14.5.1 Employee's Duty to Report Drug-related Arrests

Each employee shall notify his/her supervisor of any criminal drug statute arrest, no later than five (5) days after such arrest.

14.5.2 Employee Responsibilities and Assistance

The City of Rifle may offer referral to rehabilitation programs which emphasize education, prevention, counseling, and treatment to employees when problems arise which may affect the employee's performance, safety, and/or safety of others.

Each employee is responsible for complying with the requirements of this policy and should seek assistance before drug or alcohol problems lead to disciplinary action.

14.6 Disciplinary Action

Violation of this policy may result in disciplinary action at exclusive discretion of the employee's Department Head. Such disciplinary action could result in termination of employment, even for the first offense.

Any employee who refuses to submit to a search or inspection, refuses to give a urine specimen or blood sample, or is found under the influence of alcohol, drugs, or controlled substances, may be discharged at the City of Rifle's exclusive discretion, up to and including termination of employment.

14.7 Definitions

14.7.1 City Facilities

Any City property including, but not limited to, all land (including parking lots), property and buildings owned or leased by the City, as well as any jobsite where the City is responsible for furnishing products or where City employees may perform services. Property includes motor vehicles and equipment owned or leased by the City.

14.7.2 Controlled Substance

Any drug which is not legally obtainable or which is legally obtainable but has not been legally obtained. The term includes prescribed drugs which are not being used for the prescribed purposes.

14.7.3 Legal Drugs

All prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they have been prescribed or manufactured.

14.7.4 Under the Influence Of

The employee is affected by a drug, alcohol, or controlled substance, or any combination thereof, in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. This term includes a positive result in a drug or alcohol test.

14.7.5 Collection Site

A location for specific applicant/employees to report for the purpose of providing urine specimens and/or blood samples, for testing for the presence of drugs and/or alcohol. The collection of urine specimens is to be conducted under tightly controlled conditions. This site will be separate from City facilities.

14.7.6 Accident

Any event where property is damaged or personal injury occurs.

14.7.7 Reasonable Suspicion

Facts and circumstances that would lead a reasonable person to believe that another individual is under the influence of drugs, alcohol, or controlled substances.

15 VEHICLE AND TRAVEL POLICY

15.1 City Vehicles

Employees who are subject to call back may be required to drive home a City vehicle for quicker response time. Except for Department Heads or when on-call, City employees who live more than two (2) miles outside the City Limits will be required to leave their assigned vehicle at a designated City facility.

While traveling between home and their assigned work location, employees may, on occasion, perform small items of personal business in order to avoid wasting energy by retracing their route in their private vehicle. Employees must exercise good judgment in using City vehicles for personal business.

15.2 Travel Policy

15.2.1 Department Budget

Each department may generally budget a set amount for travel expenses each year. The Department Head is responsible for monitoring and controlling that budget.

15.2.2 Advances

The City may, upon sufficient request, advance money to an employee to cover anticipated travel expenses. The employee must file a report and acceptable receipts with his/her supervisor detailing amounts actually spent within one week of returning to work. Any money not spent according to this policy will be returned to the City at that time.

15.2.3 Out-of-state Travel

Out-of-state travel must be approved, in advance, by the City Manager.

15.2.4 City Vehicle

The City may make a City vehicle available, and the employee may use that vehicle for any travel. If the employee must use his/her own vehicle, expenses will be reimbursed at the mileage rate established by current IRS guidelines.

15.2.5 Family Members

An employee may allow family members to travel with him/her in the City vehicle, but only the City employee may drive.

15.3 Reimbursement Expenses

Examples of expenses that will be reimbursed with presentation of acceptable receipts:

1) Reasonable meal expenses, including non-alcoholic beverages

2) Reasonable parking, tolls, etc.

3) Tips (no receipt required but must follow common practice)

4) Phone calls required by City business plus one phone call of reasonable duration home for each 24 hour period

5) Reasonable taxi cab, bus rides, etc.

Examples of expenses that will not be reimbursed:

1) Any alcoholic beverages

2) Snacks, beverages not associated with a meal

3) In-room movies or other entertainment

4) Any strictly personal items

5) Toiletries, dry cleaning, etc.

15.4 Vehicle Maintenance Responsibility

15.4.1 Assigned Vehicles

Employees with assigned vehicles are responsible for securing maintenance on the vehicles. Assigned vehicles must be kept clean and presentable.

15.4.2 Motor Pool Vehicles

Employees using motor pool vehicles are responsible for reporting defects or maintenance needs. After they are returned, motor pool vehicles must be vacuumed, have a full tank of gas, and all trash and personal items removed. Motor pool vehicles must be ready to go for the next user.

16 ELECTRONIC MEDIA ACCESS AND ACCEPTABLE USE POLICY

16.1 Policy

This policy governs the use of computers, networks, and related services of the City. Users of these resources are responsible for reading, understanding, and complying with this policy. Computers and networks can provide access to resources within and outside the City, as well as the ability to communicate with other users worldwide. Such access is a privilege and requires that individual users act responsibly.

Users must respect the rights of others, respect the integrity of the computers, networks, and related services, conform to network etiquette, customs and courtesies, and observe all relevant laws, regulations, contractual obligations, and City policies and procedures. Misuse of the City Computer System can undermine public confidence and waste taxpayer resources.

16.2 The City Computer System

The City Computer System includes: computers and related equipment, e-mail, telephones, voice mail, facsimile systems, communications networks, computer accounts, internet and/or web access, network access, central computing and telecommunications facilities, and related services.

Access to and use of the City Computer System is a privilege granted to City staff. All users of the Computer System must act responsibly and maintain the integrity of the Computer System. The City reserves the right to deny, limit, revoke, or extend computing privileges and access to the Computer System in its discretion.

The City may, in its discretion, limit the use of specified portions of the Computer System to certain employees, and/or deny the use of specified portions of the Computer system to certain employees.

The City may, in its discretion, regulate which applications may be downloaded on City issued telephones, tablets, and similar devices. The GPS Find function shall be activated on all City issued devices.

The City Computer System may not be used in any manner or for any purpose which is illegal, dishonest, disruptive, threatening, is damaging to the reputation of the City, is inconsistent with the mission of the City, or could subject the City to liability.

Any violation of this policy or of other City policies in the course of using the Computer System may result in an immediate loss of computing privileges, disciplinary action up to and including termination of employment, and referral of the matter to the appropriate authorities.

16.3 No Expectation of Privacy

City personnel have no expectation of privacy in City property and equipment. Such property and equipment includes, but is not limited to, the City Computer System, and all messages, data files and programs stored in or transmitted via the Computer System ("Electronic Communications"). The City reserves the right to monitor, access, use, and disclose all messages, data files and programs sent over or stored in its Computer System for any purpose. City management reserves the right to monitor, inspect, and examine any portion of the Computer System at any time and without notice.

Further, correspondence of an employee in the form of e-mail may be a public record under the public records law, and may be subject to public inspection under C.R.S. Section 24-72-203, unless an exception provided by law applies. The City may monitor or access an employee's e-mail, with or without notice, for any business-related purpose, including any situation in which a supervisor has reason to believe that an employee is misusing or abusing e-mail privileges, or is violating any other City policy.

16.4 Passwords

Portions of the City Computer System may be accessible by password only. The purpose of a password is not to provide privacy, but to control and prevent unauthorized access.

Every password issued for the use of any part of the City Computer System is the responsibility of the person in whose name it is issued. That individual must keep the account secure from unauthorized access by keeping the password secret, by changing the password often, and by reporting to the City when anyone else is using the password without permission.

Passwords are intended to help prevent unauthorized access and may not be shared with unauthorized persons. The contents of all password protected data files and programs belong to the City and are subject to access and disclosure by the City as set forth in this policy.

16.5 Improper Use of the Computer System.

Improper use of the Computer System is prohibited. The following are examples of improper use of the Computer System:

16.5.1 Storage, Transmission, or Printing of Improper Materials

Storing, transmitting or printing any of the following types of Electronic Communications on the Computer System is prohibited: material that infringes upon the rights of another person; material that is obscene; material that consists of any advertisements for commercial enterprises; material or behaviors that violate laws, regulations, contractual obligations, and City policies and procedures; or material that may injure someone else and/or lead to a lawsuit or criminal charges.

16.5.2 Harassment

Any electronic communication that violates the City harassment policy is prohibited. Additionally, any electronic communication that is annoying, abusive, profane, threatening, defamatory or offensive is prohibited. Some examples include: obscene, threatening, or repeated unnecessary messages; sexually, ethnically, racially, or religiously offensive messages; and continuing to send messages after a request to stop.

16.5.3 Destruction, Sabotage

Intentionally destroying anything stored on the Computer System, including anything stored in primary or random access memory is prohibited. Deliberately performing any act that will seriously impact the operation of the Computer System. This includes, but is not limited to, tampering with components of a network, otherwise blocking communication lines, or interfering with the operational readiness of a computer or peripheral.

16.5.4 Evasive Techniques

Attempts to avoid detection of improper or illegal behavior by encrypting or passwording electronic messages and computer files are prohibited.

16.5.5 Unauthorized Use/Access

Using the Computer System to gain or attempt to gain unauthorized access to remote computers is prohibited. Other prohibited behaviors include: actions that give simulated sign off messages, public announcements, or other fraudulent system responses; possessing or changing system control information (e.g., program status, protection codes, and accounting information), especially when used to defraud others, obtain passwords, gain access to and/or copy other user's electronic communications, or otherwise interfere with or destroy the work of other users.

16.5.6 E-Mail Forgery

Forging e-mail, including concealment of the sender's identity, is prohibited.

16.5.7 Theft/Unauthorized Use of Data

Data created and maintained by the City, or acquired from outside sources, are vital assets of the City and must be used only for authorized purposes. Theft of or unauthorized access to or use of data is prohibited.

16.5.8 Program Theft

Unless specifically authorized, copying computer program(s) from the Computer System is prohibited.

16.5.9 Viruses, etc.

Intentionally running or installing on the Computer System, or giving to another, a program that could result in damage to a file or the Computer System, and/or the reproduction or transmission of itself, is prohibited. This prohibition includes, but is not limited to, the classes of programs known as computer viruses, Trojan horses, and worms.

16.5.10 Security

Attempting to circumvent data protection schemes or uncover security loopholes is prohibited.

16.5.11 Wasting Resources

Performing acts that are wasteful of computing resources or that unfairly monopolize resources to the exclusion of others is prohibited. These acts include, but are not limited to: sending mass mailings or chain letters; creating unnecessary multiple jobs or processes; generating unnecessary or excessive output or printing; or, creating unnecessary network traffic.

16.5.12 Occasional Non-Commercial Uses Permitted

It is understood that, occasionally, staff members use e-mail or internet access for non-commercial, personal use. Such occasional non-commercial uses are permitted if they are not excessive and are limited to breaks or lunch hours, do not interfere with the performance of the employee's duties, do not interfere with the efficient operation of the City, and are not otherwise prohibited by this policy or any other City policy.

16.5.13 Accessing User Accounts

Unauthorized attempts to access or monitor another user's electronic communications are prohibited. Unauthorized accessing, reading, copying, changing, disclosing, or deleting another user's messages, files or software without permission of the owner is prohibited.

16.5.14 Backup Copies

All data on the Computer System is subject to backup at the discretion of the City.

16.5.15 Deleting Electronic Communications

Users of the Computer System should be aware that Electronic Communications are not necessarily erased from the Computer System when the user "deletes" the file or message. Deleting an Electronic Communication causes the Computer System only to "forget" where the message or file is stored on the Computer System. In addition, Electronic Communications may continue to be stored on a backup copy long after it is "deleted" by the user. As a result, deleted messages often can be retrieved or recovered after they have been deleted.

16.5.16 Criminal Laws

Under C.R.S. Section 18-5.5-101 et seq., criminal sanctions are imposed for offenses involving computers, computer systems, and computer networks. Any person committing an offense with respect to them may be subject personally to criminal sanctions and other liability. Federal laws may also apply to some circumstances.

16.5.17 Copyright Infringement

The Copyright Laws of the United States prohibit unauthorized copying. Violators may be subject to criminal prosecution and/or be liable for monetary damages.

In general, employees may not copy, download, install or use software on the Computer System without acquiring a license from the publisher. (For example, employees may not copy it from a friend or other source.) Furthermore, employees may not copy the City's software, unless such copying is specifically authorized by the City and permitted by the license agreement.

The ability to download documents from the Internet, and to attach files to E-mail messages, increases the opportunity for and risk of copyright infringement. A user can be liable for the unauthorized copying and distribution of copyrighted material through the use of download programs and E-mail. Accordingly, employees may not copy and/or distribute any materials of a third party (including software, database files, documentation, articles, graphics files, audio or video files) unless they have the written permission of the copyright holder to do so. Any questions regarding copying or downloading should be directed to the IT Director.

17 SOCIAL MEDIA POLICY

The City recognizes that social media internet applications can be used to enhance communication and collaboration and further citizen involvement in government issues. The City also recognizes that access to the City's social media sites may directly impact the image and the operation of the City as a whole and each individual department. This policy governs the use of social media and social networking by all authorized personnel in order to mitigate potential risk and abuse of any social media efforts.

17.1 Definitions

17.1.1 Social Media

Any internet-based application that facilitates the exchange of user-generated content, communications and conversations including, but not limited to LinkedIn, Facebook, Twitter, web feeds, blogs, wikis, photo-sharing, video-sharing, podcasts and other means of transferring information through the internet.

17.1.2 Post

A comment by City Personnel or a Public Citizen uploaded to and displayed on a social media site.

17.1.3 Moderator

An authorized City official who reviews, authorizes and allows content submitted by City Personnel and Public Citizens to be posted to a social media site.

17.2 Policies

17.2.1 Existing Policies

All existing laws, rules, regulations and other existing policies governing the conduct of City personnel are applicable to conduct associated with social media.

17.2.2 City of Rifle

City social media sites shall make clear that the site is maintained by the City and that the site complies with this social media Policy. Each social media site should state the general purpose fully stated in Section I. All City social media sites shall be approved by the City Manager. Each site should also include a link connecting a user to this Policy to facilitate full user compliance.

17.2.3 Colorado Open Records Act

City social media sites are subject to the Colorado Public Records Act. Any content maintained in a social media format that is related to City affairs, including lists of subscribers, posted communications, and communications submitted for posting, may be a public record subject to public disclosure.

17.2.4 Site Content

The Moderator shall review social media sites daily to prevent inappropriate, topically irrelevant, or technically harmful information, posts, comments and links. Social media sites that allow public comment shall inform visitors that the purpose of the site is to present matters of pubic interest in the City, including its residents, businesses and visitors and that it is a moderated online discussion site and not a public forum. Inappropriate posts are subject to removal including but not limited to the following types of postings:

1) Comments not topically related;

2) Profane language or content;

3) Content that promotes or perpetuates discrimination on the basis of race, sex, creed, color, age, religion, gender, marital status, public assistance, national origin, physical or mental disability or sexual orientation;

4) Sexual content;

5) Advertisements or solicitations of commerce;

6) Information that may tend to compromise the safety or security of the public or public systems;

7) Content that violates a legal ownership of interest of another party;

8) Defamatory statements, personal attacks, violent or aggressive statements, encouragement of illegal activity or other comments that may incite, aggravate, or generally not conducive to the good will of the Citizens of the City of Rifle.

17.2.5 Authorized Use

Only official spokespersons and other specifically selected persons authorized by the City Manager may have access to publish, post, or comment on behalf of the City.

All persons granted access shall:

1) Identify themselves as a member of the City.

2) Conduct themselves as representatives of the City and by the same standards, principles and guidelines that apply to all City Personnel in the performance of their assigned duties.

All persons granted access shall NOT:

1) Post, transmit or otherwise disseminate classified data or confidential information without the express written consent of the Moderator or his designee.

2) Conduct political activities or private business. Employees are prohibited from, in any manner, implying or suggesting that the City either supports a particular candidate, political issue or endorses the personal political opinions of the employee. Employees are expected to exercise great care, at all times, to distinguish their personal opinions about candidates or political issues from that of the City.

17.2.6 Personal Use

City Personnel who are off-duty and engage in the use of social media do not represent the City of Rifle or any official position maintained by any department of the City. Postings of this manner are personal communications, and City Personnel are personally responsible for the content they publish. Postings by an employee concerning the City are not prohibited provided they comply with the guidelines set forth in this Personnel Manual and do not:

1) Use their rank, title, or position in a manner that would suggest they are representing the interest of the City;

2) Post any depiction, illustration, text, photo, video, audio, or any multimedia file containing the uniform, official seal, badge, logo, or any instrumentality used during the execution of the City Personnel's official duties to any social media;

3) Disclose any sensitive, proprietary, confidential, or financial information about the City.

If a City employee identifies himself or herself as a City employee on a social media site, the employee must indicate that his or her views are not the official views of the City of Rifle. If a City employee publishes content on any social media site that relates to his or her work or any subjects associated with the City, the employee must post a conspicuous disclaimer such as "The views expressed on this site (or in this post) are my own and do not necessarily represent the City of Rifle's positions, strategies or opinions."

A social media site is not the appropriate place to make a complaint regarding alleged discrimination, unlawful harassment, or safety issues. Such complaints must be made consistent with the complaint procedures in this Handbook.

City of Rifle

Personnel Manual

Adopted by the City Council ~~November 15, 2006~~
~~Amended on March 17, 2010 per Resolution 47-08 and Resolution 27-09~~December 18, 2013

Comment [I1]: Amended as discussed during Personnel Manual Revision Committee meeting of 12/09/13

INTRODUCTION

The purpose of this manual is to inform employees of the City of Rifle's personnel policies of general applicability. This manual is not all-inclusive and does not purport to address all conceivable circumstances, but addresses those topics likely to be of interest to employees in the course of day-to-day operations.

The policies in this manual are not intended to supersede the City's home rule charter, ordinances, or other applicable laws; in case of any conflict between these policies and such charter, ordinances, or laws, the latter shall prevail. The provisions of this manual apply to all employees of the City except as otherwise specified. Departments may have their own policies and procedures.

The policies in this manual are not intended and shall not be construed to vest any employee of the City of Rifle with any rights arising from any express or implied contract of employment, and employment with the City of Rifle is at will, and can be terminated at any time without procedures, cause, or notice. The City reserves the right to change or rescind these policies and to determine the application of these policies to specific circumstances using its sole discretion. The City further reserves the right to alter or eliminate any benefits provided to its employees as referenced in the personnel policies. Any alteration, elimination, or revision may be made applicable to then-current as well as future employees.

Certain provisions of this manual identify potential disciplinary action which may result from specified conduct. The inclusion of these provisions does not, and is not intended to, limit the imposition of disciplinary action which may be imposed for any violation, nor is the inclusion of disciplinary provisions intended to limit the City of Rifle's discretion with respect to imposition of discipline.

Any matter not specifically covered by this manual may be administered by the City Manager in a manner consistent with this manual.

Comment [I2]: Moved to precede, rather than follow, Table of Contents, as discussed during Personnel Manual Revision Committee meeting of 11/27/13

CITY OF RIFLE

PERSONNEL POLICY MANUAL

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~~*INTRODUCTION*~~

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~~The policies in this manual are not intended to supersede the City's home rule charter, ordinances, or other applicable laws; in case of any conflict between these policies and such charter, ordinances, or laws, the latter shall prevail. The provisions of this manual apply to all employees of the City except as otherwise specified. Departments may have their own policies and procedures.~~

~~**The policies in this manual are not intended and shall not be construed to vest any employee of the City of Rifle with any rights arising from any express or implied contract of employment, and employment with the City of Rifle is at will, and can be terminated at any time without procedures, cause, or notice.** The City reserves the right to change or rescind these policies and to determine the application of these policies to specific circumstances using its sole discretion. The City further reserves the right to alter or eliminate any benefits provided to its employees as referenced in the personnel policies. Any alteration, elimination, or revision may be made applicable to then-current as well as future employees.~~

~~Certain provisions of this manual identify potential disciplinary action which may result from specified conduct. The inclusion of these provisions does not, and is not intended to, limit the imposition of disciplinary action which may be imposed for any violation, nor is the inclusion of disciplinary provisions intended to limit the City of Rifle's discretion with respect to imposition of discipline.~~

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Comment [I7]: Moved to precede, rather than follow, Table of Contents, as discussed during Personnel Manual Revision Committee meeting of 11/27/13

DEFINITIONS

The following definitions apply whenever these words and phrases are used in this manual, unless the context clearly indicates otherwise:

ADA or Americans with Disabilities Act means the Americans with Disabilities Act, 42 USC 12101 et seq., as amended from time to time.

Appointing Authority means the City Manager or the City Manager's designee.

Charter means the City of Rifle City Charter as found in the Rifle Municipal Code.

Department Head shall include those positions which report directly to the City Manager.

FLSA or Fair Labor Standards Act means the Fair Labor Standards Act, 29 USC 201 et seq., as amended from time to time.

FMLA or Family Medical Leave Act means the Family Medical Leave Act, 5 USC 6382 et seq., as amended from time to time.

Immediate Family consists of the mother, father, sister, brother, husband, wife, son, daughter, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandchildren, and grandparents of the employee, or relatives who live with the employee during the time that they are employed by the City.

EQUAL EMPLOYMENT OPPORTUNITY

1.1 Introduction

It is the policy of the City of Rifle that there shall be no unlawful discrimination or harassment against employees or job applicants on the basis of race or color, religion or creed, sex or gender, sexual orientation, national origin or ancestry, age, physical or mental disability, military status, genetic information, or any other protected status. "Genetic information" includes information about an individual's genetic tests and the genetic tests of an individual's family members, including fetuses, family medical history, receipt of and/or results of genetic testing, and participation in genetic clinical research. Equal opportunity, as required by law, shall apply to all personnel actions including, but not limited to, recruitment, hiring, placement, promotion, transfer, demotion, layoff or termination. Equal opportunity shall also apply to all administrative actions such as compensation, benefits, training, and education.

This policy does not add to any rights that employees may be entitled to by law. Further, employment with the City may be terminated at any time, with or without cause, and with or without notice.

1.2 Equal Employment Opportunity Officer

The Human Resource Director shall serve as the equal employment opportunity officer to carry out the City's equal employment opportunity policy.

EMPLOYMENT PRACTICES

2.1 Application for Vacancies

Whenever a job vacancy occurs, it shall be filled with the most qualified applicant available. To the extent permitted by law, if two equally qualified applicants apply for a City position, preference may be given to a City employee, a City resident, or a veteran of the U.S. Armed Forces.

Vacancies in positions are encouraged to be filled by promotion of qualified City employees. In each case, a determination will be made as to whether an open competitive examination or a promotional examination would best serve the interests of the City. Any City employee interested in a job vacancy shall submit a written letter of intent to apply for such vacancy stating job skills and qualifications. Promotions in every case must involve a definitive increase in duties and/or responsibilities, and shall not be made merely for the purpose of affecting an increase in compensation.

Job announcements may be posted on official City bulletin boards for a minimum of five (5) working days. The announcement shall specify the title, salary range, duties and minimum qualifications, the method and deadline for making applications, and other pertinent information. All vacancy announcements shall include a statement that the City is an equal opportunity employer. Summaries of job announcements may be placed in newspapers or other advertising media as deemed appropriate.

Résumés/application forms of an applicant who is hired will be placed in the employee's personnel file. Applications, unless renewed, shall be considered active for a period of 12 months. Applications for employment over one (1) year old may be destroyed to the extent permitted by law.

Applicants may be disqualified for consideration for employment when any of the following factors exists:

A. The applicant does not meet the minimum qualifications for the job as set forth in the job description;
B. The applicant has demonstrated an unsatisfactory employment record as evidenced by the results of the reference check;
C. The applicant has given any false information in his/her application or has otherwise practiced deception during the selection process;
D. The applicant fails to respond in a timely fashion to an invitation to interview; or
E. The applicant has a conviction record or personal history which negatively affects fitness to perform the required duties.

2.2 Selection Techniques

Such selection techniques as deemed appropriate may be used in the selection process. Those selection techniques may include, but are not limited to, the following:

A. Screening job applications and résumés based on previous work experience and/or job qualifications
B. Written testing
C. Examination based on practical application of skills
D. Interviews
E. Job-related tests of physical ability
F. Polygraph or psychological testing, upon conditional hire
G. Background investigations

2.3 Conditional Hire/Physical Examination

Upon conditional appointment, full-time Law Enforcement employees and any others deemed necessary based on job classification by the Human Resource Director are required to submit to a pre-employment physical examination by a doctor selected by the City.

As a condition of employment, prospective employees may be required to submit themselves to background checks, ~~including but not limited to~~which may include polygraph examination, fingerprinting, criminal history, driving history, credit history, past employment history, and personal references. If a background check is required, it must be completed before employment begins. Conditional offers shall be withdrawn if the results of the background check are deemed to disqualify the applicant for the position.

Comment [I8]: Amended as discussed during Personnel Manual Revision Committee meeting of 12/03/13

2.4 Promotions, Transfers, Reinstatements

2.4.1 Promotions - Promotions may occur either with or without competitive examination. The City Manager or designee may authorize the promotion without examination of a qualified employee upon the written recommendation of the Department Head.

Notices of promotional opportunities may be posted on official City bulletin boards, and if a position is filled by promotion of a City employee, no outside advertising or interviewing shall be required.

2.4.2 Transfers - An employee may be transferred to a similar position in a different department. An employee desiring to be transferred shall make a written request to both Department Heads for consideration when a vacancy occurs. The request must be approved by the Human Resource Director and the department supervisor receiving the employee.

Transfer of an employee from one position to another may be permitted if the Department Head determines that the employee meets the qualifications of the position, that the transfer is in the best interest of the City, and that further training and development of the employee in the new position would be beneficial to the City (see Section 2.7, *Introductory Period*).

2.4.3 Reinstatements - A former employee may be rehired at the discretion of the Department Head, with City Manager approval, if a vacancy occurs in the same or similar position held by the former employee within one year of the date the employee left City employment. This is known as reinstatement and it may occur without a competitive examination. Such action originates only from departmental request. Request for the action must be submitted to the Human Resource Director by letter giving name, title, salary, date of separation, and date of proposed reinstatement, together with a report of personnel changes that must be approved by the City Manager before the employee reports for duty.

An employee may be reinstated at the same salary at the discretion of the Department Head and with the approval of the City Manager or Human Resource Director. Other than as provided for in this manual (see Section 2.11, *Restoration of Length of Service*), reinstated employees are considered new employees for all purposes.

2.5 Nepotism Policy

For the purposes of this section, "family member" includes mother, father, sister, brother, husband, wife, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandchildren, grandparents, aunts, uncles, nieces, nephews, first cousins, and step-relatives of the employee, or relatives who live with the employee during the time that they are employed by the City. ~~This prohibition does not apply if the family member in question (1) is being considered for seasonal employment as defined by Section 3.2 and (2) the Department Head and the City Manager approve the hiring. This Amendment regarding seasonal employees shall remain in effect for five (5) years until April 18, 2011, at which time this Amendment shall expire and sunset unless renewed or amended by Resolution of the City Council.~~

Comment [I9]: Deleted as discussed during Personnel Manual Revision Committee meeting of 11/27/13

A family member of an employee shall not be considered for employment by the City in circumstances where one relative directly ~~or indirectly~~ would exercise supervisory, appointment, or dismissal authority or disciplinary action over the other relative.

Comment [I10]: Deleted as discussed during Personnel Manual Revision Committee meeting of 11/27/13

If City employees become relatives after employment by the City, and any of the circumstances exist or would exist as described in the preceding paragraphs, one of the employees shall be separated from employment or, if possible, moved to a non-conflicting position. The affected employees may choose the one to be separated but, if no agreement can be reached, the City Manager shall decide.

No family member of or person serving as a member of the City Council shall be eligible for employment with the City until the council member has been out of office for one year.

No appointing authority shall participate in or vote on decisions related to hiring, retention, promotion, or determination of the salary level of a member of his or her family.

The foregoing restrictions do not preclude consideration of a relative of an elected official or City employee for City employment except as specifically restricted herein. Evidence should be available demonstrating that procedures of the personnel policies were followed during the selection process and that the most qualified person was selected.

Violation of this policy by any appointing authority may lead to the immediate termination of the relative and appropriate disciplinary action against the appointing authority.

2.6 Residency

In addition to requirements set forth in the Rifle City Charter, those employees who live outside the City should be made aware that they may have to come into Rifle after hours, if necessary, and they must do so at their own expense and travel will be on their own time.

2.7 Employee Orientation

New employees will attend an orientation session that will include information concerning the City's salary and benefits programs, personnel policies, safety, and other City policies or programs relating to employment. New employees may also receive orientation information from their supervisor. Upon six months of employment, new employees may be evaluated.

2.8 Essential Personnel

Emergency situations may arise that dictate which City employees will be designated as "Essential Personnel." Emergencies can be caused by such developments as heavy snow or severe icing conditions, floods, earthquakes, or other natural disasters; air pollution; massive power failure; major fires; or epidemics. Significant emergency situations, of the scope and impact reflected in this guideline, will be the subject of public declaration of emergency or disaster by appropriate State or local authority.
The designation of Essential Personnel may be outlined in an employee's Job Description. These Personnel are required to report for duty during emergencies. Additionally, Essential Personnel are required to have a Family Care Plan that will describe how the employee's family will be cared for in the event of his/her absence from the home during the emergency.

2.9 Reduction in Force/Recall

The City, at its discretion, will determine whether layoffs and reductions in force are necessary as a result of lack of work, lack of funds, reorganization, curtailment of operations or programs or other circumstances in the City's best interest. Work hours for some or all positions may also be adjusted in lieu of or in addition to layoffs if City circumstances warrant such action as determined by the City Manager. There is no City appeal process for decisions regarding layoffs and reductions in force.

1. When a layoff is necessary, Department Heads in consultation with the City Manager may consider the following factors, in no particular order of magnitude, in determining which position(s) will be necessary to dissolve:

   A. Performance of the employee.

   B. Versatility and future needs.

   C. Experience and special abilities possessed by the employee.

2. Any employee on leave of absence, including FMLA leave, during a layoff period will be subject to layoff on return to work, in accordance with the above considerations.

3. The reinstatement of laid off employees requires the approval of the Department Head and City Manager.

4. Under normal conditions, the order of recall for employees being reinstated will be in reverse order of the layoff. Employees recalled will be required to report to work within a two-week period and failure to do so may result in a waiver of the recall opportunity.

5. An employee reinstated after a layoff lasting 13 months or longer will be treated as a new employee for all purposes including any requirement for a re-employment physical examination at the City's expense.

6. An employee reinstated after a layoff lasting less than 13 months will maintain continuation of service if he or she reports to work within two weeks of notification of recall.

7. For compensation and benefit purposes, an employee's length of service will not include the length of time the employee was laid off.

2.10 Separation and Severance Pay Policy

This policy defines the various types of separations from the employ of the City and the effect of separation on benefits and continuous service.

This policy applies to all full-time employees. With the exception of the severance pay section, this policy also applies to part-time, seasonal, and temporary employees.

2.10.1 Types of Separations

1. Voluntary Termination occurs when the separation is initiated by the employee. Voluntary terminations include, but are not necessarily limited to, the following:

A. Written or oral resignation (a two-week notice is preferred).
B. Absence from work for three consecutive working days without notifying the employee's supervisor.
C. Failure to report for work upon recall from layoff on the date designated.
D. Failure to return from an approved leave of absence at the expiration of the leave.
E. Retirement.

2. Involuntary Termination occurs when the separation is not initiated by the employee. Involuntary terminations include, but are not necessarily limited to, the following:

A. Reduction in force - The City must reduce its work force for economic or other reasons.
B. Termination without cause.
C. Termination for cause - An employee is terminated for such reasons as inadequate performance, inefficiency, absenteeism, and violation of rules of conduct set forth in this Personnel Manual under Section 11.
D. Death of the employee.
E. Disability - An employee who has exhausted his/her accumulated leave, who is not on leave without pay status, and who is unable to perform his/her usual work assignment regardless of the employee's eligibility for disability benefits.

2.10.2 Exit Interview

Employees are requested to participate in a voluntary exit interview with the Human Resource Director.

2.10.3 Severance Pay

Contingent upon the employee signing a severance agreement and release, the City will make severance payments described below to eligible employees whose employment with the City is involuntarily terminated due to reduction in force. No severance pay will be granted for separations which are the result of voluntary termination, discharge, disability, or death.

1. Full-time Employees - In the event of reduction in force or release without fault of a full-time employee, the following severance pay schedule will be applicable:

A. At least one year but less than five years of continuous service - two weeks' severance pay.
B. At least five years but less than ten years of continuous service -three weeks' severance pay.
C. Ten years or more of continuous service - four weeks' severance pay.

2. In the event of an employee's death, his/her accumulated sick leave will be paid to the beneficiary.

3. Part-time, Temporary, or Seasonal Employees - No severance pay will be granted to part-time, temporary, or seasonal employees.

2.10.4 Accrued Vacation, Compensatory Time, Floating Holiday, and Sick Leave Pay

Upon termination, either voluntary or involuntary, employees will be paid for accrued vacation time and accrued compensatory time.

Upon termination, either voluntary or involuntary, there will be no payment for floating holidays.

Upon termination, either voluntary or involuntary, there will be no payment for sick leave, except as noted in Section 2.10.3(2), *Severance Pay*, and as noted below:

Upon voluntary termination or reduction in force, eligible employees who have worked for the City at least *five or more years* may use their sick leave in the following manner:

At least 5 years but less than 10 Years of Continuous Service: One-half of the value of the sick leave can be used to pay for COBRA benefits, up to the extent allowed for by law. The value of the sick leave is calculated by multiplying the employee's final hourly wage by the number of sick hours.

10 Years or more of Continuous Service: The full value of the sick leave can be used to pay for COBRA benefits, up to the extent allowed for by law.

2.10.5 Group Insurance

1. Upon termination, either voluntary or involuntary, any life, accident, and short- and long-term disability insurance is canceled subject to the policies in force at the time.

2. Upon termination, either voluntary or involuntary, any health insurance is canceled the first of the month following the last day worked unless continuation of benefits has been chosen under COBRA laws.

2.11 Restoration of Length of Service

An employee who is involuntarily terminated due to reduction in force, and who is rehired, will have subsequent service "bridged" after a year of continuous service. For example, if an employee worked for the City for 3 years, was laid off and later rehired, after a year of continuous service, his/her length of service would be 4 years. An employee who resigned or was discharged, and

who is rehired, will not have any prior service restored or "bridged." The date of rehire will become his/her service date.

However, computation of service for pension purposes and the effect of breaks in service on pension rights will be determined in accordance with the provisions of the City's pension plan.

2.12 Personnel Records

The City of Rifle shall maintain information on each employee pertinent to his employment and shall retain all personnel records of City employees in accordance with §24-72-201 et seq., C.R.S. One complete set of personnel files shall be kept by the Human Resources Department for each employee. This will be the official file.

An employee, the employee's Department Head, the City Manager, the City Attorney, or a former employee or his/her designated representative may examine the employee's personnel file during regular business hours. Designation of a representative shall be in writing, witnessed, and signed by the employee or former employee, and filed with the Personnel Department, before the representative may examine the file.

No documents shall be copied from a personnel record, except as required by the Open Records Act, without a written request from the employee designating the documents to be released and the person or entity to which the release is to be made, and indemnifying and holding harmless the City from any liability, claims, and demands resulting from such release.

2.13 Verification of Employment

To ensure that consistent and only need-to-know information is provided, all verification of current or former employment is made through the Human Resource Director.

Upon reasonable request, the Human Resources Department may verify to prospective employers of a present or former employee the dates of such individual's employment with the City and the latest or last position title held. No other information concerning an employee shall be released to any prospective employer, collection agency, credit bureau, or any other person or entity, unless the employee has designated the same as his representative in accordance with the above paragraph.

EMPLOYMENT STATUS

Employment with the City of Rifle is at will, and can be terminated at any time without procedures, cause, or notice.

During the course of their employment with the City, employees may be classified in the following categories:

3.1 Temporary

A temporary employee is defined as a person employed either on a part- or full-time basis in a job which has been established for a specific period of time or for the duration of a specific project or group of assignments. The duration of a temporary position cannot exceed six months. A temporary employee is not eligible to participate in employee benefit and leave programs nor may he/she exercise appeals per Chapter 11.

3.2 Seasonal

A seasonal employee is defined as a person employed either on a part- or full-time basis in a job which has been established for a specific period of time for work or projects only conducted during a specific time of year. The duration of a seasonal position cannot exceed six months. A seasonal employee is not eligible to participate in employee benefit or leave programs nor may he/she exercise appeals per Chapter 11.

Comment [ASI11]: If a seasonal worker works more than 6 month, the worker is no longer considered "seasonal" under the ACA, and the City will be required to provide that worker with health insurance coverage. I think we should keep this definition of seasonal and explore other ways of meeting the needs of the Parks Dept.

3.3 Part-time

A part-time employee is defined as a person employed in a position which normally requires less than 40 hours per week.

A part-time employee regularly scheduled to work at least 30~~2~~ hours per week is eligible to participate in employee benefit and leave programs on a prorated basis, including the employee-contribution retirement plan (457 plan) and the employer-contribution retirement program (401 plan). The City's contribution to the 401 plan will be prorated. For example, for an employee regularly scheduled to work 30~~2~~ hours per week, the City will contribute to the 401 plan 75~~80~~% (30~~2~~/40) of the contribution the City would make for a full time employee.

Comment [I12]: "32" changed to "30" as discussed during Personnel Manual Revision Committee meeting of 11/27/13

A part-time employee regularly scheduled to work at least 30~~2~~ hours per week is also eligible to participate in the City's health insurance program on a prorated basis. For example, an employee regularly scheduled to work 30~~2~~ hours per week will receive 75~~80~~% (30~~2~~/40) of the health insurance benefit offered to a full time employee as set forth in Section 5.7~~8~~.

Comment [ASI13]: The ACA defines a full time employee as one who works an average of 30 per week. My reading of the ACA indicates that the City has to offer coverage to an employee who works 30 hours per week. I believe the prorated benefit is OK as long as the healthcare is still considered "affordable" to that employee. Alternatively, the City can provide the same benefit to all employees who work at least 30 hours per week.

1. Vacation: Vacation hours earned will be determined by length of time of service as outlined in Section 6.2.1, *Vacation Leave*. Time of service will be actual calendar years rather than a conversion to full-time equivalent. Employees regularly scheduled to work at least 20 hours a week will earn a percentage of that time depending upon how many hours they are regularly

scheduled. For example, someone who is regularly scheduled to work 20 hours would earn 50% and someone at 30 hours would earn at 75% and, of course, whatever the percentage is in between. Regardless of their regular schedule and with their supervisor's prior approval, part-time employees may use up to 40 vacation hours in a week provided they have accrued the hours (see Section 6.2, *Vacation Leave* for information concerning vacation leave requests).

Part-time employees who become full-time employees will earn vacation hours based on service years computed by converting part-time hours worked to full-time equivalent. For example, a part-time employee who worked 20 hours a week for 8 years and then became a full-time employee would have 4 years of service.

2. Sick Leave: Sick leave will be earned by the same percentage of scheduled hours as detailed above. The normal rate of sick leave is 3.69 hours per pay period. Sick leave can be accumulated up to a maximum of 480 hours.

Sick leave, however, can only be taken according to the employee's established work schedule. If, for example, an employee is scheduled to work 4 hours on Tuesday, 4 hours on Wednesday, 8 hours on Thursday, and no hours on Friday or Monday and he or she becomes sick on Friday, Saturday, Sunday or Monday, he or she will receive no compensation. If he or she were sick on Wednesday and Thursday, he or she would be paid 4 hours of sick leave for Wednesday and 8 hours of sick leave for Thursday.

3. Holidays: Regularly designated City holidays will be paid **according to the employee's established schedule.** In the above example, if a holiday fell on a Tuesday, an employee would receive 4 hours holiday time; if it fell on a Thursday when an employee was scheduled to work 8 hours, he or she would receive 8 hours of scheduled time; if the holiday fell on Monday or Friday, the employee would receive no holiday pay. Part-time employees who work over 20 hours per week are entitled to pro-rated floating holidays based on hours worked in a week.

4. Family and Medical Leave Act: Part-time employees who work at least 1,250 hours for the City of Rifle per calendar year are eligible for FMLA benefits.

3.4 Full-time

A full-time employee is defined as a person employed in a position which normally requires at least 40 hours per week. A full-time employee is eligible to participate in all employee benefit and leave programs.

3.5 Inactive

Employees who have been granted approved leaves of absence without pay in accordance with the FMLA or otherwise.

3.6 Probationary

Employees who have been placed on probationary status for disciplinary reasons (see Section

11.2.2, *Types of Discipline*).

3.7 Exempt Positions

Those positions considered to be administrative, executive, or professional as defined by the Fair Labor Standards Act (FLSA). Payment of overtime is not made to this class of employee.

3.8 Non-exempt Positions

Those positions not classified as exempt per the FLSA. Payment of approved overtime will be made or compensatory time will be earned in accordance with the FLSA and Section 5.4, *Computation of Compensatory Time*.

EMPLOYMENT CONDITIONS

4.1 Attendance

The City offers full municipal service to citizens and visitors. In order to do this in a tradition of high quality, our departments must be fully staffed. Employees are expected to arrive at work on time according to their work schedule. Absenteeism detracts from this service and causes an undue burden for those employees who must fill in for absent employees. Absenteeism is cause for disciplinary action (see Chapter 11.2 *Discipline*).

4.2 Work Schedule

Departments shall observe working hours as necessary to perform the services required. These working hours may be left to departmental discretion, with the approval of the City Manager. Normal hours are 8:00 a.m. to 5:00 p.m., Monday through Friday; however, the hours may vary depending upon departmental needs.

The normal work week begins at 12:01 a.m. Sunday and runs through midnight on the following Saturday. Departments have the option of establishing their own work week to fit their needs, subject to City Manager approval. Departments may also establish a fourteen (14) day work period, subject to City Manager approval.

Full-time employees have a work week consisting of forty (40) hours within the seven-day period described above. This shall be the standard for all employees with the exception of those in law enforcement.

The Police Department operates 24 hours a day, 7 days a week. Shift assignments and work periods shall be established by the Police Chief as set forth in the Police Department's policies. Meal periods will be counted as time worked only if officers are available for assignments as required during meal periods.

Rest Periods. At the supervisor's discretion, employees working four consecutive hours may be granted one (1) 15-minute break during every four hour period if it does not disrupt work flow. Breaks not taken may not be accumulated or used at the beginning or end of the day or in conjunction with meal periods. The rest period should be granted near the middle of each four (4) hour shift whenever this is feasible. Rest periods shall be taken on or near the premises of the work site.

Meal Period. With the exception of Law Enforcement employees, all full-time employees shall be granted a 60 minute non-paid meal period during each eight (8) hour work shift. Department supervisors should see to it that employees have the opportunity to take scheduled lunch breaks and do not work during lunch breaks, unless specifically requested to do so.

4.3 Job Duties

Job descriptions are meant to be general outlines of duties performed and specific requirements of skills and abilities needed to perform the position; they are descriptive. The City reserves the right to change an employee's job duties at any time. An employee who feels that his/her responsibilities have grown substantially should discuss the new duties with the Department Head and the City Manager and may request a review of job description and salary at any time. Classification upgrades and pay increases are subject to the annual budgeting and appropriation process.

SALARY ADMINISTRATION AND BENEFITS

5.1 Timesheets

All employees except exempt will make daily entries on a time sheet. Exempt employees will turn in a *Record of Accrual Usage* form. Completed time sheets for the pay period will be signed by both the employee and supervisor.

Payday occurs every other Friday. Time sheets for all employees except exempt must be turned in to their Department Head by 8:00 a.m. the Monday before payday. The Department Head must then turn in the time sheets to Payroll by 12:00 noon the Monday before payday.

5.2 Call Back

If an employee's position is considered "non-exempt" and he or is officially called back to work after departing from their regularly scheduled shift, the employee will be credited for the actual hours worked. Call-back hours will be counted as hours worked for the purposes of determining comp time/overtime during the work period. Workers who are called back to work on a holiday will be compensated for those hours in accordance with the holiday work policies.

5.3 Stand-by

Some "non-exempt" employees may be expected to be on stand-by for some periods of time. Stand-by may be required for, but not limited to, law enforcement, snow removal, parks maintenance, and water and sewer personnel. Stand-by classification is based on the following three-tiered system:

Level	Response Time	Compensation*
Level 1	< 10 minutes	20%
Level 2	< 30 minutes	10%
Level 3	< 120 minutes	5%

* in percentage of hours on call

All levels of stand-by require "reliable communication." Reliable communication refers to communication by radio, pager, or cell phone. Stand-by compensation in the form of straight time is based on the percentage of hours on stand-by duty. For example, if an employee is on Level 1 stand-by for an 8 hour period, 1.6 hours of straight time will be awarded (20% of 8 hours equals 1.6 hours).

Employees on stand-by are expected to be able to perform their job in a competent manner if called in. If called back while on stand-by, the call back provision will apply in addition to applicable straight time. Any stand-by time must be specifically authorized ahead of time by the Department Head and must be noted on time sheets.

Stand-by duty is not considered overtime work and is not used to calculate overtime compensation, except to the extent that the employee is actually called into work while on stand-by duty.

5.4 Computation of Overtime and Compensatory Time

With the exception of sworn law enforcement officers who are partially exempt from overtime under Section 7(k) of the FLSA and are subject to the Police Department's overtime policies, overtime work is defined as work in excess of the normal 40-hour-per-week work schedule in a given work period, subject to prior approval of the Supervisor. The intent is that overtime is to meet emergency response or the highest priority work which cannot be accomplished during normally scheduled hours.

Only nonexempt personnel will receive pay for overtime work. Employees may elect to accumulate or "bank" compensatory time, subject to accrual guidelines set forth in Section 6.13, *Compensatory Time*.

Only authorized overtime will be calculated at 1.5 times the actual time worked and either paid as overtime pay or banked as earned compensatory time at the election of the employee and subject to the provisions of this manual. For purposes of computing overtime, the following leave will be considered time worked: educational time as defined in Section 5.4.2. The following types of leave will not be considered time worked: vacation, holidays, including floating holidays, sick leave, funeral leave, maternity/paternity leave, jury leave, and administrative leave, use of earned compensation leave, or military duty.

~~For example, if an employee's regular schedule is:~~

~~Mon~~	~~Tue~~	~~Wed~~	~~Thur~~	~~Fri~~
~~8~~	~~8~~	~~8~~	~~8~~	~~8~~

~~and Monday is a holiday so that the employee works~~

~~Mon~~	~~Tue~~	~~Wed~~	~~Thur~~	~~Fri~~	~~Sat~~
~~H~~	~~8~~	~~8~~	~~8~~	~~8~~	~~8~~

~~the employee will be paid for his/her 8 hours of holiday time for the Monday holiday and will earn 8 hours of overtime for the 8 hours over 40 worked on Saturday.~~

Comment [l14]: Deleted as discussed during Personnel Manual Revision Committee meeting of 11/11/13

5.4.1 Adjusting the Work-week Schedule - Supervisors may make immediate adjustments to the employee's scheduled work week to avoid the accumulation of unnecessary compensatory time.

For example, if an employee's regular schedule is:

Mon	Tue	Wed	Thur	Fri
8	8	8	8	8

but the employee actually works, for any approved reason,

Mon	Tue	Wed	Thur
8	12	10	10

the supervisor may tell the employee not to report on Friday as he/she already has accumulated 40 hours by Thursday. In this case, the employee would receive **no** overtime.

5.4.2 Time spent in City-initiated or required training programs, lectures, and meetings is considered hours worked for the purposes of determining overtime, but must be approved in advance. Taking courses in a public or private institution or pursuing additional education on a voluntary basis is not considered hours worked for the purposes of determining overtime regardless of whether the activity is job related.

Travel time for City-initiated training on approved methods of transportation for out-of-town City business is included in the calculation of overtime. Employees will only be paid for time spent on City approved transportation. For example, if an employee elects to drive an automobile when the City provides air transportation, he or she will only be paid for the hours he or she would have spent traveling by air. Time spent away from home but not in training or not traveling is not considered "hours worked" (see Chapter 15, *Vehicle and Travel Policy*).

5.5 Pay Advances

Except in very rare circumstances, no “advances" on paychecks shall be made by the City. Upon demonstration of extreme extenuating circumstances, the City Manager may approve an advance in his/her sole discretion.

5.6 Vacation Cash-Out

An employee may request and receive payment with the approval and in the sole discretion of the Department Head in exchange for accrued vacation leave, so long as forty (40) hours of accrued vacation remain for the benefit of the employee. The maximum number of vacation hours that may be exchanged is forty (40) hours. A minimum of ten (10) hours can be cashed out per request, and only two requests will be processed in a calendar year. Disbursements will only be made in accordance with the City’s payroll calendar, and separate checks are not allowed. Vacation cash-outs are irrevocable; once cashed out, the vacation hours cannot be bought back.

~~5.7 Sick Leave Bank~~

~~The purpose of the City of Rifle Voluntary Sick Leave Bank (Bank) Policy is to provide additional paid leave for employees who have exhausted their sick and vacation leave~~

~~benefits as the result of a catastrophic illness or injury. The Bank serves as a depository into which participating employees may voluntarily contribute leave for allocation to other participating employees. The purpose of the Bank is not to provide unlimited paid sick leave for any medical reason, but to alleviate the hardship caused when employees lose compensation as the result of a catastrophic illness or injury.~~

~~A permanent City employee who has exhausted his/her vacation, sick, or compensation leave due to a non-work related illness or injury, which has totally incapacitated the employee from work, may request hours from the sick leave bank. Hours from the sick leave bank may also be used when an employee is required to take time off for an extended period of time to care for a member of his/her immediate family.~~

~~This program is strictly voluntary. Donors must have a minimum balance of eighty (80) hours of sick leave after making the donation. Donations are irrevocable once posted to the Sick Leave Bank.~~

~~Donations may be solicited by the recipient employee, coworkers of the recipient, or by a friend or family member of the recipient, to the City Manager. It is the sole discretion of the City Manager to grant such leave to an employee. The City Manager's decision may not be appealed.~~

Comment [I15]: Now Section 6.3.10. Moved as discussed during Personnel Manual Revision Committee meeting of 11/11/13

5.7 Health Care Benefits

Full-time employees hired on or after January 1, 2012, are eligible to participate in the following health insurance plans and benefits:

5.~~8~~7.1 County Health Pool (CTSI) – B1000 plan with HRA Account. Under this plan, the City will pay 80% of the premium for single person coverage and 60% of the premium for family coverage. The City will also contribute $250 annually for single HRA accounts and $500 annually for family HRA accounts.

5.~~8~~7.2 County Health Pool – HDHP with HSA. Under this plan, the City will pay 80% of the premium for single person coverage and 60% of the premium for family coverage. The City will also contribute $1,250 annually for single HSA accounts and $2,500 annually for family HSA accounts.

Employees hired after the beginning of a fiscal year will receive a pro rata contribution to their HRA or HSA accounts. Part-time employees are eligible to participate in these plans on a prorated basis as set forth in Section 3.3 of this Manual.

Eligibility for health insurance is governed by the Insurance Plan, and to the extent it differs from this policy, the Insurance Plan controls. In addition, employees must properly submit all required information and documentation for enrollment before the health insurance will become active and must pay their portion of any premiums. For detailed information about eligibility and insurance coverage, please contact the Insurance Plan Administrator.

LEAVES

Eligibility for leave as presented in this Chapter is based on Employment Status as defined in Chapter 3 of this manual.

6.1 <u>Holidays</u>

The following are the official City holidays for employees except as otherwise provided herein:

1.	New Year's Day	First Day of January
2.	President's Day	3rd Monday in February
3.	Memorial Day	Last Monday in May
4.	Independence Day	July 4th
5.	Labor Day	First Monday in September
6.	Thanksgiving Day and	Fourth Thursday in November
7.	Friday after Thanksgiving	
8.	Christmas Day	December 25th
9.-11.	Three Floating Holidays	One holiday awarded first payday in January, May, and September. Floating holidays may be used only with prior approval of the Department Head.

Eligible employees receive eight (8) hours of pay per holiday.

Whenever a holiday falls on Saturday, the preceding Friday shall be observed as the holiday; when it falls on a Sunday, the following Monday shall be observed. When a holiday falls within a period of paid leave (i.e., vacation, sick, etc.) the employee shall be paid for the holiday and the holiday shall not be subtracted from accrued leave.

If an employee is regularly scheduled to work on a holiday, he/she will receive overtime. If an employee is called out to work on a holiday (i.e., water break, snow plowing), he/she shall receive overtime. Such overtime work will be computed at 1.5 times the hours worked. The employee may elect to receive pay or bank it as earned compensatory time, subject to accrual guidelines set forth in Section 6.13, *Compensatory Time*.

Floating holidays shall not be considered to be scheduled holidays.

POLICE DEPARTMENT NON-EXEMPT SWORN OFFICER HOLIDAYS.

The following are the official holidays for all Police Department Sworn, Non-Exempt employees:

All Police Department Sworn Non-Exempt employees shall be provided with 100 Floating Holiday hours per year. Employees in this category shall receive no fixed

holiday leave. This Floating holiday leave will accrue on a semi-annual basis beginning on January 1, 2010, at the rate of 50 hours per six month period.

Floating holiday leave that is unused may not be carried over to the following calendar year, and may not be exchanged for pay.

Floating holiday leave will not be considered for purposes of overtime calculation.

6.2 Vacation Leave

Vacation time must be accrued by the pay period in which it is taken.

6.2.1 Vacation time shall accrue as follows:

Completed Years of Service	Non-Exempt	Exempt
	(In accumulated hours per pay period)	
1 - 4	3.08 hrs.	4.62 hrs.
5 - 14	4.62 hrs.	6.15 hrs.
15 or more	6.15 hrs.	7.69 hrs.

"Completed Years of Service" are determined by anniversary date.

Employees must request vacation time in accordance with department policies. Scheduling of leave time is at the discretion of the Department Head, based on operational considerations, departmental personnel demands, and the number of employees scheduled to be on leave at any particular time. A reasonable effort will be made to accommodate employee's requested dates of leave. Department Heads will approve leave on a first-come, first-served basis unless the department has other written policies for granting leave.

Vacation leave provisions for part-time employees are described in Section 3.3, *Part-time*.

6.2.2 Maximum amount of accrued vacation time.

All employees will be required to use at least 50% of their earned vacation for each calendar year. Failure to use 50% of vacation hours will result in the forfeiture of those unused vacation hours. For example, an employee who earns 80 hours of leave in one calendar year must use 40 vacation hours during the calendar year. If the employee uses only 32 hours of leave, an additional 8 hours of leave will be forfeited and subtracted from his/her balance at the end of the calendar year. New employees will not be required to use at least 50% of their earned vacation time until their second complete calendar year.

The maximum number of vacation hours that an employee will be allowed to carry over from calendar year to calendar year is 340 hours.

6.3 Sick Leave

6.3.1 Amount of Sick Leave. Full-time employees shall receive 3.69 hours sick leave credit per pay period; sick leave taken shall not exceed the total amount accumulated by the employee. Sick leave may be carried over from year to year to a maximum of 480 hours.

6.3.2 Use of Sick Leave. Employees may use accrued sick leave for the following reasons: personal illness or physical incapacity resulting from causes beyond the employee's control; enforced quarantine of the employee in accordance with community health regulations; a doctor, optical, or dental appointment; in accordance with Domestic Violence Leave; or in certain circumstances to allow an employee to provide care for an immediate family member.

6.3.3 Family Sick Leave. Twenty-four (24) hours of sick leave per calendar year may be used to care for an ailing dependent family member living with the employee.

6.3.4 Reporting Sick Leave. An employee who is unable to work because of illness shall, prior to the employee's scheduled time to report for work, notify by telephone his/her immediate supervisor or other person designated by the City Manager.

6.3.5 Charging Sick Leave. Absence for a fraction or a part of the day that is chargeable to sick leave in accordance with these provisions shall be charged proportionally to the actual time taken. Sick leave taken shall be charged in increments of one quarter hour.

6.3.6 Doctor Certificate. Department Heads may require employees to verify their use of sick leave by requiring certification of illness from a licensed physician on the third consecutive day of sick leave or after six (6) days of sick leave taken in any 12 month period.

6.3.7 On-the-Job Illness. If the employee's supervisor determines that an illness is impairing that employee's performance or that of others in the section, the Department Head may require the employee to use sick leave.

6.3.8 Automatic Sick Leave Conversion. When an employee has accrued the maximum 480 hours of sick leave, he/she will automatically receive 1.38 hours of vacation per pay period in lieu of 3.69 hours sick leave.

6.3.9 Part-time Employees. Sick leave provisions for part-time employees are described in Section 3.3, *Part-time*.

6.3.10 Sick Leave Bank.

The purpose of the City of Rifle Voluntary Sick Leave Bank (Bank) Policy is to provide additional paid leave for employees who have exhausted their sick and vacation leave

benefits as the result of a catastrophic illness or injury. The Bank serves as a depository into which participating employees may voluntarily contribute leave for allocation to other participating employees. The purpose of the Bank is not to provide unlimited paid sick leave for any medical reason, but to alleviate the hardship caused when employees lose compensation as the result of a catastrophic illness or injury.

A ~~permanent~~ City employee who has exhausted his/her vacation, sick, or compensation leave due to a non-work related illness or injury, which has totally incapacitated the employee from work, may request hours from the sick leave bank. Hours from the sick leave bank may also be used when an employee is required to take time off for an extended period of time to care for a member of his/her immediate family.

Comment [I16]: "permanent" deleted as discussed during Personnel Manual Revision Committee meeting of 11/27/13. There is no "permanent" employee classification.

This program is strictly voluntary. Donors must have a minimum balance of eighty (80) hours of sick leave after making the donation. Donations are irrevocable once posted to the Sick Leave Bank.

~~Donations may be solicited by the recipient employee, coworkers of the recipient, or by a friend or family member of the recipient, to the City Manager.~~ It is the sole discretion of the City Manager to grant such leave to an employee. The City Manager's decision may not be appealed.

Comment [I17]: 1st sentence of this paragraph deleted as discussed during Personnel Manual Revision Committee meeting of 11/27/13.

Comment [I18]: Formerly Section 5.7. Moved as discussed during Personnel Manual Revision Committee meeting of 11/11/13

6.4 Domestic Violence Leave

1. **Statutory Rights.** Domestic Violence Leave is governed by Colorado law, C.R.S. 24-34-402.7, and is available only to individuals who qualify under the law, as it may be amended from time to time. The provisions of this policy are intended to comply with the State law and not to create rights that are different from or in addition to the law. This policy is automatically amended or repealed if the State law is amended or repealed.

2. **Eligibility.** In order to qualify for Domestic Violence Leave, Employer must have 50 or more employees and the employee must have been employed by Employer for twelve months or more, must be a victim of a crime of domestic violence, must have a qualifying reason for the leave, and must provide Employer sufficient notice of this qualifying reason.

3. **Leave Benefit.** Eligible employees shall be permitted to take up to three working days of unpaid leave from work in any twelve-month period, for qualifying reason, if the Employee is the victim of a crime of domestic violence.

4. **Crime of Domestic Violence.** A crime of domestic violence includes:

a. Domestic Abuse is defined in C.R.S. 13-14-101(2). This statute provides that "Domestic Abuse" means any act or threatened act of violence that is committed by any person against another person to whom the actor is currently or was formerly related, or with whom the actor is living or has lived in the same domicile, or with whom the actor is involved or has been involved in an intimate relationship. "Domestic abuse" may also include any act or threatened act of violence against the minor children of either of the parties;

b. Stalking as defined in C.R.S. 18-9-111(4). This statute provides that a person commits stalking if directly or indirectly through another person, such person knowingly:

1. Makes a credible threat to another person, and, in connection with such threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or

2. Makes a credible threat to another person, and, in connection with such threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or

3. Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress.

A victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress. For the purposes of this subparagraph: (I) Conduct "in connection with" a credible threat means acts which further, advance, promote, or have a continuity of purpose, and may occur before, during, or after the credible threat; (II) "Credible threat" means a threat, physical action, or repeated conduct that would cause a reasonable person to be in fear for the person's safety or the safety of his or her immediate family, or of someone with whom the person has or had a continuing relationship. Such threat need not be directly expressed if the totality of the conduct would cause a reasonable person such fear; (III) "Immediate family" includes the person's spouse, grandparent, sibling, or child; and (IV) "Repeated" or "repeatedly" means on more than one occasion.

c. Sexual assault as defined in C.R.S. 18-3-402. This statute provides that a person who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

1. The actor causes submission of the victim by means of sufficient consequences reasonably calculated to cause submission against the victim's will; or

2. The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or

3. The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or

4. At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim, and is not the spouse of the victim; or

5. At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age, and the actor is at least ten years older than the victim and is not the spouse of the victim; or

6. The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim, and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or

7. The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or

8. The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented; and

d. Any other crime, the underlying factual basis of which has been found by a court on the record to include an act of domestic violence, as that term is defined in C.R.S. 18-6-8003(1). This

statute provides that "Domestic Violence" means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic Violence" also includes any other crime against a person or against property or any municipal ordinance violation against property, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

5. **Qualifying Reasons for Leave.** The Employee must be using the Leave from work to protect himself or herself by:

a. Seeking a civil restraining order to prevent domestic abuse pursuant to C.R.S. 13-14-102;

b. Obtaining medical care or mental health counseling or both for himself or herself or for his or her children to address physical or psychological injuries resulting from the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence;

c. Making his or her home secure from the perpetrator of the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence or seeking new housing to escape the perpetrator;

d. Seeking legal assistance to address issues arising from the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence and attending and preparing for court-related proceeding arising from the act or crime.

6. **Notice to Employer.** Except in cases of imminent danger to the health or safety of the Employee, an Employee seeking leave from work under this policy shall provide his or her immediate supervisor with advance notice by the next business day after the Employee becomes aware of the need for leave. The request must be accompanied by a copy of any subpoenas, court orders, police reports, medical provider's statements, or other documentation that will substantiate the need for leave. In the event prior notice is not possible because of imminent danger, the Employee must provide notice and supporting documentation, as required above, at the earliest opportunity.

7. **Exhaustion of Other Paid Leave.** Domestic Violence Leave is unpaid, unless the employee has accrued available leave (i.e. vacation, sick, or comp time). In this event, the Domestic Violence Leave will be used simultaneously with the accrued leave, to the extent available so that the leave will be paid. If the available accrued leave is less than three days, the remainder of the Domestic Violence Leave will be unpaid.

8. **Confidentiality.** Employer shall treat Employee's request for and use of this leave as confidential and shall discuss it only with those individuals who need to know for purposes of confirming the Employee's need for leave, granting or denying the request, coordinating the Employee's absence and work coverage during the period of absence, or for other legitimate business needs.

9. **No Retaliation.** Employee shall not be retaliated against for any request or use of this leave when the request or use is pursuant to an honest belief that the Domestic Violence Leave law applies to the circumstances.

10. **No Greater Rights.** An employee shall have no greater rights to continued employment or to other benefits and conditions of employment than if the employee was not entitled to leave under this policy. Nothing in this policy shall be construed to limit Employer's right to discipline or terminate any employee for any reason.

6.5 Leave Under Family Medical Leave Act

6.5.1 Family and Medical Leave.

To the extent that the Family and Medical Leave Act (FMLA) applies, eligible employees may receive a total of 12 workweeks of leave during any 12-month period. This Act provides for leave in connection with incapacity due to pregnancy, prenatal medical care or childbirth; the care of the employee's child after birth or placement for adoption or foster care; the care of a child, spouse, or parent who has a serious health condition; or serious health condition of the employee that makes the employee unable to perform the employee's job.

For purposes of this policy, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves either:

A. An overnight stay in a medical care facility, OR

B. Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

6.5.2 Military Caregiver Leave.

Military caregiver leave is available to care for a "covered servicemember" with a "serious injury or illness" as those terms are defined by the FMLA. Eligible employees may take up to 26 weeks of leave to care for a covered service member during a single 12-month period. FMLA leave already taken for other FMLA circumstances will be deducted from the total 26 weeks available for military caregiver leave.

Eligible employees with a spouse, child, or parent on covered active duty or called to covered active duty status may also use their 12-week FMLA leave entitlement to address certain qualifying exigencies as set forth in the FMLA.

6.5.3 Eligibility and Terms of Leave.

An employee is eligible for family leave if he/she has been employed by the City for at least 12 months and has worked at least 1,250 hours during the 12-month period preceding the requested leave. Leave will consist of accumulated paid leave (which shall be used first) and leave without pay.

Intermittent leave or leave on a reduced leave schedule may be approved to coincide with a health treatment plan or other appropriate requirements for an individual employee, spouse, parent, or child. Such intermittent leave must be determined to be medically necessary by a health care provider. Leave due to qualifying exigencies may also be taken on an intermittent basis. Employees taking approved intermittent leave or reduced schedule leave may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

When necessary FMLA leave is foreseeable, the employee must provide the City with at least 30 days notice before the date the leave begins. If the event requires leave to begin in less than 30 days, the employee must provide such notice as is practicable and make a reasonable effort to schedule the treatment so as to avoid unduly disrupting City operations. A family member of the employee may give the notice if the employee is unable to do so.

Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees must also inform the City if the requested leave is for a reason for which FMLA leave was previously taken or certified. The City may also require that a request for FMLA leave be supported by a certification and periodic recertification supporting the need for leave. If notification and appropriate certification are not provided in a timely manner, approval of leave may be denied.

The City will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required. If they are not eligible, the City will provide the reason for the ineligibility. The City will also inform employees if leave will be designated as FMLA protected and the amount of leave counted against the employee's leave entitlement. If the City determines that the leave is not FMLA-protected, the City will notify the employee.

The City will not interfere with, restrain, or deny the exercise of any right provided under FMLA. The City will not discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for their involvement in any proceeding under or relating to the FMLA.

Most employees returning from FMLA leave shall be restored to the original or equivalent position with equivalent pay, benefits and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

The taking of FMLA leave will not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

The City will maintain equivalent coverage and premium level under the City's group health plan for the duration of an employee's FMLA leave. The City may recover any benefit premiums paid for the employee if the employee fails to return from leave, unless the failure to return from leave has resulted from a continuation of a serious health condition or other circumstances beyond the employee's control. If an employee is taking FMLA leave without pay, no other fringe benefits will continue to accrue nor will contributions to retirement plans continue during this period.

If an employee fails to report to work promptly at the end of the medical leave, the City of Rifle will assume that the employee has resigned.

6.6 Work-Related Injury Leave

See Chapter 7 of this manual.

6.7 Administrative Leave

An employee may be granted administrative leave with pay with approval of the City Manager during the time that an employee is participating in authorized meetings or other authorized activities related to his/her work. Administrative leave may also be granted for other matters as deemed appropriate by the City Manager.

6.8 Jury or Court Leave

To the extent required by law, employees shall be granted time off with pay when performing jury duty or when appearing before any court of law as a defendant in a civil action arising from the employee's job with the City. An employee released from jury duty before the end of his or her normal workday shall return to work to complete the remaining portion of his/her scheduled shift.

6.9 Educational Leave

Educational leave with or without pay may be granted to full-time employees at the discretion of Department Heads, subject to approval by the City Manager (see Chapter 9, *Education and Training Assistance Program*). The direct relationship of the proposed educational experience to the employee's duties, ability, or potential may be considered in approving or disapproving requests for educational leave. The City Manager shall make the final determination whether to grant any educational leave and, if granted, whether such leave shall be with or without pay.

6.10 Leave Without Pay Not Covered by FMLA

1. Leave without pay not covered by the FMLA (see Section 6.5, Family and Medical Leave) may be granted without pay in cases of emergency and/or when a leave of absence would not be contrary to the best interests of the City. Employees are required to exhaust accrued vacation and compensatory time prior to taking unpaid leave under this section. A leave of absence may be granted only upon written request by an employee who presents the reason for the leave. Request for leave without pay shall be made through use of the City's Request for Time Off form. ~~Written approval will be made according to the following:~~

~~a. A request for a leave of absence without pay for one (1) week or less may be granted by the Department Director, at his or her sole discretion, depending on the merit of the individual case.~~

~~b.~~ A request for a leave of absence without pay ~~in excess of one (1) week~~ may be ~~granted~~ approved in writing by a Department Director, at his or her sole discretion, with the written approval of the City Manager, depending on the merit of the individual case.

Comment [l19]: Amended as discussed during Personnel Manual Revision Committee meeting of 11/11/13

If approved, an employee may work a modified schedule while taking periods of leave without pay. In this circumstance, the employee will accrue vacation and sick leave based on the number of hours actually worked.

2. If an employee is taking leave without pay that is not covered by the FMLA, the following conditions will apply:

a. The City may fill a position formerly held by an employee on leave without pay not covered under FMLA.

b. Fringe benefits shall not accrue during a period of leave without pay not covered under FMLA, nor will the City make any contributions during such period for retirement or group insurance programs. However, the employee may participate in the group insurance programs during such period, provided the employee deposits in advance with the City the amounts necessary to cover the total cost of the premiums. Computation of service, for pension purposes other benefit plans, and the effect of leave without pay not covered by FMLA will be determined in accordance with the provisions of the applicable plan.

c. The City will make reasonable efforts to reinstate the employee to the same position previously occupied or to a similar position following a leave of absence not covered under FMLA. The City, however, cannot guarantee that the same position or a similar position will be available at the time an employee desires to return to work.

d. In the event an employee has been granted non-FMLA leave without pay and the City decides to fill the position while the employee is on leave, the employee will be given written notice of the City's decision and the option to return to work on a designated date. The designated return to work date shall be no less than two (2) weeks after the date of the notice. This notice will be sent via first class mail to the last official address provided by the employee. The employee shall have one week from the

date of the notice to advise the City whether he or she will return to work on the designated date. If the employee fails to respond timely or advises the City that he or she will not return to work on the designated date, the employee shall be deemed to have resigned from his or her employment with the City. The resignation shall be effective the date the employee advises the City of his or her intent not to return to work or ten days after the date of the notice, whichever occurs first.

6.11 <u>Military Leave and Emergency Military Leave</u>

1. **Purpose.** The purpose of this policy is to outline the City of Rifle's accommodation for service in the uniformed forces. The terms of this policy are subject to the Uniformed Services Employment and Reemployment Act (USERRA).

2. **Applicability/Scope.** This policy applies to regular employees who are a member of the uniformed services (which includes all branches of the military and their respective reserves, Commissioned Corps of the Public Health Service, and any other category or persons designated by the President of the United States in time or war or emergency):

a. Who provide advance written notice or verbal notice to their supervisor and the Human Resources Department prior to leave;

b. Whose leave does not exceed five years (subject to exceptions required by law); and

c. Who report to work or submit applications for reemployment in accordance with this policy.

This policy does not apply to temporary employees, or employees who were:

a. Separated from service with dishonorable or bad conduct discharge;

b. Separated from service under other than honorable discharge;

c. Dismissed as commissioned officers in certain situations such as a result of a court martial or by the President in time of war;

d. Dropped from the military rolls as a result of being absent without authority for more than three months or being imprisoned by a civilian court.

3. **Time-off and Benefits Continuance.**

a. Up to 15 day of paid time-off for military duty will be granted to full-time employees. Employees granted such time off will receive the difference, if any, between their base rates and their military pay (renumeration including but not limited to base pay, longevity, subsistence, flight hazard or overseas pay, but not including travel pay) for the period. Appropriate pay vouchers and copies of orders must be submitted to receive the City's portion. Reservices are

eligible to receive the pay differential for their required military reserve duty and training, however, they will not be eligible for the pay differential for voluntary training or duty assignments.

b. In addition to the benefits described in paragraph a) above, unpaid time-off will be granted in addition to any vacation time to which the employee is entitled. If the military time-off involuntarily coincides with the employee's scheduled vacation, the employee will be granted vacation at some other time. Employees who elect to have their military time-off coincide with their vacation shall not be entitled to receive make-up pay in addition to their regular vacation pay.

c. Life and health insurance as well as dental and vision coverage may be continued by the Employee and his or her dependents (if covered at the start of leave) for up to 31 days, as long as the employee pays his or her regular contribution. Employees on military leave are not covered by accidental death and dismemberment insurance (AD&D) or long-term disability insurance (LTD).

d. The benefits mentioned in paragraph c) above will be discontinued after 31 days or, if earlier, the day after the deadline for the employee's return to work or application for reemployment. Upon termination of the employee's coverage, the employee (and eligible dependents) will be eligible for continuation coverage under COBRA, generally up to 18 months, at the full cost of the extended benefit as determined by the City at the regular COBRA rate. At the City's discretion, the employee may be required to produce documentation of length of service and status of discharge.

e. The City may, in its sole discretion, provide additional benefits during periods of war or national emergency.

4. **Reemployment.**

a. Notification of Intent to Return to Work is required to maintain reemployment eligibility. Absent unusual circumstances, notice requirements are based on the following leave durations:

1. Less than 31 days or Fitness-for-Service Exam – the employee must report to his or her immediate supervisor at the beginning of the first full regular scheduled work period that starts at least eight hours after the employee has returned from the location of service;

2. More than 30 days but less than 181 days – the employee must submit a request for reemployment to Human Resources within 14 days of the completion of service;

3. More than 180 days – the employee must submit a request for reemployment to Human Resources no later than 90 days after completion of the period of service.

4. Disability Incurred or Aggravated – An employee who has been hospitalized or is recovering from an injury or illness incurred or aggravated while serving must report to the Human Resources Department (if the service was less that 31 days), or submit a request for reemployment (if the service was greater than 30 days), at the end of the necessary recovery period (but which may not exceed two years).

b. Return to Work – In general, an employee will be reinstated to the position that he/she would have held had he/she been continuously employed and for which he or she is qualified (or for which he or she can become qualified in a reasonable period of time). The same applies for an employee with a disability that was incurred in, or aggravated during, the period of service. If the employee is unable to fulfill the duties due to disability or lack of qualifications, the employee may be placed in the same position the employee held prior to taking leave. If that position is no longer available, or the employee is no longer able to perform the duties of that position, the City shall place the employee in a similar position with similar benefits, to the extent such a position exists.

c. Benefits Upon Return – Returning employees are eligible for immediate reinstatement to all welfare and benefit plans, and the period of military service will be deemed to constitute service for vesting and accrual purposes. If accrued benefits are based on employee contributions, returning employees are entitled to those benefits only to the extent that they make such contributions. Returning employees will be given three times the period of leave to make-up employee contributions that were missed, with the repayment period not to exceed five years. For example, if an employee was on leave for 90 days, he or she has 270 days (3 x 90) to make-up contributions to the 457 plan, subject to IRS Regulations.

6.12 Funeral Leave

All permanent employees are eligible for paid Funeral Leave in the event of a death in the immediate family. Funeral Leave will be provided for a maximum of three working days, up to and including the day of the funeral. Employees needing additional time off may request vacation or compensatory time in accordance with applicable provisions. Temporary and seasonal employees are eligible for unpaid Funeral Leave.

6.13 Compensatory Time

In no case will an employee who is eligible to receive overtime or standby pay be allowed to accumulate or use more than 40 hours of compensatory time annually. Compensatory time or standby time will be automatically paid once 40 hours are accumulated. All accumulated compensatory time will be paid out at the end of each calendar year; employees will not be permitted to carry comp time from year to year.

Employee requests to use accrued compensatory time should be made as far in advance as reasonably possible and supervisors may honor these requests, unless doing so will unduly disrupt the operations of the Department or prevent essential service from being performed.

Personnel exempt from FLSA are eligible to receive compensatory time, but must utilize it within

the pay period in which it occurs, or in the pay period immediately following the pay period in which it is earned. No accrual shall continue beyond these limits.

6.14 School Activity Leave.

Employees requesting time off for school-related activities may request up to six (6) hours in any month and eighteen (18) hours in an academic year to attend school related activities. These activities include:

a. The attendance of school and early childhood educational activities that are directly related to the educational advancement of a child. This includes, but is not limited to, parent-teacher conferences, meetings with child-care providers, interviews for a new school or child-care facility, participation in volunteer activities which support a child's educational advancement, or school-sponsored activities.

b. Employees who do not have children may request leave under this heading for participation in school activities deemed important to the educational advancement of a child, such as tutoring or attendance at school board meetings. "School" refers to elementary, secondary, and high schools, Head Start programs, or child-care facilities.

Requests for time off must be approved by the employee's supervisor so the employee's work schedule can be adjusted.

Eligible employees may use accrued vacation, comp time, or time off without pay while attending these activities.

6.15 Time Off to Vote.

The City of Rifle encourages employees to fulfill their civic responsibility by participating in elections. Therefore, an employee shall be granted leave with pay, up to a maximum of two hours, for voting in a local, statewide, primary or general election if the employee is scheduled to work eight hours or more on that day and does not have time to vote outside of working hours. Employees should request time off to vote from their supervisor at least two working days prior to the election. Advance notice is required so that the necessary time off can be scheduled. The City may require time off to be taken only at the beginning or end of the employee's workday or shift.

6.16 Suspension of Paid Leave

The City of Rifle reserves the right to postpone all paid leave for an employee, or recall an employee from paid leave, in the event of an emergency, except during a period of authorized sick leave, FMLA leave, or worker's compensation leave.

WORK-RELATED INJURY AND RETURN TO WORK POLICY

7.1 Return-to-Work

The City of Rifle has elected to adopt a return-to-work policy with the intent to utilize eligible workers in a job-related incident in a productive capacity while they are recovering from an injury. The goal of temporary modified duty is to provide a progression of job duties that will return the injured worker to their regular job.

The Human Resources Director will be responsible for coordinating the return-to-work program.

The following return-to-work program should be followed when an employee sustains a work-related injury or illness.

1. All injuries will be reported immediately by the injured worker to the worker's direct supervisor, who will then notify the designated coordinator. Injuries will be filed with the City's Worker's Compensation Provider within two working days.

2. The injured worker will seek medical attention from the designated medical provider.

3. In case of an emergency, the injured worker is to seek medical attention from the nearest medical facility. Follow-up care must be coordinated through the designated medical provider. The Worker's Compensation Provider may not pay for medical expenses incurred by the injured worker, if he or she seeks unauthorized treatment from a non-designated medical provider. When possible, follow-up medical appointments are to be made before or after work hours. Time off for medical appointments will be treated consistently with other personnel policies.

4. The injured worker should deliver a copy of the medical provider's work status report to the designated coordinator within 24 hours of the medical visit, if feasible.

5. The designated coordinator is responsible for maintaining regular contact with the injured worker and the medical provider, and obtaining recovery status information and work restriction updates.

6. The designated coordinator will maintain a list of modified duty tasks. Once the employer is ready to make a job offer to the injured worker, the coordinator sends the proposed tasks to the treating physician for approval, in accordance with the formal job offer process.
7. During the modified duty period, the designated coordinator will provide to the Worker's Compensation Provider records of wages paid to the injured worker. If the injured worker is receiving full wages during the modified duty period, the designated coordinator will provide the Worker's Compensation Provider a statement to that effect; no ongoing provision of pay records is then required.

8. Modified duty will be allowed as long as it is realistic for the job to continue, or until the injured worker receives a release to full duty or reaches maximum medical improvement (MMI).

9. The supervisor will monitor the injured worker's performance while on modified duty.

While on modified duty, the injured worker will be held to all existing personnel policies and will be responsible for maintaining acceptable performance standards as a condition of continued employment.

Modified duty assignments are designed to be temporary and transitional in nature. They will be reviewed jointly by the supervisor, injured worker and relevant staff to address increasing work duties and overall performance. While on worker's compensation leave, an employee may continue to receive health insurance benefits. The modified duty is not intended to exceed six months, unless authorized in writing by the Designated Coordinator.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Rifle strives to provide assistance for employees with personal problems that may affect job performance. The purpose of this EAP is to offer employees assistance in such a way as to restore individual productivity and enable employees to lead meaningful lives.

8.1 Drugs or Alcohol

An employee who desires assistance with substance abuse may request an evaluation to assess the need for professional assistance. The City will pay for one evaluation. If in-patient treatment is required, the employee may use sick leave, compensatory time, and vacation time to the extent available. Costs incurred over and above the amount allowed by the City's medical insurance carrier will be the sole responsibility of the employee.

8.2 Mental/Physical Health

When in the judgment of the Department Head and with the concurrence of the City Manager, an employee's mental or physical health is such that it appears to adversely affect the employee's ability to perform duties of his/her position, the City may require the employee to undergo an examination by medical personnel of the City's choice and at the City's cost. If in-patient treatment is required, the employee may use sick leave, compensatory time, and vacation time to the extent available.

EDUCATION AND TRAINING ASSISTANCE PROGRAM

In order to provide employees with the skills necessary for performance of the requirements of their positions, employees may be eligible for tuition reimbursement. Consideration for reimbursement is contingent on satisfactory job performance as determined by the Department Head.

9.1 Employee-Initiated Education

A permanent, full-time employee seeking tuition reimbursement for an educational course must obtain advance approval from his or her Department Head. The Department Head may consider the availability of funds and content of the course as it relates to job responsibilities and potential advancement in determining whether tuition reimbursement shall be available. Department Heads have discretion to approve all, part, or none of the tuition and/or expenses associated with any educational course.

Reimbursement of tuition and book fees may be available upon presentation of both of the following:

A. Evidence of satisfactory completion (grade C or better) and the class grade in the form of a grade slip from the school or a letter from the instructor of the class.
B. A copy of a paid invoice detailing expenses for which the employee is seeking reimbursement.

The City will not pay for courses for employees whose employment is terminated, for any reason, prior to completing the class. Study and class attendance must be accomplished during non-working hours, unless arrangements to change an employee's work schedule are made in advance with the Department Head's approval.

9.2 City-Initiated Training

When an employee attends a seminar, training program, or school at the request of the Department Head, all reasonable expenses directly incident to the training shall be paid by the City. Training expenses are reimbursable to the employee for all training required by the City or by law.

Time spent traveling to attend courses using modes of transportation deemed acceptable to the City shall be considered hours worked (see Section 5.4.2, *Computation of Compensatory Time*). All other time spent preparing for and/or waiting for courses to begin shall not be considered hours worked.

RULES, POLICIES, AND PROCEDURES

10.1 Safety Policy - Program Policy Statement - Goals

The City of Rifle acknowledges that a valid safety program should be a part of the overall function of City government. Therefore, the City has adopted an Injury & Illness Prevention Program Manual containing the City's safety rules. A copy of the manual is available for each employee's review in the City facility to which the employee is assigned, as well as on the City's computer system. The safety program pertains to all employees and officers of the City.

Comment [I20]: Added as discussed during Personnel Manual Revision Committee meeting of 12/03/13

All employees are responsible for requesting any equipment, equipment repairs, training, changes in procedures, or any activity necessary for the safe performance of their job. Employee safety requests which are not granted can be appealed by following the procedures outlined in Chapter 11.3 (*Appeal Procedures*).

Employees are expected to take individual responsibility for the safe performance of their job functions. It is the responsibility of each employee to read and understand all City safety rules. Each Department Head will evaluate his or her employees on how well each follows safety rules in the performance of their jobs.

A safety committee should hold meetings as necessary to review each Department's safety program activities.

10.2 Establishment of Rules, Policies, and Procedures

Each department may establish written rules, policies, and procedures pertaining to its individual operating needs and requirements. The rules shall not conflict with the provisions of this manual and in the case of any perceived conflict between department rules and this manual, the provision of this manual shall control. Departmental rules may be reviewed, amended, and/or repealed at the discretion of the Department Head.

10.3 Use of City Equipment

The use of City equipment for employees' personal purposes or for private gain is prohibited unless authorized in advance by the City Manager.

10.4 Use of Tobacco Products

The use of tobacco products, including but not limited to cigarettes, cigars, ~~and~~ pipes, and chewing tobacco is prohibited in all City buildings, facilities, and vehicles, or while operating mechanized equipment. The use of electronic cigarettes in City buildings, facilities, and vehicles or while operating mechanized equipment is also prohibited.

10.5 Seatbelt Policy

Employees who drive City vehicles and equipment in which seatbelts are installed are required to wear seatbelts at all times when the vehicle or equipment is in motion. Employees with passengers are responsible for ensuring that the passengers are also wearing seatbelts.

Comment [l21]: Added as discussed during Personnel Manual Revision Committee meeting of 12/03/13

10.6 Personal Appearance~~**Dress Code**~~

During business hours or when representing the City, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their position and accepted social standards. Employees should follow the following personal appearance guidelines:

- Office clothing must be free of holes or ~~, or~~ rips~~ and excessive wrinkles~~.
- Dress and skirt length should be at a length at which you can sit comfortably in public. Skirts and dresses that ride halfway up the thigh and spaghetti-strap clothing are not allowed. ~~Spaghetti-strapped clothing, extremely short dresses or skirts, and shirts that carry any provocative or vulgar messages are not allowed.~~
- Closed-toed shoes are required for those employees working in the field.
- An employee must dress in uniform if his/her job requires it.
- Facial hair must be clean, well trimmed and neat.
- Hairstyles are expected to be in good taste.
- Excessive makeup is not permitted.
- Offensive body odor and poor personal hygiene is not professionally acceptable.
- Extreme f~~F~~acial jewelry, such as eyebrow rings, bull rings, lip rings, ~~and~~ tongue studs, gauges, tunnels, and plugs, should not be worn during business hours.
- Torso body piercings with visible jewelry or jewelry that can be seen through or under clothing should not be worn during business hours.
- Visible ~~excessive~~ tattoos should be covered during business hours.

Comment [l22]: Deleted as discussed during Personnel Manual Revision Committee meeting of 12/03/13

Comment [l23]: Amended as discussed during Personnel Manual Revision Committee meeting of 12/09/13

Comment [l24]: Added as discussed during Personnel Manual Revision Committee meeting of 12/09/13

Comment [l25]: Added as discussed during Personnel Manual Revision Committee meeting of 12/03/13

Comment [l26]: Added as discussed during Personnel Manual Revision Committee meeting of 12/09/13

Comment [l27]: Deleted as discussed during Personnel Manual Revision Committee meeting of 12/03/13

10.7 Uniform and Clothing Policy

10.7.1 Any clothing purchased by the City for employee use is to be approved by the Department Head and shall be paid for by that Department's clothing budget line item. Department Heads shall submit planned clothing purchases for the following year to be considered along with their annual budget requests. The clothing plan must be approved by the City Manager prior to implementation.

10.7.2 All clothing purchased by the City is the property of the City and shall be returned to the City if an employee leaves City employment, unless the Department Head determines otherwise.

10.7.3 The purchase of safety equipment and clothing is responsibility of the Department and is to be replaced based on need and/or as required by law at the determination of the Department Head.

10.7.4 Clothing purchases should be driven by an employee's job duties and requirements and be functional in nature without unnecessary or excessive embroidery, trim, tailoring or styling.

10.7.5 Unless approved by the City Manager, the City will not purchase clothing or provide a clothing stipend for any "office staff". Office staff is defined as those City employees whose jobs are not associated with special clothing requirements or where an employee's personal clothing will not ordinarily be damaged in carrying-out their normal job duties.

10.7.6 Unless approved by the City Manager, employees are responsible for laundering and proper care of all City-purchased clothing. Tattered, torn, ripped or badly faded City-clothing shall not be worn.

10.7.7 At the discretion of the Department Head, clothing may be provided to volunteers as a gift from the City.

10.7.8 Clothing bearing the City name, City logo and/or Department designation may be purchased from the City by any City employee at their expense.

10.7.9 All clothing bearing the City name, City logo and/or City Department designation purchased by the City should be worn only while "on-duty" conducting City business.

10.7.10 Individual City Departments may adopt additional policies to supplement this uniform and clothing policy with the approval of the City Manager.

10.8 Office/Workstation Decorations Policy

Posters, pictures, notes, etc. are permitted in offices and on the inside of workstation panels as long as they are tasteful and professional, and not annoying, abusive, profane, threatening, defamatory or offensive. In addition, in displaying posters, pictures, notes, etc., employees are prohibited from, in any manner, implying or suggesting that the City either supports a particular candidate, political issue or endorses the personal political opinions of the employee. Employees are expected to exercise great care, at all times, to distinguish their personal opinions about candidates or political issues from that of the City.

Comment [I28]: Added as discussed during Personnel Manual Revision Committee meeting of 12/03/13

CONDUCT AND DISCIPLINE

Nothing in this section constitutes an agreement of employment for a specific period of time or is intended to affect the at-will employment relationship.

11.1 Conduct

City employees are expected to conduct themselves in a manner which reflects positively on the City and its departments. Every employee shall be held accountable for his/her actions, including, where appropriate, imposition of disciplinary action up to and including dismissal.

11.2 Discipline

An employee whose conduct or work performance detracts from the effectiveness of service provided to the community or hinders organizational operation shall be subject to discipline, up to and including dismissal.

11.2.1 Causes for Disciplinary Action

Many different kinds of conduct, including but not limited to the following, may result in the imposition of disciplinary measures, including, without limitation, suspension, demotion, or dismissal:

A. Breach of any City/Departmental policy, procedure, or rule
B. Insubordination by failure to follow instructions or direction of a supervisor
C. Inability to perform the essential duties of the job
D. Abusive, disrespectful, or discourteous language or conduct directed toward any other employee or a member of the public
E. Discrimination toward fellow employees or a member of the public
F. Violation of the City's discrimination or harassment policy (see Chapter 12)
G. Violation of the City's workplace violence policy (see Chapter 13)
H. Violation of the City's drug and alcohol policy (see Chapter 14)
I. Soliciting or accepting any fee, gift, or item of value for personal gain, in the course of work or in connection with work
J. Attempting deception in work-related matters
K. Absence from work without notification or authorization
L. Negligence or willful misconduct which endangers the health and safety of any person, or violation of safety rules/policies
M. Failure to properly maintain or operate City equipment or property
N. Inappropriate dress or appearance (see Section 10.6)
O. Being charged with any felony or misdemeanor crime
P. Being charged with any traffic violation while operating a City-owned vehicle
Q. Inadequate job performance
R. Theft of City Property
S. Sleeping on the job
T. Falsification of records

11.2.2 Types of Discipline

An employee may be terminated as a result of a first disciplinary action; same termination need not necessarily be preceded by warnings or other less severe disciplinary actions.

Disciplinary actions may include any or all of the following steps, which may be repeated or bypassed as deemed appropriate:

1. **Oral Warning** - An immediate supervisor's or Department Head's verbal notice to an employee that his/her behavior or performance must be improved or corrected. An oral warning defines the improvement or corrective action required and informs the employee that failure to comply with the oral warning may result in more severe discipline. Supervisors shall retain a record of the oral warning. An oral warning is not appealable.

2. **Written Reprimand** - A written notice to an employee that his/her performance or behavior must be improved or corrected. The notice may be given by an immediate supervisor, Department Head, or City Manager, and shall be presented to the employee for review, signature, and written response at the option of the employee. Written reprimands contain a statement of the cause for the disciplinary action, improvement or corrective action required of the employee, time frames for such action, and consequences of the employee's failure to comply. Written reprimands shall be included in the employee's permanent personnel file. A written warning is not appealable.

3. **Probationary Status** - An employee may be placed on probationary status for various reasons, including but not limited to unacceptable job performance. An employee is placed on probationary status in writing and for a specific period of time by his/her Department Head. An employee on probationary status is not eligible to receive pay increases of any kind. An employee may appeal placement on probationary status as outlined in *Appeal Procedures*.

4. **Suspension** - An employee may be suspended by the Department Head with or without pay for any period, depending upon the seriousness of the problem. The circumstances resulting in suspension shall be explained in a written communication to the employee and the signed copy shall be placed in the employee's permanent personnel file. Procedures for appealing a suspension are outlined in *Appeal Procedures*.

5. **Demotion/Reduction in Grade** - An employee may be demoted or reduced in grade by the Department Head. The employee shall be informed of the reasons for and terms of said demotion or reduction in grade and may appeal this action per *Appeal Procedures*.

6. **Termination** - An employee may be permanently removed from City service. A Department Head may impose a termination with the concurrence of the Human Resource Director and City Manager. The employee shall be advised of the cause of the termination, which shall be a final action of the City not subject to appeal.

11.3 Appeal Procedures

An employee who is subject to a disciplinary action eligible for appeal shall have five (5) working

days after the disciplinary action to appeal the action to the Department Head who shall make inquiry into the facts and circumstances of the grievance. Written requests for extensions will be considered by the Department Head on a case by case basis. The Department Head shall review the matter and notify the employee of the appeal decision in writing within ten (10) working days. A copy of the written grievance shall be forwarded to the City Manager.

If the employee is dissatisfied with the Department Head's decision, the employee shall submit a written request for review of the decision to the City Manager within five (5) working days. The City Manager will take the necessary steps to review and investigate the complaint, and will then issue a written, final, and binding decision within ten (10) working days, or other mutually agreeable time period. If the Department Head imposed the disciplinary action, the appeal may be taken to the City Manager.

Department Heads or employees subject to disciplinary action imposed by the City Manager may appeal the action by filing a written request for the review of the decision within five (5) working days to the City Manager. A Committee consisting of the Mayor, a Department Head appointed by the City Manager, and a Department Head selected by the appealing Department Head or employee will take the necessary steps to review and investigate the complaint, and will then issue a written, final, and binding decision within fifteen (15) working days, or other mutually agreeable time period.

DISCRIMINATION & HARASSMENT POLICY

12.1 Introduction

The City of Rifle strives to provide a work environment which is free from unlawful discrimination and harassment. Harassment of any employee on the basis of race or color, religion or creed, sex or gender, sexual orientation, national origin or ancestry, age, physical or mental disability, military status, genetic information, or any other protected status is a serious violation of City policy and will not be tolerated. A prompt investigation of all claims and complaints of unlawful discrimination and harassment will be undertaken, and appropriate corrective action will be taken when the City determines that action is warranted.

12.2 Harassment Defined

12.2.1 Harassment can take many forms and can include, but is not limited to, slurs, comments, jokes, innuendoes, unwelcome compliments, pictures, cartoons, pranks, or other verbal or physical conduct which:

A. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
B. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
C. Otherwise unreasonably affects an individual's employment opportunities.

12.2.2 Sexual harassment is a type of harassment and occurs when the verbal and/or physical conduct described above is sexual in nature or is gender-based (i.e., directed at a person because of his or her gender).

12.2.3 Examples of conduct which may constitute sexual harassment include, but are not limited to: pinching; grabbing; fondling; propositioning; making either explicit or implied job threats or promises in return for submission to sexual favors; making sexually-oriented comments on appearance or physical features; telling sexually oriented stories or jokes; and display or circulation of sexually-oriented pictures or photographs. Unwelcome conduct including sexual advances, requests for sexual favors, or other physical, verbal, or written conduct of a sexual nature may constitute sexual harassment.

12.3 Procedures

12.3.1 Any employee who believes that he or she is being discriminated against or subjected to harassment of any kind immediately should inform the person responsible for the conduct that such conduct is unwelcome and plainly request that it stop immediately. Employees who are unable, for any reason, to approach the person responsible for the conduct directly should immediately inform a Department Head of the conduct in accordance with Section 12.3.2 of this manual.

12.3.2 Within five (5) working days after the incident or occurrence, the employee shall also inform the City of the discrimination or harassment by notifying his/her immediate supervisor or Department Head, the Human Resource Director, the City Manager, or any Department Head, as the employee chooses (in cases involving the City Manager, the Mayor should be notified). The notification may be in the form chosen by the employee; the employee is urged to put the notification in writing. Upon receipt of notification, the immediate supervisor, Department Head, Human Resources Director, or the City Manager (or the Mayor for cases involving the City Manager) shall investigate the complaint and make findings and/or recommendations.

12.3.3 To the extent possible, complaints and investigations will be handled in a confidential manner.

12.3.4 If it is determined that any employee's conduct constitutes discrimination or harassment, the employee may be subject to corrective and/or disciplinary action, including but not limited to termination of employment.

12.3.5 No employee shall be subjected to reprisal or retaliation for making such a notification. The employee should report immediately any incidents of reprisal, retaliation, discrimination or harassment which occur as a result of making such a notification.

12.3.6 Upon notification of reprisal or retaliation, an investigation will be undertaken by the City Manager (or by the Mayor in cases where the City Manager is the subject of the complaint), who shall, within ten (10) working days after the employee's notification, or such additional time as may be necessary to conduct an investigation, inform the employee in writing of the results of the investigation.

WORKPLACE VIOLENCE POLICY

13.1 Introduction

The City strives to promote a safe environment free from violence, threats of violence, harassment, intimidation, stalking, and other disruptive behavior.

13.2 Violent Behavior Defined

Violence, threats, harassment, intimidation, stalking, and other disruptive behavior in the workplace will not be tolerated. Such behavior may include, but is not limited to, oral or written statements, gestures, bullying, or expressions that communicate a direct or indirect threat of physical harm toward employees, citizens, or City property or facilities. Threats may include veiled, conditional, or direct threats in verbal or written form that result in intimidation, harassment, harm, or endangerment to the safety of another person or property. Bullying is defined as the repeated mistreatment of a person at work by a coworker, supervisor, manager, or customer. The mistreatment may involve repeated acts of: 1) shouting, yelling, screaming, or swearing; 2) insults, put-downs, name-calling, or belittling; 3) public humiliation, criticism, or "dressing down"; 4) cruel or offensive pranks, jokes; or 5) physical behavior, such as pushing, blocking, or tripping. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

Possession of a firearm or illegal weapon of any kind, including those defined by Colorado Revised Statute Title 18, Article 12, is prohibited at work, including in a City vehicle or on a City-owned facility or parking lot, except when such possession is a necessary requirement of an employee's job.

13.3 Procedures

Threats or assaults that require immediate attention by police should be reported first to police at 9-1-1. Employees who observe or experience violent, threatening, harassing, intimidating, stalking, or other disruptive behavior by anyone on City property should report it immediately to their supervisor or department head.

Supervisors or department heads who receive such reports should report the incident by the next business day to the City Manager. The City shall address responsibility and timing of any investigation to be made. All reports of incidents will be taken seriously and will be dealt with appropriately. The employee making the report will be notified of the results of the investigation. To the extent possible, complaints and investigations will be handled in a confidential manner.

If it is determined that an employee's conduct violates the City's workplace violence policy, the offending employee may be subject to corrective and/or disciplinary action, including but not limited to termination of employment.

No employee shall be subjected to reprisal or retaliation for making a report of workplace

violence; the employee should report to his/her supervisor or department head immediately any incidents of reprisal, retaliation, or harassment which occur as a result of making such a report.

DRUG AND ALCOHOL POLICY

14.1 Drug and Alcohol Policy Overview

14.1.1 The City of Rifle has a vital interest in maintaining safe, healthful, and efficient working conditions for its employees. Individuals under the influence of drugs, alcohol, or other controlled substances may cause serious safety and health risks, not only to themselves, but also to others who work with them.

14.1.2 The City of Rifle recognizes that the success of its operations is dependent upon the physical and psychological health of its employees. Accordingly, it is the right, obligation, and intent of the City of Rifle to take reasonable measures to ensure that alcohol, drugs, and controlled substances do not jeopardize the success of its operations or otherwise affect the City of Rifle, its employees, or it customers.

14.1.3 With these basic objectives in mind, the City of Rifle has established the following policy and procedures with regard to alcohol, drugs, and controlled substances.

14.2 Prohibited Activities

1. Alcohol: The use of, or being under the influence of, alcohol by any employee, subcontractor, contractor, or volunteer performing City business, or while in a City facility, is strictly prohibited.

2. Controlled Substance: The use, sale, purchase, transfer, manufacture, or possession of a controlled substance by any employee, while in a City facility or while performing City business, is prohibited. The presence of an amount of any controlled substance that results in a positive test of any employee, while in a City facility or while performing City business, is prohibited. Being under the influence of a controlled substance, while in a City facility or while performing City business, is prohibited. Although the Colorado Constitution has decriminalized marijuana use, marijuana use is still illegal under federal law. The City prohibits marijuana use by employees and will treat its use the same as any other use of a controlled substance.

3. Legal Drugs: The use, or being under the influence of, any legally obtainable drug by any employee while in a City facility or while performing City business, is prohibited, as such usage or influence may affect the safety of others. Employees who are under the influence of a legal drug may continue to work provided management has determined, after seeking appropriate medical counsel, that the employee does not pose a threat to his/her own safety or to the safety of others. Employees who feel, or who have been informed that the use of a legal drug may impair their performance or present a safety risk, must report the use of such drug to management.

14.3 Testing

14.3.1 Each department may maintain pre-employment screening practices designed to prevent the hiring of individuals who use illegal drugs or individuals whose use of legal

drugs or alcohol indicates a potential for impaired or unsafe job performance.

14.3.2 Testing may take place at the time an applicant undergoes a pre-employment physical exam. Applicants whose test results are at a positive level for either drugs or alcohol will be rejected for employment.

14.3.3 Any employee involved in an on-the job accident, whether as a victim, or the probable cause of the accident, may be subject to a blood test, urinalysis, or other drug or alcohol test. However, testing will not be limited to such situations.

14.3.4 All employees are subject to testing if the employee's supervisor has a reasonable suspicion of drug or alcohol use.

14.3.5 Employees whose position requires a Commercial Driver's License (CDL) are subject to random drug testing.

14.3.6 At its discretion, the City of Rifle may require its employees to provide a urine specimen or blood sample, at a collection site, and may require the testing of such samples and specimens. A positive-level test may result in disciplinary action at the City's exclusive discretion, including termination of employment. An employee's consent to submit to such a test is required as a condition of employment, and an employee's refusal to consent may result in disciplinary action at the City of Rifle's exclusive discretion, up to and including termination of employment, even for a first refusal.

14.4 Searches

The City, in its discretion, may conduct unannounced searches for illegal drugs or alcohol in City facilities. It is understood that these facilities are those of the City's, and there is no expectation of privacy in employee lockers and/or other property which belongs to the City. There is absolutely no basis for the bringing of drugs or alcohol on the premises and locations such as lockers, desks, etc. These areas are the property of the City of Rifle, and they, as well as personal belongings, may be searched by the employer when it is considered necessary, at the City's exclusive discretion.

14.5 Employee Responsibility

14.5.1 Employee's Duty to Report Drug-related Arrests: Each employee shall notify his/her supervisor of any criminal drug statute arrest, no later than five (5) days after such arrest.

14.5.2 Employee Responsibilities and Assistance: The City of Rifle may offer referral to rehabilitation programs which emphasize education, prevention, counseling, and treatment to employees when problems arise which may affect the employee's performance, safety, and/or safety of others.

Each employee is responsible for complying with the requirements of this policy and should seek assistance before drug or alcohol problems lead to disciplinary action.

14.6 Disciplinary Action

Violation of this policy may result in disciplinary action at exclusive discretion of the employee's Department Head. Such disciplinary action could result in termination of employment, even for the first offense.

Any employee who refuses to submit to a search or inspection, refuses to give a urine specimen or blood sample, or is found under the influence of alcohol, drugs, or controlled substances, may be discharged at the City of Rifle's exclusive discretion, up to and including termination of employment.

14.7 Definitions

A. City Facilities – any City property including, but not limited to, all land (including parking lots), property and buildings owned or leased by the City, as well as any jobsite where the City is responsible for furnishing products or where City employees may perform services. Property includes motor vehicles and equipment owned or leased by the City.

B. Controlled Substance – any drug which is not legally obtainable or which is legally obtainable but has not been legally obtained. The term includes prescribed drugs which are not being used for the prescribed purposes.

C. Legal Drugs – all prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they have been prescribed or manufactured.

D. Under the Influence Of – the employee is affected by a drug, alcohol, or controlled substance, or any combination thereof, in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. This term includes a positive result in a drug or alcohol test.

E. Collection Site – a location for specific applicant/employees to report for the purpose of providing urine specimens and/or blood samples, for testing for the presence of drugs and/or alcohol. The collection of urine specimens is to be conducted under tightly controlled conditions. This site will be separate from City facilities.

F. Accident – any event where property is damaged or personal injury occurs.

G. Reasonable Suspicion – facts and circumstances that would lead a reasonable person to believe that another individual is under the influence of drugs, alcohol, or controlled substances.

VEHICLE AND TRAVEL POLICY

15.1 City Vehicles

Employees who are subject to call back may be required to drive home a City vehicle for quicker response time. Except for Department Heads or when on-call, City employees who live more than two (2) miles outside the City Limits will be required to leave their assigned vehicle at a designated City facility.

While traveling between home and their assigned work location, employees may, on occasion, perform small items of personal business in order to avoid wasting energy by retracing their route in their private vehicle. Employees must exercise good judgment in using City vehicles for personal business.

15.2 Travel Policy

15.2.1 Each department may generally budget a set amount for travel expenses each year. The Department Head is responsible for monitoring and controlling that budget.

15.2.2 The City may, upon sufficient request, advance money to an employee to cover anticipated travel expenses. The employee must file a report and acceptable receipts with his/her supervisor detailing amounts actually spent within one week of returning to work. Any money not spent according to this policy will be returned to the City at that time.

15.2.3 Out-of-state travel must be approved, in advance, by the City Manager.

15.2.4 The City may make a City vehicle available, and the employee may use that vehicle for any travel. If the employee must use his/her own vehicle, expenses will be reimbursed at the mileage rate established by current IRS guidelines.

15.2.5 An employee may allow family members to travel with him/her in the City vehicle, but only the City employee may drive.

15.3 Reimbursement Expenses

1. Examples of expenses that will be reimbursed with presentation of acceptable receipts:

   A. Reasonable meal expenses, including non-alcoholic beverages
   B. Reasonable parking, tolls, etc.
   C. Tips (no receipt required but must follow common practice)
   D. Phone calls required by City business plus one phone call of reasonable duration home for each 24 hour period
   E. Reasonable taxi cab, bus rides, etc.

2. Examples of expenses that will not be reimbursed:

A. Any alcoholic beverages
B. Snacks, beverages not associated with a meal
C. In-room movies or other entertainment
D. Any strictly personal items
E. Toiletries, dry cleaning, etc.

15.4 Vehicle Maintenance Responsibility

1. Assigned Vehicles: Employees with assigned vehicles are responsible for securing maintenance on the vehicles. Assigned vehicles must be kept clean and presentable.

2. Motor Pool Vehicles: Employees using motor pool vehicles are responsible for reporting defects or maintenance needs. After they are returned, motor pool vehicles must be vacuumed, have a full tank of gas, and all trash and personal items removed. Motor pool vehicles must be ready to go for the next user.

ELECTRONIC MEDIA ACCESS AND ACCEPTABLE USE POLICY

16.1 Policy

This policy governs the use of computers, networks, and related services of the City. Users of these resources are responsible for reading, understanding, and complying with this policy. Computers and networks can provide access to resources within and outside the City, as well as the ability to communicate with other users worldwide. Such access is a privilege and requires that individual users act responsibly.

Users must respect the rights of others, respect the integrity of the computers, networks, and related services, conform to network etiquette, customs and courtesies, and observe all relevant laws, regulations, contractual obligations, and City policies and procedures. Misuse of the City Computer System can undermine public confidence and waste taxpayer resources.

16.2 The City Computer System

1. The City Computer System includes: computers and related equipment, e-mail, telephones, voice mail, facsimile systems, communications networks, computer accounts, internet and/or web access, network access, central computing and telecommunications facilities, and related services.

2. Access to and use of the City Computer System is a privilege granted to City staff. All users of the Computer System must act responsibly and maintain the integrity of the Computer System. The City reserves the right to deny, limit, revoke, or extend computing privileges and access to the Computer System in its discretion.

3. The City may, in its discretion, limit the use of specified portions of the Computer System to certain employees, and/or deny the use of specified portions of the Computer system to certain employees.

4. The City may, in its discretion, regulate which applications may be downloaded on City issued telephones, tablets, and similar devices. The GPS Find function shall be activated on all City issued devices.

5. The City Computer System may not be used in any manner or for any purpose which is illegal, dishonest, disruptive, threatening, is damaging to the reputation of the City, is inconsistent with the mission of the City, or could subject the City to liability.

6. Any violation of this policy or of other City policies in the course of using the Computer System may result in an immediate loss of computing privileges, disciplinary action up to and including termination of employment, and referral of the matter to the appropriate authorities.

16.3 No Expectation of Privacy

1. City personnel have no expectation of privacy in City property and equipment. Such property and equipment includes, but is not limited to, the City Computer System, and all messages, data files and programs stored in or transmitted via the Computer System ("Electronic Communications"). The City reserves the right to monitor, access, use, and

disclose all messages, data files and programs sent over or stored in its Computer System for any purpose. City management reserves the right to monitor, inspect, and examine any portion of the Computer System at any time and without notice.

2. Further, correspondence of an employee in the form of e-mail may be a public record under the public records law, and may be subject to public inspection under C.R.S. Section 24-72-203, unless an exception provided by law applies. The City may monitor or access an employee's e-mail, with or without notice, for any business-related purpose, including any situation in which a supervisor has reason to believe that an employee is misusing or abusing e-mail privileges, or is violating any other City policy.

16.4 Passwords

1. Portions of the City Computer System may be accessible by password only. The purpose of a password is not to provide privacy, but to control and prevent unauthorized access.
2. Every password issued for the use of any part of the City Computer System is the responsibility of the person in whose name it is issued. That individual must keep the account secure from unauthorized access by keeping the password secret, by changing the password often, and by reporting to the City when anyone else is using the password without permission.
3. Passwords are intended to help prevent unauthorized access and may not be shared with unauthorized persons. The contents of all password protected data files and programs belong to the City and are subject to access and disclosure by the City as set forth in this policy.

16.5 Improper Use of the Computer System.

Improper use of the Computer System is prohibited. The following are examples of improper use of the Computer System:

1. **Storage, Transmission, or Printing of Improper Materials:** Storing, transmitting or printing any of the following types of Electronic Communications on the Computer System is prohibited: material that infringes upon the rights of another person; material that is obscene; material that consists of any advertisements for commercial enterprises; material or behaviors that violate laws, regulations, contractual obligations, and City policies and procedures; or material that may injure someone else and/or lead to a lawsuit or criminal charges.
2. **Harassment:** Any electronic communication that violates the City harassment policy is prohibited. Additionally, any electronic communication that is annoying, abusive, profane, threatening, defamatory or offensive is prohibited. Some examples include: obscene, threatening, or repeated unnecessary messages; sexually, ethnically, racially, or religiously offensive messages; and continuing to send messages after a request to stop.
3. **Destruction, Sabotage:** Intentionally destroying anything stored on the Computer System, including anything stored in primary or random access memory is prohibited. Deliberately performing any act that will seriously impact the operation of the Computer System. This includes, but is not limited to, tampering with components of a network, otherwise blocking

communication lines, or interfering with the operational readiness of a computer or peripheral.

4. **Evasive Techniques:** Attempts to avoid detection of improper or illegal behavior by encrypting or passwording electronic messages and computer files are prohibited.

5. **Unauthorized Use/Access:** Using the Computer System to gain or attempt to gain unauthorized access to remote computers is prohibited. Other prohibited behaviors include: actions that give simulated sign off messages, public announcements, or other fraudulent system responses; possessing or changing system control information (e.g., program status, protection codes, and accounting information), especially when used to defraud others, obtain passwords, gain access to and/or copy other user's electronic communications, or otherwise interfere with or destroy the work of other users.

6. **E-Mail Forgery:** Forging e-mail, including concealment of the sender's identity, is prohibited.

7. **Theft/Unauthorized Use of Data:** Data created and maintained by the City, or acquired from outside sources, are vital assets of the City and must be used only for authorized purposes. Theft of or unauthorized access to or use of data is prohibited.

8. **Program Theft:** Unless specifically authorized, copying computer program(s) from the Computer System is prohibited.

9. **Viruses, etc:** Intentionally running or installing on the Computer System, or giving to another, a program that could result in damage to a file or the Computer System, and/or the reproduction or transmission of itself, is prohibited. This prohibition includes, but is not limited to, the classes of programs known as computer viruses, Trojan horses, and worms.

10. **Security:** Attempting to circumvent data protection schemes or uncover security loopholes is prohibited.

11. **Wasting Resources:** Performing acts that are wasteful of computing resources or that unfairly monopolize resources to the exclusion of others is prohibited. These acts include, but are not limited to: sending mass mailings or chain letters; creating unnecessary multiple jobs or processes; generating unnecessary or excessive output or printing; or, creating unnecessary network traffic.

12. It is understood that, occasionally, staff members use e-mail or internet access for non-commercial, personal use. Such occasional non-commercial uses are permitted if they are not excessive and are limited to breaks or lunch hours, do not interfere with the performance of the employee’s duties, do not interfere with the efficient operation of the City, and are not otherwise prohibited by this policy or any other City policy.

13. **Accessing User Accounts:** Unauthorized attempts to access or monitor another user's electronic communications are prohibited. Unauthorized accessing, reading, copying, changing, disclosing, or deleting another user's messages, files or software without permission of the owner is prohibited.

14. **Backup Copies.** All data on the Computer System is subject to backup at the discretion of the City.

15. **Deleting Electronic Communications.** Users of the Computer System should be aware that Electronic Communications are not necessarily erased from the Computer System when the user "deletes" the file or message. Deleting an Electronic Communication causes the Computer System only to "forget" where the message or file is stored on the Computer System. In addition, Electronic Communications may continue to be stored on a backup copy long after it is "deleted" by the user. As a result, deleted messages often can be retrieved or recovered after they have been deleted.

16. **Criminal Laws.** Under C.R.S. Section 18-5.5-101 et seq., criminal sanctions are imposed for offenses involving computers, computer systems, and computer networks. Any person committing an offense with respect to them may be subject personally to criminal sanctions and other liability. Federal laws may also apply to some circumstances.

17. **Copyright Infringement.** The Copyright Laws of the United States prohibit unauthorized copying. Violators may be subject to criminal prosecution and/or be liable for monetary damages.

18. In general, employees may not copy, download, install or use software on the Computer System without acquiring a license from the publisher. (For example, employees may not copy it from a friend or other source.) Furthermore, employees may not copy the City's software, unless such copying is specifically authorized by the City and permitted by the license agreement.

The ability to download documents from the Internet, and to attach files to E-mail messages, increases the opportunity for and risk of copyright infringement. A user can be liable for the unauthorized copying and distribution of copyrighted material through the use of download programs and E-mail. Accordingly, employees may not copy and/or distribute any materials of a third party (including software, database files, documentation, articles, graphics files, audio or video files) unless they have the written permission of the copyright holder to do so. Any questions regarding copying or downloading should be directed to the IT Director.

SOCIAL MEDIA POLICY

The City recognizes that social media internet applications can be used to enhance communication and collaboration and further citizen involvement in government issues. The City also recognizes that access to the City's social media sites may directly impact the image and the operation of the City as a whole and each individual department. This policy governs the use of social media and social networking by all authorized personnel in order to mitigate potential risk and abuse of any social media efforts.

17.1 Definitions

1. **Social Media**. Any internet-based application that facilitates the exchange of user-generated content, communications and conversations including, but not limited to Linkedin, Facebook, Twitter, web feeds, blogs, wikis, photo-sharing, video-sharing, podcasts and other means of transferring information through the internet.

2.**Post**. A comment by City Personnel or a Public Citizen uploaded to and displayed on a social media site.

3.**Moderator**. An authorized City official that reviews, authorizes and allows content submitted by City Personnel and Public Citizens to be posted to a social media site.

17.2 Policies

1.**Existing Policies**. All existing laws, rules, regulations and other existing policies governing the conduct of City personnel are applicable to conduct associated with social media.

2.**City of Rifle**. City social media sites shall make clear that the site is maintained by the City and that the site complies with this social media Policy. Each social media site should state the general purpose fully stated in Section I. All City social media sites shall be approved by the City Manager. Each site should also include a link connecting a user to this Policy to facilitate full user compliance.

3.**Colorado Open Records Act**. City social media sites are subject to the Colorado Public Records Act. Any content maintained in a social media format that is related to City affairs, including lists of subscribers, posted communications, and communications submitted for posting, may be a public record subject to public disclosure.

4.**Site Content**. The Moderator shall review social media sites daily to prevent inappropriate, topically irrelevant, or technically harmful information, posts, comments and links. Social media sites that allow public comment shall inform visitors that the purpose of the site is to present matters of pubic interest in the City, including its residents, businesses and visitors and that it is a moderated online discussion site and not a public forum. Inappropriate posts are subject to removal including but not limited to the following types of postings:

a. Comments not topically related;

b. Profane language or content;

c. Content that promotes or perpetuates discrimination on the basis of race, sex, creed, color, age, religion, gender, marital status, public assistance, national origin, physical or mental disability or sexual orientation;

d. Sexual content;

e. Advertisements or solicitations of commerce;

f. Information that may tend to compromise the safety or security of the public or public systems;

g. Content that violates a legal ownership of interest of another party;

h. Defamatory statements, personal attacks, violent or aggressive statements, encouragement of illegal activity or other comments that may incite, aggravate, or generally not conducive to the good will of the Citizens of the City of Rifle.

5.**Authorized Use**. Only official spokespersons and other specifically selected persons authorized by the City Manager may have access to publish, post, or comment on behalf of the City.

All persons granted access shall:

a. Identify themselves as a member of the City.

b. Conduct themselves as representatives of the City and by the same standards, principles and guidelines that apply to all City Personnel in the performance of their assigned duties.

All persons granted access shall NOT:

a. Post, transmit or otherwise disseminate classified data or confidential information without the express written consent of the Moderator or his designee.

b. Conduct political activities or private business. Employees are prohibited from, in any manner, implying or suggesting that the City either supports a particular candidate, political issue or endorses the personal political opinions of the employee. Employees are expected to exercise great care, at all times, to distinguish their personal opinions about candidates or political issues from that of the City.

6.**Personal Use**. City Personnel who are off-duty and engage in the use of social media do not represent the City of Rifle or any official position maintained by any department of the City. Postings of this manner are personal communications, and City Personnel are personally responsible for the content they publish. Postings by an employee concerning the City are not prohibited provided they comply with the guidelines set forth in this Personnel Manual and do not:

a. Use their rank, title, or position in a manner that would suggest they are representing the interest of the City;

b. Post any depiction, illustration, text, photo, video, audio, or any multimedia file containing the uniform, official seal, badge, logo, or any instrumentality used during the execution of the City Personnel's official duties to any social media;

c. Disclose any sensitive, proprietary, confidential, or financial information about the City.

If a City employee identifies himself or herself as a City employee on a social media site, the employee must indicate that his or her views are not the official views of the City of Rifle. If a City employee publishes content on any social media site that relates to his or her work or any subjects associated with the City, the employee must post a conspicuous disclaimer such as "The views expressed on this site (or in this post) are my own and do not necessarily represent the City of Rifle's positions, strategies or opinions."

A social media site is not the appropriate place to make a complaint regarding alleged discrimination, unlawful harassment, or safety issues. Such complaints must be made consistent with the complaint procedures in this Handbook.

Comment [I29]: Added as discussed during Personnel Manual Revision Committee meeting of 11/11/13

To: Mayor and City Council; Matt Sturgeon, City Manager

From: Lisa Cain, City Clerk

Date: Wednesday, December 11, 2013

Subject: Liquor License Renewals

THESE BUSINESSES HAVE FILED LIQUOR LICENSE RENEWAL APPLICATIONS:

Business Name/Address	Type of License
Shale Country Liquor LLC d/b/a Shale Country Liquors 1250 Railroad Avenue	Liquor Store
BPOE Lodge Rifle Lodge No 2195 501 West 5th Street	Club
Nacho's Mexican Dining LLC 2000 Railroad Avenue	Hotel & Restaurant

These criteria have been met by these businesses:

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

I recommend approval of these renewal applications.

DR 8400 (Revised 09/01/12)
COLORADO DEPARTMENT OF REVENUE
LIQUOR ENFORCEMENT DIVISION
SUBMIT TO LOCAL LICENSING AUTHORITY

LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Fees Due	
Renewal Fee	$308.75
Storage Permit $100 x ____	_____
Optional Premise $100 x ____	_____
Related Resort $75 x ____	_____
Amount Due/Paid	308.75

Ck #5768 11-14-13

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

RIFLE LODGE NO 2195
PO BOX 1229
RIFLE CO 81650-1229

RECEIVED NOV 14 2013 MPC

Received NOV 14 2013

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name	DBA
BPOE LODGE	RIFLE LODGE NO 2195

Liquor License #	License Type	Sales Tax License #	Expiration Date	Due Date
04093570002	Club License (city)	04093570002	12/31/2013	11/16/2013

Street Address	Phone Number
501 W 5TH ST RIFLE CO 81650-2823	625-2195

Mailing Address
PO BOX 1229 RIFLE CO 81650-1229

Operating Manager	Date of Birth	Home Address	Phone Number
Coleeta Saunders			

1. Do you have legal possession of the premises at the street address above? ☒ YES ☐ NO
   Is the premises owned or rented? ☒ Owned ☐ Rented* *If rented, expiration date of lease_____
2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ YES ☒ NO
   NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ YES ☒ NO
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ YES ☒ NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ YES ☒ NO
6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

AFFIRMATION & CONSENT

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.

Type or Print Name of Applicant/Authorized Agent of Business	Title
Todd Saunders	Exalted Ruler
Signature	**Date**
Todd S	11-11-13

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

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

Local Licensing Authority For		Date
Signature	**Title**	**Attest**

DR 8404 (05/07/09) Page 1
COLORADO DEPARTMENT OF REVENUE
LIQUOR ENFORCEMENT DIVISION
DENVER CO 80261

21

DEPARTMENT USE ONLY

COLORADO LIQUOR RETAIL LICENSE APPLICATION

☐ NEW LICENSE ☐ TRANSFER OF OWNERSHIP ☑ LICENSE RENEWAL

- **ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN**
- **APPLICANT MUST CHECK THE APPROPRIATE BOX(ES)**
- **LOCAL LICENSE FEE $ 100.00**
- **APPLICANT SHOULD OBTAIN A COPY OF THE COLORADO LIQUOR AND BEER CODE (Call 303-370-2165)**

1. Applicant is applying as a
   - ☒ Corporation
   - ☐ Partnership (includes Limited Liability and Husband and Wife Partnerships)
   - ☐ Individual
   - ☒ Limited Liability Company
   - ☐ Association or Other

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation	Fein Number
LINDA HUNTER	84-1287778

2a. Trade Name of Establishment (DBA)	State Sales Tax No.	Business Telephone
SHALE COUNTRY LIQUOR, LLC	02323464	970-625-3631

3. Address of Premises (specify exact location of premises)
1250 RAILROAD AVE., RIFLE, CO 81650

City	County	State	ZIP Code
RIFLE	GARFIELD	CO	81650

4. Mailing Address (Number and Street)	City or Town	State	ZIP Code
1250 RAILROAD AVE., RIFLE, CO 81650	RIFLE	CO	81650

5. If the premises currently have a liquor or beer license, you MUST answer the following questions:

Present Trade Name of Establishment (DBA)	Present State License No.	Present Class of License	Present Expiration Date
SHALE COUNTRY LIQUOR, LLC	23234640000	Liquor Store	12/26/12

LIAB	SECTION A	NONREFUNDABLE APPLICATION FEES
2300	☐ Application Fee for New License	$1,025.00
2302	☐ Application Fee for New License - w/Concurrent Review	$1,125 00
2310	☐ Application Fee for Transfer	$1,025.00

LIAB	SECTION B	LIQUOR LICENSE FEES
1905	☐ Retail Gaming Tavern License (City)	$500.00
1906	☐ Retail Gaming Tavern License (County)	$500.00
1940	☑ Retail Liquor Store License (City)	$227.50
1941	☐ Retail Liquor Store License (County)	$312.50
1950	☐ Liquor Licensed Drugstore (City)	$227.50
1951	☐ Liquor Licensed Drugstore (County)	$312.50
1960	☐ Beer and Wine License (City)	$351.25
1961	☐ Beer and Wine License (County)	$436.25
1970	☐ Hotel and Restaurant License (City)	$500.00
1971	☐ Hotel and Restaurant License (County)	$500.00
1975	☐ Brew Pub License (City)	$750.00
1976	☐ Brew Pub License (County)	$750.00
1980	☐ Hotel and Restaurant License w/opt premises (City)	$500.00
1981	☐ Hotel and Restaurant License w/opt premises (County)	$500.00
1983	☐ Manager Registration - H & R	$ 75.00

LIAB	SECTION B (CONT.)	LIQUOR LICENSE FEES
1985	☐ Resort Complex License (City)	$500.00
1986	☐ Resort Complex License (County)	$500.00
1988	☐ Add Related Facility to Resort Complex	$ 75.00 X ____ Total ___
1990	☐ Club License (City)	$308.75
1991	☐ Club License (County)	$308.75
2010	☐ Tavern License (City)	$500.00
2011	☐ Tavern License (County)	$500.00
2012	☐ Manager Registration - Tavern	$ 75.00
2020	☐ Arts License (City)	$308.75
2021	☐ Arts License (County)	$308.75
2030	☐ Racetrack License (City)	$500.00
2031	☐ Racetrack License (County)	$500.00
2040	☐ Optional Premises License (City)	$500.00
2041	☐ Optional Premises License (County)	$500.00
2045	☐ Vintners Restaurant License (City)	$750.00
2046	☐ Vintners Restaurant License (County)	$750.00
2220	☐ Add Optional Premises to H & R	$100.00 X ____ Total ___
2370	☐ Master File Location Fee	$ 25.00 X ____ Total ___
2375	☐ Master File Background	$250.00 X ____ Total ___

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

LIABILITY INFORMATION

County	City	Industry Type	License Account Number	Liability Date FROM	Liability Date TO	License Issued Through (Expiration Date)

State	City	County	Managers Reg
_____-750 (999)	2180-100 (999)	2190-100 (999)	_____-750 (999)

Cash Fund New License	Cash Fund Transfer License	TOTAL
2300-100 (999)	2310-100 (999)	$.

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 ☑

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.

8. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes," explain in detail. ☐ ☑

9. Are the premises to be licensed 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? ☐ ☑

10. 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. Shale Country Liquor, LLC ☑ ☐

11. 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?
☐ Ownership ☑ Lease ☐ Other (Explain in Detail) Copy of my lease file/another 8 yrs left. ☐ ☐

a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:

Landlord	Tenant	Expires
Linda Hunter of Sweeney Property	SHALE COUNTRY LIQUOR, LLC	12/31/2021

Attach a diagram and outline ~~Partnership~~ ~~LLC~~ 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)

12. 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. N/A

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.

13. Optional Premises or Hotel and Restaurant Licenses with Optional Premises
Has a local ordinance or resolution authorizing optional premises been adopted? N/A Yes ☐ No ☐

Number of separate Optional Premises areas requested. _____ (See License Fee Chart)

14. Liquor Licensed Drug Store applicants, answer the following:
(a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? COPY MUST BE ATTACHED. N/A Yes ☐ No ☐

15. Club Liquor License applicants answer the following and attach: N/A
(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? Yes ☐ No ☐
(b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? ☐ ☐
(c) How long has the club been incorporated? (Three years required) _____
(d) Has applicant occupied an establishment for three years that was operated solely for the reasons stated above? ☐ ☐

16. Brew-Pub License or Vintner Restaurant Applicants answer the following: N/A Yes ☐ No ☐
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)

17a. Name of Manager (for all on-premises applicants) LINDA HUNTER (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an Individual History Record (DR 8404-I). Date of Birth 8/2/1948

17b. 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 ☑

18. 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? Yes ☐ No ☑
If yes, provide an explanation and include copies of any payment agreements.

 Shale Country Liquor, LLC License Renewal

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

NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*
LINDA HUNTER			OWNER	100

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

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

Additional Documents to be submitted by type of entity N/A

☐ **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	Date
Linda Hunter	OWNER	11/19/2013

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.**
11/21/13	N/A - renewal

THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:

That each person required to file DR 8404-I (Individual History Record) has: Yes No

☐ Been fingerprinted ..... ☐ ☐

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

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

(Check One)

☐ Date of Inspection or Anticipated Date _____

☐ Upon approval of state licensing authority.

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

Local Licensing Authority for	Telephone Number	☐ TOWN, CITY ☐ COUNTY
Signature	Title	Date
Signature (attest)	Title	Date

DR 8400 (Revised 09/01/12)
COLORADO DEPARTMENT OF REVENUE
LIQUOR ENFORCEMENT DIVISION
SUBMIT TO LOCAL LICENSING AUTHORITY

LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Fees Due	
Renewal Fee	$500.00
Storage Permit $100 x ____	_____
Optional Premise $100 x ____	_____
Related Resort $75 x ____	_____
Amount Due/Paid	

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

NACHO'S MEXICAN DINING LLC
2000 RAILROAD AVE
RIFLE CO 81650-3208

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name		DBA		
NACHO'S MEXICAN DINING LLC		NACHO'S MEXICAN DINING LLC		
Liquor License #	License Type	Sales Tax License #	Expiration Date	Due Date
42914350000	Hotel & Restaurant (city)	42914350000	3/17/2014	1/31/2014
Street Address				Phone Number
2000 RAILROAD AVE RIFLE CO 81650-3208				(970) 618 3879
Mailing Address				
2000 RAILROAD AVE RIFLE CO 81650-3208				
Operating Manager	Date of Birth	Home Address		Phone Number
Ignacio Mendoza				

1. Do you have legal possession of the premises at the street address above? ☒ YES ☐ NO
   Is the premises owned or rented? ☒ Owned ☐ Rented* *If rented, expiration date of lease_____
2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ YES ☒ NO
   NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ YES ☒ NO
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ YES ☒ NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ YES ☒ NO
6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

AFFIRMATION & CONSENT

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.

Type or Print Name of Applicant/Authorized Agent of Business	Title
Ignacio Mendoza	Presidente
Signature	**Date**
Ignacio Mendoza	12-06-13

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

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

Local Licensing Authority For		Date
Signature	**Title**	**Attest**

MEMORANDUM

To: Matt Sturgeon, City Manager
From: Charles Kelty, Finance Director
Date: December 11, 2013
Subject: October 2013 Sales, Use, and Lodging Tax Report

Total Sales, Use, and Lodging Tax revenues, for the ten months, ending October 31, 2013, is $6,788,486, a 15% increase from the previous year's $5,924,740.

Sales tax revenues are $6,138,294 and 15% increase from the previous year's $5,333,304. Building and Motor Vehicle Use Tax revenues are $547,170, and 11% increase from the previous year's $492,634. Lodging Taxes revenues are $103,022 and 4% increase from the previous year's $98,802.

Sales Taxes
Prior Year Comparison

	For Sales in October			Year-to-Date		
Business Category	**2012**	**2013**	**% Change**	**2012**	**2013**	**% Change**
Bars and Restaurants	$ 52,940	$ 63,976	21%	$ 549,281	$ 648,091	18%
Car Parts and Sales	40,832	45,684	12%	383,061	462,514	21%
Food	68,522	84,483	23%	709,921	877,669	24%
General Retail	194,811	238,354	22%	2,048,809	2,467,616	20%
Hardware	22,394	27,544	23%	244,276	323,487	32%
Liquor Stores	16,635	13,133	-21%	158,437	171,983	9%
Motels	12,186	16,280	34%	140,083	175,864	26%
Oil & Gas	31,438	25,159	-20%	517,279	331,766	-36%
Leasing/Misc	11,479	12,931	13%	142,535	169,379	19%
Utilities	46,265	54,004	17%	439,623	509,927	16%
Total	**$ 497,502**	**$ 581,548**	17%	**$ 5,333,304**	**$ 6,138,294**	15%
Allocation to Funds:						
General Fund	$272,546	$262,367	**-4%**	$2,921,736	$2,769,309	**-5%**
Street Improvement	71,072	68,417	**-4%**	761,901	722,152	**-5%**
Rifle Information Center	11,741	11,303	**-4%**	125,866	119,300	**-5%**
Parks & Recreation	142,143	136,835	**-4%**	1,523,801	1,444,304	**-5%**
Water Fund	0	102,626	**100%**	0	1,083,228	**100%**
	$497,502	**$581,548**	**17%**	**$5,333,304**	**$6,138,294**	**15%**

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

Building and Motor Vehicle Use Taxes
Prior Year Comparison

	For Sales in October			Year-to-Date		
Business Category	**2012**	**2013**	**% Change**	**2012**	**2013**	**% Change**
Building Use Taxes	$9,494	$11,388	**20%**	$77,149	$100,356	**30%**
Motor Vehicle Use Taxes	44,580	44,718	**0%**	415,485	446,815	**8%**
Total Use Tax	**$ 54,074**	**$ 56,106**	**4%**	**$ 492,634**	**$ 547,170**	**11%**
Fund Allocation:						
General Fund	$24,396	$25,313	**4%**	$269,879	$246,857	**-9%**
Street Improvement	6,362	6,601	**4%**	70,376	64,373	**-9%**
Rifle Information Center	1,051	1,090	**4%**	11,626	10,634	**-9%**
Parks & Recreation	12,723	13,202	**4%**	140,753	128,746	**-9%**
Water Fund	0	9,901	**100%**	0	96,559	**100%**
Total USE Tax	**$44,532**	**$56,106**	**26%**	**$492,634**	**$547,170**	**11%**

Lodging Taxes
Prior Year Comparison

	For Sales in October			Year-to-Date		
Business Category	**2012**	**2013**	**% Change**	**2012**	**2013**	**% Change**
Lodging Taxes	$9,666	$9,259	**-4%**	$98,802	103,022	**4%**
Total Lodging Tax	**$ 9,666**	**$ 9,259**	**-4%**	**$ 98,802**	**$ 103,022**	**4%**

Total Sales, Use, Lodging Taxes	**$ 561,242**	**$ 646,914**	**15%**	**$ 5,924,740**	**$ 6,788,486**	**15%**

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

MEMORANDUM

To: Matt Sturgeon, City Manager
From: Charles Kelty, Finance Director
Date: December 12, 2013
Subject: October 2013 Financial Reports

Attached are the Financial Reports for the ten months ending October 31, 2013. Below are a few comments:

Page 1 **General Fund Revenues** – Total revenues are $6,729,261, which compared to the prior year's $7,466,479 is $737,218 and 10% less.

General Fund Expenditures – Total expenditures are $6,840,953, which compared to the prior year's $6,955,080 is $114,127 and 2% less.

Page 2 **Visitor Improvement Fund** – Total revenues are $108,508, which compared to the prior year's $97,301 is $11,207 and 12% higher. Total expenditures are $89,613, which compared to the prior year's $183,570 is $93,957 less.

Page 3 **Parks & Recreation Fund Revenues** – Total revenues are $2,660,251, which compared to the prior year's $2,059,181 is $601,070 and 29% higher.

Parks & Recreation Fund Expenditures – Expenditures are $1,992,390, which compared to the prior year's $2,069,590 is $77,200 and 4% less.

Page 4 **Water Fund Revenues** – Overall, revenues are $3,823,718, which compared to the prior year's $27,604,915 is $23,781,197 less. The main reason for the revenue decrease is Water Treatment debt proceeds recorded in August 2012. Revenues from sales taxes for the water treatment plant were $1,179,787.

Water Fund Expenses – Overall, total expenses are $2,675,436, which compared to the prior years $2,872,435 is $196,999 and 7% less. Operating and Maintenance expenses are 7% lower than last year. Water rights expenses are 35% less than last year. Water System Improvements (Capital) expenses is 1% less than last year.

Page 5 **Wastewater Fund Revenue** – Total revenues are $2,090,193, which compared to the prior year's $2,350,392 is $260,199 and 11% less. Operating and Maintenance revenues were 2% less than the previous year. Capital revenues were $213,459 less than last year.

Wastewater Expenses – Total expenses were $2,487,041, which compared to the prior year's $2,517,247 is $30,206 and 1% less.

CITY OF RIFLE
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Page 6 **Sanitation Fund Revenues** – Total revenues are $398,548, which compared to the prior year's $402,674 is $4,126 and 1% less.

Sanitation Fund Expenses – Total expenses are $402,079, which compared to the prior year's $412,224 is $10,145 and 2% less.

CITY OF RIFLE
FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
FOR THE 10 MONTHS ENDING OCTOBER 31, 2013

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
REVENUE					
GENERAL REVENUES	7,522,828.00	461,033.60	6,729,261.37	793,566.63	7,466,478.86
	7,522,828.00	461,033.60	6,729,261.37	793,566.63	7,466,478.86
EXPENDITURES					
MAYOR/COUNCIL	80,164.00	7,471.11	56,405.19	23,758.81	57,101.33
CITY CLERK	174,430.00	11,716.11	139,839.49	34,590.51	137,041.50
MUNICIPAL COURT	229,109.00	13,972.16	139,397.60	89,711.40	142,298.78
CITY MANAGER	177,033.00	16,577.37	182,209.36	(5,176.36)	150,447.44
GOVERNMENT AFFAIRS	167,347.00	9,528.76	73,449.55	93,897.45	115,836.37
FINANCE	473,186.00	26,618.00	383,607.75	89,578.25	388,338.36
ATTORNEY	231,000.00	20,289.99	173,699.20	57,300.80	203,314.52
PLANNING/ZONNING	770,087.00	154,085.94	970,267.67	(200,180.67)	660,541.79
CITY HALL	167,947.00	21,099.49	158,315.01	9,631.99	139,618.49
GROUNDS AND FACILITY MAINT.	77,794.00	4,319.35	53,698.02	24,095.98	37,938.64
COMMUNITY ACCESS TV	137,629.00	9,702.49	117,221.79	20,407.21	96,171.86
POLICE	2,308,241.00	181,842.41	1,921,025.08	387,215.92	1,906,550.98
JUSTICE CENTER BLDG. OPERATION	96,700.00	6,383.02	72,888.40	23,811.60	218,990.31
BUILDING INSPECTIONS	145,985.00	10,231.34	115,799.31	30,185.69	118,259.83
STREETS	1,025,816.00	78,177.16	809,838.28	215,977.72	1,036,402.86
CONSTRUCTION CREW - INHOUSE	222,911.00	24,381.88	118,809.49	104,101.51	177,242.28
PW - ENGINEERING	219,288.00	13,498.73	212,534.59	6,753.41	193,214.64
ANIMAL SHELTER	85,723.00	20,930.75	83,723.00	2,000.00	87,277.75
CEMETERY O & H	75,167.00	4,673.48	50,165.16	25,001.84	50,479.29
SENIOR CENTER	527,520.00	26,447.63	420,144.90	107,375.10	411,333.42
NON DEPARTMENTAL	837,149.00	33,471.09	427,913.87	409,235.13	336,679.65
OPERATING TRANSFERS OUT	160,000.00	.00	160,000.00	.00	290,000.00
	8,390,226.00	695,418.26	6,840,952.71	1,549,273.29	6,955,080.09
	(867,398.00)	(234,384.66)	(111,691.34)	(755,706.66)	511,398.77

CITY OF RIFLE
FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
FOR THE 10 MONTHS ENDING OCTOBER 31, 2013

VISITOR IMPROVEMENT FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
REVENUE					
VISITOR IMPROVEMENT	114,715.00	9,653.52	108,508.49	6,206.51	97,301.14
	114,715.00	9,653.52	108,508.49	6,206.51	97,301.14
EXPENDITURES					
VISITOR IMPROVEMENT	131,365.00	418.62	89,612.66	41,752.34	183,570.09
	131,365.00	418.62	89,612.66	41,752.34	183,570.09
	(16,650.00)	9,234.90	18,895.83	(35,545.83)	(86,268.95)

CITY OF RIFLE
FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
FOR THE 10 MONTHS ENDING OCTOBER 31, 2013

PARKS & RECREATION

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
REVENUE					
PARKS AND REC REVENUE	3,580,638.00	195,694.87	2,660,250.99	920,387.01	2,059,181.45
	3,580,638.00	195,694.87	2,660,250.99	920,387.01	2,059,181.45
EXPENDITURES					
RECREATION	495,879.00	18,386.74	361,472.46	134,406.54	415,516.29
POOL	188,053.00	1,680.33	189,271.88	(1,218.88)	199,784.23
RIFLE FITNESS CENTER	302,198.00	31,293.35	244,811.89	57,386.11	247,061.10
COMMUNITY EVENTS	102,110.00	9,390.16	71,425.36	30,684.64	76,706.43
PARK MAINTENANCE	1,035,104.00	76,660.61	805,000.04	230,103.96	844,726.76
PARKS CAPITAL	1,622,327.00	3,218.50	189,009.60	1,433,317.40	162,098.92
NON-DEPARTMENTAL	104,246.00	2,346.13	70,634.07	33,611.93	62,932.51
OPERATING TRANSFER OUT	71,917.00	5,576.42	60,764.20	11,152.80	60,764.20
	3,921,834.00	148,552.24	1,992,389.50	1,929,444.50	2,069,590.44
	(341,196.00)	47,142.63	667,861.49	(1,009,057.49)	(10,408.99)

CITY OF RIFLE
FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
FOR THE 10 MONTHS ENDING OCTOBER 31, 2013

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
REVENUE					
WATER REVENUE	4,415,849.00	322,139.76	3,757,817.60	658,031.40	2,488,435.89
WATER RIGHTS REVENUE	43,700.00	(54.79)	7,888.14	35,811.86	29,241.98
CAPITAL REVENUE	1,521,500.00	7,468.16	58,012.59	1,463,487.41	25,087,237.28
	5,981,049.00	329,553.13	3,823,718.33	2,157,330.67	27,604,915.15
EXPENDITURES					
WATER O&H	3,590,176.00	148,574.96	1,967,667.72	1,622,508.28	2,111,849.79
WATER RIGHTS	123,000.00	4,464.00	81,701.70	41,298.30	126,314.86
WATER SYSTEM IMPROVEMENTS	13,602,795.00	28,651.03	626,066.23	12,976,728.77	634,269.85
	17,315,971.00	181,689.99	2,675,435.65	14,640,535.35	2,872,434.50
	(11,334,922.00)	147,863.14	1,148,282.68	(12,483,204.68)	24,732,480.65

CITY OF RIFLE
FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
FOR THE 10 MONTHS ENDING OCTOBER 31, 2013

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
REVENUE					
WASTE WATER REVENUE	2,665,837.00	199,473.91	2,048,504.99	617,332.01	2,095,245.76
WASTE WATER REVENUE	20,000.00	6,943.12	41,687.52	(21,687.52)	255,146.67
	2,685,837.00	206,417.03	2,090,192.51	595,644.49	2,350,392.43
EXPENDITURES					
SEWER O&H	2,914,212.00	126,884.74	2,385,378.26	528,833.74	2,406,627.51
SEWER SYSTEM IMPROVEMENTS	215,000.00	2,209.79	101,663.10	113,336.90	110,619.23
	3,129,212.00	129,094.53	2,487,041.36	642,170.64	2,517,246.74
	(443,375.00)	77,322.50	(396,848.85)	(46,526.15)	(166,854.31)

CITY OF RIFLE
FUND SUMMARY WITH COMPARISON TO PRIOR YEAR
FOR THE 10 MONTHS ENDING OCTOBER 31, 2013

SANITATION FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	BUD REMAINING	PRIOR YTD ACT
REVENUE					
SANITATION FUND	487,703.00	40,554.51	398,548.24	89,154.76	402,673.68
	487,703.00	40,554.51	398,548.24	89,154.76	402,673.68
EXPENDITURES					
SANITATION	483,498.00	38,499.89	402,078.77	81,419.23	412,224.23
	483,498.00	38,499.89	402,078.77	81,419.23	412,224.23
	4,205.00	2,054.62	(3,530.53)	7,735.53	(9,550.55)

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						
	SI76407	PROPANE FUEL	11/22/2013	6.28	.00	
	SI76415	PROPANE FUEL	11/22/2013	21.83	.00	
Total 1003:				28.11	.00	
1009						
B & B Plumbing, Inc						
	40626	BRASS COUPLING	10/22/2013	20.87	.00	
	40633	PVC COUPLING	10/25/2013	28.15	.00	
	40635	SLIP FIX COUPLING	10/23/2013	42.95	.00	
	40639	BIP PLUG	10/18/2013	7.84	.00	
	40646	BALL VALVE	11/04/2013	9.15	.00	
Total 1009:				108.96	.00	
1018						
Valley Lumber						
	87426	CONCRETE MIX	11/13/2013	41.12	.00	
	87670	GRADE REBAR	11/19/2013	28.49	.00	
	87743	SAND WASHED CLEANED 50	11/21/2013	27.64	.00	
	87789	BULB	11/22/2013	37.98	.00	
	87879	CUP HOOK	11/25/2013	4.58	.00	
	87945	PINK MARK IT SPRAYPAINT	11/26/2013	12.98	.00	
	88097	BULB	12/02/2013	27.96	.00	
	88240	LEXEL CAULK CLEAR	12/05/2013	17.98	.00	
	88253	OAK CABINET STOCK	12/06/2013	13.08	.00	
	88265	HANDRAIL	12/06/2013	10.50	.00	
	88266	BROODER HEAT LAMP	12/06/2013	15.99	.00	
Total 1018:				238.30	.00	
1022						
Central Distributing Co						
	967663	SUPPLIES	11/20/2013	156.13	.00	
	968472	SUPPLIES	11/27/2013	386.24	.00	
	968475	SUPPLIES	11/27/2013	122.80	.00	
Total 1022:				665.17	.00	
1023						
Chelewski Pipe & Supply						
	112213	PIPE & FITTINGS	11/22/2013	124.81	.00	
Total 1023:				124.81	.00	
1026						
Cirsa						
	120513	CLAIM 5020376	12/05/2013	394.70	394.70	12/06/2013
Total 1026:				394.70	394.70	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1059						
Consolidated Electrical Distr						
	4983-545059	FT40DL	11/21/2013	389.28	.00	
	4983-545416	METAL INUSE COVER	11/08/2013	43.60	.00	
Total 1059:				432.88	.00	
1065						
Dodson Engineered Products Inc						
	173343	PVC GSKT	10/24/2013	151.39	.00	
	173385	INVERTED MANHOLE FRAME O	10/25/2013	178.72	.00	
	173431	PVC GSKT	10/28/2013	31.31	.00	
	173507	TALL CENTER SECTION	10/28/2013	292.00	.00	
	173680	SOLVENT	11/06/2013	267.01	.00	
	173682	GSKT PIPE	11/06/2013	280.29	.00	
	174099	SCREW LID RISER	11/25/2013	29.74	.00	
	174134	BLACK/GRAY CONNECTOR	12/02/2013	14.40	.00	
Total 1065:				1,244.86	.00	
1076						
Garfield County Treasurer						
	113013	Landfill	11/30/2013	969.12	.00	
Total 1076:				969.12	.00	
1078						
Garfield County Sheriff						
	110413	3RD QUARTER TWO RIVERS D	11/04/2013	2,500.00	2,500.00	12/06/2013
Total 1078:				2,500.00	2,500.00	
1083						
Youth Zone						
	103113	ASSESMENT & RECOMMENDA	10/31/2013	2,750.00	2,750.00	12/06/2013
Total 1083:				2,750.00	2,750.00	
1087						
Grainger						
	9297051444	GRINDING WHEEL	11/15/2013	60.70	.00	
	9298688731	EYESHIELDS	11/19/2013	163.46	.00	
	9309397181	PUMP	12/03/2013	266.12	.00	
Total 1087:				490.28	.00	
1100						
Karp, Neu, Hanlon P.c.						
	11/30/2013	URA	11/30/2013	399.00	.00	
	113013	GENERAL NON PLANNING	11/30/2013	9,784.07	.00	
	113013-	PARKS REC	11/30/2013	418.00	.00	
	11-30-13-	14TH STREET MARKETPLACE	11/30/2013	322.50	.00	
	113013 .	GENERAL NON PLANNING	11/30/2013	686.50	.00	
	113013/	PIONEER	11/30/2013	2,803.13	.00	
	11302013	UMPTRA	11/30/2013	95.00	.00	
Total 1100:				14,508.20	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1105						
Meadow Gold Dairies						
	50216257	DAIRY PRODUCTS/SR CENTE	11/26/2013	53.94	.00	
	50216333	DAIRY PRODUCTS/SR CENTE	12/03/2013	153.05	.00	
Total 1105:				206.99	.00	
1110						
Napa Auto Parts						
	310596	1 1/2 INCH JOHN DEERE	11/20/2013	19.69	.00	
	310630	CLAMP	11/20/2013	8.00	.00	
	310750	CAP SCRW	11/21/2013	2.72	.00	
	310881	SCRAPER	11/21/2013	15.32	.00	
	311203	AIR FILTER	11/25/2013	14.34	.00	
	311233	BRAKE CLEAN SPRAYER	11/25/2013	17.87	.00	
	311243	bat chgr	11/25/2013	85.36	.00	
	311274	lock pin	11/25/2013	23.94	.00	
	311339	HITC PIN	11/26/2013	31.38	.00	
	311348	LOCKWASH	11/26/2013	8.36	.00	
	311373	INSEPCTION MIRROR	11/26/2013	11.29	.00	
	311406	HANDLE	11/26/2013	8.31	.00	
	311450	TOOL	11/26/2013	19.97	.00	
	311472	jack oil	11/26/2013	11.76	.00	
	311509	HITCH PIN	11/27/2013	15.69	.00	
	312191	WRENCH	12/03/2013	42.79	.00	
	312314	ICE MELT	12/04/2013	32.07	.00	
	312344	QT 15W40	12/04/2013	7.92	.00	
	312397	ICE MELT	12/04/2013	12.78-	.00	
	312776	BULB	12/06/2013	3.30	.00	
Total 1110:				367.30	.00	
1111						
Neve's Uniforms, Inc						
	NE27114	UNIFORM /PD	11/23/2013	140.89	.00	
	NE27132	UNIFORM /PD	11/25/2013	176.89	.00	
	NE27287	UNIFORM /PD	12/04/2013	162.89	.00	
Total 1111:				480.67	.00	
1120						
Xcel Energy Inc						
	391840068	1221 E CENTENNIAL	11/21/2013	15.21	15.21	11/27/2013
	392321015	250 E 16TH ST	11/25/2013	48.60	48.60	12/06/2013
	392546714	2575 W CENTENNIAL PKWY	11/27/2013	21.92	21.92	12/06/2013
	392663006	2515 W CENTENNIAL -WRAS	11/27/2013	82.16	82.16	12/06/2013
	392663602	2515 W CENTENNIAL ADMIN	11/27/2013	169.16	169.16	12/06/2013
Total 1120:				337.05	337.05	
1138						
Schmueser/Gordon/Meyer, Inc						
	99055N-20	RIFLE WATER CONSERVATION	11/21/2013	1,925.00	.00	
Total 1138:				1,925.00	.00	
1143						

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Swallow Oil Company						
	113013	CNG	11/30/2013	4,036.75	.00	
Total 1143:				4,036.75	.00	
1170						
Club 20						
	14491	2014 MEMBERSHIP	12/10/2013	700.00	.00	
Total 1170:				700.00	.00	
1188						
Jean's Printing						
	134030	printing	11/25/2013	11.78	.00	
Total 1188:				11.78	.00	
1191						
Lewan & Associates, Inc						
	401757	CUSTOMER SERVICE PLAN	11/19/2013	375.88	.00	
	411654	kip copier	12/06/2013	12.42	.00	
Total 1191:				388.30	.00	
1233						
Grand River Hospital District						
	090513.	DRUG SCREEN KIT	09/05/2013	62.00	62.00	11/27/2013
Total 1233:				62.00	62.00	
1258						
Hach Company						
	8597886	STABLCAL STD 20 NTU	12/04/2013	437.71	.00	
Total 1258:				437.71	.00	
1339						
Grand Junction Pipe & Supply						
	3103054	GATE VLN MJXMJ 2360	11/08/2013	647.77	.00	
	3103565	SWR REDUCER SPGT GSKT	11/12/2013	128.43	.00	
	3104239	MEGAPLUG	11/14/2013	64.12	64.12	12/05/2013
	3104629	CI VALVE BOX RISER	11/15/2013	70.13	.00	
	3105338	FLEX CAP PVC	11/19/2013	72.50	.00	
	3105816	EXTENSION KIT	11/20/2013	546.00	.00	
	3106314	SWR PIPE SDR35	11/25/2013	49.52	.00	
	3106688	DI MJ ACC KIT LESS GLAND	11/27/2013	1,747.12-	.00	
	3107606	UPPER HYDRANT STEM	12/05/2013	133.90	.00	
	3107607	LOWER STEM	12/05/2013	239.00	.00	
Total 1339:				204.25	64.12	
1348						
Grand Tunnel Ditch Co.						
	121013	2012 IRRIGATIONS SEASON	12/10/2013	3,593.61	.00	
Total 1348:				3,593.61	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1653						
Millers Dry Goods						
	112213	Rifle STIMULUS PLAN	11/22/2013	200.00	200.00	12/06/2013
Total 1653:				200.00	200.00	
1682						
Safety Kleen						
	62414536	OIL FILTER	11/20/2013	1,020.00	.00	
Total 1682:				1,020.00	.00	
1692						
A-1 Traffic Control						
	31033	RENTAL SIGNS	11/21/2013	48.00	.00	
	31035	RENTAL SIGNS	11/22/2013	896.00	.00	
	31098	REFLECTOR BUTTON	12/02/2013	40.00	.00	
Total 1692:				984.00	.00	
1734						
United Companies/Oldcastle SW Group Inc						
	963007	ROAD BASE	10/30/2013	152.94	.00	
	965365	ROAD BASE	11/11/2013	230.80	230.80	12/05/2013
	966716	ROAD BASE	11/12/2013	434.93	.00	
	966881	ROAD BASE	11/13/2013	879.71	.00	
	967797	ROAD BASE	11/14/2013	614.24	.00	
	968540	ROAD BASE	11/18/2013	150.88	.00	
	969019	ROAD BASE	11/19/2013	307.62	.00	
	969164	ROAD BASE	11/20/2013	815.85	.00	
Total 1734:				3,586.97	230.80	
1768						
Faris Machinery Company						
	PS0011477-1	STRAINER BASKET	11/11/2013	75.00	.00	
	PSA000755 4	WACKER PLATE COMPACTOR	12/09/2013	515.00-	.00	
	RSA000755 2	WACKER PLATE COMPACTOR	11/20/2013	521.00	.00	
Total 1768:				81.00	.00	
1830						
Grand Valley Foods						
	129036	FOOD PRODUCT/SR CENTER	11/22/2013	393.15	.00	
	129098	FOOD PRODUCT/SR CENTER	11/26/2013	119.34	.00	
	129153	SUPPLIES	12/03/2013	707.02	.00	
	744531	SUPPLIES	11/26/2013	42.00	.00	
Total 1830:				1,261.51	.00	
2122						
Utility Notification Center Co						
	21311630	TRANSMISSIONS	11/30/2013	86.39	.00	
Total 2122:				86.39	.00	
2169						

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Information Systems Consulting						
	SIN004213	SUPPORT SERVICES	11/18/2013	647.50	.00	
	SIN004244	GOV OLP[LIC/SA SQL CAL USE	11/21/2013	2,137.16	.00	
	SIN004328	VMware VSphere upgrade for PD	12/03/2013	5,197.66	.00	
Total 2169:				7,982.32	.00	
2208						
Amerigas						
	3023234890	PROPANE	11/26/2013	1,211.94	.00	
Total 2208:				1,211.94	.00	
2235						
Acme Alarm Company Inc						
	035CON	SERVICE CALL	11/21/2013	585.00	.00	
	7883MON	1ST QTR MONITORING 2014	12/01/2013	90.00	.00	
	7909MON	1ST QTR MONITORING 2014	12/01/2013	180.00	.00	
	8028MON	1ST QTR MONITORING 2014	12/01/2013	180.00	.00	
	8030MON	1ST QTR MONITORING 2014	12/01/2013	162.00	.00	
	8031MON 120	1ST QTR MONITORING 2014	12/01/2013	105.00	.00	
	8032MON	1ST QTR MONITORING 2014	12/01/2013	90.00	.00	
Total 2235:				1,392.00	.00	
2255						
California Contractors Supply						
	JJ87070	FLEECE LINED GLOVES	09/19/2013	101.40	.00	
Total 2255:				101.40	.00	
2405						
Glenwood Radiator Co						
	6155	SNOW DEFLECTOR	11/27/2013	208.82	.00	
Total 2405:				208.82	.00	
2469						
Pinnacol Assurance						
	9685 110613	WORKER'S COMP	11/06/2013	629.28	629.28	11/27/2013
Total 2469:				629.28	629.28	
2573						
Mountain West Office Products						
	298935	SUPPLES	12/02/2013	33.90	.00	
	299216	SUPPLES	11/27/2013	59.99	.00	
	299384	supplies	12/04/2013	61.99	.00	
	299622	supplies	12/10/2013	59.99	.00	
	299683	supplies	12/11/2013	31.98	.00	
Total 2573:				247.85	.00	
2734						
Justice Systems, Inc						
	1300409-IN	ENTERPRISE MAINTENANCE S	11/19/2013	5,710.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 2734:				5,710.00	.00	
2846						
Colo Mtn News Media						
	9550654A 091	AD	09/15/2013	124.48	124.48	11/27/2013
	9756376A	AD	11/29/2013	20.24	20.24	12/06/2013
Total 2846:				144.72	144.72	
2936						
Farmer Bros. Co.						
	58547283	COFFEE	11/20/2013	282.75	.00	
Total 2936:				282.75	.00	
2960						
Walmart Community						
	002800	FOOD SUPPLIES	12/02/2013	303.25	303.25	12/06/2013
	003287	supplies	12/03/2013	64.96	64.96	12/06/2013
	013460	supplies	11/13/2013	14.78	14.78	11/27/2013
	021255	supplies	11/21/2013	10.65	10.65	11/27/2013
	026300	supplies	11/26/2013	11.82	11.82	12/06/2013
Total 2960:				405.46	405.46	
3015						
Kroger/King Sooper Cust Charge						
	007719	SHIPPING CASE 201315102	11/25/2013	8.61	8.61	12/06/2013
	042270	BRITHDAY EMPLOYEE CAKE	11/25/2013	16.99	16.99	11/27/2013
	044463	FOOD SUPPLIES	12/02/2013	71.01	71.01	12/06/2013
	074680	FOOD SUPPLIES	12/03/2013	10.93	10.93	12/06/2013
	116612	FOOD SUPPLIES	12/03/2013	32.90	32.90	12/06/2013
	261407	SUPPLIES	12/05/2013	28.09	28.09	12/06/2013
	288289	FOOD SUPPLIES	11/22/2013	23.97	23.97	11/27/2013
	295934	SUPPLIES	11/22/2013	65.66	65.66	12/06/2013
Total 3015:				258.16	258.16	
3083						
ALSCO						
	1399420	SUPPLIES	11/26/2013	25.00	.00	
	1399421	SUPPLIES	11/26/2013	73.33	.00	
	1400519	SUPPLIES	11/28/2013	22.33	.00	
	1402415	SUPPLIES	12/03/2013	25.00	.00	
	1402416	SUPPLIES	12/03/2013	69.46	.00	
	1403365	SUPPLIES	12/05/2013	20.02	.00	
	1405452	SUPPLIES	12/10/2013	25.00	.00	
Total 3083:				260.14	.00	
3195						
Frontier Paving Inc						
	36189	PAVING	11/04/2013	11,766.15	11,766.15	12/05/2013
	36200	Airport Rd Blacktail Sub repair-rei	11/13/2013	17,238.26	17,238.26	12/05/2013
Total 3195:				29,004.41	29,004.41	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3251						
Mountain Communications And El						
	211949	GRASS MESA RENTAL	12/01/2013	250.00	.00	
Total 3251:				250.00	.00	
3389						
Sandy's Office Supply Inc						
	53239	FRUNITURE PACKAGE	11/26/2013	1,925.00	.00	
Total 3389:				1,925.00	.00	
3707						
Interstate Battery System Inc						
	22035972	MTP-65	11/25/2013	211.90	.00	
Total 3707:				211.90	.00	
3723						
Flint Trading Inc						
	164719	Crosswalk Materials	11/16/2013	3,067.66	.00	
Total 3723:				3,067.66	.00	
3789						
Certified Laboratories						
	1293836	CCX-97 AEROSOL	10/31/2013	178.21	.00	
Total 3789:				178.21	.00	
3858						
Wells Fargo Bank Mn Na						
	112613	OBI:CWRPDA-SWRP/COLO WT	11/26/2013	9,267.09	9,267.09	11/27/2013
Total 3858:				9,267.09	9,267.09	
3860						
Output Services Inc						
	INV85171	2014 TAX BOOKLETS	12/05/2013	1,226.57	.00	
Total 3860:				1,226.57	.00	
4141						
True Brew Coffee Service						
	153691	COFFEE	12/02/2013	61.73	.00	
	153693	COFFEE	12/02/2013	73.96	.00	
	153696	COFFEE	12/02/2013	36.05	.00	
Total 4141:				171.74	.00	
4207						
Radio Shack						
	10161307	CALCULATOR	11/22/2013	6.99	.00	
	10161457	baLLISTIC HOLSTER IPHONE	11/27/2013	29.99	.00	
	10161749	VEHICLE CHARGER APPLE	12/07/2013	19.99	.00	
	10161835	BALLISTIC HOLSTER IPHONE	12/10/2013	59.98	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 4207:				116.95	.00	
4240						
Platinum Plus For Business						
	BRACKEN 111	FASS FESTIVAL SUPPLIES	11/11/2013	23.92	23.92	11/27/2013
	BULLEN 11111	CML POLICY MEETING	11/11/2013	38.71	38.71	11/27/2013
	BURNS 11111	LUNCH STAFF	11/11/2013	240.00	240.00	11/27/2013
	CAIN 111113	SHIPPING/	11/11/2013	6.77	6.77	11/27/2013
	CHRISTENSE	MAYOR/COUNCIL MEETING	11/11/2013	442.26	442.26	11/27/2013
	DUNCAN 1111	NPCA STORE-MEMBERSHIP	11/11/2013	80.00	80.00	11/27/2013
	DYER 111113	DIGITAL SIGN	11/11/2013	81.16	81.16	11/27/2013
	GALLEGOS 11	WORK BOOTS	11/11/2013	253.88	253.88	11/27/2013
	KEHOE-11111	LUNCH/DINNER SYSTEM DOW	11/11/2013	45.19	45.19	11/27/2013
	KELTY 111113	COUNCIL BUDGET WORKSHOP	11/11/2013	284.00	284.00	11/27/2013
	KUPER 11111	BATTERIES DIGITAL RECORDE	11/11/2013	11.86	11.86	11/27/2013
	LINQUIST 111	TRAINING -HOTEL	11/11/2013	159.51	159.51	11/27/2013
	MACKLIN 1111	BACKGROUND INVESTIGATION	11/11/2013	295.00	295.00	11/27/2013
	MILES 111113	TRAINING/	11/11/2013	108.06	108.06	11/27/2013
	MILLER 11111	TRAINING/	11/11/2013	544.34	544.34	11/27/2013
	NEELY-111113	CAACO CONFERENCE	11/11/2013	324.46	324.46	11/27/2013
	ODELL 111113	LUNCH STAFF	11/11/2013	1,141.75	1,141.75	11/27/2013
	POTOTSKY 11	MUFFINS-JURY TRIAL	11/11/2013	203.81	203.81	11/27/2013
	STILSON 1111	LUNCH STAFF	11/11/2013	72.73	72.73	11/27/2013
	TURGEON 111	SHIPPING-RETURN	11/11/2013	16.94	16.94	11/27/2013
	WHITMORE 11	TIMECLOCK FEES	11/11/2013	3.98	3.98	11/27/2013
	WILSON 11111	EQUIPMENT	11/11/2013	147.50	147.50	11/27/2013
Total 4240:				4,525.83	4,525.83	
4292						
Colo Dept Of Public Safety						
	S140400002	2013 OCT STATE ID	11/06/2013	117.50	117.50	11/27/2013
Total 4292:				117.50	117.50	
4339						
Design Concepts						
	0015832	Deerfield Park Completion Plan C	12/05/2013	15,853.80	.00	
Total 4339:				15,853.80	.00	
4345						
Helen Artist-Rogers/HR Design						
	112613	DDA MANAGEMENT	11/26/2013	2,500.00	2,500.00	11/27/2013
Total 4345:				2,500.00	2,500.00	
4383						
American Polygraph Association						
	111413	DUES	11/14/2013	150.00	150.00	12/06/2013
Total 4383:				150.00	150.00	
4459						
Ground Engineering Consultants						
	136601.0-1	MATERIALS TESTING UTE THE	11/19/2013	537.00	.00	
	136602.0-1	MateriALS TESTING SERVICES	11/19/2013	307.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 4459:				844.00	.00	
4507						
Neopost Inc/Neofunds						
	110113	postage	11/01/2013	102.49	102.49	11/27/2013
Total 4507:				102.49	102.49	
4750						
Civic Plus						
	143834	ANNUAL FEE HOSTING SUPPO	12/10/2013	5,294.52	.00	
Total 4750:				5,294.52	.00	
4879						
Cardiff Cleaning Services						
	4944	Contract cleaning	11/15/2013	690.00	.00	
Total 4879:				690.00	.00	
4999						
Master Automotive Inc						
	17236	ALIGNMENT	11/25/2013	90.00	.00	
Total 4999:				90.00	.00	
5023						
CASELLE INC						
	54053	CONTRACT SUPPORT/FINANC	12/01/2013	1,214.00	.00	
Total 5023:				1,214.00	.00	
5236						
THOMPSON DISTRIBUTING, INC						
	5839	DIRT SCCOP	11/25/2013	130.95	.00	
Total 5236:				130.95	.00	
5253						
FASTENAL						
	60135	TRUBOLT	11/20/2013	27.96	.00	
	60146	MAG CIRCULARSAW	11/20/2013	199.00	.00	
	60156	MAGNETIC HD LEVEL	11/21/2013	31.24	.00	
	60166	SDS OAL	11/21/2013	37.61	.00	
	60182	2 GAL TYLLSTY	11/22/2013	98.74	.00	
	60199	COMBO WRENCH	11/25/2013	45.59	.00	
	60252	COVERALL	11/27/2013	57.12	.00	
	60253	D ALK BATTERY	11/29/2013	167.10	.00	
Total 5253:				664.36	.00	
5473						
McAfee						
	96828098	MONTHLY SERVICE 12-1-13-12-	12/01/2013	225.60	.00	
Total 5473:				225.60	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
5602						
Colorado State Bank and Trust						
	112613	Parks Maint. Bldg Lease	11/26/2013	161,163.80	161,163.80	11/27/2013
Total 5602:				161,163.80	161,163.80	
5613						
SunEdison, LLC/pump station						
	771312023823	PUMP STATION #1	12/01/2013	2,462.64	2,462.64	12/06/2013
Total 5613:				2,462.64	2,462.64	
5751						
SYMBOL ARTS						
	0202394-IN	Badges	11/13/2013	28.00	28.00	11/27/2013
Total 5751:				28.00	28.00	
5752						
Accutest Mountain States						
	DY-44498	WATER QUALITY	12/02/2013	642.00	.00	
Total 5752:				642.00	.00	
5776						
MULLENAX CONSTRUCTION						
	621	REPAIR FLASHING	11/21/2013	596.00	596.00	11/27/2013
Total 5776:				596.00	596.00	
5821						
ENVIRO-CHEM						
	7697	CHRONIC WET TWO SPECIES	11/25/2013	1,146.00	1,146.00	12/05/2013
Total 5821:				1,146.00	1,146.00	
5833						
SunEdison, LLC/SunE U6 holding						
	781312023822	energy innovation center	12/01/2013	6,419.44	6,419.44	12/06/2013
Total 5833:				6,419.44	6,419.44	
5846						
Mesa County Health Department						
	3157-13	Water Testing	11/06/2013	20.00	20.00	11/27/2013
	3158-13	Water Testing	11/06/2013	20.00	20.00	11/27/2013
	3159-13	Water Testing	11/06/2013	20.00	20.00	11/27/2013
	3160-13	Water Testing	11/06/2013	20.00	20.00	11/27/2013
	3161-13	Water Testing	11/06/2013	20.00	20.00	11/27/2013
	3162-13	Water Testing	11/06/2013	20.00	20.00	11/27/2013
	3303-13	Water Testing	11/19/2013	20.00	20.00	11/27/2013
	3304-13	Water Testing	11/19/2013	20.00	20.00	11/27/2013
	3305-13	Water Testing	11/19/2013	20.00	20.00	11/27/2013
Total 5846:				180.00	180.00	
5849						

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
NUTECH SPECIALTIES, INC						
	103847	CLEANER	11/22/2013	68.00	.00	
Total 5849:				68.00	.00	
5926						
Law Enforcement Alliance for Defense						
	13202 111813	FEES	11/18/2013	154.00	154.00	12/06/2013
Total 5926:				154.00	154.00	
5958						
Utility Refund						
	2025101 11191	REFUND-3242 COALMINE AVE	11/19/2013	62.95	62.95	11/27/2013
Total 5958:				62.95	62.95	
5960						
Recreation Fee Refunds						
	2000417004	REC FEE REFUND	11/19/2013	333.34	333.34	12/06/2013
	2000418004	REC FEE REFUND	11/19/2013	333.34	333.34	11/27/2013
	2000422004	REC FEE REFUND	11/25/2013	291.80	291.80	11/27/2013
	2000423004	REC FEE REFUND	11/26/2013	412.50	412.50	11/27/2013
	2000425004	REC FEE REFUND	11/27/2013	41.25	41.25	12/06/2013
	2000426004	REC FEE REFUND	12/05/2013	45.00	45.00	12/06/2013
Total 5960:				1,457.23	1,457.23	
5964						
WBP FABRICATORS						
	111913	METAL FRAM MIDDLE SCHOOL	11/19/2013	722.20	722.20	11/27/2013
Total 5964:				722.20	722.20	
5998						
UMB BANK NA						
	112613	RIFLE SALES USE TAX 03	11/26/2013	255,444.71	255,444.71	11/27/2013
Total 5998:				255,444.71	255,444.71	
6006						
Rifle City Petty Cash /DDA						
	111513	BIRCKYARD PAVERS	11/15/2013	215.01	215.01	12/06/2013
Total 6006:				215.01	215.01	
6028						
Jan Walker						
	44	PERFORMANCE	11/26/2013	40.00	40.00	11/27/2013
Total 6028:				40.00	40.00	
6043						
Wilkins Angie						
	113013	MILEAGE REIMBURSEMENT	11/30/2013	27.12	27.12	12/06/2013
Total 6043:				27.12	27.12	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6067						
Mountain Roll-offs, Inc.						
	202955	PORTABLE RESTROOM	11/30/2013	109.01	.00	
Total 6067:				109.01	.00	
6137						
Impressions of Aspen						
	18903	CALCULATORS	11/07/2013	300.45	.00	
	18992	SUPPLIES	11/21/2013	5.92	.00	
	19009	SUPPLIES	11/25/2013	65.05	.00	
Total 6137:				371.42	.00	
6144						
COMCAST CABLE						
	111513	XFINITY TV	11/15/2013	5.98	5.98	12/06/2013
Total 6144:				5.98	5.98	
6153						
Symphony in the Valley						
	111913	SYMPHONY IN THE VALLEY-SP	11/19/2013	2,500.00	2,500.00	11/27/2013
Total 6153:				2,500.00	2,500.00	
6225						
BRUBACHER DESIGN						
	1065	STREET SIGNS	11/19/2013	751.79	.00	
	1069	SIGNS	12/02/2013	90.90	.00	
	1074	SIGNS	12/02/2013	85.00	.00	
Total 6225:				927.69	.00	
6242						
Xerox Corporation						
	071391057	BASE CHARGE	12/01/2013	274.67	.00	
Total 6242:				274.67	.00	
6280						
NEOPOST USA						
	51069611	RENTAL SYSTEM	11/10/2013	194.85	194.85	11/27/2013
Total 6280:				194.85	194.85	
6282						
Kansas State Bank						
	112613	INTEREST	11/26/2013	9,967.62	9,967.62	11/27/2013
Total 6282:				9,967.62	9,967.62	
6303						
Law Office of Angela Roff, PC						
	1585	CITY PROSECUTOR	11/30/2013	4,167.59	4,167.59	12/06/2013
Total 6303:				4,167.59	4,167.59	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6324						
International Code Council, Inc.						
	INV03637439	RESALE BOOKS-09 IRC	11/15/2013	107.00	.00	
Total 6324:				107.00	.00	
6330						
COUNTY HEALTH POOL						
	120513	IT	12/05/2013	98,315.15	98,315.15	12/06/2013
	120613	COBRA	12/06/2013	2,710.19	2,710.19	12/06/2013
Total 6330:				101,025.34	101,025.34	
6346						
D.L. ADAMS ASSOCIATES, INC						
	20837	NEW UTE THEATRE	12/04/2013	370.00	370.00	12/06/2013
Total 6346:				370.00	370.00	
6354						
ALL SEASONS LAUNDRY						
	25128	GYM TOWELS	10/31/2013	124.55	.00	
	25165	GYM TOWELS	11/30/2013	124.55	.00	
Total 6354:				249.10	.00	
6383						
CENTURY LINK						
	1281054515	LONG DISTANCE	11/11/2013	7.55	7.55	11/27/2013
Total 6383:				7.55	7.55	
6392						
YEH & ASSOCIATES						
	10361	GEOTECHNICAL SERVICES	09/30/2013	782.39	.00	
	10617	GEOTECHNICAL SERVICES	11/29/2013	385.00	.00	
Total 6392:				1,167.39	.00	
6401						
Synergy Gymnastics Academy, LLC						
	120313	COLLECTGED FEES Nov 2013	12/03/2013	4,288.68	4,288.68	12/06/2013
Total 6401:				4,288.68	4,288.68	
6402						
CENTURY LINK						
	6250108 11221	LONG DISTANCE	11/22/2013	145.87	145.87	12/06/2013
	6254904 11221	LONG DISTANCE	11/22/2013	105.92	105.92	12/06/2013
	6254960 11221	LONG DISTANCE	11/22/2013	115.34	115.34	12/06/2013
	6257300 11221	LONG DISTANCE	11/22/2013	447.11	447.11	12/06/2013
	6259179 11221	FAX	11/22/2013	92.26	92.26	12/06/2013
Total 6402:				906.50	906.50	
6465						
HAJOCA CORPORATION						
	S008481387.0	CHEMSPEC 5 GAL ALUMSAFE	11/04/2013	309.33	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	S008495064.0	CHEMSPEC 5 GAL ALUMSAFE	11/07/2013	154.67	.00	
Total 6465:				464.00	.00	
6485						
Tisco Inc/Energy Equip-GrandJct						
	10624 112713	SUPPLIES	11/27/2013	377.35	.00	
	10625 112713	SUPPLIES	11/27/2013	49.95	.00	
	10626 112713	SUPPLIES	11/27/2013	49.57	.00	
	10627 112713	SUPPLIES	11/27/2013	63.96	.00	
Total 6485:				540.83	.00	
6488						
Colorado Plumbing Service						
	110713	LULA DEPOSIT	11/07/2013	1,909.00	1,909.00	11/27/2013
Total 6488:				1,909.00	1,909.00	
6553						
CHARLIER ASSOCIATES, INC						
	1103	DOT	10/07/2013	77,161.86	77,161.86	12/06/2013
	1106	DOT	10/29/2013	51,753.59	51,753.59	12/05/2013
	1115	DOT	11/26/2013	77,518.35	.00	
	1123	HUD	12/09/2013	18,521.75	.00	
Total 6553:				224,955.55	128,915.45	
6557						
CCOM/CHC,LLC						
	18440-108	DRUG SCREEN	09/03/2013	30.00	30.00	11/27/2013
Total 6557:				30.00	30.00	
6573						
APRENDI INC						
	25267	LEGAL INTERPRETATION	11/15/2013	140.00	140.00	12/06/2013
Total 6573:				140.00	140.00	
6606						
Western Slope Supplies, Inc.						
	2114680	BOTTLED WATER	11/11/2013	13.35	.00	
	2114681	BOTTLED WATER	11/11/2013	34.75	.00	
	4112469	BOTTLED WATER	11/04/2013	14.20	.00	
	702922	BOTTLED WATER	11/15/2013	15.00	.00	
	704259	BOTTLED WATER	11/25/2013	40.75	.00	
	8222033	BOTTLED WATER	11/18/2013	7.35	.00	
	8222034	BOTTLED WATER	11/18/2013	40.75	.00	
Total 6606:				166.15	.00	
6612						
CEDAR NETWORKS						
	173603	CITY OF RIFLE -INTERNET SER	12/10/2013	2,260.00	.00	
Total 6612:				2,260.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6643						
SAFETY & CONSTRUCTION SUPPLY, INC						
	0012312-IN	JACKET WIND ERGODYNE	11/20/2013	107.30	.00	
	0012383-IN	JACKETS WIND ERGODYNE	11/22/2013	91.67	.00	
	0012590-IN	HARDHAT	12/03/2013	16.00	.00	
	0012643-IN	JACKET LIME	12/05/2013	814.70	.00	
Total 6643:				1,029.67	.00	
6661						
ARCADIS US, INC						
	0559729	RRWPF CA SERVICES	11/26/2013	30,191.50	.00	
Total 6661:				30,191.50	.00	
6696						
IES/WESTERN SLOPE TAPPING						
	9281	LABOR/MATERIALS	11/12/2013	3,965.00	.00	
Total 6696:				3,965.00	.00	
6719						
PHIL VAUGHAN CONSTRUCTION MGMT, INC.						
	11251301	WTP Owner Advisor Services duri	11/25/2013	16,378.99	16,378.99	12/05/2013
Total 6719:				16,378.99	16,378.99	
6722						
Quality Electric & Controls						
	111913	REFUND-SOLAR PERMIT	11/19/2013	66.93	66.93	11/27/2013
Total 6722:				66.93	66.93	
6728						
CB INDUSTRIES-DELTA, INC.						
	113013	BIOSOLIDS DISPOSAL	11/30/2013	966.12	.00	
Total 6728:				966.12	.00	
6731						
ALL AROUND SWEEPING						
	1761	FALL CLEANUP BRENDAN THE	11/22/2013	1,392.00	.00	
	1775	NOV SNOW REMOVAL-BRENDA	11/29/2013	1,230.00	.00	
Total 6731:				2,622.00	.00	
6745						
PEAK SURVEYING, INC						
	1620	BLOCK F ALLEY TOPO STAKIN	11/12/2013	735.00	.00	
Total 6745:				735.00	.00	
6758						
COLORADO MUNICIPAL LEAGUE						
	121013	MEMBERSHIP DUES 2014	12/10/2013	4,690.00	.00	
Total 6758:				4,690.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6760						
FLAG RESOURCES, INC						
	11164	MATERIAL	10/31/2013	3,077.77	3,077.77	12/05/2013
	11217	DEERFIELD PARK	11/30/2013	795.35	.00	
Total 6760:				3,873.12	3,077.77	
6779						
COMMERCIAL TIRE SERVICE, INC						
	33174	TIRES	11/11/2013	108.74	.00	
	33175	TIRES	11/11/2013	692.64	.00	
Total 6779:				801.38	.00	
6787						
FACILITYDUDE.COM						
	R-101940	MAINTENANCE EDGE 2/1/2014-	11/30/2013	2,388.00	.00	
Total 6787:				2,388.00	.00	
6790						
O'REILLY AUTO PARTS						
	3761-298654	WINTER BLADE	11/22/2013	37.96	.00	
	3761-298662	antifreeze	11/22/2013	19.96	.00	
	3761-299135	AIR FILTER	11/26/2013	8.60	.00	
Total 6790:				66.52	.00	
6805						
STANTEC CONSULTING SERVICES						
	743929	Biosolids Action Plan - FML Distri	11/22/2013	5,510.00	.00	
Total 6805:				5,510.00	.00	
6826						
CALLAWAY PACKING INC						
	19002	FOOD SUPPLIES	11/26/2013	193.55	.00	
	19117	FOOD SUPPLIES	12/03/2013	153.41	.00	
Total 6826:				346.96	.00	
6829						
BELL CONSULTING, LLC						
	230	PRELIMINARY MEETINGS	10/24/2013	2,705.00	.00	
Total 6829:				2,705.00	.00	
6831						
CABOT NORIT AMERICAS INC						
	25301476RI	HYDRODARCO	11/18/2013	18,792.00	.00	
Total 6831:				18,792.00	.00	
6846						
TRANSWEST TRUCK TRAILER RV						
	4233260014	ASSY COVER BBOX	11/22/2013	107.36	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6846:				107.36	.00	
6867						
PNCI Construction, Inc.						
	103113	Ute Theatre Remodel	10/31/2013	282,978.00	282,978.00	12/06/2013
	113013	Ute Theatre Remodel	11/30/2013	270,271.00	.00	
Total 6867:				553,249.00	282,978.00	
6924						
NOVINGER, JASON						
	112113	REIMBURSEMENT CDL	11/21/2013	49.00	49.00	11/27/2013
Total 6924:				49.00	49.00	
6925						
COLLETT, MELISSA						
	112513	SIGN DEPOSIT-	11/25/2013	75.00	75.00	11/27/2013
Total 6925:				75.00	75.00	
6926						
MCKIBBIN, MICHAEL						
	112613	REIMBUSEMENT CAMPAIGN R	11/26/2013	55.00	55.00	11/27/2013
Total 6926:				55.00	55.00	
6927						
COL DEPT OF TRANSPORTATION						
	112213	CDOT LEASE AGREEMENT FEE	11/22/2013	1,250.00	1,250.00	11/27/2013
Total 6927:				1,250.00	1,250.00	
6928						
KLAUSMAN, HANNAH						
	101413	NCI CHARRETTE TRAINING	10/14/2013	244.61	244.61	11/27/2013
Total 6928:				244.61	244.61	
6929						
TRENCH SHORING SERVICES						
	89647	FOUR SIDED SHIELD	10/08/2013	937.50	937.50	12/06/2013
	89683	SINGLE WALL HIGH END	10/22/2013	1,050.00	1,050.00	12/06/2013
Total 6929:				1,987.50	1,987.50	
6930						
KING, LANAE						
	120413	REFUND	12/04/2013	62.50	62.50	12/06/2013
Total 6930:				62.50	62.50	
Grand Totals:				1,581,227.27	1,044,416.5	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid

Dated: _____

City Finance Director: _____

Report Criteria:
Summary report.
Invoices with totals above $0 included.
Paid and unpaid invoices included.

MEMORANDUM

TO: Matt Sturgeon, Rifle City Manager

FROM: Buzz Kehoe, IT Director

DATE: December 13, 2013

RE: Consider the approval of the License Agreement with Cedar Networks

---

The City of Rifle owns and operates a fiber optic network in Rifle, CO. Cedar Networks owns a fiber optic network in Rifle, CO.

The City of Rifle and Cedar Networks desire to sign a Fiber Optic Network License Agreement. This agreement will allow both the City and Cedar Networks to extend and improve our respective Fiber Networks.

Cedar Networks will gain access and use of Rifle's fiber conduit in various locations existing and future. They can only fill the conduit up to 50% so that in the future, the City of Rifle can pull our own fiber as needed.

In return, Cedar Networks will give the City of Rifle, 4 dark fiber strands for our use without the typical monthly cost. The city has identified one segment from City Hall to the Police Department. We will consider the other 3 segments in the future. Fiber is individually connected to both of those locations so there is no "last mile" cost to complete.

The conditions and stipulations are listed in the attached Fiber Optic Network License Agreement.

Cedar Networks gains by having cost free conduit runs and easements for their fiber use. The city gains by having fiber trunks for city use without the typical monthly cost.

I recommend that Mayor and Council approve the Fiber Optic Network License Agreement between the City of Rifle and Cedar Networks attached to this memo.

FIBER OPTIC NETWORK LICENSE AGREEMENT

THIS FIBER OPTIC NETWORK LICENSE AGREEMENT is made this ____ day of _____, 2013, by and between the CITY OF RIFLE, COLORADO, a Colorado home rule municipality, and CEDAR HOLDINGS GROUP INCORPORATED, a Colorado corporation.

RECITALS

A. The City of Rifle, Garfield County, Colorado ("the City"), owns and operates a fiber optic network in Rifle, Colorado to serve its governmental purposes and seeks to expand and enhance that network; and

B. Cedar Holdings Group Incorporated, d.b.a Cedar Networks ("Cedar Networks") owns a fiber optic network in Rifle, Colorado for commercial purposes and seeks to enhance that network; and

C. The City has excess capacity in certain conduits that is insubstantial in relation to the capacity utilized by the City for its own purposes and the City is willing to license a portion of that excess capacity to Cedar Networks pursuant to the terms and conditions contained herein; and

D. The City and Cedar Networks agree that by working together that they can enhance their respective networks, improve telecommunications, and save costs by avoiding the unnecessary duplication of efforts; and

E. The parties agree that this Agreement will govern and control the relationship between the City and Cedar Networks regarding their respective fiber optic networks.

AGREEMENT

NOW, THEREFORE, in light of the mutual promises and obligations contained herein, and in exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties agree as follows:

1. Interconnection. The parties agree that this Agreement only authorizes the parties to work together to enhance their respective fiber optic networks as specifically set forth herein.

1.1 The City grants Cedar Networks a license to install fiber optic cables in conduit owned and installed by the City for fiber optic purposes from approximately West 3rd Street to 16th Street, as it may be extended to 18th Street, and any additional conduit the City installs for fiber optic purposes, including, but not limited to at the Rifle Energy Innovation Center/City Wastewater Reclamation Facility, the Rifle Operation and Maintenance Facility and Deerfield Park; provided, however, the City is under no obligation to install additional conduit for fiber optics purposes (the "City's Conduit").

The City provides no warranty of title or condition of the City's Conduit therein. Cedar Networks may not occupy more than fifty percent (50%) of the diameter of the City's Conduit as a condition of this Agreement. Cedar Networks agrees to install tracer wire as part of its installation in the City's Conduit and to provide as-built drawings to the City in an electronic format used by the City.

1.2 In consideration for the license granted by the City, Cedar Networks hereby grants to the City the use of four (4) fiber optic strands at no cost for the City's own internal use at any location on Cedar Networks network where available in the greater Rifle area, and the location of any of the four (4) strands can be changed upon each two (2) year anniversary of this Agreement upon notice from the City to Cedar Networks (the "City's Fiber"). Cedar Networks agrees that fiber optic strands are available hereunder to connect City Hall to the Police Department. Cedar Networks agrees to connect, maintain and repair the City's Fiber at its expense during the term of this Agreement, as limited by Section 4 below, and provide the City's Fiber at a useful handoff for the City to light up.

2. Use of City's Conduit/Access. Cedar Networks shall be responsible for all costs of installation, maintenance and operation of its fiber optic cables in the City Conduit. Cedar Networks agrees to exercise best effort to provide advance notice of one (1) full business day should it require access to the City's Conduit. Each party will maintain an emergency contact number with the other.

3. Term. This License Agreement shall extend for five (5) years from the date of this Agreement and may thereafter be extended by mutual agreement of the parties upon terms and conditions negotiated at that time. If no extension is memorialized and no notice to terminate is provided by the end of the Term, this Agreement shall renew for additional one (1) year terms until terminated by either party with ninety (90) days notice to the other party. Both parties may revoke any portion of the license granted herein in the event underlying facilities must be removed for any reason.

4. Indemnity and Damages. The City and Cedar Networks agree to be responsible for their own negligent actions and those of their own governing bodies, officers, agents, and employees. The City and Cedar Networks agree to use reasonable care to avoid causing damage to the property and facilities of the other and to be responsible for and to reimburse the other for all damages caused to property and facilities of the other by their agents, officers, employees, and contractors during the installation, repair, replacement, or other work done on any interconnection project. Cedar Networks shall keep the City's Conduit free and clear of any mechanic's or materialmen's liens for labor performed or material furnished at the instance or request of Cedar Networks or anyone claiming under Cedar Networks.

5. Severability. Should any portion of this License Agreement be declared invalid or unenforceable by a court of competent jurisdiction, then the remainder of this License Agreement shall be deemed severable, shall not be affected, and shall remain in force and effect.

6. Assignment. The license granted pursuant to this Agreement may not be assigned by Cedar Networks without the written consent of the City contingent on the City's review of the reputation of the assignee, the level of service provided and to be provided to the City, dependability of such service, and updated market rates in consideration for the license.

7. Governing Law/Venue. This Agreement shall be construed and enforced in accordance with and shall be governed by the laws of the State of Colorado with proper venue in Garfield County, Colorado.

8. Recitals. The above-stated recitals are by reference incorporated herein and shall be as effective as if set forth herein *verbatim*.

CITY OF RIFLE, COLORADO

By: _____
Randy Winkler, Mayor

ATTEST:

_____ [SEAL]
Lisa Cain, City Clerk

STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

Acknowledged, subscribed and sworn to before me this _____ day of _____, 2013, by Randy Winkler, as Mayor, and Lisa Cain, as City Clerk, on behalf of the City of Rifle, Colorado.

WITNESS my hand and official seal. My Commission expires: _____.

_____
Notary Public (SEAL)

LICENSEE:

CEDAR HOLDINGS GROUP INCORPORATED
A Colorado corporation

By: _____
Authorized Agent:
*[print name]*_____

STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

Acknowledged, subscribed and sworn to before me this _____ day of _____, 2013, by _____, as Authorized Agent for Cedar Holdings Group Incorporated, a Colorado corporation.

WITNESS my hand and official seal. My Commission expires: _____.

_____
Notary Public (SEAL)

DOWNTOWN
DEVELOPMENT
AUTHORITY

RIFLE, COLORADO

MEMORANDUM

Rifle City Council
202 Railroad Ave.
Rifle, CO 81650

December 12, 2013

RE: DDA Board Vacancies

Please accept the DDA Board's recommendation to reappoint **Sally Brands** and **Gil Frontella** to the DDA Board. These positions are four year terms.

An ad was posted in the Citizen Telegram from August 29, 2013 through September 26th. There were no additional inquiries or responses.

We do have one additional opening on the board.

Thank you,

Helen Rogers
DDA Manager

DOWNTOWN
DEVELOPMENT
AUTHORITY

RIFLE, COLORADO

City of Rifle
Downtown Development Authority
202 Railroad Ave.
Rifle, Colorado 81650

RE: Board of Director Vacancies

PUBLIC NOTICE

The Downtown Development Authority (DDA) of Rifle is seeking interested individuals to fill three vacancies on the Board of Directors. The positions are four-year terms. Applicants must be one of the following: (1) Residential Property owner within the boundaries of the District; (2) Business Owner within the boundaries of the District; or (3) Commercial Property owner within the boundaries of the District. A map of the boundaries of the Authority may be viewed on line at www.rifleco.com . The Downtown Authority meets the first Wednesday of each month at 7:00am at Rifle City Hall, proposes projects and appropriates funds for the betterment of the Downtown Development District.

Interested individuals should send a letter of interest outlining their qualifications and the reasons they want to serve on the Board to DDA Manager, Helen Rogers, Rifle City Hall, 202 Railroad Ave., Rifle, CO 81650. Letters must be received by 5:00pm, Sept. 30th, 2013. For further questions contact Helen Rogers, DDA Manager, at 970-274-6147.

To be published in the legal section of the Citizen Telegram, on August 29th through Sept. 26th, 2013.

Frontella Rentals

August 7, 2013

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

Dear Honorable Mayor and City Council Members,

It has come to my attention, my DDA Board term expired on June 30, 1013. I would like to be reappointment for another four years as I am a property owner and have been and will continue to be invested in Downtown Rifle.

Sincerely,

Gil Frontella
330 East Ave.
Rifle, CO 81650

Sally M Brands
Rifle House
201 Railroad Ave
Rifle, Colorado 81650
970 379 8040

December 12, 2013

Rifle City Council

Dear Members of the Rifle City Council

I would like to be reappointed as a member of the Downtown Development Authority Board. My husband John Savage and I own the oldest building in Rifle and have a vested interest in seeing that the downtown continue to be a thriving economic engine and an attractive asset to Rifle.

Having helped to maintain the DDA for over 20 years I am excited about the possibilities that the future holds for the continuing development and enhancement of Rifle.

If you would like me to attend one of your meetings to answer any questions you have about my ideas about the DDA and the future of Rifle please contact me.

Sincerely,

Sally M Brands

kmlj@rof.net

Karp.Neu.Hanlon PC
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www.mountainlawfirm.com

James S. Neu
jsn@mountainlawfirm.com

December 12, 2013

Mayor Randy Winkler
Rifle City Council
P. O. Box 1908
Rifle, Colorado 81650

Re: December 18, 2013 City Council Meeting

Dear Mayor Winkler and Members of the Rifle City Council:

The purpose of this letter is to briefly outline items we worked on for the December 18, 2013 Rifle City Council Meeting.

1. Ordinance No. 23, Series of 2013 (Public Safety Citizens Advisory Board). As we discussed at your last meeting, the Police Department seeks to enhance police-community relations and facilitate a productive dialogue between the community and the Police Department regarding Police Department services. To accomplish this goal Chief John Dyer is proposing that the City Council establish a Public Safety Citizens Advisory Board. The Board would consist of nine (9) members with staggered terms that meets quarterly. Ordinance No. 23 enacts a new Rifle Municipal Code Section 2-5-40 creating the Board and following first reading, Ordinance No. 23 has been amended with the deletion of the restrictions on board members and it simply states that the Board will be comprised of nine (9) members appointed by the City Council. The terms commence March 1st of each year and the Board will be charged with: reviewing and providing a community perspective and recommendations concerning procedures, programs, and the effectiveness of the police services; enhancing police-community relations; promoting public awareness of the City's police services and programs; holding public meetings to solicit public input regarding police services and programs; reviewing and making recommendations concerning Police Department policies, procedures, training, and programs; serving as liaison between the Police Department and the community; apprising the City Council, City Manager and the Chief of Police of the community's needs for police services; reviewing and making recommendations concerning such other and further matters as may be referred to the Public Safety Citizens Advisory Board; and making an annual report to the City Council regarding its activities.

We recommend approval of Ordinance No. 23, Series of 2013, as amended, on second reading on your consent agenda.

2. Ordinance No. 24, Series of 2013 (Repeal of Chapter 2, Article XIV of the Rifle Municipal Code Regarding Victims and Witnesses Assistance and Law Enforcement Board). Chapter 2, Article XIV of the Rifle Municipal Code sets forth provisions for a Victims and Witnesses Assistance and Law Enforcement ("VALE") Board. This Article was enacted by the City

Council at the recommendation of the City's prior police chief. No members of the VALE Board have been appointed, it has never been organized or met, and the current police chief does not see the need for the City to maintain the VALE Board, it is administratively burdensome and ties up money that could be used for better uses. Ordinance No. 24, Series of 2013 repeals the entire Article from the Rifle Municipal Code.

We recommend approval of Ordinance No. 24, Series of 2013 on second reading on your consent agenda.

3. Ordinance No. 27, Series of 2013 (Development Fee Reductions and Waivers and Building Incentives). At Council's direction, staff has researched and analyzed the various development fees assessed by the City on construction activities to determine which fees can be reduced or waived without jeopardizing the financial soundness of the City. Ordinance No. 27, Series of 2013 is the resulting policy recommendation for Council's consideration to try to attract building and construction activities that will drive additional economic development.

Water and Wastewater System Improvement Fees are collected to construct capital improvements and fund upgrades and expansions to the utility facilities. Because the City has funded the new wastewater plant and water plant with revenue loans repaid by service fees, the City is in a position to waive the collection of system improvement fees in the short term without negatively impacting those funds. In the long term, the City will want to achieve a fund balance to expand the facilities, but that will be many years from now. In the meantime, more users on the City's utility system will help pay the current loans. Completely waiving the System Improvement Fee for the first EQR on a building permit application will spur the construction of residential units. Providing a 50% reduction on the second EQR will assist commercial uses or residential uses that exceed 1 EQR. The Code already provides the ability to pay system improvement fees for commercial uses over three years with no interest.

Parkland Dedication requirements were enacted to ensure the City could provide parks to a growing population; a developer would either dedicate physical parkland to the City through a development review or pay a fee in lieu of dedication. The latter was often the case and many Subdivision Improvement Agreements require the Parkland Dedication Fee to be paid at the time of building permit. Ordinance No. 27 waives this fee at building permit.

The City collects Use Tax through the building permit process on building materials and supplies that are used in the City, regardless of where they are purchased. Ordnance No. 27 provides a rebate up to $3,000 on these materials upon the issuance of a certificate of occupancy. The City cannot waive the tax, but it can rebate an amount after it is paid by the permit applicant. Because certain portions of the City's Use Tax are dedicated for specific purposes (Streets, Parks and Recreation, and Water Facilities), only the general portion of the Use Tax is subject to the rebate.

Ordinance No. 27 is a stand-alone ordinance and the development fee reductions and waivers and building incentives remain in effect through June 30, 2015.

We discussed presenting Ordinance No. 27 as an emergency ordinance so that it can take effect immediately; however, upon further reflection, with the Holiday Season, staff does not think it will be likely there will be a lot of development activity in the next month and we want to preserve the sanctity of the purpose of emergency ordinances. The City Council has the discretion to declare an emergency and it is conclusive if 75% of Council Members present do so and state that the ordinance is necessary for the immediate preservation of public peace, health or safety.

We recommend approval of Ordinance No. 27, Series of 2013 on first reading.

4. Ordinance No. 28, Series of 2013 (Minors on Liquor Licensed Premises Amendments). As we discussed at our workshop last meeting, certain restaurants have complained that the provision in the Rifle Municipal Code prohibiting minors from being in a liquor licensed establishment after 10:00 p.m. if liquor is still being served is overly-restrictive and hampering business. Serving alcohol to anyone under 21 is both a liquor license violation and criminal violation and the provision at issue is an establishment restriction in the City's Criminal Code. It was enacted last year in response to Brendan Theatre's request to serve beer and wine as part of Code amendments to allow that service. At that time, the Criminal Code prohibited minors from being in liquor licensed establishments in general, subject to multiple exceptions. The policy intent that Council expressed during those amendments was to prohibit minors from being in true bars. RMC Section 10-8-50 does make it unlawful for a person under the legal drinking age to be present in any establishment operating under a tavern liquor license. Council expressed the same sentiments at the workshop and did not feel that the 10:00 p.m. restriction was necessary to accomplish that policy goal with the other classes of liquor licenses, most of which are hotel restaurant licenses. Therefore, Ordinance No. 28, Series of 2013 deletes the 10:00 p.m. restriction and associated references. RMC Section 10-8-50 still stands and makes it unlawful for minors to be present in any tavern liquor licensed establishment.

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

Office of the City Manager

MEMORANDUM

To: Honorable Mayor and City Council

From: Matt Sturgeon

Date: December 11, 2013

Subject: Fitness Center Transfer to Rifle Regional Economic Development Corporation

---

Pursuant to an agreement with the Rifle Regional Economic Development Corporation (RREDC), the RREDC requested—and the City Council acknowledged said request—that the City turn over the fitness center operations to the RREDC January 1, 2014. The RREDC made this request to reduce the impacts to the finances of the Parks and Recreation Fund after the defeat of the Recreation Center ballot question. The RREDC will in turn place the fitness center operations with a private, third party.

As part of this transition, the RREDC is requesting the City sell to the RREDC the fitness equipment and associated assets used in operating the facility (TV monitors, XM radio receiver, speakers, etc.). Staff had a third party value the mechanical fitness equipment (treadmills, elliptical trainers, stationary bikes, etc.). The value was estimated at between $20,000 and $25,000. The other equipment and assets have a potential value of between $3,000 and $5,000.

Staff requests City Council authorize the sale of said equipment and assets associated with the fitness center operations to the RREDC in the amount of $23,000.00. This is a fair price and will allow the uninterrupted continuation of fitness center operations within the City of Rifle.

RREDC
RIFLE REGIONAL
economic
development
corporation

December 11, 2013

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

Matt:

The Rifle Regional Economic Development Corporation would like to purchase all of the City of Rifle's equipment and property that is to remain at the Rifle Fitness Center, according to the attached spreadsheet for the amount of $23,000.00.

Sincerely,

Michael Langhorne
President
Rifle Regional Economic Development Corporation

ENGINEERING DEPARTMENT

To: **City Council**

From: **Rick Barth, City Engineer**

CC: **Matt Sturgeon, City Manager**

Date: **December 18, 2013**

Re: **CDOT IGA summary, potential minimum of $5.6 M in funds**

This memo is to briefly describe, along with a short presentation, the scope of the IGA we are being requested to sign. The scope entails a "devolution" process, or the turning over of portions of CDOT right-of-way to the City. The roadways in question are, in no particular order:

1) Highway 13 from the south bridge joint to the stoplight on Railroad. For the bridge portions, the surface only.
2) Highway 6 from the City limits just east of Whiteriver to the stoplight on Railroad.
3) Highway 6/13 from the stoplight on Railroad to the H13 bypass intersection.
4) The Rifle Creek Bridge.
5) The service road from just west of Rifle Creek to its termination near the bypass.
6) Funds to transfer the existing park-n-ride to near the north interchange of I-70 and H13.

This devolution has been part of the CDOT "RAMP" process, which is intended to accelerate funds to local entities for improvements associated with Highway property. We had two applications, one for construction funds for the north roundabout which is currently under design. That application made it through initial approvals but was not funded by the Transportation Commission in the final review. This devolution was our other application and has been a great cooperative effort between Rifle and CDOT Region 3 staff.

As a devolution, the program is CDOT analyzes their maintenance costs for the next 15 years and, essentially, provides the City those funds and hands over responsibility to the City. The City then can use those funds for our desired improvements which may differ slightly with CDOT. For example, CDOT is providing funding to replace the Rifle Creek bridge. Their replacement would be for a basic bridge, where we may do a much more aesthetic appealing and pedestrian friendly bridge with a trail underneath.

This IGA before you is a "commitment letter", not the final IGA. It is representative that the City of Rifle, via the Council's approval, commits to this IGA discussion as well as, upon final IGA approval, taking care of this roadway in perpetuity. These IGA discussions will begin in earnest just after the new year and likely take about 6 months.

Insert the following Document on the Letterhead of Local Agency

Assurance that

the City of Rifle

Remains Committed to Entering into a Partnership with CDOT Concerning

SH 6/ SH 13 in Rifle Devolution

Tracking No.: 3-6

Project Name: SH 6/ SH 13 in Rifle Devolution

Commission Requirement. The purpose of this document is to satisfy the requirement established by the Transportation Commission that applicants for Public-Public Partnership[1] projects confirm their commitment to the project. Transportation Commission Resolution TC-3106 adopted on October 17, 2013, provides in part:

> ***BE IT… RESOLVED*** *that the Transportation Commission requires for each Public-Public Partnership project on or before January 6, 2014, a project scope, schedule, and budget developed by the Colorado Department of Transportation in the form and to the level of detail specified by the Chief Engineer; and*
>
> ***BE IT FURTHER RESOLVED*** *that the Transportation Commission also required for each Public-Public Partnership project on or before January 6, 2014, evidence, in a form specified by the Chief Financial Officer, confirming a commitment by the applicant to the project scope, schedule, and budget developed by the Department, including an agreement to hold a public vote to authorize the local match by no later than April 8 if such vote is necessary; and*
>
> ***BE IT FURTHER RESOLVED*** *that the Chief Engineer may extend the January 6, 2014, deadlines to April 7, 2014, upon application for extension form any applicant or CDOT Region Transportation Director for projects in a flood damaged area.*

Project Scope, Schedule, and Budget Prepared by CDOT. The Colorado Department of Transportation has prepared the required scope, schedule, and budget for this Public-Public Partnership project. This scope, schedule, and budget is incorporated as Exhibit A of this document. Exhibit A specifies the financial and other commitments of the City of Rifle and identifies when it is reasonably anticipated that such commitments will be provided or performed.

Changes in Project Costs. CDOT and the Local Agency Partner will assess at the Final Office Review (FOR) the project budget to be contracted. An estimate over the Exhibit A amount will trigger a reevaluation of the project as well as the project match. CDOT and the City of Rifle will engage in negotiations to determine how and if the project moves to advertisement for construction, as well as the project match. If a project is determined by CDOT to no longer be feasible or if an agreement cannot be reached, CDOT will advise the Transportation Commission that the project is unable to be moved forward and should be removed from the list of approved Public-Public Partnership projects. On a CDOT administered project, any cost variance discovered after the Final Office Review (FOR) will be the responsibility of CDOT. On a project administered by the Local Agency Partner, the CDOT contribution will not increase after the Final Office Review. Any addition of a "betterment" at the request of the Local Agency Partner is the responsibility of the Local Agency Partner.

[1] CDOT interprets Public-Public Partnership projects references in TC-3106 to include Operations projects that have Local Agency Partners.

If there is a cost savings regardless of who is administering the project or when the cost savings occurs, the savings will be prorated.

Intergovernmental Agreement. An Intergovernmental Agreement will be completed and fully executed prior to any CDOT expenditure other than the five percent of the total project cost for Fiscal Year 2014 authorized in the RAMP Resolution for pre-construction expenditures unless an exception is granted by the CDOT Chief Financial Officer. It is the policy of CDOT that the Intergovernmental Agreements must be executed by June 30, 2014. Any change in the standard wording of the Intergovernmental Agreement may delay the project and thus put the project in jeopardy.

Criteria for Approval of RAMP Local Commitments. The CDOT Chief Financial Officer has issued the following criteria:

(1) Local agencies acknowledge receipt of CDOT estimated project cost and drawdown schedule and confirm their ability to provide funding on the schedule.

(2) Resolution by city councils or county commissioners or signed commitments by local officials with authority to commit agency resources constitute adequate funding reaffirmation by the local. Where ballot initiative or future budget adoptions are required, locals are fully disclosing and committing to all necessary steps to ensure that it will be on the ballot and/or receive budget consideration.

(3) Dollar amount of local agency commitment must align with dollar amounts of CDOT cost estimates.

(4) Local agencies cannot commit traditional federal transportation funds.

(5) Where multiple local agencies are involved, commitments are required from those local agencies with the authority to commit all local agency funds before approval of funding commitment will be considered.

(6) IGAs already in place should meet the above criteria.

Evidence of the Continued Commitment by the City of Rifle **to the Project.** As an officer of the City of Rifle, I confirm that appropriate officials of the City of Rifle have reviewed and considered Exhibit A which contains the scope, schedule, and budget developed by CDOT for the project and the policy regarding changes in project cost stated in the body of this document.

I confirm that to the best of my knowledge I know of no reason why the City of Rifle and CDOT will not execute an Intergovernmental Agreement as specified in Exhibit B and based on the scope, schedule, and budget contained in Exhibit A and the policy regarding changes in project cost stated in the body of this document by June 30, 2014.

_____

_____Mr. Randy Winkler_____

_____Mayor, City of Rifle, CO____

Date: Dec 18, 2013

Rifle Devolution Scope of Work

The City of Rifle requests the following:

This request is for devolution (meaning removal from the State Highway System and that the City will maintain) a portion of State Highway (SH) 13 (approximately 1.65 total miles) in perpetuity and has three main facets. First, devolution of the east-west portion of SH13 and a small segment of SH6 from the SH13 bypass interchange to City's Whiteriver Avenue intersection and the service road from just west of Rifle Creek to its termination near the SH13 bypass (1.0 miles and 0.25 miles, respectively). Secondly, the connection of SH13 from Railroad south to the southern end of the H13 bridge (surface control only with no responsibilities for the bridge structures, protection from river scouering or other river related impacts, and Union Pacific agreements, 0.4 miles). Thirdly, relocation of the existing, CDOT owned park-n-ride to a location adjacent to proposed northerly, I-70 Exit 90 roundabout.

The City of Rifle has surveys for the area.

The IGA will include commitments to the following issues:

- All, signing, striping, markings, lighting and the traffic signal at SH 13 and Railroad will be owned and maintained by the City of Rifle.
- Since CDOT will retain ownership and maintenance responsibility of structures over the Colorado River (F-05-R) and UPRR (F-05-Q), the City of Rifle will need to submit any improvement plans to CDOT prior to making any changes that may impact the structure in any way. The Glenwood Springs Residency will be the point of contact for coordinating reviews.
- Surface control referenced above is defined as the City of Rifle will be responsible for all maintenance of the roadway surface except that which is critical to the structural integrity of (F-05-R) and (F-05-Q). CDOT must reserve a highway easement to operate and maintain the above mentioned structures.
- For the Park and Ride (PNR) land exchange, an environmental clearance and valuation estimate of both parcels will be required for presentation to the State of Colorado Transportation Commission (TC). If approved by the TC, the City of Rifle must acquire and certify right of way for the new location per the Uniform Act. CDOT will provide technical assistance with the process. The City will be responsible for the improvements equal to the conditions of the current PNR. CDOT will document any necessary modifications to the Interstate 70 access control line crossing and seek Federal Highway Administration (FHWA) approval for the change. The land exchange will occur upon receipt of necessary, ROW, environmental, and FHWA approval.

- Statutorily, CDOT must retain responsibility for ensuring compliance with 23 CFR 750 Highway Beautification to ensure that outdoor advertising requirements are met on all of these roadways.

Schedule SH 13 Rifle Devolution

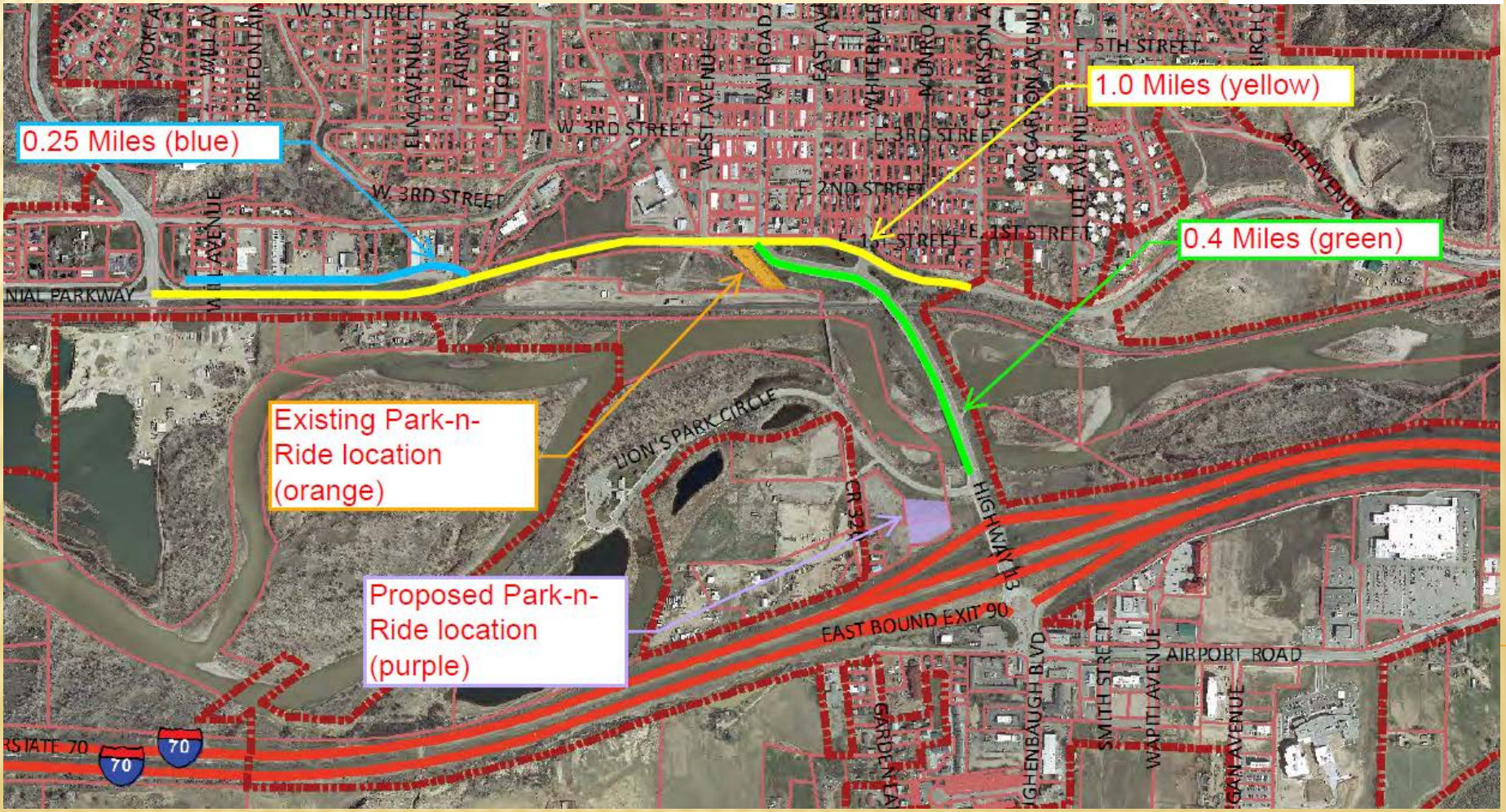
RAMP tracking number 3-6

Milestone	Scheduled Date
Survey	Completed
Start IGA discussions	December 2013
Submit IGA	May 31, 2014
IGA approval	October 2014
TC approval	November 20, 2014

BUDGET

RAMP $5.6 Million

H6/13 OVERVIEW "RAMP"
CDOT-RIFLE DEVOLUTION IGA



WHAT IS "RAMP"

- Responsible Acceleration of Maintenance and Partnerships
  - Essentially, get existing, planned grant funding to local entities more quickly (not NEW $$)
- Initiated Spring 2013, fast grant process
- Applied for the Devolution that is before you and for construction funding of the north roundabout
  - North Roundabout made it to final review but was not awarded by the Transportation Commission

WHAT IS “RAMP”

- Rifle Devolution one of only two projects awarded in Garfield County
  - The other is variable speed signage in Glenwood Canyon
- As a devolution, we will receive the road and a set amount of funds from CDOT that would have been spent in maintenance on that road
- Tonight’s request is to *begin* the IGA negotiation

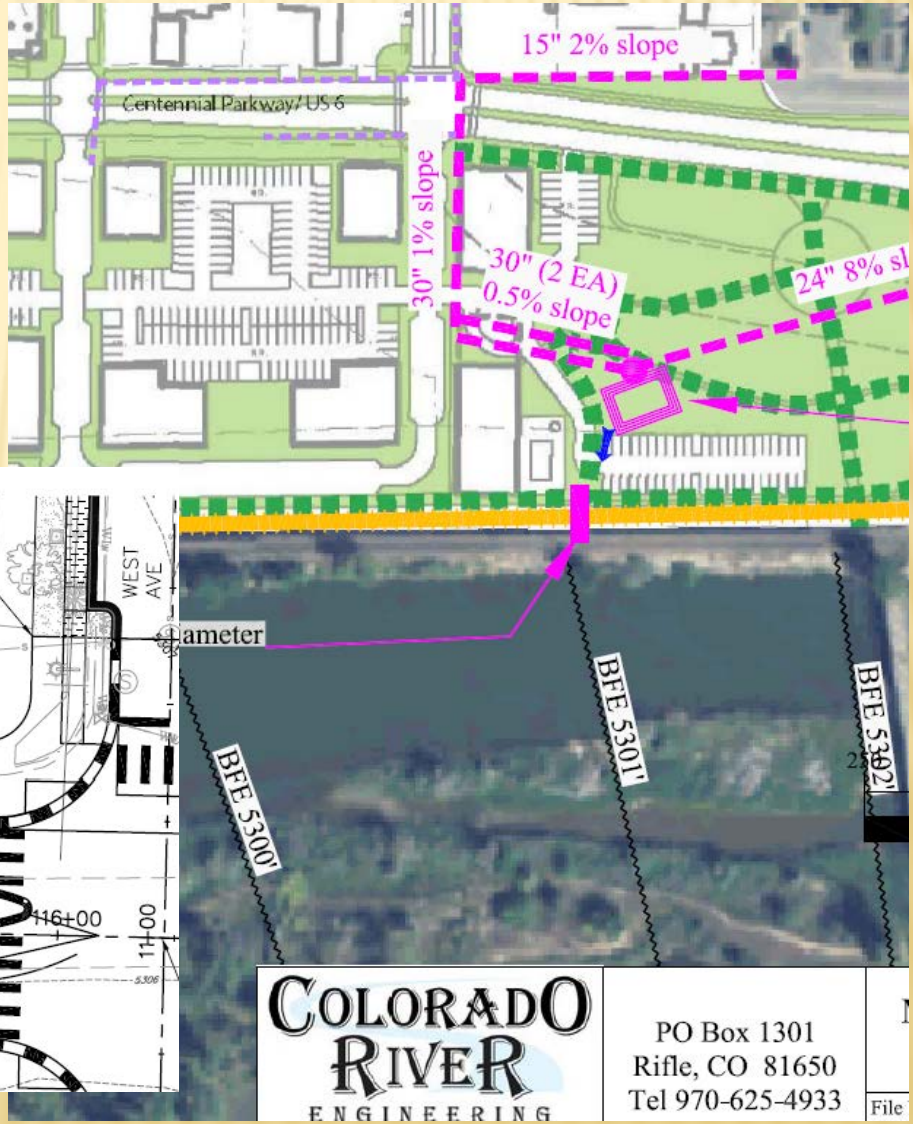
HIGHWAY 6 – DOWNTOWN TODAY

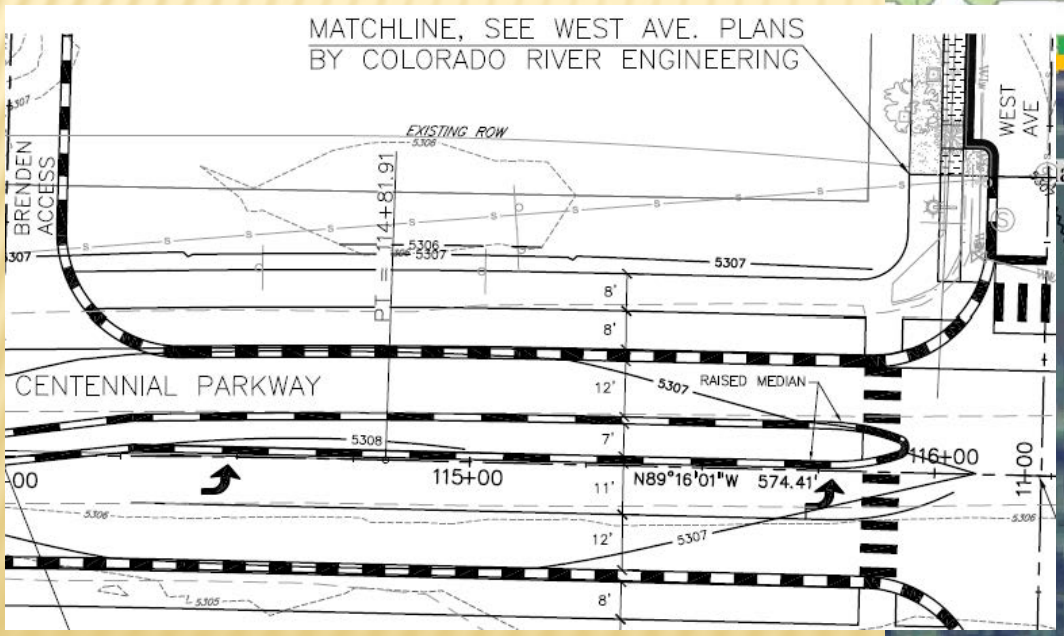
HIGHWAY 6 – DOWNTOWN FUTURE

Rifle, CO
Centennial Parkway at West Avenue

PRELIMINARY DESIGNS

-Preliminary Stormwater Master plan from CRE (at right)
-Concept Centennial Parkway layout from Drexel-Barrell (below)
Other designs
-West Avenue and 2nd Street at 90%
-Park Avenue connection at concept





H13 BRIDGE

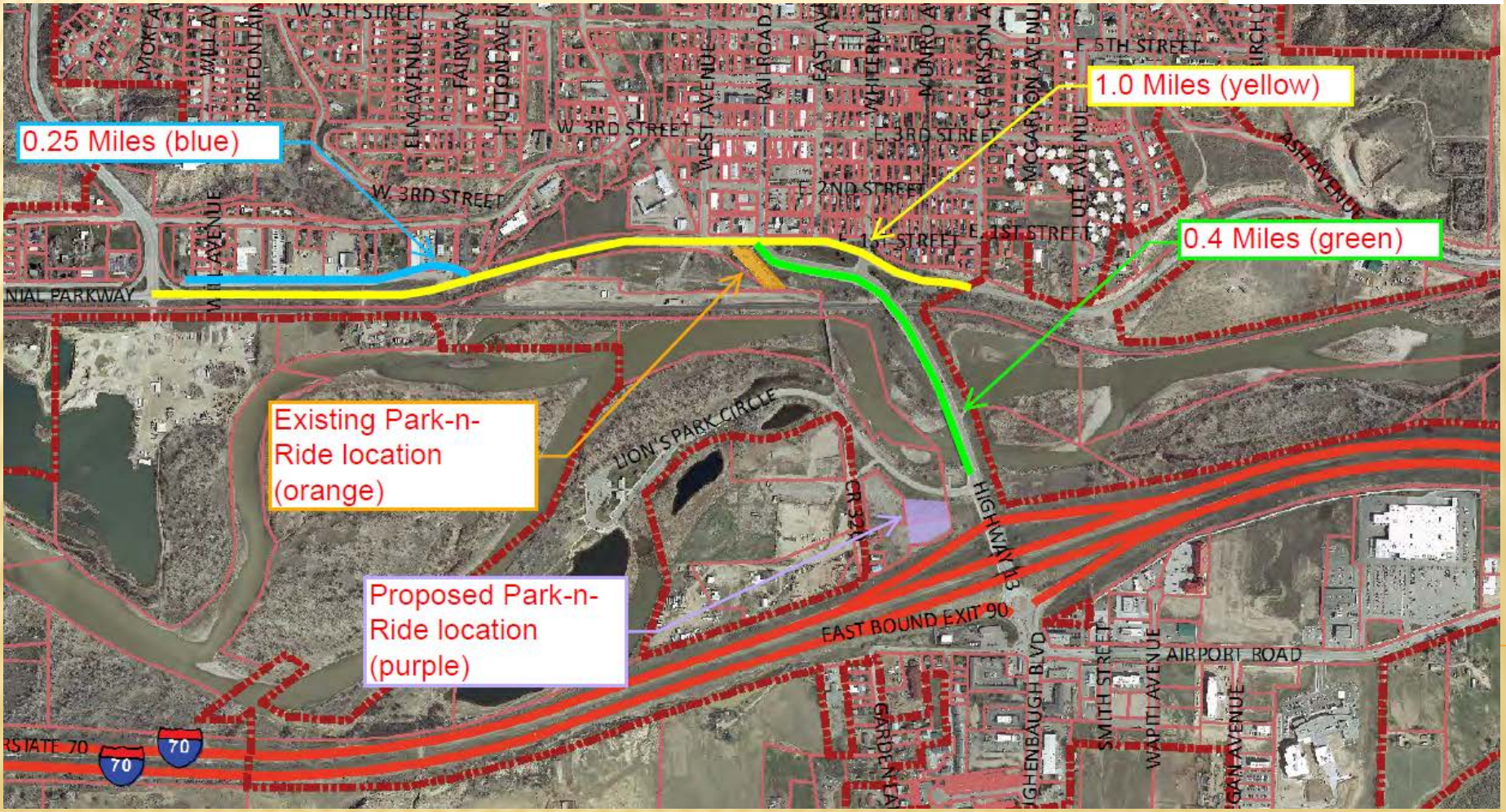
Potential Surface Improvements

-Median island
-Fencing/lighting
-Wayfinding signage
-Future tie-in with north roundabout and Gateway roundabout

WHY DO THIS?

- We then control access therefore more amenable to development
- Already own utilities, and road is in good shape
- Beautification
- Replace RC Bridge as entry to downtown
- Will receive $5.6 M for these corridors
- IGA will determine the details, targeting June 2014 finalization

H6/13 OVERVIEW "RAMP"
CDOT-RIFLE DEVOLUTION IGA



Office of the City Manager

MEMORANDUM

To: Honorable Mayor and City Council

From: Matt Sturgeon

Date: December 11, 2013

Subject: Development Fees

At Council's direction, staff reviewed options for reducing development fees in an effort to temporarily incentivize development activity within Rifle. Staff applied the following objectives when considering options:

- Stimulate building activity to create jobs;
- Additional roof-tops will increase the water and wastewater customer base;
- Additional roof-tops will increase local retail purchasing revenues;
- Additional roof-tops will improve demographic models used by retail when conducting new location searches; and
- New construction will generate additional utility customers, which will assist meeting debt service obligations.

After considering these objectives, staff recommends Council consider the following options for reducing development costs.

Water & Wastewater System Improvement Fees

The City established water and wastewater improvement fees to ensure new customers equitably contribute to the cost of service infrastructure (capital improvements). This was adjusted downward when the fee schedule was originally established, because the true costs associated with buying into the systems were unaffordable, and the costs would have precluded individuals from becoming customers.

Additionally, both utilities took on debt to construct treatment plants. The debt terms required the utilities to commit service fees sufficient to retire the debt; debt covenants preclude the City from including revenue from system improvement fees in the debt service calculations. Thus, the City will benefit from adding users to the utilities by broadening the customer base and increasing service fee revenues. At this moment, the business enterprises require user fees more than capital investment (system improvement fees).

For these reasons, staff is recommending the City include with a building permit the first EQR at no cost and the second EQR at 50-percent of the current cost. The cost of a water EQR is $5,743.27 and a sewer EQR is $6,382.37.

Staff does not recommend reducing water right dedication fees or eliminating the unique fees collected to retire debt on infrastructure constructed to facilitate development in different parts of the City (i.e. Northeast Water Tank Fee).

Parkland Dedication Fee

Residential development includes a Parkland Dedication Fee. The per-unit fee varies based on terms negotiated during an annexation or subdivision. While the formula to set each fee was common, each developer determined how much would be paid down initially when platting a residential subdivision, and/or how much parkland would actually be dedicated to the City versus paying an in-lieu-of fee. Therefore, staff is unable to specifically call out a dollar amount to rebate or forgive. Instead, staff is recommending City Council suspend the collection, when due, of parkland dedication fees at the time of building permit.

Use Tax

The City collects sales tax on building materials associated with construction (Use Tax). The building permit applicant is charged Use Tax on 50-percent of a structures value, and then the contractor is issued a Sales Tax Exemption Certificate to use when purchasing goods and materials.

If Council considers this option, it should be done as a rebate upon issuance of a Certificate of Occupancy and Council may wish to limit the amount rebated. Additionally, the rebate should only include that portion of the Use Tax dedicated to the General Fund; the rebate cannot include taxes specifically established by voters to fund streets, parks, and water plant debt service. Staff is recommending waiver of up to $3,000, which is approximately what a new house would be assessed. The City has business incentives in place that would allow Council to address commercial and industrial projects on a case-by-case basis.

Incentive Period

Staff recommends setting a June 30, 2015, sunset date. This gives a developer/builder/landowner eighteen months to plan and construct a project. Deadlines push project managers and financers to make decisions. It is staffs understanding that City Council is trying to stimulate development activity and get things happening immediately. The absence of a firm deadline may delay interested parties in making decisions.

Other Information

The proposed incentives would be in addition to the Business Incentives City Council may consider for new commercial and industrial projects as well as the three-year payment option commercial projects can request for utility system improvement fees.

CITY OF RIFLE, COLORADO
BUSINESS AND INDUSTRIAL INCENTIVES

The City of Rifle is a fast growing pro-business community that welcomes new business development. The City recognizes the need to "obtain and strengthen a sustainable economic base." The community provides a number of amenities to new business development. These amenities are identified in this guide to development.

CITY OF RIFLE BUSINESS INCENTIVE POLICY

Incentives will be targeted at business and industry which meet the City's goal of developing a long-term, sustainable economic base. To that end, all incentives are considered on a case by case basis depending on the economic impact. Factors which will be utilized in evaluating incentive requests will include the following:

- Capital Investment
- Job Creation
- New Goods / Services Offered to the Community
- Employee Wages
- Contributions Toward the Economic Diversification of the Area
- Contributions Toward the Enhancement of the Central Business District or North Rifle Redevelopment Area
- Contributions Toward Goals Outlined in the City's Strategic and Comprehensive Plans
- Findings of the Opportunity Analysis upon its conclusion

Municipal Incentives

The types of incentives the City will consider vary depending upon the type of project. The following potential City incentives may be available to qualifying companies:

1. Waiver of Permit Fees: Building permit fees, plan review, street improvement and other City fees may be considered.

2. Infrastructure Improvements: The City may consider extending infrastructure to development sites.

3. Private / Activity Industrial Revenue Bonds: Manufacturers can apply for tax-exempt industrial revenue bonds to help finance construction or relocation of qualifying manufacturing activities.

4. Local Tax Rebates: The City may consider partial rebate of sales taxes generated by business to assist with infrastructure. This rebate may also be awarded to businesses which are involved with projects that rehabilitate dilapidated structures.

Central Business District Incentives (Downtown Development Authority Area)

The City of Rifle will consider special incentives for businesses expanding or relocating into the Central Business District (DDA Area). These incentives may include the following:

1. Sales Tax Rebates
2. Use Tax Rebates
3. Permit and Fee Waivers
4. Reduced Tap Fees
5. Cost Sharing in façade, landscaping, and/or design improvements that promote the overall Master Plans for the downtown area.

6. Capital Investments – The City will consider capital investments in infrastructure, streetscaping, etc. to support expanding and/or new businesses that furthers achievement of overall Master Plans for the Central Business District.

Miscellaneous

The City offers the following general assistance to business and industry:

1. City staff will assist qualifying businesses or industry with applications for grants, etc. to the State, Federal, and other public entities offering support programs.

2. City staff will expedite review of development plans for business and industrial developments.

3. The City will coordinate its efforts with other local entities including Garfield County, Colorado Mountain College, and other entities which may be able to offer business development programs.

REVIEW PROCESS

The City will review applications for economic development assistance on a case by case basis. Criteria which may be considered in review of a project's merits may include the following:

1. Job Creation – The number of jobs created, type of job, and salaries will be reviewed. Business opportunities which provide employees a competitive "living wage" may receive greater consideration than businesses which pay minimum wages.

2. Sales Potential – Retail businesses that have potential to significantly increase the City's sales tax base may receive favorable consideration. However, the City will also promote diversification of the business community, and to that end, will encourage development of small businesses as well as larger businesses.

3. Services and Products – The City will promote and support businesses which offer unique goods and services not presently available to the community.

4. Capital Investment – In granting incentives, the City will take into consideration the amount of capital investment a business brings into the local economy.

5. Enhancements to the Central Business District – The City aggressively promotes development of new or expansion of existing businesses within the downtown area. To the extent possible, the City will consider special incentives for development in this area.

6. Compatibility with Long Range Plans – Business or industry that is in compliance with the City's long range Comprehensive Plans, Strategic Plans, or other Master Plans, will receive favorable consideration when requesting incentives. Also, businesses which further City goals of rehabilitating dilapidated structures or blighted areas will receive favorable consideration.

This policy is intended to remain flexible and fluid. The City may revise the policy as necessary, and may "blend" its application with other components of the development process.

CITY OF RIFLE, COLORADO
ORDINANCE NO. 27
SERIES OF 2013

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ENACTING DEVELOPMENT FEE REDUCTIONS AND WAIVERS AND BUILDING INCENTIVES TO STIMULATE GROWTH AND ECONOMIC DEVELOPMENT IN THE CITY.

WHEREAS, the City of Rifle, like much of Western Colorado, continues to suffer the impacts of the Great Recession that officially began in December 2007 resulting in a global economic decline unparalleled since the Great Depression of the 1930s; and

WHEREAS, the City Council desires to attract building and construction activities in the City that will drive additional economic development; and

WHEREAS, City staff has researched and analyzed the various development fees assessed by the City on construction activities to determine which fees can be reduced or waived without jeopardizing the financial soundness of the City; and

WHEREAS, the City Council finds and determines that the development fee reductions and waivers and building incentives contained in this Ordinance are a sound long term investment for the City that will pay dividends exceeding the temporary foregone revenues..

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

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

Section 2. Water and Wastewater System Improvement Fees. The Water and Wastewater System Improvement Fees set forth in Article IV of Chapter 13 of the Rifle Municipal Code, specifically Section 13-4-70 for Water System Improvement Fees and Section 13-4-90 for Wastewater System Improvement Fees, associated with each individual building permit are hereby reduced as follows:

First one (1) EQR: $0.00
Second one (1) EQR: Fifty percent (50%) of the applicable System Improvement Fee

The above System Improvement Fee reductions and waivers shall not apply to any water or wastewater service outside of the City's corporate limits. All other fees and costs set forth in Chapter 13 shall continue to apply in full force and effect.

Section 3. Parkland Dedication Fees. The Parkland Dedication Fee required by Section 16-1-90 and Section 16-4-110 of the Rifle Municipal Code to be paid at building permit and set forth in any Subdivision Improvements Agreement is hereby waived for such lot or unit upon application for a building permit. All other land or parkland dedication requirements in the Rifle Municipal Code shall continue to remain in full force and effect.

Section 4. Use Tax Rebate. Upon the issuance of a certificate of occupancy for all building permits issued by June, 30, 2015, the City shall rebate to the building permit applicant up to $3,000 of the general Use Tax collected on building materials and supplies required by Section 4-2-230 of the Rifle Municipal Code, excluding the percentage of Use Tax collected for street improvements (RMC Section 4-2-40(a)), parks and recreation purposes (RMC Section 4-2-40(b)) and water treatment facilities (RMC Section 4-2-40(c)).

Section 5. Termination. The development fee reductions and waivers and building incentives set forth in this Ordinance shall remain in effect through **June 30, 2015** and apply to building permits purchased by such date, after which time all applicable codified provisions of the Rifle Municipal Code shall apply.

INTRODUCED on December 18, 2013, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on January 15, 2014, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of _____, 2014.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

_____
City Clerk

RIFLE POLICE DEPARTMENT

JOHN D. DYER
Chief of Police

J.R. BOLTON
Operations Lieutenant

VAUGHN MILES
Administrative Sergeant

To: City Council
Matt Sturgeon
From: John Dyer
Date: 11-13-13
Ref: Minors liquor license premises code changes

City Council,

When I came on board, in August of 2012, the city was in the process of amending city ordinances which dealt with minors being in establishments with liquor licenses. The problem at the time was that there were so many exceptions to the ordinance that it was difficult to enforce. The city went to a simpler and cleaner ordinance. Part of the new ordinance prohibited:

> Persons under the age of twenty-one (21) years to enter, frequent, visit or be present in any such establishment **after 10:00 pm if fermented malt beverages or malt, vinous or spirituous liquors are still being served**; and

The problem with this solution became evident at the October 16th council meeting. Establishments with a hotel and restaurant license were put into the position of either (1) stop serving alcohol to adults at 10PM, or (2) kick out anyone under 21 years of age at 10PM. In a restaurant setting this could be difficult, and not really meet the intent of this ordinance.

The goal of this ordinance is to keep those under 21 from being in a "bar" or "tavern" setting. These settings are not appropriate for minors, and having a bright line rule makes it much easier to enforce. It is not meant to keep families from either going out to restaurants, or restrict family type events, such as wedding receptions, family reunions, or quinceanera's.

The city would like to amend this ordinance, to include the exception:

> **Minors from entering or remaining in the restaurant portion of an establishment holding a hotel and restaurant liquor license or fermented malt beverage license for the limited purpose of consuming meals actually and regularly served.**

This would allow minors to be in restaurants, and at family events were food is being served, but restrict their access to bar or tavern setting.

Thank you for your consideration

John Dyer

201 East 18th Street, Rifle CO 81650-3237
Office: (970 665-6500)

Mission Statement
To promote the peace, safety, and well-being of our community through interaction, education, and enforcement of the law

CITY OF RIFLE, COLORADO
ORDINANCE NO. 28
SERIES OF 2013

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTIONS 10-8-30 AND 10-8-60 OF THE RIFLE MUNICIPAL CODE REGARDING MINORS ON PREMISES AND ESTABLISHMENT RESTRICTIONS.

WHEREAS, Section 10-8-30(1) of the Rifle Municipal Code ("RMC") currently make it a Class A municipal offense for a person under the legal drinking age to enter, visit, frequent, or be present in an establishment within the City where fermented malt beverages or malt, vinous, or spirituous liquors are sold for consumption on the premises after 10:00 p.m. if alcohol is still being served; and

WHEREAS, local businesses have complained that this criminal offense is overly-restrictive when minors remain in an establishment after 10:00 p.m. following the completion of a meal or for a continuing event; and

WHEREAS, the City Council finds that proper liquor license enforcement and existing provisions of the RMC make the 10:00 p.m. deadline unnecessary; and

WHEREAS, the Rifle City Council finds and determines the best interests of Rifle citizens will be met by amending RMC Sections 10-8-30 and 10-8-60 accordingly.

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

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

Section 2. Section 10-8-30 of the Rifle Municipal Code is hereby amended with to read as follows, with additions shown in bold, double underlined text.

10-8-30. Establishment restrictions.

(a) Except as provided for elsewhere in this Article, it shall be unlawful for the licensee, proprietor, agent or employee of any establishment possessing a liquor license~~, other than a special events permit issued pursuant to Section 6-5-120 of this Code,~~ for the sale of fermented malt beverages or malt, vinous or spirituous liquors for consumption on the premises, to permit or allow the following:

~~(1) Persons under the age of twenty-one (21) years to enter, frequent, visit or be present in any such establishment after 10:00 p.m. if fermented malt beverages or malt, vinous or spirituous liquors are still being served; and~~

(~~2~~**1**) Customers, guests and any other persons to be present in such establishments during the hours and days that state law prohibits the sale, serving or distribution of fermented malt beverages or malt, vinous or spirituous liquors.

(~~3~~**2**) The consumption of any alcoholic beverage on the licensed premises at any time during such hours as the sale of such beverages is prohibited by law.

A violation of Subsections (a)(1) ~~and (a)(3)~~ above is a Class ~~A~~**B** municipal offense. A violation of Subsection (a)(2) above is a Class ~~B~~**A** municipal offense. Penalties for these violations are set forth in Section 10-1-40 of this Chapter.

Section 3. Section 10-8-60 of the Rifle Municipal Code, "Exceptions," is hereby amended to read as follows, with additions shown in bold, double underlined text and deletions in strike-through text.

10-8-60. Minors—exceptions.

Nothing contained in ~~Sections 10-8-30 and~~ 10-8-50 above shall prohibit:

(1) Owners or necessary maintenance employees from being in the establishment which they own or where they work.

(2) Minors between the ages of eighteen (18) and twenty-one (21) years, who are members of an entertainment group paid or employed by the licensee, from being present in a licensed establishment during the period of time they are actually working or performing.

INTRODUCED on December 18, 2013, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on January 15, 2014, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of _____, 2014.

CITY OF RIFLE, COLORADO

BY _____
Mayor

ATTEST:

_____

City Clerk

Manager's Report

For December 18, 2013

December Snow Event

The Street and Parks Crews are to be commended for the rapid response to the snow storm that occurred two weeks ago. I received many compliments on their work and courteous response to questions and concerns from residents.

Graffiti

There is a brazen vandal(s) marking up Rifle. Rifle Police are pursuing an individual(s) tagging private and public property all over Rifle. The culprit(s) is believed to be working day and night, and has struck highly visible locations in downtown, Centennial Park, south Rifle, and other locals. The Police Department has requested citizens keep a watchful eye out for any unusual behavior.

Chicken Regulations

Staff reserved Council's January 15 regular workshop to discuss how to proceed with possible modifications to the ordinance governing the keeping of chickens and ducks within the City.

Solar Panels

Six of eight solar panel projects are erected with the police department and city hall remaining. The city hall array will not be erected until early next year. The third party power provider is working through issues associated with the parking structure and city hall being on two different XCEL meters.

Holiday Closures and Cancellations

As a reminder, City buildings will be closed December 24 – 26 and City Council cancelled the first meeting of the month in January 2014 because it falls on January 1.

Please call me with questions or comments.