



City Council
Randy Winkler, Mayor
Barbara Clifton, Mayor Pro Tem
Joe Elliott, Councilor
Ed Green, Councilor
Theresa Hamilton, Councilor
Annick Pruetz, Councilor
Dana Wood, Councilor

City Hall
City Council Chambers
202 Railroad Avenue
Rifle, CO

Cablecast Live on
Comcast Channel 10

Streamed Live at RifleNOW.org

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REGULAR MEETING
February 3, 2016

WORKSHOP 6:00 P.M.
COUNCIL CHAMBERS

6:00 P.M. Detox Center Update (Chief Dyer)

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 January 20, 2016 Regular Meeting
 - B. (Acting as Liquor Licensing Authority) Liquor License Renewals – El Kora Mexican Restaurant and Brenden Rifle 7 Theatres
 - C. (Acting as Liquor Licensing Authority) Continue Public Hearing for Shear Intensity Hair, Nail & Tanning Salon to March 2nd
 - D. Amending Rifle Municipal Code Pertaining to the Process of Issuing Special Event Permits - Ordinance No. 1, Series of 2016 – 2nd reading
 - E. Accounts Payable
- 7:08 p.m. 3. Citizen Comments
(For items not listed as public hearings 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. Recognition to Roland Klocker for 40 years of Service to the City of Rifle (Mayor Winkler)
- 7:20 p.m. 6. Consider parking variance for Rifle Snowmobile Club at Huffman Gulch area for annual Poker Run (Carlton Hoffmeister)
- 7:25 p.m. 7. Consider authorizing letter to Bureau of Land Management (BLM) Roan Plateau Supplemental Environment Impact Statement (Matt Sturgeon)
- 7:35 p.m. 8. (Acting as Liquor Licensing Authority) Public Hearing – Consider application by City of Rifle dba Ute Theatre and Events Center (Kristy Christensen)
- 7:45 p.m. 9. Lease with Rifle Reginal Economic Development Corporation - Ordinance No. 4, Series of 2016 – 1st reading (Jim NeU)
- 7:55 p.m. 10. Discussion on septage rates and rules for Wastewater Treatment Plant (Jim Miller)
- 8:05 p.m. 11. Public Hearing – Rezoning Properties Owned by Garfield County Located at 1301 Howard Avenue, 1241 Howard Avenue, and 1001 Railroad Avenue to Public Zone District – Ordinance No. 2, Series of 2016 – 1st reading (Hannah Klausman)
- 8:15 p.m. 12. Consider lease with 139 Railroad Avenue, LLC - Ordinance No. 3, Series of 2016 – 1st reading (Matt Sturgeon)
- 8:25 p.m. 13. Administrative Reports
- 8:35 p.m. 14. Comments from Mayor and Council

The order and times of agenda items listed above are approximate and intended as a guideline for the City Council.

Next Regular Meeting of Council: February 17, 2016 at 7:00 p.m.



RIFLE CITY COUNCIL MEETING

Wednesday, January 20, 2016

REGULAR MEETING

7:00 p.m. * Council Chambers

A regular meeting of the Rifle City Council was called to order at 7:05 p.m. by Mayor Randy Winkler.

PRESENT AT ROLL CALL: Councilors Barbara Clifton, Joe Elliott, Ed Green, Theresa Hamilton, Annick Pruett, Dana Wood, and Mayor Randy Winkler.

OTHERS PRESENT: City Manager Matt Sturgeon; City Clerk Kristy Christensen; City Attorney Jim Neu; Rifle Community Television (RCTV) Manager Michael Churchill; Police Chief John Dyer; Planning Director Nathan Lindquist; Utility Director Jim Miller; Public Works Superintendent Bobby O’Dell; O & M Construction Crew Leader Mitch Walpole; O & M Streets Crew Leader Mike Altman; AmeriCorps Intern Cathleen Anthony; Susan Nichols-Alvis; Lisa Zeman; Tim Zeman; Amanda Ingle; Steve Fuller; Sean Strode; Dan LeMoine; Jake Mall; Larry Matlock; Amy Shipley; Becky Mall; Garrick Frontella; and Ryan Hoffman;

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the January 6, 2016 Regular Meeting
- B. Minutes from the January 6, 2016 Special Meeting
- C. *(Acting as Liquor Licensing Authority)* Liquor License Renewal – Kum & Go #922
- D. *(Acting as Liquor Licensing Authority)* Stipulations, Agreements, and Orders in the Matters of Eagle Springs Organic LLC dba Eagle Springs Meats and Farm Fresh Café
- E. *(Acting as Liquor Licensing Authority)* Set public hearing on application for liquor license by City of Rifle dba Ute Theatre and Events Center for February 3rd Council Meeting
- F. *(Acting as Liquor Licensing Authority)* Set public hearing on application for liquor license by Rachael’s Sculpted Nails, Inc. dba Shear Intensity Hair, Nail & Tanning Salon for February 3rd Council Meeting
- G. Accounts Payable

Councilor Elliott moved to approve Consent Agenda Items A, B, C, D, E, F and G; seconded by Councilor Hamilton.

Roll Call: Yes – Clifton, Elliott, Hamilton, Green, Pruett, Wood, and Winkler

CITIZEN COMMENTS

There were no citizen comments

CONSIDER APPROVING A MEMORANDUM OF UNDERSTANDING WITH DOLA FOR THE MAIN STREET PROGRAM

Planning Director Nathan Lindquist explained Rifle is a participant in the Colorado Main Street Program which is administered by the Department of Local Affairs (DOLA). DOLA requires that each participant in the Colorado Main Street Program agrees to a Memorandum of Understanding (MOU). The MOU outlines the expectations and requirements of each party. Staff believes that Rifle’s participation in the Main Street program is beneficial to the community and recommends approval of the Memorandum of Understanding.

Councilor Green moved to approve the Memorandum of Understanding with the Department of Local Affairs; seconded by Councilor Wood.

Roll Call: Yes – Clifton, Elliott, Hamilton, Green, Pruett, Wood, and Winkler

CONSIDER AMENDING RIFLE MUNICIPAL CODE PERTAINING TO THE PROCESS OF ISSUING SPECIAL EVENT PERMITS - ORDINANCE NO. 1, SERIES OF 2016 – 1ST READING

AMENDING SECTION 6-5-120 OF THE RIFLE MUNICIPAL CODE PERTAINING TO THE PROCESS OF ISSUING SPECIAL EVENT PERMITS

City Attorney Jim Neu notes the State statute authorizes the City Council to delegate authority to administratively issue Special Event Liquor Permits. Ordinance No. 1, Series of 2016 amends the Rifle Municipal Code to grant that authority to the City Clerk. It also incorporates statutory language for when a hearing should be held on an application.

Councilor Hamilton moved to approve Ordinance No. 1 Series of 2016, on first reading as presented, and order the ordinance to be published as required by Charter; seconded by Councilor Pruett.

Roll Call: Yes – Clifton, Elliott, Hamilton, Green, Pruett, Wood, and Winkler.

CONSIDER PURCHASE OF PYTHON 5000 POTHOLE MACHINE

Public Works Superintendent Bobby O’Dell explained the Python 5000 pothole patcher is the only machine that meets our specifications. The Python 5000 pothole patcher will be used year round and can fill more potholes than a conventional crew using a single employee. The manufacturer has offered to sell us a new unit for \$290,000.

Councilor Elliott moved to approve the purchase of the Python 5000 pothole machine in an amount not to exceed \$290,000.00; seconded by Councilor Pruett.

Roll Call: Yes – Clifton, Elliott, Hamilton, Green, Pruett, Wood, and Winkler

DISCUSSION ON HUBBARD MESA RECREATION MANAGEMENT ALTERNATIVES AND BLM PROCESS

Planning Director Nathan Lindquist gave a brief summary of the Bureau of Land Management (BLM) Roan Plateau Supplemental Environmental Impact Statement (SEIS). The draft plan and supplemental environmental impact statement consider issues including Hubbard Mesa area near Rifle. Safety in that area has become a concern because the area is popular for recreational shooting and mountain biking. The only alternative restricting recreational target shooting is Alternative #3. Alternative #4 is currently the BLM’s preferred alternative. The City of Rifle is a cooperative agency with BLM and can submit comments on the SEIS. The comment deadline is February 18th.

Jim Neu stated this is a BLM process which is allowing City Council to give written comments. The City does not have any jurisdiction on the matter.

Comments on this agenda item were heard from Jake Mall, Sean Strode, Daniel LeMoine, Lisa Zeman, Susan Nichols-Alvis, Steven Fuller, Stacey Hart, Garrick Frontella, Becky Mall, and Amy Shipley

ADMINISTRATIVE REPORTS

City Manager Matt Sturgeon reported on scheduling for the 2016 Strategic Planning.

Public Works Superintendent Bobby O’Dell reported on the following issues: snowplowing, repairing potholes, and Roland Klocker’s retirement

Utility Director Jim Miller gave a brief update on the Rifle Regional Water Purification Facility Construction

COMMENTS FROM MAYOR AND COUNCIL

Councilor Hamilton gave an update on the Garfield RE2 Superintendent search.

Councilor Green noted he will be attending the Club 20 legislative meeting tomorrow and Friday.

Councilor Clifton thanked the Citizen who attended tonight's meeting and gave comments.

Councilor Elliott stated he was sorry for the loss of Jack Smith who he believes is an Icon in this area.

Councilor Pruett expressed her appreciation for the thoughts, prayers, and outreach from the community.

Councilor Wood mentioned the Lower Valley Trails group (LoVa) was listed on the Governor's list of high-priority trail projects.

Mayor Randy Winkler thanked the Search and Rescue members for their efforts in finding the three missing snowmobilers.

EXECUTIVE SESSION TO DISCUSS THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF REAL, PERSONAL, OR OTHER PROPERTY INTEREST UNDER CRS SECTION 26-6-402(4)(A) (JIM NEU)

Councilor Elliott moved to adjourn to executive session to discuss property interests; seconded Councilor Wood.

Roll Call: Yes – Clifton, Elliott, Hamilton, Green, Pruett, Wood, and Winkler

Upon return to open session following conclusion of the executive session, meeting adjourned at 8:55 p.m.

Kristy Christensen
City Clerk

Randy Winkler
Mayor



To: Honorable Mayor and City Council

From: Kristy Christensen, City Clerk

Date: Thursday, January 28, 2016

Subject: Liquor License Renewals

These businesses have filed Liquor License Renewal Applications:

Business Name/Address

Gustavo A Casanova
Dba El Kora Mexican Restaurant
160 E 26th Street
Rifle, CO 81650

Type of License

Hotel & Restaurant

Brenden Theatre Corporation
dba Brenden Rifle 7 Theatres
250 W 2nd Street
Rifle, CO 81650

Beer & Wine

The following criteria have been met by the applicants:

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

I recommend approval of these Liquor License Renewal Applications.

LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Fees Due	
Renewal Fee	
Storage Permit \$100 x _____	_____
Optional Premise \$100 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.

302015

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name GUSTAVO CASANOVA		DBA EL KORA MEXICAN RESTAURANT.		
Liquor License #	License Type HOTEL AND RESTAURANT	Sales Tax License # 624-20-5736	Expiration/Date 11/11/2016	Due Date
Street Address 160 E 26TH ST RIFLE, CO. 81650				Phone Number (970) 625-0358
Mailing Address 160 E 26TH ST RIFLE, CO. 81650				
Operating Manager Gustavo Casanova	Date of Birth	Home Address		Phone Number

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 GUSTAVO CASANOVA	Title Owner
Signature 	Date 12-29-15

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

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$351.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

BREN DEN RIFLE 7 THEATRES
 4321 W FLAMINGO RD
 LAS VEGAS NV 89103

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.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name BREN DEN THEATRE CORPORATION		DBA BREN DEN RIFLE 7 THEATRES		
Liquor License # 4701113	License Type Beer & Wine (city)	Sales Tax License # 15-80594-0000	Expiration Date 3/5/2016	Due Date 1/20/2016
Street Address 250 W 2ND ST RIFLE CO 81650				Phone Number (702) 507 1522
Mailing Address 4321 W FLAMINGO RD LAS VEGAS NV 89103				
Operating Manager	Date of Birth	Home Address		Phone Number

- 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 11-30-21
- 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.
- 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
- 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
- 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
- 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 <u>LEE CRANDER</u>	Title <u>CFO</u>
Signature 	Date <u>12-28-15</u>

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



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

From: Kristy Christensen, City Clerk

Date: Thursday, January 28, 2016

Subject: Rescheduling Public Hearing to Review an Application for a New Liquor License

Rachael's Sculpted Nails, Inc. d/b/a Shear Intensity Hair, Nail, and Tanning Salon has filed an application for a new Beer and Wine liquor license at 450 West Avenue, Suite 201 & 202, Rifle, CO.

City Council scheduled a public hearing for February 3, 2016 to review the application. Applicant is requesting a different date for the Public Hearing.

Staff recommends that Council reschedule the public hearing for March 2, 2016.

Thank you.

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 1
SERIES OF 2016**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING
SECTION 6-5-120 OF THE RIFLE MUNICIPAL CODE PERTAINING TO
THE PROCESS OF ISSUING SPECIAL EVENT PERMITS

WHEREAS, Article V of Chapter 6 of the Rifle Municipal Code (the “RMC”), establishes the licensing proceedings for liquor licenses in the City of Rifle; and

WHEREAS, Section 12-48-107(4) C.R.S, authorizes the City Council to assign the issuance of special event permits to an administrative officer; and

WHEREAS, the City Council wishes to authorize the City Clerk to issue special event permits administratively and it desires to amend Section 6-5-120 of the Rifle Municipal Code 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 6-5-120 of the RMC is hereby amended as follows, with additions shown in double underlined text:

Sec. 6-5-120. - Special event permit application.

Pursuant to Section 12-48-101 et seq., C.R.S., the City may issue special event permits for the sale of fermented malt and alcoholic beverages to those organizations set forth in the special event permit statute and on the grounds set forth therein. Pursuant to Section 12-48-107(4) C.R.S, the City Clerk shall be authorized to issue special event permits administratively. The City shall cause a hearing to be held if, after investigation and upon review of the contents of the application by the City Clerk or of any protest filed by affected persons, sufficient grounds appear to exist for denial of a permit. Any protest shall be filed by affected persons within ten days after the date of notice pursuant to section 12-48-106 (2) C.R.S. Any hearing shall be held at least ten days after the initial posting of the notice, and notice thereof shall be provided the applicant and any person who has filed a protest.

INTRODUCED on January 20, 2016, read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on February 3, 2016, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ____ day of _____, 2016.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk

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						
	SI89356	PPX EXCHANGE	01/11/2016	27.04	.00	
Total 1003:				27.04	.00	
1018						
Valley Lumber						
	17961	SUPPLIES	01/11/2016	14.98	.00	
	17984	SUPPLIES	01/12/2016	96.47	.00	
	17994	SUPPLIES	01/12/2016	9.99	.00	
	18008	SUPPLIES	01/12/2016	26.01	.00	
	18020	SUPPLIES	01/13/2016	46.88	.00	
Total 1018:				194.33	.00	
1023						
Chelewski Pipe & Supply						
	146572	PIPE & FITTINGS	12/07/2015	37.51	.00	
Total 1023:				37.51	.00	
1026						
Cirsa						
	151520	DEDUCTIBLE REC DEPTS	01/15/2016	312.36	312.36	01/22/2016
	160090	WASTEWATER FUND	01/01/2016	216,534.00	216,534.00	01/22/2016
	160407	2016 EQUIPMENT BREAKDOW	01/01/2016	6,030.25	6,030.25	01/22/2016
Total 1026:				222,876.61	222,876.61	
1062						
Dana Kepner Company						
	1420868-00	TOUCHCOUPLER	01/18/2016	1,783.52	.00	
Total 1062:				1,783.52	.00	
1076						
Garfield County Treasurer						
	489	Landfill	12/31/2015	7,070.70	7,070.70	01/22/2016
Total 1076:				7,070.70	7,070.70	
1087						
Grainger						
	9930077921	SUPPLIES	01/04/2016	145.62	.00	
	9931105499	PRESURE WASHER	01/05/2016	319.29	.00	
Total 1087:				464.91	.00	
1105						
Meadow Gold Dairies						
	50225684	DAIRY PRODUCTS/SENIOR CT	01/14/2016	71.39	.00	
	50225778	DAIRY PRODUCTS/SENIOR CT	01/20/2016	99.80	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1105:				171.19	.00	
1110						
YOUR PARTS HAUS CORP						
	409243	SUPPLIES	12/10/2015	49.98	.00	
	409267	SUPPLIES	12/10/2015	49.98	.00	
	412919	WASHER NOZZLE	01/18/2016	11.62	.00	
Total 1110:				11.62	.00	
1120						
Xcel Energy Inc						
	485857227	750 W CENTENNIAL PKWY	01/12/2016	14,090.82	14,090.82	01/22/2016
	486552314	200 LION PARK CIR-DEPOSIT	01/15/2016	659.01	659.01	01/22/2016
Total 1120:				14,749.83	14,749.83	
1126						
Rifle City Of						
	1453101 01261	50 UTE AVE	01/26/2016	132.95	132.95	01/26/2016
	2003101 01261	201 E 18TH ST	01/26/2016	92.20	92.20	01/26/2016
	2004101 01261	612 RAILROAD AVE	01/26/2016	61.35	61.35	01/26/2016
	2005101 01261	1612 RAILROAD AVE	01/26/2016	42.75	42.75	01/26/2016
	2007101 01261	301 E 30TH ST	01/26/2016	42.75	42.75	01/26/2016
	2033001 01261	750 UTE AVE	01/26/2016	71.06	71.06	01/26/2016
	2214101 01261	1500 DOGWOOD DR	01/26/2016	700.68	700.68	01/26/2016
	265104 012616	638 PARK AVE	01/26/2016	87.99	87.99	01/26/2016
	3079101 01261	595 W 24TH ST	01/26/2016	28.31	28.31	01/26/2016
	3221101 01261	000 BROWNING DR	01/26/2016	28.31	28.31	01/26/2016
	3351101 01261	1221 E CENTENNIAL PKWY	01/26/2016	35.87	35.87	01/26/2016
	3641101 01261	360 S 7TH ST B	01/26/2016	28.31	28.31	01/26/2016
	3673101 01261	3100 DOKES LN	01/26/2016	71.06	71.06	01/26/2016
	3677101 01261	2515 W CENTENNIAL PKWY	01/26/2016	11,394.34	11,394.34	01/26/2016
	3679101 01261	300 W 5TH ST	01/26/2016	341.05	341.05	01/26/2016
	3706101 01261	2515 B W CENTENNIAL PKWY	01/26/2016	28.31	28.31	01/26/2016
	3727101 01261	300 E 30TH ST	01/26/2016	71.06	71.06	01/26/2016
	779102 012616	132 E 4TH ST	01/26/2016	71.06	71.06	01/26/2016
	823101 012616	202 RAILROAD AVE	01/26/2016	105.78	105.78	01/26/2016
	873106 012616	236 W 4TH ST	01/26/2016	86.61	86.61	01/26/2016
Total 1126:				13,521.80	13,521.80	
1132						
Rifle Lock & Safe, LLC						
	34032	ARROW QL815R	12/04/2015	208.00	.00	
Total 1132:				208.00	.00	
1143						
Swallow Oil Company						
	1816 123115	DIESEL	12/31/2015	2,755.96	.00	
Total 1143:				2,755.96	.00	
1181						
Garfield Steel & Machine, Inc						
	00094850	SUPPLIES	01/15/2016	568.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1181:				568.00	.00	
1258						
Hach Company						
	9732569	SUPPLIES	12/30/2015	1,280.65	.00	
	9734747	SUPPLIES	01/04/2016	155.19	.00	
Total 1258:				1,435.84	.00	
1339						
Grand Junction Pipe & Supply						
	3336598	SUPPLIES	01/11/2016	930.39	.00	
Total 1339:				930.39	.00	
1727						
Canyon Systems Inc						
	12639	FLAPPER VALVE	01/05/2016	431.64	.00	
Total 1727:				431.64	.00	
2122						
Utility Notification Center Co						
	21512654	RTL TRANSMISSION/WATER &	12/31/2015	28.60	28.60	01/22/2016
Total 2122:				28.60	28.60	
2181						
Nalco Chemical Company						
	63869596	Drum 210 LITER	01/05/2016	2,248.75	.00	
Total 2181:				2,248.75	.00	
2208						
Amerigas						
	3047351414	PROPANE	12/24/2015	1,138.09	.00	
	3047646763	PROPANE	12/31/2015	610.53	.00	
	3047822126	PROPANE	01/07/2016	270.98	.00	
Total 2208:				2,019.60	.00	
2353						
Colo Dept. Of Revenue						
	011116.	COL SALES TAX LICENSE	01/11/2016	16.00	16.00	01/22/2016
	012016	LIQUOR LICENSE	01/20/2016	1,051.25	1,051.25	01/22/2016
Total 2353:				1,067.25	1,067.25	
2540						
Walker Electric						
	6003	REPLACE PHOTOCELL	01/07/2016	114.25	.00	
Total 2540:				114.25	.00	
2573						
Mountain West Office Products						
	0583995-001	supplies	12/03/2015	42.68	42.68	01/22/2016

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	0584068-001	supplies	12/19/2015	22.79-	22.79-	01/22/2016
	0584859-004	supplies	01/20/2016	5.99	.00	
	0585088-002	supplies	01/07/2016	30.64	.00	
	0585259-001	supplies	01/11/2016	105.97	105.97	01/22/2016
	0585649-001	supplies	01/20/2016	26.32	.00	
Total 2573:				188.81	125.86	
2960						
Walmart Community						
	013453	supplies	01/13/2016	48.88	48.88	01/22/2016
Total 2960:				48.88	48.88	
3083						
ALSCO						
	1728493	SUPPLIES	01/12/2016	28.92	.00	
	1728494	CARGO PANTS	01/12/2016	19.80	.00	
	1728495	LAUNDRY/senior center	01/12/2016	40.11	.00	
	1731491	LAUNDRY/senior center	01/19/2016	68.86	.00	
Total 3083:				157.69	.00	
3858						
Wells Fargo Bank Mn Na						
	010416	OBI:CWRPDA-SWRP/RIFLE-148	01/04/2016	59,785.76	59,785.76	01/26/2016
	010416.	WATER PLANT	01/04/2016	662,658.38	662,658.38	01/27/2016
	012516	OBI:CWRPDA-SWRP/COLO WT	01/25/2016	9,227.50	9,227.50	01/26/2016
Total 3858:				731,671.64	731,671.64	
4215						
Ziegler, James						
	01121620579	STUD PULLER	01/12/2016	53.20	.00	
	01121620580	THERM DIGITAL SWIVEL	01/12/2016	69.00	.00	
Total 4215:				122.20	.00	
4240						
Platinum Plus For Business						
	BURNS 01111	LUNCH 3MG TANK ICE REMOV	01/11/2016	123.00	123.00	01/22/2016
	CHRISTENSE	COUNCIL MEETINGS	01/11/2016	617.68	617.68	01/22/2016
	DUNCAN 0111	DUES MEMBERSHIP	01/11/2016	20.00	20.00	01/22/2016
	DYER 011116	GYM EQUIPMENT	01/11/2016	1,653.67	1,653.67	01/22/2016
	EDGETON 011	ARMBAND	01/11/2016	48.77	48.77	01/22/2016
	FLORES 0111	MEETING	01/11/2016	103.74	103.74	01/22/2016
	GALLEGOS 01	LUNCH-	01/11/2016	406.50	406.50	01/22/2016
	HADLEY 0111	CONFERENCE	01/11/2016	270.76	270.76	01/22/2016
	HOGAN 01111	GALLAHER HIPAA NOW	01/11/2016	1,330.00	1,330.00	01/22/2016
	MACKLIN 0111	SUPPLIES	01/11/2016	167.30	167.30	01/22/2016
	MCCONNELL	PHONE CHARGER	01/11/2016	260.24	260.24	01/22/2016
	PINA 011116	TLO MEMBERSHIP	01/11/2016	70.50	70.50	01/22/2016
	POTOTSKY 01	SUPPLIES TRIAL	01/11/2016	42.47	42.47	01/22/2016
	PRUITT 01111	TRAINING	01/11/2016	450.00	450.00	01/22/2016
	SOURS 01111	SUPPLIES	01/11/2016	333.06	333.06	01/22/2016
	STEFFEN 011	SUPPLIES	01/11/2016	443.80	443.80	01/22/2016
	STURGEON 0	ICMA ONLINE	01/11/2016	149.00	149.00	01/22/2016
	VAUGHAN 011	WOOL BLANKETS BUS	01/11/2016	119.70	119.70	01/22/2016

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	WHITMORE 01	SUPPLIES	01/11/2016	20.16	20.16	01/22/2016
Total 4240:				6,630.35	6,630.35	
4825						
Cross Propane Gas						
	53568	Propane Gas at O&M Shop	12/28/2015	452.27	.00	
	58910	Propane Gas at O&M Shop	01/04/2016	329.47	.00	
Total 4825:				781.74	.00	
4838						
Sun Trust Bank Corpotation						
	1578852	4430005039/1097081/HONEY W	01/25/2016	26,254.55	26,254.55	01/26/2016
Total 4838:				26,254.55	26,254.55	
5023						
CASELLE INC						
	70381	CASELLE SOFTWARE/FINANCE	01/01/2016	1,354.00	1,354.00	01/22/2016
Total 5023:				1,354.00	1,354.00	
5034						
WELLS FARGO BANK NA						
	010416	WPCRF/FOAN W07A104W/WAS	01/04/2016	666,003.15	666,003.15	01/26/2016
Total 5034:				666,003.15	666,003.15	
5192						
PECZUH PRINTING COMPANY						
	243227	ENVELOPES	01/14/2016	1,319.45	.00	
Total 5192:				1,319.45	.00	
5253						
FASTENAL						
	CORIF73908	SUPPLIES	12/31/2015	223.91	.00	
	CORIF74109	SUPPLIES	12/31/2015	216.79	.00	
	CORIF74135	SUPPLIES	01/04/2016	6.09	.00	
	CORIF74153	SUPPLIES	01/05/2016	53.70	.00	
	CORIF74154	SUPPLIES	01/05/2016	9.06	.00	
	CORIF74276	SUPPLIES	01/12/2016	71.34	.00	
	CORIF74279	SUPPLIES	01/12/2016	74.90	.00	
	CORIF74327	SUPPLIES	01/14/2016	1.64	.00	
Total 5253:				639.31	.00	
5384						
MOUNTAIN HIGH PAINT						
	00003635	SUPPLIES	01/11/2016	56.11	.00	
	00003641	SUPPLIES	01/12/2016	68.22	.00	
Total 5384:				124.33	.00	
5821						
ENVIRO-CHEM						
	1412459	BELT PRESS SOLIDS ANALYSI	12/08/2015	369.00	369.00	01/22/2016

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5821:				369.00	369.00	
5846						
Mesa County Health Department						
	211-16	Water Testing	01/19/2016	20.00	20.00	01/22/2016
	212-16	Water Testing	01/19/2016	20.00	20.00	01/22/2016
	213-16	Water Testing	01/19/2016	20.00	20.00	01/22/2016
Total 5846:				60.00	60.00	
6109						
Aero-Mod, Inc						
	SO028345-1	GATLIN MIXER SEAL ASSEMBL	01/05/2016	760.00	.00	
Total 6109:				760.00	.00	
6137						
Impressions of Aspen						
	22660	SUPPLIES	01/04/2016	50.64	.00	
	22690.1	SUPPLIES	01/06/2016	10.44	.00	
	22710	SUPPLIES	01/12/2016	5.73	.00	
	22725	SUPPLIES	01/13/2016	24.99	.00	
	22754	SUPPLIES	01/19/2016	11.55	.00	
	22754.1	SUPPLIES	01/19/2016	27.12	.00	
	22755	SUPPLIES	01/19/2016	186.59	.00	
	4568CM	SUPPLIES	01/20/2016	50.64-	.00	
	4569CM	SUPPLIES	01/20/2016	102.74-	.00	
Total 6137:				163.68	.00	
6383						
CENTURY LINK						
	1363570680	LONG DISTANCE	01/11/2016	5.90	5.90	01/22/2016
Total 6383:				5.90	5.90	
6485						
Tisco Inc/Energy Equip-GrandJct						
	10625 010416	SUPPLIES	01/04/2016	107.10	.00	
	10627 010416	SUPPLIES	01/04/2016	4.40	.00	
Total 6485:				111.50	.00	
6620						
625-WATER (9283)						
	19031	BOTTLED WATER	01/13/2016	7.45	.00	
Total 6620:				7.45	.00	
6779						
COMMERCIAL TIRE SERVICE, INC						
	37791	TIRES	07/31/2015	491.28	491.28	01/22/2016
	39572 010716	LOADER CHAIN	01/07/2016	900.00	900.00	01/22/2016
	39581 010716	TIRES	01/07/2016	632.96	632.96	01/22/2016
	39582 010716	TIRES	01/07/2016	680.32	680.32	01/22/2016
	39583 010716	TIRES	01/07/2016	632.96	632.96	01/22/2016

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6779:				3,337.52	3,337.52	
6790						
O'REILLY AUTO PARTS						
	3761-411880	SUPPLIES	01/11/2016	31.96	.00	
	3761-411938	SUPPLIES	01/12/2016	9.28	.00	
	3761-411956	SUPPLIES	01/12/2016	5.92	.00	
Total 6790:				47.16	.00	
7151						
MOUNTAIN STATES						
	1001349634	WEBINAR	10/29/2015	199.00	199.00	01/22/2016
Total 7151:				199.00	199.00	
7205						
US FOODS						
	3079724 10081	FOOD SUPPLIES	10/08/2015	55.08-	.00	
	3207879 10115	FOOD SUPPLIES	10/15/2015	55.08-	.00	
	4355577	FOOD SUPPLIES	12/17/2015	16.66	.00	
	4814753	FOOD SUPPLIES	01/14/2016	622.74	.00	
	5923358 09041	FOOD SUPPLIES	09/04/2015	56.47-	.00	
Total 7205:				472.77	.00	
7293						
C & M AIR COOLED ENGINE INC						
	337332	WHEEL CASTER	12/11/2015	426.38	426.38	01/22/2016
	337415	SHAFT ROLLER	12/21/2015	150.13	150.13	01/22/2016
	337416	SHAFT ROLLER	12/21/2015	71.29	71.29	01/22/2016
	337520	FUEL PUMP	12/31/2015	227.91	227.91	01/22/2016
Total 7293:				875.71	875.71	
7319						
RIFLE AREA CHAMBER OF COMMERCE						
	5981	CORNERSTONE PARTNERSHIP	01/14/2016	10,000.00	10,000.00	01/22/2016
Total 7319:				10,000.00	10,000.00	
7446						
CDC JANITORIAL						
	157353	SUPPLIES	01/13/2016	160.73	.00	
	158231	SUPPLIES	01/20/2016	284.35	.00	
Total 7446:				445.08	.00	
7459						
MOUNTAIN WASTE & RECYCLING						
	31284	PORTABLE TOILET	01/01/2016	109.01	109.01	01/22/2016
Total 7459:				109.01	109.01	
7478						
RISE BROADBAND						
	012216	MONTHLY STATEMENT FEE	01/22/2016	109.62	109.62	01/22/2016

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 7478:				109.62	109.62	
7485						
BALCKARD, GERALD						
	011516	LUA DEPOSIT LLR2015-2	01/15/2016	500.00	500.00	01/22/2016
Total 7485:				500.00	500.00	
7486						
MULTISERVICIOS MARANATHA						
	012116	SIGN PERMIT DEPOSIT	01/21/2016	80.00	80.00	01/22/2016
Total 7486:				80.00	80.00	
Grand Totals:				1,725,666.84	1,707,048.9	

Dated: _____

City Finance Director: _____

Report Criteria:

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

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****All correspondence should be sent to the
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January 28, 2016

Mayor Randy Winkler
Rifle City Council
P. O. Box 1908
Rifle, Colorado 81650

Re: February 3, 2016 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 February 3, 2016 Rifle City Council Meeting.

1. Ordinance No. 1, Series of 2016 (Special Event Liquor Permits). The City Clerk has discussed with you in the past the procedure of issuing special event liquor permits and a proposal to simplify it. We currently follow a cumbersome process where a public hearing is noticed and placed on the City Council's Agenda for each special event permit application. If the Council does not approve the issuance of the permit on the Consent Agenda, the hearing is held during the regular Agenda; however, Council almost always approves the applications because the groups holding the events have track record of running smooth events and following the rules. State statute authorizes the City Council to delegate authority to administratively issue special event permits and Ordinance No. 1, Series of 2016 amends the Rifle Municipal Code to grant that authority to the City Clerk. It also incorporates statutory language for when a hearing should be held on an application: if there is a protest filed after notice and sufficient grounds appear to exist for denial of a permit or if the City Clerk has any concerns with the application. Ordinance No. 1, Series of 2016 is on your Consent Agenda for second reading.

2. Ordinance No. 2 Series of 2016 (Rezoning Properties Owned by Garfield County Located at 1301 Howard Avenue, 1241 Howard Avenue, and 1001 Railroad Avenue). Garfield County is the owner of certain real property utilized in the operation of the Garfield County Fairgrounds and Health and Human Services located at 1301 Howard Avenue, 1241 Howard Avenue, and 1001 Railroad Avenue. Those properties are currently zoned Community Service (CS) and the more appropriate zoning for the County's uses would be Public Zone (PZ) District. The City, after consultation with Garfield County, initiated the rezoning of these properties to clean up the City's zoning map. Ordinance No. 2, Series of 2016 rezones the properties Public Zone District, as recommended by the Planning Commission at its January 26, 2016 meeting.

3. Ordinance No. 3, Series of 2016 (Approving 139 Railroad Avenue Lease). The City Leased property located at 139 Railroad Avenue commencing January 1, 2013 so the Property could be used for economic development and civic purposes. The City cleaned up the Property and its use has been a success. The Lease term ended in 2015 and staff would like to renew it for another 2 years through 2017, and the owner of the Property is willing to that additional term. The City pays for the water used to irrigate landscaping on the Property and the owner is able to have the property taxes abated since the City is leasing it for civic purposes.

When the City Council approved the Lease with 139 Railroad, LLC in 2013 and the property owner sought tax relief from the County Assessor as allowed by statute, the County Assessor's Office took the position that the Property Lease must be approved by ordinance, which is required for statutory municipalities and not home-rule cities. Rather than argue the point with the County and to assist the property owner in obtaining the tax exemption authorized with the City's possession of the Property, the City approved that Lease by Ordinance. To avoid that potential problem again, Ordinance No. 3, Series of 2016 approves the Property Lease.

4. Ordinance No. 4, Series of 2016 (Lease with Rifle Reginal Economic Development Corporation). The Rifle Regional Economic Development Corporation owns 11.4 vacant acres at the end of Buckhorn Drive and has offered to lease it to the City for one dollar per year for City uses. Uses will likely be recreational with a trail being developed to the Colorado Mountain College campus. The City may utilize the Property for any other civic functions it deems desirable. For the same reasons mentioned above, the Lease with the RREDC is being approved by Ordinance No. 4, Series of 2016.

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

January 22, 2016

Bureau of Land Management
Colorado River Valley Field Office
Roan Plateau Comments
2300 River Frontage Road
Silt, Colorado 81652

Subject: Roan Plateau Supplemental Environment Impact Statement

To Whom It May Concern,

The City of Rifle, as a Cooperating Agency with the Bureau of Land Management, is forwarding comments regarding the proposed alternatives for the Roan Plateau Supplemental Environmental Impact Statement (SEIS). These comments were approved for submittal by the Rifle City Council at its February 3, 2016, regular Council meeting.

The City of Rifle understands the SEIS for the Roan Plateau Management Area was prepared to resolve deficiencies with the 2006 Proposed Resource Management Plan Amendment (RMPA) and Final Environmental Impact Statement (FEIS) and comply with a lawsuit settlement regarding oil and gas leasing. With that understanding, and because the City of Rifle was instrumental in supporting the chosen alternative in the original EIS, the City will continue to support Alternative 4 of the RMPA/SEIS.

Since the original RMPA/EIS was prepared, and the alternatives crafted, conflicts amongst user groups have emerged within the Hubbard Mesa Recreation Area. Alternative 4 within the RMPA/SEIS proposes no change with regard to management of Hubbard Mesa. The City understands why this is the recommendation, and grasps that this planning process was meant to deal with a separate matter. However, the City cannot support the idea that nothing needs to occur with regard to the method of managing the Hubbard Mesa Recreation Area. There are growing safety issues emerging as a result of the areas popularity and the absence of enforcement. The lack of a more formal management plan and evaluation of the overlap of recreational use activities has the appearance of negligence. Currently, this area allows for but does not manage mountain biking, target shooting, off-road vehicle use, trail running, hiking, and seasonal hunting. The ample area and diverse geography provide the opportunity to accommodate each of the use types occurring currently, but oversight by the BLM with input and participation from the user groups is absolutely necessary.

The City of Rifle is requesting the Bureau of Land Management commit to more enforcement and education on how to properly and safely use this unique recreational area. Additionally, the

City strongly recommends the BLM take on a more specific planning study for the Hubbard Mesa Recreation Area. We believe the user groups are at a place where they can come together and offer BLM constructive ideas on how to better manage this incredible resource.

It is in good faith that the City is recommending Alternative 4 in the Roan Plateau RMPA/SEIS. We understand how complicated and bureaucratic this process is. It is the City's hope that the BLM will honor and reward the City's good faith by revisiting the Hubbard Mesa condition in a timely and responsive manner.

Respectfully,

Randy Winkler,
Mayor

- c. Honorable Cory Gardner, United States Senator
Honorable Michael Bennet, United States Senator
Honorable Scott Tipton, United States Representative 3rd District
Garfield County Board of Commissioners



To: Honorable Mayor and City Council
From: Kristy Christensen, City Clerk
Date: Thursday, January 28, 2016
Subject: Liquor License Application for City of Rifle dba Ute Theatre and Events Center

A Liquor License Application has been received for:

City of Rifle
dba Ute Theatre and Events Center
132 E 4th Street
Rifle, CO 81650

Type of License: Beer and Wine License

The Ute Theatre and Events Center currently has an Arts Liquor License. As previously discussed, we would like to change the liquor license class from an Arts Liquor License to a Beer and Wine Liquor License. A Beer and Wine license will be more suitable for the Venue's current uses. A request for change in the class of license is considered an application for a new license, so we are following those same procedures.

According to Rifle Municipal Code §6.5.50, it is the Clerk's responsibility, on behalf of the Liquor Licensing Authority, to investigate the following:

1. Whether the prohibitions contained in CRS §12-46-104 or §12-47-313 apply to the applicant

FINDING: The prohibitions in the referenced sections do not apply to Ute Theatre and Events Center.

2. The number and type of outlets of a nature similar to the applicant's within one (1) mile in any direction of the proposed location.

FINDING: There is one other location within one mile with a Beer and Wine License

The application is complete and the fees for this application have been paid. This hearing was properly noticed in the newspaper and on the premises. A petition with signatures of Rifle residents that support this application has been submitted. No other petitions, remonstrances or statements have been received at this time.

The City has received the results of background check on the applicants, Matt Sturgeon and Kimberly Bullen.

Staff recommends that Council approve the application.

Thank you.

Colorado Liquor Retail License Application

Change of Class <input type="checkbox"/> New License <input checked="" type="checkbox"/> New-Concurrent <input type="checkbox"/> Transfer of Ownership			
• All answers must be printed in black ink or typewritten • Applicant must check the appropriate box(es) • Applicant should obtain a copy of the Colorado Liquor and Beer Code: www.colorado.gov/enforcement/liquor • Local License Fee \$ _____			
1. Applicant is applying as a/an		<input type="checkbox"/> Individual <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Association or Other	
<input type="checkbox"/> Corporation <input type="checkbox"/> Partnership (includes Limited Liability and Husband and Wife Partnerships)			
2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation		FEIN Number	
City of Rifle, Colorado		84-60000715	
2a. Trade Name of Establishment (DBA)		State Sales Tax Number	Business Telephone
Ute Theatre and Events Center		00402957-0000	970-665-6569
3. Address of Premises (specify exact location of premises, include suite/unit numbers)			
132 E 4th Street			
City	County	State	ZIP Code
Rifle	Garfield	CO	81650
4. Mailing Address (Number and Street)		City or Town	State ZIP Code
202 Railroad Ave		Rifle	CO 81650
5. Email Address			
kchristensen@riflco.org			
6. If the premises currently has a liquor or beer license, you must answer the following questions			
Present Trade Name of Establishment (DBA)	Present State License Number	Present Class of License	Present Expiration Date
Ute Theatre and Events Center	4703721	Arts License	09/21/2016
Section A Nonrefundable Application Fees		Section B (Cont.) Liquor License Fees	
<input type="checkbox"/> Application Fee for New License \$ 600.00 <input checked="" type="checkbox"/> Application Fee for New License w/Concurrent Review ... \$ 700.00 <input type="checkbox"/> Application Fee for Transfer \$ 600.00		<input type="checkbox"/> Liquor Licensed Drugstore (City)..... \$227.50 <input type="checkbox"/> Liquor Licensed Drugstore (County) \$312.50 <input type="checkbox"/> Manager Registration - H & R \$ 75.00 <input type="checkbox"/> Manager Registration - Tavern..... \$ 75.00 <input type="checkbox"/> Master File Location Fee\$ 25.00 X _____ Total _____ <input type="checkbox"/> Master File Background\$250.00 X _____ Total _____ <input type="checkbox"/> Optional Premises License (City) \$500.00 <input type="checkbox"/> Optional Premises License (County) \$500.00 <input type="checkbox"/> Racetrack License (City)..... \$500.00 <input type="checkbox"/> Racetrack License (County) \$500.00 <input type="checkbox"/> Resort Complex License (City)..... \$500.00 <input type="checkbox"/> Resort Complex License (County) \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (City) \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (County) \$500.00 <input type="checkbox"/> Retail Liquor Store License (City)..... \$227.50 <input type="checkbox"/> Retail Liquor Store License (County) \$312.50 <input type="checkbox"/> Tavern License (City) \$500.00 <input type="checkbox"/> Tavern License (County) \$500.00 <input type="checkbox"/> Vintners Restaurant License (City) \$750.00 <input type="checkbox"/> Vintners Restaurant License (County) \$750.00	
Section B Liquor License Fees			
<input type="checkbox"/> Add Optional Premises to H & R.....\$100.00 X _____ Total _____ <input type="checkbox"/> Add Related Facility to Resort Complex\$ 75.00 X _____ Total _____ <input type="checkbox"/> Arts License (City) \$308.75 <input type="checkbox"/> Arts License (County) \$308.75 <input checked="" type="checkbox"/> Beer and Wine License (City) \$351.25 <input type="checkbox"/> Beer and Wine License (County) \$436.25 <input type="checkbox"/> Brew Pub License (City) \$750.00 <input type="checkbox"/> Brew Pub License (County) \$750.00 <input type="checkbox"/> Club License (City) \$308.75 <input type="checkbox"/> Club License (County) \$308.75 <input type="checkbox"/> Distillery Pub License (City) \$750.00 <input type="checkbox"/> Distillery Pub License (County) \$750.00 <input type="checkbox"/> Hotel and Restaurant License (City) \$500.00 <input type="checkbox"/> Hotel and Restaurant License (County) \$500.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) \$600.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises(County) \$600.00			
Questions? Visit: www.colorado.gov/enforcement/liquor for more information			
Do not write in this space - For Department of Revenue use only			
Liability Information			
License Account Number	Liability Date	License Issued Through (Expiration Date)	Total
			\$

7. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years?		Yes	No	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. 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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) Had an alcohol beverage license suspended or revoked?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) Had interest in another entity that had an alcohol beverage license suspended or revoked?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If you answered yes to 8a, b or c, explain in detail on a separate sheet.				
9. 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.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. 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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Waiver by local ordinance? Other: _____		<input type="checkbox"/>	<input type="checkbox"/>	
or				
11. 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 <u>current</u> financial interest in said business including any loans to or from a licensee.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Ownership <input type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____				
a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:				
Landlord	Tenant	Expires		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 13.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
13. 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.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
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.				
14. Optional Premises or Hotel and Restaurant Licenses with Optional Premises: Has a local ordinance or resolution authorizing optional premises been adopted?		<input type="checkbox"/>	<input type="checkbox"/>	
Number of additional Optional Premise areas requested. (See license fee chart)				
15. 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? If "yes" a copy of license must be attached.		<input type="checkbox"/>	<input type="checkbox"/>	
16. Club Liquor License applicants answer the following: Attach a copy of applicable documentation				
(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?		<input type="checkbox"/>	<input type="checkbox"/>	
(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?		<input type="checkbox"/>	<input type="checkbox"/>	
(c) How long has the club been incorporated?				
(d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?		<input type="checkbox"/>	<input type="checkbox"/>	
17. Brew-Pub License or Vintner Restaurant Applicants answer the following:				
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)		<input type="checkbox"/>	<input type="checkbox"/>	
18a. For all on-premises applicants. (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an individual History Record - DR 8404-I)				
Last Name of Manager Chaney	First Name of Manager Don	Date of Birth 6-24-64		
18b. 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.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Name	Type of License	Account Number		
19. 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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If yes, provide an explanation and include copies of any payment agreements.				

20. 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 fingerprint cards to the local licensing authority.

Name	Home Address, City & State	DOB	Position	% Owned
Matt Sturgeon	1783 Anvil View Ave, Rifle, CO 81650	17/70	President	
Kimberly Bullen	701 Putter Drive, Grand Junction, CO 81506	03/68	Secretary	
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned

** If Applicant is owned 100% by a parent company, please list the designated principal officer on question #20
 ** Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #20 (Include ownership percentage if applicable)
 ** 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, and does not have ownership in a prohibited liquor license pursuant to Title 47 or 48, C.R.S.

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 	Printed Name and Title Matt Sturgeon, President	Date 12/29/15
--	--	------------------

Report and Approval of Local Licensing Authority (City/County)

Date application filed with local authority 12-29-15	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.)
---	---

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) has:

- 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)

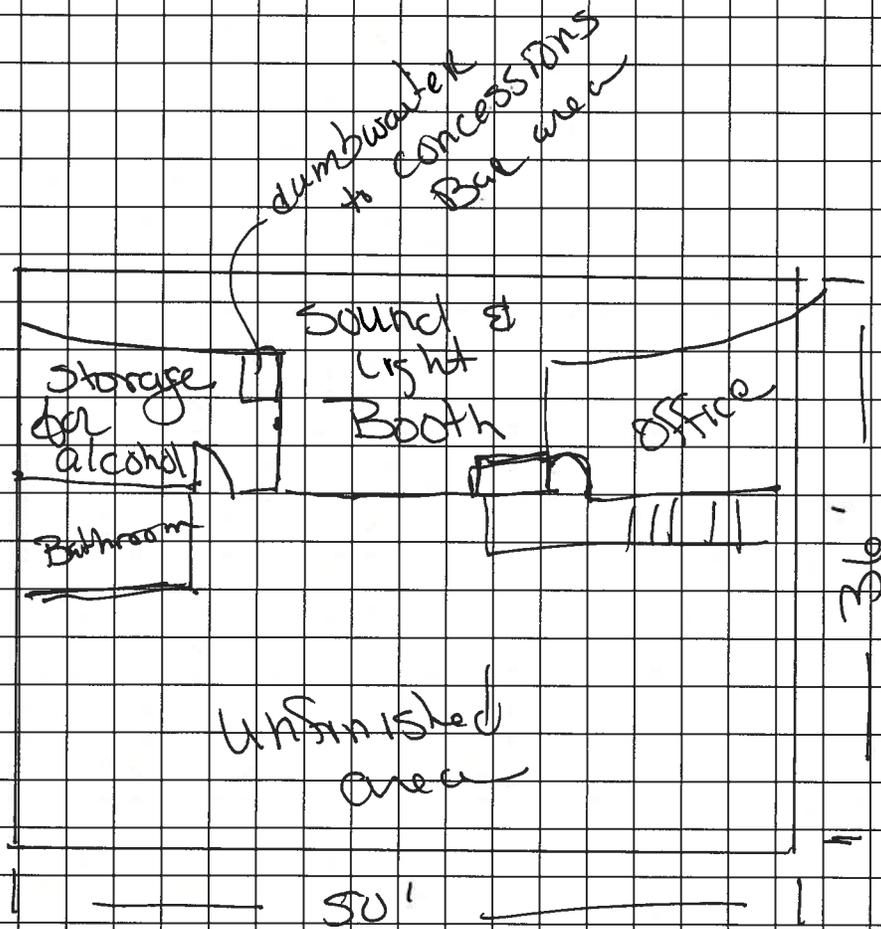
- Date of inspection or anticipated date _____
- Will conduct inspection upon approval of state licensing authority

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

Therefore, this application is approved.

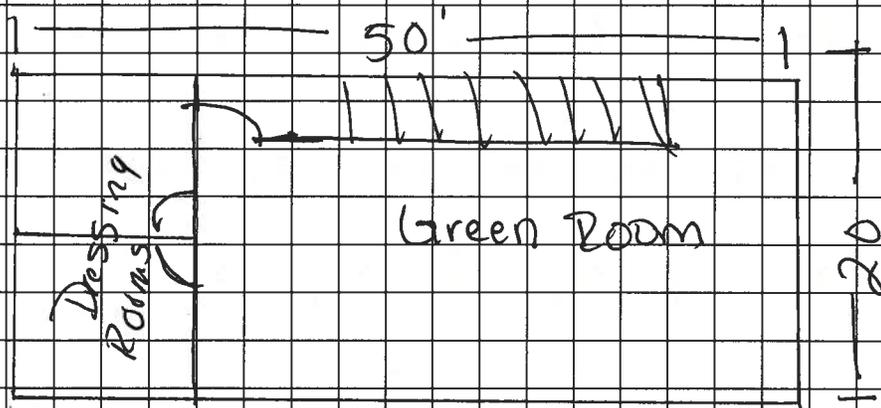
Local Licensing Authority for	Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County	
Signature	Print	Title	Date
Signature (attest)	Print	Title	Date

DIAGRAM OF PREMISES

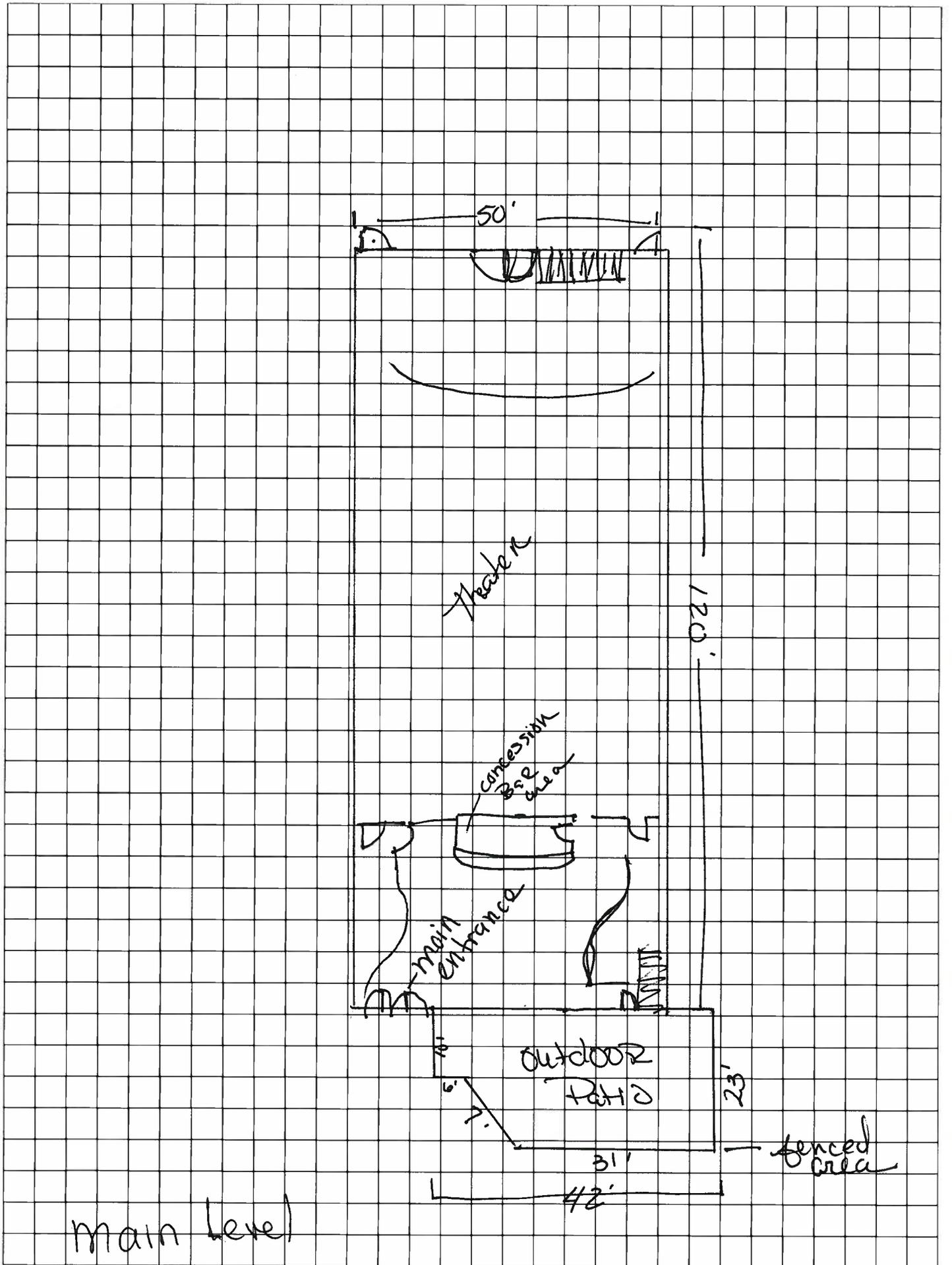


UPPER level

DIAGRAM OF PREMISES



Basement Level



main level

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 4
SERIES OF 2016**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING A
LEASE AGREEMENT BETWEEN THE CITY OF RIFLE AND RIFLE
REGIONAL ECONOMIC DEVELOPMENT CORPORATION.

WHEREAS, the City of Rifle (the "City") is a home rule municipality with all powers granted by Article XX of the Colorado Constitution and the City's Home Rule Charter; and

WHEREAS, Article XX, § 6 of the Colorado Constitution states: "The statutes of the state of Colorado, **so far as applicable**, shall continue to apply to such cities and towns, except insofar as superseded by the charters of such cities and towns or by ordinance passed pursuant to such charters." Colo. Const. art. XX, § 6 (emphasis added); and

WHEREAS, Section 4.4 of the City's Home Rule Charter provides that ordinances adopted by the City Council become effective ten (10) days after final publication; and

WHEREAS, C.R.S. § 31-15-801 purports to require that municipalities approve long term lease agreements by ordinance not to be effective for at least thirty (30) days after passage; and

WHEREAS, C.R.S. § 31-15-801 conflicts with Section 4.4 of the City's Home Rule Charter, which provides that ordinances are effective ten (10) days after final publication; and

WHEREAS, C.R.S. § 31-15-801 contains no declaration of statewide concern and specifically applies to a "city" or a "town", which terms have been construed to mean a statutory city and statutory town by the Colorado Court of Appeals in the case of *Allely v. City of Evans*, 124 P.3d 911 (Colo. App. 2005); and

WHEREAS, the City Council hereby finds and determines that the procedures for approval of long term lease agreements are a matter of purely local concern; and

WHEREAS, as a home rule municipality, in the matter of deciding the procedures applicable to the approval of long term lease agreements, which is a matter of purely local concern, the City is not subject to those portions of C.R.S. §§ 31-15-801 and -802 which conflict with Section 4.4 of the City's Home Rule Charter.

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

1. Incorporation of Recitals. The foregoing recitals are incorporated herein as if set forth in full.

2. Approval of Lease. The Property Lease between the City of Rifle and Rifle Regional Economic Development Corporation is hereby approved in substantially the form attached hereto as **Exhibit A** and incorporated herein by this reference. The City Manager is hereby authorized and directed to execute the Property Lease on behalf of the City with any changes approved by the City Attorney.

INTRODUCED on February 3, 2016, 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 February 17, 2016, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ____ day of _____, 2016.

CITY OF RIFLE, COLORADO

BY _____
Mayor

ATTEST:

City Clerk

PROPERTY LEASE

This LEASE is made by and between RIFLE REGIONAL ECONOMIC DEVELOPMENT CORPORATION, a Colorado nonprofit corporation (“Lessor”) and the CITY OF RIFLE, COLORADO, a municipal corporation (“Lessee”).

WITNESSETH:

WHEREAS, Lessor owns certain real property described on Exhibit A attached hereto and incorporated herein by this reference located in Rifle, CO 81650 (the “Property”);

WHEREAS, Lessee desires to lease from Lessor the Property for public recreational and municipal uses; and

WHEREAS, the parties desire to set forth the terms and conditions of the Lease of the Property.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the adequacy and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Incorporation of Recitals. The foregoing recitals are hereby incorporated by this reference.
2. Term of Lease. The Lease shall commence on January 1, 2016 and continue to 11:59 p.m. on December 31, 2017; provided, however, this Lease shall terminate upon conveyance of the Property from Lessor to an unrelated third party or submission to the City of Rifle of a site plan, building permit, or other land use approval for use or development of the Property. Lessee shall have fifteen (15) days from the date of conveyance of the Property or of a land use submission resulting in termination of the Lease in which to vacate the Property.
3. Rent. The total rent for the term of the Lease shall be one-dollar (\$1.00) payable to Lessor in advance.
4. Survival Upon Conveyance. If the Property is sold, conveyed, or ownership of the Property is otherwise transferred, this Lease shall continue for fifteen days (15) to allow Lessee to vacate the Property.
5. Permitted Uses. The Property may be used by the Lessee for municipal uses. Installation of any permanent structures shall require written consent of the Lessor. Lessee shall be responsible for ensuring that drainage is not adversely affected by any grading, landscaping, and other activities altering the surface of the Property. No other use shall be made of the Property without the prior written consent of the Lessor.

6. Maintenance of Property. Lessee shall be responsible for maintaining the Property, including weed removal, trash removal, and otherwise preserving the Property in a neat and clean condition that is in compliance with relevant City, County, and State laws.
7. Insurance and Indemnification. Lessee shall hold Lessor harmless from, and indemnify and defend Lessor against any damages, liability or claims arising out of or incident to the use of the Property by Lessee, its invitees, licensees, guests, sublessees, subcontractors or employees. Lessee shall defend any litigation at its own cost and expense which may be brought against Lessor or Lessee, arising out of the Lessee's use of the Property. In furtherance thereof, Lessee shall provide liability insurance coverage for the Property and name Lessor as an additional insured.
8. Utilities. Lessee shall be responsible for and pay the cost of all utilities incurred as a result of Lessee's use of the Property.
9. Sublease. Lessee shall not sublet the Property (or any part thereof) without the prior written consent of Lessor. No sublease shall relieve Lessee from its obligations hereunder, unless expressly so provided. Any sublessee shall add Lessor as an additional insured on any required insurance. All activities by sublessee shall be in conformance with all relevant City, County, and State laws.
10. Tax Exemption. Lessee agrees to reasonably assist Lessor with a tax exemption request arising from the Lease to the extent that such assistance does not cause Lessee to incur any additional costs.
11. Property Taxes. Lessor shall be responsible for any and all taxes and assessment levied, assessed, or imposed against the Property.
12. Governmental Immunity Act. No term or condition of this Lease shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions of the Colorado Governmental Immunity Act, C.R.S. §§24-10-101 *et seq.*
13. Notices. Written notices required under this Lease and all other correspondence between the parties shall be directed to the following and shall be deemed received when hand-delivered or three (3) days after being sent by certified mail, return receipt requested:

If to Lessee: City Manager
 P.O. Box 1908
 Rifle, Colorado 81650

If to Lessor: Rifle Regional Economic Development Corporation
 P.O. Box 823
 Rifle, Colorado 81650

14. Authority. Each person signing this Lease, represents and warrants that said person is fully authorized to enter into and execute this Lease and to bind the party it represents to the terms and conditions hereof.
15. Section Headings. The section headings in this Lease are intended for convenience only and shall not be taken into consideration in any construction or interpretation of this Lease or any of its provisions.
16. Governing Law. This Lease shall be interpreted in accordance with and governed in all respects by the laws of the State of Colorado.
17. Severability. If any provision, or any part of any provision of this Lease shall for any reason be held to be invalid, unenforceable or contrary to public policy or any law, then the remainder of this Lease shall not be affected thereby.
18. Counterparts. This Lease may be signed by the parties in counterparts, and each signed counterpart shall become part of the final Lease and shall have the same force and effect thereof. A copy of any signature on a signature page shall be as valid and binding as an original signature.
19. Attorney Fees. In the event of a breach of this Lease, the prevailing party shall be entitled to reasonable attorney fees and costs. This provision shall survive the termination of this Lease.

CITY OF RIFLE, COLORADO

Matt Sturgeon, City Manager

ATTEST:

City Clerk

RIFLE REGIONAL ECONOMIC DEVELOPMENT CORPORATION

By: _____
Michael Langhorne, President

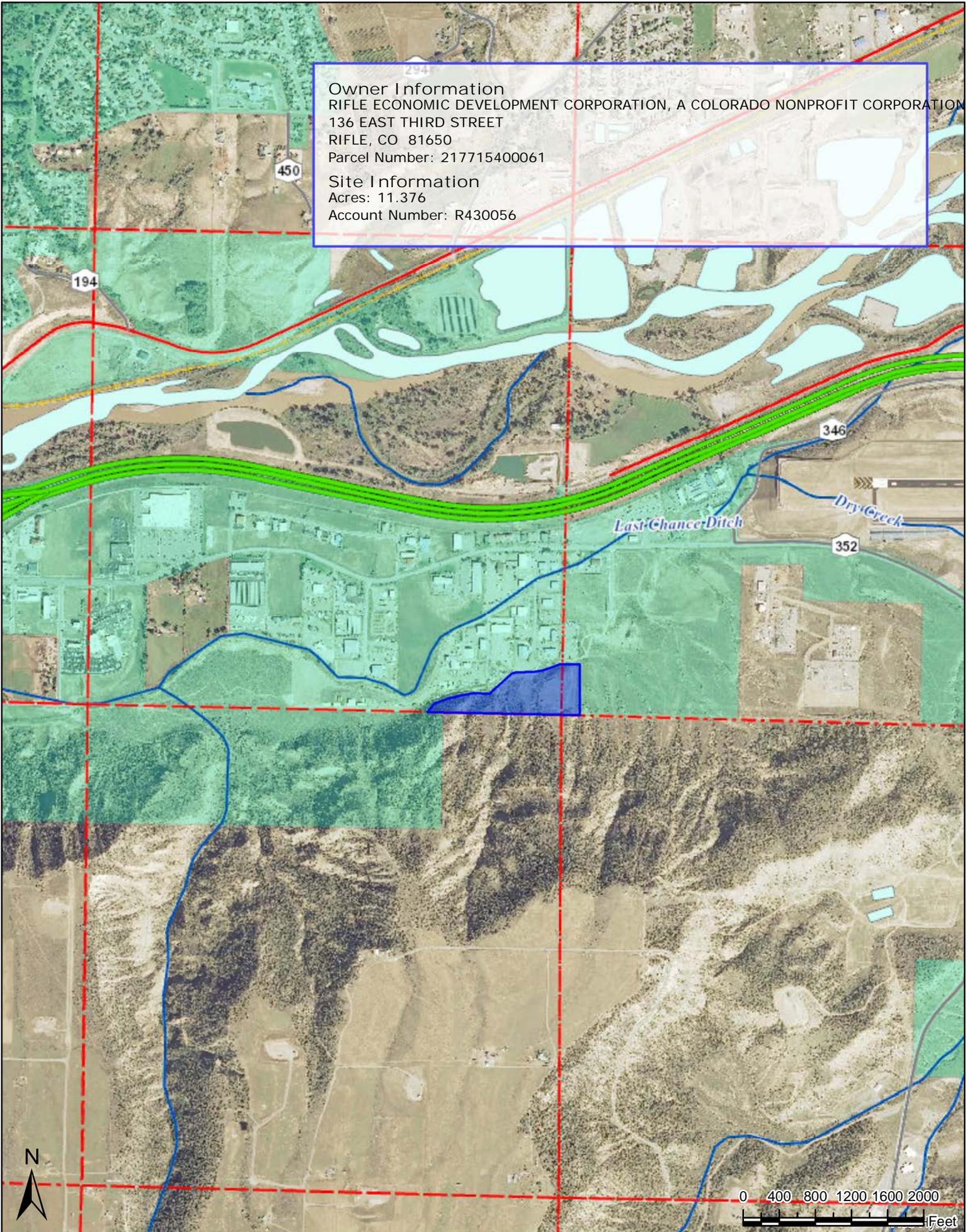
Exhibit

A

A PARCEL OF LAND SITUATE IN THE SE1/4 OF SECTION 15 AND THE SW1/4 OF SECTION 14, TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE SIXTH PRINCIPLE MERIDIAN.

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 15 A STONE MONUMENT FOUND IN PLACE; THENCE SOUTH 88°56'42" WEST ALONG THE SOUTHERLY LINE OF SAID SECTION 15, 1462.46 FEET, A REBAR AND CAP LS NO. 13501 FOUND IN PLACE; THENCE DEPARTING SAID SOUTHERLY LINE NORTH 51°05'11" EAST 77.70 FEET A REBAR AND CAP LS NO. 13501 FOUND IN PLACE; THENCE NORTH 66°50'11" EAST 242.00 FEET A REBAR AND CAP LS NO. 13501 FOUND IN PLACE; THENCE NORTH 77°18'11" EAST 234.00 FEET A REBAR AND CAP LS NO. 13501 FOUND IN PLACE; THENCE SOUTH 88°57'49" EAST 164.50 FEET A REBAR AND CAP LS NO. 13501 FOUND IN PLACE; THENCE NORTH 47°04'11" EAST 328.20 FEET A REBAR AND CAP LS NO. 13501 FOUND IN PLACE; THENCE NORTH 76°29'36" EAST 36.81 FEET TO THE SOUTHWEST CORNER OF THE FINAL PLAT OF BUCKHORN BUSINESS PARK FILED WITH THE GARFIELD COUNTY CLERK AND RECORDER'S OFFICE AS RECEIPTION NO. 552695, A REBAR AND CAP LS NO. 19598 FOUND IN PLACE; THENCE NORTH 82°31'58" EAST ALONG THE SOUTHERLY LINE OF SAID BUCKHORN BUSINESS PARK 293.50 FEET TO A REBAR AND CAP LS NO. 31143 SET IN PLACE; THENCE CONTINUING ALONG SAID SOUTHERLY LINE NORTH 73°37'58" EAST 224.04 FEET TO THE SOUTHEAST CORNER OF SAID BUCKHORN BUSINESS PARK, A REBAR AND CAP LS NO. 13501 FOUND IN PLACE; THENCE DEPARTING SAID SOUTHERLY LINE NORTH 00°30'39" WEST ALONG THE EASTERLY LINE OF SAID BUCKHORN BUSINESS PARK 50.00 FEET, A REBAR AND CAP LS NO. 19598 FOUND IN PLACE; THENCE DEPARTING SAID BUCKHORN BUSINESS PARK NORTH 89°29'21" EAST 200.00 FEET TO A REBAR AND CAP LS NO. 31143 SET IN PLACE; THENCE SOUTH 00°30'39" EAST 550.81 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 14 (WHENCE THE SOUTH ¼ OF SAID SECTION 14, BEARS SOUTH 89°58'50" EAST 2434.46 FEET) A REBAR AND CAP LS NO. 31143 SET IN PLACE; THENCE NORTH 89°58'47" WEST ALONG SAID SOUTHERLY LINE 200.01 FEET TO THE POINT OF BEGINNING.

Owner Information
RIFLE ECONOMIC DEVELOPMENT CORPORATION, A COLORADO NONPROFIT CORPORATION
136 EAST THIRD STREET
RIFLE, CO 81650
Parcel Number: 217715400061
Site Information
Acres: 11.376
Account Number: R430056



DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

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



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Hannah Klausman, Planner

DATE: February 3rd, 2016

SUBJECT: MAP AMENDMENT 2016-2
ADDRESS: 1301 Howard Ave, Rifle CO
1241 Howard Ave, Rifle CO
1001 Railroad Ave, Rifle CO
Parcels 217709300015, 217709210001, and
217709210002

APPLICANT: City of Rifle

OWNER: Garfield County

REQUEST:

The City of Rifle requests a Map Amendment to change the zoning of three (3) parcels owned by Garfield County from Community Service (CS) and Developing Resource (DR) to Public Zone District (PD).

The Map Amendment request is intended to clean up the City of Rifle's zoning maps. No use changes are occurring on the properties, nor is the action impacting the County's ability to use the lots as intended for County services.

The Planning and Zoning Commission reviewed this application on January 26th, 2016 and recommended approval of the request.

SITE LOCATION:

The three parcels include the current Garfield County Fairgrounds and Human Services locations and two (2) parcels adjacent to the Fairgrounds located at 1301 and 1241 Howard Avenue. See the highlighted properties on the map below.



October 8, 2015

City of Rifle
Nathan Lindquist, Director of Planning
202 Railroad Avenue
Rifle, CO 81650
nlindquist@rifleco.org

Reference: Applications to Rezone Four County-owned Properties

Dear Nathan:

Garfield County Community Development, acting on behalf of the Board of County Commissioners (the Board), requests City of Rifle approval to rezone four properties to Public Zone (PZ).

The four properties are identified below as well as on the attached map, and individual applications are attached for each site:

1. 1301 Howard Avenue, Cross Minor Subdivision Lot 1, .5-acres. Current Zoning: Community Service (CS).
2. 1241 Howard Avenue, Cross Minor Subdivision Lot 2, .5-acres. Current Zoning: Community Service (CS).
3. Stillwell Avenue, Alcott Minor Subdivision Lot A, 8.288-acres. Current Zoning: Developing Resource (DR).
4. 1001 Railroad Avenue, Garfield County Fairgrounds, 24.714-acres. Current Zoning: Community Service.

The Board recently purchased three of these properties with the intention of utilizing them for public purposes, including parking. The fourth site is the existing Garfield County Fairgrounds which is currently compliant with the proposed Public Zone district.

The request for rezoning these lots is generally consistent with the City of Rifle Comprehensive Plan and Future Land Use Map which identifies the future vision and objectives of the Plan.

We look forward to working with the City on accomplishing these actions. Please let us know if there is any additional information necessary to commence the review of these requests. I am available to discuss these applications at your convenience.

Sincerely,



Kathy Eastley, AICP

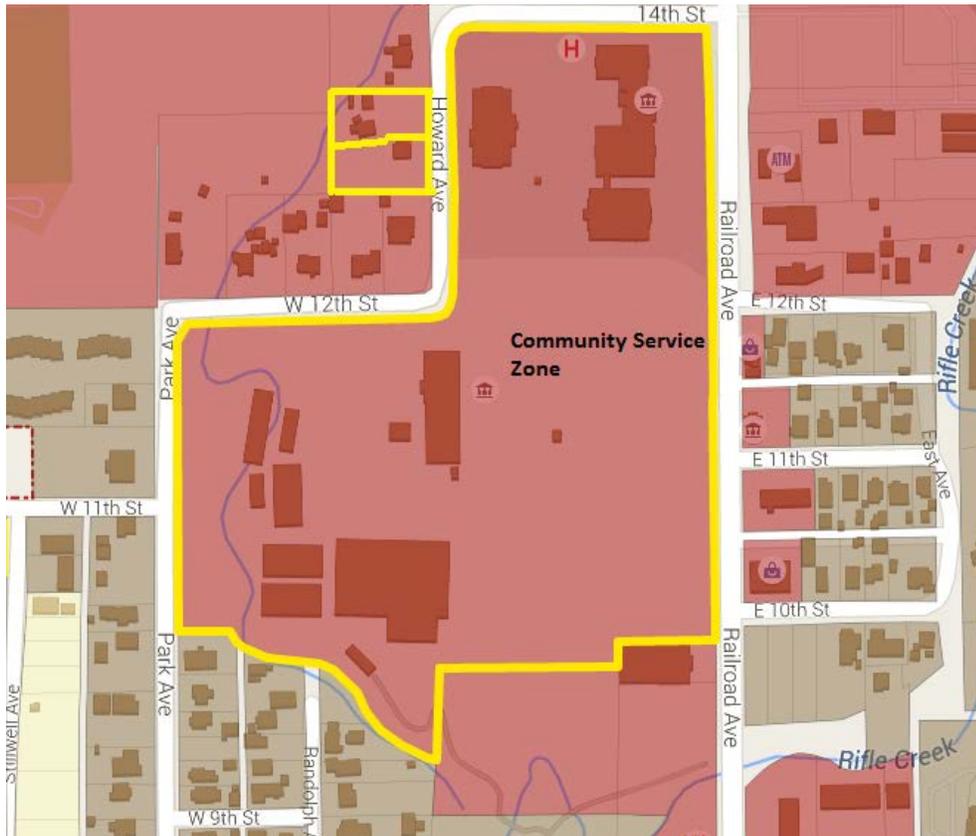
Cc: Tamra Allen, Planning Manager

Attachments

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

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



BACKGROUND

Garfield County Fairgrounds and Garfield County Health and Human Services buildings are currently located at 1001 Railroad Avenue, zoned Community Service, a commercial zone. Garfield County has recently purchased additional property at 1301 and 1241 Howard Avenue, adjacent to the new Garfield County Administrative building to serve as extra parking facilities in the future. All properties will be used for public purposes relating to the operation of the Fairgrounds and Garfield County Admin buildings.

The intent of the Public Zone District is to provide a classification for lands owned, leased or used by the City, or by other public or nonprofit entities, for public recreation, cultural, educational, civic, and other public purposes within the City. Development in the Public Zone District is characterized by governmental and quasi-governmental facilities which provide public functions or services and related uses which are customarily incidental or accessory to public functions and services. City staff has initiated this zoning request in order to have proper zoning reflecting the County services property which by definition of use, should be zoned PD.

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

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



The area surrounding the property is composed of Medium density residential zoning to the south, Community Service to the north, east and west.

FINDINGS

Pursuant to Section 16-5-360, City Council shall consider the following criteria before approving a Map Amendment (***staff comments shown in bold italics***):

1. Conformance of the proposal with the City of Rifle Municipal Code;

The proposal conforms to the Rifle Municipal Code for zoning property.

2. The compatibility of the proposal with the character of the surrounding area, including but not limited to the architectural character of the neighborhood, the average lot and building sizes in the neighborhood, and the relative value of the proposed structure to the value of other structures in the neighborhood;

The proposed use is compatible with surrounding properties owned by the County for the same use. The parking lots will not negatively impact the surrounding residential uses on Howard.

3. The desirability for the proposed use in the specific area of the City;

The proposed use is an expansion of existing County services, specifically additional parking to accommodate Fairground events and overflow parking for the new Administration building. It is advantageous to have these facilities located close to the existing County services. It is compatible with adjacent uses and does not pose a higher intensity use from current uses or allowable uses under the Commercial zone.

4. The potential for adverse environmental effects that might result from the proposed use;

The parking facilities will be developed in accordance with Rifle Municipal Code so as not to have environmental impacts.

5. Compatibility of the proposed use and the site (or subdivision) plan with the City of Rifle Comprehensive Plan;

The Comprehensive Plan envisions this area as MURN and MUB.

MURN is primarily made up of medium-density residential uses in the form of townhomes, apartments, and small-lot single-family homes. It may also include small commercial operations, i.e. mom and pop stores, coffee shops, and offices that may be located along collector and arterial streets and designed to assimilate into the residential neighborhoods.

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

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



The Mixed-Use Business land use provides locations for a variety of workplaces including general office, research, medical, and government.

The proposed zoning of Public Zone District is compatible with the Mixed Use Business designation as both are zones consistent with government civic services.

6. The potential impact of the proposed use upon the value of property and buildings within the surrounding area; and

Staff does not believe that the intended parking lot use of these parcels will have an impact on adjacent property values.

7. Conformance of the proposal with the approval requirements concerning water and sewer tap availability for high volume use requests pursuant to 13-4-120 of the Code, if applicable.

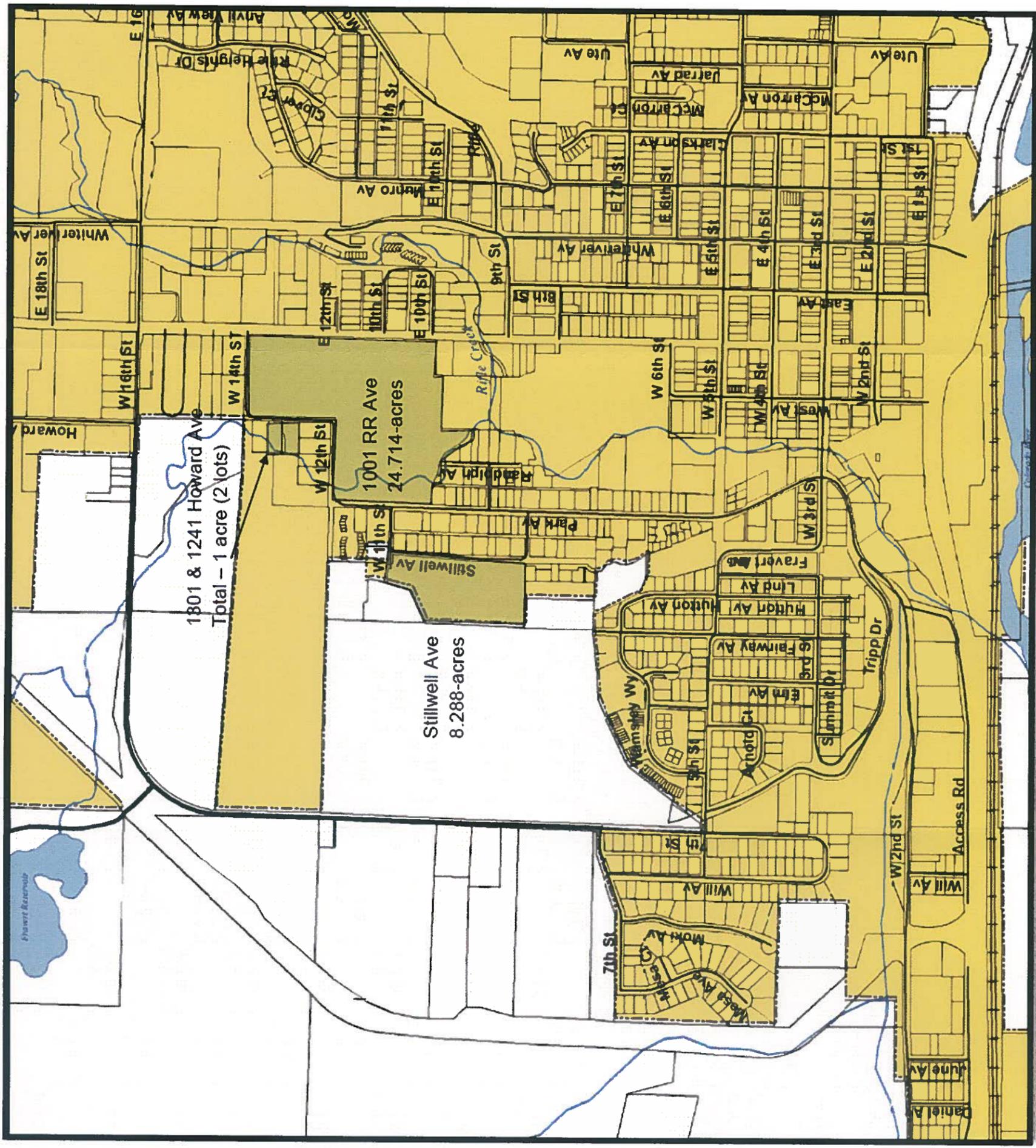
Not applicable.

RECOMMENDATION

Staff and the Planning and Zoning Commission recommend City Council to approve ZONING 2016-2.

Rifle Rezoning Parcels

- 1001 Railroad Avenue
2177-093-00-015
14.714-acres
Zoned Community Service (CS)
- 1301 Howard Avenue
2177-092-10-001
21,780 square feet (.5-acres)
Zoned Community Service (CS)
- 1241 Howard Avenue
2177-092-10-002
21,780 square feet (.5-acres)
Zoned Community Service (CS)
- Stillwell Avenue
2177-093-36-001
8.288-acres
Zoning Developing Resource (DR)



**CITY OF RIFLE, COLORADO
ORDINANCE NO. 2
SERIES OF 2016**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REZONING
PROPERTIES OWNED BY GARFIELD COUNTY LOCATED AT 1301
HOWARD AVENUE, 1241 HOWARD AVENUE, AND 1001 RAILROAD
AVENUE FROM COMMUNITY SERVICE (CS) TO PUBLIC ZONE (PZ)
DISTRICT.

WHEREAS, Garfield County is the owner of certain real property utilized in the operation of the Garfield County Fairgrounds and Health and Human Services located at 1301 Howard Avenue, 1241 Howard Avenue, and 1001 Railroad Avenue (hereinafter collectively the "Property"); and

WHEREAS, on January 26, 2016, the City of Rifle Planning Commission considered the City-initiated zoning application for rezoning the Property and recommended that the City Council rezone the Property from Community Service ("CS") to Public Zone ("PZ") District; and

WHEREAS, the City of Rifle Planning Commission and the Rifle City Council have held duly-noticed public hearings as required by the Rifle Municipal Code, and now wish to rezone the Property.

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

1. The aforementioned recitals are hereby fully incorporated herein.
2. The Property described below is hereby rezoned to Public Zone ("PZ") District:

1301 Howard Ave, Rifle CO	Garfield County Assessor Parcel No: 217709300015
1241 Howard Ave, Rifle CO	Garfield County Assessor Parcel No: 217709210001
1001 Railroad Ave, Rifle CO	Garfield County Assessor Parcel No: 217709210002

3. Within thirty (30) days after the effective date of this Ordinance, the City Clerk shall incorporate the terms of this Ordinance into the Geographical Information System described in RMC Section 16-3-20, shall cause a printed copy of the amendment to the City Zone District Map to be made, which shall be dated and signed by the Mayor and attested to by the City Clerk, and which shall bear the seal of the City. The amended map shall include the number of this Ordinance. The signed original printed copy of the Zoning Map shall be filed with the City Clerk. The Clerk shall also record a certified copy of this Ordinance with the Garfield County Clerk and Recorder. The City staff is further directed to comply with all provisions of the Rifle Land Use Regulations, RMC Section 16-1-10 *et seq.*, to implement the provisions of this Ordinance.

INTRODUCED on February 3, 2016, 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 February 17, 2016 passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ____ day of _____, 2016.

CITY OF RIFLE, COLORADO

BY

Mayor

ATTEST:

City Clerk

EXHIBIT A

A parcel of land lying in the SW1/4SW1/4 of Section 10, Township 6 South, Range 93 West of the 6th P.M., more particularly described as follows: Beginning at the southwest corner of said Section 10; thence North 0°41'27" West 1009.21 feet to a point on the southerly right of way line of County Road No. 294; thence along said right of way line the following three courses: North 66°53'40" East 28.84 feet; North 66°31'33" East 264.71 feet; North 65°37'50" East 53.00 feet; thence South 55°10'00" East 210.00 feet; thence South 72°50'00" East 125.00 feet; thence South 0°00'00" East 140.00 feet; thence North 90°00'00" East 130.00 feet; thence North 0°00'00" East 150.00 feet; thence North 68°42'00" East 75.50 feet; thence North 29°22'00" West 298.81 feet to a point on the southerly right of way line of County Road No. 294; thence along said right of way line along a non-radial curve to the right having a central angle of 16°01'20", a radius of 170.00 feet; an arc length of 47.54 feet and of which the chord bears North 81°43'44" East 47.38 feet; thence continuing along said right of way North 89°44'24" East 614.86 feet; thence South 0°39'11" East 1289.77 feet along the east line of the SW1/4SW1/4 of Section 10 to the southeast corner of said SW1/4SW1/4 of Section 10; thence South 89°37'31" West 1327.52 feet along the South line of the SW1/4SW1/4 of Section 10 to the POINT OF BEGINNING.

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 3
SERIES OF 2016**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING A
LEASE AGREEMENT BETWEEN THE CITY OF RIFLE AND 139
RAILROAD, LLC.

WHEREAS, the City of Rifle (the "City") is a home rule municipality with all powers granted by Article XX of the Colorado Constitution and the City's Home Rule Charter; and

WHEREAS, Article XX, § 6 of the Colorado Constitution states: "The statutes of the state of Colorado, **so far as applicable**, shall continue to apply to such cities and towns, except insofar as superseded by the charters of such cities and towns or by ordinance passed pursuant to such charters." Colo. Const. Art. XX, § 6 (emphasis added); and

WHEREAS, Section 4.4 of the City's Home Rule Charter provides that ordinances adopted by the City Council become effective ten (10) days after final publication; and

WHEREAS, C.R.S. § 31-15-801 purports to require that municipalities approve long term lease agreements by ordinance not to be effective for at least thirty (30) days after passage; and

WHEREAS, C.R.S. § 31-15-801 conflicts with Section 4.4 of the City's Home Rule Charter, which provides that ordinances are effective ten (10) days after final publication; and

WHEREAS, C.R.S. § 31-15-801 contains no declaration of statewide concern and specifically applies to a "city" or a "town", which terms have been construed to mean a statutory city and statutory town by the Colorado Court of Appeals in the case of *Allely v. City of Evans*, 124 P.3d 911 (Colo. App. 2005); and

WHEREAS, the City Council hereby finds and determines that the procedures for approval of long term lease agreements are a matter of purely local concern; and

WHEREAS, as a home rule municipality, in the matter of deciding the procedures applicable to the approval of long term lease agreements, which is a matter of purely local concern, the City is not subject to those portions of C.R.S. §§ 31-15-801 and -802 which conflict with Section 4.4 of the City's Home Rule Charter.

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

1. Incorporation of Recitals. The foregoing recitals are incorporated herein as if set forth in full.

2. Approval of Lease. The Property Lease between the City of Rifle and 139 Railroad, LLC is hereby approved in substantially the form attached hereto as **Exhibit A** and incorporated herein by this reference. The City Manager is hereby authorized and directed to execute the Property Lease on behalf of the City with any changes approved by the City Attorney.

INTRODUCED on February 3, 2016, 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 February 17, 2016, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of _____, 2016.

CITY OF RIFLE, COLORADO

BY _____
Mayor

ATTEST:

City Clerk

PROPERTY LEASE

This LEASE is made by and between 139 RAILROAD, LLC, a Colorado limited liability company (“Lessor”) and the CITY OF RIFLE, COLORADO, a municipal corporation (“Lessee”).

WITNESSETH:

WHEREAS, Lessor owns Lots 13-21, Block N, Original Townsite Rifle, also known as 125 West 2nd, Rifle, CO 81650 and 131-139 Railroad Avenue, Rifle, CO 81650 (the “Property”);

WHEREAS, Lessee desires to lease from Lessor the Property for municipal and economic development uses, public seasonal events, and improving the vitality of the City block; and

WHEREAS, the parties desire to set forth the terms and conditions of the Lease of the Property.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the adequacy and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Incorporation of Recitals. The foregoing recitals are hereby incorporated by this reference.
2. Term of Lease. The Lease shall commence on January 1, 2016 and continue to 11:59 p.m. on December 31, 2017; provided, however, this Lease shall terminate upon submission to the City of Rifle of a site plan, building permit, or other land use approval for use or development of the Property that is inconsistent with the uses contemplated by this Lease. Temporary use permits, grading permits, fencing permits, or similar approvals shall not be considered a land use approval triggering termination of the Lease. Lessee shall have fifteen (15) days from the date of a land use submission resulting in termination of the Lease in which to vacate the Property.
3. Rent. The total rent for the term of the Lease shall be one-dollar (\$1.00) payable to Lessor in advance.
4. Survival Upon Conveyance. If the Property is sold, conveyed, or ownership of the Property is otherwise transferred, this Lease shall continue to be in full force and effect and shall not be terminated by such conveyance or transfer. The provisions of this Lease shall apply to, bind, and inure to the benefit of Lessor and Lessee, and their respective heirs, successors, legal representatives, and assigns.
5. Permitted Uses. The Property may be used by the Lessee for municipal and economic development uses, public seasonal and special events, and improving the vitality of the

City block. Lessee shall have the right to make improvements to the Property in the form of site grading, landscaping, erecting non-permanent structures, and similar improvements. Site grading and demolition/removal of existing hard surfaces and installation of any permanent structures shall require written consent of the Lessor. Lessee shall be responsible for ensuring that drainage is not adversely affected by grading, landscaping, and other activities altering the surface of the Property. No other use shall be made of the Property without the prior written consent of the Lessor. Lessee agrees that Lessor may perform soil investigations on the Property during the term of this Lease. Lessee and Lessor shall coordinate the scheduling of the soil investigations and remediation actions in the event they are required, so such activities do not impact scheduled events and uses of the Property to the greatest extent possible. Lessor agrees to return the Property to its prior condition following any such activities.

6. Maintenance of Property. Lessee shall be responsible for maintaining the Property, including weed removal, trash removal, and otherwise preserving the Property in a neat and clean condition that is in compliance with relevant City, County, and State laws.
7. Insurance and Indemnification. Lessee shall hold Lessor harmless from, and indemnify and defend Lessor against any damages, liability or claims arising out of or incident to the use of the Property by Lessee, its invitees, licensees, guests, sublessees, subcontractors or employees. Lessee shall defend any litigation at its own cost and expense which may be brought against Lessor or Lessee, arising out of the Lessee's use of the Property. In furtherance thereof, Lessee shall provide liability insurance coverage for the Property and name Lessor as an additional insured.
8. Utilities. Lessee shall be responsible for and pay the cost of all utilities incurred as a result of Lessee's use of the Property.
9. Sublease. Lessee shall have the right to sublet the Property (or any part thereof) without the prior written consent of Lessor to entities conducting nonprofit or community-oriented events on the Property for periods not to exceed sixty (60) days. No sublease shall relieve Lessee from its obligations hereunder, unless expressly so provided. Any sublessee shall add Lessor as an additional insured on any required insurance. All activities by sublessee shall be in conformance with all relevant City, County, and State laws.
10. "For Sale" Sign and Information Box. The "for sale" sign currently located on the Property shall remain on the Property; however, if desired, Lessee may move the sign to an alternate location on the Property that is prominently placed and visible to traffic on Railroad Avenue. Upon sale of the Property, a new owner may maintain a sign on the Property that is in same size and in the same location as the existing "for sale" sign and such sign complies with the City of Rifle's sign code. The information box currently located on the Property shall remain on the Property; however, if desired, Lessee may move the information box to an alternate location on the Property that has access to the sidewalk on either Railroad or 2nd Street. Upon sale of the Property, a new owner may

maintain the information box in the existing or relocated location. Lessor, or upon sale a subsequent owner of the Property, shall be responsible for maintenance of the “for sale” sign and information box located on the Property.

11. Water. Lessee confirms that 39.14 EQRs of water service are appurtenant to the Property.
12. Tax Exemption. Lessee agrees to reasonably assist Lessor with a tax exemption request arising from the Lease to the extent that such assistance does not cause Lessee to incur any additional costs.
13. Property Taxes. Lessor shall be responsible for any and all taxes and assessment levied, assessed, or imposed against the Property.
14. Governmental Immunity Act. No term or condition of this Lease shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions of the Colorado Governmental Immunity Act, C.R.S. §§24-10-101 *et seq.*
15. Notices. Written notices required under this Lease and all other correspondence between the parties shall be directed to the following and shall be deemed received when hand-delivered or three (3) days after being sent by certified mail, return receipt requested:

If to Lessee: City Manager
 P.O. Box 1908
 Rifle, Colorado 81650

If to Lessor: 139 Railroad, LLC.
 P.O. Box 9
 Rifle, Colorado 81650
16. Authority. Each person signing this Lease, represents and warrants that said person is fully authorized to enter into and execute this Lease and to bind the party it represents to the terms and conditions hereof.
17. Section Headings. The section headings in this Lease are intended for convenience only and shall not be taken into consideration in any construction or interpretation of this Lease or any of its provisions.
18. Governing Law. This Lease shall be interpreted in accordance with and governed in all respects by the laws of the State of Colorado.
19. Severability. If any provision, or any part of any provision of this Lease shall for any reason be held to be invalid, unenforceable or contrary to public policy or any law, then the remainder of this Lease shall not be affected thereby.

20. Counterparts. This Lease may be signed by the parties in counterparts, and each signed counterpart shall become part of the final Lease and shall have the same force and effect thereof. A copy of any signature on a signature page shall be as valid and binding as an original signature.

21. Attorney Fees. In the event of a breach of this Lease, the prevailing party shall be entitled to reasonable attorney fees and costs. This provision shall survive the termination of this Lease.

CITY OF RIFLE, COLORADO

Matt Sturgeon, City Manager

ATTEST:

City Clerk

139 RAILROAD, LLC

By: _____
Title: _____