



Keith Lambert, Mayor
Alan Lambert, Mayor Pro Tem
Beth Bascom, Councilor
Jay Miller, Councilor
Jonathan Rice, Councilor
Jennifer Sanborn, Councilor
Jeanette Thompson, Councilor

City Hall
City Council Chambers
202 Railroad Avenue
Rifle, CO

Cablecast Live on
Comcast Channel 10

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**REGULAR MEETING
May 6, 2009**

**WORKSHOP 6:00 P.M.
CONFERENCE ROOM**

6:00 P.M. Water Rights (Lee Leavenworth)

**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
- A. Minutes from the April 15, 2009 Regular Meeting
 - B. March Sales Tax Report
 - C. March Financial Report
 - D. Liquor License Renewals: Winchester; Rifle Liquor
 - E. Appointments to Planning & Zoning Commission
 - F. Accounts Payable
- 7:08 p.m. 3. Citizen Comments and Live Call-In
(For issues NOT on the Agenda. Please limit comments to 3 minutes.)
- 7:11 p.m. 4. Action, if any, on Workshop Items (Mayor Lambert)

- 7:15 p.m. 5. Gaspar Perricone, Regional Representative for US Senator Mark Udall (Mike Braaten)
- 7:30 p.m. 6. Youth Week Proclamation (Keith Lambert)
- 7:40 p.m. 7. Second Reading of Ordinance 13-09: Workforce Housing Incentives Pilot Program Extension (Matt Sturgeon)
- 7:50 p.m. 8. Public Hearing: 14th Street Marketplace PUD (Nathan Lindquist)
 - A. First Reading of Ordinance 15-09: Property Re-zone
 - B. First Reading of Ordinance 16-09: PUD Approval
- 8:20 p.m. 9. Second Reading of Ordinance 10-09: Raw Water Irrigation Regulations (Jim Neu)
- 8:30 p.m. 10. First Reading of Ordinance 14-09: Compensation for Mayor and Council Members (Jim Neu)
- 8:40 p.m. 11. Executive Session: Legal Advice CRS 24-6-402(4)(b) (Lee Leavenworth)
- 9:10 p.m. 12. Change Order #8 for RRWWRF (Charlie Stevens)
- 9:20 p.m. 13. Administrative Reports
 - A. City Manager Report
 - B. Other Reports
- 9:30 p.m. 14. City Council Comments

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

Next Regular Council Meeting: May 20, 2009 at 7:00 p.m.



RIFLE CITY COUNCIL MEETING

Wednesday, April 15, 2009

REGULAR MEETING

7:00 p.m. * Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:03 p.m. by Mayor Keith Lambert.

PRESENT ON ROLL CALL: Councilors Beth Bascom, Alan Lambert, Jay Miller, Jonathan Rice, Jen Sanborn, Jeanette Thompson, and Mayor Keith Lambert.

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager; Wanda Nelson, City Clerk; Jim Neu, Assistant City Attorney; Michael Churchill, Cable 10; Charlie Stevens, Utility Director; Nathan Lindquist, Planner; Charles Kelty, Finance Director; John B. Scalzo; Betsy Blackard; Judy Welch; June Renfro; Mary Anderson; Candy & Mark Dempsey; Sally Brands; Josh Comer; Ryan Mackley; Geneva Powell.

CONSENT AGENDA

MINUTES OF THE MARCH 18, 2009 REGULAR MEETING; MINUTES OF THE APRIL 1, 2009 REGULAR MEETING; FEBRUARY SALES TAX REPORT; JANUARY & FEBRUARY FINANCIALS; AMENDING SENIOR CENTER BY-LAWS; APPOINTMENTS TO SENIOR CENTER ADVISORY BOARD; ACCOUNTS PAYABLE

Councilor Sanborn excused herself from the March 18, 2009 minutes. Councilor Lambert excused himself from the April 1, 2009 minutes. Councilor Rice moved to approve the Consent Agenda; seconded by Councilor Miller.

Roll Call: Yes – Bascom, A. Lambert, Miller, Rice, Sanborn, Thompson, K. Lambert

CITIZEN COMMENTS AND LIVE CALL-IN

Mr. Scalzo discussed the fundraiser for the Veteran's Memorial Wall. Mr. Scalzo will meet with staff and several members of Council to discuss this project.

PUBLIC HEARING: ELK'S LODGE SPECIAL EVENT PERMIT

Mayor Lambert opened the public hearing. Ms. Nelson noted that the Elk's Lodge has applied to have a Special Event Permit to serve alcohol during the Energy Expo at the Fair Grounds. Councilor Lambert moved to approve the Permit, with the condition that the application be completed in full to staff's satisfaction; seconded by Councilor Thompson.

Roll Call: Yes – Bascom, A. Lambert, Miller, Rice, Sanborn, Thompson, K. Lambert

PUBLIC HEARING: BOOKCLIFFS COUNCIL ON ARTS AND HUMANITIES ANNEXATION

FIRST READING OF ORDINANCE 11-09: ANNEXATION

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ANNEXING TO THE CITY OF RIFLE, COLORADO CERTAIN REAL PROPERTY KNOWN AS THE BOOKCLIFFS COUNCIL ON ARTS AND HUMANITIES ANNEXATION

FIRST READING OF ORDINANCE 12-09: ZONING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE BOOKCLIFFS COUNCIL ON ARTS AND HUMANITIES ANNEXATION PUBLIC PLANNED UNIT DEVELOPMENT (PZ-PUD) ZONE DISTRICT

Mayor Lambert opened the public hearing. Doug Pratte and Cindy Dempsey, the applicants, were sworn in. The Bookcliffs Council on Arts and Humanities are the owners of a five acre tract located on 16th Street between Birch Avenue and Graham Mesa Avenue. The property is currently located outside City boundaries and is eligible for annexation. The applicants propose to zone the property Public Planned Unit Development (PZ-PUD) Zone District and develop the space as an arts park which will be easily accessible to Graham Mesa neighborhoods and the community as a whole. Although the initial phases will mostly include open air park uses, BCAH ultimately envisions an arts campus with classrooms and gallery space as well as parking. A stand-alone PUD Guide will need to be developed and provided to Council for second reading of the ordinances. The PUD Guide will contain all of the allowed uses and processes related to the development of the Property, so there is no Annexation Agreement with this annexation. Ordinance No. 11, Series of 2009 approves the annexation of the property to the City, and Ordinance No. 12, Series of 2009 zones the property PZ-PUD Zone District. Councilor Rice moved to approve Ordinance 11-09 and Ordinance 12-09 as presented and ordered them to be published by title as required by Charter; seconded by Councilor Bascom.

Roll Call: Yes – Bascom, A. Lambert, Miller, Rice, Sanborn, Thompson, K. Lambert

FIRST READING OF ORDINANCE 13-09: WORKFORCE HOUSING INCENTIVES PILOT PROGRAM

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO EXTENDING THE WORKFORCE HOUSING INCENTIVES PILOT PROGRAM FOR AN ADDITIONAL ONE YEAR PERIOD

Mr. Sturgeon explained that, by Ordinance No. 5, Series of 2008, the Rifle City Council approved a temporary Workforce Housing Incentives Pilot Program for a one year period which will end on April 30, 2009. In the last year, five homes have been sold in the City utilizing the Program. Knowledge and interest in the Program is growing, and affordable housing advocates and the development community are supportive of the incentives. Staff is recommending a one-year extension of the Workforce Housing Incentives Pilot Program to be effective through April 30, 2010 with a limit of an additional eligible 25 units. Builder Sally Brands and Geneva Powell with Garfield County Housing Authority were present and reviewed the success of the program. Councilor Lambert moved to approve Ordinance 13-09 as presented and ordered it to be published by title as required by Charter; seconded by Councilor Miller.

Roll Call: Yes – Bascom, A. Lambert, Miller, Rice, Sanborn, Thompson, K. Lambert

FIRST READING OF ORDINANCE 10-09: RAW WATER IRRIGATION REGULATIONS

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 13-4-70 OF THE RIFLE MUNICIPAL CODE REGARDING WATER SYSTEMS IMPROVEMENT FEE REDUCTIONS, AMENDING SECTION 13-6-30 REGARDING WATER RIGHTS

DEDICATION REDUCTIONS, AND ADOPTING A NEW ARTICLE VII OF CHAPTER 13 REGARDING RAW WATER IRRIGATION

Mr. Neu explained that City staff has been researching incentives to conserve water to implement the City's Water Conservation Plan. One incentive is to charge reduced water tap fees and water rights dedication fees in exchange for the installation and use of raw water irrigation systems. Properties that have access to irrigation ditches and hold the appurtenant water rights can utilize non-potable water which reduces the capital improvements needed to the City's water system, justifying the water tap fee reduction, and utilize less water in the City's water rights portfolio, justifying the water rights dedication fee reduction. The reductions recommended by Schmueser Gordon Meyer and offered in other jurisdictions are 25% reduction to water tap fee and 75% reduction of water rights dedication fees. Because these one-time payments allow perpetual use of the City's system, the system must be designed properly and covenants must be in place on the property to ensure the system is going to work and that future owners cannot eliminate the system. Ordinance No. 10, Series of 2009 amends Chapter 13 of the Rifle Municipal Code to reference the reduced fees and set forth the requirements of the program: the physical system needs to be approved by the City; City right-of-way may not be utilized unless a separate License Agreement is agreed to (with terms in the City's sole discretion); if the system is not maintained, the City has the ability, but not the obligation, to maintain it and charge the property owner with lien rights; covenants must be recorded against the Property to ensure no potable water use occurs for outside irrigation; and if ever the system ceases to operate, the property owner will have to refund the City the reductions provided in the amount of the fees then in effect. Councilor Lambert moved to approve Ordinance 10-09 as presented and ordered it to be published by title as required by Charter; seconded by Councilor Bascom.

Roll Call: Yes – Bascom, A. Lambert, Miller, Rice, Sanborn, Thompson, K. Lambert

RESOLUTION 9-09: MAIL BALLOT SEPTEMBER MUNICIPAL ELECTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, AUTHORIZING THE CONDUCT OF A MAIL BALLOT ELECTION FOR THE 2009 REGULAR MUNICIPAL ELECTION

Ms. Nelson stated that every odd-numbered year, the City conducts a mail-ballot election on the second Tuesday in September. There are four Council seats up for election this fall. Resolution 9-09 authorizes the election. Councilor Bascom moved to approve Resolution 9-09; seconded by Councilor Rice.

Roll Call: Yes – Bascom, A. Lambert, Miller, Rice, Sanborn, Thompson, K. Lambert

CHANGE ORDER #7 FOR RRWRF

Mr. Stevens presented Change Order #7 for the RRWRF. The changes include a yard hydrant, lighting fixture, and color change to the metal awnings. Councilor Rice moved to approve the Change Order in an amount of \$6,546.26; seconded by Councilor Bascom.

Roll Call: Yes – Bascom, A. Lambert, Miller, Rice, Sanborn, Thompson, K. Lambert

ACCEPTANCE OF CONTRACT TO RECTIFY AND CORRECT GIS PARCEL AND UTILITIES MAPPING AND DATA

The City was awarded a DOLA grant for \$120,000 to assist funding GIS mapping upgrades, and the City budgeted \$180,000 to complete the project (including the DOLA funds). These upgrades will ensure the data set that includes over 4,000 parcels is accurately set on aerial imagery. Our utility infrastructure will be surveyed into a consistent coordinate system. Finally, an online mapping service for City employees and external users will be available. RFP's were mailed, and three proposals were received. Staff recommends awarding the Contract to Sanborn Map Company (no connection to Councilor Sanborn) out of Colorado Springs due to their ability to come in under budget and the time frame for completing the project in its entirety. Councilor Bascom moved to approve the Contract with Sanborn Map Company in an amount of \$163,639; seconded by Councilor Lambert.

Roll Call: Yes – Bascom, A. Lambert, Miller, Rice, Sanborn, Thompson, K. Lambert

AUTHORIZE PARTICIPATION IN EAST 2ND STREET REDEVELOPMENT PLANNING AND DESIGN COSTS

The architects Barker Rinker Seacat submitted a proposal identifying City costs for design and planning services for the East 2nd Street Library Project. The cost for the City to participate in design of the parking deck and necessary reinforcement of parking lot, design of the public plaza, and City Hall conceptual design is \$140,000. Councilor Lambert moved to enter into a contract with BRS in an amount not to exceed \$140,000; seconded by Councilor Bascom.

Roll Call: Yes – Bascom, A. Lambert, Miller, Rice, Sanborn, Thompson, K. Lambert

ADMINISTRATIVE REPORTS

Mr. Hier reviewed the following items: grant for trails received; street projects; roundabout sculptures; upcoming Strategic Planning session; Spring Clean-up; new benches received; City finances; upcoming meeting with Commissioner Samson on April 27; tour on April 29 of the new RRWRF and Parks Facilities. Ms. Nelson stated that staff is working on getting a Council packet available on-line. Mr. Stevens reviewed the City's plan of correction for deficient items noted in a 2005 report about the Graham Mesa Water Plant.

Mr. Scalzo came forward and requested that the City consider purchasing land north of town for the future location of a water plant.

COMMENTS FROM MAYOR AND COUNCIL

RIFLE DEPOT

Councilor Miller asked for a status report on the Rifle Depot project. Mt. Sturgeon reported that there has been no progress regarding this project.

ROARING FORK LEADERSHIP TOUR

Councilor Sanborn and Mr. Kelty hosted a tour of Rifle facilities for the class members of the Roaring Fork Leadership class. Many questions were asked, and many compliments were given for all that Rifle has done and currently has in the works.

IRRIGATION DITCHES

Councilor Lambert noted that the irrigation will be turned on soon. With the quickly running water, he cautioned parents to be extra vigilant of their children who play near the ditches.

SUPPORT LOCAL BUSINESSES

Councilor Bascom reported the end of home delivery for the *Daily Sentinel*. She encouraged everyone to shop locally and support the local businesses.

RIFLE CLEAN-UP

Councilor Bascom reminded everyone about the upcoming Spring Clean-up.

TAX DEADLINE

Councilor Rice stated that there are over two hours left this evening for folks to file their income taxes to comply with the April 15th deadline.

RUNNING FOR COUNCIL OFFICE

Councilor Thompson encouraged those interested in running for open Council seat this fall to contact the Mayor for more information.

ALLERGY SEASON

Mayor Lambert is commiserating with all the folks suffering from seasonal allergies this year.

Meeting adjourned at 9:50 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor



MEMORANDUM

To: John Hier, City Manager
From: Charles Kelty, Finance Director *ck*
Date: April 30, 2009
Subject: March 2009 Sales, Lodging, and Use Tax Report

The Combined Sales, Lodging, and Use Tax Report for the month ending March 31, 2009 is submitted for your review. Approximately 25% of the budget year has passed. The combined Sales, Use, and Lodging tax revenues are 19.5% of budget, which place the City approximately 5.5% lower than expected.

Sales and Lodging Taxes

Sales and Lodging tax revenues are lower year-to-date 7% compared to the same period in 2008. Food is down 2%; Car Parts and Sales is down 28%; Bars and Restaurants is down 5%; General Retail is down 7%; Hardware is down 15%; Liquor Stores are up 13%; Motel's are down 21%; and the Oil and Gas sector is down 41%. Leasing/Miscellaneous is higher than last year by 335%, however this is due to unexpected sales in the solar industry. The City received an \$84,000 tax payment for the month of February, which did not arrive until the March processing period.

Fund	Budget	YTD 3/31/09	% Of Budget
General Fund	\$4,574,090	\$935,371	20.4%
Street Improvement Fund	1,187,599	243,586	20.5%
Rifle Information Center	183,570	38,974	21.2%
Parks and Recreation Fund	2,378,832	487,172	20.5%
Visitor Improvement Fund	297,308	38,840	13.1%
Total's	\$8,621,399	\$1,743,943	20.2%

Building and Motor Vehicle Use Taxes

Use tax revenues are \$173,162 compared to a budget of \$1,211,062, or 14.3% of budget.

Fund	Budget	YTD 3/31/09	% Of Budget
General Fund	\$614,220	\$94,863	15.4%
Street Improvement Fund	237,672	24,737	10.4%
Rifle Information Center	37,119	4,087	11.0%
Parks and Recreation Fund	322,051	49,475	15.4%
Total's	\$1,211,062	\$173,162	14.3%

If you have any questions or need further information, please let me know.





**Sales and Lodging Tax Report
For Sales in March**

Business Category	Month			Year-to-Date		
	2008	2009	% Change	2008	2009	% Change
Bars and Restaurants	\$ 64,748	\$ 54,189	-16%	\$ 175,052	\$ 165,876	-5%
Car Parts and Sales	49,777	28,464	-43%	137,515	99,065	-28%
Food	84,020	76,307	-9%	234,920	230,828	-2%
General Retail	267,047	225,724	-15%	711,868	660,664	-7%
Hardware	60,140	62,958	5%	119,970	102,363	-15%
Liquor Stores	16,099	17,825	11%	44,983	51,013	13%
Motels	20,882	18,132	-13%	69,561	54,897	-21%
Oil & Gas	67,866	15,878	-77%	163,541	96,142	-41%
Leasing/Misc	16,614	16,212	-2%	25,385	110,536	335%
Utilities	52,221	43,798	-16%	155,414	133,718	-14%
Lodging	15,139	13,686	-10%	42,923	38,840	-10%
Total Sales/Lodging Tax	\$ 714,552	\$ 573,173	-20%	\$ 1,881,134	\$ 1,743,942	-7%
Allocation to Funds:						
General Fund	\$383,678	\$306,919	-20%	\$1,008,390	\$935,371	-7%
Street Improvement	99,916	79,927	-20%	262,601	243,586	-7%
Rifle Information Center	15,987	12,788	-20%	42,016	38,974	-7%
Parks & Recreation	199,832	159,853	-20%	525,203	487,172	-7%
Lodging Tax	15,139	13,686	-10%	42,923	38,840	-10%
Total Sales/Lodging Tax	\$714,552	\$573,173	-20%	\$1,881,134	\$1,743,942	





MEMORANDUM

To: John Hier, City Manager
From: Charles Kelty, Finance Director *CK*
Date: April 29, 2009
Subject: March 2009 Financial Reports

Attached are the financial reports for the three months ending March 31, 2009; approximately 25% of the budget year has elapsed. Below are a few comments.

- Page 1 **Mayor & Council** – Expenditures are 28.2% of budget.
- Pages 2-3 **General Fund Revenues** – Overall, revenues are approximately 19.4% of budget, which places the City behind budget by 5.6%. Sales Tax revenues were 20.4% of budget. Building Use Tax and Building permits were lower than budget by 21.4% and 16.3% respectively. Motor Vehicle Use Tax was lower than budget by 3.1%. However, Sales Tax Licenses and Contractor's Licenses exceeded budget by 15.2% and 16.7% respectively.
- Page 4 **General Fund Expenditures** – Expenditures are approximately 18.7% of budget and lower than anticipated. All departments are under budget with the exception of the Mayor & Council (28.2% of the budget) and the Attorney's department (40.5% of budget).
- Page 5 **Parks & Recreation Fund Revenues** – Overall, revenues are approximately 12.4% of projections and less than budget. Sales taxes were 20.5% of budget; Building Use Tax was 3.6% of budget and Motor Vehicle Use Tax was 21.9% of budget. Pool and Rifle Mountain Park revenues are down due to the winter months. Those revenues will increase as the year progresses and weather improves.
- Page 6 **Parks & Recreation Fund Expenditures** – Expenditures are 18.2% of projections and less than budget.
- Page 7 **Water Fund Revenues** – Overall, revenues are 19.2% of budget. Operating revenues are 15.4% of budget. Water rights revenues were 21.4% of budget and Capital revenues were 32.9% of budget.
- Pages 8-9 **Water Fund Expenses** – Overall, expenses are 16.4% of budget. Operation and Maintenance expenses are 19.1% of budget. Water rights expenses are 17.3% of budget. The Water System Improvements expenses are 11.4% of budget.

- Page 10 **Wastewater Fund Revenue** – Overall revenues are 26.0% of budget.
Operational revenues were 26.3% of projections or slightly higher than budget.
Capital Revenues are 24.9% of budget.
- Pages 11-12 **Wastewater Expenses** – Overall, expenses are approximately 26.8% of budget.
Operating and Maintenance expenses are 18.7% of budget and Sewer System
Improvements are 29.0% of budget.
- Page 13 **Sanitation Fund Revenues** – Revenues are 26.1% of budget.
- Page 14 **Sanitation Fund Expenses** – Expenses are 20.5% of budget.
- Pages 15-16 **Visitor Improvement Fund** – Revenues are 12.8% of budget and expenditures
are 17.3% of budget.

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>MAYOR/COUNCIL</u>					
100-4111-400-110 REGULAR EMPLOYEES-S&W	1,500.00	4,050.00	20,400.00	16,350.00	19.9
100-4111-400-220 FICA	93.00	251.10	1,265.00	1,013.90	19.9
100-4111-400-221 MEDICARE	21.75	58.72	296.00	237.28	19.8
100-4111-400-250 UNEMPLOYMENT INSURANCE	3.00	8.10	41.00	32.90	19.8
100-4111-400-260 WORKERS COMP INSURANCE	5.09	13.74	59.00	45.26	23.3
100-4111-400-320 PROFESSIONAL SERVICES	.00	.00	6,000.00	6,000.00	.0
100-4111-400-340 POSTAL SERVICES	21.06	21.06	400.00	378.94	5.3
100-4111-400-510 DUES/MEMBERSHIPS	.00	.00	500.00	500.00	.0
100-4111-400-530 COMMUNICATION-TELEPHONE	34.29	102.51	500.00	397.49	20.5
100-4111-400-540 ADVERTISING	1,435.20	1,982.58	5,000.00	3,017.42	39.7
100-4111-400-550 PRINTING/BINDING	226.20	782.15	3,000.00	2,217.85	26.1
100-4111-400-580 TRAVEL & MEETINGS	4,267.31	9,645.96	30,000.00	20,354.04	32.2
100-4111-400-610 GENERAL SUPPLIES	44.40	196.84	3,000.00	2,803.16	6.6
100-4111-400-641 MINOR EQUIPMENT	(669.92)	3,634.29	.00	(3,634.29)	.0
100-4111-400-741 EQUIPMENT	.00	1,219.98	.00	(1,219.98)	.0
100-4111-400-801 MISCELLANEOUS	.00	.00	7,500.00	7,500.00	.0
TOTAL MAYOR/COUNCIL	6,981.38	21,967.03	77,961.00	55,993.97	28.2

CITY OF RIFLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>GENERAL REVENUES</u>					
100-3000-311-001	64,079.32	217,273.21	589,073.00	371,799.79	36.9
100-3000-311-100	.00	99.19 (	5,772.00 ) (	5,871.19)	1.7
100-3000-312-100	3,097.12	11,004.04	47,548.00	36,543.96	23.1
100-3000-313-001	357,061.45	934,103.88	4,574,090.00	3,639,986.12	20.4
100-3000-313-002	803.92	7,825.85	217,295.00	209,469.15	3.6
100-3000-313-003	.00	5,315.06 (	3,705.00 ) (	9,020.06)	143.5
100-3000-313-004	24,812.07	87,037.01	396,925.00	309,887.99	21.9
100-3000-318-002	34,826.90	34,826.90	325,092.00	290,265.10	10.7
100-3000-319-001	27.75	80.68	.00 (	80.68)	.0
100-3000-321-001	1,108.75	1,666.25	5,222.00	3,555.75	31.9
100-3000-321-004	648.00	3,962.00	9,864.00	5,902.00	40.2
100-3000-321-006	1,712.00	11,214.50	26,905.00	15,690.50	41.7
100-3000-321-007	430.00	1,990.00	1,800.00 (	190.00)	110.6
100-3000-321-009	310.00	1,320.00	2,536.00	1,216.00	52.1
100-3000-322-001	1,218.33	8,676.47	100,022.00	91,345.53	8.7
100-3000-322-009	615.00	1,195.00	1,346.00	151.00	88.8
100-3000-323-001	.00 (	50.00)	.00	50.00	.0
100-3000-331-003	16,008.57	16,008.57	62,000.00	45,991.43	25.8
100-3000-331-005	1,373.49	6,575.20	.00 (	6,575.20)	.0
100-3000-331-006	.00	.00	3,000.00	3,000.00	.0
100-3000-334-002	890.00	890.00	6,600.00	5,710.00	13.5
100-3000-334-003	.00	.00	160,750.00	160,750.00	.0
100-3000-334-005	.00	.00	8,000.00	8,000.00	.0
100-3000-334-006	.00	.00	150,000.00	150,000.00	.0
100-3000-334-010	5,464.00	15,164.00	61,199.00	46,035.00	24.8
100-3000-334-021	(5,802.00)	.00	24,000.00	24,000.00	.0
100-3000-335-004	20,016.46	58,026.12	226,232.00	168,205.88	25.7
100-3000-335-005	3,170.00	9,314.00	43,502.00	34,188.00	21.4
100-3000-335-006	3,960.63	3,960.63	40,262.00	36,301.37	9.8
100-3000-335-009	.00	.00	250,000.00	250,000.00	.0
100-3000-335-100	.00	.00	350,000.00	350,000.00	.0
100-3000-338-001	13,565.69	45,984.43	134,799.00	88,814.57	34.1
100-3000-338-003	21,554.35	80,051.50	383,499.00	303,447.50	20.9
100-3000-339-000	4,128.79	9,626.25	101,618.00	91,991.75	9.5
100-3000-341-003	1,780.00	3,590.00	9,196.00	5,606.00	39.0
100-3000-341-004	409.55	4,155.55	60,105.00	55,949.45	6.9
100-3000-341-100	.00	5,227.64	25,155.00	19,927.36	20.8
100-3000-341-400	128.00	382.75	3,000.00	2,617.25	12.8
100-3000-342-005	50.00	460.00	2,626.00	2,166.00	17.5
100-3000-342-010	440.00	705.00	9,972.00	9,267.00	7.1
100-3000-343-001	.00	1,835.00	16,421.00	14,586.00	11.2
100-3000-343-002	.00	630.00	4,146.00	3,516.00	15.2
100-3000-343-003	221.64	664.92	2,796.00	2,131.08	23.8
100-3000-343-100	.00	575.00	21,956.00	21,381.00	2.6
100-3000-345-004	1,070.00	4,555.00	19,420.00	14,865.00	23.5
100-3000-348-001	24,668.58	74,005.74	294,480.00	220,474.26	25.1
100-3000-349-150	17,794.87	51,478.05	301,715.00	250,236.95	17.1
100-3000-349-151	.00	.00	75,153.00	75,153.00	.0
100-3000-351-001	11,997.00	30,507.93	121,007.00	90,499.07	25.2
100-3000-351-002	1,070.61	2,471.32	12,209.00	9,737.68	20.2
100-3000-351-003	278.85	817.21	4,327.00	3,509.79	18.9
100-3000-361-001	7,265.12	22,644.08	132,700.00	110,055.92	17.1

CITY OF RIFLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
100-3000-361-150 INTEREST - A/R	1,308.93	4,271.12	7,341.00	3,069.88	58.2
100-3000-362-001 UNREALIZED GAINS/LOSSES	4,181.14 (	1,965.38)	.00	1,965.38	.0
100-3000-363-001 RENT OF CITY FACILITIES	1,529.50	4,213.50	10,200.00	5,986.50	41.3
100-3000-363-002 MINERAL ROYALTY INCOME	25,756.51	61,320.58	173,004.00	111,683.42	35.4
100-3000-364-001 ABANDONED PROPERTY	310.00	310.00	.00 (	310.00)	.0
100-3000-365-004 DONATIONS OTHER	15.00	60.00	.00 (	60.00)	.0
100-3000-365-006 DONATIONS SR SERVICES	100.00	100.00	.00 (	100.00)	.0
100-3000-365-008 DONATIONS SRCTR MEALS	260.75	470.96	.00 (	470.96)	.0
100-3000-365-009 DONATIONS ANIMAL SHELTER	.00	125.00	.00 (	125.00)	.0
100-3000-365-013 CHANNEL 13 ACCESS	35.00	35.00	7,518.00	7,483.00	.5
100-3000-378-001 MISCELLANEOUS INCOME	129.10	268.72	.00 (	268.72)	.0
100-3000-378-002 REGIONAL DRAINAGE ESCROW	.00	.00	1,400.00	1,400.00	.0
100-3000-391-210 OTI-PARKS & REC FUND	5,576.42	16,729.26	66,917.00	50,187.74	25.0
100-3000-391-211 OTI-STREET IMPROVEMENT FUND	2,114.50	6,343.50	25,374.00	19,030.50	25.0
100-3000-391-213 OTI-WATER FUND	2,649.17	7,947.51	31,790.00	23,842.49	25.0
100-3000-391-214 OTI-WASTEWATER FUND	2,649.17	7,947.51	31,790.00	23,842.49	25.0
100-3000-391-215 OTI-SANITATION FUND	426.50	1,279.50	5,118.00	3,838.50	25.0
100-3000-392-001 SALES OF GFA	.00	6,375.00	.00 (	6,375.00)	.0
100-3000-394-001 LOAN REPAYMENT	1,193.63	4,755.58	14,395.00	9,639.42	33.0
TOTAL GENERAL REVENUES	690,490.13	1,898,433.29	9,784,933.00	7,886,499.71	19.4
TOTAL FUND REVENUE	690,490.13	1,898,433.29	9,784,933.00	7,886,499.71	19.4

CITY OF RIFLE
FUND SUMMARY
FOR THE 3 MONTHS ENDING MARCH 31, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
GENERAL REVENUES	690,490.13	1,898,433.29	9,784,933.00	7,886,499.71	19.4
TOTAL FUND REVENUE	690,490.13	1,898,433.29	9,784,933.00	7,886,499.71	19.4
<u>EXPENDITURES</u>					
MAYOR/COUNCIL	6,981.38	21,967.03	77,961.00	55,993.97	28.2
CITY CLERK	17,128.47	39,739.54	187,369.00	147,629.46	21.2
MUNICIPAL COURT	13,869.28	39,628.60	204,520.00	164,891.40	19.4
CITY MANAGER	16,543.54	46,992.34	227,438.00	180,445.66	20.7
GOVERNMENT AFFAIRS	9,740.10	31,788.89	148,076.00	116,287.11	21.5
FINANCE	43,406.72	110,224.89	491,382.00	381,157.11	22.4
ATTORNEY	39,967.71	133,276.50	329,500.00	196,223.50	40.5
PLANNING/ZONNING	61,736.59	166,069.90	974,566.00	808,496.10	17.0
INFORMATION SERVICES	21,512.98	45,708.15	219,551.00	173,842.85	20.8
CITY HALL	13,322.01	35,540.04	184,332.00	148,791.96	19.3
GROUNDS AND FACILITY MAINT.	4,302.97	12,919.48	80,405.00	67,485.52	16.1
COMMUNITY ACCESS TV	12,180.84	28,895.19	133,869.00	104,973.81	21.6
POLICE	183,327.57	506,900.71	2,514,862.00	2,007,961.29	20.2
JUSTICE CENTER BLDG. OPERATION	10,649.09	27,872.30	400,948.00	373,075.70	7.0
BUILDING INSPECTIONS	21,844.01	62,710.29	306,974.00	244,263.71	20.4
STREETS	58,082.13	196,674.38	1,013,024.00	816,349.62	19.4
CONSTRUCTION CREW - INHOUSE	14,874.18	59,363.50	240,940.00	181,576.50	24.6
PUBLIC WORKS	18,145.08	53,429.32	352,525.00	299,095.68	15.2
ANIMAL SHELTER	7,082.76	22,402.03	102,090.00	79,687.97	21.9
CEMETERY O & H	4,647.13	13,305.42	109,523.00	96,217.58	12.2
SENIOR CENTER	24,599.73	72,279.99	433,328.00	361,048.01	16.7
NON DEPARTMENTAL	6,292.52	131,671.30	623,235.00	491,563.70	21.1
HOUSING AUTHORITY	3,376.50	10,520.60	101,618.00	91,097.40	10.4
OPERATING TRANSFERS OUT	.00	.00	550,000.00	550,000.00	.0
TOTAL FUND EXPENDITURES	613,613.29	1,869,880.39	10,008,036.00	8,138,155.61	18.7
NET REVENUE OVER EXPENDITURES	76,876.84	28,552.90	(223,103.00)	(251,655.90)	12.8

CITY OF RIFLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

PARKS & RECREATION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>PARKS AND REC REVENUE</u>					
210-3000-313-001	186,413.04	487,172.15	2,378,832.00	1,891,659.85	20.5
210-3000-313-002	419.28	4,081.49	115,111.00	111,029.51	3.6
210-3000-313-003	.00	.00	819.00	819.00	.0
210-3000-313-004	12,940.47	45,393.24	206,940.00	161,546.76	21.9
210-3000-334-017	.00	.00	500,000.00	500,000.00	.0
210-3000-334-019	.00	.00	750,000.00	750,000.00	.0
210-3000-334-020	.00	.00	805,000.00	805,000.00	.0
210-3000-334-023	.00	.00	200,000.00	200,000.00	.0
210-3000-341-400	160.22	230.99	.00	230.99	.0
210-3000-347-001	9,918.74	15,501.59	46,595.00	31,093.41	33.3
210-3000-347-004	75.00	225.00	900.00	675.00	25.0
210-3000-347-005	.00	.00	5,800.00	5,800.00	.0
210-3000-347-010	.00	.00	64,000.00	64,000.00	.0
210-3000-347-011	.00	.00	21,000.00	21,000.00	.0
210-3000-347-012	.00	.00	2,000.00	2,000.00	.0
210-3000-347-013	.00	.00	12,500.00	12,500.00	.0
210-3000-347-014	.00	.00	1,400.00	1,400.00	.0
210-3000-347-100	134.00	1,038.93	32,000.00	30,961.07	3.3
210-3000-347-101	92.00	394.00	6,600.00	6,206.00	6.0
210-3000-347-102	225.00	285.00	2,000.00	1,715.00	14.3
210-3000-361-001	7,784.46	25,897.15	30,000.00	4,102.85	86.3
210-3000-362-001	4,526.49	2,549.20	.00	2,549.20	.0
210-3000-365-004	.00	.00	10,450.00	10,450.00	.0
210-3000-365-005	1,879.60	3,002.88	4,900.00	1,897.12	61.3
210-3000-378-001	86,963.00	86,963.00	.00	86,963.00	.0
210-3000-391-202	.00	.00	260,000.00	260,000.00	.0
210-3000-391-204	6,000.00	6,000.00	.00	6,000.00	.0
TOTAL PARKS AND REC REVENUE	317,531.30	673,636.22	5,455,209.00	4,781,572.78	12.4
TOTAL FUND REVENUE	317,531.30	673,636.22	5,455,209.00	4,781,572.78	12.4

CITY OF RIFLE
 FUND SUMMARY
 FOR THE 3 MONTHS ENDING MARCH 31, 2009

PARKS & RECREATION

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>					
PARKS AND REC REVENUE	317,531.30	673,636.22	5,455,209.00	4,781,572.78	12.4
TOTAL FUND REVENUE	<u>317,531.30</u>	<u>673,636.22</u>	<u>5,455,209.00</u>	<u>4,781,572.78</u>	<u>12.4</u>
<u>EXPENDITURES</u>					
RECREATION	36,633.05	109,602.41	573,028.00	463,425.59	19.1
POOL	976.00	1,418.14	325,869.00	324,450.86	.4
PARK MAINTENANCE	54,442.18	140,154.33	914,447.00	774,292.67	15.3
PARKS CAPITAL	861,731.48	1,435,311.07	7,038,628.00	5,603,316.93	20.4
NON-DEPARTMENTAL	.00	15,886.00	535,434.00	519,548.00	3.0
OPERATING TRANSFER OUT	5,576.42	16,729.26	66,917.00	50,187.74	25.0
TOTAL FUND EXPENDITURES	<u>959,359.13</u>	<u>1,719,101.21</u>	<u>9,454,323.00</u>	<u>7,735,221.79</u>	<u>18.2</u>
NET REVENUE OVER EXPENDITURES	<u>(641,827.83)</u>	<u>(1,045,464.99)</u>	<u>(3,999,114.00)</u>	<u>(2,953,649.01)</u>	<u>(26.1)</u>

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CITY OF RIFLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>WATER REVENUE</u>					
310-3000-331-020 EIF-DOWNTOWN MAIN ST	.00	.00	163,602.00	163,602.00	.0
310-3000-331-025 EIAF 5904 DOLA WATER SYST IMP	40,000.00	40,000.00	40,000.00	.00	100.0
310-3000-361-001 INTEREST EARNINGS	3,758.53	12,641.67	40,768.00	28,126.33	31.0
310-3000-362-001 UNREALIZED GAINS/LOSSES	5,339.87 (	2,976.97)	.00	2,976.97	.0
310-3000-371-001 USER FEES	118,352.23	344,267.46	2,089,517.00	1,745,249.54	16.5
310-3000-371-002 USER FEES -COGEN PLANT	833.45	1,746.38	20,000.00	18,253.62	8.7
310-3000-371-003 USER FEES -BULK WATER	5,653.49	9,931.26	100,000.00	90,068.74	9.9
310-3000-371-010 SERVICE CHARGES	2,872.37	9,175.66	44,588.00	35,412.34	20.6
310-3000-371-100 LATE PAYMENT FEES	362.92	1,097.84	6,946.00	5,848.16	15.8
310-3000-373-001 SALE OF METERS	677.35 (	438.94)	41,326.00	41,764.94 (	1.1)
310-3000-391-100 OTI-GENERAL FUND	.00	.00	160,000.00	160,000.00	.0
TOTAL WATER REVENUE	177,850.21	415,444.36	2,706,747.00	2,291,302.64	15.4
<u>WATER RIGHTS REVENUE</u>					
310-3002-349-150 REIMB-LEGAL/ENG	1,635.75	9,061.50	30,000.00	20,938.50	30.2
310-3002-361-001 INTEREST EARNINGS	602.99	2,030.21	8,187.00	6,156.79	24.8
310-3002-372-001 IN LIEU OF WATER RIGHTS	.00	810.00	30,000.00	29,190.00	2.7
310-3002-372-002 CO-GEN STANDBY/WTRRGHTS	52.31	3,093.75	1,000.00 (	2,093.75)	309.4
310-3002-378-001 MISCELLANEOUS INCOME	.00	.00	1,000.00	1,000.00	.0
TOTAL WATER RIGHTS REVENUE	2,291.05	14,995.46	70,187.00	55,191.54	21.4
<u>CAPITAL REVENUE</u>					
310-3003-331-022 EIF-WTP IMPROVEMENTS	.00	.00	163,602.00	163,602.00	.0
310-3003-361-001 INTEREST EARNINGS	4,821.71	16,099.02	40,000.00	23,900.98	40.3
310-3003-374-001 SYSTEM IMPROVEMENT FEES	(148,837.50)	163,423.56	518,293.00	354,869.44	31.5
310-3003-374-002 SYS IMPRVMT FEES NE TANK	.00	8,930.25	.00 (	8,930.25)	.0
310-3003-374-010 NE WATER TANK IMPACT FEE	.00	55,800.00	20,000.00 (	35,800.00)	279.0
TOTAL CAPITAL REVENUE	(144,015.79)	244,252.83	741,895.00	497,642.17	32.9
TOTAL FUND REVENUE	36,125.47	674,692.65	3,518,829.00	2,844,136.35	19.2

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER O&H</u>					
310-4331-400-110 REGULAR EMPLOYEES-S&W	34,593.64	99,394.28	472,115.00	372,720.72	21.1
310-4331-400-130 OVERTIME-S&W	242.47	1,693.23	32,348.00	30,654.77	5.2
310-4331-400-135 STANDBY TIME-S&W	743.17	3,299.26	20,172.00	16,872.74	16.4
310-4331-400-210 HEALTH INSURANCE	7,444.35	20,099.74	91,912.00	71,812.26	21.9
310-4331-400-220 FICA	2,137.25	6,277.40	32,527.00	26,249.60	19.3
310-4331-400-221 MEDICARE	499.82	1,468.05	7,607.00	6,138.95	19.3
310-4331-400-230 RETIREMENT	1,949.61	5,614.90	26,817.00	21,202.10	20.9
310-4331-400-250 UNEMPLOYMENT INSURANCE	71.17	208.77	1,050.00	841.23	19.9
310-4331-400-260 WORKERS COMP INSURANCE	1,525.85	4,494.41	23,524.00	19,029.59	19.1
310-4331-400-320 PROFESSIONAL SERVICES	4,237.50	12,012.50	88,500.00	76,487.50	13.6
310-4331-400-331 WATER QUALITY TESTING SVS	4,563.88	9,234.43	49,150.00	39,915.57	18.8
310-4331-400-340 POSTAL SERVICES	460.21	1,293.16	8,000.00	6,706.84	16.2
310-4331-400-410 UTILITY SERVICES	13,733.07	37,441.18	190,000.00	152,558.82	19.7
310-4331-400-425 DITCH MAINTENANCE SERVICE	.00	453.00	4,500.00	4,047.00	10.1
310-4331-400-430 REPAIR & MAINT SERVICES	2,755.67	15,951.65	96,900.00	80,948.35	16.5
310-4331-400-431 CONTRACT MAINT SERVICES	.00	.00	6,800.00	6,800.00	.0
310-4331-400-432 METER TESTING SERVICES	.00	.00	1,000.00	1,000.00	.0
310-4331-400-442 RENTAL EQUIP/VEHICLES	170.00	460.00	200,959.00	200,499.00	.2
310-4331-400-445 RENTAL TOILETS	95.00	190.00	1,200.00	1,010.00	15.8
310-4331-400-501 OTHER PURCH. SERV./ UTILITY LO	.00	.00	4,400.00	4,400.00	.0
310-4331-400-510 DUES/MEMBERSHIPS	.00	833.00	2,500.00	1,667.00	33.3
310-4331-400-520 INSURANCE	.00	24,834.00	24,128.00	706.00	102.9
310-4331-400-530 COMMUNICATION-TELEPHONE	1,148.24	3,020.81	12,900.00	9,879.19	23.4
310-4331-400-540 ADVERTISING	212.68	282.66	2,000.00	1,717.34	14.1
310-4331-400-550 PRINTING/BINDING	749.80	1,150.52	2,625.00	1,474.48	43.8
310-4331-400-580 TRAVEL & MEETINGS	21.25	2,144.44	6,900.00	4,755.56	31.1
310-4331-400-610 GENERAL SUPPLIES	15,633.23	33,842.80	240,000.00	206,157.20	14.1
310-4331-400-617 UNIFORMS/CLOTHING	.00	53.97	400.00	346.03	13.5
310-4331-400-641 MINOR EQUIPMENT	.00	5,614.96	12,100.00	6,485.04	46.4
310-4331-400-720 BUILDINGS	15,303.29	23,306.80	73,300.00	49,993.20	31.8
310-4331-400-734 LINE REPLACEMENTS	4,109.65	6,134.65	55,000.00	48,865.35	11.2
310-4331-400-741 EQUIPMENT	500.76	500.76	97,000.00	96,499.24	.5
310-4331-400-803 MANAGEMENT FEES	12,559.33	37,677.99	150,712.00	113,034.01	25.0
310-4331-400-810 FLEET MAINTENANCE	2,061.90	6,843.89	45,950.00	39,106.11	14.9
310-4331-400-860 FLEET DEBT SERVICE PRINC	.00	.00	17,129.00	17,129.00	.0
310-4331-400-861 FLEET DEBT SERVICE INT	.00	.00	2,700.00	2,700.00	.0
310-4331-400-870 DEBT SERVICE PRINC	6,250.00	80,452.39	204,165.00	123,712.61	39.4
310-4331-400-871 DEBT SERVICE INTEREST	2,456.48	15,000.01	65,547.00	50,546.99	22.9
310-4331-400-877 REFUNDING/ISSUANCE COSTS	.00	.00	1,038.00	1,038.00	.0
310-4331-400-895 OTO TO GENERAL - GOV. AFFAIRS	2,114.50	6,343.50	25,374.00	19,030.50	25.0
310-4331-400-896 OTO TO GENERAL - MAINT.	534.67	1,604.01	6,416.00	4,811.99	25.0
310-4331-400-900 CONTINGENCY	.00	.00	50,000.00	50,000.00	.0
TOTAL WATER O&H	138,878.44	469,227.12	2,457,365.00	1,988,137.88	19.1

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER RIGHTS</u>					
310-4332-400-320 PROFESSIONAL SERVICES	4,811.50	14,264.95	60,000.00	45,735.05	23.8
310-4332-400-323 PROF SERVICES-ENGINEERING	465.00	9,675.50	30,000.00	20,324.50	32.3
310-4332-400-511 WATER RIGHTS ADM FEE	264.00	264.00	10,000.00	9,736.00	2.6
310-4332-400-705 WATER RIGHTS REUDI	.00	.00	40,000.00	40,000.00	.0
TOTAL WATER RIGHTS	5,540.50	24,204.45	140,000.00	115,795.55	17.3
<u>WATER SYSTEM IMPROVEMENTS</u>					
310-4333-400-320 PROFESSIONAL SERVICES	29,540.98	130,647.66	806,100.00	675,452.34	16.2
310-4333-400-722 WATER TRMT PLANT IMPROVE	.00	12.32	436,000.00	435,987.68	.0
310-4333-400-870 DEBT SERVICE PRINC	5,416.67	16,250.01	65,000.00	48,749.99	25.0
310-4333-400-871 DEBT SERVICE INTEREST	3,881.67	7,763.34	50,000.00	42,236.66	15.5
TOTAL WATER SYSTEM IMPROVEMENTS	38,839.32	154,673.33	1,357,100.00	1,202,426.67	11.4
TOTAL FUND EXPENDITURES	183,258.26	648,104.90	3,954,465.00	3,306,360.10	16.4
NET REVENUE OVER EXPENDITURES	(147,132.79)	26,587.75	(435,636.00)	(462,223.75)	6.1

CITY OF RIFLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

WASTEWATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>WASTE WATER REVENUE</u>					
320-3000-361-001 INTEREST EARNINGS	5,556.46	17,751.32	42,500.00	24,748.68	41.8
320-3000-362-001 UNREALIZED GAINS/LOSSES	2,124.67 (	1,862.53)	.00	1,862.53	.0
320-3000-371-001 USER FEES	183,810.58	572,123.26	2,266,356.00	1,694,232.74	25.2
320-3000-371-007 USER FEES -BULK SEWAGE	30,620.80	106,149.77	240,000.00	133,850.23	44.2
320-3000-371-010 SERVICE CHARGES	.00 (	1,247.46)	10,000.00	11,247.46	(12.5)
320-3000-371-100 LATE PAYMENT FEES	570.06	1,779.99	5,906.00	4,126.01	30.1
320-3000-378-002 XCEL ENERGY REBATE REVENUE	.00	.00	6,000.00	6,000.00	.0
320-3000-379-001 BOND PREMIUN ISSUANCE REVENUES	.00	.00	35,614.00	35,614.00	.0
320-3000-391-100 OTI-GENERAL FUND	.00	.00	60,000.00	60,000.00	.0
320-3000-392-002 INSURANCE PROCEEDS	.00	7,068.95	.00	(7,068.95)	.0
TOTAL WASTE WATER REVENUE	222,682.57	701,763.30	2,666,376.00	1,964,612.70	26.3
<u>WASTE WATER REVENUE</u>					
320-3003-331-026 EIAF PEND REG WWTF	.00	.00	55,000.00	55,000.00	.0
320-3003-331-028 DOLA GRANT CONST OBSERVAT	.00	.00	100,000.00	100,000.00	.0
320-3003-361-001 INTEREST EARNINGS	(1,902.54)	(9,743.80)	20,000.00	29,743.80	(48.7)
320-3003-374-001 SYSTEM IMPROVEMENT FEES	(165,375.00)	191,504.23	554,931.00	363,426.77	34.5
TOTAL WASTE WATER REVENUE	(167,277.54)	181,760.43	729,931.00	548,170.57	24.9
TOTAL FUND REVENUE	55,405.03	883,523.73	3,396,307.00	2,512,783.27	26.0

(10)

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

WASTEWATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SEWER O&H</u>					
320-4325-400-110 REGULAR EMPLOYEES-S&W	24,273.00	69,022.88	331,239.00	262,216.12	20.8
320-4325-400-130 OVERTIME-S&W	103.90	881.71	8,031.00	7,149.29	11.0
320-4325-400-135 STANDBY TIME-S&W	282.45	2,137.83	14,788.00	12,650.17	14.5
320-4325-400-210 HEALTH INSURANCE	6,163.08	16,640.33	47,712.00	31,071.67	34.9
320-4325-400-220 FICA	1,473.83	4,310.81	21,952.00	17,641.19	19.6
320-4325-400-221 MEDICARE	344.66	1,008.15	5,134.00	4,125.85	19.6
320-4325-400-230 RETIREMENT	1,438.19	4,107.66	19,177.00	15,069.34	21.4
320-4325-400-250 UNEMPLOYMENT INSURANCE	49.29	144.03	709.00	564.97	20.3
320-4325-400-260 WORKERS COMP INSURANCE	743.46	2,179.50	11,183.00	9,003.50	19.5
320-4325-400-320 PROFESSIONAL SERVICES	1,335.50	4,389.00	42,200.00	37,811.00	10.4
320-4325-400-331 WATER QUALITY TESTING SVS	.00	100.00	2,000.00	1,900.00	5.0
320-4325-400-340 POSTAL SERVICES	390.56	1,147.11	7,000.00	5,852.89	16.4
320-4325-400-410 UTILITY SERVICES	8,325.18	22,674.06	210,000.00	187,325.94	10.8
320-4325-400-421 LANDFILL COSTS	.00	.00	3,600.00	3,600.00	.0
320-4325-400-430 REPAIR & MAINT SERVICES	5,161.94	6,286.94	46,000.00	39,713.06	13.7
320-4325-400-432 R&M TV & CLEANING	286.25	1,916.25	80,000.00	78,083.75	2.4
320-4325-400-442 RENTAL EQUIP/VEHICLES	.00	.00	2,500.00	2,500.00	.0
320-4325-400-445 RENTAL TOILETS	95.00	285.00	1,200.00	915.00	23.8
320-4325-400-501 OTHER PURCHASED UT LOCATES	.00	.00	19,550.00	19,550.00	.0
320-4325-400-510 DUES/MEMBERSHIPS	.00	453.00	2,200.00	1,747.00	20.6
320-4325-400-520 INSURANCE	.00	14,677.00	14,260.00	(417.00)	102.9
320-4325-400-530 COMMUNICATION-TELEPHONE	629.11	1,726.06	5,300.00	3,573.94	32.6
320-4325-400-540 ADVERTISING	185.36	185.36	1,000.00	814.64	18.5
320-4325-400-550 PRINTING/BINDING	689.28	1,577.04	2,500.00	922.96	63.1
320-4325-400-580 TRAVEL & MEETINGS	.00	1,296.72	6,750.00	5,453.28	19.2
320-4325-400-610 GENERAL SUPPLIES	2,273.49	6,691.03	53,900.00	47,208.97	12.4
320-4325-400-617 UNIFORMS/CLOTHING	74.94	74.94	300.00	225.06	25.0
320-4325-400-641 MINOR EQUIPMENT	.00	4,206.31	93,800.00	89,593.69	4.5
320-4325-400-720 BUILDINGS	.00	.00	241,500.00	241,500.00	.0
320-4325-400-734 LINE REPLACEMENTS	.00	.00	250,000.00	250,000.00	.0
320-4325-400-741 EQUIPMENT	.00	.00	20,500.00	20,500.00	.0
320-4325-400-803 MANAGEMENT FEES	8,775.92	26,327.76	105,311.00	78,983.24	25.0
320-4325-400-810 FLEET MAINTENANCE	1,487.16	3,348.60	8,485.00	5,136.40	39.5
320-4325-400-870 DEBT SERVICE PRINC	.00	326,892.00	701,900.00	375,008.00	46.6
320-4325-400-871 DEBT SERVICE INTEREST	.00	43,091.90	642,349.00	599,257.10	6.7
320-4325-400-877 REFUNDING/ISSUANCE COSTS	.00	.00	952.00	952.00	.0
320-4325-400-895 OTO TO GENERAL - GOV. AFFAIRS	2,114.50	6,343.50	25,374.00	19,030.50	25.0
320-4325-400-896 OTO TO GENERAL - MAINT.	534.67	1,604.01	6,416.00	4,811.99	25.0
320-4325-400-900 CONTINGENCY	.00	.00	25,000.00	25,000.00	.0
TOTAL SEWER O&H	67,230.72	575,726.49	3,081,772.00	2,506,045.51	18.7

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

WASTEWATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SEWER SYSTEM IMPROVEMENTS</u>					
320-4326-400-721 REGIONAL WWTP	1,122,437.69	3,101,228.62	10,684,565.00	7,583,336.38	29.0
320-4326-400-727 REGIONAL WWTP PROJ MGMT	44,812.81	132,362.91	470,000.00	337,637.09	28.2
320-4326-400-734 EXPANSION	.00	45,938.52	134,400.00	88,461.48	34.2
320-4326-400-877 REFUNDING/ISSUANCE COSTS	.00	.00	20,000.00	20,000.00	.0
TOTAL SEWER SYSTEM IMPROVEMENTS	<u>1,167,250.50</u>	<u>3,279,530.05</u>	<u>11,308,965.00</u>	<u>8,029,434.95</u>	<u>29.0</u>
TOTAL FUND EXPENDITURES	<u>1,234,481.22</u>	<u>3,855,256.54</u>	<u>14,390,737.00</u>	<u>10,535,480.46</u>	<u>26.8</u>
NET REVENUE OVER EXPENDITURES	<u>(1,179,076.19)</u>	<u>(2,971,732.81)</u>	<u>(10,994,430.00)</u>	<u>(8,022,697.19)</u>	<u>(27.0)</u>

(12)

CITY OF RIFLE
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 3 MONTHS ENDING MARCH 31, 2009

SANITATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>SANITATION FUND</u>					
330-3000-361-001 INTEREST EARNINGS	292.44	907.28	10,000.00	9,092.72	9.1
330-3000-362-001 UNREALIZED GAINS/LOSSES	170.05 (	77.87)	.00	77.87	.0
330-3000-371-001 USER FEES	46,765.83	140,084.74	530,000.00	389,915.26	26.4
330-3000-371-005 USER FEES -EXTRA PICKUPS	43.82	38.93	500.00	461.07	7.8
330-3000-371-100 LATE PAYMENT FEES	168.52	494.89	2,000.00	1,505.11	24.7
330-3000-392-000 SALES OF PROPERTY NOT GFA	.00	210.00	.00 (	210.00)	.0
TOTAL SANITATION FUND	47,440.66	141,657.97	542,500.00	400,842.03	26.1
TOTAL FUND REVENUE	47,440.66	141,657.97	542,500.00	400,842.03	26.1

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

SANITATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SANITATION</u>					
330-4320-400-110 REGULAR EMPLOYEES-S&W	6,605.06	22,434.22	113,528.00	91,093.78	19.8
330-4320-400-120 PART-TIME/TEMP EMPL-S&W	169.76	441.38	1,491.00	1,049.62	29.6
330-4320-400-130 OVERTIME-S&W	34.28	814.71	5,002.00	4,187.29	16.3
330-4320-400-135 STANDBY TIME-S&W	51.68	426.08	2,000.00	1,573.92	21.3
330-4320-400-210 HEALTH INSURANCE	1,708.86	4,614.02	21,836.00	17,221.98	21.1
330-4320-400-220 FICA	410.04	1,454.46	7,565.00	6,110.54	19.2
330-4320-400-221 MEDICARE	95.92	340.22	1,769.00	1,428.78	19.2
330-4320-400-230 RETIREMENT	392.89	1,346.91	6,757.00	5,410.09	19.9
330-4320-400-250 UNEMPLOYMENT INSURANCE	13.74	48.31	248.00	199.69	19.5
330-4320-400-260 WORKERS COMP INSURANCE	415.65	1,505.99	5,504.00	3,998.01	27.4
330-4320-400-340 POSTAL SERVICES	378.37	1,134.90	6,500.00	5,365.10	17.5
330-4320-400-350 RECYCLING SERVICES	3,377.31	6,483.55	45,000.00	38,516.45	14.4
330-4320-400-421 LANDFILL COSTS	12,207.88	34,472.18	180,000.00	145,527.82	19.2
330-4320-400-422 SPECIAL PICKUP COSTS	100.00	100.00	1,000.00	900.00	10.0
330-4320-400-430 REPAIR & MAINT SERVICES	.00	.00	1,500.00	1,500.00	.0
330-4320-400-442 RENTAL EQUIP/VEHICLES	.00	.00	500.00	500.00	.0
330-4320-400-520 INSURANCE	1,292.00	18,560.00	12,777.00 (	5,783.00)	145.3
330-4320-400-540 ADVERTISING	1,042.19	1,042.19	500.00 (	542.19)	208.4
330-4320-400-550 PRINTING/BINDING	.00	.00	500.00	500.00	.0
330-4320-400-580 TRAVEL & MEETINGS	.00	.00	500.00	500.00	.0
330-4320-400-610 GENERAL SUPPLIES	44.41	189.86	16,000.00	15,810.14	1.2
330-4320-400-617 UNIFORMS/CLOTHING	.00	.00	1,675.00	1,675.00	.0
330-4320-400-641 MINOR EQUIPMENT	.00	.00	2,000.00	2,000.00	.0
330-4320-400-801 MISCELLANEOUS	.00	.00	500.00	500.00	.0
330-4320-400-803 MANAGEMENT FEES	3,333.33	9,999.99	40,000.00	30,000.01	25.0
330-4320-400-810 FLEET MAINTENANCE	2,693.32	6,824.38	45,000.00	38,175.62	15.2
330-4320-400-886 DDA	.00	.00	4,000.00	4,000.00	.0
330-4320-400-895 OTO TO GENERAL - GOV. AFFAIRS	426.50	1,279.50	5,118.00	3,838.50	25.0
330-4320-400-900 CONTINGENCY	.00	.00	25,000.00	25,000.00	.0
TOTAL SANITATION	34,793.19	113,512.85	553,770.00	440,257.15	20.5
TOTAL FUND EXPENDITURES	34,793.19	113,512.85	553,770.00	440,257.15	20.5
NET REVENUE OVER EXPENDITURES	12,647.47	28,145.12 (	11,270.00 ) (	39,415.12)	249.7

CITY OF RIFLE
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 3 MONTHS ENDING MARCH 31, 2009

VISITOR IMPROVEMENT FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
<u>VISITOR IMPROVEMENT</u>					
204-3000-313-005 LODGING TAX REVENUES	12,771.38	37,924.80	297,308.00	259,383.20	12.8
204-3000-361-001 INTEREST EARNINGS	154.18	592.75	2,693.00	2,100.25	22.0
204-3000-362-001 UNREALIZED GAINS/LOSSES	89.65 (	90.17)	.00	90.17	.0
TOTAL VISITOR IMPROVEMENT	<u>13,015.21</u>	<u>38,427.38</u>	<u>300,001.00</u>	<u>261,573.62</u>	<u>12.8</u>
 TOTAL FUND REVENUE	 <u>13,015.21</u>	 <u>38,427.38</u>	 <u>300,001.00</u>	 <u>261,573.62</u>	 <u>12.8</u>

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2009

VISITOR IMPROVEMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>VISITOR IMPROVEMENT</u>					
204-4650-400-320 PROFESSIONAL SERVICES	.00	.00	2,500.00	2,500.00	.0
204-4650-400-510 DUES/MEMBERSHIPS	.00	.00	5,000.00	5,000.00	.0
204-4650-400-540 ADVERTISING	.00	.00	25,000.00	25,000.00	.0
204-4650-400-550 PRINTING/BINDING	.00	1.49	.00 (	1.49)	.0
204-4650-400-580 TRAVEL & MEETINGS	.00	.00	5,000.00	5,000.00	.0
204-4650-400-721 VISITOR IMP. & ATTRACTIONS	.00	.00	30,000.00	30,000.00	.0
204-4650-400-722 HISTORIC PRESERVATION	.00	.00	15,000.00	15,000.00	.0
204-4650-400-723 SPECIAL EVENTS	.00	.00	30,000.00	30,000.00	.0
204-4650-400-724 CITY BEAUTIFICATION PROJECTS	21,458.50	21,458.50	66,000.00	44,541.50	32.5
204-4650-400-725 CITY PROMOTION	.00	25,575.00	51,150.00	25,575.00	50.0
204-4650-400-726 SPECIAL PROJECTS	.00	.00	75,000.00	75,000.00	.0
204-4650-400-895 TRANSFER TO STREET IMPROV FUND	16,750.00	16,750.00	.00 (	16,750.00)	.0
204-4650-400-899 TRANSFER TO PARKS AND REC	6,000.00	6,000.00	.00 (	6,000.00)	.0
204-4650-400-900 CONTINGENCY	.00	.00	100,000.00	100,000.00	.0
TOTAL VISITOR IMPROVEMENT	44,208.50	69,784.99	404,650.00	334,865.01	17.3
TOTAL FUND EXPENDITURES	44,208.50	69,784.99	404,650.00	334,865.01	17.3
NET REVENUE OVER EXPENDITURES	(31,193.29)	(31,357.61)	(104,649.00)	(73,291.39)	(30.0)

16



Memo

To: John Hier, City Manager
From: Wanda Nelson, CMC, City Clerk 
Date: Thursday, April 30, 2009
Subject: Liquor License Renewal(s)

LIQUOR LICENSE RENEWALS HAVE BEEN RECEIVED FOR:

Winchester Type of License: Tavern
2090 Whiteriver Avenue

Rifle Liquor Type of License: Liquor Store
704 Taughenbaugh Blvd.

The following criteria have been met by this/these business(es):

- The applications are complete.
- The fees have been paid.

Based on the above information, I recommend approval of this/these renewal(s).



MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Matt Sturgeon, Assistant City Manager *MS*
DATE: April 29, 2009
SUBJECT: 2009 Planning and Zoning Commission Appointments

Three regular seats and one alternate seat on the P&Z require Council appointment. Ken Plum and Helen Rogers submitted letters requesting to be reappointed to a regular seat. Jeff Giard, a regular member first appointed in 2002, is stepping down. Brian Burgess, an alternate whose term expires has requested being reappointed to the regular seat being vacated by Jeff Giard. Finally, Chad LaFrenz is applying to be an alternate on the P&Z board.

Because there are no additional applicants to consider, staff recommends the reappointment of existing P&Z members whose terms are up to regular seats. Staff would recommend the appointment of Chad LaFrenz to the alternate position. Staff does not believe interviews are necessary as all of the candidates, including Chad LaFrenz, have previously been interviewed by City Council. Chad was interviewed in 2006 with Brian Burgess, Rae Ann Bartels, and several other candidates.

2/27/09

Matt Sturgeon, Planning Director,

I am interested in serving
another term on the Rifle Planning and
Zoning Commission. Thanks for
your consideration.

Kenneth Plenn

Hm - phone # 625-2791

RECEIVED

FEB 27 2009

Charlotte Squires

From: Matt Sturgeon
Sent: Friday, April 17, 2009 10:14 AM
To: Charlotte Squires
Subject: FW: P&Z Alternate Position Letter of Intent

From: co.jeeper@gmail.com [mailto:co.jeeper@gmail.com] **On Behalf Of** Chad LaFrenz
Sent: Friday, April 17, 2009 10:12 AM
To: Matt Sturgeon
Subject: P&Z Alternate Position Letter of Intent

Mr. Sturgeon--

Let me start by thanking you for taking the time to speak with me about the opening on the Planning and Zoning Commission for the City of Rifle as an alternate. After taking some time to think about the position I would really like to be considered as a candidate for it. I have lived in this valley we all call home for thirteen years now and have always wanted to be able to give back to the community that has been good to my family.

My background entails a unique combination of skill sets. I have extremely technical job as the Western Slope Field Services Manager for Skybeam where I am in charge of maintaining all the current infrastructure that provides high-speed Internet to 6000 valley residents and another 7000 non-valley residents. I'm also in charge of all new infrastructure builds. For example, we completed the tower build at the monopole at the north end of Rifle where I was in charge of planning and executing the entire build from the electrical, to the FCC licensing, to the microwave radio and antenna installation. I've also been involved with numerous family businesses that have involved larger scale construction projects in the valley like the Kum & Go convenience store by I-70 and the Sonic Drive-In.

I know my talents could be a great asset to the P&Z Commission and would really enjoy serving for the City of Rifle.

Again, thank you very much for your time and consideration of my offer to join the Rifle P&Z Commission as an alternate.

Regards,
Chad J. LaFrenz

HR DESIGN

INTERIOR DESIGN + CONSULTING

110 East 3rd Street, Suite 212
Rifle, Colorado 81650
Tel: 970.274.6147
Fax: 970.625.8505
hrinteriordesign@msn.com

March 9, 2009

Planning Director
202 Railroad Ave.
Rifle, CO 81650

Dear Planning Director,

Please consider my application to be on the City of Rifle's Planning and Zoning Commission for another term.

During my past term as commissioner and recently appointed Chairman of P & Z, I have had the opportunity to gain knowledge in many directions regarding development and planning and hope to learn more.

I have a vested interest in Rifle as I own an interior design business in the downtown district and have completed various projects, commercial and residential, in Rifle that I hope contribute to the betterment of the city during the past 5 years.

I live and own property in downtown Rifle and would like to see the city continue on the path of sustainable design and architecture, smart growth and pedestrian friendly planning.

I feel that because of my design background, community involvement and experience, my vision for Rifle would continue to contribute to the future of Rifle's growth through the Planning and Zoning Commission.

Thank you for your consideration.

Sincerely,



Helen Rogers, B.S., B.F.A., Allied A.S.I.D.
218 E. Third St. (Home Address)
Rifle, Colorado 81650
Ph. 970.625.2911
C. 970.274.6147

April 7, 2009

To Whom It May Concern,

I have served as an alternate on the Rifle Planning and Zoning Board. I have very much enjoyed serving, felt like I have learned a lot and contributed when and where I can. I would like to continue on the P&Z Board and, if available, would like to be considered for a position as a regular voting member.

Sincerely,

Bryan K. Burgess
841 Hickory Drive
Rifle, CO 81650
Home: 625-9379
Cell: 618-4914

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
04/09	04/17/2009	42826	4213	Rays Classic Auto Body Corpora	3828	1	100-4210-400-810		1,185.95
04/09	04/17/2009	42827	5241	TSS Consultants	09-013	1	203-4652-400-611		4,524.00
04/09	04/17/2009	42828	5690	Antero Resources	04142009	1	100-005-110		2,135.08
04/09	04/17/2009	42829	4841	Coldwell Banker Western Land	2000408.002	1	210-3000-365-005		350.00
04/09	04/17/2009	42830	5347	COLORADO SOCIETY OF CPA'S	23904 4/09	1	100-4151-400-510		235.00
04/09	04/17/2009	42831	5689	DESIGN AUDIO/VIDEO	A 24063	1	100-4215-400-610		499.90
04/09	04/17/2009	42832	5202	ELDERADO SIGN & NEON	SIGN 2009-2	1	100-204-000		80.00
04/09	04/17/2009	42833	3015	Kroger/King Sooper Cust Charge	007716	1	100-4514-400-630		94.79
					025248	1	210-4512-400-580		62.56
					036285	1	210-4512-400-580		15.75
					038001	1	100-4514-400-630		66.45
					050247	1	100-4514-400-630		22.57
					072889	1	100-4310-400-340		6.85
					099260	1	100-4514-400-630		186.50
					100562	1	320-4325-400-580		27.41
					102981	1	100-4514-400-630		77.79
					109252	1	100-4210-400-610		70.59
					140161	1	310-4331-400-580		20.46
					686157	1	100-4191-400-580		20.13
Total 42833									671.85
04/09	04/17/2009	42834	2830	Qwest	625-0115	1	100-4210-400-530		1,234.00
					625-0163	1	320-4325-400-530		275.29
					625-0165 04/C	1	310-4331-400-530		275.29
					625-0166 04/C	1	210-4521-400-530		275.29
					625-0183 03/C	1	100-4210-400-530		275.29
					625-0309 03/C	1	210-4522-400-530		53.51
					625-0339 03/C	1	100-4310-400-530		96.90
					625-1060 3/0E	1	310-4331-400-530		82.11
					625-1877 03/C	1	100-4514-400-530		45.34
					625-2271 03/C	1	100-4191-400-530		20.95
					625-2271 03/C	2	100-4240-400-530		20.95
					625-2841 3/0E	1	310-4331-400-530		50.53
					625-3712 3/0E	1	100-4210-400-530		19.99
					625-3724 03/C	1	310-4331-400-530		54.43
					625-3798 3/0E	1	210-4521-400-530		50.18
					625-3957 03/C	1	100-4310-400-530		52.62
					625-4622 03/C	1	320-4325-400-530		63.66
					625-4960 03/C	1	100-4210-400-530		101.54
					625-8808 03/C	1	100-4414-400-530		95.04
					625-8929 03/C	1	210-4521-400-530		89.54
					625-9179 03/C	1	100-4151-400-530		88.72
Total 42834									3,321.17
04/09	04/17/2009	42835	2830	Qwest	625-0004 04/C	1	100-4114-400-530		12.92
					625-0004 04/C	2	100-4121-400-530		17.23
					625-0004 04/C	3	100-4132-400-530		21.53
					625-0004 04/C	4	100-4151-400-530		43.07
					625-0004 04/C	5	100-4191-400-530		43.07
					625-0004 04/C	6	100-4199-400-530		8.61
					625-0004 04/C	7	100-4240-400-530		34.45
					625-0004 04/C	8	100-4317-400-530		34.45
					625-0004 04/C	9	210-4512-400-530		51.68
					625-0004 04/C	10	100-4210-400-530		146.43
					625-0004 04/C	11	310-4331-400-530		4.31

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount	
					625-0004 04/C	12	320-4325-400-530		4.31	
					625-0004 04/C	13	210-4521-400-530		17.23	
					625-0004 04/C	14	100-4192-400-530		8.61	
		Total 42835								447.90
04/09	04/17/2009	42836	2830	Qwest	625-7330 03/C	1	100-4114-400-530		32.82	
					625-7330 03/C	2	100-4121-400-530		43.76	
					625-7330 03/C	3	100-4132-400-530		54.70	
					625-7330 03/C	4	100-4151-400-530		109.40	
					625-7330 03/C	5	100-4191-400-530		109.40	
					625-7330 03/C	6	100-4199-400-530		21.88	
					625-7330 03/C	7	100-4240-400-530		87.52	
					625-7330 03/C	8	100-4317-400-530		87.52	
					625-7330 03/C	9	210-4512-400-530		131.28	
					625-7330 03/C	10	100-4210-400-530		371.96	
					625-7330 03/C	11	310-4331-400-530		10.94	
					625-7330 03/C	12	320-4325-400-530		10.94	
					625-7330 03/C	13	210-4521-400-530		43.76	
					625-7330 03/C	14	100-4192-400-530		21.88	
		Total 42836								1,137.76
04/09	04/17/2009	42837	2357	S & M Water Consultants	04062009	1	310-4331-400-580		1,200.00	
					04062009	2	310-4331-400-580		1,200.00	
		Total 42837								2,400.00
04/09	04/17/2009	42838	5211	STAPLES	9193025678	1	100-4240-400-610		137.99	
04/09	04/17/2009	42839	1658	University Of Colorado	04/14/09	1	100-4114-400-580		1,070.00	
04/09	04/17/2009	42840	2393	Usda Forest Service	04/15/09	1	210-4512-400-501		110.00	
04/09	04/17/2009	42841	3994	Utah County Deputies Associati	04112009	1	100-4210-400-580		350.00	
04/09	04/17/2009	42842	1004	Verizon Wireless, Bellevue	0745629180	1	310-4331-400-530		237.58	
					0745629180	2	310-4331-400-530		265.35	
					0745629180	3	320-4325-400-530		240.87	
					0745629180	4	100-4132-400-530		38.54	
					0745629180	5	100-4191-400-530		66.87	
					0745629180	6	100-4317-400-530		147.13	
					0745629180	7	100-4240-400-530		62.46	
					0745629180	8	100-4192-400-530		262.22	
					0745629180	9	310-4331-400-530		32.90	
					0745629180	10	320-4325-400-530		32.90	
					0745629180	11	100-4199-400-530		59.67	
					0745629180	12	100-4111-400-530		34.29	
					0745629180	13	100-4135-400-530		65.89	
					0745629180	14	100-4514-400-530		29.80	
					0745633463	1	210-4521-400-530		263.68	
					0745633463	2	100-4194-400-530		29.82	
					0745633463	3	210-4512-400-530		279.14	
					0745633463	4	100-4422-400-530		33.64	
					0749214034	1	100-4210-400-530		1,184.30	
					0749214034	2	100-4414-400-530		38.29	
		Total 42842								3,405.34
04/09	04/17/2009	42843	2960	Walmart Community	006538	1	100-4210-400-610		175.68	
					007180	1	100-4514-400-630		19.44	

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount	
					008343	1	210-4513-400-610		81.61	
					024672	1	100-4191-400-580		15.76	
					025658	1	210-4521-400-610		5.08	
					026812	1	100-4310-400-610		131.44	
		Total 42843								429.01
04/09	04/17/2009	42844	1704	Western Colo Human Resource	04/06/09	1	100-4114-400-580		159.00	
04/09	04/17/2009	42845	1120	Xcel Energy Inc	190723326	1	310-4331-400-410		4,357.89	
					190877428	1	310-4331-400-410		59.94	
					190904405	1	100-4310-400-410		56.50	
					190904459	1	100-4310-400-410		55.43	
					190904508	1	100-4310-400-410		11.33	
		Total 42845								4,541.09
Totals:									27,191.04	

Dated: 4/16/09

Accounts Payable: _____

Finance Director: Chalo Kelly

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
04/09	04/24/2009	42850	5448	HAMILTON, ROD	04/22/09	1	100-4317-400-580		37.60
04/09	04/24/2009	42851	3015	Kroger/King Sooper Cust Charge	006853	1	100-4121-400-610		77.78
					048299	1	100-4210-400-610		58.74
					079025	1	310-4331-400-340		30.20
					079294	1	310-4331-400-610		13.63
					087623	1	100-4514-400-630		21.90
					106650	1	100-4514-400-630		8.00
					142276	1	100-4514-400-630		22.61
		Total 42851							232.86
04/09	04/24/2009	42852	5692	Perrin, Brie	2000413.002	1	210-3000-347-001		15.00
04/09	04/24/2009	42853	4240	Platinum Plus For Business	STEVENS 4/C	1	320-4325-400-580		1,124.00
					STEVENS 4/C	2	310-4331-400-580		6.44
					STEVENS 4/C	3	310-4331-400-580		50.06
					STEVENS 4/C	4	320-4325-400-580		50.07
		Total 42853							1,230.57
04/09	04/24/2009	42854	4240	Platinum Plus For Business	KELTY 04/09	1	100-4151-400-580		53.48
04/09	04/24/2009	42855	4240	Platinum Plus For Business	STURGEON (	1	100-4191-400-580		149.00
					STURGEON (	2	100-4191-400-580		37.25
		Total 42855							186.25
04/09	04/24/2009	42856	4240	Platinum Plus For Business	TYLER 04/09	1	100-4210-400-580		18.28
04/09	04/24/2009	42857	4240	Platinum Plus For Business	MEISNER 04/	1	100-4210-400-580		30.22
04/09	04/24/2009	42858	4240	Platinum Plus For Business	NELSON 4/09	1	100-4114-400-580		200.00
					NELSON 4/09	2	100-4111-400-580		26.32
					NELSON 4/09	3	100-4111-400-580		106.19
		Total 42858							332.51
04/09	04/24/2009	42859	4240	Platinum Plus For Business	EDGETON 04	1	210-4512-400-618		307.38
04/09	04/24/2009	42860	4240	Platinum Plus For Business	BRAATEN 04,	1	100-4135-400-510		99.57
					BRAATEN 04,	2	100-4135-400-580		51.28
		Total 42860							150.85
04/09	04/24/2009	42861	4240	Platinum Plus For Business	BROHAUGH (	1	100-4114-400-580		64.39
					BROHAUGH (	2	100-4111-400-610		15.73
					BROHAUGH (	3	100-4111-400-580		381.49
					BROHAUGH (	4	204-4650-400-580		117.38
					BROHAUGH (	5	100-4132-400-580		39.00
		Total 42861							617.99
04/09	04/24/2009	42862	4240	Platinum Plus For Business	STURGEION	1	100-4114-400-580		34.40
					STURGEION	2	100-4114-400-610		20.57
					STURGEION	3	100-4132-400-610		20.57
					STURGEION	4	100-4114-400-580		199.44
		Total 42862							274.98
04/09	04/24/2009	42863	4240	Platinum Plus For Business	LONG 04/09	1	100-4240-400-580		11.34
04/09	04/24/2009	42864	4240	Platinum Plus For Business	KELLY 04/09	1	100-4317-400-580		26.57
04/09	04/24/2009	42865	4240	Platinum Plus For Business	RYAN 04/09	1	100-4210-400-580		42.35

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
04/09	04/24/2009	42866	2830	Qwest	1008500886	1	100-4114-400-530		16.76
					1008500886	2	100-4121-400-530		22.35
					1008500886	3	100-4132-400-530		27.94
					1008500886	4	100-4151-400-530		55.87
					1008500886	5	100-4191-400-530		55.87
					1008500886	6	100-4199-400-530		11.17
					1008500886	7	100-4240-400-530		44.70
					1008500886	8	100-4317-400-530		44.70
					1008500886	9	210-4512-400-530		67.04
					1008500886	10	100-4210-400-530		189.96
					1008500886	11	310-4331-400-530		5.59
					1008500886	12	320-4325-400-530		5.58
					1008500886	13	210-4521-400-530		22.35
					1008500886	14	100-4192-400-530		11.17
Total 42866									581.05
04/09	04/24/2009	42867	2409	Reserve Account	2409 04/09	1	310-4331-400-340		643.06
					2409 04/09	2	320-4325-400-340		643.06
					2409 04/09	3	330-4320-400-340		643.05
					2409 04/09	4	100-4111-400-340		39.37
					2409 04/09	5	100-4114-400-340		111.54
					2409 04/09	6	100-4121-400-340		435.22
					2409 04/09	7	100-4132-400-340		23.72
					2409 04/09	8	100-4151-400-340		1,311.81
					2409 04/09	9	100-4191-400-340		124.27
					2409 04/09	10	100-4199-400-340		25.91
					2409 04/09	11	100-4210-400-340		309.49
					2409 04/09	12	100-4240-400-340		169.75
					2409 04/09	13	100-4317-400-340		214.68
					2409 04/09	14	210-4512-400-340		595.00
					2409 04/09	15	210-4521-400-340		5.61
					2409 04/09	16	205-4651-400-340		19.23
					2409 04/09	17	310-4331-400-340		50.84
					2409 04/09	18	320-4325-400-340		5.91
					2409 04/09	19	100-4422-400-340		1.26
					2409 04/09	20	100-4135-400-340		1.26
					2409 04/09	21	100-4800-400-887		.42
Total 42867									5,374.46
04/09	04/24/2009	42868	5516	Rifle City Petty Cash - PD	04242009	1	100-4210-400-340		22.45
					04242009	2	100-4210-400-580		28.76
					04242009	3	100-4210-400-610		20.00
					04242009	4	100-4210-400-580		39.55
Total 42868									110.76
04/09	04/24/2009	42869	3900	Shaw, Frankie	04242009	1	100-4310-400-580		37.63
04/09	04/24/2009	42870	1609	Squires, Charlotte	042125009	1	100-4191-400-580		48.13
04/09	04/24/2009	42871	5211	STAPLES	1544824001	1	100-4210-400-610		199.50
					9726874001	1	100-4210-400-610		185.51
Total 42871									385.01
04/09	04/24/2009	42872	5691	Tripp Construction Inc	3380102	1	001-004-175		85.92
04/09	04/24/2009	42873	1658	University Of Colorado	04/10/09	1	100-4310-400-610		45.00

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Disconts Taken	Seq Amount
					04/10/09	2	100-4310-400-610		45.00
Total 42873									90.00
04/09	04/24/2009	42874	1152	Us Postmaster--Rifle	5001 04/09	1	310-4331-400-340		378.77
					5001 04/09	2	320-4325-400-340		378.76
					5001 04/09	3	330-4320-400-340		378.76
Total 42874									1,136.29
04/09	04/24/2009	42875	2960	Walmart Community	021940	1	100-4514-400-610		73.29
					022673	1	100-4514-400-630		241.06
					04/22/09	1	100-4514-400-630		241.06
Total 42875									555.41
04/09	04/24/2009	42876	5693	Western Colorado Chapter	04222009	1	100-4114-400-510		35.00
04/09	04/24/2009	42877	1120	Xcel Energy Inc	192166555	1	100-4310-400-410		11,875.18
Totals:									23,883.07

Dated: 4/24/09

Accounts Payable: _____

Finance Director: Chris Hill

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
1003	Action Shop Services, Inc	SI43844	PROPANE FUEL	04/13/2009	13.40		
		SI43910	PROPANE FUEL	04/15/2009	81.27		
Total 1003					94.67	.00	
1009	B & B Plumbing, Inc	28852	REPAIR/ROOTED OUT 30'	04/14/2009	2,043.20		
		28862	dearfield park cons	04/14/2009	136.85		
		28872	COMP BRASS	04/14/2009	66.39		
		28877	TURNED WATER ON AT POOL/POOL	04/20/2009	237.50		
Total 1009					2,483.94	.00	
1010	B & H Sports	009687-AN06	BASEBALL & SOFTBALL PANTS	04/16/2009	461.25		
		003637-AN02	BATTING TES, WAFFLE BASES	04/23/2009	181.65		
Total 1010					642.90	.00	
1018	Valley Lumber	20754	COUPLING, CLAMP	03/27/2009	6.74		
		21288	SAFETY RED, HUNTER	04/06/2009	48.39		
		21366	SAFETY RED SPR PAINT/O&M	04/07/2009	26.94		
		21513	PAINTING SUPPLIES FOR SHED	04/09/2009	236.16		
		21843	Wedge anchor	04/15/2009	4.45		
		22067	PARTS FOR WTP	04/20/2009	60.96		
		22544	4" HOLE SAW	04/27/2009	31.97		
Total 1018					415.61	.00	
1022	Central Distributing Co	791588	GLOVES	04/08/2009	61.80		
		791589	CLEANING SUPPLIES	04/08/2009	180.23		
		791593	CLEANING SUP/SR CENTER	04/08/2009	395.01		
		791594	kitchen towels	04/08/2009	41.40		
		792079	LYSOL	04/10/2009	61.13		
		792209	DISP GLOVES	04/14/2009	21.20		
		792310	TRASH BAGS	04/15/2009	118.64		
		792311	TRASH BAGS, CUPS, GLOVES	04/15/2009	227.65		
		792710	GLOVES	04/17/2009	35.70		
		792960	CLEANING SUPPLIES	04/22/2009	142.07		
		792964	TRASH BAG, KTCH TOWELS, NAPKINS	04/22/2009	216.97		
		793607	TRASH BAGS	04/29/2009	183.36		
Total 1022					1,685.16	.00	
1026	Cirsa	090857	CLAIM #5010705	04/20/2009	2,207.88		
Total 1026					2,207.88	.00	
1041	Colo Dept Of Public Hlth & Env	104621	EM WATER TESTING	04/07/2009	216.00		
Total 1041					216.00	.00	
1055	Columbine Ford, Inc	93583	WIRING ASSY	04/20/2009	43.51 -		
Total 1055					43.51 -	.00	
1059	Consolidated Electrical Distr	4983-491741	600V FUSE	04/08/2009	28.83		
Total 1059					28.83	.00	
1060	Copeland Concrete, Inc	29192	48" dia manhole	04/06/2009	103.00		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 1060					103.00	.00	
1062	Dana Kepner Company	1322079-00	Meter's & MXU's	03/23/2009	438.84 -		
		1322768-00	Meter's & MXU's	04/16/2009	3,861.00		
Total 1062					3,422.16	.00	
1070	Federal Express Corp	8-966-99598	SHIPPING	04/02/2009	71.24		
		9-152-55056	SHIPPING	04/09/2009	14.30		
Total 1070					85.54	.00	
1076	Garfield County Landfill	09-00000091	Landfill	03/31/2009	12,207.88		
Total 1076					12,207.88	.00	
1080	Garfield County Treasurer	09-00000005	Grant Match Garco New Energy Communi	04/15/2009	20,000.00		
Total 1080					20,000.00	.00	
1087	Grainger	9874170831	FUSES	04/06/2009	92.76		
Total 1087					92.76	.00	
1105	Meadow Gold Dairies	00279984	FOOD PRODUCTS/SR CENTER	04/16/2009	71.80		
		00280047	MILK PRODUCTS	04/23/2009	56.64		
		0279928	MILK PRODUCTS	04/09/2009	33.93		
Total 1105					162.37	.00	
1106	Micro Plastics Inc	75309	BRASS BADGE/PD	03/23/2009	5.49		
		75470	NAME PLATE	04/01/2009	22.00		
		75599	BLK SELF INKING STAMP	04/13/2009	19.75		
Total 1106					47.24	.00	
1108	Mountain Clear Bottled Water	278895	COOK & COLD WATER COOLER	04/10/2009	203.50		
		278951	BOTTLED WATER	04/21/2009	12.50		
		281916	BOTTLED WATER	04/29/2009	12.75		
		282932	BOTTLED WATER	04/06/2009	8.50		
		76438	BOTTLED WATER	04/08/2009	34.25		
		79720	BOTTLED WATER	04/15/2009	6.85		
		79721	BOTTLED WATER	04/15/2009	47.95		
		79844	BOTTLED WATER	04/23/2009	6.85		
		79845	BOTTLED WATER	04/23/2009	54.80		
		79953	BOTTLED WATER	04/29/2009	34.25		
Total 1108					422.20	.00	
1110	Napa Auto Parts	023038	ARMORALL WIPES	04/03/2009	11.18		
		024163	AIR TANK	04/09/2009	45.87		
		025657	GEAR OIL	04/17/2009	65.54		
		026463	FUNNEL	04/21/2009	40.05		
		026958	BOOSTER CABLE	04/23/2009	34.89		
		027192	OIL FILTER	04/24/2009	35.58		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 1110					233.11	.00	
1118	Parts House	S427290	RIVETS, HOSE, CLAMPS	04/15/2009	5.70		
Total 1118					5.70	.00	
1123	Rifle Conoco/Rifle Towing	15742	TOWING	04/05/2009	458.50		
		18187	TOWING	03/13/2009	102.00		
		18464	FULL SERVICE/4V20	03/16/2009	88.08		
		18492	FULL SERVICE/4V17	03/16/2009	88.08		
		18591	FULL SERVICE	03/17/2009	88.08		
		19998	FULL SERVICE/4V10	04/01/2009	52.73		
Total 1123					877.47	.00	
1125	Rifle Chamber Of Commerce	ST QTR 2009	rifle information center	04/28/2009	31,628.50		
Total 1125					31,628.50	.00	
1132	Rifle Lock & Safe	28666	ENTRY LEVER	03/04/2009	151.50		
		28802	PADLOCKS	04/24/2009	100.62		
Total 1132					252.12	.00	
1143	Swallow Oil Company	04152009	UNLEADED /FLEET DIESEL//FLEET	04/15/2009	1,958.84 802.38		
Total 1143					2,761.22	.00	
1188	Jean's Printing	901571	REC ENV/REC	04/07/2009	225.12		
		901644	MYLAR COPIES	04/10/2009	30.00		
Total 1188					255.12	.00	
1191	Lewan & Associates, Inc	522773	B&W METER	04/22/2009	107.88		
		522835	B&W METER	04/22/2009	246.97		
		523418	B&W METER	04/23/2009	436.70		
Total 1191					791.55	.00	
1233	Grand River Hospital District	V215822	DRUG SCREEN/KOLEY/PD	04/05/2009	128.00		
Total 1233					128.00	.00	
1256	Resource Engineering, Inc	6522	BEAVER CREEK RESERVOIR FEASIBIL	03/31/2009	236.25		
		6523	ANTERO RESOURCES WATERSHED PEI	03/31/2009	202.50		
		6524	laramie energy - watershed permit	03/31/2009	541.45		
		6525	ETC PIPELINE	03/31/2009	363.50		
		6526	Williams	03/31/2009	101.25		
		6527	ENCANA WATER SHED PERMIT	03/31/2009	101.25		
		6528	Grand tunnel ditch	03/31/2009	447.55		
Total 1256					1,993.75	.00	
1258	Hach Company	6196820	LAB SUPPLIES/WATER	04/17/2009	101.47		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 1258					101.47	.00	
1289	Galls Incorporated	510029088	White cotton dress	04/08/2009	202.94		
		51008755	high risk gloves	04/06/2009	383.99		
Total 1289					586.93	.00	
1339	Grand Junction Pipe & Supply	C2289017	CHANNEL DRAIN, pipe fittings	04/03/2009	1,548.18		
		C2289051	quick cplr, multi strand wire, valve box	04/06/2009	489.60		
		C2289451	lid, ring	04/14/2009	480.00		
Total 1339					2,517.78	.00	
1358	Timber Line Electric & Control	12362	West tank radio repair	04/13/2009	480.00		
Total 1358					480.00	.00	
1407	Usa Blue Book	787150	ECONOMY DIPPER	03/31/2009	74.20		
		788125	DO METER, PROBE	04/01/2009	520.61		
		788178	Swing sampler	04/01/2009	303.85		
		791752	DO METER	04/07/2009	240.00		
Total 1407					1,138.66	.00	
1473	Infopak International, Inc	00036890	24PAK/PERMIT	04/21/2009	205.36		
Total 1473					205.36	.00	
1487	Hepworth-pawiak Geotech. Inc	0108736	PO # 243 / highway 6 & 24	03/31/2009	1,006.75		
Total 1487					1,006.75	.00	
1649	Ikon Office Solutions	79145183	IMAGERUNNER LEASE/MIN IMAGES	04/30/2009	1,083.95		
Total 1649					1,083.95	.00	
1768	Faris Machinery Company	G18001	CYLINDER	04/03/2009	1,530.04		
		G18017	ARM GUIDE SHIM	04/13/2009	284.21		
		G18036	BUSHING, BUSHING PIVOT	04/07/2009	472.59		
Total 1768					2,286.84	.00	
1777	Evergreen Analytical Lab	09040523	TRICHALOMETHANES,DW	04/21/2009	216.00		
		09040583	ALKALINITY	04/22/2009	218.00		
Total 1777					434.00	.00	
1792	Musco Lighting,Ilc-south Regio	191867	SPORTS LIGHTING	04/13/2009	268.00		
Total 1792					268.00	.00	
1830	Grand Valley Foods	100722	FOOD PRODUCT/SR CENTER	04/10/2009	605.41		
		100826	FOOD PRODUCT/SR CENTER	04/14/2009	45.19		
		100894	FOOD PRODUCT/SR CENTER	04/17/2009	411.89		
Total 1830					1,062.49	.00	
1839	Valley Electric Supply, Inc.	5172058	FUSES	04/03/2009	33.64		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
		5172508	FUSES	04/14/2008	33.64		
		5172509	FUSES	04/14/2009	50.46		
Total 1839					117.74	.00	
1871	Energy Equipment & Supply	51825/3	tie-downs	04/14/2009	10.99		
		51846/3	Pipe fittings	04/16/2009	54.35		
Total 1871					65.34	.00	
1873	N.a.d.a. Appraisal Guides	995839 03/09	CLASSIC CAR APPRAISAL GUIDE/PD	03/28/2009	68.00		
Total 1873					68.00	.00	
2021	Gmco Corporation	23575	SUPERSTRETCH CRACK SEAL	04/14/2009	1,687.50		
Total 2021					1,687.50	.00	
2122	Utility Notification Center Co	20903569	TRANSMISSIONS	03/31/2009	106.26		
Total 2122					106.26	.00	
2149	Dell Marketing L.p.	XD6F54M32	16x dvd +	04/16/2009	90.00		
Total 2149					90.00	.00	
2159	Lab Safety Supply Inc	1013306766	GLV TOUCHTUFF	04/20/2009	257.53		
Total 2159					257.53	.00	
2169	Information Systems Consulting	0046111-CM	COURT SERVER	03/05/2009	3,967.00		
		0046528-IN	I.T. Equipment Service Contracts	04/09/2009	8,721.13		
			I.T. Equipment Service Contract		2,000.00		
		0046626-IN	NEW EMERGENCY PUSH BUTTON PHC	04/21/2009	370.00		
Total 2169					7,124.13	.00	
2208	Amerigas	613-239837A	PROPANE	04/15/2009	574.99		
Total 2208					574.99	.00	
2343	Mountain Pest Control	0203867	EXTERMINATOR SERVICES	04/03/2009	50.00		
		0204573	BAIT BOXES/ANIMAL SHELTER	04/03/2009	50.00		
Total 2343					100.00	.00	
2432	Seton Identification Products	9309214191	S hooks	04/13/2009	60.85		
Total 2432					60.85	.00	
2469	Pinnacol Assurance	14857956	WORKER'S COMP AUDIT ADJUSTMENT	04/06/2009	1.24		
			WORKER'S COMP AUDIT ADJUSTMENT		6.73		
			WORKER'S COMP AUDIT ADJUSTMENT		7.89		
			WORKER'S COMP AUDIT ADJUSTMENT		10.55		
			WORKER'S COMP AUDIT ADJUSTMENT		6.34		
			WORKER'S COMP AUDIT ADJUSTMENT		18.06		
			WORKER'S COMP AUDIT ADJUSTMENT		26.29		
			WORKER'S COMP AUDIT ADJUSTMENT		7.03		
			WORKER'S COMP AUDIT ADJUSTMENT		39.55		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
			WORKER'S COMP AUDIT ADJUSTMENT		30.55		
			WORKER'S COMP AUDIT ADJUSTMENT		10.89		
			WORKER'S COMP AUDIT ADJUSTMENT		1,189.90		
			WORKER'S COMP AUDIT ADJUSTMENT		72.40		
			WORKER'S COMP AUDIT ADJUSTMENT		355.02		
			WORKER'S COMP AUDIT ADJUSTMENT		187.83		
			WORKER'S COMP AUDIT ADJUSTMENT		60.21		
			WORKER'S COMP AUDIT ADJUSTMENT		25.62		
			WORKER'S COMP AUDIT ADJUSTMENT		40.01		
			WORKER'S COMP AUDIT ADJUSTMENT		73.43		
			WORKER'S COMP AUDIT ADJUSTMENT		2.58		
			WORKER'S COMP AUDIT ADJUSTMENT		33.93		
			WORKER'S COMP AUDIT ADJUSTMENT		20.96		
			WORKER'S COMP AUDIT ADJUSTMENT		289.33		
			WORKER'S COMP AUDIT ADJUSTMENT		96.65		
			WORKER'S COMP AUDIT ADJUSTMENT		239.69		
			WORKER'S COMP AUDIT ADJUSTMENT		493.52		
			WORKER'S COMP AUDIT ADJUSTMENT		234.61		
			WORKER'S COMP AUDIT ADJUSTMENT		115.47		
			WORKER'S COMP AUDIT ADJUSTMENT		66.72		
Total 2469					3,763.00	.00	
2497	Techdepot/Solution 4Sure	390410535V1	TONER CARTRIDGE & drum	04/15/2009	240.04		
Total 2497					240.04	.00	
2540	Walker Electric	3141	METRO POOL	04/21/2009	1,850.00		
Total 2540					1,850.00	.00	
2573	Mountain West Office Products	223080	FOLDING TABLES	01/26/2009	112.99		
		224673I	WALL POCKET, DESK PAD	02/26/2009	44.33		
		225545I	BNDG COVER	03/18/2009	221.23		
		226045I	CALENDAR, PLANNER	03/31/2009	22.66		
		226046I	BINDER	03/31/2009	45.42		
		226157I	ENV, NOTES, LEGAL PAD	03/31/2009	419.37		
		226367I	INK CARTRIDGE	04/07/2009	93.29		
		226383I	STAPLER	04/08/2009	21.28		
		226825	TABS - SUPPLIES	04/17/2009	8.79		
		227066I	STAPLER, ELECTRIC PUNCH	04/24/2009	102.44		
		227202I	NOTARY BOOK	04/28/2009	13.85		
		2277226I	FLIPCHART	04/29/2009	17.40		
Total 2573					1,123.05	.00	
2846	Colo Mtn News Media	2970985 3/09	Builder classes	03/31/2009	139.96		
		2977613 3/09	Builder classes	03/31/2009	322.94		
		3014028	BOOKCLIFF ANNEX	03/31/2009	66.79		
		3076267	TEXT AMEND	03/31/2009	9.61		
		3076420	OPEN SPACE	03/31/2009	9.61		
		3082047	TA 2009-01	03/31/2009	10.12		
		3082291	PLAN COMMISSION SEATS	03/31/2009	18.22		
		3099268	GPI vehicle bid	03/31/2009	17.94		
		3115197	ORD 4-7	03/31/2009	57.68		
		3183897	City of Rifle Spring Cleanup	03/31/2009	1,042.19		
			wrong account #		1,042.19 -		
			Correct account #		1,042.19		
		3184672	ORD # 4	03/23/2009	78.91		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
		3184699	ORD # 5	03/23/2009	455.25		
		3203480	RIFLE REC ROUND UP	04/02/2009	129.90		
		3257464	RIFLE REC ROUND UP	04/09/2009	129.90		
		3281956	RIFLE REC ROUND UP	04/16/2009	129.90		
		3316522	RIFLE REC ROUND UP	04/23/2009	129.90		
		3349077	RIFLE REC ROUND UP	04/30/2009	129.90		
Total 2846					2,878.72	.00	
2940	Face-n-space Silkscreening	2937	SOCCER T-SHIRTS	04/10/2009	563.85		
		2940	SHIRTS ENFORCEMENT OFFICER	04/13/2009	100.44		
Total 2940					664.29	.00	
3015	Kroger/King Sooper Cust Charge	686157 CR	PAID WITH PERSONAL CC NOT CITY C	04/07/2009	20.13 -		
Total 3015					20.13 -	.00	
3016	Flattops Fencing And Supply	96603	TENSION BAND	04/08/2009	16.56		
Total 3016					16.56	.00	
3083	ALSCO	LGRA669325	work shirts and pants	03/31/2009	21.89		
		LGRA672733	LAUNDRY	04/07/2009	28.83		
		GRA6727410	work shirts and pants	04/07/2009	21.89		
		LGRA675890	LAUNDRY	04/14/2009	56.85		
		LGRA675897	work shirts and pants	04/14/2009	21.89		
		LGRA678894	LAUNDRY	04/21/2009	29.43		
		LGRA678901	work shirts and pants	04/21/2009	21.89		
Total 3083					202.67	.00	
3093	4imprint Inc	1484524	ROUND STIC PEN	04/13/2009	302.72		
Total 3093					302.72	.00	
3156	Superwash Of Rifle	2008 04/09	CARWASHES/STREETS	04/01/2009	61.36		
		2025 04/09	CAR WASH	04/01/2009	171.91		
		2030 04/09	CAR WASH	04/01/2009	6.00		
Total 3156					239.27	.00	
3251	Mountain Communications And Ei	201383	GRASS MESA RENTAL	04/01/2009	250.00		
Total 3251					250.00	.00	
3389	Sandy's Office Supply Inc	782083	Toner	03/02/2009	358.98		
		782218	PAd, mouse, daisy	03/03/2009	7.48		
		783007	CRTDG	03/06/2009	77.98 -		
		788020	badge, pen	04/02/2009	10.41		
		788736	matrix brd	04/07/2009	14.99		
		789656	CUSTOM STAMP	04/13/2009	27.00		
Total 3389					340.88	.00	
3446	Staples Business Advantage	8012195625	COPY PAPER	04/04/2009	479.85		
			CABLE LOCK		31.99		
		8012261592	BUSINESS CARD HOLDER	04/11/2009	99.41		
			DYMO LABELS		21.29		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
			DYMO LABELS		21.29		
Total 3446					653.83	.00	
3723	Flint Trading Inc	105793	VALVE, TRIGGER, HOSE SWIVEL CONN	04/17/2009	321.55		
		105927	PREMARK SEALER	04/21/2009	238.32		
Total 3723					559.87	.00	
3798	Ace Industrial Supplies	886578	Cable ties	04/08/2009	226.20		
Total 3798					226.20	.00	
3827	Morton Salt	834545	BULK SALT/WATER	04/07/2009	2,201.86		
Total 3827					2,201.86	.00	
3909	Mancinelli's	PO 33988	PIZZA FOR MEETINGS	04/28/2009	88.75		
Total 3909					88.75	.00	
3972	Hier, John	04282009	TRAVEL EXPENSE/CITY MANAGER	04/28/2009	200.00		
Total 3972					200.00	.00	
4021	Rifle Equipment Inc	CI000731	BELT	04/13/2009	30.11		
Total 4021					30.11	.00	
4055	UPS/United Parcel Service	JY2097W099	SHIPPING CHARGES	02/28/2009	17.71 -		
		JY2097W149	SHIPPING CHARGES	04/04/2009	12.13		
Total 4055					5.58 -	.00	
4141	True Brew Coffee Service	118617	COFFEE	04/09/2009	31.30		
		118618	COFFEE	04/09/2009	44.14		
		118690	COFFEE	04/15/2009	31.30		
Total 4141					106.74	.00	
4184	Winston Associates Inc	30946	PO 31551 RIFLE COMPERHENSIVE PLA	03/31/2009	5,294.40		
		30947	PO 31551 RIFL EAST GATEWAY	03/31/2009	1,482.50		
Total 4184					6,776.90	.00	
4207	Radio Shack	10113356	TELEPHONE REC	04/20/2009	21.99		
Total 4207					21.99	.00	
4397	La Quinta Inn	6025842	Scott Harrington/Dan Kennelly	04/02/2009	380.00		
Total 4397					380.00	.00	
4406	Rifle Creek Stone Inc	19746	3/4" screened	04/07/2009	1,100.62		
		3763 & 19766	3/4" screened	04/08/2009	308.48		
Total 4406					1,409.10	.00	
4459	Ground Engineering Consultants	096502.0-2	field testing 4th & RR improvements	04/20/2009	47.00		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 4459					47.00	.00	
4501	GI Sports	456427	BASEBALL SUPPLIES	04/20/2009	634.22		
Total 4501					634.22	.00	
4559	Holmes Concrete LLC	121380	SLAB ON GRADE/CHLORINE BUILDING	04/29/2009	3,500.00		
Total 4559					3,500.00	.00	
4630	Kirkman, Ula	10	PERFORMANCE/SR CENTER	04/14/2009	75.00		
Total 4630					75.00	.00	
4674	PBS&J	1041015	Rifle Arterial Engineering and Streetscape	04/20/2009	37,464.59		
Total 4674					37,464.59	.00	
4734	Vandewalle & Associates, Inc.	200903055	PO 250 / ZONING CODE UPDATE	03/31/2009	2,427.50		
Total 4734					2,427.50	.00	
4772	Tradesman The	200901076	FIREARMS	04/06/2009	2,070.00		
Total 4772					2,070.00	.00	
4775	Hd Supply Waterworks	8721902	pvc	03/28/2009	125.00		
		8734190	inline drain	03/20/2009	63.00		
Total 4775					188.00	.00	
4811	United Site Services Inc	I-264655	restrooms	04/10/2009	520.00		
Total 4811					520.00	.00	
4825	Cross Propane Gas	50105	PROPANE/PW FACILITY	04/16/2009	948.10		
Total 4825					948.10	.00	
4839	Apeiron Utility Construction	2764	Repair street lights and ped signals	04/24/2009	1,365.00		
Total 4839					1,365.00	.00	
4869	My Precious Pet	12	TANK CLEANING	04/11/2009	75.00		
Total 4869					75.00	.00	
4879	Cardiff Cleaning Services	3344	STRIP AND SEAL 4 RESTROOMS	04/05/2009	455.58		
Total 4879					455.58	.00	
4926	Ge Capital	51779086	KIP PRINTER	04/08/2009	391.49		
		51839688	SHARP COPIERS/ FINANCE	04/19/2009	216.47		
			SHARP COPIERS/ PD		359.22		
Total 4926					967.18	.00	
4960	PXI INC	28-224	dump trucks for spring clean up	04/24/2009	7,920.00		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 4960					7,920.00	.00	
5055	DPA Architectural Group	1584	RIFLE PARK MAINT FACILITY	04/13/2009	6,845.60		
Total 5055					6,845.60	.00	
5064	MOUNTAIN MICROFILM INC	10619	scanning services	03/19/2009	588.67		
Total 5064					588.67	.00	
5078	BSN SPORTS COLLEGIATE PACIF	93080867	BASEBALL SUPPLIES	04/20/2009	323.47		
Total 5078					323.47	.00	
5181	FRED'S HARDWARE	5723/2	Wire, fastner mis	03/31/2009	8.79		
		5785/2	CLR SOLUTION OIL	04/07/2009	67.96		
		5805/2	Paint supplies	04/08/2009	58.37		
		5816/2	EXT tube, p-trap	04/08/2009	7.18		
		5833/2	black roof seal	04/09/2009	10.74		
		5842/2	GRILL COVER	04/10/2009	76.52		
		5874/2	Wet/dry cement	04/14/2009	10.30		
		5884/2	FASTNER MISC, broom	04/14/2009	17.52		
		5888/2	Padlock	04/15/2009	13.78		
		5891/2	Return padlock	04/15/2009	9.79		
		5893/2	FASTNER MISC	04/15/2009	21.12		
		5910/2	NIPPLE, GLAV, ELBOW	04/16/2009	28.13		
		5915/2	FASTNER MISC	04/17/2009	8.94		
		5916/2	bottle jack, hammer, screwdriver	04/17/2009	56.97		
		5919/2	Paint supplies	04/17/2009	84.92		
		5927/2	batteries, toilet, broom	04/17/2009	46.24		
		5928/2	Wet/dry pump, iron sump pump, hose, cor	04/17/2009	408.40		
		5929/2	Galv bushing, black bushing	04/17/2009	.80		
		5932/2	9v battery	04/19/2009	15.50		
		5939/2	MARINE	04/20/2009	23.99		
		5946/2	MASONRY BIT	04/20/2009	7.58		
		5949/2	Locknut, clamp connector	04/20/2009	16.92		
		5954/2	WRENCH, ANCHOR	04/21/2009	20.67		
		5971/2	PVC Coupling, ball valve	04/22/2009	21.41		
		5974/2	CONDUIT, CAULK	04/22/2009	22.78		
		5976/2	3/16 brs barb	04/22/2009	2.08		
		5992/2	Pipe fittings	04/23/2009	22.44		
		5994/2	Sch40	04/23/2009	4.89		
		5995/2	FASTNER MISC	04/23/2009	6.20		
		6004/2	Ant stakes	04/24/2009	11.98		
		6007/2	Sprayer	04/24/2009	25.99		
		6029/2	STrap, padlock, bungee	04/26/2009	44.37		
Total 5181					1,163.69	.00	
5191	STANEK CONSTRUCTORS, INC.	04082009	pump station 6" force main	04/08/2009	12,699.00		
Total 5191					12,699.00	.00	
5198	USA MOBILITY WIRELESS, INC.	S0381004D	PAGERS/O&M	04/01/2009	26.16		
Total 5198					26.16	.00	
5212	MASTER WASH	1699	PARTS WASHER	04/05/2009	120.00		

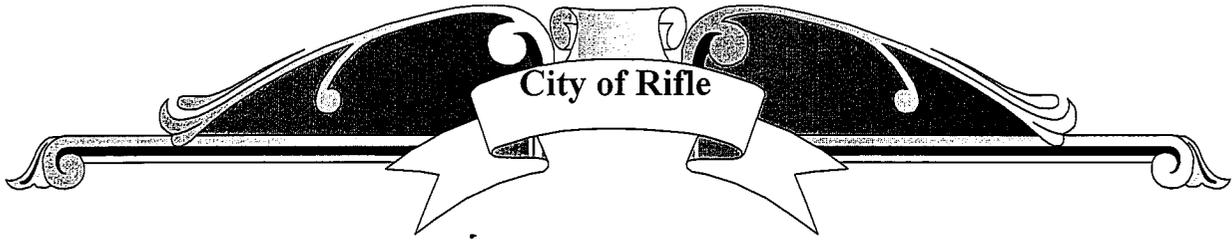
Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 5212					120.00	.00	
5241	TSS Consultants	09	Bio-Feedstock Feasibility Stud	04/04/2009	2,479.88		
Total 5241					2,479.88	.00	
5253	FASTENAL	CORIF22789	QUICK LINK	04/13/2009	55.32		
		CORIF23039	BOSCH 5/16" X 6"	04/23/2009	88.74		
		CORIF23050	RAMSET 3/8 X 4	04/23/2009	46.75		
Total 5253					190.81	.00	
5365	American Windshield Repair	1460	back window	04/07/2009	150.00		
Total 5365					150.00	.00	
5368	Mountain Restroom, Inc.	3597	portable restrooms/ unit #547/Sewer	04/04/2009	95.00		
		3598	portable restrooms wtp	04/04/2009	95.00		
Total 5368					190.00	.00	
5431	Stolfus & Associates, Inc.	8	PO 160 /Hwy 13 Access Control Plan	04/14/2009	12,404.19		
Total 5431					12,404.19	.00	
5450	Denver Industrial Pump, Inc.	133426	craftco 50251 digital readout	04/21/2009	96.93		
Total 5450					96.93	.00	
5473	MX LOGIC	INV267211	spam service	04/01/2009	132.00		
Total 5473					132.00	.00	
5518	CURRENT SOLUTIONS	2813	install talk-a-phone	12/30/2008	5,886.00		
Total 5518					5,886.00	.00	
5545	White Construction Group	PAY APP 6	Park Maintenance Facility Construction Park Maintenance Facility Construction	03/31/2009	441,422.74 79,206.23 -		
Total 5545					362,216.51	.00	
5548	Power Equipment Company	G901040724	SIDE CUTTER KIT	01/12/2009	724.81		
		G904041810	NARROW WRAP	04/21/2009	375.00		
		G904041830	GUTTER BROOM	04/22/2009	277.79		
Total 5548					1,377.60	.00	
5575	FRED'S RANCH & INDUSTRIAL SU	501926/4	LEAF RAKE	03/30/2009	11.99		
		502232/4	CR round rod	04/09/2009	17.69		
		502328/4	Cable puller	04/13/2009	45.97		
		502619/4	Lime green vest	04/23/2009	54.60		
Total 5575					130.25	.00	
5647	Protek Industrial Services, LL	04132009	Pool Locker Room/breezeway painting	04/13/2009	5,500.00		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 5647					5,500.00	.00	
5670	Thon, Bob	2030	Piano Playing/Sr Cntr	04/03/2009	40.00		
Total 5670					40.00	.00	
5679	DRAGON M.A., LARRY	04022009	WORKSHOP/ RESPONSIBLE SERVING	04/02/2009	350.00		
Total 5679					350.00	.00	
5685	SIEMEN ENERGY & AUTOMATION	5563232575	2 Miox Tank HydroRangers and Transduc	04/20/2009	3,604.06		
Total 5685					3,604.06	.00	
5694	ASD POOL SUPPLY	19345	6HR MOTOT UNIT	04/22/2009	1,050.46		
Total 5694					1,050.46	.00	
5695	B & D MAINTENANCE, INC	2941	K-STYLE GUTTERS	04/06/2009	366.00		
Total 5695					366.00	.00	
5696	LONG BUILDING TECHNOLOGIES	BE00032039	COOK GC-740/MIOX BUILDING	04/10/2009	345.00		
		BE00032213	RUSKIN/MIOX BUILDING	04/16/2009	300.00		
Total 5696					645.00	.00	
5697	CHEYENNE LIVESTOCK & PRODU	24209	LIFE RING CABINET	04/21/2009	1,970.35		
		24210	LIFE RING CABINET	04/21/2009	1,970.35		
Total 5697					3,940.70	.00	
5698	GEOTECH ENVIRONMENTAL EQU	296513	WATER QUALITY	04/11/2009	209.66		
Total 5698					209.66	.00	

Total Paid: -
 Total Unpaid: 610,510.39
 Grand Total: 610,510.39

Dated: 4/30/09

City Finance Director: Chad Kelly



PROCLAMATION

Youth Week

WHEREAS, The Benevolent and Protective Order of Elks has designated the week beginning on the 1st Sunday in May, as Youth Week to honor America's Junior Citizens for their accomplishments, and to give fitting recognition of their services to Community, State and Nation; and,

WHEREAS, Rifle Lodge #2195 will sponsor an observance during that week in tribute to the Junior Citizens of this Community; and,

WHEREAS, no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and,

WHEREAS, our Youth need the guidance, inspiration and encouragement which we alone can give in order to help develop those qualities of character essential for future leadership; and go forth to serve America; and,

WHEREAS, to achieve this worthy objective we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship:

NOW, THEREFORE, the City Council of Rifle, Colorado, hereby declares the week of May 1 through 7, 2009, to be

Youth Week

Approved by the City Council at a regular meeting this 6th day of May, 2009.

CITY OF RIFLE

By:

Attest:

Mayor

City Clerk



LEAVENWORTH & KARP, P.C.
ATTORNEYS AT LAW

Est. 1980

LOYAL E. LEAVENWORTH
SANDER N. KARP
JAMES S. NEU
KARL J. HANLON
MICHAEL J. SAWYER
JAMES F. FOSNAUGHT

201 14TH STREET, SUITE 200
P. O. DRAWER 2030
GLENWOOD SPRINGS, COLORADO 81602
Telephone: (970) 945-2261
Facsimile: (970) 945-7336
jsn@lklawfirm.com

DENVER OFFICE:*
700 WASHINGTON ST. STE 702
DENVER, COLORADO 80203
Telephone: (303) 825-3995

**(Please direct all correspondence
to our Glenwood Springs Office)*

ANNA S. ITENBERG
CASSIA R. FURMAN
JENNIFER M. SMITH
T. DAMIEN ZUMBRENNEN

April 30, 2009

Mayor Keith Lambert
Rifle City Council
P. O. Box 1908
Rifle, Colorado 81650

Re: May 6, 2009 City Council Meeting

Dear Mayor Lambert and Members of the Rifle City Council:

The purpose of this letter is to briefly outline the discussion we will have at the May 6, 2009 Rifle City Council Meeting.

1. Ordinance No. 10, Series of 2009 (Raw Water Irrigation Regulations). City staff has been researching incentives to conserve water to implement the City's Water Conservation Plan. One incentive is to charge reduced water tap fees and water rights dedication fees in exchange for the installation and use of raw water irrigation systems. Properties that have access to irrigation ditches and hold the appurtenant water rights can utilize non-potable water which reduces the capital improvements needed to the City's water system, justifying the water tap fee reduction, and utilize less water in the City's water rights portfolio, justifying the water rights dedication fee reduction. The reductions recommended by Schmueser Gordon Meyer and offered in other jurisdictions are 25% reduction to water tap fee and 75% reduction of water rights dedication fees. Because these one-time payments allow perpetual use of the City's system, the system must be designed properly and covenants must be in place on the property to ensure the system is going to work and that future owners cannot eliminate the system. Ordinance No. 10, Series of 2009 amends Chapter 13 of the Rifle Municipal Code to reference the reduced fees and set forth the requirements of the program: the physical system needs to be approved by the City; City right-of-way may not be utilized unless a separate License Agreement is agreed to (with terms in the City's sole discretion); if the system is not maintained, the City has the ability, but not the obligation, to maintain it and charge the property owner with lien rights; covenants must be recorded against the Property to ensure no potable water use occurs for outside irrigation; and if ever the system ceases to operate, the property owner will have to refund the City the reductions provided in the amount of the fees then in effect. We do not anticipate many proposals under this new Code provision because of the economics of installing and operating a raw water irrigation system, but we want to make it available to developers. Staff will continue work with water conservation incentives, such as fee reductions for xeriscape landscaping, so we hope to have additional Code amendments for your review in the future. A slight change was made to the ordinance for second reading on page 5, which can be seen in the enclosed red-line.

Mayor Lambert
Rifle City Council
Page 2
April 30, 2009

We recommend approval of Ordinance No. 10, Series of 2009, as amended, on second reading.

2. Ordinance No. 13, Series of 2009 (Workforce Housing Incentives Pilot Program Extension). By Ordinance No. 5, Series of 2008, the Rifle City Council approved a temporary Workforce Housing Incentives Pilot Program for a one year period which will end on April 30, 2009. In the last year, five homes have been sold in the City utilizing the Program. Knowledge and interest in the Program is growing, and affordable housing advocates and the development community are supportive of the incentives. Thus, staff is recommending a one-year extension of the Workforce Housing Incentives Pilot Program to be effective through April 30, 2010 with a limit of an additional eligible 25 units with no additional changes to the Program.

We recommend approval of Ordinance No. 13, Series of 2009, on second reading.

3. Ordinance no. 14, Series of 2009 (Compensation for Mayor and Council Members). Article 3.7 of the City of Rifle Charter authorizes the City Council to establish by ordinance the amount of compensation for the Mayor and Council Members with any increase taking effect after the next general election of Council members. With the City's regular municipal election coming up on September 8, 2009 and a call for candidates currently out, staff thought it was an appropriate time to review the compensation paid to the Mayor and City Council Members to ensure the City gets quality candidates. Enclosed is a chart comparing compensation paid in neighboring municipalities that shows the City of Rifle is below average. As you all know, these positions require numerous hours of preparation, document review and meeting time, both for regular Council meetings, and special, budget and committee meetings. Although the City should not attempt to compensate for all of these hours because candidates need to come forward through a sense of civic duty, compensation does assist with the loss of work time and shows the City values the time and effort committed to the position. We are putting this issue before you for discussion and Ordinance No. 14, Series 2009 that would amend Section 2-2-10 of the Code has blanks for monthly compensation. Staff recommends \$600 per month for the Mayor and \$400 for each Council Member because both of those amounts fall below the average for neighboring communities but provide more equitable compensation for the time and effort required for the positions, specifically considering the numerous unique issues affecting Rifle that the other municipalities do not face. Any changes will affect the Council that succeeds you and not the current Council, as required by Charter.

4. Ordinance Nos. 15 and 16, Series of 2009 (14th Street Marketplace Planned Unit Development). The City has received an application for a Final PUD Development Plan and Subdivision for 14th Street Marketplace located at 14th Street and Railroad Avenue. The Project is a mixed use residential and commercial development to be developed in three phases that may occur in any sequence: Phase 1 with up to twenty-two (22) residential units in four (4) four-plexes and one (1) six-plex ("Phase 1"); Phase 2 with up to ten (10) bottom floor office/commercial units and ten (10) second story "flex space" units that may be residential or office/commercial ("Phase 2"); and Phase 3 with up to twenty (20) office/commercial units ("Phase 3"), all of which is further defined and detailed in the PUD Guidebook for the Property. The Property is initially being subdivided into four

LEAVENWORTH & KARP, P.C.

Mayor Lambert
Rifle City Council
Page 3
April 30, 2009

(4) lots: Lot 1 is approximately 0.21 acres of open space to be owned in common by the Unit Owners Associations of Lots 2, 3 and 4; Lot 2 is approximately 1.026 acres and comprises Phase 1; Lot 3 is approximately 0.826 acres and comprises Phase 2; and Lot 4 is approximately 1.085 acres and comprises Phase 3. Each phase of development has certain public improvements associated with it, the construction of which will be governed by the enclosed SIA. Upon the completion of each building, condominium plats may be administratively approved and recorded subdividing the individual units that may then be conveyed separately. Staff has had the Developer put all of the conditions of development of the Property into the PUD Guidebook which will govern this Project. The Developer is requesting a variance from the Public Works Manual regarding fire and domestic water service lines and that request is in your packet. Staff does not object to the granting of the variance and certain additional conditions related to that variance are contained in the SIA. The Property contained a mobile home park and an RV Park and the Developer has worked with Westside Mobile Home Court to relocate many of the mobile homes to that new location so these families may remain in Rifle. Staff appreciates the Developer's willingness to address that housing issue and supports this redevelopment in a prime location. Ordinance No. 15, Series of 2009 approves the PUD Zoning and PUD Guidebook and Ordinance No. 16, Series of 2009 approves the Subdivision of the Property, including the creation of condominium units.

We recommend approval of Ordinance Nos. 15 and 16, Series of 2009 on first reading following a public hearing on the PUD Zoning.

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

Very truly yours,

LEAVENWORTH & KARP, P.C.



James S. Neu
Loyal E. Leavenworth

Enclosures

MEMORANDUM

TO: John Hier, City Manager
FROM: Matt Sturgeon, Assistant City Manager
DATE: April 29, 2009
SUBJECT: Rifle Workforce Housing Pilot Program

Events Between First and Second Reading

There has been some discussion regarding the income qualifications of participants. Currently, the ordinance allows for a household income that does not exceed 115% of Area Median Income (AMI), which today is approximately \$82,000. When we started the program last year the dollar amount was \$75,000. The Housing Authority supports keeping the dollar amount at 115-percent of AMI, which allows for a little more depth in who can qualify for a unit. The principal builder of these units questions whether the program should subsidize wage earners to that dollar amount. Staff's perspective is that someone who can qualify for a market rate unit will choose that over a 10-year deed restriction to enjoy the highest appreciation opportunity. Therefore, we feel keeping the 115 percent of AMI will reduce the occurrence of a Rifle employee being caught between not qualifying for a market rate unit and a workforce housing unit.

Overview

City Council passed Ordinance No. 5 Series of 2008 last April that created a 1-year workforce housing pilot program. The program was created to see if there was a way to build less-expensive residential units for residents employed within the City. The program generated five homes in 2008 that now house two police officers, a teacher, an accountant, and an employee at the Call Center. Five additional building permits were submitted last month.

Staff feels this has been a worthwhile program and recommends it be extended for an additional year with no modifications. The City will collect no building permit fees, parkland or off-site street impact fees, and no use tax; however, staff's position is these homes would not otherwise be constructed if this program was not in place and said fees would not be collected. Additionally, we are getting essential workforce to commit

to the community for a long-term which has cost saving implications with regard to worker training and relocation. Finally, if homes are built under this program again in 2009, it will be giving contractors work.

E-mailed comments from Sally Brands, the only builder to build this type of housing in 2008, and the Garfield County Housing Authority are paraphrased below:

Garfield County Housing Authority (April 3, 2009)

GCHA feels that this program is worth extending for the City of Rifle. We are pleased that 5 homes have been sold under the first year of the program.

Some of the pros:

- 5 homes sold – 2 City of Rifle employees, 1 RE-2 employee, 1 privately employed
- Knowledge of the program has grown
- Distribution channels are now established
- Current builder/applicant has provided a commission to buyer's agents
- Single family homes have been part of the program
- Deed restriction has permitted first-time homebuyer lending programs
- Homes are not of lesser quality and thus are not identifiable within neighborhood

Some of the cons:

- Consider targeting a larger price gap from market homes
- Deed restriction might not be long enough
- Only one applicant/developer participating in program so far
- Limited interest from privately employed buyers (not sure why) and limited interest from Grand River Hospital employees (might be income restriction)
- Might consider a tiered preference system to permit buyers from greater area

Savage Land Company (March 16, 2009)

Workforce housing was the hottest seller in 2008 for Savage Land Co. Four units sold and the last under contract to close March 25.

- Buyers: 2 police, 1: 911 dispatch op., teacher, accountant
- Units are an attractive addition to the neighborhood.
- Profitable for Savage Land Co.
- Alpine Bank and SLC want to try to get Phase II presold (5 units).

- We have 22 names interested in Phase II.

Staff reviewed and considered the above comments. Staff will work with the Garfield County Housing Authority to evaluate housing price points and may come back to City Council with a recommendation to modify the ordinance at a later date. Staff feels the deed restrictions are a sufficient length for the purpose of this program. Our goal is to provide a housing product that allows someone to make a commitment to the community and local employer or to at least create a situation where housing is not an obstacle to making such a commitment. Staff will discuss how to get other builders involved; the residential market conditions may generate more interest. Finally, the program is meant to house a local workforce. Staff is not comfortable recommending Council create a tiered system that would allow individuals employed in other communities to qualify under this program. The risk is up-valley renters seeking housing in Rifle while remaining employed up-valley.

CITY OF RIFLE, COLORADO
ORDINANCE NO. 13
SERIES OF 2009

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO EXTENDING THE
WORKFORCE HOUSING INCENTIVES PILOT PROGRAM FOR AN
ADDITIONAL ONE YEAR PERIOD.

WHEREAS, by Ordinance No. 5, Series of 2008, which was amended by Ordinance No. 13, Series of 2008, the City of Rifle adopted a Workforce Housing Incentives Pilot Program, a voluntary program with a one-year sunset provision ending on April 30, 2009; and

WHEREAS, the Program responds to the housing needs and construction challenges by varying certain zoning regulations and waiving certain development fees for participating eligible developers; and

WHEREAS, to date five homes have been sold in the City utilizing the Program; and

WHEREAS, housing prices and construction costs in the City remain a substantial impediment to home ownership, knowledge of the Workforce Housing Incentives Pilot Program has grown over the past year, and affordable housing advocates and representatives of the local development industry feel the City would benefit from extension of the current Program terms for an additional year; and

WHEREAS, the City Council finds and determines the best interests of its citizens will be served by extending the City's Workforce Housing Incentives Pilot Program for an additional one year period.

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

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The Workforce Housing Incentives Pilot Program as adopted by Ordinance No. 5, Series of 2008, as amended by Ordinance No. 13, Series of 2008, is hereby continued for an additional one year period terminating on **April 30, 2010**. Any applications received by the City by this date may participate in the Program subject to the terms and conditions contained in Ordinance No. 5, Series of 2008, as amended by Ordinance No. 13, Series of 2008. This ordinance and the incentives contained herein shall be limited to twenty-five (25) workforce housing units applied for from May 1, 2009 to April 30, 2010. At the time of sunset, the City Council shall have the option to extend the term of the Program, terminate it, or modify it as it sees fit.

INTRODUCED, on April 15, 2009, read in full, passed on first reading, and ordered

published by title as required by the City Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on May 6, 2009, passed without amendment, approved, and ordered published in full as required by the Charter upon the satisfaction of the conditions stated herein.

DATED this ___ day of _____, 2009.

CITY OF RIFLE, COLORADO

By _____

Mayor

ATTEST:

City Clerk



MEMORANDUM

TO: MATT STURGEON, PLANNING DIRECTOR
FROM: NATHAN LINDQUIST, PLANNER
DATE: APRIL 29, 2009
SUBJECT: 14TH STREET MARKETPLACE
FINAL PUD 2008-10
APPLICANTS: DALE AND SALLY POTVIN

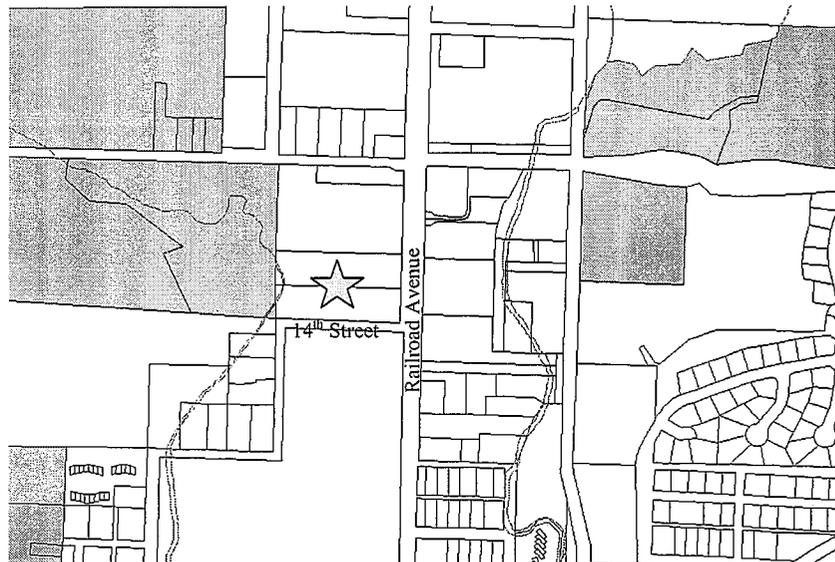
PURPOSE

The applicant seeks approval for a two-story, mixed-use project consisting of approximately 20 bottom-floor commercial units, 10 upper-floor office units, and 20 condominium residential units in 4-plexes at the west end of the property. 12 units on the second floor above commercial buildings C-3 and C-4 are proposed as "flex" spaces that could be converted to either office or residential.

14th Street Marketplace will replace the current tenants of the site: Bookcliffs RV Park and Northway Trailer Park. At least 12 of the mobile home units in Northway will be moved to Westside Mobile Home Park, pending city approval of that expansion. The applicants have been pro-active in working with the current tenants, who were informed two years ago upon the applicants' purchase of the property that it was to be redeveloped. The applicant held a neighborhood meeting in May 2008 in order to answer questions from current tenants. Bookcliffs RV Park has been removed and that part of the site has been cleared.

LOCATION

14th Street Marketplace is located at 1415 Railroad Avenue and 1439 Railroad Avenue. Hubbard Gulch is located to the west of the property. City Market is located across Railroad Avenue to the east. The County Health and Human Services Building is across 14th Street to the south.



PREVIOUS ACTION

Planning Commission approved the Sketch/Preliminary Plan on May 27, 2008. City Council approved the Sketch/Preliminary Plan on June 18, 2008. Planning Commission approved the Final Plan on February 24, 2009.

RECOMMENDATION

Staff recommends that Planning Commission approve Final 2008-10 with the following conditions:

1. Address the state of the property before the project is built. Once the current land uses are removed from the property, the undeveloped land must be seeded and mowed so that the condition of the property remains attractive.
2. Create a PUD Guidebook that will serve as the Site Plan for the project. Provide a staff signature page in the guidebook.
3. Include a north elevation of the C1 and C2 building to show what the building will look like as one drives south on Railroad Avenue.
4. The City shall include a statement in the PUD Guidebook that will allow for minor variations from the architectural elevations presented by the applicant, but that gives Staff the ability to bring back the PUD to Planning Commission if the changes warrant it due to a decrease in the quality of the architectural elements of the project.
5. The Developer shall be responsible for 100% of all costs associated with the design of 40' curb return radii and cross-pan at the northwest and southwest corners of the intersection of 14th St. and Railroad Ave.
6. The Developer shall be responsible for 100% of all costs associated with construction of a 40' street curb return radius and appropriate cross-pan at the northwest corner of the intersection of 14th St. and Railroad Ave.
7. The applicant shall work with Public Works and Engineering to address all comments to their satisfaction.
8. All representations made by the applicant in submittals or in public hearings shall be considered conditions of approval.

STAFF COMMENTS

LAND USE AND ZONING

The 14th Street Marketplace is located in a Community Service zoning district. Surrounded as it is by City Market, the JQS Plaza, and the old Columbine Market, the site is appropriate for commercial redevelopment. The applicants expect a variety of small service and office tenants.

The residential density of the project is 8.29 units/acre. Since multi-family dwellings are not permitted within the CS zoning district, 14th Street Marketplace is applying for PUD zoning to allow for multi-family dwellings in the same project as commercial and office uses. Staff supports the concept of mixed-use in this location. The design of the project places the residential component at the western end of the property, away from Railroad Avenue yet within easy walking distance of shopping and services.

ARCHITECTURE

Since the Preliminary Plan, the applicants have revised the architecture for the residential four-plexes so that it blends in better with the commercial aspects of the project.

The architecture of the project will be a positive addition to Railroad Avenue (see elevations in applicant's package). The mixed use part of the project will include two-story buildings that will have a brick façade broken up by differing rooflines and building popouts. An alcove in the center of the building will allow for usable and active outdoor space for seating. The architecture of the residential buildings includes attractive roof peaking and awning additions.

STREETS AND ACCESS

Access to 14th Street Marketplace from Railroad Avenue shall be limited to right-in, right-out due to the high volume of traffic on Railroad Avenue. Left-turning traffic would enter the project via 14th Street.

Another issue is the proximity of the stoplight pole to the intersection, and the danger that trucks might clip the pole when turning the corner. The applicant shall evaluate and design radius on southwest corner so that it matches northwest corner with a 40-foot radius, at which point the city will determine what it would take to move the stoplight pole and fix the turning radius at city's expense, since this is not an impact caused by the applicant's project.

SIGNAGE

The project is proposing signage that differs from Code by allowing signs on the second floor of buildings. This is similar to what has been proposed by other PUDs. The applicant will have to ensure that the signs are of a high-quality visually and submit a sign plan with the Final PUD.

DRAINAGE AND FLOODPLAIN

14th Street Marketplace is located partially in the floodplain of Hubbard Gulch. They have received a Letter of Map Revision to FEMA. Staff does not anticipate this causing any problems for the development.

HOA

The applicants have past experience with mixed-use projects, and have used this to inform the creation of three HOA's: one for the commercial and office buildings and areas, one for the loft condominiums, and one for the residential four-plexes.

FINDINGS

Pursuant to Section 16-5-280, the City Council shall consider the following criteria before approving a conditional use permit (***staff comments shown in bold italics/italics***):

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

Additional reviews in the site plan process will ensure that this proposal conforms with the Code.

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 surrounding neighborhood includes primarily commercial structures, and is expected to include more commercial structures in the future. Staff expects that this project will be compatible with its surroundings, as well as raise surrounding property values.

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

The Railroad Avenue corridor is a major commercial center for the city of Rifle. It is an appropriate place for a more intense use than currently exists at the site.

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

No adverse environmental effects are anticipated as a result of the proposal.

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

This property is located in "District 4: North Railroad Avenue". The following goals of the Comprehensive Plan pertain to the project in question:

-"Strengthen the streetscaping along the right-of-way to enhance and unify the corridor."

-"Designate this district as a commercial activity zone where mixed-use development is concentrated and clustered."

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

The positive economic value and presence of the shopping center should have a positive effect on property values in the area.

7. Conformance of the proposal with the approval requirements concerning water and sewer tap availability for high volume use requests pursuant to §10.10.110 of these regulations, if applicable.

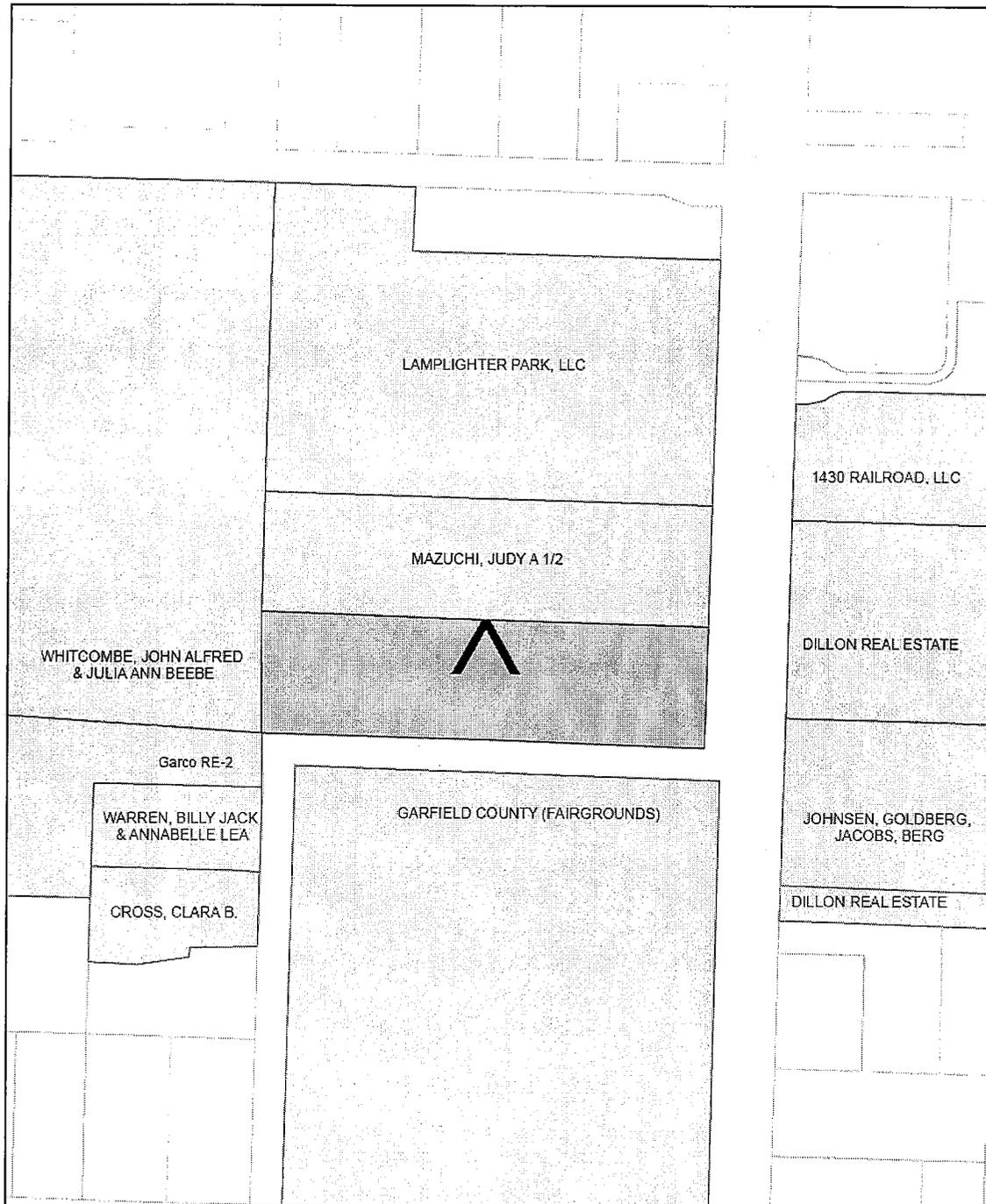
Not applicable.

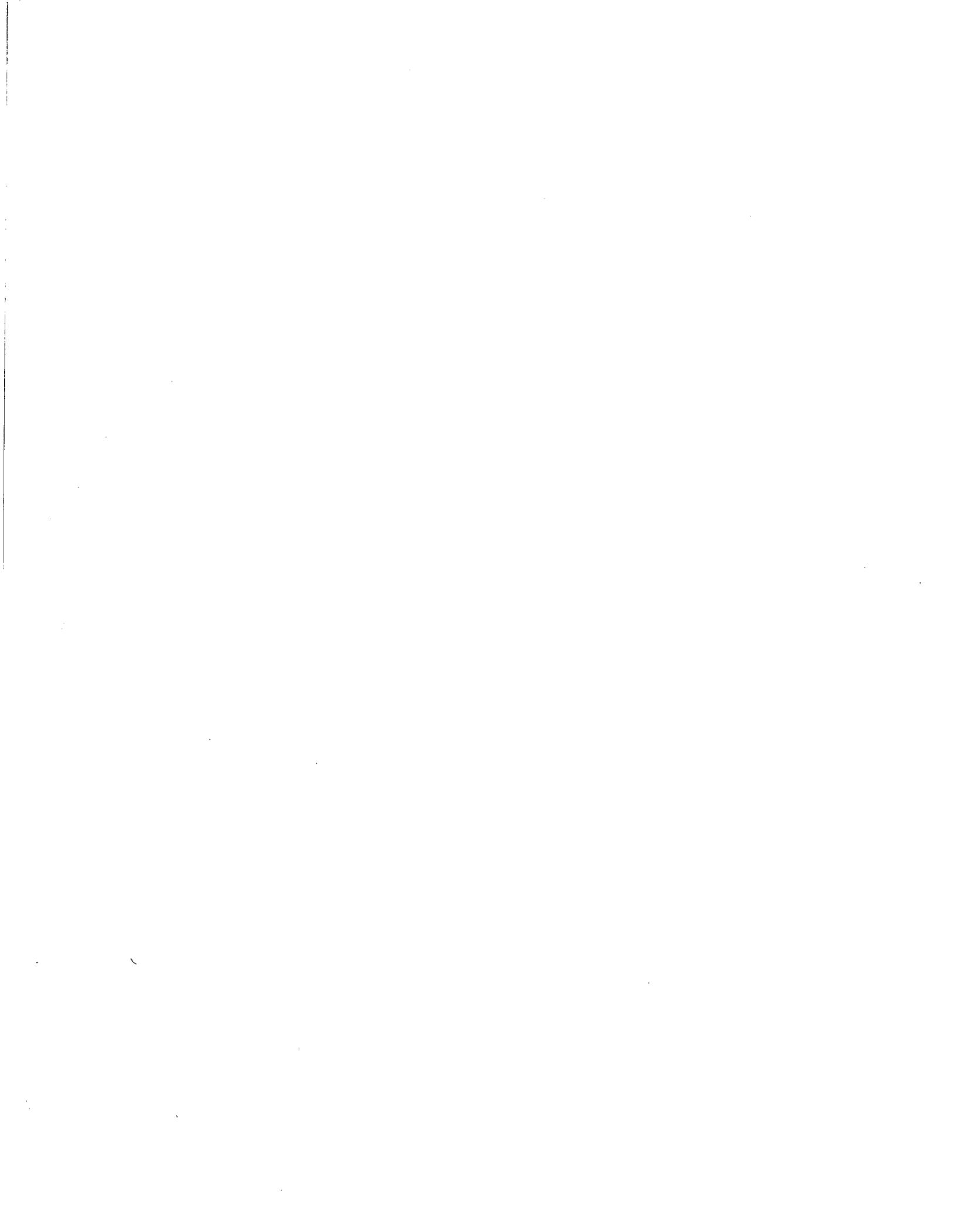
OTHER AGENCY COMMENTS

Comments from Public Works, SGM, and the Fire District are attached.

Ownership Map

14th Street Marketplace Sk/Prelim 2008-1





**CITY OF RIFLE, COLORADO
ORDINANCE NO. 15
SERIES OF 2009**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, RE-ZONING
PROPERTY OWNED BY 14th STREET MARKETPLACE, LLC KNOWN AS THE
14th STREET MARKETPLACE FROM COMMUNITY SERVICE ZONE
DISTRICT (CS) TO COMMUNITY SERVICE PLANNED UNIT DEVELOPMENT
ZONE DISTRICT (CS-PUD).

WHEREAS, 14th Street Marketplace, LLC (the "Applicant") filed with the City of Rifle Planning Department a request to re-zone from Community Service (CS) zone district to Community Service Planned Unit Development (CS-PUD) zone district certain tracts of land located at 1415 Railroad Avenue and 1439 Railroad Avenue in the City of Rifle, Colorado and further described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, on February 24, 2009, the City of Rifle Planning Commission considered the re-zoning application for the Property as part of a PUD Final Development Plan submittal; and

WHEREAS, based upon the Applicant's plans to redevelop the Property with a mixed use residential, commercial and office project, the Planning Commission recommended that the Property be re-zoned Community Services Planned Unit Development (CS-PUD); and

WHEREAS, the City Council reviewed the re-zoning application at its May 6 and May 20, 2009 meetings and agreed with the Planning Commission's findings; 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 re-zone the Property to Community Service Planned Unit Development.

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 on Exhibit A attached hereto and incorporated herein by this reference is hereby zoned Community Service Planned Unit Development (CS-PUD) pursuant to all of the terms, conditions, exhibits and obligations contained in that certain 14th Street Marketplace PUD Guidebook incorporated herein by this reference which sets forth all of the PUD standards and guidelines for the Property
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 §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 §16-1-10 *et seq.*, to implement the provisions of this Ordinance.

INTRODUCED on May 6, 2009, 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 May 20, 2009, passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this _____ day of _____, 2009.

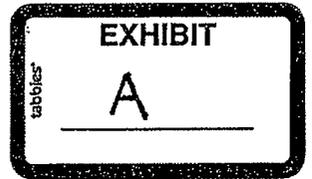
CITY OF RIFLE, COLORADO

By _____

Mayor

ATTEST:

City Clerk



2-1) Existing Legal Description

1415 RAILROAD AVENUE

PARCEL NO. 1

A TRACT OF LAND SITUATED IN LOT 17, SECTION 9, TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE 6TH PRINCIPAL MERIDIAN, ACCORDING TO MAP OF RIFLE IRRIGATION AND POWER COMPANY AS RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER, GARFIELD COUNTY, COLORADO, AS DOCUMENT NO. 35613, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHENCE THE SW CORNER OF SAID LOT 17 BEARS W. 290 FEET AND S. 610 FEET;
THENCE N. 150 FEET;
THENCE E. 290 FEET MORE OR LESS TO THE W. LINE OF THE RIGHT OF WAY OF STATE HIGHWAY NO. 13;
THENCE S. 150 FEET ALONG THE W. LINE OF THE RIGHT OF WAY OF STATE HIGHWAY NO. 13;
THENCE W. 290 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO THE STATE HIGHWAY DEPARTMENT RECORDED AS DOCUMENT NO. 170338.

PARCEL NO. 2

A TRACT OF LAND SITUATED IN LOT 17, SECTION 9, TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE 6TH PRINCIPAL MERIDIAN, ACCORDING TO MAP OF RIFLE IRRIGATION AND POWER COMPANY AS RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER, GARFIELD COUNTY, COLORADO, AS DOCUMENT NO. 35613, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 590 FEET NORTH FROM THE SOUTHWEST CORNER OF LOT 17;
THENCE NORTH 150 FEET;
THENCE EAST 290 FEET;
THENCE SOUTH 150 FEET;
THENCE WEST 290 FEET TO THE PLACE OF BEGINNING.

Garfield County, Colorado

2-1) Existing Legal Description

1439 RAILROAD AVENUE

SECT, TWN, RNG: 9-6-93 DESC TR. 9
(1.92 AC) LOCATED IN NWSNW (RIP
LOT 17). PRE: R361823 BK: 1940 PG:903
RECPT: 726148 BK:1940 PG:900
RECPT: 726147 BK: 1940 PG:899
RECPT: 726147 BK: 1940 PG:898
RECPT: 726145 BK: 0812 PG:0661
BK: 0808 PG: 0752 BK: 0711 PG: 0732
BK: 0687 PG: 0033

CITY OF RIFLE, COLORADO
ORDINANCE NO. 16
SERIES OF 2009

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING A PUD
FINAL DEVELOPMENT PLAN AND FINAL SUBDIVISION PLAT FOR 14th
STREET MARKETPLACE PLANNED UNIT DEVELOPMENT.

WHEREAS, in March 2008, there was filed with the Rifle Planning Department an application for a Combined Sketch Plan and Preliminary PUD Plan approval for property owned by 14th Street Marketplace, LLC (hereinafter "Developer"), which property is known as 14th Street Marketplace PUD, the legal description of which is attached hereto as Exhibit A and incorporated herein by this reference (hereinafter the "Property"); and

WHEREAS, on May 27, 2008, after a duly-noticed public hearing and pursuant to Rifle Municipal Code ("RMC") Section 16-5-280, the City of Rifle Planning Commission approved a Combined Sketch Plan and Preliminary PUD Plan for the Property; and

WHEREAS, on June 18, 2008, the City Council approved the Combined Sketch Plan and Preliminary PUD Plan for the Property; and

WHEREAS, in December 2008, Developer submitted a request for a PUD Final Development Plan and Final Subdivision Plat for the Property; and

WHEREAS, Developer proposes developing the Property in three (3) phases that may occur in any sequence: Phase 1 with up to twenty-two (22) residential units in four (4) four-plexes and one (1) six-plex; Phase 2 with up to ten (10) bottom floor office/commercial units and ten (10) second story "flex space" units that may be residential or office/commercial; and Phase 3 with up to twenty (20) office/commercial units; all of which may be condominiumized following construction; and

WHEREAS, on May 6, 2009 and May 20, 2009, the Rifle City Council reviewed the PUD Final Development Plan and Final Subdivision Plat for the Property and found these documents to be consistent with the approved PUD and Subdivision Preliminary Plan, and that all conditions of Preliminary Plan approval had been met; and

WHEREAS, concurrently herewith, and by Ordinance No. 15, Series of 2009, the City Council re-zoned the Property CS-PUD and approved that certain 14th Street Marketplace PUD Guidebook detailing the approved development of the Property; and

WHEREAS, the City Council desires to approve the PUD Final Development Plan and Final Subdivision Plat for the Property, subject to all terms and conditions set forth in the PUD Guidebook and the Site-Specific Development Plan and Subdivision Improvements Agreement for the Property ("SIA"), which SIA is available for inspection at the City Clerk's Office during business hours, and the subdivision of each building into individual condominium units after construction and with the

filing of the appropriate condominium plats.

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

1. The City Council incorporates the foregoing recitals as findings by the City Council.
2. That certain PUD Final Development Plan and Final Subdivision Plat for 14th Street Marketplace PUD for Phase 1 with up to twenty-two (22) residential units in four (4) four-plexes and one (1) six-plex; Phase 2 with up to ten (10) bottom floor office/commercial units and ten (10) second story "flex space" units that may be residential or office/commercial; and Phase 3 with up to twenty (20) office/commercial units is hereby approved, subject to all terms and conditions contained herein and in the SIA, which is hereby approved.
3. Upon the completion of construction of each building, the building may be subdivided into condominium units with general and limited common elements, and upon the City staff's review and approval, a Condominium Plat for each building may be recorded.
4. The Mayor of the City is hereby authorized to indicate the City Council's approval of the PUD Final Development Plan and Final Subdivision Plat and the SIA by signing the SIA and Final Plat as well as subsequent Condominium Plats creating condominium units. A true and correct copy of the SIA, Final Plat and Condominium Plats creating condominium units shall be deposited with the City Clerk and shall be available for public inspection at the Clerk's office after being fully executed by the parties.
5. Developer shall comply with all of Developer's representations made in any applications and in statements during the Public Hearings before the Planning Commission and City Council which shall be conditions of approval with which the Developer shall comply. The Developer shall also comply in full with the Rifle Municipal Code and the Public Works Manual requirements and the conditions of any variances granted to the Public Works Manual.
6. The City Clerk is hereby directed to file one (1) copy of the Final Plat, any subsequent Condominium Plats creating condominium units, the original of this Ordinance, and the SIA in the Office of the City Clerk.
7. The City Clerk is hereby further directed to record this Ordinance, the Final Plat, any subsequent Condominium Plats creating condominium units, the SIA, and any other associated documents in the Office of the Clerk and Recorder of Garfield County, and to file one (1) certified copy of the Final Plat, any subsequent Condominium Plats creating condominium units, and this Ordinance with the Garfield County Assessor.

INTRODUCED on May 6, 2009, 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 May 20, 2009, passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this _____ day of _____, 2009.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

City Clerk

**SITE SPECIFIC DEVELOPMENT PLAN AND
SUBDIVISION IMPROVEMENTS AGREEMENT
FOR 14TH STREET MARKETPLACE**

THIS AGREEMENT made this _____ day of _____, 2009, by and between the CITY OF RIFLE, COLORADO, a home-rule municipality whose address is P.O. Box 1908, Rifle, CO 81650 (hereinafter "City") and 14th Street Marketplace, LLC, a Colorado limited liability company whose address is 600 E. Main St., Suite 103, Aspen, CO 81611 (hereinafter "Developer");

W I T N E S S E T H:

WHEREAS, Developer is the owner of certain real property located in the City of Rifle, Colorado known as 14th Street Marketplace Subdivision and described on Exhibit A attached hereto and incorporated herein by this reference (hereinafter the "Property"); and

WHEREAS, Developer proposes subdividing the Property into four (4) lots and developing it in three (3) phases of multi-use residential and commercial units in nine (9) two story buildings, all of which may be condominiumized and as further set forth in the PUD Guidebook for the Property (the "Project"); and

WHEREAS, on May 27, 2008 after a duly-noticed public hearing and pursuant to Rifle Municipal Code §16-5-280, the City of Rifle Planning Commission approved a Combined Sketch Plan and Preliminary PUD Plan for the Property and on February 24, 2009 approved a Final PUD Plan for the Property; and

WHEREAS, on May 6 and May 20, 2009, the City Council of the City of Rifle, after holding all necessary public hearings, approved by appropriate ordinance a Final Subdivision Plat and Final Subdivision Plan for the Property, which Ordinance No. 16, Series of 2009 is recorded as Reception No. _____ with the Garfield County Clerk and Recorder; and

WHEREAS, the City's approval of the Final Subdivision Plat and Final Subdivision Plan for the Property cited above is contingent upon the express condition that all obligations and duties created by this Agreement are faithfully performed by the Developer.

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

1. Recitals. The foregoing recitals are incorporated herein as material representations and acknowledgments of the parties.

2. Purposes. The purpose of this Agreement is to set forth the terms and conditions to be met by the Developer; to set forth the fees to be paid by the Developer upon subdivision of the Property, and to constitute the Subdivision Improvements Agreement provided for in Sections 16-4-170, 16-5-440(d) and 16-6-180(c)(2) of the Rifle Municipal Code. All terms and conditions contained herein are in addition to all requirements of the Rifle Municipal Code, the City of Rifle

Land Use Regulations (Chapter 16 of the Rifle Municipal Code), Ordinance No. 16, Series of 2009, and state and federal statutes, and are not intended to supersede any requirements contained therein, except where specifically provided in this Agreement. In the event of any inconsistency between the provisions of Ordinance No. 16, Series of 2009 and the provisions of this Agreement, the provisions of this Agreement shall control

3. Development of the Property.
 - A. Phased Development. Developer proposes developing it in three (3) phases that may occur in any sequence: Phase 1 with up to twenty-two (22) residential units in four (4) four-plexes and one (1) six-plex ("Phase 1"); Phase 2 with up to ten (10) bottom floor office/commercial units and ten (10) second story "flex space" units that may be residential or office/commercial ("Phase 2"); and Phase 3 with up to twenty (20) office/commercial units ("Phase 3"), all of which is further defined and detailed in the PUD Guidebook for the Property. Prior to the commencement of development of any phase and as a condition of a building permit, Developer shall: (i) submit a site plan application with the City referencing the approved PUD Guidebook for all submittal requirements and contains the approved construction drawings for each phase; (ii) provide updated cost estimates of the public improvements for that phase for the City's review and approval and a letter of credit in that amount securing those public improvements; and (iii) a title commitment covering any public dedications in that phase. The construction of the public improvements of each phase shall then be governed by the provisions of this Agreement.
 - B. Subdivision. Developer proposes subdividing the Property into four (4) lots: Lot 1 is approximately 0.21 acres of open space to be owned in common by the Unit Owners Associations of Lots 2, 3 and 4 **AND MAY NOT BE SOLD SEPARATELY, MAY NOT BE DEVELOPED AND HAS NO DEVELOPMENT ENTITLEMENTS;** Lot 2 is approximately 1.026 acres and comprises Phase 1; Lot 3 is approximately 0.826 acres and comprises Phase 2; and Lot 4 is approximately 1.085 acres and comprises Phase 3. **EACH OF LOTS 2, 3, AND 4 HAVE APPURTENANT PUBLIC IMPROVEMENTS ASSOCIATED WITH THEIR DEVELOPMENT AS FURTHER SET FORTH IN THE APPROVED PUD GUIDEBOOK.**
 - C. Condominium Plats. In accordance with Ordinance No. 16, Series of 2009 and consistent with the PUD Zoning for the Property, the City and Developer agree and acknowledge that condominium plats may be prepared after final "as-built" surveys have been completed of the buildings on the Property creating separate ownership units. These "Condominium Plats" may be prepared and recorded in phases, upon substantial completion of construction of each phase of the Project, and may be approved administratively by the City without further review by the City Council or the Planning Commission, such approval not to be unreasonably withheld. No individual condominium unit shall be sold into separate ownership until and unless a condominium plat has been approved by the City based upon an "as-built" survey of the unit boundaries and such plat has been recorded in the real estate records of

Garfield County. A plat note on the Final Subdivision Plat for the Property shall be included to this effect.

4. Fees. In addition to any fees enacted by any ordinance of general applicability in the City, the following fees shall be paid to the City by the Developer:

- A. Reimbursement of Costs. The Developer hereby agrees to pay the City the actual costs to the City for engineering, surveying, and legal services rendered in connection with the review of the subdivision of the Property. In addition, the Developer shall reimburse the City for the cost of making corrections or additions to the master copy of the official City map, for the fee for recording the Final Plat or any Condominium Plat and accompanying documents with the County Clerk and Recorder of Garfield County. Developer shall also pay any fee required pursuant to the Rifle Municipal Code. Interest shall be imposed at rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In addition to any and all remedies available to the City and in the event the City is forced to pursue collection of any amounts due and unpaid under this provision or under this Agreement, the City shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.
- B. Water and Sewer Taps. Developer, its successors and assigns, shall comply in full with Chapter 13 of the Rifle Municipal Code regarding tap fees for water and sewer service. Because the Property contained prior uses and the Project is in-fill redevelopment, certain water and sewer system improvement fee credits are appurtenant to the Property. The parties agree that the Property contains a water and sewer system improvement fee credit of 32.7 EQR (including associated 5,000 square feet of landscaping per 1 EQR) that may be used as the Project is constructed, after which times the water and sewer system improvement fees set forth in Chapter 13 shall be due. All other fees set forth in Chapter 13 shall apply regarding water and sewer service to the Property.
- C. Water Rights Dedication. Developer shall pay the cash in lieu of the water rights dedication fees as required under RMC Section 13-6-10, *et. seq.*, as it may be amended. The parties agree that the Property contains a water rights dedication fee credit of 32.7 EQR (including associated 5,000 square feet of landscaping per EQR) that may be exhausted as the Project is constructed. If there are additional EQRs associated with development or use of any of the lots or Property above the above-referenced credit, payment shall be due at the time of building permit for such units. The water rights dedication fee per EQR to be paid will be the fee then in effect by an ordinance of general applicability. Further, the Developer agrees to be bound by any ordinance or resolution of general applicability that modifies these fees.
- D. Parkland Dedication Fees. The City and Developer agree that the Property is subject to the City parkland dedication requirements set forth in Rifle Municipal Code Sections 16-1-90 and 16-4-110. Because the Property contained prior residential uses and the Project is in-fill redevelopment, certain parkland dedication fee credits are

appurtenant to the Property. The parties agree that the Property contains a parkland dedication fee credit for twenty-eight (28) multi-family units that may be used as the Project is constructed. Upon the exhaustion of the above-referenced credits, Developer shall pay parkland dedication fees then in effect for each residential unit prior to the issuance of a building permit.

E. Off-site Street Impact Fees. Pursuant to Section 16-1-100 of the Rifle Municipal Code, for each unit constructed on the Property, offsite street impact fees shall be due and payable at the time a building permit is issued for each unit in the amount then in effect. Because the Property contained prior uses and the Project is in-fill redevelopment, certain offsite street impact fee credits are appurtenant to the Property. The parties agree that the Property contains an offsite street impact fee credit for twenty-eight (28) multi-family units that may be used as the Project is constructed. As such, the twenty-two (22) multi-family residential units in Phase 1 shall not be required to pay parkland dedication fees, and Developer retains a credit for offsite street impact fees equal to six (6) multi-family units that it may use at its discretion towards the payment of offsite street impact fees for Phase 2 or Phase 3. Upon the exhaustion of the above-referenced credits, Developer shall pay offsite street impact fees then in effect and pursuant to the Rifle Municipal Code at the time of building permit application.

5. Specific Conditions. Developer agrees to perform the following conditions:

A. Representations. All representations of the Developer made in its application and in statements during the public hearings before the Planning Commission and City Council shall be considered conditions of approval with which the Developer shall comply.

B. Landscaping.

(1) Revegetation and Landscaping. Developer shall landscape the Property pursuant to the approved landscape plan reviewed and approved by the City for each phase and revegetate any disturbed areas of the Property as soon as the next growing season allows. Developer shall guarantee growth of all landscaping and revegetation. Cost estimates of all landscaping shall be submitted to the City, guaranteed by the security required by this Agreement, and shall be considered a public improvement hereunder for each phase of development.

(2) License to Encroach. The parties acknowledge that a portion of the proposed landscaping improvements along Railroad Avenue lie within the City's right-of-way. The City hereby grants Developer a revocable license to encroach and occupy the Railroad Avenue right-of-way in the area shown on the approved landscaping plans for the Property. This grant of license is expressly limited to and for the sole purpose of installing landscaping and irrigation and is revocable at the City's sole discretion. The City is granting

this license to Developer for the mutual benefit of both parties; however, any and all use of City property by Developer under this license is permissive and not adverse to the interest of the City. For so long as this license remains in effect, Developer agrees to indemnify, defend, and hold harmless the City, its managers, agents, and employees against any and all claims, liabilities, or demands whatsoever relating to or arising out of the use of the right-of-way or related to this license.

- C. PUD Guidebook. Developer shall create a PUD Guidebook that will serve as the approved Zoning and Site Plan for the Project (including approved construction drawings) and provide a staff signature page in the guidebook certifying such approvals. The PUD Guidebook will contain the approved conceptual architectural elevations from which minor deviations shall be allowed subject to staff's administrative approval. Stall shall refer any major architectural deviations to the Planning Commission for its review and approval. The PUD Guidebook shall also include a list of items to be submitted before construction, which list shall include an irrigation plan and a traffic control plan.
- D. Parking. Developer shall place No Parking signs along the north side of 14th Street.
- E. Underground Electric Utilities. Developer shall under ground offsite electrical utility services along Railroad Avenue and 14th Street and the City may share the costs on an equal basis with the City's portion not to exceed \$50,000; provided, however, that the City shall have the discretion to approve the final cost estimates from Xcel Energy and determine whether to proceed with its contribution. Developer shall be solely responsible for the cost of burying electrical utility services on the Property.
- F. Costs of Curb Return Radii and Cross-Pan. Developer agrees that it shall be solely responsible for any all costs associated with the design of a thirty-five foot (35') curb return radii and cross-pan at the northwest and southwest corners of the intersection of 14th St. and Railroad Avenue, and for all costs of construction for the northwest corner only. The City may at its option and expense join with Developer's contract to construct the southwest corner improvements.
- G. Vehicle Access. Vehicle access to the Property from Railroad Avenue shall be limited to right-in, right-out. Left-turning traffic shall enter the Property via 14th Street.
- H. Variance from Public Works Manual. Developer has requested and the City Council has approved a variance from Section 115.7 of the City of Rifle Public Works Manual regarding fire service lines for the Project, which variance is shown on the approved construction drawings for the Project and contained in the PUD Guidebook. As a condition of granting this variance which allows a single service line to contain both fire and domestic water service from the main to each building, at which point such services split, ownership and maintenance of the service line from the tap in the

main to each building shall remain the responsibility of the Developer or subsequent unit owner association regardless of any conflicting definition or provision in the Rifle Municipal Code. In addition, Developer shall provide a schematic of each mechanical room in which the water meters will be located identifying the location of the water meters which shall be accurately labeled. Further, on each Condominium Plat, Developer shall dedicate to the City access easements to the water meters and provide a master key to the City for any locked room in which they are located

6. Pre-Construction Meeting. Developer shall hold a pre-construction meeting between the City Engineer and Public Works Director and the Developer, its engineer and contractor, for the purpose of discussing all construction issues that will be required for the Project.

7. Public Improvements. All water lines, water facilities, sewer lines, sewer facilities, hydrants, water or sewer distribution facilities, drainage structures, landscaping, gas lines, electrical facilities, cable T.V., telephone lines, utility systems, streets (public and/or private), lighting and signage required by this Agreement or shown on the final subdivision plan prepared by Sopris Engineering as File No. 25032 and dated December 15, 2008, as it may be amended (the "Public Improvements"), shall be installed and completed at the expense of the Developer.

A. All Public Improvements to be conveyed to the City or required to be secured by this Agreement are shown on the Final Subdivision Plat and Plans submittal, and the estimated costs thereof, are identified on Exhibit B attached hereto and incorporated herein by this reference. The Public Improvements shall be constructed in conformance with the plans and specifications submitted by the Developer as part of the Final Plat application and approved by the City Public Works Director or his/her designee, including all supplemental plans and specifications (all of which are on file at City Hall), the City of Rifle Public Works Manual then in effect, and the utility plan (hereinafter collectively referred to as "Plans and Specifications"). Developer shall construct the Public Improvements in phases as they relate to and are required for each phase of the Project pursuant to the requirements and procedures set forth in this Agreement.

B. Developer shall provide at its sole cost and expense all necessary engineering designs, surveys, field surveys, and incidental services related to the construction of the Public Improvements.

8. Construction Observation and Inspection.

A. Construction Inspection by Developer. Developer shall be responsible for ensuring that its certified professional engineer provides construction inspection services as necessary to allow Developer's engineer to provide a stamped certification, when improvements are submitted to the City for acceptance, that the Public Improvements have been constructed in accordance with the Plans and Specifications approved by the City.

B. Construction Observation by the City. The City shall have the right to make engineering observations at reasonable intervals and at the Developer's expense during construction of the Public Improvements. Observation, acquiescence in or approval by any engineering inspector of the construction of any physical facilities, at any particular time, shall not constitute City approval of any phase of construction of the Public Improvements. City approvals shall be made only after completion of construction and in the manner hereinafter set forth. To assist the City in monitoring the installation of the Public Improvements, a supervisor employed by the Developer's general contractor shall inspect the Public Improvements on at least a weekly basis, and shall provide the City Public Works Director or his/her designee with supervisor's field and inspection notes relating to the installation of the Public Improvements which have been reviewed and stamped by a professional engineer. The supervisor shall regularly apprise the City Public Works Director or his/her designee of the status of the work on the Public Improvements. Further, the Developer at its own expense shall have an approved geotechnical engineer monitor the methods of construction and backfill, to ensure such work is being completed in conformance with the approved Plans and Specifications, and accepted standards for such work. The geotechnical engineer shall conduct inspections and testing as directed by the City Public Works Director or his/her designee. The City agrees to respond to requests for interim inspections in a timely manner and to respond not later than ten (10) business days after a request for a final inspection. Nothing in this paragraph shall be construed to constitute an acceptance by the City of the Public Improvements, which approval and acceptance shall only occur pursuant to the specific provisions below.

9. Completion of Public Improvements; Approval. The Developer shall complete all Public Improvements associated with each phase of development of the Project within one (1) year of the commencement of construction; provided, however, landscaping shall be completed as soon as the next growing season allows. Upon the Developer's completion of construction of the Public Improvements, the Developer's engineer shall certify in writing that the improvements have been completed in conformance with the Plans and Specifications and submit to the City a completed acceptance checklist utilizing a form approved by the City. Thereafter, the City Public Works Director or his/her designee shall inspect the Public Improvements and certify in writing and with specificity their conformity or lack thereof to the Plans and Specifications. The Developer shall make all corrections necessary to bring the Public Improvements into conformity with the Plans and Specifications. The Developer shall at its expense have "as-built" drawings prepared by a professional engineer and a registered land surveyor, which drawings shall include all legal descriptions the City may require. The Developer shall also prepare a summary of the actual construction costs of all Public Improvements to be dedicated to the City. The "as-built" drawings and costs summary shall be forwarded to the City for review and approval.

Once the as-built drawings and costs summary are approved, and any and all corrections are completed, the City Public Works Director or his/her designee shall certify in writing that all Public Improvements are in conformity with the Plans and Specifications, and the date of such certification shall be known as the Acceptance Date. The City shall be under no obligation to provide any water or sewer service until all Public Improvements are brought into conformance with the Plans and

Specifications and the approved Final Subdivision Plan and Subdivision Plat, and are certified and approved by the City Public Works Director or his/her designee pursuant to this Agreement. However, upon certification and approval, the City shall be obligated to provide water and sewer service to the Property, subject to all provisions of the Rifle Municipal Code, and in particular to the availability of water or sewer taps, which shall be on a first-come, first-served basis. The City does not guarantee an adequate number of taps will be available to serve the Property at the time the Developer intends to proceed with development.

10. Acceptance; Conveyance. Within thirty (30) days of the Acceptance Date, the Developer shall execute a quit-claim deed to the City conveying any interests it has in the Public Improvements identified on Exhibit B to be conveyed to the City. The Developer shall also execute a bill of sale conveying such Public Improvements to the City, free and clear of all liens and encumbrances except non-monetary matters of public record. All Public Improvements conveyed to the City shall be warranted for a period of twelve (12) months from the Acceptance Date, as provided below.

11. Warranty. Developer shall warrant any and all Public Improvements and facilities which are conveyed to the City pursuant to this Agreement (i.e. water and sewer facilities and lines, public roads and facilities located on or under public lands and easements) for a period of twelve (12) months from the Acceptance Date. Specifically, but not by way of limitation, Developer shall warrant that:

- A. The title conveyed shall be good and its transfer rightful;
- B. Any and all facilities conveyed shall be free from any security interest or other lien or encumbrance; and
- C. Any and all facilities so conveyed shall be free of any defects in materials or workmanship for a period of one (1) year, as stated above.

12. Performance Guarantee. The total amount of required security for the Public Improvements per phase shall be as specified on Exhibit B and shall be updated prior to the issuance of a building permit for each phase.

- A. In order to secure the construction and installation of the Public Improvements above described, for which the Developer is responsible, the Developer shall prior to the issuance of a building permit for each phase furnish the City with a certificate or other evidence, in good and sufficient form approved by the City Attorney, of an irrevocable letter of credit issued or confirmed by a commercial banking institution authorized to do business and with offices located within the State of Colorado to secure the performance and completion of the Public Improvements, in an amount equal to the estimated costs of said facilities as set forth on Exhibit B. The City shall have the right to review and approve all terms and conditions of the letter of credit prior to the issuance of a building permit for each phase. Alternative forms of security acceptable to the City in its sole discretion may also be provided.

The original letter of credit for each phase shall be delivered to the City prior to the issuance of a building permit for that phase. This Letter of Credit shall comply in all respects with the Uniform Customs and Practice for Documentary Credits, 1983 Edition, issued by the International Chamber of Commerce, Paris.

- B. In the event the Public Improvements are not constructed or completed within 12 months of the commencement of construction of a particular phase, or the landscaping is not installed in the next growing season, the letter of credit shall provide that the funds necessary to complete the Public Improvements shall be put directly into an escrow account under the control of the City Manager and shall be used to complete the Public Improvements called for herein.
- C. Within ten (10) days of timely completion of the Public Improvements for each phase, and performance of the conditions and requirements of this Agreement secured by the performance guarantee, and upon the approval of the City Manager, the performance guarantee shall be released to Developer. If the improvements are not completed within the required time, the performance guarantee may be called by the City and the monies may be used to complete the improvements; provided, however, that if such guarantee is not sufficient to pay the actual costs, the Developer shall be responsible for the balance. The City Manager may cause a portion of the performance guarantee to be released as specific improvements are completed and approved. A partial release shall be within thirty (30) days after acceptance by the City.
- D. The required security for the Public Improvements is the amount mutually agreed upon by the Developer and the City Engineer in Exhibit B, which shall be updated for the City's review and approval prior to the issuance of a building permit for each phase of the Project. The parties agree that this amount, as updated, does not necessarily reflect the City Engineer's estimate of what the actual cost to the City would be if the City were required to fund construction of all of the Public Improvements. In the event the costs of the Public Improvements exceed the amount, Developer shall be solely responsible for the actual cost. The purpose of Exhibit B and any updated cost estimates is solely to determine the amount of security. No representations are made as to the accuracy of these estimates, and the Developer agrees to pay the actual costs of all such Public Improvements.
- E. The parties expressly agree that the Developer's preparation and submission to the City of "as-built drawings" and a summary of actual construction costs for the Public Improvements to be dedicated to the City--and approval by the City of the as-built drawings and summary-- for each phase of the Project are essential requirements of this Agreement. In the event the Developer fails to provide the as-built drawings and summary to the City thirty (30) days prior to the expiration of the performance guarantee or any extension thereof, such failure shall constitute a breach of this Agreement with regard to the completion of the Public Improvements, damages for which are impossible to ascertain, entitling the City to call upon the performance guarantee in an amount equal to ten (10%) percent of the total amount set forth on

Exhibit B, which amount the City may retain as liquidated damages due to Developer's breach.

- F. Neither approval of any partial reduction to the letter of credit issued pursuant to this paragraph, nor any other reduction in security, shall be construed as the approval or acceptance of any of the Public Improvements, which approval and acceptance shall only occur as described above.

13. Title Policy. Prior to the issuance of a building permit for each phase of the Project, the Developer shall provide the City a commitment for a title insurance policy, indicating that such phase of the Property is free and clear of all encumbrances whatsoever which would impair the use of the Property as proposed by the Final PUD Plan. Further, said title commitment, and/or an additional title commitment, shall show that all other property to be dedicated to the City is free and clear of all encumbrances which would make said dedications unacceptable as the City in its sole discretion determines. Prior to the issuance of a certificate of occupancy for the subject phase of the Project, the title insurance policy(s) shall be provided to the City, and the premium(s) for the title insurance in the minimum amount shall be paid by the Developer. In the event the title commitment(s) reflect encumbrances which would impair the use of the Property as proposed or which would make the public dedications unacceptable, the City shall notify the Developer, who shall cure or otherwise remove or subordinate said encumbrances to the satisfaction of the City prior to the issuance of a certificate of occupancy.

14. Vested Rights. Pursuant to Section 16-11-10, *et. seq.*, of the Rifle Municipal Code, the City and the Developer agree that the City Council's final subdivision plat approval of the Property constitutes the approval of a "Site Specific Development Plan", and no further hearings are required. Pursuant to the approval by the City Council of the Final Plat and Final PUD Plan for the Property, the City granted vested property rights for the Property for a period of seven (7) years from the effective date of the City ordinance approving this Agreement and the Final Plat upon the condition that Developer comply with all of the terms and conditions of this Agreement, the Final Plat for the Property, and the development submittal. Such rights shall also be subject to the provisions of Rifle Municipal Code Section 16-11-10, *et. seq.* The Developer shall at its expense publish the vested rights notice required by C.R.S. §24-68-103(1) and Rifle Municipal Code Section 16-11-50.

15. Owners Association; Covenants. The Developer has created three owners associations for the Property, one for each phase of the Project. Before any properties within the development are sold to third parties, the Articles of Incorporation and covenants shall be reviewed by the City Attorney to insure that they meet the City's requirements that the owners association(s) (1) maintains, operates and assumes full responsibility for all easements and common areas within the Property as shown on the Final Plat or subsequent Condominium Plat, including landscaping; (2) maintains all private open space; and (3) is empowered to enforce any provisions of the covenants, conditions and restrictions affecting the Property. The covenants for the Property shall also address, at a minimum: party wall agreements, snow removal, building and landscape maintenance, sidewalk maintenance, use of limited and general common elements, fencing styles and heights, outdoor storage of vehicles (including recreational vehicles, boats, trailers, and the like),

and pets. The Articles of Incorporation and covenants shall be reviewed and approved, and the Articles filed with the Colorado Secretary of State prior to the recordation of the Final Plat.

16. Conditions of Building Permit / Certificate of Occupancy. In addition to all requirements of the Rifle Municipal Code and any requirements imposed by operation of state, federal, or local law, no building permits shall be issued for the Property or phase of the Project until:

- A. This SIA has been recorded in the Office of the Garfield County Clerk and Recorder, and a recorded copy is on file in the Office of the City Clerk.
- B. The Final Plat has been recorded in the Office of the Garfield County Clerk and Recorder, and a recorded copy is on file in the Office of the City Clerk.
- C. A site plan application has been submitted to the City referencing the approved PUD Guidebook for all submittal requirements and contains the approved construction drawings for each phase; updated cost estimates of the public improvements for that phase have been provided for the City's review and approval and a letter of credit in that amount securing those public improvements; and a title commitment covering any public dedications in that phase has been provided to the City.

17. Voluntary Action of Developer. Notwithstanding any provision of the Rifle Municipal Code, the Developer agrees that all terms and conditions of this Agreement, including specifically the payment of fees, the dedication of land, and the completion of off-site infrastructure improvements for each applicable phase of the Project, are agreed to and constitute the voluntary actions of the Developer.

18. Breach by Developer; City's Remedies. In the event of any default or breach by the Developer of any term, condition, covenant or obligation under this Agreement, the City Council shall be notified immediately. The City may take such action as it deems necessary to protect the public health, safety, and welfare; to protect lot buyers and builders; and to protect the citizens of the City from hardship. The City's remedies include:

- A. The refusal to issue to the Developer any building permit or certificate of occupancy; provided, however, that this remedy shall not be available to the City until after the affidavit described below has been recorded;
- B. The recording with the Garfield County Clerk and Recorder of an affidavit, approved in writing by the City Attorney and signed by the City Manager or his designee, stating that the terms and conditions of this Agreement have been breached by the Developer. At the next regularly scheduled City Council meeting, the City Council shall either approve the filing of said affidavit or direct the City Manager to file an affidavit stating that the default has been cured. Upon the recording of such an affidavit, no further lots or parcels may be sold within the Property until the default has been cured. An affidavit signed by the City Manager or his designee and approved by the City Council stating that the default has been cured shall remove this restriction;

- C. A demand that the security given for the completion of the public improvements be paid or honored;
- D. The refusal to consider further development plans within the Property; and/or
- E. Any other remedy available at law.

Unless necessary to protect the immediate health, safety, and welfare of the City or City residents, the City shall provide the Developer ten (10) days' written notice of its intent to take any action under this paragraph during which ten-day period the Developer may cure the breach described in said notice and prevent further action by the City. Furthermore, unless an affidavit as described above has been recorded with the Garfield County Clerk and Recorder, any person dealing with the Developer shall be entitled to assume that no default by the Developer has occurred hereunder unless a notice of default has been served upon Developer as described above, in which event Developer shall be expressly responsible for informing any such third party of the claimed default by the City.

19. Assignment. This Agreement may not be assigned by the Developer without the prior written consent of the City, which consent shall not be unreasonably withheld. In the event Developer desires to assign its rights and obligations herein, it shall so notify the City in writing together with the proposed assignee's written agreement to be bound by the terms and conditions contained herein.

20. Indemnification. Developer agrees to indemnify and hold the City harmless from any and all claims or losses of any nature whatsoever incurred by the City resulting from the subdivision and development of the Property not caused by gross negligence of the City. This indemnification shall include actual attorneys' fees incurred in the event that any party brings an action against the City for any of the approvals described herein. The parties hereto intend not to duplicate any legal services or other costs associated with the defense of any claims against either party described in this section. Therefore, the parties hereto agree to cooperate in full to prevent duplicative expenses incurred as a result of the indemnification herein described.

21. Waiver of Defects. In executing this Agreement, Developer waives all objections it may have concerning defects, if any, in the formalities whereby it is executed, or concerning the power of the City to impose conditions on Developer as set forth herein, and concerning the procedure, substance, and form of the ordinances or resolutions adopting this Agreement.

22. Final Agreement. This Agreement supersedes and controls all prior written and oral agreements and representations of the parties and is the total integrated agreement between the parties.

23. Modifications. This Agreement shall not be amended, except by subsequent written agreement of the parties.

24. Release of Liability. It is expressly understood that the City cannot be legally bound by the representations of any of its officers or agents or their designees except in accordance with the City of Rifle Code and Ordinances and the laws of the State of Colorado, and that Developer, when dealing with the City, acts at its own risk as to any representation or undertaking by the City officers or agents or their designees which is subsequently held unlawful by a court of law.

25. Captions. The captions in this Agreement are inserted only for the purpose of convenient reference and in no way define, limit, or prescribe the scope or intent of this Agreement or any part thereof.

26. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

27. Invalid Provision. If any provisions of this Agreement shall be determined to be void by any court of competent jurisdiction, then such determination shall not affect any other provision hereof, all of which other provisions shall remain in full force and effect. It is the intention of the parties hereto that, if any provision of this Agreement is capable of two constructions, one of which would render the provision void, and the other of which would render the provision valid, then the provision shall have the meaning which renders it valid.

28. Governing Law. The laws of the State of Colorado shall govern the validity, performance, and enforcement of this Agreement. Should either party institute legal suit or action for enforcement of any obligation contained herein, it is agreed that the venue of such suit or action shall be in Garfield County, Colorado.

29. Attorneys' Fees; Survival. Should this Agreement become the subject of litigation, the substantially prevailing party shall be entitled to, and the failing party shall pay, all reasonable attorneys' fees, expenses, and court costs. All rights concerning remedies and/or attorneys' fees shall survive any termination of this Agreement.

30. Authority. Each person signing this Agreement represents and warrants that he is fully authorized to enter into and execute this Agreement, and to bind the party it represents to the terms and conditions hereof.

31. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which, when taken together, shall be deemed one and the same instrument.

32. Notice. All notices required under this Agreement shall be in writing and shall be hand-delivered or sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth. All notices so given shall be considered effective seventy-two (72) hours after deposit in the United States mail with the proper address as set forth below. Either party by notice so given may change the address to which future notices shall be sent.

Notice to City: City of Rifle
P. O. Box 1908
Rifle, CO 81650

With copy to: Leavenworth & Karp, P.C.
P. O. Drawer 2030
Glenwood Springs, CO 81602

Notice to Developer: 14th Street Marketplace, LLC
600 E. Main Street, Suite 103
Aspen, CO 81611

33. Gender. Whenever the context shall require, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WHEREFORE, the parties hereto have executed duplicate originals of this Agreement on the day and year first written above.

CITY OF RIFLE, COLORADO

By: _____
Mayor

ATTEST:

Clerk

14th STREET MARKETPLACE, LLC

By: _____
Sally Allen-Potvin, Manager

April 27, 2009

City of Rifle
Public Works Department
Planning Department

Dear Sirs,

This is a request for a variance in the Rifle Code for the separation of water service lines supplying a building, more specifically the Public Works Manual, Section 115.5.2 (Layout of Service Line) and Section 115.7 (Commercial Standby Fire Protection Line).

We would request to combine the Fire Supply service line and the Domestic service lines together to enter a utility room within the building. The service line has been sized to accommodate both the Fire and Domestic needs of each building. This utility room is to have an outside lockable access door that is clearly marked, a Knox-Box mounted next to this door will contain keys for the access by the Fire Department and a separate lock-box mounted next door will contain keys for the utility door for Public Works Department or any other approved access. The final layout of the all appurtenances within the utility room is to be approved by the Building Department with signoff from the Public Works Department and the Fire Department at the time of the building permit.

The water line upon entering this room will be separated into a fire line and domestic line.

The fire service line is required to meet the requirements of the National Fire Protection Association; this line is to have a Backflow Preventer (BFP) installed that is listed for such use. No Valve prior to the BFP except the main service gate valve or curb stop, outside of the building. This will insure the integrity of water being supplied to the fire system.

The domestic side will need to be plumbed into a manifold to allow the water service to be routed to a specific unit and sized for the required needs of the specific unit. After the manifold and on each units service line a lockable valve is to be installed, prior to the meter set, this will allow the service to be shut off, locked and possible the water meter removed, if an owner is delinquent in payment. The meter set is to have adequate space to allow for maintenance and/or replacement by the Public Works Department. After the meter an isolation valve will be installed prior to a Pressure Reducing Valve (PRV) then an isolation valve installed. See attached schematic drawing of the mechanical room.

All service lines are to be marked or tagged to the unit that is being served.

If you have any questions, please call me at 970-704-0311.

Attachments:

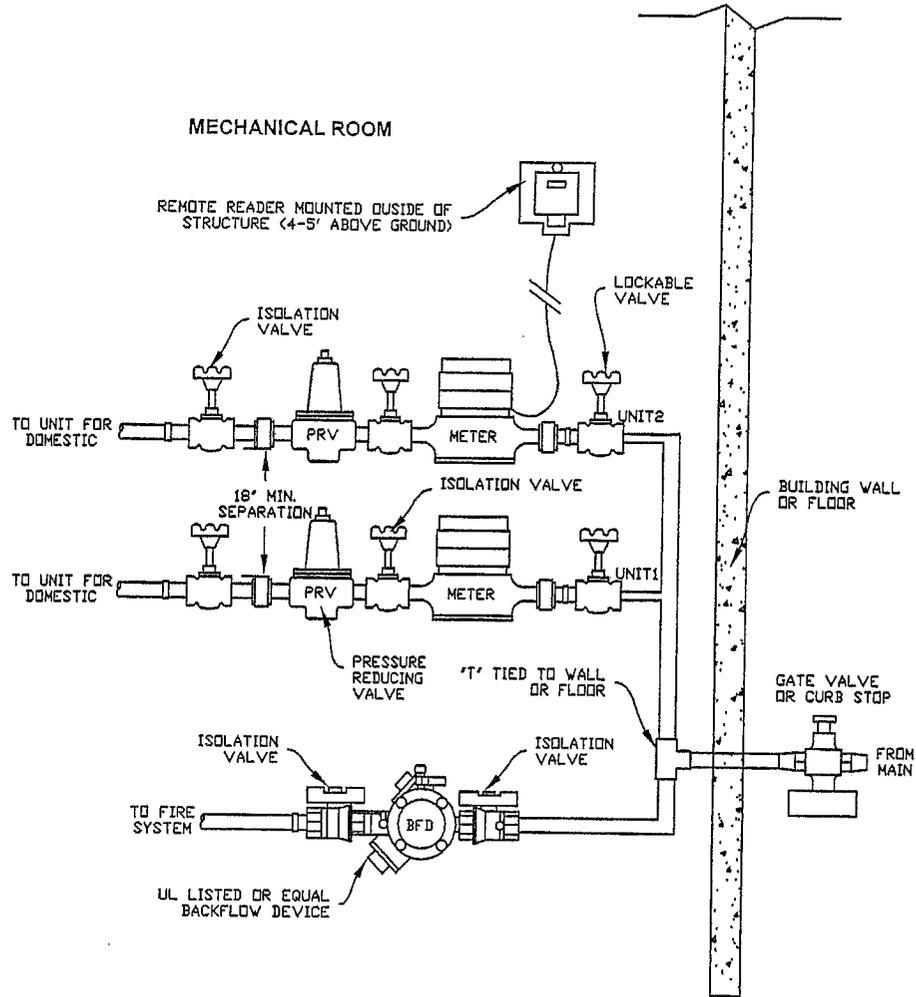
Schematic drawing of mechanical room

502 Main Street • Suite A3 • Carbondale, CO 81623 • (970) 704-0311 • Fax (970) 704-0313

SOPRIS ENGINEERING • LLC

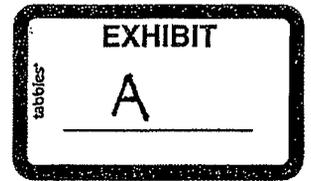
civil consultants

SCHEMATIC DRAWING FOR WATER SERVICE IN MAINTENANCE ROOM
14TH STREET MARKETPLACE
CITY OF RIFLE, STATE OF COLORADO.
SHEET 1 OF 1



SOPRIS ENGINEERING - LLC

CIVIL CONSULTANTS
502 MAIN STREET, SUITE A3
CARBONDALE, COLORADO 81623
(970) 704-0311



2-1) Existing Legal Description

1415 RAILROAD AVENUE

PARCEL NO. 1

A TRACT OF LAND SITUATED IN LOT 17, SECTION 9, TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE 6TH PRINCIPAL MERIDIAN, ACCORDING TO MAP OF RIFLE IRRIGATION AND POWER COMPANY AS RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER, GARFIELD COUNTY, COLORADO, AS DOCUMENT NO. 35613, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHENCE THE SW CORNER OF SAID LOT 17 BEARS W. 290 FEET AND S. 610 FEET;
THENCE N. 150 FEET;
THENCE E. 290 FEET MORE OR LESS TO THE W. LINE OF THE RIGHT OF WAY OF STATE
HIGHWAY NO. 13;
THENCE S. 150 FEET ALONG THE W. LINE OF THE RIGHT OF WAY OF STATE
HIGHWAY NO. 13;
THENCE W. 290 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO THE STATE HIGHWAY DEPARTMENT RECORDED AS DOCUMENT NO. 170338.

PARCEL NO. 2

A TRACT OF LAND SITUATED IN LOT 17, SECTION 9, TOWNSHIP 6 SOUTH, RANCE 93 WEST OF THE 6TH PRINCIPAL MERIDIAN, ACCORDING TO MAP OF RIFLE IRRIGATION AND POWER COMPANY AS RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER, GARFIELD COUNTY, COLORADO, AS DOCUMENT NO. 35613, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 590 FEET NORTH FROM THE SOUTHWEST CORNER OF LOT 17;
THENCE NORTH 150 FEET;
THENCE EAST 290 FEET;
THENCE SOUTH 150 FEET;
THENCE WEST 290 FEET TO THE PLACE OF BEGINNING.

Garfield County, Colorado

2-1) Existing Legal Description

1439 RAILROAD AVENUE

SECT, TWN, RNG: 9-6-93 DESC TR. 9
(1.92 AC) LOCATED IN NWSEW (RIP
LOT 17). PRE: R361823 BK: 1940 PG:903
RECPT: 726148 BK:1940 PG:900
RECPT: 726147 BK: 1940 PG:899
RECPT: 726147 BK: 1940 PG:898
RECPT: 726145 BK: 0812 PG:0661
BK: 0808 PG: 0752 BK: 0711 PG: 0732
BK: 0687 PG: 0033

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 10
SERIES OF 2009**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 13-4-70 OF THE RIFLE MUNICIPAL CODE REGARDING WATER SYSTEMS IMPROVEMENT FEE REDUCTIONS, AMENDING SECTION 13-6-30 REGARDING WATER RIGHTS DEDICATION REDUCTIONS, AND ADOPTING A NEW ARTICLE VII OF CHAPTER 13 REGARDING RAW WATER IRRIGATION.

WHEREAS, as part of its July 2008 Water Conservation Plan, the City of Rifle developed a plan to conserve water within the City to achieve a number of important goals, including reducing and/or deferring capital costs of water and wastewater infrastructure, reducing water and wastewater system operational costs, reducing and/or deferring future water supply acquisition costs, and increasing water supply reliability and availability for beneficial uses other than in-house use such as recreation, agriculture, power development, etc.; and

WHEREAS, in furtherance of these goals, the City wishes to encourage the use of raw, untreated water for outside irrigation purposes, thus reducing the burden on the City's water system to supply and treat potable water for non-domestic uses; and

WHEREAS, City staff recommends implementation of raw water regulations on a voluntary basis for new commercial and residential development and to offer incentives for participation in the form of water rights dedication and water system improvement fee reductions for participating developers; and

WHEREAS, the Rifle City Council finds the best interests of the City will be served by adopting the revisions to Chapter 13 of the Rifle Municipal Code regarding raw water irrigation.

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 13-4-70 of the Rifle Municipal Code, "Water System Improvement Fees," is hereby amended by the addition of a new subsection (c) to read as follows:

13-4-70. Water system improvement fees.

* * *

(c) Pursuant to Section 13-7-30, for all new residential and commercial EQRs assessed to properties that utilize a raw water irrigation system pursuant to the regulations set forth

in Chapter 13, Article VII herein, water system improvement fees shall be reduced by twenty-five percent (25%) of the total calculated amount as provided in Appendix A; provided however, that if raw water irrigation is discontinued, the customer shall pay twenty-five percent (25%) of the water system improvement fee in effect at that time.

Section 3. Section 13-6-30 of the Rifle Municipal Code, "Basic dedication requirement," is hereby amended by the addition of a new subsection (f) to read as follows:

13-6-30. Basic dedication requirement.

* * *

- (f) For all customers utilizing a raw water irrigation system meeting the requirements of Article VII of this Chapter, the basic dedication requirement shall be reduced by seventy-five percent (75%) of the total amount calculated pursuant to the EQR Schedule, which reduction shall be applicable whether the customer dedicates water rights to the City or pays a cash amount equal to the fair market value of the water rights necessary to satisfy the basic dedication requirement pursuant to Section 13-6-60(b)(1) herein; provided, however, that if raw water irrigation is discontinued, the customer shall be responsible for seventy-five percent (75%) of the basic dedication requirement in effect at that time

Section 4. Chapter 13 of the Rifle Municipal Code is hereby amended by the addition of a new Article VII concerning raw water irrigation policy and regulations.

Article VII Raw Water Irrigation

13-7-10. Policy.

Water is a finite and precious resource necessary for the preservation and enhancement of the public health, safety, and welfare of the citizens of Rifle, and it is the policy of the City of Rifle to promote the prudent and responsible utilization of the City's water resources and water delivery system. Therefore, use of the City's potable water system for irrigation of parks, green space, large lawns and yards, and extensive landscaping is discouraged. The City encourages the use of raw water irrigation and the use of incentives to make irrigation water available to residents of the City. For new residential or commercial development, the developer or building permit applicant may submit plans and specifications to the City proposing the construction of a private raw water irrigation system to serve the property. If such plans and specifications are approved by the City and the developer or building permit applicant otherwise demonstrates compliance with the terms and conditions of this Article, the system will be eligible to receive the incentives described herein.

13-7-20. Penalties.

Any use of the City's potable water supply in violation of this Article shall be subject to the penalties provided for in Chapter 1, Article IV of this Code. Additionally, in the event that there is unauthorized use of potable water for irrigation in a development where a raw water irrigation system has been installed by a developer and the building permit applicant has received a water system improvement fee reduction pursuant to Section 13-4-70 and/or water rights dedication reduction pursuant to Section 13-6-30(f), the customer shall take immediate steps to curtail such use or shall be subject to forfeiture of said reductions and shall be required to repay the amount of the water system improvements and water rights dedication fee reductions to the City at the rates then in effect.

13-7-30. Water System Improvement Fees Reduction.

In the event plans and specifications are approved by the City for a qualifying raw water irrigation system pursuant to this Article, the developer or building permit applicant shall be entitled to a reduction of water system improvements fees in an amount equal to twenty-five percent (25%) of the total water system improvement fees otherwise payable to the City for potable water service to the property. Nothing herein shall require the City to refund any system improvement fees paid prior to the effective date of this Article VII.

13-7-40. Water Rights Dedication Reduction.

In the event plans and specifications are approved by the City for a qualifying raw water irrigation system pursuant to this Article, the developer or building permit applicant shall be entitled to a reduction of water rights dedication or cash in lieu of water rights dedication an amount equal to seventy-five percent (75%) of the total dedication requirement otherwise owed to the City for potable water service to the property. Nothing herein shall require the City to deed back any water rights dedication or refund any cash in lieu of water rights dedication fees paid prior to the effective date of this Article VII.

13-7-50. Raw Water Irrigation Systems.

(a) All qualifying raw water irrigation systems in the City shall be installed, owned, operated, and maintained by the developer or its successor in interest and shall be constructed according to design standards and specifications approved by the City.

(a) Any property owner or developer applying for new water service from the City and submitting for approval plans for a proposed water system to serve new residential or commercial development may choose to include a private raw water irrigation system to

be approved by the City. Along with the preliminary drawings and plans for the overall water system, the property owner or developer shall include a report listing any irrigation water rights owned by the property owner or developer and a map showing any irrigation ditches, pipelines, or other irrigation facilities proposed to serve or already serving the property. In addition, a developer desiring to install a raw water irrigation system pursuant to this Article shall also submit an irrigation plan to the City for its review and approval. The irrigation plan shall describe the amount of water used for irrigation on the property, the source and supply season of the water and shall describe measures designed to eliminate the use of City potable water for irrigation. Finally, plans and specifications for the raw water irrigation system shall be submitted to the City for its review and approval. No cross connections to the City's potable water system shall be permitted for raw water irrigation systems. All piping, valves, sprinkler heads and other outlets shall be marked to differentiate raw water from potable water use. Outlets for raw water shall be posted or otherwise marked in a manner that will indicate clearly that the water is unsafe and shall not be used for drinking, cooking or bathing.

(c) No raw water irrigation system infrastructure shall be allowed in the City's rights-of-way without a separate license agreement from the City with terms and conditions satisfactory to the City, which the City may grant in its sole discretion.

13-7-60. Maintenance.

Developers and their successors-in-interest shall own, operate, maintain, and repair all private raw water irrigation systems in the City. Maintenance of private raw water irrigation systems shall be subject to observation and inspection by the City Engineer. The developer or its successor-in-interest, most typically a home or unit owners association, shall be required to operate, maintain, and repair the private raw water irrigation system in good workmanlike order. If the City deems necessary at the City Council's discretion, and after notice and the right to cure have been given, the City has the right, but not the obligation, to perform any maintenance or repair work on a private raw water irrigation system and to bill that work to the owner of the system. Payment for such repair work shall be subject to all lien rights of the City and to any other remedy allowed by law or otherwise prescribed in the Rifle Municipal Code.

13-7-70. Covenants for Customers of Raw Water Irrigation Systems.

Prior to receiving the water system improvement fee and water rights dedication reductions described in this Article, developers utilizing raw water shall include as a minimum the following provisions in their restrictive covenants, which covenants must be reviewed and approved by the City. If the subject property is not already subject to restrictive covenants, new covenants consisting of the following provisions shall be created, accepted by the City, and recorded:

(a) In the event of any violation of the provisions of this Article, namely the unauthorized use of City potable water for irrigation use, the customer shall be subject to the penalties provided for in Chapter 1, Article IV of the Rifle Municipal Code. Additionally, in the event that unauthorized use of potable water for irrigation occurs in a development where a raw water irrigation system has been installed by a developer and the building permit applicant has received a water system improvement fee reduction pursuant to Section 13-4-70 and water rights dedication reduction pursuant to Section 13-6-30(f), the customer shall take immediate steps to curtail such use or shall be subject to forfeiture of all or part of said reductions and shall be required to repay the amount of the water system improvements and water rights dedication fee reductions at the rates then in effect.

(b) Any excavation or repair work on raw water service lines shall be governed by and completed in accordance with the engineering requirements and specifications of the City and is subject to the observation, inspection, and approval of the City Engineer to ensure that no City facilities are impacted by the work.

(c) Notification shall be provided to inform the public that non-potable water is being used for irrigation and is not safe for drinking, cooking or bathing. The notification shall include posting of signs of sufficient size to be clearly read by the public at all of the entrances to properties utilizing raw water irrigation systems and in all public application areas (*i.e.*, parks, open space, common areas, etc.). All piping, valves, sprinkler heads and other outlets shall be marked to differentiate raw water from potable water use. Outlets for raw water shall be posted or otherwise marked in a manner that will indicate clearly that the water is unsafe and shall not be used for drinking, cooking or bathing.

(d) Covenant provisions must detail operation, maintenance, repair and replacement of the raw water system, including assessment of property owners to fund the system and collection and lien procedures for unpaid assessments. The covenant provisions regarding raw water irrigation cannot be revoked, amended or modified without the City's consent and approval.

INTRODUCED, on April 15, 2009, read in full, passed on first reading, and ordered published by title as required by the City Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on May 6, 2009, passed ~~without~~with amendment, approved, and ordered published in full as required by the Charter.

DATED this _____ day of _____, 2009.

CITY OF RIFLE, COLORADO

By _____

Mayor

ATTEST:

City Clerk

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 14
SERIES OF 2009**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING
SECTION 2-2-10 OF THE RIFLE MUNICIPAL CODE BY REGARDING THE
COMPENSATION PAID TO THE MAYOR AND CITY COUNCIL MEMBERS
EFFECTIVE AFTER THE SEPTEMBER 8, 2009 REGULAR MUNICIPAL
ELECTION.

WHEREAS, Article 3.7 of the City of Rifle Charter authorizes the City Council to establish by ordinance the amount of compensation for the Mayor and Council Members, with any increase taking effect after the next general election of Council members; and

WHEREAS, the compensation for the Mayor and City Council Members has not been increased in several years, while the cost of living in the City, the complexity of issues facing the City and the time and effort required for said positions have increased dramatically; and

WHEREAS, a poll of other Western Slope communities shows that the compensation for the Mayor and City Council Members is below the average for neighboring communities; and

WHEREAS, the City Council desires to amend the compensation for the Mayor and the City Council Members as set forth herein.

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

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

Section 2. Section 2-2-10 of the Rifle Municipal Code is hereby amended to read as follows:

2-2-10. Compensation.

(a) Effective after the September 8, 2009 regular municipal election, the monthly compensation for the Mayor shall be _____ dollars (\$_____.00).

(b) Effective after the September 8, 2009 regular municipal election, the monthly compensation for each Council Member shall be _____ dollars (\$_____.00).

INTRODUCED on May 6, 2009, 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 May 20, 2009, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ____ day of _____, 2009.

CITY OF RIFLE, COLORADO

BY _____

Mayor

ATTEST:

City Clerk

Mayor/Council Monthly Salary

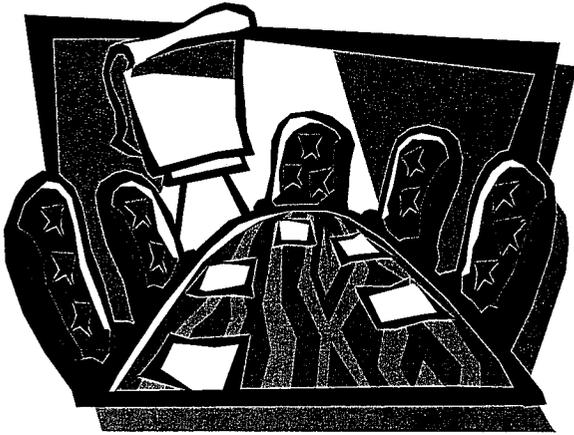
	<i>Rifle</i>	<i>New Castle</i>	<i>Montrose</i>	<i>Silt</i>	<i>GWS</i>	<i>Parachute</i>	<i>Vail</i>	<i>Aspen</i>	<i>Meeker</i>	<i>Carbon-dale</i>	<i>Ave</i>
Mayor's Wage*	300	200	325	400	500	200	1000	2325	75.80	1000	632.58
Councilor's Wage*	200	100	275	200	400	120	500	1700	54.15	600	414.91
Paid Health Insurance?	N	N	N	N	N	N	N	Y ³	N	N	N/A
Pay for Extra Mtgs?	N	N	N	N	N ¹	Y ²	N	N	N	N	N/A

N=10

*Monthly

- 1 = Considering participation in 457 Retirement Plan
- 2 = Special meetings are billed to applicants at the rate of \$300 for Mayor and \$180 for Council
- 3 = Pay for single health insurance coverage, or given stipend equal to premium

Managers Report



May 6, 2009

The agenda for May 6 is fairly light, containing a handful of action items. Staff have been very busy with various spring programs and preparing for the upcoming Council retreat. My comments are as follows:

Spring Cleanup



The spring cleanup is progressing very well. City crews have completed the eastern side of the City, and are presently working west of

Railroad Ave. The community has really "pitched in", and a great amount of materials have been removed to the landfill. We want to thank the Public Works and Parks Department crews for their assistance, and especially Lynda Simpson for her efforts in advertising and planning the cleanup. Also, thanks are due to Garfield County for waiving the landfill fees. This has represented a significant cost savings. Finally, on a financial note, we expect the total cleanup cost to be approximately \$16,000 to \$18,000. We have typically budgeted for this cost in the Sanitation Fund. During preparation of the 2009 budget, we discussed including this cost in the Sanitation or General Fund. We have contingencies in both funds to account for the cost, but I believe the General Fund is in a

better financial position, so I recommend payment from that source.

South Wastewater Plant

In recent weeks our south wastewater treatment plant has experienced some odor problems. A broken aerator contributed to the problem, but it has been replaced. Staff advised that the lagoon typically has experienced some odor problems each spring. We believe the problem has been rectified and are monitoring it very carefully.

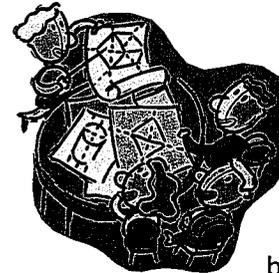
Community Garden



Three City employees, Erin Sims, Nathan Lindquist, and Mike Braaten have been organizing a community

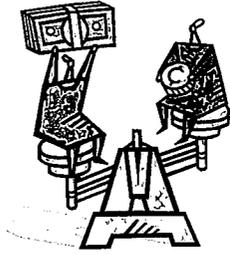
garden in cooperation with the Bookcliffs Arts Council. The garden has 18 beds and all but two are reserved already. I want to congratulate our employees for working on this project. Also, thanks are due to Wal-Mart and EnCana for financial assistance.

Managers Meeting



We hosted a regional City / County managers meeting on April 28th. Our area managers will be meeting on a regular basis, probably quarterly, to share information and discuss areas of mutual concern.

Financial Review



Finance Director Charles Kelty and I continue to monitor City finances for 2009. It is obvious that revenues are trending downward due to the economic slowdown.

We plan to conduct a work session review of finances with the City Council in May to discuss options and strategies.

Senior Center Freezer

A major storage freezer at the Senior Center has failed. It may cost \$5,000 to \$10,000 to replace it. Marie George is working on finance options and we may be able to obtain some "outside" assistance to replace this walk in freezer.

Veterans Memorial Wall



Jay Miller and I will meet with John Scalzo on April 30th to discuss this issue, as directed by Council. Last week the Rifle Tourism Advisory Board voted to recommend that a \$5,000 donation be made for the memorial, from the Tourism Fund. The Parks and Recreation Advisory Board received a request by Mr. Scalzo for a donation, but has not yet taken action.

Municipal Court



I am reviewing Judge Zerbi's request to add an additional day per month to the Court calendar. I will need to discuss this proposal with City Prosecutor Ed Sands. I plan to bring this issue back to Council at a work session for your deliberation.

Capital Projects

As Council is aware, there are fewer capital projects scheduled in 2009, however, progress continues on the Wastewater Treatment Plant and on the Parks Maintenance Facility. Public Works crews are continuing maintenance activities including hydrant and storm drain flushing. Crews are presently gearing up to begin crack sealing. This past week they have assisted with the City Spring Cleanup efforts. The City Engineer is planning bid specifications for overlay work on Whiteriver Avenue and north Railroad Avenue.

As always, I hope this report is informative. Please call me with your questions and comments.

Thanks,

A handwritten signature in black ink, appearing to be the name "John". The signature is written in a cursive style with a long, sweeping underline.

John

John Hier, City Manager
Phone: (970) 625.6266
Fax: (970) 625.3210

202 Railroad Avenue
Rifle, CO 81650
jhier@rifleco.org



Memorandum

TO: Honorable Mayor and City Council
FROM: John Hier
DATE: April 16, 2009
RE: Vacation

Dear Mayor and Council;

This memo is to inform you that I am leaving for vacation on May 7th and will return on May 17th. I am going to Florida to visit family members. In my absence, please contact Matt Sturgeon with any pressing matters. As always, please do not hesitate to contact me with any questions or concerns you may have. I will have my cell phone with me (970) 319-7592.

Thank you,



John





Memo

To: John Hier, City Manager
From: Wanda Nelson, City Clerk (WN)
Date: Wednesday, April 29, 2009
Re: Visitor Improvement Fund (VIF) Advisory Board Openings

In June, two openings will occur on the VIF Advisory Board – Trent Pierson and Helen Rogers. Both members expressed interest in continuing on the Board.

When openings have occurred on other boards (such as PRAB and P&Z), staff has advertised the openings, even when current members wanted to continue. Generally Council has re-appointed those individuals to some capacity on the board.

Staff seeks direction to address the openings on the VIF Board.

Thank you.





April 23, 2009

RIFLE VILLAGE SOUTH CITIZENS— In the past three (3) weeks some of the residents of Rifle Village South have been complaining of odors coming from the South Wastewater Facility. As the plant is operating well within its state permit requirements, the wastewater staff has been working continuously to address this common spring time nuisance. During this time of year the lagoons are naturally going through the spring turnover; the water warms up, the microorganism become active use most all of the available dissolved oxygen (DO), which is made by the aerators, and when there is not enough DO odors can be produced. Strong winds the past few weeks caused the odors to blow through the neighborhood and into surrounding areas. In years past this has not been a huge issue during the spring time, however, this year a few things have happened that may have contributed to a longer-term nuisance.

There was an electrical fire in a junction box that caused power to be lost to the four (4) aerators in lagoon cell #1 for about a week. After the electrical repairs were made, one of the aerator's motor was found defective and had to be replaced. Operations staff has replaced the defective aerator motor, plugged-off flow from the north side lagoon treatment facility, added enzymes to break down the waste and assist the bacteria in doing their job, and other chemicals to help with the process. Any changes made in the wastewater treatment processes take about a week or two for the changes to take effect. As the weather and temperatures start to stabilize the odor nuisance should go away. The City of Rifle Utility Department apologizes for the inconvenience this may have caused.

*City of Rifle • Utility Department • 202 Railroad Ave. • Rifle, CO 81650
(970) 625-6272 Phone • (970) 625-6268 Fax*

UPDATE ON THE NEW RIFLE REGIONAL WASTEWATER RECLAMATION FACILITY

(RRWWRF)

If you're not aware, the City of Rifle is in the process of building a new state of the art wastewater facility on the north side of the Colorado River. This facility will process sewage from both the north and south sides of Rifle replacing the two (2) existing aerated lagoon facilities. The new RRWWRF is scheduled to be put on-line in August of this year. Once the new facility is on-line the old south plant will be closed and cleaned up with only the existing pump station remaining to pump wastewater from the south side of the Colorado River to the new RRWWRF.

We thank you for your support of the Utility Department and ask for your continued patience as we address this spring odor issue. Please contact the Utility Department or Wastewater Division if you have any concerns or questions with the odor issue or the new RRWWRF at 625-6272 or 665-6580.

In service,

A handwritten signature in black ink, appearing to read 'Charles G. Stevens', with a long horizontal line extending to the right.

Charles G. Stevens
Utility Director



MEMORANDUM

To: John Hier, City Manager

From: Mike Braaten, Government Affairs Coordinator

Date: April 30, 2009

Re: Staff Report

Preliminary decision in Rifle's favor revising the 2MW Solar Limit – PUC Rulemaking

As staff has reported, the City of Rifle has been an active participant in pursuing the elimination or modification of an existing rule of the Colorado Public Utilities Commission that limits customer-sited solar systems to a maximum generation of 2 megawatts (MW). Staff has advocated that the rule be amended to a limit based upon the power need/use or that municipalities be allowed an exemption from the rule entirely.

On April 20, 2009, the administrative law judge (ALJ) handling the review of the Renewable Energy Standards rules issued his recommended decision. In the 68 page decision on numerous topics, the ALJ agreed with the City of Rifle's arguments that the existing 2 MW limit, "...is somewhat arbitrary...and that a larger cap is warranted." He noted that as the solar industry has advanced, systems are becoming larger and at least two entities commenting on this issue, the City of Rifle and Denver International Airport, are at or close to the cap. His ruling recommended the cap be modified in one of the ways suggested by the City; allowing a system to be sized to supply no more than 120 percent of the customer's average annual electricity consumption. As the limit was recommended to be modified, the ALJ did not recommend a municipal exemption to the limit.

Although a great decision from the City's standpoint, the rulemaking process is not done yet. This is only a recommended decision and will go to the 3-member Public Utilities Commission for final decision. The PUC can be adopt in whole or part, the ALJ's recommendations, or they may modified the decision altogether. Staff will continue to follow the process and advocate on behalf of the City's interests.

Congressman Salazar identifies Rifle Water Project as a Federal Funding Priority - \$1.5M

For the second year in a row, I have submitted to the Congressman's staff a request for federal appropriations (earmark) related to the construction of a new water treatment/purification facility for the City of Rifle. Last year the request was for preliminary engineering and design work and we were unsuccessful in obtaining those funds. This year, the request was for transmission line improvements related to the construction of a new water purification facility. This year's appeal made the Congressman's initial request list - a HUGE accomplishment given the competitive nature of earmarks,

but our requested amount was reduced to \$1.5 million (from \$4.5 M). There is no guarantee of funding, and there is a long “wait and see” process ahead, but the City’s application is in the queue for funding. If approved, the funding would flow to the City to assist in the deployment of drinking water to residents and businesses. The Congressman sits on the powerful House Appropriations Committee and has identified a number of federal funding priorities in addition to Rifle’s project. Congressman Salazar’s federal funding priority list is available at his website: <http://www.house.gov/salazar/appropriations.shtml>. Staff will provide additional information as it is available.

Garfield New Energy Communities Initiative (G-NECI)

Council approved the IGA between the City and Garfield County at its April 1 meeting, the City Engineer developed an RFP for the replacement of the 3rd Street lights to match the light-head style of the newer lights on the 3rd Street bridge throughout 3rd Street from West Ave. to East Ave, but the new lights will feature LED downcast lights. Deadline for bids on this project are due April 30, 2009 with the work scheduled to be completed by mid-Summer.

Also – NECI is sponsoring a contest to award 12 complete home energy audits and up to \$1400 of insulation per home for 2 residents in each zip-code of Garfield County. Deadline for applications is May 1, with a drawing May 6th. More information is available at www.garfieldnewenergy.org.

DOLA Employee Residence Reports underway

Staff is currently collecting and verifying energy employee residence reports provided by energy producers to DOLA. Once all reports are in, staff will sit down with County and other municipal representatives from Garfield County to finalize the numbers and submit them to DOLA. April 30th is the deadline to file the reports, but late employee reports are common and still accepted. Also – with recent law changes, other factors (population and street/road lane miles) will play a role for the first time in the direct distribution of severance tax and federal mineral lease revenues, so it is difficult to say how the new factors will impact Rifle’s direct distribution.

Legislative Update

The Legislature adjourns May 6th. The following are issues still under debate in the waning days of the session of primary concern to the City:

SB 232 (Senators Schwartz and Penry, Rep McFadyen) would have allow the local government Federal Mineral Lease permanent fund created last year to be tapped (for up to \$5M/year) to finance local government infrastructure projects (without regard to impact). Staff and the Mayor provided comment to CML and the sponsors. During debate in the first committee, the Sponsor revised the bill into a taskforce to meet over the summer to look at developing a proposal that local government could support.

Additionally, an amendment to the bill added in the Senate will allow DOLA to tap about \$17M in the FML permanent funds immediately to provide additional funds to FML impacted areas to offset the anticipated reduction in severance tax/FML distributions. The reason for the amendment was a concern that given the State’s fiscal crisis, Legislators may look to tapping those funds to balance the budget depending on the next budget/revenue forecast due in mid-June. The bill still needs to go through the

House and be signed by the Governor to go into effect and allow DOLA to distribute the FML funds. Still to be determined is how the additional FML funds would be distributed.

SB 238 Would have capped all local government building permit fees, potentially including sales and use tax, on residential and commercial solar system installations and would have applied the cap retroactively to May, 2008. This bill was killed in the Senate Local Government Committee

HB 1327 would change the existing Urban Renewal Laws significantly. The bill has two problematic provisions. The first requires a URA enter into an IGA with the other local governments that impose a property tax mill levy within five years or return 50 percent of any TIF revenue generated by the URA to the other entities and second, it requires that the URA make up the revenue shortfall of the other districts no matter the reason. The bill is currently stalled in the Senate Local Government Committee.

SB 180 This would have imposed mandatory collective bargaining for all police and firefighters and is being pushed by the labor unions. As amended, the bill removed provisions related to police and now applies to fire departments of 50 covered employees or more. The Governor has said publically he will veto the legislation if it reaches his desk.

State Budget

The State 09-10 budget has been finalized. Of primary concern to Rifle and due to the horrible budget predicament in which the State is placed, the Legislature was forced to tap the DOLA Local Government Impact fund. They used \$7.5M to balance the existing year's budget (08-09) and used \$20M of whatever revenues are received next year.

Depending on the outcome of the State revenue projections due in mid-June, the Legislature may be called into a special session to slash the budget even more. If so, the DOLA Local Government Impact Grant Program could be in jeopardy of being zeroed-out. Staff will monitor the situation and take action as appropriate.

Also, in relation to the budget and due to a recent opinion by a Legislative Counsel Attorney, the Legislature, with the support of the Governor, will soon pass a bill to do away with the 6 percent annual appropriation limit that has governed the Legislature's budgeting since the early 1990s. The 6 percent limit, often referred to by the sponsors of the bill, Arveschough and Byrd, that implemented the limit, allow the State Budget to grow at a 6 percent rate from the previous year. If any revenues existed above the 6 percent, those funds flowed to transportation improvements and state capital construction. If those items met their statutory funding mark, then whatever was left was refunded to state tax payers.

The new limit will be tied to a percentage of statewide personal income growth (5%). Additionally, since doing away with the Arveschough Byrd limit would eliminate general fund transfers to CDOT/transportation in "good" years, the Governor agreed to dedicate 2 percent of the state's general fund to transportation needs for 5 years beginning in state fiscal year 2012-2013 if personal income growth from the previous year is greater than 5 percent. There will also be an additional amendment to allow the State's rainy day fund to grow from 4 percent to 10 percent over a number of years pending positive economic growth for the State.

I'm happy to answer any questions and can be reached at 625-6267 or mbraaten@rifleco.org.

April 24, 2009



Mr. Fred Jarman, Director
Garfield County Building and Planning Dept.
108 8th Street, Suite 401
Glenwood Springs, CO 81601

RE: SUP 11408 or Scott Pit Project

Dear Mr. Jarman:

The City of Rifle appreciates the referral regarding this matter and does wish to offer comments. The project sets approximately 1 mile east of the main I-70 entrance to Rifle and directly north of the Rifle Business Park. The proposed gravel pit would have a direct impact on Rifle's gateway.

Before commenting on the specifics of this application, staff wishes to restate the City's overall position regarding the topic of gravel mining in general. The Rifle City Council has voiced concerns over the cumulative impacts of gravel pits on the Colorado River riparian system, and has requested Garfield County study these impacts more closely before approving additional gravel extraction activities within the drainage. This position remains unchanged.

The Scott Pit presents a more direct concern to the City of Rifle. First and foremost there is concern regarding the potential impact to our watershed. We have been working with the applicant's consultants regarding this issue, and a watershed permit application has been filed with the City. It is our understanding the county permit hearings will occur in advance of the watershed permit hearing, therefore the city wants to remind the county that this property does set within Rifle's watershed district boundaries. The city is requiring a watershed permit before activities occur on this site. Please note Rifle's jurisdiction covers the operations related to protecting our watershed. Rifle has no general land use authority over this project, and our process will not allow the city to address any of the topics staff will raise in the remainder of this letter. The city must rely upon the county to protect the interests of the City of Rifle residents as they pertain to the following matters.

The proposed pit and associated industrial operations will have a 4-6 year impact on county residents residing within the corporate boundaries of Rifle. The city appreciates that the applicant significantly reduced the scope of the mining activity from what was proposed in the previous special use permit application. However, the city remains opposed to the proposed processing activities. The application fails to illustrate the 4-6 year condition of the property during the operation of the asphalt and concrete plants. The best representation available for comparison is United's current operations on Highway 6, east of Rifle. The introduction of a highly visible concrete batch plant and asphalt plant—similar to what is visible along Hwy 6—at this location along I-70 will place an unfair hardship on numerous business sectors operating within the City.

People traveling the I-70 corridor visiting Rifle or contemplating residential and/or commercial investment in Rifle will associate Rifle with this industrial activity during the life of the project. While



CITY OF RIFLE
202 RAILROAD AVENUE • P.O. BOX 1908 • RIFLE, CO 81650
970-625-2121 • WWW.RIFLECO.ORG

Reclamation of the Scott Expansion to the Chambers Gravel Pit

1. Reclamation efforts must return hydrology and ecology in the area to as functional a state as existed prior to the disturbance. Specifically, the type of wetlands present and the diversity of animals and plants inhabiting the area prior to its disturbance must be able to return to the site as soon as possible and in the least impacted manner possible.
2. In order to ensure that the full range of native plants and animals found on the site pre-disturbance return, a biological assessment by a reputable firm should be performed, if this has not occurred already.
3. Restoration techniques are crucial in restoring the proper diversity of animal and plant life. Specifically, plants should be restored by plug rather than seed, for the most part, due to the long dormancies required by many seed types. Broadcast seeding is the least effective method of reclamation with respect to native plant propagation and proliferation. We strongly support plugging as a primary method so that the success of reclamation efforts can be established quickly and results that do not meet expectations fixed. As far as seeding, we support actually injecting seeds into the ground by drill seeding methods rather than ineffective broadcast seeding. We are also concerned that the landscaper will only be responsible to monitor results for a few months after planting. Particularly if seeding is utilized, this will not allow success of the project to be assessed adequately in light of the fact that some seeds take three years to germinate. We are requesting assurances that the developer and/or landscaper will be responsible for revegetation at the sites over an adequate period of time, which will be determined by the replanting techniques used.
4. Adequate consideration must be given to the timing and nature of restoration in terms of budget and scheduling so that the right work occurs at the correct time following the disturbance. A reclamation plan developed by a reputable firm should be in place prior to extraction. It would be helpful to utilize a successful reclamation project in the region as a benchmark, if such a project exists.
5. A successful weed control program must be a major part of the reclamation effort. Any disturbance of the areas will result in a weed influx, so management is crucial.
6. All disturbed soil should be life-handled in order to maintain its living components and health. Live handling involves stock piling the native soil in small piles so that internal microorganisms are not damaged. If handled correctly, the soils can be used to reinoculate the site.
7. Plants utilized in reclamation efforts should come from local sources to avoid introducing genetic pollution or erosion.
8. The reclamation plan must give proper consideration to the reproductive biology and migratory patterns of resident animal and waterfowl populations. The timing of disturbance and reclamation is paramount for nesting species such as blue herons, eagles, etc.



Antero Resources
1625 17th Street
Denver, Colorado 80202
Office 303.357.7310
Fax 303.357.7315

April 14, 2009

City of Rifle
P.O. Box 1908
Rifle, CO 81650

RE: Royalty Payments
Garfield County, Colorado

Dear Interest Owner:

Antero Resources Piceance Corporation is the current operator of one or more wells under which you have been receiving payment for royalties under your oil and gas lease located in Garfield County, Colorado. In the area, the company has drilled and completed over 175 natural gas wells since it began operations in 2005. Additionally, the company has invested a significant amount of capital in pipeline infrastructure to gather natural gas produced from these wells.

Antero strives to obtain the best price for your royalty gas. However, due to the low prices being realized for natural gas in the area, the company will be curtailing production on some or all of the wells affecting your lease. This curtailment, along with the lower natural gas prices, will result in your royalty check for subsequent months being lower than what you have seen in the recent past. As market conditions improve, Antero will be looking for opportunities to continue unrestricted production from all of its wells in Garfield County.

We appreciate your understanding and cooperation as Antero strives to obtain the best price for your royalty gas given the market conditions.

Very truly yours,

Antero Resources Piceance Corporation