



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 20, 2009**

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

6:00 P.M. Propane Powered Vehicles (Dave Ling)

6:30 P.M. 2008 Financial Audit (Charles Kelty & Tim Mayberry)

**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 May 6, 2009 Regular Meeting
  - B. Liquor License Renewals: Texan Bar; Choice Liquors; Fiesta Guadalajara
  - C. 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. Honoring Years of Service
  - A. Resolution 13-09: William Jones – 20 Years
  - B. Resolution 14-09: Vaughn Miles – 30 Years
- 7:30 p.m. 6. 2008 Financial Audit (Charles Kelty & Tim Mayberry)
- 7:45 p.m. 7. Bookcliff Arts Council Annexation and PUD Zoning (Nathan Lindquist)
  - A. Resolution 10-09: Findings of Fact
  - B. Resolution 11-09: Annexation Plan
  - C. Second Reading of Ordinance 11-09: Annexation
  - D. Second Reading of Ordinance 12-09: Zoning
- 8:00 p.m. 8. 14<sup>th</sup> Street Marketplace PUD (Nathan Lindquist)
  - A. Second Reading of Ordinance 15-09: Property Re-zone
  - B. Second Reading of Ordinance 16-09: PUD Approval
- 8:10 p.m. 9. Second Reading of Ordinance 14-09: Compensation for Mayor and Council Members (Lee Leavenworth)
- 8:15 p.m. 10. First Reading of Ordinance 17-09: Building Permit Fees for Small Projects (Matt Sturgeon)
- 8:25 p.m. 11. Resolution 12-09: Compliance with House Bill 08-1141 – Adequate Water Supply (Lee Leavenworth)
- 8:35 p.m. 12. Third Street Lighting Replacement Project (Dick Deussen)
- 8:50 p.m. 13. Administrative Reports
  - A. City Manager Report
  - B. Other Reports
- 9:00 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: June 3, 2009 at 7:00 p.m.**



# RIFLE CITY COUNCIL MEETING

Wednesday, May 6, 2009

REGULAR MEETING

7:00 p.m. \* Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:05 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; Jim Bell, Cable 10; Michael Churchill, Cable 10; Charlie Stevens, Utility Director; Nathan Lindquist, Planner; Charles Kelty, Finance Director; Dale, Sally, & Layne Potvin; Andrea Porter; Heidi Rice, *Citizen Telegram*; Gaspar Perricone; Shari Neuroth; Paul & Jo Huffman; Darrell DeForest; James E. Golden; Annick Pruitt.

## CONSENT AGENDA

***MINUTES OF THE APRIL 15, 2009 REGULAR MEETING; MARCH SALES TAX REPORT; MARCH FINANCIALS; LIQUOR LICENSE RENEWALS: WINCHESTER, RIFLE LIQUOR; APPOINTMENTS TO PLANNING & ZONING COMMISSION; ACCOUNTS PAYABLE***

Councilor Lambert moved to approve the Consent Agenda; seconded by Councilor Sanborn.

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

## CITIZEN COMMENTS AND LIVE CALL-IN

Andria Porter, publisher of the *Citizen Telegram* and *Post Independent*, stated that the *Telegram* will continue to publish a weekly newspaper. Jim Golden from Rifle Village South discussed his concern with odor from the wastewater plant and excessive dump truck traffic.

## ***GASPAR PERRICONE, REGIONAL REPRESENTATIVE FOR U.S. SENATOR MARK UDALL***

Mr. Perricone introduced himself and provided an update on the Colorado Workforce Tour. He recounted the Senator's visit to Rifle's solar array, and discussed other items the Senator is working on.

## ***YOUTH WEEK PROCLAMATION***

The Elk's Lodge designates a week in May each year to honor America's Junior Citizens for their service to the community. Mayor Lambert read the Proclamation aloud, and Darrell DeForest, Exalted Ruler with the Elk's, was present to receive a signed copy. Councilor Rice moved to approve the Proclamation; seconded by Councilor Miller.

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

***SECOND 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. Councilor Bascom moved to approve Ordinance 13-09 as presented and ordered it to be published in full as required by Charter; seconded by Councilor Lambert.

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

***PUBLIC HEARING: 14<sup>TH</sup> STREET MARKETPLACE PUD***

***FIRST READING OF ORDINANCE 15-09: PROPERTY RE-ZONE***

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

***FIRST READING OF ORDINANCE 16-09: PUD APPROVAL***

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING A PUD FINAL DEVELOPMENT PLAN AND FINAL SUBDIVISION PLAT FOR 14<sup>TH</sup> STREET MARKETPLACE PLANNED UNIT DEVELOPMENT.**

Mayor Lambert opened the public hearing. The applicants Dale, Sally, & Layne Potvin reviewed their application, which is a request for a Final PUD Development Plan and Subdivision for 14<sup>th</sup> Street Marketplace located at 14<sup>th</sup> Street and Railroad Avenue. The Project is a mixed use residential and commercial development to be developed in three phases. 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. 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. 15-09 approves the PUD Zoning and PUD Guidebook, and Ordinance No. 16-09 approves the Subdivision of the Property, including the creation of condominium units. Councilor Lambert moved to approve Ordinances 15-09 and 16-09 on first reading as presented and ordered them 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

***SECOND 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 Miller moved to approve Ordinance 10-09 as presented and ordered it to be published in full as required by Charter; seconded by Councilor Thompson.

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

***FIRST READING OF ORDINANCE 14-09: COMPENSATION FOR MAYOR AND COUNCIL MEMBERS***

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

Mr. Neu explained that 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. A chart comparing compensation paid in neighboring municipalities was included in Council's packet that shows the City of Rifle is below average. 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. Ordinance No. 14, Series 2009 would amend Section 2-2-10 of the Code, and 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 this one and not the current Council, as required by Charter. Councilor Rice moved to approve Ordinance 14-09 as presented and ordered it to be published by title as required by Charter; seconded by Councilor Thompson.

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

***EXECUTIVE SESSION: LEGAL ADVICE***

Councilor Rice moved to adjourn to Executive Session for Legal Advice under CRS Section 24-6-402(4)(b); seconded by Councilor Lambert (8:25 p.m.)

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

Councilor Lambert moved to adjourn from Executive Session; seconded by Councilor Bascom (9:05 p.m.).

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

***CHANGE ORDER #8 FOR RRWRF***

Mr. Stevens presented Change Order #7 for the RRWRF. The changes include belt filter press conveyor improvements and changes, and an escalation in the roofing materials. Councilor Bascom moved to approve the Change Order in an amount of \$24,969.54; seconded by Councilor Rice.

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

***ADMINISTRATIVE REPORTS***

Mr. Hier reviewed the following items: Spring Clean-up; odor problems at the wastewater plant; kudos to Erin Sims, Nathan Lindquist, and Mike Braaten for their work on the Community Garden; recent City-County manager's meeting; construction north of Rifle; first quarter revenues; broken freezer at the Senior Center; meeting with John Scalzo regarding the Veteran's Memorial; Court request for an additional day; capital projects. Ms. Nelson discussed two openings on the Visitor Improvement Fund Advisory Board, and was instructed to advertise the opening. Mr. Sturgeon reported that Planner

Robert Mansolillo's last day will be May 13<sup>th</sup>. Outreach meetings with the consultants working on the Gateway Plan will be held May 18-20 at City Hall.

**COMMENTS FROM MAYOR AND COUNCIL**

***CONGRATULATIONS GRADUATES!***

The Council congratulated all the graduates.

***HAPPY BIRTHDAY TANNER!***

Councilor Bascom wished Tanner a very Happy Birthday.

***HAPPY MOTHER'S DAY***

Councilor Rice wished all the mothers a very happy day. Councilor Thompson stated that the Symphony in the Valley is performing on Mother's Day.

***KUDOS***

Councilor Rice thanked Charlie Stevens and Tom Whitmore for giving him a tour of City facilities under construction.

***WORKSHOP WITH THE EDC NEXT WEEK***

Mayor Lambert reminded Council of the workshop next week with the Economic Development Corporation.

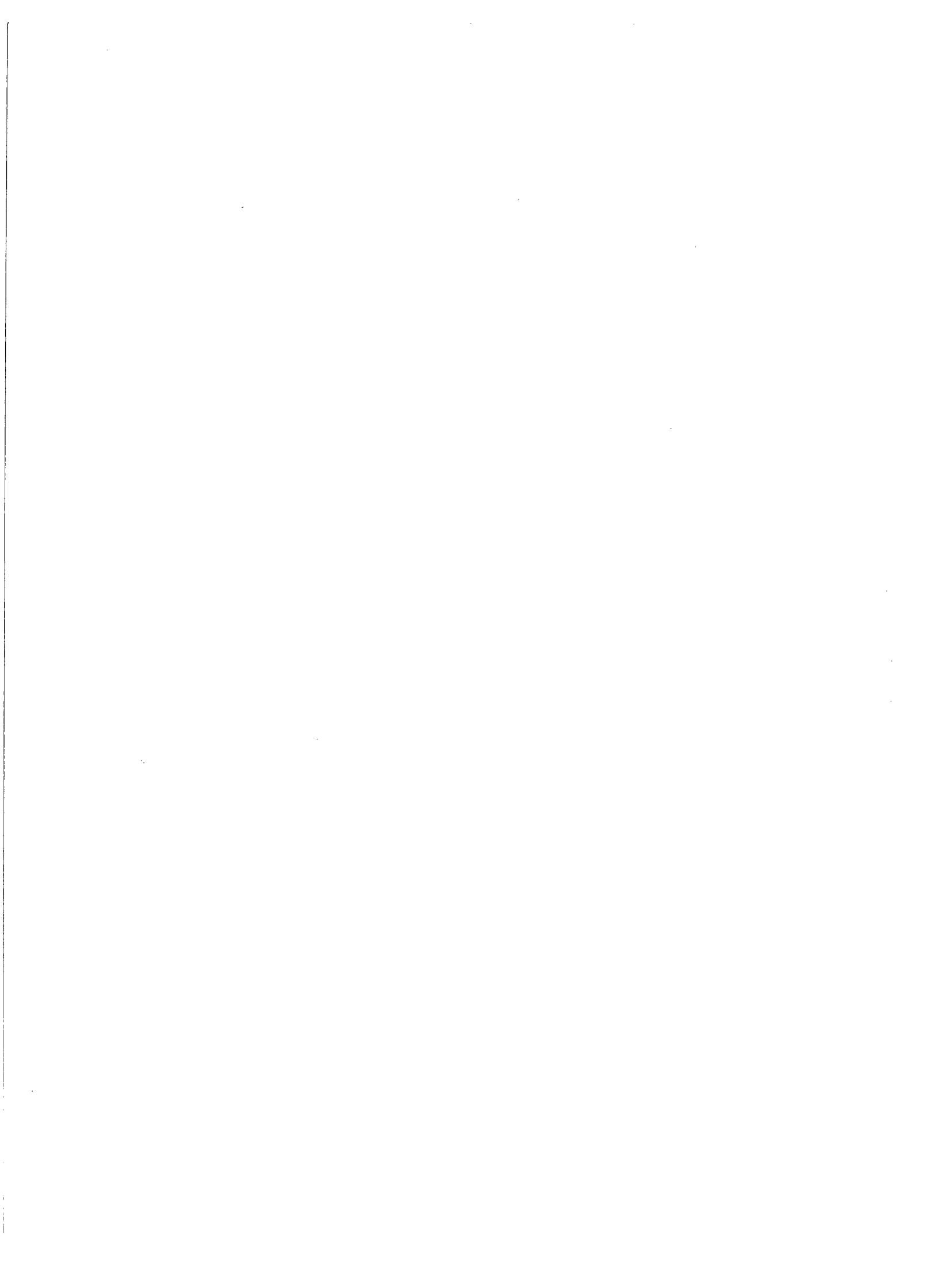
Meeting adjourned at 9:29 p.m.

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Wanda Nelson  
City Clerk

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Keith Lambert  
Mayor





## Memo

**To:** John Hier, City Manager  
**From:** Wanda Nelson, CMC, City Clerk *WN*  
**Date:** Wednesday, May 13, 2009  
**Subject:** Liquor License Renewal(s)

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### LIQUOR LICENSE RENEWALS HAVE BEEN RECEIVED FOR:

Texan Bar  
127 East Third

Type of License: Tavern

Choice Liquors  
680 Wapiti Court

Type of License: Liquor Store

Fiesta Guadalajara  
1214 Access Road

Type of License: Hotel & Restaurant

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).



Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
05/09	05/01/2009	42879	1322	Boulton, J.r.	04272009	1	100-4210-400-580		69.15
05/09	05/01/2009	42880	4121	Cebt	05012009	1	100-202-007		72,980.15
					05012009	2	210-202-007		10,857.11
					05012009	3	310-202-007		11,375.47
					05012009	4	320-202-007		4,530.02
					05012009	5	330-202-007		886.46
					05012009	6	310-202-007		1,393.85
Total 42880									102,023.06
05/09	05/01/2009	42881	5704	COLE, BRENT	04302009	1	100-4310-400-580		76.75
05/09	05/01/2009	42882	5706	CORDOVA, DAVID	2024101	1	001-004-175		86.56
05/09	05/01/2009	42883	4777	Garfield County	04132009	1	100-4514-400-320		27.58
05/09	05/01/2009	42884	5705	IOWA DEPT OF NATURAL RESOURC	04192009	1	320-4325-400-580		60.00
					04192009	2	310-4331-400-580		60.00
Total 42884									120.00
05/09	05/01/2009	42885	3015	Kroger/King Sooper Cust Charge	065719	1	100-4191-400-610		11.60
					065719	2	100-4191-400-580		11.23
					071882	1	210-4512-400-610		86.83
Total 42885									109.66
05/09	05/01/2009	42886	4002	Lambert, Keith	05012009	1	100-4111-400-580		83.82
05/09	05/01/2009	42887	1673	Miller, John	04192009	1	100-4210-400-580		51.61
3/09	05/01/2009	42888	2409	Reserve Account	2409 04/24/09	1	100-4191-400-340		7.38
					2409 04/24/09	2	100-4240-400-340		.42
					2409 04/24/09	3	210-4512-400-340		5.04
Total 42888									12.84
05/09	05/01/2009	42889	5356	Rifle City Petty Cash - Pool	04292009	1	210-001-003		300.00
05/09	05/01/2009	42890	5211	STAPLES	027092	1	100-4192-400-610		41.99
					9445131001	1	100-4210-400-610		269.68
Total 42890									311.67
05/09	05/01/2009	42891	2960	Walmart Community	021672	1	100-4210-400-610		142.81
					027410	1	210-4512-400-610		16.21
Total 42891									159.02
05/09	05/01/2009	42892		Information Only Check	.00		210-201-000		
05/09	05/01/2009	42893	1120	Xcel Energy Inc	192477260	1	210-4513-400-410		74.16
					192477260	2	310-4331-400-410		21.63
					192477260	3	310-4331-400-410		328.81
					192477260	4	310-4331-400-410		2,155.13
					192477260	5	320-4325-400-410		1,439.01
					192477260	6	310-4331-400-410		1,307.45
					192477260	7	100-4310-400-410		9.10
					192477260	8	100-4422-400-410		34.10
					192477260	9	320-4325-400-410		3,596.41
					192477260	10	210-4521-400-410		682.87
					192477260	11	100-4310-400-410		20.07
					192477260	12	210-4521-400-410		11.96
					192477260	13	100-4310-400-410		9.03

V

M = Manual Check, V = Void Check

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
					192477260	14	100-4422-400-410		10.79
					192477260	15	310-4331-400-410		140.58
					192477260	16	210-4521-400-410		252.04
					192477260	17	210-4521-400-410		147.63
					192477260	18	310-4331-400-410		9.38
					192477260	19	320-4325-400-410		666.01
					192477260	20	100-4310-400-410		37.06
					192477260	21	210-4521-400-410		9.03
					192477260	22	100-4414-400-410		136.88
					192477260	23	210-4521-400-410		15.51
					192477260	24	100-4310-400-410		9.03
					192477260	25	310-4331-400-410		486.06
					192477260	26	210-4513-400-410		27.12
					192477260	27	100-4194-400-410		2,041.65
					192477260	28	210-4521-400-410		12.30
					192477260	29	100-4310-400-410		9.03
					192477260	30	100-4310-400-410		42.21
					192477260	31	210-4521-400-410		326.48
					192477260	32	310-4331-400-410		46.63
					192477260	33	210-4521-400-410		34.41
					192477260	34	100-4514-400-410		914.34
					192477260	35	210-4521-400-410		306.22
					192477260	36	100-4310-400-410		24.94
					192477260	37	100-4310-400-410		954.87
					192477260	38	210-4521-400-410		2,038.70
					192477260	39	310-4331-400-410		10.81
					192477260	40	100-4310-400-410		423.67
					192477260	41	320-4325-400-410		9.38
					192477260	42	100-4215-400-410		2,474.84
					192477260	43	100-4310-400-410		135.83
					192477260	44	100-4310-400-410		107.17
					192477260	45	210-4521-400-410		51.16
									<u>21,601.49</u>
05/09	04/30/2009	430090057	1114	Wells Fargo Bank West	04302009	1	310-4331-400-871		2,456.48 M
					04302009	2	310-4331-400-870		6,250.00
									<u>8,706.48</u>
									8,706.48
05/09	04/30/2009	430090058	3858	Wells Fargo Bank Mn Na	04302009	1	310-4333-400-870		5,416.67 M
					04302009	2	310-4333-400-871		3,881.67
									<u>9,298.34</u>
									9,298.34
05/09	04/30/2009	430090059	4838	Sun Trust Bank Corportation	04302009	1	310-4331-400-870		18,832.75 M
					04302009	2	310-4331-400-871		7,421.70
									<u>26,254.45</u>
									26,254.45
									<u>169,292.48</u>
									169,292.48

M = Manual Check, V = Void Check

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Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
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Dated: \_\_\_\_\_

Accounts Payable: \_\_\_\_\_

Finance Director: *Jammy Francis for Charles Kelty*

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
05/09	05/04/2009	42894	2222	Colo Dept Of Agriculture	05042009	1	100-4414-400-510		358.00
Totals:									358.00

Dated: 5/4/09

Accounts Payable \_\_\_\_\_

Finance Director: *[Signature]*

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
1003	Action Shop Services, Inc	RI23175	REPAIR TRIMMER	04/28/2009	58.90		
		RI23176	REPAIR TRIMMER	04/28/2009	72.10		
		RI23177	REPAIR TRIMMER	04/28/2009	53.45		
		RI23179	REPAIR TRIMMER	04/28/2009	35.00		
		SI44391	Walk behind mower	05/06/2009	474.85		
Total 1003					694.30	.00	
1009	B & B Plumbing, Inc	28911	RIFLE REST AREA	04/27/2009	585.79		
		28962	Elk median	05/01/2009	190.00		
			Elk median		37.00		
Total 1009					812.79	.00	
1018	Valley Lumber	22788	BATTERY	04/30/2009	57.47		
		23024	GROUT	05/05/2009	14.99		
		23039	BATTERY	05/05/2009	22.98		
		23193	valve ball, nipple	05/07/2009	82.41		
Total 1018					177.85	.00	
1020	Carter & Sands, P.C.	05012009	PROSECUTER/COURTS	05/01/2009	4,791.66		
Total 1020					4,791.66	.00	
1022	Central Distributing Co	793604	GLOVES	04/29/2009	33.90		
		794436	TRASH BAG, KTCH TOWELS	05/06/2009	145.01		
		794650	Fragrance	05/07/2009	72.00		
Total 1022					250.91	.00	
1031	Colo Bureau Of Investigation	A090900010	LIQOUR LICENSE	04/06/2009	38.50		
Total 1031					38.50	.00	
1055	Columbine Ford, Inc	93566	WIRING ASSY	04/20/2009	43.51		
		93573	WIRING ASSY	04/20/2009	73.22		
		93745	RETAINER	04/28/2009	7.35		
		93759	PEDAL	04/26/2009	110.64		
Total 1055					234.72	.00	
1059	Consolidated Electrical Distr	4983-491863	REPLACEMENT CLOCK/ACTION PARK	04/24/2009	127.12		
Total 1059					127.12	.00	
1076	Garfield County Landfill	:009-0000134	Landfill	04/30/2009	13,062.70		
Total 1076					13,062.70	.00	
1087	Grainger	9881745724	Eyewear	04/17/2009	35.76		
		9888758464	RESPIRATOR	04/28/2009	89.08		
		9888758472	RESPIRATOR, GLOVES	04/28/2009	203.28		
Total 1087					328.12	.00	
1100	Leavenworth & Karp, P.c.	04302009	LEGAL FEES/non planning	04/30/2009	8,882.49		
			LEGAL FEES/planning		2,289.50		
			LEGAL FEES/ura		1,313.50		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
			LEGAL FEES/WATER&WATER RIGHTS		7,836.77		
			LEGAL FEES/PROMONTORY		264.00		
			LEGAL FEES/AIRPORT LAND PARTNEF		700.25		
			LEGAL FEES/FARM ANNEX		88.00		
			LEGAL FEES/WESTSIDE COURT		44.00		
			LEGAL FEES/PIONEER MESA		308.00		
			LEGAL FEES/WHITERIVER		2,081.87		
			LEGAL FEES/CENTENNIAL COURT APP		44.00		
			LEGAL FEES/QUEENS CROWN		858.00		
			LEGAL FEES/RIMROCK		1,110.00		
			LEGAL FEES/WHITERIVER		374.00		
			LEGAL FEES/SUNSET TOWNHOMES		3,756.00		
			LEGAL FEES/CONTINENTAL RIFLE		88.00		
			LEGAL FEES/CENTRAL SQUARE PUD		374.00		
			LEGAL FEES/Roan View Sub		352.00		
			LEGAL FEES/Duvall Minor Subdivision		242.00		
			LEGAL FEES/WILLIAMS WATERSHEP F		88.00		
			LEGAL FEES/UNITED WATERSHED		1,089.00		
			LEGAL FEES/LARAMIE ENERGY WATEI		308.00		
			LEGAL FEES/Beaver Creek Gas Pipeline		1,245.00		
			LEGAL FEES/AIRPORT ISSUES		56.50		
			LEGAL FEES/AIRPORT ISSUES		980.50		
			LEGAL FEES/AIRPORT ISSUES		203.50		
			LEGAL FEES/PARKS & REC		203.50		
Total 1100					35,180.38	.00	
1105 Meadow Gold Dairies		50200097	ICE CREAM BARS/POOL	05/07/2009	47.84		
		50200132	ICE CREAM BARS/POOL	05/11/2009	354.84		
		5020031	FOOD PRODUCTS/SR CENTER	04/30/2009	72.76		
Total 1105					475.44	.00	
1106 Micro Plastics Inc		75986	DIGITAL THERMAL	05/06/2009	8.14		
Total 1106					8.14	.00	
1108 Mountain Clear Bottled Water		278962	BOTTLED WATER	04/22/2009	17.00		
		279955	BOTTLED WATER	04/29/2009	17.00		
		279973	BOTTLED WATER	05/01/2009	103.10		
		283002	BOTTLED WATER	05/07/2009	17.00		
		82235	BOTTLED WATER	05/06/2009	34.25		
Total 1108					188.35	.00	
1110 Napa Auto Parts		025042	Grease fit	04/14/2009	11.97		
		025674	Filter	04/17/2009	30.32		
		026111	HOSE END, TUBE LAB	04/20/2009	36.19		
		026419	OIL, brake cleaner	04/21/2009	278.04		
		027087	Tank	04/23/2009	40.33		
		028038	BATTERY	04/28/2009	67.88		
		028457	BOLT FOR MOWER BLADE	04/30/2009	1.53		
		028563	FUEL FILTER/FLEET	05/01/2009	35.97		
		029256	BRAKE PADS/FLEET	05/05/2009	59.98		
		029303	OIL FILTER	05/05/2009	33.73		
		029400	LICENSE PLATE BRACKET, LAMP	05/05/2009	16.48		
		25720	AIR FILTER	04/17/2009	8.89		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 1110					621.31	.00	
1111	Neve's Uniforms, Inc	LN-203080	jackets NORTHFACE-FORCE	04/29/2009	144.89		
Total 1111					144.89	.00	
1117	Otis Elevator Company	.V05153V509	SERVICE FROM 5/01/09 TO 4/30/10	04/20/2009	1,268.76		
Total 1117					1,268.76	.00	
1118	Parts House	S427016	SUPERLUBE	04/08/2009	155.38		
		S427326	RAGS SHOP SUPPLIES	04/16/2009	86.15		
		S427327	HD AIR FILTER	04/16/2009	16.97		
		S427470	turn signal switch	04/21/2009	85.74		
		S427680	IUK	04/24/2009	432.90		
		S427827	POWER STEERING FLUID	04/28/2009	14.07		
		S427889	CLUTCH	04/29/2009	59.35		
		S428085	BRAKE ROTOR/0590	05/04/2009	84.64		
		S428099	CARB KIT, FLOAT	05/05/2009	127.28		
Total 1118					1,062.48	.00	
1123	Rifle Conoco/Rifle Towing	10365	TOW ABANDONED/PD	04/05/2009	458.50		
		10467	TOWING	04/06/2009	50.00		
		10535	accessories	04/07/2009	153.28		
		11106	TOWING	04/13/2009	50.00		
		12760	TOWING	04/30/2009	50.00		
Total 1123					761.78	.00	
1126	Rifle City Of	453101 04/09	50 UTE AVE/SR CENTER	04/01/2009	306.32	306.32	04/24/2009
		003101 04/09	201 E 18TH ST/SHOP/STREET	04/01/2009	84.50	84.50	04/24/2009
		2004101 4/09	612 RR AVE/HEINZ PARK	04/01/2009	41.95	41.95	04/24/2009
		005101 04/09	1612 AVE/METRO PARK	04/01/2009	98.10	98.10	04/24/2009
		007101 04/09	301 E 30TH ST/DEERFLD PARK	04/01/2009	124.73	124.73	04/24/2009
		033001 04/09	750 UTE/CE	04/01/2009	114.02	114.02	04/24/2009
		038001 04/09	0409 CR 265/POUND	04/01/2009	79.95	79.95	04/24/2009
		046001 04/09	143 E 4TH ST/DDA	04/01/2009	41.95	41.95	04/24/2009
		214101 04/09	1500 DOGWOOD/WATER	04/01/2009	909.79	909.79	04/24/2009
		215101 04/09	225 E AVE/DDA SPIGOT	04/01/2009	15.92	15.92	04/24/2009
		575101 04/09	E 4TH ST/DDA LANDSCAPE	04/01/2009	15.92	15.92	04/24/2009
		975101 04/09	24998 HWY 6/ NORTH WASTE WATER I	04/01/2009	723.54	723.54	04/24/2009
		079101 04/09	595 W 24TH ST	04/01/2009	15.92	15.92	04/24/2009
		221101 04/09	000 BROWNING DR/SOUTH WASTE WA	04/01/2009	15.92	15.92	04/24/2009
		3351101 4/09	1221 E CENTENNIAL PKWY	04/01/2009	19.00	19.00	04/24/2009
		341101 04/09	360 S 7th Street #b	04/01/2009	15.92	15.92	04/24/2009
		944103 04/09	221 W 2ND STREET	04/01/2009	105.92	105.92	04/24/2009
Total 1126					2,729.37	2,729.37	
1132	Rifle Lock & Safe	28468	MASTER re-key	12/29/2008	15.00		
		28668	DEAD BOLT, passage lever/PARKS	03/07/2009	273.34		
		28803	KEYS	04/24/2009	15.00		
		28806	KEYS, CODE KEY	04/27/2009	69.90		
Total 1132					373.24	.00	
1138	Schmueser/Gordon/Meyer, Inc	129/001	PHASE 001	04/30/1990	602.50		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
			PHASE 001		227.50		
		129/078	PHASE 078	04/30/2009	285.00		
		129/128A	PHASE 128A 2001-08 PALOMINO PK DA	04/30/2009	47.50		
		129/129A	PHASE 129A	04/30/2009	47.50		
		129/226	PHASE 226 KNOLLRIDGE EAST REVISI	04/30/2009	62.63		
		129/240	PHASE 240 PIONEER MESA SUBD CON	04/30/2009	211.18		
		129/251B	PHASE 251B 1150 ACCESS ROAD	04/30/2009	77.50		
		129/255D	PHASE 255D Beaver Creek WTP Miox Sy	04/30/2009	3,478.75		
		129/287	PHASE 287	04/30/2009	310.00		
		129/319	PHASE 319	04/30/2009	775.00		
		129/325A	PHASE 325a	04/30/2009	1,391.25		
		129/328	PHASE 328 LITTLE STAR RANCH/WILLC	04/30/2009	155.00		
		129/369A	PHASE 369a	04/30/2009	4,465.00		
		129/387A	PHASE 387a	04/30/2009	32.50		
		129/400	PHASE 400 THE FARM ANNEXATION	04/30/2009	930.00		
		129/417	PHASE 417/centennial park	04/30/2009	24,673.80		
		129/420	PHASE 420	04/30/2009	620.00		
		129/422	PHASE 422	04/30/2009	77.50		
		129/427A	PHASE 427A	04/30/2009	1,242.50		
		129/427B	PHASE 427B	04/30/2009	2,355.00		
			PHASE 427B		1,139.97		
		129/427C	PHASE 427c	04/30/2009	1,397.50		
		129/427D	PHASE 427D	04/30/2009	11,555.41		
		129/427E	PHASE 427e	04/30/2009	1,630.20		
			PHASE 427e		468.86		
		129/427G	PHASE 427G	04/30/2009	2,728.75		
		129/427H	PHASE 427H	04/30/2009	7,757.70		
		129/427I	PHASE 427I	04/30/2009	1,821.15		
		129/438	PHASE 438	04/30/2009	77.50		
		129/441	PHASE 441	04/30/2009	1,043.75		
			PHASE 441		1,043.75		
		129/442	PHASE 442	04/30/2009	77.50		
		129/443	PHASE 443	04/30/2009	2,325.00		
		129/444	PHASE 444	04/30/2008	7,753.67		
		129/445	PHASE 445	04/30/2009	5,151.25		
		99055G-17	PO #56 OBSERVATION OF WWTF CON	04/30/2009	47,068.73		
Total 1138					135,108.30	.00	
1143 Swallow Oil Company		04302009	DIESEL /FLEET	04/30/2009	3,535.60		
Total 1143					3,535.60	.00	
1152 Us Postmaster--Rifle		5001 05/09	UTILITY BILLING POSTAGE	05/04/2009	374.23		
			UTILITY BILLING POSTAGE		374.23		
			UTILITY BILLING POSTAGE		374.23		
Total 1152					1,122.69	.00	
1181 Garfield Steel & Machine, Inc		00065953	STEEL Flat bar, round	04/21/2009	16.05		
Total 1181					16.05	.00	
1188 Jean's Printing		901480	BUSINESS CARDS/PD	03/31/2009	1,232.43		
		901758	ROAN CLIFFS CHAOS POSTERS/REC	04/17/2009	101.94		
		901782	UTILITY BILL FLYER	04/20/2009	252.62		
			UTILITY BILL FLYER		252.62		
		902009	ENERGY INNOVATION CENTER	05/05/2009	419.19		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 1188					2,258.80	.00	
1205	American Water Works Associat	7000104771	MEMBERSHIP DUES	04/27/2009	447.00		
Total 1205					447.00	.00	
1249	Berthod Motors Inc	132459	HYDRAULIC CYLINDER FOR MOWER	12/20/2008	262.42		
		132492	CYLINDER FOR MOWER	12/22/2008	595.23		
		134724	PARTS	04/22/2009	152.55		
		482895C	HDL	04/08/2009	79.56		
		483057C	HANDLE/FLEET	04/14/2009	46.29		
		483129C	HOSE	04/16/2009	134.44		
		483199C	PIPE ASM - RETAINER	04/20/2009	46.85		
Total 1249					1,317.34	.00	
1289	Galls Incorporated	510030166	White cotton dress	04/15/2009	8.37		
Total 1289					8.37	.00	
1339	Grand Junction Pipe & Supply	C2290051	Pipe and pipe fittings	04/22/2009	1,727.36		
		C2290239	6" pvc pipe	04/24/2009	160.00		
		C2290494	VALVE BOX	04/28/2009	2,844.50		
		C2290571	Pipe and pipe fittings for irrigation repairs	04/28/2009	185.61		
		C2290734	VALVE BOX, gate valve	04/29/2009	1,492.85		
		C2291184	6" pvc pipe	05/01/2009	44.50		
		C2291189	RING, lid	05/01/2009	217.00		
		C2291198	Swivel adapter	05/01/2009	120.24		
Total 1339					6,792.06	.00	
1443	Orkin Pest Control	9722007	PEST CONTROL/SR CENTER	05/08/2009	4,500.00		
Total 1443					4,500.00	.00	
1487	Hepworth-pawlak Geotech. Inc	0108825	PO # 243 / highway 6 & 24	04/30/2009	2,933.35		
Total 1487					2,933.35	.00	
1505	Markertek Video Supply	843767	IN-LINE ATTENUATOR	04/30/2009	76.50		
Total 1505					76.50	.00	
1560	Applied Concepts,inc	172276	STALKER MOVING RADAR/PD	04/28/2009	2,210.00		
Total 1560					2,210.00	.00	
1692	A-1 Traffic Control	24555	CONSTRUCTION SIGNS	04/30/2009	630.00		
Total 1692					630.00	.00	
1799	Lively Electric, Inc.	11709	INSTALL 5 FLORESCENT FIXTURES	04/23/2009	1,056.10		
Total 1799					1,056.10	.00	
1806	CDMS INC	7664	DSL ACCESS/ANIMAL SHELTER	05/01/2009	17.95		
			DSL ACCESS/POOL		17.95		
			DSL ACCESS/CE		17.95		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 1806					53.85	.00	
1830	Grand Valley Foods	100994	FOOD PRODUCT/SR CENTER	04/24/2009	580.40		
		101111	FOOD PRODUCT/SR CENTER	05/01/2009	551.00		
Total 1830					1,131.40	.00	
1833	P & K's Auto Body	7213	TOW, IMPOUND/PD	04/13/2009	100.00		
		7221	TOWING/FLEET	04/30/2009	372.43		
Total 1833					472.43	.00	
1874	Moore Medical Corp	95507626 RI	SURGICAL MASK, GLOVES, SHOE COV	12/12/2008	89.68		
		95605075 RI	GLOVES	03/05/2009	165.80		
Total 1874					255.48	.00	
1990	Bookcliff Survey Services, Inc	6328	PO #73 Centennial Park	05/11/2009	2,375.00		
Total 1990					2,375.00	.00	
2122	Utility Notification Center Co	20904579	TRANSMISSIONS	04/30/2009	146.30		
Total 2122					146.30	.00	
2139	CDW Government, Inc	NTR3399	WIN SRV STD 2008	04/15/2009	2,241.81		
Total 2139					2,241.81	.00	
2159	Lab Safety Supply Inc	1013354611	DOLLY	04/27/2009	122.00		
Total 2159					122.00	.00	
2169	Information Systems Consulting	0046720-IN	wireless not registering	04/29/2009	185.00		
Total 2169					185.00	.00	
2247	Rocky Mountain Electric Motors	S26388	SEW EURODRIVE	04/30/2009	571.54		
Total 2247					571.54	.00	
2250	World Class Athleticsurfaces	26370	WHITER AEROSOL/PARKS	04/17/2009	650.82		
Total 2250					650.82	.00	
2255	California Contractors Supply	B 43778	CLOTH DUCT TAPE	03/06/2009	90.89		
Total 2255					90.89	.00	
2357	S & M Water Consultants	5671	CALIBRATE GUAGE/O&M WATER	04/29/2009	72.00		
Total 2357					72.00	.00	
2405	Glenwood Radiator Co	4778	repair/0558	04/21/2009	344.48		
Total 2405					344.48	.00	
2480	RIFLE ROTARY CLUB	2 QTR 2009	MEMBERSHIP DUES/MEISNER	05/14/2009	152.50		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 2480					152.50	.00	
2573	Mountain West Office Products	2257671	2 drw legal file	03/24/2009	222.54		
		2273261	GLOVE	04/30/2009	7.16		
		2274441	CARTRIDGE	05/04/2009	98.48		
		2274451	POUCH, CALC	05/04/2009	104.92		
		2274461	EXPANDING CASE	05/04/2009	23.65		
Total 2573					456.75	.00	
2690	Down Valley Septic & Drain LLC	POP002	PORTABLE RESTROOM/PD	04/21/2009	50.00		
Total 2690					50.00	.00	
2824	Aflac	526811ER	SERVICE FEE	04/15/2009	130.00		
Total 2824					130.00	.00	
3016	Flattops Fencing And Supply	96658	Cantilever roller	05/04/2009	30.00		
Total 3016					30.00	.00	
3035	Rocky Mountain Supply Co.	10044	BROOMS/STREETS	04/20/2009	798.00		
Total 3035					798.00	.00	
3083	ALSCO	LGRA681787	LAUNDRY	04/28/2009	35.77		
		LGRA681793	work shirts and pants	04/28/2009	21.89		
		LGRA684783	LINEN SUPPLIES/SR CENTER	05/05/2009	38.99		
		LGRA684790	work shirts and pants	05/05/2009	22.22		
Total 3083					118.87	.00	
3091	Newman Signs Inc	TI-0207000	SIGNS/STREETS	04/28/2009	54.10		
Total 3091					54.10	.00	
3156	Superwash Of Rifle	2008 05/09	CAR WASH	05/01/2009	20.68		
		2025 05/09	CAR WASH/PD	05/01/2009	155.24		
Total 3156					175.92	.00	
3347	V.i.p. Services	23705	TRASH PICKUP/DDA	05/01/2009	140.00		
Total 3347					140.00	.00	
3380	Rain For Rent	086022148	hose-suct pvc	04/21/2009	2,857.28		
Total 3380					2,857.28	.00	
3389	Sandy's Office Supply Inc	788794	supplies/courts	04/07/2009	234.91		
		788945	LAM POUCH	04/08/2009	71.98		
		789895	supplies/pd	04/14/2009	18.49		
		793015	hangers	05/05/2009	18.79		
		8012313181	LABELS	04/18/2009	132.02		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 3389					476.19	.00	
3612	International Code Council	1114088-IN	BULDING CODE BOOKS/BLDG DEPT	05/01/2009	1,029.79		
Total 3612					1,029.79	.00	
3771	Waste Management Inc	30223-1185-3	RMP SANITATION REMOVAL/RMP	05/01/2009	967.12		
Total 3771					967.12	.00	
3790	C & S WELDING	2314	MACHINE WORK	05/06/2009	325.00		
Total 3790					325.00	.00	
3847	Drive Train Industries Inc	04 507782	POWER STEERING, CORE	04/15/2009	639.54		
Total 3847					639.54	.00	
3909	Mancinelli's	PO 33922	PRAB DINNER/REC	04/27/2009	56.25		
		PO 33986	PIZZA FOR MEETINGS	04/29/2009	69.25		
Total 3909					125.50	.00	
4021	Rifle Equipment Inc	CI000845	BELT	04/24/2009	40.84		
Total 4021					40.84	.00	
4055	UPS/United Parcel Service	JY2097W179	SHIPPING CHARGES SHIPPING CHARGES	04/25/2009	31.47 79.98		
Total 4055					111.45	.00	
4098	Heuton Tire Co	68155	TIRES/FLEET	04/23/2009	164.69		
Total 4098					164.69	.00	
4141	True Brew Coffee Service	118846	COFFEE	04/23/2009	42.24		
		118847	COFFEE	04/23/2009	31.30		
		119090	COFFEE	05/08/2009	66.16		
Total 4141					139.70	.00	
4215	Ziegler, James	44341	TOOLS	04/23/2009	22.07		
Total 4215					22.07	.00	
4236	Denver Industrial Sales & Serv	133426	DIGITAL READOUT/0697	04/21/2009	96.93		
Total 4236					96.93	.00	
4339	Design Concepts	0012541	PO #74 /CONST DOCS/CENTENNIAL PA	05/05/2009	7,017.08		
Total 4339					7,017.08	.00	
4345	Helen Artist-Rogers/HR Design	05132009	DDA MANAGERMENTS 2009	05/13/2009	1,985.00		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 4345						1,985.00	.00
4373	Rifle Electric Inc	1525	action park time clock	04/28/2009	357.50		
Total 4373						357.50	.00
4459	Ground Engineering Consultants	086581.0-6	PO 236/PARKS MTN FACILITY	04/20/2009	3,933.00		
Total 4459						3,933.00	.00
4475	Grease Monkey	87931375	FULL SERVICE/#997fr	04/16/2009	52.99		
Total 4475						52.99	.00
4630	Kirkman, Ula	11	PERFORMANCE/SR CENTER	04/25/2009	225.00		
		12	PERFORMANCE/SR CENTER	04/30/2008	75.00		
Total 4630						300.00	.00
4640	King Environmental Products	9918-11	aquatic weed killer	04/30/2009	2,362.15		
Total 4640						2,362.15	.00
4682	Lighting Accessory & Warning S	1623	RUBBER GROMMET BASE	04/15/2009	155.30		
Total 4682						155.30	.00
4775	Hd Supply Waterworks	8894400	6" cplg	04/30/2009	277.28		
Total 4775						277.28	.00
4777	Garfield County	009-0000058	Air Fair Sponsorship - Children's Play Area	05/01/2009	3,000.00		
Total 4777						3,000.00	.00
4811	United Site Services Inc	0-36075	PORTABLE RESTROOM/DEERFLF PAR	04/20/2009	170.00		
		I-265456	PORTABLE RESTROOMS/DAVIDSON P	04/21/2009	50.00		
		I-265754	restrooms	04/24/2009	715.00		
Total 4811						935.00	.00
4879	Cardiff Cleaning Services	3353	Cleaning Services	04/15/2009	5,650.00		
Total 4879						5,650.00	.00
4960	PXI INC	28-226	dump trucks for spring clean up	05/01/2009	9,495.00		
Total 4960						9,495.00	.00
4966	Graphic Edge	379774	UNIFORMS/REC	04/30/2009	68.12		
		379778	Team uniforms/rec	04/30/2009	68.12		
		379787	Team uniforms/rec	04/30/2009	57.64		
		379808	youth t-ball shirts	04/30/2009	63.88		
Total 4966						257.76	.00
4989	Mr Power S/Sandor Drucker	85	SIDEWALK CLEANING/DDA	05/03/2009	750.00		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 4989					750.00	.00	
4999	Master Automotive Inc	10233	REPLACE CAM SHAFT SENSOR	04/15/2009	389.73		
Total 4999					389.73	.00	
5023	CASELLE INC	31104	CONTRACT SUPPORT/FINANCE	05/01/2009	2,850.00		
Total 5023					2,850.00	.00	
5029	STATE OF CO, DEPT NATURAL RE	07-030 2009	PERMIT FEE #M-2007-030	05/01/2009	323.00		
Total 5029					323.00	.00	
5031	LAFAYETTE INSTRUMENT CO INC	L1039762	VINYL CHAIRS	05/04/2009	1,975.00		
Total 5031					1,975.00	.00	
5064	MOUNTAIN MICROFILM INC	10587	DOCUMENT SCANNER	02/25/2009	825.00		
Total 5064					825.00	.00	
5066	CARTEGRAPH SYSTEMS INC	R-05790	5 pack subscription	04/30/2009	1,754.00		
			5 pack subscription		1,754.00		
			5 pack subscription		400.00		
Total 5066					3,908.00	.00	
5181	FRED'S HARDWARE	5938/2	Roller cover, wallpaper scraper	04/20/2009	17.96		
		5955/2	battery	04/21/2009	22.14		
		5966/2	FASTNER MISC	04/21/2009	3.12		
		5969/2	Hex screwdriver	04/21/2009	5.34		
		6001/2	FLUTED MASON NAIL	04/24/2009	2.79		
		6063/2	PVC BUSHING	04/28/2009	5.08		
		6068/2	4" quick cap	04/29/2009	12.98		
		6074/2	Metric hose	04/29/2009	25.99		
		6081/2	DCON	04/29/2009	12.90		
		6088/2	irrigation fittings	04/29/2009	4.80		
		6095/2	GRASS SHEARS, TROWEL	04/29/2009	16.98		
		6103/2	Mower blade	04/30/2009	22.00		
		6106/2	PVC fittings	04/30/2009	13.87		
		6129/2	insert	05/01/2009	2.49		
		6156/2	brass connectors	05/04/2009	24.15		
		6171/2	Water proofer, stain	05/05/2009	100.92		
		6242/2	PVC Cap	05/07/2009	.89		
		6273/2	Red head	05/09/2009	24.99		
		6325/2	Wd-40, squeegee, supplies	05/12/2009	60.01		
Total 5181					379.40	.00	
5191	STANEK CONSTRUCTORS, INC.	PAY APP 17	CONSTRUCTION OF WW RECLAMATIO	03/25/2009	766,887.54		
			RETAINAGE/CONSTRUCTION OF WWR		1,195.85 -		
Total 5191					765,691.69	.00	
5210	GOLF ENVIRO SYSTEMS, INC.	40796	FERTILIZER	04/30/2009	5,543.90		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 5210					5,543.90	.00	
5223	GRAND VALLEY ENGINEERING	70840 294	rifle city hall power analysis	04/29/2009	1,192.50		
Total 5223					1,192.50	.00	
5253	FASTENAL	CORIF23045	CABLE CUTTER/CRIMPER	04/23/2009	172.81		
		CORIF23216	V-GARD HAT	04/30/2009	31.00		
		CORIF23353	BODY GUARD	05/07/2009	21.83		
Total 5253					225.64	.00	
5426	Sonny Conley	04/30/09	employee assistance program	04/30/2009	187.50		
Total 5426					187.50	.00	
5455	Sew Right Creations & Machine	04212009	HEM UNIFORMS/PD	04/21/2009	15.00		
Total 5455					15.00	.00	
5506	GARY L RUSSELL IRON ART	3593	ROUND-ABOUT ARTWORK INSTALLAT	05/07/2009	5,300.00		
Total 5506					5,300.00	.00	
5510	Glenwood Springs Custom Draper	2679	Justice Center Bldg Draperies	03/26/2009	266.00		
Total 5510					266.00	.00	
5548	Power Equipment Company	CG39765-1	GUTTER BROOM	04/20/2009	.00		
		CG39765-2	GUTTER BROOM	04/21/2009	.00		
		G904041867	GUTTER BROOM	04/27/2009	1,835.00		
Total 5548					1,835.00	.00	
5562	THINK DEVELOPMENT	6914	DNS ISSUE	05/11/2009	150.00		
Total 5562					150.00	.00	
5575	FRED'S RANCH & INDUSTRIAL SU	502517/4	Propane	04/20/2009	17.23		
Total 5575					17.23	.00	
5598	Keystone Ridge Designs	0000009939	Park Benches and Trash Recptacles	03/24/2009	20,090.00		
Total 5598					20,090.00	.00	
5613	SunEdison, LLC	70905000960	SOLAR SERVICES	05/04/2009	4,767.39		
		80905000961	SOLAR SERVICES	05/04/2009	9,973.78		
Total 5613					14,741.17	.00	
5647	Protek Industrial Services, LL	05/08/09	Pool Painting kiddie,splash, main	05/08/2009	7,009.33		
Total 5647					7,009.33	.00	
5650	HIGH COUNTRY GAS	952	oxygen, acetylene	05/06/2009	58.25		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 5650					58.25	.00	
5667	Office World, Inc.	857930	KEYBOARD, MOUSE PAD	05/05/2009	63.45		
Total 5667					63.45	.00	
5681	DAGO UNDERGROUND, INC	00003511	NEW 4" LINE AT DAVIDSON PARK	04/21/2009	480.00		
Total 5681					480.00	.00	
5714	TRINITY HIGHWAY PRODUCTS, LI	HS386627	BUFFER/ROLLED	04/23/2009	65.00		
Total 5714					65.00	.00	
5715	STEVE'S PAINTING & DECORATIN	2901	SOUND REDUCTION PAINT COATING	05/03/2009	718.00		
Total 5715					718.00	.00	

Total Paid: 2,729.37  
 Total Unpaid: 1,111,258.69  
 Grand Total: 1,113,988.06

Dated: \_\_\_\_\_

City Finance Director: \_\_\_\_\_

Report Criteria:

Check Check No = 43010-43050

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
05/09	05/07/2009	43010	5506	GARY L RUSSELL IRON ART	15COMPLETE	1	201-4313-400-739		7,050.00
05/09	05/08/2009	43011	5709	ALTMAN, MICHAEL	050609	1	100-4310-400-580		49.00
05/09	05/08/2009	43012	1705	American National Bank	SP 2007-14	1	100-204-900		1,054.00
05/09	05/08/2009	43013	3495	Bartels, Clint	PRE-ANNEX :	1	100-204-900		500.00
05/09	05/08/2009	43014	1048	Colo Municipal League	87TH CONF	1	100-4111-400-580		547.00
					87TH CONF	2	100-4135-400-580		259.00
Total 43014									806.00
05/09	05/08/2009	43015	1052	Colo Secretary Of State	050409	1	100-4210-400-610		10.00
05/09	05/08/2009	43016	2270	Fred Pryor Seminars	11010983	1	100-4240-400-580		99.00
05/09	05/08/2009	43017	1074	Garfield County Clerk	05042009	1	100-4191-400-610		17.00
05/09	05/08/2009	43018	5448	HAMILTON, ROD	05052009	1	100-4317-400-580		138.28
05/09	05/08/2009	43019	5703	JENKINS GROUP	SP 2006-9	1	100-204-900		160.00
05/09	05/08/2009	43020	3015	Kroger/King Sooper Cust Charge	001177 CR	1	100-4514-400-630		18.10
					009960	1	100-4514-400-630		47.99
					074313	1	100-4514-400-630		8.00
Total 43020									37.89
05/09	05/08/2009	43021	5711	LAST, HARVEY	2243102	1	001-004-175		59.20
05/09	05/08/2009	43022	5699	MOJO, FRANCIS	LLR 2008-4	1	100-204-900		280.00
05/09	05/08/2009	43023	5118	NEIL, JASON	ZV 2007-7	1	100-204-900		120.00
05/09	05/08/2009	43024	5700	OAK GROVE VENTURES, LLC	LLR 2008-2	1	100-204-900		280.00
05/09	05/08/2009	43026	5710	OLENICK, PETER	3555102	1	001-004-175		90.04
05/09	05/08/2009	43027	5489	PARK AVE VILLAS, LLC	PA 2007-1	1	100-204-900		373.00
05/09	05/08/2009	43028	2830	Qwest	625-0309 04/C	1	210-4522-400-530		53.65
					625-0339 04/C	1	100-4310-400-530		97.18
					625-1060 4/0E	1	310-4331-400-530		82.25
					625-1877 04/C	1	100-4514-400-530		46.45
					625-2271 04/C	1	100-4240-400-530		23.78
					625-2271 04/C	2	100-4199-400-530		23.79
					625-2841 04/C	1	310-4331-400-530		50.67
					625-3185 04/C	1	210-4513-400-530		48.37
					625-3712 04/C	1	100-4210-400-530		83.18
					625-3724 04/C	1	310-4331-400-530		54.57
					625-3798 04/C	1	210-4521-400-530		54.26
					625-3957 04/C	1	100-4310-400-530		52.84
					625-4622 04/C	1	320-4325-400-530		63.80
					625-4960 04/C	1	100-4210-400-530		101.84
					625-8808 04/C	1	100-4414-400-530		91.26
					625-8929 04/C	1	210-4521-400-530		89.65
					625-9179 4/0E	1	100-4151-400-530		89.00
Total 43028									1,106.54
05/09	05/08/2009	43029	5211	STAPLES	9193870548	1	100-4240-400-610		442.67
05/09	05/08/2009	43030	4578	Stevens, Charles	05062009	1	310-4331-400-580		35.96
05/09	05/08/2009	43031	4937	Stilson, Linda	05082009	1	210-4512-400-610		173.56
05/09	05/08/2009	43032	4909	Straight, Rachel	CUP 2007-4 L	1	100-204-900		190.00
05/09	05/08/2009	43033	1428	Strouse, William C	05052009	1	210-4512-400-501		513.00
05/09	05/08/2009	43034	2852	Sykes, Hilda	05042009	1	210-4512-400-613		24.93
05/09	05/08/2009	43035	5470	TAYLOR, DREW	05082009	1	100-4310-400-580		104.00
05/09	05/08/2009	43036	4228	Tote A Shed	0402009	1	210-4523-400-741		8,053.30

M = Manual Check, V = Void Check

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
05/09	05/08/2009	43037	4967	Touch Tone Communications	9706252121 0	1	100-4310-400-530		24.61
					9706252121 0	2	100-4514-400-530		24.75
					9706252121 0	3	100-4414-400-530		35.52
					9706252121 0	4	100-4151-400-530		25.68
Total 43037									110.56
05/09	05/08/2009	43039	2960	Walmart Community	001680	1	210-4513-400-610		287.66
					001821	1	210-4513-400-610		22.66
					004634	1	100-4514-400-630		167.81
					030710	1	100-4514-400-610		33.46
Total 43039									511.59
05/09	05/08/2009	43040	5702	WARNER PLUMBING & HTG	SP 2007-8	1	100-204-900		200.00
05/09	05/08/2009	43041	1120	Xcel Energy Inc	194442561	1	310-4331-400-410		30.03
					194467995	1	100-4310-400-410		11.39
					194468023	1	100-4310-400-410		57.58
Total 43041									99.00
05/09	05/08/2009	43042	4992	Young, Jason	MA 2007-3	1	100-204-900		254.50
05/09	05/08/2009	43043	3027	OCPO	05062009	1	310-4331-400-510		60.00
05/09	05/08/2009	43047	3027	OCPO	05082009 D	1	320-4325-400-510		60.00
05/09	05/08/2009	43048	1004	Verizon Wireless, Bellevue	07544626914	1	310-4331-400-530		194.77
					07544626914	2	310-4331-400-530		217.45
					07544626914	3	320-4325-400-530		184.94
					07544626914	4	100-4132-400-530		38.48
					07544626914	5	100-4191-400-530		67.87
					07544626914	6	100-4317-400-530		158.82
					07544626914	7	100-4240-400-530		61.10
					07544626914	8	100-4192-400-530		262.58
					07544626914	9	310-4331-400-530		34.25
					07544626914	10	320-4325-400-530		34.25
					07544626914	11	100-4199-400-530		57.78
					07544626914	12	100-4414-400-530		34.52
					07544626914	13	100-4135-400-530		65.88
					07544626914	14	100-4514-400-530		29.89
					0754631086	1	210-4521-400-530		264.18
					0754631086	2	100-4194-400-530		30.59
					0754631086	3	210-4512-400-530		344.68
					0754631086	4	100-4422-400-530		31.98
Total 43048									2,114.01
05/09	05/08/2009	43049	3027	OCPO	05082009	1	320-4325-400-510		60.00
05/09	05/08/2009	43050	3027	OCPO	050809 B	1	320-4325-400-510		60.00
Totals:									25,297.03

Dated: 5/11/09

Accounts Payable: \_\_\_\_\_  
 Finance Director: Charles Kelly

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Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
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Report Criteria:

Check.Check No = 43010-43050

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

A RESOLUTION OF THE CITY OF RIFLE, COLORADO  
ACKNOWLEDGING TWENTY YEARS OF SERVICE  
TO THE CITIZENS OF RIFLE

*William Jones*

WHEREAS, the citizens of the City of Rifle, Colorado benefit significantly when a City employee shows continued devotion to his job for an extended period of time; and

WHEREAS, the knowledge gained over the years by an employee who remains in constant and loyal employment with the City of Rifle becomes a substantial asset to the community; and

WHEREAS, those who enforce the laws of the City of Rifle, State of Colorado and the United States improve the public safety of the Citizens of the City; and

WHEREAS, a City employee involved in enforcing public safety in the City of Rifle, may be called upon under the most demanding of conditions, day or night, then

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT the representatives of the City of Rifle honor and acknowledge **William Jones for twenty years of dedicated service** to the Citizens of this Community.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 20<sup>th</sup> day of May, 2009.

CITY OF RIFLE, COLORADO

By

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

CITY OF RIFLE, COLORADO  
RESOLUTION NO. 14  
SERIES OF 2009

A RESOLUTION OF THE CITY OF RIFLE, COLORADO  
ACKNOWLEDGING THIRTY YEARS OF SERVICE  
TO THE CITIZENS OF RIFLE

*Vaughn A. Miles*

WHEREAS, the citizens of the City of Rifle, Colorado benefit significantly when a City employee shows continued devotion to his job for an extended period of time; and

WHEREAS, the knowledge gained over the years by an employee who remains in constant and loyal employment with the City of Rifle becomes a substantial asset to the community; and

WHEREAS, those who enforce the laws of the City of Rifle, State of Colorado and the United States improve the public safety of the Citizens of the City; and

WHEREAS, a City employee involved in enforcing public safety in the City of Rifle, may be called upon under the most demanding of conditions, day or night, then

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT the representatives of the City of Rifle honor and acknowledge **Vaughn A. Miles for thirty years of dedicated service** to the Citizens of this Community.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 20<sup>th</sup> day of May, 2009.

CITY OF RIFLE, COLORADO

By

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
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  
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to our Glenwood Springs Office)*

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

May 14, 2009

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

Re: May 20, 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 20, 2009 Rifle City Council Meeting.

1. Resolution Nos. 10 and 11, Series of 2009 Ordinance Nos. 11 and 12, Series of 2009 (Bookcliff Council on Arts and Humanities Annexation and PUD Zoning). The applicants, the Bookcliffs Council on Arts and Humanities, are the owners of a five acre tract located on 16<sup>th</sup> 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 was developed and is attached to Ordinance No. 12 zoning the Property PZ-PUD Zone District. The PUD Guide contains 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, Resolution No. 10, Series of 2009 makes the required findings of fact, and Resolution No. 11, Series of 2009 sets forth the City's annexation plan.

We recommend approval of Resolution Nos. 10 and 11, Series of 2009 and Ordinance Nos. 11 and 12, Series of 2009, on second reading.

2. 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

LEAVENWORTH & KARP, P.C.

Mayor Lambert  
Rifle City Council  
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May 14, 2009

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.

We recommend approval of Ordinance No. 14, Series of 2009 on second reading.

3. Ordinance Nos. 15 and 16, Series of 2009 (14<sup>th</sup> Street Marketplace Planned Unit Development). The City has received an application for a Final PUD Development Plan and Subdivision for 14<sup>th</sup> Street Marketplace located at 14<sup>th</sup> 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 twenty (20) office/commercial units ("Phase 2"); Phase 3 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 3"), all of which is further defined and detailed in the PUD Guidebook for the Property. The Property is initially being subdivided into four (4) Parcels: Parcel 1 is approximately 0.21 acres of open space to be owned in common by the Unit Owners Associations of Parcels 2, 3 and 4; Parcel 2 is approximately 1.026 acres and comprises Phase 1; Parcel 3 is approximately 0.826 acres and comprises Phase 3; and Parcel 4 is approximately 1.805 acres and comprises Phase 2. 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. As we discussed on first reading, the Developer is requesting a variance from the Public Works Manual regarding fire and domestic water service lines and the SIA grants that request with conditions. 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.

**LEAVENWORTH & KARP, P.C.**

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Rifle City Council  
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May 14, 2009

We recommend approval of Ordinance Nos. 15 and 16, Series of 2009 on second reading.

4. Resolution No. 12, Series of 2009 (Compliance with House Bill 08-1141). In May of 2008, the General Assembly of the State of Colorado passed House Bill 08-1141 (the "Adequate Water Supply Bill") concerning sufficient water supplies for land use approval. Development applicants for projects of fifty (50) single-family equivalents or more must now submit estimated water supply requirements for the proposed development in a report or letter prepared by a registered professional engineer or a water supply expert acceptable to the local government. As an opt-out to this process, staff recommends that the City avail itself of C.R.S. § 29-20-304(3), which provides that the City may adopt a Water Supply Plan as an alternative to requiring letters from every land use applicant. Perhaps more importantly, the Water Supply Plan identifies key resources in the City's water rights portfolio. By working through the documents, staff has also identified recommendations for the City to continue to expand and protect its water rights to serve current and future growth, which we will address at a later date. The Water Supply Plan consists primarily of the City of Rifle Water/Wastewater Business Plan Project, prepared by Schmueser Gordon Meyer, Inc. and dated April 2006, and the City of Rifle Comprehensive Water Rights Report, prepared by Leavenworth & Karp, P.C. and dated April 2009, along with applicable Rifle Municipal Code provisions. As required by C.R.S. § 29-20-304(3)(a), City staff and consultants will update the City's Water Supply Plan as necessary, and at least once every ten (10) years.

We recommend approval of Resolution No. 12, Series of 2009.

5. Ordinance No. 17, Series of 2009 (Building Permit Fees for Small Projects). Section 18-13-70 of the Rifle Municipal Code currently provides that building permit fees, regardless of project type, shall be calculated by the Building Official according to an estimated value of work based on the declared cost of material and labor in accordance with the annually updated Building Standards Valuations Data published by the International Conference of Building Officials. Staff has identified a need to exempt certain small projects from the material and labor standards valuation method and instead adopt a flat fee schedule by resolution of the City Council, as may be amended from time to time, thus promoting efficient and cost-effective administration of building permits. Ordinance No. 17, Series of 2009 amends the Code to provide for this exemption from valuation through the IBC. We have also enclosed a draft Resolution that will be presented with the second reading of the Ordinance identifying the small projects and the associated flat fee for a building permit.

We recommend approval of Ordinance No. 17, Series of 2009 on first reading.

I will be out of town for your May 20<sup>th</sup> meeting and Lee is scheduled to attend another meeting that night. Therefore, our partner whom most of you have met, Karl Hanlon, will attend this meeting.

**LEAVENWORTH & KARP, P.C.**

Mayor Lambert  
Rifle City Council  
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May 14, 2009

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:** MATT STURGEON, PLANNING DIRECTOR  
**FROM:** NATHAN LINDQUIST, PLANNER  
**DATE:** MAY 14, 2009  
**SUBJECT:** BOOKCLIFFS COUNCIL ON THE ARTS AND HUMANITIES  
ANNEX 2007-10  
SKETCH/PRELIMINARY/FINAL PUD 2009-3

### **PURPOSE**

The applicant seeks annexation and PUD approval of a 5 acre arts park. Since the first reading of the annexation, the applicant has completed the PUD guidebook text.

### **LOCATION**

Bookcliffs Council on the Arts and Humanities is located on 16<sup>th</sup> Street, between Birch Avenue and Graham Mesa Avenue. (see property ownership map)

### **PROCESS**

The applicant has submitted a Planned Unit Development application that will regulate the allowed uses and maintenance standards of the site. Staff's recommendation for the Bookcliffs Arts Park is that the sketch, preliminary, and final PUDs be combined in one meeting. This will ensure that the PUD zoning is approved and in place starting from the date that the annexation is approved, allowing only city-approved activities to take place on the site. This simplified process is possible in this instance because there is very little site development proposed to take place at this time. In the future, when a parking lot is put in, or any other development goes on the site, the applicant shall go through the city's Site Plan process. This will insure that all city standards are followed at that time.

### **RECOMMENDATION**

Staff requests that City Council approve PUD 2009-3, and recommend that City Council approve Annexation 2007-10.

### **STAFF COMMENTS**

### LAND USE AND ZONING

The Bookcliffs Arts Park offers many potential amenities to the City of Rifle. Situated on east 16<sup>th</sup> Street, the Park will be easily accessible from many residential areas on Graham Mesa. The PUD standards will insure that the uses on the site are compatible with surrounding residential areas. Animals shall be prohibited, and the city's special events process shall be followed.

### PHASING PLAN

The phasing plan submitted by the applicant is acceptable to staff. Phase 1 includes the restoration of the Morrow House and updates to various artistry workshops. The applicants hope to accomplish that in the summer of 2009. They will have to receive a building permit from Garfield County under that schedule.

Phase 2 would accomplish renovation of the Hickman House and various parking areas. Phase 3 would include the amphitheater and other facilities.

### ACCESS AND PARKING

The current sketch plan shows parking lots that have entrances that are too close to the intersection of 16<sup>th</sup> Street and Graham Mesa Avenue/Birch Avenue. This can be remedied through the site plan process. However, if improvements are being made to 16<sup>th</sup> Street via the Farm and John Savage, the curb cuts and water and sewer stubs for Bookcliffs Arts Council should be considered at that time.

The applicant has requested a variance from City Code regarding the allowance of gravel parking lots. Staff's obvious preference is for asphalt parking, but staff is willing to consider a range of options including chip and seal, recycled asphalt, and gravel, although gravel is the least favorable from a point of view of city right of way maintenance. Perhaps a compromise would be for interim parking lots, with an agreement to do asphalt parking at a later phase. Parking will have to be considered at each phase of the project to ensure that enough is available for whatever activities are occurring on the site.

### 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 residential structures.***

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

***The proposed uses would be an amenity to the surrounding neighborhood.***

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;

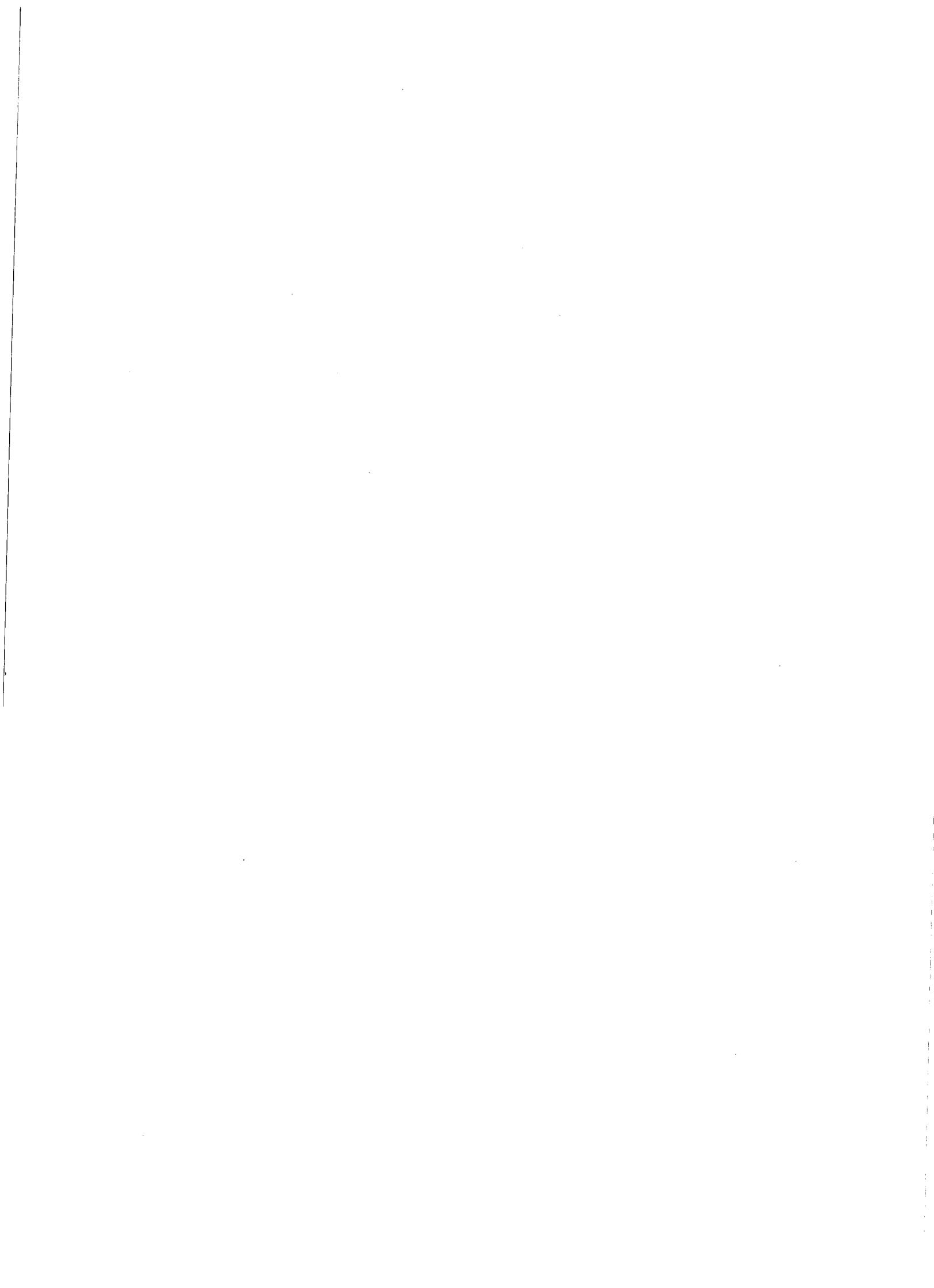
***This proposal conforms with the comprehensive plan.***

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

***The proposal 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.***



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,  
COLORADO, CONCERNING THE BOOKCLIFFS COUNCIL ON ARTS AND  
HUMANITIES ANNEXATION TO THE CITY OF RIFLE.

WHEREAS, in September 2007, there was filed with the City of Rifle, Colorado (hereinafter "City") a Petition requesting that the Rifle City Council commence proceedings to annex to the City, as provided in C.R.S. §31-12-104, a certain unincorporated tract of land located in the County of Garfield, State of Colorado and described on Exhibit A, attached hereto and incorporated herein by this reference, which parcel is known as the Bookcliffs Council on Arts and Humanities Annexation (hereinafter the "Annexation Parcel"); and

WHEREAS, the City Council by Resolution No. 4, Series of 2009, found that the Petition is in substantial compliance with the requirements of the Municipal Annexation Act of 1965, C.R.S. §31-12-107(1), as amended, established a date, time, and place for a hearing upon the Petition and directed the City Clerk to give notice of the hearing in accordance with C.R.S. §31-12-108(2); and

WHEREAS, notice of such hearing was published on February 19 and 26, 2009 and March 5 and 12, 2009 in the *Citizen Telegram* newspaper; and

WHEREAS, the public hearing on the Petition was opened on April 1, 2009 and continued to April 15, 2009 at a regularly scheduled meeting of the Rifle City Council, and at such hearing any person permitted to appear pursuant to C.R.S. §31-12-109(1) had the opportunity to appear and present evidence upon any matter determined by the City Council; and

WHEREAS, a radiation hazards reports on the Annexation Parcel has been submitted to the City, as required by Rifle Municipal Code §16-2-50; and

WHEREAS, the City Council finds and determines that the hearing upon the Petition is now complete.

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

FINDINGS OF FACT, DETERMINATIONS AND CONCLUSIONS

1. The City incorporates the foregoing recitals as findings and determinations by the City Council, and conclusively makes all of the Findings of Fact, Determinations and Conclusions contained herein.

2. For the Annexation Parcel, the City staff has determined, and the City Council so finds, that the landowners of one hundred percent (100%) of the Annexation Parcel to be annexed, excluding public streets and alleys, signed and filed the Petition requesting the annexation to the City of the Annexation Parcel described in the Petition.

3. The Petition is accompanied by four (4) or more copies of the Annexation Map which contains, among other things, the information required by C.R.S. §31-12-107(1)(d).

4. For the Annexation Parcel, the requirements of C.R.S. §31-12-104, as amended, exist or have been met, including without limitation the following:

- a. Not less than one-sixth (1/6th) of the perimeter of the Annexation Parcel is contiguous with the City.
- b. A community of interest exists between the Annexation Parcel and the City.
- c. The Annexation Parcel is urban or will be urbanized in the near future.
- d. The Annexation Parcel is integrated with or is capable of being integrated with the City.
- e. No election for annexation of the area proposed to be annexed to the City has been held in the preceding twelve (12) months.

5. For the Annexation Parcel, the requirements of C.R.S. §31-12-105, as amended, exist or have been met, including without limitation the following:

- a. In establishing the boundaries of the area proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
  - (1) has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof unless such tracts or parcels are separated by a dedicated street, roadway, or other public way; or
  - (2) comprising twenty (20) acres or more (which together with buildings and improvements situated thereon having a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year preceding the proposed annexation) has been included without the written consent of the

landowners.

- b. No annexation proceedings have been commenced for the annexation to a municipality other than the City of all or part of the Annexation Parcel.
  - c. The annexation proposed in the Petition will not result in the detachment of area from any school district and the attachment of the same area to another school district.
  - d. The annexation proposed in the Petition will not have the effect of extending the municipal boundary of the City more than three (3) miles in any direction from any point on the current municipal boundary of the City.
  - e. The City has previously prepared and adopted a plan meeting the requirements of C.R.S. §31-12-105(e).
6. No election is required under C.R.S. §§31-12-112 and -107(2) for the Annexation Parcel, as no additional terms or conditions are to be imposed upon the owners of property not otherwise agreed to by such owners.
7. The signer of the Petition is the sole owner of one hundred percent (100%) of the area proposed to be annexed, exclusive of public streets and alleys.
8. The annexation to the City of the Annexation Parcel will not result in a change of county boundaries.
9. The names and mailing address of the signer of the Petition and dates of signing are included in the Petition, and the legal description of the land owned by such petitioner is attached to the Petition. No signature on the Petition is dated more than 180 days prior to the date of filing of the Petition for annexation with the City Clerk.
10. No area of the Annexation Parcel proposed to be annexed to the City is presently a part of any incorporated city, city and county, or town, and is not contiguous to any other incorporated city, city and county, or town.
11. It is desirable and necessary that the Annexation Parcel described on Exhibit A be annexed to the City.

12. On even date herewith, the City Council of the City of Rifle, Colorado, shall, by ordinance, annex the Annexation Parcel described on Exhibit A to the City of Rifle.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 20<sup>th</sup> day of May, 2009.

CITY OF RIFLE, COLORADO

By \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF RIFLE, COLORADO  
RESOLUTION NO. 11  
SERIES OF 2009**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,  
COLORADO, APPROVING AN ANNEXATION PLAN FOR THE BOOKCLIFFS  
COUNCIL ON ARTS AND HUMANITIES ANNEXATION AS REQUIRED  
UNDER THE MUNICIPAL ANNEXATION ACT OF 1965, AS AMENDED.

WHEREAS, the City Council of the City of Rifle, Colorado, currently has pending before it an Annexation Petition requesting the annexation to the City of certain unincorporated property located in Garfield County, Colorado, which property is known as the Bookcliffs Council on Arts and Humanities Annexation, described on Exhibit A attached hereto and incorporated herein by reference (hereinafter the "Property"); and

WHEREAS, C.R.S. §31-12-105(1)(e) provides that prior to the completion of any annexation within a three-mile area, the municipality shall have in place a plan for that area, which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities and terminals for water, light, sanitation, transportation and power to be provided by the municipality and the proposed land uses for the area; and

WHEREAS, the City currently has in place a Comprehensive Plan and other long-range planning documents which constitute the City's annexation plan; and

WHEREAS, by this Resolution the City Council desires to recognize that such documents function as the City's annexation plan, as required by C.R.S. §31-12-105(1)(e), and that such plan is in place with regard to the proposed annexation to the City of the Property.

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

1. The City of Rifle's Annexation Plan, as required under C.R.S. §31-12-105(1)(e) consists of the following documents, each of which is incorporated herein by this reference as if set forth in full:

A. Comprehensive Framework Plan - Rifle Comprehensive Planning Program Volume I (May 1998), consisting of:

1. Comprehensive Framework Plan
2. Analysis of public building space needs
3. Fiscal Impact Element
4. Housing Element
5. Parks, Recreation and Open Space Plan
6. Transportation Plan
7. Utility Management Plan

8. Land Use Concept Plan Map
  9. All maps and plats included in the Comprehensive Plan
- B. Comprehensive Plan dated November, 1997
  - C. Rifle Trail System Planning Program dated December 6, 1991
  - D. Zone District Map of the City of Rifle
  - E. Any and all staff reports and minutes of any Planning & Zoning Commission meetings relating to this development application.
2. The City, acting through its staff, consultants, and attorneys shall update the City's annexation plan as necessary and at least once annually.

THIS RESOLUTION, was read, passed and adopted by the Rifle City Council at a regular meeting held this 20<sup>th</sup> day of May, 2009.

CITY OF RIFLE, COLORADO

By: \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 11  
SERIES OF 2009**

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.

WHEREAS, in September 2007, the Bookcliffs Council on Arts and Humanities (“Petitioner”) filed with the City Clerk of the City of Rifle, a Petition requesting that the City Council of the City of Rifle, Colorado commence proceedings to annex to the City of Rifle a certain unincorporated tract of land located in the County of Garfield, State of Colorado, known as the Bookcliffs Council on Arts and Humanities Annexation, described on Exhibit A attached hereto and incorporated herein by this reference (hereinafter the “Property” or “BCAH Annexation”); and

WHEREAS, pursuant to C.R.S. §31-12-108, the City Council by Resolution No. 4, Series of 2009, specified that the City Council would hold a hearing on the proposed annexation at its regular meeting on April 1, 2009, which hearing was opened and continued to April 15, 2009; and

WHEREAS, pursuant to C.R.S. §§31-12-108 to -110, the City Council on April 1, 2009 held a duly-noticed public hearing to consider the proposed annexation, which hearing was opened and continued to April 15, 2009; and

WHEREAS, notice of such hearing was published on February 19 and 26, 2009 and March 5 and 12, 2009 in the *Citizen Telegram* newspaper; and

WHEREAS, the City Council by Resolution No. 10, Series of 2009, set forth its Findings of Fact, Determinations and Conclusions with regard to annexation to the City of the BCAH Annexation.

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

1. The annexation to the City of the real property described on Exhibit A is hereby approved, and such real property known as the BCAH Annexation is hereby annexed to and made a part of the City of Rifle.

2. The City Clerk shall publish this Ordinance as required by Charter and within ten (10) days after final publication of this Ordinance, on behalf of the City shall:

a. File one (1) copy of the Annexation Map and the original of this Annexation Ordinance in the office of the City Clerk of the City of Rifle, Colorado;

b. File for recording two (2) certified copies of this Annexation Ordinance and two (2) copies of the Annexation Map, containing a legal description of the annexation parcel, with the County Clerk and Recorder of Garfield County, Colorado, with directions to the Garfield County Clerk and Recorder to file one certified copy of this Annexation Ordinance and one copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs of the State of Colorado;

c. File one certified copy of this Annexation Ordinance and one copy of the Annexation Map in the office of the County Assessor of Garfield County, Colorado.

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 20, 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

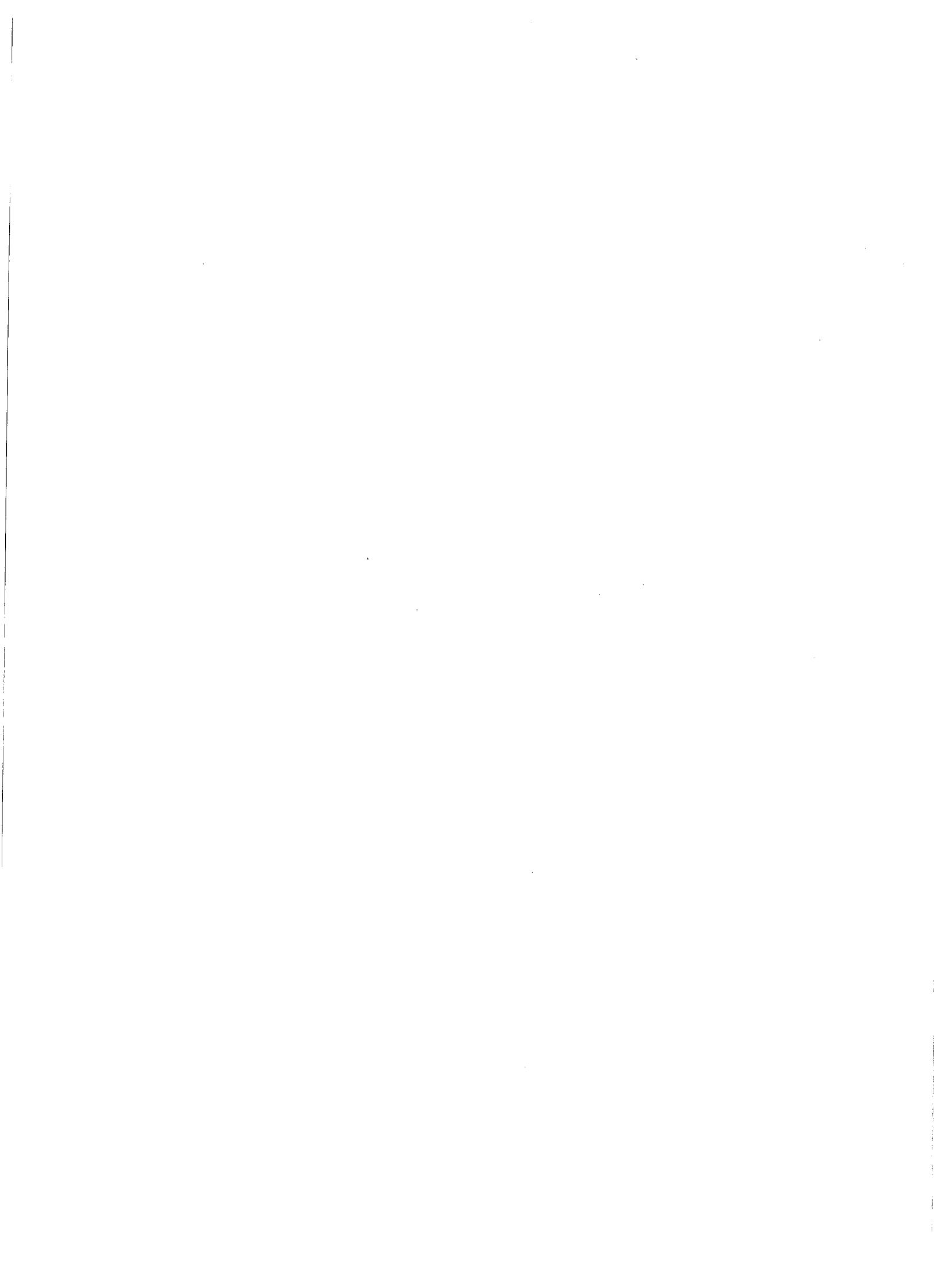
File No. 0703077-R

Bookcliffs Council on Arts and Humanities

EXHIBIT "A"

A tract of land situated in the NW1/4NW1/4 of Section 10, Township 6 South, Range 93 West of the 6th P.M., being more particularly described as follows:

Beginning at the West 1/4 Corner of said Section 10; thence along the West line of said Section 10, North 00°54'31" West 1516.48 feet; thence North 89°24'53" East 36.00 feet to the TRUE POINT OF BEGINNING; thence North 89°24'53" East 1177.30 feet; thence South 00°54'31" East 185.00 feet to the apparent Northerly right of way line of a county road as built and in place; thence along said Northerly right of way South 89°24'53" West 1177.30 feet; thence leaving said Northerly right of way on a course bearing North 00°54'31" West 185.00 feet to the TRUE POINT OF BEGINNING.



**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 12  
SERIES OF 2009**

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.

WHEREAS, in September 2007, the Bookcliffs Council on Arts and Humanities ("Petitioner") filed with the City Clerk of the City of Rifle a Petition requesting that the City Council of the City of Rifle, Colorado commence proceedings to annex to the City property located in Garfield County, Colorado known as the Bookcliffs Council on Arts and Humanities Annexation (hereinafter the "Property"); and

WHEREAS, by Ordinance No. 11, Series of 2009, the City of Rifle annexed the Property to the City; and

WHEREAS, the Property is described on Exhibit A attached hereto and incorporated herein by this reference, and Petitioner has filed an application to zone the Property Public Planned Unit Development (PZ-PUD) Zone District; and

WHEREAS, on February 24, 2009, the City of Rifle Planning Commission considered the zoning application for the Property at a duly-noticed public hearing and recommended that the City Council zone the Property PZ-PUD Zone District; and

WHEREAS, as required by the Rifle Municipal Code, the public hearing on the zoning application for the Property was held on April 15, 2009 at a regularly scheduled meeting of the Rifle City Council.

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

1. The aforementioned recitals are hereby fully incorporated herein.
2. The Property is hereby zoned Public Planned Unit Development (PZ-PUD) Zone District pursuant to the PUD Guide attached hereto as Exhibit B and incorporated herein by this reference.
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 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 20, 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

**Sunset Art Park Planned Unit Development Guide**  
Prepared May 13, 2009

**Purpose.**

The purpose of the Sunset Art Park Planned Unit Development Guide is to serve as the governing regulations that will control the land uses within the Sunset Art Park Planned Unit Development. The PUD Guide will serve as the zone district regulations for the PUD and will regulate the use of land and all dimensional limitations for structures planned for the site; and provide additional regulations.

Additionally, the purpose of this guide is to insure the orderly and compatible development of the property. The PUD Guide overlays the standard zoning provisions of the City of Rifle Municipal Code with site-specific restrictions that are more appropriate to the specific conditions of lands contained within the Sunset Art Park. All provisions of the City of Rifle Municipal Code not addressed in the Planned Unit Development Guide will continue to apply to the Sunset Art Park. This PUD Guide will establish and implement a long range comprehensive plan for the Sunset Art Park that will encompass such beneficial features as a balance of arts and humanities uses, enhancement of public safety, creation of aesthetically pleasing environmental features, and promotion of high standards of development quality through appropriate site planning, landscaping, architectural design, and park maintenance for the benefit of the existing and future citizens of the City of Rifle.

**Intent.**

The intent of the Sunset Art Park Planned Unit Development is to provide a classification for land owned by the Bookcliffs Council on Arts and Humanities for activities dedicated to the promotion of arts and humanities in the Rifle area and to integrate such activities into the City of Rifle. Development in the Sunset Art Park Planned Unit Development is characterized by facilities that provide arts and humanities functions or services and related uses that are customarily incidental or accessory to arts and humanities functions and services.

**Enforcement.**

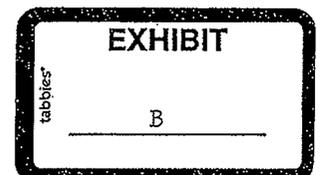
The provisions of this PUD Guide are enforceable by the authority and powers of the City of Rifle as granted by law. Enforcement actions shall be consistent with the authority and actions defined in the City of Rifle Municipal Code.

**Modifications to this Guide.**

It is anticipated that modifications to this Guide will be necessary from time to time as the project progresses through its development life. This Guide provides two types of modifications; Major and Minor. These two types are defined below:

**Major Modifications.**

Major modifications shall require amendments to the Sunset Art Park Planned Unit Development Guide. Major modifications are those changes, which could



alter the character, intensity or land use of a portion of the project.

**Minor Modifications.**

Minor Modifications are these changes which will not alter the original concept of the project but which may result in a change in design of the development. Minor Modifications are changes that do not alter the intensity or general location of permitted uses.

The Planning Director will have discretion over whether the modification is a major or minor change for the purposes of implementing this section of the PUD Guide.

**Permitted Facilities in the Sunset Art Park Planned Unit Development:**

Bookcliffs Council on Arts and Humanities has identified the following permitted facilities as a guide to the anticipated arts and humanities amenities to be developed at the Sunset Art Park.

- Outdoor sculpture display areas
- Performing arts facilities
- Mural wall
- Metal working studio
- Classrooms
- Blacksmith shop
- Indoor art gallery space
- Artisan vendor display, exhibit, and sales areas
- Local farmers market vending area
- Community garden space
- Reception space
- Picnic area
- Picnic pavilion
- Outdoor amphitheater
- Public broadcasting space
- Fruit orchards
- Board room
- Event parking
- Service drop-off at stage
- Pedestrian paths
- Ponds
- Single family caretaker use (necessary for security)
- Handicap access for parking, buildings, park, gardens, and events
- Pathways within boundaries for school children access
- Restaurant/café

**Permitted Uses in the Sunset Art Park Planned Unit Development:**

Bookcliffs Council on Arts and Humanities has identified the following class subjects as a guide to the anticipated educational uses of the Sunset Art Park facilities. This list of subjects is meant only as a guide for the use of the facilities and not as a restriction for additional or alternative arts and humanities uses.

- Basketry
- Beads
- Blacksmithing
- Book Arts
- Broom Making
- Calligraphy
- Ceramics & Pottery
- Chair Seats
- Clay
- Cooking
- Crafts
- Dance
- Dolls & Bears
- Drawing
- Dyeing
- Enameling
- Fabric arts
- Felt Making
- Figurative Sculpture
- Folklore
- Gardening
- Genealogy
- Glass
- Jewelry
- Kaleidoscopes
- Knitting
- Lace
- Leather
- Marbling
- Metalwork & Metal Sculpture
- Mixed Media
- Music
- Native American Arts
- Nature Studies
- Needlework & Thread Art
- Painting
- Paper Arts
- Performing Arts
- Photography
- Printmaking
- Quilting
- Rugs
- Sewing
- Soap Making
- Spinning
- Stone, Sculpture & Mosaics
- Storytelling
- Surface Design
- Unique Offerings
- Weaving
- Woodcarving
- Woodturning
- Woodworking
- Writing

**Permitted Events in the Sunset Art Park Planned Unit Development:**

In addition to the above arts and humanities permitted facilities and uses, Bookcliffs Council on Arts and Humanities anticipates an opportunity to host events at the Sunset Art Park. These events may include but not be limited to concert series, dance events, art shows, local community events, seasonal festivals, art auctions, holiday events, weddings, farmers markets, and BCAH Board meetings and fund raisers.

**Special Events in the Sunset Art Park Planned Unit Development:**

Bookcliffs Council on Arts and Humanities shall apply for a Special Events permit from the City of Rifle for any event that needs more parking than can be accommodated in permitted on-site parking areas, that amplifies sound, that serves alcohol, that is considered a parade or festival, or any other use that falls under the City's Special Events Permit guidelines. Events that do not include any of the aforementioned uses and that do not exceed the provided on-site parking, including classes, workshops, small presentations and community farms, shall not require a Special Events Permit.

**Additional requirements.**

- Uses and structures within the Sunset Art Park Planned Unit Development shall conform to all applicable provisions of the Rifle Municipal Code.
- To the extent the proposed use is comparable to a use contemplated in Article VII of the City of Rifle Municipal Code, adequate parking will be provided based on the requirements of Article VII. If the proposed use is not comparable to a use set forth in Article VII, the developer will provide adequate parking as determined by the City of Rifle.
- Regarding upgrades to parking at the Morrow House and the existing sheds and outbuildings, classes and workshops may be held in these locations, as long as the existing parking at the house can accommodate attendees. Events on site, including live music, festivals, garage sales, etc. that exceed the parking capacity of the gravel driveway and loop may not be held unless a special events permit approves the accommodations for off-site parking.
- Parking on 16th Street shall not be allowed. Parking on Birch Avenue shall be allowed for specific events with the city's permission.
- The Bookcliffs Council on Arts and Humanities shall work with the City to improve the gravel parking lot at the Morrow House. The applicant shall identify a place on the property where City-donated aggregate may be stored, and permit the City to install the parking improvements when the City crews are available.
- The City shall work with the applicant to identify and implement green parking solutions.
- The Bookcliffs Council on Arts and Humanities shall apply for Site Plan Review at each phase of the development that shall go before Planning Commission and City Council.
- Any new buildings or other significant improvement to the site shall require a Site Plan to be filed with the city. All applicable aspects of City Code shall be followed.
- Animals (excluding dogs, cats, or other indoor pets) are prohibited from being kept permanently on the premises. A Special Events permit is required to keep all animals (excluding dogs, cats, or other indoor pets) temporarily on the premises.
- Sign limits. The types and sizes of signs permitted in the Sunset Art Park Planned Unit Development shall conform to the Sign Code requirements in Article VIII as set forth in the City of Rifle Municipal Code.
- A solid opaque fence shall enclose all outdoor storage of materials and trash receptacles visible from a public street.

- All environmental standards of the State or the United States government shall be complied with at all times.
- All fabrication facilities adjacent to residential uses shall be screened from the residential uses with landscaping and fencing of a minimum height of six (6) feet subject to review and approval of the Planning Director.
- All outdoor storage of heavy equipment and construction materials shall be enclosed by a six-foot-high solid opaque fence and placed on a gravel surface.

**Zoning Requirements for the Sunset Art Park Planned Unit Development.**

Front Yard Setback: 20 Feet\*

Side Yard Setback: 10 Feet\*

Rear Yard Setback: 15 Feet\*

Maximum Building Height: 35 feet - Building heights in excess of 35 feet require a conditional use permit.

- \* Structures constructed prior to May 1, 2009, are exempt from compliance with the minimum yard setbacks. Any new construction, additions or changes associated with structures after May 1, 2009, shall be subject to the above minimum yard setbacks.

**Additional requirements for the Sunset Art Park Planned Unit Development.**

The following Maintenance Standards will apply to the Sunset Art Park Planned Unit Development:

**Grounds**

- Grounds are mowed and trimmed.
- Park is free of litter, debris, and hazards.
- Parking lots are clean and litter/debris free.
- Remove snow on park roads and walkways, generally accomplished by the day following the snowfall.

**Signage**

- Park identification signs are secure and properly installed in a noticeable location.
- Handicap parking signs are secure, visible, and to code.
- Park Rules signs are secure and in a noticeable location.
- Restroom signs are secure and visible.
- Signs are clean, painted, and free of protrusions.

**Ornamental Plants**

- Plants are healthy.
- Plant beds are free of litter, debris, and weeds.
- Plant selection is appropriate for season and area usage.

#### Walkways

- Walkways have a uniform surface and are level with the ground and free of trip hazards.
- Walkways are free of litter and debris.
- Walkways meet the Americans with Disabilities Act requirements.
- Walkways have unobstructed accessibility, i.e. free from low and protruding limbs, guide wires, etc.
- Walkways are neatly edged.
- Walkways are clear of weeds and grass growth.

#### Trash Receptacles (random)

- Receptacles are clean.
- Receptacles are free of damage or missing parts.
- Hardware for receptacles is intact.
- Roll-off containers and dumpsters are screened and placed in less intrusive areas.
- Area around trash receptacles is clean and free of trash and debris.
- Area around roll-off containers and dumpsters is clean and free of trash and debris.

#### Exterior Facility Lights

- No electrical conducting wires are exposed.
- Lights comply with current building codes and City of Rifle lighting standards.
- Electrical components are operational, properly installed, and secured.

#### Irrigation (turf)

- Irrigation system is fully operational with complete uniform coverage.
- System is free of leaks.
- Heads are installed according to intended use.
- Heads are properly adjusted with rotations and arcs set to reduce water run off.
- Systems are set to run at specific times to minimized water evaporation and waste.

#### Irrigation (landscape)

- Irrigation system is fully operational with complete uniform coverage. \2. System is free of leaks.
- Heads are installed according to intended use.
- Heads are properly adjusted with rotations and arcs set to reduce water run off.
- Systems are set to run at specific times to minimized water evaporation and waste.

#### Picnic Units

- Tables are clean, free of rust, mildew, and graffiti.
- Table hardware is intact.
- Table frames are intact and slats are properly secured.
- Table seats and top are smooth with no protrusions and have no exposed sharp edges or pointed corners.
- Grills are operational and free of rust and metal deterioration.

- Grills are clean and free of grease build-up.
- Grill racks are operational and secure to main body.
- Grills are properly anchored to reduce hazards and theft.
- Underbrush, low limbs, and debris are cleaned away from grill area to reduce possible fire hazard.
- Trash receptacles are clean.
- Wood trash receptacles are painted and free of damaged or missing parts.
- Hardware for wood receptacles is intact.

#### Benches

- Hardware is intact and structurally sound.
- Nails, bolts, or screws are flush with the surface.
- Seats and backing are smooth with no protrusions and have no exposed sharp edges or pointed corners.

#### Park Structures

- Park structures comply with the Americans with Disabilities Act requirements.
- Park structures are clean, sanitary, and free of graffiti.
- Electrical plugs, lights, appliances, fans, and hot water heaters are operational and in good condition and comply with current building codes.
- Park structures are structurally sound, cleanly painted with no rotten lumber or rusted metal and no loose siding or loose shingles.
- Park structures are relatively pest and rodent free and regularly treated for ants, wasps, termites and mice.
- Interior kitchens are equipped with an operational fire extinguisher.
- Doors, windows, screens, and locks are operational.
- Water fountains, water faucets, exhaust vent fans, and hose bib connections are operational.
- Signage with reservation and rules information and emergency telephone numbers is in a noticeable location.
- Park structures grounds are mowed and trimmed and free of litter, debris and hazards.
- Vegetation around park structures is trimmed impede entry and regress.

#### Roads and Parking

- Maintain traveled way to provide for user comfort and convenience and for protection of road and parking investment.
- Maintain existing shoulders commensurate with the traveled way.
- Maintain drainage as necessary to keep drainage facilities functional and prevent unacceptable environmental damage.
- Maintain existing vegetative cover adjacent to roads and parking. Control vegetation to provide sight distance. Repair and/or remove slides and slumps to provide passage by standard passenger cars.
- Clean up litter in accordance with road management objectives. Remove hazard trees and perform landscape treatments as required.

- Maintain all road structure to provide for passage of planned traffic and to preserve road structure for future use.
- Remove snow on park roads and walkways, generally accomplished by the day following the snowfall.



## MEMORANDUM

**TO:** MATT STURGEON, PLANNING DIRECTOR  
**FROM:** NATHAN LINDQUIST, PLANNER  
**DATE:** MAY 14, 2009  
**SUBJECT:** 14<sup>TH</sup> STREET MARKETPLACE  
FINAL PUD 2008-10  
APPLICANTS: DALE AND SALLY POTVIN

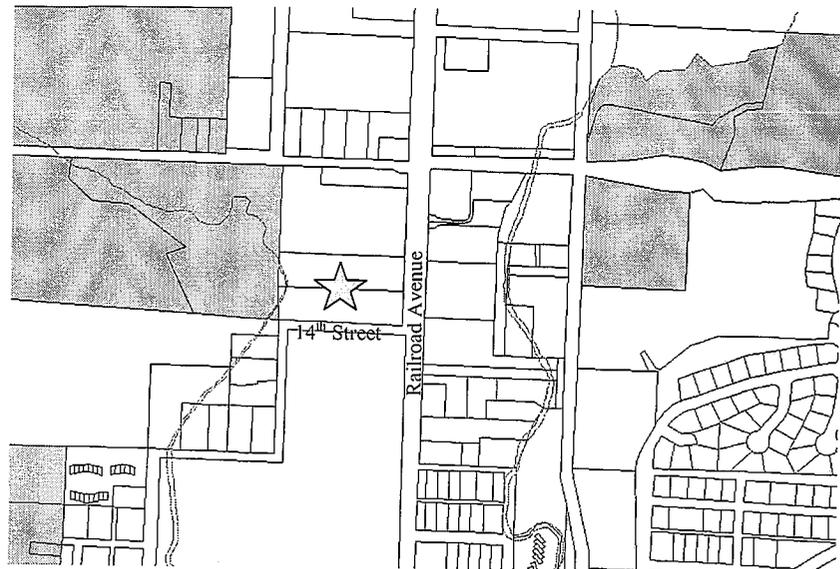
### PURPOSE

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.

14<sup>th</sup> 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

14<sup>th</sup> 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 14<sup>th</sup> 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 Council 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 35' curb return radii and cross-pan at the northwest and southwest corners of the intersection of 14<sup>th</sup> St. and Railroad Ave.
6. The Developer shall be responsible for 100% of all costs associated with construction of a 35' street curb return radius and appropriate cross-pan at the northwest corner of the intersection of 14<sup>th</sup> 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 14<sup>th</sup> 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, 14<sup>th</sup> 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 14<sup>th</sup> 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 14<sup>th</sup> 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**

14<sup>th</sup> 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

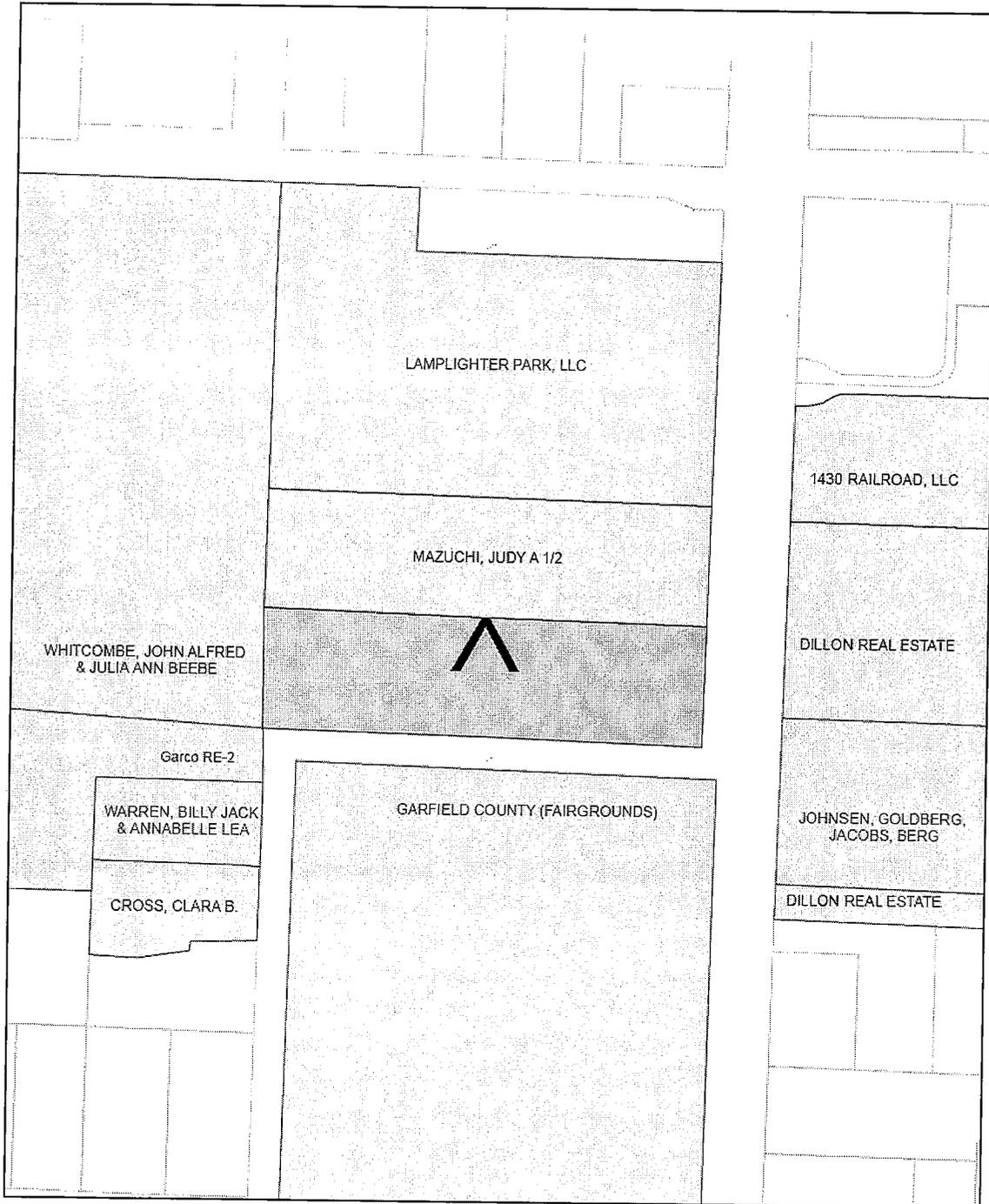
*The positive economic value and presence of the shopping center should have a positive effect on property values in the area.*

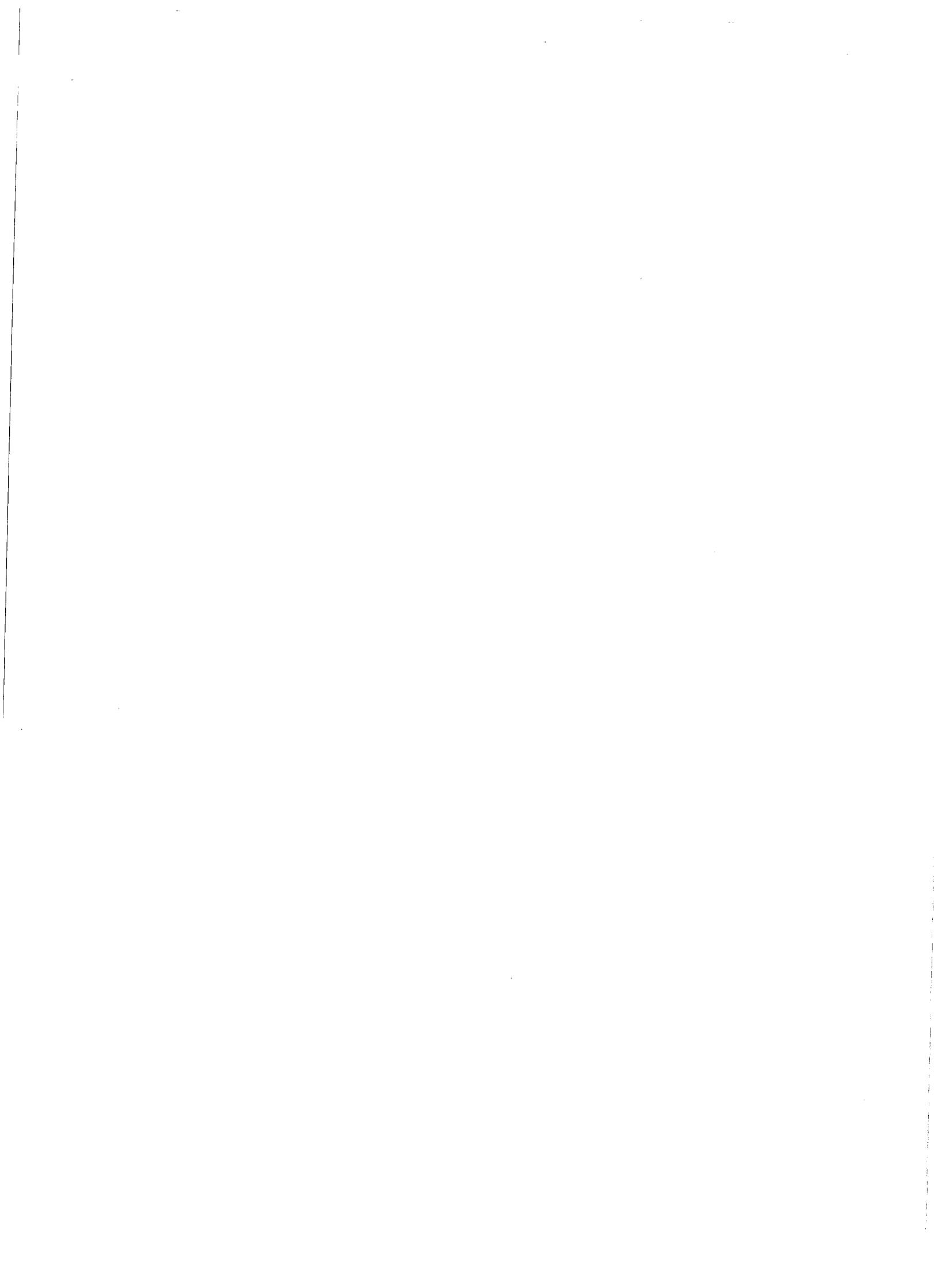
7. Conformance of the proposal with the approval requirements concerning water and sewer tap availability for high volume use requests pursuant to §10.10.110 of these regulations, if applicable.

*Not applicable.*

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 14<sup>th</sup> STREET MARKETPLACE, LLC KNOWN AS THE 14<sup>th</sup> STREET MARKETPLACE FROM COMMUNITY SERVICE ZONE DISTRICT (CS) TO COMMUNITY SERVICE PLANNED UNIT DEVELOPMENT ZONE DISTRICT (CS-PUD) AND OPEN SPACE (OS).

WHEREAS, 14<sup>th</sup> 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 Open Space (OS); 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. ¶ Parcels 2, 3 and 4 of 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 14<sup>th</sup> Street Marketplace PUD Guidebook certified by the City and incorporated herein by this reference which sets forth all of the PUD standards and guidelines for the Property, and Parcel 1 is hereby zoned Open Space (OS) Zone District.
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~~with amendment, approved, and ordered published in full as required by the Charter.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

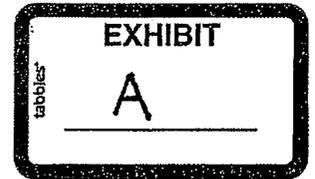
CITY OF RIFLE, COLORADO

By \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**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 6<sup>TH</sup> 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 6<sup>TH</sup> 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 14<sup>th</sup>  
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 14<sup>th</sup> Street Marketplace, LLC (hereinafter "Developer"), which property is known as 14<sup>th</sup> 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 14<sup>th</sup> 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 14<sup>th</sup> 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.

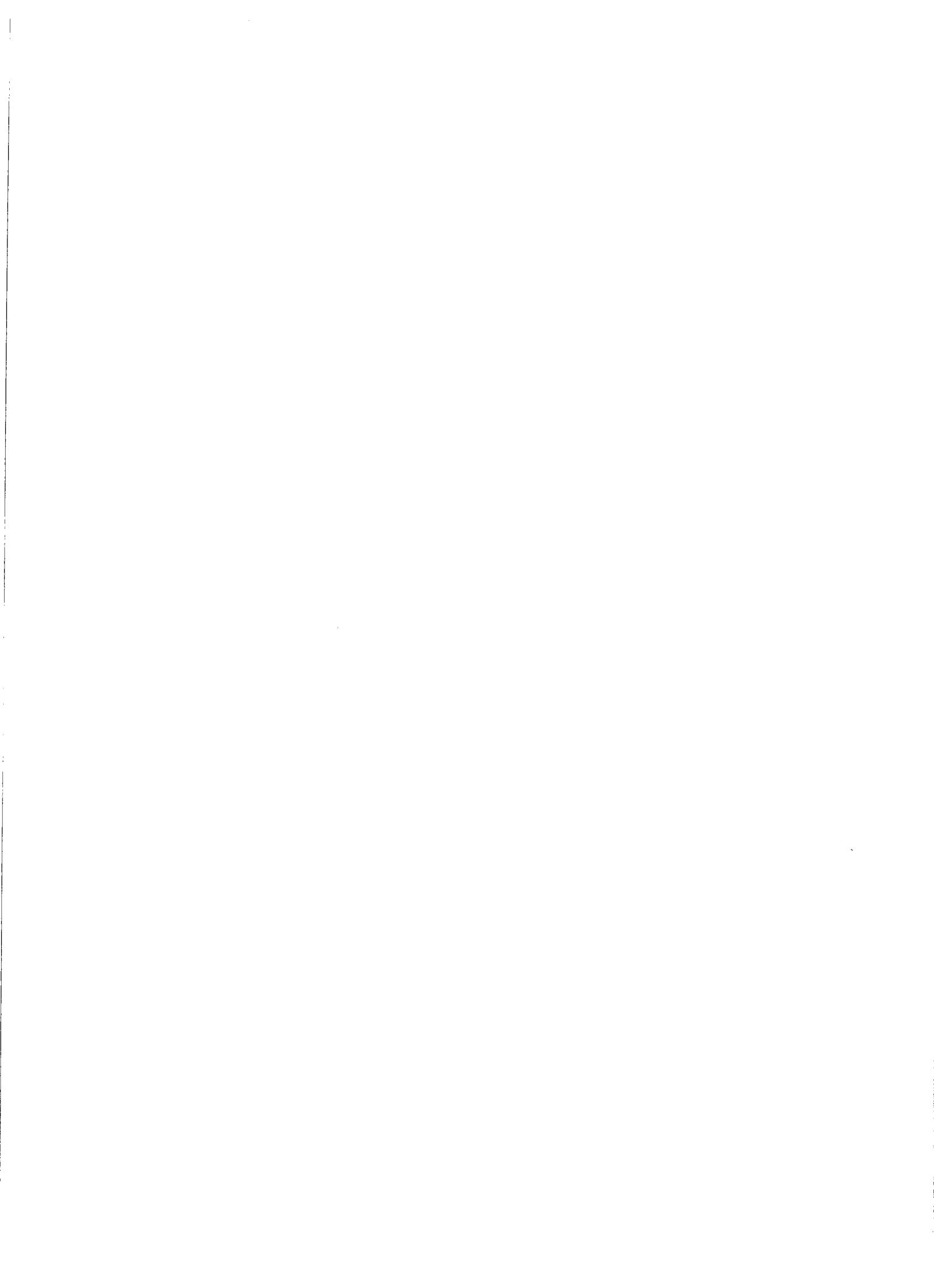
CITY OF RIFLE, COLORADO

By \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**SITE SPECIFIC DEVELOPMENT PLAN AND  
SUBDIVISION IMPROVEMENTS AGREEMENT  
FOR 14<sup>TH</sup> 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 14<sup>th</sup> 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 14<sup>th</sup> 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~~parcels~~ 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 twenty (20) office/commercial units ("Phase 2"); and Phase 3 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~~containing 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~~parcels: ~~Lot Parcel~~ 1 is approximately 0.21 acres of open space to be owned in common by the Unit Owners Associations of ~~Lots~~Parcels 2, 3 and 4 AND MAY NOT BE SOLD SEPARATELY, MAY NOT BE DEVELOPED AND HAS NO DEVELOPMENT ENTITLEMENTS; ~~Lot Parcel~~ 2 is approximately 1.026 acres and comprises Phase 1; ~~Lot Parcel~~ 3 is approximately 0.826 acres and comprises Phase 2; and ~~Lot Parcel~~ 4 is approximately ~~1.085805~~1.085805 acres and comprises Phase 3. **EACH OF ~~LOTS~~PARCELS 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 Parcels 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 for that phase.

- 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 for that phase.
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. Staff 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 14<sup>th</sup> Street.
- E. Underground Electric Utilities. Developer shall under ground offsite electrical utility services along Railroad Avenue and 14<sup>th</sup> 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 14<sup>th</sup> 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 14<sup>th</sup> 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 for that phase 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 last building in a 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:

14<sup>th</sup> 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

14<sup>th</sup> STREET MARKETPLACE, LLC

By: \_\_\_\_\_

Sally Allen-Potvin, Manager



**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 six hundred dollars (\$600.00).

(b) Effective after the September 8, 2009 regular municipal election, the monthly compensation for each Council Member shall be four hundred dollars (\$400.00).

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>Riffe</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>
<i>Mayor's Wage*</i>	300	200	325	400	500	200	1000	2325	75.80	1000	632.58
<i>Councilor's Wage*</i>	200	100	275	200	400	120	500	1700	54.15	600	414.91
<i>Paid Health Insurance?</i>	N	N	N	N	N	N	N	Y <sup>3</sup>	N	N	N/A
<i>Pay for Extra Mtgs?</i>	N	N	N	N	N <sup>1</sup>	Y <sup>2</sup>	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

Mayor/Council Wages May 2008  
 City of Rifle  
 Wanda Nelson, MSM, CMC

## MEMORANDUM

TO: John Hier, City Manager

FROM: Matt Sturgeon, Assistant City Manager MS

DATE: May 13, 2009

SUBJECT: Minor Building Permit Fees

Jerry Long, Building Official, is recommending the City offer a flat fee for certain building permit types. This recommendation is made in an attempt to encourage compliance with building permit codes for the purpose of protecting public safety. Jerry feels the permit fees may be discouraging people from seeking permits for things like water heater replacements, decks, and furnace replacements.

Currently, building permit fees are calculated using Building Standards Valuations Data published annually by the International Conference of Building Officials. This method often results in permit costs for these types of projects ranging from one to two hundred dollars. I concur with Jerry these costs deter persons from seeking permits.

These projects are thought of as do-it-yourself projects that appear to represent little danger to the end user. Unfortunately, if the project is done incorrectly it can result in personal injury or costly property damage. Examples include: poor or no venting of gas furnaces and water heaters; poor plumbing of water heaters; comingled return air and gas supply on furnace; poorly anchored and/or plumbed swamp coolers, and; decks with incorrect span lengths and/or no railings.

The person who hires a contractor presumes the contractor is following building codes and that the City is ensuring code compliance. Homeowner insurance companies expect the same, and if an event occurs with no permitting it may void insurance claims. Lastly, disclosure of a building project done without a permit can result in the termination or extension of a real estate transaction.

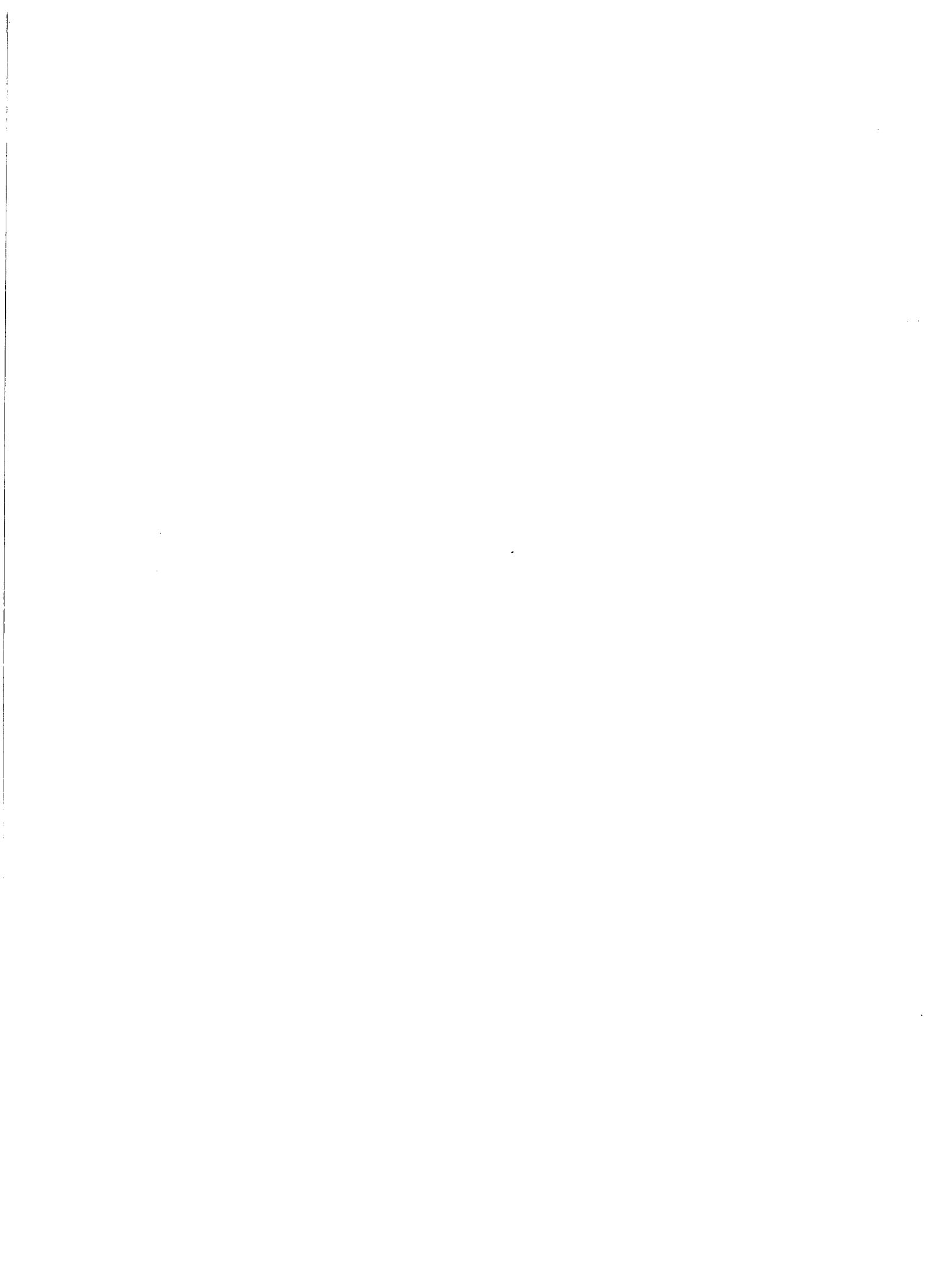
### PROPOSED FEE CHANGES

#### \$25.00 Flat Fee

Water Heater, Air Conditioner,  
Furnace, Swamp Cooler, Fire Place

#### \$50.00 Flat Fee

Deck & Re-Roof



**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 17  
SERIES OF 2009**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING  
SECTIONS 18-13-70 AND 18-13-80 OF THE RIFLE MUNICIPAL CODE  
REGARDING BUILDING PERMIT FEES AND AMENDING REFERENCE TO  
SUCH FEES AT APPENDIX A.

WHEREAS, Section 18-13-70 of the Rifle Municipal Code (“RMC”) currently provides that building permit fees, regardless of project type, shall be calculated by the Building Official according to an estimated value of work based on the declared cost of material and labor in accordance with the annually updated Building Standards Valuations Data published by the International Conference of Building Officials (“ICBO”); and

WHEREAS, RMC Section 18-13-80 further provides that the schedule of fees to be charged for the issuance of a building permit is as set forth in the Building Code at Chapter 18, Article II, which adopts the 2003 International Building Code (“IBC”) by reference; and

WHEREAS, the IBC utilizes the material and labor standards valuation method as contemplated by RMC Section 18-13-70; and

WHEREAS, City of Rifle staff has identified a need to exempt certain small projects from the material and labor standards valuation method and instead adopt a flat fee schedule by resolution of the City Council, as may be amended from time to time, thus promoting efficient and cost-effective administration of building permits; and

WHEREAS, the Rifle City Council finds and determines the best interests of City residents will be served by amending RMC Sections 18-13-70 and 18-13-80 to reference flat fee building permits and the corresponding fee provisions at Appendix A accordingly.

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 18-13-70 (a) and (b) of the Rifle Municipal Code, “Permit fees generally,” is hereby amended to incorporate flat fee building permits for small scale projects, with revisions shown in bold, underlined text:

**18-13-70. Permit fees generally.**

(a) The estimated value of the work shall be reviewed by the Building Official and shall be based on the declared cost of materials and labor for each permit for each building or

structure; **provided, however, that permits for certain small scale projects may be assessed on a flat fee basis as identified by resolution of the City Council and amended from time to time.** The Building Official shall account for all fees paid under this Chapter for any building, mobile home placement, manufactured home placement or factory-built unit placement. All fees collected shall be paid to the City Treasurer.

(b) **Except in the case of small scale projects subject to a flat fee permit as described in subsection (a),** ~~T~~the estimated value of work shall be determined by the Building Official generally in accordance with the annually updated Building Standards Valuation Data published by the International Conference of Building Officials ("ICBO"), and subject to Subsection (c) below. Under the Building Standards Valuation, the average costs per square foot of residential and commercial buildings are estimated each year with regional modifiers. The regional modifier is multiplied by the listed cost per square foot to determine the adjusted cost of constructing an average building in that region.

\*\*\*

Section 3. Section 18-13-80 (a) and (c) of the Rifle Municipal Code, "Building permit fees," is hereby amended to read as follows, with revisions shown in bold, underlined text.

**18-13-80. Building permit fees.**

(a) **Except as provided in subsection (c) below,** Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., and Article 4.7 of the City Charter, the schedule of fees to be charged for the issuance of a building or other permit, for an inspection and for other fees under this Chapter is as set forth and adopted hereto by reference in:

- (1) The Building Code, as adopted in Article II of this Chapter;
- (2) The Mechanical Code, as adopted in Article III of this Chapter; and
- (3) The Plumbing Code, as adopted in Article IV of this Chapter.

\*\*\*

(c) **Upon recommendation of the Building Official, the City Council may from time to time adopt by resolution a building permit fee schedule for small scale projects, which projects shall be exempt from the material and labor standards valuation method described in Section 18-13-70 herein. The adopted building permit fee schedule shall be posted in the Building Department and available to the public.**

Section 4. Page A-14 of Appendix A to the Rifle Municipal Code, line 25, is hereby amended to read as follows, with revisions shown in bold, underlined text.

Chap 18	Building permit fees as set forth in Uniform Codes adopted in Chapter 18: Building Code; Plumbing Code; Mechanical Code; <b><u>except in the case of flat fees for small scale projects as may be adopted by resolution of the City Council.</u></b>	
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INTRODUCED on May 20, 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 June 3, 2009, passed with amendment, approved, and ordered published in full as required by the Charter.

Dated this \_\_\_ day of \_\_\_\_\_, 2009.

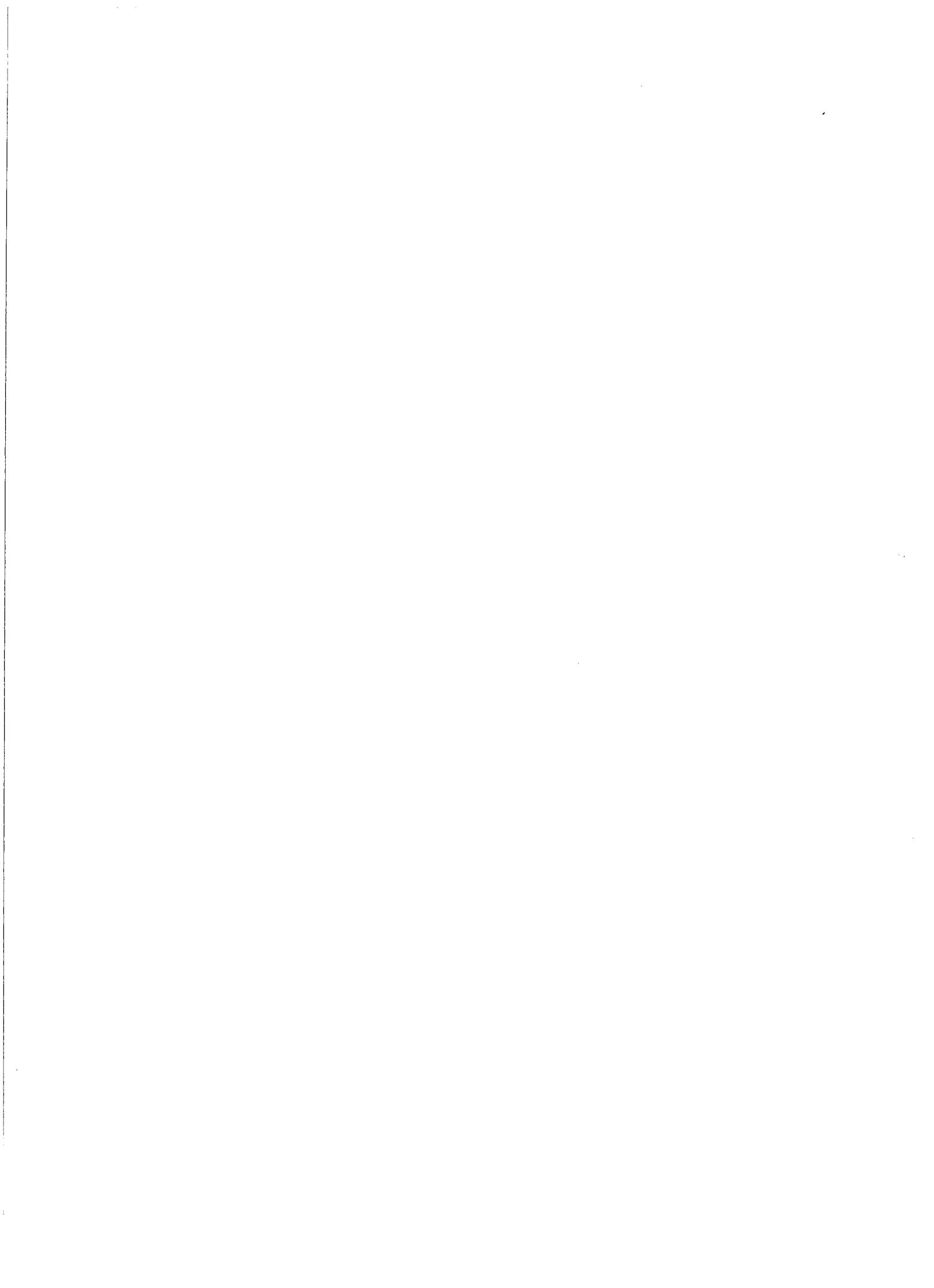
CITY OF RIFLE, COLORADO

BY \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**To be considered on second reading of Ordinance No. 17, Series of 2009**

**CITY OF RIFLE, COLORADO  
RESOLUTION NO. \_\_  
SERIES OF 2009**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,  
COLORADO, ADOPTING A BUILDING PERMIT FEE SCHEDULE FOR  
CERTAIN SMALL SCALE BUILDING PROJECTS.**

WHEREAS, by Ordinance No. 17, Series of 2009, the Rifle City Council adopted amendments to Sections 18-13-70 and 18-13-80 of the Rifle Municipal Code ("RMC") granting the City Council authority to adopt a building permit fee schedule for certain small scale projects, thus exempting such projects from calculation of permit fees based on a material and labor standards valuation method; and

WHEREAS, City staff has identified certain types of building projects that would be administered more efficiently by adopting flat fees for building permits and feels residents and staff alike would benefit from associated cost and time savings; and

WHEREAS, pursuant to RMC Sections 18-13-70 and 18-13-80, the Rifle City Council hereby adopts the following building permit fee schedule for certain types of small scale projects.

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

1. The City incorporates the foregoing recitals as findings by the City Council.
2. The following building permit fee schedule for small scale projects is hereby adopted and shall be posted in the office of the Building and Planning Department.

<b>Type of Project</b>	<b>Permit Fee</b>
Water Heater Installation	\$25.00
Air Conditioning Unit Installation	\$25.00
Furnace Replacement	\$25.00
Swamp Cooler Installation	\$25.00
Fireplace Installation	\$25.00
Deck Construction	\$50.00

Roof Repair and Reconstruction	\$50.00
--------------------------------	---------

3. This Resolution and the fees adopted herein shall take affect on July 1, 2009.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 3<sup>rd</sup> day of June, 2009.

CITY OF RIFLE, COLORADO

By \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF RIFLE, COLORADO  
RESOLUTION NO. 12  
SERIES OF 2009**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,  
COLORADO CONCERNING COMPLIANCE WITH HOUSE BILL 08-1141  
REGARDING ADEQUATE WATER SUPPLIES.

WHEREAS, the General Assembly of the State of Colorado in May of 2008 passed House Bill 08-1141 (the "Adequate Water Supply Bill"), codified as C.R.S. § 29-20-103 and 301, et seq., concerning sufficient water supplies for land use approval; and

WHEREAS, the City of Rifle is a water supply entity, as defined in the Adequate Water Supply Bill; and

WHEREAS, C.R.S. § 29-20-304(1) and (2) require an applicant for a development permit for a specific project that includes new water use in an amount more than that used by fifty (50) single-family equivalents to submit estimated water supply requirements for the proposed development in a report or letter prepared by a registered professional engineer or a water supply expert acceptable to the local government; and

WHEREAS, the City desires to avail itself of C.R.S. § 29-20-304(3), which provides an alternative for a water supply entity to requiring a letter or report from an applicant for a development permit.

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

1. The City incorporates the foregoing recitals as findings by the City Council.
2. The City's Water Supply Plan, addressing its current and proposed water supply for future development projects as required under C.R.S. § 29-20-304(3), consists of the following documents, each of which is incorporated herein by this reference as if set forth in full:
  - A. City of Rifle Water/Wastewater Business Plan Project, prepared by Schmueser Gordon Meyer, Inc. and dated April 2006, consisting of:
    1. Executive Summary and Introduction
    2. Water Demand and Supply
    3. Existing Infrastructure
    4. Water Quality and Treatment
    5. System Improvements

B. City of Rifle Comprehensive Water Rights Report, prepared by Leavenworth & Karp, P.C. and dated April 2009, consisting of:

1. Scope of Evaluation and Report Limitations
2. Descriptions of City's Water Rights
3. Summary of City's Decreed Plan for Augmentations
4. Issues Related to City's Water Rights and Water Facilities
5. Conclusions and Recommendations
4. Water Rights Engineering Exhibit prepared by Resource Engineering and dated April 2009.

3. The City also has in effect water demand management measures in the form of raw lawn and garden irrigation requirements and incentives as set forth at Chapter 13, Article VII of the Rifle Municipal Code.

4. The City, acting through its staff, consultants, and attorneys shall update the City's Water Supply Plan as necessary and, as required by C.R.S. § 29-20-304(3)(a), at least once every ten (10) years.

5. Based on the foregoing, the Rifle City Council hereby determines that the aforementioned plans, reports, and analyses constitute a Water Supply Plan in satisfaction of the requirements of C.R.S. § 29-20-304(3). This report may also be used to satisfy the requirements of C.R.S. §30-28-133(3)(c) and (d). The City Council further determines that said Water Supply Plan constitutes an exemption from the requirement that an applicant for a development permit submit a letter or report with estimated water supply requirements for the proposed development.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 20<sup>th</sup> day of May, 2009.

CITY OF RIFLE, COLORADO

By \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**TO:** John Hier, City Manager  
**FROM:** Dick Deussen, P.E., City Engineer  
**DATE:** May 12, 2009  
**RE:** Award of 3<sup>rd</sup> Street Lighting Replacement

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Please request City Council to approve the award the purchase and installation of the 3<sup>rd</sup> Street Lighting Replacement project in the amount of \$36,012.00 to Western Slope Electrical Contractor, LLC. Funds are available from a grant in the amount of \$30,000 from DOLA/NECI. The remainder will be available from the DDA and the Lodging Tax Board.

There were 4 bids received as shown on the attached bid tabulation ranging from \$36,012 to \$45, 053. These bids included a \$3,000 minor contract revision amount to be used for unforeseen conditions.

Work includes replacement of the lights at the top of the existing poles with a preassembled fixture including L.E.D. lamps. The replacement of 21 street lights along 3<sup>rd</sup> Street from Park Avenue to East Avenue is required.

Western Slope Electrical Contractor is a women-owned business located in Glenwood Springs. They have performed similar work for the Carbondale Streetscape Project, the Rifle Roundabouts (for Martinez Western) and ongoing maintenance for runway lighting, taxiway lighting and building lighting for Garfield County Airport.

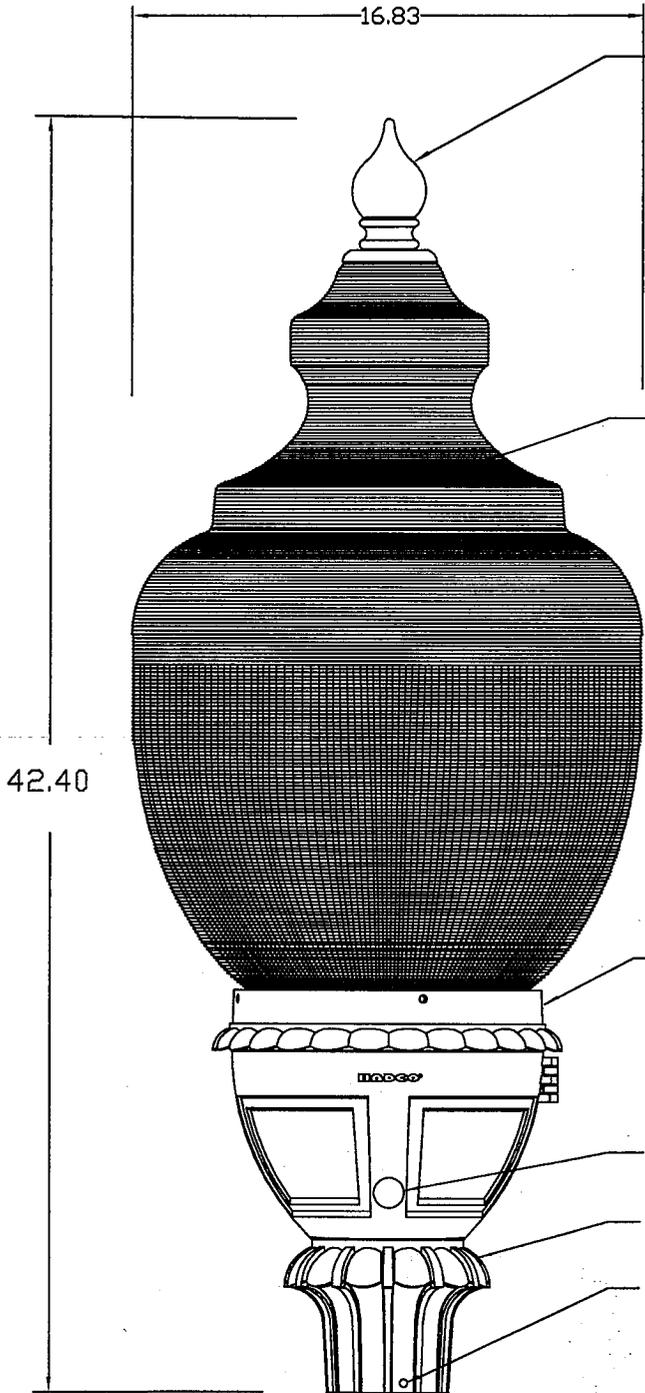
Please call if you have any questions.

Attachments:





- LED MODULE SPECIFICATIONS:
- 120-277 VAC INPUT (auto sensing),
  - 70,000 HOURS @ 70% LUMEN MAINTENANCE.
  - 40 TOTAL LEDS (1.25 Watts Each)
  - 4 CAST ALUMINUM HEAT SINKS, IP66 RATED.
  - LED EFFICACY: 100 LUMENS/WATT.
  - >70 CRI/5000K CCT NOMINAL.
  - APPROX. 50% ENERGY SAVINGS VS. COMPARABLE HID.



FINIAL: (D)  
CAST ALUMINUM  
(black)

UNIVERSAL BRACKET ASSY.  
FOR EITHER SYMMETRIC OR  
ASYMMETRIC DISTRIBUTION

ACRYLIC GLOBE  
10 YEAR NON-YELLOWING WARRANTY  
(Type 3 Optics)

SPECULAR FULL TOP  
REFLECTOR IN THE TOP

REFRACTOR GLOBE:  
PRISMATIC ACRYLIC  
(type 3 optics)

DRIVER COVER:  
DIE-CAST ALUMINUM  
#360 ALLOY  
TOOL-LESS ENTRY

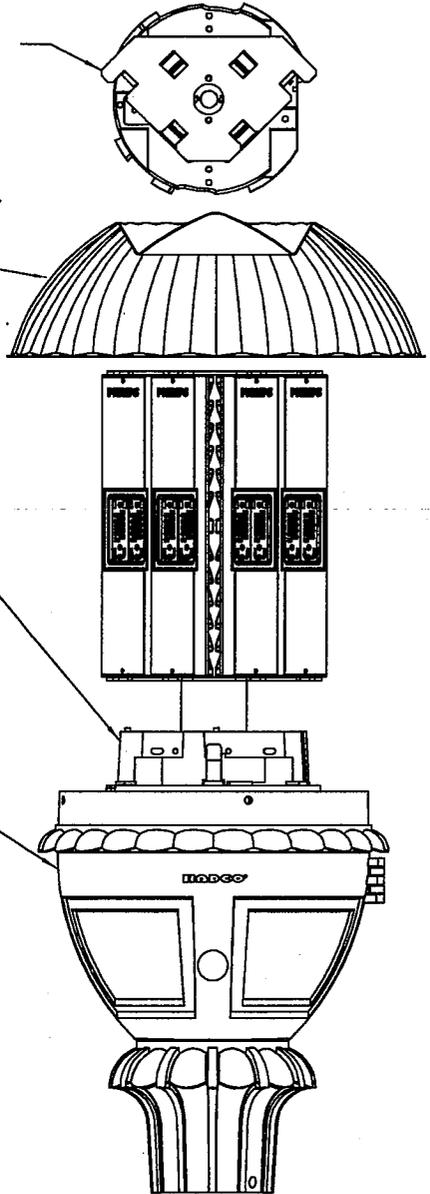
GLOBE HOLDER:  
DIE-CAST ALUMINUM  
#360 ALLOY

DRIVER ENCLOSURE:  
DIE-CAST ALUMINUM  
#360 ALLOY,  
WEATHERPROOF W/  
TOOL-LESS ENTRY  
ACCESS DOOR

PHOTO CONTROL:  
TWISTLOCK RECEPTACLE  
(eye by others)  
SLIP FITTER:

FASTENERS:  
STAINLESS STEEL  
HEX HEAD BOLTS

TOP VIEW  
LED MODULE ASSEMBLY



Luminaire  
Specifications

Finish:  
Black

HADCO PART NUMBER  
C3684B 100HPS

NOTICE:  
THIS DRAWING IS FOR REFERENCE  
ONLY. CHECK FOR LATEST REVISION  
PRIOR TO ORDERING

		100 Craftway P.O. Box 128 Littlestown, Pennsylvania 17340-0128 Phone 717-359-7131 Fax 717-359-9515 <a href="http://www.hadcolighting.com">www.hadcolighting.com</a>	
JOB NAME:			
Rifle, CO LED Decorative Strt Std-Assymmetric			
SCALE:	DATE:	DRAWN BY:	DRAWING NUMBER:
NTS	03/16/09	PMP	C3684-DWG03
REP:	REV:	PCN:	
Mountain States	BY:	DATE:	

**UTILITY DEPARTMENT  
INTEROFFICE MEMO**



**TO:** John A. Hier, City Manager

**FROM:** Charles G. Stevens, Utility Director

**CC:** City Council Members, Dick Deussen, P.E., Project Engineer, Berney Sadler, Wastewater Supervisor, John Stewart, Water Supervisor

**DATE:** May 13, 2009

**RE:** Monthly Progress Report Utility Department

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**Progress Report**

- ◇ **Construction Crew On The Job** - The Operation and Maintenance Construction Crew, which is partially funded by the Department of Local Affairs (DOLA), completed improvements to the gravel road to the south and east sides of the Graham Mesa Water Treatment Plant (GMWTP). This improvement allowed for more efficient delivery of the supplemental water treatment trailer.
- ◇ **Supplemental Water Treatment Trailer Delivery** - Siemens delivered and set-up the supplemental water treatment trailer, ensuring that sufficient quantities of high quality water can be delivered this summer.
- ◇ **Beaver Creek Water Plant Shut-Down** - Water operations staff shut down the Beaver Creek Water Treatment Plant and drained the finished water reservoir to allow the roof construction to begin in May. This investment will increase water supply reliability and ensure water supply safety.
- ◇ **Cleaning and Inspection Provides Reliability** - The sedimentation basin at the GMWTP was cleaned prior to increased water demands this summer. The routine maintenance provides improved efficiency and reliability to our customers.



**UTILITY DEPARTMENT  
INTEROFFICE MEMO**



- ◇ **Training Provides Skilled Workforce** - Water operations staff received training on the Beaver Creek Water Quality monitoring equipment installed at the Beaver Creek intake structure. This equipment provides 24/7/365 monitoring of the raw water supply ensuring that our raw water is safe from potential contaminants.
- ◇ **New MIOX System Progressing** - Construction of the concrete pad and drain system along with placement of a pre-constructed shed on the pad has been completed for the new MIOX system at the Beaver Creek Water Treatment Plant. The investment in this new system will improve water quality and reliability.
- ◇ **Rifle Pond Security Improved** - Contractors installed approximately 1200' of fencing on the east property line of Rifle Pond. This investment will increase safety of the community's major raw water supply.
- ◇ **Rifle Regional Wastewater Reclamation Facility Construction On Schedule** - This investment will increase service reliability and assure future compliance with Colorado Department of Health and Environment standards for discharges to the middle section of the Colorado River system. Work continues on the following buildings and structures.
  - ◇ **Headworks Building** - Installation of equipment, running of electrical wire from the power supplies to the equipment, interior painting of walls and pipes continues. Work on the duct and ventilation system has started.
  - ◇ **RAS/UV Building** - Installation of electrical wiring, pipes and equipment continues along with associated painting.
  - ◇ **Administration Building** - Installation of the bathroom tile, tile trimming, painting of walls and the ceiling grid has been completed. Installation of the laboratory cabinetry has begun.



*UTILITY DEPARTMENT  
INTEROFFICE MEMO*



- **Clarifiers** - Finishing work and detailing.
- **Oxidation Ditches** - Crack injection, forming & placing effluent boxes.
- **Interchange Tanks** - The installation of the process piping & aeration system.
- **Yard Piping Installation & Backfilling** - Continues around the site and around various structures.





## ***ENGINEERING / PUBLIC WORKS / UTILITIES***

### **PROJECT STATUS REPORT as of: 5/20/09**

\* = New Information

#### **2008 Water & Sewer Improvements**

Only a few warranty items are to be performed this spring, primarily at the 3 mg tank, on 7<sup>th</sup> Street and on Railroad Avenue.

#### **Roundabouts**

\*The sculptures have been installed and look fantastic. That completes the work on the roundabouts.

#### **Rifle Regional Wastewater Reclamation Facility**

Progress is on time and below budget. Equipment is being installed throughout the plant. The 30" influent line is under construction along US 6.

\*Training on several items of equipment has been completed and will continue for the next few months.

#### **Rifle Arterial Transportation Engineering (Gateway, Hwy. 13)**

\*A design charrette was held on May 18, 19 and 20<sup>th</sup> in Council Chambers. The general public and other concerned stakeholders were invited by use of inserts in the water bill mailing. Concept alternatives developed for the intersections, gateway and streetscape were presented and discussed by our consultants.

#### **Water Treatment Plant Design**

\*Staff has had two meetings with the consultant to discuss water quality and process alternatives. A newly developed process using ceramic membranes is being considered. A project management and quality control/quality assurance plan is being developed.

#### **2009 Street Improvements**

\*This project is presently out for bidding with bids due June 4<sup>th</sup>. The work consists of two street overlays; Whiteriver Avenue from 4<sup>th</sup> to 9<sup>th</sup> Streets and Railroad Avenue from the bridge over Rifle Creek to 14<sup>th</sup> Street. New

handicap ramps will be installed as required. The existing pavement will be milled and a new overlay (2 inches) installed.

### **Red Canyon Water & Sewer Replacement**

An existing sewer and water main within an easement across the Red Canyon property from U.S. 6 Access Road near Rifle Creek to West 2<sup>nd</sup> Street are to be replaced. Plans were prepared in 2002 and have now been updated by SGM. It is anticipated the City construction crew will install one or both of these mains.

### **Rifle Creek Sewer Crossings Improvements**

\*SGM has estimated the cost to prepare plans for construction to strengthen three sewer crossings across Rifle Creek as recommended in the Wastewater Master Plan. Depending upon the design approach, the City construction crew may be able to perform this work.

### **Centennial Park Development**

This project, underway by the Park Department will be inspected by City staff.

### **Airport Improvements**

The County of Garfield and the FAA will be providing inspection of the entire project but the portions of public improvements within the City will be inspected by City staff. We will also inspect the water and sewer mains for the new hanger development which will become City mains once constructed and approved by the City.

### **3<sup>rd</sup> Street Lighting**

\*A recommendation for award of this project is included in the Council Packet.

### **\*Beaver Creek Reservoir Roof**

The contractor has removed the existing beams and joists and the above ground wall supporting the roof. Forming for the new wall is underway. The new beams are expected in June.

### **\*"Flushing Device" at the new Elementary School at "The Farm"**

To maintain water quality at the school, the City has installed an automatic flushing device with an air gap (to prevent backflow) which will release stale water from the school system on a preset schedule to the sewer system.

**City of Rifle  
202 Railroad Ave  
Rifle, CO 81650**

May 13, 2009

**State of Colorado -Division of Wildlife  
Attn: Brian Grey  
1520 E 12<sup>th</sup> St  
Rifle. CO 81650**

**State of Colorado -Department of Transportation  
Attn: Weldon Allen, Regional Director  
222 S. 6<sup>th</sup> St, Room 317  
Grand Junction, CO 81501-2769**

**State of Colorado - Department of Natural Resources  
Attn: Mike King, Deputy Director  
1313 Sherman St, Suite 618  
Denver, CO 80203**

**RE: Colorado River Boat Ramp at Rifle**

The City of Rifle, through its Visitors Improvement Fund (VIF), is considering relocating the boat ramp on the Colorado River near the main Rifle exit off I-70. We are seeking input from a number of concerned agencies. The reasons for the proposed relocation are:

1. Safety of boaters putting in or taking out at this location
2. Convenience for users, including access to restrooms and parking
3. Retention and development of the economic benefits of having the boat ramp in Rifle

Safety is the most important concern, as the current location is difficult for boaters to negotiate.

We would like to have your input in regard to:

- Alternatives for a new ramp location.
- Processes, permits, and regulations that may be applicable from your agency.
- Partnership possibilities for initial construction and on-going maintenance of the ramp.
- Enhancements that you would suggest to make this ramp safer, more convenient, and more attractive for boaters.
- Any other concerns or suggestions that you may have on the proposal.

We would like to get your response on or before **June 15, 2009**. If you have any questions or would like to discuss this, please call me.

Thank you for your time,

Helen Rogers  
City of Rifle, Visitor Improvement Fund Advisory Board Member  
970-274-6147

**Rifle City Council Report  
Wednesday, May 20, 2009  
7:00 p.m. @ Rifle City Hall**

April 2009 Report

**Welcome New Chamber Members:**

**Sanitary Supply Corp.**

*Greg Diven*

2415 Rail Avenue

Rifle, CO 81650

(970) 366-1877

*\* Supply and distribution center, all "green" products*

**Hampton Inn & Suites**

*Ed Callison*

499 Airport Road

Rifle, CO 81650

(970) 625-1500

**Rifle Community Foundation**

*Tom Stuver*

PO Box 1234 (120 West 3<sup>rd</sup> Street)

Rifle, CO 81650

*\*The mission of the RCF is to enhance the lives of the people of the Colorado River Valley from South Canyon to DeBeque, by providing an avenue for donors to invest in legacy projects and worthy activities benefitting area citizens.*

**Associated Builders and Contractors**

*Rob Cose*

2754 Compass Drive, Suite 305

Grand Junction, CO 81506

P: 243-7950

F: 243-7951

**Rifle Information Center / Visitor Center Statistics for April 2009:**

Visitors- April 2008: 2625

Visitors - April 2009: **-2487- a decrease of 138**

Total Visitors to date in 2009: 6,816

Volunteer Worked Hours: 88.5

State Maps Distributed: 51

Local Maps Distributed: 120

**Packets:**

Brochure - 56

Business Relocation- 0

Hunter- 1

Relocation- 9

Student- 2

Vacation- 18

**Total Monthly Packets: 86**

**Chamber Website Statistics:**

**April 2009 Visits:** 9,200 visits to the Chamber Website vs. **April 2008 visits:** 6,338- An increase of about 30%

**Top Page Views:**

1. **Lodging** -586 views

2. **Hunting** - 493 views

3. **Recreation** - 487 views

4. **Visit, Stay, Play**- 474 views

5. **Restaurants** - 331 views

**The Rifle Area Chamber of Commerce Business of the Month:**

The Chamber Board of Directors selects from a random drawing and selects a Feature Business each month. Congratulations to the May 2009 Featured Business: **Swallow Oil Company**

Look for the Feature Profile story on the cover of the April *Rifle Chamber Scope* newsletter and interview on Rifle's Channel 10. The Featured Business Profile can also be seen on the Chamber's web-site, visit [www.riflechamber.com](http://www.riflechamber.com), click on "Specials".

**The 2009-2010 Rifle Visitor's Guides** are now available at the Rifle Information Center, area hotels and at Visitor Centers across Colorado. The digital version of the Guide is also available online on the home page of the Rifle Chamber Website. **30<sup>th</sup> Annual Chamber Golf Tourney**; Over 80 Golfers participated in the Chamber Golf Tournament on Friday May 8<sup>th</sup> at the Rifle Creek Golf Course. This years Tournament Winners were: **1<sup>st</sup> Place:** Dale Unrein and Jake Unrein **2<sup>nd</sup> Place:** Justin Carver and Brad Pace **3<sup>rd</sup> Place:** Mark Fergen and Mike Deter.. The last place caboose prize went to: Barb Miller and Cindy Layman Thank you to the Special Event Sponsors Commonwealth Title and Weiss and Associates.

**Women in Business Network :** The Chamber Women in Business Network will meet on Tuesday, May 19 at noon at the LOC. Each month Women in Business covers topics of interest to women of all ages and all business backgrounds. This month will be a Show and Tell Event... bring an item from your place of business to show the other attendees or tell something others might not know about your business. This event is free, but we ask that you please RSVP to the Chamber at 625-2085x2 and bring a brown bag lunch! Members can also sign up on line at [www.riflechamber.com](http://www.riflechamber.com). The Women in Business Network is sponsored by Wells Fargo Bank and Bank of America/Countrywide Home Loans.

**Energy Briefing:** Thursday, May 21 at 7:30 at the Garfield RE-2 Learning Opportunities Center. The Guest Speaker will be Carter Mathies from Arista Midstream Services who will be discussing "*Survival in the New World- The Energy Industry and the New Economy*". This event is free and open to Chamber Members and their guests. Coffee and pastries will be served.

**Thank You!**