



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
July 15, 2009**

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

6:00 P.M. UMTRA Update (DOE Researchers)

6:45 P.M. Centennial Park (John Hier, Aleks Briedis)

**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 July 1, 2009 Regular Meeting
 - B. DDA Appointments
 - C. Approval of Lease for Vehicle
 - D. May Financial Report
 - E. May Sales Tax Report
 - F. Accounts Payable
- 7:08 p.m. 3. Citizen Comments and Live Call-In
(For issues NOT on the Agenda. Please limit comments to 3 minutes.)

- 7:11 p.m. 4. Action, if any, on Workshop Items (Mayor Lambert)
- 7:15 p.m. 5. Public Hearing: Elk's Lodge Special Event Liquor License Application (Wanda Nelson)
- 7:25 p.m. 6. Second Reading of Ordinance 19-09: Raw Water Irrigation Incentives Ordinance Retroactive Effective Date (Jim Neu)
- 7:30 p.m. 7. First Reading of Ordinance 20-09: Ballot Initiative: Term Limit Charter Amendment (Jim Neu)
- 7:45 p.m. 8. First Reading of Ordinance 21-09: Ballot Initiative: City Council Election Districts (Jim Neu)
- 8:00 p.m. 9. Centennial Park Bids (Aleks Briedis)
- 8:10 p.m. 10. Parks and Recreation Fund (John Hier)
 - A. Resolution 18-09: Budget Amendments
 - B. Ordinance 22-09: Supplemental Appropriation
- 8:30 p.m. 11. The Farm PUD Second Amendment to Annexation Agreement (Jim Neu)
- 8:40 p.m. 12. Administrative Reports
 - A. City Manager Report
 - B. Other Reports
- 8:50 p.m. 13. Comments from Mayor and Council
- 9:00 p.m. 14. Executive Session: For Discussion of a Personnel Matter Under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

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

Next Regular Council Meeting: August 5, 2009 at 7:00 p.m.





Date: July 9, 2009
To: John Hier, City Manager
From: Aleks Briedis, Recreation Director *AB*
RE: Centennial Park Bids

Staff solicited Requests for Qualifications from interested firms to construct Centennial Park Phase 1. We received 14 submittals by the May 27, 2009 deadline. A review committee was formed and qualified 8 firms to bid on the project. A mandatory pre-bid meeting was held on June 12, 2009 and all 8 firms were represented. Bids were due back to the City on July 7, 2009. The following were the bid proposals received:

<u>Firm</u>	<u>Bid Amount</u>	<u>Bid Amount with Alternates</u>
American Civil Constructors	\$3,588,000	\$3,927,000
Aspen Earthmoving	No Bid	No Bid
Designscapes	No Bid	No Bid
ECI	\$3,049,940	\$3,417,810
Evans Chaffee/GH Daniels	No Bid	No Bid
Gould Construction	\$3,258,010	\$3,597,473
Johnson Construction	\$3,101,416	\$3,456,752
White Construction	\$3,990,000	\$4,434,000

The anticipated budget for Phase 1 of this project was approximately \$3.5 million. This included all construction, design, and related soft costs. We presently believe that Phase 1 will cost approximately \$3.6 million. The 2009 Budget includes \$2.7 million for this project. We had planned to budget the balance of the costs within the 2010 budget. Staff notes, however, that there are adequate funds within the Parks & Recreation Fund to finance all of Phase 1. Therefore we are recommending approval of a supplemental budget appropriation for the project to include all costs associated with Phase 1. There are also a considerable number of grants which have been approved and are included in Phase 1. These include:

Great Outdoors Colorado Grant	\$750,000
Department of Local Affairs Grant	\$500,000
Garfield County Grant	\$200,000
<u>CLEER Energy Grant</u>	<u>\$40,000</u>
Total	\$1,490,000

It is important that Phase 1 of Centennial Park move forward in an expeditious manner, so that we do not lose any of the grant funds.





At the pre-bid meeting, staff encouraged the general contractors to use local subcontractors and added the following language to the bid documents:

“To help stimulate the local Rifle economy, the City highly encourages the use of local subcontractors for the Centennial Park project. Locals are preferably subcontractors located in the City of Rifle and secondarily subcontractors located in Garfield County.”

The City’s purchasing code provides specifications for award of bonded competitively bid projects. Centennial Park is a bonded competitively bid project. Therefore, Rifle Municipal Code Section 4-3-40 (f) Competitively Sealed Bidding, paragraph (7) indicates that unless all bids are rejected, the award shall be made to the lowest qualified bidder (see attachment). This provision does not appear to permit a local preference option. However, staff has been aware of the desire to provide capital construction work to local contractors, and identified this as a goal to all bidders. Staff reviewed the two lowest bids to determine the percentages of the project which each bidder proposes to award to local sub-contractors. That analysis is attached for Council review.

Staff believes this project will be a great addition to the City of Rifle. It will provide additional trail access to Park Avenue, Rifle Middle School, Garfield County Fairgrounds and Randolph Avenue. It will also include picnic shelters, amphitheater, water play area, additional parking lots, historical information throughout and other components. Staff also believes that this project will create local jobs and will stimulate our local economy.

Council will need to determine whether we have met the goal of providing work to local contractors. If Council believes we have met this goal, it appears that according to the purchase code that ECI has the lowest responsible and responsive bid. If Council believes we have not met this goal then it appears that the only alternative available to the City is to reject all bids and re-bid the project.

Please contact me with any questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Aleks Briedis".

Aleks Briedis
Recreation Director



**Parks and Recreation Fund
Centennial Park Analysis
July 9, 2009**

	2009 Budget Adopted 12/3/08	Budget Reductions 7/1/09	Revised Budget 7/1/09	Projections as of 7/9/09
Beginning Fund Balance	<u>5,108,878</u>		<u>5,108,878</u>	<u>5,905,006</u>
Revenues:				
Taxes	2,700,064		2,700,064	2,081,454
Intergovernmental	2,255,000		2,255,000	2,255,000
Charges for Services	194,795		194,795	286,814
Miscellaneous	45,350		45,350	91,863
OTI from Other Funds	260,000		260,000	266,000
Total Revenues	<u>5,455,209</u>		<u>5,455,209</u>	<u>4,981,131</u>
Total Available for Appropriations	<u>10,564,087</u>		<u>10,564,087</u>	<u>10,886,137</u>
Expenditures:				
Recreation	573,028		573,028	573,028
Pool	325,869	99,200	226,669	226,669
Parks Maintenance	914,446	68,415	846,031	846,031
Rifle Mountain Park	0		0	
Parks Capital	7,038,628		7,038,628	8,038,628
Non-Departmental	535,434	200,000	335,434	335,434
Transfers to Other Funds	66,917		66,917	66,917
Total Expenditures	<u>9,454,322</u>	<u>367,615</u>	<u>9,086,707</u>	<u>10,086,707</u>
Ending Fund Balance 12/31/09	1,109,765		1,477,380	799,430
Tabor Reserve	<u>163,656</u>		<u>163,656</u>	<u>149,434</u>
Ending Unreserved Fund Balance 12/31/09	<u>946,109</u>		<u>1,313,724</u>	<u>649,996</u>



(b) The procedure to be followed in the event of a violation is governed in Chapter 10 of this Code, and by the Colorado Municipal Court rules of procedure.

(c) Any person who violates any of the provisions of this Article, or any of the rules and regulations promulgated hereunder, shall be guilty of a misdemeanor, which may be punished in accordance with the provisions of Section 1-4-20 of this Code. (Prior code 3.04.560; Ord. 4 §1, 2005)

ARTICLE III

Purchasing

Sec. 4-3-10. Purpose.

The purpose of this Article is to prescribe the purchasing procedure that the City will follow in contracting for or constructing public works, purchasing tangible property and insurance policies, and obtaining consulting services. The City Council adopts these rules and regulations pursuant to Section 13.9 of the City Charter. (Prior code 2.24.010)

Sec. 4-3-20. Definitions.

The following words and phrases, as used in this Article, shall have the meanings set forth below.

Design/build contract means a contract in which the contractor performs both the design and construction (build) of a structure or facility based on a conceptual design and parameters set by the City. Benefits of this type of contract are that it dramatically reduces contract modifications due to design errors, design omissions and changed conditions during the construction phase of the contract.

Invitation for bids means all documents, whether attached or incorporated by reference, utilized for soliciting bids.

Local goods means supplies and materials produced, manufactured, sold, distributed or grown in the City, or for purposes of secondary preference, within the County.

Local vendors means contractors, vendors, suppliers or materialmen with offices or a place of business located within the City, for the purposes of the primary preference, or within County, for purposes of secondary preference.

Lowest responsive and responsible bidder means the bidder with the lowest price and the highest qualifications, based on the following criteria: (1) The ability, capacity and skill of the bidder to perform the contract or furnish the supplies required; (2) whether the bidder can perform the contract or furnish the supplies promptly or within the time specified, without delay or interference; (3) the character, integrity, reputation, judgment, experience and efficiency of the bidder; (4) the quality of performance on previous contracts; (5) previous and existing compliance by the bidder with laws and ordinances relating to the contract or service; (6) sufficiency of financial resources and ability of the bidder to perform the contract or furnish the supplies; (7) the ability of the bidder to provide future maintenance and service; and (8) the response to the invitation for bids.

Purchasing Agent means the City Manager.

Request for proposals means all documents, whether attached or incorporated by reference, utilized for soliciting proposals.

Responsible bidder or *offeror* means a person who has the capability in all respects to perform fully the contract requirements, and the integrity and reliability which will assure good faith performance.

Responsive bidder means a person who has submitted a bid which conforms in all material respects to the invitation for bids. (Prior code 2.24.020; Ord. 4 §1, 2005; Ord. 28 §3, 2005)

Sec. 4-3-30. General powers and duties of Purchasing Agent.

(a) The City Council hereby delegates the purchasing authority conferred upon it by Charter to the Purchasing Agent. The Purchasing Agent may further delegate such purchasing duties to members of City staff.

(b) The Purchasing Agent's general duties and powers are as follows:

(1) Procure for the City the highest quality in supplies and contractual services at the least expense to the City.

(2) Consolidate purchases in bulk quantities when possible to maximize economic benefit to the City. Quantities purchased should represent a reasonable balance based on transportation costs, quantity discount, price, budget and cost.

(3) Endeavor to obtain as full and open competition as is practical for all purchases and sales.

(4) Establish, and amend when required, all rules and regulations necessary for the proper function of the purchasing procedures established herein.

(5) Enforce the terms and conditions of contracts and purchase orders with all vendors and suppliers, and to declare vendors who default on their quotations as nonresponsive bidders and so disqualify them from receiving any business from the City for a stated period of time.

(6) Secure all applicable federal and state tax exemptions for the City on purchases or contracts.

(7) Strive to uphold the local preference policy by purchasing goods and services from local vendors when appropriate.

(8) Coordinate with the Finance Department to secure the maximum efficiency in budgeting and accounting. (Prior code 2.24.030; Ord. 4 §1, 2005)

Sec. 4-3-40. Methods and procedures for source selection.

(a) Sole source. Procurements may be made without competition when the Purchasing Agent reasonably determines, after conducting a good faith review of available sources, that there is only one (1) viable source within the relevant supply area for the required supply, service or construction item. The Purchasing Agent shall conduct negotiations, as appropriate, as to price, delivery and terms. A record of sole-source procurements shall be maintained for one (1) year from the date of purchase.

(b) Emergency procurements. Notwithstanding any provisions of this Article, the Purchasing Agent may make or authorize others to make emergency procurement of supplies, service or construction items in a maximum amount of one hundred thousand dollars (\$100,000.00), when there exists a threat to public health, safety or welfare, and when the purchase cannot reasonably be delayed:

(1) Until one (1) of the following events occurs:

- a. A special meeting of the City Council is convened; or
- b. A quorum can be reached where a special meeting call has failed to achieve a quorum; and

(2) Until compliance with this Article can be accomplished.

The Purchasing Agent shall attempt, where circumstances permit, to conduct a telephone poll of the Mayor and City Council prior to emergency purchases. The Purchasing Agent shall determine the procurement process for emergency purchases, provided that competition shall be encouraged to the extent practicable under the circumstances. The Purchasing Agent shall report all emergency purchases to the City Council at its next regularly scheduled meeting.

(c) Open market. Open market purchases involve an informal evaluation of price, quality, convenience and service from any source, and the exercise of sound decision-making by the Purchasing Agent based on such information.

(d) Comparative pricing. For purchases based on comparative pricing, the Purchasing Agent shall solicit quotes from no less than three (3) vendors/suppliers, unless it is impracticable under the circumstances to obtain three (3) quotes. Quotes may be solicited by telephone, fax or in writing, in the discretion of the Purchasing Agent.

(e) Requests for proposals (RFPs). RFPs must be in writing, shall be distributed to a minimum of three (3) firms or individuals, and the Purchasing Agent shall reserve the right to reject any and all proposals.

(f) Competitive sealed bidding. Where competitive sealed bidding is required by Section 4-3-50 below, the following procedures shall apply:

(1) Notice to bidders. An invitation for bids will be advertised in a newspaper of general circulation in the City a minimum of two (2) times, at least ten (10) days prior to the date set for the opening of sealed bids. For bonded bids, notice shall also be published one (1) time in the appropriate publication, at least ten (10) days prior to the date for bid opening. The notice shall state: a general description of the materials and/or services to be procured; the place where bid blanks and specifications may be obtained; the closing date for acceptance of bids; the time and place for opening bids; the need for bonding, if applicable; and the reservation by the Purchasing Agent of the right to reject any and all bids.

(2) Bid requirements. Each bid submitted to the City shall meet the following conditions:

- a. A signed, written bid, enclosed in a sealed envelope, and filed with the City by the deadline stated in the invitation for bids.

b. Only one (1) bid will be accepted per bidder.

c. Where bonded bids are required by Section 4-3-50 below, the bid shall be accompanied by a certified check or bid bond equal to five percent (5%) of the bid, to be forfeited to the City if a bid is accepted and the bidder fails to sign a contract within fifteen (15) days of acceptance.

(3) Pre-bid qualification. Competitive sealed bidding may be limited to prequalified bidders if the Purchasing Agent determines in his or her sole discretion, after conducting a good faith review of potential bidders, that it is in the best interests of the City to allow a limited number of persons to bid on a particular procurement, because special qualifications are needed.

(4) Withdrawal/correction of bids. Bids may be withdrawn up to twenty-four (24) hours prior to expiration of the deadline for submitting bids. An otherwise low bidder is permitted to correct a material mistake in his or her bid, including price, when the intended bid is obvious from the bid document or is otherwise supported by proof that has evidentiary value. A low bidder is not permitted to correct a bid for mistakes or errors in judgment.

(5) Waiver of informalities in bids. The Purchasing Agent may waive informalities in a bid if:

a. The item is only a matter of form or is an immaterial variation from the exact requirements of the invitation for bids;

b. The item being waived has trivial or no effect on price, quality, quantity, delivery or performance; and

c. Such a waiver would not affect the relative standing of bidders or otherwise prejudice other bidders.

(6) Bid opening procedure. At the time and place specified in the notice for bids, the Purchasing Agent shall open the sealed bids in public. The Purchasing Agent will announce the names of those who have bid and the amounts of the bids, and shall state whether any bids submitted have been withdrawn. As the bids are opened, such details as are appropriate shall be read and copied on the bid tally record, which will be open for public inspection. The person recording bids shall sign the tally sheet.

(7) Bid evaluation; award. The Purchasing Agent shall perform a review and analysis of all tabulated bids. Evaluation criteria include a combination of price, quantity and/or quality offered, and capacity to fulfill all requirements of the contract. For bonded competitive bids, unless all bids are rejected, the award shall be made to the lowest qualified bidder, as defined in Section 4-3-20 above. All awards shall be made by the awarding authority (City Council or the Purchasing Agent) by written notice to the bidder. Alternate bids may be awarded whenever it is deemed necessary by the Purchasing Agent. Other than for bonded competitive bids, the City need not award a bid to the lowest responsive and responsible bidder, but rather the bid shall be awarded to the bidder who, in the sole discretion of the awarding authority, provides the best overall value to the City based on the evaluation criteria described in this Paragraph.

(8) Rejection of bids. The Purchasing Agent may reject all or any part of a bid (unless the bid expressly excludes the ability to partially accept the bid) when it is determined to be in the best

interests of the City, or if the vendor or contractor is in default on the payment of taxes, license fees or other sums due to the City.

(9) Nonresponsive vendor. Any vendor/ bidder who fails to comply with the terms of an awarded contract, quote or purchase order, or the required specifications contained in the bid, may be declared a nonresponsive vendor/bidder by the Purchasing Agent. Any nonresponsive vendor/bidder may be removed by the Purchasing Agent and/or the awarding authority from all vendor and bid lists compiled by the City for a period not to exceed three (3) years.

(10) Bonding; conditions. For a contract awarded based on a bonded competitive bid, the individual or company contracting with the City shall be required at the time the contract is executed to deliver to the City a contractor's performance bond or a labor and material payment bond in the amount of one hundred percent (100%) of the contract price, with a good and sufficient surety, for approval by the Purchasing Agent. Such contractor shall properly perform work required by the contract on behalf of the City, and shall promptly pay all amounts lawfully due to all persons supplying or furnishing labor or materials, used or performed in the prosecution of the work provided for in such contract. Further, the contractor shall indemnify and hold the City harmless for all payments or liabilities arising from the execution of the terms of the contract. (Prior code 2.24.040; Ord. 4 §1, 2005)

Sec. 4-3-50. Purchasing authority and process.

(a) The purchasing authority and process required for all types and amounts of procurement shall be as follows, provided that all monetary limits set forth in this Section are maximum ceilings; and nothing shall prohibit the Purchasing Agent from utilizing a higher level process than set forth or from requesting Council consideration of a purchase when not required:

(1) Capital construction.

a. Authority. The City Council must approve all awards of a contract for capital construction in an amount estimated to exceed twenty thousand dollars (\$20,000.00), and any purchase for such purpose from the Capital Fund.

b. Required procedures:

<i>Estimated Contract Amount</i>	<i>Process</i>
Less than \$5,000	Open market
\$5,000 to \$20,000	Comparative pricing
\$20,001 to \$100,000	Competitive bid*
Greater than \$100,000	Bonded competitive bid
Design/build contract (any amount)	Request for proposals

* The City Manager may require in his or her discretion that contracts awarded based upon competitive bid be bonded.

(2) Capital construction – change orders; authority. The City Manager or department head must approve all change orders to awarded contracts for capital construction when the total change orders

to date are less or equal to ten percent (10%) of the awarded contract. The City Council must approve all change orders to awarded contracts when total change orders to date are greater than ten percent (10%) of the awarded contract.

(3) Capital equipment.

a. Authority. The City Council must approve all awards of contract for capital equipment in excess of twenty thousand dollars (\$20,000.00), and any purchase for such purpose from the Capital Fund.

b. Required procedures:

<i>Estimated Contract Amount</i>	<i>Process</i>
Less than \$5,000	Open market
\$5,000 to \$20,000	Comparative pricing
Greater than \$20,000	Competitive bid

(4) Plant equipment replacement. Purchases necessary for the replacement of existing equipment that is a component part of any water, sewer or physical plant.

a. Authority. The City Council must approve all purchases for plant equipment replacement in excess of seventy-five thousand dollars (\$75,000.00).

b. Required procedures:

<i>Estimated Contract Amount</i>	<i>Process</i>
Less than \$7,500	Open market
\$7,500 to \$75,000	Comparative pricing
Greater than \$75,000	Competitive bid

(5) Materials, supplies, nonprofessional, and technical services (including hardware and software maintenance services).

a. Authority. The City Council must approve all purchases in excess of twenty thousand dollars (\$20,000.00).

b. Required procedures:

<i>Estimated Contract Amount</i>	<i>Process</i>
Less than or equal to \$10,000	Open market
Greater than \$10,000	Comparative pricing

(6) Professional services.

a. Authority. The City Council must approve all professional services anticipated to exceed twenty-five thousand dollars (\$25,000.00) per year to a single vendor; provided, however, that the Purchasing Agent may approve professional service contracts in amounts up to seven thousand five hundred dollars (\$7,500.00) regardless of the total annual amount paid to a single vendor, so long as the funds for the contract have been budgeted and appropriated and the Purchasing Agent advises the City Council of such approval at the next regular City Council meeting.

b. Required procedures. For nonappointed professional service positions, the following procedures shall be used:

<i>Estimated Contract Amount</i>	<i>Process*</i>
Less than or equal to \$25,000	Open market
Greater than \$25,000	Request for proposal (written)**

* The process for appointed positions (auditor, attorney, engineer, municipal judge) shall be determined by the City Council pursuant to applicable law.

** When it is determined by the Purchasing Agent that one professional service vendor clearly has exceptional expertise in the required service area, the Purchasing Agent may waive the request for proposal requirement and conduct contract negotiations as appropriate.

(7) Utilities including installation of equipment. Purchases to secure utility services (natural gas, electricity, local telephone, water, sewer) shall be authorized by the Purchasing Agent on a sole-source procedure.

(8) Real property interests (including easements and rights-of-way). The Purchasing Agent shall have discretion for real property purchases under a sole-source procedure, provided that City Council must approve all such purchases in excess of five thousand dollars (\$5,000.00).

(b) The purchasing authority for all purchases, awards of contracts and sales not requiring City Council approval shall be the Purchasing Agent. (Prior code 2.24.050; Ord. 4 §1, 2005; Ord. 15 §2, 2005; Ord. 28 §2, 2005)

Sec. 4-3-60. Division of contracts prohibited.

No contracts or purchases shall be divided to avoid the procedural requirements in this Article. (Prior code 2.24.060)

Sec. 4-3-70. Recurring purchases.

Quotes obtained for routine purchases of supplies, equipment or materials under either the open market, comparative pricing, or RFP procedures may be deemed valid for a period of two (2) years from the date of the quote. The Purchasing Agent is not required to obtain revised quotes for such items during the two-year period, provided that the vendor is informed of the City's intention to make repeated purchases at the time of the initial purchase. (Prior code 2.24.070)

Sec. 4-3-80. Waiver of procedures.

Except for the provisions of Paragraphs 4-3-50(a)(1) and (2) above, upon a majority vote, City Council may approve a waiver of any of the provisions of this Article, after consideration of the particular facts and circumstances necessitating the request for waiver. All of the procedures herein may be modified to prevent the loss of any gift or grant to the City. (Prior code 2.24.080)

Sec. 4-3-90. Cooperative purchasing.

The Purchasing Agent is authorized to participate in joint bidding with other public agencies or entities when deemed to be in the City's best interests. The Purchasing Agent, in his or her sole discretion, may use pricing schedules of higher governmental entities to purchase materials and services based on bids established for that purpose. (Prior code 2.24.090; Ord. 4 §1, 2005)

Sec. 4-3-100. Ethical relationships with vendors and suppliers.

(a) All City personnel are obligated to establish and maintain ethical relationships with all vendors or suppliers of City goods and services. The following are examples of prohibited relationships or activities between City employees and vendors/suppliers:

(1) Soliciting or accepting, directly from any person or his or her agent doing business, or seeking to do business with the City, any services, cash, loans, vacations, pleasure trips, gifts exceeding fifteen dollars (\$15.00) in value or any special consideration.

(2) Knowingly overestimating or underestimating the requirements or failing to disclose the existing requirements in order to avoid doing business with a particular vendor or supplier.

(3) Misrepresenting competitors' prices, quality or services in order to obtain concessions from vendors or suppliers.

(4) If involved in the purchasing process or decision, being employed by any bidder unless such employment relationship is fully disclosed to the awarding authority in writing, prior to engaging in the purchasing process.

(5) Accepting any gratuity greater than fifteen dollars (\$15.00), or a kickback of any kind from a vendor or supplier.

(b) The above-listed examples are merely illustrative, and do not constitute an exhaustive list of potential ethical violations. City employees must also consider the appearance of unfairness and impropriety in their treatment of City vendors and suppliers. (Prior code 2.24.100; Ord. 4 §1, 2005)

Sec. 4-3-110. Local preference.

(a) Notwithstanding other provisions of this Article, in the awarding of contracts for goods and services, the City Council and Purchasing Agent shall provide the following primary and secondary percentage preferences for local goods and services provided by local vendors when quality, delivery time and service are judged by the Purchasing Agent to be essentially equal:

<i>Contract Amount</i>	<i>Primary Preference for City Goods/Vendors</i>	<i>Secondary Preference for County Goods/Vendors</i>
Less than \$1,000	10% discount	5% discount
\$1,001 to \$5,000	6% discount	3% discount
\$5,001 and >	3% discount	1.5% discount

(b) The local percentage preference shall be calculated based on the price of the lowest responsive and responsible bidder. Qualifying primary preference bids shall be first considered before any qualifying secondary preference bid is considered. No local preference will apply in the bonded competitive bid process, nor where grant funds are used which expressly prohibit the use of such local preference. (Prior code 2.24.110)

Sec. 4-3-120. Sale of real and personal property.

All sales of real property must be approved by City Council. Sales of personal property (materials, supplies, equipment) must only be approved by City Council if the estimated value of the property exceeds one thousand dollars (\$1,000.00). Items with an estimated value over one thousand dollars (\$1,000.00) must be sold by sealed bid, unless otherwise approved by City Council. Bids for the sale of property valued over twenty thousand dollars (\$20,000.00) must be accompanied by a five-percent bid bond, which will be forfeited if the buyer fails to perform the contract for sale. Property impounded or seized through forfeiture by the Police Department shall be excluded from this Section. (Prior code 2.24.120)

ARTICLE IV

Local Improvements Regulations

*Division 1
General Provisions*

Sec. 4-4-10. Short title.

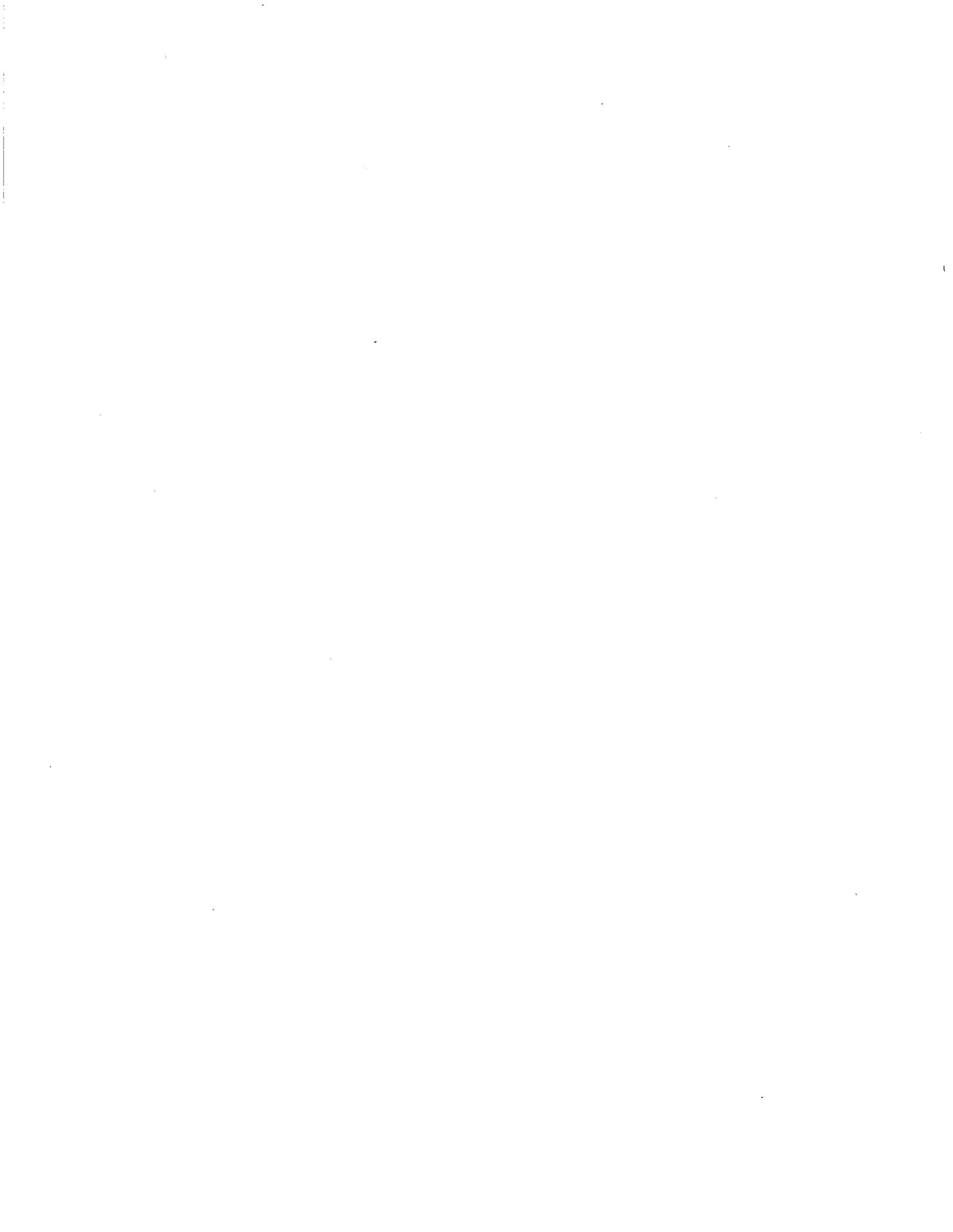
This Article shall be known as the *Local Improvements Law*. (Prior code 12.04.002)

Sec. 4-4-15. Legislative declaration.

It is hereby declared as a matter of legislative determination:

(1) That the notices herein provided are reasonably calculated to inform each interested person of any proceedings hereunder which may directly and adversely affect his or her legally protected interests; and

(2) That the powers, rights and privileges herein granted and the duties, disabilities, liabilities and immunities herein provided comply in all respects with any constitutional, charter or statutory requirement or limitation. (Prior code 12.04.004)



JOHNSON CONSTRUCTION INC.

P.O. BOX 1640
RIFLE, COLORADO 81650

Office: (970) 625-2251
Facsimile: (970) 625-0280



<u>Company/Supplier</u>	<u>Type of work</u>	<u>Location of Business</u>	<u>% of work</u>
Rod Co Concrete	Concrete	Rifle	10%
GH Daniels/Rifle Garden Center	Landscaping	Rifle	10%
Colorado Hardscapes	Specialty Concrete	Denver	15%
Pinestone/Heritage	Stonework	Glenwood	7%
A-1 Traffic Control	Traffic Control	Silt	***
Colorado Commercial	Electrical	Glenwood	8%
Frontier Paving	Paving	Silt	1%
Patriot Hwy Marking	Pavement Marking	Battlement Mesa	***
Pioneer Steel	Crane	New Castle	***
Big Mountain Trim	Carpentry	Battlement Mesa	1%
Key Stone Ridge	Bike racks	Pennsylvania	***
GR Marolt	Picnic Tables	Denver	***
Fountain People	Water Play	Texas	***
Western Slope Iron	Iron Supply	Grand Junction	***
Downs & Associates	Trench Drains	Denver	***
Churchich Recreation	Overhead structures	Niwot	5%
Mays Construction	Helical Piers	Grand Junction	***
Colorado Precast	Bridge Beams	Loveland	***
Grand Junction Pipe	Supplier	Carbondale	2%
Central Denver Ironworks	Gateway Items	Denver	***
Micro Plastics	Special Signage	Rifle	***
Lafarge	Gravel	Rifle	***
Knupp Trucking	Trucking	Rifle	***
Valley Lumber	Material	Rifle	***
Innovative Ironworks	Gnome	Silt	***

*** less than 1%



ECI Site Construction Management, Inc.

970-669-6291

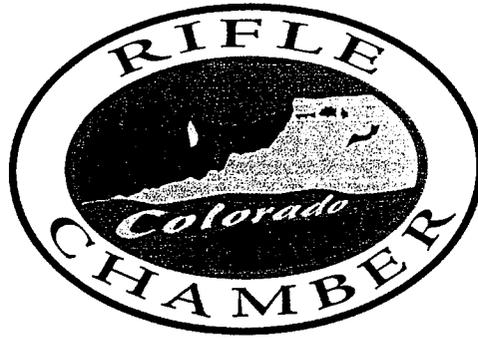
Fax 970-669-6411

www.ecisite.net

City of Rifle - Centennial Park Anticipated Major Contractors/ Suppliers

Local Participation	City	Estimated Percentage
1 Extreme Earthwork - Earthwork and Demo - Base Bid	Rifle, CO	14%
2 Todd's Welding Steel/ Metal Fabrication- Base Bid	Rifle, CO	3%
3 Pine Stone - Stone supply Base Bid	Glenwood Springs, CO	2%
4 Frontier Paving - Asphalt Paving	New Castle, CO	1%
5 Commercial Service Electric (Electric)	Glenwood Springs, CO	8%
6 ValleyCrest Landscape Development - Landscape/ Irrigation	Grand Junction, CO	9%
7 Grand Junction Pipe and Supply - Pipe Supply	Carbondale, CO	1%
8 S2M Concrete - Misc. Concrete work	Glenwood Springs, CO	8%
9 Munro Companies - Pump Supply	Grand Junction, CO	2%
10 Rick Bost Roofing - Pump House Roofing	Rifle, CO	0.1%
11 Colorado Hardscapes - Decorative Concrete (TBD)	Denver, CO	8%
12 Heritage Masonry - Stone Installation	Glenwood Springs, CO	4%
13 Flattop Steel Piering - Helical Piers - Base Bid	Fruita, CO	1%

***ECI actively solicited local subcontractor/ supplier participation. In addition, ECI ran a Public Notice advertisement in the Rifle Citizen Telegram and Glenwood Post Independent and daily in local County online newspapers from June 30th - July 7, 2009*



7/10/09

Dear Mr. Mayor and Rifle City Council Members,

We understand that Council will be awarding the bid for Phase 1 construction of Centennial Park at the July 15th City Council meeting. It has been brought to the attention of the Rifle Chamber that the low bid was submitted by a Front Range company and they will more than likely receive the contract for this project. We understand that the second lowest bid was submitted by a Rifle based company. It is our understanding that this bid came in approximately 2% higher than the low bid.

The Chamber certainly understands the difficult position City Council finds itself in, especially during these challenging economic times. You must be good stewards of the taxpayer's dollars. However, The Chamber feels it is equally important to support the local business community who hire local employees, provide a much needed tax base to the City of Rifle, and also support many community based programs and organizations. More than anything this community needs jobs, and awarding this contract to the Rifle company would provide them. Is this really the time to award a contract to a Front Range company?

It is for this reason that the Rifle Area Chamber of Commerce respectfully requests that Council take into serious consideration awarding the Phase 1 Contract for Centennial Park to the local company versus the Front Range company. If there are no local jobs here, the City will continue to see for sale and for rent signs, property foreclosures, businesses closing and people relocating. All of which would be detrimental to our community. We appreciate you taking our position into consideration before making your final decision. Thank you.

Respectfully Submitted,

Annick Pruet

President/ CEO Rifle Area Chamber of Commerce

RIFLE CITY COUNCIL MEETING

Wednesday, July 1, 2009

REGULAR MEETING

7:00 p.m. * Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:01 p.m. by Mayor Keith Lambert.

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

OTHERS PRESENT: John Hier, City Manager; Wanda Nelson, City Clerk; Jim Neu, Assistant City Attorney; Michael Churchill, Cable 10; Dick Deussen, City Engineer; Rod Hamilton, Public Works Director; Charles Kely, Finance Director; Mike Braaten, Government Affairs Coordinator; John Scalzo; Annick Pruet; Glenn Ault; Julie Wernsman; Eric Brynildson; Michael Langhorne; Jeff Odor; Nathan Bell; Greg Shaner; Chris Manera; Kyle Sanderson.

Clerk's Note: One signature was illegible.

CONSENT AGENDA

MINUTES FROM THE JUNE 15, 2009 REGULAR MEETING; LIQUOR LICENSE RENEWALS: RIB CITY GRILL, SHANGHAI GARDEN, CITY MARKET, SPORTS CORNER, ROCKY MOUNTAIN LIQUORS; ANNUAL PAYMENT TO RIFLE COMMUNITY FOUNDATION; ACCOUNTS PAYABLE

Mayor Lambert excused himself from voting on the Minutes. Councilor Lambert moved to approve the Consent Agenda; seconded by Councilor Rice.

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

CITIZEN COMMENTS AND LIVE CALL-IN

Mr. Hier stated that he has issued an Executive Order lifting the fire ban from July 2-5, 2009. The risk of fire danger is lessened due to the wet spring. Rifle Mountain Park is still under a fire ban. Citizens can have fireworks that do not leave the ground and do not explode. Fireworks such as sparklers are permitted during the aforementioned dates. Mr. John Scalzo provided an update on the Veteran's Memorial, and noted it will be dedicated around Veteran's Day in November. Annick Pruet will be participating in YouthZone's "Kiss N Squeal" fundraiser.

ACTION ON WORKSHOP ITEMS – CITY OF RIFLE PARTNERSHIPS WITH GEO & ENERGY STAR

Mr. Braaten described two opportunities for partnerships that are being encouraged by the Governor's Energy Office and the new Garfield New Energy Communities' Initiative. The first is a facility owner's memorandum of understanding (MOU) for the Governor's Energy Office Energy Performance Contracting Program. Performance Contracting is where an entity contracts with an energy services company to evaluate and improve the energy efficiency of buildings, lighting, and mechanical systems. The agreed upon improvements are then financed through the anticipated cost savings, generally over a 5-15 year time frame. The second opportunity involves a partnership with the EPA on their Energy Star Program. Much of what the City has done and is doing relates to reducing its energy usage and increasing its energy efficiency – the primary goals of Energy Star. Councilor Miller moved to approve the MOU with the GEO and the Partnership with the EPA; seconded by Councilor Lambert.

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

PUBLIC HEARING: CHAMBER OF COMMERCE SPECIAL EVENT LIQUOR LICENSE APPLICATION

Mayor Lambert opened the public hearing. Applicants Annick Pruett and Julie Wernsman were sworn in and reviewed their application. They seek to have a Beer and Wine Tasting at the County Fair on August 6, 2009. Ms. Nelson stated that the fees have been paid and the application is complete. Councilor Lambert moved to approve the Application; seconded by Councilor Rice.

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

REDUCTION IN BUILDING FEES REQUEST

Mr. Glenn Ault outlined his request for Council to consider waiving or reducing building fees during these tough economic times. He explained that the banks are willing to give construction loans, developers are reducing the lot prices, suppliers are giving better deals, and contractors are working for less. Councilors offered suggestions about how such a program could work. Council directed staff to work on this issue and bring back suggestions.

***FIRST READING OF ORDINANCE 19-09: RAW WATER IRRIGATION INCENTIVES
ORDINANCE RETROACTIVE EFFECT DATE***

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ADOPTING A RETROACTIVE EFFECTIVE DATE OF MAY 1, 2008 FOR ORDINANCE NO. 10, SERIES OF 2009 FOR THE AMENDMENTS TO SECTION 13-4-70 OF THE RIFLE MUNICIPAL CODE REGARDING WATER SYSTEMS IMPROVEMENT FEE REDUCTIONS, SECTION 13-6-30 REGARDING WATER RIGHTS DEDICATION REDUCTIONS, AND THE NEW ARTICLE VII OF CHAPTER 13 REGARDING RAW WATER IRRIGATION.

Ordinance No. 10, Series of 2009 enacted Raw Water Irrigation Regulations and Incentives to further the goals set forth in the City's Water Conservation Plan. During the preparation of the Water Conservation Plan, the primary goals and incentives ultimately contained in Ordinance No. 10 were drafted by City staff and shared with the public in that process. The Grand River Hospital District was commencing a major addition to its Rifle facility in 2008, wanted to participate in the City's water conservation program, followed the regulations that were enacted by Ordinance No. 10 and constructed a raw water irrigation system. To provide the associated benefits to the Hospital, or any other utility customer that may have relied on the City's "draft" program before it was officially enacted, it is necessary to make the amendments enacted by Ordinance No. 10 retroactively effective to May 1, 2008, when the Water Conservation Plan and raw water irrigation incentives were released to the public. Staff feels it is fair to reward any customer that installed raw water irrigation systems pursuant to what was ultimately enacted in the Code since the program was announced rather than then when it was formally adopted because the City still receives the same benefits. Councilor Rice moved to approve Ordinance 19-09 as presented and ordered it to be published by title as required by Charter; seconded by Councilor Miller.

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

AUTHORIZATION TO USE UTILITY UNDERGROUNDING FUND

Mr. Hamilton explained that the City currently maintains a balance of \$272,702 in a 1-percent Utility Underground Fund managed by Xcel pursuant to the City's franchise agreement. The City also has access to a 3-year advancement of \$131,647, making the total dollars available to the City for utility undergrounding \$402,349. Staff is requesting the authorization to the use of said funds to underground utilities located in the alley between 1st and 2nd Streets from East Avenue to West Avenue. Upon receiving authorization, Xcel will design and manage the project, which is estimated to cost \$150,000. This project would coincide with the East 2nd Street redevelopment. Councilor Lambert moved to authorize the use of \$150,000 for Utility Undergrounding; seconded by Councilor Miller.

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

ENGINEERING SERVICES CONCERNING RIMROCK AT RIFLE

John Patrick with Meritage Development Group is requesting that the City authorize SGM to provide engineering services in connection with the Rimrock Development. Mr. Patrick stated that they would like SGM to just engineer the basic, backbone infrastructure of the project. Staff was under the initial impression that Meritage was asking permission for SGM to engineer the entire project; Mr. Patrick again stated that they were just asking SGM to complete the backbone infrastructure. Staff will work with Meritage to work out the details of their future relationship with SGM. Michael Langhorne was grateful that Council is concerned about the local engineers. Nathan Bell voiced his concern that other engineering firms do not have access to the institutional knowledge that SGM has, especially if public funds were used to pay for a computerized water model that should be available to other firms. Chris Manera stated that SGM should be involved in the design of water system improvements, but is concerned the scope could be broadened too far. Jeff Odor echoed Mr. Manera's comments.

2009 MUNICIPAL ELECTION UPDATE

Ms. Nelson reported that the following nine citizens have turned in sufficient petitions to make them eligible to run for the office of City Councilor in the September 2009 Municipal Election: Daniel Alvis, Ron Byrd, Alan Lambert, Keith Lambert, Jen Sanborn, Frederick E. Schultz, Linda Twidwell, Randy Winkler, and Doug Winters. Additionally, Mr. John Scalzo turned in petitions with sufficient signatures to place two issues on the ballot: term limits and districts for council members. Council directed staff to prepare two ordinances that would bring these two issues before them at the next Council meeting.

BUDGET ADJUSTMENTS

Mr. Hier noted that the overall economic slow-down has affected every sector of society, including the City. Staff has been monitoring sales tax revenues, and noted a 21% decline in sales tax revenues in April. The General Fund, Parks and Rec Fund, and Special Street Fund are all impacted by the decline. Several measures are being taken by staff, including restricting travel, reducing overtime costs, deferring hiring replacements for vacant positions, and deferring capital projects. Potential budget reductions were outlined, including reducing the Contingency Fund, deferring transfers, purchases, merit pay, and payments to the fleet revolving loan fund. Departmental savings were identified at \$235,700. These total measures would save \$1.3 million dollars in the General Fund. Other funds were reviewed, and over \$600,000 in savings are possible from the Water Utility, Wastewater Utility, Sanitation, Special Street, Parks, and Recreation funds. In spite of these reductions, year-end short-falls may still

exist, and the City may have to use reserves to make up the difference. Councilor Bascom moved to approve the budget adjustments outlined by the City Manager; seconded by Councilor Rice.

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

ADMINISTRATIVE REPORTS

Mr. Hier reviewed the following items: budget issues; failing aerators at the NWWTP; 9th Street traffic signal; annual evaluations; DOLA crew; Main Street program; capital projects; Centennial Park; 4th Street crossing; Veteran's Memorial. Mr. Hamilton is working on the 4th Street crossing, and noted that a parking space may be lost to accommodate additional signage. Mr. Braaten received a call from Senator Udall's office that indicated our Federal Appropriation request for treated water transmission lines is moving forward. Mr. Braaten will keep Council informed on the status of this Request.

COMMENTS FROM MAYOR AND COUNCIL

HAPPY 4TH OF JULY!

Councilors Miller and Bascom wished everyone a safe 4th of July. Councilor Rice encouraged everyone to celebrate with the temporary lifting of the fire ban in City limits. Councilor Thompson reported that there is a free concert in Glenwood Springs on the 4th put on by the Symphony in the Valley. Their website is www.sitv.org.

OPENINGS ON THE DDA BOARD

Councilor Sanborn noted there are two openings on the DDA Board. Interested citizens should submit a letter to Helen Rogers, DDA Manager.

ROUNDAABOUT SCULPTURES

Councilor Lambert read a letter submitted by Lillian White, thanking the City and the artist responsible for the sculptures in the roundabouts. Councilor Bascom noted that the sculptures are maintenance-free.

EXECUTIVE SESSION: LEGAL ADVICE

Councilor Thompson moved to adjourn to Executive Session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b); seconded by Councilor Miller (940 p.m.)

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

Councilor Bascom moved to adjourn from Executive Session; seconded by Councilor Rice (10:17 p.m.).

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

Meeting adjourned at 10:17 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor

June 11, 2009

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

RE: Retaining DDA Board Member Seat

Dear Mayor Lambert and City Council Members:

I would like to retain a Board Member position on the City of Rifle Downtown Development Authority Board for another four year position.

As you know I own property and have a business in the District as well as reside in the District.

Thank you for your consideration and should you have any questions, please contact me.

Sincerely,

Gil Frontella
330 East Ave.
Rifle, CO 81650
970-625-3002

**THOMAS W. STUVER
933 EDELWEISS COURT
RIFLE, CO 81650**

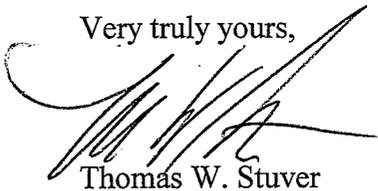
June 18, 2009

Rifle City Council
Rifle City Hall
202 Railroad Avenue
Rifle, CO 81650

RE: DOWNTOWN DEVELOPMENT AUTHORITY

I respectfully request reappointment to the Board of Directors of the Downtown Development Authority. I have resided in Rifle for 36 years and my offices have been located in downtown Rifle over that period of time. I have ownership interests in four properties at various locations within the Downtown Development Authority. Having been a Board member of the Downtown Development Authority since its inception, I want to continue serving for the foreseeable future, if you see fit to continue my appointment.

Very truly yours,



Thomas W. Stuver

JBS CONSTRUCTION

201 Railroad Ave

970 625 4401

Sally Brands
Jeb Savage
President
Project Manager

June 11, 2009
Downtown Development Authority
Rifle, CO

To: Board Members of DDA and Rifle City Council

Please consider my request to continue on the Board of Directors of the Downtown Development Authority.

I continue to be eligible for the board as a property and business owner in the DDA district.

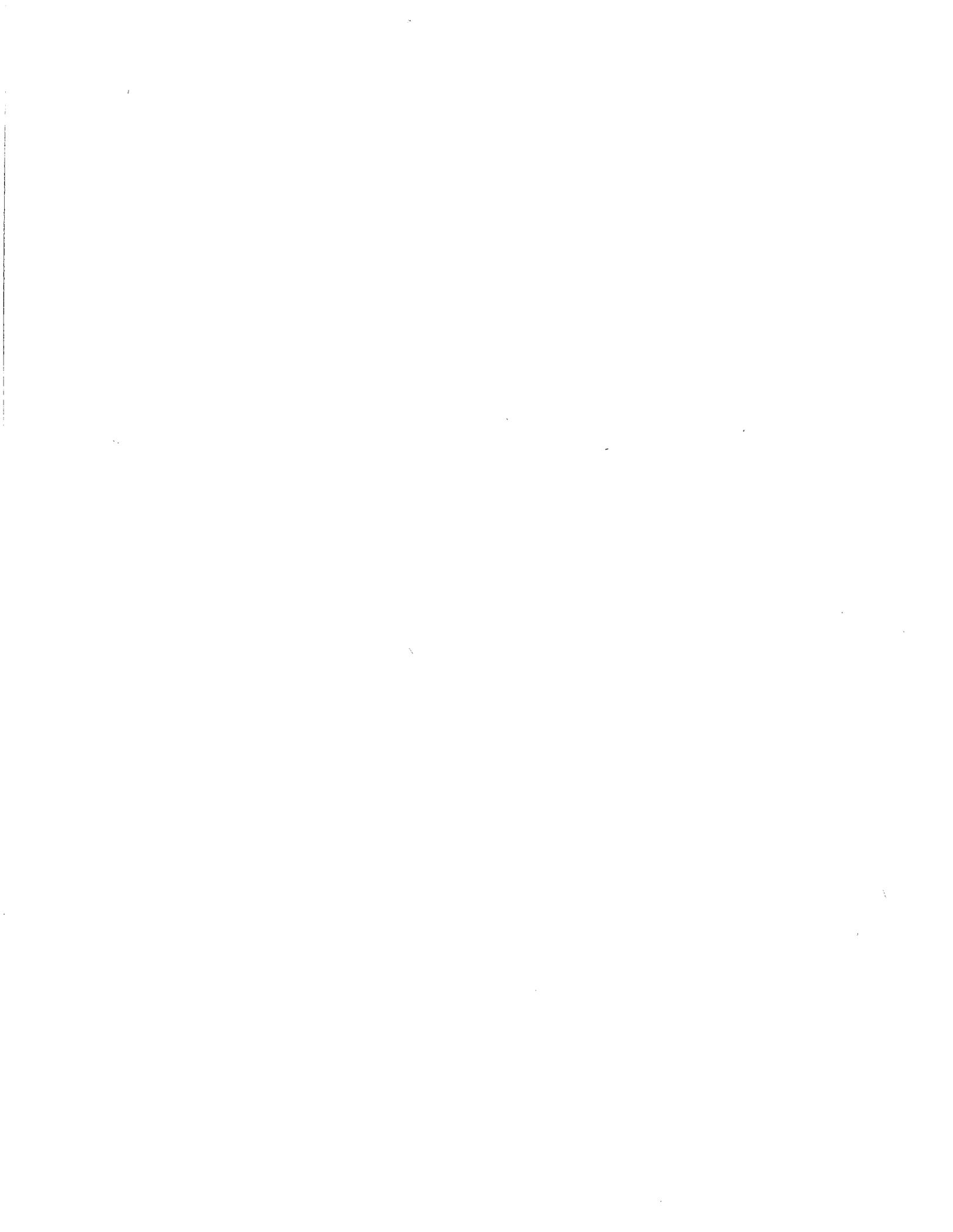
I feel that I can continue to add insight and judgment to the board as a business owner and as a member of the board for over 15 years.

As Rifle moves into a period of slower growth, I think it is important to continue to invest in the downtown area and encourage building and business owners to do the same.

We live in a boom and bust economy highly affected by the natural resources around us and conservative optimism is the only way to survive our economic cycles.

Thank you for your consideration.

Sally M. Brands
President: JBS Construction
Owner: Rifle House, 201 Railroad Ave.





MEMORANDUM

TO: JOHN HIER, CITY MANAGER
FROM: DARYL L. MEISNER, CHIEF OF POLICE
DATE: JULY 9, 2009
RE: VEHICLE LEASE AGREEMENT

Attached is a vehicle lease agreement for a TRIDENT vehicle. The term is for two years and shows the annual appropriations clause as required by TABOR.

The amount is \$516.77 per month. Although the lease is with the City Of Rifle and we are ultimately responsible, the payments are made by a grant. The grant is HIDTA which is administered by Glenwood Springs. HIDTA stands for High Intensity Drug Trafficking Area.

We have participated with this program for many years. We have shopped for others who would do leases with the same terms as Centennial Leasing but can find no one locally that will agree to the same terms.

I request City Council authorization for the City Manager to enter into this lease.



VEHICLE LEASE AGREEMENT

(Closed End)

CENTENNIAL LEASING & SALES
67 Inverness Dr. East Ste 100
Englewood, CO 80112-5121

Lease No. _____ P.O. No. _____
Unit No. _____ Date 07-01-09
Consultant TIM CONNOR

Lessee City Of Rifle Phone (Home) (970) 625-2331
Phone (Business) _____

Address 202 Railroad Ave., Rifle, CO 81650

I/We hereby order for lease under the terms of lessor's lease agreement, which is incorporated herein by reference, the following vehicle to be delivered at _____ City _____ State _____

At termination of lease, vehicle to be returned to Lessor.

1. Description of Vehicle
COLOR _____ YEAR _____ MAKE _____ MODEL _____ BODY _____ VEHICLE IDENTIFICATION NUMBER _____

2. Rate	\$ <u>574.19</u> Per Month	Term	<u>24</u> Mos. <u>N/A</u> Days
Sales Tax (<u>0.00</u> %)	\$ <u>N/A</u> Per Month	Total amount payable by lessee (No. of pymts x pymt plus prorate if applicable)	\$ <u>13700.56</u>
Total Payment	\$ <u>574.19</u> Per Month	Annual mileage allowance	<u>20000</u>
Payment to be paid monthly on first day of each month to:		Excess mileage charge/Mile	<u>20</u>
Centennial Leasing, Inc. Department 70 Denver, Colorado 80291-0700		Security deposit	\$ <u>N/A</u>
		Premature termination factor	\$ <u>516.77</u>

****SUBJECT TO ANNUAL APPROPRIATIONS****

3. Delivery Receipt

I acknowledge receipt of the vehicle described above, bearing the vehicle identification number _____, I acknowledge that I have inspected the vehicle described and that the vehicle is in acceptable condition with all the options I have requested.

Delivery Date 07-01-09 Odometer Reading 29480

Acceptance _____

4. Termination Provisions

*Premature Termination - See paragraph 12.

*Scheduled Termination - I agree that if I do not purchase the vehicle the amount I will owe at the end of the lease term is the sum of the following: Disposition Fee of \$ _____; any monthly lease payment due and unpaid and any other amounts or charges arising from any failure to keep my promises under this lease agreement; a charge as noted above, for each mile the vehicle has been driven in excess of the mileage allowance shown; the amount you must spend to put the vehicle in good operating order and appearance as required in paragraph 11.

5. Purchase Option - Instead of returning the vehicle to you at expiration, I may purchase the vehicle "As Is, Where Is" if the lease is not in default, for \$ 14600.00, plus \$ 350.00 Purchase Option fee as well as any fees or charges owed in accordance with this agreement. Except for the right to possess and use the vehicle, I have no ownership interest in the vehicle, its equipment, accessories or replacement parts unless and until I exercise the purchase option. I will notify you at least 30 days before the scheduled expiration of the lease term if I elect to purchase the vehicle.

6. Vehicle Insurance

I understand that I must pay for and keep in force the following minimum insurance coverage during the lease term and until the vehicle is returned to you. (The lease agreement and lessors ownership interest in this vehicle will be assigned to Centennial Leasing, Inc.; therefore, please name Centennial Leasing, Inc. as an additional insured party.)
Please list name of the West 1653 17th St, Ste 2000, Denver, CO 80202

on the loss payable clause. A provision of the lease agreement requires the lessee maintain minimum liability coverage of \$250,000/\$500,000 and minimum property damage coverage of \$100,000 with a maximum deductible of \$1,000.00 for both collision and comprehensive coverage. Furthermore, I understand that I may be required to obtain an umbrella policy in addition to the aforementioned underlying coverage's for specific vehicles and/or the usage of such vehicles in a amount as deemed necessary by Centennial Leasing, Inc.

Insurance Agent's Name _____ Agency Name _____

Address _____ Telephone _____

I have read this agreement before signing below and I agree to all the provisions on both sides of this lease agreement.

(Lessor) CENTENNIAL LEASING & SALES (Lessee) City Of Rifle

By _____ By _____

Title _____ Title _____



MEMORANDUM

To: John Hier, City Manager
From: Charles Kelty, Finance Director *ck*
Date: July 8, 2009
Subject: May 2009 Financial Reports

Attached are the financial reports for the five months ending May 31, 2009; approximately 41.6% of the budget year has elapsed. Below are a few comments.

- Page 1 **Mayor & Council** – Expenditures are 35.5% of budget.
- Pages 2-3 **General Fund Revenues** – Overall, revenues are approximately 32.7% of budget, which places the City behind budget by 8.9%. Sales Tax revenues were 32.2% of budget. Building Use Tax and Building permits were lower than budget by 31.8% and 19.3% respectively. Motor Vehicle Use Tax was lower than budget by 7.3%. However, Sales Tax Licenses and Contractor's Licenses exceeded budget by 8.5% and 12.9% respectively.
- Page 4 **General Fund Expenditures** – Expenditures are approximately 33.3% of budget and lower than anticipated. All departments are under budget with the exception of the Attorney, Information Services, Justice Center Bldg Operation, and Animal Shelter departments (42.9%, 42.7%, 44.5%, and 42.5% of budget respectively).
- Page 5 **Parks & Recreation Fund Revenues** – Overall, revenues are approximately 23.9% of projections and less than budget. Sales taxes were 32.3% of budget; Building Use Tax was 9.7% of budget and Motor Vehicle Use Tax was 34.3% of budget. Pool and Rifle Mountain Park revenues are beginning to pick up, as the community gets ready for summer activities.
- Page 6 **Parks & Recreation Fund Expenditures** – Expenditures are 30.1% of projections and less than budget.
- Page 7 **Water Fund Revenues** – Overall, revenues are 30.1% of budget. Operating revenues are 28% of budget. Water rights revenues were 32.8% of budget. Capital revenues were 37.4% of budget.
- Pages 8-9 **Water Fund Expenses** – Overall, expenses are 27.6% of budget. Operation and Maintenance expenses are 33.1% of budget. Water rights expenses are 32.5% of budget. Water System Improvements expenses are 17.2% of budget.



Page 10 **Wastewater Fund Revenue** – Overall revenues are 40.9% of budget.
Operational revenues were 41.3% of projections. Capital Revenues are 39.5% of budget.

Pages 11-12 **Wastewater Expenses** – Overall, expenses are approximately 34% of budget.
Operating and Maintenance expenses are 24.6% of budget and Sewer System Improvements are 36.6% of budget.

Page 13 **Sanitation Fund Revenues** – Revenues are 43.6% of budget.

Page 14 **Sanitation Fund Expenses** – Expenses are 32% of budget.

Pages 15-16 **Visitor Improvement Fund** – Revenues are 21.8% of budget and expenditures are 25% of budget.

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>MAYOR/COUNCIL</u>					
100-4111-400-110 REGULAR EMPLOYEES-S&W	1,500.00	7,050.00	20,400.00	13,350.00	34.6
100-4111-400-220 FICA	93.00	437.10	1,265.00	827.90	34.6
100-4111-400-221 MEDICARE	21.75	102.22	296.00	193.78	34.5
100-4111-400-250 UNEMPLOYMENT INSURANCE	3.00	14.10	41.00	26.90	34.4
100-4111-400-260 WORKERS COMP INSURANCE	5.09	25.16	59.00	33.84	42.6
100-4111-400-320 PROFESSIONAL SERVICES	.00	.00	6,000.00	6,000.00	.0
100-4111-400-340 POSTAL SERVICES	.00	60.43	400.00	339.57	15.1
100-4111-400-510 DUES/MEMBERSHIPS	.00	.00	500.00	500.00	.0
100-4111-400-530 COMMUNICATION-TELEPHONE	.00	102.51	500.00	397.49	20.5
100-4111-400-540 ADVERTISING	(383.51)	2,442.86	5,000.00	2,557.14	48.9
100-4111-400-550 PRINTING/BINDING	258.54	1,655.13	3,000.00	1,344.87	55.2
100-4111-400-580 TRAVEL & MEETINGS	541.98	10,349.94	30,000.00	19,650.06	34.5
100-4111-400-610 GENERAL SUPPLIES	12.16	498.41	3,000.00	2,501.59	16.6
100-4111-400-641 MINOR EQUIPMENT	90.00	3,724.29	.00	(3,724.29)	.0
100-4111-400-741 EQUIPMENT	.00	1,219.98	.00	(1,219.98)	.0
100-4111-400-801 MISCELLANEOUS	.00	.00	7,500.00	7,500.00	.0
TOTAL MAYOR/COUNCIL	2,142.01	27,682.13	77,961.00	50,278.87	35.5

CITY OF RIFLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>GENERAL REVENUES</u>					
100-3000-311-001	GENERAL PROPERTY TAXES	63,295.11	424,383.14	589,073.00	164,689.86 72.0
100-3000-311-100	DELINQUENT PROPERTY TAXES	.00	99.19 (	5,772.00 ) (	5,871.19) 1.7
100-3000-312-100	SPECIFIC OWNERSHIP TAX	3,247.19	17,363.42	47,548.00	30,184.58 36.5
100-3000-313-001	GENERAL SALES TAX	274,380.73	1,471,483.12	4,574,090.00	3,102,606.88 32.2
100-3000-313-002	GENERAL USE TAX	4,285.98	21,304.08	217,295.00	195,990.92 9.8
100-3000-313-003	REBATES-SALES & USE	.00 (	227.66 ) (	3,705.00 ) (	3,477.34) (6.1)
100-3000-313-004	MOTOR VEHICLE USE TAX	19,814.65	136,020.90	396,925.00	260,904.10 34.3
100-3000-318-002	FRANCHISE FEES	25,569.06	100,130.15	325,092.00	224,961.85 30.8
100-3000-319-001	PENALTIES & INTEREST	85.19	183.38	.00 (	183.38) .0
100-3000-321-001	LIQUOR LICENSES	647.50	2,513.75	5,222.00	2,708.25 48.1
100-3000-321-004	SALES TAX LICENSES	422.50	4,940.05	9,864.00	4,923.95 50.1
100-3000-321-006	CONTRACTORS LICENSES	1,110.00	14,674.50	26,905.00	12,230.50 54.5
100-3000-321-007	BEST TEST LICENSES	335.00	2,570.00	1,800.00 (	770.00) 142.8
100-3000-321-009	OTHER LICENSES	150.00	1,550.00	2,536.00	986.00 61.1
100-3000-322-001	BUILDING PERMITS	4,600.88	22,335.78	100,022.00	77,686.22 22.3
100-3000-322-002	BUILDING PERMITS DEP FORFEIT	.00	2,000.00	.00 (	2,000.00) .0
100-3000-322-009	OTHER PERMITS	690.00	2,885.00	1,346.00 (	1,539.00) 214.3
100-3000-323-001	PERMIT FEE WAIVERS	.00 (	10,244.02)	.00	10,244.02 .0
100-3000-331-003	SCHOOL RESOURCE OFFICER (RE2)	.00	16,008.57	62,000.00	45,991.43 25.8
100-3000-331-005	TRIDENT GRANT	.00	6,575.20	.00 (	6,575.20) .0
100-3000-331-006	BULLETPROOF VEST GRANT	.00	.00	3,000.00	3,000.00 .0
100-3000-334-002	POLICE LEAF GRANT	.00	890.00	6,600.00	5,710.00 13.5
100-3000-334-003	DOLA-PLANNING GRANT	41,675.00	41,675.00	160,750.00	119,075.00 25.9
100-3000-334-005	EMP HOUSING FEASIBILITY GRANT	.00	.00	8,000.00	8,000.00 .0
100-3000-334-006	DOLA GRANT - RIFLE CONSTRUCTIO	.00	.00	150,000.00	150,000.00 .0
100-3000-334-010	CMC CONTRACT REVENUE	9,618.80	30,490.80	61,199.00	30,708.20 49.8
100-3000-334-021	DOLA GRANT COORD REIMBUSE	.00	6,578.53	24,000.00	17,421.47 27.4
100-3000-335-004	HIGHWAY USERS TRUST FUND	17,045.50	92,945.86	226,232.00	133,286.14 41.1
100-3000-335-005	MOTOR VEHICLE ASSESSMENT	3,496.50	15,616.50	43,502.00	27,885.50 35.9
100-3000-335-006	CIGARETTE TAX	3,162.31	10,325.43	40,262.00	29,936.57 25.7
100-3000-335-009	MINERAL LEASE	.00	.00	250,000.00	250,000.00 .0
100-3000-335-100	SEVERANCE TAX	.00	.00	350,000.00	350,000.00 .0
100-3000-338-001	ROAD & BRIDGE	13,411.90	89,832.69	134,799.00	44,966.31 66.6
100-3000-338-003	COUNTY SALES TAX	17,815.31	114,909.10	383,499.00	268,589.90 30.0
100-3000-339-000	HOUSING AUTHORITY REIMB	4,016.55	17,771.59	101,618.00	83,846.41 17.5
100-3000-341-003	ZONING & SUBDIVISION FEES	210.00	4,370.00	9,196.00	4,826.00 47.5
100-3000-341-004	PLAN CHECK FEES	1,236.00	9,705.90	60,105.00	50,399.10 16.2
100-3000-341-100	PARKLAND DEDICATION FEES	.00	7,148.64	25,155.00	18,006.36 28.4
100-3000-341-400	SALE OF MAPS/PUBS/COPIES	28.75	509.25	3,000.00	2,490.75 17.0
100-3000-342-005	POLICE FINGERPRINT SVS	170.00	860.00	2,626.00	1,766.00 32.8
100-3000-342-010	POLICE SERVICES	135.00	990.00	9,972.00	8,982.00 9.9
100-3000-342-101	BUILDING INSPECTIONS	.00	65.00	.00 (	65.00) .0
100-3000-343-001	GRAVE OPENING/CLOSING FEE	200.00	3,261.00	16,421.00	13,160.00 19.9
100-3000-343-002	PERPTUAL CARE	.00	630.00	4,146.00	3,516.00 15.2
100-3000-343-003	MOOSE SECTION MAINT FEES	221.64	1,108.20	2,796.00	1,687.80 39.6
100-3000-343-100	SALE OF CEMETERY LOTS	.00	575.00	21,956.00	21,381.00 2.6
100-3000-345-004	DOG FINES & FEES	1,700.00	8,020.00	19,420.00	11,400.00 41.3
100-3000-348-001	MANAGEMENT FEES	24,668.58	123,342.90	294,480.00	171,137.10 41.9
100-3000-349-150	REIMB-LEGAL/ENG	18,288.93	94,511.89	301,715.00	207,203.11 31.3
100-3000-349-151	REIMB-PUBLIC WORKS	.00	.00	75,153.00	75,153.00 .0
100-3000-351-001	COURT FINES & FEES	10,048.50	52,198.85	121,007.00	68,808.15 43.1
100-3000-351-002	COURT FINES-POLICE TRAINING	876.69	4,449.78	12,209.00	7,759.22 36.5

CITY OF RIFLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

		GENERAL FUND				
		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
100-3000-351-003	COURT FINES-15% CRIMINAL	135.60	1,290.31	4,327.00	3,036.69	29.8
100-3000-361-001	INTEREST EARNINGS	5,491.92	33,348.91	132,700.00	99,351.09	25.1
100-3000-361-150	INTEREST - A/R	(112.96)	5,586.19	7,341.00	1,754.81	76.1
100-3000-362-001	UNREALIZED GAINS/LOSSES	(3,047.99)	(3,528.25)	.00	3,528.25	.0
100-3000-363-001	RENT OF CITY FACILITIES	1,742.00	7,937.50	10,200.00	2,262.50	77.8
100-3000-363-002	MINERAL ROYALTY INCOME	310.14	92,699.08	173,004.00	80,304.92	53.6
100-3000-364-001	ABANDONED PROPERTY	66.00	376.00	.00	(376.00)	.0
100-3000-365-002	COMMUNITY YTH SVS DONATIO	.00	1,600.00	.00	(1,600.00)	.0
100-3000-365-004	DONATIONS OTHER	.00	60.00	.00	(60.00)	.0
100-3000-365-006	DONATIONS SR SERVICES	.00	100.00	.00	(100.00)	.0
100-3000-365-008	DONATIONS SRCTR MEALS	485.45	956.41	.00	(956.41)	.0
100-3000-365-009	DONATIONS ANIMAL SHELTER	10.00	135.00	.00	(135.00)	.0
100-3000-365-013	CHANNEL 13 ACCESS	15.00	50.00	7,518.00	7,468.00	.7
100-3000-378-001	MISCELLANEOUS INCOME	13.67	398.80	.00	(398.80)	.0
100-3000-378-002	REGIONAL DRAINAGE ESCROW	.00	.00	1,400.00	1,400.00	.0
100-3000-391-204	OTI-VIF	3,006.00	3,006.00	.00	(3,006.00)	.0
100-3000-391-205	OTI-DDA	3,006.00	3,006.00	.00	(3,006.00)	.0
100-3000-391-210	OTI-PARKS & REC FUND	5,576.42	27,882.10	66,917.00	39,034.90	41.7
100-3000-391-211	OTI-STREET IMPROVEMENT FUND	2,114.50	10,572.50	25,374.00	14,801.50	41.7
100-3000-391-213	OTI-WATER FUND	2,649.17	13,245.85	31,790.00	18,544.15	41.7
100-3000-391-214	OTI-WASTEWATER FUND	2,649.17	13,245.85	31,790.00	18,544.15	41.7
100-3000-391-215	OTI-SANITATION FUND	426.50	2,132.50	5,118.00	2,985.50	41.7
100-3000-392-001	SALES OF GFA	.00	6,375.00	.00	(6,375.00)	.0
100-3000-394-001	LOAN REPAYMENT	1,196.01	7,142.85	14,395.00	7,252.15	49.6
TOTAL GENERAL REVENUES		592,392.35	3,196,949.06	9,784,933.00	6,587,983.94	32.7
TOTAL FUND REVENUE		592,392.35	3,196,949.06	9,784,933.00	6,587,983.94	32.7

CITY OF RIFLE
FUND SUMMARY
FOR THE 5 MONTHS ENDING MAY 31, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
GENERAL REVENUES	592,392.35	3,196,949.06	9,784,933.00	6,587,983.94	32.7
TOTAL FUND REVENUE	592,392.35	3,196,949.06	9,784,933.00	6,587,983.94	32.7
<u>EXPENDITURES</u>					
MAYOR/COUNCIL	2,142.01	27,682.13	77,961.00	50,278.87	35.5
CITY CLERK	14,326.46	67,466.13	187,369.00	119,902.87	36.0
MUNICIPAL COURT	17,440.81	67,044.50	204,520.00	137,475.50	32.8
CITY MANAGER	23,106.19	85,649.48	227,438.00	141,788.52	37.7
GOVERNMENT AFFAIRS	13,465.27	54,649.63	148,076.00	93,426.37	36.9
FINANCE	53,792.50	198,330.24	491,382.00	293,051.76	40.4
ATTORNEY	(15,207.82)	141,482.29	329,500.00	188,017.71	42.9
PLANNING/ZONNING	64,389.82	290,752.16	974,566.00	683,813.84	29.8
INFORMATION SERVICES	22,239.76	93,695.46	219,551.00	125,855.54	42.7
CITY HALL	10,252.29	55,659.78	184,332.00	128,672.22	30.2
GROUNDS AND FACILITY MAINT.	6,503.48	23,787.76	80,405.00	56,617.24	29.6
COMMUNITY ACCESS TV	10,598.11	47,112.50	133,869.00	86,756.50	35.2
POLICE	252,616.74	944,178.65	2,514,862.00	1,570,683.35	37.5
JUSTICE CENTER BLDG. OPERATION	141,826.11	178,590.72	400,948.00	222,357.28	44.5
BUILDING INSPECTIONS	31,129.57	115,195.88	306,974.00	191,778.12	37.5
STREETS	85,581.28	355,681.55	1,013,024.00	657,342.45	35.1
CONSTRUCTION CREW - INHOUSE	22,174.51	96,958.55	240,940.00	143,981.45	40.2
PUBLIC WORKS	26,191.16	97,541.82	352,525.00	254,983.18	27.7
ANIMAL SHELTER	12,815.49	43,400.96	102,090.00	58,689.04	42.5
CEMETERY O & H	8,012.41	26,105.54	109,523.00	83,417.46	23.8
SENIOR CENTER	35,678.82	137,066.14	433,328.00	296,261.86	31.6
NON DEPARTMENTAL	7,939.17	163,838.93	623,235.00	459,396.07	26.3
HOUSING AUTHORITY	5,602.75	20,071.78	101,618.00	81,546.22	19.8
OPERATING TRANSFERS OUT	.00	.00	550,000.00	550,000.00	.0
TOTAL FUND EXPENDITURES	852,616.89	3,331,942.58	10,008,036.00	6,676,093.42	33.3
NET REVENUE OVER EXPENDITURES	(260,224.54)	(134,993.52)	(223,103.00)	(88,109.48)	(60.5)

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CITY OF RIFLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

PARKS & RECREATION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>PARKS AND REC REVENUE</u>					
210-3000-313-001 GENERAL SALES TAX	143,100.40	767,436.69	2,378,832.00	1,611,395.31	32.3
210-3000-313-002 GENERAL USE TAX	2,235.31	11,110.92	115,111.00	104,000.08	9.7
210-3000-313-003 REBATES-SALES & USE	.00	.00	(819.00)	(819.00)	.0
210-3000-313-004 MOTOR VEHICLE USE TAX	10,334.12	70,940.27	206,940.00	135,999.73	34.3
210-3000-334-017 DOLA GRANT PARKS	.00	.00	500,000.00	500,000.00	.0
210-3000-334-019 DOLA GRANT PARKS MAINT BLDG	103,801.30	265,163.60	750,000.00	484,836.40	35.4
210-3000-334-020 GOCO GRANT	.00	.00	805,000.00	805,000.00	.0
210-3000-334-023 COLO STATE TRAILS GRANT	.00	.00	200,000.00	200,000.00	.0
210-3000-341-400 SALE OF MAPS/PUBS/COPIES	78.20	335.27	.00	(335.27)	.0
210-3000-347-001 RECREATION FEES	3,828.00	27,637.20	46,595.00	18,957.80	59.3
210-3000-347-004 FARMERS MARKET FEES	225.00	700.00	900.00	200.00	77.8
210-3000-347-005 FACILITY RENTAL	.00	.00	5,800.00	5,800.00	.0
210-3000-347-010 POOL-ADMISSIONS	3,079.86	3,079.86	64,000.00	60,920.14	4.8
210-3000-347-011 POOL-SWIM LESSONS	2,924.00	15,117.00	21,000.00	5,883.00	72.0
210-3000-347-012 POOL-RENTALS	60.00	60.00	2,000.00	1,940.00	3.0
210-3000-347-013 POOL-CONCESSIONS	503.71	503.71	12,500.00	11,996.29	4.0
210-3000-347-014 POOL-BATTING CAGES	38.00	38.00	1,400.00	1,362.00	2.7
210-3000-347-100 RMP PARK FEES	4,747.31	6,282.24	32,000.00	25,717.76	19.6
210-3000-347-101 RMP ANNUAL PASS FEES	1,972.00	2,596.00	6,600.00	4,004.00	39.3
210-3000-347-102 RMP COMMUNITY HOUSE	130.00	510.00	2,000.00	1,490.00	25.5
210-3000-361-001 INTEREST EARNINGS	5,258.65	36,503.81	(30,000.00)	(6,503.81)	121.7
210-3000-362-001 UNREALIZED GAINS/LOSSES	(2,956.11)	(3,960.30)	.00	3,960.30	.0
210-3000-365-004 DONATIONS OTHER	.00	.00	10,450.00	10,450.00	.0
210-3000-365-005 DONATIONS UNIFORMS	.00	4,157.84	4,900.00	742.16	84.9
210-3000-378-001 MISCELLANEOUS INCOME	.00	86,963.00	.00	(86,963.00)	.0
210-3000-391-202 OTI-CONSERVATION TRUST	.00	.00	260,000.00	260,000.00	.0
210-3000-391-204 OTI-VISITOR IMPROVEMENT FUND	.00	6,000.00	.00	(6,000.00)	.0
 TOTAL PARKS AND REC REVENUE	 279,359.75	 1,301,175.11	 5,455,209.00	 4,154,033.89	 23.9
 TOTAL FUND REVENUE	 279,359.75	 1,301,175.11	 5,455,209.00	 4,154,033.89	 23.9

CITY OF RIFLE
FUND SUMMARY
FOR THE 5 MONTHS ENDING MAY 31, 2009

PARKS & RECREATION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
PARKS AND REC REVENUE	279,359.75	1,301,175.11	5,455,209.00	4,154,033.89	23.9
TOTAL FUND REVENUE	279,359.75	1,301,175.11	5,455,209.00	4,154,033.89	23.9
<u>EXPENDITURES</u>					
RECREATION	58,337.31	207,774.65	573,028.00	365,253.35	36.3
POOL	52,110.02	63,577.77	325,869.00	262,291.23	19.5
PARK MAINTENANCE	82,211.31	279,505.87	914,447.00	634,941.13	30.6
RIFLE MOUNTAIN PARK	6,343.80	6,343.80	.00	(6,343.80)	.0
PARKS CAPITAL	739,163.41	2,244,403.81	7,038,628.00	4,794,224.19	31.9
NON-DEPARTMENTAL	.00	15,886.00	535,434.00	519,548.00	3.0
OPERATING TRANSFER OUT	5,576.42	27,882.10	66,917.00	39,034.90	41.7
TOTAL FUND EXPENDITURES	943,742.27	2,845,374.00	9,454,323.00	6,608,949.00	30.1
NET REVENUE OVER EXPENDITURES	(664,382.52)	(1,544,198.89)	(3,999,114.00)	(2,454,915.11)	(38.6)

CITY OF RIFLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>WATER REVENUE</u>					
310-3000-331-020 EIF-DOWNTOWN MAIN ST	.00	.00	163,602.00	163,602.00	.0
310-3000-331-025 EIAF 5904 DOLA WATER SYST IMP	.00	40,000.00	40,000.00	.00	100.0
310-3000-361-001 INTEREST EARNINGS	2,637.41	17,581.06	40,768.00	23,186.94	43.1
310-3000-362-001 UNREALIZED GAINS/LOSSES	(3,467.22)	(4,754.46)	.00	4,754.46	.0
310-3000-371-001 USER FEES	199,646.15	662,670.28	2,089,517.00	1,426,846.72	31.7
310-3000-371-002 USER FEES -COGEN PLANT	1,465.34	5,494.59	20,000.00	14,505.41	27.5
310-3000-371-003 USER FEES -BULK WATER	3,822.98	18,869.67	100,000.00	81,130.33	18.9
310-3000-371-010 SERVICE CHARGES	2,816.46	15,318.40	44,588.00	29,269.60	34.4
310-3000-371-100 LATE PAYMENT FEES	433.33	1,891.98	6,946.00	5,054.02	27.2
310-3000-373-001 SALE OF METERS	.00	737.51	41,326.00	40,588.49	1.8
310-3000-391-100 OTI-GENERAL FUND	.00	.00	160,000.00	160,000.00	.0
TOTAL WATER REVENUE	207,354.45	757,809.03	2,706,747.00	1,948,937.97	28.0
<u>WATER RIGHTS REVENUE</u>					
310-3002-349-150 REIMB-LEGAL/ENG	3,040.00	16,042.50	30,000.00	13,957.50	53.5
310-3002-361-001 INTEREST EARNINGS	409.25	2,829.44	8,187.00	5,357.56	34.6
310-3002-372-001 IN LIEU OF WATER RIGHTS	.00	810.00	30,000.00	29,190.00	2.7
310-3002-372-002 CO-GEN STANDBY/WTRRGHTS	92.04	3,329.24	1,000.00	(2,329.24)	332.9
310-3002-378-001 MISCELLANEOUS INCOME	.00	.00	1,000.00	1,000.00	.0
TOTAL WATER RIGHTS REVENUE	3,541.29	23,011.18	70,187.00	47,175.82	32.8
<u>CAPITAL REVENUE</u>					
310-3003-331-022 EIF-WTP IMPROVEMENTS	.00	.00	163,602.00	163,602.00	.0
310-3003-361-001 INTEREST EARNINGS	3,335.35	22,591.33	40,000.00	17,408.67	56.5
310-3003-361-150 INTEREST - A/R	2,092.34	2,092.34	.00	(2,092.34)	.0
310-3003-374-001 SYSTEM IMPROVEMENT FEES	6,251.18	185,054.61	518,293.00	333,238.39	35.7
310-3003-374-002 SYS IMPRVMT FEES NE TANK	.00	8,930.25	.00	(8,930.25)	.0
310-3003-374-010 NE WATER TANK IMPACT FEE	.00	58,590.00	20,000.00	(38,590.00)	293.0
TOTAL CAPITAL REVENUE	11,678.87	277,258.53	741,895.00	464,636.47	37.4
TOTAL FUND REVENUE	222,574.61	1,058,078.74	3,518,829.00	2,460,750.26	30.1

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER O&H</u>					
310-4331-400-110 REGULAR EMPLOYEES-S&W	51,940.47	185,928.38	472,115.00	286,186.62	39.4
310-4331-400-130 OVERTIME-S&W	1,690.47	3,632.10	32,348.00	28,715.90	11.2
310-4331-400-135 STANDBY TIME-S&W	830.07	4,748.55	20,172.00	15,423.45	23.5
310-4331-400-210 HEALTH INSURANCE	7,444.35	34,988.43	91,912.00	56,923.57	38.1
310-4331-400-220 FICA	3,273.86	11,681.18	32,527.00	20,845.82	35.9
310-4331-400-221 MEDICARE	765.63	2,731.78	7,607.00	4,875.22	35.9
310-4331-400-230 RETIREMENT	2,932.25	10,496.92	26,817.00	16,320.08	39.1
310-4331-400-250 UNEMPLOYMENT INSURANCE	108.93	388.63	1,050.00	661.37	37.0
310-4331-400-260 WORKERS COMP INSURANCE	2,337.55	8,842.02	23,524.00	14,681.98	37.6
310-4331-400-320 PROFESSIONAL SERVICES	6,253.49	35,211.99	88,500.00	53,288.01	39.8
310-4331-400-331 WATER QUALITY TESTING SVS	2,094.00	14,887.70	49,150.00	34,262.30	30.3
310-4331-400-340 POSTAL SERVICES	445.72	2,857.98	8,000.00	5,142.02	35.7
310-4331-400-410 UTILITY SERVICES	15,674.30	67,379.90	190,000.00	122,620.10	35.5
310-4331-400-425 DITCH MAINTENANCE SERVICE	.00	453.00	4,500.00	4,047.00	10.1
310-4331-400-430 REPAIR & MAINT SERVICES	11,584.09	37,477.09	96,900.00	59,422.91	38.7
310-4331-400-431 CONTRACT MAINT SERVICES	.00	1,754.00	6,800.00	5,046.00	25.8
310-4331-400-432 METER TESTING SERVICES	.00	.00	1,000.00	1,000.00	.0
310-4331-400-442 RENTAL EQUIP/VEHICLES	105.00	565.00	200,959.00	200,394.00	.3
310-4331-400-445 RENTAL TOILETS	95.00	380.00	1,200.00	820.00	31.7
310-4331-400-501 OTHER PURCH. SERV./ UTILITY LO	160.16	306.46	4,400.00	4,093.54	7.0
310-4331-400-510 DUES/MEMBERSHIPS	210.00	1,490.00	2,500.00	1,010.00	59.6
310-4331-400-520 INSURANCE	.00	24,834.00	24,128.00	706.00	102.9
310-4331-400-530 COMMUNICATION-TELEPHONE	959.68	4,936.06	12,900.00	7,963.94	38.3
310-4331-400-540 ADVERTISING	.00	282.66	2,000.00	1,717.34	14.1
310-4331-400-550 PRINTING/BINDING	249.45	1,742.29	2,625.00	882.71	66.4
310-4331-400-580 TRAVEL & MEETINGS	35.96	3,517.36	6,900.00	3,382.64	51.0
310-4331-400-610 GENERAL SUPPLIES	12,978.68	59,367.88	240,000.00	180,632.12	24.7
310-4331-400-617 UNIFORMS/CLOTHING	.00	53.97	400.00	346.03	13.5
310-4331-400-641 MINOR EQUIPMENT	4,853.95	13,548.73	12,100.00	1,448.73	112.0
310-4331-400-720 BUILDINGS	8,209.87	31,832.67	73,300.00	41,467.33	43.4
310-4331-400-734 LINE REPLACEMENTS	.00	2,025.00	55,000.00	52,975.00	3.7
310-4331-400-741 EQUIPMENT	1,229.78	13,330.38	97,000.00	83,669.62	13.7
310-4331-400-803 MANAGEMENT FEES	12,559.33	62,796.65	150,712.00	87,915.35	41.7
310-4331-400-810 FLEET MAINTENANCE	4,169.02	15,808.64	45,950.00	30,141.36	34.4
310-4331-400-860 FLEET DEBT SERVICE PRINC	.00	.00	17,129.00	17,129.00	.0
310-4331-400-861 FLEET DEBT SERVICE INT	.00	.00	2,700.00	2,700.00	.0
310-4331-400-870 DEBT SERVICE PRINC	6,250.00	111,785.14	204,165.00	92,379.86	54.8
310-4331-400-871 DEBT SERVICE INTEREST	2,456.48	27,334.67	65,547.00	38,212.33	41.7
310-4331-400-877 REFUNDING/ISSUANCE COSTS	.00	.00	1,038.00	1,038.00	.0
310-4331-400-895 OTO TO GENERAL - GOV. AFFAIRS	2,114.50	10,572.50	25,374.00	14,801.50	41.7
310-4331-400-896 OTO TO GENERAL - MAINT.	534.67	2,673.35	6,416.00	3,742.65	41.7
310-4331-400-900 CONTINGENCY	.00	.00	50,000.00	50,000.00	.0
TOTAL WATER O&H	164,546.71	812,643.06	2,457,365.00	1,644,721.94	33.1

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER RIGHTS</u>					
310-4332-400-320 PROFESSIONAL SERVICES	6,823.35	31,567.07	60,000.00	28,432.93	52.6
310-4332-400-323 PROF SERVICES-ENGINEERING	2,938.59	13,607.89	30,000.00	16,392.11	45.4
310-4332-400-511 WATER RIGHTS ADM FEE	.00	352.00	10,000.00	9,648.00	3.5
310-4332-400-705 WATER RIGHTS REUDI	.00	.00	40,000.00	40,000.00	.0
TOTAL WATER RIGHTS	<u>9,761.94</u>	<u>45,526.96</u>	<u>140,000.00</u>	<u>94,473.04</u>	<u>32.5</u>
<u>WATER SYSTEM IMPROVEMENTS</u>					
310-4333-400-320 PROFESSIONAL SERVICES	31,131.50	190,744.78	806,100.00	615,355.22	23.7
310-4333-400-722 WATER TRMT PLANT IMPROVE	.00	12.32	436,000.00	435,987.68	.0
310-4333-400-870 DEBT SERVICE PRINC	5,416.67	27,083.35	65,000.00	37,916.65	41.7
310-4333-400-871 DEBT SERVICE INTEREST	3,881.67	15,526.68	50,000.00	34,473.32	31.1
TOTAL WATER SYSTEM IMPROVEMENTS	<u>40,429.84</u>	<u>233,367.13</u>	<u>1,357,100.00</u>	<u>1,123,732.87</u>	<u>17.2</u>
TOTAL FUND EXPENDITURES	<u>214,738.49</u>	<u>1,091,537.15</u>	<u>3,954,465.00</u>	<u>2,862,927.85</u>	<u>27.6</u>
NET REVENUE OVER EXPENDITURES	<u>7,836.12</u>	<u>(33,458.41)</u>	<u>(435,636.00)</u>	<u>(402,177.59)</u>	<u>(7.7)</u>

CITY OF RIFLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

WASTEWATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>WASTE WATER REVENUE</u>					
320-3000-361-001 INTEREST EARNINGS	6,387.84	30,783.16	42,500.00	11,716.84	72.4
320-3000-362-001 UNREALIZED GAINS/LOSSES	(2,402.52)	(2,908.67)	.00	2,908.67	.0
320-3000-371-001 USER FEES	176,717.44	924,525.84	2,266,356.00	1,341,830.16	40.8
320-3000-371-007 USER FEES -BULK SEWAGE	18,882.92	138,762.07	240,000.00	101,237.93	57.8
320-3000-371-010 SERVICE CHARGES	89.40	(893.79)	10,000.00	10,893.79	(8.9)
320-3000-371-100 LATE PAYMENT FEES	663.38	3,015.21	5,906.00	2,890.79	51.1
320-3000-378-002 XCEL ENERGY REBATE REVENUE	.00	.00	6,000.00	6,000.00	.0
320-3000-379-001 BOND PREMIUN ISSUANCE REVENUES	.00	.00	35,614.00	35,614.00	.0
320-3000-391-100 OTI-GENERAL FUND	.00	.00	60,000.00	60,000.00	.0
320-3000-392-002 INSURANCE PROCEEDS	.00	7,068.95	.00	(7,068.95)	.0
TOTAL WASTE WATER REVENUE	200,338.46	1,100,352.77	2,666,376.00	1,566,023.23	41.3
<u>WASTE WATER REVENUE</u>					
320-3003-331-026 EIAF PEND REG WWTF	.00	.00	55,000.00	55,000.00	.0
320-3003-331-028 DOLA GRANT CONST OBSERVAT	.00	87,550.80	100,000.00	12,449.20	87.6
320-3003-361-001 INTEREST EARNINGS	(2,113.97)	(13,806.70)	20,000.00	33,806.70	(69.0)
320-3003-361-150 INTEREST - A/R	2,324.82	2,324.82	.00	(2,324.82)	.0
320-3003-374-001 SYSTEM IMPROVEMENT FEES	3,472.87	212,065.84	554,931.00	342,865.16	38.2
TOTAL WASTE WATER REVENUE	3,683.72	288,134.76	729,931.00	441,796.24	39.5
TOTAL FUND REVENUE	204,022.18	1,388,487.53	3,396,307.00	2,007,819.47	40.9

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

WASTEWATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SEWER O&H</u>					
320-4325-400-110 REGULAR EMPLOYEES-S&W	36,459.51	129,755.40	331,239.00	201,483.60	39.2
320-4325-400-130 OVERTIME-S&W	948.07	2,122.63	8,031.00	5,908.37	26.4
320-4325-400-135 STANDBY TIME-S&W	776.38	3,536.18	14,788.00	11,251.82	23.9
320-4325-400-210 HEALTH INSURANCE	6,140.33	28,943.75	47,712.00	18,768.25	60.7
320-4325-400-220 FICA	2,285.96	8,103.76	21,952.00	13,848.24	36.9
320-4325-400-221 MEDICARE	534.61	1,895.17	5,134.00	3,238.83	36.9
320-4325-400-230 RETIREMENT	2,171.53	7,723.36	19,177.00	11,453.64	40.3
320-4325-400-250 UNEMPLOYMENT INSURANCE	76.37	270.77	709.00	438.23	38.2
320-4325-400-260 WORKERS COMP INSURANCE	1,151.17	4,320.50	11,183.00	6,862.50	38.6
320-4325-400-320 PROFESSIONAL SERVICES	2,634.25	10,121.82	42,200.00	32,078.18	24.0
320-4325-400-331 WATER QUALITY TESTING SVS	.00	100.00	2,000.00	1,900.00	5.0
320-4325-400-340 POSTAL SERVICES	374.23	2,561.20	7,000.00	4,438.80	36.6
320-4325-400-410 UTILITY SERVICES	16,916.89	55,900.69	210,000.00	154,099.31	26.6
320-4325-400-421 LANDFILL COSTS	.00	.00	3,600.00	3,600.00	.0
320-4325-400-430 REPAIR & MAINT SERVICES	4,833.08	13,325.68	46,000.00	32,674.32	29.0
320-4325-400-432 R&M TV & CLEANING	.00	1,916.25	80,000.00	78,083.75	2.4
320-4325-400-442 RENTAL EQUIP/VEHICLES	.00	.00	2,500.00	2,500.00	.0
320-4325-400-445 RENTAL TOILETS	95.00	475.00	1,200.00	725.00	39.6
320-4325-400-501 OTHER PURCHASED UT LOCATES	.00	1,841.00	19,550.00	17,709.00	9.4
320-4325-400-510 DUES/MEMBERSHIPS	330.00	783.00	2,200.00	1,417.00	35.6
320-4325-400-520 INSURANCE	.00	14,677.00	14,260.00	(417.00)	102.9
320-4325-400-530 COMMUNICATION-TELEPHONE	575.52	2,880.02	5,300.00	2,419.98	54.3
320-4325-400-540 ADVERTISING	.00	185.36	1,000.00	814.64	18.5
320-4325-400-550 PRINTING/BINDING	143.28	2,048.90	2,500.00	451.10	82.0
320-4325-400-580 TRAVEL & MEETINGS	(8.73)	1,425.47	6,750.00	5,324.53	21.1
320-4325-400-610 GENERAL SUPPLIES	5,280.93	13,859.03	53,900.00	40,040.97	25.7
320-4325-400-617 UNIFORMS/CLOTHING	178.36	253.30	300.00	46.70	84.4
320-4325-400-641 MINOR EQUIPMENT	9,415.28	17,562.29	93,800.00	76,237.71	18.7
320-4325-400-720 BUILDINGS	.00	.00	241,500.00	241,500.00	.0
320-4325-400-734 LINE REPLACEMENTS	.00	.00	250,000.00	250,000.00	.0
320-4325-400-741 EQUIPMENT	.00	.00	20,500.00	20,500.00	.0
320-4325-400-803 MANAGEMENT FEES	8,775.92	43,879.60	105,311.00	61,431.40	41.7
320-4325-400-810 FLEET MAINTENANCE	405.83	4,038.06	8,485.00	4,446.94	47.6
320-4325-400-870 DEBT SERVICE PRINC	.00	326,892.00	701,900.00	375,008.00	46.6
320-4325-400-871 DEBT SERVICE INTEREST	.00	43,091.90	642,349.00	599,257.10	6.7
320-4325-400-877 REFUNDING/ISSUANCE COSTS	.00	.00	952.00	952.00	.0
320-4325-400-895 OTO TO GENERAL - GOV. AFFAIRS	2,114.50	10,572.50	25,374.00	14,801.50	41.7
320-4325-400-896 OTO TO GENERAL - MAINT.	534.67	2,673.35	6,416.00	3,742.65	41.7
320-4325-400-900 CONTINGENCY	.00	.00	25,000.00	25,000.00	.0
TOTAL SEWER O&H	103,142.94	757,734.94	3,081,772.00	2,324,037.06	24.6

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

WASTEWATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SEWER SYSTEM IMPROVEMENTS</u>					
320-4326-400-721 REGIONAL WWTP	36.96	3,869,348.97	10,684,565.00	6,815,216.03	36.2
320-4326-400-727 REGIONAL WWTP PROJ MGMT	38,953.96	223,438.56	470,000.00	246,561.44	47.5
320-4326-400-734 EXPANSION	.00	45,938.52	134,400.00	88,461.48	34.2
320-4326-400-877 REFUNDING/ISSUANCE COSTS	.00	.00	20,000.00	20,000.00	.0
TOTAL SEWER SYSTEM IMPROVEMENTS	<u>38,990.92</u>	<u>4,138,726.05</u>	<u>11,308,965.00</u>	<u>7,170,238.95</u>	<u>36.6</u>
TOTAL FUND EXPENDITURES	<u>142,133.86</u>	<u>4,896,460.99</u>	<u>14,390,737.00</u>	<u>9,494,276.01</u>	<u>34.0</u>
NET REVENUE OVER EXPENDITURES	<u>61,888.32</u>	<u>(3,507,973.46)</u>	<u>(10,994,430.00)</u>	<u>(7,486,456.54)</u>	<u>(31.9)</u>

CITY OF RIFLE
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 5 MONTHS ENDING MAY 31, 2009

SANITATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>SANITATION FUND</u>					
330-3000-361-001 INTEREST EARNINGS	231.97	1,363.83	10,000.00	8,636.17	13.6
330-3000-362-001 UNREALIZED GAINS/LOSSES	(130.40)	(143.39)	.00	143.39	.0
330-3000-371-001 USER FEES	47,023.56	233,930.25	530,000.00	296,069.75	44.1
330-3000-371-005 USER FEES -EXTRA PICKUPS	46.41	135.09	500.00	364.91	27.0
330-3000-371-100 LATE PAYMENT FEES	209.40	875.18	2,000.00	1,124.82	43.8
330-3000-392-000 SALES OF PROPERTY NOT GFA	.00	210.00	.00	(210.00)	.0
TOTAL SANITATION FUND	47,380.94	236,370.96	542,500.00	306,129.04	43.6
TOTAL FUND REVENUE	47,380.94	236,370.96	542,500.00	306,129.04	43.6

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

SANITATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SANITATION</u>					
330-4320-400-110 REGULAR EMPLOYEES-S&W	12,421.04	41,642.80	113,528.00	71,885.20	36.7
330-4320-400-120 PART-TIME/TEMP EMPL-S&W	254.64	865.78	1,491.00	625.22	58.1
330-4320-400-130 OVERTIME-S&W	170.92	1,093.68	5,002.00	3,908.32	21.9
330-4320-400-135 STANDBY TIME-S&W	271.05	958.99	2,000.00	1,041.01	48.0
330-4320-400-210 HEALTH INSURANCE	1,708.96	8,032.04	21,836.00	13,803.96	36.8
330-4320-400-220 FICA	791.99	2,685.71	7,565.00	4,879.29	35.5
330-4320-400-221 MEDICARE	185.25	628.22	1,769.00	1,140.78	35.5
330-4320-400-230 RETIREMENT	743.34	2,497.29	6,757.00	4,259.71	37.0
330-4320-400-250 UNEMPLOYMENT INSURANCE	26.23	89.20	248.00	158.80	36.0
330-4320-400-260 WORKERS COMP INSURANCE	823.02	2,895.96	5,504.00	2,608.04	52.6
330-4320-400-340 POSTAL SERVICES	374.23	2,530.94	6,500.00	3,969.06	38.9
330-4320-400-350 RECYCLING SERVICES	3,365.83	13,228.09	45,000.00	31,771.91	29.4
330-4320-400-421 LANDFILL COSTS	.00	47,534.88	180,000.00	132,465.12	26.4
330-4320-400-422 SPECIAL PICKUP COSTS	.00	100.00	1,000.00	900.00	10.0
330-4320-400-430 REPAIR & MAINT SERVICES	.00	.00	1,500.00	1,500.00	.0
330-4320-400-442 RENTAL EQUIP/VEHICLES	.00	.00	500.00	500.00	.0
330-4320-400-520 INSURANCE	.00	18,560.00	12,777.00	(5,783.00)	145.3
330-4320-400-540 ADVERTISING	.00	.00	500.00	500.00	.0
330-4320-400-550 PRINTING/BINDING	24.14	24.14	500.00	475.86	4.8
330-4320-400-580 TRAVEL & MEETINGS	.00	.00	500.00	500.00	.0
330-4320-400-610 GENERAL SUPPLIES	222.13	457.09	16,000.00	15,542.91	2.9
330-4320-400-617 UNIFORMS/CLOTHING	.00	.00	1,675.00	1,675.00	.0
330-4320-400-641 MINOR EQUIPMENT	.00	.00	2,000.00	2,000.00	.0
330-4320-400-801 MISCELLANEOUS	.00	.00	500.00	500.00	.0
330-4320-400-803 MANAGEMENT FEES	3,333.33	16,666.65	40,000.00	23,333.35	41.7
330-4320-400-810 FLEET MAINTENANCE	2,877.47	14,426.46	45,000.00	30,573.54	32.1
330-4320-400-886 DDA	.00	.00	4,000.00	4,000.00	.0
330-4320-400-895 OTO TO GENERAL - GOV. AFFAIRS	426.50	2,132.50	5,118.00	2,985.50	41.7
330-4320-400-900 CONTINGENCY	.00	.00	25,000.00	25,000.00	.0
TOTAL SANITATION	28,020.07	177,050.42	553,770.00	376,719.58	32.0
TOTAL FUND EXPENDITURES	28,020.07	177,050.42	553,770.00	376,719.58	32.0
NET REVENUE OVER EXPENDITURES	19,360.87	59,320.54	(11,270.00)	(70,590.54)	526.4

CITY OF RIFLE
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 5 MONTHS ENDING MAY 31, 2009

VISITOR IMPROVEMENT FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
<u>VISITOR IMPROVEMENT</u>					
204-3000-313-005 LODGING TAX REVENUES	14,996.22	64,749.71	297,308.00	232,558.29	21.8
204-3000-361-001 INTEREST EARNINGS	106.75	813.46	2,693.00	1,879.54	30.2
204-3000-362-001 UNREALIZED GAINS/LOSSES	(60.01)	(117.26)	.00	117.26	.0
TOTAL VISITOR IMPROVEMENT	<u>15,042.96</u>	<u>65,445.91</u>	<u>300,001.00</u>	<u>234,555.09</u>	<u>21.8</u>
 TOTAL FUND REVENUE	 <u>15,042.96</u>	 <u>65,445.91</u>	 <u>300,001.00</u>	 <u>234,555.09</u>	 <u>21.8</u>

CITY OF RIFLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2009

VISITOR IMPROVEMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>VISITOR IMPROVEMENT</u>					
204-4650-400-320 PROFESSIONAL SERVICES	.00	.00	2,500.00	2,500.00	.0
204-4650-400-510 DUES/MEMBERSHIPS	.00	.00	5,000.00	5,000.00	.0
204-4650-400-540 ADVERTISING	15.18	15.18	25,000.00	24,984.82	.1
204-4650-400-550 PRINTING/BINDING	1.34	5.20	.00 (	5.20)	.0
204-4650-400-580 TRAVEL & MEETINGS	91.25	208.63	5,000.00	4,791.37	4.2
204-4650-400-721 VISITOR IMP. & ATTRACTIONS	.00	.00	30,000.00	30,000.00	.0
204-4650-400-722 HISTORIC PRESERVATION	.00	.00	15,000.00	15,000.00	.0
204-4650-400-723 SPECIAL EVENTS	3,000.00	3,000.00	30,000.00	27,000.00	10.0
204-4650-400-724 CITY BEAUTIFICATION PROJECTS	.00	41,548.50	66,000.00	24,451.50	63.0
204-4650-400-725 CITY PROMOTION	.00	25,575.00	51,150.00	25,575.00	50.0
204-4650-400-726 SPECIAL PROJECTS	5,000.00	5,000.00	75,000.00	70,000.00	6.7
204-4650-400-893 TRANSFER TO GENERAL FUND	3,006.00	3,006.00	.00 (	3,006.00)	.0
204-4650-400-895 TRANSFER TO STREET IMPROV FUND	.00	16,750.00	.00 (	16,750.00)	.0
204-4650-400-899 TRANSFER TO PARKS AND REC	.00	6,000.00	.00 (	6,000.00)	.0
204-4650-400-900 CONTINGENCY	.00	.00	100,000.00	100,000.00	.0
TOTAL VISITOR IMPROVEMENT	11,113.77	101,108.51	404,650.00	303,541.49	25.0
TOTAL FUND EXPENDITURES	11,113.77	101,108.51	404,650.00	303,541.49	25.0
NET REVENUE OVER EXPENDITURES	3,929.19 (	35,662.60 ) (	104,649.00 ) (	68,986.40 ) (	34.1)

(16)



MEMORANDUM

To: John Hier, City Manager
 From: Charles Kelty, Finance Director
 Date: July 8, 2009
 Subject: May 2009 Sales, Lodging, and Use Tax Report

The Sales, Lodging, and Use Tax Report for the month ending May 31, 2009 is submitted for your review. Approximately 41.6% of the budget year has passed. The combined Sales, Use, and Lodging tax revenues are 30.9% of budget, which place the City approximately 10.7% lower than expected.

Sales and Lodging tax revenues are lower year-to-date 13% compared to the same period in 2008. Food is down 3%; Car Parts and Sales is down 25%; Bars and Restaurants is down 10%; General Retail is down 11%; Hardware is down 30%; Liquor Stores are up 7%; Motel's are down 21%; and the Oil and Gas sector is down 53%. Leasing/Miscellaneous is higher than last year by 269%; however, this is due to unexpected sales in the solar industry. Lodging taxes are down 15%.

**Sales Tax Report
 Prior Year Comparison**

Business Category	For Sales in May			Year-to-Date		
	2008	2009	% Change	2008	2009	% Change
Bars and Restaurants	\$ 73,588	\$ 58,572	-20%	\$ 317,959	\$ 285,766	-10%
Car Parts and Sales	43,117	28,450	-34%	222,001	166,638	-25%
Food	82,133	77,825	-5%	393,864	383,172	-3%
General Retail	279,910	222,554	-20%	1,234,941	1,093,884	-11%
Hardware	46,434	17,983	-61%	197,884	137,835	-30%
Liquor Stores	21,135	20,867	-1%	83,276	89,480	7%
Motels	25,159	21,273	-15%	116,859	92,888	-21%
Oil & Gas	43,053	9,732	-77%	251,646	118,308	-53%
Leasing/Misc	3,623	3,765	4%	32,171	118,781	269%
Utilities	33,243	34,046	2%	232,156	204,472	-12%
Lodging	17,735	14,996	-15%	76,261	64,750	-15%
Total	\$ 669,129	\$ 510,064	-24%	\$3,159,017	\$ 2,755,974	-13%
Allocation to Funds:						
General Fund	\$366,568	\$271,212	-26%	\$1,688,822	\$1,474,329	-13%
Street Improvement	95,590	70,724	-26%	440,394	384,461	-13%
Rifle Information Center	15,791	11,684	-26%	72,753	63,513	-13%
Parks & Recreation	191,180	141,448	-26%	880,787	768,921	-13%
Lodging Tax	17,735	14,996	-15%	76,261	64,750	-15%
	\$669,129	\$510,064	-24%	\$3,159,017	\$2,755,974	-13%

Budget Comparison

Sales Taxes

Fund	Budget	YTD 5/31/09	% Of Budget
General Fund	\$4,574,090	\$1,474,329	32.2%
Street Improvement Fund	1,187,599	384,461	32.3%
Rifle Information Center	183,570	63,513	34.5%
Parks and Recreation Fund	2,378,832	768,921	32.3%
Total Sales Tax	\$8,324,091	\$2,691,224	32.3%

Lodging Taxes

Fund	Budget	YTD 5/31/09	% Of Budget
Visitor Improvement Fund	297,308	64,750	21.7%

Building and Motor Vehicle Use Taxes

Use tax revenues are \$287,179 compared to a budget of \$1,211,062, or 23.7% of budget.

Fund	Budget	YTD 5/31/09	% Of Budget
General Fund	\$614,220	\$157,325	25.6%
Street Improvement Fund	237,672	41,026	17.2%
Rifle Information Center	37,119	6,777	18.2%
Parks and Recreation Fund	322,051	82,051	25.4%
Total Use Tax	\$1,211,062	\$287,179	23.7%

GRAND TOTAL'S

Fund	Budget	YTD 5/31/09	% Of Budget
Grand Total's	\$9,832,461	\$3,043,153	30.9%

Prepaid Check Run 6/26/09

City of Rifle

Check Register GL Detail Report - Finance Director Sign

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GL Posting Period(s): 06/09 - 06/09

Jun 26, 2009 02:15pm

Check Issue Date(s): 06/26/2009 - 06/26/2009

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
06/09	06/26/2009	43474	3027	OCPO	06052009	1	310-4331-400-510		90.00
06/09	06/26/2009	43475	3027	OCPO	06052009 3	1	310-4331-400-510		90.00
06/09	06/26/2009	43476	4121	Cebt	06/26/09	1	100-202-007		76,036.50
					06/26/09	2	210-202-007		11,789.67
					06/26/09	3	310-202-007		12,080.79
					06/26/09	4	320-202-007		4,809.33
					06/26/09	5	330-202-007		941.22
					06/26/09	6	610-202-007		1,479.79
Total 43476									107,137.30
06/09	06/26/2009	43477	3201	Colorado Custom Cycles	06242009	1	210-4512-400-610		490.89
06/09	06/26/2009	43478	3015	Kroger/King Sooper Cust Charge	008868	1	100-4514-400-630		6.29
					011738 09	1	100-4514-400-630		30.87
					020874	1	210-4512-400-580		12.06
					062643	1	210-4512-400-610		3.76
					111273	1	100-4153-400-314		54.24
Total 43478									107.22
06/09	06/26/2009	43479	5481	Leonard, Elliot	06262009	1	210-4512-400-501		400.00
06/09	06/26/2009	43480	1531	Meisner, Daryl	06172009	1	100-4210-400-580		151.71
06/09	06/26/2009	43481	3027	OCPO	06052009 B	1	320-4325-400-510		90.00
06/09	06/26/2009	43482	5402	Paine, Don	06262009	1	210-4512-400-501		400.00
06/09	06/26/2009	43483	5747	PAULINE S SCHNEEGAS WILDLIFE	06/22/09	1	210-4512-400-501		120.00
06/09	06/26/2009	43484	2830	Qwest	625-0115 06/C	1	100-4210-400-530		270.23
					625-0163 06/C	1	320-4325-400-530		272.58
					625-0164 06/C	1	100-4317-400-530		275.33
					625-0165 06/C	1	310-4331-400-530		272.58
					625-0166 06/C	1	210-4521-400-530		272.58
					625-0183 06/C	1	100-4210-400-530		272.34
Total 43484									1,635.64
06/09	06/26/2009	43485	4967	Touch Tone Communications	9706252121 0	1	100-4114-400-530		4.24
					9706252121 0	2	100-4121-400-530		5.65
					9706252121 0	3	100-4132-400-530		7.07
					9706252121 0	4	100-4151-400-530		14.13
					9706252121 0	5	100-4191-400-530		14.13
					9706252121 0	6	100-4199-400-530		2.83
					9706252121 0	7	100-4240-400-530		11.31
					9706252121 0	8	100-4317-400-530		11.31
					9706252121 0	9	210-4512-400-530		16.96
					9706252121 0	10	100-4210-400-530		48.05
					9706252121 0	11	310-4331-400-530		1.41
					9706252121 0	12	320-4325-400-530		1.41
					9706252121 0	13	210-4521-400-530		5.65
					9706252121 0	14	100-4192-400-530		2.83
Total 43485									146.98
06/09	06/26/2009	43486	2960	Walmart Community	010226	1	320-4325-400-610		86.80
					016858	1	210-4512-400-610		126.41
					017598	1	100-4514-400-630		275.10
					018274	1	100-4310-400-610		25.37
					018946	1	320-4325-400-610		286.76
					019610	1	100-4199-400-610		52.94

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
					022251	1	310-4331-400-610		33.49
					022251	2	320-4325-400-610		33.49
					024192	1	210-4512-400-610		33.88
					029608	1	210-4521-400-610		65.34
		Total 43486							1,019.58
06/09	06/26/2009	43487	5555	WRIGHT GROUP, LLC	06262009	1	100-204-000		34,725.00
06/09	06/26/2009	43488	1120	Xcel Energy Inc	198711840	1	210-4521-400-410		40.38
					199271701	1	100-4310-400-410		11,646.28
		Total 43488							11,686.66
06/09	06/26/2009	43489	3027	OCPO	06052009 1	1	320-4325-400-510		90.00
		Totals:							158,380.98

Dated: 6/26/09

Accounts Payable :

Finance Director :

Jimmy Oranich for Charles Kelty

Prepaid Check Run 7/2/09

City of Rifle

Check Register GL Detail Report - Finance Director Sign

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GL Posting Period(s): 07/09 - 07/09

Jul 09, 2009 11:15am

Check Issue Date(s): 07/02/2009 - 07/02/2009

Report Criteria:

Check.Check No = 43621-43649

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
07/09	07/02/2009	43621	1990	Bookcliff Survey Services, Inc	6346	1	210-4523-400-725		3,000.00
07/09	07/02/2009	43623	5749	CALCO HOTELS, LLC	ZV 2009-2	1	100-3000-341-003		120.00
					ZV 2009-2	2	100-204-900		300.00
Total 43623									420.00
07/09	07/02/2009	43624	3015	Kroger/King Sooper Cust Charge	049969	1	100-4514-400-630		93.61
					067795	1	100-4514-400-630		19.31
					117877	1	310-4331-400-340		15.55
					159318	1	310-4331-400-340		15.55
Total 43624									144.02
07/09	07/02/2009	43625	3960	Lowe's Home Improvement Wareho	1347709	1	310-4331-400-430		31.24
07/09	07/02/2009	43626	4240	Platinum Plus For Business	LAMBERT 06/	1	100-4111-400-580		55.92
07/09	07/02/2009	43629	4240	Platinum Plus For Business	STURGEON C	1	100-4191-400-580		32.40
07/09	07/02/2009	43630	4240	Platinum Plus For Business	PINA 06/09	1	100-4210-400-580		82.11
07/09	07/02/2009	43631	4240	Platinum Plus For Business	TYLER 06/09	1	100-4210-400-810		48.87
07/09	07/02/2009	43632	4240	Platinum Plus For Business	NELSON 06/0	1	100-4121-400-320		6.85
					NELSON 06/0	2	100-4153-400-314		125.58
Total 43632									132.43
07/09	07/02/2009	43633	4240	Platinum Plus For Business	HIER 06/09	1	100-4132-400-580		196.11
07/09	07/02/2009	43634	4240	Platinum Plus For Business	BRONAUGH I	1	100-4111-400-580		283.68
					BRONAUGH I	2	204-4650-400-580		97.69
					BRONAUGH I	3	100-4111-400-580		266.10
					BRONAUGH I	4	204-4650-400-580		38.56
Total 43634									686.03
07/09	07/02/2009	43635	4240	Platinum Plus For Business	LONG 06/09	1	100-4240-400-580		12.14
07/09	07/02/2009	43636	4240	Platinum Plus For Business	RYAN 06/09	1	100-4210-400-610		15.00
07/09	07/02/2009	43637	4240	Platinum Plus For Business	HAMILTON 06/	1	100-4317-400-610		152.89
07/09	07/02/2009	43638	4240	Platinum Plus For Business	MILLER 06/09	1	100-4210-400-580		58.55
07/09	07/02/2009	43639	4240	Platinum Plus For Business	SHANAHAN C	1	100-4153-400-314		120.00
07/09	07/02/2009	43640	5750	Rensberry, Trisha	09-175	1	100-3000-345-004		50.00
07/09	07/02/2009	43641	2963	Stewart, Samuel	06262009	1	100-4210-400-580		13.89
07/09	07/02/2009	43642	5470	TAYLOR, DREW	06292009	1	100-4310-400-610		100.00
07/09	07/02/2009	43643	2960	Walmart Community	025024	1	210-4512-400-610		57.82
07/09	07/02/2009	43644		Information Only Check	.00		210-201-000		
07/09	07/02/2009	43645	1120	Xcel Energy Inc	200304442	1	210-4513-400-410		707.82
					200304442	2	210-4513-400-410		30.70
					200304442	3	210-4513-400-410		1,494.91
					200304442	4	310-4331-400-410		17.86
					200304442	5	310-4331-400-410		38.41
					200304442	6	310-4331-400-410		4,067.31
					200304442	7	320-4325-400-410		1,923.92
					200304442	8	310-4331-400-410		1,608.04
					200304442	9	100-4310-400-410		9.03
					200304442	10	100-4422-400-410		59.42
					200304442	11	320-4325-400-410		4,331.00
					200304442	12	210-4521-400-410		292.99
					200304442	13	100-4310-400-410		20.85

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Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
					200304442	14	210-4521-400-410		12.47
					200304442	15	100-4310-400-410		16.90
					200304442	16	100-4422-400-410		115.54
					200304442	17	310-4331-400-410		101.47
					200304442	18	210-4521-400-410		1,582.09
					200304442	19	210-4521-400-410		553.65
					200304442	20	310-4331-400-410		9.38
					200304442	21	320-4325-400-410		753.28
					200304442	22	100-4310-400-410		34.66
					200304442	23	210-4521-400-410		57.31
					200304442	24	210-4521-400-410		44.00
					200304442	25	100-4414-400-410		99.55
					200304442	26	210-4521-400-410		16.38
					200304442	27	100-4310-400-410		9.03
					200304442	28	310-4331-400-410		206.26
					200304442	29	210-4513-400-410		41.08
					200304442	30	100-4194-400-410		2,112.57
					200304442	31	210-4521-400-410		12.53
					200304442	32	100-4310-400-410		9.03
					200304442	33	100-4310-400-410		31.38
					200304442	34	210-4521-400-410		325.93
					200304442	35	310-4331-400-410		118.27
					200304442	36	210-4521-400-410		34.51
					200304442	37	100-4514-400-410		634.23
					200304442	38	210-4521-400-410		234.57
					200304442	39	100-4310-400-410		25.83
					200304442	40	100-4310-400-410		1,461.60
					200304442	41	210-4521-400-410		1,945.77
					200304442	42	310-4331-400-410		10.63
					200304442	43	100-4310-400-410		369.61
					200304442	44	320-4325-400-410		9.38
					200304442	45	100-4215-400-410		1,547.61
					200304442	46	100-4310-400-410		189.50
					200304442	47	100-4310-400-410		105.62
					200939273	1	210-4523-400-746		3,860.00
									<u>31,217.06</u>
		Total 43645							
07/09	07/02/2009	43646	4240	Platinum Plus For Business	16088759	1	100-4111-400-641		279.15
					KELTY 04/09	1	100-4151-400-580		53.48
					KELTY 05/09	1	100-4151-400-580		199.42
					KELTY 06/09	1	100-4151-400-580		58.41
					KELTY 3/09	1	100-4151-400-580		79.46
					KELTY 3/09	2	100-4111-400-641		669.92
									<u>.00</u>
		Total 43646							
07/09	07/02/2009	43647	4240	Platinum Plus For Business	JONES 06/09	1	100-4210-400-580		26.23
07/09	07/02/2009	43648	1152	Us Postmaster--Rifle	07022009	1	100-4151-400-340		110.00
07/09	07/02/2009	43649	5218	Braaten, Mike	06292009	1	100-4135-400-580		94.60
		Totals:							<u><u>36,857.31</u></u>

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
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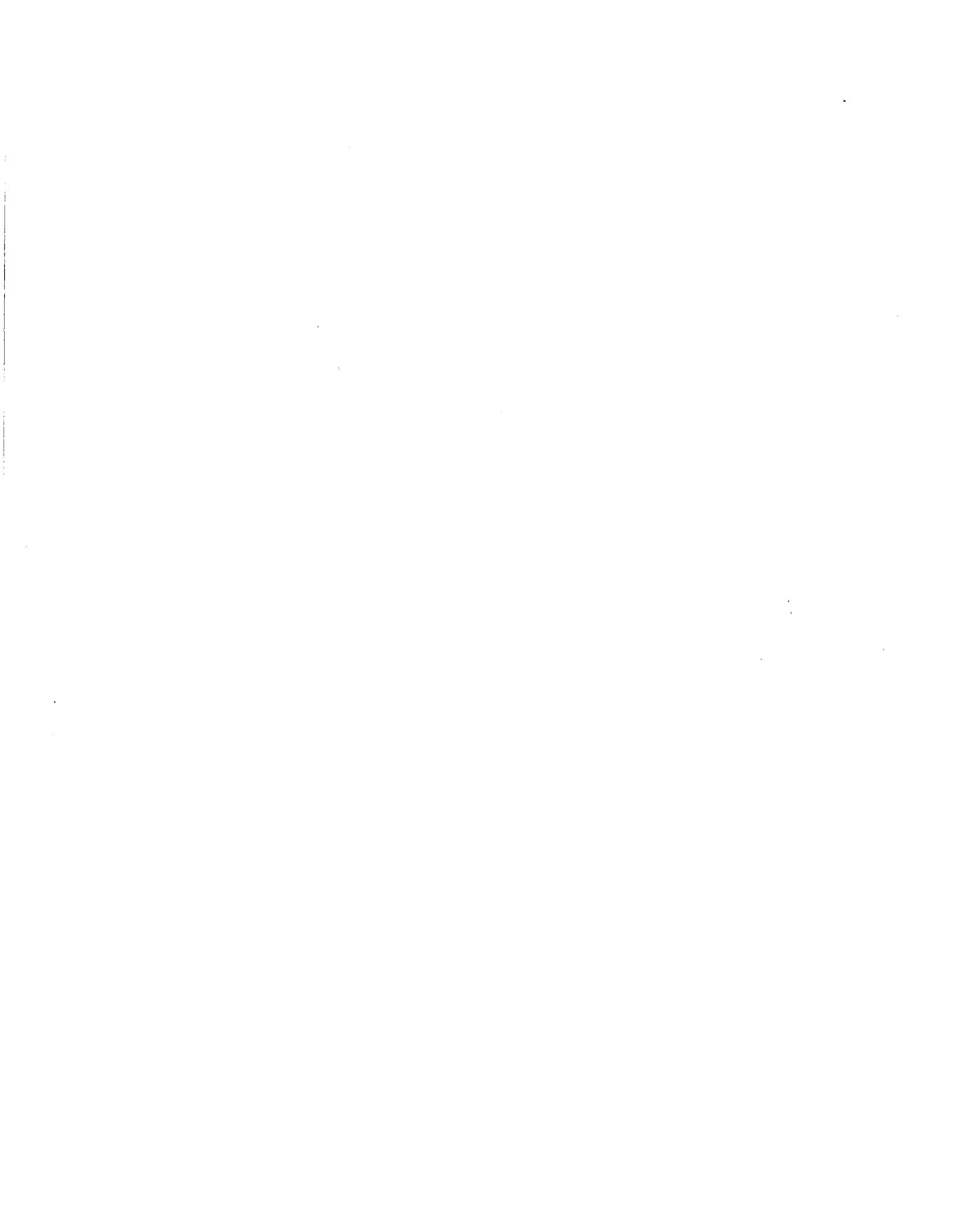
Dated: 7/9/09

Accounts Payable: _____

Finance Director: Charles Hally

Report Criteria:

Check.Check No = 43621-43649



Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
1003	Action Shop Services, Inc	SI45923	PROPANE FUEL	06/29/2009	14.04		
		SI45945	ENGINE OIL	06/30/2009	26.70		
Total 1003					40.74	.00	
1009	B & B Plumbing, Inc	29134	REPAIRED SOLAR HEATING	06/22/2009	1,238.05		
		29321	REPAIRS/ 638 park avenue	06/25/2009	28.90		
			REPAIRS/ 638 park avenue		95.00		
		29328	REPAIR BOILER, INSTALLED VALVE	06/26/2009	1,779.00		
Total 1009					3,140.95	.00	
1018	Valley Lumber	25990	RESPIRATOR	06/19/2009	40.99		
		26252	MACHINE BOLT	06/23/2009	87.97		
		26316	FURRING STRIPS	06/24/2009	44.36		
		26322	PAINTING SUPPLIES FOR SHED	06/24/2009	166.22		
		26343	Plywood, construction fir	06/24/2009	52.59		
		26403	EYE BOLT	06/25/2009	14.68		
		26440	WAFERBOARD SHEATH	06/25/2009	52.72		
		26486	Roof Sealant	06/26/2009	4.49		
		26526	PAINT	06/27/2009	124.95		
		26567	CONSTRUCTION FIR	06/29/2009	32.00		
		26756	CDX PLYWOOD	07/01/2009	45.95		
		26833	CABLE TIES	07/02/2009	7.99		
		26843	FILTER	07/02/2009	13.98		
Total 1018					688.89	.00	
1020	Carter & Sands, P.C.	07012009	PROSECUTER/COURTS	07/01/2009	4,791.66		
Total 1020					4,791.66	.00	
1022	Central Distributing Co	798165	CLEANING SUPPLIES	06/10/2009	124.27		
		798169	TRASH BAG, GLOVES, CLEANING SUPI	06/10/2009	219.30		
		799715	Cups, spoon, forks, trash bags	06/24/2009	492.08		
		799716	TRASH BAGS	06/24/2009	109.39		
		799719	GLOVES, TP, PAPER TOWELS	06/24/2009	274.58		
		800593	TRASH BAGS	07/01/2009	144.62		
		800594	HOT CUPS	07/01/2009	116.73		
		800595	GRAFFITI SPRAY	07/01/2009	93.05		
		800596	TP	07/01/2009	58.79		
Total 1022					1,632.81	.00	
1023	Chelewski Pipe & Supply	122238	PIPE & FITTINGS	11/10/2008	35.28		
		122247	PIPE & FITTINGS	11/11/2008	40.07		
		122262	VALVE BOX	11/12/2008	54.00		
		122955	BURY HYDRANT, CLUMPS, PVC CAPS	03/25/2009	70.27		
		124474	PIPE & FITTINGS	06/19/2009	127.62		
		124584	PIPE FITTINGS	06/25/2009	11.99		
Total 1023					339.23	.00	
1041	Colo Dept Of Public Hlth & Env	700	Environmental Micro Water BAct	06/11/2009	252.00		
Total 1041					252.00	.00	
1055	Columbine Ford, Inc	94717	PATSKEY	06/29/2009	80.96		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 1055					80.96	.00	
1059	Consolidated Electrical Distr	4983-494007	250V FUSE	06/15/2009	7.98		
		4983-494336	Pole	06/23/2009	2,480.00		
		4983-494338	Area light	06/23/2009	532.00		
Total 1059					3,019.98	.00	
1065	Dodson Engineered Products Inc	130901	3" clamps	06/24/2009	11.13		
Total 1065					11.13	.00	
1070	Federal Express Corp	5-6926-82847	SHIPPING	07/02/2009	47.72		
		9-232-80001	SHIPPING	06/18/2009	14.09		
Total 1070					61.81	.00	
1076	Garfield County Landfill	09-0000234	Landfill	06/30/2009	14,919.18		
Total 1076					14,919.18	.00	
1100	Leavenworth & Karp, P.c.	06302009	LEGAL FEES/non planning	06/30/2009	13,564.99		
			LEGAL FEES/planning		1,287.00		
			LEGAL FEES/ura		3,310.00		
			LEGAL FEES/WATER&WATER RIGHTS		1,480.41		
			LEGAL FEES/NORTH PASTURE		176.00		
			LEGAL FEES/PROMONTORY		44.00		
			LEGAL FEES/AIRPORT LAND PARTNEF		1,906.00		
			LEGAL FEES/FARM ANNEX		418.00		
			LEGAL FEES/PIONEER MESA		759.00		
			LEGAL FEES/WHITERIVER		4,520.36		
			LEGAL FEES/TYBAR RANCH		44.00		
			LEGAL FEES/QUEENS CROWN		440.00		
			LEGAL FEES/WHITERIVER		88.00		
			LEGAL FEES/14TH STREET MARKETPL		202.00		
			LEGAL FEES/REMINGTON SQUARE		176.00		
			LEGAL FEES/Duvall Minor Subdivision		550.00		
			LEGAL FEES/4th Street Redevelopment		154.00		
			LEGAL FEES/SEWER FUND		37.00		
			LEGAL FEES/UNITED WATERSHED		66.00		
			LEGAL FEES/LARAMIE ENERGY WATEI		110.00		
			LEGAL FEES/Beaver Creek Gas Pipeline		88.00		
			LEGAL FEES/AIRPORT ISSUES		906.50		
			LEGAL FEES/AIRPOR Runway exp		888.00		
			LEGAL FEES/UMPTRA		37.00		
			LEGAL FEES/PARKS & REC		1,770.50		
Total 1100					33,022.76	.00	
1105	Meadow Gold Dairies	50200489	DAIRY PRODUCTS/SENIOR CTR	06/25/2009	33.17		
		50200501	DAIRY PRODUCTS/POOL	06/25/2009	327.32		
		50200527	DAIRY PRODUCTS/POOL	06/29/2009	295.32		
		50200543	DAIRY PRODUCTS/SR CENTER	07/02/2009	41.31		
		50200553	DAIRY PRODUCTS/POOL	07/02/2009	239.48		
Total 1105					936.60	.00	
1106	Micro Plastics Inc	76584	BRASS PLATES/MILES, JONES	06/12/2009	107.60		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
		76629	NAME PLATE/SIMPSON	06/16/2009	22.00		
		76833	RMP SIGNS	06/30/2009	138.00		
Total 1106					267.60	.00	
1109	Munro Supply Inc	294303	UTILITY PUMP, RED HOSE	06/10/2009	1,296.46		
		294675	UTILITY PUMP	06/18/2009	172.70		
Total 1109					1,469.16	.00	
1110	Napa Auto Parts	039336	WASHER, CP SCREW	06/22/2009	7.02		
		039764	Wiper blades	06/25/2009	23.00		
Total 1110					30.02	.00	
1132	Rifle Lock & Safe	28829	yale lock and keys	05/04/2009	420.00		
		28975	KEYS	06/29/2009	6.25		
Total 1132					426.25	.00	
1138	Schmueser/Gordon/Meyer, Inc	131/001	PHASE 001	06/30/2009	77.50		
		131/008B	PHASE 008B EAGLE'S NEST PHASE II	06/30/2009	77.50		
		131/128A	PHASE 128A 2001-08 PALOMINO PK DA	06/30/2009	47.50		
		131/128B	PHASE 128B	06/30/2009	90.21		
		131/129A	PHASE 129A	06/30/2009	47.50		
		131/174	PHASE 174	06/30/2009	760.00		
		131/226	PHASE 226 KNOLLRIDGE EAST REVISI	06/30/2009	47.50		
		131/240	PHASE 240 PIONEER MESA SUBD CON	06/30/2009	77.50		
		131/251B	PHASE 251B 1150 ACCESS ROAD	06/30/2009	77.50		
		131/255D	PHASE 255D Beaver Creek WTP Miox Sy	06/30/2009	1,171.25		
		131/319	PHASE 319	06/30/2009	1,443.75		
		131/325A	PHASE 325a	06/30/2009	2,057.50		
		131/369A	PHASE 369a	06/30/2009	310.00		
		131/384	PHASE 384 RIFLE HEIGHTS SUBDIVISK	06/30/2009	47.50		
		131/391	PHASE 391	06/30/2009	4,177.50		
		131/400	PHASE 400 THE FARM ANNEXATION	06/30/2009	1,290.00		
		131/415	PHASE 415	06/30/2009	210.00		
		131/417	PHASE 417/centennial park	06/30/2009	32,479.20		
		131/427A	PHASE 427A	06/30/2009	195.00		
		131/427B	PHASE 427B	06/30/2009	5,591.26		
		131/427C	PHASE 427c	06/30/2009	9,110.00		
		131/427D	PHASE 427D	06/30/2009	2,320.00		
		131/427E	PHASE 427e	06/30/2009	4,652.50		
		131/427G	PHASE 427G	06/30/2009	97.50		
		131/431	PHASE 431	06/30/2009	232.50		
		131/436	PHASE 436	06/30/2009	310.00		
		131/442	PHASE 442	06/30/2009	465.00		
		131/443	PHASE 443	06/30/2009	465.00		
		131/445	PHASE 445	06/30/2009	2,156.20		
		131/448	PHASE 448	06/30/2009	1,317.50		
		99055G-19	PO #56 OBSERVATION OF WWTF CON	06/24/2009	33,704.05		
Total 1138					105,105.92	.00	
1139	Silvertip Printing	4870	Receipt tags	06/10/2009	375.00		
Total 1139					375.00	.00	
1143	Swallow Oil Company	06302009	UNLEAD/FLEET	06/30/2009	2,530.32		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
			DIESEL//FLEET		1,022.71		
Total 1143					3,553.03	.00	
1161	American Planning Association	8452-090503	APA MEMBERSHIP/STURGEON	06/19/2009	369.00		
Total 1161					369.00	.00	
1181	Garfield Steel & Machine, Inc	00067021	Acetylene	06/26/2009	29.37		
Total 1181					29.37	.00	
1188	Jean's Printing	902700	UTILITY BILL FLYER	06/23/2009	82.30		
			UTILITY BILL FLYER		82.30		
		902827	NCR PAPER	07/01/2009	18.29		
		902829	INSPECTION REQUEST FORMS/BUILD	07/01/2009	139.87		
Total 1188					322.76	.00	
1191	Lewan & Associates, Inc	553409	B&W METER	07/01/2009	12.09		
Total 1191					12.09	.00	
1297	Western Slope Trailer Sales	28735	fender with backing plate	06/03/2009	132.17		
		28991	2" drop ball mount	06/25/2009	60.65		
Total 1297					192.82	.00	
1339	Grand Junction Pipe & Supply	C2296811	Pipe and pipe fittings/mr pilot testing	06/10/2009	401.46		
		C2297956	HUNTER ROTOR	06/19/2009	360.00		
		C2298646	Pipe and pipe fittings	06/25/2009	208.36		
Total 1339					969.82	.00	
1358	Timber Line Electric & Control	12569	Graham plant maint	06/05/2009	704.00		
Total 1358					704.00	.00	
1460	Western Colorado Electrical	4289	PO 34038 - GRAHAM WATER PLANT	06/10/2009	2,416.86		
		4302	PO 34038 - GRAHAM WATER PLANT	06/24/2009	2,365.00		
Total 1460					4,781.86	.00	
1560	Applied Concepts,inc	175051	STALKER MOVING FASTEST DISPLAY/I	06/24/2009	87.11		
Total 1560					87.11	.00	
1575	International Inst Municipal	17404 06/09	annual membership fee/nelson	06/12/2009	125.00		
		23759 6/09	annual membership fee/sims	06/12/2009	75.00		
Total 1575					200.00	.00	
1649	Ikon Office Solutions	79647585	IMAGERUNNER LEASE	06/05/2009	1,083.95		
Total 1649					1,083.95	.00	
1734	United Companies	701726	ROAD BASE/RMP	06/06/2009	889.19		
		704369	ROAD BASE	06/30/2009	195.59		
		704404	Class B Slate/prefontaine and 5th ave	06/20/2009	380.90		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
		704448	Class B Slate/7th and mokie	06/20/2009	193.95		
Total 1734					1,659.63	.00	
1799	Lively Electric, Inc.	11777	INSTALL BALLAST	06/23/2009	100.00		
Total 1799					100.00	.00	
1830	Grand Valley Foods	102122	FOOD PRODUCT/SR CENTER	06/26/2009	455.70		
Total 1830					455.70	.00	
2139	CDW Government, Inc	PJZ9168	APC SYMMETRA LX BATT MOD	06/16/2009	900.58		
		PKS7350	APC SYMMETRA LX BATT MOD	06/19/2009	900.58		
Total 2139					1,801.16	.00	
2149	Dell Marketing L.p.	XD8DPN3R7	LAPTOP CASE	06/19/2009	65.99		
		XD8KNRX26	Dell Laptop	06/24/2009	2,813.00		
Total 2149					2,878.99	.00	
2208	Amerigas	613-243740A	PROPANE	06/24/2009	68.18		
Total 2208					68.18	.00	
2224	Johnson, Holscher & Company Pc	06122009	2008 financial statements/final bill	06/12/2009	2,950.00		
Total 2224					2,950.00	.00	
2343	Mountain Pest Control	0209740	PEST CONTROL	06/03/2009	50.00		
Total 2343					50.00	.00	
2370	B&b Landscape/jerry Baysinger	002633	TREE TRIMMING/RIFLE CREEK WALK F	06/15/2009	800.00		
		002635	TREE TRIMMING/CE	06/15/2009	2,000.00		
Total 2370					2,800.00	.00	
2573	Mountain West Office Products	2258650	COPY PAPER	06/03/2009	173.94		
		226507	OFFICE SUPPLIES, SOAP	04/10/2009	252.39		
		227499I	LASER TABS	05/05/2009	18.79		
		227833I	PAPER /REC	05/13/2009	534.15		
		229106I	LABELER, POUCH, TAB	06/16/2009	25.53		
		229183I	CLIP BINDER, POST-IT NOTES	06/17/2009	459.10		
		229196I	STICKY BACK COINS	06/19/2009	9.44		
		229527I	ENVELOPES, CANDY	06/25/2009	48.19		
		229550I	WIPES, CLEANER	06/26/2009	36.86		
		229589I	WIPES, CLEANER	06/30/2009	5.99		
Total 2573					1,564.38	.00	
2690	Down Valley Septic & Drain LLC	135585	ROLL OFF - TIP /CEMETARY	06/09/2009	223.26		
Total 2690					223.26	.00	
2694	Gould Construction	PAY APP 2	Beaver Creek Reservoir Roof construction	07/02/2009	27,965.10		
			Beaver Creek Reservoir Roof construction		2,796.60		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 2694					25,168.50	.00	
2803	ALL TEMP SERVICES	21524GTR	REPAIRED COOLER	06/24/2009	855.87		
Total 2803					855.87	.00	
2824	Aflac	623369ER	SERVICE FEE	06/15/2009	135.00		
Total 2824					135.00	.00	
2835	L.L. Johnson Distributing Co	1520009-00	LINE MARKING CHALK/PARKS	06/15/2009	487.87		
Total 2835					487.87	.00	
2846	Colo Mtn News Media	3316545	FARMER'S MARKET	06/30/2009	1,501.12		
		3507816	RIFLE REC ROUND UP	06/30/2009	129.90		
		3541631	RIFLE REC ROUND UP	06/30/2009	129.90		
		3556346	HABITAT WORKSHOP	06/30/2009	93.82		
		3567802	ORD # 10,11,12,13	06/30/2009	182.16		
		3570142	RIFLE REC ROUND UP	06/30/2009	129.90		
		3570239	ORD # 13	06/30/2009	40.48		
		3570332	RESOLUTION # 15	06/30/2009	32.38		
		3570640	ORD # 14	06/30/2009	35.42		
		3570748	ORD # 17	06/30/2009	77.92		
		3596950	ORD # 18	06/30/2009	39.97		
		3598554	Cor drinking water report	06/30/2009	379.38		
		3603251	HABITAT WORKSHOP	06/30/2009	137.69		
		3622042	RIFLE REC ROUND UP	06/25/2009	129.90		
Total 2846					3,039.94	.00	
3083	ALSCO	LGRA697078	work shirts and pants	06/02/2009	21.89		
		LGRA706618	LAUNDRY/SR CENTER	06/23/2009	53.67		
		LGRA709811	LAUNDRY/SR CENTER	06/30/2009	53.67		
Total 3083					129.23	.00	
3251	Mountain Communications And EI	201681	GRASS MESA RENTAL	06/01/2009	250.00		
Total 3251					250.00	.00	
3380	Rain For Rent	086022737	hose-suct pvc	05/31/2009	42.86		
Total 3380					42.86	.00	
3389	Sandy's Office Supply Inc	798299	mechanical pencil	06/09/2009	7.18		
		800484	Envelopes	06/19/2009	26.87		
		801463	LABELS, tissue	06/25/2009	114.22		
Total 3389					148.27	.00	
3397	Stripe-A-Lot, Inc.	227	STREET PAINTING/STREETS	06/02/2009	16,061.00		
Total 3397					16,061.00	.00	
3612	International Code Council	1084013-IN	BULDING CODE BOOKS/RESALE	02/12/2009	715.26		
		1089790-IN	BULDING CODE BOOKS/RESALE	02/27/2009	59.00		
		1129013-IN	BULDING CODE BOOKS/RESALE	06/19/2009	219.00		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 3612					993.26	.00	
3780	Concrete Equipment	095836	STEEL STAKES	06/10/2009	100.76		
		096565	ACID STAIN SPRAYER	06/24/2009	130.28		
Total 3780					231.04	.00	
3847	Drive Train Industries Inc	04 025347	CORE CREDIT ONLY	04/30/2009	286.00 -		
Total 3847					286.00 -	.00	
3972	Hier, John	07072009	Contract - Mileage allowance 2009	07/07/2009	200.00		
Total 3972					200.00	.00	
4055	UPS/United Parcel Service	JY2097W239	SHIPPING CHARGES	06/06/2009	36.22		
		JY2097W249	SHIPPING CHARGES	06/13/2009	19.06		
Total 4055					55.28	.00	
4123	Mt Hood Solutions	0638179	SUPPLIES/SR CENTER	06/17/2009	312.40		
Total 4123					312.40	.00	
4137	Elder Trucking Inc	10837	ROAD BASE/ RMP	06/11/2009	675.00		
Total 4137					675.00	.00	
4141	True Brew Coffee Service	119604	COFFEE/CITY HALL	06/04/2009	37.68		
		119917	COFFEE SUPPLIES/CITY HALL	06/18/2009	31.30		
		120233	COFFEE/CITY HALL	07/02/2009	62.60		
Total 4141					131.58	.00	
4181	Crown Awards	30934720	SOFTBALL MEDALS	06/26/2009	612.38		
Total 4181					612.38	.00	
4287	Medco Supply Company	41011206	GLOVES	06/12/2009	168.95		
Total 4287					168.95	.00	
4345	Helen Artist-Rogers/HR Design	07072009	DDA MANAGERMENTS 2009	07/07/2009	1,985.00		
Total 4345					1,985.00	.00	
4459	Ground Engineering Consultants	086581.0-8	PO 236/PARKS MTN FACILITY	06/23/2009	6,206.22		
Total 4459					6,206.22	.00	
4590	Colorado Poolscares Inc	27730	CHLORINE/REC	06/22/2009	1,264.90		
		57419	REPAIR PUMP HOUSING/POOL	06/15/2009	390.84		
Total 4590					1,655.74	.00	
4630	Kirkman, Ula	17	PERFORMANCE/SR CENTER	06/23/2009	75.00		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 4630					75.00	.00	
4674	PBS&J	1047730	Rifle Arterial Engineering and Streetscape	06/24/2009	81,416.38		
Total 4674					81,416.38	.00	
4811	United Site Services Inc	103-1185	PORTABLE RESTROOM/RMP	06/21/2009	1,155.00		
		I-270650	PORTABLE RESTROOM/RMP	06/13/2009	385.00		
		I-270654	PORTABLE RESTROOM/Roan	06/13/2009	170.00		
		I-270784	PORTABLE RESTROOM/Roan	06/15/2009	85.00		
Total 4811					1,795.00	.00	
4825	Cross Propane Gas	05142009	Propane Gas at O&M Shop	05/14/2009	6,993.00		
Total 4825					6,993.00	.00	
4879	Cardiff Cleaning Services	3437	CLEANING JUSTICE CENTER	06/15/2009	5,650.00		
Total 4879					5,650.00	.00	
4926	Ge Capital	52146797	KIP PRINTER	06/07/2009	391.49		
		52179567	SHARP COPIERS/ FINANCE	06/17/2009	216.47		
			SHARP COPIERS/ PD		359.22		
Total 4926					967.18	.00	
4961	Pioneer Sand Co	44639	PLAYSOFT	06/15/2009	2,109.00		
Total 4961					2,109.00	.00	
4989	Mr Power S/Sandor Drucker	90	SIDEWALK CLEANING/DDA	06/30/2009	1,750.00		
Total 4989					1,750.00	.00	
5181	FRED'S HARDWARE	6587/2	Poultry netting	05/27/2009	9.79		
		6864/2	Timberlok screw	06/09/2009	65.98		
		7142/2	COOLER PUMP	06/24/2009	62.03		
		7145/2	Polyfilm, clear bag	06/24/2009	25.98		
		7147/2	CLEAR SPRAY PROTECT	06/24/2009	3.99		
		7157/2	HOSE CLAMP	06/25/2009	5.56		
		7179/2	open s hook	06/26/2009	5.78		
		7229/2	FASTNER MISC	06/29/2009	12.98		
		7245/2	Pipe and pipe fittings	06/30/2009	37.62		
		7257/2	impact wrench	07/01/2009	178.98		
		7258/2	PVC, hose clamp	07/01/2009	16.09		
		7271/2	Pipe and pipe fittings	07/01/2009	12.45		
		7272/2	batteries	07/01/2009	19.06		
		7283/2	jb waterweld	07/02/2009	6.99		
		7286/2	Sandcloth	07/02/2009	13.99		
		7293/2	PVC BUSHING	07/02/2009	4.47		
		7301/2	CLOSET FLANGE	07/02/2009	8.45		
		7303/2	DECK STAIN	07/02/2009	53.86		
		7316/2	FASTNER MISC	07/03/2009	7.45		
		7374/2	batteries	07/07/2009	31.21		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 5181					582.71	.00	
5191	STANEK CONSTRUCTORS, INC.	PAY APP 19	CONSTRUCTION OF WW RECLAMATIO	06/25/2009	799,202.99		
Total 5191					799,202.99	.00	
5211	STAPLES	8012862747	TONER	06/27/2009	116.49		
Total 5211					116.49	.00	
5332	Stephenson Siding & Windows	273175	repair siding	07/01/2009	183.00		
Total 5332					183.00	.00	
5368	Mountain Restroom, Inc.	4165	portable restrooms wtp	06/06/2009	95.00		
Total 5368					95.00	.00	
5426	Sonny Conley	06302009	employee assistance program	06/30/2009	112.50		
Total 5426					112.50	.00	
5473	MX LOGIC	INV287888	FAIL SAFE DISASTER RECOVER SERVI	06/01/2009	132.00		
Total 5473					132.00	.00	
5561	ROTONICS MANUFACTURING, INC	INV0004953	trash cans/98 gal new hauler	06/18/2009	3,350.00		
Total 5561					3,350.00	.00	
5611	G.H. Daniels III & Associates	CP09-6	REMAINING BALANCE ON custom flower	05/29/2009	1,114.23		
Total 5611					1,114.23	.00	
5613	SunEdison, LLC	39097001258	PUMP STATION #1	07/02/2009	5,018.45		
		78097001257	SOLAR SERVICES	07/02/2009	10,324.06		
Total 5613					15,342.51	.00	
5680	Malcolm Pirnie, Inc.	100097911	Design - Rifle Wtr Plant PILOT TESTING FOR WATER PURIFICA	07/07/2009	41,204.00		
					7,394.00		
Total 5680					48,598.00	.00	
5723	SANITARY SUPPLY CORP	28738	cleaning and operating supplies	04/30/2009	1,179.21		
		28738-2	aluminum handle	05/14/2009	82.45		
		29362	rollpak liner	05/28/2009	205.76		
		29362-1	baby changing station	06/11/2009	296.51		
		29428	supplies	05/20/2009	173.39		
		29689	cleaning supplies	06/02/2009	72.50		
		30004	cleaning supplies	06/18/2009	226.76		
		30156	toilet tissue	06/23/2009	102.84		
Total 5723					2,339.42	.00	
5751	SYMBOL ARTS	0114477-IN	Badges	06/26/2009	1,320.00		

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD
Total 5751					1,320.00	.00	
5752	Accutest Mountain States	D5-1282	alkalinity, organic carbon/water testing	06/09/2009	201.00		
		D5-1283	haloacetic acids, trihalomethanes/drinking	06/09/2009	1,296.00		
Total 5752					1,497.00	.00	
5753	CRUM ELECTRIC SUPPLY	1049981-00	COIL KIT	06/11/2009	74.74		
		1050854-00	COIL KIT	06/16/2009	74.58		
		1050856-00	PRSUR SW	06/22/2009	36.64		
Total 5753					185.96	.00	
5754	GARFIELD COUNTY HUMAN SERV	06302009	FOR NUTRITION AND TRANSPORTATIC	06/30/2009	46,605.70		
Total 5754					46,605.70	.00	

Total Paid: -
 Total Unpaid: 1,278,262.22
 Grand Total: 1,278,262.22

Dated: 7/9/09

City Finance Director: Charles Kelly

Per	Date	Check No	Vendor No	Payee	Invoice No	Seq	GL Acct No	Discnts Taken	Seq Amount
06/09	06/22/2009	43329	3027	VOID - OCPO	060509	1	310-4331-400-510		150.00 - M
					060509	2	320-4325-400-510		150.00 -
		Total 43329							300.00 -
06/09	06/22/2009	43463	3027	OCPO	060509	1	310-4331-400-510		150.00
					060509	1	310-4331-400-510		30.00
					060509	2	320-4325-400-510		150.00
					060509	2	320-4325-400-510		30.00
		Total 43463							360.00
06/09	06/22/2009	43464	3900	Shaw, Frankie	06222009	1	100-4310-400-230		2,960.42
		Totals:							3,020.42

Dated: 6/22/09

Accounts Payable: _____

Finance Director: Chris Hill



Memo

To: John Hier, City Manager
From: Wanda Nelson, City Clerk 
Date: July 9, 2009
Subject: Special Events Permit: Elk's Lodge

The Elk's Lodge has applied for a Special Event Permit at the Fairgrounds for August 4, 6, 7, & 8, 2009. Each night brings a different event (in order of occurrence): welcome party, Demolition Derby, rodeo, and concert.

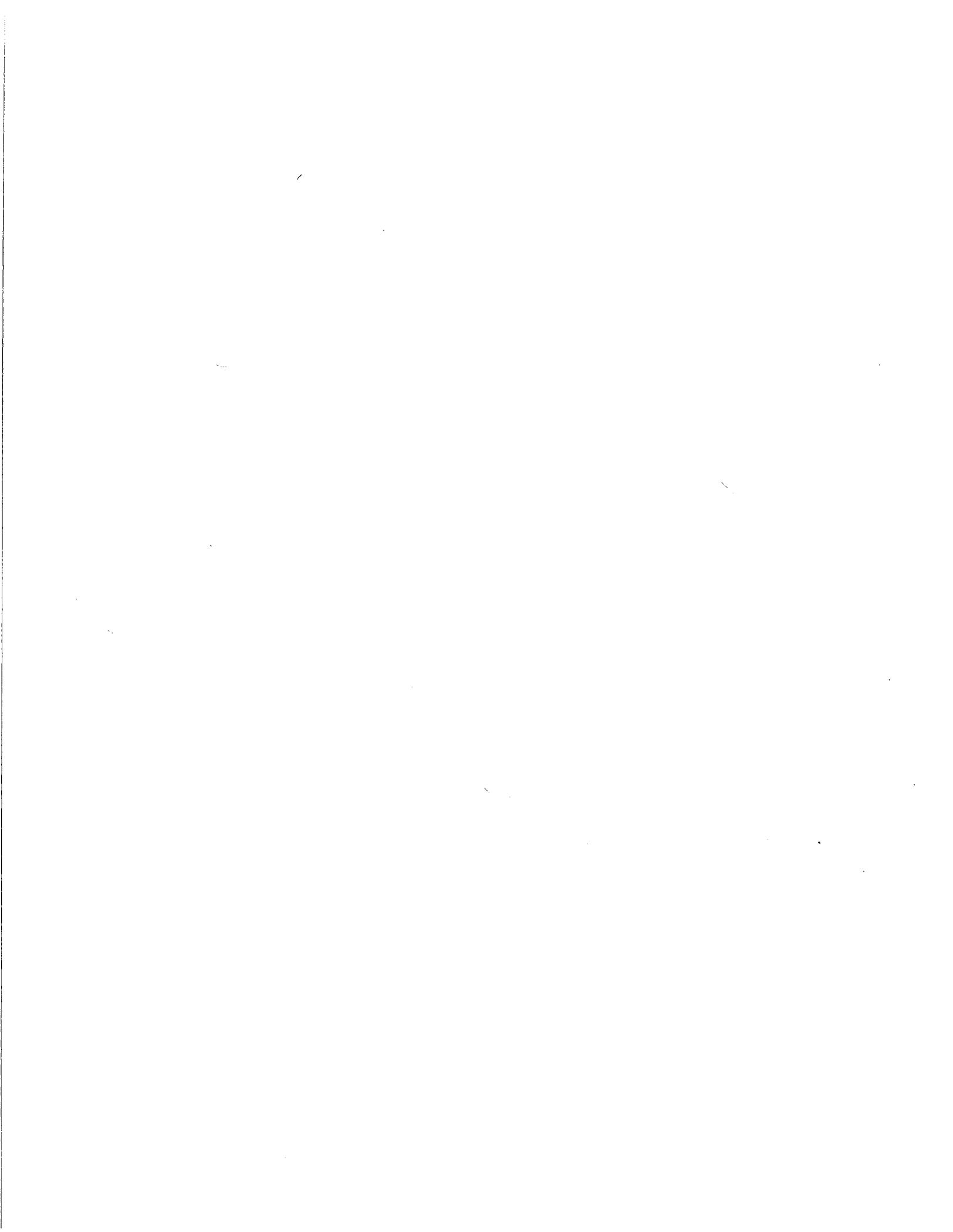
The following criteria have been met by the Elk's Lodge:

- The fees have been paid.
- Their application is complete.
- The Police Department anticipates no problems with the application.

The Public Hearing was properly noticed on the premises. A representative from the Elks will be present to discuss their application and answer questions.

Based on the above information, I recommend approval of this application.





APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT
 AND ONE OF THE FOLLOWING (See back for details.)

- | | | |
|------------------------------------|--|--|
| <input type="checkbox"/> SOCIAL | <input type="checkbox"/> ATHLETIC | <input type="checkbox"/> PHILANTHROPIC INSTITUTION |
| <input type="checkbox"/> FRATERNAL | <input checked="" type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER | <input type="checkbox"/> POLITICAL CANDIDATE |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION | |

LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY	LIQUOR PERMIT NUMBER
2170 <input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY	

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BPOE LODGE Rifle Lodge #2195	State Sales Tax Number (Required) 04-09357-0000
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2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) PO Box 1229 Rifle CO 81650-1229	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) 1001 Railroad Ave Rifle CO
--	---

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE NANCY BAYNE, Sec	7-22-47	0411 Co Rd 237 Silt CO 81650	970-876-2529
5. EVENT MANAGER SAME			

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES HOW MANY DAYS? 3	7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM? _____
--	--

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? Yes No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To
8-4-09	6:00 P.m.	9:00 P.m.	8-6-09	6:00 P.m.	11:30 P.m.	8-7-09	6:00 P.m.	11:30 P.m.	8-8-09	6:00 P.m.	11:30 P.m.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE Nancy Bayne	TITLE Secretary	DATE 6-18-09
---------------------------------	---------------------------	------------------------

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK
SIGNATURE	TITLE	DATE

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION			
License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$

City of Rifle

Special Events Liquor License Permit Application

Name of Applicant / Organization: BPOE Rifle ELKS LODGE #2195

Thank you for your interest in a Special Event in the City of Rifle. In addition to the State Application (Form #DR 8439), the following information must be provided in order for your application to be considered. Incomplete applications will be rejected. Please do not hesitate to contact the City Clerk with questions at (970) 625-6265.

1. The City requires that a Special Events Permit application be received no later than 45 days prior to the event. What is the date(s) of your event? 8-4 8-6 8-7 8-8

2. What security measures have you taken to ensure your event will be safe for all participants and control entry of under age persons? Each person will be I.D.d and a wrist band put on. The Fair Board will have security on site.

3. Per Rifle Municipal Code 6-5-170(a)(3), the City requires that at least one server, manager, or owner/operator, including volunteers, who has successfully completed an approved educational liquor serving seminar, is present at all times and is supervising the dispensing of alcoholic beverages. What is the name of the person(s) who has this certification and will be on the premises the entire time of your event? _____

4. Have you included the appropriate fees with your application? yes
Fees: For Malt, Vinous, and Spirituous Liquor
Check payable to the *State of Colorado* for \$25.00 per day AND
Check payable to the *City of Rifle* for \$25.00 per day

Fees: For Fermented Malt Beverage (3.2% Beer)
Check payable to the *State of Colorado* for \$10.00 per day AND
Check payable to the *City of Rifle* for \$10.00 per day

5. Does your diagram of the intended licensed premises include:
____ Measurements/dimensions of the area to be licensed?
____ Points of ingress/egress?
____ An outline *in red* of the area to be licensed?

6. Please provide a copy of a deed, lease, or written permission of the owner(s) for use of the premises.

7. I have read the Rifle Municipal Code provisions regarding (copies of these sections are attached to this form):

- Section 7.04.010(a) No minors allowed on licensed premises
- Section 7.04.060(a) Open container law
- Section 7.08.160(a)(3) Educational requirements for Licensees

Signature: Nancy Bayne

Date: 6-18-09

Garfield County Fairgrounds
1001 Railroad Avenue
Rifle Colorado, 81650

June 18, 2009

To the City of Rifle:

1. Elk Lodge #2195, Colorado has the Garfield County Fairgrounds permission to have a ~~wine tasting~~ ^{Beer Garden} on August 4, 2009 from 6-9pm, August 6th, 7th, and 8th from 6-11:30pm. They must have all the necessary permits from the City of Rifle. This Beer Garden will be held at the Garfield County Fairgrounds located at 1001 Railroad Ave Rifle, Colorado. All insurance and security has to be provided.

Regards,



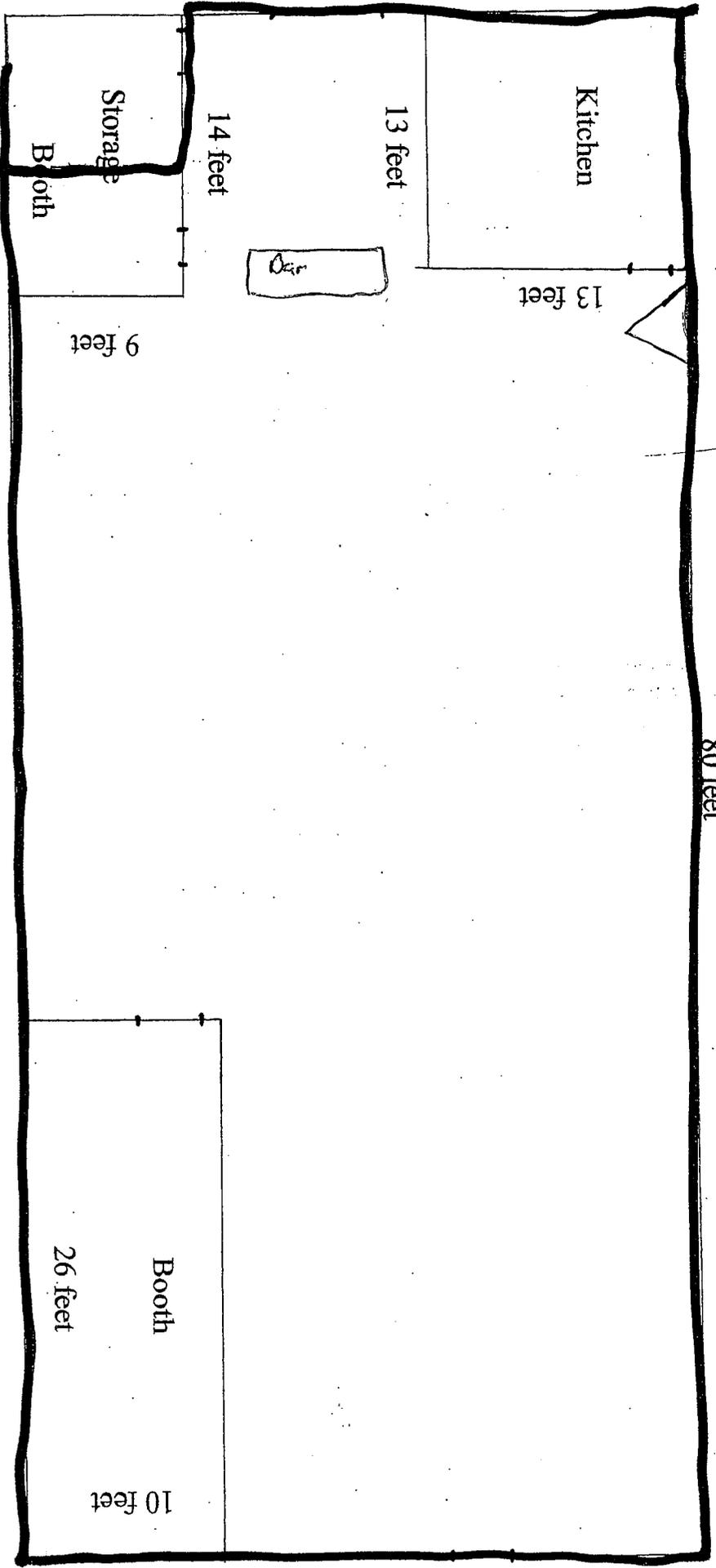
David Ebeler
Fairgrounds Manager

North Hall

Scale: 1 inch = 8 feet

8-4-09

Welcome Party



LEAVENWORTH & KARP, P.C.
ATTORNEYS AT LAW

Est. 1980

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

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

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

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

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

July 9, 2009

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

Re: July 15, 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 July 15, 2009 Rifle City Council Meeting.

1. Ordinance No. 19, Series of 2009 (Raw Water Irrigation Incentives Ordinance Retroactive Effective Date). As many of you remember, by Ordinance No. 10, Series of 2009 the City enacted Raw Water Irrigation Regulations and Incentives to further the goals set forth in the City's Water Conservation Plan. During the preparation of the Water Conservation Plan, the primary goals and incentives ultimately contained in Ordinance No. 10 were drafted by City staff and shared with the public in that process. The Grand River Hospital District was commencing a major addition to its Rifle facility in 2008, wanted to participate in the City's water conservation program, followed the regulations that were enacted by Ordinance No. 10 and constructed a raw water irrigation system. To provide the associated benefits to the Hospital, or any other utility customer that may have relied on the City's "draft" program before it was officially enacted, it is necessary to make the amendments enacted by Ordinance No. 10 retroactively effective to May 1, 2008, when the Water Conservation Plan and raw water irrigation incentives were released to the public. Staff feels it is fair to reward any customer that installed raw water irrigation systems pursuant to what was ultimately enacted in the Code since the program was announced rather than then when it was formally adopted because the City still receives the same benefits.

We recommend approval of Ordinance No. 19, Series of 2009 on second reading.

2. Ordinance No. 20, Series of 2009 (Ballot Initiative: Term Limit Charter Amendment). As the City Clerk advised you at your last meeting, the City received a Ballot Initiative Petition pursuant to the City Charter to put before the electorate at your September regular municipal election the question whether the City of Rifle Charter be amended to institute term limits for City Council members. As you may recall, the Charter was amended in 2006 to remove the term limit language. In accordance with Section 5.2 of the City Charter, the City Clerk certified that the Petition was signed

Mayor Lambert
Rifle City Council
Page 2
July 9, 2009

by at least ten percent (10.0%) of the registered electors of the City. As required by the Charter, you directed us to draft the necessary ordinance placing the question on the ballot. Therefore, enclosed is Ordinance No. 20, Series of 2009. In adopting the Ballot Initiative Petition as a ballot question, we included the proposed Charter Amendment language with a few minor revisions to correct clerical errors and ensure consistency with terms used in the Rifle Municipal Code and Charter. Further, although the Petitioners inserted a proposed question for the voters, state statute requires that the text of the proposed amendment be submitted to the voters. In accordance with this requirement, we included the full text of the proposed Charter Amendment as the proposed ballot question. Including the full text also gives voters more information on the question and complies with the intent of the Ballot Initiative Petition.

If the term limit Charter Amendment is approved by the voters at the September 8, 2009 regular municipal election, service by City Council members shall be limited to two consecutive four year terms. The term limitation will apply to terms of office beginning on or after September 9, 2009. Thus, current Council members would be eligible to serve two additional consecutive four year terms without regard to their number of previous terms. The Charter Amendment also provides that any person appointed or elected to fill a vacancy on the Council who serves at least one-half of a term of office for that vacancy shall be considered to have served a full term in that office.

3. Ordinance No. 21, Series of 2009 (Ballot Initiative: City Council Election Districts). Similar to the above, the City Clerk received a Ballot Initiative Petition to put a question on the ballot whether City Council members should be elected by districts. Specifically, the ballot proposes the creation of four contiguous voting districts. The districts will be established so that each includes approximately the same number of registered electors, as determined in the previous regular municipal election, and will be created by an implementing ordinance of the City Council to be adopted in the event the ballot question is approved by City voters in September. Ordinance No. 21, Series of 2009 submits the election district question to the City's registered voters at the September 8, 2009 regular municipal election. The Ordinance also specifies that, in the event the ballot question is successful, the City must create the election districts no later than six months prior to the September 13, 2011 regular municipal election. If the Charter Amendment is approved by the voters, at future elections four of seven Council members will be selected from each of the election districts, while three positions will remain at-large. The Council will also have the authority to redraw the district lines as necessary to ensure residency in each district remains approximately equal.

As with the term limit initiative, we made non-substantive revisions to the ballot language submitted by the proponents to ensure consistency with the Rifle Municipal Code and City Charter and to correct clerical errors. The form of the ballot question is consistent with statutory requirements and provides enough information for voters to make informed decisions on the matter at the September 8, 2009 regular municipal election.

4. Resolution No 18, Series of 2009 and Ordinance No. 22, Series of 2009 (Budget Amendment and Supplemental Appropriation- Park and Recreation Fund). With the bids in for

Mayor Lambert
Rifle City Council
Page 3
July 9, 2009

Centennial Park, it is necessary to amend the City's 2009 Budget and make the necessary Supplemental Appropriation to meet the contract amount. The Finance Director will have the details on this matter at your meeting.

5. The Farm PUD Second Amendment to Annexation Agreement. Enclosed in your packet is the Second Amendment to The Farm Annexation Agreement and Public Improvements Agreement for Phase 1A-C of The Farm PUD. As you know, the School District is completing construction of Graham Mesa Elementary School on The Farm Property to be opened this August. Because of the current economic recession the development of The Farm has stalled for an indefinite period of time until the market recovers. However, certain public improvements are necessary to serve the School, which improvements the Developer is constructing and comprise Phase 1A-C (there is no other final approved development for The Farm). The enclosed Agreement contains provisions typically included in subdivision improvements agreements to ensure the satisfactory construction of the public improvements, many of which have already been constructed under the supervision of the City to meet the School District's schedule. Through its review of the construction plans, the City has approved some logical deviations from the Public Works Manual to accommodate the limited service to the School rather than the proposed full-scale development of the Property. All improvements will be upgraded to the standards in the Public Works Manual with the first true phase of development of the Property.

A difficult issue to resolve related to the maintenance of Roads A and B accessing the School which will be chip and seal with no curb and gutter. The Developer has agreed to an extended 3 year warranty of these roads, and prior to the end of the warranty period the Developer will reseal the roads. The City will snow plow the roads, but the Developer will make all necessary repairs during the warranty period. Following the expiration of the extended warranty, the Developer would like the City to assume full maintenance responsibility for the roads. The City is willing to do this; however, we have drafted the Agreement to allow the City to file a Bill of Costs for any major improvements to the Roads that it has to construct following the 3 year warranty. These costs will have to be reimbursed to the City as a condition of developing the Property. It is staff's position that because the City is accepting roads that do not meet the Public Works Manual standards, it should not bear the financial burden of reconstructing those roads, if or when needed. Eventually the Property will develop and the roads will be upgraded; but until that time, staff believes that the costs should be appurtenant to the development of the Property. The Developer has agreed to this arrangement.

LEAVENWORTH & KARP, P.C.

Mayor Lambert
Rifle City Council
Page 4
July 9, 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

CITY OF RIFLE, COLORADO
ORDINANCE NO. 19
SERIES OF 2009

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ADOPTING A RETROACTIVE EFFECTIVE DATE OF MAY 1, 2008 FOR ORDINANCE NO. 10, SERIES OF 2009 FOR THE AMENDMENTS TO SECTION 13-4-70 OF THE RIFLE MUNICIPAL CODE REGARDING WATER SYSTEMS IMPROVEMENT FEE REDUCTIONS, SECTION 13-6-30 REGARDING WATER RIGHTS DEDICATION REDUCTIONS, AND THE NEW ARTICLE VII OF CHAPTER 13 REGARDING RAW WATER IRRIGATION.

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

WHEREAS, in furtherance of these goals, the City wished to encourage the use of raw, untreated water for outside irrigation purposes and by Ordinance No. 10, Series of 2009 the City Council of the City of Rifle adopted raw water regulations and incentives for the construction of raw water irrigation systems; and

WHEREAS, during this process the Grand River Hospital District commenced construction of an expansion of its hospital in the City and incorporated raw water irrigation in furtherance of the City's Water Conservation Plan and in reliance on the proposed incentives ultimately enacted by Ordinance No. 10, Series of 2009; and

WHEREAS, the Rifle City Council finds that equity requires the retroactive effective date of Ordinance No. 10, Series of 2009 to provide those incentives to any City utility Customer that complied with the goals and requirements of Ordinance No. 10, Series of 2009 as of May 1, 2008.

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

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

Section 2. The effective date of Ordinance No. 10, Series of 2009 shall be retroactively applied to May 1, 2008.

INTRODUCED, on July 1, 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 July 15, 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

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 20
SERIES OF 2009**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY AT THE 2009 REGULAR MUNICIPAL ELECTION A QUESTION WHETHER SECTION 3.4 OF THE CITY CHARTER SHALL BE AMENDED TO CREATE A TWO TERM LIMIT FOR CITY COUNCIL MEMBERS.

WHEREAS, by a successful ballot question in 2006, Section 3.4 of the City of Rifle Charter was amended to eliminate the term limits for City Council members set forth at Article XVIII, Section 11(1) of the Colorado Constitution; and

WHEREAS, by petition signed by at least ten percent (10.0%) of the registered electors of the City of Rifle pursuant to Section 5.2 of the City Charter and filed with the City Clerk pursuant to C.R.S. §31-2-210, the signatory electors have submitted a ballot question for consideration at the next regular municipal election proposing a Charter Amendment that would limit City Council members to two consecutive four year terms; and

WHEREAS, the City Clerk has found the petition to be in compliance with the requirements of Article V of the City Charter and C.R.S. §31-2-210; and

WHEREAS, if successfully adopted by the registered electors of the City at the September 8, 2009 regular municipal election, the limitation on the number of consecutive City Council terms shall apply to terms of office beginning on or after September 9, 2009; and

WHEREAS, pursuant to C.R.S. §31-2-210(b), the City Council wishes to adopt a ballot title and place the proposed Charter Amendment on the ballot for the regular municipal election to be held on September 8, 2009.

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

1. Recitals. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.

2. Submission to Voters. The following question stated in Section 3 below shall be submitted to the registered voters of the City of Rifle voting at the regular municipal election which shall be held on Tuesday, September 8, 2009. As near as practical, this election shall be held in compliance with the Colorado Municipal Election Code, as amended.

3. Publication and Ballot Form. The City Clerk shall cause a notice of election for the following ballot question to be published as part of the regular municipal election publication in

substantially the following form:

NOTICE OF BALLOT QUESTION CONCERNING AN AMENDMENT TO THE CITY OF RIFLE CHARTER TO LIMIT CITY COUNCIL MEMBERS TO SERVICE OF TWO CONSECUTIVE FOUR YEAR TERMS.

NOTICE IS HEREBY GIVEN that an election will be held on Tuesday, September 8, 2009, between the hours of 7:00 a.m. and 7:00 p.m. At this election, the following question shall be submitted to the registered voters of the City of Rifle:

SHALL THE MUNICIPAL CHARTER TO THE CITY OF RIFLE, COLORADO BE AMENDED TO LIMIT THE TERMS OF CITY COUNCIL MEMBERS TO TWO CONSECUTIVE FOUR YEAR TERMS BY REPLACING THE SECOND PARAGRAPH OF SECTION 3.4 WITH THE FOLLOWING NEW PARAGRAPH:

IN ORDER TO BROADEN THE OPPORTUNITIES FOR PUBLIC SERVICE AND TO ENSURE THE CITY COUNCIL IS REPRESENTATIVE OF THE CITIZENS OF THE CITY OF RIFLE, NO CITY COUNCIL MEMBER SHALL SERVE MORE THAN TWO CONSECUTIVE TERMS OF FOUR YEARS EACH. THIS LIMITATION ON THE NUMBER OF TERMS SHALL APPLY TO TERMS OF OFFICE BEGINNING ON OR AFTER SEPTEMBER 9, 2009. ANY PERSON APPOINTED OR ELECTED TO FILL A VACANCY ON THE CITY COUNCIL AND WHO SERVES AT LEAST ONE-HALF OF A TERM OF OFFICE FOR THAT VACANCY SHALL BE CONSIDERED TO HAVE SERVED A TERM IN THAT OFFICE. TERMS ARE CONSIDERED CONSECUTIVE UNLESS THEY ARE TWO YEARS APART.

INTRODUCED, on July 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 August 5, 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

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 21
SERIES OF 2009**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE 2009 REGULAR MUNICIPAL ELECTION A QUESTION WHETHER SECTION 2.5 OF THE CITY CHARTER SHALL BE AMENDED TO REQUIRE ESTABLISHMENT OF FOUR GEOGRAPHIC ELECTION DISTRICTS IN THE CITY AND ELECTION OF FOUR OF SEVEN COUNCIL MEMBERS FROM SEPARATE DISTRICTS.

WHEREAS, Section 2.5 of the City of Rifle Home Rule Charter provides that all seven seats on the Rifle City Council may be elected at large, the system currently in place, or by districts, if so adopted by ordinance of the Council; and

WHEREAS, by petition signed by at least ten percent (10.0%) of the registered electors of the City of Rifle pursuant to Section 5.2 of the City Charter and filed with the City Clerk pursuant to C.R.S. §31-2-210, the signatory electors have submitted a ballot question for consideration at the next regular municipal election proposing a Charter Amendment that amends Section 2.5 to require establishment of four geographic election districts in the City and election of four of seven City Council members from separate districts; and

WHEREAS, the City Clerk has found the petition to be in compliance with the requirements of Article V of the City Charter and C.R.S. §31-2-210; and

WHEREAS, if successfully adopted by the registered electors of the City at the September 8, 2009 regular municipal election, the City Council will adopt an ordinance implementing the ballot question and establishing four contiguous, compact geographic election districts with approximately the same number of registered voters no later than six months prior to the September 13, 2011 regular municipal election; and

WHEREAS, pursuant to C.R.S. §31-2-210(b), the City Council wishes to adopt a ballot title and place the proposed Charter Amendment on the ballot for the regular municipal election to be held on September 8, 2009.

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

1. Recitals. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.

2. Submission to Voters. The following question stated in Section 3 below shall be submitted to the registered voters of the City of Rifle voting at the regular municipal election which

shall be held on Tuesday, September 8, 2009. As near as practical, this election shall be held in compliance with the Colorado Municipal Election Code, as amended.

3. Publication and Ballot Form. The City Clerk shall cause a notice of election for the following ballot question to be published as part of the regular municipal election publication in substantially the following form:

NOTICE OF BALLOT QUESTION CONCERNING AN AMENDMENT TO THE CITY OF RIFLE CHARTER TO REQUIRE ESTABLISHMENT OF FOUR GEOGRAPHIC ELECTION DISTRICTS AND ELECTION OF FOUR OF SEVEN COUNCIL MEMBERS FROM SEPARATE DISTRICTS.

NOTICE IS HEREBY GIVEN that an election will be held on Tuesday, September 8, 2009, between the hours of 7:00 a.m. and 7:00 p.m. At this election, the following question shall be submitted to the registered voters of the City of Rifle:

SHALL SECTION 2.5 OF THE CITY OF RIFLE CHARTER BE AMENDED TO REQUIRE ESTABLISHMENT OF FOUR GEOGRAPHIC ELECTION DISTRICTS IN THE CITY AND ELECTION OF FOUR OF SEVEN COUNCIL MEMBERS FROM SEPARATE DISTRICTS AS FOLLOWS:

THE ELECTIVE OFFICERS OF THE CITY SHALL CONSIST OF SEVEN (7) COUNCIL MEMBERS ELECTED AS FOLLOWS: (1) FOUR MEMBERS, EACH OF WHOM MUST BE NOMINATED AND ELECTED AND MUST RESIDE IN SEPARATE GEOGRAPHIC DISTRICTS IN ACCORDANCE WITH THIS SECTION; AND (2) THREE MEMBERS, EACH OF WHOM MUST BE NOMINATED AND ELECTED FROM THE CITY AT LARGE. THE COUNCIL SHALL ESTABLISH FOUR GEOGRAPHIC DISTRICTS WITHIN THE CITY. ALL FOUR DISTRICTS SHALL BE CONTIGUOUS, COMPACT, AND HAVE APPROXIMATELY THE SAME NUMBER OF REGISTERED VOTERS AS DETERMINED BY THE NUMBER OF REGISTERED VOTERS AT THE PRECEDING REGULAR MUNICIPAL ELECTION. THE COUNCIL SHALL REVISE AND ALTER THE BOUNDARIES OF THE DISTRICTS WHEN NECESSARY SO THAT THE DISTRICTS ARE AS NEARLY EQUAL IN POPULATION AS POSSIBLE. ANY CHANGE IN THE BOUNDARIES OF A CITY COUNCIL MEMBER'S DISTRICT WHICH CAUSES A DULY ELECTED OR APPOINTED COUNCIL MEMBER TO NO LONGER BE A RESIDENT OF THE DISTRICT WHICH HE OR SHE REPRESENTS SHALL NOT DISQUALIFY

**THAT MEMBER FROM HOLDING OFFICE FOR THE REMAINDER OF
THE TERM FOR WHICH HE OR SHE WAS ELECTED OR APPOINTED.**

4. Implementation. If and only if the above question is approved by the City's registered voters at the September 8, 2009 regular municipal election, then no later than six (6) months prior to the next regular municipal election the City shall establish four (4) election districts and a schedule of terms of office to implement the Charter Amendment.

INTRODUCED, on July 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 August 5, 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

**CITY OF RIFLE, COLORADO
RESOLUTION NO. 18
SERIES OF 2009**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO,
AMENDING THE CITY'S BUDGET FOR THE YEAR ENDING DECEMBER 31,
2009.

WHEREAS, by Resolution No. 44, Series of 2008, the Rifle City Council adopted a budget for the fiscal year beginning January 1, 2009 and ending December 31, 2009 (the "2009 Budget") after holding all necessary public meetings and hearings; and

WHEREAS, at the time the 2009 Budget was adopted, certain expenses were not known, and operating transfers between funds were not anticipated; and

WHEREAS, funds are available in the City Treasury to meet the increased expenses; and

WHEREAS, the City Council desires to approve the amendments to the 2009 Budget set forth herein in order to ensure effective and fiscally responsible administration of City business for the remainder of fiscal year 2009.

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 amendments to the 2009 Budget are hereby approved.
 - A. **Park and Recreation Fund**

<u>Original Appropriation</u>	<u>Supplemental Appropriation</u>	<u>Total Amount</u>
\$9,454,322	\$1,000,000	\$10,454,322

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 15th day of July, 2009.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

City Clerk



CITY OF RIFLE, COLORADO
ORDINANCE NO. 22
SERIES OF 2009

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR
A SUPPLEMENTAL APPROPRIATION FOR THE YEAR ENDING
DECEMBER 31, 2009.

WHEREAS, by Resolution No. 44, Series of 2008, the Rifle City Council adopted its annual budget for the fiscal year beginning January 1, 2009 and ending December 31, 2009 ("2009 Budget") after a duly-noticed public hearing; and

WHEREAS, based upon the 2009 Budget as adopted, the Council further approved by Ordinance No. 25, Series of 2008 the Annual Appropriation for fiscal year 2009 ("2009 Annual Appropriation") after a duly-noticed public hearing; and

WHEREAS, at the time the 2009 Annual Appropriation was adopted, certain expenses were not known, and operating transfers between funds were not anticipated; and

WHEREAS, funds are available in the City Treasury to meet the increased expenses; and

WHEREAS, the City Council desires to approve the additional appropriations set forth herein in order to ensure effective and fiscally responsible administration of City business for the remainder of fiscal year 2009.

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

1. Recitals. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.

2. Supplemental Appropriations. The following additional appropriations are hereby approved for 2009.

a. Parks and Recreation Fund

<u>Original Appropriation</u>	<u>Supplemental Appropriation</u>	<u>Total Amount</u>
\$9,454,322	\$1,000,000	\$10,454,322

INTRODUCED, on July 15, 2009, read in full, passed, approved, and ordered published in full as required by the Charter.

CITY OF RIFLE, COLORADO

By: _____
Mayor

ATTEST:

City Clerk

**SECOND AMENDMENT TO
THE FARM ANNEXATION AGREEMENT
AND
PUBLIC IMPROVEMENTS AGREEMENT
PHASE 1A-C**

THIS SECOND AMENDMENT TO THE FARM ANNEXATION AGREEMENT AND PUBLIC IMPROVEMENTS AGREEMENT is made and entered into this ___ day of _____, 2009 by and between the CITY OF RIFLE, COLORADO, a Colorado home-rule municipality (hereinafter "City"), and GRAHAM MESA DEVELOPMENT, LLC, a Colorado limited liability company, as the owner of the real property described hereafter (hereinafter "Developer").

WITNESSETH:

WHEREAS, on September 19, 2007, the City and Owner entered into that certain Annexation Agreement recorded with the Garfield County Clerk and Recorder as Reception No. 757958 (the "Annexation Agreement") concerning the terms and conditions of the annexation of certain unincorporated tracts of land located in the County of Garfield, State of Colorado, known as the Farm Annexation described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, on October 23, 2008, the City and Developer entered into that certain First Amendment to The Farm Annexation Agreement recorded with the Garfield County Clerk and Recorder as Reception No. 757959 (the "First Amendment") clarifying the terms and conditions of the annexation and development of the Property; and

WHEREAS, the Developer conveyed a portion of the Property to Garfield School District No. RE-2 (the "School District") on which the School District constructed Graham Mesa Elementary School (the "School"); and

WHEREAS, in light of the current economic recession affecting the United States and the State of Colorado, Developer is delaying the planned development of the Property; and

WHEREAS, the School District intends to open the School in the Fall 2009, which opening requires the construction of certain public improvements, including water mains, sewer mains and access roads, which Developer desires to dedicate to the City; and

WHEREAS, because of the delay in development of the Property, Developer desires to construct certain roadways accessing the School to a profile that is less than that required by the City of Rifle Public Works Manual; and

WHEREAS, the City and Developer desire to enter into this Agreement to set forth the terms and conditions of the construction, dedication, ownership and maintenance of those public improvements appurtenant to Phase 1A-C of the Property.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Developer agree as follows:

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

2. Purposes. The purpose of this Agreement is to set forth the terms and conditions to be met by the Developer regarding the construction of the public improvements serving the School, which public improvements are known as Phase 1A-C. All terms and conditions contained herein are in addition to all requirements of the Rifle Municipal Code, the City of Rifle Land Use Regulations (Title 16 of the Rifle Municipal Code), and state and federal statutes, and are not intended to supersede any requirements contained therein, except where specifically provided in this Agreement.

3. 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 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.

4. 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. Dedicated Rights of Way and Easements. Developer shall convey or cause to be conveyed to the City all necessary rights of way and easements for the public improvements shown on the Final Construction Plans described in Section 6 below. The first final plat for the Property shall show and dedicate all rights of ways and easements conveyed pursuant to this Agreement.

- C. Interim Construction Standards for Road A and Road B. To accommodate the opening of the School, in light of the current economic recession, and based on Developer's extended warranty commitments contained in Section 10 below, the City Manager, in consultation with the Public Works Director, has expressly modified the construction of specific public improvements from certain requirements of the Public Works Manual, pursuant to RMC 16-1-140 and as set forth in the Plans and Specifications, as defined below.
- D. Maintenance Obligations for Road A (from Road B to east end of School parking lot) and Road B (from Graham Mesa Avenue to Road A). When those portions of Roads A from Road B to east end of School parking lot and B from Graham Mesa Avenue to Road A have been constructed and accepted, pursuant to the terms herein, said portions of Roads A and B shall be maintained by the City of Rifle, subject to Developer's extended warranty commitments set forth in Section 10 below; provided, however, following the expiration of Developer's extended warranty period, in the event the City must complete major improvements to those portions of Roads A and B, the City shall be entitled to reimbursement from Developer or Developer's successor interest for the costs of such work prior to any additional development of the Property. Major improvements shall include resealing, chip and seal, reconstruction, drainage improvements, etc. and does not include fixing "pot holes". The City shall file a Bill of Costs with the County Clerk and Recorder for such work and such costs shall be a lien against the Property pursuant to this Agreement payable to the City prior to any development approvals for the Property unless otherwise agreed to by the City in writing.
- E. Pedestrian Trail. The separated pedestrian trail on the south side of Road B shall be maintained by Developer until constructed to then current Public Works Manual specifications as a condition of the first final plat for the Property. Pursuant to a separate agreement between Developer and the School District, the School District will be responsible for snow plowing of said pedestrian path.
- F. Emergency Access Road. Road A from 16th Street to its intersection with Road B is not being improved beyond its current gravel surface and will be signed and barricaded to allow emergency vehicle access only. Developer shall be responsible for maintenance of this section of Road A to minimum standards for fire apparatus access, including maintaining snow depths to a maximum of 6 inches. Said obligations shall continue until Road A is improved to then current Public Works Manual specifications. Failure of Developer to comply with the requirements of this subsection shall be treated as stated in Section 10.D., below.
- G. Sanitary Sewer Access. The sanitary sewer access from 16th Street to Road A shall be barricaded and signed as closed to pedestrian traffic.
- H. Re-vegetation of Disturbed Areas. Developer agrees to re-vegetate, and maintain, either with landscaping or to a pre-development natural state, any and all areas disturbed by development activities on the Property. Failure of Developer to comply with the requirements of this subsection shall be treated as stated in Section 10.D., below.

J. Development Restrictions. No residential, commercial, or industrial improvements may be built on the Property with access from Roads A or B until a Final Plat, associated Subdivision Improvements Agreement and Final Planned Unit Development Plan are approved by the City, or subsequent additional amendment of the Annexation Agreement. Additional improvements and timing thereof to 16th Street east of Birch Avenue and Graham Mesa Avenue north of 16th Street may be required at time of any subsequent land use application for the Property.

5. 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 this project.

6. 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 construction plans prepared by Colorado River Engineering, as Project No. 716 (Off Site Sewer, Phases 1a, 1b, and 1c, as approved for construction by the City of Rifle Public Works Department, as amended (the "Public Improvements")) have been or shall be installed and completed at the expense of the Developer.

A. All Public Improvements required by this Agreement are shown on the Final Construction Plans submittal, and the estimated costs the remaining Public Improvements 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 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").

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.

7. 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.

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

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

water and sewer service to the Property, subject to all provisions of the Rifle Municipal Code, and in particular to the availability of water or sewer taps, which shall be on a first-come, first-served basis. The City does not guarantee an adequate number of taps will be available to serve the Property at the time the Developer intends to proceed with development.

9. 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. The Developer shall also execute a bill of sale conveying the Public Improvements to the City, free and clear of all liens and encumbrances. All Public Improvements conveyed to the City shall be warranted for a period of twelve (12) months from the Acceptance Date, as provided below.

10. Warranty. Developer, except as noted below, 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 one (1) years 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) years, as stated above.
- D. Developer shall be responsible for all maintenance (excluding snow plowing) of Road A (from Road B to east end of school parking lot) and Road B from Graham Mesa Avenue to Road A, for three (3) years, including, but not limited to, any necessary / periodic roadway maintenance and reconstruction due to either finish surface or sub-grade failures and maintenance and reconstruction of drainage structures. Failures may be defined as, but not inclusive of, those caused by freeze/thaw cycles, degradation of finish surface by normal seasonal weather conditions and typical snow plowing operations. In addition, immediately prior to the end of said three (3) year period, Developer, at its sole cost and expense, shall do a sealcoat/resurface chip and seal on said roads, pursuant to plans and specifications reviewed and approved by the City. If any repair, replacement and maintenance of the Roads is required, the City shall provide Developer notice of such needs, and Developer shall coordinate with the City to perform the work at Developer's sole cost and as soon as weather allows. In the event Developer does not repair, replace or maintain the Roads following notice from the City, the City may in its sole discretion perform the work and certify the costs of such works as a lien against the Property similar to a nuisance abatement set forth in the Code

11. Performance Guarantee. The total amount of required security for the Public Improvements shall be as specified on Exhibit B.

- A. In order to secure the construction and installation of the Public Improvements

above described, for which the Developer is responsible, the Developer shall upon execution of this Agreement, and before any units are contracted for or sold or offered for sale, 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.

This Letter of Credit shall comply in all respects with the Uniform Customs and Practice for Documentary Credits, 1993 Revision, issued by the International Chamber Commerce, Paris, to the extent it does not conflict with Article 5 of the Colorado Uniform Commercial Code.

- B. In the event the Public Improvements are not constructed or completed within 12 months of the date of this Agreement, the letter of credit shall provide that the funds necessary to complete the Public Improvements shall be put directly to 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, 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.
- D. The required security for the Public Improvements is the amount mutually agreed upon by the Developer and the City Engineer as set forth above. The parties agree that this amount 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 set forth above, Developer shall be solely responsible for the actual cost. The purpose of Exhibit B is solely to determine the amount of security and shall be revised every twelve (12) months to reflect the actual costs, and the performance guarantee required by this Agreement shall be adjusted accordingly. 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--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. No releases to the letter of credit shall be granted by the City until such as-built drawings are provided and all improvements are accepted by the City.

12. Title Policy. Prior to the recordation of the deeds and grants of easements listed in Section 4(d) above (the "Dedications"), the Developer shall provide the City a commitment for a title insurance policy, indicating that the Dedications are free and clear of all encumbrances whatsoever which would impair the use of the Dedications. 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. At the time of recording the Dedications, the title insurance policy(s) shall be provided to the City, and the premium(s) for the title insurance shall be paid by the Developer. In the event the title commitment(s) reflect encumbrances which would impair the use of the Dedications as proposed or which would make the 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 recordation of the Dedications.

13. Reserved.

14. Reserved.

15. 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, are agreed to and constitute the voluntary actions of the Developer.

16. 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 unit 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 units 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.

17. 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.

18. 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 of the Property. 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.

19. 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.

20. Final Agreement/Ratification of Annexation Agreement and First Amendment. 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. The parties hereby ratify and affirm the Annexation Agreement and the First amendment.

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

22. 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.

23. 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.

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

25. 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.

26. 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.

27. 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 shall survive any termination of this Agreement.

28. 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.

29. 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.

30. 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:

Graham Mesa Development, LLC
P.O. Box 422
Rifle, CO 81650

31. 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.

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

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:

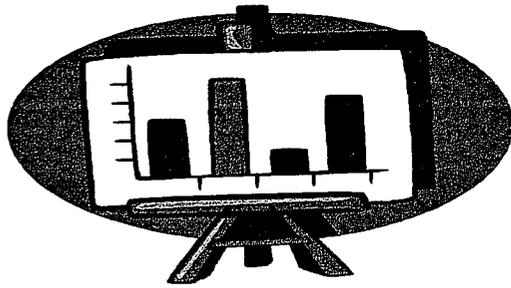
Clerk

GRAHAM MESA DEVELOPMENT, LLC

By

Name: _____

City Manager's Report



July 15, 2009

The past two weeks can be characterized as "business as usual" for City operations. Staff continue to be busy with summer maintenance programs. These include street maintenance, utility maintenance, parks maintenance, and related operations. The Public Works Department has also been working on alley grading and maintenance. Many other City departments are also working on routing summer programs. My comments and specific projects and issues include:

Personnel

Ms. Sharon Vallenga, who has been employed as Code Enforcement / Administrative Assistant within the Police Department, has resigned her position effective at the end of July. Sharon and her husband are relocating to the Eastern Slope. We wish them the very best in their endeavors. The Police Chief and I will evaluate this position to determine whether a full time replacement is necessary or whether there are other options we should consider, in view of the recessionary economy we are experiencing.

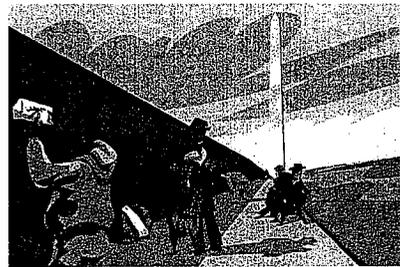
Officer Juan Vazquez has completed his field training and will be assuming the full time responsibilities of Police Officer. Congratulations to Officer Vazquez.

Deputy City Clerk Erin Sims will be attending the Colorado Municipal Clerks Association Institute next week. This is her second year of training; she will be a Certified Municipal Clerk after three years of training. Congratulations to Erin.

UMTRA Site Energy Village

Staff have developed an infrastructure plan to promote development of business at the UMTRA Energy Village Park. The design includes streets, utilities, and other necessary infrastructure to accommodate new business. We plan to apply for DOLA funding to finance these improvements. We are also exploring other possible funding sources and will keep Council apprised of our efforts on this project.

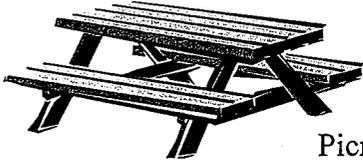
Veterans Memorial



I have discussed the Memorial Project with Public

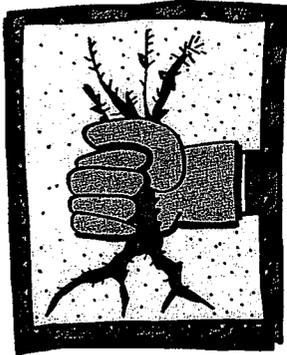
Works Director Rod Hamilton. Our staff will be available to assist the American Legion with design, concrete installation, and etc. We have recently learned that Kuersten Concrete Company has generously agreed to take the lead on design and placement of new concrete for the Memorial. We will coordinate with them and assist with the Memorial as necessary. The American Legion hopes to have this project complete and ready for dedication on November 11, 2009, Veterans Day.

City Picnic



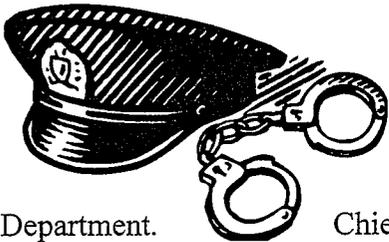
The City Employee Picnic is being planned for August. We have not established a specific date. The Recreation Department, with assistance from other City volunteers, is planning this event. Council members will be notified of the date, and are all invited to attend.

Code Enforcement



Code Enforcement Officer Linda Simpson has been busy lately. She has received many calls regarding weeds and trash. The City encourages all property owners to maintain control of weeds on their property. Questions can be referred to Lynda at 625-6273.

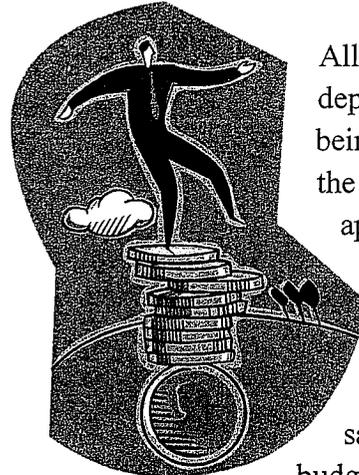
Police Department



It has been business as usual at the Police Department. Chief Meisner recently advised that complaints for petty theft and related incidents have been on the rise this year. Recently, the Police Department has experienced a minor decrease in service calls. Traffic enforcement has been normal. Chief

Meisner is presently working with Public Works Director Rod Hamilton to initiate a Public Education Program regarding the 4th Street and Railroad Avenue pedestrian crossing.

Budget Matters



All City departments are being apprised of the recently approved budget reductions. Staff have been working hard to achieve savings in their budgets, and virtually all departments are "cutting back" on expenditures.

Finance Director, Charles Kelty, and I advised the Visitor Improvement Fund Advisory Board that it will be necessary to reduce expenditures within the Tourism budget. Projected revenues will be significantly less than the budget forecasts, due to the recession. Additionally, the new motels have not been completed as early as expected. The Tourism budget has a healthy reserve, but it will likely be necessary to utilize a portion of it in 2009 to accomplish budget goals.

Upcoming Issues

There are several significant issues upcoming within the next month. First, the City needs to enter into an IGA with the Library District regarding the new library construction. The IGA will define the commitments and responsibilities of both parties concerning this project and the associated new parking structure.

The City will also need to negotiate two IGA's with Garfield County concerning the Airport expansion. As Council is aware, this expansion includes relocation of Airport Road and all associated utilities. It is a complex project, and the IGA will be complex as well. Also, the County has requested an IGA which will clarify use and delivery of water services to Airport businesses. Jim Neu and staff are working on these IGA's and should have them available for Council review in August.

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

Thanks,

John



ENGINEERING / PUBLIC WORKS / UTILITIES

PROJECT STATUS REPORT as of: 7/15/09

* = New Information

Rifle Regional Wastewater Reclamation Facility

*Substantial Completion is expected in early September. Instrumentation and control work is beginning. The 30" influent line is nearing completion along US 6. Training will continue for the next few months. A preliminary testing program has been submitted by the contractor. The laboratory is nearing completion. Lockers and fixtures have been installed in the Administration Building. Electrical work is continuing.

Water Treatment Plant Design

*Pilot testing of the ceramic filter unit is underway to obtain information for design using Colorado River water. Bench testing at the University of Colorado is also underway on carbon and coagulant to obtain design information. Progress continues on the study (Phase 1) with the Basis of Design Report (BODR) scheduled for completion in November. A table of contents for the BODR has been submitted. A Project Management Plan has also been submitted for review. A meeting was held with Xcel to obtain information on rebates for energy saving equipment.

2009 Street Improvements

*The contractor has submitted bonds, insurance and agreement. A preconstruction meeting is scheduled for 8 July and work should begin the following week. The work consists of two street overlays; Whiteriver Avenue from 4th to 9th Streets and Railroad Avenue from the bridge over Rifle Creek to 14th 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 2nd 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. Bids were opened on July 7th. Six contractors submitted bids and a recommendation for award is included in the Council packet.

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 (a separate project) which will become City mains once constructed and approved by the City.

3rd Street Lighting

Delivery of the light fixtures will take another 6 weeks. The contractor has submitted the bonds and agreement and is ready to begin work once he receives the light fixtures.

Beaver Creek Reservoir Roof

*The new wall has been completed and crack/joint sealing of the existing structure is nearing completion. Delivery of the new beams is expected shortly.

Hotel Improvements

The Hampton Inn is nearing completion and will open shortly. Comfort Suites has discontinued construction due to the economic situation.

Rifle Arterial Transportation Engineering (Gateway, Hwy. 13)

An Open House to screen the various alternates and evaluation criteria will be held on July 22. These alternatives can be viewed on www.riflegateway.com.

2008 Water & Sewer Improvements

Only a few warranty items are to be completed, primarily at the 3 mg tank, on 7th Street and on Railroad Avenue.

Campaign reform law: Use of public funds restricted

By Geoff Wilson, CML General Counsel

Ballots in statewide or local elections often include issues of profound importance to Colorado municipalities. As community leaders, municipal officials can and should become actively involved in the public discussion of these issues. However, the state Fair Campaign Practices Act places significant restrictions on the use of public funds for advocacy purposes or for dispensing information in connection with local or statewide ballot issues (Section 1-45-117, C.R.S.).

The FCPA restrictions apply once a statewide petition has been submitted for title setting, once a title has been set on a local initiative or referendum, and upon final action of the governing body placing a referred measure on the ballot. These guidelines are intended to provide municipal officials and employees with general guidance concerning what they may or may not do, consistent with the FCPA. However, the municipal attorney should be consulted before any action is taken that could be viewed as subject to the public-funds restrictions in the FCPA.

Permissible activities

It is permissible to do the following in campaigns in support of or in opposition to a proposed measure:

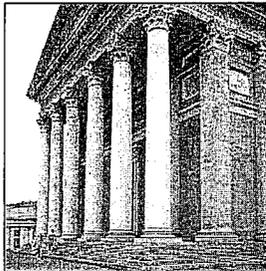
1. The local governing body may take a position of advocacy on the issue. The governing body may pass a resolution and take a public stand urging the electorate to vote for or against any matter. Staff background research that leads to passage of a resolution is also permissible.

Local governments may report the passage of or distribute such

resolutions "through established, customary means, other than paid advertising, by which information about other proceedings of [the governing body] is regularly provided to the public" (such as via a local government newsletter or cable television broadcast).

2. The act provides that any public official who has policy-making responsibilities may spend up to \$50 of public money on phone calls, letters or other activities "incidental to expressing his or her opinion on any such issue."

This provision is intended to help public officials avoid technical violations of the act when they are otherwise endeavoring to avoid use of public funds in their advocacy activity; it should not be viewed as affirmative authority to spend public funds on advocacy.



3. Elected officials may speak out on the issues presented on the ballot. There is no limitation in the FCPA on the right of public officials to address any matter before the electorate; the limitation is on expenditure of public funds.

4. Public employees and paid elected officials may work on the campaign and speak out on the issues on their own time. Any public employee who becomes involved in the campaign should document that the effort is done on his or her own time.

If the public employee is on a recorded-hour system, make sure the record reflects that the public employee took time off from public duties to engage in campaign activities.

5. If the local government has a policy permitting public groups to use its facilities for community purposes, it may allow groups opposed to or supportive of the ballot proposition to use those facilities if the policy is applied in an evenhanded fashion.

6. Public employees may respond to unsolicited questions or requests for information about a ballot issue; however, the local government should carefully avoid producing information for distribution that is designed to influence the passage or defeat of the issue.

7. The local governing body may use public funds to develop and distribute a factual summary on any issue that will appear on a ballot in the jurisdiction. The summary must include arguments for or against the proposal, but the summary itself may not contain a conclusion or opinion in favor of or against the proposal.

Impermissible activities

It is impermissible under the FCPA, except as indicated above, to do the following in campaigns in support of or in opposition to a proposed measure:

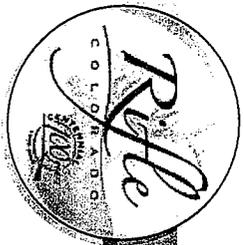
1. use or expend public funds or supplies;

2. allow employees or paid officers to work on a campaign during their working hours or use any public facility or equipment for the purposes of a campaign;

3. provide transportation or advertising using public property or funds to influence, directly or indirectly, the passage or defeat of any issue; or

4. grant an employee or officer leave from his job or office with the local government, with pay, to work on a campaign.

For more information, contact Geoff Wilson at 303-831-6411. ■



Please join us for the Rifle Gateway Project's Preliminary Screening Open House.

Open House

Wednesday

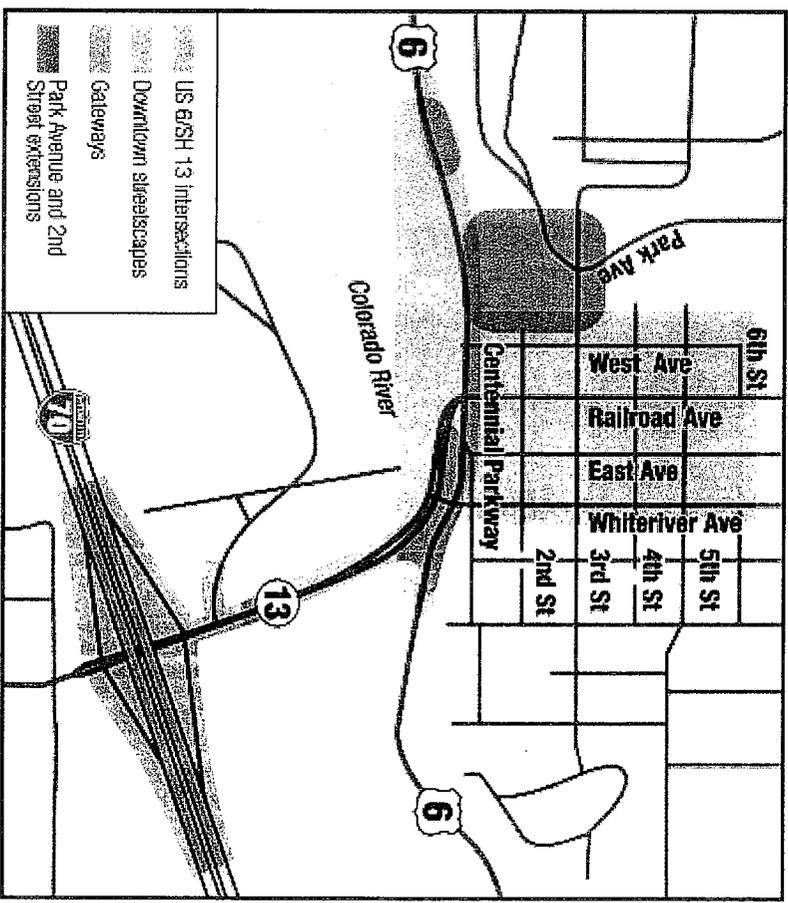
July 22, 2009

Anytime from
5:00-8:00pm

**Rifle
City Hall
Council
Chambers**
202 Railroad Ave

We are seeking your input for alternatives that have been developed in the following areas of Rifle:

- US 6 and SH 13 between Whiteriver Avenue and the Rifle Creek Crossing
- The future "look" of the Downtown District
- The gateways to the City



The project team has developed several alternatives and is seeking public input before a recommended alternative is chosen.

Learn more at www.riflegateway.com or contact Richard Deussen, City of Rifle at **970-625-6283** or ddeussen@rifleco.org

STATE OF COLORADO

Department of State

1700 Broadway
Suite 270
Denver, CO 80290



Bernie Buescher

Secretary of State

J. Wayne Munster
Acting Director, Elections

July 8, 2009

The Honorable Wanda Nelson
City Clerk
The City of Rifle
P. O. Box 1908
Rifle, CO 81650

Dear Ms. Nelson:

The Secretary of State's office is in receipt of the mail ballot plan that you resubmitted on July 8, 2009. Specifically, we received a mail ballot plan for the following district:

The City of Rifle

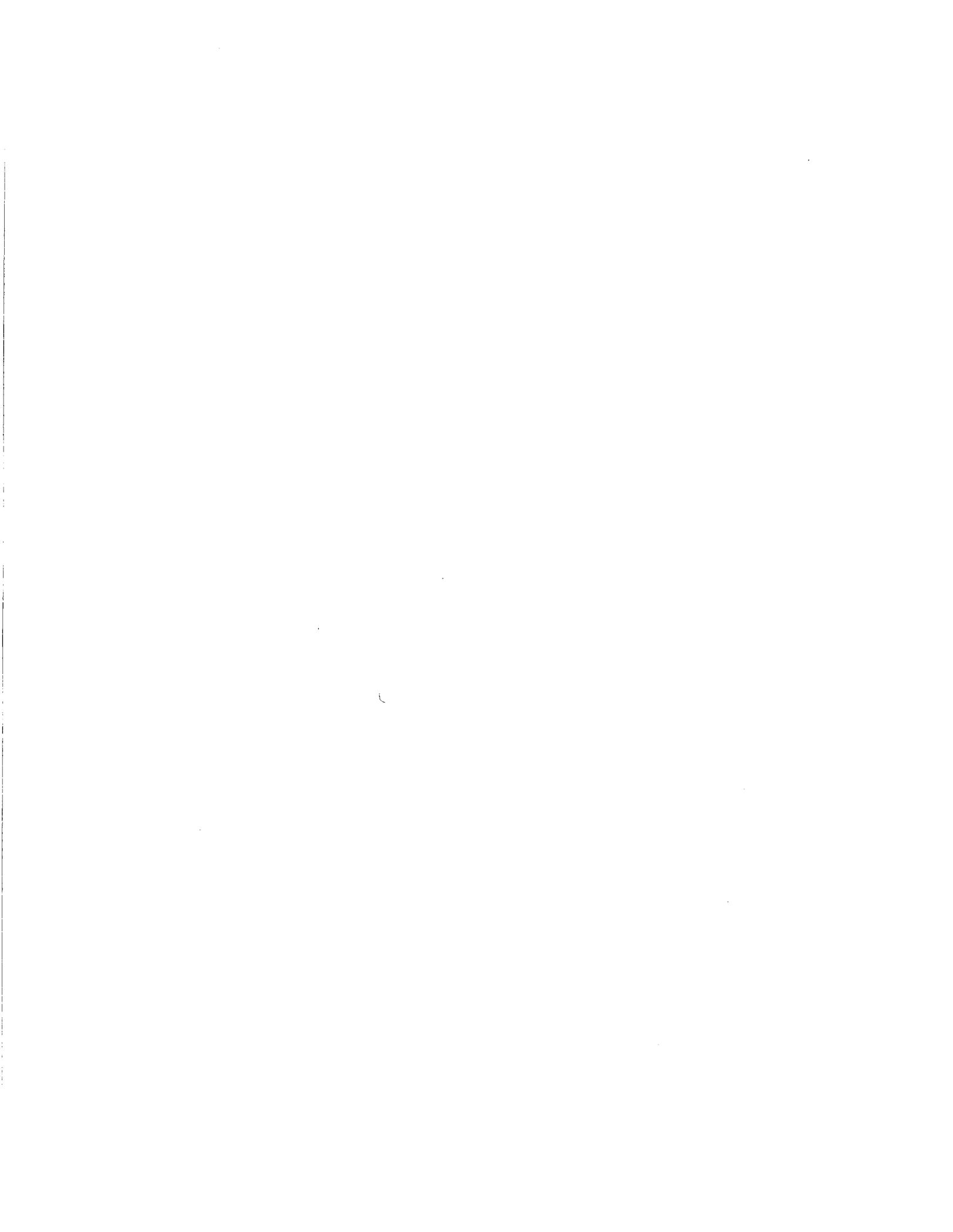
Upon review of the information sent to this office, we have determined that the mail ballot plan and timetable is in substantial compliance with Title 1, Article 7.5 of the Colorado Revised Statutes and the Secretary of State Rules Section 12. As such, your mail ballot plan is hereby approved.

If you have any questions or require further assistance, please do not hesitate to contact me at 303-894-2200, ext. 6311.

Sincerely,

A handwritten signature in cursive script that reads 'Rose A. Sanchez'.

Rose A. Sanchez
Elections Division



**Rifle City Council Report
Monday, July 15, 2009
7:00 p.m. @ Rifle City Hall**

July 2009 Report

Welcome New Chamber Members:

Roaring Fork Business Resource Center

Randi Lowenthal

817 Colorado Avenue
Glenwood Springs, CO 81601
(970) 989-8987

** Start, develop & grow new, emerging and existing businesses in the region; education & trainings access to capital; economic development*

The Bakery

Sharon Wilson

112 W. 3rd St.
Rifle, CO 81650
(970) 625-0288

**A French bakery specializing in artisan breads, fruit danishes and decadent pastries.*

John's Welding

John Bendish

1429 Airport Rd.
Rifle, CO 81650

Professional Family owned fully insure full service oilfield Weldon shop, available 24 hours per day 7 days per week including holidays your place or ours!

Rifle Information Center / Visitor Center Statistics for June 2009:

Visitors- June 2008: 2915

Visitors - June 2009: - **5214 an increase of 2299 visitors!!!!**

Total Visitors to date in 2009: 15,935

Volunteer Worked Hours: 99.5

State Maps Distributed: 206

Local Maps Distributed: 116

Packets:

Brochure - **50**

Becoming a Member: **3**

Business Relocation- **2**

Hunter- **13**

Relocation- **8**

Student- **2**

Vacation- **31**

Total Monthly Packets: 109

Chamber Website Statistics:

June 2009 Visits: 8,010 visits to the Chamber Website-

Top Page Views:

1. Lodging -845 views

2. Hunting - 543 views

3. Visit, Stay, Play 529 views

4. Recreation- 498 views

5. Restaurants - 331 views

Upcoming Events

Women in Business Network : The Chamber Women in Business Network s will meet on Tuesday, July 21 at noon at the Learning Opportunities Center at the Garfield RE-2 Administration Bldg. On 9th and Whiteriver! The Women in Business Network is sponsored by Wells Fargo Bank. The event is free, but we ask that you please RSVP to the Chamber at 625-2085x2. You can also sign up on line at www.riflechamber.com.

Membership Luncheon: Scheduled for Thursday, July 16th at noon at the Learning Opportunities Center at the Garfield RE-2 Administration Bldg. on 9th and Whiteriver! The luncheon is sponsored by SOS Staffing and our speakers will be Kevin Whelan, Fire Prevention Specialist for the Rifle Fire Protection District and Jerry Long, Building Inspector for the City of Rifle. The Luncheon will be catered by Creekbend Bistro This cost for this event is \$10. Please RSVP online at www.riflechamber.com or call 625-2085 x2

Coming Up in August:

Chamber Energy Briefing: Matt Sturgeon from the City of Rifle will discuss the Energy Innovation Center Concept for Rifle. This event is free and will be held on Thursday August 27 at 7:30am at the Garfield RE-2 Learning Opportunities Center. Open to Chamber members and their guest. Coffee and pastries will be provided.

The Rifle Area Chamber of Commerce Feature Member of the Month:

The Chamber Board of Directors selects from a random drawing and selects a Feature Business each month. Congratulations to the July 2009 Featured Business: Mr. Power S

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, click on "Specials".

Thank You!