



CITY COUNCIL

WORKSHOP AND REGULAR MEETING AGENDA

December 21, 2022
7:00 PM
202 Railroad Avenue, Rifle, CO

6:00 PM - Workshop Meeting

Discussion and Review

- a. Discuss Board of County Commissioners (BOCC) Meeting Topics

7:00 PM - Regular Meeting

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Public Comment** *(maximum time permitted for Public Comment is 3 minutes per person)
5. **Consent Agenda**
 - 5.a. Consider Minutes of the November 16, 2022, Regular Meeting
 - 5.b. Consider Minutes of the December 7, 2022, Regular Meeting
 - 5.c. Consider Liquor License Renewal for Super Kidz, LLC dba Super Kidz LLC
 - 5.d. Consider Ordinance No. 22, Series of 2022 - Second Reading - Text Amendment Package to Article 16 of the Rifle Municipal Code regarding Two-Unit Dwellings, Multi-Unit Dwellings in Commercial Areas, Minimum Residential Lot Sizes in Commercial Areas, Accessory Dwelling Unit Fees, Tow Yards, Accessory Storage Structures for Commercial Uses, Principal Uses on Residential Property, and Food Trucks
 - 5.e. Consider Ordinance No. 24, Series of 2022 - Second Reading - Plastic Bag Fee Remittance
6. **Action, if any, on Workshop Items**
7. **Regular Agenda**
 - 7.a. Consider Approval for the Purchase of a New Temporary Safety Fencing System for Skinner Field

- 7.b. Consider Approval of 2022 Garfield County Health and Human Services Invoice
- 7.c. Consider Approval of 2023 Seven-Party Memorandum of Understanding to Fund Traveler Services and Senior Meals at New Proposed Rate
- 7.d. Consider 2023 Expenditure for Journey Home (Animal Shelter) Services
- 7.e. Consider Microsoft Maintenance Renewal

8. Administrative Reports

- 8.a. Report to City Manager

9. Comments from Mayor and Council

10. Adjournment



**CITY OF RIFLE
AGENDA ITEM REPORT**

MEETING DATE: December 21, 2022

Agenda Item #a.

Agenda Item Name:

Discuss Board of County Commissioners (BOCC) Meeting Topics

Presenter:

Tommy Klein, City Manager

Item Description:

Discuss BOCC Meeting Topics

Recommended Action:

None

Fiscal Impact:

None

Operational Impact:

None

Prior Board Motions:

None

Background Information:

We will meet with the Board of County Commissioners (BOCC) on February 8, 2023. The meeting will begin at 6:00 p.m. and dinner will be served.

Executive Summary:

We will meet yearly with the BOCCs to discuss topics you wish to cover. Once you have submitted topics, I will work with Fred Jarman to create an agenda.

Notification Requirements:

Public notification of the meeting will be made by the City Clerk in early February.

Prepared By:

Tommy Klein, City Manager

Attachments:

None



Agenda Item #5.a.

Agenda Item Name:

Consider Minutes of the November 16, 2022, Regular Meeting

Presenter:

Misty Williams, City Clerk

Item Description:

Consider Minutes of the November 16, 2022, Regular Meeting

Recommended Action:

Move to approve the minutes of the November 16, 2022, City Council Regular Meeting

Fiscal Impact:

N/A

Operational Impact:

N/A

Prior Board Motions:

N/A

Background Information:

N/A

Executive Summary:

Minutes of the November 16, 2022, Regular Meeting

Notification Requirements:

N/A

Prepared By:

Misty Williams, City Clerk

Attachments:

1. 11.16.2022 DRAFT Minutes



RIFLE CITY COUNCIL

REGULAR MEETING

November 16, 2022

7:00 p.m.

202 Railroad Avenue, Rifle, CO

CALL TO ORDER & ROLL CALL

A regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Ed Green.

Present at Roll Call:

Mayor Ed Green, Councilor Clint Hostettler, Councilor Alicia Gresley, Councilor Brian Condie and Councilor Joe Carpenter.

Councilor Alicia Gresley moved to excuse Councilor Chris Bornholdt, Councilor Sean Strode; seconded by Councilor Clint Hostettler.

Roll Call: Yes - Ed Green, Clint Hostettler, Alicia Gresley, Joe Carpenter and Brian Condie.

No - None.

Others Present:

City Manager Tommy Klein, City Clerk Misty Williams, City Attorney Jim Neu, Rifle Community Television (RCTV) Salvador Tovar-Guzman, Chief of Police Debra Funston, Parks and Recreation Director Austin Rickstrew, Public Works Director Brian Prunty, Planning Director Patrick Waller, Bryce Christensen, Kimley Horn, John Kuersten, Alice Kuersten, Dan Conrado, Katie Conrado, Kristine Coombs, Glenn Ault, Harold D. Martinez, Terry D. Davis, Gary Brownson, James Martinez, Tianna Davis, Connie Taylor, Elizabeth Waters, Bonnie McKenzie, Trish O'Grady, Fernando Argiro and Jeff Simonson.

PUBLIC COMMENT

Public comment was heard from Meeker Sand & Gravel, Inc. (MSG) Representatives Katie Conrado, Dan Conrado, and Kristine Coombs.

CONSENT AGENDA – CONSIDER APPROVING THE FOLLOWING ITEMS:

- A. Consider Minutes of the November 2, 2022, Regular Meeting
- B. Consider Changing Bulk Water Rates from \$10.00 to \$15.00 Per Thousand – Ordinance No. 20, Series of 2022 – 2nd Reading

Councilor Clint Hostettler moved to approve Consent Agenda Items A & B; seconded by Councilor Joe Carpenter.

Roll Call: Yes - Alicia Gresley, Brian Condie, Clint Hostettler, Ed Green, and Joe Carpenter.

No – None.

PUBLIC HEARING

Consider Planned Unit Development – Preliminary Development Plan for EcoDwellings – 14th Street PUD

Mayor Ed Green opened the hearing.

Planning Director Patrick Waller presented request to consider the planned unit development – preliminary development plan for EcoDwellings – 14th Street PUD. The applicant requests approval of a planned Unit Development to subdivide approximately 1.9 acres into 17 single-family lots. The applicant would like to develop 3,000 square foot lots with an approximately 900 square foot factory made residential unit. This will include an exterior storage shed and a 20 x 20 concrete parking pad for off-street parking. Applicant is proposing private streets, with City water and sewer. Notices have been completed as required by applicant. Planning Commission recommends City Council approval of the request for a CS - PUD with the following conditions.

1. All representations made by the Applicant in the application and during the public hearing shall be conditions of approval, unless specifically altered by Rifle City Council.
2. All Staff and referral agency comments (including comments from Mountain Cross Engineering, City of Rifle Public Works, City of Rifle Utilities, Colorado River Fire Rescue, and Xcel Energy) shall be incorporated into the Final Plat submittal as noted in referral comments attached to this Staff Report, including but not limited to: a. Floodplain issues b. Utility design c. Turn Lane Warrant information on Railroad d. Storm water Detention Areas. Access Road Information.
3. The applicant shall provide a maintenance and access agreement for the shared access to the development, for City Staff review, as part of the Final Plan application.
4. The applicant shall record an easement, identify cross section information, and provide maintenance information to the satisfaction of Colorado River Fire Rescue regarding the emergency access easement, prior to the recording of the Final Plat.
5. The applicant shall supply HOA documents for City Staff review, for maintenance of common areas as part of the Final Plat application.
6. The applicant's proposed PUD shall be amended as follows: a. Sidewalks shall be required to be 5' within the development b. Carports shall have a front yard setback of 10 feet. c. All properties shall be developed with a storage shed. d. Siding options and building footprints shall not be replicated on adjoining lots unless identified on the final PUD Plan. e. Sheds shall not be permitted in the front yard setback. f. The maximum height of structures in the zone district shall be 27'.
7. The applicant shall provide updated engineered plans that will be reviewed and accepted by referral agencies as part of the Final Plat application. The updated plans shall address comments, to the satisfaction of the referral agency, that were provided at Preliminary Plan. Additional modifications may be required as part of this review.
8. The applicant shall install a six foot privacy fence along the northern property boundary and along the southern boundary of lots 16, 17, and 18.

Attorney Jim Neu, Planning Director Patrick Waller, Eco Dwelling Owner Fernando Argiro, Kuersten Construction Owner John Kuersten, and Jeff Simonson answered questions for Council.

Mayor Ed Green closed the hearing.

Councilor Brian Condie moved to approve Preliminary Development Plan for EcoDwellings – 14th Street PUD along with Planning Commission recommendations No.1- 8 excluding No. 9.; seconded by Councilor Clint Hostettler.

Roll Call: Yes - Brian Condie, Clint Hostettler, and Alicia Gresley.

No – Joe Carpenter and Ed Green.

REGULAR AGENDA

Consider Appointing Tami Sours to the Senior Programs Advisory Board

Councilor Clint Hostettler moved to approve the appointment of Tami Sours to the Garfield County Senior Programs Advisory Board by replacing a Council Member position; seconded by Councilor Joe Carpenter.

Roll Call: Yes - Ed Green, Alicia Gresley, Clint Hostettler, Brian Condie, and Joe Carpenter.

No – None.

Consider Declaring Equipment as a Surplus

Parks and Recreation Director Austin Rickstrew presented request to declare a 2004 Polaris Ranger, a 2003 John Deere 1600D, and a 2005 Toro Groundsmaster 3500D as surplus following Rifle Municipal Code Sec. 4-3-610 procedures. If approved we would like to donate the Polaris Ranger to the Rifle Housing Authority and send the other two pieces of equipment to an auction. Staff with the Housing Authority is aware of the ranger's condition.

Councilor Clint Hostettler moved to approve and declare the 2004 Polaris Ranger, 2003 John Deere 1600D, 2005 Toro Groundsmaster 3500 D as Surplus to be sold as is and to donate the Polaris to the Ranger of the Rifle Housing Authority; seconded by Councilor Brian Condie.

Roll Call: Yes - Brian Condie, Joe Carpenter, Alicia Gresley, Ed Green, and Clint Hostettler.

No – None.

Consider Appointing Michael Clancy to the Parks and Recreation Advisory Board

Parks and Recreation Director Austin Rickstrew presented request to appoint Michael Clancy to the Parks and Recreation Advisory Board. Staff solicited applications and had two interested candidates, but only received 1 application. PRAB has reviewed the application and conducted an interview. PRAB recommends Michael Clancy for appointment to the vacant alternate board seat.

Councilor Clint Hostettler moved to approve the appointment of Michael Clancy to the Parks and Recreation Advisory Board; seconded by Alicia Gresley.

Roll Call: Yes - Alicia Gresley, Clint Hostettler, Ed Green, Joe Carpenter, and Brian Condie.

No – None.

Consider Adopting the 2023 Budget – Resolution No. 16, Series of 2022

City Attorney Jim Neu presented request to adopt the 2023 Budget – Resolution No. 16, Series of 2022. The Public Hearing was conducted on November 2nd, 2022. Adopting the 2023 Budget Resolution No. 16, Series of 2022 will provide the legal authority to spend funds necessary to ensure the delivery of expected services to the citizens of the City of Rifle.

Councilor Alicia Gresley moved to approve Resolution No. 16, Series of 2022 – Adopting the Rifle City Council Meeting November 16, 2022

Annual Budget for the 2023 Fiscal Year; seconded by Brian Condie.

Roll Call: Yes – Joe Carpenter, Alicia Gresley, Ed Green, Brian Condie, and Clint Hostettler.

No – None.

Consider Adopting the Annual Appropriation Ordinance for the 2023 Budget – Ordinance No. 23, Series of 2022

City Attorney Jim Neu presented request to adopt Annual Appropriation Ordinance for the 2023 Budget – Ordinance No. 23, Series of 2022. Public Hearing was conducted on November 2nd, 2022. Adopting the Annual Appropriation Ordinance for the 2023 Budget – Ordinance No. 23, Series of 2022 will provide the legal authority to spend funds necessary to ensure the delivery of expected services to the citizens of the City of Rifle.

Councilor Alicia Gresley moved to approve Ordinance No. 23, Series of 2022 for the 2023 budget appropriations on its first and only reading as presented, and order it to be published in full as required by Charter; seconded by Brian Condie.

Roll Call: Yes – Ed Green, Brian Condie, Clint Hostettler, Alicia Gresley, and Joe Carpenter.

No – None.

Consider Resolution No. 15, Series of 2022 – Resolution of Substantial Compliance for Proposed Maverick Annexation

City Attorney Jim Neu presented Resolution No. 15, Series of 2022 – Resolution of Substantial Compliance for Proposed Maverick Annexation. The applicant is applying for annexation into the City of Rifle. The Resolution of Substantial Compliance is required by Colorado State Statute to begin the annexation process. This Resolution only provides a representation from the applicant that they meet State Statute requirements to request an annexation into the City. The subject property is located at the south east corner of Interstate 70 and Highway 6 & 24, immediately adjacent to the Rifle Supercenter Minor Subdivision and Lot 3 of Lacy Park Subdivision. The planning commission public hearing to consider the annexation and rezoning request is scheduled for December 13, 2022. The council public hearing for review of the annexation will be scheduled on January 4, 2023.

Councilor Clint Hostettler moved to approve Resolution No. 15, Series of 2022 – Resolution of Substantial Compliance for Proposed Maverick Annexation; seconded by Alicia Gresley.

Roll Call: Yes – Brian Condie, Joe Carpenter, Clint Hostettler, Alicia Gresley and Ed Green.

No – None.

Consider Amending Article 18 of the Rifle Municipal Code to require Electrical Charging Capacity for Electric Vehicles in New Residential Construction – Ordinance No. 19, Series of 2022 – 2nd Reading

City Attorney Jim Neu clarified motion process to consider amending Article 18 of the Rifle Municipal Code to require Electrical Charging Capacity for Electric Vehicles in New Residential Construction – Ordinance No. 19, Series of 2022 – 1st & 2nd Reading. This Building Code Amendment would require all new residential construction to be Electrical Vehicle charging ready. This requires some minor additional electrical work as part of the construction process. Approximate additional cost to new construction would be \$150.00. Installation of the required wiring after initial construction could cost anywhere between \$500.00 and \$800.00. The amendment is proposed to be implemented on January 1, 2023. Public Notice was completed as required for a Public Hearing.

Comments were heard from Councilor Brian Condie.

Rifle City Council Meeting November 16, 2022

Councilor Alicia Gresley moved to approve Electrical Charging Capacity for Electric Vehicles in New Residential Construction Ordinance No. 19, Series of 2022 on second reading; seconded by Brian Condie.

Roll Call: Yes – Alicia Gresley.
No – Brian Condie, Ed Green and Joe Carpenter.
Recused – Clint Hostettler.

Vote was 3 - 1 against; Motion Failed.

Report to City Manager

Reports were heard from City Clerk Misty Williams, City Attorney Jim Neu and Planning Director Patrick Waller.

Comments from Mayor and Council

Comments were heard from Councilor Alicia Gresley, Councilor Brian Condie, Mayor Ed Green, and Councilor Joe Carpenter.

Adjournment

Meeting adjourned at 10:00 p.m.

Misty Williams
City Clerk

Ed Green
Mayor



Agenda Item #5.b.

Agenda Item Name:

Consider Minutes of the December 7, 2022, Regular Meeting

Presenter:

Misty Williams, City Clerk

Item Description:

Consider Minutes of the December 7, 2022, Regular Meeting

Recommended Action:

Move to approve the minutes of the December 7, 2022, City Council Regular Meeting

Fiscal Impact:

N/A

Operational Impact:

N/A

Prior Board Motions:

N/A

Background Information:

N/A

Executive Summary:

Minutes of the December 7, 2022, Regular Meeting

Notification Requirements:

N/A

Prepared By:

Alexis Ramirez, Deputy City Clerk

Attachments:

1. 12.07.2022 DRAFT Minutes



RIFLE CITY COUNCIL

REGULAR MEETING

December 7, 2022
7:00 p.m.
202 Railroad Avenue, Rifle, CO

CALL TO ORDER & ROLL CALL

A regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Ed Green.

Present at Roll Call:

Mayor Ed Green, Councilor Clint Hostettler, Councilor Alicia Gresley, Councilor Brian Condie, Councilor Joe Carpenter and Christ Bornholdt, and Councilor Sean Strode.

Roll Call: Yes - Ed Green, Clint Hostettler, Alicia Gresley, Joe Carpenter, Chris Bornholdt, Sean Strode and Brian Condie.

No - None.

Others Present:

City Manager Tommy Klein, City Clerk Misty Williams, City Attorney Jim Neu, Rifle Community Television (RCTV) Salvador Tovar-Guzman, Chief of Police Debra Funston, Finance Director Scott Rust, IT Director Kelly Thompson and Planning Director Patrick Waller.

PUBLIC COMMENT

No public comment was heard.

CONSENT AGENDA – CONSIDER APPROVING THE FOLLOWING ITEMS:

- A. Consider Liquor License Renewal for Jalisco Grill, LLC dba Jalisco Grill
- B. Consider Change of Owner for Ted Rex, Inc. dba Choice Liquors

Councilor Sean Strode moved to approve Consent Agenda Items A & B; seconded by Councilor Alicia Gresley.

Roll Call: Yes - Alicia Gresley, Brian Condie, Sean Strode, Chris Bornholdt, Clint Hostettler, Ed Green, and Joe Carpenter.

No – None.

PUBLIC HEARING

Consider Amending the 2022 Budget – Supplemental Appropriations #1

Mayor Ed Green opened the hearing.

Finance Director Scott Rust presented request to consider the amendment of the 2022 Budget – Supplemental Appropriations #1. The request to amend the 2022 budget will ensure sufficient appropriations are available in each individual fund to cover the necessary expenses of the City of Rifle. Supplemental appropriations are required when the adopted budget is not sufficient to cover anticipated costs. Throughout 2022, significant inflationary pressure and other economic realities have substantially increased the costs to provide critical services to the citizens of the City of Rifle. Also, additional projects which were not originally included in the 2022 budget were requested by staff and subsequently authorized by the Council. Therefore, supplemental

Rifle City Council Meeting December 7, 2022

appropriations are necessary to cover these additional costs. A supplemental appropriation summary table is provided in the attached agenda documentation. The budget must be amended and supplemental appropriations authorized to cover these additional costs to remain in compliance with governmental accounting standards and state law. Public notice requirements have been met.

Mayor Ed Green closed the hearing.

Consider Ordinance No. 22, Series of 2022 – First Reading – Text Amendment Package to Article 16 of the Rifle Municipal Code regarding Two-Unit Dwellings, Multi-Unit Dwellings in Commercial Areas, Minimum Residential Lots Sizes in Commercial Areas, Accessory Dwelling Unit Fees, Tow Yards, Accessory Storage Structures for Commercial Uses, Principal Uses on Residential Property and Food Trucks

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING
CHAPTER 16 OF THE RIFLE MUNICIPAL CODE TO PROVIDE FOR THE
REGULATION OF VARIOUS LAND USES AND PLANNING**

Planning Director Patrick Waller presented request to consider Ordinance No. 22, Series of 2022. This Ordinance will amend Chapter 16 of the Rifle Municipal Code to provide for the regulation of various land uses and planning. Staff provided a number of text amendments for consideration, in the attached agenda documentation.

Planning Director Patrick Waller answered questions for Council.

Councilor Brian Condie moved to approve Ordinance No. 22, Series of 2022 on first reading as presented and order it to be published as required by charter with amendment of food truck 10 days to 12 days; seconded by Councilor Sean Strode.

Roll Call: Yes - Ed Green, Sean Strode, Alicia Gresley, Clint Hostettler, Chris Bornholdt, Brian Condie and Joe Carpenter.

No – None.

REGULAR AGENDA

Consider 2022 Mill Levy Certification for the 2023 Fiscal Year – Resolution No. 17, Series of 2022

**A RESOLUTION OF THE CITY OF RIFLE, COLORADO LEVYING
GENERAL PROPERTY TAXES TO HELP DEFRAY THE COST OF
GOVERNMENT FOR THE CITY OF RIFLE FOR THE 2023 BUDGET YEAR**

Finance Director Scott Rust presented the request to consider the 2022 Mill Levy Certification for the 2023 Fiscal Year – Resolution No. 17, Series of 2022. The certification of the mill levy for the City of Rifle and Downtown Development Authority will allow each entity to levy property taxes within each entity's taxing jurisdiction. The property tax revenue collected is a critical revenue source that allows each entity to provide critical services to citizens. The City of Rifle will certify and assess 5.261 mills which is estimated to generate \$669.952 and the DDA will certify and assess 3.774 mills which is estimated to generate \$46,407.00. This is a result of a slight decrease in assessed values in the taxing jurisdiction as mill levy rates remain unchanged year over year.

Councilor Clint Hostettler moved to approve Resolution No. 17, Series of 2022 to certify the 2022 Mill Levy for the City of Rifle and DDA with the Garfield County; seconded by Councilor Chris Bornholdt.

Roll Call: Yes - Brian Condie, Joe Carpenter, Alicia Gresley, Ed Green, Chris Bornholdt, Clint Hostettler, and Sean Strode.

No – None.

Consider Amending the 2022 Budget – Resolution No. 18, Series of 2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,
COLORADO, AMENDING THE CITY’S BUDGET FOR THE YEAR ENDING
DECEMBER 31, 2022

Councilor Clint Hostettler moved to approve Resolution No. 18, Series of 2022; seconded by Councilor Chris Bornholdt.

Roll Call: Yes - Alicia Gresley, Sean Strode, Chris Bornholdt, Clint Hostettler, Ed Green, Joe Carpenter and Brian Condie.

No – None.

Consider Adopting Supplemental Appropriations for the 2022 Budget – Ordinance No. 25, Series of 2022

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR
A SUPPLEMENTAL APPROPRIATION FOR THE BUDGET YEAR ENDING
DECEMBER 31, 2022

Councilor Clint Hostettler moved to approve Ordinance No. 25, Series of 2022 on its first and only reading as presented and order it to be published in full as required by Charter; seconded by Sean Strode.

Roll Call: Yes - Joe Carpenter, Alicia Gresley, Ed Green, Brian Condie, Chris Bornholdt, Clint Hostettler and Sean Strode.

No – None.

Consider 2023 Contract with Sustainable Strategies

City Manager Tommy Klein presented the request to consider the 2023 Contract with Sustainable Strategies. Sustainable Strategies searches for grant opportunities, writes grants, and submits the grants on our behalf. In 2022, they were instrumental in acquiring approximately 1.54 million dollars in direct funding. The company also assisted in obtaining 1.8 million dollars in funding for the White river and HWY 6 intersection updates. The company worked with CDOT and RFTA to obtain a RAISE grant for our new Park and Ride, which will provide approximately 1.9 million to complete that project. The company also applied for Congressionally Directed Spending to update body-worn and in-car cameras. The CDS will provide approximately 270k to the City and will be available if Congress passes a budget. Staff recommends approval as significant amount of staff time will be saved since the company will write our grants. The 2023 Contract with Sustainable Strategies and their services is for \$66,000.00.

City Manager Tommy Klein answered questions for Council.

Councilor Sean Strode moved to approve the 2023 contract with Sustainable Strategies and the associated expenditure in the amount of \$66,000.00; seconded by Councilor Joe Carpenter.
Roll Call: Yes – Ed Green, Brian Condie, Clint Hostettler, Alicia Gresley, Joe Carpenter, Chris Bornholdt and Sean Strode.
No – None.

Consider Purchase Request for Toilet at Grand Hogback Trailhead

Planning Director Patrick Waller presented the request to purchase a Toilet for the Grand Hogback Trailhead. The City of Rifle received a CPW Non-motorized trails grant earlier this year (June 2022) for the further development of the Grand Hogback Trail System. This grant included a budget of \$30,000.00 for a toilet at the trailhead. The bid was for \$32,190.00. Following City of Rifle procurement requirements, the bid was advertised on Bid Net. Staff received one bid, for \$32,190.00, from UBC Precast. The bid was reviewed by the Bureau of Land Management and the toilet system meets their requirements. While Staff only received one formal bid for the project, the BLM did previously reach-out to two other toilet suppliers earlier this year. Both suppliers provided quotes of \$34,000.00 and \$35,000.00. Based on the proposed construction requirements and the other quotes the proposed bid represents a good value for the development of the trailhead toilet system. Staff recommends that the difference of \$2,190.00 be covered by Conservation Trust Fund.

Councilor Clint Hostettler moved to approve the purchase request in the amount of \$32,190.00 to UBC precast for a toilet at the Grand Hogback Trailhead; seconded by Sean Strode.
Roll Call: Yes – Sean Strode, Brian Condie, Joe Carpenter, Chris Bornholdt, Clint Hostettler, Alicia Gresley and Ed Green.
No – None.

Consider Ordinance No. 24, Series of 2022 – First Reading – Plastic Bag Fee Remittance

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTER 4 OF THE RIFLE MUNICIPAL CODE TO PROVIDE FOR THE CLARIFICATION OF THE REMITTANCE SCHEDULE OF THE BAG FEE IMPOSED BY THE STATE OF COLORADO

City Attorney Jim Neu presented the request to consider Ordinance No. 24, Series of 2022 – First Reading – Plastic Bag Fee Remittance. In 2021, the General Assembly adopted and the Governor signed HB 21-1162, the Management of Plastic Products Act. Among other things, this bill imposed a \$0.10 fee on bags provided by retailers at point of sale, of which \$0.06 cents will go to the City. Earlier this year, by Ordinance No. 16, Series of 2022, Council exempted this fee from an additional sales tax levy. However, upon further review, there was an error discovered and confirmed by Colorado Municipal League during the amendment process that resulted in the fee not being remitted until April 1, 2024. January 1, 2023 to April 1, 2024 is an unnecessarily long period of time for retailers to be required to hold onto this fee prior to remittance, so we are proposing this ordinance, exercising the City's home rule authority, to correct the remittance date to 2023 and follow the sales and use tax remittance schedule already in place.

Councilor Clint Hostettler moved to approve Ordinance No. 24, Series of 2022 on first reading as presented and order it to be published as required by Charter; seconded by Chris Bornholdt.
Roll Call: Yes – Brian Condie, Ed Green, Alicia Gresley, Sean Strode, Joe Carpenter, Chris Bornholdt, and Clint Hostettler.
No – None.

Report to City Manager

Reports were heard from City Manager Tommy Klein and City Clerk Misty Williams.

Comments from Mayor and Council

Comments were heard from Councilor Alicia Gresley, Councilor Sean Strode and Councilor Joe Carpenter.

Adjournment

Meeting adjourned at 8:14 p.m.

Misty Williams
City Clerk

Ed Green
Mayor



Agenda Item #5.c.

Agenda Item Name:

Consider Liquor License Renewal for Super Kidz, LLC dba Super Kidz LLC

Presenter:

Misty Williams, City Clerk

Item Description:

Consider Liquor License Renewal for Super Kidz, LLC dba Super Kidz LLC

Recommended Action:

Move to approve the Liquor License Renewal for Super Kidz, LLC dba Super Kidz LLC

Fiscal Impact:

N/A

Operational Impact:

N/A

Prior Board Motions:

N/A

Background Information:

Super Kidz, LLC dba Super Kidz LLC, located at 1733 Railroad Avenue, Unit A, Rifle, CO, has submitted a Beer and Wine Liquor License Renewal Application.

This application is complete and the appropriate fees have been paid.

Executive Summary:

N/A

Notification Requirements:

N/A

Prepared By:

Alexis Ramirez, Deputy City Clerk

Attachments:

1. REDACTED - Liquor License Renewal Super Kidz

Submit to Local Licensing Authority

RECEIVED

DEC 15 2022

City Clerk
 City of Rifle

Fees Due	
Annual Renewal Application Fee	\$ 50.00
Renewal Fee	351.25
Storage Permit \$100 X _____	\$
Sidewalk Service Area \$75.00	\$
Additional Optional Premise Hotel & Restaurant \$100 X _____	\$
Related Facility - Campus Liquor Complex \$160.00 per facility	\$
Amount Due/Paid	\$ 351.25

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

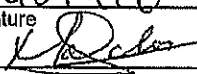
Retail Liquor or Fermented Malt Beverage License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name <u>Super Kidz LLC</u>		Doing Business As Name (DBA) <u>Super Kidz LLC</u>	
Liquor License # <u>03-15866</u>	License Type <u>Beer and wine</u>	Sales Tax License Number <u>94809108</u>	Expiration Date <u>Jan. 3, 2023</u>
Business Address <u>1733 Railroad Ave Rifle CO 81650</u>		Due Date <u>Jan. 3, 2023</u>	
Mailing Address		Phone Number <u>(970) 625-1842</u>	
Operating Manager		Email <u>mayle0190612@yahoo.com</u>	
Date of Birth	Home Address		
1. Do you have legal possession of the premises at the street address above? ☒ Yes ☐ No Are the premises owned or rented? ☐ Owned ☒ Rented* *If rented, expiration date of lease <u>05/30/2026</u>			
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. ☐ Yes ☒ No			
3a. Are you renewing a takeout and/or delivery permit? (Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges) ☐ Yes ☒ No			
3b. If so, which are you renewing? ☐ Delivery ☐ Takeout ☐ Both Takeout and Delivery			
4a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? ☐ Yes ☒ No			
4b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? ☐ Yes ☒ No			
5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ Yes ☒ No			
6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ Yes ☒ No			

7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ Yes ☒ No
8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ Yes ☒ No

Affirmation & Consent		
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.		
Type or Print Name of Applicant/Authorized Agent of Business	Title	
Mauricio Olvera Resendiz	Owner	
Signature	Date	
	12/13/2027	
Report & Approval of City or County Licensing Authority		
The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules.		
Therefore this application is approved.		
Local Licensing Authority For	Date	
Signature	Title	Attest

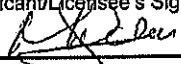
Tax Check Authorization, Waiver, and Request to Release Information

I, Mauricio Olvera Resendiz am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Super Kids LLC (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101, et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and is duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <u>Super Kids LLC</u>		Social Security Number/Tax Identification Number _____	
Address <u>1733 Railroad Ave</u>			
City <u>Rifle</u>		State <u>CO</u>	Zip <u>81650</u>
Home Phone Number _____		Business/Work Phone Number <u>(970) 625-1842</u>	
Printed name of person signing on behalf of the Applicant/Licensee <u>Mauricio Olvera Resendiz</u>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) 			Date signed <u>12/13/2022</u>

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).



Agenda Item #5.d.

Agenda Item Name:

Consider Ordinance No. 22, Series of 2022 - Second Reading - Text Amendment Package to Article 16 of the Rifle Municipal Code regarding Two-Unit Dwellings, Multi-Unit Dwellings in Commercial Areas, Minimum Residential Lot Sizes in Commercial Areas, Accessory Dwelling Unit Fees, Tow Yards, Accessory Storage Structures for Commercial Uses, Principal Uses on Residential Property, and Food Trucks

Presenter:

Patrick Waller, Planning Director

Item Description:

Consider Ordinance No. 22, Series of 2022

Recommended Action:

Move to approve Ordinance No. 22, Series of 2022, on second reading.

Fiscal Impact:

Impact Fees are discussed in the Accessory Dwelling Unit Text Amendment Section

Operational Impact:

None

Prior Board Motions:

None

Background Information:

Since transitioning from the previous Planning Director, Staff has been keeping a list of Text Amendments to the Rifle Municipal Code. The attached are Planning Commission's recommendations to City Council on changes to the Code.

Executive Summary:

Staff has included a number of Text Amendments for Council consideration. Most of the suggested amendments are clean-ups, clarifications, and adjustments based on Staff transition. More significant items include Accessory Dwelling Unit fees and updates to Food Truck regulations.

Notification Requirements:

Published notice was completed as required in the Rifle Citizen Telegram.

Prepared By:

Misty Williams, City Clerk

Attachments:

1. Text Amendments Attachment - City Council
2. Ordinance No. 22-Ch. 16 Text Amendment

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490

**MEMORANDUM**

TO: City of Rifle City Council
 FROM: Patrick Waller, Planning Director
 DATE: December 7, 2022
 SUBJECT: Text Amendment Application

Background

Since transitioning from the previous Planning Director, Staff has been keeping a list of Text Amendments to the Rifle Municipal Code. The following are Planning Commission's recommendations to City Council on changes to the Code.

Two-Unit Dwellings

The Code currently allow for multi-unit dwellings as a use by-right in MDR and MDR-X zone districts (it does not allow the use in LDR). A multi-unit dwelling is considered three or more dwellings, but the code does not identify duplexes or townhome dwellings as a use allowed in residential zones. Historically, the City has interpreted these residential uses as allowed in certain residential zone districts. This use is already identified in the zoning code, so it only needs to be added to the use table.

Proposed Change (in red)

Sec. 16-3-320. Schedule of uses for residential districts.

The following is the schedule of uses for the LDR, MDR and MDR-X Zone Districts:

USE	LDR	MDR	MDR-X
Duplex	*	P	P
Townhome	*	P	P

Multi-Unit Dwellings in Commercial Areas

Multi-Unit dwellings are considered a use by-right in Tourist Commercial and Community Service zone districts. However, the Code requires a Site Plan review in front of the City of Rifle Planning Commission. Occasionally these commercial locations have difficult compatibility fits with neighboring businesses. Staff suggests that multi-unit dwellings in these locations be considered through Conditional Use Permit applications.

Proposed Change (in red)

Sec. 16-3-420. Schedule of uses for commercial and industrial districts.

The following is the schedule of uses for the CS, TC, LI and I Zone Districts. For the Central Business District, see Section 16-18-1010 of this Chapter.

USES	CS¹	TC¹	LI	I
Multiple-family dwellings	P C	P C	*	*

Minimum Lot Sizes in Commercial Areas

The City Code currently identifies a minimum lot size of 6,000 square feet per unit in the commercial zone district. Staff has historically interpreted this to only be required for

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202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490



single-family development. For any sort of high density development in commercial locations, it is almost impossible for a project to meet this requirement. Staff recommends clarifying this requirement similarly to the changes that were made in the residential zone districts, where it is identified as a single-family requirement.

Proposed Change (in red)

Sec. 16-3-440. Schedule of requirements for commercial and industrial districts.

The following is the schedule of requirements for the CS, TC, LI and I Zone Districts.

For the Central Business District, see Section 16-18-1010:

ZONING REQUIREMENTS	TC, CS	LI, I
Minimum Yard Requirements:		
Front Yard Setback		
Federal Interstate	100 feet	100 feet
State Highway	50 feet	20 feet
Local Street	15 feet	15 feet
Side Yard Setback [if corner lot, see §16-3-450(e)]	10 feet	10 feet
Rear Yard Setback	15 feet	5 feet; 20 feet if abutting a residential zone district
Minimum Lot Area:		
Nonresidential	10,000 sq. ft.	10,000 sq. ft.
Single Family Minimum Lot Size Residential	6,000 sq. ft./unit	N/A Maximum — Building Height
Building heights in excess of 35 feet require a conditional use permit	35 feet	35 feet

Accessory Dwelling Unit Fees

Staff has had a number of conversations with property owners who have identified City impact fees as a significant barrier to ADU construction. Currently the City gives ADU's a break on water and wastewater fees; the applicant is required to pay 60% of what would be charged for a single-family residence. However, both Parkland and Offsite Street Impact fees are required to be paid fully. Based on this fee structure, impact fees for an ADU permit are as follows:

City of Rifle ADU Impact Fees	
Wastewater	\$3496.03
Water	\$3549.17
Offsite Street	\$6034.77
Parkland	\$3554.26
Total	\$16,634.23

The Rifle Municipal Code caps the square footage of an ADU at 850 square feet and does not allow more than two bedrooms. Because of these caps, an ADU has less of an impact on City of Rifle services. Staff's suggestion is that ADU's are required to pay 60% of the fee that is required by Offsite Street and Parkland fees. This would make

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202 Railroad Avenue, Rifle, CO 81650

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those fees consistent with Water and Wastewater fees and would make the overall impact fee cost \$12,850.77.

Proposed Change (in red)

Section 16-3-60 Accessory Dwelling Units

(11) Fees. Accessory dwelling units shall be subject to **60% of all impact** fees of general applicability for new **single-family** residential dwellings, including ~~but not limited to~~ parkland dedication fees, water rights dedication fees, **water and sewer impact** fees and any impact fees associated with a defined area.

Tow Yard Use

Since 2014 the City has seen three applications for tow yards. A tow yard is not a defined use in the Rifle Municipal Code and the City has used Section 16-3-120 - Uses Not Itemized, to process these applications as Conditional Use Permits in the Light Industrial zone district. Staff would like to define and codify this interpretation as follows:

Proposed Change (in red)

Tow Yard a lot used for the temporary storage of vehicles which have been towed by a towing company or for impounded vehicles, but which does not include permanent vehicle storage or dismantling of vehicles.

Sec. 16-3-420. Schedule of uses for commercial and industrial districts.

The following is the schedule of uses for the CS, TC, LI and I Zone Districts. For the Central Business District, see Section 16-18-1010 of this Chapter.

USES	CS ¹	TC ¹	LI	I
Tow Yard	*	*	C	P

Accessory Storage Structures for Commercial Uses

Section 16-3-430(f)(3) of the Rifle Municipal Code requires that any Accessory Structure for a commercial use to apply for a Conditional Use Permit. The code section also has strict requirements that limit the maximum size to 300 square feet, requirements that the structure is not placed in a highly-visible location, and that the structure's facades and architectural details are not pre-fabricated metal or plastic.

In order to eliminate the Conditional Use Permit process, Staff would like to change the code section to allow the Planning Director to make the decision on whether or not the proposed accessory structure meets code requirements. The code section, will still allow an appeal to be heard by Planning Commission.

Proposed Change (in red)

(3)Accessory storage structures for commercial use. A property with a permitted commercial use may apply ~~for a conditional use permit~~ for an accessory storage structure. The maximum size shall be three hundred (300) square feet. The structure's facades and architectural details shall not be pre-fabricated metal or plastic, and the



structure shall not be placed in a highly-visible location. The proposal shall be reviewed and approved or denied by the City of Rifle Planning Director. The applicant may appeal the Planning Director's decision to the Planning Commission through the Conditional Use Permit process.

One Principal Use on Residential Property

The Rifle Municipal Code currently only allows one primary use on a residential property while multiple primary uses are allowed on a commercial property. For example, an applicant may have both a single-family residence and a commercial business on a commercially zoned property.

At the same time, the code allows for a variety of light commercial uses (office, beauty salons, dentist offices, etc.) in residential districts with the approval of a Conditional Use Permit. While Staff generally agrees with the requirement that a residential use should be the primary use on the property, there are some locations in the City where an additional use may be appropriate provided that it is approved via a Conditional Use Permit.

Proposed Change (in red)

Sec. 16-3-70. - Principal and accessory uses.

The primary land use occurring on a lot is referred to as a principal use. One (1) principal use is permitted on lots within residential zone districts (LDR, MDR and MDR-X) unless specifically permitted by a planned unit development or through approval of a conditional use permit. More than one (1) principal use is permitted on nonresidential lots, and said uses may occur in more than one (1) structure. (Prior code 17.03.160)

Food Trucks

Currently the Municipal Code allows six food truck permits within commercial areas. These permits are issued on a first-come, first-served basis and the City has issued all six permits. Staff has received numerous inquiries asking for additional food truck spaces and has not permitted any additional locations based on the licensing capacity.

Planning Commission is recommending that City Council increase the overall food truck limit to eight and also recommends that an additional two food trucks are permitted provided that they operate for less than 10-days in a calendar year.

Proposed Changes (in red)

Section 16-3-90

(g) Prepared food temporary uses.

(1) A limited number of prepared food temporary uses shall be permitted in the Community Service (CS), Tourist Commercial (TC) and Central Business District (CBD) zone districts. For purposes of prepared food temporary use permits, the City is divided into the following two (2) geographic districts, with the applicable permit criteria:

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490



- a) General Commercial District. ~~Six (6)~~ Eight (8) prepared food vendors shall be permitted in areas of the City zoned Tourist Commercial (TC) and Community Service (CS). Two (2) additional temporary use permits may be issued in accordance with this chapter, provided that the use does not operate for longer than 10-days in a calendar year.
- b) Central Business District. Three (3) prepared food vendors shall be permitted in the Central Business District at any one (1) time on private property or on public plazas.

Changes since Planning Commission

After further consideration of the Food Truck Amendment, Staff recommends that the limited permits should allow for food trucks that operate up to 12-days in a calendar year rather than the 10 recommended by Planning Commission. This allows the food truck to average one day a month in the City and still be eligible for the limited permit.

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 22
SERIES OF 2022**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING
CHAPTER 16 OF THE RIFLE MUNICIPAL CODE TO PROVIDE FOR THE
REGULATION OF VARIOUS LAND USES AND PLANNING.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, Chapter 16 of the City of Rifle Municipal Code (the “Code”) sets forth the City’s regulations relating to land use, development, and zoning; and

WHEREAS, City staff has determined that certain Code provisions relating to certain land uses, zoning, and permitting require amendment in order to better regulate and accommodate the types of development that the City has determined to be beneficial; and

WHEREAS, on October 25, 2022 pursuant to Code Chapter 16, Article V, Division 3, the Rifle Planning Commission held a public hearing and approved TXT-2022-047 recommending City Council’s adoption of the Code amendments herein; and

WHEREAS, the City Council finds and determines that the following amendments to Chapter 16 of the Code are in the best interest of the public health, safety and welfare of the citizens of Rifle.

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

1. The foregoing recitals are incorporated by reference as findings and determinations of the City Council.

2. The Use Table contained in Section 16-3-320 of the Rifle Municipal Code is hereby amended to add the following text to the schedule of uses for residential districts chart, as follows with underlined text added and ~~strike-through language~~ deleted:

Sec. 16-3-320. - Schedule of uses for residential districts.

The following is the schedule of uses for the LDR, MDR and MDR-X Zone Districts:

USE	LDR	MDR	MDR-X
* * *			
<u>Duplex</u>	* -	<u>P</u>	<u>P</u>
<u>Townhome</u>	* -	<u>P</u>	<u>P</u>
* * *			

3. The Use Table contained in Section 16-3-420 of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike through language~~ deleted:

Sec. 16-3-420. - Schedule of uses for commercial and industrial districts.

The following is the schedule of uses for the CS, TC, LI and I Zone Districts. For the Central Business District, see Section 16-18-1010 of this Chapter.

USES	CS¹	TC¹	LI	I
* * *				
Multiple-family dwellings	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	*	*
* * *				
<u>Tow Yard</u>	* -	* -	<u>C</u>	<u>P</u>
* * *				

4. The Use Table contained in Section 16-3-440 of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike through language~~ deleted:

Sec. 16-3-440. - Schedule of requirements for commercial and industrial districts.

The following is the schedule of requirements for the CS, TC, LI and I Zone Districts. For the Central Business District, see Section 16-18-1010:

ZONING REQUIREMENTS	TC, CS	LI, I
Minimum Yard Requirements:		
Front Yard Setback		
Federal Interstate	100 feet	100 feet
State Highway	50 feet	20 feet
Local Street	15 feet	15 feet
Side Yard Setback [if corner lot, see §16-3-	10 feet	10 feet

450(e)]		
Rear Yard Setback	15 feet	5 feet; 20 feet if abutting a residential zone district
Minimum Lot Area:		
Nonresidential	10,000 sq. ft.	10,000 sq. ft.
<u>Single Family Minimum Lot Size</u> Residential	6,000 sq. ft./ unit	N/A Maximum Building Height
Building heights in excess of 35 feet require a conditional use permit	35 feet	35 feet

5. Section 16-3-60 of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike through language~~ deleted:

Sec. 16-3-60. - Accessory dwelling units.

An accessory dwelling unit, when allowed, shall conform to the following requirements, and plans submitted to the City shall address each of these requirements:

* * *

(11) Fees. Accessory dwelling units shall be subject to 60% of all fees of general applicability for new single-family residential dwellings, including ~~but not limited to~~ parkland dedication fees, water rights dedication fees, water and sewer impact fees and any impact fees associated with a defined area.

6. Section 16-1-220 of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike through language~~ deleted:

Sec. 16-1-220. - Definitions.

For purposes of this Chapter, certain terms are defined as follows:

* * *

Tow Yard means a lot used for the temporary storage of vehicles which have been towed by a towing company or for impounded vehicles, but which does not include permanent vehicle storage or dismantling of vehicles.

* * *

8. Section 16-3-430 (f) of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike through language~~ deleted:

Sec. 16-3-430. - General requirements for commercial and industrial districts.

* * *

(f) Additional outside storage standards specific to Community Service (CS) or Tourist Commercial (TC) Zone Districts.

* * *

(3) Accessory storage structures for commercial use. A property with a permitted commercial use may apply ~~for a conditional use permit~~ for an accessory storage structure. The maximum size shall be three hundred (300) square feet. The structure's facades and architectural details shall not be pre-fabricated metal or plastic, and the structure shall not be placed in a highly-visible location. The proposal shall be reviewed and approved or denied by the City of Rifle Planning Director. The applicant may appeal the Planning Director's decision to the Planning Commission through the Conditional Use Permit process.

9. Section 16-3-70 of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike through language~~ deleted:

Sec. 16-3-70. - Principal and accessory uses.

The primary land use occurring on a lot is referred to as a principal use. One (1) principal use is permitted on lots within residential zone districts (LDR, MDR and MDR-X) unless specifically permitted by a planned unit development or through approval of a conditional use permit. More than one (1) principal use is permitted on nonresidential lots, and said uses may occur in more than one (1) structure. (Prior code 17.03.160)

9. Section 16-3-90 of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike through language~~ deleted:

Sec. 16-3-90. - Temporary uses.

* * *

(g) Prepared food temporary uses.

(1) A limited number of prepared food temporary uses shall be permitted in the Community Service (CS), Tourist Commercial (TC) and Central Business District (CBD) zone districts. For purposes of prepared food temporary use permits, the City is divided into the following two (2) geographic districts, with the applicable permit criteria:

a. General Commercial District. ~~Six (6)~~ Eight (8) prepared food vendors shall be permitted in areas of the City zoned Tourist Commercial (TC) and Community Service (CS). Two (2) additional temporary use permits may be issued in accordance with this chapter, provided that the use does not operate for longer than 12-days in a calendar year.

b. Central Business District. Three (3) prepared food vendors shall be permitted in the Central Business District at any one (1) time on private property or on public plazas.

* * *

INTRODUCED on December 7, 2022 read by title, passed on first reading with amendment, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado on December 21, 2022 passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this _____ day of _____, 2022.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

City Clerk



Agenda Item #5.e.

Agenda Item Name:

Consider Ordinance No. 24, Series of 2022 - Second Reading - Plastic Bag Fee Remittance

Presenter:

James S. Neu, City Attorney

Item Description:

Consider Ordinance No. 24, Series of 2022 - Plastic Bag Fee Remittance

Recommended Action:

Move to approve Ordinance No. 24, Series of 2022, on second reading.

Fiscal Impact:

N/A

Operational Impact:

N/A

Prior Board Motions:

Earlier this year, by Ordinance No. 16, Council exempted this fee from an additional sales tax levy. Please see memo attached for further clarification.

Background Information:

Please see memo attached.

Executive Summary:

N/A

Notification Requirements:

N/A

Prepared By:

Misty Williams, City Clerk

Attachments:

1. 20221201 Memo re Ord 24
2. Ordinance No. 24-Ch. 4 Text Amendment

Glenwood Springs – Main Office

201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen

0133 Prospector Rd.
Suite 4102J
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

**Direct Mail to Glenwood Springs*

DATE: December 1, 2022
TO: City of Rifle Mayor and Council
FROM: Karp Neu Hanlon, P.C.
RE: Ordinance 24 – Bag Fee Remittance

In 2021 the General Assembly adopted and the governor signed HB 21-1162, the Management Of Plastic Products Act. Among other things, this bill imposed a \$0.10 fee on bags provided by retailers at point of sale, of which \$0.06 cents will go to the City. Earlier this year, by Ordinance No. 16, Council exempted this fee from an additional sales tax levy. However, upon further review, we have determined, and CML has confirmed, that a scrivener's error during the amendment process resulted in the fee not being remitted until April 1, 2024. January 1, 2023 to April 1, 2024 is an unnecessarily long period of time for retailers to be required to hold onto this fee prior to remittance, so we are proposing this ordinance, exercising the City's home rule authority, to correct the remittance date to 2023 and follow the sales and use tax remittance schedule already in place.

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 24
SERIES OF 2022**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING
CHAPTER 4 OF THE RIFLE MUNICIPAL CODE TO PROVIDE FOR THE
CLARIFICIATION OF THE REMITTANCE SCHEDULE OF THE BAG FEE
IMPOSED BY THE STATE OF COLORADO.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, pursuant to Article XX, Section 6 of the Colorado Constitution, the right to enact, administer and enforce sales and use taxes is clearly within the constitutional grant of power to the City and is necessary to raise revenue with which to conduct the affairs and render the services performed by the City; and

WHEREAS, by HB21-1162 the Management Of Plastic Products Act, the Colorado General Assembly adopted a \$0.10 fee per bag provided by a retailer to go into effect January 1, 2023, of which \$0.06 will be remitted to the local government in which the retailer is located; and

WHEREAS, it was discovered that due to a scriveners error, the remittance of the fee in the statute commences April 1, 2024, more than a year after the bag fee goes into effect; and

WHEREAS, it is within the City’s home rule powers to require remittance to commence within a reasonable time of the bag fee being collected; and

WHEREAS, the City Council finds and determines that the following amendments to Chapter 4 of the Code are in the best interest of the public health, safety and welfare of the citizens of Rifle.

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

1. The foregoing recitals are incorporated by reference as findings and determinations of the City Council.
2. A new Section 4-2-60 of the Rifle Municipal Code is hereby adopted as set forth below:

Sec. 4-2-60. – Remittance of Bag Fee.

Every retailer or vendor shall be liable and responsible for the payment of the fee assessed in C.R.S. § 25-17-505(1)(a) commencing on January 1, 2023 as provided in C.R.S. § 25-

17-505(3)(d)(I) and shall remit the fee on the same schedule as they remit sales and use taxes.

INTRODUCED on December 7, 2022 read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado on December 21, 2022 passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this _____ day of _____, 2022.

CITY OF RIFLE, COLORADO

By

Mayor

ATTEST:

City Clerk



Agenda Item #7.a.

Agenda Item Name:

Consider Approval for the Purchase of a New Temporary Safety Fencing System for Skinner Field

Presenter:

Austin Rickstrew, Assistant Parks & Recreation Director

Item Description:

The Parks and Recreation staff were directed to look into a new safety fence system to be used on Skinner Field. We determined that the Specto Outfield fencing system meets our needs.

Recommended Action:

Move to Approve the Purchase of the Specto Outfield Fencing System from Grand Slam Safety in the amount of \$33,840

Fiscal Impact:

This item was not budgeted for in 2023 but will be covered by the Parks and Recreation fund balance.

Operational Impact:

The park's staff will install and maintain the new temporary fencing system.

Prior Board Motions:

N/A

Background Information:

Staff members are seeking approval for a sole source purchase for the Specto Outfield Fencing System from Grand Slam Safety. The total purchase price of the fencing system is \$33,840.

Executive Summary:

Parks and Recreation staff received direction to look into a new temporary fencing system for Skinner Field. Garfield Re-2 School district has commented to paying for half of this expense per the IGA agreement. The staff found two potential fencing systems that would work for our current needs. The first is designed by Grand Slam Safety and includes the Specto Outfield Fencing System. This fencing system comes with 330' of 7" tension safety fencing, two 17" foul poles, a roller cart for the storage and transport of the fence, and a pole cart for the storage and transport of all poles. The other fencing system is designed by Sportaflex and includes the Sportaflex premier 6" spring frame system. This system is spring-loaded with aluminum poles separated by mesh panels.

Parks and Recreation staff presented both safety fencing systems to PRAB at their November 7 regular meeting. After a discussion on the advantages and disadvantages of each system, board member Ken Blatter made a motion to provide City Council with the recommendation to purchase the Specto Outfield Fencing

System. The motion was seconded by board member Brian Dow and the motion passed unanimously. The total cost to the city after we receive reimbursement from the school district will be \$16,920.

Notification Requirements:

N/A

Prepared By:

Austin Rickstrew, Assistant Parks & Recreation Director

Attachments:

1. Memo - Specto Outfield Fencing System 12-13-22
2. Sportaflex Quote
3. Grand Slam Safety Quote
4. Grand Slam Purchase Request



Memo

To: Tommy Klein, City Manager

From: Austin Rickstrew, Interim Parks and Recreation Director

Date: December 13, 2022

Re: Sole Source Purchase of Safety Fencing System

Tommy,

After receiving direction to look into a new safety fencing system for Skinner Field, staff and I found two potential options. The first system is designed by Grand Slam Safety and the other system is designed by Sportaflex. After some research, the staff recommended that PRAB support the purchase the Grand Slam Safety fence system. PRAB voted and the motion to support passed unanimously. Grand Slam Safety is the manufacture of the Specto Outfield Fencing System. This is the only place that this fencing system can be purchased and I am seeking approval from council for the sole source purchase. The lead time on this system is 8 weeks upon approval of shop drawings.

Please let me know if you have any further questions.

Thank you,

Austin



CITY OF RIFLE

202 RAILROAD AVENUE • P.O. BOX 1908 • RIFLE, CO 81650

WWW.RIFLECO.ORG

(970) 665-6578 • ARICKSTREW@RIFLECO.ORG

Sportaflex, LLC
 3633 N 55th PI Ste 101
 Mesa, AZ 85215 US
 +1 7202754455
 jason@sportaflex.com

Estimate



Angie Wilkins
 City of Rifle Parks Department

Angie Wilkins
 City of Rifle Parks Department

Rifle 10_24	10/24/2022	11/24/2022
-------------	------------	------------

1116-2	Sportaflex Premier 6' Spring Frame	36	7,050.60
4006-2	Mesh Panel Debris Net 6 ft.	36	2,808.00
1320-2	In-Ground Post Anchor Kit - For Springs	37	2,392.05
1300-5	Post Anchor FOR SPRINGS. Spring Mounting Bracket_F-12 inch Post Anchor designed for wet or soft soil types. Recommended for season-long installs or with use of sleeves. USE WITH SPRINGS	37	
1301-3	Wing Stabilizer-Galvanized Steel that works in conjunction with sleeve for better performance in wind.	37	
1200-2	15" PVC Sleeve with Top Cap Two Inch Width	37	
1320-3	Steel Spring For Baseplate, Post Anchor or Base Anchor	74	2,590.00
1400-1	Top Rail Pad 8 ft-Eight Foot Deluxe Foam top-rail pad with padding.	45	1,350.00
Freight Quote	Freight Charges NOT included in this Quote and will be added to final invoice.	1	0.00

This quote is valid for 30 days.

SUBTOTAL	16,190.65
TAX	0.00
TOTAL	\$16,190.65

Accepted By

Accepted Date





SPECTO® SPORT FENCING SOLUTIONS

9793 Bridge Street / PO Box 35

Croghan, NY 13327

www.grandslamsafety.com

info@grandslamsafety.com

Tel: 315-301-4039 Fax: 315-301-4031

Angie Wilkins

Rifle, Colorado

Phone: 970-665-6487

awilkins@rifleco.org

10/27/22

GSS2022-Budget

Scope of work

Softball fence

Specto Outfield fencing System- 210-210-210 (330')

- 330' of 7' high tensioned Specto safety fencing with trimmer protection barrier
- 2(qty)sleeved, structural padded 17' H foul poles & 16(qty)intermediate poles
- Roller Cart for the storage and transport of the fence fabric
- Pole Cart for the storage and transport of all poles
- Sleeves & turf inserts for poles included
- On-line training of owners staff during initial set up
- Field layout drawing
- **Colors:** TBD

Total Cost = \$29,840

Shipping(changes daily) ~ \$4,000

Notes:

1. Price does **not** include: foundation work, taxes, landscaping or work beyond the scope.
2. Fabrication 8 weeks upon approved shop drawing
3. Initial Installation and training(to owners) by GSS
4. Terms; 50% upon order, 50% net 30 days after shipping
5. Quote is good for 15 days

Thank you, Bob Chamberlain (315-766-7008)





**CITY OF RIFLE
PURCHASE REQUEST**

1.	Vendor Name	NEW: W-9 attached ☐
	Grand Slam Safety	

2.	Vendor Address
	9793 Bridge Street / PO Box 35, Croghan, NY 13327

3.	For the Purchase of (description)
	Specto Outfield Fencing System for Skinner Field

4. Amount Requested	Amount Budgeted	Finance Director Verified Funds Avail.
\$33,840		

5. Dept. Name	General Ledger Acct #
Parks	210-4521-400-741

6.	Type of Purchase
☐	Capital Construction
☐	Capital Construction – Change Order
☐	Capital Equipment
☐	Plant Equipment
☒	Materials, supplies, non-profession/technical services (includes computer/software maint.)
☐	Professional Services
☐	Utilities (includes equipment installation and ongoing contracts)
☐	Land, easements, ROW

7.	Purchasing Process Required (Rifle Municipal Code sections for guidance)		
☐	Cooperative Purchasing:	Sec 4-3-90	
☐	Open Market:	Sec. 4-3-40(c)	
☐	Comparative Pricing:	Sec. 4-3-40(d)	
☐	Request for Proposal:	Sec. 4-3-40(e)	(attach bid tab)
☐	Competitive Sealed Bid:	Sec.4-3-40(f)	(attach bid tab & advertisement)
☒	Sole Source:	Sec. 4-3-40(a)	(attach memo)

8.	Authorization Required
☒	City Manager
☒	City Council

9.	Signatures		
	Position	Signature	Date
	Department Director		
	City Manager		
	City Council Approval (meeting date)		
10.	Purchase Order # assigned by Finance		



Agenda Item #7.b.

Agenda Item Name:

Consider Approval of 2022 Garfield County Health and Human Services Invoice

Presenter:

Tommy Klein, City Manager

Item Description:

Consider paying an invoice from Garfield County Health and Human Services

Recommended Action:

Move to approve the invoice from Garfield County Health and Human Services for The Traveler and senior meal services in the amount of \$145,169.40.

Fiscal Impact:

The 2022 Budget has \$125,000 in account 100-4800-400-501 and the General Fund can cover the additional \$20,169.40.

Operational Impact:

None

Prior Board Motions:

On January 5, 2022, Council approved the contract with Garfield County Health and Human Services for The Travel and senior meals services for a total amount of \$145,169.40. (\$57,305.78 for meals and \$87,863.62 for transportation)

Background Information:

We contract with Garfield County Health and Human Services to provide transportation services and senior meals for our eligible constituents. We budgeted \$125,000 for these services in 2022 on account 100-4800-400-501. The cost of the services exceeded our estimates. The County provides the actual cost of the services after we approve our budget, hence the shortfall of \$20,169.40. Our General Fund budget has enough capital to cover the additional costs.

Executive Summary:

See the background information.

Notification Requirements:

None

Prepared By:

Tommy Klein, City Manager

Attachments:

1. Human Services Invoice



Agenda Item #7.c.

Agenda Item Name:

Consider Approval of 2023 Seven-Party Memorandum of Understanding to Fund Traveler Services and Senior Meals at New Proposed Rate

Presenter:

Tommy Klein, City Manager

Item Description:

Consider funding the Traveler and senior meals at a proposed new rate.

Recommended Action:

Move to fund Traveler services and the senior meals program in the amount of \$184,755.98 and authorize Mayor Green to sign the 2023 seven-party Memorandum of Understanding for the Traveler services and senior meals.

Fiscal Impact:

The City budgeted \$87,864 for The Traveler services in 2022. (RFTA estimates that Rifle has a shortfall of \$28,332 for 2022. The County will be asked to absorb this cost.)

For the 2023 budget, the City provided \$130,000 for The Traveler services and senior meals. The 2023 estimated costs for senior meals is \$50,381.98 and the estimated costs for The Traveler will be \$134,374. The cost for 2023 transportation plus meals will be \$184,755.98, for a shortage of \$54,755.98 in the 2023 budget. A supplemental will be forthcoming in 2023.

Operational Impact:

Services to our seniors will not be impacted.

Prior Board Motions:

In 2022, Council approved the 2022 MOU that covered the cost of Traveler services and the cost of senior meals.

Background Information:

<https://www.rfta.com/paratransit/garfield-county-traveler/>

In 2020, the Council hired Access and Mobility Services, LLC, to explore options to reduce costs for providing transportation services to Rifle residents. Only one of the proposed changes was considered favorable by Council, a change in the methodology used to calculate costs for each partner.

For the 2022 budget, Council approved an expenditure of \$87,864 for The Traveler services. RFTA estimates that Rifle has a shortfall of \$28,332 for 2022 and the County will be asked to absorb this cost. If they do not,

the current (2022) MOU will require Rifle to cover the shortage.

For the 2023 budget, the City provided \$130,000 for The Traveler and senior meals. The 2023 estimated costs for senior meals is \$50,381.98 and the 2023 estimated costs for The Traveler will be \$134,374. The cost of for 2023 transportation plus meals will be \$184,755.98, for a shortage of \$54,755.98 in the proposed 2023 budget.

Mr. Dan Blackenship, the Director of RFTA, presented to Council at the November 2, 2022m workshop. At the workshop, Mr. Blackenship explained the calculations used to estimate the 2023 Traveler costs. The formula used to calculate the costs for 2023 was the formula proposed by the previous Rifle City Council.

Staff request that the Council approve a Purchase Order in the amount of \$184,755.98 and authorize the Mayor to sign the 2023 MOU for The Traveler services and senior meals. This is a sole source, intergovernmental expense.

Executive Summary:

Please see background information.

Notification Requirements:

None

Prepared By:

Tommy Klein, City Manager

Attachments:

1. 7-Party MOU for Senior Programs - 2023
2. 2023 Human Services Purchase Request

**7-PARTY MEMORANDUM OF UNDERSTANDING
REGARDING GARFIELD COUNTY SENIOR PROGRAMS
FOR 2023**

This Memorandum of Understanding is entered into between:

The Garfield County Board of County Commissioners, ("BOCC")

The City of Rifle, Colorado,

The City of Glenwood Springs, Colorado,

The Town of Carbondale, Colorado,

The Town of New Castle, Colorado,

The Town of Silt, Colorado,

Roaring Fork Transportation Authority, ("RFTA")

(collectively, the "7-Parties") in order to set forth the terms and conditions of their cooperative provision, administration, and funding of a county-wide meal and transportation services for the Garfield County Senior Programs for calendar year 2023 (the "MOU"). This MOU is effective as of January 1, 2023, regardless of the dates on which it is signed.

BACKGROUND

- A. Each of the 7-Parties is authorized to make the most efficient and effective use of their governmental powers, responsibilities, and monies by cooperating and contracting with other governments. Colo. Const. art. XIV §§ 18(2)(a) and (2)(b); Colorado Revised Statutes § 29-1-201.
- B. In 2009, 9-Parties entered into an Intergovernmental Agreement to set forth the terms and conditions of their cooperative provision, administration, and funding of meal and transportation services to senior and disabled citizens of Garfield County ("the 9-Party MOU"). This 9-Party MOU is recorded in records of the Garfield County Clerk and Recorder at Reception No. 776142.
- C. In accordance with the 9-Party MOU, in 2009 and each consecutive year thereafter, the now 7 parties have also entered into a Memorandum of Understanding that sets forth each party's annual commitment to share the administrative and operational costs of the Senior Programs meal and transportation services and determines the methodology by which those costs will be allocated among them (the "MOU").
- D. In 2016, The Town of Parachute withdrew from membership and opted not to participate in the services provided by Garfield County Senior Programs in 2017. In 2017, it was determined that Colorado Mountain College no longer needs to be part of the MOU beginning 2019.

- E. Each of the remaining Parties desires to continue to provide meal and transportation services to eligible Garfield County senior citizens in 2023 in accordance with the original 9-Party MOU.

NOW, THEREFORE, for and in consideration of mutual covenants and agreements set forth below, the 7-Parties agree as follows:

AGREEMENT

1. Incorporation of Recitals. The foregoing Recitals are incorporated as if set forth in full.
2. Purpose of this Agreement. The purpose of this MOU is to define the terms and conditions by which the 7-Parties will collectively provide, administer and fund county-wide meal and transportation services for the Garfield County Senior Programs for calendar year 2023.
3. Term of Agreement. This Agreement shall have an Effective Date of January 1, 2023, regardless of the dates signed and shall terminate on December 31, 2023.
4. Senior Services to be Provided. The BOCC, through its Department of Human Services Senior Programs, will organize and administer the congregate meal and transportation services described in this MOU for eligible senior and disabled citizens of Garfield County on behalf of Rifle, Glenwood Springs, Carbondale, New Castle, Silt (collectively, the "Municipalities"). In exchange, the Municipalities will reimburse the BOCC for their proportionate shares of the cost of such services as calculated in accordance with the Cost Methodologies defined in this Agreement.
5. Congregate Meal Services. The BOCC and Municipalities agree that Senior Program meals will be provided at seven (7) locations throughout Garfield County on the days and times, and further agree that the costs to provide such services will be allocated among them as follows:
 - a. Cost Methodology - Nutrition: The BOCC agrees to pay forty percent (40%) of total budgeted cost to provide Congregate Meal Services in 2023.
 - b. The Municipalities each agree to pay a proportionate share of the remaining balance, less all anticipated grant and program funding income, based upon the percentage of total meals served between July 2021 and June 2022 to the residents of each Municipality. The BOCC agrees to be responsible for all meals served to residents of unaffiliated Garfield County and Battlement Mesa as well as any shortfall in grant and program funding income.

- c. Application of Cost Methodology to the 2023 Budget: As illustrated in **Attachment A**, which is incorporated here for all purposes, the total budgeted cost to provide Congregate Meal Services in 2023 is **\$591,679.00**. The BOCC's 40% share of that amount equals **\$236,671.60**. Anticipated grant and program funding income for 2022 is **\$220,131.00**. The remaining balance is **\$134,876.40**.

Municipality	Number of Meals	Percent of Total	Amount Due
Carbondale	1,284	8.10%	\$10,920.06
Glenwood Springs	3,195	36.06%	\$52,686.76
New Castle	695	4.38%	\$5,910.78
Silt	1,761	11.10%	\$14,976.82
Rifle	5,924	37.35%	\$50,381.98
TOTAL	15,859	100.00%	\$134,876.40

6. Transportation Services. The BOCC, RFTA and Municipalities agree that Senior and Disabled transportation services funded by this Agreement are wheelchair accessible, curb to curb, driver assisted transportation services to assessed Garfield County residents who have difficulty utilizing public transportation and have an assessed functional disability affecting the ability to use public transportation. The Traveler provides transportation to destinations throughout Garfield County. In order to achieve the stated purpose, the BOCC specifically grants RFTA the authority to operate outside RFTA's boundaries and within the unincorporated boundaries of Garfield County, consistent with the provisions of C.R.S. § 43-4-605(1)(f) as required to comply with this IGA. Riders must make reservations 48 hours in advance. The cost to provide these transportation services will be shared by the BOCC, RFTA, and the Municipalities in accordance with the following Cost Methodology.

7. Definitions:

- a. Initial Pickup Location: The initial pickup location for cost allocation purposes is the Municipality in which the first leg of a passenger's trip occurs, whether it is a round trip, a one-way trip, or a multi-legged trip. For example, if a passenger is picked up in municipality A to be transported to Municipality B and is later picked up in Municipality B for a return ride to Municipality A, the initial pickup location for cost allocation purposes is Municipality A for both trip legs.
- b. One-Way Passenger Trips: This represents vehicles transporting passengers one way from their origins to their destinations on any leg of their trips. This does not mean round trips or vehicle trips, since more than one passenger can be riding on a vehicle at the same time resulting in "X" number of one-way passenger trips.
- c. Loaded Miles: Loaded miles are the total distance driven while a passenger is in the vehicle.

- d. Loaded Minutes: Loaded minutes are the total duration of time while a passenger is in the vehicle.

8. Cost Methodology – Transportation

- a. The BOCC agrees to be responsible for fifty percent (50%) of the total budgeted net County and RFTA expenses to provide Traveler Services in 2023. The remaining fifty percent is paid for by grant and program funding, a refund of 2021 excess revenue and allocated payments from the Municipalities based upon the fully allocated cost of providing services. Costs will be allocated to the Parties based on the total number of trips provided in each Jurisdiction, and total estimated Loaded Miles, and total estimated Loaded Minutes consumed by each Jurisdiction/Municipality. Costs will be considered allocable to a Jurisdiction/Municipality based upon the Initial Pickup Location as defined in Paragraph 7.a. herein, regardless of the number of trip legs or Jurisdictions/Municipalities visited by the passenger.
- b. RFTA agrees to be responsible for the fully allocated net cost of the Traveler transportation services provided to the three Municipalities that are current RFTA members: the Town of Carbondale, the City of Glenwood Springs, and the Town of New Castle.
- c. The remaining non-RFTA member Municipalities, the City of Rifle and the Town of Silt agree to pay the fully allocated net cost of Traveler transportation services allocable to their municipalities.
- d. The BOCC agrees to be responsible for any remaining Traveler transportation service costs, including any shortfalls in anticipated grant and program funding income.

9. 2023 Budgeted Contributions: As illustrated in Attachment B, the total budgeted cost to provide Senior and Disabled Transportation Services in 2023 is **\$776,380.00**. This cost represents the costs to the BOCC and to RFTA to provide such services in the amounts of **\$35,357.00** and **\$771,023.00**, respectively. This cost less the amount of **\$30,000.00** received by RFTA from other sources who utilize the Traveler bus system pursuant to a contractual agreement that is unrelated to this MOU, equals the net total County and RFTA expense for the Traveler transportation services in 2023 of **\$776,380**.

The BOCC's 50% share of this amount equals **\$331,757.00** plus the 2021 applied RFTA refund of **\$76,433.00** totals **\$388,190.00**. Anticipated grant and program funding income for 2023 is **\$78,494.00**. The total amount of the contribution from the County, including grants, program income and the 2021 refund is **\$466,684.00**. Subject to the recommendation of the Senior Advisory Board and the approval of the BOCC, any year-end excess budget funds in 2021 may also be applied to the County's contribution in 2023 for the Senior and Disabled Transportation Services budget. However, pursuant to the provisions of paragraph 13. Annual Reconciliation and True-Up, below, after 2023 there should not be any significant excess budget revenue to apply as a refund to a subsequent year's County contribution.

10. Allocation of County Contribution and Grant and Program Income: The County's contribution, inclusive of its 50% commitment and anticipated grant and program income, and the 2021 excess revenue refund, shall be allocated first to the cost of rides originating in unincorporated Garfield County. Any remaining balance shall be allocated on a pro rata basis relative to each other party's fully allocated cost.

11. Estimated Contributions: On the Chart below, the following estimates are offered to aid the Municipalities in planning and budgeting for their portion of the 2023 Traveler transportation services costs. The amounts shown are based on the 2023 budgeted amounts identified above and a forecast of ridership and services levels for 2023.

Jurisdiction	Est. One-Way Passenger Trips	Est. Loaded Miles	Est. Loaded Minutes	Est. Fully Allocated Cost	Est. Allocation of County Contribution, Grants & Program Income	Est. Net Responsibility for Each Municipality
Carbondale*	59	456	1,375	\$5,762	\$2,813	\$2,949
Glenwood Springs*	3,328	9,745	54,103	\$242,992	\$119,614	\$124,377
New Castle*	716	9,376	22,051	\$89,017	\$43,453	\$45,564
Silt	68	243	977	\$4,750	\$2,319	\$2,431
Rifle	4,079	8,137	53,816	\$262,522	\$128,148	134,374
Garfield County	1,391	18,389	42,003	\$171,338	\$171,338	-
Total	9,641	46,346	174,325	\$776,380	\$466,684	\$309,696

12. Monthly Billing: RFTA will pay directly for the fully allocated net costs attributable to its member jurisdictions and each of the remaining Parties will pay the County the amount shown on their respective lines in the Chart above.

13. Annual Reconciliation & True-up: No later than February 15, 2024 RFTA will publish a reconciliation statement. Actual expenditures for the year will be allocated based on the actual trips, and estimated loaded miles and loaded minutes provided to the Parties in 2023. If the total fully allocated net costs calculated for any Party during the preceding year exceeds the amount paid by the Party during the preceding year, a reconciliation credit or debit in the amount of the difference will be made for each such Party by the County. If a credit is due, RFTA will pay back to the County the amount it has been overpaid by the County for any Party or Parties within 30-days of the reconciliation statement. If a debit is owed, the Party or Parties owing the debit will pay the County the amount owed within 30 days of the reconciliation statement, and the County will remit any additional payments received and owed to RFTA within 30 days of receipt of the Party or Party's debit payment(s) to the County.

14. County Payments to RFTA for the Traveler Program. The amount to be paid by the BOCC to RFTA in 2023 for the provision of the Traveler Transportation Services contemplated by this Agreement is **Five Hundred Sixty-Eight Thousand, One Hundred Thirty-Three Dollars (\$568,133.00)**. This amount is based upon RFTA's estimated cost to provide the services in 2023

(\$771,023.00) less amounts received by RFTA from other sources who utilize the Traveler bus system (\$30,000.00) and less the cost to provide such services to the Town of Carbondale (\$2,949.00), the City of Glenwood Springs (\$124,377.00), and the Town of New Castle (\$45,564.00), each of which is a member of RFTA. Amounts are projected and should the actual cost exceed the budgeted costs, those funds will be paid through the Restricted Fund Balance/The Traveler, and reimbursed at year end by following the Annual Reconciliation and True-Up procedures described in Paragraph 13., above.

- a. RFTA's Estimated Cost: The Parties recognize that RFTA's estimate of its costs to provide Traveler services is solely RFTA's responsibility; the BOCC is not responsible in any way for verifying or assuring the accuracy of RFTA's calculation. For 2023, RFTA estimates that it's cost to provide these services is **\$771,023.00**.
- b. Other Traveler Services: The Parties recognize that RFTA's operation of the Traveler by means of this MOU does not include funding for ADA complementary paratransit services in the City of Glenwood Springs. Funding for this complementary paratransit service is provided by a separate contract between the City of Glenwood Springs and RFTA, which RFTA represents to be **\$30,000.00** for 2023.
- c. Payment: The BOCC and RFTA have entered into a separate intergovernmental agreement pursuant to which the BOCC agrees to pay RFTA the total amount of \$568,133.00 in eleven (11) monthly payments of \$47,344.42 and one monthly payment of \$47,344.38 for Senior and Disabled Transportation Services (the "Traveler IGA"). This amount represents RFTA's estimated cost to provide such services in 2023 less amounts received by RFTA from other sources and less the cost to provide such services to the RFTA Member Municipalities identified with an asterisk above. The non-RFTA member Municipalities agree to pay the respective amounts set forth above upon receipt of an invoice from the BOCC.
- d. Appropriation: This MOU is expressly contingent upon appropriation and budgeting for the costs required herein. If any Municipality, including RFTA on behalf of its member jurisdiction Municipalities, fails to appropriate or have available sufficient funds to pay for the costs of the obligations set forth in this MOU, services to residents of the failing Municipality shall end. The attached budget was adopted by the RFTA Board on December 8, 2022 and is considered final. If the actual cost of the Traveler program exceeds the amount set forth in this MOU, the additional cost will be covered through the Restricted Fund Balance/The Traveler, which would then be reimbursed at year end by following the Annual Reconciliation and True-Up Procedures described in Paragraph 13., above.
- e. COVID 19 Accommodations. Traveler services will be adjusted because of Governor orders or Public Health recommendations.

15. Combined Costs: The combined cost for 2023 Congregate Meal, Well and Wise, and Traveler Transportation Service are set forth on Attachment C.

16. Whole Agreement: This MOU sets forth the whole agreement of the Parties. No representation, either verbal or written, shall be considered binding to the extent it is not set forth herein.

17. Amendment and Assignment. This MOU may be amended, altered, or modified solely through a written agreement executed with equal formality. This MOU may not be assigned by any Party without the written agreement of all.

18. Facsimiles and Counterparts. This MOU and all documents required for performance may be signed in counterparts. Facsimile signatures may be substituted for originals on such documents.

19. Authority. Each person signing this MOU represents and warrants that said person is fully authorized to enter into and execute this document and bind the Party represented.

20. Governing Law. The laws of the State of Colorado shall govern the validity, performance, and enforcement of this MOU. Venue for any action instituted pursuant to this MOU shall lie in Garfield County.

21. Notice. Notices to be provided under this MOU shall be given in writing either by hand delivery or by certified return receipt requested United States mail, to the following:

Carbondale: Lauren Glister, Town Manager
Town of Carbondale
511 Colorado Avenue
Carbondale, CO 81623
970-510-1207
lgister@Carbondaleco.net

Garfield County: Sharon Longhurst-Pritt, Director
Garfield County Department of Human Services
195 West 14th Street, Building B
Rifle, CO 81650
(970) 625-8282 ext. 3265
spritt@garfield-county.com

Glenwood Springs: Steve Boyd, Acting City Manager
City of Glenwood Springs
101 W. 8th Street
Glenwood Springs, CO 81601
(970) 384-6522
steve.boyd@cogs.us

New Castle:

Dave Reynolds, Town Administrator
New Castle Town Hall
450 West Main Street,
PO Box 90
New Castle, CO 81647
(970) 984-2311
dreynolds@newcastlecolorado.org

RFTA:

Dan Blankenship, Chief Executive Officer
Roaring Fork Transportation Authority
2307 Wulfsohn Road
Glenwood Springs, CO 81601
(970) 384-4981
dblankenship@rfta.com

Rifle:

Tommy Klein, City Manager
City of Rifle
202 Railroad Ave
P. O. Box 1980
Rifle, CO 81650
(970) 625-6266
tklein@rifleco.org

Silt:

Jeff Layman, Town Administrator
Town of Silt
231 N. 7th Street, PO BOX 70
Silt, CO 81652
(970) 876-2353, ext. 813
jlayman@townofsilt.org

THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2023.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS OF
GARFIELD COUNTY, COLORADO, and
BOARD OF SOCIAL SERVICES**

Clerk to the Board

By: _____
John Martin, Chairman

DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2023.

ATTEST: **CITY OF GLENWOOD SPRINGS, COLORADO**

City Clerk

By: _____
Jonathan Godes , Mayor

DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2023.

ATTEST:

**ROARING FORK TRANSPORTATION
AUTHORITY**

Clerk to the Bd. Of Directors

By: _____
Dan Blankenship , Chair

DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2023.

ATTEST: **TOWN OF CARBONDALE, COLORADO**

Town Clerk

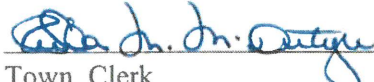
By: _____
Ben Bohmfalk, Mayor

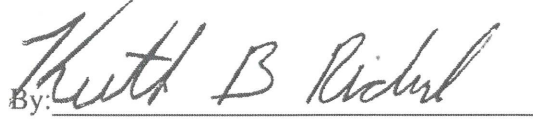
DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2023.

ATTEST:

TOWN OF SILT, COLORADO


Town Clerk

By: 
Keith Richel, Mayor

DATED: Nov 21, '22



IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2023.

ATTEST:

TOWN OF NEW CASTLE, COLORADO

Town Clerk

By: _____
Art Riddile, Mayor

DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2023.

ATTEST:

CITY OF RIFLE , COLORADO

City Clerk

By: _____
Ed Green, Mayor

DATED: _____

ATTACHMENTS TO MEMORANDUM OF UNDERSTANDING
RE: SENIOR PROGRAMS

ATTACHMENT A: 2023 CONGREGATE MEAL BUDGET AND COST METHODOLOGY

ATTACHMENT B: 2023 TRANSPORTATION BUDGET AND COST METHODOLOGY

ATTACHMENT C: 2023 CONGREGATE MEAL, WELL AND WISE, AND TRAVELER
TRANSPORTATION SERVICE

ATTACHMENT A

2023 CONGREGATE MEAL BUDGET AND COST METHODOLOGY

Nutrition Budget		Annual
Wages	\$	153,757.00
Employee Benefits	\$	58,149.00
Professional - Other	\$	341,723.00
Repair and maintenance	\$	200.00
Rental of Land & Buildings	\$	1,000.00
Communications	\$	550.00
Printing and Binding	\$	150.00
DHS - Destruction of Records	\$	250.00
Travel	\$	300.00
Motor Pool Charges	\$	13,000.00
Professional Affiliations	\$	100.00
Training	\$	600.00
Office Supplies	\$	1,000.00
Operating Supplies	\$	11,000.00
Computer Supplies	\$	400.00
Freight, postage, Delivery	\$	2,700.00
Copy Machine Usage	\$	1,300.00
Food - non travel related	\$	3,500.00
Computers & computer equipment	\$	2,000.00

Total 12 Month Budget \$591,679.00

Less AAA funding	\$	190,631.00
Less NSIP Incentives	\$	12,500.00
Less Program Income	\$	17,000.00
Grant & Program Income Total	\$	220,131.00
40% County Share of Total Expenses	\$	236,671.60
Garfield County Share	\$	236,671.60
Projected Income/County Share	\$	456,802.60
Income less expenses	\$	\$134,876.40
Municipal Budget Share for Distribution	\$	\$134,876.40

NUTRITION BREAKDOWN SUMMARY FOR MUNICIPALITIES			
2023		2022	
Jurisdiction	# of Meals Served	Percent of Total	Municipal Nutrition Contribution
Carbondale	1,284	8.10%	\$10,920.06
Glenwood Springs	6,195	39.06%	\$52,686.76
New Castle	695	4.38%	\$5,910.78
Silt	1,761	11.10%	\$14,976.82
Rifle	5,924	37.35%	\$50,381.98
Municipal Total	15,859	100.00%	\$134,876.40
Garfield County	5,073		
Parachute	-		
Grand Total	20,932		
Based on July 2021 - June 2022 Usage			
2022		2021	
# Meals	Contributions	# Meals	Contributions
1,157	\$ 8,555.53	1,306	\$ -
6,812	\$ 50,371.89	4,875	\$ -
996	\$ 7,365.00	723	\$ -
1,778	\$ 13,147.57	2,074	\$ -
7,529	\$ 55,673.81	6,420	\$ -
18,272	\$ 135,113.80	15,398	\$ -
3,325		3,265	
21,597		18,663	
Based on July 2020 - June 2021			
Based on July 2019 - June 2020			

ATTACHMENT B

2023 TRANSPORTATION BUDGET AND COST METHODOLOGY

Transportation Budget	Annual
Wages	\$ 21,116
Employee Benefits	\$ 11,440
Communication	\$ 200
Motor Pool Charges	\$ 50
Training	\$ 200
Office Supplies	\$ 200
Computer Supplies	\$ 200
Freight, Postage, Delivery	\$ 200
Total County Expenses	\$ 35,357
RFTA	\$ 771,023
MINUS GWS Paratransit	\$ 30,000
Total Net RFTA Expenses	\$ 741,023
Total Expenses	\$ 776,380
Less Program Income	\$ 5,500
Less CSBG	\$ 61,494
Less Mt. Valley Development	\$ 11,500
Total G/P Income	\$ 78,494
County Net 50% Share	\$ 311,757
2021 Refund Applied	\$ 76,433
Total County 50% Share	\$ 388,190
Total Revenue	\$ 466,684
Total Expenses	\$ 776,380
Revenue less expenses	\$ 309,696
Municipal Budget Share for Distribution	\$ 309,696

2022 Traveler Forecast Service And Cost Data

Jurisdiction	Est. One-Way Passenger Trips	Est. Loaded Miles	Est. Loaded Minutes	Est. Fully Allocated Cost	Est. Allocation of County Contribution, Grants & Program Income	Est. Net Responsibility for Each Municipality
Carbondale	59	456	1,375	\$ 5,762	\$ 2,813	\$ 2,949
Glenwood Springs	3,328	9,745	54,103	\$ 242,992	\$ 118,614	\$ 124,377
New Castle	716	9,376	22,051	\$ 89,017	\$ 43,453	\$ 45,564
Silt	68	243	977	\$ 4,750	\$ 2,319	\$ 2,431
Rifle	4,079	8,137	53,816	\$ 262,522	\$ 128,148	\$ 134,374
Garfield County	1,391	18,389	42,003	\$ 171,338	\$ 171,338	\$ -
Total	9,641	46,346	174,325	\$ 776,380	\$ 466,684	\$ 309,696
Check Total	9,641	46,346	174,325	\$ 776,380	\$ 466,684	\$ 309,696
Difference +/-						

ATTACHMENT C:
**2023 CONGREGATE MEAL, WELL AND WISE, AND TRAVELLER
TRANSPORTATION SERVICE**

COMBINED CONTRIBUTION BREAKDOWN

Jurisdiction	2023	2023	2023	2023	RF1A	2023	2023	2023	2023
	Nutrition Contribution	Transportation Contribution	Well & Wise Contribution	Total Contributions		Nutrition Contribution	Transportation Contribution	Well & Wise Contribution	Net Adjusted Total
Cardondale	\$10,920.06	\$2,949.00	-	\$13,869.06	\$2,949.00	\$10,920.06	-	-	\$10,920.06
Glenwood Springs	\$52,686.76	\$124,377.00	-	\$177,063.76	\$124,377.00	\$52,686.76	-	-	\$52,686.76
New Castle	\$5,910.78	\$45,564.00	-	\$51,474.78	\$45,564.00	\$5,910.78	-	-	\$5,910.78
Silt	\$14,976.82	\$2,431.00	-	\$17,407.82		\$14,976.82	\$2,431.00	-	\$17,407.82
Rifle	\$50,381.98	\$134,374.00	-	\$184,755.98		\$50,381.98	\$134,374.00	-	\$184,755.98
Garfield County	\$ 236,671.60	\$388,190.00	7,688.00	\$632,549.60		\$236,671.60	\$388,190.00	7,688.00	\$632,549.60
Totals	\$371,548.00	\$697,885.00	7,688.00	\$1,077,121.00	\$172,890.00	\$371,548.00	\$524,995.00	7,688.00	\$904,231.00



**CITY OF RIFLE
PURCHASE REQUEST**

1.	Vendor Name	NEW: W-9 attached ☐
	Dept. of Human Services Senior Programs	

2.	Vendor Address
	195 W. 14th Street, Rifle, CO 81650

3.	For the Purchase of (description)
	The Traveler and senior meal costs for 2023

4. Amount Requested	Amount Budgeted	Finance Director Verified Funds Avail.
\$184,755.98	\$130,000	

5. Dept. Name	General Ledger Acct #
GF Non Dept	100-4800-400-501

6.	Type of Purchase
☐	Capital Construction
☐	Capital Construction – Change Order
☐	Capital Equipment
☐	Plant Equipment
☐	Materials, supplies, non-profession/technical services (includes computer/software maint.)
☒	Professional Services
☐	Utilities (includes equipment installation and ongoing contracts)
☐	Land, easements, ROW

7.	Purchasing Process Required (Rifle Municipal Code sections for guidance)		
☐	Cooperative Purchasing:	Sec 4-3-90	
☐	Open Market:	Sec. 4-3-40(c)	
☐	Comparative Pricing:	Sec. 4-3-40(d)	
☐	Request for Proposal:	Sec. 4-3-40(e)	(attach bid tab)
☐	Competitive Sealed Bid:	Sec.4-3-40(f)	(attach bid tab & advertisement)
☒	Sole Source:	Sec. 4-3-40(a)	(attach memo)

8.	Authorization Required
☒	City Manager
☒	City Council

9.	Signatures		
	Position	Signature	Date
	Department Director		
	City Manager	<i>SAK</i>	12-14-2022
	City Council Approval (meeting date)		
10.	Purchase Order # assigned by Finance		



Agenda Item #7.d.

Agenda Item Name:

Consider 2023 Expenditure for Journey Home (Animal Shelter) Services

Presenter:

Tommy Klein, City Manager

Item Description:

Consider 2023 expenditure for Journey Home (formerly Rifle Animal Shelter) services

Recommended Action:

Move to approve expenditure in the amount of \$71,781 for services offered by Journey Home Animal Care Center from the 2023 budget.

Fiscal Impact:

If Council approves this item, the City will pay Journey Home \$71,781 from account 100-4800-400-321. This amount is in the 2023 budget.

Operational Impact:

If Council approves this item, the Police Department will be permitted to utilize the Journey Home facility for housing lost and stray pets and providing medical care to animals.

Prior Board Motions:

The payments were approved by the Council in 2022 at \$17,945.25 per quarter - \$71,781 per year.

Background Information:

The City has contracted with Journey Home Animal Care Center, formerly the Rifle Animal Shelter, to provide stray and lost pet services for many years.

Executive Summary:

The City has contracted with Journey Home Animal Care Center, formerly the Rifle Animal Shelter, to provide stray and lost pet services for many years. City staff is happy with the services provided by the shelter. There are no other local entities that can provide the level of services that Journey Home Animal Care Center can provide for our organization. This is a single source service contract.

Notification Requirements:

None

Prepared By:

Tommy Klein, City Manager

Attachments:

1. Sole Source - Animal Shelter
2. Animal Shelter Purchase Request



MEMORANDUM

To: Honorable Mayor and City Council
From: Tommy Klein, City Manager
Date: December 1, 2022
Subject: Sole Source Request - Journey Home Animal Care Center

Staff respectfully request that the Council permit a sole source selection for animal care services with the Journey Home Animal Care Center. Journey Home is the only option we have for animal care services that includes housing stray animals.

If approved, we will pay Journey Home \$71,781 in 2023, the same rate we have paid since 2017. The 2023 budget includes \$71,781 for the services.



**CITY OF RIFLE
PURCHASE REQUEST**

1.	Vendor Name	NEW: W-9 attached ☐
	Journey Home Animal Care Center	

2.	Vendor Address
	1500 Prefontaine Ave., Rifle

3.	For the Purchase of (description)
	Animal care services.

4.	Amount Requested	Amount Budgeted	Finance Director Verified Funds Avail.
	\$71,781.00	71,781	

5.	Dept. Name	General Ledger Acct #
	General Non Dep	100-4800-400-321

6.	Type of Purchase
	☐ Capital Construction
	☐ Capital Construction – Change Order
	☐ Capital Equipment
	☐ Plant Equipment
	☐ Materials, supplies, non-profession/technical services (includes computer/software maint.)
	☒ Professional Services
	☐ Utilities (includes equipment installation and ongoing contracts)
	☐ Land, easements, ROW

7.	Purchasing Process Required (Rifle Municipal Code sections for guidance)		
	☐ Cooperative Purchasing:	Sec 4-3-90	
	☐ Open Market:	Sec. 4-3-40(c)	
	☐ Comparative Pricing:	Sec. 4-3-40(d)	
	☐ Request for Proposal:	Sec. 4-3-40(e)	(attach bid tab)
	☐ Competitive Sealed Bid:	Sec.4-3-40(f)	(attach bid tab & advertisement)
	☒ Sole Source:	Sec. 4-3-40(a)	(attach memo)

8.	Authorization Required
	☒ City Manager
	☒ City Council

9.	Signatures		
	Position	Signature	Date
	Department Director		
	City Manager	<i>SAK</i>	11-28-2022
	City Council Approval (meeting date)		
10.	Purchase Order # assigned by Finance		



Agenda Item #7.e.

Agenda Item Name:

Consider Microsoft Maintenance Renewal

Presenter:

Kelly Thompson, IT Director

Item Description:

Consider Microsoft Maintenance Renewal Yearly Invoices

Recommended Action:

Move to approve the expenditure of no more than \$46,000 for 2023 Microsoft maintenance fees.

Fiscal Impact:

The total cost associated with this purchase is estimated to be \$44,447.44. We are requesting a not to exceed \$46,000 encumbrance since Microsoft may raise prices. The \$46,000 for these purchases (Part 1 and Part 2) is in the 2023 budget.

Operational Impact:

None

Prior Board Motions:

Previous Councils have approved a similar expenditure request.

Background Information:

We utilize Microsoft products and depend on them heavily to conduct business.

Executive Summary:

Maintenance for Microsoft products consists of updates for the operating system (OS). "Maintenance refers to an application or process that helps to maintain the health and performance" of our operating system, which includes "providing updates to the OS, checking security and running scans for malware." (<https://learn.microsoft.com>) The quote also includes maintenance for our cloud service. Please see the memo for a sole source justification.

Notification Requirements:

None

Prepared By:

Tommy Klein, City Manager

Attachments:

1. Sole Source Memo
2. Part 1 of Quote
3. Part 2 of Quote



Memorandum

To: Honorable Mayor Green and City Council; Tommy Klein, City Manager

From: Kelly Thompson, IT Director

Date: 12/17/2022

Re: Sole Source Rationale for Microsoft Maintenance Renewal

For the attached Purchase Requests, I am requesting utilizing the sole source purchasing process because Insight Public Sector is our vendor for Microsoft maintenance agreements, and Microsoft does utilize a NASPO / ValuePoint state pricing contract. Hence, the local government pricing has already been negotiated for the State of Colorado. Insight prefers these quotes be in two separate Purchase Orders. The grand total of both requests is \$44,557.44 for all required Microsoft licensing for 2023. While I believe these quotes to be accurate, I am requesting a "not to exceed" amount totaling \$46,000.

Let me know if you have any questions.

Regards,

A handwritten signature in dark ink, appearing to read "Kelly Thompson", is written over a horizontal line.

Kelly Thompson



**CITY OF RIFLE
PURCHASE REQUEST**

1.	Vendor Name	NEW: W-9 attached ☐
	Insight Public Sector	

2.	Vendor Address
	2701 E Insight Way, Chandler, AZ 85286

3.	For the Purchase of (description)
	Microsoft Licensing for 2023 (part 1)

4.	Amount Requested	Amount Budgeted	Finance Director Verified Funds Avail.
	\$32,000	\$32,000	

5.	Dept. Name	General Ledger Acct #
	IT	620-4192-400-431

6.	Type of Purchase	
	☐	Capital Construction
	☐	Capital Construction – Change Order
	☐	Capital Equipment
	☐	Plant Equipment
	☒	Materials, supplies, non-profession/technical services (includes computer/software maint.)
	☐	Professional Services
	☐	Utilities (includes equipment installation and ongoing contracts)
☐	Land, easements, ROW	

7.	Purchasing Process Required (Rifle Municipal Code sections for guidance)		
	☐	Cooperative Purchasing:	Sec 4-3-90
	☐	Open Market:	Sec. 4-3-40(c)
	☐	Comparative Pricing:	Sec. 4-3-40(d)
	☐	Request for Proposal:	Sec. 4-3-40(e) (attach bid tab)
	☐	Competitive Sealed Bid:	Sec.4-3-40(f) (attach bid tab & advertisement)
	☒	Sole Source:	Sec. 4-3-40(a) (attach memo)

8.	Authorization Required	
	☒	City Manager
	☒	City Council

9.	Signatures		
	Position	Signature	Date
	Department Director		12/17/22
	City Manager		12-19-2022
	City Council Approval (meeting date)		

10.	Purchase Order # assigned by Finance	
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TABLE 1 - IS A PURCHASE ORDER NECESSARY

<u>Amount of Purchase</u>	<u>Is Purchase Order Needed</u>	<u>Method of Source Selection</u>
\$0.01 - \$10,000	No – Dept Head Approval	No special sourcing
\$10,000.01 - \$25,000	Yes – City Manager Approval	Yes – see table 2 below
\$25,000.01 or Greater	Yes – Council Approval	Yes – see table 2 below

TABLE 2 - METHODS OF SOURCE SELECTION

<u>Methods of source selection</u>	<u>Contract limits</u>
Competitive sealed bidding	Greater than \$50,000.00
Competitive sealed proposals	Greater than \$10,000.00 and less than \$50,000.00.
**Greater than \$50,000 allowed for Construction Manager/General Contractor proposals, or similar type proposal.	
Small purchases	Less than \$10,000.00 - DEPARTMENT HEAD DISCRETION

TABLE 3 - LOCAL VENDOR PREFERENCE

Contract Amount	Primary Preference In City Limits	Secondary Preference In County Out of City
Less than \$1,000	10% discount	5% discount
\$1,001 to \$5,000	8% discount	4% discount
\$5,001 to \$25,000	6% discount	3% discount
\$25,001 to \$100,000	5% discount	2% discount
\$100,000 to \$200,000	4% discount	2.5% discount
\$200,001 to \$500,000	3% discount	1.5% discount
\$500,000 or greater	2% discount	1% discount

SOLD-TO PARTY 10142805

CITY OF RIFLE
PO BOX 1908
RIFLE CO 81650-1908

SHIP-TO

CITY OF RIFLE
202 RAILROAD AVE
RIFLE CO 81650-2218

We deliver according to the following terms:

Payment Terms : Net 30 days
Ship Via : Electronic Delivery
Terms of Delivery: : FOB DESTINATION
Currency : USD

Previous Orders: 0330109344 - 1/2022 / 0325389871 - 12/2019

Payment Schedule:

Year 1 PO

\$31,493.84

Year 2 PO

\$5,300.63

Year 3 PO

\$5,300.63

Quotation

Quotation Number : [225611804](#)
Document Date : 26-OCT-2022
PO Number :
PO release: :
Sales Rep : Peter Lonson
Email : PETER.LONSON@INSIGHT.COM
Telephone :
Sales Rep 2 : Brian Stephenson
Email : BRIAN.STEPHENSON@INSIGHT.COM
Telephone : +18002692523

Material	Material Description	Quantity	Unit Price	Extended Price
AAA-11650	Microsoft Office 365 (Plan G3) - subscription license - 1 user MS GOV TRANSACTIONAL CLOUD SUBS SVC (CLOUD OLS)-D Coverage Dates: 01-JAN-2023 - 31-DEC-2023 You will be billed on the following dates for the specified amounts: 31-DEC-2022 26193.20 USD STATE OF COLORADO NASPO VALUEPOINT SOFTWARE VAR(# ADSP016-138244/ 2017000000000000000105) LICENSE : 4100058060 DEPLOY DATE : 31-DEC-2022	110	238.12	26,193.20
AAA-03344	Microsoft SQL Server - software assurance - 1 user CAL MS GOV TRANSACTIONAL SA-D SVRS Coverage Dates: 01-JAN-2023 - 31-DEC-2025 You will be billed on the following dates for the specified amounts: 01-JAN-2023 684.54 USD 01-JAN-2024 684.53 USD 01-JAN-2025 684.53 USD STATE OF COLORADO NASPO VALUEPOINT SOFTWARE VAR(# ADSP016-138244/ 2017000000000000000105) LICENSE : 4100058060 DEPLOY DATE : 01-JAN-2023	20	102.68	2,050.00 684.54
AAA-30385	Microsoft Windows Server Datacenter Edition - software assurance - 2 cores MS GOV TRANSACTIONAL SA-D SVRS Coverage Dates: 01-JAN-2023 - 31-DEC-2025 You will be billed on the following dates for the specified amounts: 01-JAN-2023 3785.60 USD	30	378.56	11,350.00 3785.60

Material	Material Description	Quantity	Unit Price
01-JAN-2024	3785.60 USD		
01-JAN-2025	3785.60 USD		
STATE OF COLORADO NASPO VALUEPOINT SOFTWARE VAR(#ADSP016-138244/ 20170000000000000105)			
LICENSE : 4100058060			
DEPLOY DATE : 01-JAN-2023			
AAA-03790	Microsoft Windows Server - software assurance - 1 user CAL	110	22.65
	MS GOV TRANSACTIONAL SA-D SVRS		
	Coverage Dates: 01-JAN-2023 - 31-DEC-2025		
	You will be billed on the following dates for the specified amounts:		
	01-JAN-2023 830.50 USD		
	01-JAN-2024 830.50 USD		
	01-JAN-2025 830.50 USD		
	STATE OF COLORADO NASPO VALUEPOINT SOFTWARE VAR(#ADSP016-138244/ 20170000000000000105)		
	LICENSE : 4100058060		
	DEPLOY DATE : 01-JAN-2023		

Product Subtotal	42,095.10
TAX	0.00
Total	42,095.10

\$31,493.84

Thank you for choosing Insight. Please contact us with any questions or for additional information about Insight's complete IT solution offering.

Sincerely,

Peter Lonson

PETER.LONSON@INSIGHT.COM

Brian Stephenson

+18002692523

BRIAN.STEPHENSON@INSIGHT.COM

Please respond to colorado@insight.com

Phone: 800-269-2523

Insight Global Finance has a wide variety of flexible financing options and technology refresh solutions. Contact your Insight representative for an innovative approach to maximizing your technology and developing a strategy to manage your financial options.

This purchase is subject to Insight's online Terms of Sale unless you have a separate purchase agreement signed by you and Insight, in which case, that separate agreement will govern. Insight's online Terms of Sale can be found at the "terms-and-policies" link below.

SOFTWARE AND CLOUD SERVICES PURCHASES: If your purchase contains any software or cloud computing offerings ("Software and Cloud Offerings"), each offering will be subject to the applicable supplier's end user license and use terms ("Supplier Terms") made available by the supplier or which can be found at the "terms-and-policies" link below. By ordering, paying for, receiving or using Software and Cloud Offerings, you agree to be bound by and accept the Supplier Terms unless you

and the applicable supplier have a separate agreement which governs.
<https://www.insight.com/terms-and-policies>



**CITY OF RIFLE
PURCHASE REQUEST**

1.	Vendor Name	NEW: W-9 attached ☐
	Insight Public Sector	

2.	Vendor Address
	2701 E Insight Way, Chandler, AZ 85286

3.	For the Purchase of (description)
	Microsoft Licensing for 2023 (part 2)

4. Amount Requested	Amount Budgeted	Finance Director Verified Funds Avail.
\$14,000	\$15,000	

5. Dept. Name	General Ledger Acct #
IT	620-4192-400-431

6.	Type of Purchase
☐	Capital Construction
☐	Capital Construction – Change Order
☐	Capital Equipment
☐	Plant Equipment
☒	Materials, supplies, non-profession/technical services (includes computer/software maint.)
☐	Professional Services
☐	Utilities (includes equipment installation and ongoing contracts)
☐	Land, easements, ROW

7.	Purchasing Process Required (Rifle Municipal Code sections for guidance)		
☐	Cooperative Purchasing:	Sec 4-3-90	
☐	Open Market:	Sec. 4-3-40(c)	
☐	Comparative Pricing:	Sec. 4-3-40(d)	
☐	Request for Proposal:	Sec. 4-3-40(e)	(attach bid tab)
☐	Competitive Sealed Bid:	Sec.4-3-40(f)	(attach bid tab & advertisement)
☒	Sole Source:	Sec. 4-3-40(a)	(attach memo)

8.	Authorization Required
☒	City Manager
☒	City Council

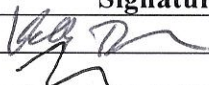
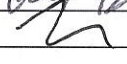
9.	Signatures		
	Position	Signature	Date
	Department Director		12/17/22
	City Manager		12-19-22
	City Council Approval (meeting date)		
10.	Purchase Order # assigned by Finance		

TABLE 1 - IS A PURCHASE ORDER NECESSARY

<u>Amount of Purchase</u>	<u>Is Purchase Order Needed</u>	<u>Method of Source Selection</u>
\$0.01 - \$10,000	No – Dept Head Approval	No special sourcing
\$10,000.01 - \$25,000	Yes – City Manager Approval	Yes – see table 2 below
\$25,000.01 or Greater	Yes – Council Approval	Yes – see table 2 below

TABLE 2 - METHODS OF SOURCE SELECTION

<u>Methods of source selection</u>	<u>Contract limits</u>
Competitive sealed bidding	Greater than \$50,000.00
Competitive sealed proposals	Greater than \$10,000.00 and less than \$50,000.00.
**Greater than \$50,000 allowed for Construction Manager/General Contractor proposals, or similar type proposal.	
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TABLE 3 - LOCAL VENDOR PREFERENCE

Contract Amount	Primary Preference In City Limits	Secondary Preference In County Out of City
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\$1,001 to \$5,000	8% discount	4% discount
\$5,001 to \$25,000	6% discount	3% discount
\$25,001 to \$100,000	5% discount	2% discount
\$100,000 to \$200,000	4% discount	2.5% discount
\$200,001 to \$500,000	3% discount	1.5% discount
\$500,000 or greater	2% discount	1% discount

SOLD-TO PARTY 10142805

CITY OF RIFLE
PO BOX 1908
RIFLE CO 81650-1908

SHIP-TO

CITY OF RIFLE
202 RAILROAD AVE
RIFLE CO 81650-2218

We deliver according to the following terms:

Payment Terms : Net 30 days
Ship Via : Electronic Delivery
Terms of Delivery: : FOB DESTINATION
Currency : USD

Quotation

Quotation Number : [225612780](#)
Document Date : 26-OCT-2022
PO Number :
PO release: :
Sales Rep : Peter Lonson
Email : PETER.LONSON@INSIGHT.COM
Telephone :
Sales Rep 2 : Brian Stephenson
Email : BRIAN.STEPHENSON@INSIGHT.COM
Telephone : +18002692523

Material	Material Description	Quantity	Unit Price	Extended Price
AAA-11035	Microsoft Virtual Desktop Access - subscription license (1 month) - 1 user CITY OF RIFLE 0005362137 TBI POOL STATE OF COLORADO NASPO VALUEPOINT SOFTWARE VAR(# ADSP016-138244/ 20170000000000000105) LICENSE : 4100058060 AUTHORIZATION N ANNUAL BILLING DUE 1/1/23	110	118.76	13,063.60
Product Subtotal				13,063.60
TAX				0.00
Total				13,063.60

Thank you for choosing Insight. Please contact us with any questions or for additional information about Insight's complete IT solution offering.

Sincerely,

Peter Lonson

PETER.LONSON@INSIGHT.COM

Brian Stephenson
+18002692523

BRIAN.STEPHENSON@INSIGHT.COM

Please respond to colorado@insight.com

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Agenda Item #8.a.

Agenda Item Name:

Report to City Manager

Presenter:

Tommy Klein, City Manager

Item Description:

Staff report on notable tasks completed within the individual departments.

Recommended Action:

No action necessary

Fiscal Impact:

N/A

Operational Impact:

N/A

Prior Board Motions:

N/A

Background Information:

N/A

Executive Summary:

Work Report to City Manager
12/09/2022

Notification Requirements:

N/A

Prepared By:

Alexis Ramirez, Deputy City Clerk

Attachments:

1. Report to City Manager 12.16.2022

WORK REPORT TO CITY MANAGER

12.16.2022

PIO

- Continuing updates on website and social media on local issues and citizen concerns. Disseminated information regarding the new state law requiring bag fees which will go into effect in January.
- Did informational videos with Janet Grossman (who does them in Spanish) letting citizens know that the time to nominate someone for the meal kit giveaway had been extended to December 16th.

COURT

- Judge Zerbi's wife passed away unexpectedly last week. We have been utilizing Associate Judge Amanda Maurer to get through this difficult time. We are taking it day by day.
- Handled 82 adult cases and 13 juvenile cases on December 7 court day.
- Held 09 telephone hearings with inmates in custody.

PUBLIC WORKS

- 0.5 MG Airport Water Tank: construction has been halted due to winter conditions.
- Projects in design phase: Whiteriver, Tripp, and Morrow Dr. Re-construction; E. 5th & Ute rebuild; Railroad Ave – 5th to 9th rebuild.
- Park Hill retaining wall for City/Frontella property line: Awaiting on CTL Thompson design report for engineering of wall structure – past due.
- 100 Block of W. 2nd Street Rehab: streetlamps were delivered and are currently being installed; delivery date for (3) missing grates: undetermined.
- Whiteriver Roundabout: FIR (Field Inspection Review) with CDOT December 20; follow-up meeting with KLJ on December 21st.
- Update of Public Works Manual.
- Developing plans and procedure and receiving 3rd party review for Colorado River Bridge 16" water line restraint and alignment repair.

FLEET

- Fleet maintenance for winter operations

OPERATIONS & MAINTENANCE

- Snowplow operations

Two weeks look-ahead

- Snow removal efforts
- Weed tree removal along roadways
- Roadway pothole maintenance.
- Fleet procurement for vehicles budgeted for 2023

ADMINISTRATION

- SGM has been hired to complete the design for the broken bridge pipe. We hope to have the project completed in February.
- The HVAC unit for City Hall has been ordered with an anticipated delivery date of May 18.
- We are working with Josh Bassett with Align Media to host an event in June focusing on rock climbing and the importance of Rifle Mountain Park to the sport. More to follow.