



CITY COUNCIL

WORKSHOP AND REGULAR MEETING AGENDA

August 19, 2020
7:00 PM
202 Railroad Avenue, Rifle, CO

6:00 PM - Workshop Meeting

Discussion and Review

- a. Discuss and review existing 2020 - 2023 Strategic Plan

7:00 PM - Regular Meeting

1. Call to Order & Roll Call

2. Pledge of Allegiance

3. Public Comment *(maximum time permitted for Public Comment is 3 minutes per person)

- 3.a. Instructions to Participate / Citizen Comments - for items not listed as public hearings on the agenda

4. Consent Agenda

- 4.a. Minutes of the June 17, 2020 City Council Regular meeting
- 4.b. Liquor License Renewal for City of Rifle dba Ute Theater and Events Center
- 4.c. Consider designation of the former Fulton Garage building at 127-131 W. 3rd St. as a local historic landmark - Ordinance No. 8, Series of 2020 - 2nd Reading
- 4.d. Consider Rifle Heights' Subdivision Improvement Agreement Fifth Amendment
- 4.e. Consider submitting an FMLD Traditional Grant application in the amount of \$500,000 for the Downtown Street Improvements Project - Resolution No. 14, Series of 2020
- 4.f. Consider submitting an FMLD Mini-Grant application for \$25,000 for the I-70 North Interchange Beautification Project - Resolution No. 15, Series of 2020

5. Regular Agenda

- 5.a.** Administer Oath of Office to Newly Appointed Councilor Clint Hostettler
- 5.b.** Present Service Plaque to Former Councilor Joe Elliott
- 5.c.** Consider amending Chapter 8, Article 1 of the Rifle Municipal Code for the regulation of accidents, accident reports and the nuisance exhibition of motor vehicle exhaust - Ordinance No. 9, Series of 2020
- 5.d.** Consider approval to purchase new flooring for the Senior Center
- 5.e.** Consider purchase of Motorola car and handheld radios for the Police Department
- 5.f.** Consider approval of Rifle Police Department DOLA Mental Health Grant - Resolution No. 16, Series of 2020
- 5.g.** Consider Site Plan Improvements Agreement and Fee Waiver Program for 2070 Railroad Avenue (NAPA Auto Parts)

6. Administrative Reports

7. Adjournment



Agenda Item #3.a.

Agenda Item Name:

Instructions to Participate / Citizen Comments - for items not listed as public hearings on the agenda

Presenter:

Item Description:

Citizen Comments - for items not listed as public hearings on the agenda.

Please limit comments to 3 minutes. Please see instructions below.

Electronic Meeting Participation:

Please click the link below to join the webinar:

[Click here to join electronic meeting](http://www.rifleco.org/ElectronicMeetings) or (www.rifleco.org/ElectronicMeetings)

Password: 929942

Participate by phone:

Dial: 1 301 715 8592 or 1 312 626 6799 / Webinar ID: 416 406 740

If you are participating electronically and would like to make a citizen comment during the City Council Meeting, please raise your hand on Zoom we will call on you during that portion of the meeting. During the meeting, you will be asked to state your name and if you live in the city limits of Rifle.

Recommended Action:

Fiscal Impact:

None

Operational Impact:

None

Prior Board Motions:

None

Background Information:

None

Executive Summary:

Notification Requirements:

None

Prepared By:

Misty Williams, Administrative Assistant

Attachments:

None



Agenda Item #4.a.

Agenda Item Name:

Minutes of the June 17, 2020 City Council Regular meeting

Presenter:

Item Description:

Minutes of the June 17, 2020 City Council Regular meeting

Recommended Action:

I move to approve the minutes of the June 17, 2020 City Council Regular meeting.

Fiscal Impact:

None

Operational Impact:

None

Prior Board Motions:

None

Background Information:

None

Executive Summary:

Minutes of the June 17, 2020 City Council Regular meeting

Notification Requirements:

None

Prepared By:

Misty Williams, Administrative Assistant

Attachments:

1. 06.17.2020 MINUTES

RIFLE CITY COUNCIL MEETING

Wednesday, June 17, 2020

REGULAR MEETING

7:00 p.m. * Council Chambers

A regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Barb Clifton. This Rifle City Council meeting was posted as an electronic meeting and is being held as an electronic meeting.

PRESENT AT ROLL CALL PARTICIPATING FROM THE COUNCIL CHAMBERS:

Councilors Joe Carpenter, Brian Condie, Joe Elliott, Theresa Hamilton, and Mayor Barb Clifton.

PRESENT AT ROLL CALL PARTICIPATING PRESENT ELECTRONICALLY:

Councilors Ed Green and Sean Strode.

OTHERS PRESENT: Rifle City Manager Scott Hahn, City Clerk Kristy Doll, City Attorney Jim Neu, Rifle Community Television (RCTV) Salvador Tovar-Guzman, Chief of Police Tommy Klein, IT Director Kelly Thompson, Finance Director Michelle Duran, Planning Director Nathan Lindquist, and Civil Engineer Craig Spaulding.

CITIZEN COMMENTS

No citizen comments were heard.

CONSENT AGENDA – CONSIDER APPROVING THE FOLLOWING ITEMS:

Consent Agenda – consider approving the following items:

- A. Minutes from the May 6, 2020, Regular meeting
- B. (Acting as Liquor Licensing Authority) Liquor License Renewal for the Flying K, Inc. dba the Texan Bar and Western Slope Chicken, LLC dba Wingchesters
- C. Rifle Community Foundation request for 2020 funds and update on 2019 Grant Distributions
- D. Request from Public Service for Easement in Knollridge Filing 1
- E. Professional Services Agreement for City Prosecutor
- F. Professional Services Agreement for City Attorney
- G. Sales and Use Tax Software IGA

Mayor Clifton requested Consent Agenda Item D be pulled from Consent Agenda and moved to Regular Agenda for separate consideration.

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

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

D. REQUEST FROM PUBLIC SERVICE FOR EASEMENT IN KNOLLRIDGE FILING 1

Mayor Clifton requested the consideration of the Public Service Easement in Knollridge Filing 1 be considered at a later date due to street repair deficiencies on 16th Street and Railroad Avenue from Xcel Energy's current project.

Planning Director Nathan Lindquist gave Council a background on the notice of correction that had been issued to Xcel Energy. The notice was issued because many areas where Xcel had installed a new line had not been restored.

CONSIDER ACCEPTING THE DRAFT AUDITED FINANCIAL STATEMENTS AND AUDIT REPORT FOR 2019 BY JIM HINKLE OF HINKLE & CO, CPAs

Jim Hinkle of Hinkle & Co. CPAs noted that they had audited the City's financial statements for the year ending December 31, 2019. Mr. Hinkle stated that the financial statements follow Generally Accepted Accounting Principles (GAA). The Financial Statements for the year ending December 31, 2019, presents information fairly in all the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information. They also represent the respective changes in financial position and cash flows, where applicable for the year.

Councilor Hamilton moved to approve the draft Audited Financial Statements and Audit Report for 2019 by Hinkle & Co, CPAs; seconded by Councilor Carpenter.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

UPDATE ON RIFLE SMALL BUSINESS RREDC AND CITY GRANT/LOAN PROGRAMS

Rifle Regional Economic Development Director (RREDC) Director Katie Mackley gave an update on the Rifle Small Business Loan Programs. Phase 1 of the Rifle Small Business Loan Program was finalized on June 10, 2020. Thirty-Nine applications were received for Phase 1 of the program and the RREDC distributed \$77,000 in loans to those applicants. Seven loan recipients have submitted applications with the appropriate documentation for loan forgiveness. The City allocated \$100,000 to RREDC for Phase 1 of the loan program and RREDC will reimburse the City for the remaining \$23,000 remaining balance.

The City allocated \$50,000 for Phase 2 of the Rifle Small Business Loan Program to assist restaurants not located on 3rd Street. The application deadline for this program will be July 15th. Fourteen applications have been received for a total of \$47,000. One recipient has submitted the documentation for loan forgiveness.

Planning Director Nathan Lindquist noted the construction of the 3rd Street parklets was originally estimated to cost \$30,000. However, there are some additional improvements that will increase the cost to construct the parklets. Staff requests an additional \$11,000 for the completion of the parklet project on Third Street, bringing the total cost of the parklets to \$41,000.

Councilor Elliott moved to increase the construction cost of parklets on Third Street by \$11,000, with a total cost of \$41,000 seconded by Councilor Condie.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

CONSIDER AWARDING CONTRACT TO TNT STRIPING, LLC FOR THE CRACK SEALING 2020 PROJECT

Civil Engineer Craig Spaulding stated the 2019 Street Condition Survey was used to determine the streets that needed crack sealing. The streets were prioritized by their current condition because it is important to seal cracks as early as possible to prevent water infiltration. Crack sealing was included in the City of Rifle 5-year maintenance and Capital Improvement Plan and is expected to take place annually. The Crack Sealing 2020 Project was advertised on May 11, 2020, and sent to five contractors. TNT Striping, LLC was the only contractor to submit a bid. Staff recommended that TNT Striping, LLC, be awarded the contract for the construction services for the Crack Sealing 2020 Project in the amount of \$53,180.50.

Councilor Hamilton moved to award a contract to TNT Striping, LLC, for the 2020 Crack Sealing project in an amount not to exceed \$53,180.50; seconded by Councilor Elliott.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

CONSIDER AWARDING CONTRACT TO GMCO LLC FOR GRAHAM MESA AVENUE IMPROVEMENTS 2020

Civil Engineer Craig Spaulding stated the 2020 Graham Mesa Avenue Improvement project would repair all areas of the street that have failed by removing failed surfaces, re-profile the road, and chip seal from 19th Street to the intersection of the new asphalt on the County Road. Bids for the project were received from United Companies and GMCO. These are the only chip and seal applicators in this area and both contractors are very capable of completing the project, but GMCO was the low bid. Staff recommends that GMCO LLC of Colorado be awarded the contract for construction services of the Graham Mesa Avenue Improvements 2020 in the amount of \$127,247.33.

Councilor Hamilton moved to award the contract to GMCO, LLC, for the 2020 Graham Mesa Avenue Improvements in an amount not to exceed \$127,247.33; seconded by Councilor Elliott.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

CONSIDER 409 WEST 3RD STREET LICENSE TO ENCROACH

Planning Director Nathan Lindquist explained the buyer of the 409 West 3rd Street property was scheduled to close on the sale of this property this week. The lender noticed that a corner of the building was built in the City's Right of Way and required a License to Encroach before the sale could be finalized. A street and sidewalk already exist within the Right of Way of West 2nd Street and staff doesn't anticipate a need for expansion or any public purpose for the next 50 years. Staff recommends approval of the License to Encroach.

Councilor Elliott moved to approve the License to Encroach for 409 W. 3rd Street; seconded by Councilor Hamilton.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

ADMINISTRATIVE REPORTS

Comments were heard from City Manager Scott Hahn, City Clerk Kristy Doll, City Attorney Jim Neu, Chief of Police Tommy Klein, Finance Director Michelle Duran, Planning Director Nathan Lindquist, and Civil Engineer Craig Spaulding.

COMMENTS FROM MAYOR AND COUNCIL

Comments were heard from Councilors Brian Condie, Joe Elliott, Ed Green, Theresa Hamilton and Sean Strobe, and Mayor Barb Clifton.

Meeting adjourned at 8:35 p.m.

Kristy Doll
City Clerk

Barb Clifton
Mayor



Agenda Item #4.b.

Agenda Item Name:

Liquor License Renewal for City of Rifle dba Ute Theater and Events Center

Presenter:

Kristy Doll, CMC, City Clerk

Item Description:

(Acting as Liquor Licensing Authority) Liquor License Renewal for Lodging and Entertainment Liquor License Renewal for City of Rifle dba Ute Theater and Events Center

Recommended Action:

I move to approve the Liquor License Renewal application for City of Rifle dba Ute Theater and Events Center.

Fiscal Impact:

None

Operational Impact:

None

Prior Board Motions:

None

Background Information:

City of Rifle dba Ute Theater and Events Center located at 132 East 4th Street, Rifle, CO has submitted a Lodging and Entertainment Liquor License Renewal Application.

The following criteria have been met by the applicant:

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

Executive Summary:

None

Notification Requirements:

None

Prepared By:

Misty Williams, Administrative Assistant

Attachments:

1. Ute Renewal Application_Redacted

Submit to Local Licensing Authority

**UTE THEATER AND EVENTS CENTER
132 EAST 4TH STREET
Rifle CO 81650**

RECEIVED

AUG 04 2020

**City Clerk
City of Rifle**

Fees Due		
Renewal Fee		500.00
Storage Permit	\$100 X <u>1</u>	\$ <u>100.00</u>
Sidewalk Service Area	\$75.00	\$
Additional Optional Premise Hotel & Restaurant	\$100 X <u>1</u>	\$
Related Facility - Campus Liquor Complex	\$160.00 per facility	\$
Amount Due/Paid		\$

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

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 CITY OF RIFLE		Doing Business As Name (DBA) UTE THEATER AND EVENTS CENTER		
Liquor License # 03-10555	License Type Lodging &	Sales Tax License # 00402957	Expiration Date 09/27/2020	Due Date 08/13/2020
Business Address 132 EAST 4TH STREET Rifle CO 81650				Phone Number 9706656569
Mailing Address 132 EAST 4TH STREET Rifle CO 81650			Email wpleasants@rifleco.org	
Operating Manager	Date of Birth	Home Address		Phone Number 970-665-6569
[REDACTED]				
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 _____				
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. 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				
3b. 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				
4. 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				
5. 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				
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 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				
7. 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
Signature	Date

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



Agenda Item #4.c.

Agenda Item Name:

Consider designation of the former Fulton Garage building at 127-131 W. 3rd St. as a local historic landmark - Ordinance No. 8, Series of 2020 - 2nd Reading

Presenter:

Brian Rusche, Planner II

Item Description:

Consider a request for designation of the former Fulton Garage building, located at 127-131 W. 3rd St., as a local historic landmark.

Recommended Action:

I move to approve Ordinance No. 8, Series of 2020 on second reading.

Fiscal Impact:

None.

Operational Impact:

None.

Prior Board Motions:

Approved on first reading 8/5/2020.

Background Information:

The Planning Commission acts as the Historic Preservation Board in order to recommend to the City Council properties that request certification as a Local Historic Landmark. Local certification allows properties to be eligible for State funds for historic preservation.

The City Council will review the petition upon completion of the Historic Preservation Board's recommendation; the Board forwards a unanimous approval recommendation from their June 30, 2020 meeting.

The City Clerk shall record all ordinances designating historic landmarks.

Executive Summary:

The applicant, Mark Dyson (d/b/a DYCO Holdings LLC), requests a Historic Landmark Designation of the former Fulton Garage building, located at 127, 129, and 131 W. 3rd Street. The building was constructed in

1928 and consists of 8,250 square feet. The applicant purchased the building in December of 2019 and has already made some internal improvements to the apartments on the second floor. A local historic designation allows the property owner to become eligible for state funding to improve the building. The building is located within the Historic Core subdistrict of the Central Business (CB) zone district.

The applicant has submitted evidence of the building's historical role to the City of Rifle, specifically citing its "cultural, economic, and social heritage" contribution to the community as one of the first three automobile sales and service properties to come to Rifle, which created an "auto-row" and facilitated Rifle's 20th Century change to the movement of people and goods by automobile.

More detailed descriptions of the building and its context are found in the application. Also attached are a letter of support from the Downtown Development Authority (DDA) and additional background from Alan Lambert.

The Planning Commission, acting as the Historic Preservation Board, unanimously approved a recommendation for local historic designation at their June 30, 2020 meeting.

Notification Requirements:

Per RMC Section 16-5-420(e), the Council will conduct a public hearing; except that in noticing such hearing, the requirement for notices to be sent by certified mail shall not apply. A public notice was published in the Citizen-Telegram on July 23, 2020 and the property has been posted with same notice.

Prepared By:

Brian Rusche, Planner II

Attachments:

1. Ordinance No. 8-Fulton Garage Historic Landmark-Legal-20200819

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 8
SERIES OF 2020**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO DEISGNATING
THE FULTON GARAGE BUILDING AS A HISTORIC LANDMARK.

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, the City Council finds that protection of the City’s historic and cultural heritage enhances property values, stabilizes historic neighborhoods, increases economic and financial benefits through the attraction to tourists, and provides educational opportunities; and

WHEREAS, Chapter 16, Article XIV of the City of Rifle Municipal Code (the “Code”) provides for the designation of historic landmarks withing the City upon fulfillment of certain criteria contained therein; and

WHEREAS, the owner of the Fulton Garage property has petitioned for and supports the designation of the building as a Historic Landmark; and

WHEREAS, the City’s Downtown Development Authority has recommended designation by the City Council of the Fulton Garage Building as a Historic Landmark; and

WHEREAS, pursuant to Code Section 16-14-20, on June 30, 2020 the Planning Commission acting as the City Historic Preservation recommended designation by the City Council of the Fulton Garage Building as a Historic Landmark; and

WHEREAS, the City Council finds and determines that designation of the Fulton Garage Building as a Historic Landmark is 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 City Council hereby designates the Fulton Garage Building, located at 127, 129, and 131 W. 3rd Street, Rifle, Colorado, Parcel No. R361879 as a Historic Landmark pursuant to Chapter 16, Article 14 of the Rifle Municipal Code.

INTRODUCED on August 5, 2020 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 August 19, 2020, passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this _____ day of _____, 2020.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

City Clerk



Agenda Item #4.d.

Agenda Item Name:

Consider Rifle Heights' Subdivision Improvement Agreement Fifth Amendment

Presenter:

Nathan Lindquist, Planning Director

Item Description:

The Rifle Heights Subdivision was approved in 2008. The original Subdivision Improvement Agreement (SIA) required that the developers contribute their portion of costs for Whiteriver Avenue improvements in the amount of \$159,101.70. The developers have requested multiple extensions to this payment, with the City granting the last extension (4th Amendment) to September 1, 2020. An additional three (3) year extension has been requested.

The amendments to the SIA require the developers to make a payment to the City of \$5000 with the sale of each lot, reducing the balance over time. To date, the developers show a remaining balance of \$143,695.14 on the original obligation.

Recommended Action:

Staff recommends approval of the 5th Amendment to the SIA with a new deadline of September 1, 2023.

Fiscal Impact:

Operational Impact:

Prior Board Motions:

Background Information:

Executive Summary:

Notification Requirements:

Prepared By:

Brian Rusche, Planner II

Attachments:

1. SIA-5th Amendment-Legal-20200819

**FIFTH AMENDMENT TO
SITE SPECIFIC DEVELOPMENT PLAN AND
SUBDIVISION IMPROVEMENTS AGREEMENT
FOR RIFLE HEIGHTS SUBDIVISION**

PHASE 1

THIS AGREEMENT is made this 1st day of July, 2020, by and between the CITY OF RIFLE, COLORADO, a Colorado municipal corporation whose address is P.O. Box 1908, Rifle, Colorado 81650 (hereinafter the “City” or “Rifle”), RH HOLDING CO., LLC, a Colorado limited liability company whose address is 5282 Red Pass Way, Castle Rock, Colorado 80108, and RH VENTURES, LLC a Colorado limited liability company whose address is 5282 Red Pass Way, Castle Rock, Colorado 80108 (hereinafter collectively “Developer”).

W I T N E S S E T H:

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

WHEREAS, by Annexation Agreement dated August 27, 2007 and recorded as Reception No. 732100 in the Office of the Garfield County Clerk and Recorder (the “Annexation Agreement”), the City and Developer’s predecessor in interest Rifle Heights Land Company, LLC (“RHLC”) established certain terms and conditions for the annexation and development of the Property; and

WHEREAS, the City and RHLC subsequently entered into a Site Specific Development Plan and Subdivision Improvements Agreement for Phase 1 of the Property dated January 15, 2008, which Agreement is recorded in the Office of the Garfield County Clerk and Recorder at Reception No. 743334 (hereinafter the “Phase 1 SIA”); and

WHEREAS, the Final Plat for Phase 1 was recorded with the Garfield County Clerk and Recorder on February 21, 2008; and

WHEREAS, Paragraph 5 of the Annexation Agreement and Paragraph 4 of the Phase 1 SIA required RHLC to remit to the City \$159,101.70 for the construction of a portion of Whiteriver Avenue fronting the Property to City standards (the “Whiteriver Avenue Costs”) within eighteen (18) months of the recording of the Phase 1 Final Plat (which was August 21, 2009); and

WHEREAS, the City subsequently granted RHLC four extensions for payment of the Whiteriver Avenue Costs, most recently by approval of the Fourth Amendment to Site Specific Development Plan and Subdivision Improvements Agreement For Rifle Heights Subdivision recorded with the Garfield County Clerk and Recorder’s Office as Reception No. 896814 (the “Fourth Amendment”) that requires the payment of the Whiteriver Avenue Costs by September 1, 2020; and

WHEREAS, Developer has requested an extension of the deadline to pay the Whiteriver Avenue Costs.

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

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

2. Payment of Whiteriver Avenue Costs. The City agrees to amend Section 2.d. of the Fourth Amendment to read as follows, with all remaining provisions of the Fourth Amendment remaining in full force and effect:

d. Notwithstanding the payment terms addressed in subsections a. through c. above, any and all remaining Whiteriver Avenue Costs shall become due and payable in full as of September 1, ~~2020~~ 2023.

3. Ratification. Except as expressly modified herein, the parties ratify and affirm the Phase 1 SIA, Second Amendment, Third Amendment, and Fourth Amendment thereto.

4. Recordation. This Agreement shall be recorded in the records of the Garfield County Clerk and Recorder.

WHEREFORE, the parties hereto have executed this Second Amendment on the day and year first written above.

CITY OF RIFLE, COLORADO

By: _____
City Manager

ATTEST:

Clerk

RH HOLDING CO., LLC

By: _____
Name: _____
Title: _____

RH VENTURES, LLC

By: _____
Name: _____
Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged, subscribed, and sworn to before me this ____ day of _____, 2020,
by _____ as _____ of RH Holding Co., LLC.

WITNESS my hand and official seal.

My Commission expires: _____.

Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged, subscribed, and sworn to before me this ____ day of _____, 2020,
by _____ as _____ of RH Ventures, LLC.

WITNESS my hand and official seal.

My Commission expires: _____.

Notary Public

Exhibit A
Rifle Heights Subdivision, Phase 1
Legal Description

A PARCEL OF LAND SITUATE IN THE SW1/4NE1/4 SECTION 9, TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GARFIELD, STATE OF COLORADO, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 9, A 3 1/2" ALUMINUM CAP LS NO. 19598 IN PLACE; THENCE N45°47'16"E 1849.04 FEET TO A POINT ON THE EASTERLY LINE OF SAID SW1/4NE1/4 AND THE WESTERLY LINE OF ARABIAN HEIGHTS FILING NO. 2 AND THE SOUTHERLY RIGHT-OF-WAY OF 16TH STREET THE TRUE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY AND ALONG SAID EASTERLY LINE S00°39'57"E 1212.87 FEET; THENCE DEPARTING SAID EASTERLY LINE S89°19'23"W 42.39 FEET; THENCE S00°40'37"E 32.23 FEET TO A POINT ON THE NORTHERLY LINE OF THE SCALZO ADDITION; THENCE S89°12'11"W ALONG SAID NORTHERLY LINE A DISTANCE OF 970.18 FEET; THENCE DEPARTING SAID NORTHERLY LINE S00°44'46"E 28.00 FEET; THENCE S89°35'13"W 6.64 FEET; THENCE N00°15'06"E 32.53 FEET THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET AN ARC LENGTH OF 83.56 FEET (THE CHORD OF WHICH BEARS N13°55'52"E 82.77 FEET; THENCE N27°36'37"E 123.76 FEET; THENCE N00°23'21"W 238.03 FEET; THENCE S89°35'13"W 39.58 FEET; THENCE N28°06'26"W 88.99 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 20.15 FEET (THE CHORD OF WHICH BEARS N56°20'05"E 20.02 FEET); THENCE S35°59'08"E 96.26 FEET; THENCE S89°10'15"E 20.84 FEET; THENCE N48°28'03"E 167.21'; THENCE N68°20'02"E 127.25 FEET; THENCE N87°45'18"E 225.85 FEET; THENCE S89°02'19"E 154.52 FEET; THENCE N85°45'40"E 105.98 FEET; THENCE N01°34'09"E 65.40 FEET; THENCE N18°48'26"E 51.95 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 275.00 FEET AN ARC LENGTH OF 42.70 FEET (THE CHORD OF WHICH BEARS N83°52'10"W 42.65 FEET; THENCE N79°25'18"W 37.06 FEET; THENCE N01°34'23"E 92.75 FEET; THENCE N82°57'46"W 49.41 FEET; THENCE N08°01'00"W 69.23 FEET; THENCE N04°53'01"E 75.77 FEET; THENCE N10°45'12"E 99.75 FEET; THENCE N01°11'38"E 142.64 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY OF 16TH STREET; THENCE ALONG SAID RIGHT-OF-WAY N83°38'24"E 130.85 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY N82°17'30"E 146.32 FEET TO THE TRUE POINT OF BEGINNING, SAID PARCEL OF LAND CONTAINING 14.715 ACRES MORE OR LESS.



Agenda Item #4.e.

Agenda Item Name:

Consider submitting an FMLD Traditional Grant application in the amount of \$500,000 for the Downtown Street Improvements Project - Resolution No. 14, Series of 2020

Presenter:

Nathan Lindquist, Planning Director

Item Description:

The FMLD Grant application requires a resolution from Council approving the project as we do every grant cycle

Recommended Action:

A motion to approve the FMLD grant resolution

Fiscal Impact:

none

Operational Impact:

none

Prior Board Motions:

none

Background Information:

the Downtown Street Project has been budgeted for construction in 2021 - it includes 3rd Street and Railroad Avenue improvements.

Executive Summary:

Notification Requirements:

Prepared By:

Nathan Lindquist, Planning Director

Attachments:

1. Resolution No. 14-GCFMLD Traditional Grant-3rd Street Improvements-Legal-20200819

**CITY OF RIFLE, COLORADO
RESOLUTION NO. 14
SERIES 2020**

A RESOLUTION OF THE CITY OF RIFLE, COLORADO SUPPORTING A
TRADITIONAL GRANT APPLICATION TO THE GARFIELD COUNTY
FEDERAL MINERAL LEASE DISTRICT FOR THIRD STREET AND
RAILROAD AVENUE RECONSTRUCTION PROJECT

WHEREAS, the City of Rifle is a political subdivision of the State of Colorado, and therefore an eligible applicant for a grant awarded by the Garfield County Federal Mineral Lease District (“GCFMLD”); and

WHEREAS, the City of Rifle is submitting a Grant Application requesting a total award of \$500,000 for the Third Street and Railroad Avenue Reconstruction Project; and

WHEREAS, the City Council of the City of Rifle supports the Third Street and Railroad Avenue Reconstruction Project if a grant is awarded by the GCFMLD.

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

1. The above recitals are hereby incorporated as findings by the City of Rifle.
2. The City Council strongly supports, and the City Manager is hereby authorized to submit, the Grant Application for a traditional grant with the GCFMLD for the Third Street and Railroad Avenue Reconstruction Project.
3. The project site is owned by the City of Rifle and will be owned by the City of Rifle for the next 25 years. The City of Rifle will continue to maintain the Third Street and Railroad Avenue Reconstruction Project in a high-quality condition and will appropriate funds for operation and maintenance.
4. If a grant is awarded, the City of Rifle hereby authorizes the City Manager to sign a Grant Agreement with the GCFMLD and authorizes the expenditure of funds necessary to meet the terms and obligations of the Grant Agreement.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 19th day of August 2020.

ATTEST:

CITY OF RIFLE, COLORADO

By _____
City Clerk

By _____
Mayor



Agenda Item #4.f.

Agenda Item Name:

Consider submitting an FMLD Mini-Grant application for \$25,000 for the I-70 North Interchange Beautification Project - Resolution No. 15, Series of 2020

Presenter:

Item Description:

FMLD requires a resolution to be approved by City Council for the grant application

Recommended Action:

A motion to approve the resolution.

Fiscal Impact:

none

Operational Impact:

none

Prior Board Motions:

none

Background Information:

This projected has been budgeted for 2020 construction.

Executive Summary:

Notification Requirements:

Prepared By:

Nathan Lindquist, Planning Director

Attachments:

1. Resolution No. 15-GCFMLD Mini Grant-I-70 N Interchange Beautification-Legal-20200819

CITY OF RIFLE, COLORADO
RESOLUTION NO. 15
SERIES 2020

A RESOLUTION OF THE CITY OF RIFLE, COLORADO SUPPORTING A
MINI GRANT APPLICATION TO THE GARFIELD COUNTY FEDERAL
MINERAL LEASE DISTRICT FOR I-70 NORTH INTERCHANGE
BEAUTIFICATION IMPROVEMENTS

WHEREAS, the City of Rifle is a political subdivision of the State of Colorado, and therefore an eligible applicant for a grant awarded by the Garfield County Federal Mineral Lease District (“GCFMLD”); and

WHEREAS, the City of Rifle has submitted a Grant Application requesting a total award of \$25,000 for I-70 North Interchange Beautification Improvements (the “Project”); and

WHEREAS, the City Council of the City of Rifle supports the completion of the Project if a grant is awarded by the GCFMLD.

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

1. The above recitals are hereby incorporated as findings by the City of Rifle.
2. The City Council strongly supports, and the City Manager is hereby authorized to submit, the Grant Application for a mini grant with the GCFMLD for the Project.
3. The Project site is owned by the City of Rifle and will be owned by the City of Rifle for the next 25 years. The City of Rifle will continue to maintain the Project in a high-quality condition and will appropriate funds for maintenance annually.
4. If a grant is awarded, the City of Rifle hereby authorizes the City Manager to sign a Grant Agreement with the GCFMLD and authorizes the expenditure of funds necessary to meet the terms and obligations of the Grant Agreement.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 19th day of August 2020.

ATTEST:

CITY OF RIFLE, COLORADO

By _____
City Clerk

By _____
Mayor



Agenda Item #5.a.

Agenda Item Name:

Administer Oath of Office to Newly Appointed Councilor Clint Hostettler

Presenter:

Kristy Doll, CMC, City Clerk

Item Description:

Administer Oath Of Office to newly appointed councilman Clint Hostettler.

Clint is taking the place of Councilor Joe Elliott's position, and will remain on City Council until the next election in 2021.

Recommended Action:

No action necessary

Fiscal Impact:

None

Operational Impact:

None

Prior Board Motions:

None

Background Information:

Clint Hostettler is taking the place of Councilor Joe Elliott's position, and will remain on City Council until the next election in 2021.

Executive Summary:

None

Notification Requirements:

None

Prepared By:

Misty Williams, Administrative Assistant

Attachments:

1. City of Rifle OATH OF OFFICE 2020

OATH OF OFFICE

State of Colorado,
County of Garfield,
City of Rifle

I, Clint Hostettler, do solemnly swear that I will support the Constitution of the United States, and of the State of Colorado, and the Charter and Ordinances of the City of Rifle and faithfully perform the duties of the office of City Councilor upon which I am about to enter.



Signature

Subscribed and sworn to before me on August 19, 2020.

City Clerk



Agenda Item #5.b.

Agenda Item Name:

Present Service Plaque to Former Councilor Joe Elliott

Presenter:

Barb Clifton

Item Description:

Present plaque to Joe Elliott in appreciation of his service on City Council

Recommended Action:

No action necessary

Fiscal Impact:

None

Operational Impact:

None

Prior Board Motions:

None

Background Information:

Joe Elliott resigned his position as a City of Rifle councilman after purchasing a home outside of the Rifle City limits.

This plaque recognizes Joe's service to the City Council board.

Executive Summary:

None

Notification Requirements:

None

Prepared By:

Misty Williams, Administrative Assistant

Attachments:

None



Agenda Item #5.c.

Agenda Item Name:

Consider amending Chapter 8, Article 1 of the Rifle Municipal Code for the regulation of accidents, accident reports and the nuisance exhibition of motor vehicle exhaust - Ordinance No. 9, Series of 2020

Presenter:

Kathy Pototsky, Court Clerk / PIO
James S. Neu, City Attorney

Item Description:

Ordinance No. 9 amending Chapter 8, Article 1 of the RMC for the regulation of accidents, accident reports and the nuisance exhibition of motor vehicle exhaust.

Recommended Action:

Approve Ordinance No.8 Series of 2020.

Fiscal Impact:

Operational Impact:

Prior Board Motions:

Background Information:

These ordinances are a few more suggested by our officers. They exist under state law, but we have no municipal counterparts. We feel that they could be better handled in municipal court.

Executive Summary:

Notification Requirements:

Prepared By:

Kathy Pototsky, Court Clerk / PIO

Attachments:

1. Ordinance No. 9-Model Traffic Code Amendments-Legal-20200819

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 9
SERIES OF 2020**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING
CHAPTER 8, ARTICLE I OF THE RIFLE MUNICIPAL CODE TO PROVIDE
FOR THE REGULATION OF ACCIDENTS, ACCIDENT REPORTS AND THE
NUISANCE EXHIBITION OF MOTOR VEHICLE EXHAUST.

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 8, Article I of the City of Rifle Municipal Code (the “Code”) adopts by reference the 2020 Edition of the Model Traffic Code, with local amendments; and

WHEREAS, City staff has determined that the current Code provisions require additional amendment to better regulate and enforce accidents and accident reports and the nuisance exhibition of motor vehicle exhaust; and

WHEREAS, the City Council finds and determines that the following amendments to Chapter 8, Article I 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. Section 8-1-260 of the Rifle Municipal Code is hereby enacted as follows:

Sec. 8-1-260 – Accident Involving Damage - Duty.

Part 16 of the adopted code is amended by the addition of a new Section 1602, to read as follows:

1602. Accident Involving Damage- Duty.

(1) The driver of any vehicle directly involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall immediately return to and in every event shall remain at the scene of such accident, except in the circumstances provided in subsection (2) of this section, until the driver has fulfilled the requirements of section 1603. Every such stop shall be made without obstructing traffic more than is necessary.

(2) When an accident occurs on the traveled portion, median, or ramp of a divided highway and each vehicle involved can be safely driven, each driver shall move such driver's vehicle as soon as practicable off the traveled portion, median, or ramp to a frontage road, the nearest suitable cross street, or other suitable location to fulfill the requirements of section 1603. Any person who violates any provision of subsections (1) or (2) commits a criminal traffic offense as defined in 1701(2).

3. Section 8-1-270 of the Rifle Municipal Code is hereby enacted as follows:

Sec. 8-1-270 – Duty to give notice.

Part 16 of the adopted code is amended by the addition of a new Section 1603, to read as follows:

1603 Duty to give notice, information, and aid.

(1) The driver of any vehicle involved in an accident resulting in injury to any person, or damage to any vehicle which is driven or attended by any person shall give the driver's name, the driver's address, and the registration number of the vehicle he or she is driving and shall upon request exhibit his or her driver's license to the person struck or the driver or occupant of or person attending any vehicle collided with and where practical shall render to any person injured in such accident reasonable assistance.

(2) In the event that none of the persons specified are in condition to receive the information to which they otherwise would be entitled under subsection (1) of this section and no police officer is present, the driver of any vehicle involved in such accident after fulfilling all other requirements of subsection (1) of this section, insofar as possible on the driver's part to be performed, shall immediately report such accident to the nearest office of a duly authorized police authority as required in section 1606 and submit thereto the information specified in subsection (1) of this section. Any person who violates any provision of subsections (1) or (2) commits a criminal traffic offense as defined in 1701(2).

4. Section 8-1-280 of the Rifle Municipal Code is hereby enacted as follows:

Sec. 8-1-280 – Duty upon striking unattended vehicle or other property.

Part 16 of the adopted code is amended by the addition of a new Section 1604, to read as follows:

1604. Duty upon striking unattended vehicle or other property.

The driver of any vehicle which collides with or is involved in an accident with any vehicle or other property which is unattended resulting in any damage to such vehicle or other property shall

immediately stop and either locate and notify the operator or owner of such vehicle or other property of such fact, the driver's name and address, and the registration number of the vehicle he or she is driving or attach securely in a conspicuous place in or on such vehicle or other property a written notice giving the driver's name and address and the registration number of the vehicle he or she is driving. The driver shall also make report of such accident when and as required in section 1606. Every stop shall be made without obstructing traffic more than is necessary. This section shall not apply to the striking of highway fixtures or traffic control devices which shall be governed by the provisions of section 1605. Any person who violates any provision of this section commits a criminal traffic offense as defined in 1701(2).

5. Section 8-1-290 of the Rifle Municipal Code is hereby enacted as follows:

Sec. 8-1-290 – Duty upon striking highway fixtures or traffic control devices.

Part 16 of the adopted code is amended by the addition of a new Section 1605, to read as follows:

1605. Duty upon striking highway fixtures or traffic control devices.

The driver of any vehicle involved in an accident resulting only in damage to fixtures or traffic control devices upon or adjacent to a highway shall notify the road authority in charge of such property of that fact and of the driver's name and address and of the registration number of the vehicle he or she is driving and shall make report of such accident when and as required in section 1606. Any person who violates any provision of this section commits a criminal traffic offense as defined in 1701(2).

6. Section 8-1-300 of the Rifle Municipal Code is hereby enacted as follows:

Sec. 8-1-300 – Duty to report accidents.

Part 16 of the adopted code is amended by the addition of a new Section 1606, to read as follows:

1606. Duty to report accidents.

The driver of a vehicle involved in a traffic accident resulting in injury to, serious bodily injury to, or death of any person or any property damage shall, after fulfilling the requirements of sections 1602 and 1603 (1), give immediate notice of the location of such accident and such other information as is specified in section 1603 (2) to the nearest office of the duly authorized police authority and, if so directed by the police authority, shall immediately return to and remain at the scene of the accident until said police have arrived at the scene and completed their investigation. Any person who violates any provision of this section commits a criminal traffic offense as defined in 1701(2).

7. Section 8-1-310 of the Rifle Municipal Code is hereby enacted as follows:

Sec. 8-1-310 – Nuisance exhibition of motor vehicle exhaust – prohibition.

Part 3 of the adopted code is amended by the addition of a new Section 314, to read as follows:

314. Nuisance exhibition of motor vehicle exhaust – prohibition.

A person shall not engage in a nuisance exhibition of motor vehicle exhaust, which is the knowing release of soot, smoke, or other particulate emissions from a motor vehicle into the air and onto roadways. Any person who violates any provision of this section commits a non-criminal traffic offense.

8. The effective date of this Ordinance shall be October 1, 2020.

INTRODUCED on August 19, 2020 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 September 2, 2020, passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this _____ day of _____, 2020.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

City Clerk



Agenda Item #5.d.

Agenda Item Name:

Consider approval to purchase new flooring for the Senior Center

Presenter:

Tami Sours, Senior Center Director

Item Description:

Rifle Senior Center has submitted a purchase order to replace the flooring in the dining room, dance floor, and library room. This purchase order is in the amount of \$27,264.60 for AG Flooring LLC out of Silt Colorado. Two quotes were received after requests were made. The second quote did not include underlayment, after leaving messages for a new quote to include this we did not hear back from the second vendor. A private donation of \$10,000 is being made towards the new flooring along with \$10,000 from our Sales and Cans Committee leaving a net cost to the city of \$7,264.60. A budget of \$10,000 is in the 2020 budget for this item.

Recommended Action:

Approval of Purchase Order for AG Flooring LLC not to exceed the amount of \$27,264.60.

Fiscal Impact:

The total cost of the new flooring is estimated at \$27,264.60, we have received a private donation of \$10,000, our Sales and Cans Committee is contributing an additional \$10,000 leaving a cost of \$7,264.60 to the city. We originally budgeted \$10,000 for the flooring so net cost to the city general fund is below our budgeted amount.

Operational Impact:

None

Prior Board Motions:

None

Background Information:

Executive Summary:

Notification Requirements:

Prepared By:

Tami Sours, Senior Center Director

Attachments:

1. MEMO
2. Good Sherherd Flooring 12312019
3. AG Flooring 20 Mil
4. PURCHASE REQUEST FILLABLE



MEMORANDUM

TO: SCOTT HAHN
FROM: TAMI SOURS
DATE: 08/10/2020
RE: NEW FLOORING – SENIOR CENTER

Scott,

Here is my purchase order for the new flooring in our dining room area. The budget is for \$10,000.00, however I am receiving a private donation of \$10,000 and our Sales and Cans Committee is also donating \$10,000, so the net cost to the City will be \$7,264.60.

I received two quotes for the flooring and would like to go with AG Flooring. Their bid is a bit higher but it includes the underlayment. I called Good Shepherd Flooring to see if they would include this in their quote and no one is calling me back. I also called another flooring company in Glenwood and have not heard back from them either.

If we can move forward with this project and get it scheduled I would appreciate it.

Please let me know what else you need from me to move forward.

Thanks,
Tami



Good Shepherd Flooring
LLC
2408 S Grand
Glenwood Springs, CO
81601

Estimate **194658**

Date

12/31/2019

Name / Address

Rifle Senior Center
POC: Tami Sours

Job Location

Rep

Description		Qty	Rate	Total
LVT DR,DANCE , READING				
LVT	TBD	4,055	2.99	12,124.45T
Stairnose		6	49.99	299.94T
T mold		1	29.99	29.99T
Endcap		3	29.99	89.97T
Reducer		2	29.99	59.98T
Rubber Cove Base 4 inch		280	1.25	350.00T
Installation LVT		1	8,200.00	8,200.00
Installation Transtions		1	250.00	250.00
Installation Cove Base		1	300.00	300.00
Tearout Carpet & Dispose		1	600.00	600.00
Tearout Wood		1	1,200.00	1,200.00
Shipping		1	150.00	150.00
Floor Prep if Needed will be determined after tearout			0.00	0.00
THANK YOU!!!!				
			Subtotal	\$23,654.33
Phone #			Sales Tax (0.0%)	\$0.00
970-230-9584			Total	\$23,654.33
goodshepherdglenwood@gmail.com				



541 MAIN ST
SILT, CO 81652
970-876-4028
970-987-2307

Estimate

Number	E832
Date	6/16/2020

Customer

Tammi Sours
Senior Center Rifle
50 Ute Ave
Rifle , CO

Project

Description	Unit	Price	Amount
In The Grain 20 mil, Color 564	3950.00	\$2.99	\$11,810.50
Adhesive	8.00	\$120.00	\$960.00
Underlayment	3950.00	\$1.10	\$4,345.00
Metal and Insert Transition	16.00	\$4.50	\$72.00
Cove Base	420.00	\$1.38	\$579.60
LVT Install	3950.00	\$1.25	\$4,937.50
Underlayment Install	3950.00	\$0.65	\$2,567.50
Remove Carpet	3950.00	\$0.35	\$1,382.50
Cove Base Install	420.00	\$0.75	\$315.00
Freight	1.00	\$295.00	\$295.00

Amount Paid \$0.00

Amount Due \$27,264.60

AG FLOORING LLC
541 MAIN ST
SILT, CO 81652
970-876-4028
970-987-2307

Sub Total \$27,264.60

Sales Tax 6.90% on \$0.00 \$0.00

Total \$27,264.60



**CITY OF RIFLE
PURCHASE REQUEST**

1.	Vendor Name	NEW: W-9 attached ☐
	AG FLOORING LLC	

2.	Vendor Address
	541 MAIN STREET
	SILT CO 81652

3.	For the Purchase of (description)
	NEW FLOORING IN DINING ROOM - SENIOR CENTER

4.	Amount Requested	Amount Budgeted	Finance Director Verified Funds Avail.
	27264.60	10000.00	

5.	Dept. Name	General Ledger Acct #
	SENIOR CTR	100-4514-400-724

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

7.	Purchasing Process Required
	Cooperative Purchasing
	Open Market
	x Comparative Pricing
	Request for Proposal (attach bid tab)
	Formal Bid (attach bid tab and advertisement)
	Single Source (attach an explanation)

8.	Authorization Required
	City Manager
	City Council

9.	Signatures		
	Position	Signature	Date
	Department Director		08/10/2020
	City Manager		
	City Council Approval (meeting date)		
10.	Purchase Order # assigned by Finance		

General summary of purchasing ordinance (Section 4, Art. III)

TYPE OF CONTRACT	ESTIMATED AMOUNT	PROCESS	Purchase Order? Purchase Request?	CITY COUNCIL APPROVAL REQUIRED?
Capital Construction	< \$5,000	Open Market (informal evaluation by purchasing agent)	> \$5,000 - PO	Yes if over \$25,000 or for any amount from Capital Fund.
	\$5,000-\$25,000	Comparative Pricing (solicit quotes from 3) vendors/suppliers)	Purchase Request	
	\$25,001-\$100,000	Competitive Bid (see Code Sec 4-3-40)		
	> \$100,000	Bonded Competitive Bid		
Capital Construction Change orders	< = 10% of approved contract	When total change orders to date are < 10% - Dept Head or City Manager Approval	Purchase Request	Yes if total change orders to date are greater than 10%
	> 10% of approved contract			
Capital Equipment	< \$5,000	Open Market (informal evaluation by purchasing agent)	> \$5,000 - PO	Yes if over \$25,000 or for any amount from Capital Fund.
	\$5,000-\$25,000	Comparative Pricing (solicit quotes from 3 vendors/suppliers)	Purchase Request	
	> \$25,000	Competitive Bid (see Code Sec 4-3-40)		
Plant Equipment Replacement (purchases necessary for replacement of existing equipment that is component part of any water, wastewater, or physical plant)	< \$7,500	Open Market (informal evaluation by purchasing agent)	> \$5,000 - PO >= \$5,000 - Purchase Request	Yes if over \$25,000
	\$7,500-\$75,000	Comparative Pricing (solicit quotes from 3 vendors/suppliers)	Purchase Request	
	>\$75,000	Competitive Bid (see Code Sec 4-3-40)		
Materials, Supplies, Non- Professional Services and Technical Services (including software/hardware maintenance technical services)	< \$10,000	Open Market (informal evaluation by purchasing agent)	> \$5,000 - PO >= \$5,000 - Purchase Request	Yes if over \$20,000
	>\$10,000	Comparative Pricing (solicit quotes from 3 vendors/suppliers)	Purchase Request	
Professional Services (note- process for appointed positions such as auditor, attorney, engineer, or municipal judge to be determined by Council)	< \$25,000	Open Market (informal evaluation by purchasing agent)	All - Purchase Request	Yes if anticipated to exceed \$25,000 per year to a single vendor
	> = \$25,000	Written requests for written proposals must be sent to at least 3 firms or individuals		
Utilities including installation of equipment (purchases to secure utility services such as natural gas, electricity, local telephone, water, or sewer)	any amount	Single Source (negotiations, where appropriate, after good faith determination that only one viable source exists in relevant supply area - keep records for one year)	> \$5,000 - PO >= \$5,000 - Purchase Request	No
Real Property Interest (including easements and rights of way)	any amount	Single Source (see above)	> \$5,000 - PO >= \$5,000 - Purchase Request	Yes if over \$5,000.



Agenda Item #5.e.

Agenda Item Name:

Consider purchase of Motorola car and handheld radios for the Police Department

Presenter:

Tommy Klein, Chief of Police

Item Description:

Consider the purchase of Motorola car and handheld radios for the Police Department - JAG Grant

Recommended Action:

We recommend approving the request to spend up to \$130,000 on new radios for the Police Department.

Fiscal Impact:

A Justice Assistance Grant grant was obtained for this purchase and all funds up to \$130,000 will be reimbursed to the City. Funding for the purchase is available in account 100-4210-400-741.

Operational Impact:

Prior Board Motions:

Background Information:

Executive Summary:

The Police Department request Council's permission to spend up to \$130,000 to purchase Motorola car and handheld radios. In 2019, we applied for a Justice Assistance Grant to purchase radios. The grant has been approved. Funds are available in the amount of \$130,000 in our 2020 budget.

Notification Requirements:

Prepared By:

Tommy Klein, Chief of Police

Attachments:

1. 2020 Radio Grant Request Council Approval
2. Rifle PD APX 4000 & 4500 7-30-20
3. Grant Application
4. Purchase Request Motorola Radio



MEMORANDUM

**TO: HONORABLE CITY COUNCIL
CITY MANAGER SCOTT HAHN**
FROM: CHIEF TOMMY KLEIN
DATE: 08-06-2020
RE: JAG GRANT AND PURCHASING RADIOS

The Police Department respectfully requests Council's approval to spend up to \$130,000 on new Motorola handheld and car radios. In early 2019, the Police Department applied for a Justice Assistance Grant (JAG) and it has been approved. Our 2020 budget affords \$130,000 for this expenditure in Equipment account 100-4210-400-741. The current estimate from Motorola is \$120,376.22.

If Council allows us to move forward, we will acquire 18 Motorola car radios and 24 handheld units. We must purchase Motorola products because the Garfield County Emergency Communications Authority has a mobile repeater that is compatible with only Motorola radios. We have used this repeater on one occasion, and in the event of a disaster, we will likely need to use the repeater again.

We will retain the old units for backups, use by other City divisions, and for RE-2 use if needed.

Thank you for your consideration.



Billing Address:
RIFLE, CITY OF
PO BOX 1908
RIFLE, CO 81650
US

Quote Date:07/15/2020
Expiration Date:09/16/2020
Quote Created By:
Lane Feingold
lane.feingold@
motorolasolutions.com

End Customer:
RIFLE, CITY OF
Chief Tommy Klein
tklein@rifleco.org

Contract: 35521 - Colorado and Wyoming
APX Promotion

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 4000 Series	APX4000				
1	H51UCF9PW6AN	APX 4000 7/800 MHZ MODEL 2 PORT	24	\$1,963.00	\$1,177.80	\$28,267.20
1a	Q698AA	ADD: 2.5 INCH BELT CLIP	24	\$12.00	\$7.20	\$172.80
1b	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT)	24	\$0.00	\$0.00	\$0.00
1c	QA02750AB	ALT: IMPRES LI-ION 2800MAH (PMNN4448)	24	\$100.00	\$60.00	\$1,440.00
1d	QA02756AB	ENH: 3600 OR 9600 TRUNKING BAUD SINGLE SYSTEM	24	\$1,570.00	\$942.00	\$22,608.00
1e	H869CE	ENH: MULTIKEY	24	\$330.00	\$198.00	\$4,752.00
1f	QA05100AA	ENH: STD 1 YR WARRANTY APPLIES NO SFS	24	\$0.00	\$0.00	\$0.00
2	PMNN4448AR	BATTERY PACK,BATT IMPRES LIION IP67 2800T	24	\$146.00	\$106.58	\$2,557.92
1g	QA00631AB	ADD: DVRS PSU ACTIVATION	24	\$100.00	\$60.00	\$1,440.00
3	PMMN4062AL	AUDIO ACCESSORY- REMOTE SPEAKER MICROPHONE,IMPRES RSM, NOISE CANC. EMERGENCY BUTTON 3.5MM JACK IP54	24	\$117.70	\$85.92	\$2,062.08



Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of use and Purchase Terms and Conditions govern the purchase of the Products.

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
4	PMPN4284A	CHARGER DESKTOP MULTI-UNIT IMPRES 2 1 DISPLAY EXT PS 100-240VAC US/NA	2	\$655.00	\$478.15	\$956.30
5	PMPN4174A	CHGR DESKTOP SINGLE UNIT IMPRES, US/NA	24	\$76.00	\$55.48	\$1,331.52
6a	G628AD	INT: REMOTE MOUNT CABLE 17 FT APX	18	\$0.00	\$0.00	\$0.00
6b	G67DQ	ADD: REMOTE MOUNT O2 APXM	18	\$297.00	\$178.20	\$3,207.60
6	M22URS9PW1BN	APX4500 ENHANCED 7/800 MHZ MOBILE	18	\$1,714.00	\$1,028.40	\$18,511.20
6c	G831AD	ADD: SPKR 15W WATER RESISTANT	18	\$60.00	\$36.00	\$648.00
6d	QA02812AE	ADD: P25 9600 TRUNKING W/ INTEROPERABILITY	18	\$2,070.00	\$1,242.00	\$22,356.00
6e	GA01606AA	ADD: NO GPS/WI-FI ANTENNA NEEDED	18	\$0.00	\$0.00	\$0.00
6f	GA05100AA	ADD: STD WARRANTY - NO ESSENTIAL	18	\$0.00	\$0.00	\$0.00
6g	GA00804AA	ADD: APX O2 CH (GREY)	18	\$492.00	\$295.20	\$5,313.60
6h	G444AH	ADD: APX CONTROL HEAD SOFTWARE	18	\$0.00	\$0.00	\$0.00
6i	W484AF	ALT: ANT 3DB GAIN 762-870MHZ	18	\$38.00	\$22.80	\$410.40
6j	W22BA	ADD: STD PALM MICROPHONE APX	18	\$72.00	\$43.20	\$777.60
6k	W969BG	ADD: MULTIKEY OPERATION	18	\$330.00	\$198.00	\$3,564.00
6l	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT)	18	\$0.00	\$0.00	\$0.00

Grand Total

\$120,376.22(USD)



Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of use and Purchase Terms and Conditions govern the purchase of the Products.

Notes:

- **PLEASE BE ADVISED:** Motorola Solutions is moving towards being more environmentally green and emailing invoices. You may receive an email invoice instead of a mailed invoice, depending on the purchase. In addition, the invoice may have a new address for submitting payments. If you have any questions or would like to change where your electronic invoices will be delivered, please contact your credit analyst or dial 800-422-4210.



ZOOMGRANTS

Colorado Division of Criminal Justice
Office of Adult and Juvenile Justice Assistance
2019 Edward Byrne Memorial Justice Assistance Grant Program (JAG)
Deadline: 5/21/2020

City of Rifle Police Department
DJ-19-01-14-1 / Radio Replacement Project

Jump to: [Organizational Details](#) [Questions / Statement of Work](#) [Budget Summary](#) [Tables \(G&O, Budget Details, Additional Funding\)](#) [Documents](#)

\$ 130,498.00 Requested

Submitted: 3/1/2019 1:50:02 PM (Pacific)

Project Contact

Robin Steffen
rsteffen@riflco.org
Tel: 970-665-6520

Additional Contacts

blang@riflco.org,cdps_dcj_oajjagrants@state.co.us,DCJGMS@state.co.us

City of Rifle Police Department

201 E 18th Street
Rifle, CO 81650

Chief of Police
Tommy Klein
tklein@riflco.org

Telephone 970-665-6500
Fax 970-665-6522
Web www.riflenow.org
EIN 84-6000715
DUNS 182774869
SAM
Expires 7/12/2019

Organizational Details [top](#)

1. Legal Entity Name

Enter the Legal Entity Name here. If your agency is a DBA, the Legal name will be different than the Applicant Name. If your agency is NOT a DBA, then the Applicant Name and Legal Entity Name will be the same.

-no answer-

2. Legal Entity Physical Address

Enter the Legal Entity Street Address, City, State, Zip + 4 (e.g. 700 Kipling Street, Suite 1000, Lakewood, CO 80215-8957)

-no answer-

3. Are you a Colorado State Agency?

(e.g. Colorado Department of Revenue, Colorado Department of Corrections, Colorado Department of Public Safety, etc.)

☐ No

☐ Yes

4. Legal Entity County

Enter the County of your legal entity address

-no answer-

5. Entity's Fiscal Year End

-no answer-

6. Total Federal Expenditures during entity's last fiscal year.

-no answer-

Questions / Statement of Work [top](#)

Some answers will not be presented because they are not part of the selected group of questions based on the answer to #3.

Project Duration

1. Project Start Date

MM/DD/YYYY

01/01/2020

2. Project End Date

MM/DD/YYYY

12/31/2020

Application Type**3. Please select the best option below:***(This response will show or hide subsequent questions)*

- ☒ Purchase of Goods, Equipment, or Basic Gear
- ☐ Program/Project
- ☐ Program/Project and Purchase of Goods
- ☐ Continuation
- ☐ DCJ Grant Manager Only - Administration JAG
- ☐ DCJ Grant Manager Only - Post Processing

Applicant Contact & Agency Type**4. Application Primary Contact: Name, Phone, email address***This is the individual that will be contacted during the review period, and will be notified of award decisions and next steps.*

Robin Steffen
 970-665-6520
 rsteffen@rifleco.org

5. Applicant Type

- ☐ Not for Profit (Only State level, Quasi-governmental, and pre-approved Not for Profits)
- ☒ Public / Government

Statement of Work**6. Purpose Area***Select the JAG purpose area for this project.*

- ☒ 01- Law Enforcement
- ☐ 02- Prosecution, Court, and Indigent Defense
- ☐ 03- Prevention and Education
- ☐ 04- Corrections and Community Corrections
- ☐ 05- Drug Treatment and Drug Enforcement
- ☐ 06- Planning, Evaluation, Technology Improvement
- ☐ 07- Crime Victims and Witness Protection
- ☐ 08- Mental Health Programs

7. Project Summary*Provide a concise description of your project, include your goals, how they will be measured, and how your project will address the 2019 JAG goal.*

In 2015, the state of Colorado became a sanctuary state, thus cutting off a tremendous amount of federal funding opportunities. Small law enforcement agencies, such as the Rifle Police Department, depend on federal funding opportunities to maintain a high level of interaction, education and enforcement in their communities. Our community has been financially stressed over the past decade, due to the slumping energy industry. The City of Rifle is in the heart of oil and gas country. Now that Colorado is eligible for federal funding, our community asks for your help in replacing our police department's aging 2-way radios. The equipment currently in use is antiquated and parts are in short supply. This equipment is essential for the Rifle Police Department to fulfill its mandates of providing law enforcement services in a safe, effective, and efficient manner.

8. Problem Statement:*-answer not presented because of the answer to #3-***9. Problem Statement:***How would your agency benefit from the proposed purchase?*

The Rifle Police Department is asking for your assistance to purchase vital first-responder communication equipment in the form of Motorola 2-way radios. The current radios that are in-service with the Rifle Police Department were purchased more than 13 years ago. The radios are no longer being produced and parts are becoming more and more difficult to find. As such, the cost to repair or replace their aging electronic components has continued to climb to a point where it is no longer reasonable to repair them. The minimum fee for Motorola to evaluate a troubled device is just under \$1,000. This fee was recently doubled from its original contracted \$500. Motorola has stated they can no longer afford to fix our current radios at the originally contracted price. Radios play a critical role in the world of public safety. They allow for the immediate transmission of time sensitive and life-saving information to be broadcast to a wide network of first-responders. For officers in the field, this means they may collaborate with other officers, fire and ambulance crews, and other critical entities when seconds count.

The Rifle Police Department has made arrangements to purchase Motorola brand radios, which have a proven track record of being designed with first responders in mind. These radios are built to withstand the day-to-day abuses first responders routinely put them through. We are asking for funding to purchase (22) Motorola APX 4000 7/800 MHZ Model 2 portable radios, (18) Motorola APX 4500 7/800 MHZ mobile radios, and the appropriate accessories for each. The portable radios will be assigned to each officer and the mobile

radios will be installed in Rifle Police Department's motor pool vehicles.

In 2017, the Rifle Police Department applied for and received a Garfield County Federal Mineral Lease District grant in the amount of \$10,000. Those funds were used to purchase (4) Motorola APX 4000 7/800 MHz portable radios at a cost of a little more than \$10,000. Those funds were used to replace the radios that were in the worst shape. Although this funding was tremendously helpful, it was not enough. The Rifle Police Department has requested budget funding for the replacement of the current radios, which have been previously unsuccessful due to the city's low tax revenues. The Rifle city council will approve \$10,000 annually for continual maintenance of the portable and mobile radios. Unfortunately, due to the slumping energy industry, there are no budget plans to replace radios. The Rifle Police Department will continue to seek funding from alternative sources as we become aware of them.

10. Implementation Plan: What do you plan to do? What are the steps in your process? Your response should address the 6 questions below: What community collaborations and other funding do you have to support this project? What steps will you follow

from beginning to end? Who is responsible for this effort? What are your measurement capacities and intentions? How will you account for improvement processes, if challenges arise? What plans have you made for expanding and sustaining the program?

With the funding, the Rifle Police Department will purchase (22) Motorola APX 4000 portable radios. These portable radios will be assigned to individual officers. We will also purchase (18) Motorola APX 4500 mobile radios. The mobile radios will be placed in Rifle Police Department pool vehicles.

Through the city of Rifle's regular budgeting process, the Rifle Police Department has asked for and received approval for an annual amount of \$10,000 to repair and maintain the requested radio systems. The Garfield County Emergency Authority (dispatch) has a very experienced radio technician who provides maintenance and repair services at a discounted rate. We have been assured that this amount of on-going funding should be adequate for maintaining and repairing the new radio systems.

Once the radios are purchased, Sgt. Kirk Wilson will assign the portable radios to individual officers. An annual inventory of the radios will be completed to ensure accountability and that the devices are being maintained properly. The mobile radios will be installed in both the marked and unmarked Rifle Police Department fleet vehicles by an authorized installation firm. The Garfield County Emergency Communications Authority will ensure that the mobile radios are being maintained properly.

The Rifle Police Department will continue to seek funding for radio maintenance and repairs. Additionally, we will begin developing a radio replacement plan to ensure that these radios are replaced prior to becoming defective.

Implementing Agency

11. Implementing Agency

Will this be implemented by a different agency? If yes, enter Agency Name below. If no, enter NA.

N/A

Project Evaluation

12. Project Evaluation

Describe the evaluation plan for measures and outcomes

The purchase of these radios will allow the men and women of the Rifle Police Department to communicate in an effective and efficient manner with themselves and other first responders without the fear of losing signal. The current radios, which are over a decade old, are failing at an ever increasing rate. New radios will immediately remedy that issue.

Continuation Applicants - Applicable to projects currently operating using JAG funds

13. Project Accomplishments

-answer not presented because of the answer to #3-

14. Project Changes

-answer not presented because of the answer to #3-

15. Evaluation of Past Progress

-answer not presented because of the answer to #3-

Direct Services Projects

16. Direct Services Specific Projects

-answer not presented because of the answer to #3-

Project Officials

17. Project Director: Name

Enter salutation, first, last, title, agency (e.g. Mrs. Sally Smith, Program Coordinator, ABC Company)

Mr. Tommy Klein, Chief of Police, City of Rifle

18. Project Director: Mailing Address

Street Address, City, State, Zip + 4 (e.g. 700 Kipling Street, Suite 1000, Lakewood, CO 80215-8957)

201 E 18th Street, Rifle, CO 81650

19. Project Director: Email Address

tklein@rifleco.org

20. Project Director: Phone Number
970-665-6500

21. Financial Officer: Name
Enter salutation, first, last, title, Agency (e.g. Mr. John Doe, Senior Accountant, ABC Accounting Services)
Ms. Robin Steffen, Office Manager, Rifle Police Department

22. Financial Officer: Mailing Address
Street Address, City, State, Zip + 4 (e.g. 700 Kipling Street, Suite 1000, Lakewood, CO 80215-8957)
201 E 18th Street, Rifle, CO 81650

23. Financial Officer: Email Address
rsteffen@rifleco.org

24. Financial Officer: Phone Number
970-665-6500

25. Signature Authority: Name
Enter salutation, first, last, title, agency (e.g. Ms. Jane Austen, County Commissioner Chair, ABC Company).
Mr. Scott Hahn, City Manager, City of Rifle

26. Signature Authority: Mailing Address
Street Address, City, State, Zip + 4 (e.g. 700 Kipling Street, Suite 1000, Lakewood, CO 80215-8957)
202 Railroad Avenue, Rifle, CO 81650

27. Signature Authority: Email Address
shahn@rifleco.org

28. Signature Authority: Phone Number
970-665-6400

Geographic Area where Grant Funds will be Utilized

29. Colorado US Congressional District (01-07)
Enter district information that corresponds to the Service Area of this project. If Statewide, enter Statewide in the box provided. All other responses designating district should be separated by a comma.
District 3

30. State Senate District (01-35)
Enter district information that corresponds to the Service Area of this project. If Statewide, enter Statewide in the box provided. All other responses designating district should be separated by a comma.
District 8

31. State House District (01-65)
Enter district information that corresponds to the Service Area of this project. If Statewide, enter Statewide in the box provided. All other responses designating district should be separated by a comma.
House District 57

32. Colorado Judicial District (01-22)
Enter district information that corresponds to the Service Area of this project. If Statewide, enter Statewide in the box provided. All other responses designating district should be separated by a comma.
9th Judicial District

33. Counties
Enter district information that corresponds to the Service Area of this project. If Statewide, enter Statewide in the box provided. All other responses designating counties served should be separated by a comma.
Garfield County

34. Cities
Enter district information that corresponds to the Service Area of this project. If Statewide, enter Statewide in the box provided. All other responses designating counties served should be separated by a comma.
Rifle

Budget Summary [top](#)

Budget Summary Requested/Awarded	Grant Funds	Project Total
Personnel		\$ 0.00
Supplies & Operating		\$ 0.00
Travel		\$ 0.00
Equipment		\$ 0.00
Consultants / Contracts		\$ 0.00

Indirect
Total

\$ 0.00

\$ 0.00
\$ 0.00Tables (G&O, Budget Details, Additional Funding) [top](#)**Goals & Outcomes****GOAL 1**

Goal 1

Outcome 1.1

Outcome

Measurement

Timeframe

Outcome 1.2

Outcome

Measurement

Timeframe

Outcome 1.3

Outcome

Measurement

Timeframe

GOAL 2

Goal 2

Outcome 2.1

Outcome

Measurement

Timeframe

Outcome 2.2

Outcome

Measurement

Timeframe

Outcome 2.3

Outcome

Measurement

Timeframe

GOAL 3

Goal 3

Outcome 3.1

Outcome

Measurement

Timeframe

Outcome 3.2

Outcome

Measurement

Timeframe

Outcome 3.3

Outcome

Measurement

Timeframe

Project Evaluation

Project Evaluation- Describe the approach for evaluating the project in response to the stated outcomes and measurements. See instructions for further information.

Travel Total	\$ 0
EQUIPMENT	
E 1	\$
E 2	\$
E 3	\$
E 4	\$
E 5	\$
E 6	\$
E 7	\$
E 8	\$
E 9	\$
E 10	\$
Equipment Total	\$ 0
CONSULTANTS/CONTRACTS (PROFESSIONAL SERVICES)	
CC 1	\$
CC 2	\$
CC 3	\$
CC 4	\$
CC 5	\$
CC 6	\$
CC 7	\$
CC 8	\$
CC 9	\$
CC 10	\$
Consultants/Contracts Total	\$ 0
INDIRECT	
I 1	\$
Indirect Total	\$ 0
Total	\$ 130,498

Prior JAG Funding

	Amount Awarded	Grant Number	Project Title	Purpose Area	Grant Period
Prior JAG Funding for this project					
1.	\$				
2.	\$				
3.	\$				
Total	\$ 0.00				

Documents [top](#)

Documents Requested *

Organizational Chart [Required if grant funds personnel]

Priority Letter [Required if more than one JAG application is submitted in one funding cycle]

Letters of Support [see instructions]

Financial Management Questionnaire
[download template](#)

Federally Approved Indirect Cost Rate

Certifications relating to 8 U.S.C. § 1373 and certain other federal statutes related to immigration

Body Armor Certification
[download template](#)

Certification Regarding Lobbying; Debarment, Suspension; and Drug Free Workplace [Required for grants equal or over \$100,000, only]
[download template](#)

Required? Attached Documents *

[Letter of Priority](#)

[Support Doc 1](#)



[2019 JAG Financial Mgmt Questionnaire](#)

[Certification](#)

Other

Preliminary Award Acceptance/Request for
Reconsideration

[download template](#)

Acknowledgement of Award and Application Changes

[download template](#)

Administrative Documents *

* ZoomGrants™ is not responsible for the content of uploaded documents.

Application ID: 135931

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**CITY OF RIFLE
PURCHASE REQUEST**

1.	Vendor Name	NEW: W-9 attached ☒
	Motorola	

2.	Vendor Address
	13108 Collections Center Drive
	Chicago, IL 60693

3.	For the Purchase of (description)
	24 Handheld and 14 Car Radios / Installation

4.	Amount Requested	Amount Budgeted	Finance Director Verified Funds Avail.
	Up to \$130,000	130,000	

5.	Dept. Name	General Ledger Acct #
	Police	100-4210-400-741

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

7.	Purchasing Process Required
	Cooperative Purchasing
	Open Market
	Comparative Pricing
	Request for Proposal (attach bid tab)
	Formal Bid (attach bid tab and advertisement)
	☒ Single Source (attach an explanation)

8.	Authorization Required
	☒ City Manager
	☒ City Council

9.	Signatures		
	Position	Signature	Date
	Department Director		08-06-2020
	City Manager		
	City Council Approval (meeting date)		
10.	Purchase Order # assigned by Finance		

General summary of purchasing ordinance (Section 4, Art. III)

TYPE OF CONTRACT	ESTIMATED AMOUNT	PROCESS	Purchase Order? Purchase Request?	CITY COUNCIL APPROVAL REQUIRED?
Capital Construction	< \$5,000	Open Market (informal evaluation by purchasing agent)	> \$5,000 - PO	Yes if over \$20,000 or for any amount from Capital Fund.
	\$5,000-\$20,000	Comparative Pricing (solicit quotes from 3) vendors/suppliers)	Purchase Request	
	\$20,001-\$100,000	Competitive Bid (see Code Sec 4-3-40)		
	> \$100,000	Bonded Competitive Bid		
Capital Construction Change orders	< = 10% of approved contract	When total change orders to date are < 10% - Dept Head or City Manager Approval	Purchase Request	Yes if total change orders to date are greater than 10%
	> 10% of approved contract			
Capital Equipment	< \$5,000	Open Market (informal evaluation by purchasing agent)	> \$5,000 - PO	Yes if over \$20,000 or for any amount from Capital Fund.
	\$5,000-\$20,000	Comparative Pricing (solicit quotes from 3 vendors/suppliers)	Purchase Request	
	> \$20,000	Competitive Bid (see Code Sec 4-3-40)		
Plant Equipment Replacement (purchases necessary for replacement of existing equipment that is component part of any water, wastewater, or physical plant)	< \$7,500	Open Market (informal evaluation by purchasing agent)	> \$5,000 - PO >= \$5,000 - Purchase Request	Yes if over \$75,000
	\$7,500-\$75,000	Comparative Pricing (solicit quotes from 3 vendors/suppliers)	Purchase Request	
	>\$75,000	Competitive Bid (see Code Sec 4-3-40)		
Materials, Supplies, Non- Professional Services and Technical Services (including software/hardware maintenance technical services)	< \$10,000	Open Market (informal evaluation by purchasing agent)	> \$5,000 - PO >= \$5,000 - Purchase Request	Yes if over \$20,000
	>\$10,000	Comparative Pricing (solicit quotes from 3 vendors/suppliers)	Purchase Request	
Professional Services (note- process for appointed positions such as auditor, attorney, engineer, or municipal judge to be determined by Council)	< \$25,000	Open Market (informal evaluation by purchasing agent)	All - Purchase Request	Yes if anticipated to exceed \$25,000 per year to a single vendor
	> = \$25,000	Written requests for written proposals must be sent to at least 3 firms or individuals		
Utilities including installation of equipment (purchases to secure utility services such as natural gas, electricity, local telephone, water, or sewer)	any amount	Single Source (negotiations, where appropriate, after good faith determination that only one viable source exists in relevant supply area - keep records for one year)	> \$5,000 - PO >= \$5,000 - Purchase Request	No
Real Property Interest (including easements and rights of way)	any amount	Single Source (see above)	> \$5,000 - PO >= \$5,000 - Purchase Request	Yes if over \$5,000.



Agenda Item #5.f.

Agenda Item Name:

Consider approval of Rifle Police Department DOLA Mental Health Grant - Resolution No. 16, Series of 2020

Presenter:

Tommy Klein, Chief of Police

Item Description:

DOLA is offering a Police Officer Mental Health Support Grant for the 2020-2021 fiscal year. The Police Department applied for and obtained a similar grant for the 2019-2020 fiscal year. If Council approves the resolution, the Police Department will apply for a \$3,000 grant to cover the costs of yearly mental health checkups for all of our officers and any counseling subsequent to a critical incident.

Recommended Action:

We recommend that Council approve the Resolution to permit the Police Department to apply for a \$3,000.00 grant to support officer mental health checkups and counseling.

Fiscal Impact:

We are planning to fund annual checkups and counseling for officers that have experienced a critical incident in our 2021 budget. If Council approves the application and the grant is subsequently approved, payments from this grant will be credited to the General Fund to offset our costs.

Operational Impact:

Prior Board Motions:

Background Information:

Executive Summary:

Notification Requirements:

Prepared By:

Tommy Klein, Chief of Police

Attachments:

1. Council - DOLA Grant - Mental Health 2020
2. 20200811-TABOR Decison
3. POMH NOFA 08_2020 Final
4. Resolution No. 16-DOLA Grant PD Counseling Services-Legal-20200819



MEMORANDUM

**TO: HONORABLE CITY COUNCIL MEMBERS
CITY MANAGER SCOTT HAHN
FINANCE DIRECTOR MICHELLE DURAN**
FROM: CHIEF TOMMY KLEIN
DATE: 08/11/2020
**RE: REQUEST TO APPLY FOR DOLA GRANT
OFFICER MENTAL HEALTH INITIATIVE**

The Police Department requests approval to apply for a DOLA grant that would allow officers to attend counseling by a licensed practitioner after experiencing a critical incident. Examples of critical incidents include:

1. Calls involving the death or serious bodily injury to a child.
2. Incidents in which an officer is exposed to significant trauma at a crime scene, e.g. homicides and suicides.
3. Calls where an officer provides life support to a victim and the victim subsequently dies.
4. Calls in which deadly force or force that causes serious bodily injury occur.
5. Incidents that involve serious injury or death of a government official.
6. Calls involving multiple deaths at a crime scene.
7. Any other work-related stressful incident that would cause or did causes significant stress that affected performance and quality of life.

If approved, the Police Department will also use the funds to pay for annual mental health checkups for our officers to ensure they are handling job-related stress in a healthy manner.

The Police Department will manage the program with Human Resources to ensure that privacy of the officers is maintained.



Glenwood Springs – Main Office

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

Aspen

323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

James S. Neu
Partner/Shareholder

jsn@mountainlawfirm.com

Direct: 970.928.2121

Office: 970.945.2261

Fax: 970.945.7336

**Direct Mail to Glenwood Springs*

August 11, 2020

Tommy Klein
City of Rifle Chief of Police
201 East 18th Street
Rifle, Colorado 81650

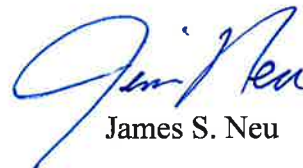
Re: TABOR Decision

Dear Tommy:

You have asked us to provide a decision concerning the City of Rifle's ability to receive and spend state grant funds under the spending limitations of Article XX of the Colorado Constitution, known as the Taxpayer's Bill of Rights ("TABOR"). As a result of the approval by the Rifle electorate of a ballot measure referred to them by Ordinance No. 22, Series of 1995 at the September 12, 1995 regular municipal election, the City may receive and spend, in relevant part, all revenues received from the State of Colorado and all revenues received which are grants from the State of Colorado. Thus, based upon approved Ordinance No. 22, Series of 1995 the City may accept and spend funds received from the State of Colorado, Department of Local Affairs.

Very truly yours,

KARP NEU HANLON, P.C.



James S. Neu

JSN:



COLORADO

Department of Local Affairs

Division of Local Government

PEACE OFFICER MENTAL HEALTH SUPPORT GRANT PROGRAM NOTICE OF FUNDING AVAILABILITY/APPLICATION OVERVIEW

Program Purpose:

C.R.S. 24-32-3501 The Peace Officers Mental Health Support grant program within the Department of Local Affairs (DOLA) is available to provide financial assistance to law enforcement agencies for mental health services such as:

- On-scene response services to support peace officers' handling of persons with mental health disorders; and
- Counseling services to peace officers.
- Assistance for development and implementation of policies to support peace officers who are involved in shootings or a fatal use of force.
- Training and education programs that teach the symptoms of job-related mental trauma and how to prevent and treat such trauma.
- Peer support programs.

This grant program will accept and approve requests on a first-come first-serve basis. Applications will be reviewed in the order of receipt with a date and time stamp on each application. Funds will be awarded until all program funds have been exhausted.

Total Funding Available:

\$1,900,000 annually (*approximate amount*)

Application Timeline:

- July 31, 2020: Notice of Funding Availability (NOFA) distributed and application posted through on-line grants portal
- October 26, 2020 : Application due

Contact:

Peace Officer Mental Health Support Grant Program:

<https://www.colorado.gov/pacific/dola/peace-officer-mental-health-grant>

Ella Bowman
Grant Program Manager
(303) 864-7896
ella.bowman@state.co.us

Online Application Process:

The grant application process is available electronically. All applications must be submitted using the online grants portal to be considered for an award. Please allow yourself plenty of time to become familiar with the new system. Local governments will need to create an account, log into the system, and complete each section of the application for electronic submittal. You will be able to save and close a completed page of your online application and return to complete at a later time.

Program info and helpful details on completing the online application:

- Eligible entities include Colorado County Sheriffs' Offices and Municipal Police Departments.
- Examples of some eligible costs available for request:
 - Peer to peer training services and costs
 - Crisis lines and support for officers
 - Statewide services
 - Indirect Costs
 - Costs associated with managing overhead
- Grant funds will be appropriated annually.
- This grant program will accept and approve requests on a first-come first-serve basis. Applications will be reviewed in the order of receipt with a date and time stamp on each application. Ensure your application is correct and complete the first time. Funds will be awarded until all program funds have been exhausted.
- While it is not mandated, County Sheriffs' Offices and Municipal Police Departments are encouraged to apply in collaboration with mental health centers in their region, to the extent possible. This is not a requirement of the program and applicants will not be negatively affected if a mental health center was not involved.
- Do not provide confidential information in the application or supporting documents. Enough detail should be made available to confirm expenses, but confidential information should be omitted or redacted as appropriate.

Application Overview:

A. Applicant/Contact Information

1. Local Government name (All applicants must be a law enforcement agency or peace officers organization within the State of Colorado).
2. Chief Elected Official/Principal Representative (i.e. Mayor, County Commissioners Chairman or such).
3. Designated contact person/Responsible Administrator for the application

B. Application Questions

1. A) Amount of grant funds requested
B) Concise use of Funds
2. Collaboration
3. Advance Funds

C. Board Approval/Tabor

1. Official board action: Every application must provide the date the city/town/county board, council or trustees authorized the submittal of the grant application.
2. TABOR: The funds for the Peace Officers Mental Health Support Grant program are state funds and may be subject to TABOR. Local jurisdictions are responsible for their own

TABOR compliance. Please consult with legal counsel regarding TABOR limits for the local government applicant(s) **before** submitting an application.

**CITY OF RIFLE, COLORADO
RESOLUTION NO. 16
SERIES 2020**

**A RESOLUTION OF THE CITY OF RIFLE, COLORADO SUPPORTING A
DEPARTMENT OF LOCAL AFFAIRS GRANT APPLICATION**

WHEREAS, the City of Rifle is a political subdivision of the State of Colorado, and therefore an eligible applicant for a grant awarded by the Department of Local Affairs (“DOLA”); and

WHEREAS, the City of Rifle has submitted a Grant Application requesting a total award of \$3,000 for counseling services for police employees involved in critical incidents and for a yearly mental health check-up; and

WHEREAS, the City Council of the City of Rifle supports the acquisition of counselling for police employees involved in critical incidents and yearly assessments if a grant is awarded by the DOLA.

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

1. The above recitals are hereby incorporated as findings by the City of Rifle.
2. The City Council strongly supports, and the City Manager is hereby authorized to submit, the Grant Application for the DOLA grant requesting funding for counseling of Rifle police employees.
3. If a grant is awarded, the City of Rifle hereby authorizes the City Manager to sign a Grant Agreement with DOLA and authorizes the expenditure of funds necessary to meet the terms and obligations of the Grant Agreement.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 19th day of August 2020.

ATTEST:

CITY OF RIFLE, COLORADO

By _____
City Clerk

By _____
Mayor



Agenda Item #5.g.

Agenda Item Name:

Consider Site Plan Improvements Agreement and Fee Waiver Program for 2070 Railroad Avenue (NAPA Auto Parts)

Presenter:

Nathan Lindquist, Planning Director

Item Description:

The attached memo and attachments include discussion of the City's contribution to public improvements associated with the development of a new NAPA Auto Parts store and revitalization of the North Rifle area.

Recommended Action:

A motion to approve the Site Plan Improvements Agreement with the Napa Auto Parts store

Fiscal Impact:

to be determined by Council

Operational Impact:

none

Prior Board Motions:

Background Information:

see attached memo

Executive Summary:

The project involves improvements to 21st Street and Hwy 13 that would allow access to several developable properties. The primary questions for Council are the amount the City should contribute to the project and which funds should bear the cost.

Notification Requirements:

Prepared By:

Nathan Lindquist, Planning Director

Attachments:

1. Revised - Napa Site Plan Improvements Agreement - Staff Memo - 8.15.20
2. Business Incentives Policy - 2005
3. Napa Street Improvement Costs - 21st St and Hwy 13 Construction 8.11.20
4. Revised - Napa Site Plan Redevelopment Agreement-Legal-20200819v2



DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

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

MEMORANDUM

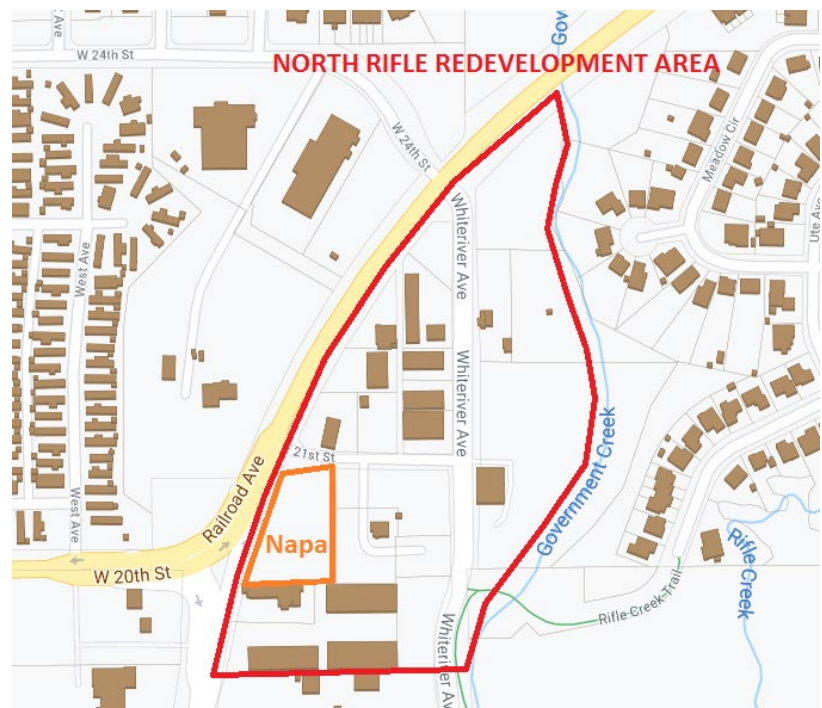
TO: Rifle City Council
FROM: Nathan Lindquist, Planning Director/Assistant City Manager
DATE: August 11, 2020
SUBJECT: Napa Site Plan Improvements Agreement and Economic Incentives
ADDRESS: 2070 Railroad Avenue

I. REQUEST

Staff requests Rifle City Council consider a Site Plan Improvements Agreement with Napa Auto Parts for public improvements associated with a new store at 2070 Railroad Avenue. Napa is moving to this location from its current location at 949 Railroad Avenue, which was purchased by Garfield County. Napa's lease ends in April 2021.

IV. ZONING AND COMPREHENSIVE PLAN

The goal of this project, more than a Napa project or a street project, is for the City to accomplish long-held goals to revitalize the "North Rifle Redevelopment Area". The property is currently zoned Light Industrial. The City of Rifle Comprehensive Plan recommends investment in this area of North Rifle to transition the area from a light industrial area to a commercial/mixed-use area. This would decrease impacts on the surrounding residential neighborhoods and provide an attractive north entrance to Rifle. This project is consistent with that goal. This project is a Tier 1 "infill" area. It is consistent with the City's goal to improve infrastructure in Tier 1 and avoid new obligations in Tier 2 areas.



II. PROJECT SUMMARY

The agreement includes a cost share between Napa and the City for the construction of street improvements. The improvements include two components:

- **New median islands in Hwy 13 required by CDOT for vehicular safety.** CDOT originally required closure of the access to 21st Street, but through the Access Control Plan Amendment the City was able to negotiate a ¾ turn design for the intersection with 21st Street that includes the construction of several median islands that improve safety for turning vehicles. These improvements are necessary for the redevelopment of this area, including Napa and other properties on 21st Street whose redevelopment would revitalize the North Rifle area. The CDOT-required improvements represent approximately 2/3 of the total cost of the project.
- **Reconstruction of 21st Street between Hwy 13 and Whiteriver Avenue.** 21st Street in its current form has several issues including drainage problems that impact residents, a road base that is not to City standards, a street surface is unlikely to withstand the increased traffic of new development, and a lack of sidewalks. The construction project would solve these issues including a sidewalk on the south side of the street.

III. COST SUMMARY

Total cost	\$403,751
City 2020 budgeted amount (Street Improvement Fund)	\$200,000
Napa share (30%)	\$120,000
Gap in funding	\$83,751

Explanation:

The total cost is estimated by Napa's engineers and contractors at \$403,751. Public Works has reviewed the unit prices and quantities and believes this to be a legitimate price based on average prices of other street projects this year.

The City's 2020 budget included \$200,000 for this project from the Street Improvement Fund. This was a placeholder because costs were not yet known.

Napa has agreed to contribute a 30% cost share which equals \$120,000. This is a fair allocation based on the size of the property, as discussed in Section 4 below. In addition, Napa has already spent \$21,565 to design the street improvements.

The City and Napa's commitments total \$320,000 leaving an \$83,751 gap to reach the \$403,751 total cost. There are two options to deal with the gap in funding:

- a. The \$320,000 in funding is sufficient to construct the CDOT-required Hwy 13 improvements and the western end of 21st Street to the Napa driveway. This option is workable if Council chooses to remain at the City's current contribution of \$200,000. It would leave the eastern end of 21st Street to be constructed at a later time.
- b. Staff's recommendation is for the City to contribute additional \$83,751 to construct all of 21st Street this year from the General Fund. While the project is a street project, the goals are primarily business development, preserving and increasing the tax base, and neighborhood revitalization. The Street Improvement Fund receives only 12% of sale tax revenue. The General Fund will benefit the most from Napa sales tax and has budget

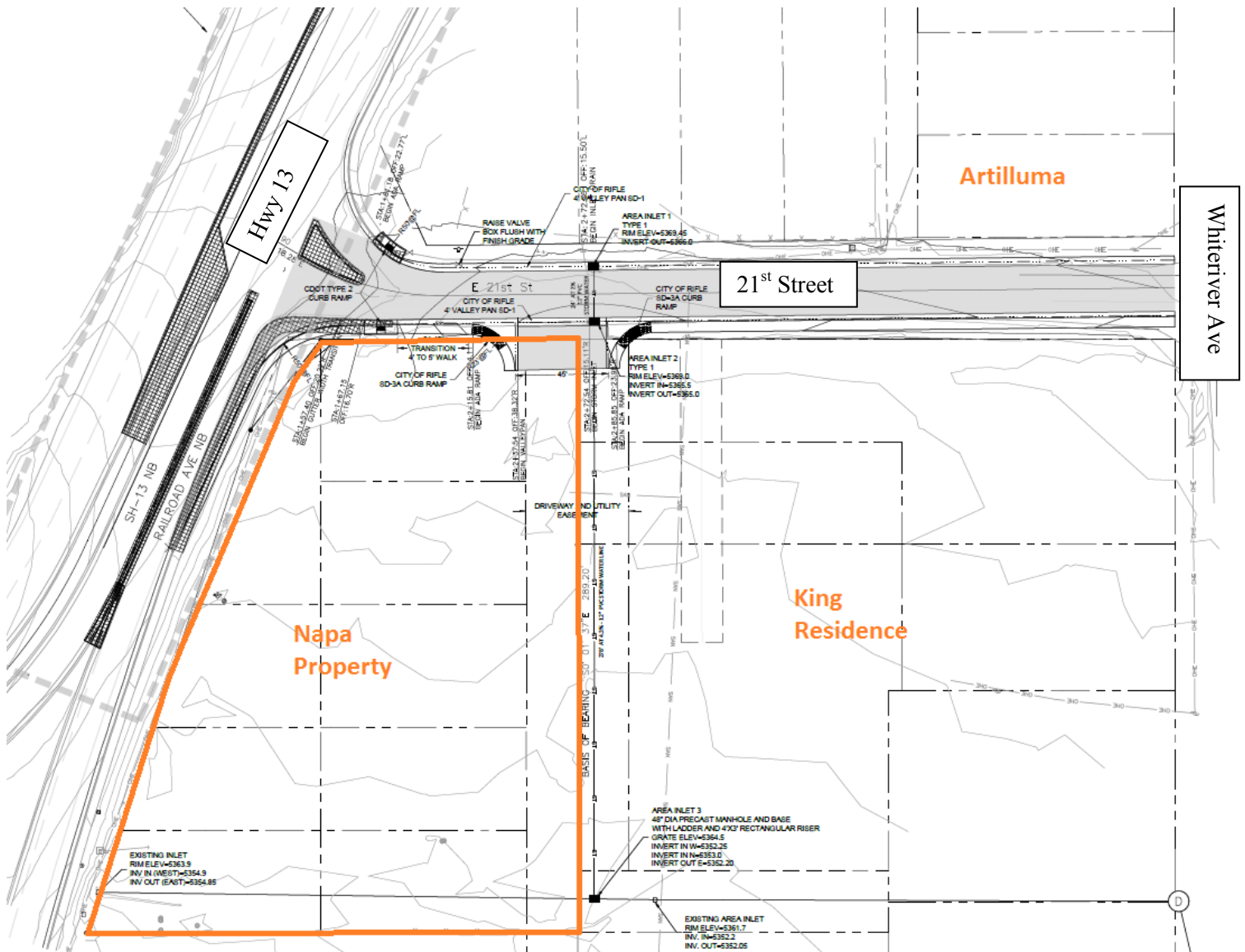
capacity for the project.

V. METHODOLOGY FOR DETERMINING COST SHARING

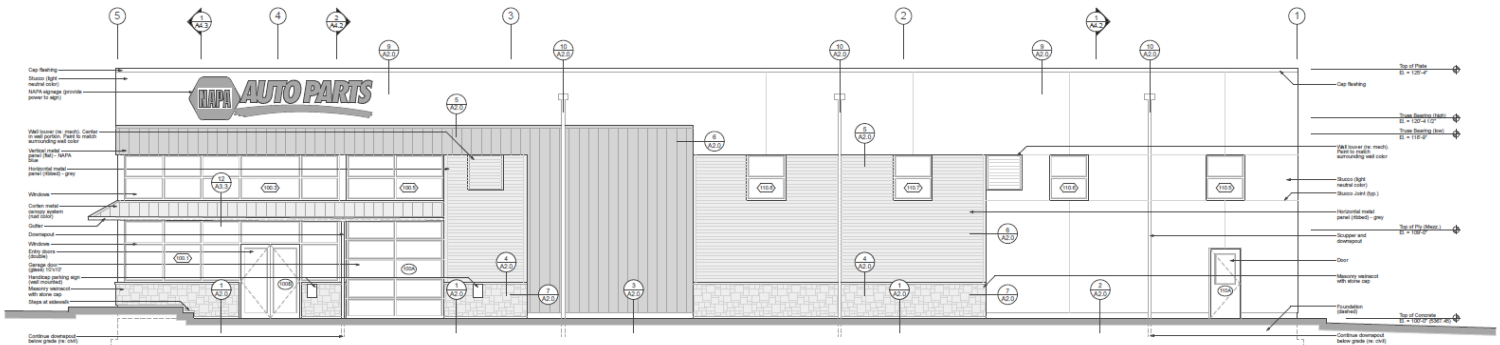
The properties that front 21st Street on both the north and south sides total 186,150 square feet of property. Napa's property is 55,816 square feet, 30% of the total. Therefore Napa's cost share has been set at 30% of the total cost of necessary street improvements (\$120,000/\$403,751).

The remainder of the costs can be assessed to other properties as they develop. Payment to the City would occur at time of building permit, with details to be determined when the City sets up a cost recovery ordinance if Council approves this project. The City has a similar ordinance for Knollridge and Palomino Park improvements.

IV. SITE PLAN



VI. ARCHITECTURAL ELEVATIONS



VII. ECONOMIC DEVELOPMENT BENEFITS AND INCENTIVES

Napa provided the following information on economic benefits of the new store:

- “We fully expect to see a 20-25% increase in retail traffic. We also believe there is a significant sales tax leakage leaving Rifle to primarily Grand Junction for various reasons. The main reason is the age, appearance, limited inventory and location of the old store.
- With the new location and our research we believe we can actually attract an additional 10-15% increase in business from Meeker and Craig that often bypasses Rifle on the way to Grand Junction. The additional room and efficiency of the building will allow us to increase our inventory by 60-70%. This will allow a greater availability of automotive parts but also HD Truck and Agricultural parts as well and can often keep people in town without having to go to Grand Junction for these items more money stays in rifle for other merchants as well. We also have several competitors from Grand Junction selling to our fleets and commercial accounts. With the added availability we project an increase in the fleet business, commercial business as well. This would prevent some of the sale tax leakage the city is seeing.
- We will be adding an additional 2-3 new full time employees and 2 part time employees with the new location.
- We will be contributing to the city property tax with the new location, we do not currently contribute sales tax as a renter with the County as a landlord.
- We have seen that with new revitalization of these Stores the growth continues at a 7-9% increase year over year after the initial 20-25% surge in the first year. Thanks for your help with this project.”

VIII. RECOMMENDATION

Based on the above analysis, Staff’s recommendation to City Council is for approval of the Site Plan Improvements Agreement with Napa with the following details:

- a. *Waive Street Impact Fees in the amount of \$21,708.* This is based on Napa’s contribution to street improvements and the City of Rifle Business and Industry Incentives Policy (see attached) that includes the “North Rifle Redevelopment Area” as

a focus for economic incentives. Napa would provide an anchor business in this identified redevelopment area.

- b. *Contribute \$283,751 for the construction of the Hwy 13 and 21st Street improvements (Option B in draft Agreement).* Allocate the funding as follows: \$200,000 from the Street Improvement Fund and \$83,751 from the General Fund.

CITY OF RIFLE, COLORADO

BUSINESS AND INDUSTRIAL INCENTIVES

The City of Rifle is a fast growing pro-business community that welcomes new business development. The City recognizes the need to “obtain and strengthen a sustainable economic base.” The community provides a number of amenities to new business development. These amenities are identified in this guide to development.

CITY OF RIFLE BUSINESS INCENTIVE POLICY

Incentives will be targeted at business and industry which meet the City’s goal of developing a long-term, sustainable economic base. To that end, all incentives are considered on a case by case basis depending on the economic impact. Factors which will be utilized in evaluating incentive requests will include the following:

- Capital Investment
- Job Creation
- New Goods / Services Offered to the Community
- Employee Wages
- Contributions Toward the Economic Diversification of the Area
- Contributions Toward the Enhancement of the Central Business District or North Rifle Redevelopment Area
- Contributions Toward Goals Outlined in the City’s Strategic and Comprehensive Plans
- Findings of the Opportunity Analysis upon its conclusion

Municipal Incentives

The types of incentives the City will consider vary depending upon the type of project. The following potential City incentives may be available to qualifying companies:

1. Waiver of Permit Fees: Building permit fees, plan review, street improvement and other City fees may be considered.
2. Infrastructure Improvements: The City may consider extending infrastructure to development sites.
3. Private / Activity Industrial Revenue Bonds: Manufacturers can apply for tax-exempt industrial revenue bonds to help finance construction or relocation of qualifying manufacturing activities.
4. Local Tax Rebates: The City may consider partial rebate of sales taxes generated by business to assist with infrastructure. This rebate may also be awarded to businesses which are involved with projects that rehabilitate dilapidated structures.
5. Community Development Block Grants: The City will assist qualifying businesses that apply for State/Federal grants, such as CDBG.
6. Three-Year Payback of Tap Fees: In 2010 City Council approved an ordinance to allow new commercial buildings or businesses to pay their tap fees over a three year period.

County Incentives

Garfield County offers incentives that qualifying businesses or industry may obtain. These incentives include the following:

1. Up to 50% rebate on personal property taxes for equipment and machinery for 10 years.
2. Airport benefits may be available if hangar usage is required.
3. North West Revolving Loan Fund

State Incentives

The State of Colorado, through the Office of Business Development and Economic Development Commission, offers several incentives to qualifying businesses. The incentives offered by the State include the following:

1. Investment Tax Credits
2. Enterprise Zone Program
3. Job Training Credits
4. New Jobs Credit
5. Training Assistance

The City of Rifle will assist new businesses and industrial prospects in applying for these incentives.

Central Business District Incentives (Downtown Development Authority Area)

The City of Rifle will consider special incentives for businesses expanding or relocating into the Central Business District (DDA Area). These incentives may include the following:

1. Sales Tax Rebates
2. Use Tax Rebates
3. Permit and Fee Waivers
4. Reduced Tap Fees

5. Cost Sharing in façade, landscaping, and/or design improvements that promote the overall Master Plans for the downtown area.

6. Capital Investments – The City will consider capital investments in infrastructure, streetscaping, etc. to support expanding and/or new businesses that furthers achievement of overall Master Plans for the Central Business District.

Miscellaneous

The City offers the following general assistance to business and industry:

1. City staff will assist qualifying businesses or industry with applications for grants, etc. to the State, Federal, and other public entities offering support programs.

2. City staff will expedite review of development plans for business and industrial developments.

3. The City will coordinate its efforts with other local entities including Garfield County, Colorado Mountain College, and other entities which may be able to offer business development programs.

REVIEW PROCESS

The City will review applications for economic development assistance on a case by case basis. Criteria which may be considered in review of a project's merits may include the following:

1. Job Creation – The number of jobs created, type of job, and salaries will be reviewed. Business opportunities which provide employees a competitive “living wage” may receive greater consideration than businesses which pay minimum wages.
2. Sales Potential – Retail businesses that have potential to significantly increase the City's sales tax base may receive favorable consideration. However, the City will also promote diversification of the business community, and to that end, will encourage development of small businesses as well as larger businesses.
3. Services and Products – The City will promote and support businesses which offer unique goods and services not presently available to the community.
4. Capital Investment – In granting incentives, the City will take into consideration the amount of capital investment a business brings into the local economy.
5. Enhancements to the Central Business District – The City aggressively promotes development of new or expansion of existing businesses within

the downtown area. To the extent possible, the City will consider special incentives for development in this area.

6. Compatibility with Long Range Plans – Business or industry that is in compliance with the City’s long range Comprehensive Plans, Strategic Plans, or other Master Plans, will receive favorable consideration when requesting incentives. Also, businesses which further City goals of rehabilitating dilapidated structures or blighted areas will receive favorable consideration.

This policy is intended to remain flexible and fluid. The City may revise the policy as necessary, and may “blend” its application with other components of the development process.



D.M. NEUMAN
CONSTRUCTION CO.

(970) 945-7502

310 19th Street, P.O. Box 2317
Glenwood Springs, CO 81601
(970) 945-6865/fax

Date 8/7/2020
Attention City of Rifle / Ron Friemel
Address 2070 Rail Road Ave
Phone
Email

Work Description: Proposal for road improvements to E21st St & SH13/RR Ave

	QTY	UNIT	UNIT PRICE		
Mobilization	1.00	LS	11,413.52	\$	11,414.00
Supervision	1.00	LS	8,400.00	\$	8,400.00
Sawcutting	1,170.00	SF	4.34	\$	5,078.00
Asphalt Demo	17,706.00	SF	0.57	\$	10,093.00
Concrete Demo	2,191.00	LF	2.63	\$	5,763.00
Prep C&G Center Median N/S Lanes	420.00	LF	12.10	\$	5,082.00
New C&G Median N/S Lanes	420.00	LF	42.26	\$	17,750.00
Prep C&G Center Median North Lane	385.00	LF	12.73	\$	4,902.00
New C&G Center Median North Lane	385.00	LF	42.26	\$	16,271.00
Prep C&G Center Median E21st	95.00	LF	12.82	\$	1,218.00
New C&G Center Median E21st	95.00	LF	42.26	\$	4,015.00
Prep C&G South Side E21st & East SH13	555.00	LF	13.03	\$	7,232.00
New C&G South Side E21st & East SH13	555.00	SF	42.26	\$	23,455.00
Prep 4' Valley Pan North E21st	1,565.00	SF	2.79	\$	4,367.00
New 4' Valley Pan North E21st	1,565.00	SF	9.66	\$	15,118.00
Prep Concrete Apron NAPA Entry	240.00	SF	3.57	\$	857.00
New Concrete Apron NAPA Entry	240.00	SF	12.08	\$	2,900.00
Prep Center Median Slabs	2,512.00	SF	3.10	\$	7,788.00
New Median Slabs	2,512.00	SF	15.70	\$	39,439.00
Prep Asphalt E21st 6" Road base	12,360.00	SF	1.52	\$	18,788.00
New Asphalt E21st 3"	12,360.00	SF	2.56	\$	31,642.00
Prep Asphalt Patching Center Median SH1	1,750.00	SF	1.73	\$	3,028.00
New Asphalt Patching Center Median SH1	1,750.00	SF	6.47	\$	11,323.00
Prep Concrete Sidewalk	2,560.00	SF	3.12	\$	7,988.00
New Concrete Sidewalk	2,560.00	SF	6.64	\$	16,999.00
Storm Drain 12"	302.00	LF	43.74	\$	13,210.00
Storm Inlets 1 & 2	2.00	EA	3,176.32	\$	6,353.00
Manhole Inlet 3	1.00	EA	5,587.42	\$	5,588.00
Curb Ramp CDOT Type 2 (2)	260.00	SF	17.49	\$	4,548.00
Curb Ramp Rifle SD-3A (2)	180.00	SF	16.91	\$	3,044.00
Prep Sidewalk / Steps RR to NAPA	1.00	LS	2,964.00	\$	2,964.00
Concrete Sidewalk / Steps RR to NAPA	1.00	LS	2,505.00	\$	2,505.00
Site Cut/Fill Grading	1.00	LS	15,021.18	\$	15,022.00
Traffic Control	1.00	BUDGET	ALLOWANCE	\$	32,603.00
CDOT Permit	1.00	EA	300.00	\$	300.00
Subtotal				\$	367,047.00
5% Overhead				\$	18,352.35
5% Profit				\$	18,352.35
Total				\$	403,751.70

Job Notes:

Jarrid Hadland
D.M. Neuman Construction Company
info@dmneuman.com or www.dmneuman.com
(970) 230-1522

SITE PLAN IMPROVEMENTS AND DEVELOPMENT AGREEMENT

THIS AGREEMENT made this 19th day of August 2020, by and between the CITY OF RIFLE, COLORADO, a home-rule municipality whose address is P.O. Box 1908, Rifle, CO 81650 (hereinafter "City") and YPH LEASING, LLC, a Colorado limited liability company whose address is 199 Dolores Circle, Glenwood Springs, CO 81601 (hereinafter "Developer");

WITNESSETH:

WHEREAS, Developer is owner of certain real property located in the City of Rifle, Colorado located at the southeast corner of Railroad Avenue and 21st Street with an address of 2070 Railroad Avenue, Rifle, CO, Garfield County Assessor Parcel No. 217709202005 (hereinafter the "Property") where Developer intends to develop a Napa Auto Parts store; and

WHEREAS, the Property is located at the north entrance to the City of Rifle in an area targeted for revitalization by the City and will be accessed from 21st Street which is not constructed to City standards; and

WHEREAS, City of Rifle Municipal Code ("RMC") Section 16-1-130(c) requires the construction of public improvements necessary to serve a property proposed for development as a condition of site plan application approval and building permit, which would include, among other items, the construction of 21st Street to the standards in the City of Rifle Public Works Manual, unless otherwise determined by the Public Works Director ("Street Improvements"); and

WHEREAS, the development of the Property also requires an access permit from the Colorado Department of Transportation that requires certain improvements ("CDOT Improvements"); and

WHEREAS, the combined cost of the Street Improvements and the CDOT Improvements create an impediment to the development of the Property; and

WHEREAS, the City views the development of the Property as an opportunity to commence improving the profile of the north entrance of the City and the related public infrastructure to spur additional economic growth and is therefore willing to participate in some of the costs of the Street Improvements and CDOT Improvements as set forth herein; and

WHEREAS, Developer and the City wish to enter into this Agreement to set forth the terms and conditions of the development of the Property, including the construction of certain public improvements and the City's monetary contribution pursuant to the terms contained herein.

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

1. Recitals. The foregoing recitals are incorporated herein as material

representations and acknowledgments of the parties.

2. Purposes. The purpose of this Agreement is to set forth the terms and conditions to be met by Developer and the contributions the City will make towards the Street Improvements and CDOT Improvements. All terms and conditions contained herein are in addition to all requirements of the Rifle Municipal Code, the City of Rifle Land Use Regulations (Title 16 of the Rifle Municipal Code), and state and federal statutes, and are not intended to limit or supersede any requirements contained therein, except where specifically provided in this Agreement.

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

A. Reimbursement of Costs. Developer hereby agrees to pay the City the actual costs to the City for engineering, surveying, and legal services rendered in connection with the site plan review for the Property. Developer shall also pay any fee required pursuant to the Rifle Municipal Code. Interest shall be imposed at rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In addition to any and all remedies available to the City and in the event the City is forced to pursue collection of any amounts due and unpaid under this provision or under this Agreement, the City shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

B. Water and Sewer Taps/Water Rights Dedication. Developer, its successors and assigns, shall comply in full with Title 13 of the Rifle Municipal Code regarding tap fees for water and sewer service and water rights dedication. The City acknowledges that the Property has 1 EQR of water and sewer service appurtenant to it.

C. Waiver of Offsite Street Impact Fees. In consideration of Developer's contribution towards the construction of the Street Improvements and the CDOT Improvements, necessary for the development of the Property but which also provide extended benefits to City, the City agrees to waive the the Offsite Street Impact Fee set forth in Section 16-1-100 of the Rifle Municipal Code in the amount of \$21,708.77.

4. City Participation in Street Improvements and CDOT Improvements. The development of the Property creates economic benefits for the City and is eligible for certain contributions towards public improvements pursuant to the City of Rifle, Colorado Business and Industrial Incentives Policy. The City agrees to contribute (Option A: \$200,000) (Option B: \$283,751) towards the construction of the Street Improvements and CDOT Improvements. Developer's contractor will submit draws in the normal course of construction of the Street Improvements and CDOT Improvements, not to exceed one draw per month. Within twenty (20) days of Developer's submission to the City of a draw request, the City shall pay such contractor directly for 70% of the costs of

the Street Improvements and CDOT Improvements, with a cumulative amount not to exceed the City's contribution set forth above.

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

6. Public Improvements/City's Contribution. All water lines, water facilities, sewer lines, sewer facilities, hydrants, water or sewer distribution facilities, drainage structures, landscaping, gas lines, electrical facilities, cable T.V., telephone lines, utility systems, streets (public and/or private), lighting and signage required by this Agreement or shown on the Site Plan, as it may be amended (the "Public Improvements") shall be installed and completed at the expense of Developer. In consideration of the City's contribution towards certain public improvements set forth herein, the City shall reasonably approve Developer's selection of contractor.

A. All Public Improvements required by this Agreement and the Rifle Public Works Manual are shown on the Construction Plans prepared by _____ as File No. _____ and dated _____, as they may be amended. The estimated costs thereof shall be reviewed and approved by the City and appended hereto as Exhibit A and incorporated herein by this reference. The Public Improvements shall be constructed in conformance with the plans and specifications submitted by Developer and approved by the City Public Works Director or his/her designee, including all supplemental plans and specifications (all of which are on file at City Hall), the City of Rifle Public Works Manual then in effect, and the utility plan (hereinafter collectively referred to as "Plans and Specifications").

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

7. Construction Observation and Inspection.

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

B. Construction Observation by the City. The City shall have the right to make engineering observations at reasonable intervals and at Developer's expense during construction of the Public Improvements. Observation, acquiescence in or approval by any engineering inspector of the construction of any physical facilities, at any particular time, shall not constitute City approval of any phase of

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

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

Once the as-built drawings and costs summary are approved, and any and all corrections are completed, the City Public Works Director or his/her designee shall certify in writing that all Public Improvements are in conformity with the Plans and Specifications, and the date of such certification shall be known as the Acceptance Date. The City shall be under no obligation to provide any water or sewer service until all Public Improvements are brought into conformance with the Plans and Specifications and are certified and approved by the City Public Works Director or his/her designee pursuant to this Agreement. However, upon certification and approval, the City shall be obligated to provide water and sewer service to the Property, subject to all provisions of the Rifle Municipal Code, and in particular to the availability of water or sewer taps, which shall be on a first-come, first-served basis. The City does not guarantee an adequate number of taps will be available to serve the Property at the time Developer intends to

proceed with development.

9. Acceptance; Conveyance. Within thirty (30) days of the Acceptance Date, the Owner shall execute a deed to the Town conveying all rights of way and easements required for the operation, maintenance, repair and replacement of the Public Improvements. Owner agrees to dedicate to the public and to convey or, with respect to off-site easements, to assign, to the Town, in such form as may be required by the Town, such easements and other rights as acquired by Owner as may be reasonably required for the construction of the Public Improvements. Such conveyance and dedication shall be free and clear of all liens and encumbrances that might adversely affect the use of the Public Improvements for their intended purpose. The Owner shall also execute a bill of sale conveying the Public Improvements to the Town, free and clear of all liens and encumbrances. All Public Improvements conveyed to the Town shall be warranted for a period of twelve (12) months from the Acceptance Date, as provided below.

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

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

11. Performance Guarantee. The issuance of a certificate of occupancy for the Property shall act as security for the Public Improvements. The parties expressly agree that Developer's preparation and submission to the City of "as-built drawings" and a summary of actual construction costs for the Public Improvements to be dedicated to the City--and approval by the City of the as-built drawings and summary--are essential requirements of this Agreement and the development restriction on the Property shall not be released until such requirements are satisfied by Developer.

12. Reserved.

13. Reserved.

14. Voluntary Action of Developer. Notwithstanding any provision of the Rifle Municipal Code, Developer agrees that all terms and conditions of this Agreement, including specifically the payment of fees and the completion of infrastructure improvements, are agreed to and constitute the voluntary actions of Developer.

15. Breach by Developer; City's Remedies. In the event of any default or breach by

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

- A. The refusal to issue to Developer any certificate of occupancy;
- B Any other remedy available at law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Notice to City:

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

With copy to:

Karp Neu Hanlon, P.C.
P. O. Drawer 2030
Glenwood Springs, CO 81602

Notice to Developer:

YPH LEASING, LLC
199 Dolores Circle

Glenwood Springs, CO 81601

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

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

CITY OF RIFLE, COLORADO

By: _____
Mayor

ATTEST:

Clerk

YPH LEASING, LLC
a Colorado limited liability company

By: _____
Ronald J. Friemel, Manager

[illegible]

Acknowledged, subscribed, and sworn to before me this ____ day of _____, 2020, by Ronald J. Friemel as Manager of YPH LEASING, LLC.

WITNESS my hand and official seal.

My Commission expires: _____.

Notary	Public
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EXHIBIT A

Cost Estimates of Public Improvements