

## RIFLE CITY COUNCIL MEETING

Wednesday, November 3, 2010

REGULAR MEETING

7:00 p.m. \* Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Keith Lambert.

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

**OTHERS PRESENT:** John Hier, City Manager; Lisa Cain, City Clerk; Matt Sturgeon, Assistant City Manager; Jim Neu, City Attorney; Jim Bell, Cable 10 Manager; Michael Churchill, Cable 10 Assistant Manager; Charlie Stevens, Utilities Director; Daryl Meisner, Police Chief; Buzz Kehoe, Information Technology Director; Christie Ward, Michael Langhorne.

**CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:** Minutes from the October 20, 2010 Regular Meeting; Liquor License Renewal – Rifle Lodge No. 2195 BPOE Elks; August Financial Report; September Financial Report; September Sales Tax Report; Accounts Payable

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

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

### **CITIZEN COMMENTS AND LIVE CALL-IN**

There were no citizen comments or live call-ins.

### ***CONSIDER AWARDING CONTRACT FOR PURCHASE OF DATA STORAGE EQUIPMENT AND DATA BACKUP SYSTEM***

Information Technology Director Buzz Kehoe indicated that the City has experienced massive data growth in the last few years due to video evidence taken from police squad cars, audio evidence recordings, higher resolution police photography, and digital planning and mapping documentation. The City also has, during this time, built new facilities throughout the City. The combination of data growth and data separation has pushed the City's current storage and backup systems past their capabilities. Mr. Kehoe recommended that the City purchase a new system that will accomplish three main tasks:

- Increase overall data storage capacity for all City departments concentrating primarily in the Police Department. This increase in storage capacity should last for a few years.
- Create a "modular" central storage system that can be increased in future years more easily for all departments.
- Install a central modern backup system that will allow for backups over the City's current T1 communications links.

EMC's Avamar backup system, available from ISC Inc. for \$59,867.59, can accomplish pre-processing of updated information at the location (remote building), thus pushing far less through the City's communications lines. Traditional tape backups take up to 8 hours or more per day. This system will send the backup information from each location to the controlling device within minutes. Other technologies can accomplish this only by placing more of the software and hardware at the particular location. This increases the cost considerably. The Avamar system will allow for future expansion of Rifle's infrastructure with a minimal increase in data backup cost. It also decreases the IT labor to monitor and administer.

Mr. Kehoe requested that this storage and backup system purchase be a "sole source" for the following reasons:

- ISC Inc. provided the City's original storage backup system and has extensive knowledge and experience with it.
- ISC Inc. was previously awarded the contract to provide the City's network infrastructure. This gives them extensive knowledge of the City's network transfer process, which is critical to this particular design and equipment. This is a very complex design. Avamar was installed by ISC Inc. at Garfield County. They have local experience with it and are extremely pleased with ISC's implementation.
- The City and the Garfield County Sheriff's Office have a common communication connection through the Police Department. This will allow for future communications and data synergies. ISC Inc. established this link and is the county's network support for their Avamar system in addition to their network communications system.
- ISC Inc. has provided the Western States Contracting Alliance (WSCA) pricing for this equipment. WSCA is a 14-state procurement alliance which negotiates for best price from qualified vendors. WSCA allows the

City to utilize this negotiated price. ISC Inc. has aggressively priced their equipment below this WSCA negotiated bid:

	<u>WSCA</u>	<u>ISC Inc.</u>
Equipment Only	\$68,921	\$43,403.59
Professional Services	Additional amount	\$16,464.00
Total	>\$68,921	\$59,867.59

Councilor Sanborn moved to award a contract to purchase an Avamar Backup and Storage system from ISC Inc. in an amount not to exceed \$59,868; seconded by Councilor A. Lambert.

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

***CONSIDER AWARDING CONTRACT FOR PURCHASE OF DIGITAL FINGERPRINT SYSTEM***

Mr. Kehoe and Police Chief Daryl Meisner informed Council that the Police Department has a need for a digital online fingerprint system that will work with its existing public safety software, Aegis, from New World Systems (NWS), the Colorado Bureau of Investigation (CBI), and the Garfield County Emergency Communications Authority (GCECA). A digital online fingerprint system would replace the existing system that requires mailing of fingerprint cards and double data entry. Existing newer technology will speed and improve the process considerably while potentially reducing mistakes. The Police Department has previously partnered with the Garfield County Sheriff’s Office and the GCECA on the NWS public safety software system. The Sheriff’s Office has since purchased a digital fingerprint system from L1- Identity Solutions. They partnered with NWS to create a workflow and an interface with their booking system as well as the fingerprint transfer process to the CBI.

Chief Meisner and Mr. Kehoe requested that Council award a contract to purchase a TouchPrint Enhanced Definition 4800 Live Scan system from L1 – Identity Solutions in the amount of \$26,617. They recommended that this purchase be a “sole source” for the following reasons:

- The Garfield County Sheriff’s Office, GCECA, and NWS all use this equipment from L1-Identity. Staff could rely on this local experience for support.
- The L1-Identity equipment has been proven to work with the custom interface created by NWS. The City would also use this interface to transfer information between the multiple systems.
- Because it would be common, the City could, in the event of failure, interchange equipment between agencies with few to no technical changes.

Councilor Miller moved to award a contract to purchase a TouchPrint Enhanced Definition 4800 Live Scan system from L1 – Identity Solutions in an amount not to exceed \$26,617; seconded by Councilor Rice.

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

Chief Meisner indicated that there would be additional costs for installation of the system. He requested that Council approve the contract for an amount not to exceed \$30,000.

Councilor Miller moved to amend the motion to provide that the contract amount not exceed \$30,000; seconded by Councilor Rice.

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

***CONSIDER APPROVING SECURITY AGREEMENT RELATED TO OCTOBER 22 SHOOTING INCIDENT***

Chief Meisner said that it is the City’s responsibility to provide security for the suspect in the October 22<sup>nd</sup> shooting incident while he remains hospitalized. As such, he arranged for a security provider to begin on October 23<sup>rd</sup>. He obtained telephone quotes from two companies: Foremost Response and Citadel Security. Citadel is a Rifle company. Citadel quoted \$25 per hour and Foremost quoted \$27.50 per hour. Chief Meisner checked with the Garfield County Sheriff, who has used both services. He was advised that either provider would be fine. Since this service is likely to be for an extended period of time, it is necessary to obtain City Council approval. At this time staff does not have a reasonable estimate of how long this service will be required. The cost will be \$600 per each 24 hour day. Chief Meisner is negotiating with Citadel as to managing that cost. County Sheriff Lou Vallario has also agreed to help with the cost, although it is not a requirement of the County to do so until the suspect is accepted into their custody. Chief Meisner will have some further discussion with Sheriff Vallario to determine the amount of assistance available.

Councilor Winkler moved to approve an agreement with Citadel Security to provide security for the suspect in the October 22<sup>nd</sup> shooting incident through Council’s first meeting in December for an amount not to exceed \$25 per hour; seconded by Councilor Miller.

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

***CONSIDER ACCEPTING AWARD OF GRANT FROM U.S. DEPARTMENT OF JUSTICE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES***

Chief Meisner explained that the City has been awarded a grant from the U.S. Department of Justice Office of Community Oriented Policing Services (COPS). The grant provides for hiring one police officer for the next three years. If the City accepted the grant, it would agree to retain that position for one additional year at its expense. Hardship provisions in the grant would allow the City to modify the grant if at or before that time the City were financially unable to keep the position filled. With this grant the Police Department would add one patrol officer to the patrol division of the department. With that officer the department would then be able to better serve the community by the added depth as well as being able to support more community policing initiatives as required by the grant. Chief Meisner expected that the department would be able to fill the post at or near the beginning of 2011. Since the grant would run for 36 months, it would run its course at the beginning of 2014 when the City would need to support it fully.

Councilor Miller moved to authorize City Manager John Hier and Police Chief Daryl Meisner to accept the award of a grant from the U.S. Department of Justice Office of Community Oriented Policing Services; seconded by Councilor Thompson.

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

***CONSIDER APPROVING MEMORANDUM OF UNDERSTANDING WITH THE BUREAU OF RECLAMATION REGARDING RUEDI RESERVOIR ROUND II CONTRACT WATER***

City Attorney Jim Neu and Utilities Director Charlie Stevens presented a proposed Memorandum of Understanding (MOU) with the Bureau of Reclamation (Bureau) for Ruedi Reservoir Round II Contract Water that would augment the City's diversions on the Colorado River. The City has requested a contract with the Bureau for an additional 200 acre feet of water from Ruedi Reservoir, and although the water will not be needed for several years, the price of Ruedi Reservoir water keeps going up every year. Therefore, the City would like to start making payments on the additional water as soon as possible to minimize the impact on the City's budget when the water is physically needed. In order to enter into a contract with the Bureau of Reclamation, an environmental review process must be completed to assure compliance with the National Environmental Policy Act, Endangered Species Act, National Historic Preservation Act and other applicable federal laws. The proposed MOU sets forth the City's and Bureau's responsibilities regarding the environmental compliance and processing the requested contract. The City is required to provide up-front funds to the Bureau for the work to be performed by the Bureau set forth in the MOU in the amount of \$5,600. This funding amount is an estimate, but staff does not foresee the Bureau expending a large amount over this amount. All costs are subject to audit by the City. The work under the MOU will be completed by March 2011, at which time the City would proceed with the actual contract for the Ruedi Reservoir water.

Councilor A. Lambert moved to approve the Memorandum of Understanding with the Bureau of Reclamation regarding Ruedi Reservoir Round II Contract Water; seconded by Councilor Rice.

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

***CONSIDER CALLING FOR SPECIAL MEETING OF COUNCIL ON DECEMBER 8, 2010***

City Clerk Lisa Cain noted that because the National League of Cities conference will take place December 1 through December 4, 2010, and Council Members plan to attend the conference, it is likely that there will not be a quorum for the regular meeting of Council scheduled for December 1, 2010. Council must adopt the 2011 budget before December 15, so it is necessary that Council reschedule the December 1 meeting for December 8, 2010. Consideration of the 2011 budget can take place at the December 8 meeting.

Councilor Miller moved to reschedule the December 1, 2010 regular meeting of Council for December 8, 2010, starting at 7:00 p.m.; seconded by Councilor Sanborn.

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

**ADMINISTRATIVE REPORTS**

Mr. Hier reported about the process to draft the 2011 budget; the status of street improvement projects; recent water system repairs; the agreement with the recently-appointed City Prosecutor; requesting bids for City Hall copiers; the City Employee Christmas Party; the Police Department retreat for strategic planning; a request for a stop sign at 3<sup>rd</sup> and Park Avenue; recent code enforcement actions by members of the Planning Department, with subsequent cleanup of properties by City crews; hiring of Police Officer Jeffrey Bosworth; and the resignation of Public Works Director Rod Hamilton.

Assistant City Manager Matt Sturgeon noted that the Rifle Gateway Conceptual Alternatives Report, dated October 23, recommends that the first phase reduce State Highway 13 to one lane southbound, south of US 6, to allow a dedicated acceleration lane from southbound Whiteriver Avenue to southbound State Highway 13. Credit should go to John Scalzo for this recommendation. Staff hopes that the City can begin construction of the Rifle Gateway in 2011.

Mr. Sturgeon said that the President of the Sand, Gravel, and Stone Association of Colorado has arranged for tours on November 10 at 10 a.m. of the LaFarge gravel pit and the United gravel pit on the Colorado River east of Rifle. Council Members are welcome to attend.

Mr. Neu added that he and Mr. Sturgeon have been working with LaFarge regarding the requirement of the Mamm Creek gravel pit watershed permit that LaFarge construct a landscaped berm at the pit. Staff agreed with LaFarge that it does not make sense to construct the berm with its current operations and LaFarge has instead installed landscaping to screen the asphalt batch plant located west of the knoll.

Mr. Stevens informed Council that repair of the large water main in north Rifle took place on October 24 and 25. Following this repair, it was discovered that a valve was leaking at 26<sup>th</sup> Street and Meadow Court. City crews repaired this valve on October 28 and 29. He thanked City staff for their support during these repairs.

Mr. Stevens announced that the Colorado Office of Water Conservation Drought and Planning has awarded the City a grant of \$47,085 to fund water conservation implementation projects. The grant will provide partial funding for 5 of the 14 objectives of the City Water Conservation Plan.

Mr. Stevens thanked Council and City staff for their assistance in creation of the 2011 draft budget.

Chief Meisner reported that on October 10, the Police Department reviewed and updated its strategic plan. He intends to present the plan to Council on December 8 and request that Council adopt the plan.

Chief Meisner said that one of the Police Officers involved in the October 22<sup>nd</sup> shooting incident returned to duty earlier this week, and the other will return to duty in the next few days. He thanked the community for its support in connection with this incident.

#### **COMMENTS FROM MAYOR AND COUNCIL**

Councilor Rice congratulated Rifle High School for last week's production of the play, Dracula.

Councilor Miller thanked Mr. Hamilton for his service to the City. He also thanked members of the Police Department for protecting the safety of the community.

For tonight's meeting, Councilor A. Lambert used an electronic packet stored on the iPad™ that the City recently purchased. He was comfortable doing so and hopes the City moves forward with using electronic packets in place of paper packets.

Councilor Sanborn noted that the Colorado Division of Wildlife was investigating a fish kill in the Colorado River at Two Rivers Park in Glenwood Springs. She requested that staff monitor this incident for possible effects on downriver communities, including Rifle.

#### **EXECUTIVE SESSIONS**

***EXECUTIVE SESSION: (1) FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER COLORADO REVISED STATUTES SECTION 24-6-402(4)(E); (2) TO DISCUSS THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF REAL, PERSONAL, OR OTHER PROPERTY INTEREST UNDER C.R.S. SECTION 24-6-402(4)(A); AND (3) FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER C.R.S. SECTION 24-6-402(4)(B)***

***EXECUTIVE SESSION FOR DISCUSSION OF A PERSONNEL MATTER UNDER CRS 24-6-402(2)(F) AND NOT INVOLVING: (1) ANY SPECIFIC EMPLOYEES WHO HAVE REQUESTED DISCUSSION OF THE MATTER IN OPEN SESSION; (2) ANY MEMBER OF THIS BODY OR ANY ELECTED OFFICIAL; (3) THE APPOINTMENT OF ANY PERSON TO FILL AN OFFICE OF THIS BODY OR OF AN ELECTED OFFICIAL; OR (4) PERSONNEL POLICIES THAT DO NOT REQUIRE THE DISCUSSION OF MATTERS PERSONAL TO PARTICULAR EMPLOYEES***

Councilor Miller moved to adjourn to Executive Session to discuss negotiations, discuss property interests, receive legal advice, and discuss personnel matters; seconded by Councilor Rice (8:15 p.m.).

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

Councilor Rice moved to adjourn from Executive Session; seconded by Councilor Sanborn (9:49 p.m.).

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

Meeting adjourned at 9:50 p.m.

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Lisa H. Cain  
City Clerk

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Keith Lambert  
Mayor