

**LOVELAND CITY COUNCIL MEETING
LOVELAND URBAN RENEWAL AUTHORITY BOARD OF COMMISSIONERS
GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS
TUESDAY, APRIL 17, 2012
CITY COUNCIL CHAMBERS
500 EAST THIRD STREET
LOVELAND, COLORADO**

THE CITY OF LOVELAND DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION, RELIGION, AGE, NATIONAL ORIGIN, OR ANCESTRY IN THE PROVISION OF SERVICES. FOR DISABLED PERSONS NEEDING REASONABLE ACCOMMODATION TO ATTEND OR PARTICIPATE IN A CITY SERVICE OR PROGRAM, CALL 962-2343 OR TDD # 962-2620 AS FAR IN ADVANCE AS POSSIBLE.

**5:30 P.M. DINNER - City Manager's Conference Room
6:30 P.M. REGULAR MEETING - City Council Chambers**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION: INTRODUCTION OF NEW CHAMBER OF COMMERCE CEO

PROCLAMATION DECLARING SATURDAY, APRIL 21, 2012 AS THE "10TH ANNUAL SPRING WATERWAY CLEAN-UP EVENT"

PROCLAMATION DECLARING THE MONTH OF APRIL 2012 AS "FAIR HOUSING MONTH"

Anyone in the audience will be given time to speak to any item on the Consent Agenda. Please ask for that item to be removed from the Consent Agenda. Items pulled will be heard at the beginning of the Regular Agenda. You will be given an opportunity to speak to the item before the Council acts upon it.

Public hearings remaining on the Consent Agenda are considered to have been opened and closed, with the information furnished in connection with these items considered as the only evidence presented. Adoption of the items remaining on the Consent Agenda is considered as adoption of the staff recommendation for those items.

Anyone making a comment during any portion of tonight's meeting should come forward to a microphone and identify yourself before being recognized by the Mayor. Please do not interrupt other speakers. Side conversations should be moved outside the Council Chambers. Please limit your comments to no more than three minutes.

CONSENT AGENDA

- 1. CITY CLERK
 APPROVAL OF COUNCIL MINUTES
 Consideration of a motion approving Council minutes**

This is an administrative action to approve Council minutes from the March 13, 2012 study session.

2. CULTURAL SERVICES

SUPPLEMENTAL APPROPRIATION FOR CULTURAL SERVICES DEPARTMENT PROGRAMS

Consideration of an ordinance on second reading enacting a supplemental budget and appropriation to the 2012 City of Loveland budget for donations to fund the Foote Lagoon Concert Series, the Phyllis Walbye film series, the grand opening reception for the Rialto Theater Center and a chandelier commissioned as a public art piece for the Rialto Theater Center

This is an administrative action to appropriate \$46,200 in funds donated for programs through the Cultural Services Department. Donation requests are submitted on a regular basis to support additional programming in the Cultural Services Department. This ordinance was unanimously approved by City Council on first reading April 3, 2012.

3. POLICE

2012 JAG GRANT

Consideration of a motion for approval of City application for a Federal Justice Assistance Grant (JAG Grant)

This is an administrative action. Federal regulations require review of the grant application to be conducted prior to submitting the grant application by May 14, 2012. There is no required grant match from the City. If received, the Federal JAG grant will fund overtime for Police Detectives in the Special Investigations Unit at the Northern Colorado Drug Task Force

4. PUBLIC WORKS

AWARD CONSTRUCTION CONTRACT

Consideration of a motion awarding a construction contract, the Washington Avenue Outfall Phase 4 (Garfield Avenue Improvements), Project No. SW-0710, to Edge Contracting, Inc. for the amount of \$1,335,293.00 and authorizing the City Manager to execute the contract

This is an administrative action awarding a construction contract for the Washington Avenue Outfall Phase 4 (Garfield Avenue Improvements), Project No. SW-0710, to Edge Contracting, Inc. The Washington Avenue Outfall Phase 4 project is the last and largest of a storm sewer system to serve central downtown Loveland.

5. FINANCE

PUBLIC HEARING

SUPPLEMENTAL APPROPRIATION – APPROPRIATE UNUSED FUNDS FROM 2011 CITY BUDGET

Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget to reappropriate remaining funds for projects approved but not completed in 2011 and new projects

This is an administrative action. The Ordinance reappropriates funding for capital projects and other one-time projects approved but not completed in the prior year and a small number of new projects that were not anticipated at the time of budget adoption.

6. **FINANCE**
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION – APPROPRIATE UNUSED FUNDS FROM 2011 AIRPORT BUDGET

Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2012 Ft. Collins-Loveland Municipal Airport budget to appropriate funds for projects approved but not completed in 2011 and for projects associated with an expanded state grant

This is an administrative action to appropriate funds for projects approved but not completed in 2011 and for projects associated with an expanded state grant.

ADJOURN AS CITY COUNCIL AND CONVENE AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)

7. **FINANCE**
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION – APPROPRIATE UNUSED FUNDS FROM 2011 LURA BUDGET

Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the Loveland Urban Renewal Authority budget to reappropriate the Facade Grant Program approved in 2011 but not completed.

This is an administrative action. Funding for projects approved in 2011 but not completed is reappropriated in the 2012 budget.

ADJOURN AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY AND CONVENE AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID)

8. **FINANCE**
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION – APPROPRIATE UNUSED FUNDS FROM 2011 GID #1 BUDGET

Consideration on first reading of an ordinance adopting a supplemental budget and appropriation for the 2012 Loveland General Improvement District #1 to reappropriate funds for signal light upgrades approved in 2011 but not completed

This is an administrative action. Funds approved in 2011 for signal pole upgrades are appropriated to complete the project.

ADJOURN AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID) AND RECONVENE AS CITY COUNCIL

END OF CONSENT AGENDA

CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA

CITY COUNCIL

a. **Citizens’ Report** *Anyone who wishes to speak to an item NOT on the Agenda may address the Council at this time.*

b. **Business from Council** *This is an opportunity for Council Members to report on recent activities or introduce new business for discussion at this time or on a future City Council agenda.*

- c. **City Manager Report**
- d. **City Attorney Report**

PROCEDURAL INFORMATION

Anyone who wishes to address the Council on any item on this part of the agenda may do so when the Mayor calls for public comment. All public hearings are conducted in accordance with Council Policy. When Council is considering adoption of an ordinance on first reading, Loveland's Charter only requires that a majority of the Council quorum present vote in favor of the ordinance for it to be adopted on first reading. However, when an ordinance is being considered on second or final reading, at least five of the nine members of Council must vote in favor of the ordinance for it to become law.

REGULAR AGENDA

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

9. **CITY CLERK**
APPROVAL OF COUNCIL MINUTES
Consideration of a motion approving Council minutes
 This is an administrative action to approve Council minutes from the March 27, 2012 study session and the April 3, 2012 regular meeting.

10. **FIRE & RESCUE**
MILL LEVY ELECTION IN LOVELAND RURAL FIRE PROTECTION DISTRICT
 This is an information only item. This is a brief presentation to City Council members providing an update on the May 8, 2012 mill levy election in the Loveland Rural Fire Protection District.

11. **PUBLIC WORKS**
RECYCLEBANK OPTIONS FOR SOLID WASTE PROGRAM
 This is an information only item. Public works staff is considering RecycleBank for additional marketing and recycling opportunities that support continued waste diversion increases, economic development efforts, and education.

ADJOURN



PROCLAMATION

- WHEREAS,** the 10th Annual Spring Waterway Clean-up event is one of the programs listed in the City of Loveland's General Municipal Separate Storm Sewer (MS4) Permit; and
- WHEREAS,** each of the Adopt-A-Waterway Groups consisting of Bill Reed Middle School, the Loveland High River Watch Club, the Kiwanis Club of Loveland, the Namaqua Unitarian Universalist Congregation, the Loveland Open Lands Advisory Commission, Sylvan Dale Guest Ranch, Reflections for Youth, and Cub Scout Pack 184 will be cleaning their adopted sections of the Big Thompson River, the Morey Wildlife Reserve, and the Reflections for Youth (RFJY) and Meadow Brook Natural Areas; and
- WHEREAS,** the Greeley-Loveland Irrigation and Seven Lakes Reservoir Companies; the High Plains Environmental Center; the Big Thompson Watershed Forum; American Rivers; the City of Greeley; the City of Loveland; Larimer County, along with local businesses such as World Beverage; Walgreens; Wash Time, Wash Me, Speedy Sparkle, and Fairlane Car Wash Facilities; Big Thompson 4 – Wheelers; Bloedorn Lumber-Loveland; Chick-fil-A; Orchards Ace Hardware; Mini Cooper; Wells Fargo; Residence Inn-Loveland; Agrium Advanced Technologies; Wendy's; King GMC; Sportsman's Warehouse; Harley Davidson, and others will be involved to collaborate and provide materials for a successful event; and
- WHEREAS,** the event is planned to coincide with Earth Day and should attract over 300 volunteers; and
- WHEREAS,** the event will help improve the aesthetics of the community; and
- WHEREAS,** the purpose of the event is to provide the citizens of Loveland an opportunity to remove trash and other assorted debris from within and along the City's waterways; and
- WHEREAS,** these efforts will reduce the pollutants within our community and help improve upon the water quality of the City's waterways, the riparian corridors and our environment.
- NOW, THEREFORE,** we, the City Council of Loveland, do hereby proclaim Saturday, April 21, 2012 as the

10TH ANNUAL SPRING WATERWAY CLEAN-UP EVENT

at various locations in the City of Loveland.

Signed this 17th day of April, 2012

Cecil Gutierrez, Mayor





CITY COUNCIL

Civic Center • 500 East Third Street • Loveland, Colorado 80537
 (970) 962-2303 • FAX (970) 962-2900 • TDD (970) 962-2620
www.cityofloveland.org

PROCLAMATION

- WHEREAS,** Title VIII of the Civil Rights Act, which guarantees fair housing for all residents of the United States, was signed into law in April 1968; and
- WHEREAS,** the Month of April is nationally recognized as Fair Housing Month and a time to reflect on and reaffirm our national commitment to the ideal that fair housing opportunity is available to everyone in the United States without regard to race, color, religion, national origin, sex, familial status, and disability; and
- WHEREAS,** this year’s theme, Creating Equal Opportunity in Every Community, indicates collaborative effort of the United States Department of Housing and Urban Development and its partners in realizing increased housing opportunities for every individual; and
- WHEREAS,** the State of Colorado, which enacted prohibitions against housing discrimination in 1959, the first state in the nation to pass anti-discrimination laws pertaining to private property, recognizing and affirming that all persons in the State of Colorado are free to purchase, rent, finance, and insure their homes without regard to their race, color, religion, creed, sex, national origin, ancestry, familial status, marital status, or sexual orientation; and
- WHEREAS,** the City of Loveland, Colorado welcomes this opportunity to reaffirm our commitment to the principal of fair housing for all and are committed to all efforts that address discrimination in our communities, support all programs that will educate the public concerning their rights to equal housing opportunity and to assure every person their right to live free of the fear of housing discrimination;

Now, Therefore, we, the City Council of Loveland do hereby declare April 2012 as

FAIR HOUSING MONTH

in the City of Loveland, Colorado.

Signed this 17th day of April, 2012

Cecil A. Gutierrez, Mayor

City Council Study Session
March 13, 2012
Page 1 of 1

Mayor Gutierrez called the Study Session of the Loveland City Council to order at 6:30 p.m. on the above date. Councilors present: Gutierrez, McEwen, Fogle, Taylor, Farley, McKean, Trenary, Klassen and Shaffer. City Manager, Bill Cahill was also present.

1. CITY MANAGER

North Front Range Metropolitan Planning Organization – Regional Bicycle Plan
Senior Transportation Planner, Aaron Fodge of the North Front Range Metropolitan Planning Organization (NFRMPO) presented this item to Council. The presentation reviewed existing bicycle infrastructure and a series of five questions were utilized to capture the Council’s vision for bicycle commuting and recreating for the Regional Bicycle Plan. Mr. Fodge thanked Council for the input which will be summarized for inclusion in the plan after completion of the public engagement strategies throughout the region. The final plan will outline a set of future improvements, regional bicycle infrastructure design guidelines, and goals to assist the region in prioritizing future transportation system enhancements for bicyclists.

2. PUBLIC WORKS

Stormwater Utility Rates

City Engineer, Dave Klockeman presented this item to Council for discussion of existing rates for Stormwater Utility – System Investment Fees and Stormwater Utility Fees and options for potential adjustment to rates going forward. Jason Mumm of StepWise Utility Advisors reviewed five scenarios for a potential adjustment of the rates to meet operation and maintenance costs and future capital project needs. Council discussion ensued. Council consensus favored the “pay as you go” method of financing. Staff was directed to return with a reworked scenario showing the implications of adding a third engineer earlier and the adjusted rate necessary to meet operation and maintenance costs and future capital project needs.

The study session was adjourned at 9:55 p.m.

Respectfully Submitted,

Jeannie M. Weaver, Deputy City Clerk

Cecil A. Gutierrez, Mayor



CITY OF LOVELAND
 CULTURAL SERVICES /MUSEUM •ART IN PUBLIC PLACES
 503 N. Lincoln Avenue • Loveland, Colorado 80537
 (970) 962-2410 • FAX (970) 962-2910 • TDD (970) 962-2833

AGENDA ITEM: 2
MEETING DATE: 4/17/2012
TO: City Council
FROM: Susan Ison, Cultural Services Department
PRESENTER: Jan Sawyer

TITLE:

Consideration of an ordinance on second reading enacting a supplemental budget and appropriation to the 2012 City of Loveland budget for donations to fund the Foote Lagoon Concert Series, the Phyllis Walbye film series, the grand opening reception for the Rialto Theater Center and a chandelier commissioned as a public art piece for the Rialto Theater Center.

RECOMMENDED CITY COUNCIL ACTION:

Approve the ordinance on second reading

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration
5. Adopt a motion continuing the item to a future Council meeting

DESCRIPTION:

This is an administrative action to appropriate \$46,200 in funds donated for programs through the Cultural Services Department.

Foote Lagoon Concert Series

- Elevations Credit Union \$5,000
- Poudre Valley Health System \$5,000
- Kroh Charitable Trust \$4,000
- Erion Foundation \$4,000

Phyllis Wayble Film Series

- Walbye Family \$2,000

Rialto Theater Center

- Loveland Community Foundation of Northern Colorado
 - Public Art Chandelier \$16,200
 - Grand Opening Reception \$10,000

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

The appropriation is funded entirely by donations to the City. No City funds are used for the appropriation.

SUMMARY:

Donation requests are submitted on a regular basis to support additional programming in the Cultural Services Department. Supplemental requests are brought to City Council periodically throughout the year as donations are received.

REVIEWED BY CITY MANAGER:

William D. Cabell

LIST OF ATTACHMENTS:

1. An ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget for donations to fund the Foote Lagoon Concert Series, the Phyllis Walbye film series, the grand opening reception for the Rialto Theater Center and a chandelier commissioned as a public art piece for the Rialto Theater Center.

FIRST READING April 3, 2012

SECOND READING April 17, 2012

ORDINANCE NO. _____

AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET FOR DONATIONS TO FUND THE FOOTE LAGOON CONCERT SERIES, THE PHYLLIS WALBYE FILM SERIES, THE GRAND OPENING RECEPTION FOR THE RIALTO THEATER CENTER AND A CHANDELIER COMMISSIONED AS A PUBLIC ART PIECE FOR THE RIALTO THEATER CENTER

WHEREAS, the City has received funds not anticipated or appropriated at the time of the adoption of the City budget for 2012; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the City budget for 2012 as authorized by Section 11-6(a) of the Loveland City Charter.

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

Section 1. That revenues in the amount of \$46,200 from donations in the General Fund 100 and Art in Public Places Fund 205 are available for appropriation. Revenues in the total amount of \$46,200 are hereby appropriated for the Foote Lagoon Concert Series, the Phyllis Walbye Film Series, and the Rialto Theater Center and transferred to the funds as hereinafter set forth. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget
General Fund 100 - Cultural Services Donations**

Revenues		
100-52-720-0000-35305	Donations	18,000
100-52-730-0000-35305	Donations	12,000
Total Revenue		30,000
 Appropriations		
100-52-720-0000-47378	Marketing - Foote Lagoon Concert Series	18,000
100-52-730-0000-42422	Food - Grand Opening Reception	10,000
100-52-730-0000-43774	Film Rental	2,000
Total Appropriations		30,000

**Supplemental Budget
Art in Public Places Fund 205 - Public Art**

Revenues		
205-52-740-0000-35305	Donations	16,200
Total Revenue		16,200
 Appropriations		
205-52-740-0000-48196	Art Commissions - Chandelier	16,200
Total Appropriations		16,200

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

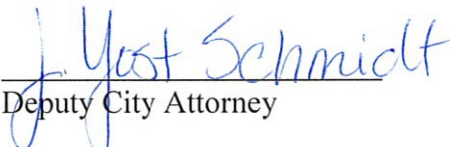
ADOPTED this ____ day of April, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Deputy City Attorney



CITY OF LOVELAND
POLICE DEPARTMENT

810 East 10th Street • Loveland, Colorado 80537
(970) 667-2151 • FAX (970) 962-2917 • TDD (970) 962-2620

AGENDA ITEM: 3
MEETING DATE: 4/17/2012
TO: City Council
FROM: Ray Miller, Police
PRESENTER: Ray Miller

TITLE:

Consideration of a motion for approval of City application for a Federal Justice Assistance Grant (JAG Grant)

RECOMMENDED CITY COUNCIL ACTION:

Adopt a motion to approve City's application for a Federal JAG grant.

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration
5. Adopt a motion continuing the item to a future Council meeting

DESCRIPTION:

This is an administrative action. Federal regulations require review of the grant application to be conducted prior to submitting the grant application by May 14, 2012. There is no required grant match from the City.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

SUMMARY:

The Federal JAG grant of \$13,387 for the Police Department will fund overtime for Detectives in the Special Investigations Unit at the Northern Colorado Drug Task Force. The public hearing notice was published in the Loveland Reporter-Herald on April 14, 2012.

REVIEWED BY CITY MANAGER: *William D. Cahill*

LIST OF ATTACHMENTS:

JAG grant application solicitation

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

OMB No. 1121-0329



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#)' (OJP) [Bureau of Justice Assistance](#) (BJA) is pleased to announce that it is seeking applications for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence.

Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2012 Local Solicitation

Eligibility

Applicants are limited to units of local government appearing on the FY 2012 JAG Allocations List. To view this list, go to www.bja.gov/programs/jag/12jagallocations.html. For JAG program purposes, a unit of local government is: a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may also be a federally recognized Indian tribe that performs law enforcement functions (as determined by the Secretary of the Interior). Otherwise a unit of local government may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes. In Louisiana, a unit of local government means a district attorney or parish sheriff. In the District of Columbia or any United States Trust Territory, a unit of local government is any agency of the District of Columbia or federal government performing law enforcement functions for the District of Columbia or Trust Territories of the United States.

Deadline

Applicants must register in [OJP's Grants Management System](#) (GMS) prior to submitting application for this funding opportunity. Select the "Apply Online" button associated with the solicitation title. (See "How To Apply," page 14.) All registrations and applications are due by 8:00 p.m. eastern time on May 14, 2012. (See "Deadlines: Registration and Application," page 4.)

Contact Information

For technical assistance with submitting the application, contact the Grants Management System Support Hotline at 1-888-549-9901, option 3, or via e-mail to GMS.HelpDesk@usdoj.gov.

Note: The [GMS](#) Support Hotline hours of operation are Monday-Friday from 6:00 a.m. to 12 midnight eastern time, except federal holidays.

For assistance with any other requirement of this solicitation, contact the BJA Justice Information Center at 1-877-927-5657, via e-mail to JIC@telesishq.com, or by [live web chat](#). The BJA Justice Information Center hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, and 8:30 a.m. to 8:00 p.m. eastern time, Monday through Friday, on the solicitation close date.

Funding opportunity number assigned to announcement: BJA-2012-3256

Release date: March 28, 2012

CONTENTS

Overview	4
Deadlines: Registration and Application	4
Eligibility	4
JAG Program—Specific Information	4
Updated Requirements	8
Reporting Requirements	10
Performance Measures	10
Notice of Post-Award FFATA Reporting Requirement	11
Priorities	11
How To Apply	14
What an Application Should Include	16
Information to Complete the Application for Federal Assistance (SF-424) (Required)	
Program Narrative (Required)	
Budget and Budget Narrative (Required)	
Review Narrative (Required)	
Abstract with Project Identifiers (Required)	
Tribal Authorizing Resolution (if applicable)	
Additional Attachments (if applicable)	
Other Standard Forms	
Review Process	18
Additional Requirements	18
Provide Feedback to OJP on This Solicitation	20
Application Checklist	21

Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local Solicitation CFDA #16.738

Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG-funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.

Deadlines: Registration and Application

Applicants must register in GMS prior to submitting an application for this funding opportunity. The deadline to register in GMS is 8:00 p.m. eastern time on May 14, 2012, and the deadline to apply for funding under this announcement is 8:00 p.m. eastern time on May 14, 2012. See the “How To Apply” section on page 14 for more details.

Eligibility

Refer to the cover page of this solicitation for eligibility under this program.

JAG Program—Specific Information

Formula

Once each fiscal year’s overall JAG Program funding level is determined, BJA partners with the Bureau of Justice Statistics (BJS) to begin a four-step grant award calculation process which consists of:

1. Computing an initial JAG allocation for each state and territory, based on their share of violent crime and population (weighted equally).
2. Reviewing the initial JAG allocation amount to determine if the state or territory allocation is less than the minimum (“de minimus”) award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the state or territory is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining states receives the minimum award plus an additional amount based on their share of violent crime and population.
3. Dividing each state’s final award amount (except for the territories and District of Columbia) between state and local governments at a rate of 60 and 40 percent, respectively.

4. Determining local unit of government award allocations, which are based on their proportion of the state's three-year violent crime average. If a local eligible award amount is less than \$10,000, the funds are returned to the state to be awarded to these local units of government through the state agency. If the eligible award amount is \$10,000 or more, then the local government is eligible to apply for a JAG award directly from BJA.

Award Amount

Eligible award amounts under JAG are posted annually to BJA's JAG web page: www.bja.gov/ProgramDetails.aspx?Program_ID=59.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

Purpose Areas

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation, data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

- Law enforcement programs.
- Prosecution and court programs.
- Prevention and education programs.
- Corrections and community corrections programs.
- Drug treatment and enforcement programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness programs (other than compensation).

JAG funds may also be used to address key statutory requirements that may not be otherwise funded, including requirements from the state and federal level, such as addressing limited English proficiency requirements and other similar mandates.

Responsibilities

The Chief Executive Officer (CEO) of an eligible unit of local government or other officer designated by the CEO must submit the application for JAG funds. A unit of local government receiving a JAG award will be responsible for the administration of the funds including: distributing the funds; monitoring the award; submitting quarterly financial status (SF-425) and performance metrics reports and annual programmatic reports; and providing ongoing oversight and assistance to any subrecipients of the funds.

Length of Awards

Awards are made in the first fiscal year of the appropriation and may be expended during the following 3 years, for a total grant period of 4 years. Extensions beyond this period may be made on a case-by-case basis at the discretion of the Director of BJA and must be requested via the Grants Management System (GMS) **no less than 30 days prior to the grant end date.**

BJA-2012-3256

Administrative Funds

A unit of local government may use up to 10 percent of the award, plus any interest accrued, for costs associated with administering JAG funds.

Disparate Certification

A disparate allocation occurs when a city or municipality is allocated one-and-one-half times (150 percent) more than the county, while the county bears more than 50 percent of the costs associated with prosecution or incarceration of the municipality's Part 1 violent crimes. A disparate allocation also occurs when multiple cities or municipalities are collectively allocated four times (400 percent) more than the county, and the county bears more than 50 percent of the collective costs associated with prosecution or incarceration of each municipality's Part 1 violent crimes.

- ★ Jurisdictions certified as disparate must identify a fiscal agent that will submit a **joint application** for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds, must be completed, and signed by the Authorized Representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to www.bja.gov/Funding/JAGMOU.pdf.

Governing Body Review

The applicant agency (fiscal agent in disparate situations) must make the grant application available for review by the governing body (or to the organization designated by the governing body) not fewer than 30 days before the application is submitted to BJA.

Public Comment

The applicant agency (the fiscal agent in disparate situations) must include a statement that the application was made public and that, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and to neighborhood or community-based organizations.

Supplanting

Federal funds must be used to supplement existing funds for program activities and cannot replace or supplant nonfederal funds that have been appropriated for the same purpose. Supplanting is prohibited under JAG. See BJA's [JAG web page](#) and the updated JAG FAQs for examples of supplanting.

Trust Fund

Award recipients may draw down JAG funds in advance. To do so, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest-bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds. This trust fund requirement only applies to direct JAG award recipients as well as subrecipients that are not on a reimbursement basis.

Match Requirement

While match is not required with the JAG Program, match is as an effective strategy for states and units of local government to expand justice funds and build buy-in for local criminal justice initiatives. If an applicant proposes a voluntary match amount, the match amount incorporated into the OJP-approved budget becomes mandatory and subject to audit.

Prohibited Uses

No JAG funds may be expended outside of JAG purpose areas. Even within these purpose areas, however, JAG funds cannot be used directly or indirectly for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Nor may JAG funds be used directly or indirectly to provide for any of the following matters unless BJA certifies* that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:

- **Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters).
- Luxury items.
- Real estate.
- Construction projects (other than penal or correctional institutions).
- Any similar matters.

***For information related to requesting a waiver to use funds for any prohibited item, refer to the updated JAG FAQs on BJA's [JAG web page](#).**

****Police cruisers may include a police pursuit vehicle (PPV) or system support vehicle (SSV). Examples include sedans and sport utility vehicles (SUVs).**

Budget Information

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. The 2012 salary table for SES employees is available at www.opm.gov/oca/12tables/indexSES.asp. Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Assistant Attorney General (AAG) for OJP. An applicant requesting a waiver should include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit its budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

Minimization of Conference Costs

No OJP funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event. Exceptions to this restriction may be made only in cases where such sustenance is not otherwise available (i.e., extremely remote areas), or where a special presentation at a conference requires a plenary address where there is no other time for sustenance to be obtained. Such an exception would require prior approval from the BJA Director. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

Updated Department of Justice and OJP guidance on conference planning, minimization of costs, and conference cost reporting will be forthcoming and will be accessible on the OJP web site at www.ojp.usdoj.gov/funding/funding.htm.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits by individuals with limited English proficiency may be allowable costs. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section of the OJP "Other Requirements for OJP Applications" web page (www.ojp.usdoj.gov/funding/other_requirements.htm).

Updated Requirements

Bulletproof Vest Certification

Bulletproof vests can be funded through two BJA-administered programs: the JAG Program and the Bulletproof Vest Partnership (BVP) Program.

- BVP is a program designed to provide a critical resource to state and local law enforcement through the purchase of ballistic-resistant and stab-resistant body armor. A jurisdiction is able to request up to 50 percent of the cost of a vest with BVP funds. For more information on the BVP Program, including eligibility and application, refer to the [BVP web page](#).

- JAG funds may also be used to purchase vests for an agency, but they may not be used to pay for that portion of the bulletproof vest (50 percent) that is not covered by BVP funds. Unlike BVP, JAG funds used to purchase vests do not require a 50 percent match.
- Bulletproof vests purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice ballistic or stab standards. In addition, bulletproof vests purchased must be American-made. The latest NIJ standard information can be found at: www.nij.gov/topics/technology/body-armor/safety-initiative.htm.
- As is the case in BVP, grantees that wish to purchase vests with JAG funds **must certify** that law enforcement agencies receiving vests have a written "mandatory wear" policy in effect. FAQs related to the mandatory wear policy and certifications can be found at www.bja.gov/Funding/JAGFAQ.pdf. This policy must be in place for at least all uniformed officers before any FY 2012 funding can be used by the agency for vests. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. A *mandatory wear concept and issues paper* and a *model policy* are available by contacting the BVP Customer Support Center at vests@usdoj.gov or toll free at 1-877-758-3787.
- A copy of the certification related to the mandatory wear can be found at: www.bja.gov/Funding/12JAGBVPCert.pdf.

Interoperable Communications Guidance

- Grantees (including subgrantees) that are using FY 2012 JAG Program funds to support emergency communications activities must comply with the *FY 2012 SAFECOM Guidance for Emergency Communication Grants*, including provisions on technical standards that ensure and enhance interoperable communications. Emergency communications activities include the purchase of Interoperable Communications Equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order. SAFECOM guidance can be found at www.safecomprogram.gov.
- Grantees interested in developing a public safety broadband network in the 700 MHz band in their jurisdictions must adhere to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band. The recipient shall also ensure projects support the Statewide Communication Interoperability Plan (SCIP) and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC) in the state of the project. As the central coordination point for their state's interoperability effort, the SWIC plays a critical role, and can serve as a valuable resource. SWICs are responsible for the implementation of the SCIP through coordination and collaboration with the emergency response community. The U.S. Department of Homeland Security Office of Emergency Communications maintains a list of SWICs for each of the 56 states and territories. Contact OEC@hq.dhs.gov if you are not familiar with your state or territory's SWIC. If any future regulatory requirement (from the FCC or other governmental entity) results in a material technical or financial change in the project, the recipient should submit associated documentation, and other material, as applicable, for review by the SWIC to ensure

coordination. Grantees (and sub-grantees) must provide a listing of all communications equipment purchased with grant award funding (plus the quantity purchased of each item) to their assigned BJA State Policy Advisor once items are procured during any periodic programmatic progress reports.

DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database

If JAG program funds will be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS), by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA. For more information, refer to the NIJ FY 2012 DNA Backlog Reduction Program, available at ncjrs.gov/pdffiles1/nij/sl000989.pdf

Reporting Requirements

Once an award is accepted, award recipients must submit quarterly financial status (SF-425) and annual programmatic reports through [GMS](#), quarterly performance metrics reports (see Performance Measures section below) through BJA's Performance Measurement Tool ([PMT](#)), and Federal Funding Accountability and Transparency Act (FFATA) reports through the FFATA Sub-award Reporting System ([FSRS](#)) as necessary (see FFATA section below).

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act of 1993 (GPRA), P.L. 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants who receive funding under this solicitation must provide data that measures the results of their work. Quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) web site: www.bjaperformancetools.org. The performance measure can be found at: www.bjaperformancetools.org/help/ARRAJAGandJAGCombinedIndicatorGrid.pdf.

All JAG recipients should be aware that BJA is currently making changes to the JAG performance reporting processes, including measures. While state administering agencies are playing a role in the process, recipients are advised that the reporting requirements noted above may be subject to modification through this process.

Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Refer to the section "What an Application Should Include" on page 16 for additional information.

Note on Project Evaluations

Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements likely do

not constitute “research.” Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, “a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge.” 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the “Research and the Protection of Human Subjects” section of the OJP Other Requirements for OJP Applications” web page (www.ojp.usdoj.gov/funding/other_requirements.htm). Applicants whose proposals may involve a research or statistical component also should review the “Confidentiality” section on that web page.

Notice of Post-Award FFATA Reporting Requirement

Applicants should anticipate that OJP will require all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at www.fsrs.gov.

Note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

Priorities

BJA recognizes that the downturn in the economy has resulted in significant pressures on state and local criminal justice systems. In these challenging times, shared priorities and leveraged resources can make a significant impact. In light of this, it is important to make SAAs and local JAG recipients aware of several areas of priority that may be of help in maximizing the effectiveness of JAG funding at the state and local level.

As an overall framework for success, we encourage both state and local comprehensive justice planning, bringing all of the system stakeholders together—including law enforcement, courts, prosecutors, defenders, corrections officials, and other stakeholders (including victims and victim advocates)—to create a comprehensive and strategic justice plan to ensure coordination and a more effective justice system.

In addition to our longstanding and unwavering commitment to keeping violent crime at its lowest level in decades, the following priorities represent key areas where we will be focusing nationally and invite each state and local JAG recipient to join us in addressing these challenges as a part of our JAG partnership.

Funding Evidence-Based Programs

BJA strongly encourages state and local planners to fund programs that are evidence-based and have been proven effective. In the current difficult budgetary climate, it is more critical than ever that JAG dollars are spent on programs with proven effectiveness.

Questions often arise about what is meant by evidence-based programs. OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence (generally obtained through one or more outcome evaluations). Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

In 2011, OJP made an excellent online tool available to criminal justice practitioners and policy makers to identify evidence based programs that are effective or promising. CrimeSolutions.gov is the OJP online resource about what works in criminal justice, juvenile justice, and crime victim services. Using certified expert reviewers, CrimeSolutions.gov provides detailed information and evidence ratings of programs that may fall within the JAG purpose areas. Launched in June 2011, CrimeSolutions.gov features multiple, user-friendly search options; easy to read program profiles and evaluation summaries from over three decades of research; and recognizable evidence ratings by certified reviewers with research and subject area expertise . CrimeSolutions.gov is intended to increase the use of evidence-based programs in criminal justice, juvenile justice and victim services settings; inform practitioners and policy makers about what works using the best available evidence; and help state and local jurisdictions address crime effectively and efficiently. BJA urges SAAs and local jurisdictions to use information available in CrimeSolutions.gov in making funding decisions.

Criminal Justice Planning

Jurisdictions are strongly encouraged to use JAG funding to support their existing strategic plan. If such a plan does not now exist, jurisdictions are encouraged to develop and undertake a strategic planning process, using a community engagement model, in order to guide spending under this and future fiscal year allocations. Training and technical assistance (TTA) is available from BJA's TTA providers to assist localities with the development of their strategic planning process and their plan to fund evidence-based projects. To ensure that the impact of Byrne JAG funding decisions is considered across the entire criminal justice system, we are redoubling our efforts to encourage state and local jurisdictions to bring all system stakeholders together in the strategic planning process. Our recommended guidelines are that at a minimum, the strategic planning process includes law enforcement, courts, prosecutors, indigent defense providers, victim advocates, and corrections and community corrections officials. BJA will continue to provide valuable technical assistance in 2012 through the National Criminal Justice Association (NCJA) for comprehensive criminal justice planning that includes bringing all criminal justice stakeholders to the table to develop innovative strategies to improve the fair administration of justice. For more information, see the [National Center for Justice Planning web site](http://NationalCenterforJusticePlanning.org).

Recidivism Reduction and Community Corrections

In this time of fiscal austerity and smaller state and local budgets, reducing the overall costs of incarceration in a manner that promotes public safety is a paramount goal. Effective community supervision coupled with evidence-based program interventions can result in significant reductions in recidivism. A priority funding area is the implementation of effective pre-trial services programs and innovative programs and approaches in probation and parole supervision that improve services to offenders and increase collaborative efforts among community supervision agencies with law enforcement and the courts. This includes development and implementation of strategies for the identification, supervision, and treatment of medium- to high-risk offenders that demonstrate the integration, use, and efficacy of evidenced-based practices and principles in the improvement of the delivery of probation and/or parole supervision strategies and practices.

Indigent Defense

Another key priority area is ensuring that justice is truly done in the criminal justice system is support for indigent defense. BJA continues to encourage states and SAAs to use JAG funds to support the vital needs of the indigent defense community. Attorney General Holder has consistently stressed that the crisis in indigent defense reform is a serious concern which must be addressed if true justice is to be achieved in our nation. In 2002, the American Bar Association (ABA) published Ten Principles of a Public Defense Delivery System which represent fundamental building blocks for implementing quality legal representation for indigent defendants. (See [ABA Ten Principles](#).)

Evidence-Based “Smart Policing” Programs

As a result of the current fiscal crisis, many police departments are experiencing unprecedented budget cuts, layoffs and reductions in force. These challenges must be met by making wider use of advancements in the law enforcement field in the last several decades which rely on use of data, crime analysis, crime mapping and other analytic tools, cutting edge technology, and research and evaluations regarding effective policing strategies and programs. A useful matrix of evidence-based policing programs and strategies is available through the [Center for Evidence-Based Policy](#) at George Mason University and provides valuable information on policing strategies and programs that work. BJA encourages states to use JAG funds to support these “smart policing” strategies, including a focus on real time crime analysis centers (CACs), and effective partnerships with universities and research partners and with non-traditional criminal justice partners. Counterterrorism continues to be the number one priority for the Department of Justice. At the state and local level, high functioning, evidence-based, data driven public safety agencies are a critical component of our nation’s “all crimes” strategy. In addition, the JAG Program has long supported effective and collaborative multi-jurisdictional task forces and justice information sharing programs, which continue as a priority in order to maintain our nation’s historic reductions in violent crime.

Officer Safety and Wellness

Law enforcement safety and wellness issues are an important priority for the Department of Justice, have become highly visible as recent trends have shown an increase in law enforcement deaths. According to the National Law Enforcement Officers Memorial Fund, 2011 showed a 16 percent increase in law enforcement fatalities with a 20 percent increase in

BJA-2012-3256

firearms-related fatalities. The Department of Justice is taking a holistic approach to addressing officer safety and wellness by providing training and technical assistance to state and local law enforcement, as well as studying law enforcement injuries. BJA encourages states and local jurisdictions to use JAG funds to support this priority area by providing training—such as paying for tuition and travel expenses related to attending trainings like the VALOR training—as well as providing start-up funding for health and wellness programs to law enforcement agencies.

How To Apply

Applications are submitted through OJP's Grants Management System ([GMS](#)). [GMS](#) is a web-based, data-driven computer application that provides cradle to grave support for the application, award, and management of awards at OJP. Applicants must register in GMS for each specific funding opportunity and should begin the process immediately to meet the GMS registration deadline, especially if this is the first time using the system. Complete instructions on how to register and submit an application in GMS can be found at www.ojp.usdoj.gov/gmscbt/. If the applicant experiences technical difficulties at any point during this process, e-mail GMS.HelpDesk@usdoj.gov or call 888-549-9901 (option 3), Monday–Friday from 6:00 a.m. to midnight eastern time, except federal holidays. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants should complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their application for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling Dun and Bradstreet at 866-705-5711 or by applying online at www.dnb.com. A DUNS number is usually received within 1-2 business days.
2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.
3. **Acquire a GMS username and password.** A new user must create a GMS profile by selecting the “First Time User” link under the sign-in box of the [GMS](#) home page. For more information on how to register in GMS, go to www.ojp.usdoj.gov/gmscbt/.

4. **Verify the CCR registration in GMS.** OJP requests that all applicants verify their CCR registration in GMS. Once logged into GMS, click the “CCR Claim” link on the left side of the default screen. Click the submit button to verify the CCR registration.
5. **Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the “Funding Opportunities” link on the left side of the page. Select the Bureau of Justice Assistance and the Edward Byrne Memorial Justice Assistance Grant (JAG) Program—Local Solicitation.
6. **Register by selecting the “Apply Online” button associated with the solicitation title.** The search results from step 5 will display the solicitation title along with the registration and application deadlines for this funding opportunity. Select the “Apply Online” button in the “Action” column to register for this solicitation and create an application in the system.
7. **Complete the Disclosure of Lobbying Activities.** All applicants must complete this information and submit the form in GMS. An applicant that expends any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities*, (SF-LLL). An applicant that does not expend any funds for lobbying activities should enter “N/A” in the required highlighted fields. Access the form at www.ojp.gov/funding/forms/disclosure.pdf.
8. **Submit an application consistent with this solicitation by following the directions in GMS.** Once submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, an applicant must wait for GMS approval before submitting an application. Applicants are urged to submit the application **at least 72 hours prior** to the due date of the application.

Note: OJP’s Grants Management System (GMS) does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.”

Note: Duplicate Applications

If an applicant submits multiple versions of an application, BJA will review the most recent version submitted.

Experiencing Unforeseen GMS Technical Issues

If an applicant experiences unforeseen GMS technical issues beyond the applicant's control that prevent submission of its application by the deadline, the applicant must contact the BJA Programs Office staff **within 24 hours after the deadline** and request approval to submit the application. At that time, BJA Programs Office staff will instruct the applicant to submit specific information detailing the technical difficulties. The applicant must e-mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and GMS Help Desk tracking number(s) received. **Note: Requests are not automatically approved by BJA.** After the program office reviews all of the information submitted, and contacts the GMS Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow GMS instructions on how to register and apply as posted on its Web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant's computer or information technology (IT) environment, including firewalls.

Notifications regarding known technical problems with GMS, if any, are posted at the top of the OJP funding web page, www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Should Include

Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application and, should a decision be made to make an award, will result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Refer to the BJA Grant Writing and Management Academy and OJP 101 for an overview of what should be included in each application requirement. These trainings can be found at bja.ncjrs.gov/gwma/index.html and www.ojp.gov/grants101/.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," "Memoranda of Understanding," etc.) for all required attachments.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant's profile to populate the fields on this form.

2. Program Narrative

Applicants **must** submit a program narrative that generally describes the proposed program activities for the four year grant period. The narrative must outline the type of programs to be funded by the JAG award and provide a brief analysis of the need for the programs. Narratives must also identify anticipated coordination efforts involving JAG and related justice funds. Certified disparate jurisdictions submitting a **joint application** must specify the funding distribution to each disparate unit of local government and the purposes for which the funds will be used.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

3. Budget and Budget Narrative

Applicants **must** submit a budget and budget narrative outlining how JAG funds, including administrative funds if applicable, will be used to support and implement the program. This narrative should include a full breakdown of administrative costs, as well as an overview of how funds will be allocated across approved JAG purpose areas. Applicants should utilize the following approved budget categories to label the requested expenditures: Personnel, Fringe Benefits, Travel, Equipment, Supplies, Consultants/Contracts, and an Other

category. For informational purposes only, a sample budget form may be found at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

4. Review Narrative

Applicants **must** submit information documenting that the date the JAG application was made available for review to the governing body, or to an organization designated by that governing body, on a date not less than 30 days before the application was submitted to BJA. The attachment must also specify that an opportunity to comment was provided to citizens to the extent applicable law or established procedures make such opportunity available.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

5. Abstract

Applicants **must** provide an abstract that includes the applicant's name, title of the project, goals of the project, and a description of the strategies to be used. In addition, above or below the abstract narrative, applicants **must identify up to five project identifiers** that would be associated with proposed project activities. The list of all identifiers can be found at www.bja.gov/programs/jag/jag12/12JAGIdentifiers.pdf. The abstract **should not** exceed a half-page, or 400-500 words.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

6. Tribal Authorizing Resolution (if applicable)

If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution (or comparable legal documentation, as may be applicable) from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions (or comparable legal documentation).

If an applicant is unable to obtain and submit with its application a fully-executed (i.e., signed) copy of a tribal resolution or other, comparable legal documentation as may be consistent with the tribe's governance structure, then, at minimum, the applicant should submit an unsigned, draft version of such legal documentation as part of its application

(except in cases where, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, use of and access to funds will be contingent on receipt of the fully-executed tribal resolution or other, comparable legal documentation.

7. Additional Attachments (if applicable)

Jurisdictions certified as disparate **must** identify a fiscal agent that will submit a **joint application** for the aggregate eligible allocation to all disparate municipalities. The joint application **must** determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds, **must** be completed, and signed by the Authorized Representative for each participating jurisdiction. The signed MOU **must** be attached to the application. For a sample MOU, go to www.bja.gov/Funding/JAGMOU.pdf.

Failure to submit this required information will result in an application being change requested in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding special condition at the time of award if time does not permit for a change request process.

8. Other Standard Forms

Additional forms that may be required in connection with an award are available on OJP's funding page at www.ojp.usdoj.gov/funding/forms.htm. For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Note in particular the following forms:

- a. [Standard Assurances](#)
Applicants must read, certify, and submit this form in GMS prior to the receipt of any award funds.
- b. [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
Applicants must read, certify and submit in GMS prior to the receipt of any award funds.
- c. [Accounting System and Financial Capability Questionnaire](#) (required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and submitted)

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation. Applications for formula awards will be reviewed to ensure statutory requirements have been met.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General (AAG).

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OJP strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each requirement can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Nonsupplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of \$5,000,000 – federal taxes certification requirement
- Active CCR Registration

Provide Feedback to OJP on This Solicitation

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, application submission process, and/or the application review/peer review process. Feedback can be provided to OJPSolicitationFeedback@usdoj.gov.

Application Checklist
FY 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) Program:
Local Solicitation

The application checklist has been created to assist in developing an application.

Eligibility Requirement:

- _____ The jurisdiction listed as the legal name on the application corresponds with the eligible jurisdiction listed on BJA's JAG web page
- _____ The federal amount requested is within the allowable limit of the FY 2012 JAG Allocations List as listed on BJA's JAG web page

What an Applications Should Include:

- _____ Standard 424 Form (see page 16)
- _____ Program Narrative (see page 16)
- _____ Budget and Budget Narrative (see page 16)
- _____ Review Narrative (the date the JAG application was made available to the governing body for review and that it was provided to the public for comment) (see page 17)
- _____ Abstract (see page 17)
- _____ Tribal Authorizing Resolution (if applicable) (see page 17)
- _____ Disclosure of Lobbying Activities (SF-LLL) (see page 15)
- _____ Additional Attachments (if applicable) (see page 18);
- _____ Other Standard Forms as applicable (see page 18), including:
 - _____ Accounting System and Financial Capability Questionnaire (if applicable)
- _____ DUNS Number (see page 14)
- _____ CCR Registration (see page 14)



CITY OF LOVELAND
PUBLIC WORKS DEPARTMENT
 Administration Offices • 410 East Fifth Street • Loveland, Colorado 80537
 (970) 962-2555 • FAX (970) 962-2908 • TDD (970) 962-2620

AGENDA ITEM: 4
MEETING DATE: 4/17/2012
TO: City Council
FROM: Chris Carlson, Public Works – Stormwater Engineering
PRESENTER: Chris Carlson

TITLE: Washington Avenue Outfall Phase 4 (Garfield Avenue Improvements) Construction Contract

RECOMMENDED CITY COUNCIL ACTION:

Award of construction contract to the lowest responsible bidder of the Washington Avenue Outfall Phase 4 (Garfield Avenue Improvements), Project No. SW-0710, to Edge Contracting, Inc. for the amount of \$1,335,293.00 and authorization for the City Manager to execute the contract.

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration
5. Adopt a motion continuing the item to a future Council meeting

DESCRIPTION:

This is an administrative action awarding a construction contract for the Washington Avenue Outfall Phase 4 (Garfield Avenue Improvements), Project No. SW0710, project to Edge Contracting, Inc.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

The project will primarily be funded through the Stormwater Utility's Capital Improvement Project Fund. It will also include funding from the Water Utility's Capital Improvement Project Fund for the water infrastructure and from Public Works Project Engineering's proposed 2012 Street Rehabilitation Program. The project is fully funded through the previously approved 2012 budget.

SUMMARY: The Washington Avenue Outfall Phase 4 project is the last and largest of a storm sewer system to serve central downtown Loveland. Phase 1, constructed in 1999 and 2000, consisted of the actual outfall to the Big Thompson River and included a trunk storm sewer that terminated at 8th Street SE. Phase 2 extended the system north with a 78-inch diameter pipe to 1st Street. Phase 3, which was constructed in 2004, further extended the system into the downtown business district as far north as 7th Street. Phase 4 began last year with infrastructure improvements generally between 7th and 12th Streets and Garfield to Monroe Avenues, completing the project east of the Burlington Northern-Santa Fe Railroad tracks.

This project is the remaining portion of Phase 4 in the Garfield Avenue corridor between 7th and 10th Streets. It is a multi-department project that consists of approximately 3,000 feet of storm sewer from 12- to 36-inch diameter, 23 inlets, 15 manholes, a large stormwater quality treatment vault, a new fire hydrant and new water valves at 8th and Garfield. In addition to the underground utility work, the project includes significant improvements of Garfield Avenue from 7th to 10th Street. All concrete curb and gutter will be replaced along with handicap/pedestrian ramps and new pavement. A second, simultaneous project that's being bid in April and that's partially funded by a Safe Routes to School grant will be installing pedestrian safety features, a sidewalk, and mini-roundabout at the 7th and Garfield intersection.

Sealed bids were opened on Wednesday, March 28, 2012. Six bids were received. The following is a list of the bidders and their respective bid totals.

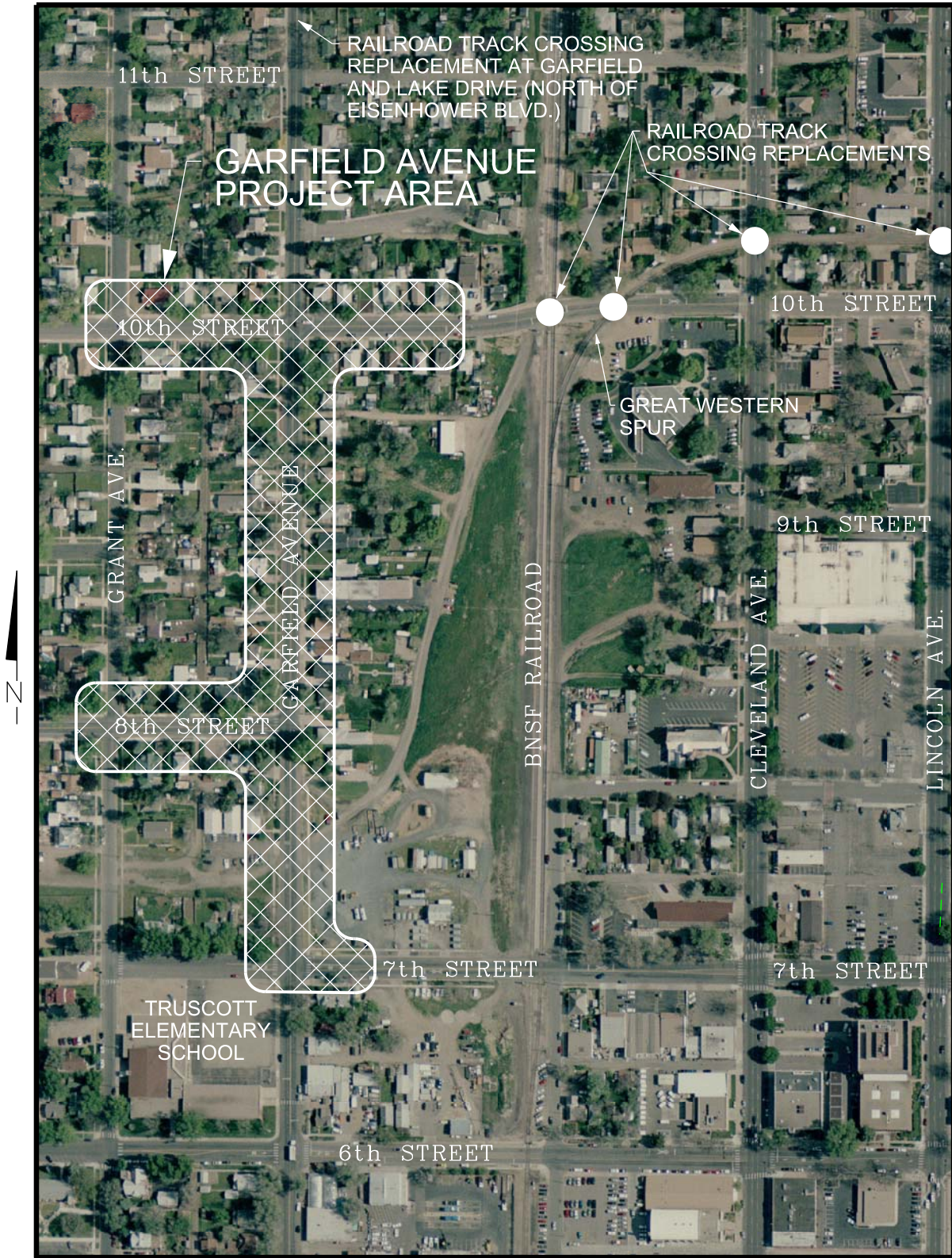
Bidder	Total Bid Schedule A	Add Alternate Bid Items	Total Bid With Add Alternates
Edge Contracting	\$ 1,303,093.00	\$ 32,200.00	\$ 1,335,293.00
New Design Construction	\$ 1,349,985.71	\$ 44,418.75	\$ 1,394,404.46
Coulson Excavating	\$ 1,384,800.00	\$ 86,250.00	\$1,471,050.00
Scott Contracting	\$ 1,481,062.00	\$ 55,775.00	\$ 1,536,837.00
Connell Resources	\$ 1,539,431.60	\$ 31,682.50	\$ 1,571,114.10
Duran Excavating	\$ 1,630,610.60	\$ 30,475.00	\$ 1,661,085.60

As shown above, the project was also bid with an alternate bid item so that the City could select the most effective paving method for the 7th and Garfield intersection. That bid item will be included in the total contract value of \$1,335,293.00.

REVIEWED BY CITY MANAGER: 

LIST OF ATTACHMENTS:

Map



WASHINGTON AVENUE OUTFALL PHASE 4 (GARFIELD AVENUE IMPROVEMENTS) 2012 PROJECT AREA



CITY OF LOVELAND
BUDGET OFFICE

Civic Center • 500 East Third • Loveland, Colorado 80537
(970) 962-2329 • FAX (970) 962-2901 • TDD (970) 962-2620

AGENDA ITEM: 5
MEETING DATE: 4/17/2012
TO: City Council
FROM: Bonnie Steele, Finance Department
PRESENTER: John Hartman, Budget Officer

TITLE:

Public Hearing and consideration of an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget to reappropriate remaining funds for projects approved but not completed in 2011 and new projects.

RECOMMENDED CITY COUNCIL ACTION:

Conduct a public hearing and approve the ordinance on first reading

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration
5. Adopt a motion continuing the item to a future Council meeting

DESCRIPTION:

This is an administrative action. The Ordinance reappropriates funding for capital projects and other one-time projects approved but not completed in the prior year and a small number of new projects that were not anticipated at the time of budget adoption.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

Most of the projects or programs in the ordinance were funded in 2011. Funding for these is available since the appropriations that did not occur became fund balance at the end of 2011. The appropriation of these projects, designated as reappropriation in the staff report, do not have an impact on the 2012 budget since the assumption in developing the 2012 budget was that these funds would be spent by the end of 2011.

For the projects labeled as Supplements in the staff report, the funding is available but will reduce previous projections for the 2012 ending balance for the funds affected, reducing available funding for future projects.

SUMMARY:

This action is the reappropriation of funds for projects approved in the 2011 budget that have not been completed or closed out at the end of 2011. By City Charter and state law, all appropriations for any one fiscal year expire on December 31. Reappropriation is necessary to allow the expenditures of ongoing projects to continue into 2012.

Council approved nearly all of the projects included in the ordinance as a part of the 2011 Budget. Also included are appropriations for some new projects. The funding for these projects is from grants, donations, or savings in the department budgets. The ordinance is organized by fund, with new revenues and line item appropriations within each fund shown.

A detailed explanation of each project or program is included in the attached Staff Report. The descriptions are organized by project with the funding source(s) for each project or program identified. The projects or programs are listed in order of dollar amount. Many capital projects are funded by resources in multiple funds. These resources are transferred to the Capital Projects fund where the total expense for each project is budgeted. This allows the project to be budgeted in one place so the total impact is shown, rather than having to add several components across various funds to the total impact of the project.

In the Staff Report, projects approved in 2011 and being “rolled over” into the 2012 budget are referred to as “reappropriations”, since we are appropriating the remaining balance of the appropriation approved in 2011. New projects or projects that required an increased appropriation recommended by staff are described as “Supplements”, with the reason for the supplement described. In all cases, the supplemental appropriations are funded by savings that occurred in the 2011 budget or by grants and donations received in 2011. The supplemental requests for new projects include the following projects:

- Additional Construction Costs for Fire Station 6 - \$162,650
- Addition of an Administrative Director Position in the Fire Authority - \$127,000
- Library donation for books and materials - \$37,280
- Fire Suppression overtime costs - \$106,200
- Police Overtime additions - \$35,000
- A contribution to Alternatives to Violence by the Police Department – \$22,000
- Consulting services for renegotiation of the Cable Franchise Fee contract - \$20,000, and
- Travel and training funds for the City Attorney’s Office - \$8,110.

Please refer to the Staff Report for details on these recommended additions.

REVIEWED BY CITY MANAGER: *William D. Cabell*

LIST OF ATTACHMENTS:

1. Staff Report on Projects in the Reappropriation Ordinance;
2. An ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget to reappropriate remaining funds for projects approved but not completed in 2011 and new projects.


CITY OF LOVELAND

BUDGET DIVISION

 Civic Center • 500 East Third • Loveland, Colorado 80537
 (970) 962-2695 • FAX (970) 962-2900 • TDD (970) 962-2620

TO: City Council

THROUGH: Bill Cahill, City Manager
Bonnie Steele, Acting Finance Director

FROM: John Hartman, Budget Officer

DATE: April 17, 2012

RE: Staff Report on Projects in the Reappropriation Ordinance

This is an annual appropriation ordinance staff brings to Council. The total projected cost of a project is appropriated in the first year a project is funded. This allows Council and the public to see what the total project will cost and that resources are available to fund the entire project.

State law and the City Charter state that all appropriations cease on December 31, the final day of the fiscal year. Capital projects, by their nature, take more than one fiscal year to complete for a variety of reasons. This requires the reappropriation of the funding that was not spent on the projects in the prior year in order to make funding available to complete the projects.

Gross appropriations, the sum of the total appropriations for each fund, total \$25.55 million. With the exclusion of the transfers between the various funds; the net appropriation in the ordinance is \$21.94 million. This appropriation is funded by \$1.62 million of grant revenue, contributions of \$0.48 million and \$19.84 million in fund balance.

39.1% of the total net appropriation is in five projects or programs:

- The Transportation Program;
- Substation Ties for Load Handling;
- Construction of the South Horseshoe Lift Station;
- The remodeling and upgrade of the Police Dispatch Center; and
- The Library Expansion.

The following is an explanation on a project basis with the funding sources identified. The projects are listed in descending order by the amount of the project.

Projects Reappropriated

Public Works Department - Transportation Program - \$3,353,290

Reappropriation of funds approved in 2011 for the transportation program. Projects include

- Completion of the I-25 and Crossroads Interchange – \$484,050;
- I-25 Area Variable Message Signs - \$450,000;
- Taft Avenue -14th Street SW Intersection - \$362,020;
- US 287/Garfield Ave Signal Improvements - \$333,420;
- 37th St – Monroe Ave to Madison Ave - \$280,910
- Regional Transit Center construction - \$270,620;
- Centerra Area Intelligent Traffic System - \$220,150;
- Southbound Garfield Ave at US 34 Right Turn Lane - \$128,340; and
- Small miscellaneous projects - \$220,950.

The funding sources for the projects are Street Impact Fee revenues of \$1,390,950, TABOR revenues from the General Fund of \$456,080, a contribution from the Centerra Metropolitan District of \$484,050, and Federal and State grants of \$1,022,210.

Water and Power Department – Substation Ties - \$1,723,000

Reappropriation of funds approved in 2011 for right-of-way acquisition and placing conduit underground. Projects include

- Horseshoe Sub Tie along Taft To Circuit On W. 29th – \$880,000;
- Valley Sub Tie W. 402, N Wilson, W Arkins To West Sub - \$338,000;
- Tie Between Valley Substation And East Substation - \$325,000; and
- West Sub Tie E along Arkins Branch, N along Wilson to 29th - \$180,000.

The funding source is Power Enterprise Fund balance.

Water and Power Department – South Horseshoe Lift Station - \$1,216,210

Reappropriation of Wastewater Enterprise funds approved in 2011 for the construction of the South Horseshoe Lift Station.

The funding source is Wastewater Enterprise Fund balance and Wastewater System Impact Fees.

Public Works Department – Storm Water Enterprise – Storm Water Infrastructure Improvements - \$986,540

Reappropriation of funds approved in 2011 for the construction of the improvements. Projects include

- Washington Avenue Outfall Phase IV - \$791,080; and
- Six small miscellaneous projects \$195,460.

The funding source is Storm Water Enterprise Fund balance.

Police Department – Police Communications Console Replacement - \$916,000

Reappropriation of funds approved in 2011 for replacing communications consoles.

The funding sources are General Fund balance (\$616,000) and Police Capital Expansion Fees (\$300,000).

Loveland Public Library – Library Building Expansion - \$857,520

Reappropriation of funding approved in 2011 for construction of the expansion project.

The funding sources for the remaining portion of the project are Library Impact Fees, General Government Impact Fees, donations, and grants.

Water and Power Department – Waste Activated Sludge Thickening - \$798,920

Reappropriation of Wastewater Enterprise funds approved in 2011 for the construction of the Waste Activated Sludge Thickening facilities.

The funding source is Wastewater Enterprise Fund balance and Wastewater System Impact Fees.

Public Works Department – Storm Water Enterprise – Storm Water Infrastructure Improvements - \$3,478,970

Reappropriation of funds approved in 2011 for the construction of the improvements.

Projects include the following:

- Washington Avenue Outfall Phase IV - \$3,313,990; and
- Seven small miscellaneous projects \$124,980.

The funding source is Storm Water Enterprise Fund balance.

Water and Power Department – Fairgrounds/Namaqua Interceptor - \$733,600

Reappropriation of funds approved in 2011 for the rehabilitation of the Fairgrounds/Namaqua Interceptor.

The funding source is Wastewater Enterprise Fund balance and Wastewater System Impact Fees.

Water and Power Department – East Substation Transformer Projects - \$706,000

Reappropriation of Power Enterprise funds approved in 2011 for transformer improvements.

The funding source is Power Enterprise Fund balance.

Water and Power Department – Water Enterprise Projects - \$697,970

Reappropriation of funds approved in 2011 for the following projects:

- Morning Drive Alternate Construction - \$590,650;
- 29th St Tank & Mod-Valve Rehabilitation - \$40,000;
- Logan Ave N Waterline (W 33rd St To W 36th St) - \$36,000; and
- 29th St Water Line Colorado to Greeley-Loveland Outlet Ditch -\$31,320.

The funding source is Water Enterprise Fund balance and Water System Impact Fees.

Parks and Recreation Department – Mehaffey Park Design - \$617,560

Reappropriation of funds approved in 2011 for the design of Mehaffey Park.

The funding source is Parks Capital Expansion Fees.

Public Works Department – Solid Waste Enterprise – Replacement Trash Trucks and Plows - \$610,630

Reappropriation of funding approved in 2011 for the purchase of replacement equipment including

- Refuse Collection Trucks and Plow Attachments - \$560,010; and
- Grapple/Delivery Truck -\$50,620.

The funding source is Solid Waste Enterprise Fund balance.

Water and Power Department – Windy Gap Firming Project - \$596,490

Reappropriation of funds approved in 2011 for the Windy Gap Firming Project.

The funding source is Raw Water Fund balance.

Water and Power Department – Carlisle Phase IV - \$575,590

Reappropriation of funds approved in 2011 for line replacement on Carlisle Dr between Taft and Railroad.

The funding source is Wastewater Enterprise Fund balance.

Non-Departmental – Council Business Incentive Program - \$570,470

Reappropriation of funds approved in 2011 for economic development incentives.

The funding source is General Fund balance.

Economic Development Department – Third St Property Demolition and Remediation - \$500,000

Reappropriation of funds approved in 2011 for demolition and environmental remediation of the former Leslie the Cleaner site.

The funding sources are a Federal grant and Council Capital Reserve funds.

Public Works Department – Service Center Expansion - \$382,460

Reappropriation of funding approved in 2011 for design work on the Service Center expansion, which will allow relocation of Public Works operations currently located in the Maintenance Operations Center.

The funding source is General Government Capital Expansion Fees.

Economic Development Department – ArtSpace Project - \$237,500

Reappropriation of funds approved in 2011 for the development project.

The funding source is General Fund balance from the Council Capital Reserve.

Development Services Department - Community Partnership Division – Community Development Block Grant (CDBG) Grants -\$214,910

Reappropriation of the CDBG block grant funds approved in 2011 but not yet spent.

The funding source is Federal CDBG grant funds.

Water and Power Department – Power Enterprise – Energy Efficiency Programs (OPower) - \$198,000

Reappropriation of funding approved in 2011 for the OPower program to perform home energy audits.

The funding source is Power Enterprise Fund balance.

Development Services Department - Community Partnership Division – Human Services Grants -\$156,690

Reappropriation of funding for Human Resource Commission grants approved in 2011. The terms of the contracts for Human Services grant funds ends June 30, 2012.

The funding source is General Fund balance.

Water and Power Department – Power Enterprise – Centerra Pkwy @ Cordova Pass: 3 Ph UG Primary - \$148,200

Reappropriation of funding approved in 2011 for the project, which started in 2011 but was not completed.

The funding source is Power Enterprise Fund balance.

Fire and Rescue Department – Fire and Rescue Equipment - \$119,900

Reappropriation of funding approved in 2011 for rescue and training equipment

The funding source is General Fund balance.

Public Works Department – Asset Management System - \$112,670

Reappropriation of funding approved in 2011 for the development and implementation of the system.

The funding source is General Government Capital Expansion Fees.

Public Works Department – Fleet Services – Tool Truck - \$89,730

Reappropriation of funding approved in 2011 for the purchase of a tool truck for the Streets Division.

The funding source is Fleet Internal Service Fund balance.

Parks and Recreation Department – Barnes Softball Complex Improvements - \$83,710

Reappropriation of funds approved in 2011 for improvements to the Barnes Softball Complex.

The funding source is Park Improvement Fund balance.

Police Department – National Incident Based Reporting System (NIBRS) Software - \$74,340

Reappropriation of funds approved in 2011 for software maintenance for the Northrup-Grumman NIBRS software.

The funding source is General Fund balance.

Water and Power Department – Power Enterprise – Hydroelectric Plant Maintenance - \$61,500

Reappropriation of funding approved in 2011 for the replacement of trestle #2 on pipe at the hydroelectric plant.

The funding source is Power Enterprise Fund balance.

Information Technology Department – Electronic Drawing Review – \$50,180

Reappropriation of funding approved in 2011 for the purchase of hardware, software, web site interfaces, and training for the continuing implementation of an electronic development review process. This will allow the City to receive, review and return development review documents in an electronic format

The funding source is General Fund balance.

Loveland Public Library - Materials and Supplies - \$37,280

Reappropriation of gifts and donations received in 2011 for books and materials and other supplies.

The funding source is donations to the Library.

Public Works Department – Plow and Spreader - \$37,110

Reappropriation of funding approved in 2011 for a replacement plow and spreader.

The funding source is General Fund balance.

Information Technology Department – Innoprise Development – \$36,460

Reappropriation of funding approved in 2011 for specialized development including interface creation for the Development Services Innoprise implementation.

The funding source is General Fund balance.

Public Works Department – Transit Division – COLT Surveillance Equipment - \$33,630

Reappropriation of funding approved in 2011 for the purchase of surveillance equipment for COLT busses.

The funding source is General Fund balance.

Public Works Department – Rialto Theater Roof and HVAC - \$33,360

Reappropriation of funding approved in 2011 for upgrades to the Rialto Theater roof and HVAC system.

The funding source is General Fund balance.

Public Works Department – Parking Lot Light Retrofit - \$27,440

Reappropriation of funding approved in 2011 for retrofitting parking lot lights to make them more energy efficient.

The funding source is Federal Energy Efficiency and Conservation Block Grant (EECBG) funds.

Finance Department – External Audits - \$25,000

Reappropriation of funding approved in 2011 for external audits.

The funding source is General Fund balance.

Development Services Department – Refurbishing the Majestic Theater - \$24,000

Reappropriation of funding approved in 2011 for refurbishing the Odd Fellows Hall/Majestic Theater.

The funding source is a State Historical Preservation grant.

Public Works Department – Building Lighting Retrofit - \$22,080

Reappropriation of funding approved in 2011 for retrofitting building lighting to replace obsolete fixtures.

The funding source is General Fund balance.

Development Services Department – Community Design Element Update - \$20,000

Reappropriation of funding approved in 2011 for updating the community design elements section of the City’s Comprehensive Master Plan.

The funding source is General Fund balance.

Economic Development Department – ESRI Software - \$16,800

Reappropriation of funding approved in 2011 for purchasing software for use in Business Development.

The funding source is General Fund balance.

Economic Development Department – NCEDC Payments - \$16,100

Reappropriation of funding approved in 2011 for payments to the Northern Colorado Economic Development Corporation (NCEDC).

The funding source is General Fund balance.

Cultural Services Department – Museum Programs - \$12,550

Reappropriation of funds approved in 2011 for exhibits and projects conducted by the Department. The projects include:

- Hobos to Homeless Exhibit - \$8,500;
- Saving History Program - \$1,550;
- Poet Laureate Program - \$1,500; and
- Railroad Exhibit - \$1,000.

The funding source is General Fund balance.

Non-Departmental – IHN Fee Waivers - \$11,910

Reappropriation of funding approved in 2011 to reimburse City Enterprises for fee waivers approved for the Interfaith Hospitality Network (IHN).

The funding source is General Fund balance from the Council Capital Reserve.

Police Department – Police SWAT Equipment - \$74,340

Reappropriation of funds approved in 2011 for gas masks and sniper rifles.

The funding source is General Fund balance.

Loveland Public Library – Broadcast Equipment - \$8,000

Reappropriation of funding approved in 2011 for equipment used to broadcast Council meetings.

The funding source is PEG (Public, Educational, and Governmental) Fee Fund balance.

Public Works Department – Public Works Day - \$4,810

Reappropriation of funding approved in 2011 for Public Works Day events.

The funding source is donations from event sponsors.

Police Department – Building Security Cameras - \$4,500

Reappropriation of funds approved in 2011 for security cameras inside the Police and Courts Building.

The funding source is General Fund balance.

Police Department – Rifles - \$2,900

Reappropriation of funds approved in 2011 for rifles.

The funding source is General Fund balance.

Development Services Department – Historic Preservation Outreach - \$2,770

Reappropriation of funding approved in 2011 for a donation supporting community outreach by the Historic Preservation Commission.

The funding source is a donation to the Historic Preservation Commission.

Police Department – Overtime - \$2,310

Reappropriation of funds approved in 2011 for overtime expenses.

The funding source is Police Seizures and Forfeitures Fund balance.

Development Services Department – HOA Outreach - \$1,840

Reappropriation of funding approved in 2011 for a grant supporting outreach and programming for City Homeowners Associations.

The funding source is a contribution from CanDo/Livewell.

Development Services Department – Elks Lodge Historical Assessment - \$1,620

Reappropriation of funding approved in 2011 for an historical assessment of the Elks Lodge.

The funding source is a State Historical Grant.

Development Services Department – Loveland Honors Event - \$800

Reappropriation of funding approved in 2011 for the Loveland Honors Event.

The funding source is General Fund balance.

Supplemental Requests**Fire and Rescue Department – Increase in Construction Costs for Station 6 - \$162,650**

Supplemental Request - Appropriation of additional funding for the Station 6 addition due to an increase in square footage (from 2300 to 2900) and an increase in expected construction costs (from \$161 per sq. ft. to \$191 per sq. ft.).

The funding source is Fire Capital Expansion Fee Fund balance.

Fire and Rescue Department – Public Safety Administrative Director - \$127,000

Supplemental Request - Appropriation of funding for the Public Safety Administrative Director position for 2012 with salary, benefits, and contributions to FICA and retirement.

The funding source is General Fund balance.

Fire and Rescue Department – Fire Suppression Overtime Costs - \$106,200

Supplemental Request - Appropriation of funding for the overtime in the Fire Suppression Division of the Loveland Fire & Rescue Authority.

The funding source is General Fund balance.

Police Department – Overtime Costs - \$35,000

Supplemental Request – Appropriation of funding for additional anticipated overtime costs due to the alignment of Department nonexempt employee work schedules with other Departments.

The funding source is General Fund balance from savings in the Department budget in 2011.

Police Department – Alternatives to Violence - \$22,000

Supplemental Request – Appropriation of funding to supplement the Department's 2012 professional services budget for a contribution to Alternatives to Violence.

The funding source is General Fund balance from savings in the Department budget in 2011.

Non-Departmental – Franchise Fee Negotiation - \$20,000

Supplemental Request – Appropriation of funding to supplement the 2012 non-departmental professional services budget for consulting services for the negotiation of cable franchise fees.

The funding source is General Fund balance.

Legal Department – CML Conference Attendance -\$8,110

Supplemental Request – Appropriation of funding to allow office attorneys to attend CML (Colorado Municipal League) conferences,, pursuant to direction from the City Council.

The funding source is General Fund balance.

FIRST READING April 17, 2012

SECOND READING _____

ORDINANCE NO. _____

AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET TO REAPPROPRIATE REMAINING FUNDS FOR PROJECTS APPROVED BUT NOT COMPLETED IN 2011 AND NEW PROJECTS

WHEREAS, the City’s 2011 budget included appropriations for projects not completed or closed out by the end of 2011, when the 2011 budget appropriations expired in accordance with the City of Loveland Charter and state law, requiring reappropriation in 2012 to permit expenditure of such funds to continue with respect to ongoing projects; and

WHEREAS, the City has also received or has reserved funds not anticipated or appropriated at the time of the adoption of the City budget for 2012; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the City budget for 2012, as authorized by Section 11-6(a) of the Loveland City Charter.

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

Section 1. That reserved funds not appropriated at the time of adoption of the budget for 2012 have resulted from expenditures that were budgeted in the 2011 budget but not made. Reappropriation is necessary to permit expenditure of the funds in 2012 for purposes previously approved by Council. In addition, grant funds have been received and reserve funds are available that were not anticipated or appropriated at the time of adoption of the 2012 budget. The spending agencies and funds that shall be spending the monies supplementally budgeted and hereby appropriated are as follows:

General Fund 100

Revenues

Fund Balance		3,228,630
100-21-202-2102-32000	Federal JAG Grant	15,820
100-23-250-1801-32000-STIM08	State Grant - EECBG Grant for Parking Light Retrofit	27,440
100-19-193-0000-32107-SP0704	State Historical Grant - Elk's Lodge Historical Assessment	1,620
100-19-193-0000-32107-SP0703	State Historical Grant - Odd Fellows/Majestic Theater Rehab	24,000
100-19-193-0000-35324-SP1101	CanDo Contribution for an HOA Outreach Project	1,840

Total Revenue **3,299,350**

Appropriations:

Executive & Legal

100-16-163-0000-43450	CML Conference Attendance	8,110
-----------------------	---------------------------	-------

Cultural Services

100-52-720-0000-43089	Poet Laureate Program	1,500
100-52-720-8003-42328	Railroad Exhibit	1,000
100-52-720-8001-42078	Hobos to Homeless Exhibit	8,500
100-52-720-8003-42329	Saving History Program	1,550

Development Services

100-19-195-0000-43840	Human Services Grants	156,690
100-19-190-0000-43895	Loveland Honors Event	800
100-19-193-0000-41012-SP1101	HOA Outreach Project	1,710
100-19-193-0000-41544-SP1101	HOA Outreach Project	130
100-19-193-0000-43450	Community Design Element Update	20,000
100-19-193-0000-43450-SP0704	Elk's Lodge Historical Assessment	1,620
100-19-193-0000-43450-SP0703	Odd Fellows/Majestic Theater Rehab	24,000
100-19-193-0000-43848-SP1103	Historic Preservation Commission Community Outreach Donation	2,770

Economic Development

100-18-180-1500-43450-CMARTS	ArtSpace	237,500
100-18-180-1500-43155	Economic Incentives	570,470
100-18-180-1500-43176	Incentives/Sales Tax Rebates	116,070
100-18-180-1500-43450	PRPA Contribution to Economic Development	1,780
100-18-180-1501-42015	ESRI Software	16,800
100-18-180-1503-73714	Payments to NCEDC	16,100

Finance

100-15-125-0010-43450	External Audits	25,000
-----------------------	-----------------	--------

Fire & Rescue

100-22-222-0000-42024	Fitness Equipment	3,000
100-22-222-0000-42033	Rescue Equipment	9,000
100-22-222-0000-43450	Battalion Chief Simulator	3,400
100-22-222-0000-49399	Rescue and Training Equipment and Air Compressor	86,500
100-22-223-0000-43270	Training for Telestaff System	4,500
100-22-223-0000-48248	Upgrades to Telestaff System	13,500

Information Technology

100-16-161-0000-42015-ITEDR	Electronic Drawing Review Project - Computer Supplies	14,370
100-16-163-0000-42015-ITEDR	Electronic Drawing Review Project - Computer Supplies	15,570
100-16-163-0000-42899-ITEDR	Electronic Drawing Review Project - Other Supplies	5,240
100-16-163-0000-43899-ITEDR	Electronic Drawing Review Project - Other Services	15,000
100-16-163-0000-43450	Innoprise Implementation - Development Services	36,460

Library

100-53-750-0000-42014-LBDONA	Books & Periodicals	31,180
100-53-750-0000-42899-LBDONA	Other Supplies	3,500
100-53-750-0000-43021-LBDONA	Printing	600
100-53-750-0000-43833-LBDONA	Subscriptions	2,000

Police

100-21-202-2102-42033	Rifles	2,900
100-21-203-2106-43569	Northrop Grumman - NIBRS Software Maintenance	74,340
100-21-203-2115-42078	Building Security Cameras	4,500
100-21-202-2102-42078	Gas Masks & 2 SWAT Sniper Rifles	11,200
100-21-203-2107-41021	Overtime	35,000
100-21-201-2101-43450	Alternatives to Violence Contribution	22,000

General Fund 100

Appropriations (cont'd):

Public Works

100-23-231-1707-43899	Public Works Day Events	4,810
100-23-234-0000-48240	COLT Surveillance Equipment	33,630
100-23-250-1801-43450-STIM08	Parking Light Retrofit	27,440

Non-Departmental

100-91-902-0000-43714	Payment to Fire Authority	244,070
100-91-999-0000-47120-GF1102	Transfer to Capital Projects Fund - Completion of Rialto Roof Work	33,360
100-91-999-0000-47120-GF0911	Transfer to Capital Projects Fund for Completion of Lighting Retrofit	22,080
100-91-999-0000-47120-EN0105	Transfer to Capital Projects Fund Taft/Eisenhower Intrsectn	2,760
100-91-999-0000-47120-EN0109	Transfer to Capital Projects Fund US 34 @ Madison Prelim Dsn	21,120
100-91-999-0000-47120-EN0112	Transfer to Capital Projects Fund Bike Route Sign/Stripe	18,460
100-91-999-0000-47120-EN0212	Transfer to Capital Projects Fund Bike Lane Construction/ Ped Walk	21,410
100-91-999-0000-47120-EN0219	Transfer to Capital Projects Fund 37th Monroe To Madison	56,180
100-91-999-0000-47120-EN0330	Transfer to Capital Projects Fund Boise & 37th Intersection Improvements	14,190
100-91-999-0000-47120-EN0412	Transfer to Capital Projects Fund Arkins Branch Row	200
100-91-999-0000-47120-EN0503	Transfer to Capital Projects Fund 14th Street SW Slope Stability	79,870
100-91-999-0000-47120-EN0606	Transfer to Capital Projects Fund Boyd Route Study	12,740
100-91-999-0000-47120-EN0609	Transfer to Capital Projects Fund Taft/14th SW Intersection	36,200
100-91-999-0000-47120-EN0903	Transfer to Capital Projects Fund Boyd Lk Av-Kauffman Prpty	5,130
100-91-999-0000-47120-EN8212	Transfer to Capital Projects Fund Tran Master Plan Thru2050	12,530
100-91-999-0000-47120-EN9922	Transfer to Capital Projects Fund Loveland ITS Update-Traff	9,340
100-91-999-0000-47120-TR1101	Transfer to Capital Projects Fund Regional Transit Center	54,120
100-91-999-0000-47120-TS0101	Transfer to Capital Projects Fund Signal System Interconnect	470
100-91-999-0000-47120-TS0714	Transfer to Capital Projects Fund Garfield Av @ US 34 Southbound RTL	11,550
100-91-999-0000-47120-TS1002	Transfer to Capital Projects Fund Centerra Area ITS	19,810
100-91-999-0000-47120-TS1103	Transfer to Capital Projects Fund I-25 Area VMS	80,000
100-91-999-0000-47120-EDLESLIE	Transfer to Capital Projects Fund for Leslie the Cleaner Remediation from Council Reserve	187,000
100-91-999-0000-47120	Transfer to Capital Projects Fund for a Replacement Plow and Spreader	37,110
100-91-999-0000-47120-PDDDISP	Transfer for Police Communications Center Radio Project	616,000
100-91-999-0000-47300	Transfer to Water Enterprise - Fee waivers for IHN from Council Reserve	4,900
100-91-999-0000-47302	Transfer to Raw Water Enterprise -Fee waivers for IHN from Council Reserve	1,000
100-91-999-0000-47315	Transfer to Wastewater Enterprise -Fee waivers for IHN from Council Reserve	2,590
100-91-999-0000-47330	Transfer to Power Enterprise - Fee waivers for IHN from Council Reserve	3,030
100-91-999-0000-47345	Transfer to Storm Water Enterprise - Fee waivers for IHN from Council Reserve	390
100-91-902-0000-43450	Consulting Services for Negotiations on Cable Franchise Fee	20,000

Total Expense **3,299,350**

Capital Projects Fund 120

Revenues

120-00-000-0000-32100-EDLESLIE	State Grant revenue for Leslie the Cleaner Project	313,000
120-00-000-0000-37100-EDLESLIE	Transfer from General Fund for Leslie the Cleaner Project	187,000
120-00-000-0000-37100	Transfer from General Fund for a Replacement Plow and Spreader	37,110
120-00-000-0000-37100-PDDDISP	Transfer from General Fund for Police Communications Center Radio Project	616,000
120-00-000-0000-37265-PDDDISP	Transfer from Police CEF for Police Communications Center Radio Project	300,000
120-00-000-0000-37100-GF1102	Transfer from General Fund for Completion of Rialto Roof Work	33,360
120-00-000-0000-37100-GF0911	Transfer from General Fund for Completion of Lighting Retrofit	22,080
120-00-000-0000-37266-GF0701	Transfer from Library CEF for Completion of Library Remodel	250,000
120-00-000-0000-37268-GF0701	Transfer from General Government CEF for Completion of Library Remodel	607,520
120-00-000-0000-37100-EN0105	Transfer from General Fund - Taft/Eisenhower Intrsectn	2,760
120-00-000-0000-37100-EN0109	Transfer from General Fund - US 34 @ Madison Prelim Dsn	21,120
120-00-000-0000-37100-EN0112	Transfer from General Fund - Bike Route Sign/Stripe	18,460
120-00-000-0000-37100-EN0212	Transfer from General Fund - Bike Lane Construction/ Ped Walk	21,410
120-00-000-0000-37100-EN0219	Transfer from General Fund - 37th Monroe To Madison	56,180
120-00-000-0000-37100-EN0330	Transfer from General Fund - Boise & 37th Intersection Improvements	14,190
120-00-000-0000-37100-EN0412	Transfer from General Fund - Arkins Branch Row	200
120-00-000-0000-37100-EN0503	Transfer from General Fund - 14th Street SW Slope Stability	79,870

Capital Projects Fund 120

Revenues (cont'd)

120-00-000-0000-37100-EN0606	Transfer from General Fund - Boyd Route Study	12,740
120-00-000-0000-37100-EN0609	Transfer from General Fund - Taft/14th SW Intersection	36,200
120-00-000-0000-37100-EN0903	Transfer from General Fund - Boyd Lk Av-Kauffman Prpty	5,130
120-00-000-0000-37100-EN8212	Transfer from General Fund - Tran Master Plan Thru2050	12,530
120-00-000-0000-37100-EN9922	Transfer from General Fund - Loveland ITS Update-Traff	9,340
120-00-000-0000-37100-TR1101	Transfer from General Fund - Regional Transit Center	54,120
120-00-000-0000-37100-TS0101	Transfer from General Fund - Signal System Interconct	470
120-00-000-0000-37100-TS0714	Transfer from General Fund - Garfield Av @ US 34 Southbound RTL	11,550
120-00-000-0000-37100-TS1002	Transfer from General Fund - Centerra Area ITS	19,810
120-00-000-0000-37100-TS1103	Transfer from General Fund - I-25 Area VMS	80,000
120-00-000-0000-37269-EN0105	Transfer from Street CEF - Taft/Eisenhower Intrsectn	11,020
120-00-000-0000-37269-EN0109	Transfer from Street CEF - US 34 @ Madison Prelim Dsn	31,680
120-00-000-0000-37269-EN0112	Transfer from Street CEF - Bike Route Sign/Stripe	18,460
120-00-000-0000-37269-EN0212	Transfer from Street CEF - Bike Lane Construction/ Ped Walk	21,410
120-00-000-0000-37269-EN0215	Transfer from Street CEF - Row Acquisition	30,000
120-00-000-0000-37269-EN0219	Transfer from Street CEF - 37th Monroe To Madison	224,730
120-00-000-0000-37269-EN0223	Transfer from Street CEF - Small Capital Projects - Citywide (Yearly)	220,950
120-00-000-0000-37269-EN0330	Transfer from Street CEF - Boise & 37th Intersection Improvements	56,760
120-00-000-0000-37269-EN0606	Transfer from Street CEF - Boyd Route Study	38,230
120-00-000-0000-37269-EN0609	Transfer from Street CEF - Taft/14th SW Intersection	325,820
120-00-000-0000-37269-EN0903	Transfer from Street CEF - Boyd Lk Av-Kauffman Prpty	15,380
120-00-000-0000-37269-EN8212	Transfer from Street CEF - Tran Master Plan Thru 2050	50,130
120-00-000-0000-37269-EN9922	Transfer from Street CEF - Loveland ITS Update-Traff	37,370
120-00-000-0000-37269-TR1101	Transfer from Street CEF - Regional Transit Center	216,500
120-00-000-0000-37269-TS0101	Transfer from Street CEF - Signal System Interconct	1,900
120-00-000-0000-37269-TS0714	Transfer from Street CEF - Garfield Av @ US 34 Southbound RTL	33,370
120-00-000-0000-37269-TS1002	Transfer from Street CEF - Centerra Area ITS	57,240
120-23-232-1701-32000-EN1103	Federal Grant -Safe Routes Truscott Sdwk	85,880
120-23-232-1701-32000-TS0714	Federal Grant - Garfield Av @ US 34 Southbound RTL	83,420
120-23-232-1701-32000-TS1002	Federal Grant - Centerra Area ITS	143,100
120-23-232-1701-32000-TS1101	Federal Grant - US 287/Garfield Av Signal	300,080
120-23-232-1701-32100-TS1101	State Grant - US 287/Garfield Av Signal	33,340
120-23-232-1701-32000-TS1103	Federal Grant - I-25 Area VMS	370,000
120-23-232-1701-32100-TSSRTS	Federal Grant - Safe Routes To School	6,390
120-23-237-0000-32300-ENCROS	Contibution - I-25 Crossrds Interchange	484,050
120-00-000-0000-37268-ITCWI	Transfer from General Gov't CEF Fund - Cityworks Implementation Project	112,670

Total Revenue
5,832,030
Appropriations
Economic Development

120-18-180-0000-43407-EDLESLIE	Environment Services for Leslie the Cleaner Project	313,000
120-18-180-0000-49360-EDLESLIE	Construction for Leslie the Cleaner Project	187,000

Information Technology

120-16-163-0000-42899-ITCWI	Cityworks Implementation Project - Equipment	14,130
120-16-163-0000-43450-ITCWI	Cityworks Implementation Project - Consulting	87,970
120-16-163-0000-43270-ITCWI	Cityworks Implementation Project - Training	10,570

Library

120-53-750-0000-49360-GF0701	Construction - Completion of Library Remodel	857,520
------------------------------	--	---------

Police

120-21-203-2107-48247-PDDISP	Police Communications Center Radio Project	9,790
120-21-203-2107-48248-PDDISP	Police Communications Center Radio Project	906,210

Capital Projects Fund 120

Appropriations (cont'd)

Public Works

120-23-232-0000-48240	Equipment - Replacement plow and spreader	37,110
120-23-250-1801-49360-GF1102	Construction - Completion of Rialto Roof Work	33,360
120-23-250-1801-49360-GF0911	Construction - Completion of Lighting Retrofit	22,080
120-23-232-1701-49360-EN0105	Construction - Taft/Eisenhower Intrscn	13,780
120-23-232-1701-49360-EN0109	Construction - US 34 @ Madison Prelim Dsn	52,800
120-23-232-1701-49360-EN0112	Construction - Bike Route Sign/Stripe	36,920
120-23-232-1701-49360-EN0212	Construction - Bike Lane Construction/ Ped Walk	42,820
120-23-232-1701-49360-EN0215	Construction - Row Acquisition	30,000
120-23-232-1701-49360-EN0219	Construction - 37th Monroe To Madison	280,910
120-23-232-1701-49360-EN0223	Construction - Small Capital Projects - Citywide (Yearly)	220,950
120-23-232-1701-49360-EN0330	Construction - Boise & 37th Intersection Improvements	70,950
120-23-232-1701-49360-EN0412	Construction - Arkins Branch Row	200
120-23-232-1701-49360-EN0503	Construction - 14th Street SW Slope Stability	79,870
120-23-232-1701-49360-EN0606	Construction - Boyd Route Study	50,970
120-23-232-1701-49360-EN0609	Construction - Taft/14th SW Intersection	362,020
120-23-232-1701-49360-EN0903	Construction - Boyd Lk Av-Kauffman Prpty	20,510
120-23-232-1701-49360-EN1103	Construction - Safe Routes Truscott Sdwk	85,880
120-23-232-1701-49360-EN8212	Construction - Tran Master Plan Thru 2050	62,660
120-23-232-1701-49360-EN9922	Construction - Loveland ITS Update-Traff	46,710
120-23-232-1701-49360-ENCROS	Construction - I-25 Crossrds Interchange	484,050
120-23-232-1701-49360-TR1101	Construction - Regional Transit Center	270,620
120-23-232-1701-49360-TS0101	Construction - Signal System Interconnect	2,370
120-23-232-1701-49360-TS0714	Construction - Garfield Av @ US 34 Southbound RTL	128,340
120-23-232-1701-49360-TS1002	Construction - Centerra Area ITS	220,150
120-23-232-1701-49360-TS1101	Construction - US 287/Garfield Av Signal	333,420
120-23-232-1701-49360-TS1103	Construction - I-25 Area VMS	450,000
120-23-232-1701-49360-TSSRST	Construction - Safe Routes To School	6,390

Total Appropriations **5,832,030**

Park Improvement Fund 200

Revenues

Fund Balance 83,710

Total Revenue

Appropriations

Parks & Recreation

200-51-562-0000-49399 Construction - Barnes Softball Complex Improvements 83,710

Total Appropriations **83,710**

Conservation Trust Fund 201

Revenues		
Fund Balance		104,000
Total Revenue		104,000
Appropriations		
Parks & Recreation		
201-51-567-0000-49352	Design - Madison Ave UP Design	19,000
201-51-567-0000-49360	Construction - Rec Trail Projects	85,000
Total Appropriations		104,000

Community Development Block Grant Fund 204

Revenues		
204-00-000-0000-32000	Federal Grant	214,910
Total Revenue		214,910
Appropriations		
204-19-195-0000-43840	2011 CDBG Grant	214,910
Total Appropriations		214,910

Police Seizures & Forfeitures Fund 207

Revenues		
Fund Balance		2,310
Total Revenue		2,310
Appropriations		
207-21-204-2112-41021	Overtime	2,310
Total Appropriations		2,310

PEG Fee Fund 210

Revenues		
Fund Balance		8,000
Total Revenue		8,000
Appropriations		
210-53-751-0000-49399	Repairs for broadcast equipment	8,000
Total Appropriations		8,000

Park Capital Expansion Fee Fund 260

Revenues		
Fund Balance		617,560
Total Revenue		617,560
Appropriations		
Parks & Recreation		
260-51-560-0000-49355	Mehaffey Park Design	617,560
Total Appropriations		617,560

Fire Capital Expansion Fee Fund 264

Revenues		
Fund Balance		162,650
Total Revenue		162,650
Appropriations		
Fire & Rescue		
264-22-222-0000-49360-GF1106	Increase in expected construction costs for Station 6	162,650
Total Appropriations		162,650

**Supplemental Budget
2011 On-Going Projects and Capital Rollover
Police Capital Expansion Fee Fund 265**

Revenues		
Fund Balance		300,000
Total Revenue		300,000
Appropriations		
Police		
	Transfer to Capital Projects Fund - Police Communications	
265-21-202-2102-47120-PDDISP	Center Radio Project	300,000
Total Appropriations		300,000

Library Capital Expansion Fee Fund 266

Revenues		
Fund Balance		250,000
Total Revenue		250,000
Appropriations		
266-53-750-0000-47120-GF0701	Trnsfer to Capital Projects Fund - Completion of Library Remodel	250,000
Total Appropriations		250,000

General Government Capital Expansion Fee Fund 268

Revenues		
Fund Balance		1,102,652
Total Revenue		1,102,652
Appropriations		
268-23-250-1799-49355-GF1107	Design Costs for Service Center Expansion	382,460
268-91-902-0000-47120-GF0701	Transfer to Capital Projects Fund- Completion of Library Remodel	607,522
268-91-902-0000-47120-ITCWI	Transfer to Capital Projects Fund Cityworks Implementation Project	112,670
Total Appropriations		1,102,652

Streets Capital Expansion Fee Fund 269

Revenues		
Fund Balance		1,390,950
Total Revenue		1,390,950
Appropriations		
Public Works		
269-23-232-1701-47120-EN0105	Transfer to Capital Projects Fund - Taft/Eisenhower Intrscn	11,020
269-23-232-1701-47120-EN0109	Transfer to Capital Projects Fund - US 34 @ Madison Prelim Dsn	31,680
269-23-232-1701-47120-EN0112	Transfer to Capital Projects Fund - Bike Route Sign/Stripe	18,460
269-23-232-1701-47120-EN0212	Transfer to Capital Projects Fund - Bike Lane Construction/ Ped Walk	21,410
269-23-232-1701-47120-EN0215	Transfer to Capital Projects Fund - Row Acquisition	30,000
269-23-232-1701-47120-EN0219	Transfer to Capital Projects Fund - 37th Monroe To Madison	224,730
269-23-232-1701-47120-EN0223	Transfer to Capital Projects Fund - Small Capital Projects - Citywide (Yearly)	220,950
269-23-232-1701-47120-EN0330	Transfer to Capital Projects Fund - Boise & 37th Intersection Impr.	56,760
269-23-232-1701-47120-EN0606	Transfer to Capital Projects Fund - Boyd Route Study	38,230
269-23-232-1701-47120-EN0609	Transfer to Capital Projects Fund - Taft/14th SW Intersection	325,820
269-23-232-1701-47120-EN0903	Transfer to Capital Projects Fund - Boyd Lk Av-Kauffman Prpty	15,380
269-23-232-1701-47120-EN8212	Transfer to Capital Projects Fund - Tran Master Plan Thru 2050	50,130
269-23-232-1701-47120-EN9922	Transfer to Capital Projects Fund - Loveland ITS Update-Traff	37,370
269-23-232-1701-47120-TR1101	Transfer to Capital Projects Fund - Regional Transit Center	216,500
269-23-232-1701-47120-TS0101	Transfer to Capital Projects Fund - Signal System Interconnct	1,900
269-23-232-1701-47120-TS0714	Transfer to Capital Projects Fund - Garfield Av @ US 34 Southbound RTL	33,370
269-23-232-1701-47120-TS1002	Transfer to Capital Projects Fund - Centerra Area ITS	57,240
Total Appropriations		1,390,950

Water Enterprise Fund 300

Revenues		
Fund Balance		198,470
300-00-000-0000-37100	Transfer from General Fund - Fee waivers for IHN from Council Reserve	4,900
Total Revenue		203,370
Appropriations		
Water & Power		
300-46-310-2903-49360-W1007D	Constuction - Morning Dr Alternate	96,050
300-46-310-2903-49352-W1105C	Constuction - 29th St Water Line Colorado To Greeley-Lvld Outlet Ditch	31,320
300-46-310-2903-49352-W1109C	Constuction - 29th St Tank & Mod-Valve Rehabilitation	40,000
300-46-310-2903-49360-W1112C	Constuction - Logan Ave N Waterline (W 33rd St To W 36th St)	36,000
Total Appropriations		203,370

Water System Impact Fee Fund 301

Revenues		
Fund Balance		494,600
Total Revenue		494,600
Appropriations		
Water & Power		
301-46-310-2903-49360-W1007D	Constuction - Morning Dr Alternate	494,600
Total Appropriations		494,600

Raw Water Enterprise Fund 302

Revenues		
Fund Balance		595,490
302-00-000-0000-37100	Transfer from General Fund - Fee waivers for IHN from Council Reserve	1,000
Total Revenue		596,490
Appropriations		
Water & Power		
302-46-316-0000-49352-W038AA	Windy Gap Firming Project	596,490
Total Appropriations		596,490

Wastewater Enterprise Fund 315

Revenues		
Fund Balance		2,214,970
315-00-000-0000-37100	Transfer from General Fund - Fee waivers for IHN from Council Reserve	2,590
Total Revenue		2,217,560
Appropriations		
Water & Power		
315-46-310-2904-49399-W1003H	Constuction - Carlisle Phase IV Design/Sdc/Construction/Easements	442,700
315-46-318-2902-49360-W1010H	Constuction - Waste Activated Sludge Thickening Design/Construction	566,110
315-46-310-2904-49352-W1110H	Constuction - S Horseshoe Lift Station Submersible w/ 3 Pumps	475,150
315-46-310-2904-49360-W1111G	Constuction - Fairgrounds/Namaqua Intcp and Local Collector Sewermain	733,600
Total Appropriations		2,217,560

Wastewater System Impact Fee Fund 316

Revenues

Fund Balance	1,106,760
--------------	-----------

Total Revenue	1,106,760
----------------------	------------------

Appropriations

Water & Power

316-46-310-2904-49399-W1003H	Constuction - Carlisle Phase IV Design/Sdc/Construction/Easements	132,890
316-46-318-2902-49360-W1010H	Constuction - Waste Activated Sludge Thickening Design/Construction	232,810
316-46-310-2904-49352-W1110H	Constuction - S Horseshoe Lift Station Submersible w/ 3 Pumps	741,060

Total Appropriations	1,106,760
-----------------------------	------------------

Power Enterprise Fund 330

Revenues

Fund Balance		2,833,670
330-00-000-0000-37100	Transfer from General Fund - Fee waivers for IHN from Council Reserve	3,030

Total Revenue	2,836,700
----------------------	------------------

Appropriations

Water & Power

330-45-305-2912-43450-PW410	Professional Services - Energy Efficiency Programs: Home Energy Reports (Opower)	198,000
330-47-332-2903-49399-PW913	Constuction - Tie Between Valley Substation And East Substation	325,000
330-47-332-2903-49399-PW913A	Constuction - Centerra Pkwy @ Cordova Pass: 3 Ph Ug Primary	148,200
330-46-319-2905-49399-PW910	Constuction - Replace Trestle #2 On Pipe At The Hydro Plant	61,500
330-47-332-2903-49399-PW913A	Constuction - Horseshoe Sub Tie Along Taft To Ckt On W. 29th	880,000
330-47-332-2903-49399-PW913A	Constuction - W. Sub Tie E Along Arkins Branch, N Along Wilson To 29th	180,000
330-47-332-2903-49399-PW913A	Constuction - Valley Sub Tie W. 402, N Wilson, W Arkins To West Sub	338,000
331-47-333-2903-49399-PW920	Constuction - East Substation: Install 3rd Transformer	101,000
331-47-333-2903-49399-PW920	Constuction - New Substation Transformer At East	605,000

Total Appropriations	2,836,700
-----------------------------	------------------

Storm Water Enterprise Fund 345

Revenues

Fund Balance		986,540
345-23-280-0000-37100	Transfer from General Fund - Fee waivers for IHN from Council Reserve	390

Total Revenue 986,930

Appropriations

Public Works

345-23-283-0000-43450-SW0702	Professional Services - 2007 Floodplain Tech Asst	10,130
345-23-283-0000-49360-SW0710	Construction - Washington Ave Outfall Phase 4	791,080
345-23-283-0000-43450-SW0804	Construction - Lake Loveland Zone A Floodplain	17,090
345-23-283-0000-49362-SW0711	Construction - Boyd Lake Outlet Ditch Grading Improvements	9,870
345-23-283-0000-49362-SW0902	Construction - South Loveland Outfall Phase 3	29,460
345-23-283-0000-49362-SW1004	Construction - MeHaffey Park Regional Detention Pond	79,910
345-23-283-0000-49362-SW1005	Construction - Guiliano Regional Detention Pond	49,000

Total Appropriations 986,540

Solid Waste Enterprise Fund 360

Revenues

Fund Balance		610,630
--------------	--	---------

Total Revenue 610,630

Appropriations

Public Works

360-23-270-0000-48240	Motor Vehicles - Replacement refuse trucks & plows	560,010
360-23-270-0000-48244	Equipment - Grapple/Delivery truck	25,310
360-23-271-0000-48244	Equipment - Grapple/Delivery truck	25,310

Total Appropriations 610,630

Fleet Internal Service Fund 500

Revenues

Fund Balance		89,730
--------------	--	--------

Total Revenue 89,730

Appropriations

Fleet Services

500-23-260-0000-48244	Motor Vehicle - Tool Truck	89,730
-----------------------	----------------------------	--------

Total Appropriations 89,730

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full.

Section 3. This Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

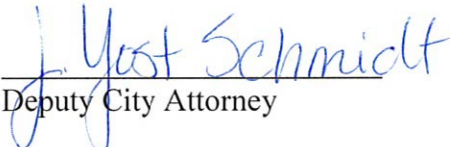
ADOPTED this ____ day of May, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Deputy City Attorney


CITY OF LOVELAND

BUDGET OFFICE

 Civic Center • 500 East Third • Loveland, Colorado 80537
 (970) 962-2329 • FAX (970) 962-2901 • TDD (970) 962-2620

AGENDA ITEM: 6
MEETING DATE: 4/17/2012
TO: City Council
FROM: Bonnie Steele, Finance Department
PRESENTER: John Hartman, Budget Officer

TITLE:

Public hearing and an ordinance on first reading enacting a supplemental budget and appropriation to the 2012 Ft. Collins-Loveland Municipal Airport budget to appropriate funds for projects approved but not completed in 2011 and for projects associated with an expanded state grant

RECOMMENDED CITY COUNCIL ACTION:

Conduct a public hearing and approve the ordinance on first reading

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration
5. Adopt a motion continuing the item to a future Council meeting

DESCRIPTION:

This is an administrative action to appropriate funds for projects approved but not completed in 2011 and for projects associated with an expanded state grant.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

Most of the appropriation is funded by State or Federal Grants that have been approved by Council in prior years, but not completed. Fund balance that is available in the fund is used to match the grants. The grant funding allows for projects the Airport would otherwise not be able to fund.

SUMMARY:

The funding will be used for the completion of the runway rehabilitation, the Modular Terminal Expansion, the jetCenter remodel and Small Community Air Service projects. These projects were approved and included in the 2011 Airport budget, projects were completed under budget. Reappropriation is necessary to make funds available to complete the projects.

These projects are FAA related and funds that were not spent in a calendar year are rolled into the next fiscal year for use at the airport, as required by federal regulation.

Also included in the appropriation are projects and equipment funded with an expanded State grant, Federal grants and the local match. The grant agreement with the State was approved by Council on April 3, 2012. The projects include:

1. Purchase of truck for snow plowing and a service vehicle,
2. Utility upgrade for electric service to the Airport;
3. General Aviation Ramp improvements.

REVIEWED BY CITY MANAGER:



LIST OF ATTACHMENTS:

1. An ordinance enacting a supplemental budget and appropriation to the 2012 Ft. Collins-Loveland Municipal Airport budget to appropriate funds for projects approved but not completed in 2011 and for projects associated with an expanded state grant.

FIRST READING April 17, 2012

SECOND READING _____

ORDINANCE NO. _____

AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 FT. COLLINS-LOVELAND MUNICIPAL AIRPORT BUDGET TO APPROPRIATE FUNDS FOR PROJECTS APPROVED BUT NOT COMPLETED IN 2011 AND FOR PROJECTS ASSOCIATED WITH AN EXPANDED STATE GRANT

WHEREAS, the 2011 budget for the Fort Collins-Loveland Municipal Airport included appropriations for projects not completed or closed out by the end of 2011, when the 2011 budget appropriations expired in accordance with the City of Loveland Charter and state law, requiring reappropriation in 2012 to permit expenditure of such funds to continue such ongoing projects; and

WHEREAS, the City also has received funds not anticipated or appropriated at the time of the adoption of the City budget for 2012; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the Airport budget for 2012, as authorized by Section 11-6(a) of the Loveland City Charter.

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

Section 1. That revenues and/or reserves in the amount of \$2,017,100 from fund balance and Federal and State Grants in Airport Fund 018 are available for appropriation. Revenues in the total amount of \$2,017,100 are hereby appropriated for projects approved in 2011 but not completed or closed out and for projects and equipment funded by an expanded State Grant as hereinafter set forth. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget
2011 On-Going Projects and Capital Rollover
Airport Fund 600**

Revenues

Fund Balance		342,050
600-00-000-0000-38616	Airport Runway Rehabilitation - Federal Grant	1,198,180
600-00-000-0000-38617	Airport Runway Rehabilitation - State Grant	255,370
600-00-000-0000-38616-AP1110	Small Community Air Service Development	221,500

Total Revenue **2,017,100**

Appropriations

600-23-290-0000-43450	Professional Services - External Audits	9,000
600-23-290-0000-48244	Motor Vehicle	201,840
600-23-290-0000-43664	Electric - Utility Upgrade	100,000
600-23-290-0000-49352-AP1102	Airport Runway Rehabilitation	567,760
600-23-290-0000-43450-AP1110	Professional Services Small Community Air Service Development	241,100
600-23-290-0000-43569-AP1109	Repair & Maintenance - JetCenter Remodel	145,000
600-23-290-0000-49360-AP1102	Constuction - Airport Runway Rehabilitation	717,790
600-23-290-0000-49399-AP1107	Construction -Modular/Terminal Expansion	34,610

Total Appropriations **2,017,100**

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full.

Section 3. This Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

ADOPTED this ____ day of May, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

J. Yost Schmidt
Deputy City Attorney


CITY OF LOVELAND
BUDGET OFFICE

Civic Center • 500 East Third • Loveland, Colorado 80537
 (970) 962-2329 • FAX (970) 962-2901 • TDD (970) 962-2620

AGENDA ITEM: 7
MEETING DATE: 4/17/2012
TO: City Council
FROM: Bonnie Steele, Acting Finance Director, Finance Department
PRESENTER: John Hartman, Budget Officer

TITLE:

Public hearing and consideration of an ordinance on first reading enacting a supplemental budget and appropriation to the Loveland Urban Renewal Authority budget to reappropriate the Facade Grant Program approved in 2011 but not completed.

RECOMMENDED CITY COUNCIL ACTION:

Convene as the Loveland Urban Renewal Authority Board of Commissioners, conduct a public hearing and approve the ordinance on first reading

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration
5. Adopt a motion continuing the item to a future Council meeting

DESCRIPTION:

This is an administrative action. Funding for projects approved in 2011 but not completed is reappropriated in the 2012 budget.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

Fund balance available for appropriation was used to fund the projects. Since all appropriations ceased at the end of 2011 the unspent funds return to fund balance, so funding is available without any impact to the 2012 budget.

SUMMARY:

The Facade Grant Program was approved by Council in 2011. The ordinance reappropriates funds allocated to the program, but not spent by the end of the year. The program was begun

with seed money from the Council Capital Reserve and \$23,820 remains from this source. Tax increment funds (TIF) available in the Downtown Project area in 2011 fund the remaining \$48,100 of the appropriation.

REVIEWED BY CITY MANAGER: *William D. Cabell*

LIST OF ATTACHMENTS:

1. An ordinance on first reading enacting a supplemental budget and appropriation to the Loveland Urban Renewal Authority budget to reappropriate the Façade Grant Program approved in 2011 but not completed.

FIRST READING April 17, 2012

SECOND READING _____

ORDINANCE NO. _____

AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE LOVELAND URBAN RENEWAL AUTHORITY BUDGET TO REAPPROPRIATE FUNDING FOR THE FAÇADE GRANT PROGRAM APPROVED IN 2011 BUT NOT COMPLETED

WHEREAS, the Loveland Urban Renewal Authority has received or has reserved funds not anticipated or appropriated at the time of the adoption of the Authority’s budget for 2012; and

WHEREAS, the City Council, acting as the Board of Directors of the Loveland Urban Renewal Authority, desires to authorize the expenditure of these funds for the Façade Grant Program by enacting a supplemental budget and appropriation to the Authority budget for 2012, as authorized by Section 11-6(a) of the Loveland City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO ACTING AS THE BOARD OF COMMISSIONERS OF THE LOVELAND URBAN RENEWAL AUTHORITY:

Section 1. That revenues and/or reserves in the amount of \$71,920 from fund balance in the Loveland Urban Renewal Authority Fund 037 are available for appropriation. Revenues in the total amount of \$71,920 are hereby reappropriated for the Façade Grant Program as hereinafter set forth. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget
2011 On-Going Projects and Capital Rollover
Loveland Urban Renewal Authority Fund 603**

Revenues		
Fund Balance		71,920
Total Revenue		71,920
Appropriations		
603-80-870-0000-43840	LURA Façade Grants	48,100
603-80-873-0000-43840	LURA Façade Grants	23,820
Total Appropriations		71,920

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

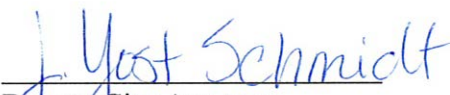
ADOPTED this ___ day of May, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Deputy City Attorney


CITY OF LOVELAND

BUDGET OFFICE

 Civic Center • 500 East Third • Loveland, Colorado 80537
 (970) 962-2329 • FAX (970) 962-2901 • TDD (970) 962-2620

AGENDA ITEM: 8
MEETING DATE: 4/17/2012
TO: City Council
FROM: Bonnie Steele, Acting Finance Director, Finance Department
PRESENTER: John Hartman, Budget Officer

TITLE:

Public hearing and consideration of an ordinance on first reading adopting a supplemental budget and appropriation for the 2012 Loveland General Improvement District #1 to reappropriate funds for signal light upgrades approved in 2011 but not completed.

RECOMMENDED CITY COUNCIL ACTION:

Conduct a public hearing and approve the ordinance on first reading

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration
5. Adopt a motion continuing the item to a future Council meeting

DESCRIPTION:

This is an administrative action. Funds approved in 2011 for signal pole upgrades are appropriated to complete the project.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

The funding was appropriated in 2011. Since the expense did not occur the amount appropriated became fund at the end of 2011. This balance is available for appropriation without impacting the 2012 budget projections.

SUMMARY:

Council approved using the funds for signal pole upgrades on Lincoln and Cleveland Avenues at the intersection of 4th Street in November 2011. The project is near completion but not all

invoices have been paid. This ordinance reappropriates the funds in order to complete the project.

REVIEWED BY CITY MANAGER: *William D. Cahill*

LIST OF ATTACHMENTS:

1. An ordinance on first reading adopting a supplemental budget and appropriation for the 2012 Loveland General Improvement District #1 to reappropriate funds for signal light upgrades approved in 2011 but not completed.

FIRST READING April 17, 2012

SECOND READING _____

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A SUPPLEMENTAL BUDGET AND APPROPRIATION FOR THE 2012 LOVELAND GENERAL IMPROVEMENT DISTRICT #1 TO REAPPROPRIATE FUNDS FOR SIGNAL POLE UPGRADES APPROVED IN 2011 BUT NOT COMPLETED

WHEREAS, the Loveland General Improvement District #1 has reserved funds on hand not appropriated at the time of the adoption of the District budget for 2012; and

WHEREAS, the City Council, acting as the ex-officio Board of Directors of the Loveland General Improvement District #1, desires to authorize the expenditure of these funds by enacting a supplementary budget and appropriation to the District budget for 2012, as authorized by Section 11-6(a) of the Loveland City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO, ACTING AS THE EX OFFICIO BOARD OF DIRECTORS OF THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1:

Section 1. That revenues from cash-on-hand are available in the General Improvement District #1 Fund 25. That \$11,000 of these revenues is hereby appropriated for payment of the costs of signal pole upgrades approved in 2011 but not completed. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget
2011 On-Going Projects and Capital Rollover
GID #1 Fund 602**

Revenues		
Fund Balance		11,000
Total Revenue		
Appropriations		
602-90-901-0000-49360-EN1105	Construction - Signal Pole for Garfield Ave Reconstruction	11,000
Total Appropriations		11,000

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full.

Section 3. That as provided in City Charter Section 11-5(d), this Ordinance shall be effective upon final adoption

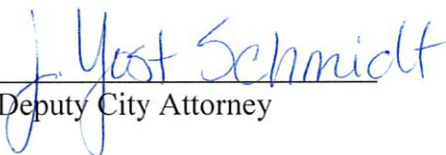
ADOPTED this __day of May, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Deputy City Attorney

City Council Study Session
March 27, 2012
Page 1 of 1

Mayor Gutierrez called the Study Session of the Loveland City Council to order at 6:30 p.m. on the above date. Councilors present: Gutierrez, McEwen, Fogle, Taylor, McKean, Trenary, Klassen and Shaffer. Councilor Farley was absent. City Manager, Bill Cahill was also present.

1. ECONOMIC DEVELOPMENT

2008 and 2009 Incentive Performance Report

Economic Development Director, Betsey Hale presented this item to Council for review of a report on the economic performance of the 2008 and 2009 business assistance agreements. Economic Research Specialist, Andrea Tucker was present to assist with the presentation and answer questions. The data presented in the report came from the Larimer County Assessor's Office, the State of Colorado Department of Labor, and the City of Loveland sales tax department. In some cases information was provided from the company, supporting the public information; however, no indirect impact from employees was included. Council discussion reflected favorably on the report. Council thanked staff for the presentation.

2. CITY MANAGER

Capital Expansion Fees 101 - Foundation for Growth

Executive Fiscal Advisor, Alan Krcmarik presented this item to Council. The presentation covered the history of capital expansion fees in the City of Loveland which began in the early 1980s. Discussion centered on the basic logic and methods of determining fees, reasons for their existence, and how CEFs have changed over the years. The City Code provides for annual inflationary adjustments and a review every five years. This presentation serves as the beginning of the five-year review. Over the next few months, Staff will update the fees according to the established processes along with review of alternative approaches. Additional meetings with stakeholders and the public are expected to occur in that time. Recommendations will be brought to Council in late July or early August. Council discussion ensued. Staff was directed to return at a later date with more historical information on the collections for each fund in the last 10 years, what major projects the money was spent on, and the existing balances; and to provide information on the last two adjustments in 2002 and 2007 to provide a baseline comparison.

The study session was adjourned at 9:30 p.m.

Respectfully Submitted,

Jeannie M. Weaver, Deputy City Clerk

Cecil A. Gutierrez, Mayor

CALL TO ORDER Mayor Gutierrez called the regular meeting of the Loveland City Council to order on the above date at 6:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL Roll was called and the following responded: Gutierrez, Farley, Klassen, Shaffer, Trenary, McKean and Taylor. Mayor Pro-Tem McEwen and Councilor Fogle were absent.

PROCLAMATION Councilor Shaffer read a proclamation declaring, Wednesday, April 25, 2012 as "Colorado Children's Day". The proclamation was received by Annie Hall.

Proclamation

WHEREAS, the light that shines so brightly in Colorado is best reflected in the faces of the children of Colorado; and

WHEREAS, every child in Colorado brings joy and reflects our bright and prosperous future in Colorado; and

WHEREAS, nothing in the parenting experience is more joyful than the birth and development of a child; and

WHEREAS, every community celebrates, honors, and has influence which contributes to the success of the children of Colorado; and

WHEREAS, as parents, teachers, mentors, and leaders, we shall share the responsibility for modeling positive behavior to the children of Colorado; and

WHEREAS, it is appropriate that we reserve a specific day each year to celebrate and honor our children and their significant accomplishments in schools, churches, and daycare centers and in their communities; and

WHEREAS, reserving a specific day each year to reflect on the children of Colorado will help to ensure that we remember our collective and individual obligations to the children of Colorado and that we acknowledge the importance of these children to our future, celebrating their triumphs and accomplishments.

NOW, THEREFORE, we, the Loveland City Council do hereby proclaim Wednesday, April 25, 2012, as

COLORADO CHILDREN'S DAY

in the City of Loveland and encourage each adult citizen of Colorado to set aside a special time to support, embrace, and listen to a child of Colorado.

Signed this 3rd day of April, 2012

Cecil A. Gutierrez, Mayor

PROCLAMATION Councilor Klassen read a proclamation declaring the month of April 2012 as "Month of the Young Child". It was received by Beverly Hall and Genevieve Luca.

PROCLAMATION

WHEREAS, the Larimer County District of the Colorado Association for the Education of Young Children, the Early Childhood Council of Larimer County, the Thompson School District Integrated Early Childhood Program, Loveland Public Library, United Way Early Education Initiative, Licensed Family Child Care Association, in conjunction with the National Association for the Education of Young Children, are celebrating the Month of the Young Child, April 2012; and

WHEREAS these organizations are working to improve early learning opportunities, including early literacy programs, that can provide a foundation of learning for children in Larimer County Colorado; and

WHEREAS "Early Years are Learning Years"; and

WHEREAS by calling attention to the needs for quality early childhood care and education for all young children and families within our community we can hope to improve the quality and availability of such services, and

WHEREAS teachers and others who make a difference in the lives of young children deserve thanks and recognition; and

WHEREAS public policies that support early learning for all young children are crucial to young children's futures;

NOW THEREFORE, we the Loveland City Council do hereby proclaim April 2012, as the
MONTH OF THE YOUNG CHILD

in Loveland, Colorado.
Signed this 3rd day of April, 2012
Cecil A. Gutierrez, Mayor

PROCLAMATION Councilor Taylor read a proclamation declaring April 20, 2012 as "Arbor Day". It was received by city employee Rob MacDonald from the Parks and Recreation Department.
Proclamation

WHEREAS, in 1872 J. Sterling Morton proposed that a special day be set aside for the planting of trees; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, the City of Loveland has been designated as a Tree City USA by the National Arbor Day Foundation; and

WHEREAS, trees provide numerous environmental benefits, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, enhancing the economic vitality of our business areas and beautifying our community;

NOW, THEREFORE, we, the City Council of the City of Loveland, proclaim April 20, 2012, as
ARBOR DAY

and encourage the citizens of Loveland to support efforts to protect our trees and urban forests, to learn more about trees, and to support our City's urban forestry program.

Signed this 3rd day of April, 2012
Cecil A. Gutierrez
Mayor

PROCEDURAL INFORMATION Mayor Gutierrez made the following procedural announcement: Anyone in the audience will be given time to speak to any item on the Consent Agenda. Please ask for that item to be removed from the Consent Agenda. Items pulled will be heard at the beginning of the Regular Agenda. You will be given an opportunity to speak to the item before the Council acts upon it. Public hearings remaining on the Consent Agenda are considered to have been opened and closed, with the information furnished in connection with these items considered as the only evidence presented. Adoption of the items remaining on the Consent Agenda is considered as adoption of the staff recommendation for those items. Anyone making a comment during any portion of tonight's meeting should come forward to a microphone and identify yourself before being recognized by the Mayor. Please do

not interrupt other speakers. Side conversations should be moved outside the Council Chambers. Please limit your comments to no more than three minutes.

CONSENT AGENDA

Mayor Gutierrez asked if anyone in the audience, Council or staff wished to speak on any of the items or public hearings listed on the Consent Agenda. Councilor Farley asked for Item 7 to be removed. Councilor Shaffer moved to approve the Consent Agenda. The motion was seconded by Councilor Farley and a roll call vote was taken with all councilors present voting in favor thereof.

1. CITY CLERK

Approval of Council Minutes

Motion

Administrative Action: Minutes from the March 20, 2012 regular meeting were approved.

2. CITY MANAGER

Board & Commission Appointments

Motion

Administrative Action: Jonathan Q. Smela's appointment to the Fire and Rescue Advisory Commission for a term effective until June 30, 2013 was approved.

3. CITY ATTORNEY

Supplemental Appropriation – Fund Internship in the City Attorney's Office

Ordinance #5673

Administrative Action: "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET TO FUND AN INTERNSHIP IN THE CITY ATTORNEY'S OFFICE" was approved and ordered published on second reading.

4. DEVELOPMENT SERVICES

Easement Vacation – Alford Lake First Subdivision

Ordinance #5674

Legislative Action: "AN ORDINANCE VACATING A PORTION OF A SIGHT DISTANCE EASEMENT LOCATED ON LOTS 1 AND 2, BLOCK 17, ALFORD LAKE FIRST SUBDIVISION, CITY OF LOVELAND, LARIMER COUNTY, COLORADO" was approved and ordered published on second reading.

5. AIRPORT

Grant Agreements from State of Colorado, Division of Aeronautics

Resolution #R-27-2012

Administrative Action: Resolution #R-27-2012 authorizing the City Manager to execute two grant agreements with the State of Colorado, Division of Aeronautics (CDAG #12-FNL-01 for equipment and improvements and CDAG #12-FNL-101 for an intern position) for funding pertaining to the Fort Collins-Loveland Municipal airport was approved.

RESOLUTION # R-27-2012

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE TWO GRANT AGREEMENTS WITH THE STATE OF COLORADO, DIVISION OF AERONAUTICS (CDAG #12-FNL-01 FOR EQUIPMENT AND IMPROVEMENTS AND CDAG #12-FNL-101 FOR AN INTERN POSITION) FOR FUNDING PERTAINING TO THE FORT COLLINS-LOVELAND MUNICIPAL AIRPORT

WHEREAS, the General Assembly of the State of Colorado has declared in Title 43 of the Colorado Revised Statutes, Article 10, 1991 in C.R.S. §43-10-101 ("the Act") that: "...there exists a need to promote the safe operation and accessibility of general aviation and intrastate commercial aviation in this state; that improvements to general aviation transportation facilities will promote diversified economic development across the state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency."; and

WHEREAS, the Act created the Colorado Aeronautical Board ("the Board") to establish policy and procedures for distribution of monies in the Aviation Fund and created the Division of

Aeronautics ("the Division") to carry out the directives of the Board, including technical and planning assistance to airports and the administration of the state aviation system grant program.

(See C.R.S. §43-10-103 and C.R.S. §43-10-105 and C.R.S. §43-10-108.5 of the Act); and

WHEREAS, any entity operating a public-accessible airport in the state may file an application for and be a recipient of a grant to be used solely for aviation purposes (an "Application"). The Division is authorized to assist such airports as request assistance by means of a Resolution passed by the applicant's duly-authorized governing body, which understands that all funds shall be used exclusively for aviation purposes and that it will comply with all grant procedures and requirements as defined in the Division's Aviation Grant Manual, revised 2009 ("the Manual"); and

WHEREAS, the Cities of Loveland and Fort Collins have applied for the grants (CDAG #12-FNL-01 and CDAG #12-FNL-101) attached hereto as Exhibit A and B and incorporated herein by this reference (collectively, the "Grant Agreements").

NOW, THEREFORE, NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO AS FOLLOWS:

Section 1. That the Loveland City Council ("the Council"), as one of the duly authorized governing bodies of the grant applicant, hereby formally requests assistance from the Colorado Aeronautical Board and the Division of Aeronautics in the form of state aviation system grants. The City of Loveland states that the Grants shall be used solely for aviation purposes, as determined by the State, and as generally described in the Applications.

Section 2. That the City of Loveland makes a commitment (a) to keep the Airport facility accessible to, and open to, the public during the entire useful life of the grant funded improvements/equipment; or (b) to reimburse the Division for any unexpired useful life of the improvements/equipment on a pro-rata basis. By signing the Grant Agreements, the City of Loveland further commits to keep open and accessible for public use all grant funded facilities, improvements and services for their useful life, as determined by the Division and stated in Grant Agreements.

Section 3. That the City hereby designates Jason Licon, Airport Director, as the Project Director, as described in the Manual, and authorizes the Project Director to act in all matters relating to the work project proposed in the Applications in its behalf, and further authorizes the City Manager to execute the Grant Agreements which are attached hereto and incorporated herein as Exhibits A and B; and

Section 4. That the City of Loveland has appropriated or will appropriate or otherwise make available in a timely manner its share of all funds that are required to be provided by the Cities under the terms and conditions of Grants.

Section 5. That the City of Loveland, subject to the foregoing, hereby accepts all guidelines, procedures, standards, and requirements described in the Manual as applicable to the performance of the grant work and hereby approves Grant Agreements submitted by the State, including all terms and conditions contained therein.

Section 6. That this Resolution shall be effective as of the date and time of its adoption.

ADOPTED this 3rd day of April, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibits A and B are available in the City Clerk's Office

6. PUBLIC WORKS

Award Construction Contract for Street Resurfacing Program

Motion

Administrative Action: A motion to award the construction contract for 2012 Street Resurfacing Program, Asphalt Paving Contract (Schedule AP) to Coulson Excavating Company of Loveland, Colorado in the amount of \$1,055,000 and authorize the City Manager to execute the contract was approve.

7. CULTURAL SERVICES

Supplemental Appropriation for Cultural Services Department Programs

1st Rdg Ord & P.H.

Removed from the Consent Agenda.

8. CITY MANAGER

Sell Smucker Company Common Stock

Resolution #R-28-2012

Administrative Action: A Resolution #R-28-2012 authorizing the City's Executive Fiscal Advisor to sell 32 shares of J.M. Smucker Company Common Stock for the benefit of the City of Loveland Library was approved.

RESOLUTION #R-28-2012

A RESOLUTION AUTHORIZING THE CITY'S EXECUTIVE FISCAL ADVISOR TO SELL 32 SHARES OF J.M. SMUCKER COMPANY COMMON STOCK FOR THE BENEFIT OF THE CITY OF LOVELAND LIBRARY

WHEREAS, through stock contributions received many years ago, the Loveland Public Library is the beneficial owner of 32 shares of J.M. Smucker Company ("Company") common stock ("Stock"); and

WHEREAS, the Company desires to require shareholders to own a minimum of 100 shares and has set up a voluntary redemption program which expires April 30, 2012 to accomplish this result; and

WHEREAS, the Executive Fiscal Advisor recommends sale of the Company Stock through the Company's voluntary redemption program or otherwise; and

WHEREAS, the Loveland Public Library ("Library") is owned and operated by the City of Loveland and administered by the City Library Department pursuant to Loveland Municipal Code Section 2.56.010; and

WHEREAS, the City Council desires to confirm for the Company that the Loveland Public Library is a unit of the City and to authorize the City Executive Fiscal Advisor to sell the Stock through the Company's voluntary redemption program or otherwise, for the benefit of the Library.

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

Section 1. That City's Executive Fiscal Advisor is hereby authorized to sell the Stock through the Company's voluntary redemption program or otherwise, for the benefit of the Library, and to prepare and execute such documentation as may be necessary or appropriate to complete such sale.

Section 2. That this Resolution shall be effective as of the date of its adoption.

ADOPTED this 3rd day of April, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

END OF CONSENT AGENDA

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports

Gene Stires, 123 N. Lincoln, presented a coming event in the City of Loveland. After approaching the Police and Economic Departments within the City, Mr. Stires asked Council to provide City support of the revival of the "Cruise in Loveland" events held on Friday nights throughout the City.

b) Business from Council

Trenary

Councilor Trenary attended the Museum Artist Collective event on March 26, 2012. April 5, 2012 Chamber of Commerce at Guaranty Bank.

McKean

City Attorney John Duval stated the City would be corresponding with HUD Housing and Urban Development requesting reconsideration of their position on the Mirasol Senior Housing Development.

Klassen

Councilor Klassen told Council he was in Arizona this last week and held Mariano Medina's rifle Old Lady Hawkins.

Farley Council Farley commended Betsey and her Economic Development Team on their Technology Transfer Acceleration Program launch. Councilor Farley also announced the grand opening for the Rialto Theatre Center April 11 – 14.

Shaffer Councilor Shaffer will be attending the MPO meeting on April 5, 2012.

Gutierrez Mayor Gutierrez attended the S.A.I.N.T. picnic to honor the volunteers that make up that organization. He also attended the awards ceremony for the Fire Authority. Platte River and Power Authority will be hiring their General Manager by the middle of June. Comments from Council concerning the process should be directed to Water and Power Director, Steve Adams or the Mayor.

- c) City Manager Report None
- d) City Attorney Report None

PROCEDURAL INFORMATION

Anyone who wishes to address the Council on any item on this part of the agenda may do so when the Mayor calls for public comment. All public hearings are conducted in accordance with Council Policy. When Council is considering adoption of an ordinance on first reading, Loveland's Charter only requires that a majority of the Council present vote in favor of the ordinance for it to be adopted on first reading. However, when an ordinance is being considered on second or final reading, at least five of the nine members of Council must vote in favor of the ordinance for it to become law.

REGULAR AGENDA

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

7. CULTURAL SERVICES

Councilor Farley recused himself from the consideration of this item, due to a conflict of interest. Councilor Farley is an employee of the Community Foundation.

Supplemental Appropriation for Cultural Services Department Programs

1st Rdg Ord & P.H. Administrative Action: Rialto Theatre Center Manager, Jan Sawyer introduced this item to Council. This is an administrative action to appropriate \$46,200 in funds donated for programs through the Cultural Services Department. Donation requests are submitted on a regular basis to support additional programming in the Cultural Services Department. Councilor Klassen read the following donations and their donors to the Cultural Services Department: Elevations Credit Union, \$5,000; Poudre Valley Health System, \$5,000; Kroh Charitable Trust, \$4,000; Erion Foundation, \$4,000; Walbye Family, \$2,000; Loveland Community Foundation of Northern Colorado: Public Art Chandelier, \$16,200, Grand Opening Reception \$10,000; Crop Production Services, \$7,000. The Mayor opened the public hearing at 8:15 and asked for Public comment, hearing none the Mayor closed the public hearing. Councilor Klassen moved to approve "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET FOR DONATIONS TO FUND THE FOOTE LAGOON CONCERT SERIES, THE PHYLLIS WALBYE FILM SERIES, THE GRAND OPENING RECEPTION FOR THE RIALTO THEATER CENTER AND A CHANDELIER COMMISSIONED AS A PUBLIC ART PIECE FOR THE RIALTO THEATER CENTER" and ordered published on first reading. The motion was seconded by Councilor Trenary and a roll call vote was taken with all Councilors present voting in favor thereof.

At 8:20 p.m. City Council adjourned and convened as the Board of Commissioners for the Loveland Urban Renewal Authority (LURA).

9. DEVELOPMENT SERVICES

Facade Matching Grant Program – 2012 Grants

Resolution #R-29-2012

Administrative Action: City Planner Bethany Clark introduced this item to Council. This item is an administrative action to adopt a resolution. The Façade Matching Grant program provides a dollar for dollar matching grant of up to \$12,500 for property or business owners who undertake façade improvements in the core of the Downtown Loveland Urban Renewal Area. Councilor McEwen moved to adopt Resolution #R-29-2012 of the Loveland Urban Renewal Authority awarding Façade Matching Grant Program grants for 2012 and authorizing Façade Matching Grant Agreements. Councilor Shaffer seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

RESOLUTION #R-29-2012

A RESOLUTION OF THE LOVELAND URBAN RENEWAL AUTHORITY AWARDING FAÇADE MATCHING GRANT PROGRAM GRANTS FOR 2012 AND AUTHORIZING FAÇADE MATCHING GRANT AGREEMENTS

WHEREAS, on September 15, 2009, the City Council, acting as Board of Commissioners ("Board") of the Loveland Urban Renewal Authority ("LURA"), approved Resolution #R-89-2009 creating the Façade Matching Grant Program; and

WHEREAS, the Façade Matching Grant Program is available to applicants who own property or businesses located on property that lies within the boundaries of the Downtown Urban Renewal Plan Area ("Plan Area") and Historic Downtown Loveland; and

WHEREAS, in accordance with the Colorado Urban Renewal Act, C.R.S. § 31-25-102, et seq. ("Act"), LURA has a substantial interest in the development, redevelopment, and renovation of property within the Plan Area; and

WHEREAS, the Façade Matching Grant Program provides matching funds, on a dollar-for-dollar basis, up to a maximum grant of \$12,500, in reimbursement for eligible costs of improving, refurbishing, and/or reconstructing building facades within the Plan Area, pursuant to a competitive grant process; and

WHEREAS, applications for the Façade Matching Grant Program have been received and evaluated; and

WHEREAS, LURA desires to award Façade Matching Grants in the amounts ("Grants") to the recipients ("Grant Recipients") for the façade improvement projects ("Projects") to the properties ("Properties") identified on Exhibit A, attached hereto and incorporated herein by reference, and authorize the City Manager to enter into a façade matching grant agreement with each Grant Recipient in the form attached hereto as Exhibit B and incorporated herein by reference ("Façade Matching Grant Agreement"); and

WHEREAS, each of the Façade Matching Grant Agreements will provide partial funding for the Projects that include improvements of a public nature at least equal in value to the Grants provided by LURA, eliminate blight and prevent the development or spread of blight in the Plan Area, and further the redevelopment of the Properties in a manner benefitting the public interest and consistent with the Urban Renewal Plan adopted by LURA for the Plan Area and, therefore, the Grants are in the best interests of the public, the City, and LURA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, ACTING AS THE BOARD OF COMMISSIONERS OF THE LOVELAND URBAN RENEWAL AUTHORITY:

Section 1. That the Board of Commissioners hereby finds that the Projects: (a) include improvements of a public nature at least equal in value to the Grant provided by LURA under the Façade Matching Grant Agreements for each Property; (b) eliminate blight and prevent the development or spread of blight in the Plan Area; and (c) further the redevelopment of the Properties in a manner benefitting the public interest and consistent with the Urban Renewal Plan adopted by LURA for the Plan Area.

Section 2. That the Board of Commissioners hereby approves the Grants to the Grant Recipients in the Grant Amounts and for the Projects identified on Exhibit A.

Section 3. That the Board of Commissioners hereby approves the form of the Grant Agreement attached hereto as Exhibit B and delegates to the City Manager, on behalf of LURA, the authority to administer the terms and conditions of the Grant Agreement, including, without limitation, the power to grant extensions of Commencement Dates and Completion Dates as set forth therein.

Section 4. That the Board of Commissioners hereby authorizes the City Manager, on behalf of LURA, to enter into the Grant Agreements with the Grant Recipients for the Grant Amounts. The City Manager, in consultation with the City Attorney, may amend the Grant Agreements in form or substance as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City and LURA.

Section 5. That each Grant Recipient shall have thirty (30) calendar days from the effective date of this Resolution in which to sign the Grant Agreement. If a Grant Recipient fails to sign the Grant Agreement on or before said date, the approval granted in Section 2 above as to that Grant Recipient shall automatically be rescinded; provided, however, that the City Manager may, prior to said date, extend the date for signature upon written request of the Grant Recipient for good cause shown.

Section 6. That this Resolution shall take effect as of the date of its adoption.

ADOPTED this 3rd day of April, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

At 8:30 p.m. the Board of Commissioners for the Loveland Urban Renewal Authority (LURA) and City Council reconvened.

10. PUBLIC WORKS

Agreement for Interim Improvements to East 37th Street

Motion

Administrative Action: City Engineer Dave Klockeman introduced this item to Council. This is an administrative action to approve an agreement with Larimer County and Coulson Excavating Company, Inc. to cooperatively make interim improvements to East 37th Street (CR 24E) from Monroe Avenue to Madison Avenue, sharing the costs for the improvement, and authorization for the City Manager to execute the agreement. The total cost of the project is \$719,967.24, with the City's portion being \$250,316. Councilor Shaffer moved to authorize the City Manager to sign, on behalf of the City, an agreement with Larimer County and Coulson Excavating Company, Inc. for interim street improvements to East 37th Street (CR 24E) between Monroe Avenue and Madison Avenue in the amount of \$719,967.24, with the City's share to be \$250,316. Councilor Farley seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

11. FINANCE

February 2012 Financial Report Information Only

This is an information only item. Acting Finance Director Bonnie Steele introduced this item to Council. The Snapshot Report includes the City's preliminary revenue and expenditures including detailed reports on tax revenue, health claims and cash reserves for the twelve months ending February 29, 2012.

12. CITY MANAGER

Information Only

This is an information only item. Executive Fiscal Advisor Alan Krcmarik introduced this item to Council. The budget estimate for investment earnings for 2012 is \$2,729,560. For February 2012, the amount posted to the investment account is \$574,645 including

realized gains. Actual year-to-date earnings are higher than the year-to-date projection by \$120,759. Based on February's monthly statement, the estimated annualized yield on the U.S. agencies and corporates was up to 1.73%, slightly over the annual target rate of 1.7% for 2012. Reinvestment rates have trended downward significantly over the last eight months.

ADJOURNMENT

Having no further business to come before Council, the April 3, 2012 Regular Meeting was adjourned at 9:21 p.m.

Respectfully Submitted,

Teresa G. Andrews, City Clerk

Cecil A. Gutierrez, Mayor



CITY OF LOVELAND
FIRE & RESCUE DEPARTMENT

Administration Offices • 410 East Fifth Street • Loveland, Colorado 80537
 (970) 962-2471 • FAX (970) 962-2922 • TDD (970) 962-2620

AGENDA ITEM: 10
MEETING DATE: 4/17/2012
TO: City Council
FROM: Randy Mirowski, Fire & Rescue Department
PRESENTER: Randy Mirowski

TITLE:

Status of the Loveland Rural Fire Protection District's Mill Levy Election in May 2012

RECOMMENDED CITY COUNCIL ACTION:

No Action Required; Information Only

DESCRIPTION:

This is a brief presentation to City Council members providing an update on the May 8, 2012 mill levy election in the Loveland Rural Fire Protection District.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

By passing Ballot Measure 1A, the Rural District will have adequate revenue for their share of the revenue allocation formula for the Fire Authority. The passage of this measure will have a long-term, positive overall budget impact for Loveland Fire Rescue Authority, allowing the Rural District the ability to meet their obligation for 18% of the overall budget for the Fire Authority.

SUMMARY:

The Rural Fire District is asking voters in the Loveland Rural Fire Protection District to approve a four mill increase in the tax rates paid by its citizens. This measure is on the ballot titled "1A" and increases the mill levy incrementally over the next five years (2013, 2015 and 2017). This increase will allow the Rural District to pay its share of the revenue allocation formula of 18%, as agreed upon in the intergovernmental agreement with the City of Loveland for the Loveland Fire Rescue Authority. The increased funding will go to support the continuance of basic fire-rescue services in the Rural Fire Protection District. A presentation as "information only" will be made to Council reviewing a past, present and future perspective of the election and provide some specific information to Council related to the election. A time for questions will follow the presentation.

REVIEWED BY CITY MANAGER:

William H. Cabell

LIST OF ATTACHMENTS: Mill levy ballot question for the Loveland Rural Fire Protection District, Ballot Measure 1A.

LOVELAND RURAL FIRE PROTECTION DISTRICT BALLOT ISSUE 1A:

SHALL THE LOVELAND RURAL FIRE PROTECTION DISTRICT TAXES BE INCREASED BY \$690,000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED THEREAFTER, BY AN ADDITIONAL MILL LEVY OF NOT MORE THAN 3.00 MILLS, (FOR A TOTAL MILL LEVY OF 8.808 MILLS) COMMENCING IN TAX YEAR 2012 FOR COLLECTION IN FISCAL YEARS 2013 AND 2014; AND INCREASE BY AN ADDITIONAL MILL LEVY OF NOT MORE THAN .5 MILLS (FOR A TOTAL MILL LEVY OF 9.308 MILLS) COMMENCING IN TAX YEAR 2014 FOR COLLECTION IN FISCAL YEARS 2015 AND 2016; AND BY AN ADDITIONAL MILL LEVY OF NOT MORE THAN .5 MILLS (FOR A TOTAL MILL LEVY OF 9.808 MILLS) COMMENCING IN TAX YEAR 2016 FOR COLLECTION IN FISCAL YEAR 2017 AND CONTINUING THEREAFTER WITH SUCH REVENUES TO BE USED TO FUND THE FIRE DISTRICT'S GENERAL OPERATIONS, INCLUDING, BUT NOT LIMITED TO, PROVISION OF ADDITIONAL FIREFIGHTING PERSONNEL, FIRE APPARATUS, CAPITAL EQUIPMENT, FACILITIES, AND EMERGENCY SERVICES; AND SHALL SUCH TAX PROCEEDS BE COLLECTED AND SPENT BY THE FIRE DISTRICT AS A VOTER APPROVED REVENUE AND SPENDING CHANGE IN EACH YEAR, WITHOUT REGARD TO ANY SPENDING OR REVENUE LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

YES

NO



CITY OF LOVELAND
PUBLIC WORKS DEPARTMENT

Administration Offices • 410 East Fifth Street • Loveland, Colorado 80537
(970) 962-2555 • FAX (970) 962-2908 • TDD (970) 962-2620

AGENDA ITEM: 11
MEETING DATE: 4/17/2012
TO: City Council
FROM: Keith Reester - Public Works Director
PRESENTER: Mick Mercer – Streets, Solid Waste, Stormwater Manager
 Tyler Bandemer – Solid Waste Superintendent
 Lara Beers - RecycleBank

TITLE: RecycleBank options for Solid Waste Program

RECOMMENDED CITY COUNCIL ACTION:

Information only; provide feedback and direction to staff.

DESCRIPTION: Public works staff is considering RecycleBank for additional marketing and recycling opportunities that support continued waste diversion increases, economic development efforts, and education.

BUDGET IMPACT: SOLID WASTE ENTERPRISE

- Positive
- Negative (*Recycling Fund Balance*)
- Neutral or negligible (*Customer Rates*)

Net annual costs will be \$50,000 - \$80,000. No rate impact is anticipated to occur as a result of this change.

SUMMARY:

RecycleBank offers a service which rewards citizens for their environmentally friendly actions like recycling, water and power conservation. The program supports the City's long term efforts at diverting waste from the landfill and creating commodities diversion. The rewards consist of banked e-points which can then be redeemed for discounts at numerous local and national businesses who participate as program partners.

The staff memo also provides a brief history in the solid waste and recycling efforts in Loveland since the early-1990's.

This information only item seeks to gauge Council's feedback on adding this option to the Solid Waste Enterprise portfolio in 2012.


REVIEWED BY CITY MANAGER: *William D. Cahill*

LIST OF ATTACHMENTS: Staff Memo

CITY OF LOVELAND PUBLIC WORKS

TO City Council

FROM Mick Mercer, Manager of Streets, Solid Waste, Stormwater
Tyler Bandemer, Solid Waste Superintendent

THRU Keith Reester, Director of Public Works 

DATE April 17, 2012

SUBJECT RecycleBank Proposal

What is RecycleBank?

RecycleBank offers an interesting service which rewards citizens for their “green” actions like recycling, water and power conservation. The rewards consist of banked e-points which can then be redeemed for discounts at numerous local and national businesses who participate as program partners.

Loveland staff first met with RecycleBank in April 2009, but mothballed pursuing the idea mostly due to the looming economic downturn. Since that time, RecycleBank has further expanded its business model to now potentially reward other types of citizen efforts to conserve local resources like water and electricity. The expansion of RecycleBank rewards into the Water & Power Department has not yet been explored at this time, but if the program finds traction via the recycling program, consideration for these changes will be considered in partnership with Water & Power.

Rewarding environmentally friendly behaviors with discount coupons that will be spent locally appears to support community economic growth and sustainability— two important council goals.

For the first time, Loveland residents would actually receive a more tangible benefit for returning valuable manufacturing commodities, for example traditional recyclables and compostable yard waste, back into the economy. Additionally, local merchants would benefit economically from this “buy local” economic development strategy.

Since its creation in 2004, RecycleBank has been recognized repeatedly for its economic and environmental innovation and impact. Here are just a few of their recent awards and recognitions:

- Wall Street Journal : #1 Clean-Tech Company, 2011
- World Economic Forum: 2009 Technology Pioneer
- Clean Tech Group: 2010 Global Cleantech 100
- U.S Conference of Mayors: Excellence in Public/Private Partnerships, 2009 & 2010
- TIME Magazine: Responsibility Pioneer, 2009

How Would Residents Earn Credits for Recycling?

All Loveland trash and recycling trucks have Automated Vehicle Locator [AVL] technology installed. This system uses global satellites and our City’s Geographical Information System [GIS] to track the location of our trucks. We use the

system to track our daily collections progress, to see where we've collected and where we still need to go, and to regularly adjust our routing drive paths to achieve lower fuel costs and maximum collection productivity. A modification to the AVL application will record when and where we emptied recycling carts each day, by specific address. Each time a customer's blue recycling cart or green yard waste cart is emptied, that customer will automatically earn RecycleBank points in their RecycleBank account. The more points earned, the more opportunity to save money at local participating stores and restaurants. The points are easily converted to coupons that the customer can download to her/his computer and print off. Homes without computers can use a phone system to cash in their points and then receive coupons by mail. The data is confidential to the City and the user so that no personal information on individual account holders is shared with other customers or those not involved with direct management of the system.

Loveland Trash & Recycling – A Quick History Lesson

What follows is a brief timeline showing the evolution of our residential waste management system over the past 20 years. Through considerable efforts, our community has transitioned from a garbage-focused system to a recyclables-focused system. Our progressive waste/recycling program is among the community's highest ranked services, and is in fact a point of pride for many residents. Here are some historical highlights:

- 1991** Unlimited trash could be set out curbside for a service fee of \$6.35 per month. There was no recycling and no composting - 100% of residential discards were landfilled. Manual collections with two-person crews resulted in a significant and chronic worker injury rate; as a result annual Workers Comp insurance rates reached an all-time high.
- 1992** Staff researched the country's best solid waste management programs, then developed and pilot-tested a new approach. Rather than provide unlimited weekly trash service for a set monthly fee and charging extra for a new voluntary recycling service, the City reversed it: offering unlimited recycling for a set mandatory fee and charged extra for trash collections using a per-bag fee system. Yard wastes could be taken to a central drop-off center for free or collected curbside for a monthly fee. Mulch mowing and backyard composting were encouraged as ways for residents to minimize their weekly yard waste discards.
- 1993** The new integrated system was taken citywide. Additionally, a fleet of custom-designed co-collection trucks to simultaneously collect both trash and recycling materials with one pass down each street rather than two was introduced. A 54% waste diversion was achieved in year one of the new waste management strategy.
- 1994** The City achieved annual residential waste diversion rates of 54% - 59%. Various new drop-off materials were added, such as phone books, scrap metals, paperboard, used motor oil, batteries, and untreated/unpainted lumber. **(1994-2001)**
- 2002** Introduced fully-automated frontload collection trucks operated by one-person crews. Collection productivity increased significantly for all three materials streams: trash, recycling and yard waste. Bagged trash setouts were still accepted, but trash carts were also offered in two sizes.
- 2003** New materials were added to the two-stream curbside recycling bins: magazines, catalogs, and junk mail and office papers. As a result, curbside recycling tonnages increased by 19% over the previous year. Additionally, a 32-gallon trash cart size was offered to better meet some residents' needs.

- 2006** Additional materials were added to the curbside bins: cardboard, paperboard and phone books. For largely unknown reasons, the annual diversion rate dropped to 50% from a rate of 56% in 2005.
- 2007** Staff doubled-down education and outreach efforts. New materials were added to the Wilson Recycling Center: plastics #2 and #5; paper milk/juice cartons; large #2 plastics like toys, buckets, crates, and lawn furniture, as markets were found or developed to take commodities. The waste diversion rate was 53% for the year.
- 2008** Single-stream, blue cart recycling was pilot-tested featuring fully-automated collection trucks. This improved system resulted in increased pounds recycled per /household, at less City cost and with vastly improved worker safety. Even more materials were added to the Wilson Recycling Center’s list of acceptable items: electronic wastes such as TVs, computers, stereos, cellphones, and household appliances; hard-bound books; and plastic bags. Solid Waste Superintendent Bruce Philbrick received the Lifetime Achievement Award from the Colorado Association for Recycling.
- 2009** 100% cart-based trash collections were phased in citywide, thereby effectively ending the former back-breaking manual collection method. Due to the efficiency of this automated collection system, only five trucks were needed daily rather than the six that were required previously. A fourth trash cart – the 17-gallon – was introduced, and proved very popular with smaller households.
- 2010** Blue carts were rolled out citywide. With every-other-week recycling, only three recycling trucks were deployed each day rather than the five needed previously. The annual cost savings was significant. In response to customer requests, a smaller 35-gallon blue cart was included as a third customer option. Snow plows were added to 11 trash/recycling trucks to more quickly plow open the center third of residential streets following the bigger snow storms. Waste diversion was 53%, continuing a streak that saw 50%+ diversion annually since 1993.
- 2011** Of the nearly 49,000 tons of various discarded materials collected, over 29,000 tons were diverted from the landfill and put back into the economy – a record 60% diversion rate. Much of this surprise spike was largely due to the heavy tree branch debris that resulted from the October 2011 snowstorm.
- 2012+** Staff has set a goal of 65% annual residential waste diversion for the next 3-5 year period. We believe RecycleBank and its incentive-based approach will help move us closer to achieving this goal. Customer outreach and education to increase voluntary local recycling efforts is much-preferred to the mandatory approach adopted by many communities.

What RecycleBank Can Provide Us:

- A projected 5-10% increase in annual recycling tonnages/revenues [est. @ 550 to 1,100 additional tons and \$14,000 to \$28,000 in additional revenue];
- A corresponding decrease in landfilled tonnages/costs [est. @ 550-1,100 fewer landfilled tons and corresponding savings in landfill fees of about \$7,400 to \$14,000];
- True expertise in environmental education/outreach/marketing using various media – electronic, social, print, newsletters.
- **And a buy-local economic incentive.**

Cost to the City?

- ✓ \$100,000/year gross cost, which equates to about \$.35 per household per month.
- ✓ Net cost will range between \$58,000 to \$78,600 depending upon diversion rates and commodities values.
- ✓ The City's interests will be appropriately protected in the contract language to allow the City an appropriate exit if the program fails to find traction in our community.

Why Not Hire Our Own Marketing Staff?

For the past 10 years staff has considered hiring a position solely for marketing and education for the solid waste and recycling program, for a variety of business reasons this step has not moved forward. Long term success of the program relies upon excellent customer service, highly visible program efforts, and providing outstanding diversion opportunities for a variety of waste streams. The partnership with RecycleBank will allow the Solid Waste Enterprise to invest in recycling and support local economic development without having to develop a program from scratch. The partnership with RecycleBank provides a methodology that meets the City's strategic needs while keeping costs effectively managed, and allows for a faster more effective ramp up of marketing and service efforts.

Will a Rate Increase Be Required?

The current Recycling Program fund balance is quite strong, and the ten-year revenue/expense projections also look very favorable. Barring some significant and unforeseen surprise, no rate increases are projected for our recycling program for the near future.

Timeline

Staff would work with RecycleBank to begin the program in the second half of 2012.

Why RecycleBank Is a Good Fit

Lara Beers from RecycleBank will provide City Council with a brief overview of the RecycleBank program and its proven track record in adding value and success to numerous communities' recycling and economic development efforts. From a staff perspective, RecycleBank will support a Triple Bottom Line Philosophy by:

- Educating and rewarding our citizens for their environmental efforts;
- By providing a local economic value;
- By providing a local environmental and sustainability value.

City Council Feedback and Direction Is Sought

Staff is looking for direction from City Council:

- Does the proposed RecycleBank program fit within Council's policy vision and philosophy?
- Does the proposed RecycleBank program support Council's economic development policies and philosophy?
- Additional feedback for staff?

Thank you for your time and consideration.