

**LOVELAND CITY COUNCIL MEETING
LOVELAND URBAN RENEWAL AUTHORITY BOARD OF COMMISSIONERS
TUESDAY, JUNE 5, 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

PROCLAMATION DECLARING JUNE 27, 2012 AS "BIKE WEEK"

PRESENTATION HONORING BRIAN MOECK FOR OUTSTANDING SERVICE TO THE CITY OF LOVELAND

PRESENTATION FROM ROCKY MOUNTAIN NATIONAL PARK - SPRING BRIEFING

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 May 8, 2012 study session and May 15, 2012 regular meeting.

2. **CITY MANAGER**

CHANGE OF MEETING DATE AND TIME - VOLUNTEER FIREFIGHTERS' PENSION BOARD

Consideration of Resolution #R-38-2012 amending the scheduled meeting dates of the Volunteer Firefighters' Pension Board

This is an administrative action requesting the amendment of scheduled meeting dates for the Volunteer Firefighters' Pension Board.

3. **FIRE & RESCUE**

MUNICIPAL CODE AMENDMENT AND ADOPTION OF LOCAL EMERGENCY OPERATIONS PLAN, 2012 REVISIONS

Consideration on second reading of an ordinance adopting the City of Loveland Emergency Operations Plan and amending Section 2.72.010 of the Loveland Municipal Code concerning the comprehensive disaster plan

This is an legislative action. The Local Emergency Operations Plan is the City's primary emergency document that describes the authority and responsibilities that the City holds during emergencies and large-scale disasters. Revisions of this plan will be conducted every three years. City Council unanimously approved the ordinance on first reading on May 15, 2012.

4. **LOVELAND FIRE RESCUE AUTHORITY**

APPROVAL OF SUPPLEMENTAL BUDGET APPROPRIATION

Consideration of Resolution #R-39-2012 approving the Loveland Fire Rescue Authority Supplemental budget appropriation for rollover projects and FEMA grant match

This is an administrative action by resolution to approve a Loveland Fire Rescue Authority supplemental appropriation per the Intergovernmental Agreement. The contributions to fund the appropriation from the City of Loveland have already been appropriated by City Council ordinance on May 1 for rollover funding from the General Fund balance, and on May 15 from a General Fund reserve for Assistance to Firefighters Grant match to replace radios.

5. **WATER & POWER**

PUBLIC HEARING

MUNICIPAL CODE AMENDMENT – WATER BOOSTER PUMPS & SYSTEMS

Consideration on first reading of an ordinance amending the Loveland Municipal Code at Chapter 13.04 and Chapter 19.06 concerning water booster pumps and systems

This is a legislative action. The ordinance amends the Loveland Municipal Code at Chapter 13.04 and Chapter 19.06 regarding water booster pumps and systems. Several irrigation booster pumps have been connected to the City's water system directly after the water meter. The booster pumps create a potential for cross-contamination and create localized low pressure during operation which can result in system water pressures that do not meet minimum goals. Currently there is no regulation in the Code for irrigation booster pumps.

6. **PUBLIC WORKS**
CONTRACT AWARD TO EXPAND AND REMODEL LOVELAND FIRE STATION #6 BUILDING
Consideration of a motion awarding a construction contract to Golden Triangle Construction to expand and remodel Loveland Fire Station #6 building in the amount of \$655,009, a contingency of \$65,500, and to authorize the City Manager to execute the contract on behalf of the City
This is an administrative action approving a contract with Golden Triangle Construction to expand and remodel Loveland Fire Station # 6, located at 4325 McWhinney Blvd, Loveland.
7. **LIBRARY**
STATEMENT OF POLICY
Consideration of Resolution #R-40-2012 approving the Statement of Policy of the Loveland Public Library
This is a legislative action to approve a revised Statement of Policy of the Loveland Public Library that was last updated on April 1, 2008. In addition to minor clean-up changes, there are new sections related to the new spaces and services in the renovated library.
8. **LIBRARY & CULTURAL SERVICES**
FEES FOR NEW SERVICES
Consideration of Resolution #R-41-2012 amending Resolution #R-62-2011 and the 2012 Schedule of Rates, Charges and Fees for City services, other than services provided by the Water and Power Department and the Stormwater Enterprise
This is a legislative action to consider a resolution amending the 2012 Schedule of City Rates, Charges, and Fees (other than Water and Power or Stormwater Enterprises) previously adopted by adding fees for new services now available as a result of the library expansion and opening of the Rialto Theater Center.
9. **PUBLIC WORKS**
DELEGATION OF AUTHORITY TO FILE APPLICATIONS FOR FTA GRANTS
Consideration of Resolution #R-42-2012 authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C. Chapter 53, Title 23 of the United States code, and other federal statutes administered by the Federal Transit Administration
This is an administrative action. The FTA will conduct a triennial review of City of Loveland Transit (COLT) on June 13 and 14, 2012. The review is one of FTA's tools for examining grantee performance and adherence to current requirements and policies and is required in order for COLT to apply for and administer FTA grants. The resolution addresses a requirement establishing authorization for City staff members to apply for and execute grants and cooperative agreements with the FTA including all required certifications and assurances.
10. **PUBLIC WORKS**
GRANT UTILITY EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO
Consideration of Resolution #R-43-2012 granting a non-exclusive utility easement to Public Service Company of Colorado (PSCo's) for installation and maintenance of gas, oil, and associated communication facilities

This is an administrative action. The easement was requested due to PSCo's need to abandon an existing, outdated 6-inch High Pressure Gas Line located in and along State Highway 402 west of I-25 and plans to install new lines in a new easement along the south side of State Highway 402, a portion of which is within real property owned by the City between County Road 7 and Interstate 25. This easement location was identified by the Colorado Department of Transportation (CDOT) as part of the plans completed with the State Highway 402 Environmental Assessment. This non-exclusive easement will allow other utilities to be constructed in the CDOT identified location.

11. DEVELOPMENT SERVICES

PUBLIC HEARING

REZONE LAKES PLACE 5TH SUBDIVISION

Consideration on first reading of an ordinance amending Section 18.04.040 of the Loveland Municipal Code, the same relating to zoning regulations for certain property located in the Lakes Place 5th Subdivision, City of Loveland, Larimer County, Colorado

This item is a public hearing to consider a quasi-judicial action to adopt an ordinance on first reading to rezone Outlots A, B, and C of the Lakes Place 5th Subdivision from DR-Developing Resource District to R1-Developing Low-density Residential District. The applicants are Larry Heckel and Leroy Gabriel.

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

12. DEVELOPMENT SERVICES

FACADE GRANT FOR LOVELAND ALEWORKS

Consideration of Resolution #R-44-2012 of the Loveland Urban Renewal Authority awarding a facade incentive grant to the owner and tenant of the building located at 118 West 4th Street and authorizing a Façade Incentive Grant Agreement

This item is an administrative action to adopt a resolution. The Facade Incentive Program provides grants of up to 10 percent of total development costs for buildings in the urban renewal area, not to exceed 100 percent of the façade costs. The grant applicant is Loveland Aleworks. Staff is recommending a grant of \$35,000 be awarded. Loveland Aleworks is applying as a tenant of the building owned by the Ada M. Johnson Family Partnership, and has the written consent of the owner to do the proposed work.

ADJOURN AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY AND RECONVENE AS CITY COUNCIL

13. CITY CLERK

REVISION TO CITY OF LOVELAND WARD BOUNDARIES

Consideration of a motion to direct staff to bring an ordinance on first reading for consideration at the July 3, 2012 regular City Council meeting

This is an administrative action regarding redistricting the ward boundaries within the City of Loveland to meet certain requirements.

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

**14. DEVELOPMENT SERVICES
PUBLIC HEARING**

APPEAL OF ZONING PERMIT FOR KUM AND GO STATION

Consideration of a motion regarding a type 3 zoning permit for Kum and Go Station #995

This is a quasi-judicial action to consider an appeal of Planning Commission's approval of a special review use and decision to issue a type 3 zoning permit for a Kum & Go gas station and convenience store. The appellant, Kevin Borchers, is the managing partner of the adjacent Sylmar Mobile Home Park. The primary issue is the height and adequacy of a proposed sound wall that would be built along the property line between the gas station and the mobile home park. The Planning Commission approved an 8-foot high sound wall as recommended by staff and as proposed by Kum & Go. The appellant, however, believes that an 8-foot wall is insufficient to mitigate noise generated on the gas station site and that a 10-foot high wall is needed to protect adjacent residents. As a *de novo* hearing, the presentation of new and additional evidence is permitted.

**15. DEVELOPMENT SERVICES
GRANT FUNDING RECOMMENDATIONS**

Consideration of Resolution #R-45-2012 of the City Council of the City of Loveland, Colorado approving the 2012 grant funding recommendations of the Loveland Human Services Commission and the Loveland Affordable Housing Commission

This is an administrative action to adopt a resolution approving the 2012 grant allocation recommendations of the Human Services Commission and the Affordable Housing Commission. The Human Services Commission and the Affordable Housing Commission received a total of 55 grant applications and are making funding recommendations for \$680,592.

16. **WATER & POWER**
2012 RAW WATER MASTER PLAN
Consideration of Resolution #R-46-2012 adopting the 2012 Raw Water Master Plan of the City of Loveland and amending the 2005 Comprehensive Master Plan by addition of the 2012 Raw Water Master Plan as a functional (component) plan element
This is a legislative action to adopt the 2012 Raw Water Master Plan and to amend the 2005 Comprehensive Master Plan by addition of the 2012 Raw Water Master Plan as a functional (component) plan element.
17. **ECONOMIC DEVELOPMENT**
DESTINATION LOVELAND BRAND RATIFICATION
Consideration of a motion ratifying selection of the Destination Loveland, “Everything You Love” brand
This is an administrative action by City Council to affirm support for the brand selected by the Community Marketing Commission on May 16th, 2012 to market Loveland as a destination for visitors.
18. **FINANCE**
APRIL 2012 FINANCIAL REPORT
This is an information only item. The Snapshot Report includes the City's preliminary revenue and expenditures including detailed reports on tax revenue, health claims and cash reserves for the four months ending April 30, 2012.
19. **CITY MANAGER**
INVESTMENT REPORT FOR APRIL 2012
This is an information only item. The budget estimate for investment earnings for 2012 is \$2,729,560. Through April 2012, the amount posted to the investment account is \$1,043,535 including realized gains. Actual year-to-date earnings are *higher* than the year-to-date projection by \$129,033. Based on the April monthly statement, the estimated annualized yield on the U.S. agencies and corporates inched up to 1.5%, still under the annual target rate of 1.7% for 2012. Reinvestment rates have trended to near record low levels and remain lower than the budget projection.

ADJOURN