

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, McEwen, Farley, Klassen, Shaffer, Trenary, McKean, Fogle and Taylor.

PRESENTATION Dave Clark, chair of the Chamber Board of Directors, introduced Mindy Moree, the new CEO of the Loveland Chamber of Commerce. Ms. Moree official starts in June.

PROCLAMATION Mayor Pro-Tem McEwen read a proclamation declaring, Saturday, April 21, 2012 as "10th Annual Spring Waterway Clean-up Event". The proclamation was received by Joe Chaplin from the Public Works Department.

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

PROCLAMATION

Councilor Shaffer read a proclamation declaring the month of April 2012 as "Fair Housing Month". It was received by Alison Hade in the Community Partnership Office and Scott Bader from the Affordable Housing Commission.

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

**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 pulled Item 2. Councilor McEwen moved to approve the Consent Agenda with the exception of Item 2. The motion was seconded by Councilor Klassen 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 13, 2012 study session were approved.

2. CULTURAL SERVICES

Supplemental Appropriation for Cultural Services Department Programs

Ordinance #5674

Removed from the Consent Agenda.

3. POLICE

2012 JAG Grant

Motion

Administrative Action: A motion approving the City's application for a Federal Justice Assistance Grant (JAG Grant) was approved.

4. PUBLIC WORKS

Award Construction Contract

Motion

Administrative Action: 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 \$1,335,295 and authorizing the City Manager to execute the contract was approved.

5. FINANCE

Supplemental Appropriation - Appropriate Unused Funds from 2011 City budget

1st Rdg Ord & P.H.

Administrative Action: A public hearing was held and "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" was approved and ordered published on first reading.

6. FINANCE

Supplemental Appropriation - Appropriate Unused Funds from 2011 Airport budget

1st Rdg Ord & P.H.

Administrative Action: A public hearing was held and "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" was approved and ordered published on first reading.

At 6:45 p.m., adjourned as City Council and convened as the Board of Commissioners for the Loveland Urban Renewal Authority (LURA)

7. FINANCE

Supplemental Appropriation - Appropriate Unused Funds from 2011 LURA budget

1st Rdg Ord & P.H.

Administrative Action: A public hearing was held and "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" was approved and ordered published on first reading.

At 6:45 p.m., adjourned as the Board of Commissioners for the Loveland Urban Renewal Authority and convened as the Board of Directors for the Loveland General Improvement District #1 (GID)

8. FINANCE

Supplemental Appropriation – Appropriate Unused Funds from 2011 GID #1 budget

1st Rdg Ord & P.H.

Administrative Action: A public hearing was held and "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" was approved and ordered published on first reading.

At 6:45 p.m. adjourned as the Board of Directors for the Loveland General Improvement District #1 (GID) and reconvened as City Council

END OF CONSENT AGENDA

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports

None

b) Business from Council

Taylor

Councilor Taylor mentioned Saturday, April 21 is the Spring Waterway Clean-up event. On Friday, April 20 is the Arbor Day planting at the Thompson Park at 12:30 p.m. and on Saturday at 9:00 a.m. at the Fairgrounds Park.

Trenary

Councilor Trenary spoke about a couple of events: Saturday, April 21st "1080 Mile Walk" at the Promenade Shops in support of military families; Saturday, May 26 "Remembering Our Fallen" tribute to fallen Coloradoan soldiers at the Loveland Annex Building; a business seminar on Tuesday, April 24th at the Chilson Center. Councilor Trenary also mentioned Spring recruitment for Loveland Boards and Commissions is happening now.

McKean

Councilor McKean mentioned the Leonardo Di Vinci invention exhibit at the Denver Pavilion running through December 2012.

Klassen

Councilor Klassen mentioned the outstanding grand opening events last week for the Rialto Theater.

Farley

Councilor Farley expanded on the grand opening events for the Rialto Theater. Over 700 people toured the Rialto during the public event. He congratulated the entire staff of the Rialto Theater. He also attended a Colorado Municipal League class that was very beneficial.

- Shaffer Councilor Shaffer thanked the staff of the Rialto for all of the grand opening events. She also attended the North Front Range Metropolitan Planning Organization meeting and announced that additional funds will be going to the Orchard Transit Center and the fiber optic project. The documentary movie "Rivers and Tides" will be shown at the Rialto in conjunction with Earth Day. The Colorado Municipal League is taking on the issue of quiet zones at railroad crossings.
- Gutierrez Mayor Gutierrez spoke about the grand opening events for the Rialto and acknowledged the great support of many local businesses that may this celebration possible: Community Foundation of Northern Colorado, Catering to You by James, Embassy Suites Loveland, Fort Collins Symphony, Grimm Brothers Brewery, KRFC 88.9 FM Radio, RM Parent Magazine, Rowe's Flowers & Gifts and Crop Production Services.
- c) City Manager Report City Manager Cahill shared two calendar items with Council: the joint meeting on April 26th with elected officials from Ft Collins, Berthoud, Larimer County will be held in the Loveland Library's Gertrude Scott room; on May 9th the City of Loveland has a table at the Community Foundation event. He also noted the agenda for the April 24th study session would include an item from Water & Power on water for gas and oil exploration.
- 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

2. 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

Ordinance #5674

Administrative Action: 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. Councilor McEwen 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 second reading. The motion was seconded by Councilor Shaffer and a roll call vote was taken with all Councilors present voting in favor thereof.

9. CITY CLERK

Approval of Council Minutes

a) Motion

Administrative Action: Councilor McEwen made a motion to approve the minutes from the March 27, 2012 study session. Councilor Shaffer seconded the motion. A roll call vote was taken with all Councilors present voting in favor with Councilor Farley abstaining. The motion passed.

b) Motion

Administrative Action: Councilor Shaffer made a motion to approve the minutes from the April 3, 2012 regular meeting. Councilor Klassen seconded the motion. A roll call vote was taken with all Councilors present voting in favor and Councilors McEwen and Fogle abstaining. The motion passed.

10. FIRE & RESCUE

Mill Levy Election in Loveland Rural Fire Protection District

Information Only

This is an information only item. Fire Chief Randy Mirowski introduced this item to Council. Also present were members of the Loveland Fire Rescue Authority Board and the Loveland Rural Fire Protection District: Jeff Swanty, Dave Legits, Greg White and Barry Gustafson. This was 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. 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.

11. PUBLIC WORKS

RecycleBank Options for Solid Waste Program

Information Only

This is an information only item. This item was introduced by Solid Waste Management Superintendent Tyler Bandemer. Tamara Beers of RecycleBank was also present. Public works staff is considering RecycleBank for additional marketing and recycling opportunities that support continued waste diversion increases, economic development efforts, and education. Solid Waste Manager, Mick Mercer was also present to answer questions. City Manager Cahill summarized the discussion and directed staff to bring back to Council: 1) reliable data projections and metrics detailing the expectations of Loveland's program if we proceed with RecycleBank 2) reliable calculation of benefits (dollars & cents; number of users etc.) 3) if there is an arrangement with RecycleBank it be negotiated in a way that is satisfactory 4) negotiations or a contract will need to specify accountability and time limits 5) comparison to alternatives such as other vendors or city programs.

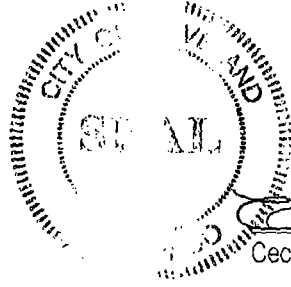
ADJOURNMENT

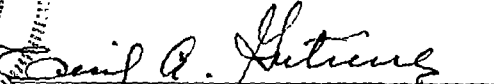
Having no further business to come before Council, the April 17, 2012 Regular Meeting was adjourned at 10:11 p.m.

Respectfully Submitted,



Teresa G. Andrews, City Clerk





Cecil A. Gutierrez, Mayor