

**LOVELAND CITY COUNCIL MEETING  
TUESDAY, SEPTEMBER 4, 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 SEPTEMBER 11, 2012 AS "911 COMMUNITY BLOOD DRIVE DAY"**

*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 August 21, 2012 regular meeting.

2. **CITY MANAGER**  
**APPOINTMENTS TO BOARDS & COMMISSIONS**  
**Consideration of a motion to appoint a member to the Construction Advisory Board**  
This is an administrative action recommending the appointment of Andrew Ross to the Construction Advisory Board for a full term effective until June 30, 2015.
3. **DEVELOPMENT SERVICES**  
**PUBLIC HEARING**  
**HISTORIC DESIGNATION FOR MARIANO MEDINA FAMILY CEMETERY**  
**Consideration on first reading of an ordinance designating as a historic landmark the Mariano Medina Family Cemetery located adjacent to Namaqua Avenue to the west and Namaqua Elementary School to the south in Loveland, Colorado**  
A public hearing to consider a legislative action to adopt an ordinance on first reading designating as a Historic Landmark the "Mariano Medina Family Cemetery" at Namaqua Avenue and Namaqua Elementary, per Chapter 15.56 of the Municipal Code dealing with Historic Preservation. The application is owner-initiated and staff reviewed the benefits and obligations of historic designation with the property owner.
4. **WATER & POWER**  
**PUBLIC HEARING**  
**SUPPLEMENTAL APPROPRIATION FOR WATER UTILITY FUNDS**  
**Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget for water filter plant improvements and emergency waterline repairs**  
This is an administrative action. The department is requesting the movement of water utility funds (\$670,000) which will fund critical water infrastructure projects in 2012. The appropriation is funded by reserves in the Water Enterprise Fund. On August 15, 2012, the Loveland Utilities Commission voted unanimously to recommend that City Council adopt this ordinance.
5. **WATER & POWER**  
**PUBLIC HEARING**  
**MUNICIPAL CODE CHANGES TO WASTEWATER SYSTEM CHAPTER 13.10**  
**Consideration on first reading of an ordinance amending the Loveland Municipal Code at Chapter 13.10 concerning pretreatment**  
This is a legislative action to adopt an ordinance amending Chapter 13.10 of the Loveland Municipal Code concerning the City's Wastewater Pretreatment Program. The amendments are being proposed to meet a requirement of the compliance schedule issued by the Colorado Department of Public Health and Environment (CDPHE) in the City's Wastewater Treatment Plant (WWTP) discharge permit and to address recommendations from the U.S. Environmental Protection Agency (EPA) following its audit of the Pretreatment Program in August 2011. In addition, the revisions bring Chapter 13.10 more in line with EPA's model ordinance which should be helpful in a future audit.

**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**

6. **CITY CLERK**  
**APPROVAL OF COUNCIL MINUTES**  
**Consideration of a motion approving Council minutes**  
This is an administrative action to approve Council minutes from the August 14, 2012 study session. Not all Councilors were present at the meeting.
7. **POLICE**  
**LARIMER HUMANE SOCIETY UPDATE**  
This is an information item providing a brief update on the first six months' performance of the Humane Society under the reduced rate contract for 2012.
8. **DEVELOPMENT SERVICES**  
**RIGHT-OF-WAY EASEMENT VACATION – HARLOW ADDITION (FIRST BANK BUILDING)**  
**Consideration on second reading of an ordinance vacating a portion of a public right-of-way adjacent to Lot 1, Harlow Addition, City of Loveland, Larimer County, Colorado**  
This is a legislative action to vacate a portion of a public alley right-of-way in the Harlow Addition to the City of Loveland. The applicant is First Bank. First Bank will dedicate a new public access, emergency access and utility easement to replace the vacated portion of the alley right-of-way. This will assure that all owners of property abutting this alley, as well as all utility providers and emergency services, will continue to have the same access rights. City Council unanimously approved the ordinance on first reading on August 21, 2012. Since then the ordinance was amended to grant the replacement easement by means of the plat rather than by a separate document. All other provisions of the ordinance remain the same as for first reading.

9. **FINANCE**  
**JULY 2012 FINANCIAL REPORT**

The Snapshot Report includes the City's preliminary revenue and expenditures including detailed reports on tax revenue, health claims and cash reserves for the seven months ending July 31, 2012.

10. **CITY MANAGER**  
**INVESTMENT REPORT FOR JULY 2012**

The budget estimate for investment earnings for 2012 is \$2,729,560. Through July 2012, the amount posted to the investment account is \$1,658,581 including realized gains. Actual year-to-date earnings are higher than the year-to-date projection by \$49,715. Based on the July monthly statement, the estimated annualized yield on the U.S. agencies and corporates remained at 1.31%, under the annual target rate of 1.7% for 2012. Reinvestment rates are still near record low levels, much lower than the budget projection.

**ADJOURN**