

**LOVELAND CITY COUNCIL MEETING
LOVELAND URBAN RENEWAL AUTHORITY BOARD OF COMMISSIONERS
GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS
TUESDAY, NOVEMBER 20, 2012
CITY COUNCIL CHAMBERS
500 EAST THIRD STREET
LOVELAND, COLORADO**

The City of Loveland is committed to providing an equal opportunity for citizens and does not discriminate on the basis of disability, race, color, national origin, religion, sexual orientation or gender. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act. For more information, please contact the City's ADA Coordinator at bettie.greenberg@cityofloveland.org or 970-962-3319.

**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

SWEARING IN CEREMONY

ROLL CALL

ELECTION OF MAYOR PRO TEM

PROCLAMATION DECLARING NOVEMBER 2012 AS NATIONAL FAMILY CAREGIVER 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 MANAGER
 BOARDS & COMMISSIONS APPOINTMENT
 Consideration of a motion appointing members to the Transportation Advisory Board and the Youth Advisory Commission
 This is an administrative item recommending the appointment of Jack Bowman to the**

Transportation Advisory Board for a full term effective until June 30, 2015 and appointing Austin Anderson to the Youth Advisory Commission for a term effective through May, 2013.

2. FINANCE

SUPPLEMENTAL APPROPRIATION FINALIZE 2012 CITY BUDGET

Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget

This is an administrative action. The ordinance is necessary to resolve several year-end issues and finalize the 2012 budget. Several of the issues are new and the remainder we have been following throughout the year and have waited until now to provide the best forecast for the cost to the end of the year. City Council unanimously approved the first reading of the ordinance on November 6, 2012.

3. FINANCE

SUPPLEMENTAL APPROPRIATION 2012 SPECIAL IMPROVEMENT DISTRICT #1

Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to Loveland Special Improvement District #1 2012 budget and authorizing district bond prepayment

This is an administrative action. The ordinance appropriates reserves from prepaid assessments to call bonds, reducing the principal amount on the bonds to be repaid. City Council unanimously approved the first reading of the ordinance on November 6, 2012.

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

4. FINANCE

SUPPLEMENTAL APPROPRIATION LOVELAND URBAN RENEWAL AUTHORITY

Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2012 budget for the Loveland Urban Renewal Authority

This is an administrative action. The ordinance appropriates tax increment financing (TIF) revenues above what was anticipated in the budget for projects previously approved and under contractual relationships. Additional revenues will be used to improve a new parking lot, continue the Facade Grant program, and pay down contractual reimbursements to developers. City Council unanimously approved the first reading of the ordinance on November 6, 2012.

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)

5. FINANCE

SUPPLEMENTAL APPROPRIATION GENERAL IMPROVEMENT DISTRICT #1

Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2012 Loveland General Improvement District #1 budget for downtown parking improvements

This is an administrative action. The ordinance appropriates funding for improvements necessary to construct a new parking lot in the downtown area. City Council unanimously approved the first reading of the ordinance on November 6, 2012.

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

6. HUMAN RESOURCES

2013 PAY PLAN AMENDMENT – POLICE DEPARTMENT STEP PLAN

Consideration on second reading of an ordinance amending Ordinance 5709 to remove from the 2013 Pay Plan and adopt a revised Police Department Step Plan for nine (9) designated Police Department positions

This is an administrative action. Approval of this ordinance amends the 2013 Pay Plan, adopted by Council on second reading on October 16, 2012, to include the addition of the revised Police Department Step Plan for nine (9) designated Police Department positions. These nine (9) positions are currently in a modified step plan, placed within the City-wide Pay Plan established ranges. As a result of a compensation survey, conducted with the assistance of a third party, Mountain States Employers' Council (MSEC), it is necessary to adjust the Step Plan to ensure the City fosters appropriate workplace performance/practices and attracts and retains employees. City Council unanimously approved the first reading of the ordinance on November 6, 2012.

7. WATER & POWER

MUNICIPAL CODE AMENDMENT – WATER RIGHTS FOR SERVICE OUTSIDE CITY LIMITS

Consideration on second reading of an Ordinance amending the Loveland Municipal Code at Section 19.04.023 regarding water rights for service outside the City limits

This is a legislative action to amend the Loveland Municipal Code at Section 19.04.023. The proposed ordinance is intended to clarify when water rights are required for city water service to property not annexed into the City of Loveland. City Council unanimously approved the first reading of the ordinance on November 6, 2012.

8. CITY MANAGER

AMEND CITY OF LOVELAND INVESTMENT POLICY

Consideration on second reading of an ordinance amending the City of Loveland Investment Policy

This is a legislative action to adopt an ordinance on second reading that will provide for more discretion in the management of the City's investment portfolio. The proposed ordinance implements a change to the City's Investment Policy Section VIII regarding prohibited investments. The specific provisions currently in place provide that investments that fall in a credit rating below the required level for acquisition are to be sold as soon as practical. The proposed change allows the City to conduct analysis of the downgraded investment to determine the risk of default prior to maturity and sets up a procedure to allow downgraded securities to be held to maturity or to a more profitable time. The purpose is to reduce realized losses to the City's portfolio. The impetus for the policy change is a series of downgrades by rating agencies of securities issued by highly rated banks and financial institutions. All corporate securities held by the City are high quality investment grade. City Council unanimously approved the first reading of the ordinance on November 6, 2012.

9. AIRPORT

SUPPLEMENTAL APPROPRIATION & AUTHORIZATION FOR GRANT AGREEMENT

Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2012 Ft. Collins-Loveland Municipal Airport budget for

the purchase of snow removal equipment

This is an administrative action. The ordinance appropriates a State grant and the local match for the purchase of snow removal equipment for the Airport. The resolution authorizes the City Manager to execute the grant agreement. City Council unanimously approved the first reading of the ordinance on November 6, 2012.

**10. CULTURAL SERVICES
PUBLIC HEARING**

COMMISSION & PLACEMENT OF ARTWORK AT HWY 34 & I-25 INTERCHANGE

- a) **Consideration of Resolution #R-78-2012 a resolution approving an Intergovernmental Agreement between the City of Loveland and the State of Colorado Department of Transportation regarding the commission and placement of artwork in the U.S. Highway 34 and Interstate Highway I-25 Interchange and limited landscaping**
- b) **Consideration of an ordinance on first reading enacting a supplemental budget and appropriation to the 2012 City of Loveland budget for the commission and placement of art work at the U.S. Highway 34 and I-25 interchange**

This is an administrative action. The item contains a resolution to approve an agreement with the Colorado Department of Transportation to commission and place artwork in and, if appropriate, provide limited landscaping within the northeast quadrant of the U.S. 34 and I-25 Interchange to create a welcoming and iconic entryway into the north front range community using a CDOT Beautification Grant awarded in 2003 and previously reserved City funds; and a supplemental budget to appropriate the grant funds.

**11. PUBLIC WORKS
AWARD OF CONSTRUCTION CONTRACT**

Consideration of a motion awarding a construction contract to Mountain Constructors, Inc., in the amount of \$900,000 to complete a stormwater maintenance project under Project No. SW1201

This is an administrative action seeking approval for awarding a construction contract to Mountain Constructors, Inc. This is a planned maintenance contract funded by the Stormwater Utility's Capital Improvement Project Fund and by money appropriated in 2012.

**12. DEVELOPMENT SERVICES
PUBLIC HEARING
ANNEXATION & ZONING FOR MEHAFFEY PARK**

- a) **Consideration of Resolution #R-79-2012 a resolution concerning the annexation to the City of Loveland, Colorado, of a certain area designated as "Mehaffey Park First Addition" more particularly described herein, and setting forth findings of fact and conclusions based thereon as required by the state constitution and state statutes**
- b) **Consideration on first reading of an ordinance approving the annexation of certain territory to the City of Loveland, Colorado, to be known and designated as "Mehaffey Park First Addition" to the City of Loveland**
- c) **Consideration on first reading of an ordinance amending Section 18.04.040 of the Loveland Municipal Code, the same relating to zoning regulations for "Mehaffey Park First Addition" to the City of Loveland**
- d) **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 Tract "B", Vanguard-Famleco First Addition and a**

portion of Tract "C", Vanguard-Famleco Second Addition, City of Loveland, Larimer County Colorado

A public hearing is to consider the following items on first reading:

- A legislative action to adopt a resolution and ordinance to annex 60.44 acres of City owned property to be known as the Mehaffey Park Addition;
- A quasi-judicial action to zone the 60.44 acre property PP- Public Park District; and
- A quasi-judicial action to rezone the 9.36 acres of City owned property from the Meadowbrook Ridge Planned Unit Development to Public Park District and amend the General Development Plan.

The property is located south of West 29th Street, east of Cascade Avenue, north of 22nd Street and ¼ mile west of Wilson Avenue. The applicant is the City of Loveland, Parks and Recreation Department.

13. FINANCE

SUPPLEMENTAL APPROPRIATION TO LOVELAND FIRE RESCUE AUTHORITY 2012 BUDGET

Consideration of Resolution #R-80-2012 a resolution approving a supplemental budget and appropriation to the Loveland Fire Rescue Authority 2012 budget

This is an administrative action. The resolution provides for Council approval of supplemental changes to the Loveland Fire Rescue Authority 2012 Budget for revenue and expenses associated with wildland firefighting and training exercises. The Council approval of the budget is required for the Authority's budget to be in effect.

END OF CONSENT AGENDA

CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA

CITY COUNCIL

- Citizens' Report** *Anyone who wishes to speak to an item NOT on the Agenda may address the Council at this time.*
- 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.*
- City Manager Report**
- 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. CITY CLERK

APPROVAL OF COUNCIL MINUTES

Consideration of a motion approving Council minutes

This is an administrative action to approve Council minutes from the following meetings:

October 23, 2012 study session and November 6, 2012 regular meeting.

15. **CITY MANAGER**
NEW CAPITAL EXPANSION FEES SCHEDULE
Consideration of Resolution #R-81-2012 a resolution adopting a new schedule of Capital Expansion Fees pursuant to Section 16.38.020.E of the Loveland Municipal Code effective January 1, 2013
This is an administrative action to consider a resolution adopting a new schedule of CEFs. Throughout this year, City staff members have conducted the five year review of the capital expansion fees. The staff has prepared a resolution that adopts a new CEF fee schedule at rates indicated by the fee study. The resolution provides for modest increases in the fees for single family houses, reduced fees for multi-family housing projects, and increases for commercial and industrial projects. Three amendments to the recommended fee schedule are included to address additional adjustments requested by Council members in the recent Study Session.

16. **ECONOMIC DEVELOPMENT**
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION – FUND WAY FINDING SIGNS
Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget to fund way finding signs throughout Loveland with Loveland lodging tax funds
This is an administrative action. Existing lodging tax reserves (\$186,000) are being used to fund a signage program directing visitors and residents to places of interest in Loveland. Reserves that have been saved are used as the funding source. The drawdown of reserves limits the flexibility for other projects to be funded within the fund. The lodging tax reserve fund balance is \$718,000.

17. **ECONOMIC DEVELOPMENT**
AGREEMENTS WITH LIGHTNING HYBRIDS, INC
Consideration of Resolution #R-82-2012 a resolution approving Lightning Hybrids, Inc. Hydraulic Hybrid Retrofit System Agreement and Amendment Number One to Lightning Hybrids, Inc. Economic Incentive and Performance Agreement
This is an administrative action. The resolution authorizes the City Manager to sign a purchasing agreement with Lightning Hybrids (LH) for a hydraulic hybrid retrofit of two City buses and an amendment to the economic incentive agreement with Lightning Hybrids dated July 10, 2009. Staff has negotiated a contract with Lightning Hybrids that would apply the \$28,000 owed to the City for nonperformance under the incentive agreement towards the retrofit of the City buses.

18. **ECONOMIC DEVELOPMENT**
DISCUSSION OF A COMMON CONSUMPTION AREA IN DOWNTOWN LOVELAND
This item is information only. Staff will present findings on the creation of a Common Consumption area in Loveland. Earlier this year, a Common Consumption area was created in Downtown Greeley. City Council requested that staff look into the issue and determine if it was feasible in Downtown Loveland. The Common Consumption area would allow for patrons of downtown establishments to carry alcoholic beverages freely from one establishment to another within a defined area and defined time period.

ADJOURN