

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, Trenary, Fogle, McKean, Shaffer and Taylor.

PRESENTATION Ed Aitken, Associated Veterans of Loveland, spoke to Council about the Veteran's Day events. This year's them is Welcome Home. Tony DuMosch and Steven Rylant were also present.

PROCLAMATION Councilor Trenary read the proclamation which was accepted by Planning Manager Robert Paulsen.

PROCLAMATION

WHEREAS, Community Planning is a vital ingredient in maintaining and enhancing the high quality of life available to Loveland citizens; and

WHEREAS, Community Planning contributes to the preservation of important natural features and to the development of a functional and aesthetically-pleasing built environment; and

WHEREAS, Community Planning provides opportunities for all citizens to become involved in the decision making process that determines the future urban form of our community; and

WHEREAS, the month of October is designated as National Community Planning Month by the American Planning Association and is being celebrated across the nation as an opportunity to highlight the contributions that sound planning makes to our communities; and

WHEREAS, This celebration gives us the opportunity to recognize the participation and dedication of city staff, the planning commission and citizens across the community that have contributed their time and expertise to the improvement of the City of Loveland.

NOW THEREFORE, we, the Loveland City Council, do hereby proclaim October of 2012 as
COMMUNITY PLANNING MONTH

In the City of Loveland.
Signed this 16th day of October, 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 remove any of the items or public hearings listed on the Consent Agenda. 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: The minutes from the September 25, 2012 study session and the October 2, 2012 regular meeting were approved.

2. PUBLIC WORKS

Municipal Code Amendment – Storm Drainage Criteria & Standards

Ordinance #5707

Legislative Action: "AN ORDINANCE AMENDING THE LOVELAND MUNICIPAL CODE AT SECTIONS 13.18.100, 16.24.014, AND 16.24.015 CONCERNING THE CITY OF LOVELAND STORM DRAINAGE CRITERIA AND THE CITY OF LOVELAND STORM DRAINAGE STANDARDS" was approved and ordered published on second reading.

3. FINANCE

2013 City of Loveland Budget

a) Resolution #R-64-2012

Administrative Action: Resolution #R-64-2012 adopting the 2013 Schedule of Rates, Charges and Fees for services provided by the Stormwater Enterprise of the City of Loveland, Colorado and superseding all prior resolutions establishing such rates, charges, and fees was approved.

RESOLUTION #R-64-2012

A RESOLUTION ADOPTING THE 2013 SCHEDULE OF RATES, CHARGES, AND FEES FOR SERVICES PROVIDED BY THE STORM WATER ENTERPRISE OF THE CITY OF LOVELAND, COLORADO AND SUPERSEDING ALL PRIOR RESOLUTIONS ESTABLISHING SUCH RATES, CHARGES, AND FEES

WHEREAS, the Loveland Municipal Charter and Code provide that all utility rates, charges, and fees of the City shall be set by resolution upon two readings of the City Council; and

WHEREAS, the City Council last set the rates, charges, and fees for the services provided by the Storm Water Enterprise in Resolution #R-63-2011; and

WHEREAS, the City Council periodically adjusts the rates, charges, and fees for services provided by the Storm Water Enterprise to more accurately reflect the cost of providing such services to its customers; and

WHEREAS, City staff has presented to the City Council a revised "Schedule of Rates, Charges, and Fees," a copy of which is attached hereto as Exhibit A and incorporated herein by reference ("Schedule of Rates, Charges, and Fees").

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

Section 1. That the Schedule of Rates, Charges, and Fees, attached hereto as Exhibit A, is hereby adopted for services provided by the Storm Water Enterprise of the City of Loveland, Colorado and beginning with billings mailed on or after January 1, 2013.

Section 2. That this Resolution shall supersede in all respects all previous resolutions of the City Council which set the rates, charges, and fees now being set, including those set in Resolution #R-63-2011, for all affected billings mailed on or after January 1, 2013.

Section 3. That notwithstanding the foregoing, the rates, charges, and fees as set in Resolution #R-63-2011 shall continue in full force and effect from the date of this Resolution until they are superseded on and after January 1, 2013 as provided herein.

Section 4. That this Resolution shall be effective as of the date of its adoption on second reading as provided in the Loveland Municipal Code.

ADOPTED this 16th day of October, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

- b) Resolution #R-65-2012** Administrative Action: Resolution #R-65-2012, adopting the 2013 Schedule of Rates, Charges and Fees for services provided by the Water & Power Department of the City of Loveland and superseding all prior resolutions establishing such rates, charges and fees was approved.

RESOLUTION #R-65-2012

A RESOLUTION ADOPTING THE 2013 SCHEDULE OF RATES, CHARGES, AND FEES FOR SERVICES PROVIDED BY THE WATER AND POWER DEPARTMENT OF THE CITY OF LOVELAND AND SUPERSEDING ALL PRIOR RESOLUTIONS ESTABLISHING SUCH RATES, CHARGES, AND FEES

WHEREAS, the Loveland Municipal Charter and Code provide that all utility rates, charges, and fees of the City shall be set by resolution upon two readings of the City Council; and

WHEREAS, the City Council last set such rates, charges, and fees for the City's Water and Power Department in Resolution #R-64-2011, as amended by Resolution #R-9-2012; and

WHEREAS, the City Council periodically adjusts the fees for such utility services to more accurately reflect the cost of providing the services to its customers; and

WHEREAS, City staff has presented to the City Council a revised "Schedule of Rates, Charges, and Fees," a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference ("Schedule of Rates, Charges, and Fees").

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

Section 1. That the Schedule of Rates, Charges, and Fees, attached hereto as Exhibit A, is hereby adopted for services provided by the Water and Power Department of the City of Loveland and beginning with billings mailed on or after January 1, 2013.

Section 2. That this Resolution shall supersede in all respects all previous resolutions of the City Council which set the rates, charges, and fees now being set, including those set in Resolution #R-64-2011, as amended by Resolution #R-9-2012, for all affected billings mailed on or after January 1, 2013.

Section 3. That notwithstanding the foregoing, the rates, charges, and fees as set in Resolution #R-64-2011, as amended by Resolution #R-9-2012, shall continue in full force and effect from the date of this Resolution until they are superseded on and after January 1, 2013 as provided herein.

Section 4. That this Resolution shall be effective as of the date of its adoption on second reading as provided in the Loveland Municipal Code.

ADOPTED this 16th day of October, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

- c) Ordinance #5708 Legislative Action: "AN ORDINANCE ADOPTING THE 2012 MILL LEVY FOR THE GENERAL FUND OF THE CITY OF LOVELAND, COLORADO" was approved and ordered published on second reading.
- d) Ordinance #5709 Administrative Action: "AN ORDINANCE ADOPTING A 2013 PAY PLAN FOR CITY EMPLOYEES, AND SUPERSEDING ALL PRIOR ORDINANCES ADOPTING SUCH A PAY PLAN" was approved and ordered published on second reading.
- e) Ordinance #5710 Administrative Action: "AN ORDINANCE ADOPTING THE 2013 BUDGET FOR THE CITY OF LOVELAND, COLORADO" was approved and ordered published on second reading.
- f) Ordinance #5711 Administrative Action: "AN ORDINANCE MAKING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2013

FOR THE CITY OF LOVELAND, COLORADO" was approved and ordered published on second reading.

4. FINANCE

2013 Budget for the Loveland Special Improvement District #1

Ordinance #5712

Administrative Action: "AN ORDINANCE ADOPTING THE 2013 BUDGET FOR THE LOVELAND SPECIAL IMPROVEMENT DISTRICT #1" was approved and ordered published on second reading.

At 6:50 p.m. the City Council adjourned and convened as the Board of Commissioners for the Loveland Urban Renewal Authority (LURA)

5. FINANCE

2013 Budget for the Loveland Urban Renewal Authority

Ordinance #5713

Administrative Action: "AN ORDINANCE ADOPTING THE 2013 BUDGET FOR THE LOVELAND URBAN RENEWAL" was approved and ordered published on second reading.

At 6:50 p.m. the Board of Commissioners for the Loveland Urban Renewal Authority adjourned and convened as the Board of Directors for the Loveland General Improvement District #1 (GID)

6. FINANCE

2013 Budget for the General Improvement District #1

a) Ordinance #5714

Administrative Action: "AN ORDINANCE ADOPTING THE 2013 BUDGET FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1" was approved and ordered published on second reading.

b) Ordinance #5715

Legislative Action: "AN ORDINANCE SETTING THE 2012 MILL LEVY FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1" was approved and ordered published on second reading.

At 6:50 p.m. the Board of Directors for the Loveland General Improvement District #1 adjourned and reconvened as City Council.

7. FINANCE

2013 Airport Budget

Ordinance #5716

Administrative Action: "AN ORDINANCE ADOPTING THE 2013 BUDGET FOR THE FORT COLLINS-LOVELAND MUNICIPAL AIRPORT" was approved and ordered published on second reading.

8. WATER & POWER

Windy Gap Firming Project

Resolution #R-68-2012

Administrative Action: Resolution #R-68-2012 approving and authorizing the execution of a Sixth Amendment to the Fourth Interim Agreement with the Municipal Subdistrict, Northern Colorado Water Conservancy District Windy Gap Firming Project Water Activity Enterprise, for participation in the Windy Gap Firming Project was approved.

RESOLUTION #R-68-2012

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A SIXTH AMENDMENT TO THE FOURTH INTERIM AGREEMENT WITH THE MUNICIPAL SUBDISTRICT, NORTHERN COLORADO

WATER CONSERVANCY DISTRICT WINDY GAP FIRING PROJECT WATER ACTIVITY ENTERPRISE,
FOR PARTICIPATION IN THE WINDY GAP FIRING PROJECT

WHEREAS, since the 1970s, the City of Loveland has been a participant in the Windy Gap Project ("Project"), which is managed by the Municipal Subdistrict of the Northern Colorado Water Conservancy District ("Subdistrict"); and

WHEREAS, the City owns 40 units, which represent raw water, in the Windy Gap Project; and

WHEREAS, the Windy Gap Project water rights are junior, and won't supply water during drought without storage;
and

WHEREAS, the Subdistrict and participants have been seeking ways to improve the reliability and yield of Windy Gap Project units (the 'Windy Gap Firing Project"); and

WHEREAS, the City has been Involved in the Windy Gap Firing Project, which has Identified a possible reservoir site at Chimney Hollow; and

WHEREAS, the City has reserved 7,000 acre-feet of storage in the Windy Gap Firing Project; and

WHEREAS, the Subdistrict requested a further commitment from all participants, including the City, to make possible the completion of environmental and other permitting, environmental studies, further engineering studies, preliminary design work, and land acquisition for the Project ("the Fourth Phase") by way of a Fourth Interim Agreement Between the Municipal Subdistrict, Northern Colorado Water Conservancy District Windy Gap Firing Project Water Activity Enterprise, and City of Loveland, Colorado for Participation in the Windy Gap Firing Project ("Agreement"); which was signed on February 16, 2006; and

WHEREAS, the Agreement was amended on December 11, 2007 ("First Amendment"), to provide additional funding to complete the Fourth Phase; on August 18, 2008 ("Second Amendment") to increase the City's storage capacity in the Project; on June 10, 2009 ("Third Amendment") to provide additional funding to complete the Fourth Phase; on July 15, 2010 to provide additional funding to complete the Fourth Phase ("Fourth Amendment"); and on February 2, 2012 to provide additional funding to complete the Fourth Phase ("Fifth Amendment"); and

WHEREAS, the Subdistrict needs additional funds to complete the Fourth Phase and is requesting that all participants, including the City, execute another amendment to the Agreement committing additional monies proportionate to their commitment to the Project; and

WHEREAS, the Loveland Utilities Commission recommends that the City enter into an amendment to complete the Fourth Phase of the Project; and

WHEREAS, the City Council finds that participation in the Project will benefit the Utility's ratepayers and is in the best interests of Loveland's citizens; and

WHEREAS, the City Council desires to enter into an amendment to complete the Fourth Phase of the Project.

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

Section 1. That the "Sixth Amendment to Fourth Interim Agreement Between the Municipal Subdistrict, Northern Colorado Water Conservancy District Windy Gap Firing Project Water Activity Enterprise, and the City of Loveland for Participation in the Windy Gap Firing Project" ("Sixth Amendment"), attached hereto as Exhibit A and incorporated herein by reference, is approved, and the Mayor and City Clerk are authorized to execute and enter into the Sixth Amendment on behalf of the City of Loveland.

Section 2. That the Mayor is authorized, following consultation with the City Manager and the City Attorney, to approve changes to the form of the Sixth Amendment, in form or in substance, as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

Section 3. That this Resolution shall take effect as of the date and time of its adoption.

ADOPTED this 16th day of October, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

9. PUBLIC WORKS

Municipal Code Amendment – Floodplain Regulations

1st Rdg Ord & P.H.

Legislative Action: A public hearing was held and "AN ORDINANCE AMENDING THE LOVELAND MUNICIPAL CODE AT CHAPTER 15.14 AND CHAPTER 18.45 REGARDING CONSTRUCTION IN FLOODPLAINS" was approved and ordered published on first reading.

10. PUBLIC WORKS

Revisions to Storm Drainage Standards

Resolution #R-69-2012

Legislative Action: Resolution #R-69-2012 ratifying and reaffirming the City of Loveland Storm Drainage Standards and approving amendments thereto dated August 15, 2012 was approved.

RESOLUTION #R-69-2012

A RESOLUTION RATIFYING AND REAFFIRMING THE CITY OF LOVELAND STORM DRAINAGE STANDARDS AND APPROVING AMENDMENTS THERETO DATED AUGUST 15, 2012

WHEREAS, on January 18, 2005 by Resolution #R-10-2005, the Loveland City Council adopted standards related to the construction of storm drainage Improvements and stormwater quality components entitled the "City of Loveland Storm Drainage Standards" ("Storm Drainage Standards"); and

WHEREAS, the City Council approved amendments to the Storm Drainage Standards on July 11, 2006 by Resolution #R-58-2006 (revision date November 29, 2005); on October 16, 2007 by Resolution #R-111-2007 (revision date August 17, 2007); and on July 21, 2009 by Resolution #R-67-2009 (revision date May 1, 2009); and

WHEREAS, on August 15, 2012, the City's Stormwater Utility staff drafted additional amendments to the Storm Drainage Standards; and

WHEREAS, on August 22, 2012, the Construction Advisory Board unanimously approved and recommended that the City Council adopt the proposed amendments dated August 15, 2012 to the Storm Drainage Standards; and

WHEREAS, the City Council finds and determines that it is necessary for the health, safety, and welfare of the public that the City regulate the construction of storm drainage Improvements within the City and desires to ratify and reaffirm the Storm Drainage Standards, as revised November 29, 2005, August 17, 2007, and May 1, 2009, and approve the amendments thereto dated August 15, 2012, in accordance with Section 16.24.014 of the Loveland Municipal Code.

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

Section 1. That the City of Loveland Storm Drainage Standards, as revised November 29, 2005, August 17, 2007, and May 1, 2009, a copy of which is on file with the City Clerk and is incorporated herein by this reference, are hereby ratified and reaffirmed as the development standards of the City for the purpose of establishing standards for construction of new storm drainage improvements and stormwater quality components within all developments within the City.

Section 2. That the amendments to the City of Loveland Storm Drainage Standards dated August 15, 2012, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, are hereby adopted.

Section 2. That the City of Loveland Storm Drainage Standards, as revised November 29, 2005, August 17, 2007, and May 1, 2009, and August 15, 2012, shall supersede and replace all previously-adopted versions of the Storm Drainage Standards with respect to construction of all storm drainage Improvements and stormwater quality components for all new land use and building permit applications received on or after the effective date of this Resolution.

Section 3. That a copy of the City of Loveland Storm Drainage Standards, as revised November 29, 2005, August 17, 2007, and May 1, 2009, and August 15, 2012, shall be placed on file with the City Clerk.

Section 4. That this Resolution shall take effect as of the date on which Ordinance No. 5707 goes into effect.

ADOPTED this 16th day of October, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

11. Development Services

Municipal Code Amendment – Historic Preservation Commission Membership

1st Rdg Ord. & P.H.

Legislative Action: A public hearing was held and "AN ORDINANCE AMENDING SECTION 2.60.130 OF THE LOVELAND MUNICIPAL CODE PERTAINING TO THE HISTORIC PRESERVATION COMMISSION" was approved and ordered published on first reading.

12. Development Services

Sublease Agreement with House of Neighborly Service

Resolution #R-70-2012

Administrative Action: Resolution #R-70-2012 approving a sublease agreement with the House of Neighborly Service for real property leased by the City of Loveland and located at 137 S. Lincoln Avenue in Loveland, Colorado was approved.

RESOLUTION #R-70-2012

A RESOLUTION APPROVING A SUBLEASE AGREEMENT WITH THE HOUSE OF NEIGHBORLY SERVICE FOR REAL PROPERTY LEASED BY THE CITY OF LOVELAND AND LOCATED AT 137 S. LINCOLN AVENUE IN LOVELAND, COLORADO

WHEREAS, on November 1, 2008, the City of Loveland, as tenant, and Galen Stoltzfus, as landlord, entered into a one-year lease agreement ("Lease Agreement") for certain real property located at 137 S. Lincoln Avenue in Loveland, Colorado ("Property") with the understanding that the City would sublease the Property to the House of Neighborly Service for social work offices, client services, and operation of a day shelter; and

WHEREAS, pursuant to Article II, Paragraph 2.1 of the Lease Agreement, the City and Mr. Stoltzfus have renewed the Lease Agreement for four consecutive one-year terms, the last of which expires on October 31, 2013; and

WHEREAS, during each renewal term of the Lease Agreement, the City and the House of Neighborly Service have entered into an annual sublease agreement, the last of which expires on October 31, 2012; and

WHEREAS, the City and the House of Neighborly Service desire to enter into a sublease agreement effective November 1, 2012 through October 31, 2013 so that the House of Neighborly Service may use the Property for social work offices, client services, and operation of a day shelter.

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

Section 1. That the "Sublease Agreement," attached hereto as Exhibit A and incorporated herein by reference, is hereby approved.

Section 2. That the City Manager is hereby authorized, following consultation with the City Attorney, to modify the Sublease Agreement in form or substance as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

Section 3. That the City Manager and the City Clerk are hereby authorized and directed to execute the Sublease Agreement on behalf of the City.

Section 4. That this Resolution shall be effective as of the date of its adoption.

ADOPTED this 16th day of October, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports None

b) Business from Council

- Klassen Councilor Klassen toured Scion industries on October 5, 2012. The company has recently won a government contract worth up to \$3 million. He also mentioned a book signing event last Friday night at Anthology Bookstore for David Jessup's new book Mariano's Crossing. Councilor Klassen also urged Council members to speak into the microphone.
- Trenary Councilor Trenary mentioned the next session of the Larimer County Workforce Employer's Round Table meetings will be hosted at the Loveland Police Institute on Friday mornings. Fall recruitment has begun for open positions on several Loveland Boards and Commissions. Congratulations to all involved with the Loveland Art Studio Tour this past weekend.
- Taylor Councilor Taylor announced the Friends of the Library book sale this coming weekend at the Larimer County Fairgrounds in the Thomas McKee building. On Sunday, October 21st, Scottish author Alexander McCall Smith is speaking at the Roberta Price auditorium from 7:00 to 9:00 pm.
- Shaffer Councilor Shaffer mentioned she participated in the open studio tours last weekend along with Friday Night on the Town. This Thursday is Group Publishing's Community Service awards. She is participating in the Net Zero conference. This Thursday from 3:00 to 5:00 pm is the Lights on after School program at the Loveland Boys and Girls Club. An open house regarding updating the City's Transportation Plan will be held at the Police institute from 4:00 to 6:00 pm on Wednesday, October 17, 2012.
- Fogle Councilor Fogle enjoyed breakfast at the Millner Schwartz House at the Fairgrounds Park with the Loveland Historical Society. The Loveland Historical Society will begin to look at ways to preserve the old Great Western railroad depot at Monroe and 12th Street.
- Farley Councilor Farley mentioned two celebrations that will be held in honor of the reaccreditation of the Loveland Museum: a family friendly celebration will occur Saturday, October 20, 2012 and a private celebration will be held on October 19, 2012.
- Gutierrez Mayor Gutierrez attended an event, last Friday night, for Foothills Gateway who was celebrating 40 years of operation and serving 19,000 people in Loveland and Fort Collins. The Mayor welcomed a group of people from New Zealand as part of Northern Colorado Friendship Force. On October 25, 2012 a joint, elected official's dinner meeting will be held at the Founders Room in the Lincoln Center, Fort Collins, at 6:00 p.m. The activities of the Highway 287 Coalition will be an agenda item at that meeting.
- New Business Councilor Shaffer moved to direct HR Director Julia Holland to work with the City Attorney's Office to bring a resolution to Council regarding proposed pay increases of 3.5% for the City Manager and City Attorney. Councilor Taylor seconded the motion. A roll call vote was taken with all Councilors voting in favor thereof.
- McKean Councilor McKean mentioned the Bill Reed Lego robotics exhibition is October 27, 2012.
- c) City Manager Report The following three Council members will be working with the City Manager on the agenda for the next City Council Advance: Mayor Gutierrez, Councilor Phil Farley and Councilor Chauncy Taylor.
- 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

13. DEVELOPMENT SERVICES

Amend Mirasol Community General Development Plan

1st Rdg Ord & P.H.

Councilor Fogle recused himself from hearing this item because his wife is an employee of Mirasol.

Quasi-judicial Action: City Planner Kerri Burchett introduced this item to Council. Sam Betters with the Housing Authority of the City of Loveland was also present. This is a quasi-judicial action to consider an ordinance on first reading that would amend the density, maximum number of units and off-street parking ratios established in the Mirasol Community General Development Plan. The Mirasol PUD consists of 24 acres located south of 4th Street SE, east of S. Madison Avenue and west of S. St. Louis Avenue. The applicant is the Housing Authority of the City of Loveland. The Mayor opened the public hearing at 7:30 p.m. and hearing no comments closed the hearing at 7:30 p.m. Councilor Shaffer move to approve and ordered published on first reading "AN ORDINANCE AMENDING SECTION 18.04.040 OF THE LOVELAND MUNICIPAL CODE, THE SAME RELATING TO ZONING REGULATIONS FOR PROPERTY LOCATED IN THE "MIRASOL FIRST SUBDIVISION" TO THE CITY OF LOVELAND, LARIMER COUNTY, COLORADO". Councilor Farley seconded the motion and a roll call vote was taken with all Councilors present voting to approve.

14. FINANCE

Fund Balance Presentation Information Only

Finance Director Brent Worthington Introduced this item to Council. This is a presentation of fund balance for end of year 2012 and 2013 under the new Governmental Accounting Standards Board Statement 54 guidelines. The Intention of GASB 54 is to improve the transparency of what is included in the fund balance and improve decision making on the use of fund balance in resource allocation discussions.

15. ECONOMIC DEVELOPMENT

Year One In Review Information Only

Economic Development Director Betsey Hale Introduced this Item to Council. The City established the Economic Development Department in August of 2011. This presentation will recap the accomplishments of the Department in year one.

Shaffer

The Transportation Commission of Colorado dinner meeting is Wednesday October 17, 2012 at 6:30 p.m. at the Loveland Embassy Suites.

ADJOURNMENT

Having no further business to come before Council, the October 16, 2012 Regular Meeting was adjourned at 9:43 p.m.



Respectfully Submitted,

Teresa G. Andrews
Teresa G. Andrews, City Clerk

Cecil A. Gutierrez
Cecil A. Gutierrez, Mayor