

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 Bruce Willard was presented with a Historic Landmark plaque for "Houseman House" located at 534 Harrison Avenue.

PROCLAMATION Councilor Klassen read the proclamation and Jess Rodriguez accepted.
Proclamation

WHEREAS, Jess Rodriguez owned the property where the Mariano Medina Family Cemetery is located; and
WHEREAS, The Mariano Medina legacy represents a significant period of time in Loveland's past, including the first settlement of the area; and

WHEREAS, Jess Rodriguez learned of the Loveland Historical Society's desire to preserve this legacy and create a Historical and Educational Park for local history and outdoor classrooms on the property; and

WHEREAS, Jess Rodriguez donated the parcel of land with the burial plots to the Loveland Historical Society; and

WHEREAS, This continues Jess Rodriguez's tradition of generosity to the community.

NOW, THEREFORE, we, the City Council of the City of Loveland, on behalf of a grateful community, do hereby extend our sincere thanks for this gift to the Loveland Historical Society for the benefit of the citizens of Loveland.

Signed this 2nd day of October, 2012

Cecil A. Gutierrez
Mayor

PRESENTATION Bill Merirath of the Loveland Historical Society was presented with a Historic Landmark plaque for the "Mariano Medina Family Cemetery".

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 Klassen requested item 3 be removed. Councilor Shaffer moved to approve the Consent Agenda, with the exception of item #3. The motion was seconded by Councilor Trenary 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 18, 2012 regular meeting were approved.

2. AIRPORT

Supplemental Appropriation for Runway Weather Information System

Ordinance #5704

Administrative Action: "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 FORT COLLINS-LOVELAND MUNICIPAL AIRPORT BUDGET FOR THE RUNWAY WEATHER INFORMATION SYSTEM INSTALLATION PROJECT" was approved and ordered published on second reading.

3. DEVELOPMENT SERVICES

Municipal Code Amendment – Use Credit for Capital Expansion Fees

This item was pulled from the consent agenda.

4. PUBLIC WORKS

Municipal Code Amendment – Stormwater Quality

Ordinance #5706

Legislative Action: "AN ORDINANCE AMENDING THE LOVELAND MUNICIPAL CODE AT CHAPTER 13.20 CONCERNING STORMWATER QUALITY" was approved and ordered published on second reading.

5. PUBLIC WORKS

Municipal Code Amendment – Storm Drainage Criteria & Standards

1st Rdg Ord & P.H.

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 first reading.

6. HUMAN RESOURCES

Setting Meeting Dates for Appointed Position Evaluations

Motion

Administrative Action: A motion calling special meetings for October 8 and October 10, 2012 in the City Manager Conference Room, 500 E. Third St, Loveland, Colorado beginning at 6:00 p.m. for the purpose of reviewing performance and conducting evaluations with Council appointed staff was approved.

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports

Gail Zirtzloff, Loveland resident thanked those Councilors who voted against the Museum item at the September 18, 2012 meeting.

b) Business from Council

McKean

Councilor McKean mentioned the groundbreaking for the Northern Colorado Regional Crime Lab will be on October 3, 2012 at 12:30 pm at 2329 115 Avenue, Greeley.

Trenary

Councilor Trenary mentioned the 20th anniversary of the Denver Susan G. Komen Race for the Cure is Sunday, October 7, 2012. He also mentioned the energy symposium

which is taking place this week at CSU. Mary Blair Elementary is having a "bobcat dash" fundraiser on Friday.

Fogle Councilor Fogle announced a fundraiser benefitting the Stepping Stones Adult Day Care Program will be held Friday, October 19th from 5:30 to 9:00 pm at 302 3rd Street SE.

Farley Councilor Farley stated the 3rd Annual Cajun Boil fundraiser for the Community Kitchen was very successful and thanked all those who attended.

Gutierrez Mayor Gutierrez recognized the reaccreditation of the Loveland Museum through the American Alliance of Museums. On Saturday, October 20, 2012 the Museum will host a family friendly celebration. A private celebration will be held on October 19, 2012.

c) City Manager Report None

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

3. DEVELOPMENT SERVICES

Municipal Code Amendment – Use Credit for Capital Expansion Fees

Ordinance #5705

Legislative Action: The Director of Development Services introduced this item to Council. This item is a legislative action to consider proposed amendments to the Loveland Municipal Code. The purpose of the Code amendment is to clarify how Capital Expansion Fee (CEF) credits are calculated and applied when a change to an existing use occurs. Councilor Shaffer moved to approve and ordered published on second reading "AN ORDINANCE REPEALING AND REENACTING SECTION 16.38.030 OF THE LOVELAND MUNICIPAL CODE REGARDING CHANGE IN USE CREDIT FOR CAPITAL EXPANSION FEES". Councilor Farley seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

7. CITY CLERK

Approval of Council Minutes

Motion

Administrative Action: City Clerk Terry Andrews introduced this item to Council. Not all Councilors were present at this meeting. Councilor Shaffer move to approve the minutes from the September 11, 2012 study session. Councilor Farley seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

8. FINANCE

2013 City of Loveland Budget

Budget Officer John Hartman introduced this item to Council. This is an administrative action to adopt the fee resolutions and ordinances, except for the mill levy ordinance, to approve the 2013 Budget on First Reading. The adoption of the 2012 mill levy is a legislative action. Included are all the Fee Resolutions and Ordinances necessary to adopt and implement the 2013 Budget. Discussion ensued. Mayor Gutierrez opened the public hearing at 8:15 p.m. The following people spoke: Jennifer Travis, Citizens' Finance Advisory Commission (CFAC) spoke in support, Dave Clark with CFAC stated there was not enough time to extensively review the budget and suggested next week to have a joint study session with CFAC and City Council to review proposed budget changes. The Mayor closed the hearing at 8:25 p.m.

a) Resolution #R-63-2012

Administrative Action: Councilor Shaffer moved to approve Resolution #R-63-2012 adopting the 2013 Schedule of Rates, Charges and Fees for Services provided by the City of Loveland, other than services provided by the Water and Power Department and Stormwater Enterprise, and superseding all prior Resolutions establishing such rates, charges and fees. Councilor Fogle seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

RESOLUTION #R-63-2012

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

WHEREAS, Section 3.04.025 of the Loveland Municipal Code provides that the City Council shall, by resolution, fix the rates, charges, and fees to be collected by the City for goods and services provided by the City; and

WHEREAS, the City Council last set the rates, charges, and fees for services provided by the City, other than services provided by the Water and Power Department and the Stormwater Enterprise, in Resolution #R-62-2011; and

WHEREAS, the City Council periodically adjusts the rates, charges, and fees said services to more accurately reflect the cost of providing said services to the 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 City of Loveland, other than services provided by the Water and Power Department and the Stormwater Enterprise, and shall apply to all 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-62-2011, for all billings mailed on or after January 1, 2013.

Section 3. That notwithstanding the foregoing, the rates, charges, and fees set in Resolution #R-62-2011 shall continue in full force and effect from the date of this Resolution until they are superseded on January 1, 2013 as provided herein.

Section 4. That this Resolution shall take effect as of the date of its adoption.

ADOPTED this 2nd 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-64-2012 Administrative Action: Councilor Shaffer moved to approve on first reading 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. Councilor Trenay seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

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 ____ 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) Resolution #R-65-2012 Administrative Action: Councilor Shaffer moved to approve on first reading 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. Councilor Fogle seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof

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 ___ day of October, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

- d) 1st Rdg Ord & P.H. Legislative Action: Councilor Shaffer moved to approve and ordered published on first reading "AN ORDINANCE ADOPTING THE 2012 MILL LEVY FOR THE GENERAL FUND OF THE CITY OF LOVELAND, COLORADO". Councilor Klassen seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.
- e) 1st Rdg Ord & P.H. Administrative Action: Councilor Shaffer moved to approve and ordered published on first reading "AN ORDINANCE ADOPTING A 2013 PAY PLAN FOR CITY EMPLOYEES, AND SUPERSEDING ALL PRIOR ORDINANCES ADOPTING SUCH A PAY PLAN". Councilor Taylor seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.
- f) 1st Rdg Ord & P.H. Administrative Action: Councilor Shaffer moved to approve and ordered published on first reading "AN ORDINANCE ADOPTING THE 2013 BUDGET FOR THE CITY OF LOVELAND, COLORADO". Councilor Taylor seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.
- g) 1st Rdg Ord & P.H. Administrative Action: Councilor Shaffer moved to approve and ordered published on first reading "AN ORDINANCE MAKING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2013 FOR THE CITY OF LOVELAND, COLORADO". Councilor Taylor seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

9. FINANCE

2013 Budget for the Loveland Special Improvement District #1

1st Rdg Ord & P.H.

Administrative Action: Budget Officer John Hartman introduced this item to Council. The City serves as the sponsoring agency for the Special Improvement District (SID) and the ex officio Board of Directors. The SID #1 was established to allow for the collection of assessments from property owners in the District to back bonded debt used to construct infrastructure improvements in the district. The City does not have any legal obligation

towards this debt. By State law, all special districts with a connection to the City must adopt a budget. The City of Loveland serves as staff for the District. Mayor Gutierrez opened the public hearing at 9:14 p.m. and hearing no comments closed the hearing at 9:14 p.m. Councilor Shaffer moved to approve and ordered published on first reading "AN ORDINANCE ADOPTING THE 2013 BUDGET FOR THE LOVELAND SPECIAL IMPROVEMENT DISTRICT #1". Councilor Farley seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

At 9:15 p.m. the City Council adjourned and convened as the Board of Commissioners for the Loveland Urban Renewal Authority (LURA)

10. FINANCE

2013 Budget for the Loveland Urban Renewal Authority

1st Rdg Ord & P.H.

Administrative Action: Budget Officer John Hartman introduced this item to Council. City Council serves as the Board of Commissioners for the Loveland Urban Renewal Authority. Be State budget law, the Board must approve an annual budget for the Authority. The City of Loveland serves as staff for the Authority. The Authority is funded by tax increment revenues from property and sales taxes. Mayor Gutierrez opened the public hearing at 9:16 p.m. and hearing no comments closed the hearing at 9:16 p.m. Councilor Shaffer moved to approve and ordered published on first reading "AN ORDINANCE ADOPTING THE 2013 BUDGET FOR THE LOVELAND URBAN RENEWAL". Councilor Klassen seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

At 9:23 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)

11. FINANCE

2013 Budget for the General Improvement District #1

Budget Officer John Hartman introduced this item to Council. The ordinance adopting the budget is an administrative action. The ordinance setting the mill levy is a legislative action. City Council serves as the ex-officio Board of Directors for the District. The Board must approve a budget and set the mill levy for the District. The City of Loveland serves as staff for the District. Mayor Gutierrez opened the public hearing at 9:25 p.m. and hearing no comments closed the hearing at 9:25 p.m.

a) 1st Rdg & P.H.

Administrative Action: Councilor Shaffer moved to approve and ordered published on first reading "AN ORDINANCE ADOPTING THE 2013 BUDGET FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1". Councilor Farley seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

b) 1st Rdg & P.H.

Legislative Action: Councilor Shaffer moved to approve and ordered published on first reading "AN ORDINANCE SETTING THE 2012 MILL LEVY FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1". Councilor McKean seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

At 9:27 p.m. the Board of Directors for the Loveland General Improvement District #1 adjourned and reconvened as City Council.

12. FINANCE

2013 Schedule of Rates, Charges & Fees and 2013 Airport Budget

Budget Officer John Hartman introduced this item to Council. This is an administrative action. The City of Loveland provides staff support to the Airport through the Intergovernmental Agreement with the City of Ft. Collins. As a part of this function the City Council approves the Airport budget, which includes the City's share of the Airport budget. These items set a schedule of fees, establish a budget and appropriate funds for Airport expenses in 2013. Mayor Gutierrez opened the public hearing at 9:28 p.m. and hearing no comments closed the hearing at 9:28 p.m.

a) Resolution #R-66-2012

Administrative Action: Councilor Shaffer moved to approve Resolution #R-66-2012 adopting the Schedule of Rates, Charges and Fees for the Fort Collins-Loveland Municipal Airport and superseding all prior Resolutions establishing such rates, charges and fees, effective January 1, 2013. Councilor Klassen seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

RESOLUTION #R-66-2012

A RESOLUTION ADOPTING THE 2013 SCHEDULE OF RATES, CHARGES AND FEES FOR THE FORT COLLINS-LOVELAND MUNICIPAL AIRPORT AND SUPERSEDING ALL PRIOR RESOLUTIONS ESTABLISHING SUCH RATES, CHARGES AND FEES, EFFECTIVE JANUARY 1, 2013

WHEREAS, the Intergovernmental Agreement (IGA) between the Cities of Loveland and Fort Collins related to ownership and operation of the Fort Collins-Loveland Municipal Airport (the "Airport") provides that the City of Loveland serves as the staff support for administrative services and the City has historically set the Airport rates, charges and fees; and

WHEREAS, the City Council last set rates, charges and fees for the Airport pursuant to Resolution #R-65-2011, for calendar year 2012;

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

Section 1. The 2013 Schedule of Rates, Charges and Fees for the Fort Collins-Loveland Municipal Airport is hereby adopted for services provided by the Airport on or after January 1, 2013.

Section 2. That this Resolution shall supersede in all respects all previous resolutions of the City Council setting the rates, charges and fees now being set, including those set in Resolution #R-65-2011, except with respect to any fee thereunder remaining due and owing on or after January 1, 2013.

Section 3. That notwithstanding the foregoing, the rates, charges and fees as set forth in Resolution #R-65-2011 shall continue in full force and effect from the date of this Resolution until they are superseded on January 1, 2013 as provided herein.

Section 4. This Resolution shall take effect as of the date of its adoption.

ADOPTED this 2nd day of October 2, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

b) 1st Rdg Ord & P.H.

Administrative Action: Councilor Shaffer moved to approve and ordered published on first reading "AN ORDINANCE ADOPTING THE 2013 BUDGET FOR THE FORT COLLINS-LOVELAND MUNICIPAL AIRPORT ON FIRST READING". Councilor McKean seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

13. FINANCE

2013 Budget for Loveland Fire Rescuc Authority

Resolution #R-67-2012

Administrative Action: Budget Officer John Hartman introduced this item to Council. This is an administrative action. The resolution provides for Council approval of the Loveland

Fire Rescue Authority Budget and fees schedule for 2013. Council approval of the budget is required for the Authority's budget to be in effect. Councilor Shaffer moved to approve Resolution #R-67-2012 approving the Loveland Fire Rescue Authority 2013 Schedule of rates, Charges, and Fees for Services and 2013 Budget. Councilor Farley seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

RESOLUTION #R-67-2012

A RESOLUTION APPROVING THE LOVELAND FIRE RESCUE AUTHORITY 2013 SCHEDULE OF RATES, CHARGES, AND FEES FOR SERVICES AND 2013 BUDGET

WHEREAS, the Loveland Fire Rescue Authority ("Fire Authority") is established pursuant to that certain Intergovernmental Agreement for the Establishment and Operation of the Loveland Fire Rescue Authority as a Separate Governmental Entity dated August 18, 2011 (the "Authority IGA") between the City of Loveland, a Colorado home rule municipality ("City") and the Loveland Rural Fire Protection District, a Colorado Special District ("District"); and

WHEREAS, the Fire Authority is authorized under Section 4.1 of the Authority IGA to adopt an annual budget for maintenance and operation costs, capital costs, costs of services, and personnel costs, which shall include costs related to the City's employees assigned to the Fire Authority, to be effective upon the approval of the governing bodies of the City and the District; and

WHEREAS, the Fire Authority is authorized under Section 1.9(f) of the Authority IGA to fix, maintain, and revise fees, rates and charges for functions, services, or facilities provided by it, to be effective upon the approval of the governing bodies of the City and the District; and

WHEREAS, the Fire Authority, by adoption of Resolution #R-009, approved its 2013 Budget; and

WHEREAS, the Fire Authority, by adoption of Resolution #R-008, approved its 2013 Schedule of Rates, Charges and Fees for Services; and

WHEREAS, the Fire Authority Board of Directors has submitted the Fire Authority's 2013 Schedule of Rates, Charges, and Fees for Services, which is attached hereto and Exhibit A and incorporated herein by reference, to the City and the district for approval as required by Section 1.9(f) of the Authority IGA; and

WHEREAS, the Fire Authority Board of Directors has also submitted the Fire Authority's 2013 Budget, which is attached hereto as Exhibit B and incorporated herein by reference, to the City and the District for approval as required by Section 4.1 of the Authority IGA; and

WHEREAS, the City Council desires to approve the Fire Authority's 2013 Schedule of Rates, Charges, and Fees for Services and 2013 Budget.

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

Section 1. That the 2013 Schedule of Rates, Fees, and Charges for Services provided by the Loveland Fire Rescue Authority, attached hereto as Exhibit A and incorporated herein by reference, is hereby approved.

Section 2. That the 2013 Loveland Fire Rescue Authority Budget, attached hereto as Exhibit B and which has been filed with the Fire Authority Administrative Office in its entirety, for the fiscal year beginning January 1, 2013 and ending December 31, 2013, with revenues and estimated fund balance in the amount of \$9,701,520, and expenditures of \$9,701,520 for operations, is hereby approved.

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

ADOPTED this 2nd day of October, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A and B are available in the City Clerk's Office

14. FINANCE

**August 2012 Financial Report
Information Only**

Finance Director Brent Worthington introduced this item to Council. The Snapshot Report includes the City's preliminary revenue and expenditures including detailed

reports on tax revenue, health claims and cash reserves year to date, ending August 31, 2012.

15. CITY MANAGER

**Investment Report for August 2012
Information Only**

Executive Fiscal Advisor Alan Krcmarik introduced this item to Council. The budget estimate for investment earnings for 2012 is \$2,729,560. Through August 2012, the amount posted to the investment account is \$1,930,703 including realized gains. Actual year-to-date earnings are higher than the year-to-date projection by \$100,689. Based on the August monthly statement, the estimated annualized yield on the U.S. agencies and corporates edged down to 1.23%, well under the annual target rate of 1.7% for 2012. Reinvestment rates are still near record low levels, much lower than the budget projection.

16. CITY MANAGER

Executive Session

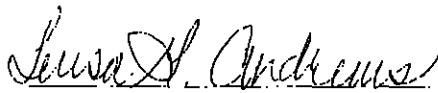
At 10:07 p.m. Councilor Shaffer moved that the City Council go into executive session as authorized in CRS Sections 24-6-402(4)(f), (4)(b) and (4)(g) and in Loveland Charter Sections 4-4(c)(3), (c)(5) and (c)(6) for the purpose of considering a personnel matter and, in connection with this purpose, to discuss documents not subject to public inspection under the Colorado Open Records Act, such as work-product documents, and to receive legal advice from the City Attorney. Councilor Farley seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

At 11:51 p.m. the Mayor reconvened the meeting. Councilor Shaffer moved that the HR Director make arrangements for outside assistance in the personnel matter just discussion in executive session. Council Taylor seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

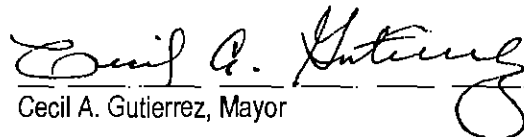
ADJOURNMENT

Having no further business to come before Council, the October 2, 2012 Regular Meeting was adjourned at 11:52 p.m.

Respectfully Submitted,


Teresa G. Andrews, City Clerk




Cecil A. Gutierrez, Mayor