

**LOVELAND CITY COUNCIL MEETING  
TUESDAY, DECEMBER 4, 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](mailto: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**

**ROLL CALL**

**PROCLAMATION DECLARING THE WEEK OF DECEMBER 3 THROUGH DECEMBER 8, 2012 AS "LOVELAND REMEMBERS PEARL HARBOR WEEK"**

*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 November 20, 2012 regular meeting.**
  
- 2.     ECONOMIC DEVELOPMENT  
      **SUPPLEMENTAL APPROPRIATION – FUND WAYFINDING SIGNS**  
      **Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget to fund wayfinding 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. City Council unanimously approved the first reading of the ordinance on November 20, 2012.

**3. DEVELOPMENT SERVICES**

**ANNEXATION & ZONING FOR MEHAFFEY PARK**

- a) **Consideration on second 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**
- b) **Consideration on second 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**
- c) **Consideration on second 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 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. City Council unanimously approved the first reading of the ordinance on November 20, 2012.

**4. CULTURAL SERVICES**

**SUPPLEMENTAL APPROPRIATION - ARTWORK AT HWY 34 & I-25 INTERCHANGE**  
**Consideration on second reading of an ordinance 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 ordinance appropriates grant funds 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. City Council unanimously approved the first reading of the ordinance on November 20, 2012.

**5. POLICE**

**2013 LARIMER HUMANE SOCIETY CONTRACT**

**Consideration of a motion approving a contract with Larimer Humane Society for services in 2013 in the amount of \$395,849**

This is an administrative action. The 2013 Larimer Humane Society contract has been revised to respond to Council and Police Department concerns expressed at the mid-year review in 2012. This contract will increase the City’s contribution by approximately \$25,000 per year which will be addressed with rollover funds in the Police Department’s

2013 budget allocation but will require an increase to the core budget in the future.

6. **PUBLIC WORKS**  
**PUBLIC HEARING**  
**MUNICIPAL CODE AMENDMENT – SIGNATURE AUTHORITY FOR REAL PROPERTY LEASES**  
**Consideration on first reading of an ordinance amending the Loveland Municipal Code at Chapter 2.24 concerning the City Manager, and Chapter 12.48 concerning the Airport**  
This is a legislative action to adopt an ordinance amending Chapter 2.24 and Chapter 12.48. The amendments to Chapter 2.24 will allow the City Manager to enter into leases for real property owned or rented by the city and revocable licenses for real property owned by the City. The amendments to Chapter 12.48 will allow the Airport Manager to enter into leases for real property owned by the city and located at the Fort Collins-Loveland Airport. They will also add approved heliports to the list of places at which aircraft may land without further approval from the Airport, and exempt emergency medical transport aircraft from the requirements of Section 12.48.030.
  
7. **FINANCE**  
**AWARD CONTRACT FOR ASPHALT PRODUCTS FOR STREET CONSTRUCTION PROJECTS**  
**Consideration of a motion to approve a contract with Coulson Excavating Company, Inc and authorize the City Manager to sign the contract**  
This is an administrative action to approve a contract with Coulson Excavating Company, Inc. for \$600,000 for purchase of various asphalt products for road patching and construction for a period covering December 1, 2012 thru October 31, 2013, and authorize the City Manager to sign the contract.
  
8. **FINANCE**  
**CONTRACT AWARD FOR TREE TRIMMING AND REMOVAL SERVICES**  
**Consideration of a motion to approve a contract with Asplundh Tree Experts Company for services in 2013 and authorize the City Manager to execute the contract**  
This is an administrative action to approve a contract with Asplundh Tree Experts Company for \$650,000 for tree trimming and removal in Parks, Golf Courses, ROW, facility grounds, and around City owned electrical lines for fiscal year 2013, and authorizes the City Manager to execute the contract. Budget dollars are available in Public Works (\$100,000), Parks & Recreation & Golf (\$60,000), and Water & Power (\$400,000), and (\$90,000) unencumbered for code enforcement and emergency trimming and removal.
  
9. **HUMAN RESOURCES**  
**CONTRACT AWARD - PROPERTY & LIABILITY INSURANCE - CIRSA**  
**Consideration of a motion to award the City's property and liability insurance coverage to CIRSA and authorize the City to continue the Intergovernmental Agreement with CIRSA and establish a purchase order in the amount of \$836,435**  
This is an administrative action to authorize the City to continue its Intergovernmental Agreement with CIRSA for 2013 property and liability insurance coverage and establish a purchase order in the amount of \$836,435 for premium, claims administration, and payment of estimated claims for 2013 and remaining open claims or new claims from prior years. Contract amount is within the 2013 Human Resources/Risk Budget.

10. **HUMAN RESOURCES**  
**CONTRACT AWARD - MEDICAL STOP LOSS COVERAGE - SUN LIFE OF CANADA**  
**Consideration of a motion to award the contract for City employee medical stop loss coverage to Sun Life of Canada in an amount not to exceed \$827,000 and to authorize the City Manager to execute the contract on behalf of the City**  
This is an administrative action to authorize the City Manager to enter into a contract for up to \$827,000 for 2013 with Sun Life of Canada for the City of Loveland employee healthcare stop loss insurance. The contract stipulates that Sun Life of Canada will provide stop loss insurance for health claims over \$150,000 while Cigna retains processing claims under \$150,000. This contract is within the benefits budget already approved for 2013. This contract is within the benefits budget already approved for 2013.
11. **DEVELOPMENT SERVICES**  
**PUBLIC HEARING**  
**OIL AND GAS MORATORIUM EXTENSION**  
**Consideration on first reading an ordinance amending Ordinance No. 5685 to extend the City's moratorium on the acceptance and processing of land use applications, permits and other approvals concerning the conduct of oil and gas operations within the City**  
This is a legislative action to consider extending the City's moratorium on the acceptance and processing of land use applications, permits and other approvals concerning the conduct of oil and gas operations within the City.
12. **CITY CLERK**  
**CANCEL JANUARY 1, 2013 COUNCIL MEETING**  
**Consideration of a motion cancelling the January 1, 2013 regular meeting of City Council, which falls on New Year's Day**  
This is an administrative action considering a motion regarding a change Council meeting dates in January 2013.

## **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

13. **CITY CLERK**

**APPROVAL OF COUNCIL MINUTES**

**Consideration of a motion approving Council minutes**

This is an administrative action to approve Council minutes from the November 13, 2012 study session.

14. **ECONOMIC DEVELOPMENT**

**PUBLIC HEARING**

**CONTRACT FOR SMALL BUSINESS COUNSELING SERVICES**

a) **Consideration of a motion authorizing the City Manager to sign a services agreement with the Chamber of Commerce for \$130,000 for small business counseling services in 2013**

b) **Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2013 City of Loveland budget for a contract with the Loveland Chamber of Commerce for small business counseling services**

This is an administrative action authorizing the City Manager to sign the contract for small business counseling services with the Loveland Chamber of Commerce. The Chamber of Commerce will act as the fiduciary agent for the City and contract with the Loveland Center for Business Development.

15. **ECONOMIC DEVELOPMENT**

**TECHNOLOGY TRANSFER SERVICES – CONTRACT APPROVAL AND UPDATE**

**Consideration of a motion to approve a contract for \$120,000 for technology transfer services with DA2 Consulting and an update on the 2012 Technology Transfer Initiative and authorize the City Manager to execute the contract**

This is an administrative action. In March of 2012 the City of Loveland developed the Technology Transfer Acceleration Initiative. This program has provided 26 Loveland companies assistance with technology searches and partnerships with federal research laboratories. This will be a report to City Council on activity and outcomes to date. It will include a presentation on the scope of work and contract for services for the program in 2013 for City Council to discuss and approve.

16. **DEVELOPMENT SERVICES**

**TAX-EXEMPT FINANCING BY THE HOUSING AUTHORITY OF THE CITY OF LOVELAND (BIG THOMPSON MANOR II)**

**Consideration of Resolution #R-83-2012 approving the issuance of a promissory note by the Housing Authority of the City of Loveland to Home State Bank for the sole purpose of qualifying the interest payable on the note for exclusion from the gross income of the owner or owners of the note for Federal Income Tax purposes under the applicable provisions of the Internal Revenue Code of 1986; and related matters**

This is an administrative action approving a tax-exempt financing by the Housing Authority of the City of Loveland. Approval of the Resolution does not in any way make the City liable for the Authority's financial obligations under the promissory note.

17. **DEVELOPMENT SERVICES**  
**TAX-EXEMPT FINANCING BY THE HOUSING AUTHORITY OF THE CITY OF LOVELAND (MIRASOL COMMUNITY CENTER)**  
Consideration of Resolution #R-84-2012 approving the issuance of a promissory note by the Housing Authority of the City of Loveland to the First National Bank for the sole purpose of qualifying the interest payable on the note for exclusion from the gross income of the owner or owners of the note for federal income tax purposes under the applicable provisions of the Internal Revenue Code of 1986; and related matters  
This is an administrative action approving a tax-exempt financing by the Housing Authority of the City of Loveland. Approval of the Resolution does not in any way make the City liable for the Authority's financial obligations under the promissory note.
18. **FINANCE**  
**OCTOBER 2012 FINANCE REPORT**  
This item is information only. The Snapshot Report includes the City's preliminary revenue and expenditures including detailed reports on tax revenue and health claims year to date, ending October 31, 2012.
19. **CITY MANAGER**  
**INVESTMENT REPORT FOR OCTOBER 2012**  
This is an information only item. The budget estimate for investment earnings for 2012 is \$2,729,560. Through October 2012, the amount posted to the investment account is \$2,152,850 including realized gains. Actual year-to-date earnings are now lower than the year-to-date projection by \$115,850. Based on the monthly statement, the estimated annualized yield on the securities held by USBank was down to 1.14%, well under the annual target rate of 1.70% for 2012. Reinvestment rates are still near record low levels, much lower than the budget projection.
20. **CITY MANAGER**  
**Proposed Executive Session to Consider a Personnel Matter**

**ADJOURN**