

ordinance was approved unanimously by City Council at the February 19, 2013 meeting.

3. **FINANCE** (presenter: John Hartman)
SUPPLEMENTAL BUDGET AND APPROPRIATION-FLEET AND POLICE FUNDS
Motion to approve and order published on second reading an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget for expenses related to the cost of fuel and parts for the operation of the city fleet and for police overtime expenses for special investigations

This is an administrative action. The ordinance appropriates revenues received in 2012 and fund balance to the 2012 budget for vehicle maintenance expenses and police overtime costs. The appropriation is necessary so that 2012 expenses do not exceed the appropriated amount in the Vehicle Maintenance Fund and the Police Seizure and Forfeiture Fund. The first reading of the ordinance was approved unanimously by City Council at the February 19, 2013 meeting.

4. **DEVELOPMENT SERVICES** (presenter: Greg George)
CONVEYANCE OF PROPERTY – BUCK FOURTH SUBDIVISION
Motion to approve and order published on second reading an ordinance authorizing the conveyance of real property located in Lots 1 and 2, Block 1 and Tract C, Buck Fourth Subdivision, City of Loveland, Larimer County, Colorado

This is an administrative action to consider an ordinance on second reading authorizing the conveyance of a parcel of real property owned by the City and used as a part of an existing regional detention pond to the current owner of Lots 1 and 2, Block 1 and Tract C, Buck Fourth Subdivision in return for a permanent exclusive easement over such property to permit continued operation of the regional detention pond and a new utility easement. The conveyance and the new easement are intended to clean up title defects resulting from modifications made in the Buck 4th Subdivision plat for a development that has never occurred and preserve the City's right to maintain the detention pond and sewer line in their existing locations. The first reading of the ordinance was approved unanimously by City Council at the February 19, 2013 meeting.

5. **DEVELOPMENT SERVICES** (presenter: Kerri Burchett)
VACATING PORTION OF DRAINAGE EASEMENTS –MINERAL FIRST SUBDIVISION
A motion to approve and order published on second reading, an ordinance vacating a portion of drainage easements on Lots 5 & 6, Block 1, Mineral First Subdivision, City Of Loveland

This is a legislative action to adopt an ordinance on second reading vacating portions of two drainage easements on Lots 5 and 6, Block 1, Mineral First Subdivision. The applicant is Boulder Creek Builders. The first reading of the ordinance was approved unanimously by City Council at the February 19, 2013 meeting.

6. **PUBLIC WORKS** (presenter: Ken Cooper)
SALE OF CITY PROPERTY – 905, 915, 925, 933 AND 935 NORTH TAFT AVENUE
A motion to approve and order published on second reading an ordinance authorizing the sale of city property located at 905, 915, 925, 933, and 935 North Taft Avenue

This is an administrative matter approving the sale of approximately 5.2 acres of City-owned property located at 905, 915, 925, 933, and 935 North Taft Avenue, which were parcels acquired for the Taft Avenue widening project. The first reading of the ordinance was approved unanimously by City Council at the February 19, 2013 meeting.

7. **PARKS & RECREATION** (presenter: Keven Aggers)
IGA WITH THOMPSON SCHOOL DISTRICT R2-J FOR JOINT USE FACILITIES
Motion to approve Resolution #R-19-2013, approving an Intergovernmental Agreement between the City of Loveland and Thompson School District R2-J concerning joint use of facilities
 This is an administrative action to adopt a resolution approving an Intergovernmental Agreement with Thompson R2-J School District to establish the parameters for co-use of facilities and update the Intergovernmental Agreement dated February 4, 1998.
8. **DEVELOPMENT SERVICES** (presenter: Alison Hade)
WAIVER OF FEES – CONSTRUCTION BY LOVELAND HABITAT FOR HUMANITY
Motion to adopt Resolution #R-20-2013, waiving certain development fees for the construction of eight residences by Loveland Habitat For Humanity
 This is an administrative action to approve a resolution waiving all development, capital expansion, and enterprise fees for the construction of eight new single family dwellings by Loveland Habitat for Humanity in 2013. The total fee estimate for all eight dwellings is \$206,444.37. The requested fee waiver is \$185,796.56. Habitat for Humanity will pay the remaining \$20,647.81.
9. **PARKS & RECREATION** (presenter: Marilyn Hilgenberg)
PUBLIC HEARING
IGA WITH COLORADO PARKS & WILDLIFE – “FISHING IS FUN” GRANT
 1. **Motion to adopt Resolution #R-21-2013, approving an Intergovernmental Agreement between the City of Loveland and the State of Colorado Division of Parks and Wildlife to accept a “Fishing is Fun” grant for enhancements to the River’s Edge Natural Area**
 2. **Motion to adopt and order published on first reading an ordinance enacting a supplemental budget and appropriation to the 2013 City of Loveland budget for a Federal grant from the United States Fish and Wildlife Service for construction of certain components of the River’s Edge Natural Area Development Project**
 These are administrative actions. The resolution allows the City to enter into an intergovernmental agreement with the State of Colorado to accept grant funding awarded by the United States Fish and Wildlife Service, through the Colorado Fishing is Fun program, in the amount of \$90,000. The ordinance appropriates grant funding for the River’s Edge Natural Area project.
10. **CITY MANAGER** (presenter: Bill Cahill)
REPORT OF THE CITY COUNCIL’S ANNUAL GOAL-SETTING SESSION
Motion to accept and approve the Report of the City Council’s Annual Goal-Setting Session
 This is an administrative action accepting and approving the Report of the City Council’s Annual Goal-Setting Session held on January 26, 2013.
11. **CITY MANAGER** (presenter: Terry Andrews)
AMENDMENT OF THE HANDBOOK FOR BOARDS AND COMMISSIONS
Motion to adopt Resolution #R-22-2013, amending the City of Loveland Handbook for Boards and Commissions
 This is an administrative action to adopt an amended Handbook for Boards and Commissions. The proposed amendments to the Handbook are primarily clean up in nature.

12. **HUMAN RESOURCES** (presenter: Julia Holland)
SCHEDULED CHANGE OF MEETING DATES – FIRE RETIREMENT PLAN BOARD
Motion to adopt the Resolution #R-23-2013, amending the scheduled meeting dates of the City of Loveland Fire Retirement Plan Board
The Fire Retirement Board voted and approved a request to change the regularly scheduled Board meetings to allow the new provider, ICMA-RC, sufficient time in which to prepare quarterly review reports. This will allow the Board to review current fund data regarding the plan, thus better meeting their fiduciary responsibility for the plan.

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. **WATER & POWER** (presenter: Jim Lees)
WATER ENTERPRISE FUNDING
Motion to approve on second reading Resolution #R-16-2013, concerning funding for the Water Enterprise to improve the Water Treatment Plant and undertake a comprehensive water line replacement program
This is an administrative action to adopt a resolution that provides funding mechanisms for the Water Enterprise through external and internal loans, a series of rate increases, and an annual transfer of funds from the General Fund to the Water Enterprise. This funding will be used to improve the Water Treatment Plant and undertake a comprehensive water line replacement program. This resolution was approved on first reading at the February 19, 2013 City Council meeting with five Councilors voting in favor and three against.
14. **DEVELOPMENT SERVICES** (presenter: Greg George)
PUBLIC HEARING
OIL AND GAS DEVELOPMENT REGULATIONS

Motion to adopt on first reading an ordinance adding to the Loveland Municipal Code Chapter 18.77 for the regulation of oil and gas operations and Chapter 18.78 for setbacks for development from oil and gas operations in the City of Loveland

This item is a legislative action to consider adoption of an ordinance on first reading to establish regulations on oil and gas development. The ordinance would:

- Require operators to obtain a permit from the City prior to locating an oil and gas facility within Loveland city limits.
- Provide two processes and each with a different mix of standards for obtaining a permit.
 - **Mandatory process:** The mandatory process would require compliance with standards referred to as “baseline standards.” These standards are designed to protect public health, safety and welfare and the environment, while avoiding preemption by state law and the Colorado Oil and Gas Conservation Commission (COGCC) regulations. The permit would require approval by the Planning Commission, with possible appeal to City Council.
 - **Optional process:** The optional process would be strictly voluntary and would require compliance with standards referred to as “enhanced standards,” in addition to most of the baseline standards. These standards are designed to mitigate adverse impacts on public health, safety and welfare and the environment to a greater degree than required by the COGCC. To encourage operators to agree to comply with these higher enhanced standards that might otherwise be preempted by state law, the permit would be approved by the Director of Development Services, with no appeal to either the Planning Commission or City Council. Any appeal would be to Larimer County District Court.

**15. FINANCE (presenter: Brent Worthington)
JANUARY 2013 PRELIMINARY FINANCIAL REPORT**

This is an information only item. No Council action is required. The Snapshot Report includes the City’s preliminary revenue and expenditures including detailed reports on tax revenue and health claims year to date, ending January 31, 2013.

**16. CITY MANAGER (presenter: Alan Krcmarik)
INVESTMENT REPORT FOR JANUARY**

This is an information only item. No Council action is required. The budget estimate for investment earnings for 2013 is \$2,760,560. For January, the amount posted to the investment account is \$100,323 including realized gains. Actual year-to-date earnings are lower than the budget projection by \$129,527. Based on the monthly statement, the estimated annualized 1.18% yield on the securities held by USBank was down from last month and under the annual target rate of 1.20% for 2013. Reinvestment rates have been near record low levels, much lower than the budget projection.

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