

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, Shaffer, Fogle, Taylor, and Clark. Councilor McKean was absent.

PROCLAMATION Councilor Farley read the proclamation declaring the week of May 19 through May 25, 2013 as "NATIONAL PUBLIC WORKS WEEK", which was accepted by Keith Reester, Director of Public Works.

PROCLAMATION

WHEREAS, public works services provided in our community are an integral part of our citizen's everyday lives; and
WHEREAS, having the support of an understanding and informed citizenry is vital to the efficient operations of the various public works systems and programs such as stormwater, streets, transit, solid waste, fleet, development review, traffic, facilities and public buildings; and
WHEREAS, the health and safety and comfort of this community greatly depends on these facilities and services; and
WHEREAS, the quality and effectiveness of these facilities and services, as well as their planning, design, construction, is vitally dependent upon the efforts and skill of public works officials; and
WHEREAS, this year's observance of Public Works Week celebrates the theme, "Public Works: Creating a Lasting Impression", recognizing the valuable work carried out by our highly capable and reliable public works professionals, engineers and administrators and acknowledging their contributions to an improved quality of life in this community.

NOW, THEREFORE, we, the City Council of the City of Loveland do hereby proclaim May 19-25, 2013 as NATIONAL PUBLIC WORKS WEEK in the City of Loveland, and we call upon all citizens to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.
Signed this 21st day of May, 2013
Cecil A. Gutierrez, Mayor

PROCLAMATION Councilor Klassen read the proclamation declaring the month of May 2013 through as "FOSTER AND KINSHIP CARE MONTH", which was accepted by Steve Dozier.

PROCLAMATION

WHEREAS, the family, serving as the primary source of love, nurture, identity, self-esteem and support, is the very foundation of our community; and
WHEREAS, in Larimer County there are over 150 children and youths in foster or kinship care being provided with a safe, secure and stable home along with the compassion and care of a foster or kinship family; and
WHEREAS, foster and kinship families, who open their homes and hearts to children whose families are in crisis, play a vital role helping children and families heal and reconnect, and/or launching children into successful adulthood; and
WHEREAS, working family to family, foster and kinship providers mentor and support the birth parents with the goal of a timely reunification of the child to their family; and

WHEREAS, there are numerous individuals, public and private organizations who work to increase public awareness of the needs of children in and leaving foster care as well as the enduring and valuable contribution of foster and kinship parents.

NOW, THEREFORE, we, the City Council of the City of Loveland do hereby proclaim May, 2013 as FOSTER AND KINSHIP CARE MONTH

for the City of Loveland and urge all citizens to volunteer their talents and energies on behalf of children in foster or kinship care, and the foster or kinship families who care for them, and the child welfare professional staff working with them during this month and throughout the year.

Signed this 21st day of May, 2013

Cecil A. Gutierrez, Mayor

PROCLAMATION

Councilor Taylor read the proclamation declaring May 2013, to be "MOTORCYCLE SAFETY AWARENESS MONTH", which was accepted by Kristy McNeill.

PROCLAMATION

WHEREAS Colorado's climate and scenery make motorcycle riding an attraction in the beautiful state of Colorado, and riders consider our roadways to be some of the best for riding; and,

WHEREAS motorcycles are increasingly used as a regular means of transportation; and,

WHEREAS the motorcycle is an energy-efficient vehicle that reduces fuel consumption, traffic and parking congestion; and,

WHEREAS the motorcycle is an important form of transportation for commuting, touring and recreation; and,

WHEREAS as a matter of safety, it is necessary to develop appropriate driving habits to handle these vehicles on Colorado roadways; and

WHEREAS to prevent injuries and deaths on Colorado's roadways, motorcyclists and motorists must be vigilant in their efforts to share the road and ensure the safety of everyone; and,

WHEREAS Motorcycle Safety Awareness Month raises public awareness for a lifetime of safe motorcycle riding; and,

WHEREAS the international Women's Motorcycle Club, Leather & Lace Motorcycle Club, is committed to increasing the safe operation of motorcycles by promoting rider safety education programs; their goal is to alert the motorists of the town of Loveland, Colorado to: SHARE THE ROAD; and

WHEREAS Motorcycle Safety Awareness Month is designed to increase public awareness about motorcycles and to encourage their safe and proper use among motorcycle riders.

NOW, THEREFORE, we, the Loveland City Council, in the great state of Colorado, in recognition of over 9,477,243 registered motorcyclists nationwide, and in recognition of the continued role of Leather & Lace Motorcycle Club as a promoter of motorcycle safety, education and awareness, do hereby proclaim in the month of May 2013 as

MOTORCYCLE SAFETY AWARENESS MONTH

in the City of Loveland, Colorado and ask all citizens to join in a concerted effort to promote awareness, mutual respect, and safety on our roads.

Signed this 21st day of May, 2013

Cecil A. Gutierrez, Mayor

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 roll call vote was taken with all councilors present voting in favor.

1. CITY CLERK

Approval of Council Minutes

Administrative Action: The minutes from the May 7, 2013 Regular Meeting were approved.

2. CITY MANAGER

BOARD & COMMISSION APPOINTMENTS

Administrative Action: The following appointments to the Construction Advisory Board and Library Board were approved:

Keith Benner to the Construction Advisory Board for a partial term effective from May 21, 2013 until June 30, 2013.

Banner Green to the Library Board for a partial term effective until December 31, 2013.

Ellen Lawson as an alternate member on the Library Board for a term effective until December 31, 2013

3. LIBRARY

UNITED WAY OF LARIMER COUNTY GRANT TO LOVELAND PUBLIC LIBRARY

Ordinance #5766

Administrative Action. "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2013 CITY OF LOVELAND BUDGET FOR A CONTRIBUTION FROM THE UNITED WAY OF LARIMER COUNTY FOR THE SUMMER LITERACY PROGRAM" was approved and ordered published on second reading.

4. PUBLIC WORKS

SUPPLEMENTAL APPROPRIATION FOR COLT VIDEO SURVEILLANCE INSTALLATIONS

Ordinance #5767

Administrative Action: "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2013 CITY OF LOVELAND BUDGET FOR THE TRANSIT VIDEO SURVEILLANCE PROJECT" was approved and ordered published on second reading.

5. DEVELOPMENT SERVICES

FIRE STATION NO. 2 ADDITION

1) Ordinance # 5768

Legislative Action: "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF LOVELAND, COLORADO, TO BE KNOWN AND DESIGNATED AS "FIRE STATION NO. 2 ADDITION" TO THE CITY OF LOVELAND was approved and ordered published on second reading.

2) Ordinance # 5769

Quasi-Judicial Action: "AN ORDINANCE AMENDING SECTION 18.04.040 OF THE LOVELAND MUNICIPAL CODE, THE SAME RELATING TO ZONING REGULATIONS

FOR "FIRE STATION NO. 2 ADDITION" TO THE CITY OF LOVELAND" was approved and ordered published on second reading.

6. PUBLIC WORKS

FAA IMPROVEMENT 2013 GRANT AGREEMENT

Resolution R-30-2013

Legislative Action: Resolution R-30-2013 Authorizing the City Manager to Execute the 2013 Grant Agreement (AIP Project No. 3-08-0023-32-2013) with the Federal Aviation Administration for Improvements at the Fort Collins-Loveland Municipal Airport was approved.

RESOLUTION # R-30-2013

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2013 GRANT AGREEMENT (AIP PROJECT NO. 3-08-0023-32-2013) WITH THE FEDERAL AVIATION ADMINISTRATION FOR IMPROVEMENTS AT THE FORT COLLINS-LOVELAND MUNICIPAL AIRPORT

WHEREAS, the Cities of Fort Collins and Loveland (the "Cities") jointly own and operate the Fort Collins-Loveland Municipal Airport (the "Airport"); and

WHEREAS, the Cities, by resolution, have adopted the Fort Collins-Loveland Municipal Airport Master Plan; and

WHEREAS, the Federal Aviation Administration ("FAA") provides grant funding to eligible airports to enable those airports to pursue, in a timely manner, capital improvements included within an adopted Airport Master Plan; and

WHEREAS, the Cities have applied for \$1,900,000.00 in FAA capital grant funding ("2013 Grant Funding") for the purpose of rehabilitating the north half of the general aviation apron and installing perimeter fencing around the airport ("AIP Project No. 3-08-0023-32-2013");

WHEREAS, the Cities have been offered \$1,534,531.00 of the 2013 Grant Funding and anticipate the FAA's offer of the balance of \$365,469.00 shortly; and

WHEREAS, any capital grants funds provided by the FAA will be subject to the Cities' execution of the standard FAA grant agreement that will be in substantially the form of prior years' FAA grant agreements modified to reflect the purpose of AIP Project No. 3-08-0023-32-2013 ("2013 Grant Agreement"); and

WHEREAS, projects listed in AIP Project No. 3-08-0023-32-2013 are identified in the Fort Collins-Loveland Municipal Airport Master Plan as first priority projects; and

WHEREAS, the matching local funds of ten percent (10%) necessary to accept the initial capital grant funding of \$1,534,531.00 from the Federal Aviation Administration are divided equally between the State of Colorado and the Cities and have been previously appropriated as part of the Airport's 2013 budget; and

WHEREAS, the State of Colorado's matching local funds of five percent (5%) necessary to accept balance of the Grant Funding of \$365,469.00 from the Federal Aviation Administration have been appropriated and the Cities' required matching local funds of five percent (5%) are available in Airport Reserves and will be appropriated upon approval and receipt of the balance of the Grant Funding.

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

Section 1. That the 2013 Grant Agreement is hereby approved.

Section 2. That the City Manager is authorized, following consultation with the City Attorney, to modify the 2013 Grant 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 2013 Grant Agreement on behalf of the City of Loveland.

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

ADOPTED this 21st, day of May, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:

Teresa G. Andrews, City Clerk

7. FINANCE

Contract Award for Banking Services

Resolution #R-31-2013

Legislative Action Resolution R-31-2013 Authorizing the City Manager to Negotiate and Enter into an Agreement for Banking Services was approved.

RESOLUTION #R-31-2013

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT FOR BANKING SERVICES

WHEREAS, the City of Loveland, Colorado, is a municipal corporation operating under a home rule charter pursuant to Article XX of the Constitution of the State of Colorado; and

WHEREAS, Section 3.04.070 of the Loveland Municipal Code provides for the designation of depositories of City funds and monies by resolution of the City Council; and

WHEREAS, Section 31-20-303, Colorado Revised Statutes, provides that the governing body of the City may adopt a resolution appointing a custodian for City funds, and establishing requirements for the sale or other disposal of securities and for the deposit or reinvestment of any proceeds thereof; and

WHEREAS, Section 2.24.010 of the Loveland Municipal Code provides that it is the duty of the city manager to supervise the administration of the affairs of the City; and

WHEREAS, the City issued a request for proposals to provide banking services for City funds and monies; and

WHEREAS, the proposal submitted by 1st National Bank, National Association, Loveland, Colorado was determined to be the most qualified to meet the City's banking services needs as described in the request for proposals.

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

Section 1. That the City Council hereby finds and determines that 1st National Bank, National Association, Loveland, Colorado meets the requirements of the banking services request for proposals.

Section 2. That the City Manager is hereby authorized to negotiate and enter into an agreement with 1st National Bank, National Association, Loveland, Colorado appointing said bank as the primary banking services provider to the City of Loveland for purposes of managing necessary banking transactions. Said agreement shall, among other provisions as deemed advisable by the City Manager, in consultation with the City Attorney, require the firm to comply with all pertinent federal laws and regulations, state statutes and regulations, and City ordinances and policies concerning the deposit of public funds and transactions related thereto.

Section 3. That the City Manager is hereby authorized to designate appropriate members of the City staff to direct and administer the agreement and to monitor the activities of 1st National Bank, National Association, Loveland, Colorado to assure compliance with all pertinent federal laws and regulations, state statutes and regulations, and City ordinances and policies concerning the deposit of public funds and transactions related thereto.

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

ADOPTED this 21st day of May, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:

Teresa G. Andrews, City Clerk

8. DEVELOPMENT SERVICES

Kendall Brook Utility Easement Vacation

1ST Rdg. Ord. & P.H

Legislative Action: A public hearing was held and "AN ORDINANCE VACATING A PORTION OF A UTILITY EASEMENT ON LOT 5, BLOCK 21, KENDALL BROOK FIRST SUBDIVISION, CITY OF LOVELAND" was approved and ordered published on first reading.

9. DEVELOPMENT SERVICES/BUILDING

2012 International Codes

1st Rdg Ord. & P.H,

Administrative Action: A public hearing was held. Nine (9) ordinances, repealing and reenacting multiple chapters in Title 15 to adopt the following International codes by reference: International Building Code, 2012 Edition; International Residential Code, 2012 Edition; International Mechanical Code, 2012 Edition; International Plumbing Code, 2012 Edition; International Fuel Gas Code, 2012 Edition; International Property Maintenance Code, 2012 Edition; International Existing Building Code, 2012 Edition; International Energy Conservation Code, 2012 Edition; and the 2012 International Fire Code. Complete copies of these codes will be on file with the City Clerk. Also presented for consideration as a legislative action are two (2) ordinances making related changes to other sections of the Municipal Code. A motion, which is an administrative action, setting a public hearing for June 18, 2013, was approved and the City Clerk was directed to publish the notice of public hearing.

- A. AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.08 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE, 2012 EDITION was approved and ordered published by reference on first reading.
- B. AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.10 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION was approved and ordered published by reference on first reading.
- C. AN ORDINANCE AMENDING CHAPTER 15.12 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION was approved and ordered published by reference on first reading.
- D. AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.16 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION was approved and ordered published by reference on first reading.
- E. AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.18 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL FUEL GAS CODE, 2012 EDITION was approved and ordered published by reference on first reading.
- F. AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.20 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL PLUMBING CODE, 2012 EDITION was approved and ordered published by reference on first reading.
- G. AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.28 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL FIRE CODE, 2012 EDITION was approved and ordered published by reference on first reading.
- H. AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.48 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION was approved and ordered published by reference on first reading.
- I. AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.52 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL EXISTING BUILDING CODE, 2012 EDITION was approved and ordered published by reference on first reading.

- J. AN ORDINANCE AMENDING SECTION 15.04.120 OF THE LOVELAND MUNICIPAL CODE REGARDING 2012 INTERNATIONAL CODES ADOPTED BY REFERENCE was approved and ordered published by reference on first reading.
- K. AN ORDINANCE AMENDING CHAPTER 1.08 OF THE LOVELAND MUNICIPAL CODE REGARDING RIGHT OF ENTRY FOR INSPECTION was approved and ordered published by reference on first reading.

10. LOVELAND FIRE RESCUE AUTHORITY

Permissible Legal Fireworks in the City of Loveland 2013

Information Only Item: Chief Randy Mlrowski addressed concerns and planning for the sale of permissible, legal fireworks in the City of Loveland for 2013.

END OF CONSENT AGENDA

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports

Stacy Wetzler, Les Bogunovlch, and Mark Malone spoke regarding the situation with the shareholders of Lakeview Development Corporation and Boyd Lake. There was concern about the water levels rising and work that needs to be completed on the peninsula to prevent erosion. City Manager, Bill Cahill, said that he was aware of the situation and that staff is working on a proposal to get a response together along with the City of Greeley, State of Colorado, and the Army Corp of Engineers. The Mayor asked the City Manager to keep Council Informed.

b) Business from Council

Clark

Mentioned that two members have resigned from Community Marketing Commission (CMC) and they are actively seeking applicants.

Farley

Worked with Tom Kerragln on "Kids Pack Program, which provides back packs with food. Need volunteers to help pack the sacks. Attended Friday Night on the Town, which had a good turnout; Attended the signing of the bill at Water & Power Building with Governor Hlckenlooper. Announced that money is coming In for Loveland through CHAFFA and ARTSPACE. Also Art Place America has awarded Loveland with \$200,000 to the Community Foundation.

Fogle

Mentioned \$6 million dollars of outside money brought into Loveland for the purpose of art and living spaces.

Trenary

Attended the Loveland Honors Event; Attended Community Marketing Commission (CMC) Spring Retreat in Ft. Collins; Vietnam Wall will be escorted through Loveland.

Klassen

Attended the Big Thompson Pancake Feed; Dedication of a plaque for Mariana Medina Cemetery on May 18th.

Taylor

Participated In the Loveland Community Bicycle Classic event with 1300 riders and raised money for Stepping Stones.

Shaffer

Wanted to thank HACOL for \$50,000 to Artspace Project and also for managing project. Mentioned that Fridays are free for the Governor's Art Show through June 2nd. Attended

Colorado Municipal League (CML) policy meeting in Denver. Attended "Generations" event. There will be a groundbreaking event for Brinkman Building on May 30th.

Mayor Gutierrez Wanted to stress the importance of citizen attendance at Platte River Power Authority (PRPA) meetings. Only 1 person, Mindy McCloughan attended the strategic planning session.

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

11. ECONOMIC DEVELOPMENT

Woodward Governor Fee Waiver

Resolution #R-32-2013

Administrative Action: City Manager, Bill Cahill presented this item. Woodward Governor Company ("Woodward") expanded operations in Loveland in 1991. The City and Woodward are parties to a development agreement dated December 14, 1990 (as amended in 1991) providing Woodward a waiver of any and all fees for building permits associated with the original building and any expansions. \$9,900.00 of City Council Economic Incentive Funds will be used to backfill the capital expansion fees. Councilor Shaffer moved to approve the resolution. Councilor Klassen seconded. The motion carried with all councilors present voting in favor.

RESOLUTION #R-32-2013

A RESOLUTION WAIVING CERTAIN DEVELOPMENT-RELATED FEES FOR WOODWARD GOVERNOR, COMPANY EXPANSION AT 3800 N. WILSON AVENUE, LOVELAND, COLORADO

WHEREAS, Woodward Governor Company, a Delaware corporation ("Woodward") operates a manufacturing facility on approximately 40 acres of real property it owns at 3800 N. Wilson Avenue, Loveland, Colorado (the "Facility"); and

WHEREAS, Woodward proposes to construct a freestanding 10,450 square foot building to expand the Facility (the "Expansion"), and,

WHEREAS, Woodward has requested from the City certain economic incentives for the Expansion, in accordance with that certain Agreement between the City and Woodward dated December 14, 1990, as amended by Amendment to Agreement dated March 26, 1991 attached hereto as Exhibit A and incorporated herein by reference (the "Agreement"), which provides for waiver of "any fees for building permits or plans examination and approval in connection with the original facility or any enlargement or enlargements in the future" and "fees or charges ordinarily charged by the City for development of the nature described in [the] Agreement... for the initial development and for any expansion or enlargement of the facility, whether or not those fees or charges are otherwise specifically mentioned in [the] Agreement"; and

WHEREAS, the waiver for the Expansion includes permit and inspection fees, capital expansion fees, and City construction materials use tax for the Expansion as set forth on Exhibit B attached hereto and incorporated herein by reference (the "Waived Fees"), but not County Open Space Tax, County Jail Tax, or County Fairgrounds Tax, which are imposed by the County; and

WHEREAS, Loveland Municipal Code Section 16.38.070 provides that the City Council may grant an exemption from all or any part of the capital expansion fees or permit fees upon a finding that such waiver is in the best interests of the public by encouraging activities that provide significant social, economic, or cultural benefits; and

WHEREAS, Section 16.38.070 provides further that, whenever any capital related CEF is waived, the City Council shall direct that the waive fee be paid by the general fund or another appropriate fund; and

WHEREAS, Section 3.16.590 of the Loveland municipal Code provides that the City Council may grant by resolution a use tax credit upon a finding that such credit will serve a public purpose, including but not limited to providing the public with significant social and economic benefits; and

WHEREAS, City Council believes that ratifying the Agreement and granting Woodward an exemption from the Waived Fees and a credit for the use taxes is in the best interests of the public because the Expansion will provide significant social and economic benefits to the citizens of Loveland, primarily in the form of jobs, economic development, and increased property tax revenues to the City.

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

Section 1. That the City Council hereby finds that ratifying the Agreement and granting Woodward an exemption from the Waived Fees and a credit for the use taxes is in the best interests of the public because the Expansion will provide significant social and economic benefits to the citizens of Loveland, primarily in the form of jobs, economic development, and increased property tax revenues to the City.

Section 2. That the Agreement is hereby ratified, and the waiver of the Waived Fees and the credit for City use taxes are hereby approved. If Woodward has paid the Waived Fees and/or City Use Taxes prior to the date of this Resolution in order to obtain a building permit, a refund of amounts so paid is hereby authorized.

Section 3. Any portion of the Waived Fees that are capital related capital expansion fees shall be backfilled by the general fund or other appropriate fund.

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

ADOPTED this 21st day of May, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

Exhibits are available in City Clerk's Office

12. DEVELOPMENT SERVICES

OIL & GAS MAILED NOTIFICATION AMENDMENT

1st Rdg & P.H.

Legislative Action: Current Planning Manager, Bob Paulsen presented this item. On March 19, 2013, the City Council adopted Ordinance # 5753, adding chapters 18.77 and 18.78 to the Municipal Code in order to regulate oil and gas development. Now that the oil and gas regulations are in effect, it is necessary to establish mailed notification distances for neighborhood meetings and public hearings that are required as part of the oil and gas permitting process. Mailed notices are provided by applicants to all property owners within the specified distance at least 15 days in advance of required neighborhood meetings and public hearings. A public hearing was opened at 8:27pm and closed at 8:27pm. Discussion ensued. Councilor Shaffer moved to approve and ordered published on first reading, "AN ORDINANCE AMENDING SECTIONS 18.05.030 AND 18.05.060 OF THE LOVELAND MUNICIPAL CODE TO ESTABLISH

MAILED NOTIFICATION DISTANCES FOR NEIGHBORHOOD MEETINGS AND PUBLIC HEARINGS ASSOCIATED WITH OIL AND GAS PERMIT APPLICATIONS UNDER CHAPTERS 18.77 AND 18.78". Councilor Trenary seconded the motion. The motion carried and was approved with all councilors present voting in favor.

13. COMMUNITY PARTNERSHIP

Human Services Grant Fund Increase

Information and Informal Direction Item: Alison Hade Introduced this item to Council. The Human Services Commission is requesting a \$50,000 increase in funding to their base funding level of \$450,000. In addition, the Commission is asking that a specified percentage increase be given in years when City General Fund revenues are greater than anticipated and an unassigned fund balance occurs. The Commission's request was detailed in a letter sent to the City Council in November, 2012. Discussion ensued. Council direction was in support of an increase in 2014, but not in favor of automatically increasing it each year.

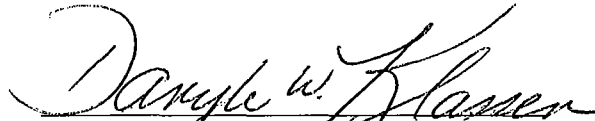
ADJOURNMENT

Having no further business to come before Council, the May 21, 2013 Regular Meeting was adjourned at 9:57 pm.

Respectfully Submitted,



Teresa G. Andrews, City Clerk



~~Gecil A. Gutierrez, Mayor~~

Daryle W. Klassen
Mayor Pro Tem

