

Repealing and Reenacting Chapter 15.08 of the Loveland Municipal Code and Adopting by Reference the International Building Code, 2012 Edition

B. A motion to approve and order published on second reading an Ordinance Repealing and Reenacting Chapter 15.10 of the Loveland Municipal Code and Adopting by Reference the International Residential Code, 2012 Edition

C. A motion to approve and order published on second reading an Ordinance Amending Chapter 15.12 of the Loveland Municipal Code and Adopting by Reference the International Property Maintenance Code, 2012 Edition

D. A motion to approve and order published on second reading an Ordinance Repealing and Reenacting Chapter 15.16 of the Loveland Municipal Code and Adopting by Reference the International Mechanical Code, 2012 Edition

E. A motion to approve and order published on second reading an Ordinance Repealing and Reenacting Chapter 15.18 of the Loveland Municipal Code and Adopting by Reference the International Fuel Gas Code, 2012 Edition

F. A motion to approve and order published on second reading an Ordinance Repealing and Reenacting Chapter 15.20 of the Loveland Municipal Code and Adopting by Reference the International Plumbing Code, 2012 Edition

G. A motion to approve and order published on second reading an Ordinance Repealing and Reenacting Chapter 15.28 of the Loveland Municipal Code and Adopting by Reference the International Fire Code, 2012 Edition

H. A motion to approve and order published on second reading an Ordinance Repealing and Reenacting Chapter 15.48 of the Loveland Municipal Code and Adopting by Reference the International Energy Conservation Code, 2012 Edition

I. A motion to approve and order published on second reading an Ordinance Repealing and Reenacting Chapter 15.52 of the Loveland Municipal Code and Adopting by Reference the International Existing Building Code, 2012 Edition

J. A motion to approve and order published on second reading an Ordinance Amending Section 15.04.120 of the Loveland Municipal Code Regarding 2012 International Codes Adopted by Reference

K. A motion to approve and order published on second reading an Ordinance Amending Chapter 1.08 of the Loveland Municipal Code Regarding Right of Entry for Inspection

This is a legislative action to consider nine (9) ordinances, on second reading, 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. Notice of the public hearing has been published as required by Colorado Statutes.

The ordinances were approved unanimously by City Council on May 21, 2013.

3. CITY MANAGER (presenter: Rod Wensing)

SPECIAL MEETING REQUEST FOR JUNE 25, 2013

A motion Setting a Special Meeting for June 25, 2013 of City Council, for the Purpose of Holding an Executive Session in Order to Receive a Report from the City Attorney and Outside Legal Counsel Regarding the City's Franchise Agreement with Comcast and to Instruct City Negotiators Going Forward

This is an administrative action considering a motion regarding setting a special Council meeting, and waiving the required notice in the City Charter 4.2(b).

4. **DEVELOPMENT SERVICES** (presenter: Alison Hade)
HUMAN SERVICES GRANT ALLOCATION

A motion to adopt a Resolution #R-40-2013 Approving the 2013 Grant Funding Recommendations of the Loveland Human Service Commission and the Loveland Affordable Housing Commission

This is an administrative action to adopt a resolution approving the 2013 grant allocation recommendations of the Human Services Commission and the Affordable Housing Commission. The resolution authorizes the allocation of the 2013 Human Services Grant and Community Development Block Grant that were appropriated in the 2013 City Budget.

5. **LOVELAND FIRE RESCUE AUTHORITY** (presenter: Randy Mirowski)
LARIMER COUNTY IGA FOR WILDLAND & FOREST FIRE MITIGATION

A motion to adopt a Resolution #R-41-2013 Approving an Intergovernmental Agreement with Larimer County Pursuant to C.R.S. § 29-20-105.5 to Address Wildland and Forest Fire Mitigation

This is an administrative action to consider a resolution approving an Intergovernmental Agreement with Larimer County to address wildland and forest fire mitigation. It was approved by the Loveland Fire Rescue Authority Board February 14, 2013.

6. **POLICE** (presenter: Luke Hecker)
PUBLIC HEARING

JAG GRANT

A motion for approval of Staff Application for a Federal Justice Assistance Grant (JAG Grant)

This is an administrative action. Federal regulations require review of the grant application to be conducted prior to submitting the grant application. The Federal JAG grant of \$13,063 for the Police Department will fund overtime for Detectives in the Special Investigations Unit at the Northern Colorado Drug Task Force. The public hearing notice was published in the Loveland Reporter-Herald on June 12, 2013. There is no match.

7. **AIRPORT** (presenter: Jason Licon)
PUBLIC HEARING

AIRPORT GRANT AND EMERGENCY SUPPLEMENTAL APPROPRIATION

A. **A motion to adopt a Resolution #R-42-2013 Authorizing the City Manager to Execute a Grant Agreement with the State of Colorado Division of Aeronautics (CDAG #13-FNL-01, & CDAG #13-FNL-02) for Improvements and Funding Pertaining to the Fort Collins-Loveland Municipal Airport**

B. **A motion to approve and order published on first reading an Emergency Ordinance Enacting A Supplemental Budget and Appropriation to the 2013 Ft. Collins-Loveland Municipal Airport for Capital Rehabilitation and Reconstruction of the Primary Aircraft Parking Apron/Ramp and Perimeter Fencing**

This is an administrative action. The resolution authorizes the Loveland City Manager to execute the Grant Agreements. The Emergency Ordinance appropriates a State grant and the local match for the reconstruction and rehabilitation of the Airport's primary aircraft parking area, and the completion of the final phase of perimeter security fence.

An Emergency Ordinance is necessary to meet the timing of the State application deadlines in order to receive the award.

8. **PUBLIC WORKS** (presenter: Kevin Gingery)
EASEMENTS TO PUBLIC SERVICE COMPANY OF COLORADO
A motion to adopt Resolutions: Resolution #R-43-2013 Granting a Temporary Easement, Resolution #R-44-2013 Exclusive Gas Easement, Resolution #R-45-2013 Gas Easement, and a Resolution #R-46-2013 Non-Exclusive Access and Utility Easement to Public Service Company of Colorado
This is an administrative action to approve resolutions that grant a temporary easement, an exclusive gas easement, a gas easement, and a non-exclusive access and utility easement to Public Service Company of Colorado (PSCo). This will facilitate construction of a new 16" high pressure natural gas main regulator station within real property owned by the City of Loveland. There is no budget impact associated with this item.
9. **PUBLIC WORKS** (presenter: Keith Reester)
PUBLIC HEARING
SALE OF NORTH TAFT PROPERTIES
A motion to approve and order published on first reading an Ordinance Authorizing the Sale of City Property Located at 905, 915, 925, 933, and 935 North Taft Avenue
This is an administrative action 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.
10. **PUBLIC WORKS** (presenter: Keith Reester)
PUBLIC HEARING
SALE OF THE BISHOP HOUSE AND CITY OWNED REAL ESTATE
A motion to approve and order published on first reading an Ordinance Authorizing the Sale of the "Bishop House," and the Sale of Real Property Owned by the City of Loveland Pursuant to City of Loveland Municipal Charter Section 4-7
This is an administrative action approving the sale of the "Bishop House," located at 871 East 1st Street, and approximately 0.4 acres of City-owned real property located at 1317, 1321, & 1375 West 8th Street (these parcels were acquired for the Taft Avenue widening project).
11. **PUBLIC WORKS** (presenter: Keith Reester)
RNL DESIGN CONTRACT CHANGE ORDER FOR THE SERVICE CENTER
A motion to approve a Contract Change Order for RNL Design to Design and Engineer the Expansion and Remodel of the Service Center
This is an administrative matter approving a contract change order with RNL Design to design and engineer the expansion and remodel of the Service Center, located at 200 North Wilson Avenue, Loveland, for the total amount of \$1,179,136 and to authorize the City Manager to execute the contract on behalf of the City. The funding required for this \$1,179,136 contract is already available using a variety of funding sources, including Public Works enterprise funds and some general government capital expansion fees.
12. **ECONOMIC DEVELOPMENT** (presenter: Mike Scholl)
CRUNCHY GROCER SALES TAX REFUND AND FEE WAIVER
A motion to adopt a Resolution #R-47-2013 Approving an Agreement for City

Sales Tax Refund, Fee Waiver, and Construction Materials Use Tax Waiver for the Crunchy Grocer LLC

This is an administrative action. The resolution would authorize the City Manager to sign the economic incentive agreement with the Crunchy Grocer LLC. The agreement would provide a refund of 1/3 of City sales tax for a period of five years not to exceed \$175,000 and fee and materials use tax waivers estimated at \$7,500. The Crunchy Grocer is a natural and organic food grocer that will be located at 1461 East Eisenhower. City Council previously reviewed the item at the June 4, 2013, regular Council meeting. Staff was directed by Council to bring the item back for full consideration.

**13. ECONOMIC DEVELOPMENT (presenter: Mike Scholl)
PUBLIC HEARING**

SUNRISE COMMUNITY HEALTH CENTER

- A) A motion to adopt a Resolution #R-48-2013 Approving the Loveland Community Health Center Incentive and Fee Waiver Agreement with Sunrise Community Health**
- B) A motion to approve and order published on first reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2013 City of Loveland Budget for the Loveland Community Health Center Incentive and Fee Waiver Agreement**

This is a public hearing to consider an administrative action. The resolution would authorize the City Manager to sign the agreement with Sunrise Community Health Center for the construction of the expanded community health center at 302 3rd Street SE. The request was reviewed by Council at a Study Session on April 9, 2013. At the meeting, Council gave staff direction to return with an agreement for consideration at a regular meeting. The agreement provides support for public improvements (\$93,500), a community challenge grant (\$100,000), waiver of required sidewalk improvements (\$80,000), and a waiver of building permit and capital expansion fees (\$420,000).

The ordinance appropriates available funds from the Council Capital Reserve for the public improvements, the community challenge grant and the waiver of required sidewalk improvements. The City will fund \$269,110 from Council reserve and forego \$420,000 in city fees.

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

14. **CITY CLERK** (presenter: Jeannie Weaver)
APPROVAL OF COUNCIL MINUTES
A motion to approve Council minutes from the June 4, 2013 Regular Meeting.
This is an administrative action to approve the minutes. Mayor Gutierrez was absent.
15. **FINANCE** (presenter: Brent Worthington)
COMPREHENSIVE ANNUAL FINANCIAL REPORT AND AUDIT
2012 Comprehensive Annual Financial Report and Audit Report
This is an informational item only. The Comprehensive Annual Financial Report for the year ending December 31, 2012, received an unqualified opinion from the external auditors. This indicates that, in all material respects, the report fairly presents the financial position of the City and is in conformity with generally accepted accounting principles.
16. **ECONOMIC DEVELOPMENT** (presenter: Mike Scholl)
CORKAT DATA SOLUTIONS, LLC INCENTIVE AGREEMENT
A motion to adopt a Resolution #R-49-2013 Approving an Incentive Agreement for CorKat Data Solutions, LLC
This is an administrative action. The resolution would authorize the City Manager to sign the economic incentive agreement with CorKat Data Solutions for an \$18,000 façade grant. CorKat is a data center located in Downtown Loveland and affiliated with Colorado Network Management. The renovation of 451 North Railroad was completed for the purpose of colocating Colorado Network Management's employees to Downtown in the unit adjacent to CorKat Data Solutions. In addition, Colorado Network Management plans to hire up to six new employees. The façade grant, to be funded from the economic incentive fund, was negotiated in part due to additional work required on the building to comply with the guidelines regarding historic buildings. The total investment in the current renovation is \$180,000. According to the City's Economic Incentive Policy, any agreement that does not exceed \$20,000 can come to Council without a prior informational meeting.

ADJOURN AS CITY COUNCIL AND CONVENE AS THE BOARD OF THE WATER ENTERPRISE

17. **CITY MANAGER** (presenter: Alan Krcmarik)
PUBLIC HEARING
THE BOARD OF WATER ENTERPRISE AUTHORIZING THE WATER REVENUE BOND
An Ordinance of the City of Loveland, Colorado, Water Enterprise Authorizing the Issuance and Sale of Water Enterprise Revenue Bond, Series 2013, Payable Solely Out of the Net Revenues to be Determined from the Operation of the City's Water Enterprise; and Providing Other Details Concerning the Bond, Including, Without Limitation, Covenants and Agreements in Connection Therewith
This is an administrative action authorizing the Water Enterprise to complete a financial transaction with Wells Fargo Bank to obtain \$10 million of bond proceeds to be used by

the Water Enterprise to improve the Water Treatment Plant. The action is being done by the Water Enterprise in accordance with Ordinance No. 4454, which in 1999, established and empowered the Enterprise to execute loans, bond issues, and other financial transactions. In Resolution #R-16-2013, Council directed staff to research, consider, and recommend the most advantageous borrowing available. Staff evaluated financing proposals directly from banks, a loan through the Colorado Water Resources & Power Development Authority, and the issuance of Water Enterprise revenue bonds.

A financing proposal with Wells Fargo was determined to be the most advantageous. Based on a competitive request for proposals process, Wells Fargo presented a financing plan for the entire 20 year term, very competitive (“RFP”) rates, and a very flexible draw of proceeds process that will save the Water utility considerable interest payments in the first three years. The final rate on the bond will be determined after first reading; at current rate levels the loan rate would be approximately 2.95%. Rates have risen sharply in the last half of May and will not be finalized until a few days before the second reading. The Water Enterprise will benefit from the receipt of proceeds from the proposed bank financing for construction of the capital project, the expansion of the Water Treatment Facility.

ADJOURN AS THE BOARD OF THE WATER ENTERPRISE AND RECONVENE AS CITY COUNCIL

**18. CITY MANAGER (presenter: Alan Krcmarik)
PUBLIC HEARING**

CITY AUTHORIZING TERMS AND PROVISIONS OF THE WATER ENTERPRISE REVENUE BOND

An Ordinance of the City of Loveland, Authorizing the Terms and Provisions Relating to the Water Enterprise Revenue Bonds, Series 2013, to be Issued by the City of Loveland, Colorado, Water Enterprise, the Finance Improvements to the City’s Water System, Including, Without Limitation, Covenants and Agreement of the City in Connection Therewith

This is an administrative action by the City Council. Pursuant to Ordinance 4454 adopted by the Council in 1999, the Council ratified the establishment of the City of Loveland Water Enterprise. In a separate action, the City Council, acting as the Board of the Water Enterprise, considered on first reading the terms of the Water Enterprise Revenue Bonds, Series 2013. This proposed ordinance indicates the City Council’s agreement to and authorization of the bond ordinance.

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