

Commission.

- **Motion to reappoint Lorna Greene, Amy Olinger and Stan Taylor to the Human Services Commission, each for a term effective until June 30, 2016.**
- **Motion to appoint Alex McKenna to complete a partial term as a high school member on the Human Services Commission for term effective until June 30, 2014.**
- **Motion to appoint Marcy Yoder as an alternate member of the Human Services Commission for a term effective until June 30, 2016.**
- **Motion to reappoint John Rust, Jr., David Schneider, and Randy Williams to the Loveland Utilities Commission, each for a term effective until June 30, 2016.**
- **Motion to appoint Brian Steckelberg to the Parks and Recreation Commission for a partial term effective until December 31, 2014.**

3. ECONOMIC DEVELOPMENT (presenter: Betsey Hale)

SUNRISE COMMUNITY HEALTH CENTER

A motion to approve and order published on second 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 an administrative action. This is the second reading of an ordinance appropriating available funds from the Council Capital Reserve for public improvements (\$93,500), a Community Challenge Grant (\$100,000) and the waiver of required sidewalk improvements (\$80,000) for the Sunrise Community Health Center project. On June 18th City Council unanimously approved the first reading of the ordinance and the resolution authorizing 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 City will fund \$273,500 from Council reserve and forego \$420,000 in City fees.

4. CITY CLERK (presenter: Terry Andrews)

PUBLIC HEARING

NOTIFICATION OF PARTICIPATION IN STATEWIDE SPECIAL ELECTION

1. **A motion to approve a Resolution #R-50-2013 of the Loveland City Council Authorizing The City Clerk to Notify the Larimer County Clerk And Recorder Of The City Of Loveland's Intention to Participate in the Statewide Election to be Held on November 5, 2013, as a Coordinated Election with the County.**
2. **A motion to approve and order published on first reading An Ordinance Providing That the City of Loveland's Regular Election to be Held on November 5, 2013, Shall be Conducted as a Coordinated Election With the Larimer County Clerk and Recorder and, to the Extent Necessary to so Conduct That Election as a Coordinated Election, the Colorado Uniform Election Code of 1992 Shall Govern**

The proposed Resolution is an administrative action authorizing the City Clerk to notify the Larimer County Clerk and Recorder of the City's intent to participate in a coordinated election with the County on November 5, 2013.

The proposed Ordinance is a legislative action needed to allow the City's regular election on November 5, 2013, to be so conducted on November 5, 2013, as a coordinated election with the Larimer County Clerk and Recorder.

5. **FINANCE** (presenter: John Hartman)
2014-2023 CAPITAL PROGRAM

A motion to adopt a Resolution #R-51-2013 Approving the 2014-2023 Capital Program for the City of Loveland

The 2014-2023 Capital Program sets the planned capital expenditures for the City for the next ten years. The Projects shown in 2014 will be included in the 2014 Recommended Budget that will be submitted to Council in October for approval. The out-years (2015-2023) are conceptual and may be revised in future years to update costs and/or changes in funding availability or Council priorities. Council was presented with the Recommended Capital Program at the Study Session on June 11, 2013 and gave general approval. The program is funded using available impact fees, rate revenues, or other revenue projected to be available in the years the projects are programmed.

6. **DEVELOPMENT SERVICES** (presenter: Troy Bliss)
PUBLIC HEARING

MILLENNIUM SOUTHWEST FIFTH SUBDIVISION PUBLIC RIGHT-OF-WAY VACATION

A motion to approve and order published on first reading an Ordinance Vacating a Public Right-Of-Way for Oberon Drive and a Portion of a Public Right-Of-Way for Janus Drive Located in the Millennium Southwest Fifth Subdivision, City of Loveland, Larimer County, Colorado

This is a legislative action for the adoption of an ordinance on first reading to vacate public right-of-way for Oberon Drive and a portion of a public right-of-way for Janus Drive, located within the Millennium Southwest Fifth Subdivision.

7. **ECONOMIC DEVELOPMENT** (presenter: Betsey Hale)

LEED FABRICATION SERVICES, INC. FEE DEFERRAL AND WAIVER AGREEMENT
A motion to adopt a Resolution #R-52-2013 Approving the LFS Loveland, LLC and LEED Fabrication Services, Inc. Fee Deferral and Waiver Agreement

This is an administrative action. The resolution would authorize the City Manager to sign the agreement with LEED Fabrication, located at 5100 Boyd Lake Avenue. The agreement would provide a deferral of the cash-in-lieu payment for the required street improvements to Boyd Lake Avenue. The agreement would also provide a \$75,000 waiver of building permit fees and construction materials use tax. The street improvements are required as part of the City's site development standards, which were triggered by the proposed 40,200 square foot addition to the existing facility and the proposed construction of an additional 28,100 square foot building. According to the adopted Economic Development policy, the request was reviewed by Council at a regular meeting on June 4, 2013. The City will waive \$75,000 in fees and materials use tax.

ADJOURN AS CITY COUNCIL AND CONVENE AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)

8. **DEVELOPMENT SERVICES** (presenter: Bethany Clark)
LOVELAND ELKS LODGE #1051 FAÇADE GRANT AWARD

A motion to approve a Resolution #R-53-2013 of the Loveland Urban Renewal Authority (LURA) Awarding Façade Matching Grant Program Grants for 2013 and Authorizing Façade Matching Grant Agreements

The Façade Matching Grant program provides a dollar for dollar matching grant of up to

\$12,500 for property or business owners who undertake façade improvements in the core of the Downtown Loveland Urban Renewal Area. One application was received for the 2013 grant round and was scored by a committee of three Loveland Downtown Team members. The review committee felt the project to be well-qualified and recommended that the project be awarded. On June 4th, the Loveland Downtown Team met to review the application and made a motion recommending that the façade matching grant application be awarded. City Council appropriated general seed funds for the LURA Façade program in November of 2007 and appropriated additional TIF funds in December of 2011 dedicated for the Façade Improvement Program. In 2012, two Façade Matching Grant recipients rescinded their awards, resulting in \$25,000 being returned into the Façade Program.

ADJOURN AS THE LOVELAND URBAN RENEWAL AUTHORITY (LURA) AND RECONVENE AS CITY COUNCIL

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

9. **CITY CLERK** (presenter: Terry Andrews)
APPROVAL OF CITY COUNCIL MEETING MINUTES
A motion to approve the Council Minutes from the June 18, 2013 Regular Meeting.
This is an administrative action to approve the June 18, 2013 meeting minutes. Councilor Taylor and Councilor Trenary were absent.
10. **PUBLIC WORKS** (presenter: Keith Reester)
SALE OF NORTH TAFT PROPERTIES
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 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. This ordinance was approved on first reading by City Council with a vote of 6-1 at the June 18, 2013 Regular Meeting.

11. **PUBLIC WORKS** (presenter: Keith Reester)
SALE OF THE BISHOP HOUSE AND CITY OWNED REAL ESTATE

A motion to approve and order published on second 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). This ordinance was approved on first reading by City Council with a vote of 5-2 at the June 18, 2013 Regular Meeting.

12. **ECONOMIC DEVELOPMENT** (presenter: Betsey Hale)
DATATRAKS, INC. INCENTIVE AGREEMENT

A motion to adopt a Resolution #R-54-2013 Approving an Incentive Agreement for DataTraks, Inc.

This is an administrative action. DataTraks is requesting an incentive of \$19,500 to offset expenditures that will arise as part of their company expansion and relocation from Downtown to Rocky Mountain Center of Innovation and Technology (RMCIT). The City of Loveland will fund \$19,500 from the Economic Development Incentive Fund contingent upon the execution of a five-year lease.

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

13. **CITY MANAGER** (presenter: Alan Krcmarik)
THE BOARD OF THE WATER ENTERPRISE AUTHORIZING THE WATER REVENUE BOND

A motion to approve and order published on second reading 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

The proposed ordinance 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 which established and empowered the Enterprise to execute loans, bond issues and other financial transaction. 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. Wells Fargo is in the final stages of credit approval. Because rates have risen sharply since the middle of May, it is in the Water Enterprise’s interest to retain flexibility in the timing of locking the interest rate. The Bond Ordinance is structured to have a specific maximum interest rate included on July 2, 2013. Because of the volatility in the market rates, the closing on the Bond may be delayed beyond the July 16, 2013 date referenced at first reading. The Board of the Enterprise (Council) adopted the Ordinance on first reading by a 7-0 vote with two members absent.

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

**14. CITY MANAGER (presenter: Alan Krcmarik)
CITY AUTHORIZING TERMS AND PROVISIONS OF THE WATER ENTERPRISE
REVENUE BOND**

A motion to approve and order published on second reading 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 second reading the terms of the Water Enterprise Revenues Bonds, Series 2013. This ordinance indicates the City Council’s agreement to and authorization of the bond ordinance. On June 18, Council voted 7-0, with two members absent, to approve the Ordinance.

**15. WATER & POWER (presenter: Steve Adams)
PUBLIC HEARING
INTERFUND LOAN FROM THE POWER ENTERPRISE TO THE WATER
ENTERPRISE**

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 an Interfund Loan from the Power Enterprise to the Water Enterprise for Infrastructure Improvements

This is an administrative action. The ordinance implements an interfund loan from the Power Enterprise to the Water Enterprise to fund a portion of the Water Capital Improvement Program to replace aging infrastructure. The loan will provide the resources necessary to begin the replacement of aging infrastructure in the Water Enterprise. The fund balance is available in the Power Enterprise and will not be required for Power Capital improvements until after the annual loan repayments have been made. Budgetary impact is therefore positive for the Water Enterprise, and is not damaging to the Power Enterprise.

**16. FINANCE (presenter: Brent Worthington)
MAY 2013 FINANCIAL REPORT**

This is an informational item only. No 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 May 31, 2013.

17. **FINANCE** (presenter: Alan Krcmarik)
MAY 2013 INVESTMENT REPORT

This is an informational item only. No action is required. The budget estimate for investment earnings for 2013 is \$2,760,560. Through May, the amount posted to the investment account is \$563,316 including realized gains. Actual year-to-date earnings are much lower than the budget projection. In May, several high interest rate corporate bonds matured. The estimated annualized yield on securities held by US Bank decreased to 0.88% at the end of May, lower than the 1.04% yield reported at the end of April, and also under the annual target rate of 1.20% for 2013. Reinvestment rates have risen recently after being at near record low levels. Current reinvestment rates are lower than the budget projection target.

ADJOURN