

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: Farley, Klassen, Shaffer, Fogle, McKean, and Clark were present. Councilor Trenary and Councilor Taylor were absent.

PROCLAMATION Councilor Farley read the proclamation declaring the week of June 24 through June 28, 2013 as "BIKE WEEK", which was accepted by Robin Hildebrand from the PEDAL Club.
PROCLAMATION

WHEREAS, the City of Loveland is dedicated to providing safe and alternative modes of transportation; and
WHEREAS, the benefits of bicycling are numerous, both to the individual and to the community as a whole; and
WHEREAS, the City of Loveland received a Bicycle Friendly Community Honorable Mention recognition from the League of American Bicyclists in 2010.
WHEREAS, the City of Loveland adopted a comprehensive Bicycle and Pedestrian Master Plan on May 1, 2012.
WHEREAS, our fair city maintains nearly 140 miles of bicycle routes, lanes and trails; and
WHEREAS, persons of all ages and abilities are encouraged to use helmets for their protection; and
WHEREAS, the month of June has been declared as Bike Month to recognize and encourage bicycling as a viable source of transportation and recreation.

NOW, THEREFORE, we, the City Council of the City of Loveland, do hereby proclaim the week of June 24 through June 28, 2013 as

BIKE WEEK

in Loveland and encourage citizens to try bicycling as an alternative transportation method and to participate in Bike-to-Work Day on Wednesday, June 26.

Signed this 18th day of June, 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 Fogle removed items 3, and Mayor Pro tem Klassen removed items 4, 9, and 10. Councilor Shaffer moved to approve the Consent Agenda with the exception of Items 3, 4, 9 and 10. 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: Council minutes from the May 28, 2013 Special Meeting and the May 28, 2013 Study Session were approved.

2. DEVELOPMENT SERVICES

2012 INTERNATIONAL CODES

Legislative Action: A Public hearing was held. Second Reading of 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.

Ordinance #5772

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 on second reading.

Ordinance #5773

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 on second reading.

Ordinance #5774

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 on second reading.

Ordinance #5775

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 on second reading.

Ordinance #5776

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 on second reading.

Ordinance #5777

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 on second reading.

Ordinance #5778

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 on second reading.

Ordinance #5779

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 on second reading.

Ordinance #5780

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 on second reading.

Ordinance #5781

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 on second reading.

Ordinance #5782

K. AN ORDINANCE AMENDING CHAPTER 1.08 OF THE LOVELAND MUNICIPAL CODE REGARDING RIGHT OF ENTRY FOR INSPECTION was approved and ordered published on second reading.

3. CITY MANAGER

SPECIAL MEETING REQUEST FOR JUNE 25, 2013

This item was removed from the Consent Agenda and will be considered on the Regular Agenda.

4. DEVELOPMENT SERVICES

HUMAN GRANT ALLOCATION

Resolution #R-40-2013

This item was removed from the Consent Agenda and will be considered on the Regular Agenda.

5. LOVELAND FIRE RESCUE AUTHORITY

LARIMER COUNTY IGA FOR WILDLAND & FOREST FIRE MITIGATION

Resolution #R-41-2013

Administrative Action: 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 was approved.

RESOLUTION # R-41-2013

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH LARIMER COUNTY PURSUANT TO C.R.S. § 29-20-105.5 TO ADDRESS WILDLAND AND FOREST FIRE MITIGATION

WHEREAS, in accordance with section §29-1-203 of the Colorado Revised Statutes, governments may cooperate or contract one with another to provide any function, service or facility lawfully authorized to each of the respective units of governments; and

WHEREAS, in accordance with C.R.S. §29-1-201, governments are permitted and encouraged to make the most efficient and effective use of their powers and responsibilities by cooperating and contracting with other governments; and

WHEREAS, the Larimer County Sheriff acts as fire warden for all prairie or forest fires within the County, pursuant to Section 30-10-512, C.R.S., and has primary fire response duties in the first instance for public lands within the county; and

WHEREAS, C.R.S. § 29-20-105.5 requires local governments that own lands other than for utility purposes, that are at least 50% forest land or land that constitutes wildland area, and that is located either entirely or partially outside their territorial boundaries and inside the territorial boundaries of a county, to enter into an intergovernmental agreement (IGA) with the underlying county for the purpose of mitigating forest land or wildland fires; and

WHEREAS, the City owns land in unincorporated Larimer County, some of which contains at least 50% forest land as defined in C.R.S. § 39-1-102(4.3), or is land that constitutes a wildland area; and

WHEREAS, C.R.S. § 29-20-105.5 specifies that the IGA must address the roles and responsibilities of the parties; procedures for cooperation and coordination (mutual aid); management objectives for wildland fire prevention, preparedness, mitigation, suppression, reclamation, and rehabilitation; designation of fiscal and operational authorities; description of available resources; reimbursement and billing procedures; and actions to be taken if one party fails to meet its obligations; and

WHEREAS, The City of Loveland is a home-rule municipality that has delegated its fire service functions within its corporate limits to the Loveland Fire Rescue Authority ("LFRA"), an independent governmental entity formed by intergovernmental agreement between the City and the Loveland Fire Protection District; and

WHEREAS, the LFRA Board reviewed and approved the Agreement on February 14, 2013; and

WHEREAS, by the terms Section 1.9 of Article I of that certain Intergovernmental Agreement for the Establishment and Operation of the Loveland Fire Rescue Authority as a Separate Governmental Entity dated August 19, 2011, mutual aid agreements must be presented to and approved by the Loveland City Council and the Loveland Rural Fire Protection District; and

WHEREAS, the City Council finds that it is in the best interests of the City to adopt the "Intergovernmental Agreement with Larimer County to Address Wildland and Forest Fire Mitigation" attached hereto as Exhibit A and incorporated by reference (the "Agreement").

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

Section 1. That the Agreement is hereby approved.

Section 2. That the City Manager is hereby authorized and directed to execute the Agreement on behalf of the City, subject to such modifications in form or substance as the City Manager, in consultation with the City Attorney, may deem necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

Section 3. That this Resolution shall go into effect as of the date and time of its adoption.

ADOPTED this 18th day of June, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:

Teresa G. Andrews, City Clerk

Exhibit is available in the Clerk's Office.

6. POLICE

JAG GRANT

Administrative Action: A public hearing was held and the motion to approve Staff Application for a Federal Justice Assistance Grant (JAG Grant) was approved.

7. AIRPORT

AIRPORT GRANT AND EMERGENCY SUPPLEMENTAL APPROPRIATION

A. Resolution #R-42-2013

Legislative Action: 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 was approved.

RESOLUTION #R-42-2013

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS WITH THE STATE OF COLORADO DIVISION OF AERONAUTICS (CDAG #13-FNL-01 and CDAG #13-FNL-02) FOR IMPROVEMENTS TO THE FORT COLLINS-LOVELAND MUNICIPAL AIRPORT

WHEREAS, the General Assembly of the State of Colorado has declared in Title 43 of the Colorado Revised Statutes, Article 10, 1991 in C.R.S. 43-10-101 ("the Act") that: "...there exists a need to promote the safe operation and accessibility of general aviation and intrastate commercial aviation in this state; that improvement of general aviation and intrastate commercial aviation transportation facilities will promote diversified economic development across the

state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency"; and

WHEREAS, the Act created the Colorado Aeronautical Board ("the Board") to establish policy and procedures for distribution of monies in the Aviation Fund and created the Division of Aeronautics ("the Division") to carry out the directives of the Board, including technical and planning assistance to airports and the administration of the state aviation system grant program. (See C.R.S. §43-10-103, C.R.S. §43-10-105, and C.R.S. §43-10-108.5 of the Act); and

WHEREAS, any entity operating a public-accessible airport in the state may file an application for and be a recipient of a grant to be used solely for aviation purposes (an "Application"); and

WHEREAS, The Division is authorized to assist such airports as request assistance by means of a Resolution passed by the applicant's duly-authorized governing body, which understands that all funds shall be used exclusively for aviation purposes and that it will comply with all grant procedures and requirements as defined in the Division's Grant program Project Management Manual, revised 2009 ("the Manual"); and

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

WHEREAS, the Cities have applied for grants CDAG #13-FNL-01 and CDAG #13-FNL-02 (the "Grant Agreements") from the Division for the purpose of rehabilitating the north half of the general aviation apron and installing perimeter fencing around the airport (the "Airport Projects"); and

WHEREAS, CDAG #13-FNL-01 is attached hereto as Exhibit A and incorporated by reference and CDAG #13-FNL-02 will be forthcoming from the Division and in substantially the form of Exhibit A; and

WHEREAS, the Grant Agreements jointly provide additional funding for the Airport Projects of one million thirty six thousand two hundred twenty dollars and thirty six cents (\$1,036,220.36), subject to the Cities providing certain matching funds which have been previously allocated as part of the Airport's 2013 budget.

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

Section 1. That the Council of the City of Loveland ("the Council"), as one of the duly authorized governing bodies of the grant applicant, hereby formally requests assistance from the Colorado Aeronautical Board and the Division of Aeronautics in the form of state aviation system grants. The City of Loveland states that such grants shall be used solely for aviation purposes, as determined by the State, and as generally described in the Application.

Section 2. That the City of Loveland makes the commitment (a) to keep the Airport facility accessible to, and open to, the public during the entire useful life of the grant funded improvements/equipment; or (b) to reimburse the Division for any unexpired useful life of the improvements/equipment on a pro-rata basis. By signing the Grant Agreements, the City of Loveland further commits to keep open and accessible for public use all grant funded facilities, improvements and services for their useful life, as determined by the Division and stated in the Grant Agreements.

Section 3. That the Council hereby designates Jason Licon, Airport Director, as the Project Director, as described in the Manual, and authorizes the Project Director to act in all matters relating to the work project proposed in the Application in its behalf, and further authorizes the City Manager to execute the Grant Agreements with such modifications in form or substance as the City Manager, in consultation with the City Attorney's Office, may deem necessary to effectuate the purposes of this resolution or to protect the interests of the City.

Section 4. That the City of Loveland has appropriated or will appropriate or otherwise make available in a timely manner its share of all funds that are required to be provided by the Cities under the terms and conditions of the Grant Agreements.

Section 5. That the City of Loveland, subject to the foregoing, hereby accepts all guidelines, procedures, standards, and requirements described in the Manual as applicable to the performance of the grant work and hereby approves the Grant Agreements submitted by the State, including all terms and conditions contained therein.

Section 6. That this Resolution shall be effective as of the date and time of its adoption.

ADOPTED this 18th day of June, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:
City of Loveland
Teresa G. Andrews, City Clerk
Exhibit is available in the Clerk's Office.

B. Ordinance
P.H. & 1st Rdg

Administrative Action: A public hearing was held and 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 was approved and ordered published on first (single) reading.

8. PUBLIC WORKS

EASEMENTS TO PUBLIC SERVICE COMPANY OF COLORADO

Resolution #R-43-2013

Administrative Action: A motion to adopt a Resolution #R-43-2013 Granting a Temporary Easement to Public Service Company of Colorado was approved.

Resolution #R-43-2013

A RESOLUTION GRANTING A TEMPORARY EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO

WHEREAS, Public Service Company of Colorado ("PSCo") has requested that the City of Loveland grant PSCo a non-exclusive temporary easement across real property owned by the City for construction, access, and staging purposes associated with PSCo's installation of gas facilities in an adjacent parcel; and

WHEREAS, the Public Works Department reviewed PSCo's request and found that the proposed temporary use will not affect the City's operations at that location; and

WHEREAS, the City Council desires to grant the requested temporary easement on the terms and conditions set forth in the "Public Service Company of Colorado Temporary Easement," attached hereto.

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

Section 1. That the "Public Service Company of Colorado Temporary Easement," attached hereto as Exhibit A and incorporated herein by reference ("Easement"), is hereby approved.

Section 2. That the City Manager and the City Clerk are hereby authorized and directed to execute the Easement on behalf of the City of Loveland.

Section 3. That the City Manager is authorized, following consultation with the City Attorney, to approve changes to the form or substance of the Easement as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

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

ADOPTED this 18th day of June, 2013

Cecil A. Gutierrez, Mayor

ATTEST:

City of Loveland

Teresa G. Andrews, City Clerk

Exhibit is available in the Clerk's Office

Resolution #R-44-2013

Administrative Action: A motion to adopt a Resolution #R-44-2013 Granting an Exclusive Gas Easement to Public Service Company of Colorado was approved.

Resolution #R-44-2013

A RESOLUTION GRANTING AN EXCLUSIVE GAS EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO

WHEREAS, Public Service Company of Colorado ("PSCo") has requested that the City of Loveland grant PSCo an exclusive gas easement for the transmission and distribution of gas on, over, under, through, and across real property owned by the City of Loveland; and

WHEREAS, the Public Works Department reviewed PSCo's request and found that the proposed use will not negatively affect the City's operations at that location; and

WHEREAS, the City Council desires to grant the requested easement on the terms and conditions set forth in the "Exclusive Gas Easement" attached hereto.

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

Section 1. That the "Exclusive Gas Easement," attached hereto as Exhibit A and incorporated herein by reference ("Easement"), is hereby approved.

Section 2. That the City Manager and the City Clerk are hereby authorized and directed to execute the Easement on behalf of the City of Loveland.

Section 3. That the City Manager is authorized, following consultation with the City Attorney, to approve changes to the form or substance of the Easement as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

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

ADOPTED this 18th day of June, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:

City of Loveland

Teresa G. Andrews, City Clerk

Exhibit is available in the Clerk's Office

Resolution #R-45-2013

Administrative Action: A motion to adopt a Resolution #R-45-2013 Granting a Gas Easement To Public Service Company Of Colorado was approved.

Resolution #R-45-2013

A RESOLUTION GRANTING A GAS EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO

WHEREAS, Public Service Company of Colorado ("PSCo") has requested that the City of Loveland grant PSCo a non-exclusive gas easement for the transmission and distribution of gas on, over, under, through, and across real property owned by the City of Loveland; and

WHEREAS, the Public Works Department reviewed PSCo's request and found that the proposed use will not negatively affect the City's operations at that location; and

WHEREAS, the City Council desires to grant the requested easement on the terms and conditions set forth in the "Gas Easement" attached hereto.

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

Section 1. That the "Gas Easement," attached hereto as Exhibit A and incorporated herein by reference ("Easement"), is hereby approved.

Section 2. That the City Manager and the City Clerk are hereby authorized and directed to execute the Easement on behalf of the City of Loveland.

Section 3. That the City Manager is authorized, following consultation with the City Attorney, to approve changes to the form or substance of the Easement as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

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

ADOPTED this 18th day of June, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:
City of Loveland
Teresa G. Andrews, City Clerk

Resolution #R-46-2013 Administrative Action: A motion to adopt a Resolution #R-46-2013 Granting a Non-Exclusive Access and Utility Easement to Public Service Company of Colorado was approved.

Resolution #R-46-2013

A RESOLUTION GRANTING A NON-EXCLUSIVE ACCESS AND UTILITY EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO

WHEREAS, Public Service Company of Colorado ("PSCo") has requested that the City of Loveland grant PSCo a non-exclusive access and utility easement for the transmission and distribution of gas and for pedestrian and vehicular access by PSCo on, over, under, through, and across real property owned by the City of Loveland; and

WHEREAS, the Public Works Department reviewed PSCo's request and found that the proposed use will not negatively affect the City's operations at that location; and

WHEREAS, the City Council desires to grant the requested easement on the terms and conditions set forth in the "Non-exclusive Access and Utility Easement" attached hereto.

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

Section 1. That the "Non-exclusive Access and Utility Easement," attached hereto as Exhibit A and incorporated herein by reference ("Easement"), is hereby approved.

Section 2. That the City Manager and the City Clerk are hereby authorized and directed to execute the Easement on behalf of the City of Loveland.

Section 3. That the City Manager is authorized, following consultation with the City Attorney, to approve changes to the form or substance of the Easement as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

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

ADOPTED this 18th day of June, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:

City of Loveland

Teresa G. Andrews, City Clerk

Exhibit is available in the Clerk's Office.

9. PUBLIC WORKS

SALE OF NORTH TAFT PROPERTIES

Ordinance

P.H. & 1st Reading

This item was removed from the Consent Agenda and will be considered on the Regular Agenda.

10. PUBLIC WORKS

SALE OF THE BISHOP HOUSE AND CITY OWNED REAL ESTATE

Ordinance

P.H. & 1st Reading

This item was removed from the Consent Agenda and will be considered on the Regular Agenda.

11. PUBLIC WORKS

RNL DESIGN CONTRACT CHANGE ORDER FOR THE SERVICE CENTER

Administrative Action: The motion to approve a contract change order for RNL Design to Design and Engineer the Expansion and Remodel of the Service Center was approved.

12. ECONOMIC DEVELOPMENT

CRUNCHY GROCER SALES TAX REFUND AND FEE WAIVER

Resolution #R-47-2013

Administrative Action: A Resolution A RESOLUTION APPROVING AN AGREEMENT FOR CITY SALES TAX REFUND, FEE WAIVER, AND CONSTRUCTION MATERIALS USE TAX WAIVER FOR THE CRUNCHY GROCER LLC was approved.

Resolution #R-47-2013

A RESOLUTION APPROVING AN AGREEMENT FOR CITY SALES TAX REFUND, FEE WAIVER, AND CONSTRUCTION MATERIALS USE TAX WAIVER FOR THE CRUNCHY GROCER LLC

WHEREAS, Crunchy Grocer LLC, a Colorado limited liability company ("the Crunchy Grocer"), is planning to open a natural and organic grocery store in Loveland at 1461 E. Eisenhower Boulevard (the "Store"); and

WHEREAS, the Crunchy Grocer recently entered into a six year lease agreement for 1461 E. Eisenhower and is in the process of completing substantial renovations at a cost of \$210,000 including a new internal mechanical, electrical and plumbing systems to make the building more functional and suitable for the operation of its business; and

WHEREAS, the Crunch Grocer will fill a community retail need for a retail natural and organic grocer, which need is currently underserved in the City of Loveland; and

WHEREAS, before leasing and renovating the Store, the Crunchy Grocer asked the City to assist with the development of the Store by providing a refund of sales taxes in an amount equal to one-third (1/3) of all City sales taxes collected by the Crunchy Grocer and received by the City with respect to transactions in or from the Store during a sixty month (60) month period; and in accordance with the terms and conditions of the Agreement attached hereto as "Exhibit A" and incorporated by this reference (the "Agreement"); and

WHEREAS, waiver of building permit fees is authorized under City Code Section 16.38.071, and credit for or refund of City construction materials use tax and sales tax is authorized by City Code Section 3.16.590, upon a finding that such waiver of credit will serve a public purpose, including but not limited to significant social and economic benefits; and

WHEREAS, the City Council believes that granting the Crunchy Grocer a refund of sales taxes, a waiver of construction materials use taxes, and a waiver of building permit fees as provided in the Agreement, will provide significant social and economic benefits to the citizens of Loveland, primarily in the form of jobs, economic development, and increased sales and property tax revenues to the City, and, therefore, the Agreement is in the best interests of the public and 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 granting the Crunchy Grocer a refund of sales taxes collected by Crunchy Grocer and received by the City with respect to transactions in or from the Store as set forth in the Agreement, the waiver of building permit fees, and the waiver of City construction materials use tax will serve a public purpose by providing significant social and economic benefits to the citizens of Loveland, primarily in the form of jobs, economic development, and increased sales and property tax revenues to the City,

Section 2. That the Agreement attached hereto as Exhibit A and incorporated by reference is hereby approved.

Section 3. That the City Manager is authorized, following consultation with the City Attorney, to modify the Agreement in form or substance as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

Section 4. That the City Manager and the City Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of Loveland.

Section 5. That this Resolution shall be effective as of the date of its adoption.

ADOPTED this 18th day of June, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:

City of Loveland
Teresa G. Andrews, City Clerk
Exhibit available in the Clerk's Office

13. ECONOMIC DEVELOPMENT
SUNRISE COMMUNITY HEALTH CENTER

A. Resolution #R-48-2013

Administrative Action: A resolution #R-48-2013 Approving the Loveland Community Health Center Incentive and Fee Waiver Agreement with Sunrise Community Health was approved.

RESOLUTION #R-48-2013

A RESOLUTION APPROVING THE LOVELAND COMMUNITY HEALTH CENTER INCENTIVE AND FEE WAIVER AGREEMENT WITH SUNRISE COMMUNITY HEALTH

- WHEREAS, Sunrise Community Health is a Colorado nonprofit corporation ("Sunrise") providing community health care and owns that real property consisting of approximately 6.38 acres known as 302 3rd Street SE, Loveland, Colorado (the "Property"); and
- WHEREAS, the 49,164 square foot building located on the Property has been near-vacant and underutilized for an extended period of time; and
- WHEREAS, Sunrise is redeveloping the Property to co-locate the Loveland Community Health Center operated by Sunrise and the Stepping Stones Adult Day Program operated by McKee Medical Center ("McKee"), in order to leverage resources, reduce costs, integrate service, and improve client experience in the provision of medical, dental, and behavioral health care services and adult respite services to low-income individuals and families in the greater Loveland area (the "Health Center"); and
- WHEREAS, the first phase of the redevelopment ("Phase I") includes (i) purchase of the facility and renovation of approximately 34,000 square feet of space at a total project cost estimated at \$8.4M, including 25,000 square feet to accommodate Sunrise's community health care services now located at 450 N. Cleveland Avenue, approximately 6,400 square feet of space to accommodate McKee's Stepping Stones Adult Day Program, approximately 2,364 square feet of space for a private contractor to continue providing meals on site for community service organizations and catering services, and completion of shared space for ancillary functions such as break rooms, meeting and conference space, IT and similar supporting infrastructure; and (ii) site improvements to include sidewalks, access modifications, electrical service upgrades, and fire hydrant replacement and installation (the "Site Improvements"); and
- WHEREAS, as a part of the Site Improvements, the Loveland Municipal Code and Larimer County Urban Area Street Standards ("LCUASS") require Sunrise to design and install a sidewalk along the western border of the Property adjacent to Lincoln Avenue at an estimated cost of Eighty Thousand Dollars (\$80,000.00) (the "Lincoln Sidewalk") and a new five foot (5') detached public sidewalk along the northern border of the Property adjacent to 3rd Street SE from Lincoln Avenue to Washington Avenue at an estimated cost of Forty Thousand Dollars (\$40,000.00) (the "3rd Street SE Sidewalk"), or provide a "cash-in-lieu" payment if approved by the City Engineer; and
- WHEREAS, the City Engineer has approved a "cash-in-lieu" payment of Eighty Thousand Dollars (\$80,000.00) for the Lincoln Sidewalk, since this Sidewalk, if built in connection with Phase I of the Health Center, would terminate at the Farmers' Ditch and would be unnecessary until a pedestrian bridge is completed in the future; and
- WHEREAS, in connection with Phase I, Sunrise is also required to pay the City certain capital expansion fees in the estimated amount of Three Hundred Seventy Eight Thousand Dollars (\$378,000.00) (the "CEFs") and building permit fees, inspection fees, and other fees imposed on new development in the City which are estimated not to Exceed

Forty Two Thousand Dollars (\$42,000.00) ("the Fees") as a precondition to receiving from the City a building permit and/or final certificate of occupancy for Phase I; and

WHEREAS, Sunrise has asked the City for certain economic incentives to aid it in undertaking Phase I to facilitate redevelopment of the Property, which is anticipated to increase employment by Sunrise of as many as 23 full time employees and provide affordable quality health care and adult respite care to low-income individuals and families in the greater Loveland area, serving a critical need in the community; and

WHEREAS, Sunrise has asked the City to provide a cash incentive to fund some of the Site Improvements, provide a challenge grant and to waive the cash-in-lieu payment for the Lincoln Sidewalk, CEFs, and certain Fees for the redevelopment of the Health Center; and

WHEREAS, the waiver of Fees is authorized under City Code Section 16.38.070, if the City Council finds that such waiver serves a public purpose, including, without limitation, providing the public with significant social, economic or cultural benefits; and

WHEREAS, City Code Section 16.38.075 provides that the City Council may, by resolution, grant an exception from all or part of the CEFs imposed, or any other fees imposed, upon a development project upon a finding that the project for which the CEFs and fees would otherwise be imposed will provide not-for-profit facilities open to Loveland area residents that might otherwise be provided by the City at taxpayer expense, that such facilities relieve the pressures of growth on city-provided facilities, and that such facilities do not create growth or growth impacts; and

WHEREAS, pursuant to Article XX of the Colorado Constitution and C.R.S. Section 31-15-711(1)(e), the City is authorized to establish and operate community health care facilities within Loveland; and

WHEREAS, provision of a cash incentive is authorized under City Code Section 3.04.090 for all public purposes to the full extent authorized by the Colorado Constitution, which includes the public purposes of producing significant economic, cultural and social benefits to the citizens of Loveland; and

WHEREAS, City Council believes the assistance in the form of a cash incentive payment and waiver of the Fees, CEFs and the cash-in-lieu payment for the Lincoln Sidewalk, are in the best interests of the City and the public and serve the public purposes of producing significant economic and social benefits to the citizens of Loveland, primarily in the form, primarily in the form of economic development, high-quality jobs, and increased property tax revenues to the City, and in the form of access to medical, dental, and behavioral health care services and adult respite services to low-income individuals and families in the greater Loveland area; and

WHEREAS, the City Council further believes that the waiver of the CEFs under the "Agreement" (as defined below) will provide not-for-profit facilities open to Loveland area residents that might otherwise be provided by the City at taxpayer expense, and that such facilities relieve the pressures of growth on City-provided facilities and do not create growth or growth-impacts.

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

Section 1. That the City Council hereby finds that granting Sunrise assistance in the form of a cash incentive payment and waiver of certain Fees and the cash-in-lieu payment for the Lincoln Sidewalk, are in the best interests of the City and the public and serve the public purposes of producing significant economic and social benefits to the citizens of Loveland, primarily in the form, primarily in the form of economic development, high-quality jobs, and increased property tax revenues to the City, and in the form of access to medical, dental, and behavioral health care services and adult respite services to low-income individuals and families in the greater Loveland area.

Section 2. That the City Council further finds that the waiver of the CEFs under the "Agreement" (as defined below) is made to support a project undertaken by a nonprofit entity that will provide not-for-profit community health care facilities open to Loveland area residents that might otherwise be provided by the City at taxpayer expense, and that such facilities relieve the pressures of growth on City-provided facilities and do not create growth or growth-impacts.

Section 3. That the Loveland Community Health Center Incentive and Fee Waiver Agreement between the City and Sunrise attached hereto as Exhibit A and incorporated by reference (the "Agreement") is hereby approved, subject to an appropriation by City Council, in its discretion, of the funds required to fulfill the financial obligations of the City set forth therein, except the capital expansion fees waived the Agreement and waived pursuant to City Code Section

16.38.075, all as more fully set forth in the Agreement. In addition, pursuant Section 16.38.075, the CEF funds are not required to be reimbursed by the general fund for the waived CEFs

Section 4. That the City Manager is authorized, following consultation with the City Attorney, to modify the Agreement in form or substance as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

Section 5. That the City Manager and the City Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of Loveland.

Section 6. That this Resolution shall be effective as of the date of its adoption.

ADOPTED this 18th day of June, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:

City of Loveland

Teresa G. Andrews, City Clerk

Exhibit is available in the Clerk's Office.

B. Ordinance

P.H. 1st Rdg

Administrative Action: A public hearing was held and 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 was approved and ordered published on first reading.

END OF CONSENT AGENDA

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports

Staci Wetzler, shareholder of Lakeview Development and the South Peninsula area inquired about the lack of progress with this issue. City Manager Bill Cahill gave an update and stated the goal is for forward progress as conditions are met. The Mayor would like verification of progress. Les Bogunovich, investor and homeowner in Loveland, inquired about the lots in the South Peninsula in order to start selling. Mark Malone, investor in Lakeview, since 2004, supports both sides and asks for help in resolving this issue.

Kim Orr, resident of Loveland, spoke about the Federal Exemptions on Oil & Gas regulations. She gave a handout to the City Clerk for distribution to Council. Sal Valdivia, resident of Loveland spoke about concerns with fracking and water usage.

b) Business from Council

Farley

Went on the David Jessup Tour and recommended it to Council.

Fogle

Loveland Historical Society received grant approval to move forward with Historic Downtown district.

Shaffer

Attended Night on the Town, a tour of CorKat Data building renovation and the Tour of Homes.

- Mayor Gutierrez Mayor Gutierrez informed Council of the need to appoint a voting delegate for CML. Councilor Fogle nominated Daryle Klassen. Councilor Farley seconded and by acclamation Mayor Pro tem Klassen was appointed. Councilor Shafer will attend and assist as a colleague; Attended Square Dance Jamboree; American Eagle Distributing brought Clydesdales to Downtown Loveland on Saturday; and Goya's exhibit at the Museum.
- 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

3. CITY MANAGER

SPECIAL MEETING REQUEST FOR JUNE 25, 2013

Administrative Action: City Manager Bill Cahill introduced this item to Council regarding City's agreement with Comcast. Council's instruction was to hold a public session for comment prior to the Executive Session on June 25, 2013. Councilor Shaffer moved that the June 25, 2013 Study Session be held as a Special Meeting to consider an Executive Session and Council waived the required notice in the City Charter 4.2(b). Councilor Klassen seconded the motion. The motion carried with all councilors present voting in favor thereof. Council also directed Staff to include an opportunity for the public to comment on this issue, on the agenda.

4. DEVELOPMENT SERVICES

HUMAN GRANT ALLOCATION

Resolution #R-40-2013

Administrative Action: Councilor Klassen praised the work done by the Commissions. Councilor Shaffer moved to adopt Resolution #R-40-2013 Approving the 2013 Grant Funding Recommendations of the Loveland Human Service Commission and the Loveland Affordable Housing Commission. Councilor Klassen seconded the motion. The motion carried and was approved with all councilors present voting in favor.

RESOLUTION #R-40-2013

A RESOLUTION APPROVING THE 2013 GRANT FUNDING RECOMMENDATIONS OF THE LOVELAND HUMAN SERVICES COMMISSION AND THE LOVELAND AFFORDABLE HOUSING COMMISSION

WHEREAS, the City of Loveland, Colorado recognizes the valuable services provided by human services agencies in the Loveland community; and

WHEREAS, the City Council of the City of Loveland recognizes the need to provide opportunities for the well-being of less

fortunate citizens; and

WHEREAS, the City has established the Human Services Grant Program to provide financial assistance to agencies meeting the human services needs in the community; and

WHEREAS, the City has budgeted \$450,000 in the 2013 City of Loveland budget for the Human Services Grant Program; and

WHEREAS, the City receives federal Community Development Block Grant ("CDBG") funds through the U.S. Department of Housing and Urban Development ("HUD") to assist in meeting the housing needs for Loveland citizens with low incomes; and

WHEREAS, the City anticipates receiving a total of \$291,697 in CDBG funds for the 2013-2014 federal fiscal year; and

WHEREAS, in addition to the 2013-2014 federal CDBG funds, the City returned \$17,936 in CDBG funds to HUD for the 2009-2010 federal fiscal year, which was subsequently returned to the City and is available for 2013 CDBG grant funding; and

WHEREAS, the City Council has charged the Human Services Commission with the task of reviewing all grant applications made to the City for Human Services Grant funds and for CDBG funds, except for "bricks and mortar" applications that are housing related, and making a funding recommendation to the City Council regarding such grant funds distribution; and

WHEREAS, the City Council has charged the Affordable Housing Commission with the task of reviewing all "bricks and mortar" grant applications made to the City for CDBG funds related to housing and making a recommendation to the City Council regarding such grant funds distribution; and

WHEREAS, the Human Services Commission and the Affordable Housing Commission have reviewed all grant applications made to the City for Human Services Grant funds and CDBG funds, and have made a recommendation to the City Council regarding distribution of those grant funds; and

WHEREAS, the City Council desires to approve the grant funding recommendations of the Human Services Commission and the Affordable Housing Commission.

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

Section 1. That the 2013 grant funding recommendations of the Human Services Commission regarding the distribution of Human Services Grant funds are hereby approved in the following amounts to the following agencies, subject to execution of a recipient contract with the City of Loveland by the agency on or before August 31, 2013:

Agency	Total Grant Amount
Alliance for Suicide Prevention	\$1,853
Alternatives to Violence	\$20,170
Alternatives to Violence	\$4,854
Audio Information Network	\$1,088
Boys & Girls Club	\$21,661
Care-A-Van/Senior Alternatives in Transportation	\$6,198
Catholic Charities of Larimer County	\$3,752
Center for Adult Learning	\$23,038
Colorado Health Network/Northern Co. AIDS Project	\$5,022
Community Kitchen	\$5,021
Court Appointed Special Advocates	\$10,550
Court Appointed Special Advocates	\$9,851
Crossroads Safehouse	\$19,036
Disabled Resource Services	\$13,262
Easter Seals Colorado/WINGS	\$10,244
Elderhaus	\$8,187
Ensign Skills Center	\$2,272
Food Bank for Larimer County	\$25,365

Food Bank/Loveland Rotary Kids Pak	\$2,500
Homeless Gear/Hand-Up Cooperative	\$4,010
House of Neighborly Service	\$26,415
House of Neighborly Service	\$21,661
House of Neighborly Service/Center for Adult Learning	\$7,500
Larimer County Child Advocacy Program	\$16,697
Loveland Youth Gardeners	\$1,700
Matthews House	\$17,979
McKee Medical Center Foundation/Stepping Stones	\$3,292
Meals on Wheels	\$31,729
Neighbor to Neighbor	\$7,148
Pathways Hospice	\$2,111
Project Self-Sufficiency	\$16,126
Rehab and Visiting Nurses Association	\$14,270
Respite Care	\$7,218
Thompson Valley Preschool	\$8,644
Touchstone Health Partners	\$23,516
Touchstone Health Partners	\$5,074
Turning Point Center	\$16,798
United Day Care Center/Teaching Tree	\$5,099
Women's Resource Center	<u>\$19,089</u>
Total Grant Amount	\$450,000

Section 2. That the 2013 grant funding recommendations of the Human Services Commission and the Affordable Housing Commission for the 2013 Community Development Block Grant Program are hereby approved in the following amounts to the following agencies, subject to: (a) the approval of the U.S. Department of Housing and Urban Development and the allocation and receipt of Community Development Block Grant funds to the City of Loveland in 2013; (b) City Council budget and appropriation of such allocated federal funding; and (c) execution of a subrecipient contract with the City of Loveland by the agency or project owner on or before December 31, 2013:

Agency	Total Grant Amount
Alternatives to Violence	\$6,376
House of Neighborly Service	\$13,048
House of Neighborly Service	\$8,535
House of Neighborly Service	\$155,240
Housing Authority of the City of Loveland	\$25,000
Neighbor to Neighbor	\$15,795
Sexual Assault Victim Advocates	\$10,000
Volunteers of America	\$17,300
City of Loveland Program Administration	<u>\$58,339</u>
Total Grant Amount	\$309,633

Section 3. That this Resolution shall take effect as of the date of its adoption.

ADOPTED this 18th day of June, 2013.

Cecil A. Gutierrez, Mayor

Teresa G. Andrews, City Clerk

Exhibit is available in the Clerk's Office.

9. PUBLIC WORKS

SALE OF NORTH TAFT PROPERTIES

Ordinance

P.H. & 1st Reading

Administrative Action: Discussion ensued regarding appraisal values versus market values. Mayor Gutierrez opened the public hearing at 7:53 Hearing no comment Mayor Gutierrez closed the public hearing at 7:53. Councilor Shaffer moved 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. Councilor Klassen seconded and the motion. The motion carried with six councilors voting in favor and Councilor Shaffer voting against.

10. PUBLIC WORKS

SALE OF THE BISHOP HOUSE AND CITY OWNED REAL ESTATE

Ordinance

P.H. & 1st Reading

Administrative Action: Discussion ensued regarding the process the City followed. Mayor Gutierrez opened the public hearing at 8:00 Hearing no comment Mayor Gutierrez closed the public hearing at 8:00. and Councilor Shaffer moved 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. Councilor Farley seconded the motion. The motion carried and was approved with five councilors voting in favor and Councilor Shaffer and Councilor Fogle voting against.

14. CITY CLERK

Approval of Council Minutes

Administrative Action: The Council minutes from June 4, 2013 Regular Meeting were approved. Mayor Gutierrez was absent from that meeting. Councilor Shaffer motioned to approve the minutes. Councilor Farley seconded the motion. The motion carried and was approved with all councilors present voting in favor and Mayor Gutierrez abstaining.

15. FINANCE

COMPREHENSIVE ANNUAL FINANCIAL REPORT AND AUDIT

Informational Only Item: Finance Director, Brent Worthington introduced this item. Becky Masters and Dee Ann Hanson were also thanked for their efforts and success in working with software implementation with Rubin & Brown. Cheryl Wallace, CPA, presented information and offered explanation regarding the audit.

16. ECONOMIC DEVELOPMENT

CORKAT DATA SOLUTIONS, LLC INCENTIVE AGREEMENT

Resolution #R-49-2013

Administrative Action: Councilor Shaffer recused herself. Mike Scholl, Economic Development Manager presented this item. Kevin Cox, owner of CorKat spoke regarding business plans and impact to the community. Councilor Klassen moved to approve Resolution #R-49-2013 Approving an Incentive Agreement for CorKat Data Solutions, LLC. Councilor Farley seconded the motion. The motion carried and was approved with all councilors present voting in favor.

RESOLUTION #R-49-2013

A RESOLUTION APPROVING AN INCENTIVE AGREEMENT FOR CORKAT DATA SOLUTIONS, LLC

WHEREAS, CorKat Data Solutions, LLC, a Colorado limited liability company ("CorKat"), has operated a data center and cloud computing business in downtown Loveland since 2000 and is expanding to bring its affiliated entity, Colorado Network Management, Inc., ("CNM") into the building located at 451 N. Railroad Avenue (the "Building") adjacent to

its downtown data center to provide affordable technology solutions and maintenance to small and large businesses in Loveland and the Front Range; and

WHEREAS ; CorKat has recently entered into a lease agreement for the Building and is completing substantial renovations and tenant improvements at a cost of approximately \$180,000 to make the Building, which listed on the City's historic register, more functional; and

WHEREAS, CNM's relocation to the Building will include relocation of 13 employees to downtown Loveland and it is anticipated that 2 or 3 additional full-time employees will be hired over the next year; and

WHEREAS, before leasing and undertaking renovation of the Building, CorKat asked the City to assist with the cost of the Building renovations by providing an incentive; and

WHEREAS, CorKat has begun renovation of the Building that includes restoration and modification of the Building façade consistent with the Building's historic character (the "Façade Improvements"); and

WHEREAS, the City desires to provide assistance in the form of a grant in an amount equal to the actual cost of the Façade Improvements, not to exceed Eighteen Thousand Dollars (\$18,000) (the "Grant"); and

WHEREAS, Barry J. Floyd is the owner of the Building, which is located on the following described real property (the "Property"):

Lots 1-4, Block 15, Original Plat of Loveland Old Town, City of Loveland, County of Larimer, State of Colorado; and

WHEREAS, the City Council has believes that the terms of the Corkat Data Solutions, LLC Façade Incentive Grant Agreement attached hereto as "Exhibit A" and incorporated herein by reference (the "Agreement") and the assistance in the form of a grant to CorKat to defray all or a portion of the cost of the Façade Improvements is in the best interests of the City and serve the public purposes of improving a vacant downtown property and establishing the operation of CNM, thereby producing significant economic, cultural and social benefits to the citizens of Loveland, primarily in the form of increased assessed values for property tax purposes, jobs, and economic development in the downtown area, and the elimination or prevention of blight and enhancement of the historic character of 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 providing the Grant to CorKat to defray all or a portion of the cost of the Façade Improvements will serve a public purpose because CorKat's renovation and improvement of the Building, and operation of its business in downtown Loveland will provide significant social, cultural and economic benefits to the citizens of Loveland, primarily in the form of jobs, economic development, and increased property tax revenues to the City, as well as elimination or prevention of blight and enhance of the historic character of the City.

Section 2. That the Agreement attached hereto as "Exhibit A" and incorporated by reference is hereby approved.

Section 3. That the City Manager is authorized, following consultation with the City Attorney, to modify the Agreement in form or substance as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

Section 4. That the City Manager and the City Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of Loveland.

Section 5. That this Resolution shall be effective as of the date of its adoption.

ADOPTED this 18th day of June, 2013.

Cecil A. Gutierrez, Mayor

ATTEST:

City of Loveland

Teresa G. Andrews, City Clerk

Exhibit available in the Clerk's Office.

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

17. CITY MANAGER

**Ordinance
P.H. & 1st Rdg.**

Administrative Action: Alan Krcmarik, Executive Economic Advisor introduced this item to Council. Mayor Gutierrez opened the public hearing at 8:54 Hearing no public comment Mayor Gutierrez closed the public hearing at 8:54. and Councilor Shaffer moved to approve and order published on first 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. Councilor Klassen seconded the motion. The motion carried and was approved with all councilors present voting in favor

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

18. CITY MANAGER

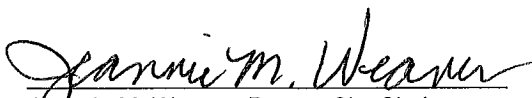
CITY AUTHORIZING TERMS AND PROVISIONS OF THE WATER ENTERPRISE REVENUE BOND

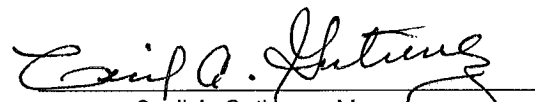
Administrative Action: Alan Krcmarik, Executive Economic Advisor, presented this item to Council. Sally Tasker of Sherman & Howard also helped to answer questions. A public hearing was held and Councilor Shaffer moved to approve and order published on first reading AN ORDINANCE OF THE CITY OF LOVELAND, 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. Councilor Farley seconded the motion. The motion carried and was approved with all councilors present voting in favor.

ADJOURNMENT

Having no further business to come before Council, the June 18, 2013 Regular Meeting was adjourned at 9:12 pm.

Respectfully Submitted,


Jeannie M. Weaver, Deputy City Clerk


Cecil A. Gutierrez, Mayor

