

**AGENDA
LOVELAND CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 3, 2013
CITY COUNCIL CHAMBERS
500 EAST THIRD STREET
LOVELAND, COLORADO**

The City of Loveland is committed to providing an equal opportunity for citizens and does not discriminate on the basis of disability, race, age, color, national origin, religion, sexual orientation or gender. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act. For more information, please contact the City's ADA Coordinator at bettie.greenberg@cityofloveland.org or 970-962-3319.

**5:30 P.M. DINNER - City Manager's Conference Room
6:30 P.M. REGULAR MEETING - City Council Chambers**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION RECOGNIZING SEPTEMBER AS HUNGER ACTION MONTH IN LOVELAND (Heather Buoniconti)

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

**1. PUBLIC WORKS (presenter: Jason Licon)
SUPPLEMENTAL APPROPRIATION FOR THE AIRPORT FOR RUNWAY IMPROVEMENTS**

A motion to approve and order published on second reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2013 Fort Collins – Loveland Municipal Airport Budget for Runway Improvements

This is an administrative action. The ordinance appropriates \$738,320 of an available 95% federal grant and 5% local match to complete the Airport Improvement Project. The ordinance appropriates grant funds. No local funds are required. City Council

unanimously approved this ordinance on first reading, at the regular meeting on August 20, 2013.

2. **FINANCE** (presenter: John Hartman)
ESTABLISHING PUBLIC HEARING DATE FOR 2014 RECOMMENDED BUDGET
A motion to approve a Resolution #R-64-2013 Establishing a Date, Time, and Place for a Public Hearing on the 2014 Recommended Budget for the City of Loveland, Colorado

This is an administrative action. The resolution sets the date for the public hearing for October 1, 2013.

3. **DEVELOPMENT SERVICES** (presenter: Troy Bliss)
KING OF GLORY ADDITION ANNEXATION ESTABLISHING HEARING DATE
A motion to approve a Resolution #R-65-2013 Finding a Certain Petition for Annexation Known as King of Glory Addition, Filed on June 10, 2013, to be in Substantial Compliance with Section 30 of Article II of the Colorado Constitution and With the Requirements of §31-12-107(1), C.R.S.; and Establishing a Date, Time, and Place for a Hearing to Determine Whether the Proposed Annexation Complies with the Applicable Requirements of Sections 31-12-104 and 31-12-105, C.R.S., and is Eligible for Annexation to the City of Loveland, Colorado

This is a legislative action to consider a resolution setting a public hearing date of October 15, 2013 for City Council to consider a petition to annex approximately 4.2 acres to be known as King of Glory Addition. The applicant is King of Glory Lutheran Church. The property is generally located at the northwest corner of W. 29th Street and N. Wilson Avenue and is occupied by King of Glory Lutheran Church, which includes two attached structures with a combined floor area of approximately 18,000 square feet.

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

4. **CITY CLERK** (presenter: Terry Andrews)
APPROVAL OF MINUTES

1. A motion to approve the August 13, 2013 Special Meeting & Study Session Minutes. Councilor McKean was absent. Councilor Shaffer was absent for the Special Meeting but present for the Study Session.

This is an administrative action to approve the August 13, 2013 Special Meeting & Study Session Meeting Minutes.

2. A motion to approve the August 20, 2013 Regular Meeting Minutes. Councilor Farley was absent.

This is an administrative action to approve the August 20, 2013 Regular Meeting Minutes.

**5. CITY ATTORNEY (presenter: John Duval)
PUBLIC HEARING
CITIZEN INITIATIVE PETITION FOR A TWO-YEAR MORATORIUM ON HYDRAULIC FRACTURING**

The information for this item will be forth coming and published on Friday, August 30, 2013.

**6. PUBLIC WORKS (presenter: David Klockeman)
CDOT'S FUTURE OPTIONS FOR NORTH I-25
North I-25 from 120th Avenue to State Highway (SH) 14 (Mulberry Avenue) – Options and Input for Future**

Staff is looking for Council direction. CDOT representatives will be providing information related to the future options of North I-25, from 120th Avenue to SH 14 (Mulberry). This effort is associated with CDOT's Responsible Acceleration of Maintenance and Partnerships (RAMP) Program, currently under consideration, which includes possible funding for North I-25.

**7. PUBLIC WORKS (presenter: David Klockeman and Kevin Gingery)
REVISIONS TO SYSTEM INVESTMENT FEES AND STORMWATER UTILITY FEES
A motion to adopt a Resolution #R-66-2013 Concerning Revisions to the Stormwater Rates for System Investment Fees (SIF's) and the Stormwater Utility Fee for 2014 and Beyond**

This is an administrative action to adopt a resolution on first reading that provides funding for the Stormwater Enterprise through a series of rate increases for System Investment Fees (SIF's) and the Stormwater Utility Fee. The presentation and discussion will include existing rates and the potential adjustment to rates going forward; on-going needs, and City Council direction from the December 11, 2012 Study Session.

The SIF's (Stormwater's version of Capital Expansion Fees) are collected with each new development to provide regional stormwater facilities the ability to protect the existing downstream property owners. The last adjustment to these fees appeared in 2005. The Stormwater Utility Fee is based on the costs to upgrade the existing Stormwater system that was in place prior to 1987, as well as, maintain all of the public Stormwater facilities across the City. The last adjustment to these fees was in 2002.

The proposed rates to the SIF's would balance the costs across the anticipated development within the City's Growth Management Area (GMA), allowing for the anticipated regional improvements to be funded. The proposed rate for the Stormwater Utility Fee would expedite the completion of Master Plan Projects within the area of the City that existed prior to 1986, which current rates would never allow for completion.

The Stormwater Utility will be positively affected by additional funding for capital projects.

8. FINANCE (presenter: Brent Worthington)

JULY 2013 FINANCIAL REPORT

This is an information only item. The Snapshot Report includes the City's preliminary revenue and expenditures including detailed reports on tax revenue and health claims year to date, ending July 31, 2013.

9. CITY MANAGER

(presenter: Alan Krcmarik)

INVESTMENT REPORT FOR JULY 2013

This is an informational only item. The budget estimate for investment earnings for 2013 is \$2,760,420. Through July, the amount posted to the investment account is \$840,109 including realized gains. Actual year-to-date earnings are much lower than the budget projection. Earlier this year, several very high interest rate corporate bonds matured, so future yields will be lower. The estimated annualized yield on market value for securities held by US Bank increased to 1.16% at the end of July, higher than the 1.06% yield reported at the end of June. The yield is still 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 now higher than the budget projection target.

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