

rights-of-way within the Aspen Knolls First and Second Subdivisions.

2. A motion to approve and order published on second reading an Ordinance Amending Section 18.04.040 of the Loveland Municipal Code, the Same Relating to Zoning Regulations for "P-50 - Aspen Knolls " to the City of Loveland

A quasi-judicial action for adoption of an ordinance on second reading to rezone the property from P-50 – Aspen Knolls Planned Unit Development (PUD) to DR – Developing Resource. These ordinances were approved unanimously on first reading by Council at the October 1, 2013 regular meeting.

**2. ECONOMIC DEVELOPMENT (presenter: Mike Scholl)
ARTSPACE SUPPLEMENTAL APPROPRIATION FOR ACQUISITION OF THE FEED & GRAIN PROPERTY**

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 a Loan to Artspace Inc. for Acquisition of the Feed and Grain Property

This is an administrative action to approve the ordinance on second reading. The ordinance appropriates, from the City Council Reserve Fund, \$300,000 to be repaid over 30 years at 1.75% interest. Annual payments will be made to the City according to the repayment schedule in the agreement which City Council approved unanimously at the October 1, 2013 regular meeting. The loan would fill the gap in funding and complete the financing package to allow Artspace to close on the acquisition of the property and to close on the tax credits.

**3. DEVELOPMENT SERVICES (presenter: Troy Bliss)
ARTSPACE VACATION OF A PORTION OF A PUBLIC RIGHT-OF-WAY**

A motion to approve and order published on second reading an Ordinance Vacating a Portion of a Public Right-of-Way Located in the Loveland Addition to the City of Loveland, City of Loveland, Larimer County, Colorado

Consideration of a legislative action for adoption of an ordinance on second reading to vacate a portion of existing public alley located within Block 21 of the Loveland Addition. The public right-of-way to be vacated is associated with the Artspace project. Upon vacation, the former right-of-way will be retained as a public access and utility easement. The ordinance was adopted unanimously on first reading by Council at the October 1, 2013 regular meeting.

**4. HUMAN RESOURCES (presenter: Julia Holland)
AMENDING THE CODE TO ALLOW ADOPTION OF THE PAY PLAN BY RESOLUTION**

A motion to approve and order published on second reading an Ordinance Amending Section 2.68.020 of the Loveland Municipal Code Regarding the Manner of Adopting the Employee Pay Plan

This is a legislative action to consider an ordinance, on second reading, amending the Section 2.68.020 Loveland Municipal Code to permit adoption of the employee pay plan from time to time by resolution, as opposed to an ordinance. This ordinance was approved unanimously on first reading by Council at the October 1, 2013 regular meeting.

**5. FINANCE (presenter: John Hartman)
2014 CITY OF LOVELAND BUDGET**

1. A motion to approve on second reading Resolution #R-79-2013 Adopting the 2014 Schedule of Rates, Charges, and Fees for Services Provided by the Storm

- Water Enterprise of the City of Loveland, Colorado and Superseding All Prior Resolutions Establishing Such Rates, Charges, and Fees**
2. **A motion to approve on second reading Resolution #R-80-2013 Adopting the 2014 Schedule of Rates, Charges, and Fees for Services Provided by the Water and Power Department of the City of Loveland and Superseding All Prior Resolutions Establishing Such Rates, Charges, and Fees**
 3. **A motion to approve and order published on second reading an Ordinance Adopting the 2013 Mill Levy for the General Fund of the City of Loveland, Colorado**
 4. **A motion to approve and order published on second reading an Ordinance Adopting the 2014 Budget for the City of Loveland, Colorado**
 5. **A motion to approve and order published on second reading an Ordinance Making an Appropriation for the Fiscal Year Beginning January 1, 2014 and Ending December 31, 2014 for the City of Loveland, Colorado**

This is an administrative action to adopt the fee resolutions and ordinances, except for the mill levy ordinance, and to approve the 2014 Budget on second reading. The adoption of the 2013 mill levy is a legislative action. Included are all the Fee Resolutions and Ordinances necessary to adopt and implement the 2014 Budget. City ordinance requires that the fee resolutions for the utilities be approved on two readings. These items establish the budget for the City of Loveland, Colorado in 2014 and implement fees and rates to meet the revenue projections in the budget. The Fee Resolutions and the ordinances were approved unanimously on first reading by Council at the October 1, 2013 regular meeting.

ADJOURN AS CITY COUNCIL AND CONVENE AS THE BOARD OF DIRECTORS OF THE LOVELAND SPECIAL IMPROVEMENT DISTRICT #1 (SID)

6. **FINANCE** (presenter: John Hartman)
2014 BUDGET FOR THE LOVELAND SPECIAL IMPROVEMENT DISTRICT #1 (SID)
A motion to approve and order published on second reading an Ordinance Adopting the 2014 Budget for the Loveland Special Improvement District #1
 This is an administrative action. The City serves as the sponsoring agency for the Special Improvement District (SID) and the ex officio Board of Directors. The SID #1 was established to allow for the collection of assessments from property owners in the District to back bonded debt used to construct infrastructure improvements in the district. The City does not have any legal obligation towards this debt. By State law, all special districts with a connection to the City must adopt a budget. The City of Loveland serves as staff for the District. This action adopts the budget and appropriates funds for the 2014 expenditures of the District. This ordinance was approved unanimously on first reading by Council at the October 1, 2013 regular meeting.

ADJOURN THE BOARD OF DIRECTORS OF THE LOVELAND SPECIAL IMPROVEMENT DISTRICT #1 AND CONVENE AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)

7. **FINANCE** (presenter: John Hartman)
2014 BUDGET FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)
A motion to approve and order published on second reading an Ordinance of the Board of Commissioners of the Loveland Urban Renewal Authority Adopting the 2014 Budget for the Loveland Urban Renewal Authority
 This is an administrative action. City Council serves as the Board of Commissioners for

the Loveland Urban Renewal Authority. By State budget law, the Board must approve an annual budget for the Authority. The City of Loveland serves as staff for the District. The Authority is funded by tax increment revenues from property and sales taxes. This action adopts the budget and appropriates funds for the 2014 expenditures of the Authority. This ordinance was approved unanimously on first reading by Council at the October 1, 2013 regular meeting.

ADJOURN AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY AND CONVENE AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID)

8. **FINANCE** (presenter: John Hartman)
2014 BUDGET FOR THE GENERAL IMPROVEMENT DISTRICT #1 (GID)
1. **A motion to approve and order published on second reading an Ordinance Adopting the 2014 Budget for the Loveland General Improvement District #1**
The ordinance adopting the budget is an administrative action.
2. **A motion to approve and order published on second reading an Ordinance Setting the 2013 Mill Levy for the Loveland General Improvement District #1**
The ordinance setting the mill levy is a legislative action. City Council serves as the ex-officio Board of Directors for the District. The Board must approve a budget and set the mill levy for the District. The City of Loveland serves as staff for the District. These items establish a budget and appropriate funds for District expenses in 2014, and set the mill levy rate for the property tax collections. The ordinances were approved unanimously on first reading by Council at the October 1, 2013 regular meeting.

ADJOURN AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 AND RECONVENE AS CITY COUNCIL

9. **FINANCE** (presenter: John Hartman)
2014 SCHEDULE OF RATES, CHARGES & FEES AND 2014 AIRPORT BUDGET
A motion to approve and order published on second reading an Ordinance Adopting the 2014 Budget for the Fort Collins-Loveland Municipal Airport
This is an administrative action. The City of Loveland provides staff support to the Airport through the Intergovernmental agreement with the City of Ft. Collins. As a part of this function the City Council approves the Airport budget, which includes the City's share of the Airport Budget. The ordinance establishes a budget and appropriates funds for Airport expenses in 2014. This ordinance was approved unanimously on first reading by Council at the October 1, 2013 regular meeting.
10. **FINANCE** (presenter: John Hartman)
2014 BUDGET FOR THE LOVELAND FIRE AND RESCUE AUTHORITY
A motion to adopt Resolution #R-85-2013 Approving the Loveland Fire Rescue Authority 2014 Schedule of Rates, Charges, and Fees for Services and 2014 Budget
This is an administrative action. The resolution provides for Council approval of the Loveland Fire Rescue Authority Budget and fees schedule for 2014. Council approval of the budget is required for the Authority's budget to be in effect.
11. **CITY MANAGER** (presenter: Bill Cahill)
AMENDMENT TO DATE AND LOCATION OF SCHEDULED MEETING FOR HUMAN SERVICES COMMISSION AND APPOINTMENT FOR LIAISON

1. A motion to approve Resolution #R-86-2013 Amending the Regularly Scheduled Meeting Date and Location for the Loveland Human Services Commission

This is an administrative action to change the meeting date and location for the Human Services Commission from the fourth Thursday of each month at 6:00 p.m. in the City Manager's Conference Room, to the first Thursday of each month at 6:00 p.m. in the City Council Chambers.

2. A motion to Accept the Resignation of Councilor Trenary and Appoint Councilor Farley as the Council Liaison to the Loveland Human Services Commission

This item also includes a motion to appoint Councilor Farley as Council Liaison to the Human Services Commission in lieu of Councilor Trenary, who has resigned due to a conflict with the new meeting date.

**12. CITY CLERK (presenter: Terry Andrews)
SPECIAL MEETING FOR NOVEMBER 12, 2013 TO SWEAR IN COUNCILORS**

A motion Calling for a Special Meeting on November 12, 2013 at 6:30 Prior to the Regularly Scheduled Study Session of City Council

This is an administrative action setting a Special Meeting to consider the November 5, 2013 Regular Meeting minutes and to swear in newly appointed councilors. This meeting would be immediately followed by the Study Session.

**13. ECONOMIC DEVELOPMENT (presenter: Betsey Hale)
PUBLIC HEARING**

EMERGENCY ORDINANCE TEMPORARILY WAIVING BUILDING PERMIT FEES RELATED TO THE FLOOD

A motion to approve and order published on first and only reading an Emergency Ordinance of the City Council of the City of Loveland Temporarily Waiving Building Permit Fees Owed to the City Under Loveland Municipal Code Title 15 and Use Tax Owed to the City Under Loveland Municipal Code Chapter 3.16 With Respect to Building Permits Issued for the Renovation or Repair of Residential and Nonresidential Structures Located Within Loveland City Limits That Were Damaged by the 2013 Big Thompson Flood

This is a legislative action considering an emergency ordinance waiving the building permit fees and construction materials use taxes for residential and nonresidential structures which are located within Loveland city limits and were damaged by the flood. Building permit applications must be made and accepted as complete by the City's building division sixty days from the adoption of this ordinance.

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

KING OF GLORY ANNEXATION AND REZONING

1. A motion to approve Resolution #R-87-2013 Concerning the Annexation to the City of Loveland, Colorado, of a Certain Area Designated as "King of Glory Addition" More Particularly Described Herein, and Setting Forth Findings of Fact and Conclusions Based Thereon as Required by the Colorado Constitution and by State Statute

A public hearing to consider the following actions concerning the annexation of the King of Glory Lutheran Church:

A resolution that finds the property to be in compliance with the Colorado Revised Statutes for annexation;

2. A motion to approve and order published on first reading an Ordinance Approving the Annexation of Certain Territory to the City of Loveland, Colorado, to be Known and Designated as "King of Glory Addition" to the City of Loveland

A legislative action to adopt an ordinance on first reading annexing approximately 4.28 acres to be known as the King of Glory Addition;

3. A motion to move to make the findings in Section VII of the Planning Commission staff report dated July 22, 2013, and based on those findings, approve and order published on first reading an Ordinance Amending Section 18.04.040 of the Loveland Municipal Code, the Same Relating to Zoning Regulations for "King of Glory Addition" to the City of Loveland

A quasi-judicial action to adopt an ordinance on first reading zoning the King of Glory Addition R1 – Developing Low Density Residential

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

ST. JOHN ADDITION VACATION OF PUBLIC RIGHT-OF-WAY

A motion to approve and order published on first reading an Ordinance Vacating a Portion of a Public Right-Of-Way Located in the St. John Addition to the City of Loveland, City of Loveland, Larimer County, Colorado

This is a legislative action to adopt of an ordinance on first reading to vacate the public right-of-way for a portion of Truman Avenue located within the St. John Addition and Hill Top Addition. The applicants for the request are the St. John Church and the Thompson School District.

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

HOUSE OF NEIGHBORLY SERVICE GRANT & FEE WAIVER AGREEMENT AND SUPPLEMENTAL APPROPRIATION FOR THE COMMUNITY LIFE CENTER

1. A motion to adopt Resolution #R-88-2013 Approving a Grant and Fee Waiver Agreement with the House of Neighborly Service for the Community Life Center

The resolution is an administrative action and would authorize the City Manager to sign a Grant and Fee Waiver agreement with the House of Neighborly Services (HNS) for the construction of the "Community Life Center" at 1511 E. 11th Street. The agreement would provide a total package valued at \$780,516.14 that includes reimbursements for public improvements, a matching grant, and fee waivers. The item was considered by Council at the August 13, 2013, Council Study Session.

2. 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 to Provide Incentives to House of Neighborly Service for the Community Life Center

The Ordinance is on first reading. It would budget and appropriate \$500,000 from Council reserve for the Incentive agreement. (The City would fund \$500,000 from Council reserves and forego \$280,516.14 in waived fees.)

**17. DEVELOPMENT SERVICES (presenter: Bob Paulsen)
PUBLIC HEARING**

CODE MODIFICATION FOR WEED CONTROL

A motion to approve and order published on first reading an Ordinance Repealing and Re-Enacting Chapter 7.18 of the Loveland Municipal Code Regarding Weed Control

This is a legislative action to adopt an ordinance on first reading that modifies the weed

control provisions of the Loveland Municipal Code, aligning the provisions with State and County regulations; clarifying requirements and allowances for native and ornamental grasses.

18. **DEVELOPMENT SERVICES** (presenter: Bethany Clark)
PUBLIC HEARING

HISTORIC LANDMARK AMENDMENT FOR LOVELAND FEED & GRAIN BUILDING

A motion to approve and order published on first reading an Ordinance Amending Ordinance #4971 Designating as a Historic Landmark the Loveland Feed & Grain Building Located at 130 West 3rd Street in Loveland, Colorado

This is a legislative action to adopt an ordinance on first reading amending Ordinance #4971, which in 2005, designated as a Historic Landmark the Loveland Feed & Grain building located at 130 West 3rd Street. The proposed ordinance modifies the legal description of the historic designation to eliminate from that legal description, property west of the Loveland Feed and Grain building, on which Artspace LP proposes to construct a new multifamily affordable housing project.

ADJOURN AS CITY COUNCIL AND CONVENE AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1

19. **PUBLIC WORKS** (presenter: Keith Reester)
PUBLIC HEARING

SUPPLEMENTAL APPROPRIATION TO THE GID #1 FOR DOWNTOWN PARKING IMPROVEMENTS

A motion to approve and order published on first reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2013 Loveland General Improvement District #1 for Downtown Parking Improvements

This is an administrative action. The ordinance on first reading appropriates an additional \$20,000 from reserves for the construction of the new parking lot on Railroad Avenue. This action brings the total project budget to \$90,000. The appropriation is from reserves reducing the flexibility to fund other projects.

ADJOURN AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 AND RECONVENE AS CITY COUNCIL

20. **WATER & POWER** (presenter: Michael McCrary)
NUTRIENT REMOVAL GRANT FROM THE COLORADO DEPARTMENT OF HEALTH AND ENVIRONMENT

A motion to adopt Resolution #R-89-2013 Approving a Contract for a Grant of \$1,080,000 from the Colorado Department of Health and Environment (CDPHE) to the City of Loveland Water and Power Department to Model, Design and Begin Construction of Biological Nutrient Removal Processes at the Wastewater Treatment Facility

This contract is a combination of two grants awarded to the City of Loveland Water and Power Department by the Colorado Department of Health and Welfare from an appropriation proposed by Colorado Governor John Hickenlooper and enacted by the Colorado General Assembly to ease the financial impact of the new nutrient removal regulations on rate payers in affected jurisdictions. One grant is for \$80,000 for modeling and selection of appropriate nutrient removal technology for the Wastewater Treatment Facility. This part of the grant includes matching funds of \$20,000 from the City. These

funds are currently available in our operating budget and will not require a supplemental budget request. The second grant is for \$1,000,000 and does not include any matching funds requirement. These funds must be used for design and construction of the selected nutrient removal technology. All funds must be used by May 31, 2016. Current planning shows the entire Nutrient Removal Project totaling over approximately \$6,000,000 and lasting into 2017.

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

21. **CITY CLERK** (presenter: Terry Andrews)
APPROVAL OF MINUTES
 1. **A motion to approve the September 24, 2013 Study Session minutes.**
This is an administrative action to approve the September 24, 2013 Study Session minutes. Councilor Klassen was absent.
 2. **A motion to approve the October 1, 2013 Regular minutes.**
This is an administrative action to approve the October 1, 2013 Regular minutes. Councilor Taylor was absent.

22. **DEVELOPMENT SERVICES** (presenter: Brian Burson)
PUBLIC HEARING
AMENDMENTS TO THE COMPREHENSIVE PLAN AND ZONING REGULATIONS FOR BIG THOMPSON FARMS ADDITION
 1. **A motion to adopt Resolution #R-90-2013 Approving Amendments to the City of Loveland "2005 Comprehensive Plan" by the Amendment of Section 4.7 Land Use Plan Map**
This is a legislative action to consider a parcel-specific amendment to the Land Use Map in the Section 4.7 of the City of Loveland 2005 Comprehensive Plan for Tracts A and B of the Big Thompson Farms Addition. The proposed amendment would change the recommended land use for these two tracts, consisting of 32.78 acres, from Low-Density Residential (LDR) to Development Reserve (DR). The property is located between North Wilson Avenue and North Namaqua Avenue, and between West First Street and

the Big Thompson River corridor.

2. A motion to make the findings in Section VII of the Planning Commission Staff Report dated September 9, 2013, and based on these findings, approve and order published on first reading an Ordinance Amending Section 18.04.040 of the Loveland Municipal Code, the Same Relating to Zoning Regulations for Certain Property Located in the Big Thompson Farms Addition, City of Loveland, Larimer County, Colorado

This is a quasi-judicial action to consider rezoning the easterly portion of Tract A of the Big Thompson Farms Addition, consisting of 15.26 acres, from R1, Developing Low-Density Residential District to DR, Developing Resources District. The property is located between North Wilson Avenue and North Namaqua Avenue, and between West First Street and the Big Thompson River corridor.

**23. FINANCE (presenter: John Hartman)
PUBLIC HEARING
EMERGENCY ORDINANCE FOR SUPPLEMENTAL APPROPRIATION FOR FLOOD
RELATED COSTS**

A motion to approve and order published on first and only reading an Emergency Ordinance Enacting a Supplemental Budget and Appropriation to the 2013 City of Loveland Budget for Costs Related to the Response and Initial Recovery from the 2013 Flood

This is an administrative action. The Emergency Ordinance appropriates funding of \$4,872,010 for the costs of responding to and recovery from the 2013 Flood. The appropriation is funded by unassigned fund balance which reduces the flexibility to fund other projects or programs.

**24. WATER & POWER (presenter: Larry Howard)
CONSOLIDATED HOME SUPPLY IRRIGATING & RESERVOIR COMPANY
AGREEMENT**

A motion Directing the City Manager to Negotiate and Enter into an Agreement with the Consolidated Home Supply Irrigating & Reservoir Company (“Home Supply”), in Consultation with the City Attorney and on Terms Favorable to the City, Pursuant to Which the City Will Provide Financing to the Home Supply in an Amount not to Exceed \$300,000 to be Applied Toward the Cost of Repairing the Home Supply’s Diversion Structure on the Big Thompson River

The Home Supply’s diversion structure on the Big Thompson River sustained significant damage as a result of the September 2013 Flood. Initial estimates indicate that it may cost up to \$600,000 to repair the diversion structure. The City is obligated under an 1895 agreement with the Home Supply to pay approximately 11% of the cost to repair the diversion structure, which the City has used since 1895 to divert water (currently delivered through a City-owned pipeline into the City’s water treatment plant). Because the Home Supply does not have adequate cash reserves or existing financing to cover the remaining 89% of the cost to repair the diversion structure, the Home Supply is requesting additional financial assistance from the City in an amount not to exceed \$300,000.

**25. HUMAN RESOURCES (presenter: Julia Holland)
Executive Session Regarding Performance Evaluations for Appointed Employees**

ADJOURN