

A motion Appointing Recommended Members to the Affordable Housing Commission

This is an administrative action recommending appointment of members.

- **Motion to appoint Vendia Berg to the Affordable Housing Commission for a partial term effective until June 30, 2014 was approved.**
- **Motion to appoint Will Gresham, Barbara Irelan, and Diann Rice to the Affordable Housing Commission, each for a term effective until June 30, 2016 was approved.**

**3. WATER & POWER (presenter: Steve Adams)
WHEELING AGREEMENT AMONG CITY, PSCo, & PLATTE RIVER POWER AUTHORITY**

A motion to adopt on second reading a Resolution #R-58-2013 Approving a Wheeling Agreement Among the City of Loveland, Public Service Company of Colorado, and Platte River Power Authority was approved.

This is an administrative action to approve on second reading a Wheeling Agreement between the City, Public Service Company of Colorado (PSCo), and Platte River Power Authority (Platte River). The Wheeling Agreement will replace the existing agreement between the parties dated June 20, 2005. Both PSCo and Platte River have approved and signed the Wheeling Agreement. The Power Enterprise will benefit from this approval of the Wheeling Agreement by updating the rates and fees charged to PSCo for the use of our equipment and services. Pursuant to City Code, all utility rates, charges, and fees must be approved by City Council upon two readings of the resolution. City Council unanimously adopted the resolution on first reading at the August 6, 2013 regular meeting.

**4. CITY ATTORNEY (presenter: John Duval)
ACTIONS RELATING TO AMENDMENT 64 MARIJUANA ESTABLISHMENTS**

A motion to approve and order published on second reading Ordinance #5800 to Add a New Chapter 7.65 to the Loveland Municipal Code to Prohibit Marijuana Establishments from Being Licensed, Located and Operated Within the City of Loveland was approved.

This is a legislative action to adopt on second reading an ordinance adding a new Chapter 7.65 to the Loveland Municipal Code to prohibit marijuana establishments from being licensed, located, and operated within the City. City Council unanimously adopted the ordinance on first reading at the August 6, 2013 regular meeting.

**5. PUBLIC WORKS (presenter: Ken Cooper)
SUPPLEMENTAL APPROPRIATION FOR THE SERVICE CENTER PHASE III EXPANSION PROJECT AND AWARD CONTRACT TO GOLDEN TRIANGLE**

This item was removed from the consent agenda.

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

A public hearing was held an a motion to approve and order published on first reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2013 Fort Collins – Loveland Municipal Airport Budget for Runway Improvements was approved.

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.

7. **CITY CLERK** (presenter: Terry Andrews)
IGA BETWEEN THE CITY AND LARIMER COUNTY CLERK & RECORDER FOR THE COORDINATED ELECTION

A motion to adopt Resolution #R-62-2013 Approving and Authorizing the Execution of an Intergovernmental Agreement Between the City of Loveland and the Larimer County Clerk and Recorder Concerning the Coordinated Mail Ballot Election to be Held on November 5, 2013 was approved.

This is an administrative action. This resolution will authorize the execution of an intergovernmental agreement between the City of Loveland and the Larimer County Clerk and Recorder concerning the coordinated election to be held on November 5, 2013.

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.*

Paul Mueller & Ben Price introduced TedXi informational presentation to Council.

David Sommers, from Lakeview, thanked Council.

Les Bogunovich, from Lakeview, thanked Council and reported "\$100 was given to" Meals on Wheels".

The following residents commented on fracking and the citizen-initiative petition:

Linda McCullah, Brian Thomas of 1355 Crabapple Road, Sharon Montas, Lanay Samer of 711 W 9th Street, and Ethel Mininger.

- 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.*

Fogle: Announced the Rotary Duck Race, 4 p.m. on Saturday, August 24, 2013.

Shaffer: Announced CDOT Meeting at 4-6 p.m. on August 22, 2013 held at the Weld County Service Center regarding economic development around I-25; Attended the Cardinal Glass Tour.

Trenary: Attended Orchard Place; Attended Cardinal Glass Tour; Attended Library 3-D Printer Meeting.

Clark: Announced the Corn Roast Festival this Friday and Saturday nights, August 24-25, 2013.

Klassen: Attended Resurrection Christian School ribbon cutting; Attended Cardinal Glass Tour.

McKean: Attended Rotary Event and read to kids at Barnes & Noble; "Get Well Wish" to Emory Howath.

Gutierrez: Attended ribbon cutting Schliser's Art Academy at the Bonnell Building, Attended Energy Leaders with Governor Hickenlooper regarding the direction of electric generation; Attended the Sculpture Show and Sculpture in the Park; the show generated \$1.13 million in sales; Announced that Fire Chief, Randy Mirowski, was awarded Fire Chief of the Year.

- c. **City Manager Report**
Rod Wensing:

NFRMPO regarding the Vango Program: **Consensus of Council was to provide a letter to Federal in support of the Vango Program with a waiver of the “buy American parts” requirement.**

- 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 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

5. **PUBLIC WORKS** (presenter: Ken Cooper)
SUPPLEMENTAL APPROPRIATION FOR THE SERVICE CENTER PHASE III EXPANSION PROJECT AND AWARD CONTRACT TO GOLDEN TRIANGLE

1. Facilities Operation Manager, Ken Cooper, introduced this item to Council. This is an administrative matter to appropriate funding of \$3,894,520 to complete the funding of the Service Center Phase III Expansion Project at the amount of bid price. The funding for the project is from reserves of \$3,499,520 from the General Government CEF Fund and \$395,000 from the Solid Waste Enterprise Fund which reduces the flexibility to complete other projects. City Council unanimously adopted the ordinance on first reading at the August 6, 2013 regular meeting. **Councilor Shaffer moved to approve and order published on second reading Ordinance #5799 to Enact a Supplemental Budget and Appropriation to the 2013 City of Loveland Budget for the Service Center Phase III Expansion Project in the Amount Of \$3,894,520. Councilor Klassen seconded the motion which carried with all councilors present voting in favor thereof; 8-0.**

2. This is an administrative matter to authorize and execute a contract with Golden Triangle Construction to expand and remodel the Loveland Service Center, located at 200 North Wilson Avenue, Loveland. **Councilor Shaffer moved to Award a Contract to Golden Triangle Construction to Expand and Remodel the Loveland Service Center in the Amount of \$12,723,060 and to Authorize the City Manager to Execute the Contract on Behalf of the City. Councilor Trenary seconded the motion which carried with all councilors voting in favor thereof; 8-0.**

8. **ECONOMIC DEVELOPMENT** (presenter: Betsey Hale)
ECONOMIC DEVELOPMENT DEPARTMENT YEAR TWO IN REVIEW

This is an information only item. Business Development Manager, Betsey Hale, introduced this item. The City established the Economic Development Department in August of 2011. The presentation summarized the accomplishments of the department in year two.

9. **CITY ATTORNEY**

CITIZEN INITIATIVE PETITION FOR A TWO-YEAR MORATORIUM ON HYDRAULIC FRACTURING

This item was removed from the agenda.

10. FINANCE (presenter: John Hartman)
JUNE 2013 FINANCIAL REPORT

This is an information only item. Budget Officer, John Hartman, introduced this 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 June 30, 2013.

11. FINANCE (presenter: Alan Krcmarik)
INVESTMENT REPORT FOR JUNE 2013

This is an informational only item. Executive Economic Advisor, Alan Krcmarik, introduced this item. The budget estimate for investment earnings for 2013 is \$2,760,420. Through June, the amount posted to the investment account is \$634,352 including realized gains. Actual year-to-date earnings are much lower than the budget projection. In May, 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 1.06% at the end of June, higher than the 0.88% yield reported at the end of May. The yield is still well 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.

12. CITY MANAGER & CITY ATTORNEY
PROPOSED EXECUTIVE SESSION

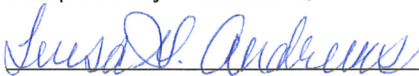
At 10:38 p.m. Councilor Fogle recused himself and Councilor Clark was absent. **Councilor Shaffer moved that the City Council go into Executive Session as authorized in the CRS Sections 24-6-402(4)(b), 4(e) and 4(g) and City Charter Sections 4-4(c)(1), (c)(3) and (c)(6). This Executive Session will concern the U.S. Department of Housing and Urban Development's findings concerning the Loveland Housing Authority's use of CDBG Funds for the development of the Mirasol Senior Living Community. And related to these findings: to receive legal advice from the City Attorney; discuss alternatives to negotiating a resolution of this matter, to include receiving reports from negotiators, determining negotiation positions, developing negotiation strategy, and to instruct negotiators concerning such positions and strategy; and to receive and review documents and information that are not subject to public inspection under the Colorado Open Records Act, such as work-product documents. Councilor Trenary seconded the motion which carried with all councilors present voting in favor; 6-0.**

Council reconvened at 11:38 p.m.

ADJOURNMENT

Having no further business to come before Council, the August 20, 2013 Regular Meeting was adjourned at 11:38 pm.

Respectfully Submitted,


Teresa G. Andrews, City Clerk




Cecil A. Gutierrez, Mayor

